



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

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

Date: May 9, 2022
To: Interested Person
From: Matt Wickstrom, Land Use Services
503-865-6513/Matt.Wickstrom@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, **we need to receive your written comments by 5 p.m. on May 30, 2022. Your comments must be e-mailed to the assigned planner listed above;** please include the Case File Number, LU 22-128902 AD, 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 22-128902 AD

Applicant/Owners: Tiffani Howard & Paul Howard
335 SW Hamilton St | Portland, OR 97239
503-754-4670 | howardt@ohsu.edu

Site Address: 335 SW HAMILTON ST

Legal Description: BLOCK 14 LOT 3 TL 13600, PORTLAND HMSTD
Tax Account No.: R669104180
State ID No.: 1S1E10CC 13600
Quarter Section: 3429

Neighborhood: Homestead, contact Milt Jones at board@homesteadna.org
Business District: None
District Coalition: In Care of Office of Community & Civic Life, contact Leah Fisher at leah.fisher@portlandoregon.gov

Zoning: R5dz (Residential 5,000 with a Design Overlay zone and a Constrained Sites Overlay zone)

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

Proposal:
The applicant proposes to convert an existing semi-enclosed porch constructed 6 inches from the west property line to living space and add a 43 square foot addition. The west facing wall will be 1-hour fire rated. The Portland Zoning Code requires a 5-foot side building setback in

the R5 zone. The applicant requests an Adjustment to Section 33.110.220.B and Table 110-4 to reduce the west side setback from 5 feet to 6 inches for the building addition.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are:

33.805.040 Approval Criteria

Adjustment requests will be approved if the review body finds that the applicant has shown that approval criteria 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 April 4, 2022 and determined to be complete on May 4, 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.

There is a fee charged for appeals. Recognized neighborhood associations may qualify for an appeal fee waiver.

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.

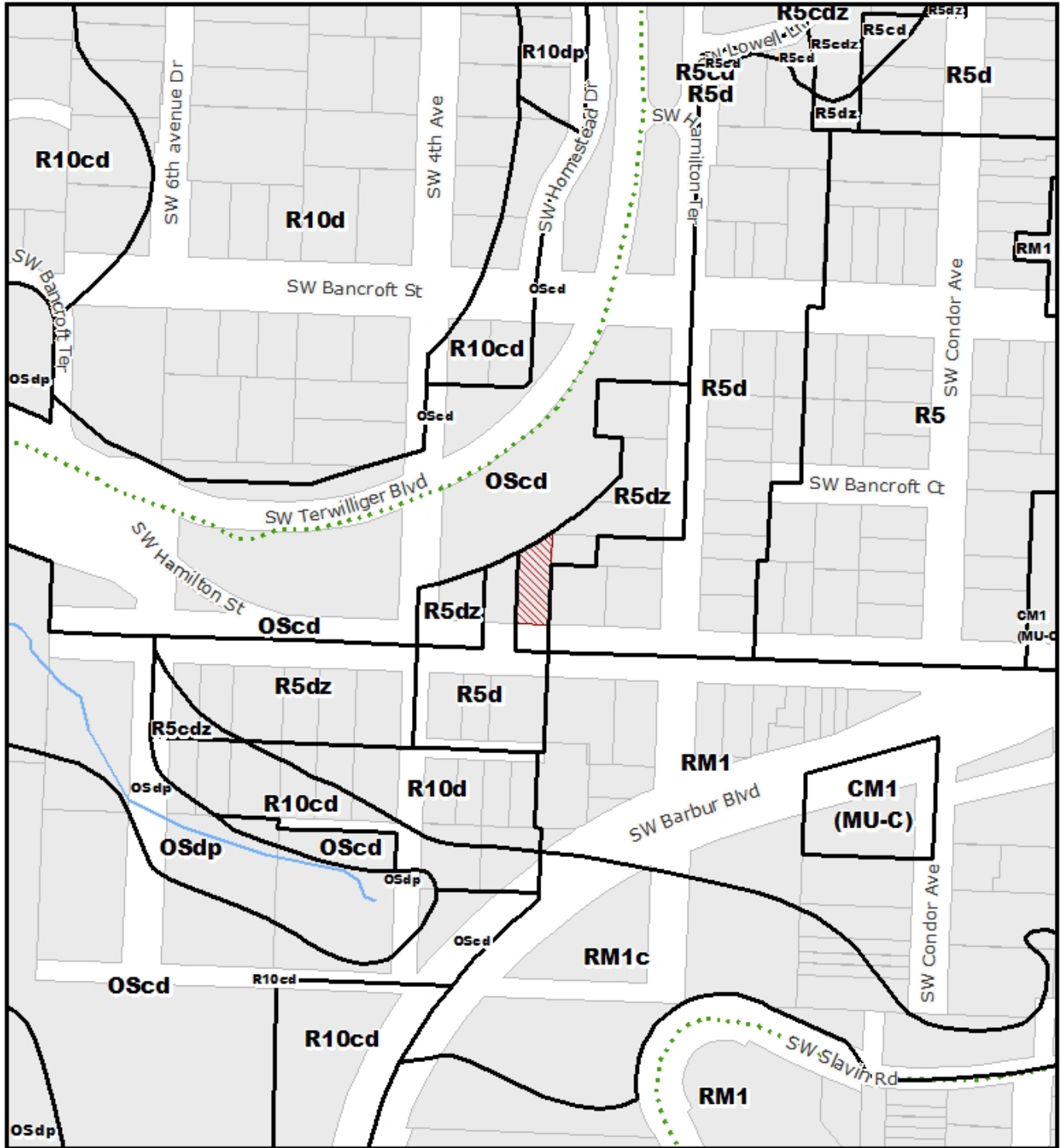
The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).


