



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

Ted Wheeler, Mayor  
Rebecca Esau, Director  
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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** October 30, 2019  
**To:** Interested Person  
**From:** Sean Williams, Land Use Services  
503-823-7612 / [Sean.Williams@portlandoregon.gov](mailto:Sean.Williams@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 November 29, 2019.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 19-231018 LDP, in your letter. It also is helpful to address your letter to me, Sean Williams. 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 19-231018 LDP**

**Applicant:** Ken Dyreson  
Dyreson Design Studio  
3239 NE 66<sup>th</sup> Avenue  
Portland, OR 97213  
(503) 477-0673 / [kdyerson@gmail.com](mailto:kdyerson@gmail.com)

**Owner:** George Laird  
3625 SE 39<sup>th</sup> Avenue  
Portland, OR 97202

**Site Address:** 5144 NE Flanders Street

**Legal Description:** Center Addition, Block 9, Lot 1  
**Tax Account No.:** R145801250  
**State ID No.:** 1N2E31CA 01900  
**Quarter Section:** 3035  
**Neighborhood:** North Tabor, contact Robert Jordan at [landuse@northtabor.org](mailto:landuse@northtabor.org)  
**Business District:** None  
**District Coalition:** Southeast Uplift, contact Leah Fisher at 503-232-0010.  
**Plan District:** None  
**Zoning:** Residential 2,500 (R2.5)  
**Case Type:** Land Division Partition (LDP)  
**Procedure:** Type IX, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

**Proposal:**

The applicant is proposing to partition the subject site into two parcels of approximately 2,890 (Parcel 1) and 2,112 (Parcel 2) square feet in size. Existing development consists of a single family residence that will be retained within Parcel 1. Parcel 2 will be made available for a new single family residence.

There are no trees on site subject to preservation standards. Water and sanitary sewer service will be provided to the parcels from mains in NE Flanders Street and NE 52<sup>nd</sup> Avenue. A driveway that currently provides parking for the house will be removed. Replacement parking is not required as the site is close to transit.

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 September 23, 2019 and determined to be complete on October 24, 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).

