



City of Portland, Oregon
Bureau of Development Services
Land Use Services
FROM CONCEPT TO CONSTRUCTION

Chloe Eudaly, Commissioner
Rebecca Esau, Interim Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: September 29, 2017
To: Interested Person
From: Leah Dawkins, Land Use Services
503-823-7830 / Leah.Dawkins@portlandoregon.gov

NOTICE OF A TYPE IIx PROPOSAL IN YOUR NEIGHBORHOOD

Development has been proposed in your neighborhood. The proposed development requires a land use review. The proposal, review process, and information on how to respond to this notice are described below. A copy of the site plan and zoning map is attached. I am the staff person handling the case. Please call me if you have questions regarding this proposal. Please contact the applicant if you have questions regarding any future development on the site.

Because we must publish our decision within 42 days, **we need to receive your written comments by 5 p.m. on October 30, 2017.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-195517 LDP AD, in your letter. It also is helpful to address your letter to me, Leah Dawkins. You can also e-mail your comments to me at my e-mail address identified above.

CASE FILE NUMBER: LU 17-195517 LDP AD

Applicant: Roseann Johnson | Bluestone Homes, Inc.
16081 S Moore Rd | Oregon City OR 97045
(971) 221-6734 | roseann@bluestonehomes.net

Owner: Richard Kassebaum and Dawn Kassebaum
16081 S Moore Rd | Oregon City, OR 97045

Site Address: 3604 SE Haig St

Legal Description: BLOCK 42 W 10' OF LOT 27 LOT 28, WAVERLEIGH HTS
Tax Account No.: R885307860
State ID No.: 1S1E12AC 03100
Quarter Section: 3334
Neighborhood: Richmond, contact Matt Otis at matt.otis@gmail.com
Business District: Greater Brooklyn, contact David Weislogel at 503-872-9320.
District Coalition: Southeast Uplift, contact Leah Fisher at 503-232-0010.

Zoning: R1- Multi-Dwelling Residential
Case Type: LDP- Land Division Partition, AD- Adjustment Review
Procedure: Type IIx, an administrative decision with appeal to the Hearings Officer.

Proposal:

The applicant is proposing a 3-parcel land division in the R1 zone with Adjustments requested. The site is 5,500 square feet in size. The divided parcels will range from 1,350 square feet to 2,750 square feet in size. The existing house is proposed to be retained on Parcel 1. A 25-inch diameter Cherry tree and a 12-inch diameter Dogwood tree are proposed to be removed from the site.

The adjustments are requested to reduce the rear building setback for Parcel 1 from five feet to three feet in order to accommodate the existing garage; and to reduce the side building setback on Parcel 2 from five feet to three feet.

This partition proposal is reviewed through a Type IIX procedure because: (1) the site is in a residential zone; (2) 10 or fewer lots are proposed; and (3) a concurrent review (Adjustment) is required (see 33.660.110).

For purposes of State Law, this land division is considered a partition. To partition land is to divide an area or tract of land into two or three parcels within a calendar year (See ORS 92.010). ORS 92.010 defines "parcel" as a single unit of land created by a partition of land. The applicant's proposal is to create 3 units of land. Therefore this land division is considered a partition.

Relevant Approval Criteria: In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are found in **Section 33.660.120, Approval Criteria for Land Divisions in Open Space and Residential Zones.**

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. This application was submitted on July 24, 2017 and determined to be complete on September 19, 2017.

DECISION MAKING PROCESS

The Bureau of Development Services will make a decision on this proposal. We will consider your comments, and

- Approve the proposal.
- Approve the proposal with conditions.
- Deny the proposal.

The neighborhood association listed on the first page of this notice may take a position on this application. They may also schedule an open meeting prior to making their recommendation to the Bureau of Development Services. Please contact the person listed as the neighborhood contact to determine the time and date of this meeting.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be extended at the request of the applicant.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.ci.portland.or.us.

