



**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:** June 7, 2019  
**To:** Interested Person  
**From:** Andrew Gulizia, Land Use Services  
503-823-7010/Andrew.Gulizia@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 June 28, 2019.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 19-168616 CU, in your letter. Please address your letter to me, Andrew Gulizia. You can also e-mail your comments to me at the e-mail address above. Please note that all correspondence received will become part of the public record and may be viewed by the applicant or others.

### **CASE FILE NUMBER: LU 19-168616 CU**

**Applicant:** Lyrin Murphy  
5631 SW Belmont St.  
Portland, OR 97215  
(503) 333-0412  
[bearcat214@gmail.com](mailto:bearcat214@gmail.com)

**Property Owner:** Koru Properties LLC  
2336 SW Osage St. #303  
Portland, OR 97205

**Site Address:** 5631 SE Belmont St.

**Legal Description:** BLOCK 2 E 14' OF N 75' OF LOT 2 S 125' OF LOT 2 EXC PT IN ST,  
HISTORIC PROPERTY, POTENTIAL ADDITIONAL TAX, MT TABOR  
CENTRAL PK

**Tax Account No.:** R588200420  
**State ID No.:** 1S2E06AB 03900  
**Quarter Section:** 3136  
**Neighborhood:** Mt. Tabor, contact Stephanie Stewart at 503-230-9364  
**Business District:** Belmont Business Association, contact (503) 407-2667  
**District Coalition:** Southeast Uplift, contact Leah Fisher at 503-232-0010  
**Zoning:** R2, R5 – Multi-Dwelling Residential 2,000 and Single-Dwelling Residential 5,000

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

**Proposal:**

The applicant requests Conditional Use approval to operate a Type B accessory short-term rental (ASTR) facility in the existing house on this site. The house is currently being remodeled, but no exterior changes to the house or property are proposed for the ASTR use. The applicant would live in the house full-time and make 5 bedrooms available for short-term rental guests. Up to 4 off-street parking spaces are available on the property's driveway. No commercial events are proposed with this application. The proposed house rules include quiet hours for outdoor areas between 9pm and 7am on weekdays and between 10pm and 7am on weekends.

**Relevant Approval Criteria:**

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.A-E.

The City's new Comprehensive Plan has been appealed. Because Zoning Code Section 33.815.105.A-E is currently considered an "unacknowledged land use regulation", this proposal may also have to comply with applicable Statewide Planning Goals. The Statewide Planning Goals may be viewed at <https://www.oregon.gov/lcd/OP/Pages/Goals.aspx>.

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 May 22, 2019 and determined to be complete on June 4, 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 calling (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. The Hearings Officer would 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

Hearings Officer 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.

