



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

Ted Wheeler, Mayor  
Rebecca Esau, Director  
Phone: (503) 823-7300  
Fax: (503) 823-5630  
TTY: (503) 823-6868  
[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** June 27, 2019  
**To:** Interested Person  
**From:** Diane Hale, Land Use Services  
503-823-7705 / [Diane.Hale@portlandoregon.gov](mailto:Diane.Hale@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 July 29, 2019.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 19-150456 LDP, in your letter.

It also is helpful to address your letter to me, Diane Hale. 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 19-150456 LDP**

**Applicant:** Kevin Partain, Urban Visions  
223 NE 56th Ave, Portland OR 97213

**Representative:** Andre Koshuba, Exceptional Homes By Andre  
14237 Bridge Ct, Lake Oswego OR 97034

**Site Address:** 6304 SE WINDSOR CT

**Legal Description:** BLOCK 2 LOT 6&7, MANDY LANE  
**Tax Account No.:** R530200220, R530200230  
**State ID No.:** 1S2E08BB 02900  
**Quarter Section:** 3337  
**Neighborhood:** South Tabor, contact John Carr at [jcarrpdx@gmail.com](mailto:jcarrpdx@gmail.com).  
**Business District:** None  
**District Coalition:** Southeast Uplift, contact Leah Fisher at 503-232-0010.  
**Zoning:** R2.5a – Single Family Residential 2,500 with an “a” Alternative Design Density Overlay

**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 a 2-parcel partition for this 5,400 square foot interior site, with one standard lot and one flag lot. The existing house will remain on the standard lot. Off-street parking is proposed for the new home on the flag lot; the existing home is not proposed to have

off-street parking, which is allowed per 33.266.110.B.1 because the site is close to frequent-service transit (bus line on SE Division Street). There are no regulated trees on the site.

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 2 units of land (2 parcels). 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 April 17, 2019 and determined to be complete on June 3, 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](http://www.portlandoregon.gov).

