



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

Ted Wheeler, Mayor
Rebecca Esau, Director
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TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: March 5, 2019
To: Interested Person
From: JP McNeil, Land Use Services
503-823-5398 / Jason.McNeil@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 April 4, 2019**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 18-235195 LDP, in your letter. It also is helpful to address your letter to me, JP McNeil. 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 18-235195 LDP

Applicant: Rebekah Anderson and Greg Close | Close-In Properties
PO Box 13434 | Portland, OR 97213
(503) 715-1331 | rentalhouse@gmail.com

Owner: Rebekah L Anderson
2932 NE 34th Ave. | Portland, OR 97212

Site Address: 4139 NE AINSWORTH ST

Legal Description: BLOCK 1 LOT 4, AINSWORTH PK ADD
Tax Account No.: R006100070, R006100070, R006100070
State ID No.: 1N1E13DA 03200, 1N1E13DA 03200, 1N1E13DA 03200
Quarter Section: 2434
Neighborhood: Concordia, contact Garlynn Woodsong at 503-936-9873.
Business District: Our 42nd Avenue, contact (503) 893-5542
District Coalition: Northeast Coalition of Neighborhoods, contact Laura Becker at 503-388-6088.

Zoning: R5ah – Residential 5,000 with the ‘a’ Alternative Density Design Overlay Zone and the ‘h’ Aircraft Overlay Zone

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 this 6,877 square foot lot into two parcels. Parcel 1 would be 3,047 square feet and Parcel 2 would be 3,830 square feet. The site is currently

developed with two single dwelling units, one of which (the northern house as shown on the site plan) was moved to the site in 2007 and attached to the existing house on the site at that time (building permit 07-104456 RS, which was allowed under a provision in the Zoning Code for duplexes on corners. The structure used to attach the two houses and convert them into one duplex was subsequently removed. The applicant is now proposing to divide the site into two lots under a provision in the Zoning Code that allows for attached houses on corners in the R5 zone (33.110.240.E). In order to do so, the applicant is proposing to reattach the two houses via a shared storage room to be located between the north wall of the garage on Parcel 2 and the southern wall of the house on Parcel 1. There are no trees on the site that would be required to be preserved under the Title 33 tree preservation requirements.

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 September 10, 2018 and determined to be complete on February 19, 2019.

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.

