



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 28, 2017
To: Interested Person
From: Mark Moffett, City Planner
503-823-7806/Mark.Moffett@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 12/19/2017**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-257438 AD, in your letter. It also is helpful to address your letter to me, Mark Moffett. You can also e-mail your comments to me at my e-mail address identified above.

CASE FILE NUMBER: LU 17-257438 AD

Applicant: Sarah Radelet | Strata Land Use Planning
P.O. Box 90833
Portland, OR 97290
(503) 320-0273, sarah@stratalanduse.com

Property Owner: Ethan W. Beck Trust and August B. Swift Trust
728 SE 71st Ave
Portland, OR 97215-2136

Interested Party: Zac Horton, Faster Permits
2000 SW 1st Avenue Suite 420
Portland, OR 97201

Site Address: 728 SE 71ST AVE

Legal Description: BLOCK 3 LOT 8&9 TL 15601, SLUMANSADD
Tax Account No.: R775300760
State ID No.: 1S2E05AB 1560
Quarter Section: 3137, 3138

Neighborhood: Mt. Tabor, contact Stephanie Stewart at 503-230-9364.
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.

Zoning: R5 (Single-Dwelling Residential 5,000)

Case Type: AD (Adjustment Review)
Procedure: **Type II**, an administrative decision with appeal to the Adjustment Committee.

PROPOSAL: The applicant has proposed the development of a new detached Accessory Dwelling Unit (ADU) in the rear yard of the house at 728 SE 71st Avenue. Originally built in 2009, the house and attached decks for the house create 2,296 total square feet of building coverage on the site. The proposed ADU measures 14'-0" by 24'-0" in plan, with a shed-roofed single-story layout, and therefore would create an additional 336 square feet of building coverage, for a new total building coverage figure of 2,632 square feet. With walls less than 10'-0" tall and given the limited footprint, the proposed ADU is allowed by-right in the side and rear setbacks as proposed (excepting the building coverage standard as noted). The attached site plans and elevations illustrate the site layout and design of the proposed ADU structure.

Regulations in the R5 zone limit building coverage based on the size of the site. For this 6,008 square-foot parcel, the building coverage limit is 2,500 square feet plus 15% of the land area over 5,000 square feet, or a total allowance of 2,400 square feet (33.110.225/Table 110-4). Therefore, in order to construct the new 336 square-foot ADU in the backyard, the applicant has requested an Adjustment to increase the maximum building coverage on the site from 2,400 to 2,632 square feet.

RELEVANT APPROVAL CRITERIA: In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are found at **PCC 33.805.040.A-F, Adjustment Approval Criteria**. Zoning Code Chapters can be found online at www.portlandoregon.gov/zoningcode and then by choosing the relevant code chapters as necessary (in this case, Chapter 33.805, Adjustments).

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 17, 2017 and determined to be complete on November 15, 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.

