



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 9, 2018
To: Interested Person
From: Leah Dawkins, Land Use Services
503-823-7830 / Leah.Dawkins@portlandoregon.gov

NOTICE OF A TYPE Ix 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 45 days, **we need to receive your written comments by 5 p.m. on March 13, 2018**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-121733 LDP, in your letter. It also is helpful to address your letter to me, Leah Dawkins. You can also e-mail your comments to me at my e-mail address identified above.

CASE FILE NUMBER: LU 17-121733 LDP

Applicant: Mike Montgomery, Simpl Home Designs
4931 SW 76th Ave, PMB 211, Portland, OR 97225
(503)515-6495

Owner: Aurica Banica
5310 SW Hamilton St / Portland, OR 97221

Site Address: 4535 SW 53RD AVE

Legal Description: TL 7200 0.34 ACRES, SECTION 18 1S 1E
Tax Account No.: R991181050
State ID No.: 1S1E18AB 07200
Quarter Section: 3524

Neighborhood: Bridlemile, contact David Stein at steinnet@gmail.com
Business District: None
District Coalition: Southwest Neighborhoods Inc., contact Sylvia Bogert at 503-823-4592.

Zoning: R7- Single Dwelling Residential
Case Type: LDP- Land Division Partition
Procedure: Type Ix, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:
The applicant is proposing to divide the subject site into two parcels. Each parcel will be 7,500 square feet in size with 75-foot front lot line. There was a house on the site that was removed.

There are several trees on the site, five of which are proposed to be preserved as part of this land division. Frontage improvements are proposed for the frontage along SW 53rd Avenue.

This partition is reviewed through a Type Ix land use review because: (1) the site is in a residential zone; (2) fewer than four lots are proposed; (3) none of the lots, utilities, or services are proposed within a Potential Landslide Hazard or Flood Hazard Area, and; (4) no other concurrent land use reviews (such as an Adjustment, Design Review, or Environmental Review) are requested or required (see 33.660.110).

For purposes of State Law, this land division is considered a partition. To partition land is to divide an area or tract of land into two or three parcels within a calendar year (See ORS 92.010). ORS 92.010 defines “parcel” as a single unit of land created by a partition of land. The applicant’s proposal is to create 2 units of land. Therefore, this land division is considered a partition.

Relevant Approval Criteria: In order to be approved, this proposal must comply with the approval criteria of *Title 33*. The relevant criteria are found in **Section 33.660.120, Approval Criteria for Land Divisions in Open Space and Residential Zones**.

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 February 15, 2017 and determined to be complete on date.

DECISION MAKING PROCESS

The Bureau of Development Services will make a decision on this proposal. We will consider your comments, and either:

- Approve the proposal.
- Approve the proposal with conditions.
- Deny the proposal.

We will mail you a copy of our decision only if you comment in writing to us at the City of Portland Bureau of Development Services, 1900 SW Fourth Ave., Suite 4500, Portland, OR 97201. There will be no public hearing.

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.

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. You may also find additional information about the City of Portland and City Bureaus, as well as a digital copy of the Portland Zoning Code, by visiting the City’s homepage on the Internet at www.portlandonline.com.

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.

