



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: November 22, 2021
To: Interested Person
From: Lois Jennings, Land Use Services
503-865-6433 or lois.jennings@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 December 22, 2021. Your comments must be e-mailed to the assigned planner listed above;** please include the Case File Number, LU 21-058925 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 21-058925 LDP

**Applicant/
Owners
Representative:** Kevin Partain, Urban Visions
255 NE 56th Avenue
Portland, OR 97213
phone#: 503-421-2967 or e-mail: kevinp@gorge.net

Owners: Zhanna Antonovich and Samuel Antonovich
11124 NE Fargo Street
Portland, OR 97220
Phone# 503-314-2081 and e-mail diligentco@yahoo.com

Site Address: 11124 NE FARGO ST

Legal Description: BLOCK 5 E 80' OF LOT 8, PARKROSE HTS
Tax Account No.: R647901250
State ID No.: 1N2E27BA 08000
Quarter Section: 2741

Neighborhood: Parkrose Heights, contact Tom Badrick at badrickt@gmail.com.
Business District: Gateway Area Business Association, contact at gabapdxboard@gmail.com
District Coalition: East Portland Community Office, contact Douglas Armstrong at dda882@gmail.com

Plan District: None

Other Designations: None

Zoning: R7- Single Dwelling Residential, 7,000 with a “h” Aircraft Landing 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 to divide the subject property into two (2) parcels. Parcel 1 will be 6,466 s.f. in area and Parcel 2, a flag lot, will be 8,134 s.f. in area. The existing house will be retained on Parcel 1. There are two driveways that access the current site and the western gravel driveway will be utilized for access via the access pole of Parcel 2. The existing detached garage on the site will be removed. Parcel 2 will be available for new development. Based on the applicant’s tree inventory, there is a 17-inch Japanese Cherry tree on the site. The applicant is proposing to preserve this tree on Parcel 1 with the existing house.

In order to show feasibility of providing services and meeting other criteria, the applicant has provided a conceptual development plan showing a single dwelling residence on the future Flag lot, Parcel 2 and existing development being retained on Parcel 1. This land division application is reviewed under the Zoning and Zoning Code in effect the date the application was submitted, June 21, 2021.

However, the future development on the proposed lots would be subject to the zoning code regulations in effect at the time of permit submittal (new regulations became effective August 1, 2021).

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 two units of land (2 lots). 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 approval:

- **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 June 21, 2021 and determined to be complete on November 18, 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

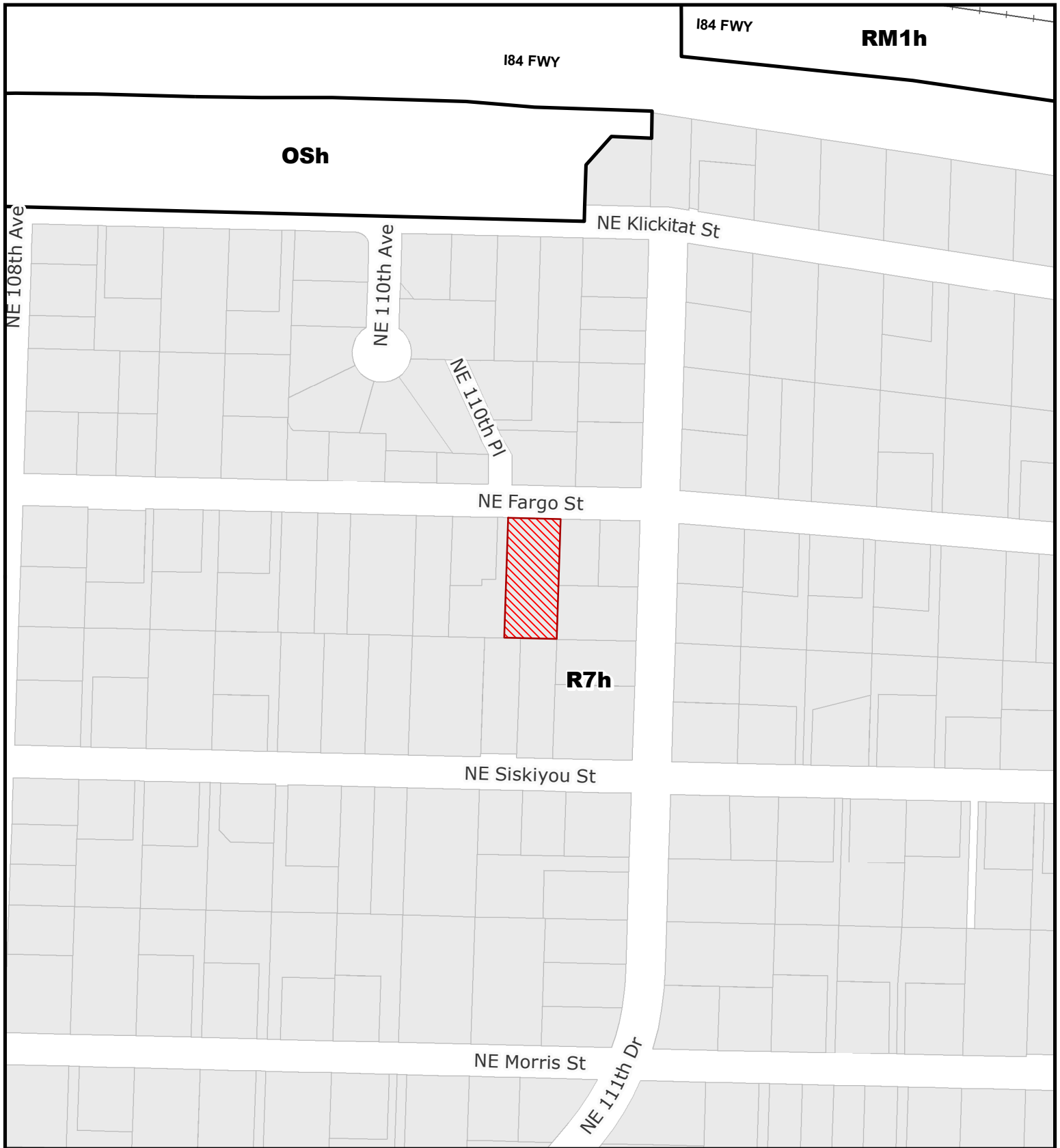
If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St NE, Suite 330, Salem OR 97301-1283. The phone number for LUBA is 1-503-373-1265. Issues which may provide the basis for an appeal 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