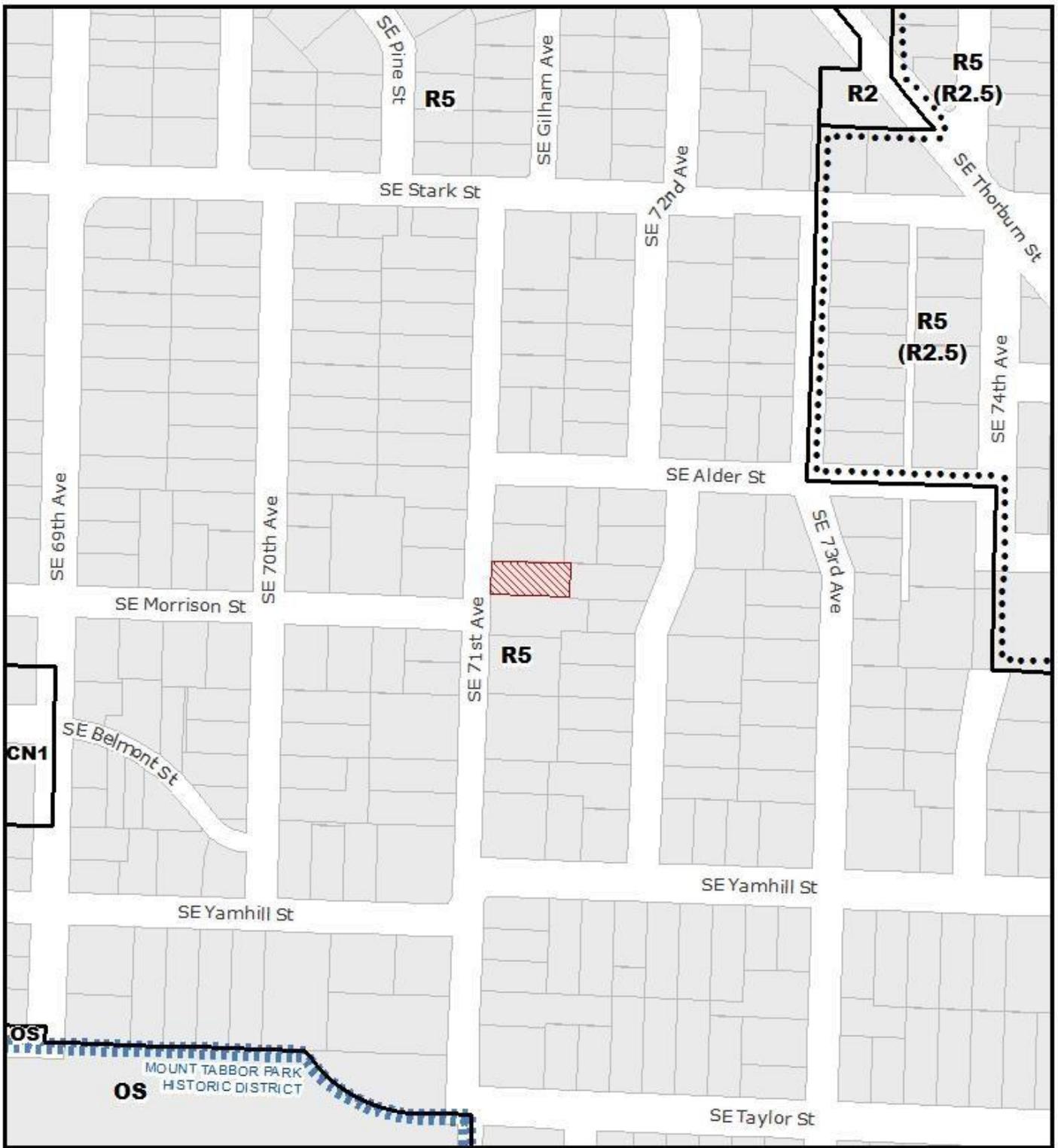
APPEAL OF THE FINAL CITY DECISION

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:

