



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

Dan Ryan, Commissioner  
Rebecca Esau, Director  
Phone: (503) 823-7300  
Fax: (503) 823-5630  
TTY: (503) 823-6868  
www.portland.gov/bds

**Date:** August 20, 2021  
**To:** Interested Person  
**From:** Diane Hale, Land Use Services  
503-865-6431 / Diane.Hale@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 September 20, 2021. Your comments must be e-mailed to the assigned planner listed above;** please include the Case File Number, LU 20-220546 LDP, in your e-mail. If you do not have access to e-mail, please telephone the planner listed above about submitting comments. Please note that all correspondence received will become part of the public record.

### **CASE FILE NUMBER: LU 20-220546 LDP**

**Applicant:** Michael Susak, Susak Properties LLC / (503) 888-2333  
6663 SW Beaverton Hillsdale Hwy #194 / Portland, OR 97225

**Owner:** Cornel Curea / 6138 SE 136th Ave / Portland, OR 97236-4566

**Site Address:** 6138 SE 136TH AVE

**Legal Description:** LOT 13 TL 1000, LAMARGENT PK NO 2; LOT 13 TL 1100, LAMARGENT PK NO 2

**Tax Account No.:** R466204260, R466204290

**State ID No.:** 1S2E14DC 01000, 1S2E14DC 01100

**Quarter Section:** 3644

**Neighborhood:** Pleasant Valley, contact Steve Montgomery at [foxtrotlove@hotmail.com](mailto:foxtrotlove@hotmail.com) & Powellhurst-Gilbert, contact at [pgnaboard@gmail.com](mailto:pgnaboard@gmail.com)

**Business District:** Midway, contact at [info@midwaybusiness.org](mailto:info@midwaybusiness.org)

**District Coalition:** East Portland Community Office, contact Douglas Armstrong at [dda882@gmail.com](mailto:dda882@gmail.com).

**Plan District:** Johnson Creek Basin

**Zoning:** R5a - Single-dwelling residential 2,500 with an "a" Alternative Design Density overlay

**Case Type:** LDP – Land Division Partition

**Procedure:** Type Ix, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

**Proposal:**

The applicant is proposing a 2-parcel partition for this 15,100 square foot interior lot. Parcel 1 is a 45-foot-wide standard lot that is 7,123 sq feet in area. Parcel 2 is a flag lot that is 7,978 square feet in area with a 12-foot-wide pole abutting SE 136<sup>th</sup> Avenue. The existing house will remain on Parcel 1. Parcel 2 will be available for future residential development. The applicant is proposing to preserve the only tree on the site, a 24" douglas fir in the front yard of the existing house.

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 December 2, 2020 and determined to be complete on May 28, 2021.

**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.

If you are interested in viewing information in this file, please contact the planner listed on the front of this notice. The planner can email you documents from the file. A fee would be required for all requests for paper copies of file documents. Additional information about the City of Portland, and city bureaus is available online at <https://www.portland.gov>. A digital copy of the Portland Zoning Code is available online at <https://www.portlandoregon.gov/zoningcode>.

