



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

Ted Wheeler, Mayor  
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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** September 28, 2018  
**To:** Interested Person  
**From:** David Besley, Land Use Services  
503-823-7282/David.Besley@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 October 19, 2018.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 18-143211 CU, in your letter. It also is helpful to address your letter to me, David Besley. You can also e-mail your comments to me at my e-mail address identified above. Please note that all correspondence received will become part of the public record.

### **CASE FILE NUMBER: LU 18-143211 CU**

**Applicant:** Ben Kilfoil | Dynamic Real Estate Innovations, LLC  
4736 SW Beaverton Hillsdale Hwy. | Portland, OR 97221

**Owner's Representative:** Jeffrey Stump | Dynamic Real Estate Innovations, LLC  
4736 SW Beaverton Hillsdale Hwy. | Portland, OR 97221

**Owner:** Dynamic Real Estate  
4756 SW Beaverton Hillsdale Hwy. | Portland, OR 97221

**Site Address:** 4736 SW BEAVERTON HILLSDALE HWY

**Legal Description:** BLOCK 21 LOT 9 LOT 10 EXC W 8', FAIRVALE  
**Tax Account No.:** R268406970  
**State ID No.:** 1S1E18AD 03100  
**Quarter Section:** 3524

**Neighborhood:** Hayhurst, contact [contact-hayhurst@swni.org](mailto:contact-hayhurst@swni.org)  
**District Coalition:** Southwest Neighborhoods Inc., contact Sylvia Bogert at 503-823-4592

**Zoning:** R2 (Multi-Dwelling Residential 2,000)

**Case Type:** CU - Conditional Use Review  
**Procedure:** Type II, an administrative decision with appeal to the Hearings Officer.

**Proposal:**

The applicant is a full-time renter and caretaker who resides at the subject property, 4736 SW Beaverton Hillsdale Hwy, and requests Conditional Use approval to operate a 5-bedroom Type B ASTR facility at this address. The house would have five ASTR guest rooms that would be rented out. No exterior alterations to the house are proposed. No outside employees, food or beverage service, or commercial events are proposed. Proposed house rules would require interior quiet hours from 11 pm to 8 am, and exterior areas would be restricted at night past 10 pm subject to maintaining a low noise level and completely restricted past 12 am.

Type B Accessory Short-Term Rentals are allowed in residential zones when the proposal meets the approval criteria and applicable standards. The regulations are intended to allow for efficient use of houses in residential areas if the neighborhood character is maintained. The regulations also provide an alternative form of lodging for visitors who prefer a residential setting.

**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: Conditional Use Approval Criteria for Institutional and Other Uses in a Residential Zone.

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 March 30, 2018 and determined to be complete on September 25, 2018.

**DECISION MAKING PROCESS**

The Bureau of Development Services will make a decision on this proposal. After we consider your comments we will do one of the following:

- Approve the proposal;
- Approve the proposal with conditions; or
- 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 by making a request online or contacting me.

- Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. Copies of all information in the file can be obtained for the cost of making copies during the appointment.
- If you would like to request a copy of the file online, please visit <https://www.portlandoregon.gov/bds/54732>. The fee for this service varies based on the size of the case file and how long it would take to scan or copy documents.
- I can provide some information over the phone or through email.

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.portlandoregon.gov](http://www.portlandoregon.gov).

**APPEAL PROCESS**

If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Hearings Officer. 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.

