



**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:** September 5, 2019  
**To:** Interested Person  
**From:** Marguerite Feuersanger, Land Use Services  
503-823-7619/Marguerite.Feuersanger@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 September 26, 2019**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 19-211692 AD , in your letter. It also is helpful to address your letter to me, Marguerite Feuersanger. 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 19-211692 AD**

**Applicant:** Bruce Howard, PDX Business Investments LLC  
8213 SW Kingfisher Way  
Portland OR 97224  
[brucehoward222@gmail.com](mailto:brucehoward222@gmail.com) (503) 989-9417

**Owners:** Larry W Bright Tr and Mary C Bright Tr  
7236 N Jordan Ave  
Portland, OR 97203-4447

**Site Address:** 7236 N Jordan Avenue

**Legal Description:** BLOCK 5 LOT 21&24&25, SMITHSON LAND COS ADD  
**Tax Account No.:** R776601900  
**State ID No.:** 1N1E08CC 15100  
**Quarter Section:** 2225

**Neighborhood:** University Park, contact Tom Karwaki at [tkarwaki@yahoo.com](mailto:tkarwaki@yahoo.com).  
**Business District:** University Park Business District  
**District Coalition:** North Portland Neighborhood Services, contact Mary Jaron Kelley at 503-823-4099.

**Zoning:** R5, Single-Dwelling Residential 5,000 Zone

**Case Type:** AD, Adjustment  
**Procedure:** Type II, an administrative decision with appeal to the Adjustment Committee.

**Proposal:** The applicant plans to separate the existing site into two properties through a Lot Confirmation review (#19-213075 PR). The existing house will remain on the northerly 5,250 square feet and the southerly 2.625 square feet will be sold separately for development. The existing detached garage and driveway on the southerly property will be removed for new development. Rather than replace the required on-site parking, the applicant is requesting an Adjustment to waive the required on-site parking space for the existing house (Zoning Code Section 33.266.110).

The applicant would like to avoid removal of an existing tree and relocation of an existing fire hydrant, actions which are necessary to add a new driveway. The new development on the southerly property will either include a new on-site parking space or eliminate vehicle access on the site. This latter option will increase the on-street parking supply as the driveway approach will be closed and the curb restored in front of the site.

**Relevant Approval Criteria:**

To be approved, this proposal must comply with the approval criteria of Title 33, the Portland Zoning Code. Adjustment requests will be approved if the applicant has shown that approval criteria A through F of Zoning Code Section 33.805.040 are met:

- A. *Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and*
- B. *If in a residential, CI1, or IR zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in an OS, C, E, I, or CI2 zone, the proposal will be consistent with the classifications of the adjacent streets and the desired character of the area; and*
- C. *If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone (does not apply); and*
- D. *City-designated scenic resources and historic resources are preserved (does not apply); and*
- E. *Any impacts resulting from the adjustment are mitigated to the extent practical; and*
- F. *If in an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable. (does not apply)*

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 August 16, 2019 and determined to be complete on August 30, 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 Adjustment Committee. 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 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.