APPEAL PROCESS

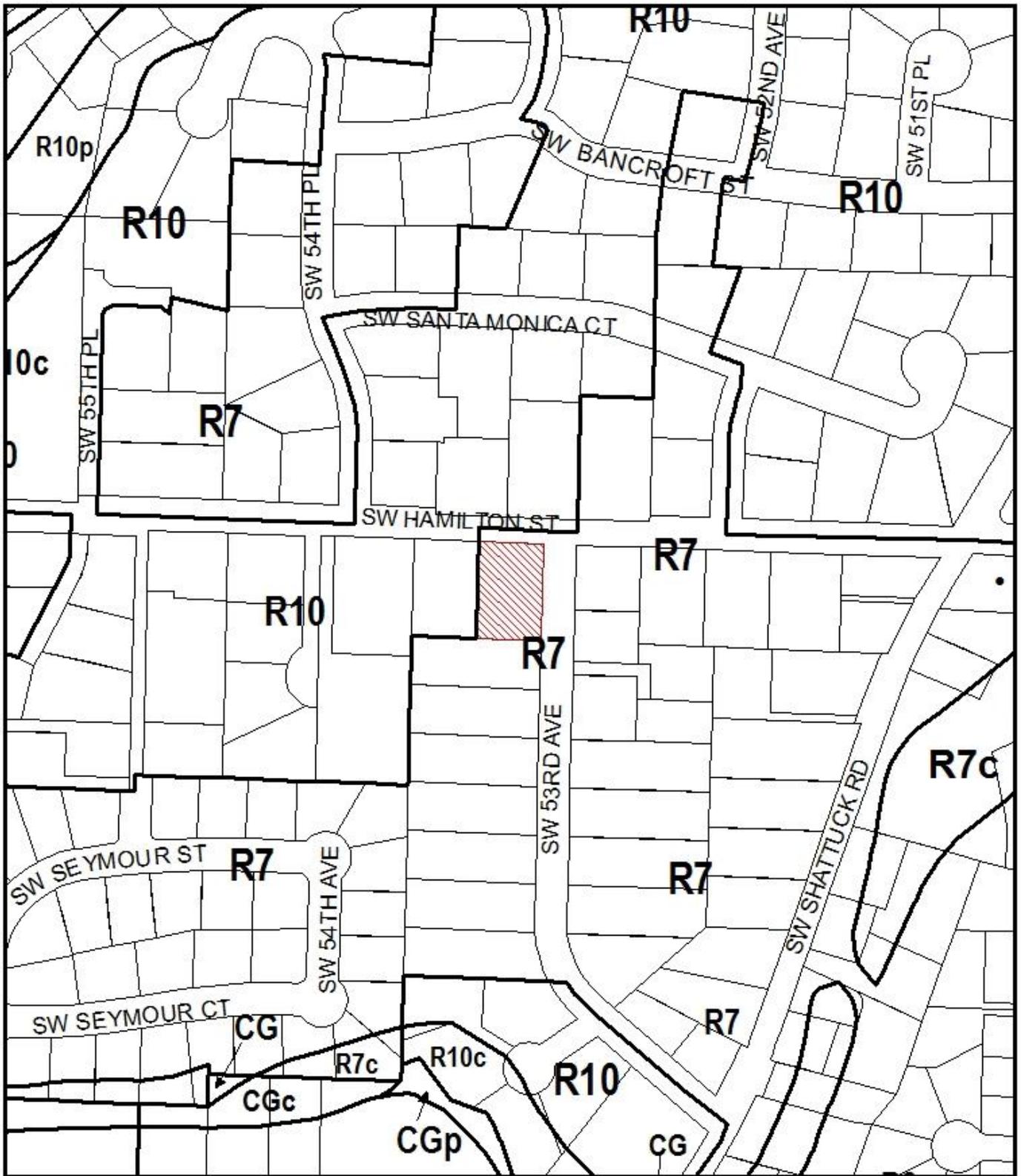
If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St NE, Suite 330, Salem OR 97301-1283. The phone number for LUBA is 1-503-373-1265. Issues which may provide the basis for an appeal to LUBA must be raised in writing before the

deadline for comments, or you may not be able to raise that issue in an appeal. If you do not raise an issue with enough specificity to give the Bureau of Development Services an opportunity to respond to it, that also may 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 17-121733 LDP
1/4 Section	3524
Scale	1 inch = 200 feet
State_Id	1S1E18AB 7200
Exhibit	B (Feb 21, 2017)

TENTATIVE PARTITION PLAT

TRACT OF LAND
SITUATED IN THE SE 1/4 OF SECTION 11,
TOWNSHIP 1 SOUTH, RANGE 2 EAST, W.M.,
CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON
DECEMBER 5, 2016 SCALE: 1" = 20'