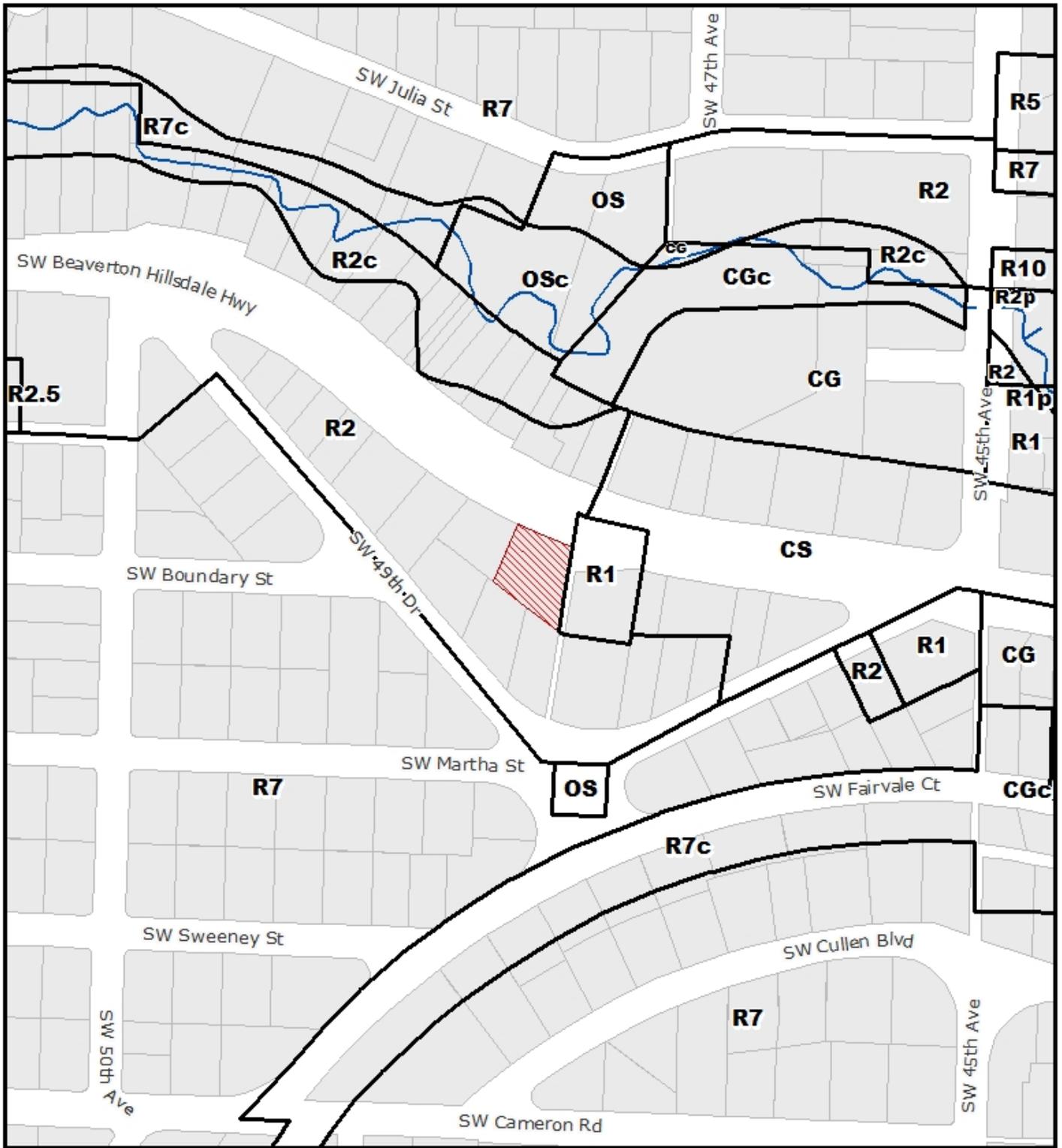
**APPEAL OF THE FINAL CITY DECISION**

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:**

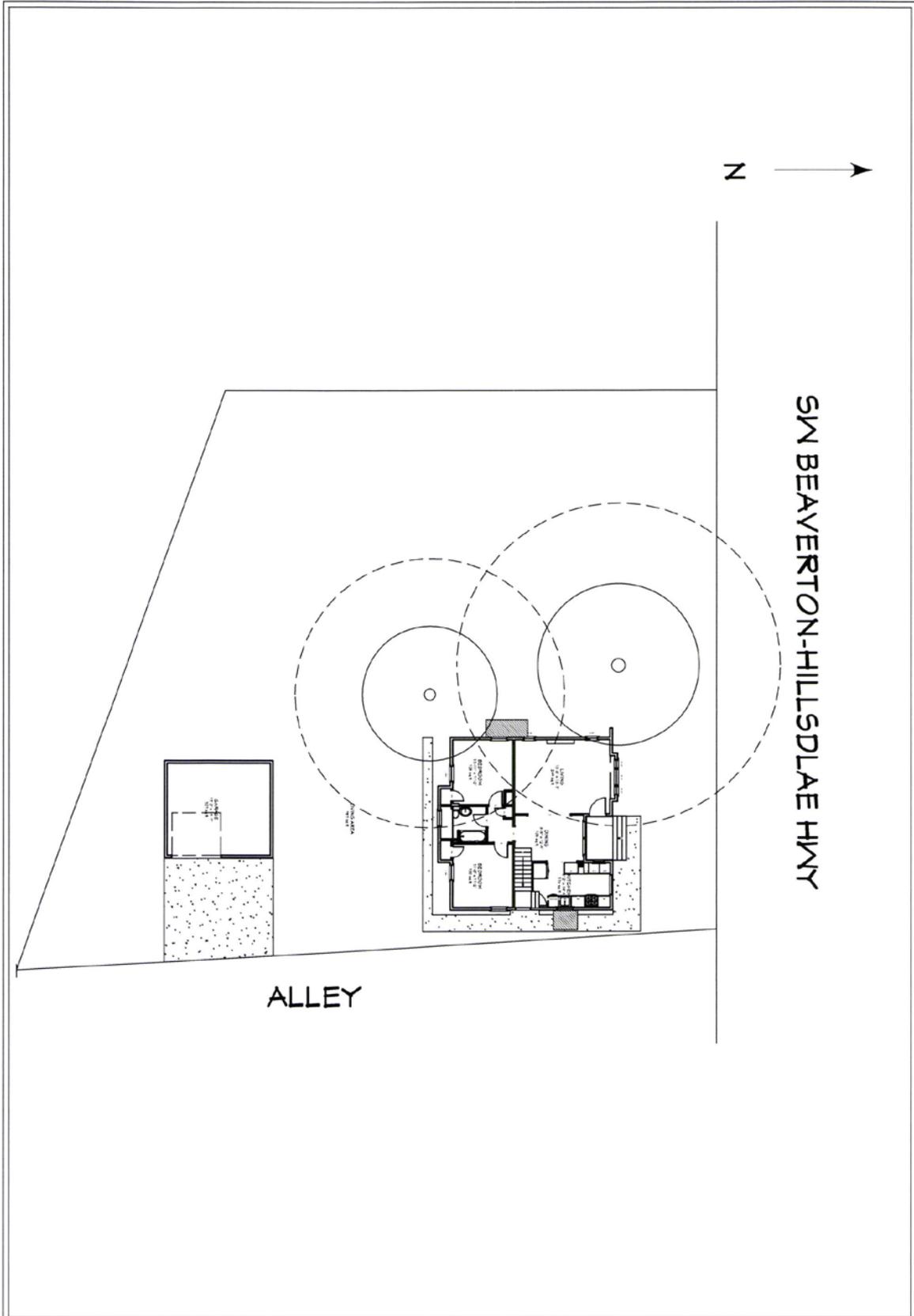
Zoning Map  
Site Plan



**ZONING**   
NORTH

 Site  
 Stream

File No.	LU 18-143211 CU
1/4 Section	3524
Scale	1 inch = 200 feet
State ID	1S1E18AD 3100
Exhibit	B Apr 02, 2018



CONTRACTOR: --- DRAWINGS PROVIDED BY: SAB DESIGN AND DRAFTING LLC	PROJECT DESCRIPTION: 4736 SW BEAVERTON HILLSDALE HWY PORTLAND, OR 97221	SHEET TITLE: SITE PLAN	SCALE: 1'-0" = 1/16"	DATE: 9/30/2017	<b>A-02</b>
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LU 18-143211 CU