



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

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

Date: November 3, 2017
To: Interested Person
From: David Besley, Land Use Services
503-823-7282/David.Besley@portlandoregon.gov

NOTICE OF A TYPE II 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 28 days, **we need to receive your written comments by 5 p.m. on November 27, 2017.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-173844 AD, in your letter. It also is helpful to address your letter to me, David Besley. You can also e-mail your comments to me at my e-mail address identified above.

CASE FILE NUMBER: LU 17-173844 AD

Applicant: Anthony Iaccarino | Webster Row LLC
6307 SE 34th Ave | Portland OR 97202

Owner: Robert P Macleod
5036 N Maryland Ave | Portland, OR 97217

Site Address: 5036 N MARYLAND AVE

Legal Description: BLOCK 33 LOT 4, M PATTONS ADD & 2ND
Tax Account No.: R520502840
State ID No.: 1N1E22BB 14500
Quarter Section: 2529

Neighborhood: Overlook NA, contact landuse@overlookneighborhood.org
District Coalition: North Portland Neighborhood Services, contact Mary Jaron Kelley at 503-823-4099

Plan District: North Interstate
Zoning: RHd (High Density Residential with a Design Overlay Zone)
Case Type: AD (Adjustment Review)
Procedure: Type II, an administrative decision with appeal to the Adjustment Committee

Proposal:

The applicant is proposing to build a 2.5-foot by 24-foot covered trash area with a height of 6 feet along the eastern edge of the property. The Portland Zoning Code requires that structures be set back a minimum of 5 feet from the side lot lines in this zone (Section 33.120.220; Table 120-4). An Adjustment is therefore requested to reduce the minimum side setback from 5 feet to 0 feet for a 60 square foot trash enclosure.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33. Adjustment requests will be approved if the review body finds that the applicant has shown that approval criteria A. through F. of Section 33.805.040, Adjustment Approval Criteria, have been met.

33.805.040 Approval Criteria

- A.** Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and
- B.** If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in an OS, C, E, or I zone, the proposal will be consistent with the classifications of the adjacent streets and the desired character of the area; and
- C.** If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone (*not applicable*); and
- D.** City-designated scenic resources and historic resources are preserved (*not applicable*); and
- E.** Any impacts resulting from the adjustment are mitigated to the extent practical; and
- F.** If in an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable (*not applicable*)

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 May 18, 2017 and determined to be complete on October 12, 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.portlandonline.com.

APPEAL PROCESS

If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Adjustment Committee. 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

