



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: February 6, 2020
To: Interested Person
From: Rodney Jennings, Land Use Services
503-823-5088/Rodney.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 February 27, 2020.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 19-254118 AD, in your letter. It also is helpful to address your letter to me, Rodney 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 19-254118 AD

Applicant/Owner: Cesar Anaya and Joanna Morrill
8404 SE Raymond Ct, Unit #A
Portland OR, 97266
(503) 960-0004

Site Address: 8404 SE Raymond Ct

Legal Description: BLOCK 2 LOT 1, MAGDELINA PK
Tax Account No.: R527200180
State ID No.: 1S2E16BC 04900
Quarter Section: 3539

Neighborhood: Lents, contact at jennifer.marie.b@outlook.com.
Business District: Lents Business Association, contact lentsgrown@gmail.com, Eighty-Second Ave of Roses Business Association, contact Frank Harris at info@82ndave.org

District Coalition: East Portland Community Office, contact at 503-823-4550.

Plan District: None
Other Designations: None

Zoning: R2.5 – Single-dwelling Residential 2,500 zone

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

Proposal:

The applicant proposes to provide a required 18' x 9' on-site parking space in the area in front of a former garage on this site that was recently converted to an accessory dwelling unit (ADU). This site is at the corner of SE Raymond Ct and SE 84th Ave. There is a 5-foot wide setback required from the side street lot line that abuts SE 84th Ave and part of the proposed parking space extends into this setback. Portland Zoning Code Section 33.266.120.C.1 does not allow required parking spaces within a side street setback. The applicant is requesting an Adjustment to this standard to allow the 18' x 9' parking space to extend into the 5' wide side street lot line setback.

Relevant Approval Criteria:

Adjustment requests will be approved if the review body finds that the applicant has shown that approval criteria 33.805.040.A. through F. below have been 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; and *(not applicable)*
- D.** City-designated scenic resources and historic resources are preserved; *(not applicable)*
- 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; *(not applicable)*

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 18, 2019 and determined to be complete on February 6, 2020.

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

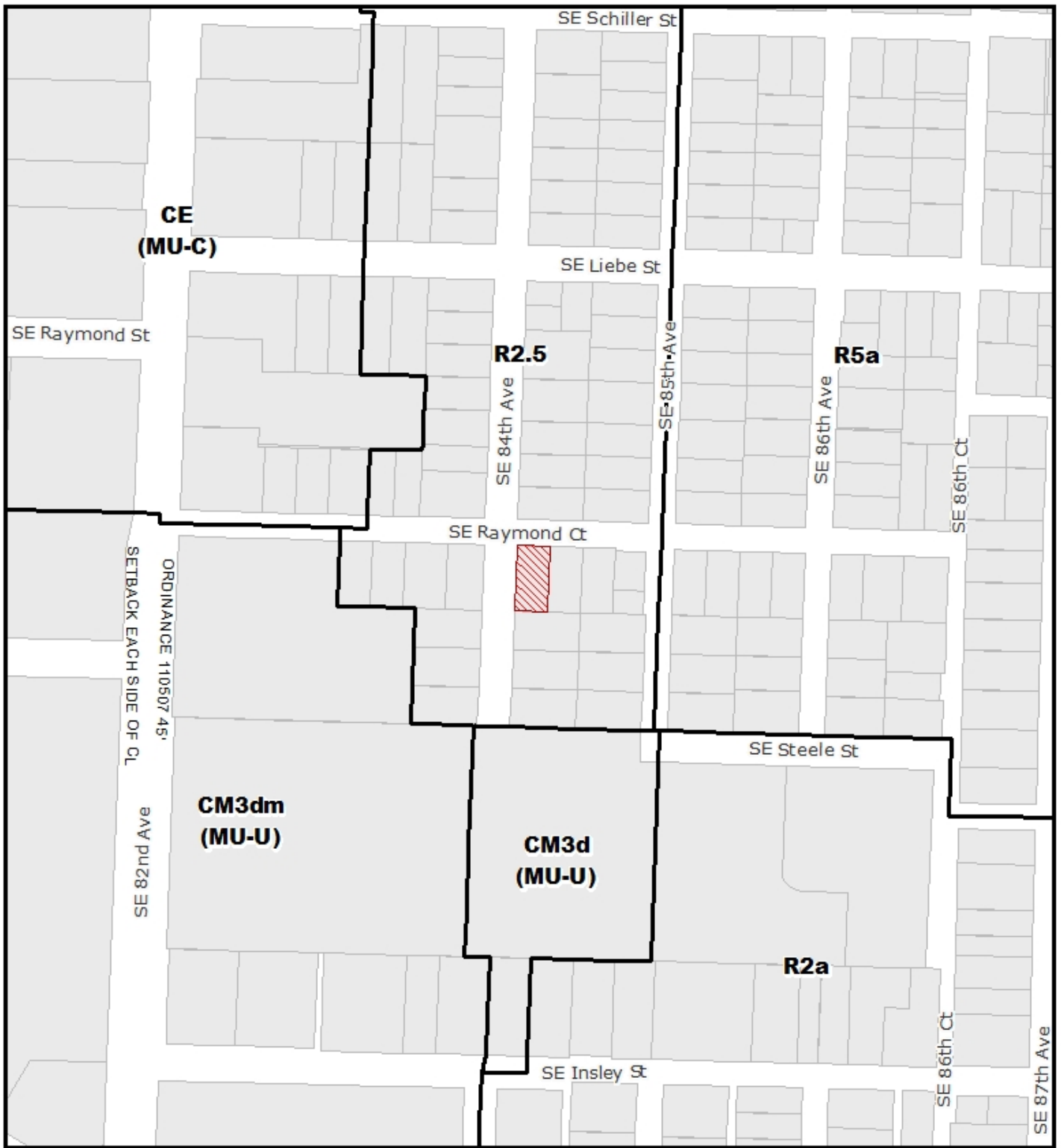
After an appeal hearing, the review body decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283. The phone number for LUBA is 1-503-373-1265. Issues that may provide the basis for an appeal to LUBA must be raised prior to the comment 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

File No.	LU 19 - 254118 AD
1/4 Section	3539
Scale	1 inch = 200 feet
State ID	1S2E16BC 4900
Exhibit	B Nov 21, 2019

SE RAYMOND CT.

50.0'



EXISTING HOUSE
8404 SE Raymond Ct.,
Unit #A
Portland, OR 97266

50.0'

50.0'

SE 84th AVE
50' ROW

13' - 9"

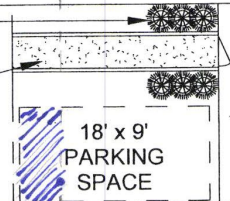
19' - 6"

24' - 0"

6' - 6"

20" DIA. MIN.
POTTED PLANTS.
ALTERNATIVE:
18"W X 36"L X 18"H
WOOD PLANTER
BOXES.

3"W PEA GRAVEL
PATH W/ PAVER
EDGING.



EXISTING ADU
8404 SE Raymond Ct.,
Unit #B
Portland, OR 97266

18' x 9'
PARKING
SPACE

19' - 0"

7' - 0"

50.0'



1 Site Plan
1/16" = 1'-0"

Address: 8404 SE Raymond Ct.
Portland, OR 97266
Zoning: R2.5
Lot Coverage: No Change
Impervious Area: No Change
LU 19-254118

AREA OF 18'x9'
PARKING SPACE
PROPOSED IN
5' SIDE STREET
SETBACK