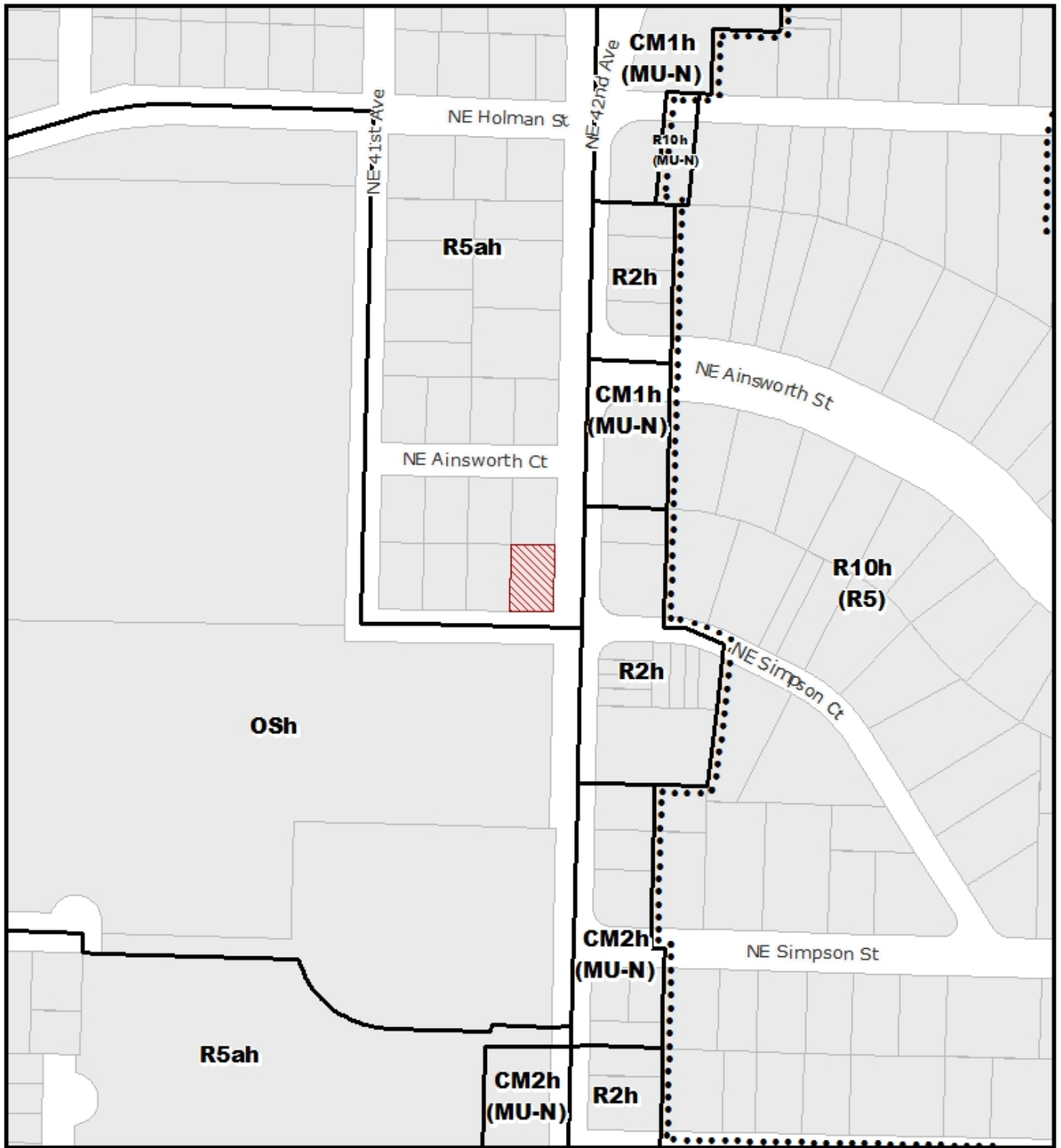
- Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. Copies of all information in the file can be obtained for the cost of making copies during the appointment.
- If you would like to request a copy of the file online, please 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.

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 ↑
NORTH

 Site

File No.	LU 18-235195 LDP
1/4 Section	2434
Scale	1 inch = 200 feet
State ID	1N1E13DA 3200
Exhibit	B Sep 13, 2018