Enclosures:

Zoning Map

Site Plan

Elevation Drawing



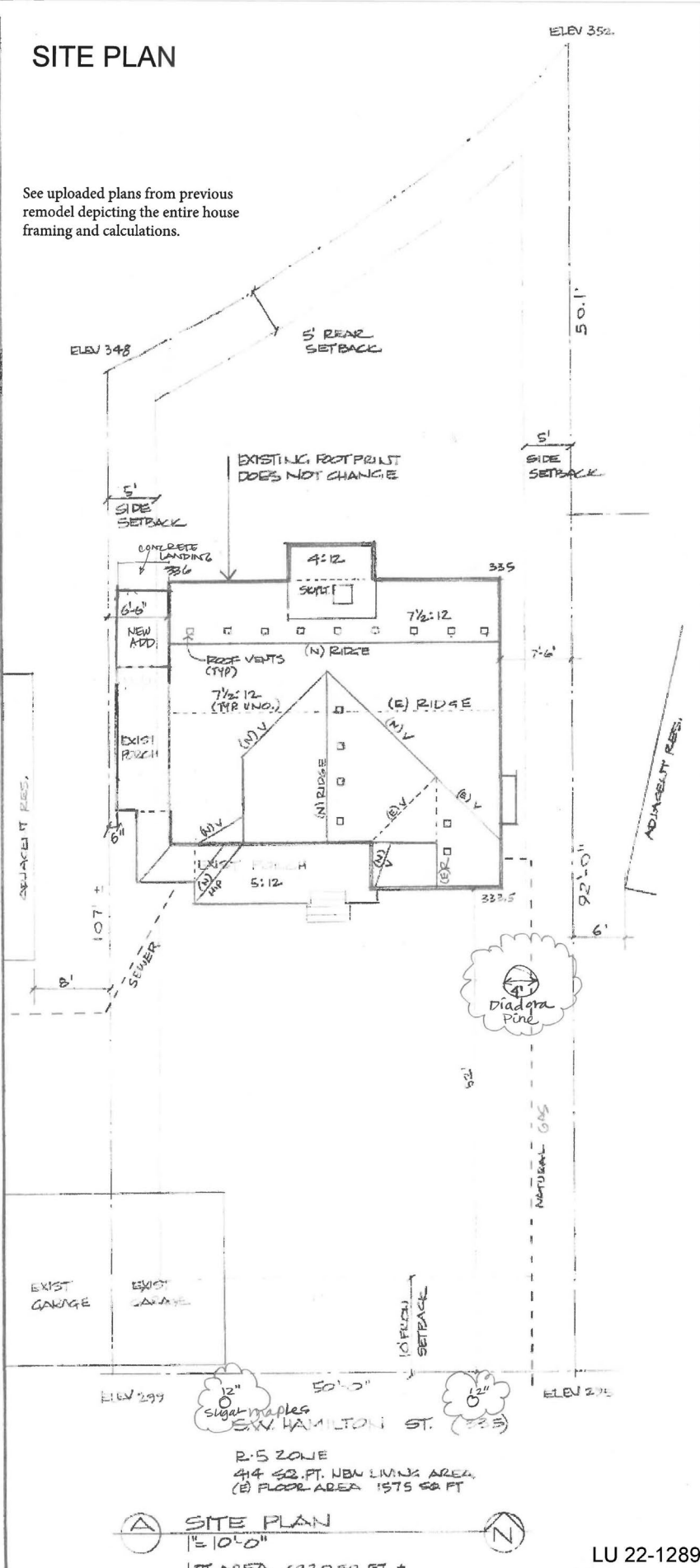
ZONING  NORTH
 For Zoning Code in effect Post August 1, 2021

