



**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:** November 1, 2019  
**To:** Interested Person  
**From:** Lois Jennings, Land Use Services  
503-823-2877/[lois.jennings@portlandoregon.gov](mailto:lois.jennings@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 November 22, 2019**. Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 19-243974 TV, in your letter. It also is helpful to address your letter to me, Lois Jennings. 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 19-243974 TV**

**Applicant/Owner:** Slavik Dezhnyuk,  
Dez Development Llc  
10117 SE Sunnyside Rd, Ste F1123  
Clackamas OR 97015  
Phone#: 503-209-7561 or [slavik@dezdevelopment.com](mailto:slavik@dezdevelopment.com)

**Representative:** Danelle Isenhardt,  
Isenhardt Consulting, Llc  
Po Box 2364  
Beaverton OR 97075  
Phone# 503-880-4979 or [danelle@isenhardtconsulting.com](mailto:danelle@isenhardtconsulting.com)

**Site Address:** **5520 NE 55TH AVE**

**Legal Description:** TL 5200 0.44 ACRES, SECTION 18 1N 2E  
**Tax Account No.:** R942181450  
**State ID No.:** 1N2E18DC 05200  
**Quarter Section:** 2436

**Neighborhood:** Cully, contact David Sweet at 503-493-9434.  
**Business District:** None  
**District Coalition:** Central Northeast Neighbors, contact Alison Stoll at 503-823-2778.

**Plan District:** None  
**Other Designations:**

**Zoning:** R2-Low Density Multi-Dwelling Zone (1 unit per 2,000 s.f. of site area) with an “h”-Aircraft Landing Zone overlay  
**Case Type:** TV- Tree Violation Review  
**Procedure:** Type II, an administrative decision with appeal to the Hearings Officer.

**Proposal:** The proposal consists of mitigation for removal of a 16-caliper inch English Walnut tree (identified as Tree #2) on the site that was required to be preserved through the approved tree preservation plan. The tree preservation plan was approved through the preliminary land division approval for a six-lot subdivision under Land Use Case File# LU 17-205888 LDS. The Final Plat for this preliminary land division decision is currently under review under Final Plat Case File# 17-205888 FP. The tree removal occurred while work was occurring on the house at the site (future Lot 2). To mitigate for the removal of the tree #2-English Walnut tree, the applicant proposes to plant five (5) trees on the site (future Lot 2) with the existing house as required by Table 853-1 Tree Replacement for Violations.

**RELEVANT APPROVAL CRITERIA:**

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are 33.853.040.C – Correction to Violations.

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 October 22, 2019 and determined to be complete on October 31, 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 Hearings Officer. 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.