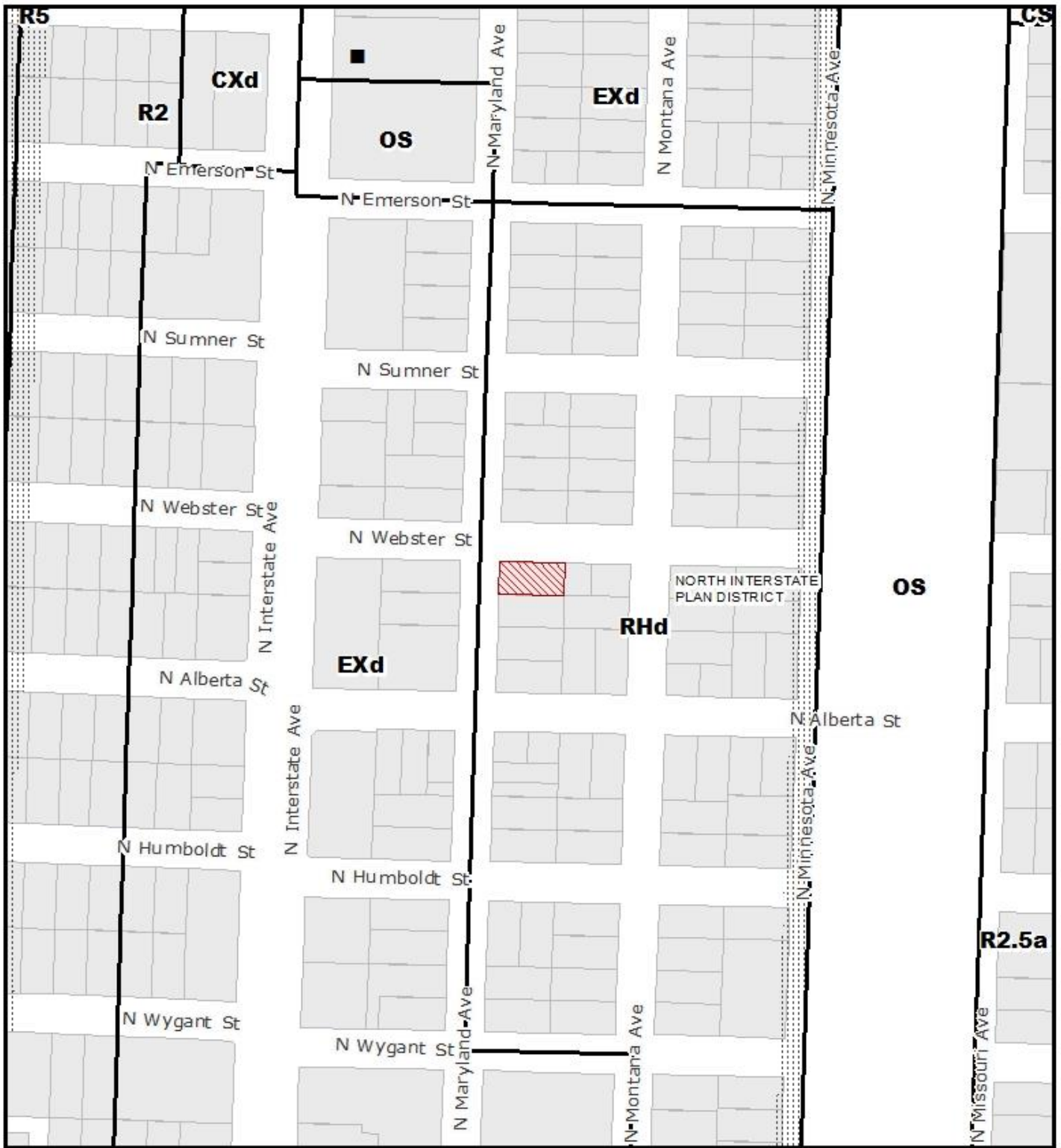
After an appeal hearing, the review body decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283. The phone number for LUBA is 1-503-373-1265. Issues that may provide the basis for an appeal to LUBA must be raised prior to the comment 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, Elevation Drawings, and Rendering



ZONING



NORTH

THIS SITE LIES WITHIN THE:
NORTH INTERSTATE PLAN DISTRICT



Site



Historic Landmark

File No.	LU 17-173844 AD
1/4 Section	2529
Scale	1 inch = 200 feet
State ID	1N1E22BB 14500
Exhibit	B May 22, 2017

Adjustment requested to reduce min. side setback from 5' to 0' for a 60 sq.ft. trash enclosure

