



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

Chloe Eudaly, Commissioner
Rebecca Esau, Director
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www.portlandoregon.gov/bds

Date: February 7, 2018
To: Interested Person
From: Clare Fuchs, Land Use Services
503-823-7843/Clare.Fuchs@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 February 28, 2018.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-280804 CU, in your letter. It also is helpful to address your letter to me, Clare Fuchs. You can also e-mail your comments to me at my e-mail address identified above.

CASE FILE NUMBER: LU 17-280804 CU

Applicant/Owner: Thomas A Miller
1739 SE 31st Ave Portland, OR 97214-5005
503-516-4760 tomlivesinportland@gmail.com

Site Address: 1739 SE 31ST AVE

Legal Description: BLOCK 2 LOT 6, SEWALLCREST
Tax Account No.: R756700330
State ID No.: 1S1E01CA 12300
Quarter Section: 3233
Neighborhood: Richmond, contact Matt Otis at matt.otis@gmail.com
Business District: Hawthorne Blvd. Bus. Assoc., contact Greg Moon at gmoon@westernseminary.edu
District Coalition: Southeast Uplift, contact Leah Fisher at 503-232-0010.
Zoning: Single Dwelling 5,000 (R5)
Case Type: Conditional Use Review - CU
Procedure: Type II, an administrative decision with appeal to the Hearings Officer.

Proposal:

The applicant requests Conditional Use approval to operate a Type B Accessory Short-Term Rental (ASTR) facility in the existing house on this site. No exterior alterations to the house or site are proposed. The applicant lives in the house full-time, and the proposed ASTR facility would have up to 5 guest rooms available for rent for a few weeks a year while the applicants are out of town. No outside employees, food or beverage service, or commercial events are proposed. The proposed house rules would require quiet hours between 10pm and 7am. The property contains a 4-space driveway beside the house.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are in Zoning Code Section 33.815.105.A-E.

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 December 7, 2017 and determined to be complete on February 2, 2018.

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.