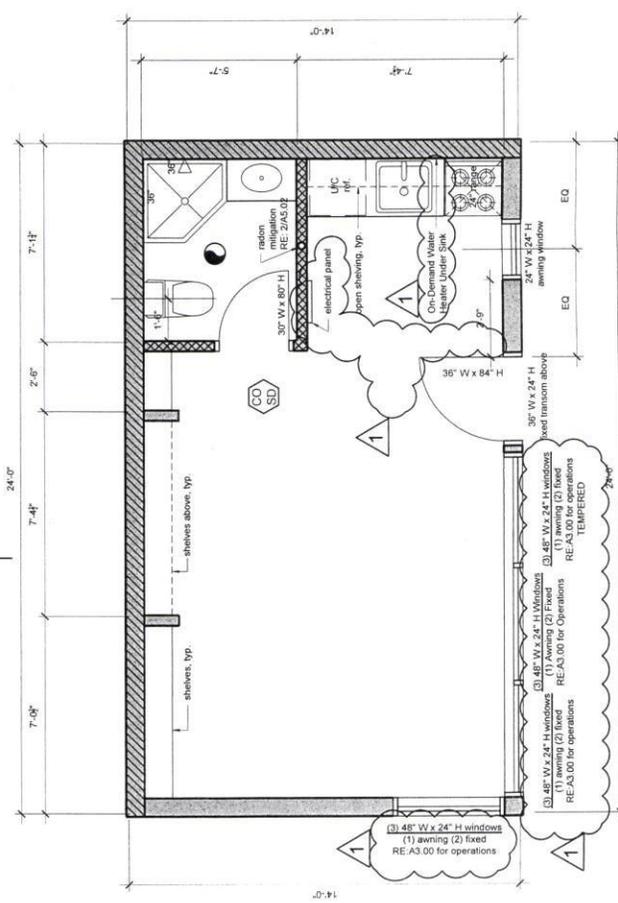
Zoning Map
Site Plan
Floor Plan
Elevations



ZONING 
NORTH

 Site

File No.	LU 17-257438 AD
1/4 Section	3138
Scale	1 inch = 200 feet
State ID	1S2E05AB 15601
Exhibit	B Oct 19, 2017



NOTES:
 1. ALL EXTERIOR DIMENSIONS TO OUTSIDE EDGE OF SHEATHING
 2. ALL INTERIOR DIMENSIONS TO FRAMING
 3. ALL WINDOWS & BAYS CENTERED IN ROOMS UNLESS DIMENSIONED OTHERWISE OR ADJUSTED BY OWNER
 4. SEE STRUCTURAL FOR FRAMING DETAILS

COORDINATE ALL BUILT-IN SHELVING, SEATING, FIXTURES, CABINETS, CLOSETS, SKYLIGHTS, ETC. WITH OWNER.

- Wall Types**
- Wood Framed Wall
 - Sound Insulated Wood Wall
 - 1-Hour Rated Wall Assembly
RE: A4.1

A4.01

A4.01

LU 17-257438 AD

A2.01



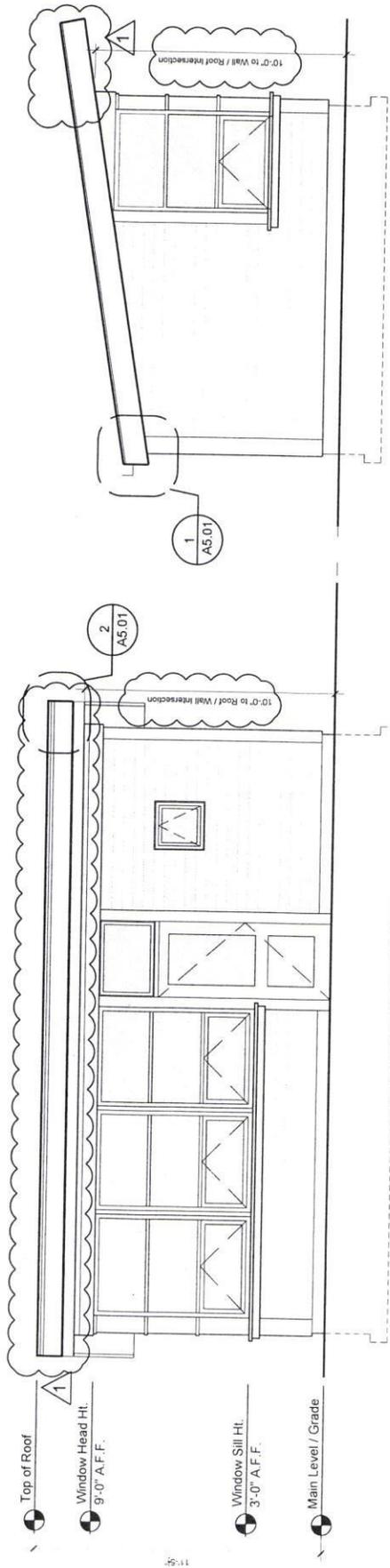
Floor Plan | Beck-Swift Residence ADU
 728 SE 71st Avenue
 Portland, OR 97215

