



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

Chloe Eudaly, Commissioner
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www.portlandoregon.gov/bds

Date: February 13, 2018
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 Tuesday March 6th, 2018**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 17-284129 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 17-284129 AD

Applicant: Colin Grey (503) 804-4439, cielodb@gmail.com
105 SE 30th Ave
Portland, OR 97214-1904

Property Owners: Colin and Lila Grey
105 SE 30th Ave
Portland, OR 97214-1904

Site Address: 105 SE 30TH AVE

Legal Description: BLOCK 6 INC STRIP W OF & ADJ LOT 9, MAYOR GATES ADD
Tax Account No.: R547500810
State ID No.: 1N1E36CD 11600
Quarter Section: 3033

Neighborhood: Kerns, contact Elliott Mantell at commonchiro@yahoo.com
Business District: None
District Coalition: Southeast Uplift, contact Leah Fisher at 503-232-0010.

Zoning: **R2.5** (Single-Dwelling Residential 2,500 base zone)

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

PROPOSAL: The applicant proposes to convert and add on to an existing detached garage in the rear side yard of the home at 105 SE 30th Avenue. The existing two-car garage would remain in

place, but be converted from parking space to living space, with a new partial upper-story addition. Garage doors facing the street in SE Ankeny would be removed and replaced with a people door and residential windows. The new upper-story has a footprint of 23'-0" by 22'-6", with one-foot eaves on all sides, and provides a bedroom sleeping space. The new two-story living space has an enclosed toilet and shower room, with a bathroom sink in the main living space. The applicant has stated that no cooking facilities, kitchen, or independent dwelling unit is being proposed, but that it is all additional living space accessory to the main house. A "second sink covenant" will be required during permitting to verify the structure does not gain a kitchen or become a separate dwelling unit without future permitting to make such changes legal.

Buildings are normally required to be 5'-0" from the side and rear property lines in the single-dwelling zones (33.110.220.B/Table 110-3). Eaves are allowed to project 20% into a setback, or 1'-0" into a 5'-0" setback (33.110.220.C.1.a). The existing garage has legal nonconforming or "grandfather right" status for a location in the setbacks. Adding the vertical addition and modifying the structure as proposed does not move the building "closer to conformance" with the setback regulations, so an Adjustment is required.

Along the west/rear property line, the first floor building walls are 0'-0" from the lot line, but the new second floor is outside the setback. Along the north/side property line abutting SE Ankeny, the first floor building walls are 0'-0" from the lot line, the new second floor wall is 4'-6" from the property line, and the new second floor eave is 3'-6" from the property line.

Therefore, the applicant has requested the following two Adjustments:

1. Reduce the west rear setback for the structure from 5'-0" to 0'-0", to allow the converted existing first floor to remain; and
2. Reduce the north side setback for the structure from 5'-0" to 0'-0" for the first floor walls, 5'-0" to 4'-6" for the new upper-story wall, and from 4'-0" to 3'-6" for the new upper-story eave.

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 33.805.040.A-F, Adjustment Approval Criteria. You can find the full criteria citation online in Chapter 805 of the Zoning Code, available online at www.portlandoregon.gov/zoningcode.

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 15, 2017 and determined to be complete on February 7, 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.

