



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

Date: July 31, 2019
To: Interested Person
From: Hannah Bryant, Land Use Services
503-823-5353/Hannah.Bryant@portlandoregon.gov

NOTICE OF A REVISED TYPE II PROPOSAL IN YOUR NEIGHBORHOOD

This is a REVISED notice of proposal. The previous Notice was mailed on July 17, 2019. Two Modification requests have been added to this proposal.

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 August 21, 2019.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 19-186145 HRM, in your letter. It also is helpful to address your letter to me, Hannah Bryant. 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 19-186145 HRM - GARAGE REPLACEMENT AND NEW GARAGE ROOFDECK

Applicant: Robert Hayden | PDS LLC
3344 NE 25th Ave.
Portland, OR 97212
(503) 680.1087

Owner: Joanne Fuller & Paul Pierce
2933 NE 17th Ave
Portland, OR 97212-3351

Site Address: **2933 NE 17TH AVE**

Legal Description: BLOCK 54 LOT 7, IRVINGTON
Tax Account No.: R420411820
State ID No.: 1N1E26AC 02800
Quarter Section: 2732
Neighborhood: Irvington, contact Dean Gisvold at 503-284-3885.
Business District: Soul District Business Association, contact at info@nnebaportland.org
District Coalition: Northeast Coalition of Neighborhoods, contact Laura Becker at 503-388-6088.
Plan District: None

Other Designations: Contributing Resource in the Irvington Historic District
Zoning: R5 – Residential 5,000 Single Dwelling Zone
Case Type: HR – Historic Resource Review
Procedure: Type II, an administrative decision with appeal to the Landmarks Commission.

Proposal:

The applicant seeks Historic Resource Review to:

- replace and rebuild an existing garage with the same dimensions and footprint,
- to remove two existing tiered retaining walls and stairs in the front and replace with three tiered retaining walls and new stairs.

Two Modifications are requested:

1. Side Setback (33.110.220 and Table 110-3) – Reduce the side setback from 5’ to 0’ for attached garage. *Both the existing and replacement garage are attached to the house at the basement level. Therefore, they are additions to the primary resource, and are subject to the 5’ side setback.*
2. Garage Entrance (33.110.220 and Table 110-3) – Reduce the garage entrance setback from 18’ to 0’ from the front property line. *Garage entrance setbacks are required to be 18’ or more. Since the proposal is to rebuild an existing nonconforming attached garage that does not meet this standard, the proposal requires a Modification to be allowed.*

The garage is located at the northwest corner of the property, just behind the sidewalk and adjacent to the north property line. It is constructed between the house and the street. The garage is at street level, whereas the main level of the house is set up above the street. The primary resource on the property is the Helen Jones house, a bungalow constructed in 1920. While the house is listed as a contributing resource in the Irvington Historic District Nomination, the garage is not listed.

Historic Resource Review is required for non-exempt exterior alterations in a Historic District.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are:

- *Other Approval Criteria: 33.846.060.G*

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 June 28, 2019 and determined to be complete on July 12, 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 Landmarks Commission. 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.