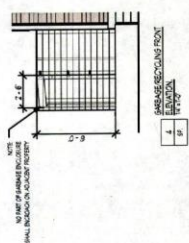
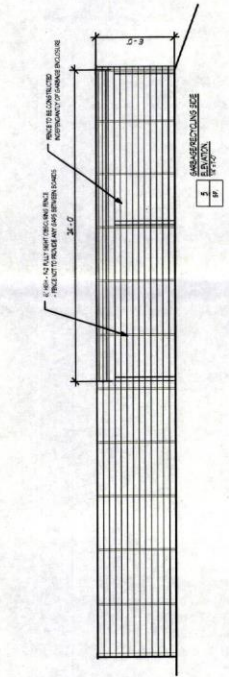
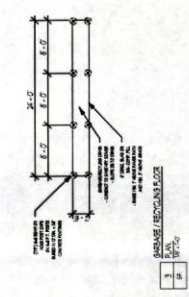
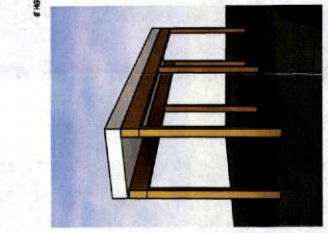
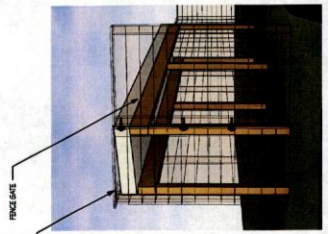
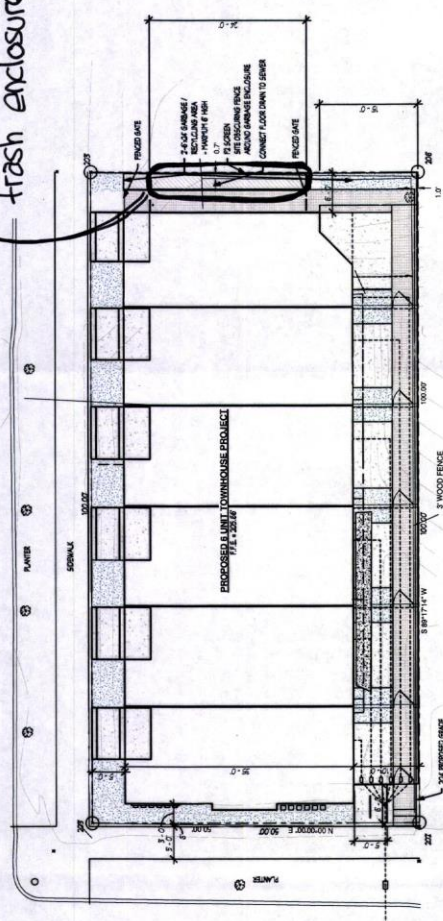
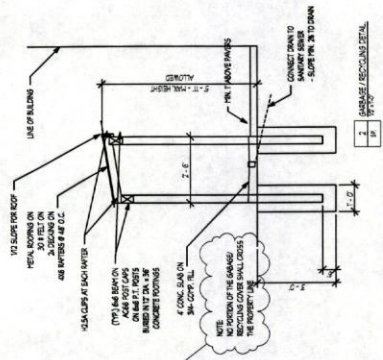
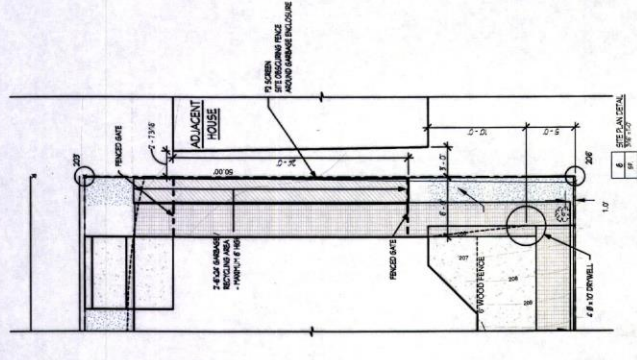
Proposed 2.5' x 24' trash enclosure

BUILDERS DESIGNING
 COMMERCIAL, RESIDENTIAL, ARCHITECTURAL
 1122 NE WHELAN ST. PORTLAND, OR 97239
 PHONE: (503) 255-4455 FAX: (503) 255-4454
 EMAIL: BUILDERSDESIGNING@GMAIL.COM

As shown, drawings and specifications on this set are the original work product of, created by and for the sole use of, the undersigned architect. It is the responsibility of the contractor to verify the accuracy of the information shown on these drawings. The architect makes no warranty, expressed or implied, for the use of these drawings for any purpose other than that intended. The architect shall not be held responsible for any errors or omissions on these drawings. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. The contractor shall be responsible for obtaining all necessary approvals from the appropriate authorities. The contractor shall be responsible for obtaining all necessary approvals from the appropriate authorities.

UrbanRoost LLC - 6 UNIT TOWNHOUSES
 5036 N MARYLAND AVE - PORTLAND, OR 97217
SITE PLAN DETAILS

Project No.	1001
Date	10/11/2017 10:02:02 PM
Drawn By	ALP
Checked By	ALP
Scale	AS SHOWN
Sheet No.	SP.



ENCLOSURE RENDERING 1

ENCLOSURE RENDERING 2

ENCLOSURE DETAIL 1

ENCLOSURE DETAIL 2

ENCLOSURE DETAIL 3