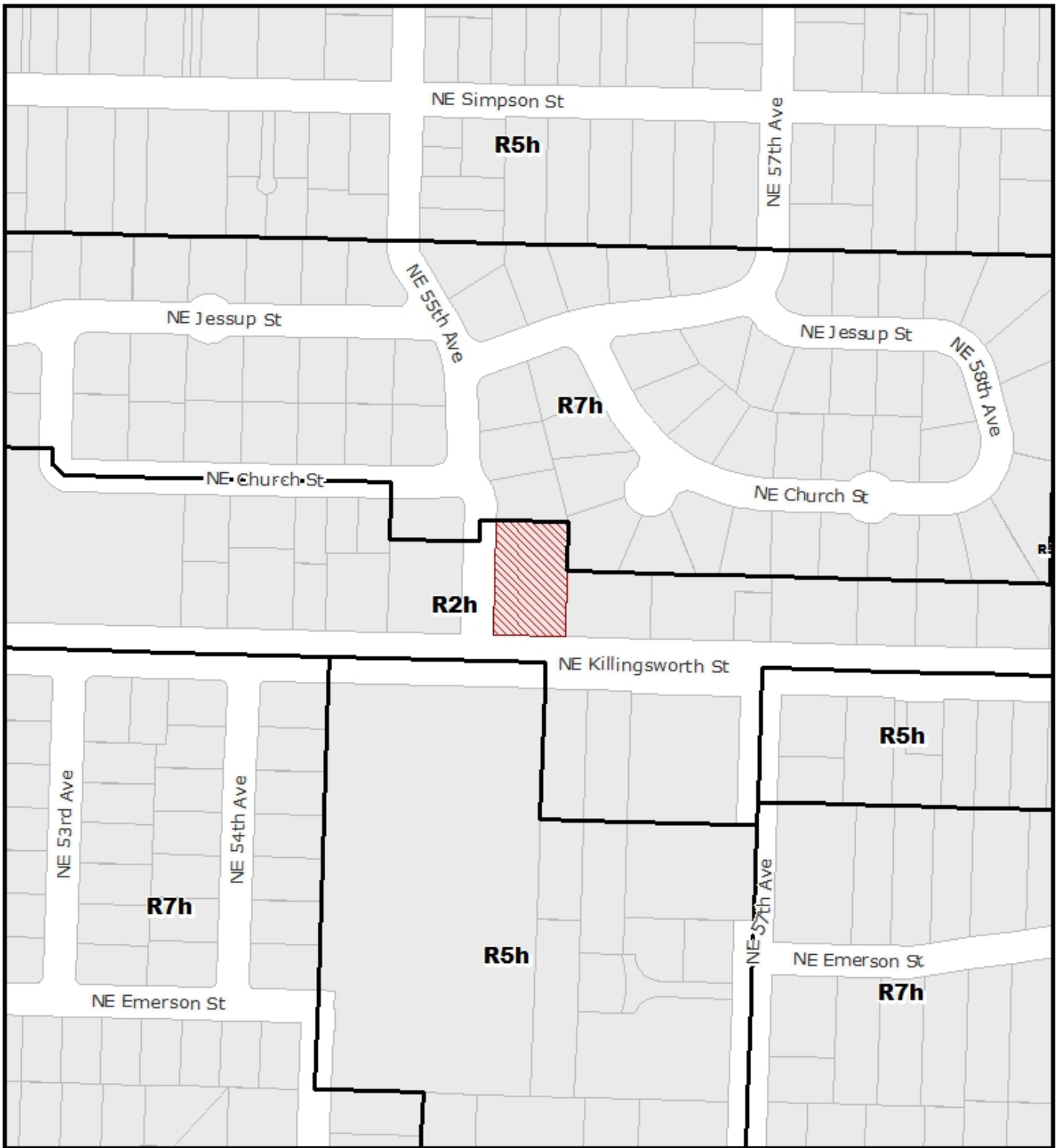
**APPEAL OF THE FINAL CITY DECISION**

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:**

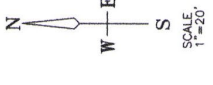
Zoning Map  
Site Plan



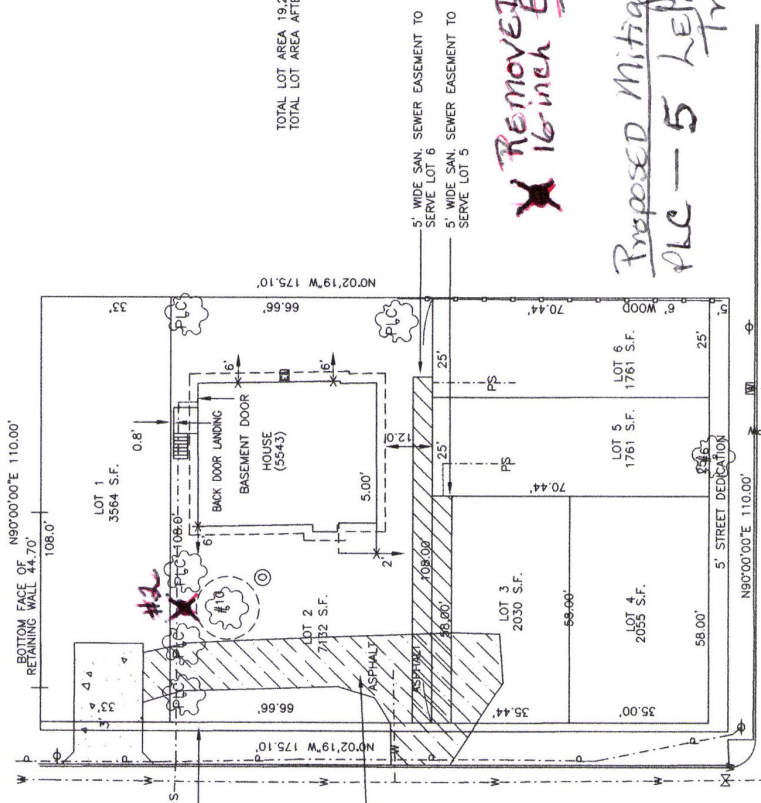
**ZONING**   
NORTH

 Site

File No.	LU 19 - 243974 TV
1/4 Section	2436
Scale	1 inch = 200 feet
State ID	1N2E18DC 5200
Exhibit	B Oct 24, 2019