APPEAL PROCESS

If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Hearings Officer. This review body will hold a public hearing for the appeal. When the decision is mailed, the criteria used to make the decision and information on how to file an appeal will be included. If you do not send any comments, you can still appeal the decision. There is a 14-day deadline to file an appeal beginning on the day the decision is mailed. The reason for the appeal must be specifically defined in order for the review body to respond to the appeal. If an appeal is filed, you will be notified of the time and location of the appeal hearing.

There is a fee charged for appeals. Recognized neighborhood associations may qualify for an appeal fee waiver.

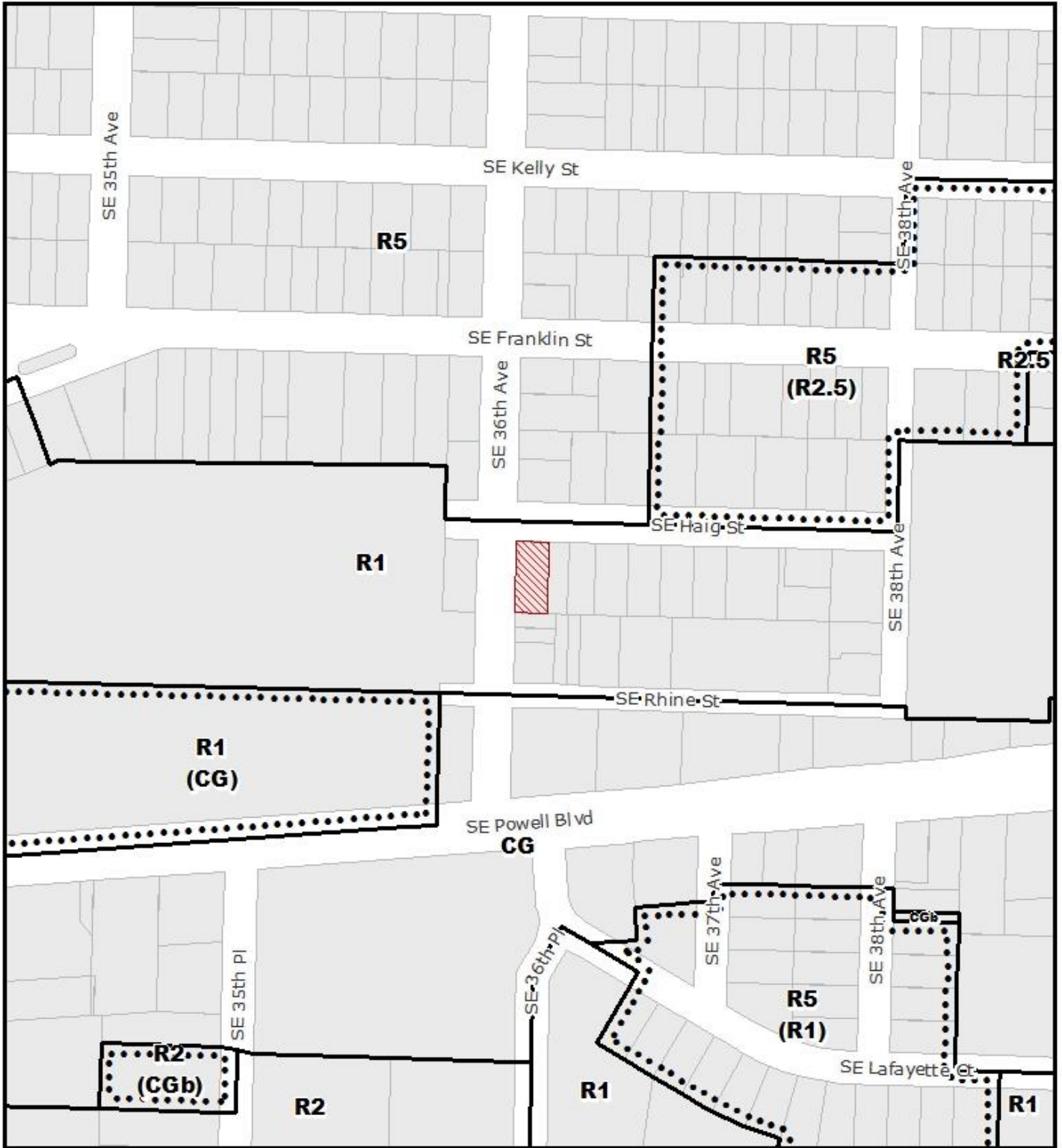
APPEAL OF THE FINAL CITY DECISION

After an appeal hearing, the review body decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St NE, Suite 330, Salem, OR 97301-1283. The phone number for LUBA is 1-503-373-1265. Issues that may provide the basis for an appeal to LUBA must be raised prior to the comment deadline or prior to the conclusion of the hearing if a local appeal is requested. If you do not raise an issue with enough specificity to give the Bureau of Development Services an opportunity to respond to it, that may also preclude an appeal to LUBA on that issue.

The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).

Enclosures:

