



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

Chloe Eudaly, Commissioner
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Date: December 7, 2017
To: Interested Person
From: Don Kienholz, Land Use Services
503-823-7771/Don.Kienholz@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 December 28, 2017.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-238343 AD, in your letter. It also is helpful to address your letter to me, Don Kienholz. You can also e-mail your comments to me at my e-mail address identified above.

CASE FILE NUMBER: LU 17-238343 AD

Applicant: Anne Schmidt | Lewallen Build
319 NE Cedar St | Camas, WA 98607

Owner: Jesus Munoz-Olmos
7114 N Columbia Way | Portland, OR 97203

Site Address: 7114 N COLUMBIA WAY

Legal Description: BLOCK N, LOT 20-22 TL 7200, EAST ST JOHNS
Tax Account No.: R227416090
State ID No.: 1N1E06CD 07200
Quarter Section: 2023

Neighborhood: St. Johns, contact sjnalanduse@gmail.com.
Business District: St. Johns Business Boosters, contact Mike Johnson at 503-206-8633./St. Johns Center for Opportunity, contact Emily Stanfield at 503-841-5522.

District Coalition: North Portland Neighborhood Services, contact Mary Jaron Kelley at 503-823-4099.

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 subject property currently has an active code complaint against it regarding parking on the lawn and paving placed for parking areas in the front setback without a permit. The house was

originally approved for a single-wide driveway leading to an attached garage. Currently, the expanded paved area consists of what would be considered a four (4) car driveway approximately 35-feet wide.

Parking and vehicle areas for houses and duplexes are regulated under Portland Zoning Code Section 33.266.120. The development standards require parking spaces provided for houses and duplexes to measure 9x18 feet. Since the subject site has a garage, the required parking space is considered in the garage. The development standards of 33.266.120 require parking spaces to be outside the 10-foot front yard setback unless the space is behind a legal required parking space. The distance between the front property line and the front building line is 25-feet 3-inches. Since parking spaces are 18-feet in depth, the three parking spaces not in front of the garage encroach 2-feet 9-inches into the front building setback and are not permitted. The applicant is proposing to keep one of the unpermitted parking spaces that encroach into the front yard setback; remove two of the spaces by replacing the northeastern most with a landscaped area; and removing one immediately in front of the main entrance by reducing the width to 6-feet for a pedestrian connection to the sidewalk and locating a planting strip between the pedestrian path and driveway in front of the garage.

Because the applicant is proposing to keep one non-required parking space that encroaches into the front setback 2-feet 9-inches and it is not behind a required parking space, an Adjustment to 33.266.120.C.1.a is required.

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; and (*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 September 11, 2017 and determined to be complete on November 28, 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.

