



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 9, 2017
To: Interested Person
From: Lauren Russell, Land Use Services
503-823-7817/Lauren.Russell@portlandoregon.gov

Mary Sierra, Community Service Aide II

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 30, 2017.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-252091 AD, in your letter. It also is helpful to address your letter to me, Lauren Russell. You can also e-mail your comments to me at my e-mail address identified above.

CASE FILE NUMBER: LU 17-252091 AD

Applicant: Kevin Partain | Urban Visions
223 NE 56th Ave | Portland OR 97213

Owners: William & Diane Tuten
6305 SE Tenino St | Portland, OR 97206-9643

Site Address: 6305 SE TENINO ST

Legal Description: BLOCK 2 LOT 10&11, HEDRICKS ADD
Tax Account No.: R373100170
State ID No.: 1S2E20CC 03200
Quarter Section: 3837
Neighborhood: Brentwood-Darlington, contact bdlanduse@gmail.com.
Business District: Eighty-Second Ave of Roses Business Association, contact Nancy Chapin at nchapin@tsgpdx.com
District Coalition: Southeast Uplift, contact Leah Fisher at 503-232-0010.
Plan District: None
Zoning: R5a-Single Dwelling Residential 5,000 and "a" Alternative Design Density Overlay
Case Type: AD-Adjustment Review
Procedure: Type II, an administrative decision with appeal to the Adjustment Committee.

PROPOSAL:

The applicant is requesting an adjustment to the minimum front building setback standard in the single dwelling zone for their house on the corner of SE 63rd Ave and SE Tenino St.

The applicant has submitted, under a separate review, for a Property Line Adjustment and Lot Confirmation to reestablish and move an existing platted lot line to create a new buildable lot (PR 17-220054 PLA, LC) to the right of the existing house on the current 100' X 100' lot. If approved, the proposed lot confirmation and property line adjustment will result with the two new 50' x 100' lots having frontage on SE Tenino St. On a corner lot, the zoning code defines the shorter lot line as the front lot line (33.910). Because the corner lot will be reconfigured, the south (SE Tenino St) property line will effectively become the front lot line.

The façade of the existing house that faces the SE Tenino property line will subsequently not be meeting minimum front building setback standards (33.120.220). In order for the existing house to remain within the front setback, the applicant is requesting an Adjustment to reduce the required front building setback of 10 feet to 7.43 feet.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33.

33.805.040 Approval Criteria

Adjustment requests will be approved if the review body finds that the applicant has shown that approval criteria A. through F. below have been met.

- 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)*
- D.** City-designated scenic resources and historic resources are preserved; *(not applicable)*
- 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 October 6, 2017 and determined to be complete on November 2, 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.