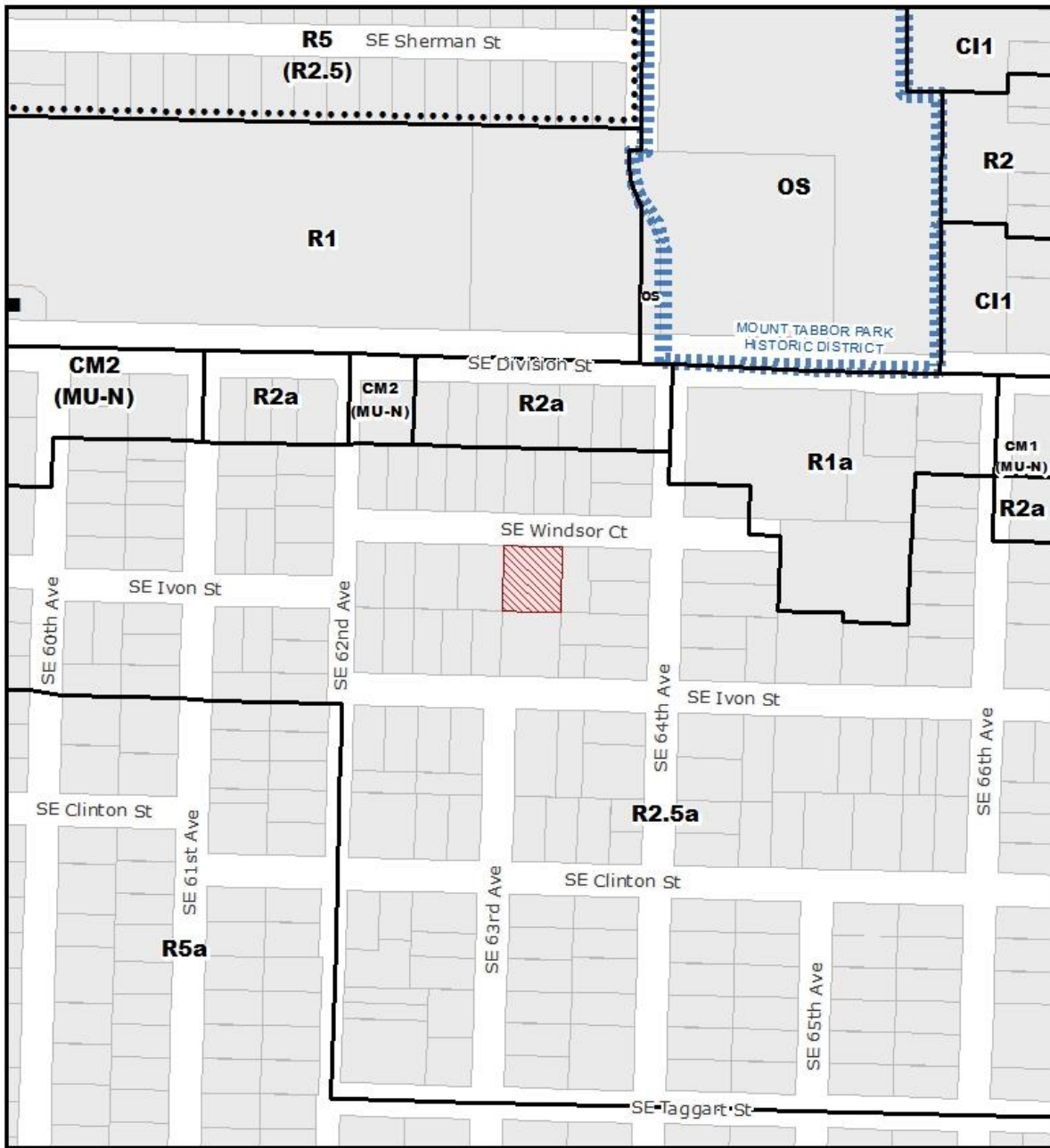
**APPEAL PROCESS**

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.	LU 19-150456 LDP
1/4 Section	3337
Scale	1 inch = 200 feet
State ID	1S2E08BB 2900
Exhibit	B Apr 19, 2019

**EXISTING CONDITIONS FOR A PROPOSED  
PARTITION PLAT OF TRACT 1, SN 66498  
BEING LOT 6 AND WEST 5.00' OF LOT 7,  
BLOCK 22, MANDY LANE**

