



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

Dan Ryan, Commissioner
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Date: January 12, 2022
To: Interested Person
From: Andrew Gulizia, Land Use Services
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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 contact 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 2, 2022. Your comments must be emailed to the assigned planner listed above;** please include the Case File Number, LU 21-116469 AD, in your email. If you do not have access to email, 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 21-116469 AD **UNINCORPORATED MULTNOMAH COUNTY**

Applicant: Yianni Doulis
Yianni Doulis Architecture Studio LLC
112 SW 1st Ave.
Portland, OR 97204
(503) 568-5262
yianni@ydarchitecture.com

Owner: SW Shattuck Properties LLC
947 SW Broadway
Portland, OR 97205-3002

Site Address: 3740 SW Shattuck Rd.

Legal Description: TL 1300 3.45 ACRES, SECTION 07 1S 1E; TL 1200 1.14 ACRES, SECTION 07 1S 1E

Tax Account No.: R991070850, R991073180

State ID No.: 1S1E07DA 01300, 1S1E07DA 01200

Quarter Section: 3424

Neighborhood: Bridlemile, contact at board@bridlemilepdx.org

Business District: None

District Coalition: Office of Community & Civic Life, contact Leah Fisher at leah.fisher@portlandoregon.gov

Other Designations: Unincorporated Multnomah County

Zoning: R10/R10p – Single-Dwelling Residential 10,000 base zone with a portion of the site also in the Environmental Protection (“p”) overlay zone

Case Type: AD – Adjustment Review

Procedure: Type II, an administrative decision with appeal to the Adjustment Committee

Proposal:

The applicant proposes to construct a new single-dwelling house, swimming pool, pool house, and barn structure on this 4.6-acre property. The attached garage would be set back 127 feet from the street lot line and would be the closest part of the house to the street. Since Zoning Code Section 33.110.250.D.3 requires garages to be no closer to the street lot line than the longest street-facing wall of living space, the applicant requests an Adjustment to waive this requirement for the attached garage.

Relevant Approval Criteria:

To be approved, this proposal must comply with the approval criteria of Title 33, the Portland Zoning Code. Adjustment requests will be approved if the applicant has shown that approval criteria A through F of Zoning Code Section 33.805.040 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 zone, the proposal will not significantly detract from the livability or appearance of the residential area, or if in an OS, C, E, or I 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; and *(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.

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 22, 2021 and determined to be complete on January 7, 2022.

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 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.

Appeal fee waivers. Multnomah County may cover the appeal fees for their recognized associations. An appeal filed by a recognized association must be submitted to the City with either the appropriate fee or the attached form signed by the County. Contact Multnomah County at 503-988-3043, 1600 SE 190th, Portland, OR 97233.

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
Front building elevation