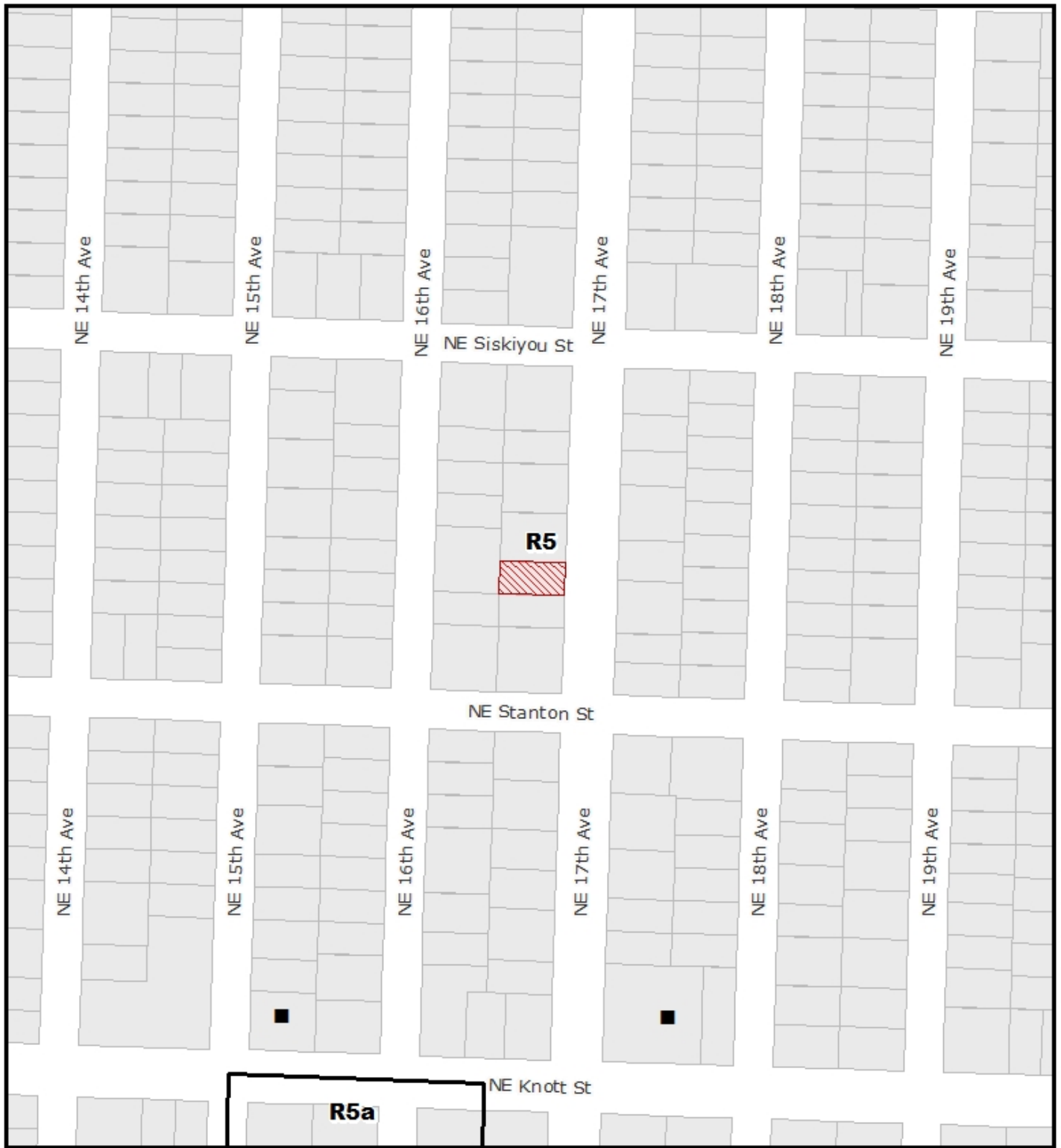
APPEAL OF THE FINAL CITY DECISION

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
Elevation



ZONING

↑
NORTH

THIS SITE LIES WITHIN THE:
IRVINGTON HISTORIC DISTRICT

-  Site
-  Historic Landmark

File No.	LU 19-186145 HR
1/4 Section	2732
Scale	1 inch = 200 feet
State ID	1N1E26AC 2800
Exhibit	B Jul 03, 2019