SITUATED IN THE N.W. 1/4 OF SECTION 8, T.1S., R.2E., W.M.  
MULTNOMAH CO., OREGON  
CITY OF PORTLAND

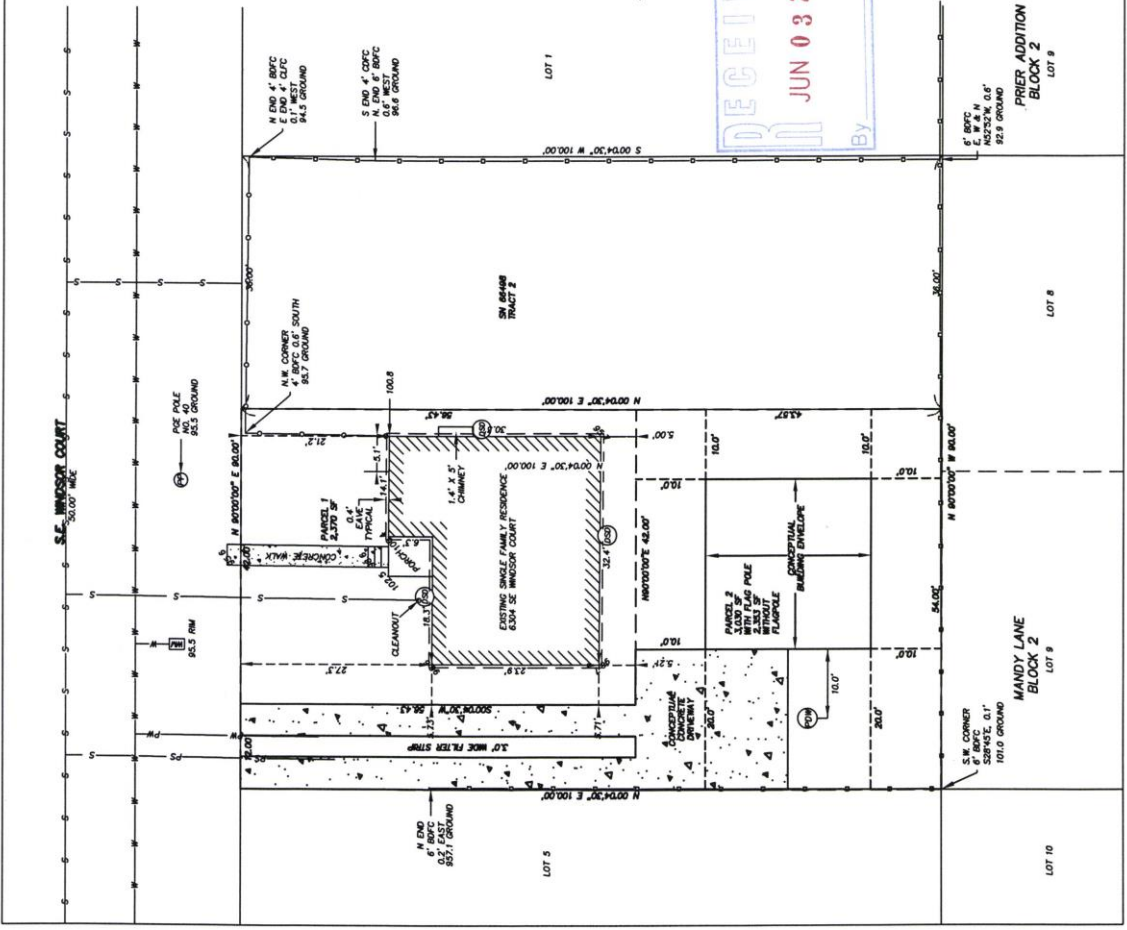
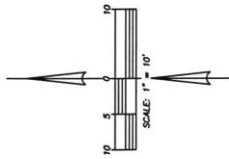
**MARY ASSOCIATES**  
18615 E. BURNSIDE STREET  
PORTLAND, OR 97233  
PHONE: 503-555-5000  
FAX: 503-667-5000  
EMAIL: DON@MARYASSOCIATES.NET

DATE DRAWN: MARCH 6, 2019  
DRAWING NO. 18041EKC2  
SCALE: AS SHOWN  
REVISED: MARCH 22, 2019  
REVISED: MARCH 22, 2019  
REVISED: MAY 28, 2019

**TOWN**  
ZONING: R2  
SUBDIVISION: 2,300  
NET AREA: 5,400 SQUARE FEET  
PARCEL DATA:  
TRACT 1, SN 66498, BEING LOT 6 AND THE WEST 5.00' OF LOT 7, BLOCK 22,  
MANDY LANE

- NOTES & LEGEND:**
- 1. DEPICTS WATER METER.
  - 2. DEPICTS POWER POLE.
  - 3. DEPICTS BOARD FENCE.
  - 4. DEPICTS BOARD FENCE.
  - 5. DEPICTS CHAIN LINK FENCE.
  - 6. DEPICTS CHAIN LINK FENCE.
  - 7. DEPICTS WATER LINE.
  - 8. DEPICTS SEWER LINE.
  - 9. DEPICTS SQUARE FEET.
  - 10. DEPICTS DOWNPOUT TO SURFACE.
  - 11. DEPICTS DOWNPOUT TO DRAIN.
  - 12. DEPICTS CONFIRMED PROPERTY LINE.
  - 13. DEPICTS PROPOSED ADJUSTED PROPERTY LINE.
  - 14. DEPICTS TRANSFER TRACT.
  - 15. DEPICTS PROPOSED WATER LINE.
  - 16. DEPICTS PROPOSED DRYWELL.

NOTES: THESE ARE LOCATED AS SHOWN PER FIELD OR FIELD VERIFIED BEFORE CONSTRUCTION. THE ACTUAL LOCATION SHOULD BE VERIFIED BY THE SURVEYOR. SURFACE MARKED.  
NOTE 2: ELEVATIONS ARE ASSUMED.



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
*[Signature]*  
FEBRUARY 1985  
DANIEL R. BAUER  
2123  
EXPIRATION DATE 12/31/19

LU 19-150456 LDP