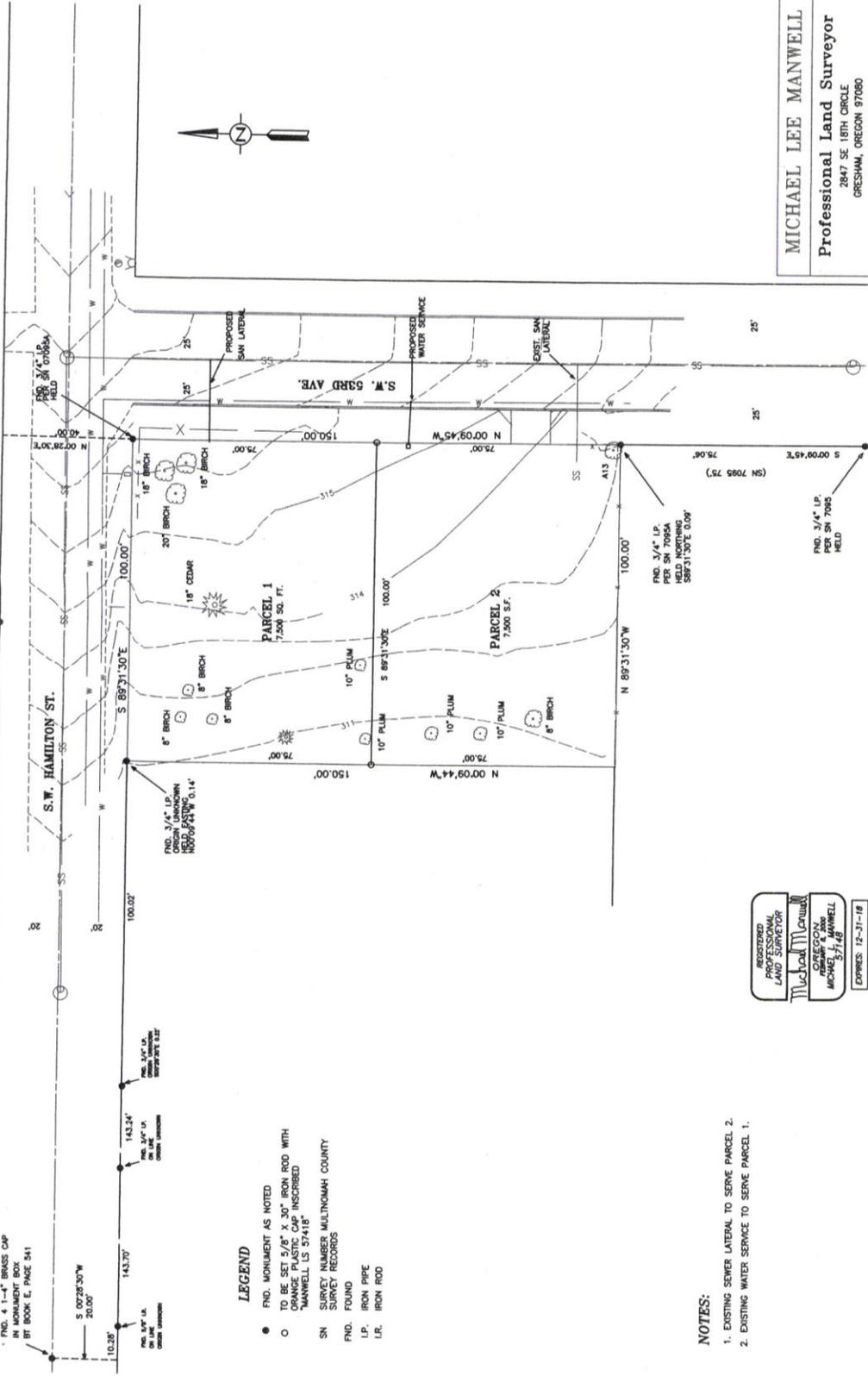
HELD
FND. 3/4" I.P.
ORIGIN UNKNOWN

HELD
FND. 5/8" I.R.
SN 30563

HELD
FND. 3/4" I.P.
ORIGIN UNKNOWN

HELD
FND. 4 1/4" BRASS CAP
IN MONUMENT BOX
BT BOOK E, PAGE 341

HELD
FND. 3/4" I.P.
ORIGIN UNKNOWN



- LEGEND**
- FND. MONUMENT AS NOTED
 - TO BE SET 5/8" X 30" IRON ROD WITH ORANGE PLASTIC CAP INSCRIBED "MANWELL LS 57418"
 - SN SURVEY NUMBER MULTNOMAH COUNTY SURVEY RECORDS
 - FND. FOUND
 - I.P. IRON PIPE
 - I.R. IRON ROD

NOTES:

1. EXISTING SEWER LATERAL TO SERVE PARCEL 2.
2. EXISTING WATER SERVICE TO SERVE PARCEL 1.



MICHAEL LEE MANWELL
Professional Land Surveyor
2847 SE 18TH CIRCLE
GRESHAM, OREGON 97080
(503) 661-5270
Email: mmanwell@eol.com

LA 17-121733 LDF

MAK JOB #16-0711M DATE: 11/20/2016