TOTAL LOT AREA 19,260 S.F.  
TOTAL LOT AREA AFTER DEDICATION 18,370 S.F.



~~#2-a~~  
~~16 inch English Walnut~~  
~~Tree~~  
Proposed Mitigation  
PLC - 5 Leland Cypress  
Trees

MH #1008  
RIM ELEV = 131.73'  
IE IN SOUTH = -13.22'  
IE OUT EAST = -13.37'

MH #1001  
RIM ELEV = 132.22'  
IE IN WEST = -15.60'  
IE OUT NORTH = -15.83'

NOTE: ELEVATION DATUM IS PER CITY OF PORTLAND BENCHMARK NO. 3337

REGISTERED PROFESSIONAL LAND SURVEYOR  
JOE H. 2445  
OREGON  
JULY 25, 1990  
RENEWAL DATE 12/31/18

JOB NO. 17-073  
DRAFTED 5.9.17  
REVISIONS:  
REVISED: 10/21/2019  
REVISED: 2.15.2018  
REVISED: 7.8.2018

DATE: MAY 9, 2017

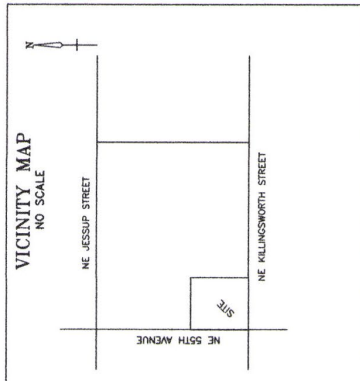
DEZ DEVELOPMENT LLC  
SLAVIK DEZHNYUK  
10117 SE SUNNYSIDE ROAD  
SUITE F1123  
CLACKAMAS, OR 97015

SUPPLEMENTAL MAP  
IN THE SE 1/4, SECTION 18, T.11N, R.2E, W.4E,  
PORTLAND, MULTNOMAH COUNTY, OREGON

Ferguson Land Surveying, Inc.  
646 SE 106TH AVE. PORTLAND, OR 97216  
Phone (503) 408-0601 Fax (503) 408-0602  
www.FergusonLandSurveying.com

- SYMBOLS**
- ⊕ = POWER POLE
  - ⊙ = GUY ANCHOR
  - ⊚ = WATER METER
  - ⊛ = GAS METER
  - ⊜ = ELECTRIC METER
  - ⊝ = WATER VALVE
  - ⊞ = GAS VALVE
  - ⊟ = SANITARY MANHOLE
  - ⊠ = CLEAN OUT
  - ⊡ = CATCH BASIN
  - ⊢ = FIRE HYDRANT
  - ⊣ = DOWN SPOUTS TO SPLASH BLOCKS
  - ⊤ = DOWNSPOUT TO PIPE
  - ⊥ = STORM MANHOLE
  - ⊦ = TELEPHONE LINE
  - ⊧ = WATER LINE
  - ⊨ = PROPOSED WATER LINE
  - ⊩ = GAS LINE
  - ⊪ = ELECTRIC LINE
  - ⊫ = PROPOSED SANITARY SEWER
  - ⊬ = SANITARY SEWER
  - ⊭ = STORM SEWER
  - ⊮ = OIL FILL
  - ⊯ = PROPOSED DRYWELL
  - ⊰ = LINE TO CONFIRM
  - ⊱ = DECIDUOUS TREE
  - ⊲ = CONIFER TREE
  - ⊳ = PROPOSED LELAND CYPRESS

ASPHALT TO BE REMOVED AND PARKING TO BE CONSTRUCTED FOR LOT 2. PRIOR TO FINAL PLAN APPROVAL



WM 19-243974 TV  
Site Plan