 Site
 Recreational Trails

File No.	LU 22 - 128902 AD
1/4 Section	3429
Scale	1 inch = 200 feet
State ID	1S1E10CC 13600
Exhibit	B Apr 04, 2022

SITE PLAN

See uploaded plans from previous remodel depicting the entire house framing and calculations.



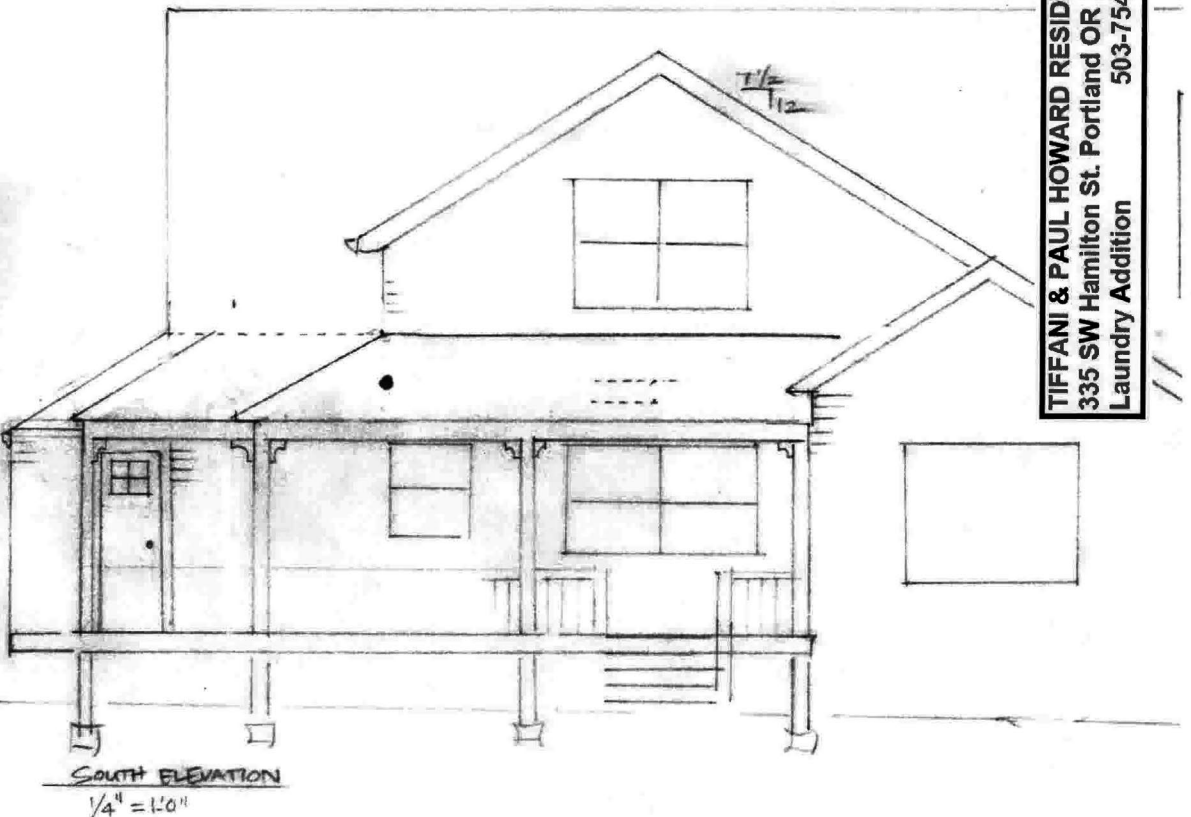
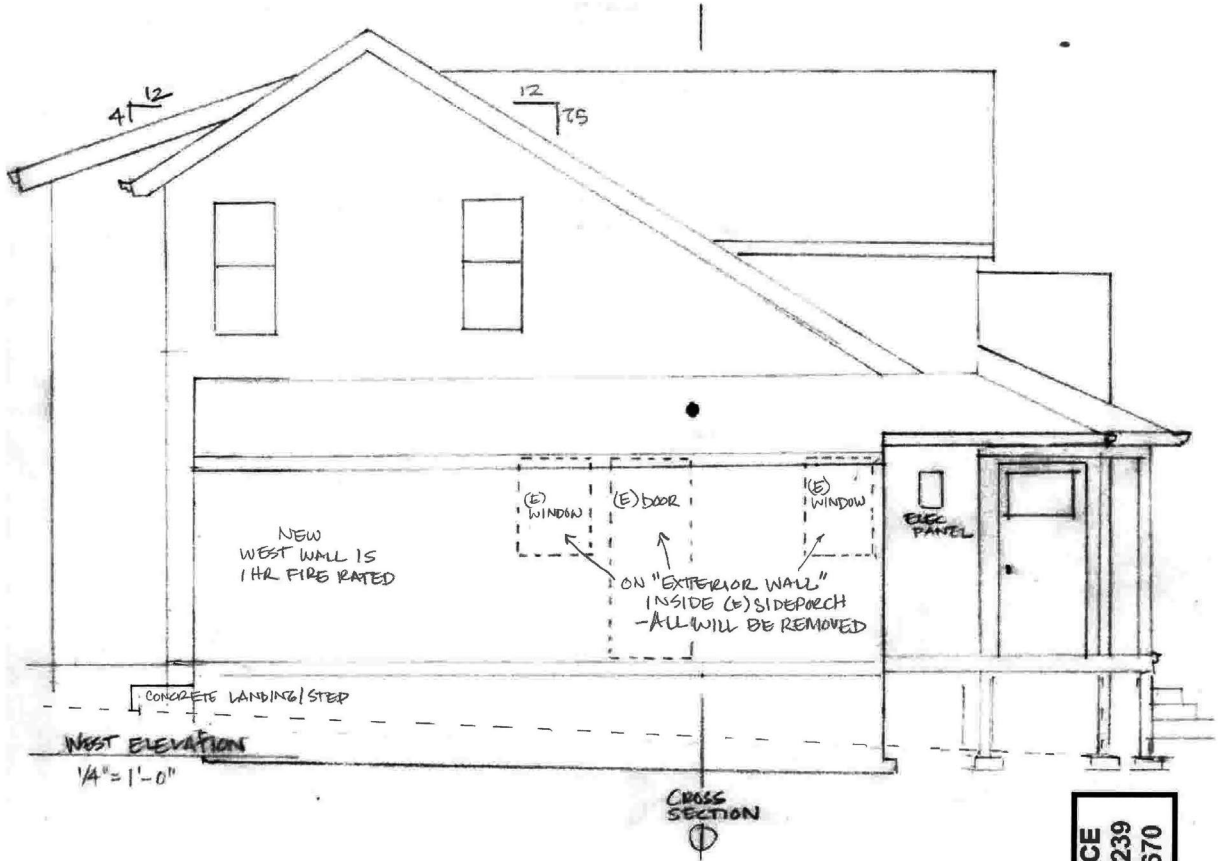
TIFFANI & PAUL HOWARD RESIDENCE
335 SW Hamilton St. Portland OR 97239
Laundry Addition 503-754-4670

ELEV 299 50'-0" 12" Sugar Maples EX. HAMILTON ST. (233)
 R-5 ZONE
 414 SQ. FT. NEW LIVING AREA
 (E) FLOOR AREA 1575 SQ. FT.

1
A SITE PLAN
 1" = 10'-0"
 LOT AREA 6920 SQ. FT. ±

LU 22-128902 AD

ELEVATIONS



TIFFANI & PAUL HOWARD RESIDENCE
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