Scale: 3/4" = 1'-0"

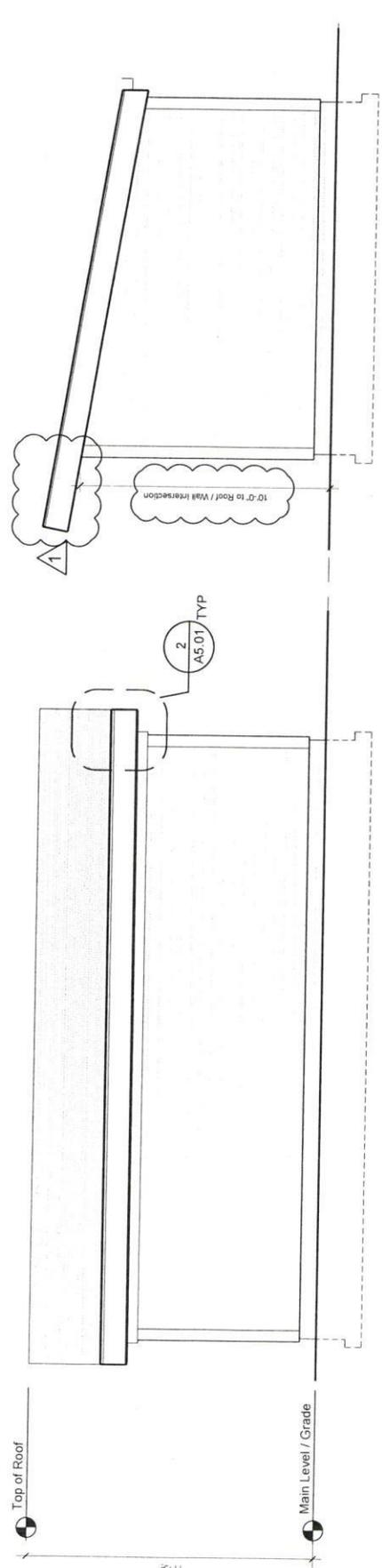
15 June 2017
 Revisions

12 October 2017
 Permit Issue

LU 17-257438 AD

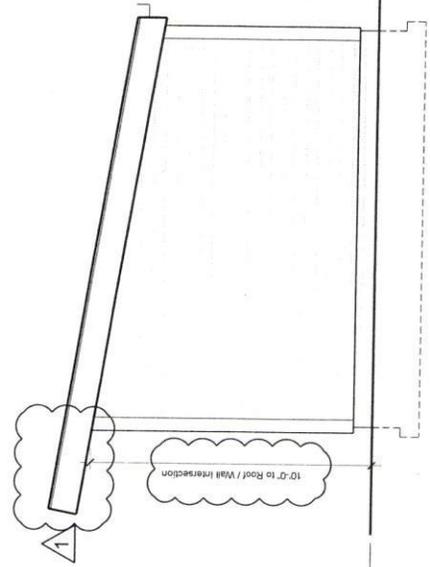


South Elevation (Front)
Scale: 1/4" = 1'-0"



North Elevation (Rear Property Line)
Scale: 1/4" = 1'-0"

West Elevation (Side / 71st Avenue)
Scale: 1/4" = 1'-0"



East Elevation (Side Property Line)
Scale: 1/4" = 1'-0"

W17-257438
AO

<p>Revisions</p> <p>12 October 2017</p>	<p>15 June 2017</p> <p>Permit Issue</p>	<p>Elevations</p> <p>Beck-Swift Residence ADU</p> <p>728 SE 71st Avenue</p> <p>Portland, OR 97215</p>
		A3.00