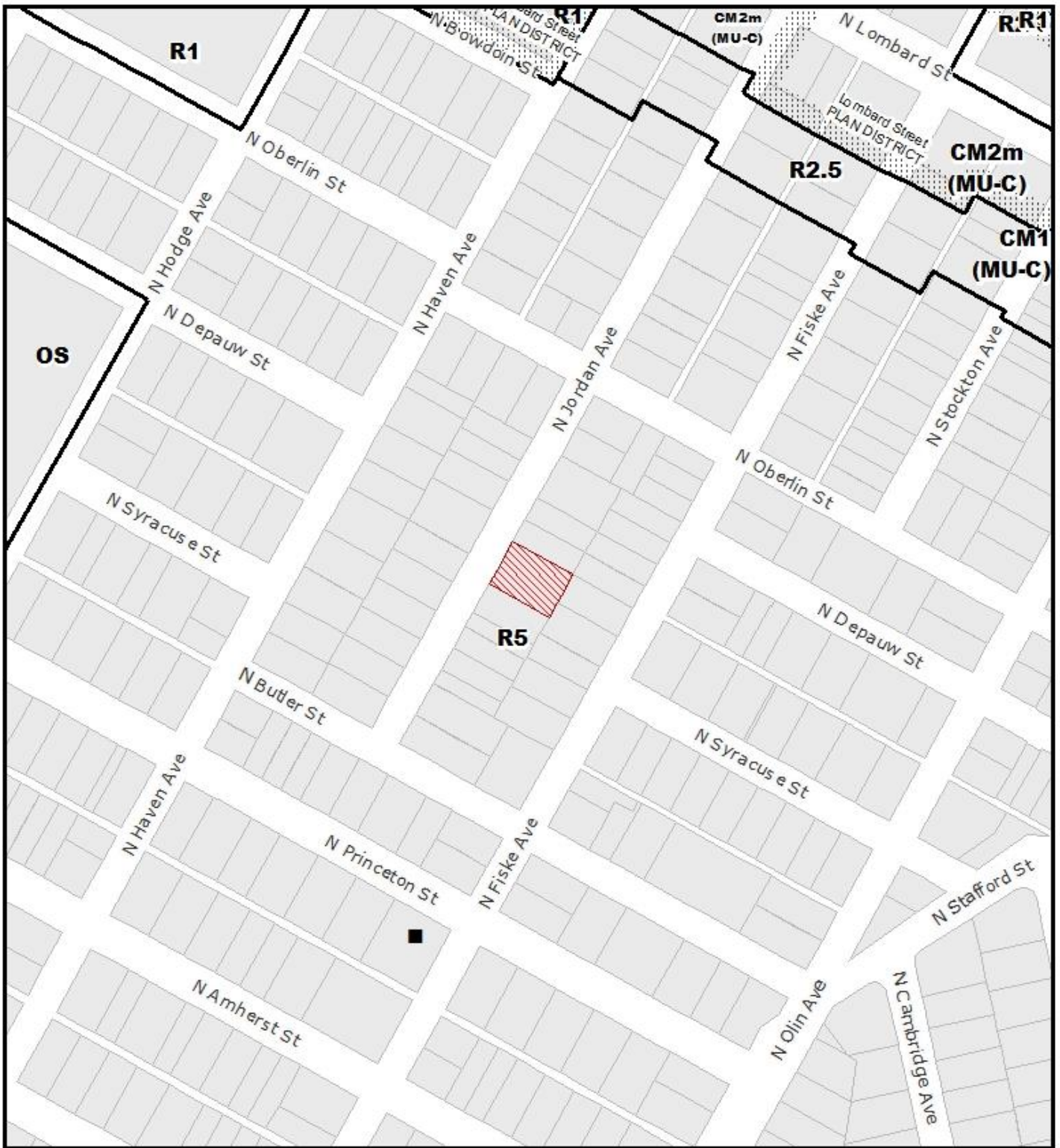
#### **APPEAL OF THE FINAL CITY DECISION**

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



**ZONING**   
NORTH

 Site  
 Historic Landmark

File No.	LU 19-211692 AD
1/4 Section	2225
Scale	1 inch = 200 feet
State ID	1N1E08CC 15100
Exhibit	B Aug 19, 2019



**IMPERVIOUS AREA**

DRIVEWAY 912 sq ft

PATIO N/A

WALK 70 sq ft

ROOF AREA (INCL. OVERHANG)