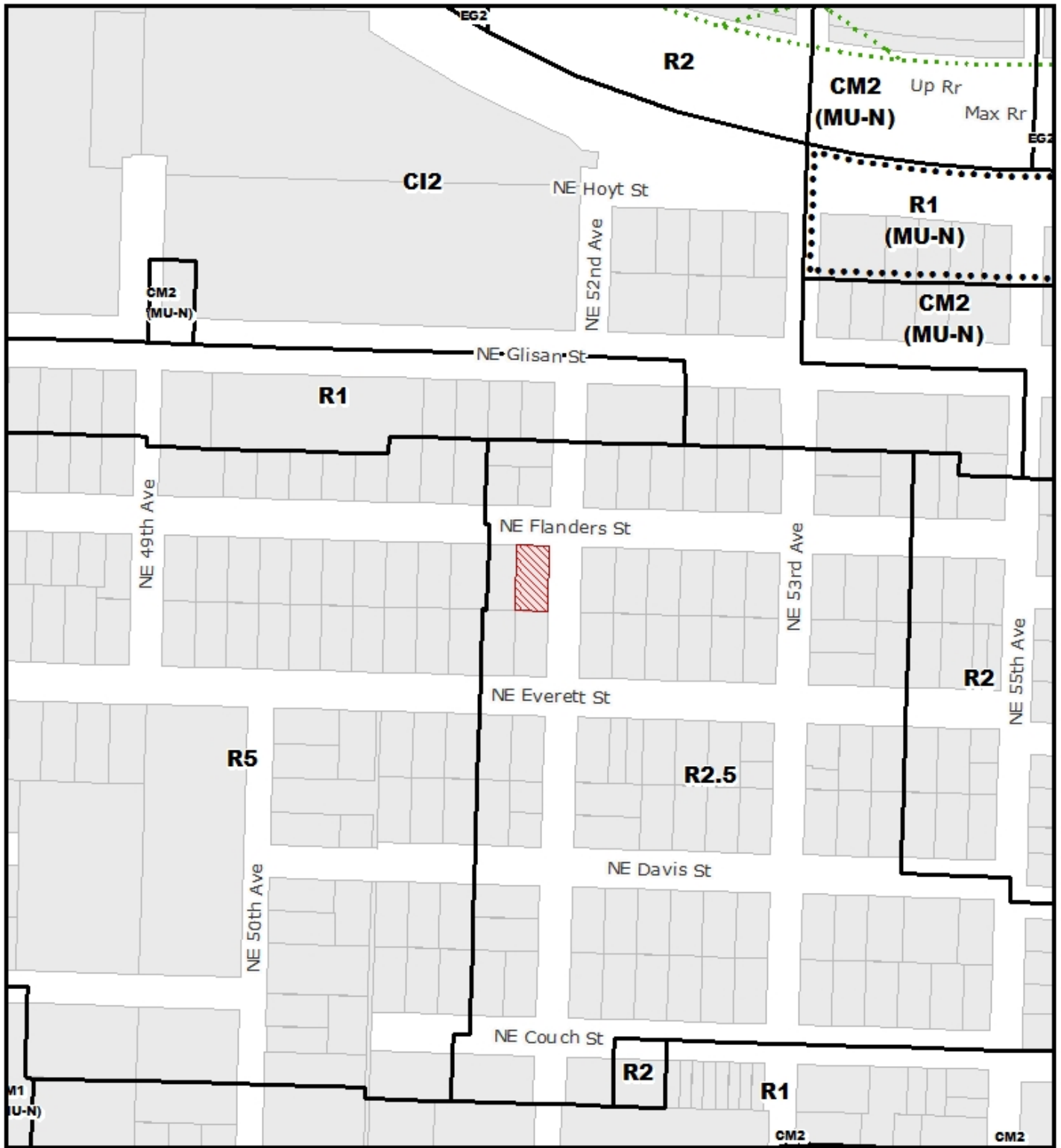
**APPEAL PROCESS**

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:**

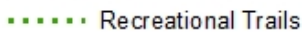
Zoning Map  
Site Plan



# ZONING



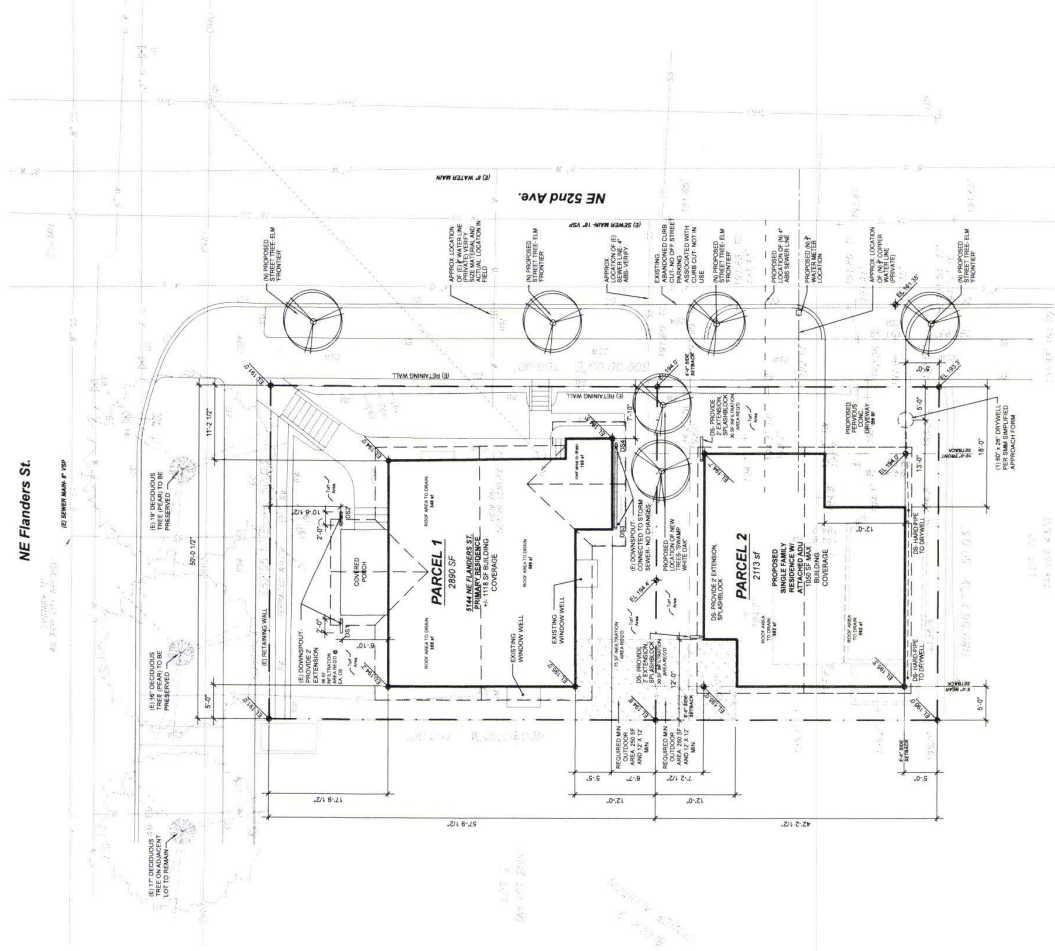
Site



Recreational Trails

File No.	LU 19 - 231018 LDP
1/4 Section	3035
Scale	1 inch = 200 feet
State ID	1N2E31CA 1900
Exhibit	B Sep 25, 2019

NE Flanders St.



1 PROPOSED SITE PLAN  
1/11/2022

**ZONING / LOT SUMMARY PARCEL 1**

PROPERTY ADDRESS: 5144 NE FLANDERS STREET  
 ZONING: R2 (RESIDENTIAL 2,000 SF)  
 ZONING OVERLAY: N/A  
 PROPOSED SITE AREA: 2,890 SF

BUILDING COVERAGE AREA: 1,445 SF  
 ALLOWED COVERAGE: 50% (50% MAQ)  
 BUILDING COVERAGE %: 50% (50% MAQ)

MAX HEIGHT: 35' 0"  
 ALLOWED HEIGHT: 35' 0"  
 EXISTING HEIGHT: 14' 0"

SETBACKS: 10' 0" (FRONT)  
 10' 0" (SIDE)  
 10' 0" (REAR)

FRONT YARD: 5' 0" / 10' 0"  
 SIDE YARD: 5' 0" / 10' 0"  
 REAR YARD: 5' 0" / 10' 0"

GARAGE: 18' 0"  
 NONE

PARKING PROVIDED: NONE

**IMPERVIOUS AREA PARCEL 1**

NO CHANGES PROPOSED

