



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

Date: December 4, 2019
To: Interested Person
From: Mark Moffett, City Planner
503-823-7806/Mark.Moffett@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 December 26th, 2019** (usual 21-day comment period extended by one business day due to Christmas Holiday on 12/25/19). Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 19-252470 AD, in your letter. It also is helpful to address your letter to me, Mark Moffett. 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 19-252470 AD

Applicant: Mark Dane, Mark Dane Planning
12725 SW Glenhaven St
Portland, OR 97225
(503) 332-7167, markdaneplanning@gmail.com

Property Owner: Keith Nelson
3497 NW Thurman St.
Portland, OR 97210

Site Address: 296 NW MAYWOOD DR

Legal Descriptions: LOT 2, PARTITION PLAT 1997-91; TL 5600 0.35 ACRES, SECTION 33 1N 1E; TL 5900 0.01 ACRES, SECTION 33 1N 1E

Tax Account Nos.: R649773620, R941330010, R941330550

State ID Nos.: 1N1E33CB 06002, 1N1E33CB 05600, 1N1E33CB 05900

Quarter Section: 3027

Neighborhood: Hillside, contact Kevin Kohnstamm at kevin.kohnstamm@comcast.net & Northwest District, contact John Bradley at 503-313-7574.

Business District: None.

District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.

Zoning: **R1c** (Multi-Dwelling Residential 1,000 or "R1" base zone with Environmental Conservation or "c" overlay zone)

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

PROPOSAL: The applicant is in the process of constructing a new single-family home on a lot in the Hillside Neighborhood at the future address of 206 NW Maywood Street. Located on an irregular-shaped lot with a limited curvilinear street frontage approximately 25-feet wide, the permit for the home has been under review since April, 2018 (18-145033 RS). The most recent checksheet on this permit (issued 11/21/19) identified several outstanding environmental standards that must be met, as well as issues regarding Title 11 (Tree) issues and maximum front yard paving for vehicle areas.

Regarding the front yard paving limitation, the Zoning Code limits the maximum amount of area between the front lot line and the front building line to 40% of the total “front yard” area. As proposed, there is a 20’-0”-wide driveway at the street lot line that widens out into an on-site paved auto court that provides access to the future double-car garage, as well as turnaround space and room for several guest vehicles. As proposed, the areas paved for vehicle paving occupy approximately 90% of the “front yard” area between the front lot line and the future house. With this application, the applicant has requested an Adjustment to increase the maximum paving for vehicle areas from 40% to 90% of the “front yard” area between the front lot line and the building (33.266.120C.3.a).

RELEVANT APPROVAL CRITERIA: In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are found at **33.805.040.A-F, Adjustment Approval Criteria**. You can find the full approval criteria in Chapter 33.805, Adjustments, at the following link: www.portlandoregon.gov/zoningcode.

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 November 13, 2019 and determined to be complete on December 2, 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 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 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.

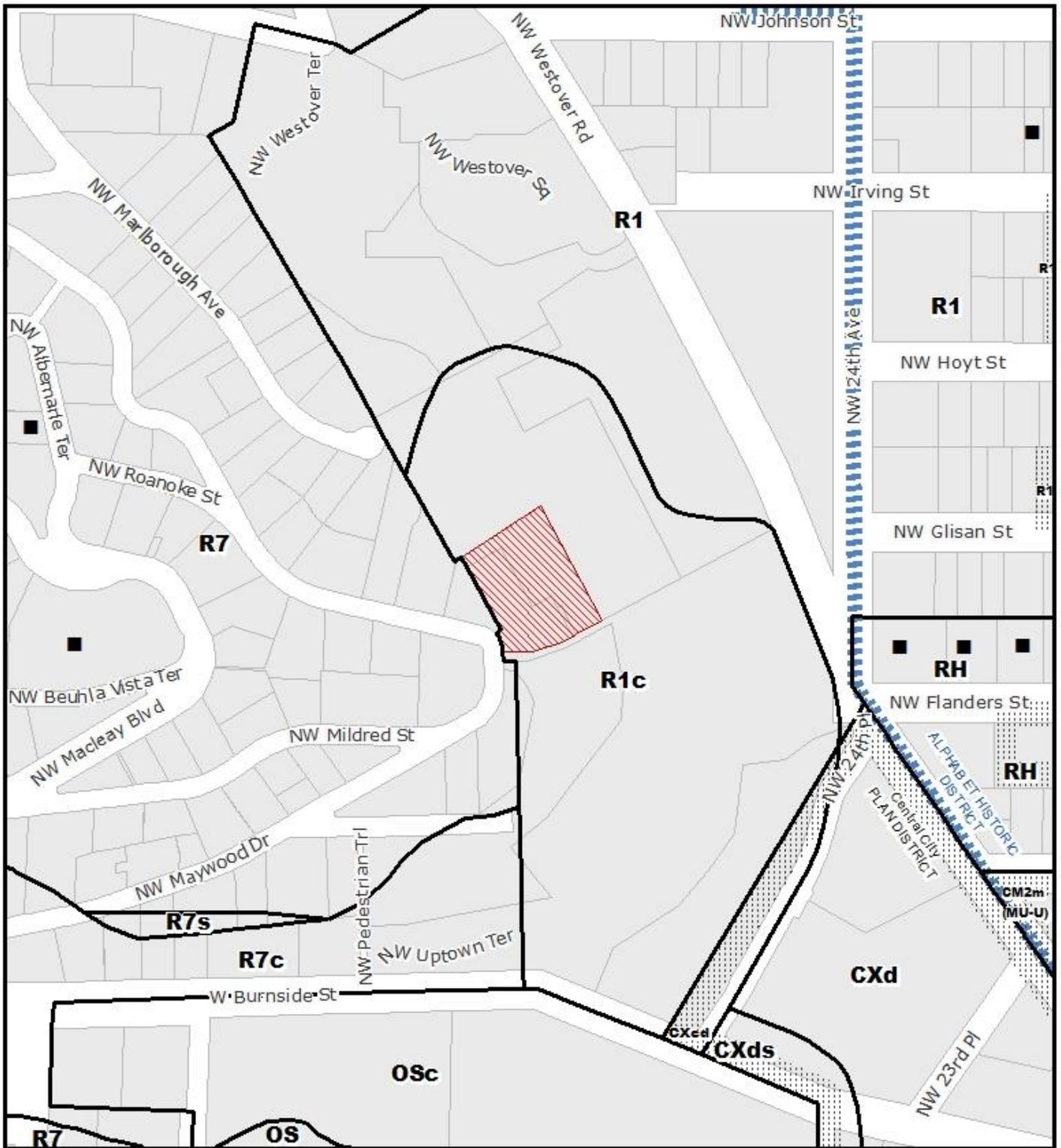
APPEAL OF THE FINAL CITY DECISION

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
- Historic Landmark

File No.	LU 19 - 252470 AD
1/4 Section	3027
Scale	1 inch = 200 feet
State ID	1N1E33CB 6002
Exhibit	B Nov 18, 2019