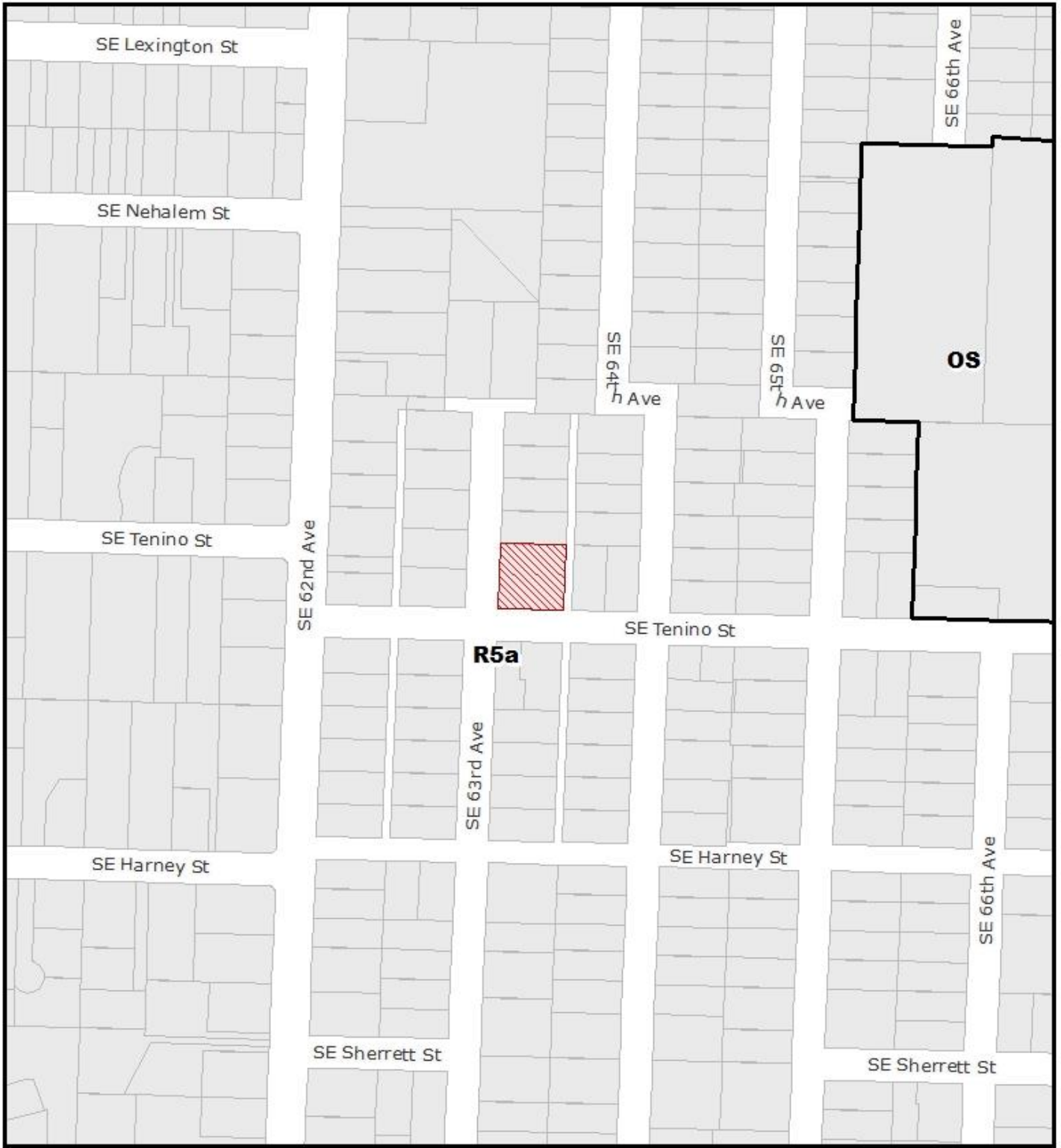
APPEAL OF THE FINAL CITY DECISION

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



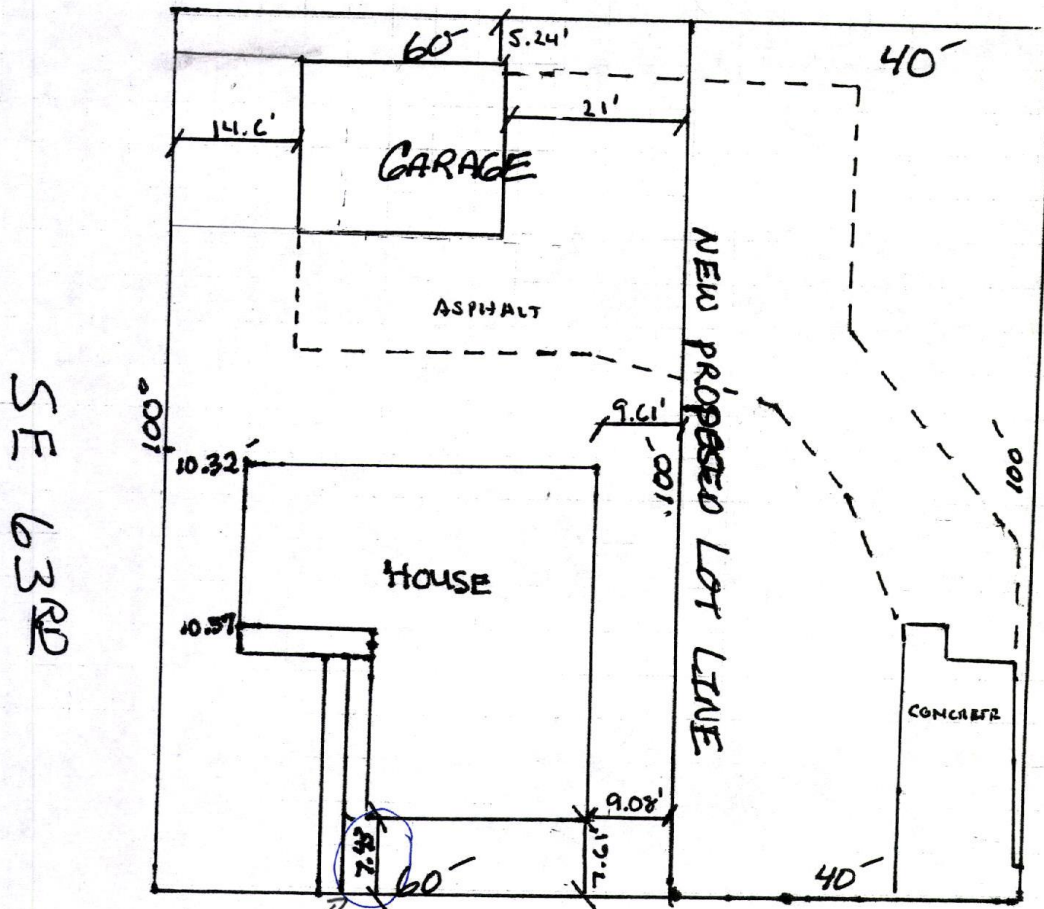
ZONING 
NORTH

 Site

File No.	LU 17-252091 AD
1/4 Section	3837
Scale	1 inch = 200 feet
State ID	1S2E20CC 3200
Exhibit	B Oct 09, 2017

6305 SE TENINO

1" = 20'
N
↑



Adjustment requested
to reduce the front
building setback
from 10' to 7.43'.

SE TENINO

LU 17-252091 AD