**ZONING / LOT SUMMARY PARCEL 2**

PROPERTY ADDRESS: 5000 NE FLANDERS STREET  
 ZONING: R2 (RESIDENTIAL 2,000 SF)  
 ZONING OVERLAY: N/A  
 PROPOSED SITE AREA: 2,113 SF

BUILDING COVERAGE AREA: 1,086 SF  
 ALLOWED COVERAGE: 51% (50% MAQ)  
 BUILDING COVERAGE %: 51% (50% MAQ)

MAX HEIGHT: 35' 0"  
 ALLOWED HEIGHT: 35' 0"  
 EXISTING HEIGHT: 10' 0"

SETBACKS: 10' 0" (FRONT)  
 10' 0" (SIDE)  
 10' 0" (REAR)

FRONT YARD: 5' 0" / 10' 0"  
 SIDE YARD: 5' 0" / 10' 0"  
 REAR YARD: 5' 0" / 10' 0"

GARAGE: 18' 0"  
 NONE

PARKING PROVIDED: 10' 0" OFF STREET

**IMPERVIOUS AREA PARCEL 2**

EXISTING IMPERVIOUS AREA: 314 SF  
 GARAGE FOUNDATION: 172 SF  
 DRIVEWAY: 707 SF  
 TOTAL IMPERVIOUS AREA: 1,193 SF

PROPOSED IMPERVIOUS AREA: 1,086 SF  
 NEW RESURFACE (INCL. OVERHANDS): 1,086 SF  
 PREVIOUS CONCRETE DRIVEWAY: 229 SF  
 TOTAL IMPERVIOUS AREA (CALC.): 1,315 SF  
 TOTAL IMPERVIOUS AREA (CALC.): 1,315 SF

LARD LAND DIVISION  
 5144 NE Flanders St  
 Portland, Oregon  
 D21S

Preliminary Land Division  
 Submitter  
 9/23/19

PROPOSED  
 SITE PLAN

C4