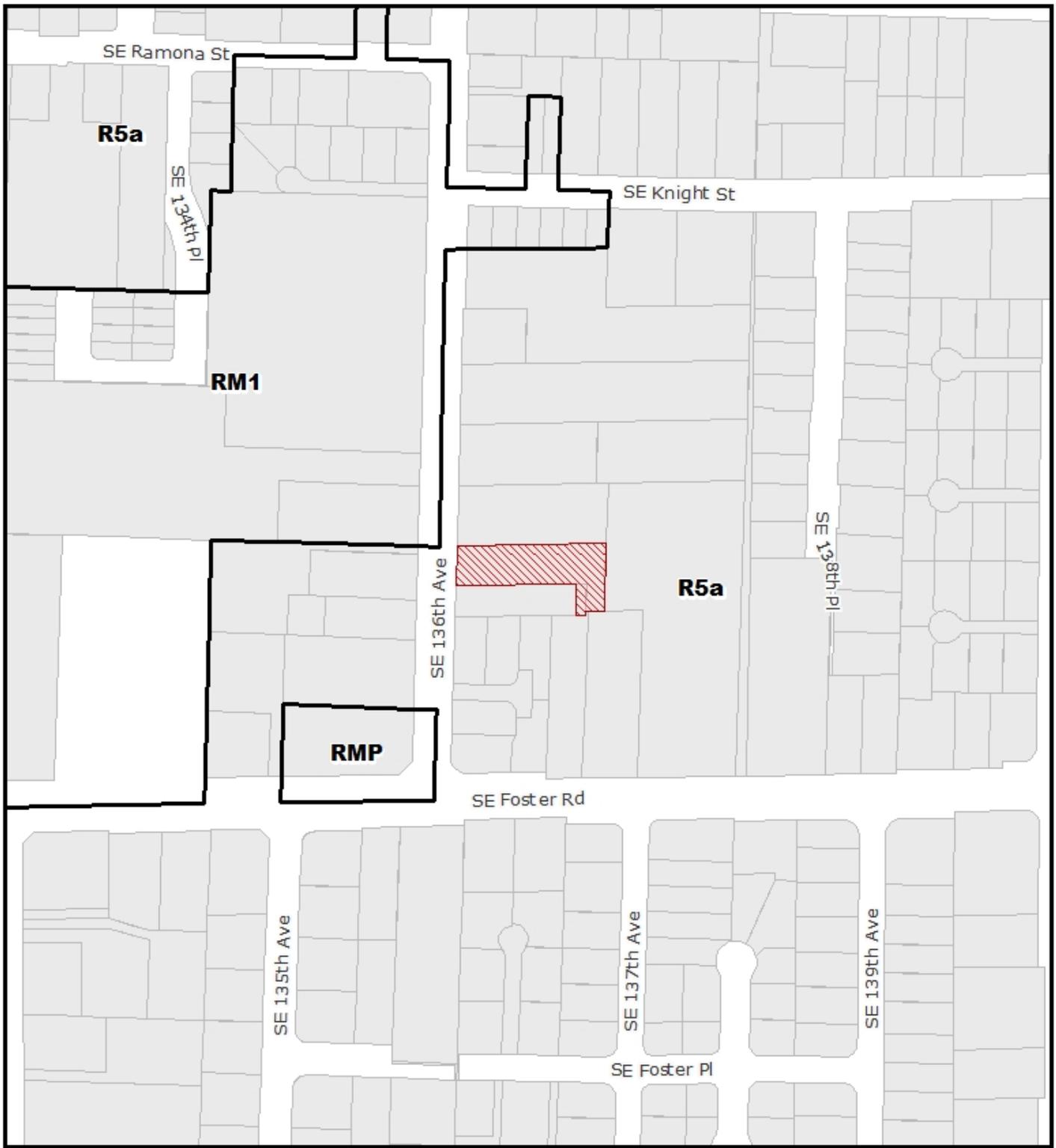
**APPEAL PROCESS**

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:**

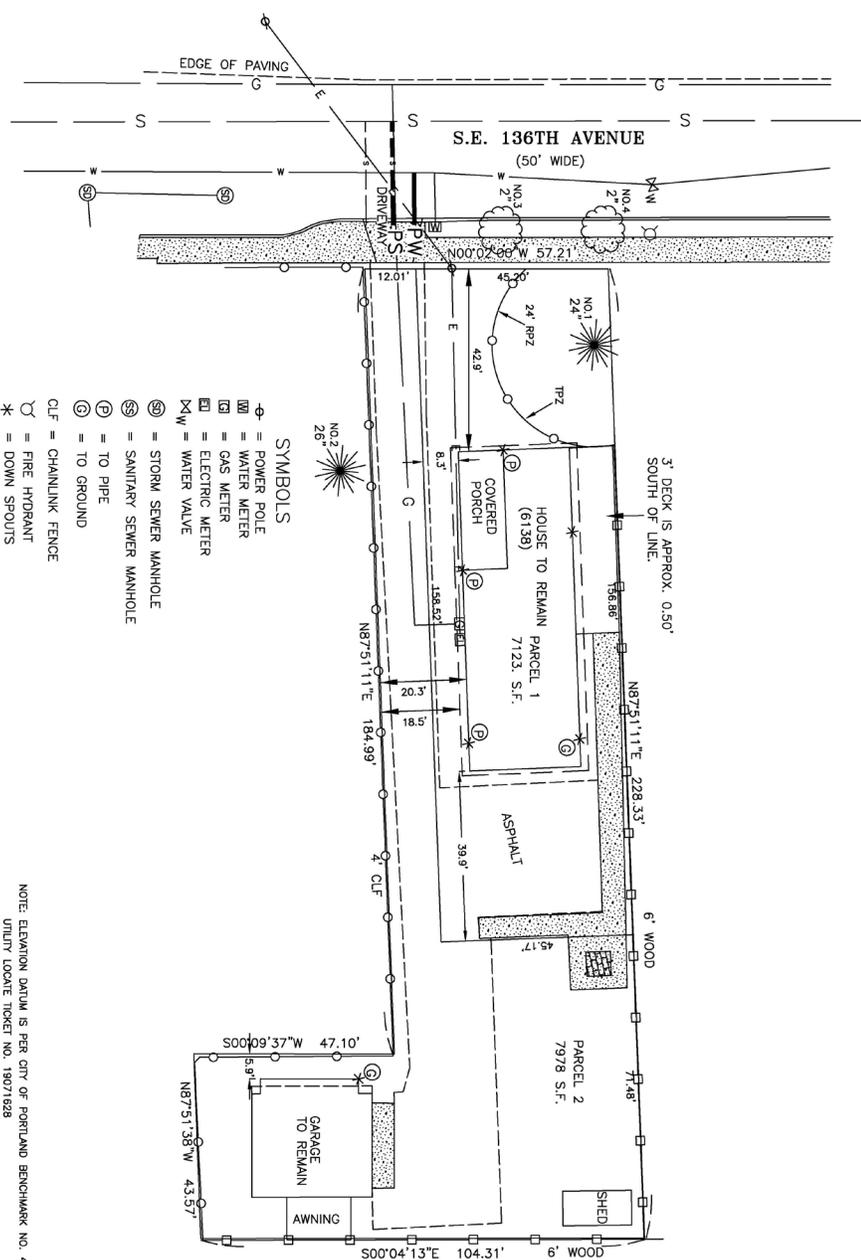
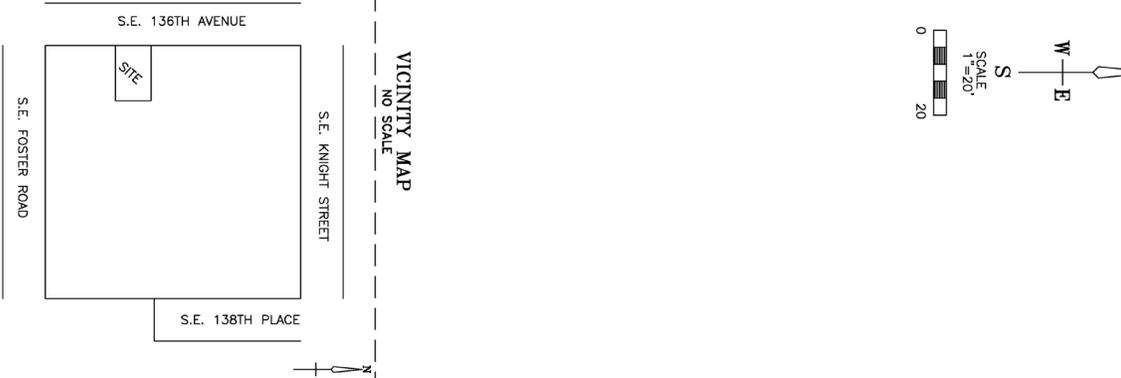
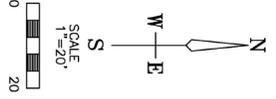
Zoning Map  
Site Plan