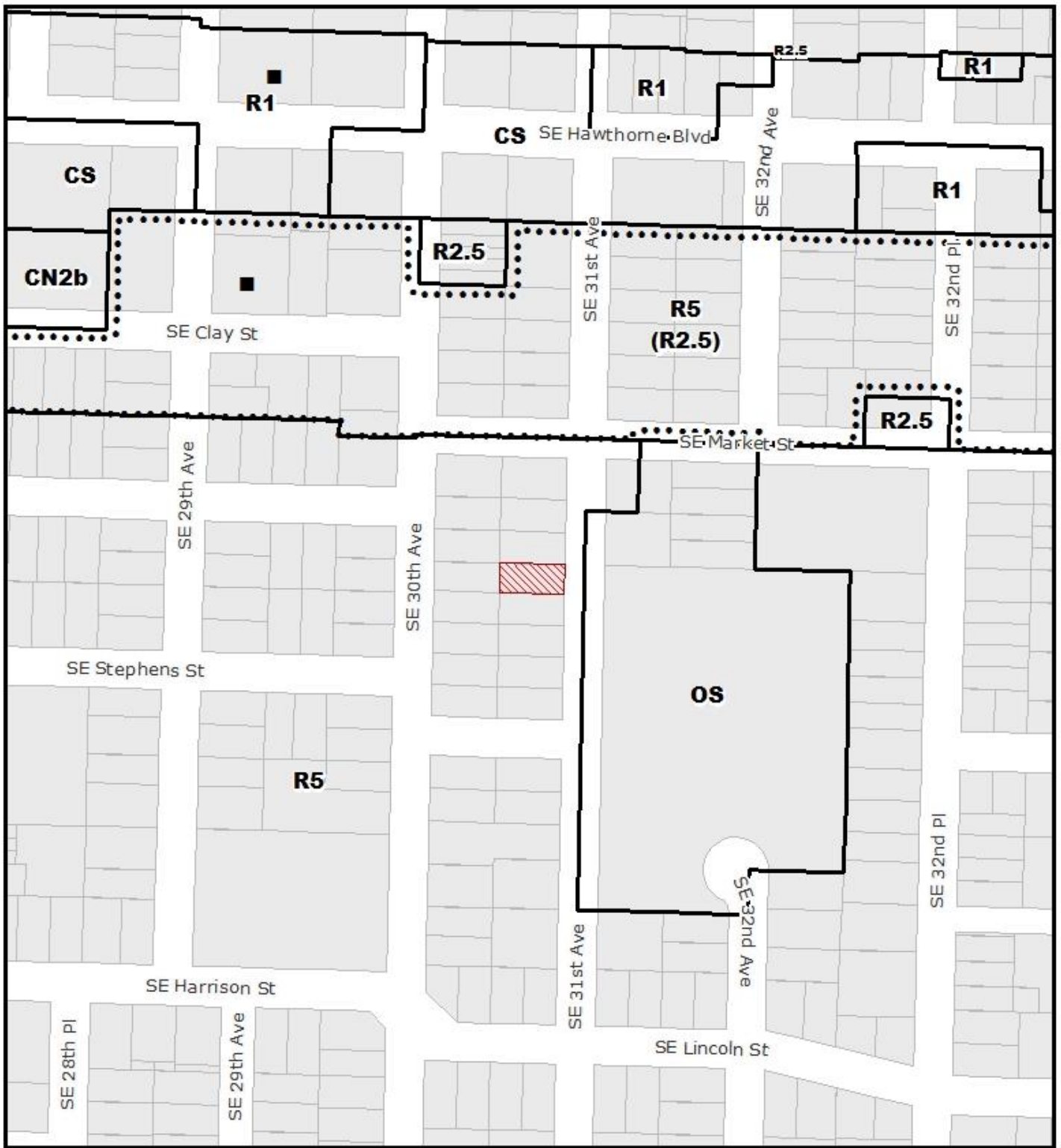
APPEAL OF THE FINAL CITY DECISION

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



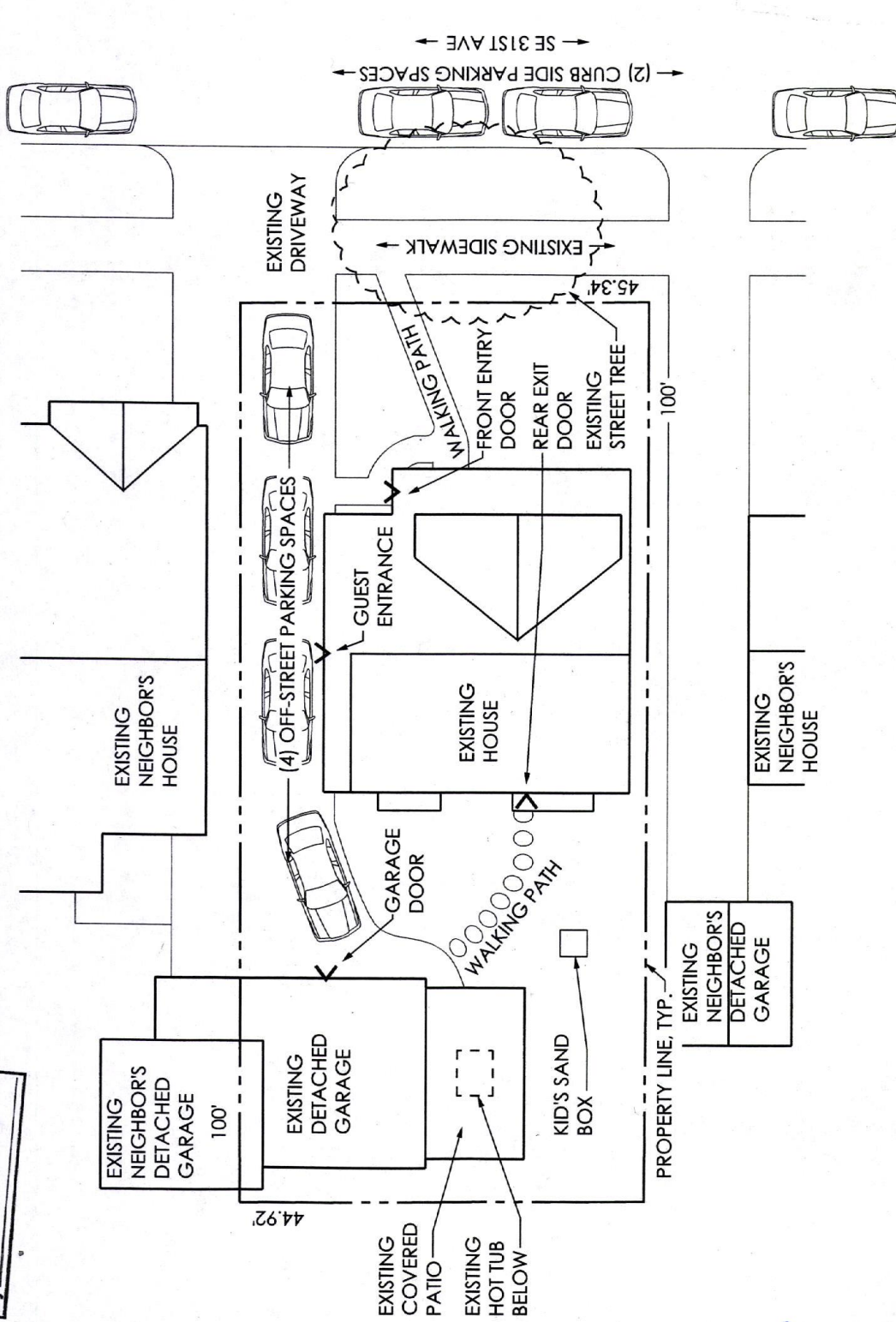
Site



Historic Landmark

File No.	LU 17-280804 CU
1/4 Section	3233
Scale	1 inch = 200 feet
State ID	1S1E01CA 12300
Exhibit	B Dec 11, 2017

RECEIVED
FEB 02 2018
By



1/16" = 1'-0"

TOM MILLER RESIDENCE
1739 SE 31ST AVE PORTLAND, OR 97214

Case No. 17-280804
Site Plan