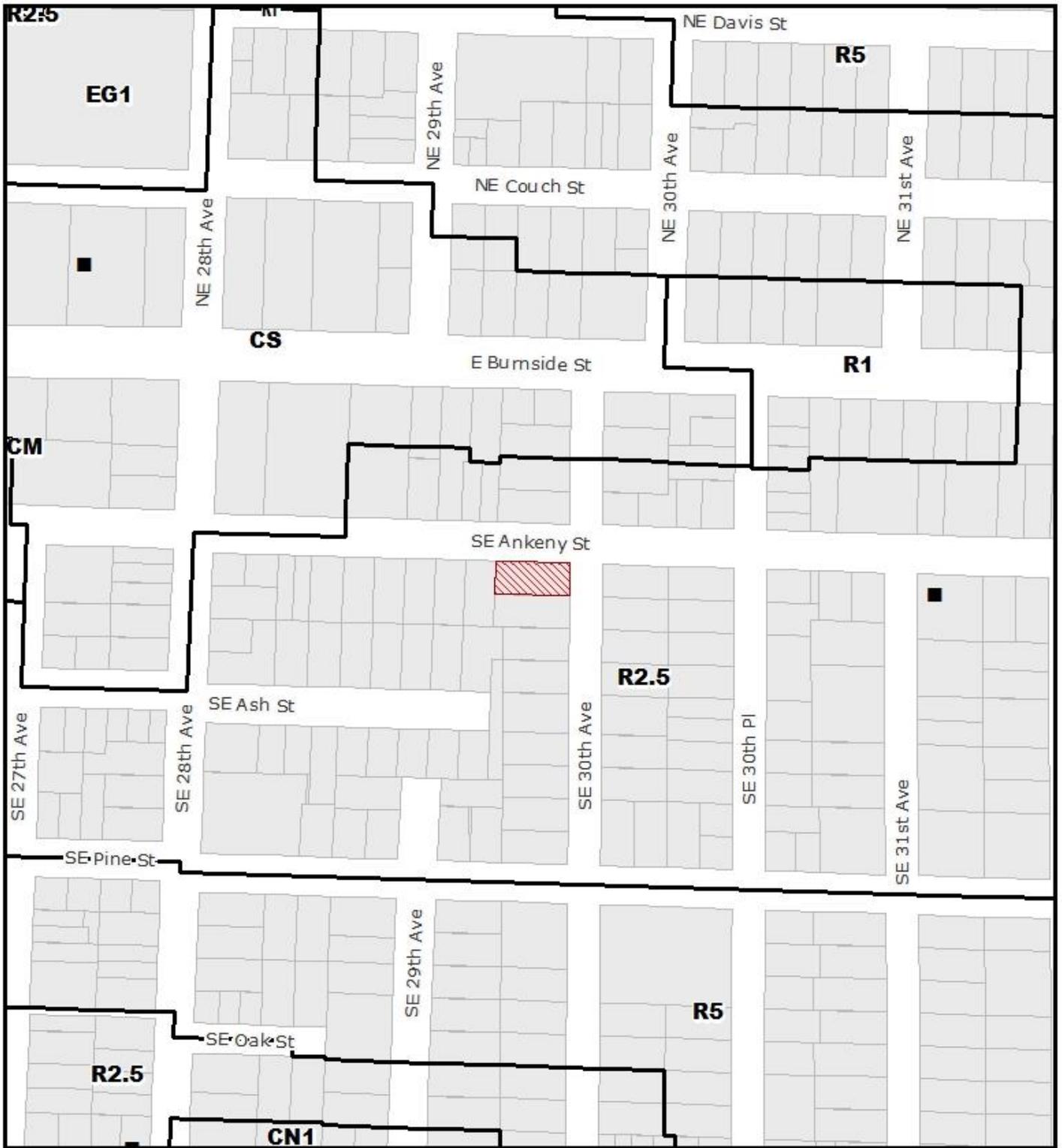
APPEAL OF THE FINAL CITY DECISION

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
North Elevation
South Elevation
West Elevation



ZONING 
NORTH

 Site
 Historic Landmark

File No.	LU 17-284129 AD
1/4 Section	3033
Scale	1 inch = 200 feet
State ID	1N1E36CD 11600
Exhibit	B Dec 18, 2017