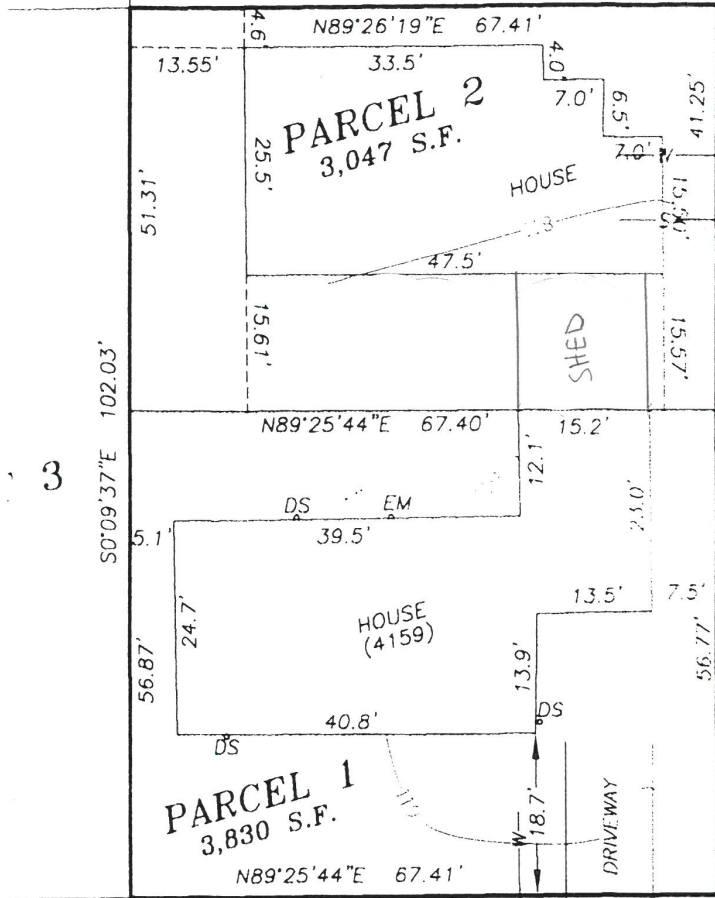
PROPOSED DEVELOPMENT

RECEIVED

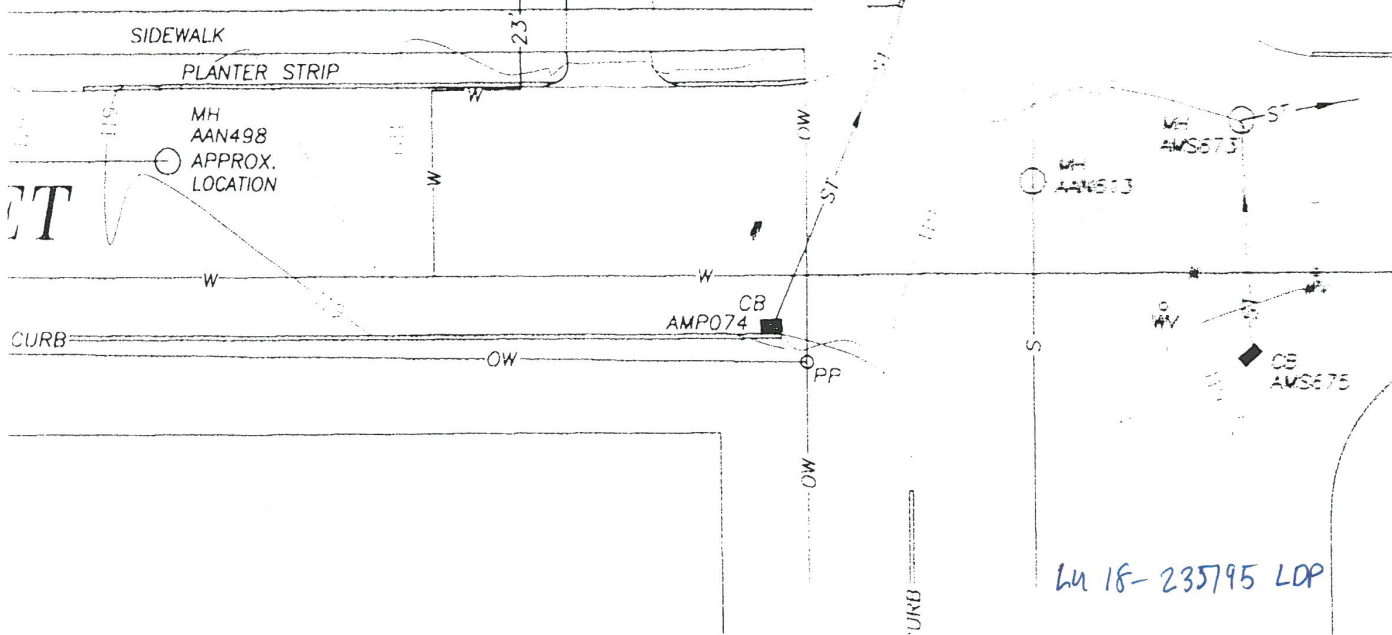
FEB 19 2019

T 6

LOT 5



N.E. 42ND AVENUE
(70.00' WIDE)



LM 18-235795 LDP