Zoning Map
Site Plan



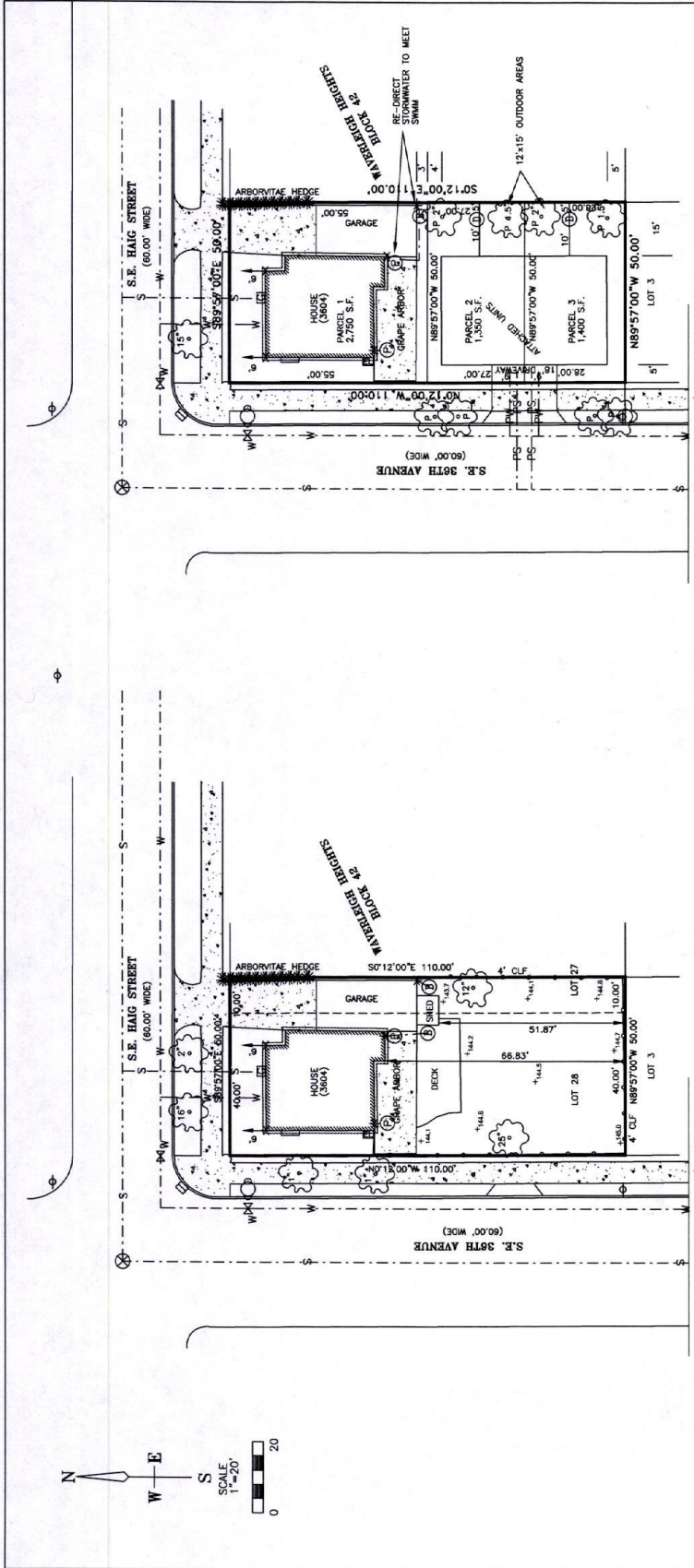
ZONING  NORTH

 Site

File No.	LU 17-195517 LDP AD
1/4 Section	3334
Scale	1 inch = 200 feet
State ID	1S1E12AC 3100
Exhibit	B Jul 25, 2017

RECEIVED

SEP 19 2017

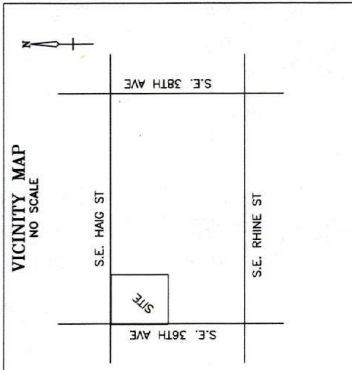


SYMBOLS

- ☐ = POWER POLE
- ⊕ = GUY ANCHOR
- ⊖ = WATER METER
- ⊕ = GAS METER
- ⊖ = ELECTRIC METER
- ⊕ = WATER VALVE
- ⊖ = GAS VALVE
- ⊕ = MANHOLE
- ⊖ = CLEAN OUT
- ⊕ = RAIN COLLECTION BARREL
- ⊖ = DRAINAGE PIPE
- ⊕ = CATCH BASIN
- ⊖ = FIRE HYDRANT
- ☐ = DOWN SPOUTS
- ⊕ = LINE TO CONFIRM
- ⊖ = CHAINLINK FENCE
- ⊕ = WATER LINE
- ⊖ = GAS LINE
- ⊕ = ELECTRIC LINE
- ⊖ = SAN. SEWER
- ⊕ = PROPOSED WATER LINE
- ⊖ = PROPOSED SAN. SEWER
- ⊕ = DRY WELL 4'x5' IMPERVIOUS AREA OF 1150SQ.FT. PER LOT
- ☐ = PROPOSED TREE
- ⊕ = DECIDUOUS TREE
- ⊖ = CONIFER TREE

REGISTERED PROFESSIONAL LAND SURVEYOR
 JOE H. FERGUSON
 OREGON
 JULY 25, 1990
 2418
 RENEWAL DATE 12/31/17

NOTE: ELEVATION DATUM IS PER CITY OF PORTLAND BENCHMARK NO. 817



<p>CLIENT: BLUESTONE HOMES ROSEANN JOHNSON 18-081 S MOORE ROAD OREGON CITY, OR 97045</p>	<p>DATE: APRIL 20, 2017</p> <p>REVISIONS: 8.23.17 9.19.17</p>	<p>JOB NO. 17-050 DRAFTED 4.20.17</p> <p>SHEET 1 OF 1</p>
<p>SITE PLAN</p> <p>WEST 10.00' OF LOT 27 AND ALL OF LOT 28, BLOCK 42, "WATERLEIGH HEIGHTS" SITUATED IN THE NE 1/4, SECTION 12, T.15S., R.1E., W.M., CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON</p>		
<p>Ferguson Land Surveying, Inc. 646 SE 106TH AVE. PORTLAND, OR 97216 Phone (503) 408-0601 Fax (503) 408-0602 www.FergusonLandSurveying.com</p>		

LU 17-195517 LDPAD