Proposed Land Division Site Plan with conceptual development and utility plan



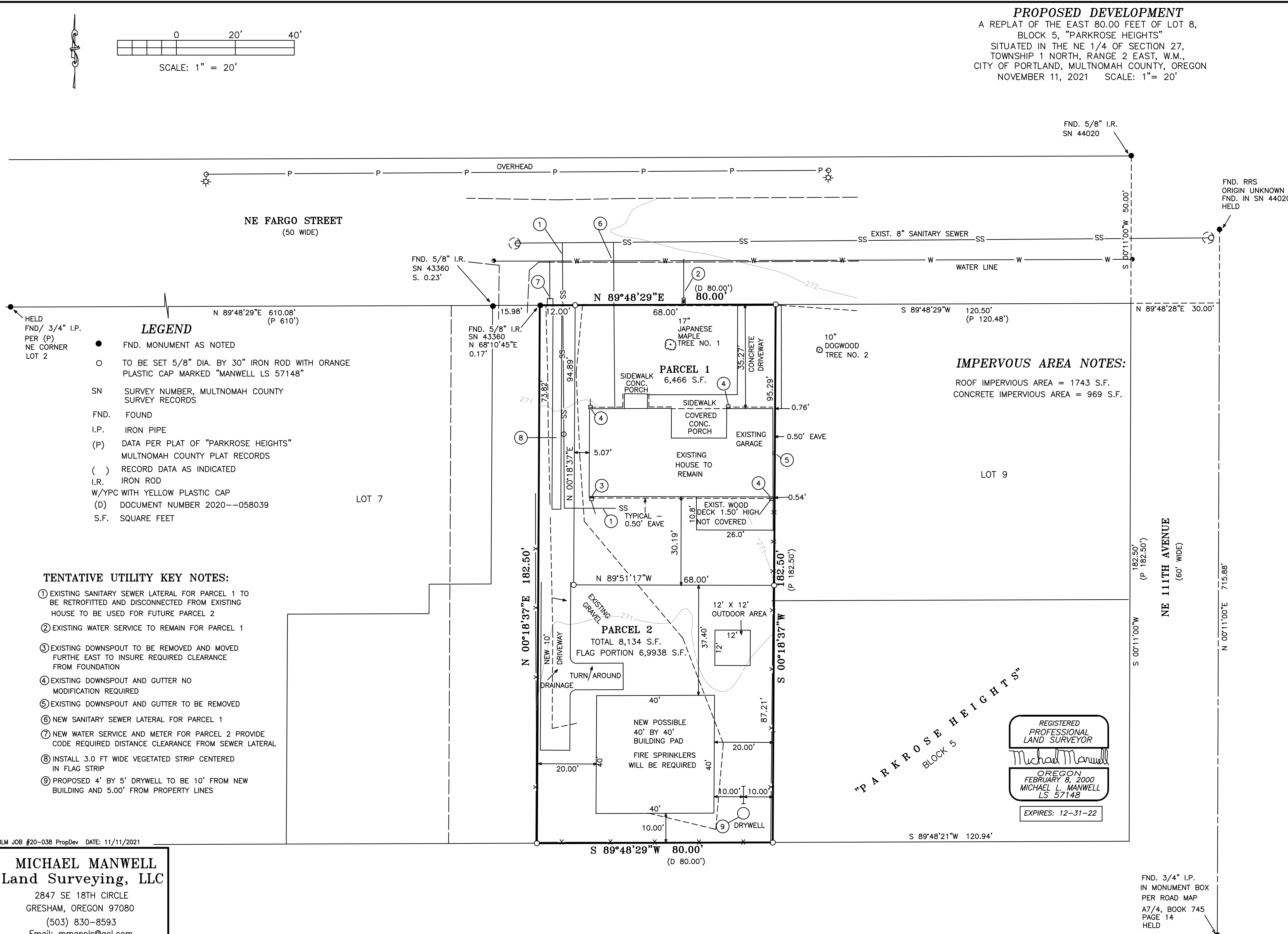
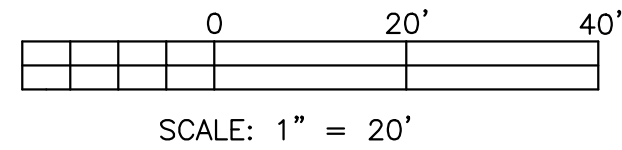
ZONING