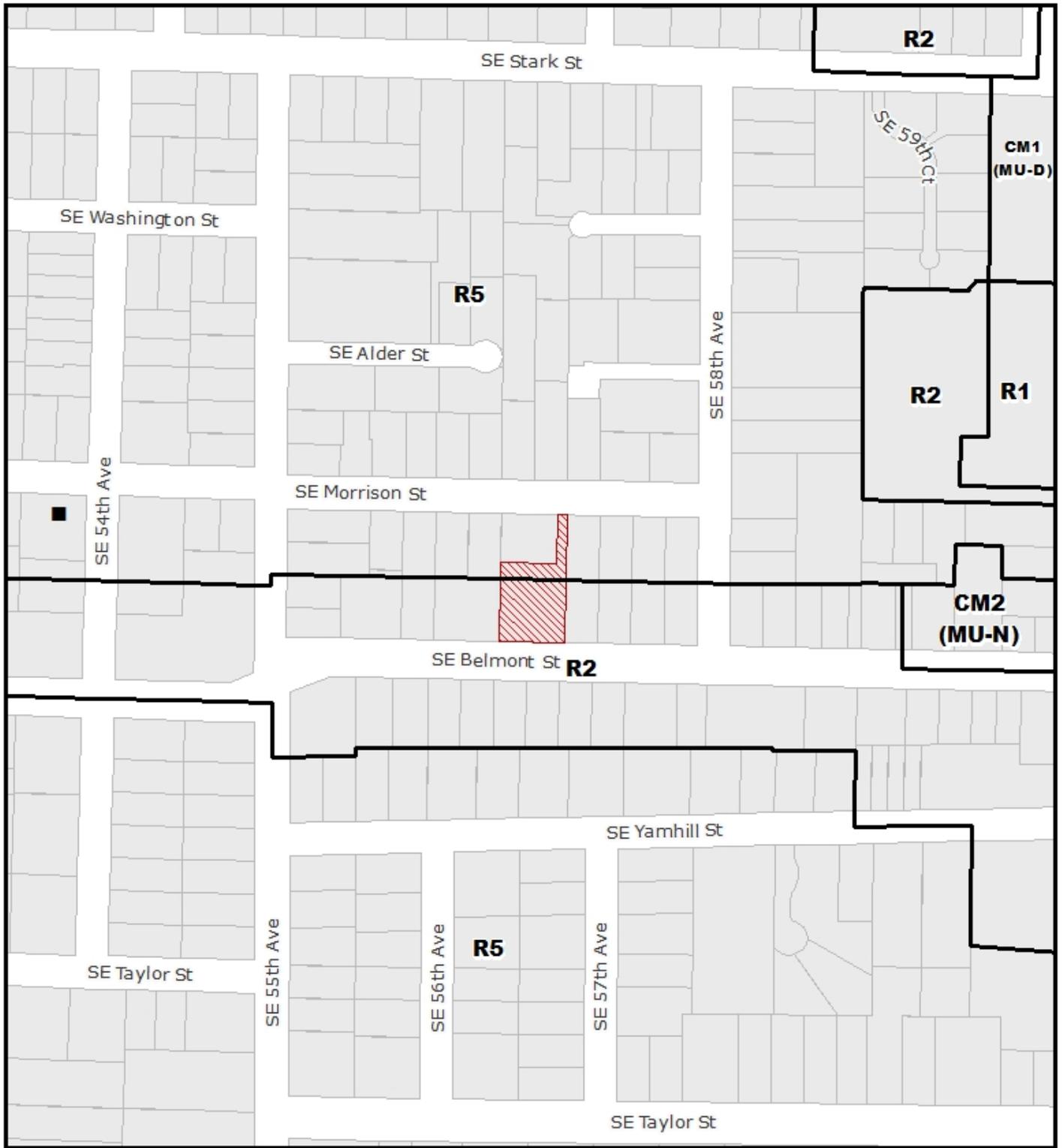
**APPEAL OF THE FINAL CITY DECISION**

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:**

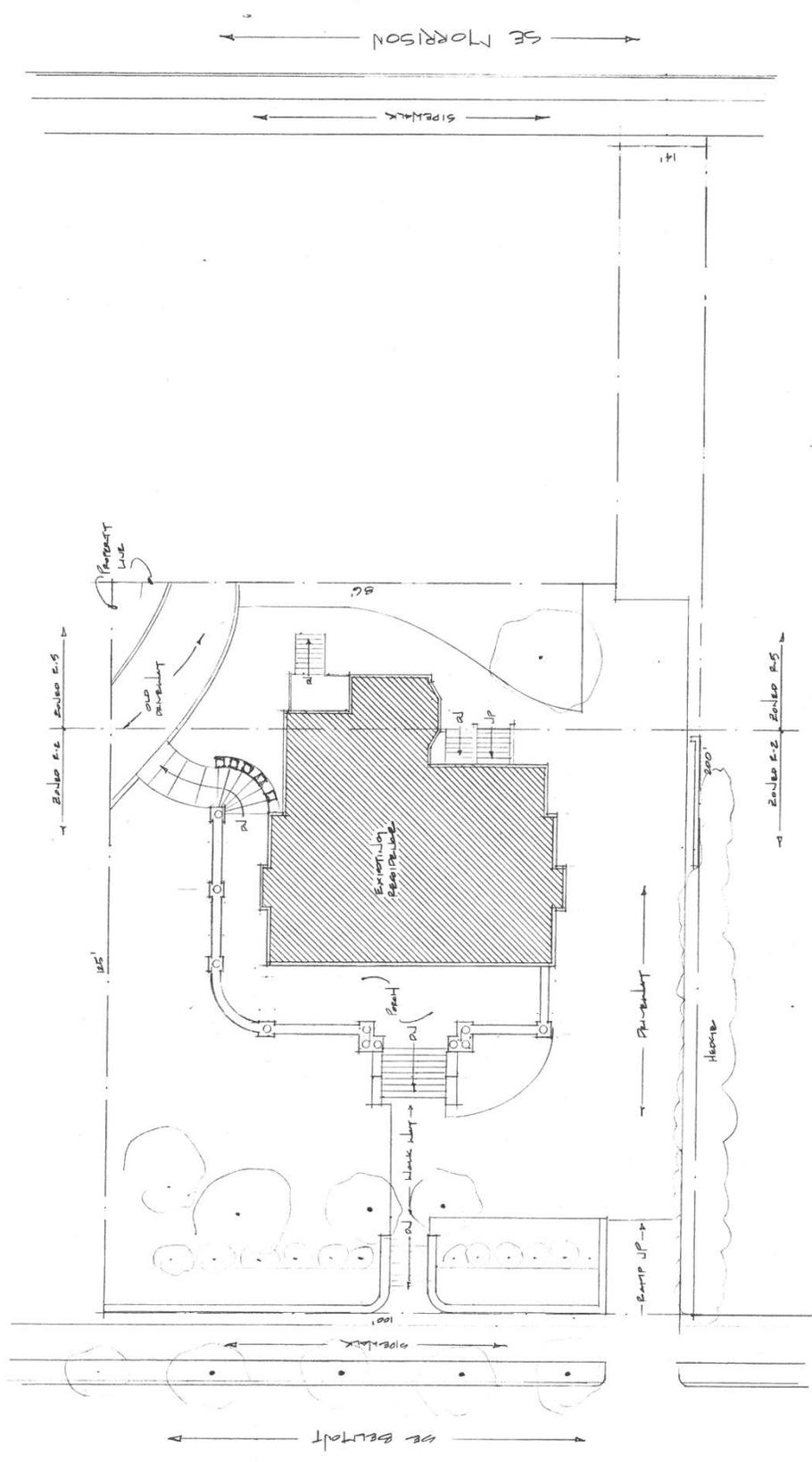
Zoning map  
Site plan



**ZONING**   
NORTH

 Site  
 Historic Landmark

File No.	LU 19-168616 CU
1/4 Section	3136
Scale	1 inch = 200 feet
State ID	1S2E06AB 3900
Exhibit	B May 24, 2019



1 SITE PLAN  
 SCALE: 1/8" = 1'-0"  
 NORTH

LU 19-1 RR REC