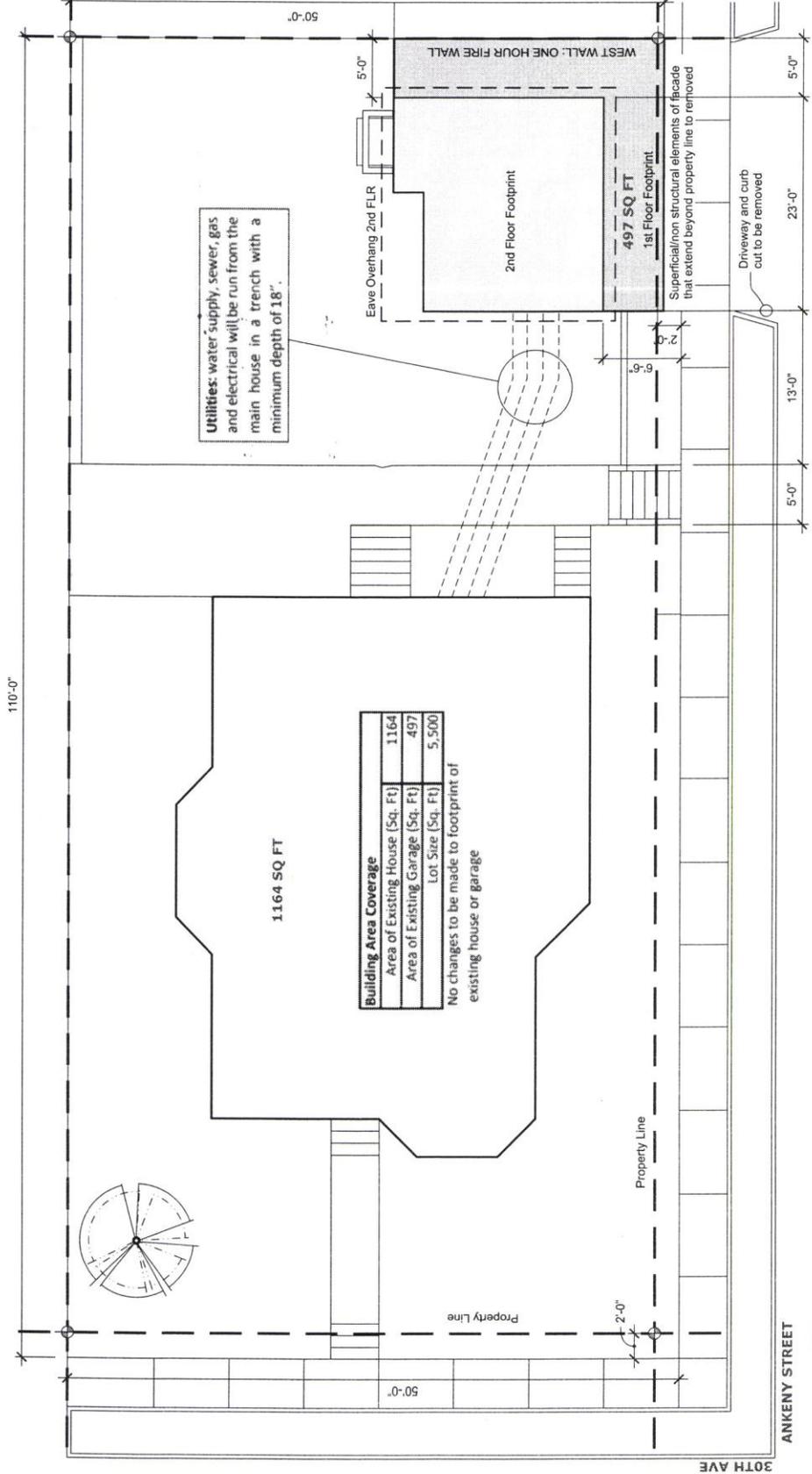


CLIENT
COLIN and LILA GREY
105 SE 30TH AVE
PORTLAND, OR 97214-1904

ISSUE
2-06-18
RE-ISSUE
MM, DD, YY
PROJECT
GARAGE LIVING
SPACE

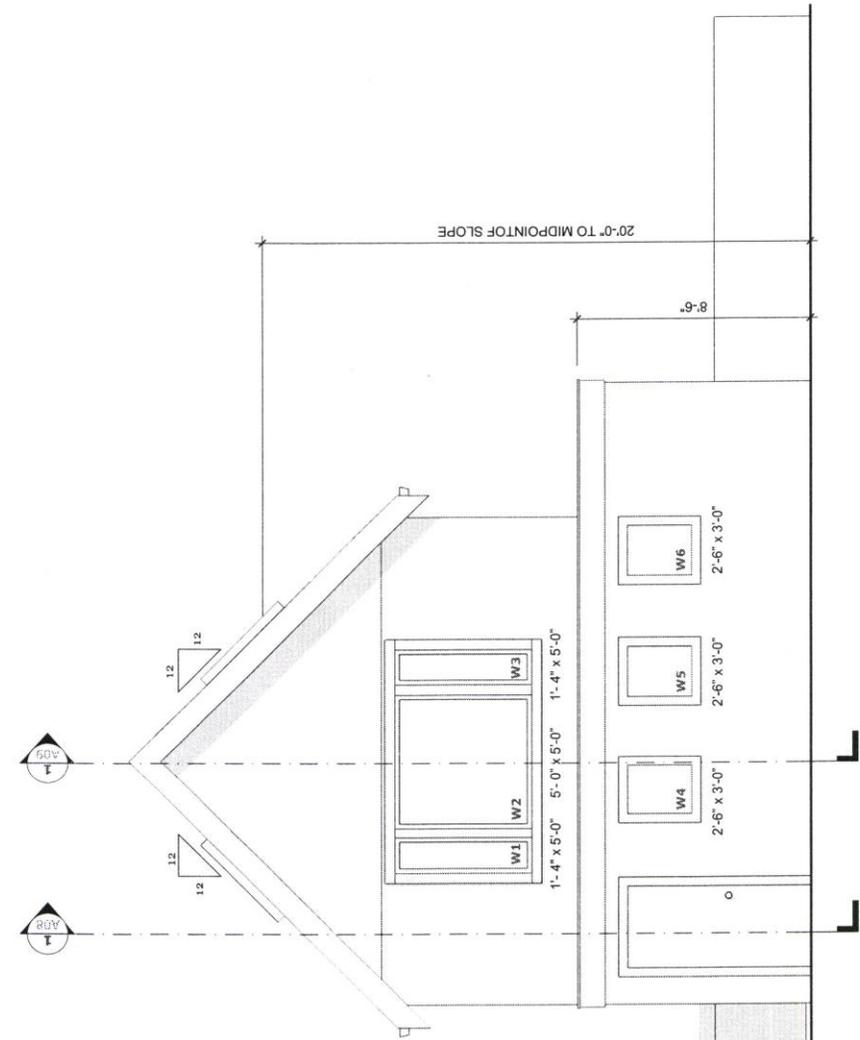
PROJECT NO.
245,170
DRAWN BY
JM

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01



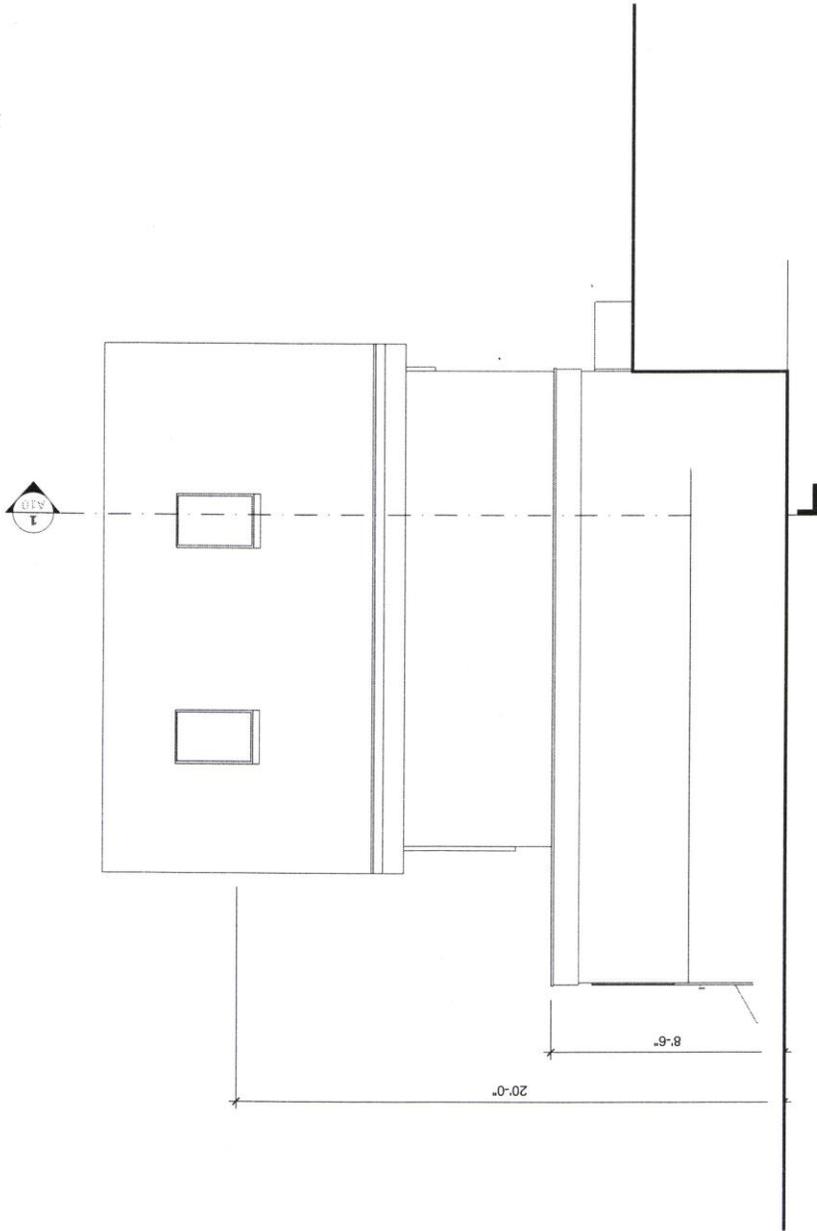
SITE PLAN
scale: 1/8"=1'-0"

OR 621482
-CLM



Window Coverage Calculation			
Window Number	Width (Ft.)	Height (Ft.)	Area (Sq. Ft.)
W1	1.33	5	6.65
W2	5	5	25
W3	1.33	5	6.65
W4	2.5	3	7.5
W5	2.5	3	7.5
W6	2.5	3	7.5
Total Window Area			60.8
Total Area N. Elevation			398.25
Window Coverage Percentage			15%

W17 -
 284/29 AD



WEST ELEVATION
 scale: 1/4"=1'-0"

W 17-284129 AD