For Zoning Code in effect
August 1, 2020 - July 31, 2021



File No.	LU 21 - 058925 LDP
1/4 Section	2741
Scale	1 inch = 200 feet
State ID	1N2E27BA 8000
Exhibit	B Jun 21, 2021

PROPOSED DEVELOPMENT
 A REPLAT OF THE EAST 80.00 FEET OF LOT 8,
 BLOCK 5, "PARKROSE HEIGHTS"
 SITUATED IN THE NE 1/4 OF SECTION 27,
 TOWNSHIP 1 NORTH, RANGE 2 EAST, W.M.,
 CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON
 NOVEMBER 11, 2021 SCALE: 1" = 20'



LEGEND

- FND. MONUMENT AS NOTED
- TO BE SET 5/8" DIA. BY 30" IRON ROD WITH ORANGE PLASTIC CAP MARKED "MANWELL LS 57148"
- SN SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS
- FND. FOUND
- I.P. IRON PIPE
- (P) DATA PER PLAT OF "PARKROSE HEIGHTS" MULTNOMAH COUNTY PLAT RECORDS
- () RECORD DATA AS INDICATED
- I.R. IRON ROD
- W/YPC WITH YELLOW PLASTIC CAP
- (D) DOCUMENT NUMBER 2020--058039
- S.F. SQUARE FEET

TENTATIVE UTILITY KEY NOTES:

- ① EXISTING SANITARY SEWER LATERAL FOR PARCEL 1 TO BE RETROFITTED AND DISCONNECTED FROM EXISTING HOUSE TO BE USED FOR FUTURE PARCEL 2
- ② EXISTING WATER SERVICE TO REMAIN FOR PARCEL 1
- ③ EXISTING DOWNSPOUT TO BE REMOVED AND MOVED FURTHER EAST TO INSURE REQUIRED CLEARANCE FROM FOUNDATION
- ④ EXISTING DOWNSPOUT AND GUTTER NO MODIFICATION REQUIRED
- ⑤ EXISTING DOWNSPOUT AND GUTTER TO BE REMOVED
- ⑥ NEW SANITARY SEWER LATERAL FOR PARCEL 1
- ⑦ NEW WATER SERVICE AND METER FOR PARCEL 2 PROVIDE CODE REQUIRED DISTANCE CLEARANCE FROM SEWER LATERAL
- ⑧ INSTALL 3.0 FT WIDE VEGETATED STRIP CENTERED IN FLAG STRIP
- ⑨ PROPOSED 4' BY 5' DRYWELL TO BE 10' FROM NEW BUILDING AND 5.00' FROM PROPERTY LINES

IMPERVIOUS AREA NOTES:

ROOF IMPERVIOUS AREA = 1743 S.F.
 CONCRETE IMPERVIOUS AREA = 969 S.F.

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Michael Manwell
 OREGON
 FEBRUARY 8, 2000
 MICHAEL L. MANWELL
 LS 57148
 EXPIRES: 12-31-22

MLM JOB #20-038 PropDev DATE: 11/11/2021

MICHAEL MANWELL
 Land Surveying, LLC
 2847 SE 18TH CIRCLE
 GRESHAM, OREGON 97080
 (503) 830-8593
 Email: mmanpls@aol.com

FND. 3/4" I.P.
 IN MONUMENT BOX
 PER ROAD MAP
 A7/4, BOOK 745
 PAGE 14
 HELD