**ZONING**   
 JOHNSON CREEK PLAN DISTRICT



File No.	LU 20 - 220546 LDP
1/4 Section	3644
Scale	1 inch = 200 feet
State ID	1S2E14DC 1000
Exhibit	B Dec 02, 2020



**SYMBOLS**

- ⊕ = POWER POLE
- ⊗ = WATER METER
- ⊞ = GAS METER
- ⊞ = ELECTRIC METER
- ⊞ = WATER VALVE
- ⊞ = STORM SEWER MANHOLE
- ⊞ = SANITARY SEWER MANHOLE
- ⊞ = TO PIPE
- ⊞ = TO GROUND
- ⊞ = CHAINLINK FENCE
- ⊞ = FIRE HYDRANT
- ⊞ = DOWN SPOUTS
- ⊞ = ELECTRIC LINE
- ⊞ = WATER LINE
- ⊞ = GAS LINE
- ⊞ = SANITARY SEWER
- ⊞ = STORM SEWER
- ⊞ = ROOT PROTECTION ZONE
- ⊞ = TREE PROTECTION FENCE
- ⊞ = CONIFER TREE
- ⊞ = DECIDUOUS TREE

NOTE: ELEVATION DATUM IS PER CITY OF PORTLAND BENCHMARK NO. 443  
 UTILITY LOCATE TICKET NO. 19071629  
 TOTAL SITE AREA = 15,102 S.F.  
 POLE PORTION AREA = 1,995 S.F.  
 FLAG PORTION AREA = 6,074 S.F.

REGISTERED PROFESSIONAL LAND SURVEYOR  
 JOE H. FERGUSON  
 JULY 25, 1980  
 2445  
 OREGON  
 RENEWAL DATE 7/25/21

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

**PROPOSED PLAT**  
 A PORTION OF LOT 13, TAMARANT PARK  
 SITUATED IN THE SE 1/4 OF SECTION 14, T15S, R2E, W1M,  
 CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON

CLIENT: FIVE STAR PLUMBING  
 CUREA CORNEL  
 6135 SE 156TH AVENUE  
 PORTLAND, OR 97236

DATE: SEPTEMBER 24, 2020	JOB NO. 19-037
REVISION	DRAFTED 12.19.19
REVISION	
REVISION	SHEET 1 OF 1