



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

Date: May 15, 2019
To: Interested Person
From: Timothy Novak, Land Use Services
503-823-5395 / Timothy.Novak@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 June 14, 2019.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 19-130029 LDP, in your letter. It also is helpful to address your letter to me, Timothy Novak. 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 19-130029 LDP

Applicant: Danelle Isenhardt | Emerio Design
6445 SW Fallbrook Pl #100 | Beaverton OR 97008
(503) 880-4979, Danelle@emeriodesign.com

Owner's Rep: Erik Ostmo | Ostmo Construction
1750 SW Skyline Blvd #110 | Portland OR 97221

Owner: Mark and Maria Raleigh
5407 SE 47th Ave | Portland OR 97206

Site Address: 5407 SE 47TH AVE

Legal Description: BLOCK 6 INC PT VAC ST ACCR ORD 114315 LOT 1&2, AVONIA
Tax Account No.: R048800510
State ID No.: 1S2E18BD 09200
Quarter Section: 3535

Neighborhood: Woodstock, contact at sage.wna@gmail.com
Business District: Woodstock Community Business Association, contact at norberg@myexcel.com
District Coalition: Southeast Uplift, contact Leah Fisher at 503-232-0010.

Zoning: R5 – Residential 5,000
Case Type: LDP – Land Division Partition

Procedure: Type Ix, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

To divide the existing 12,512 square foot lot into two parcels for detached single-family dwellings. The existing house will remain on Parcel 2, proposed to be 8,311 square feet. The existing pool will be removed and filled. The new parcel (Parcel 1) is proposed to be 4,201 square feet. Tree protection is proposed for the 24" Japanese maple in the SW corner of the lot and for the two Western Red Cedar trees near the north property line at the rear of the adjacent lot to the north. Existing on-site parking will be retained for the existing house and a conceptual plan shows a new driveway and parking for development on the new parcel.

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 two lots. 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 March 8, 2019 and determined to be complete on May 7, 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.

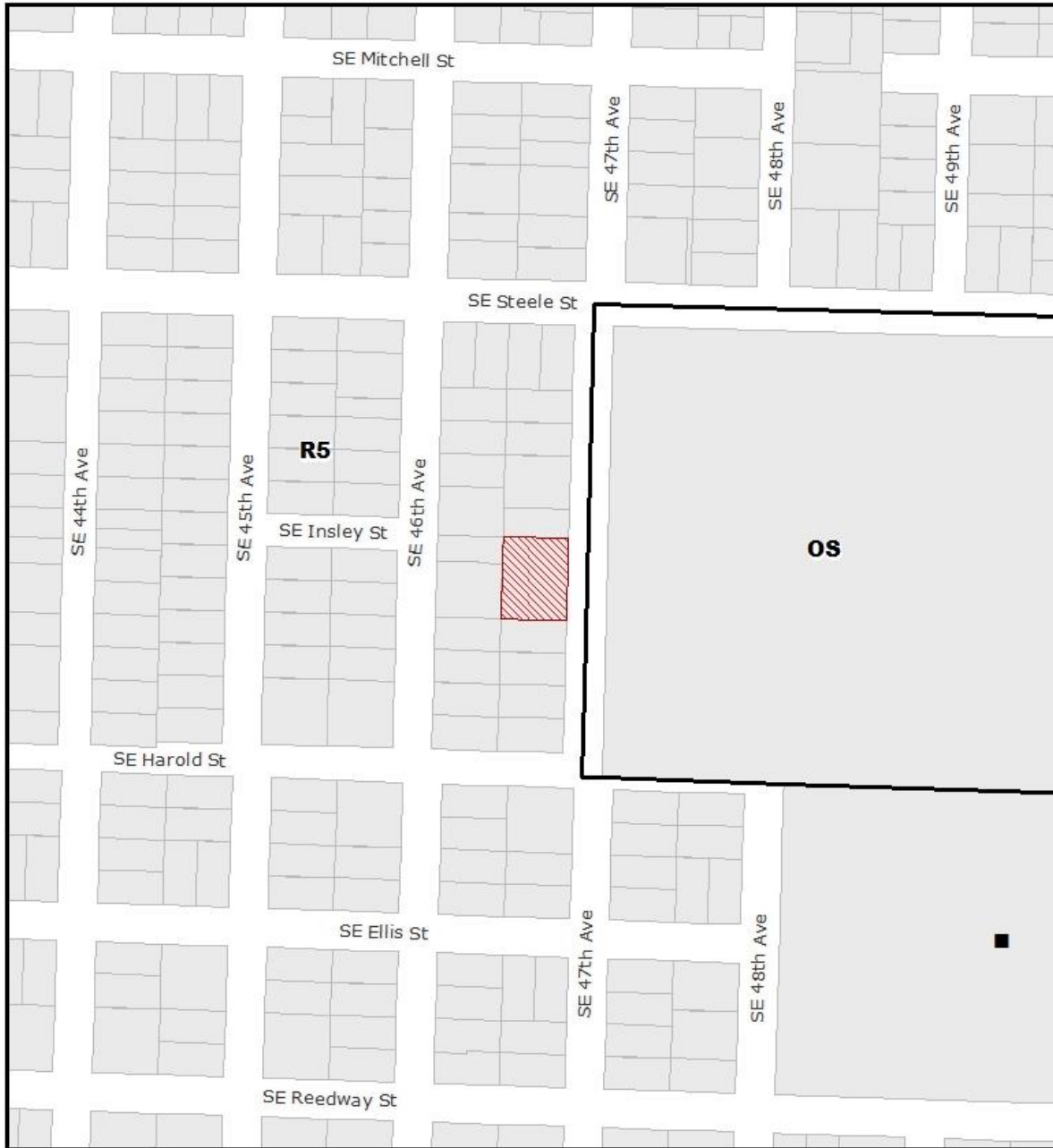
APPEAL PROCESS

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



Site



Historic Landmark

File No.	<u>LU 19-130029 LDP</u>
1/4 Section	<u>3535</u>
Scale	<u>1 inch = 200 feet</u>
State ID	<u>1S2E18BD 9200</u>
Exhibit	<u>B Mar 12, 2019</u>