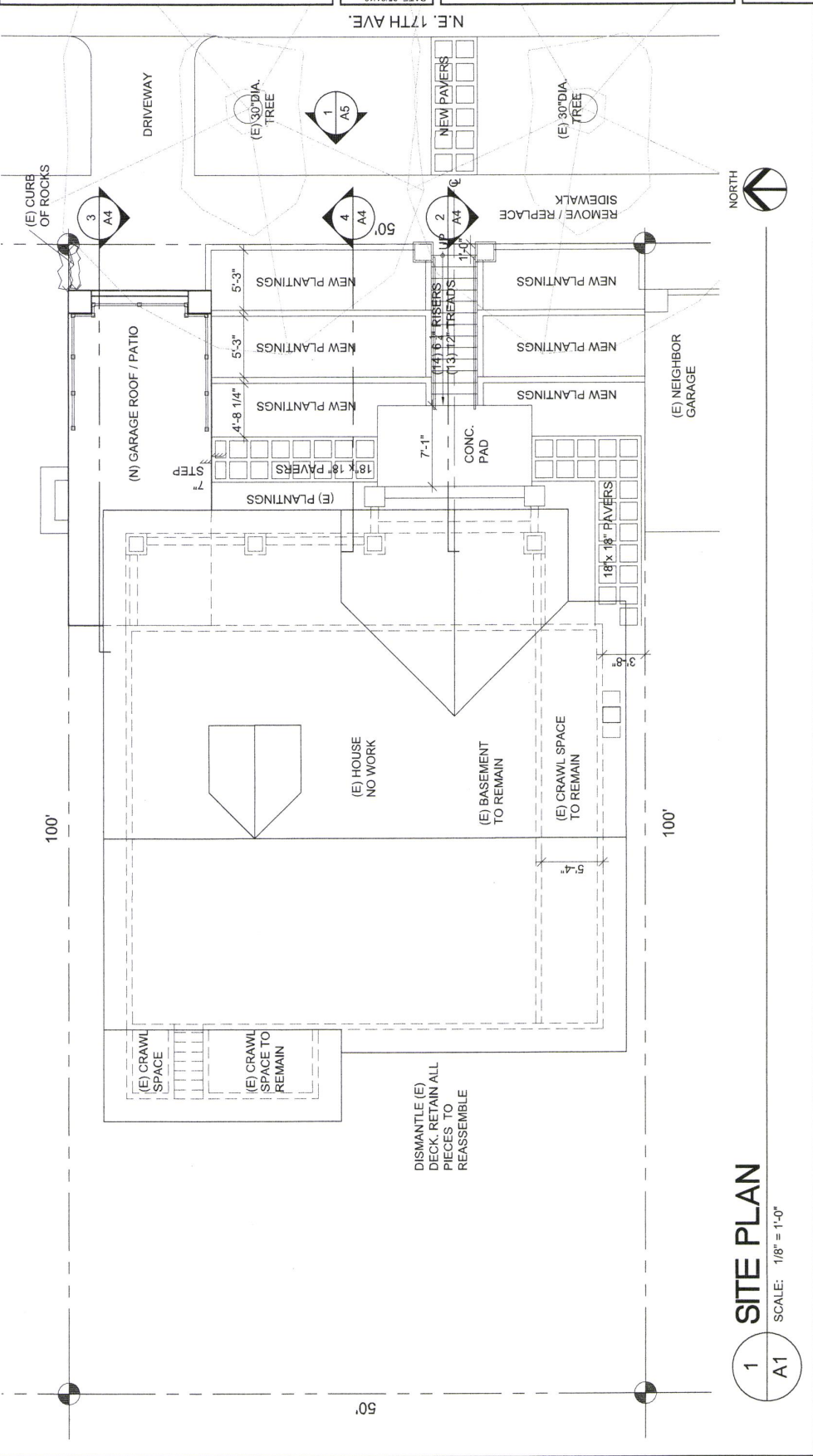
PROPERTY DAMAGE SOLUTIONS
 2850 SW CEDAR HILLS BLVD. SUITE 106
 BEAVERTON, OREGON 97005-1954
 CONTACT: CHRISTOPHER NESTLERODE
 PHONE: 503-341-6801 EMAIL: CHRIS@PDSOLUTIONS.COM

SITE REMODEL
 2833 N.E. 17TH AVE., PORTLAND, OR 97212

DATE: 02/21/19
 DRAWN BY: ML
 JOB #: 1903105
 SHEET:

PROPOSED SITE PLAN

A1



1 SITE PLAN
 A1
 SCALE: 1/8" = 1'-0"

LN 19-186145 HR