TOTAL

**BUILDING COVERAGE**

BUILDING FOOTPRINT 982 sq ft

Garage 360 sq ft

**LOT AREA**

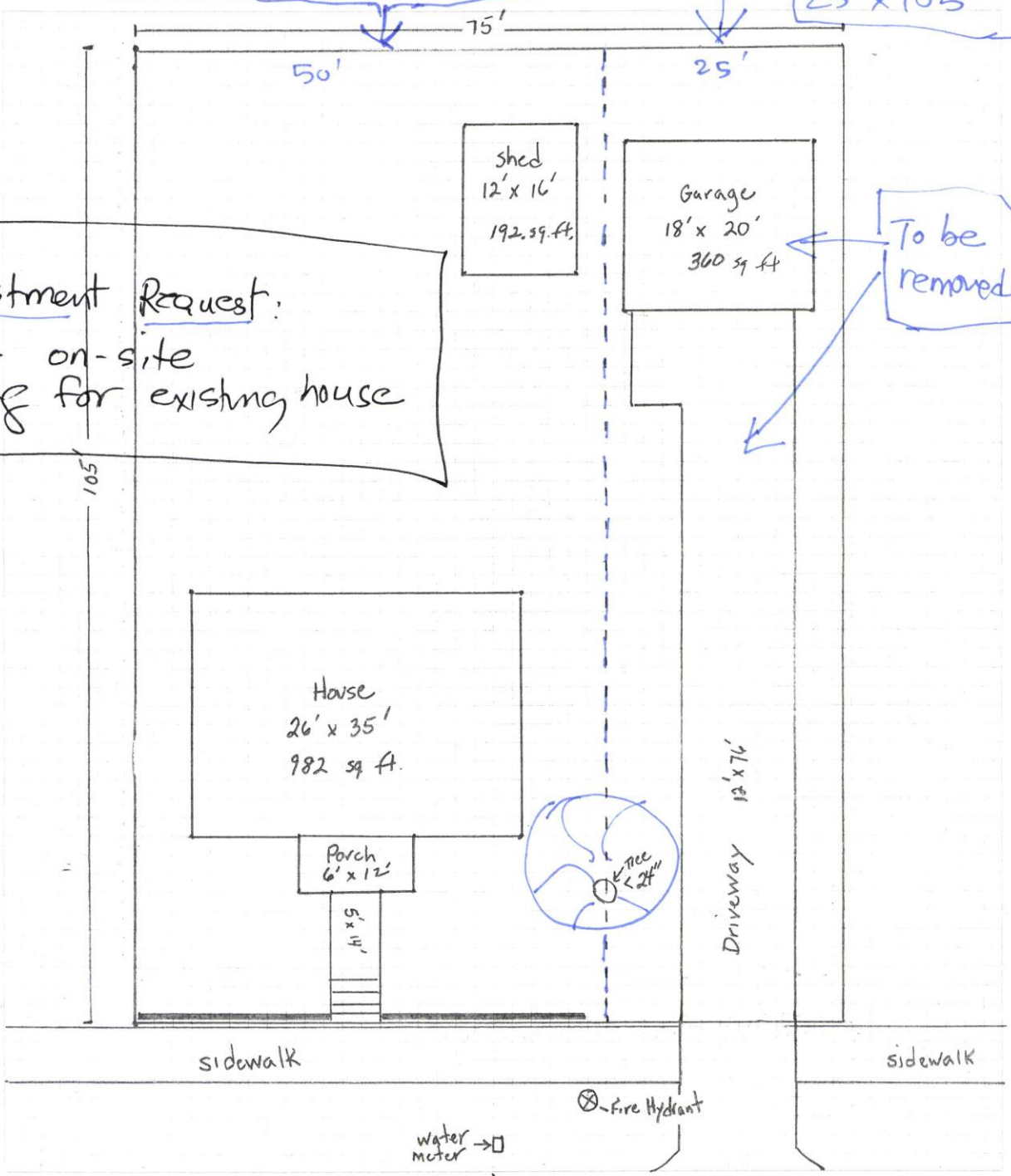
7,875 sq ft (75' x 105')

Existing House on 50' x 105'

Area to be separated 25' x 105'

Adjustment Request:  
Waive on-site parking for existing house

To be removed



**PROJECT LEGAL**

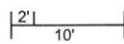
Smithson Land Cos Add,  
Block 5, Lot 21 & 24 & 25  
R271676

**PROJECT ADDRESS**

7236 N Jordan  
Portland, OR 97203

**SITE PLAN**

SCALE 1" = 10'



NORTH ARROW