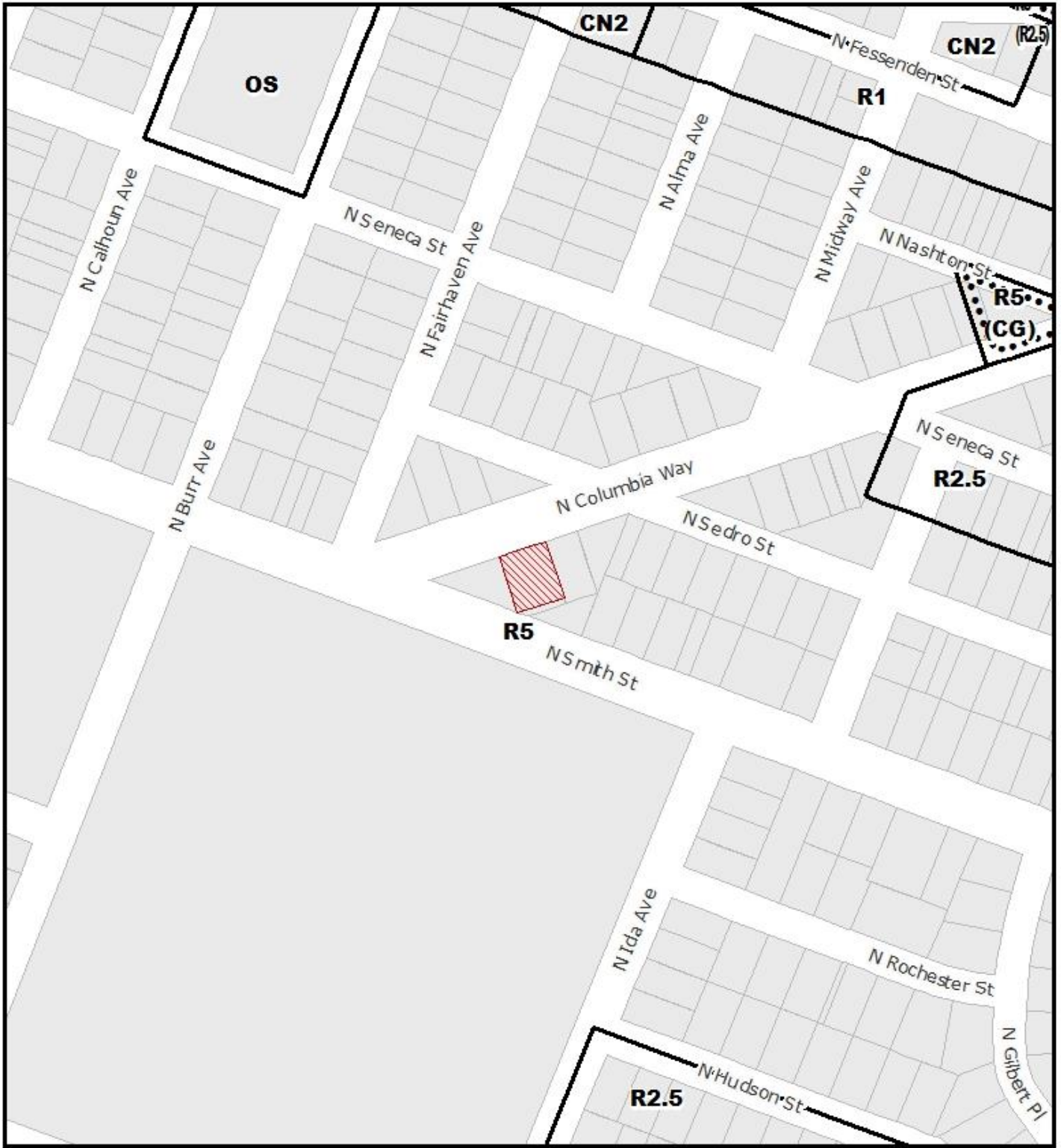
APPEAL OF THE FINAL CITY DECISION

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:

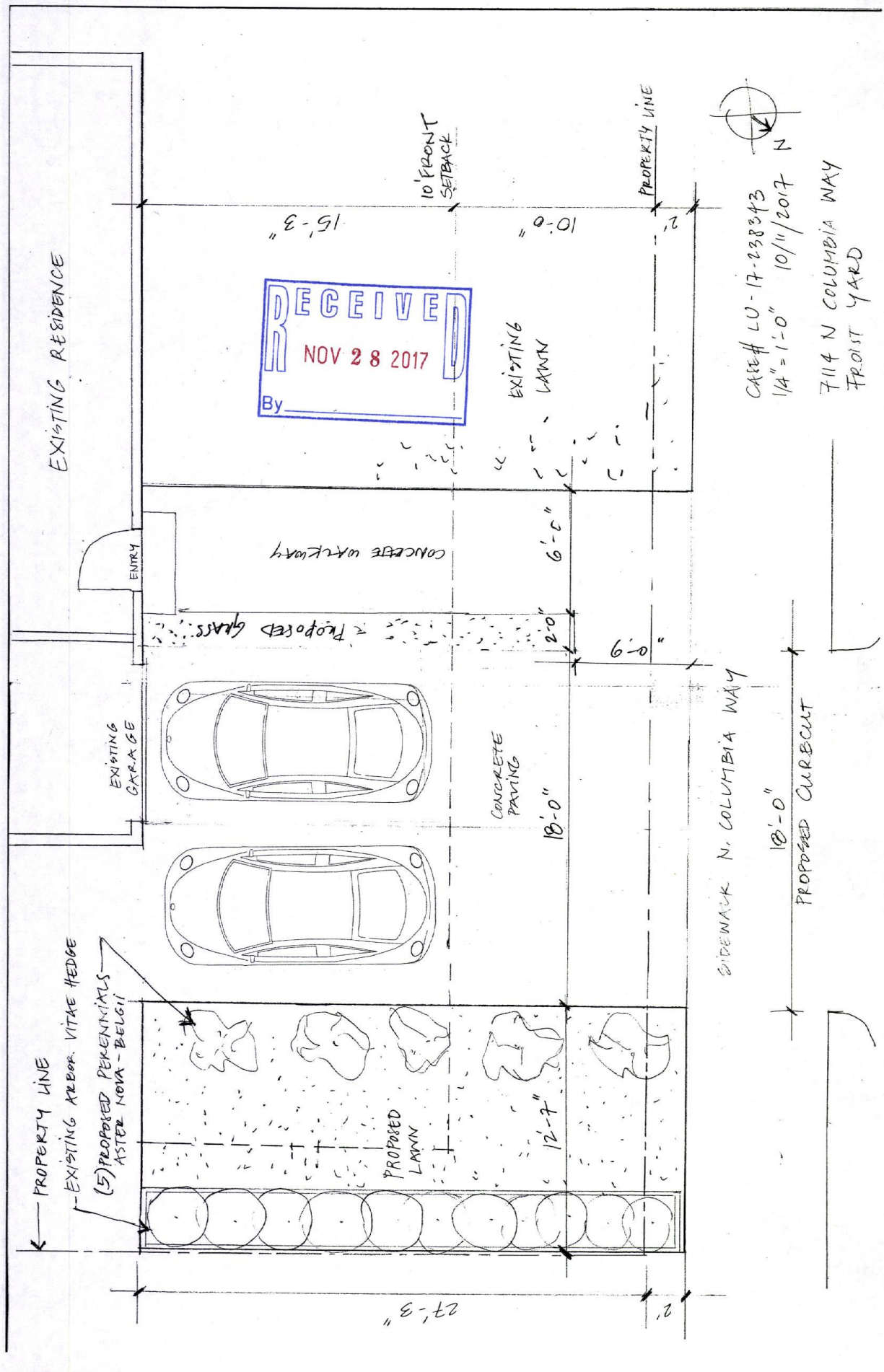
Zoning Map
Site Plan



ZONING 
NORTH

 Site

File No.	LU 17-238343 AD
1/4 Section	2123
Scale	1 inch = 200 feet
State ID	1N1E06CD 7200
Exhibit	B Sep 14, 2017



EXISTING RESIDENCE

EXISTING GARAGE

ENTRY

RECEIVED
 NOV 28 2017
 By _____

EXISTING LAWN

PROPOSED LAWN

CONCRETE PAVING

CONCRETE WORKWAY

Proposed Grass

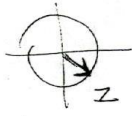
PROPERTY LINE
 - EXISTING ARBOR VITAE HEDGE
 (5) PROPOSED PERENNIALS
 ASTER NOVA-BELGII

10' FRONT SETBACK

PROPERTY LINE

SIDEWALK N. COLUMBIA WAY

PROPOSED CURB CUT



CARE# LU-17-238343
 1/4" = 1'-0" 10/11/2017

7114 N COLUMBIA WAY
 FRONT YARD

15'-3"

10'-0"

2'

6'-0"

2'-0"

0'-9"

18'-0"

18'-0"

27'-3"

2'