



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

Carmen Rubio, Commissioner
Rebecca Esau, Director
Phone: (503) 823-7310
TTY: (503) 823-6868
www.portland.gov/bds

Date: January 23, 2023
To: Interested Person
From: Matt Wickstrom, Land Use Services
503-865-6513 / Matt.Wickstrom@portlandoregon.gov

NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has approved a proposal in your neighborhood. The mailed copy of this document is only a summary of the decision. The reasons for the decision are included in the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 22-206714 AD

GENERAL INFORMATION

Applicant: Spencer Kroll | Bowline Studio
15323 Keasey Rd | Vernonia, OR 97064
Email: info@bowlinestudio.com | Phone: 248-425-4358

Owner: Monica Semeria
5833 SE Raymond St | Portland, OR 97206

Site Address: 5833 SE RAYMOND ST

Legal Description: BLOCK B S 88' OF E 66 2/3' OF LOT 14, OVERTON PK
Tax Account No.: R634401940
State ID No.: 1S2E18AA 14100
Quarter Section: 3536

Neighborhood: Woodstock, contact Thatch Moyle or Les Szigethy at luc@woodstockpdx.org

Business District: Woodstock Community Business Association, contact at <http://www.woodstockbiz.com>

District Coalition: Southeast Uplift, contact Matchu Williams at matchu@seuplift.org

Zoning: R5 (Residential 5,000)

Case Type: AD (Adjustment Review – 1 Adjustment)
Procedure: Type II, an administrative decision with appeal to the Adjustment Committee.

Proposal:

The applicant proposes to convert the attached garage at this site to living space and leave the on-site parking located in a driveway that is 22 feet 6 inches deep. The Portland Zoning Code requires that parking spaces for homes be at least 18 feet deep and does not allow parking within the first 10 feet from the front lot line (unless that parking space is located behind

another parking space that is outside of the first 10 feet). Due to the garage conversion, the proposed parking space will encroach 5 feet 6 inches into the 10-foot setback measured from the front street property line. The applicant requests one Adjustment to allow the 18-foot deep parking space to be located 4 feet 6 inches from the front property line rather than the required 10 feet (33.266.120.C.2.a).

Relevant Approval Criteria:

To be approved, this proposal must comply with the Adjustment Review approval criteria in Zoning Code Section 33.805.040.A-F.

ANALYSIS

Site and Vicinity: The 5,808 square foot site is developed with a single-story, single-dwelling house. The house has an attached single-car garage with a relatively narrow garage door. For the purpose of this review, the surrounding vicinity is defined as the area within 400 feet of the site. This vicinity is developed with other single-dwelling homes built in a variety of decades, some with attached single-car garages that also have narrow garage doors.

Zoning: The site is zoned R5 (Residential 5,000). The R5 zone is a single-dwelling zone. The purpose of single-dwelling zones is to preserve land for housing and to provide housing opportunities for individual households.

Land Use History: City records indicate there are no prior land use reviews for this site.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **December 14, 2022**. The following Bureaus have responded:

- The Portland Bureau of Transportation reviewed the application for its potential impacts regarding the public right-of-way, traffic impacts and conformance with adopted policies street designations, Title 33, Title 17, and for potential impacts upon transportation services. The response stated no objections to the proposed Adjustment (Exhibit E.1).
- The Life Safety Section of BDS responded that a separate building permit is required for the proposal and stated no objections to the proposed Adjustment (Exhibit E.2).
- The Bureau of Environmental Services responded that the project will create less than 500 square feet of new impervious area and therefore the Stormwater Management Manual will not apply. The response stated no objections to the proposed Adjustment (Exhibit E.3).
- The Site Development Section of BDS, the Fire Bureau and Water Bureau responded with no concerns (Exhibit E.4).

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on December 14, 2022. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

33.805.040 Approval Criteria

Adjustment requests will be approved if the applicant has demonstrated 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

Findings: The purpose of the requirement for the parking space to be set back 10 feet from the front property line is stated in Zoning Code Section 33.266.120.A:

33.266.120.A Development Standards for Houses, Duplexes, Triplexes, and Fourplexes

The size and placement of vehicle parking areas are regulated in order to enhance the appearance and pedestrian experience of neighborhoods.

Staff finds the proposal for the on-site parking space to encroach into the 10-foot parking setback by 5 feet 6 inches is equally consistent with the purpose statement above for the following reasons:

- PBOT notes that the general concern about allowing parking to encroach into the setback is that insufficient area would be provided for vehicles to park on-site and therefore vehicles would block the sidewalk or extend into the abutting roadway. In this situation, PBOT notes that adequate on-site parking area will still be provided.
- The parking space will only encroach into about half of the 10-foot setback; furthermore, there is an additional 2 feet 6 inches of property between the front property line and the sidewalk which will provide the appearance that the parking space encroaches even less into the setback.
- The project is well designed, replacing the garage door with a large window that matches another window, in shape, size and orientation, on the front façade of the home. The attractive appearance of the garage conversion will result in an aesthetically attractive appearance of the home for pedestrians and passersby.

Based on the information above and because the on-site parking should not result in vehicles blocking the sidewalk and the thoughtful design of the project, the proposal equally meets the purpose of the regulation and this criterion is met.

- 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

Findings: The findings above note that the proposal will not detract from the livability or appearance of the residential area because the on-site parking should not result in vehicles overhanging the sidewalk, the parking space will only appear to minimally encroach into the parking setback due to the 2.5 feet of property between the front property line and the sidewalk, and the project is well designed, replacing the garage door with a large window that matches another on the front façade of the home. The applicant also provided photos showing similar situations in the neighborhood with homes having narrow garage doors that encourage residents to utilize the driveway as the primary on-site parking space and thus those vehicles also encroach partially into the parking setback.

Based on this information and because the proposal will result in an on-site parking space that is similar to other situations in the neighborhood, this criterion is met.

- 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

Findings: Only one Adjustment is requested, therefore this criterion is not applicable.

- D.** City-designated scenic resources and historic resources are preserved; and

Findings: City-designated scenic resources are identified on the official zoning maps with a lower case "s," and historic resources are identified either with a dot or as being within the boundaries of a Historic or Conservation district. As there are no scenic resources or historic resources mapped on the subject site, this criterion is not applicable.

- E.** Any impacts resulting from the Adjustment are mitigated to the extent practical; and

Findings: Staff has not identified any negative impacts on neighbors or on the neighborhood specifically resulting from this Adjustment request. Since no negative impacts are identified which require mitigation, this criterion is not applicable.

- F.** If in an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable;

Findings: The site is not located in an environmental zone, therefore this criterion is not applicable.

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

CONCLUSIONS

The applicant plans to convert an existing single-car attached garage to living space while maintaining on-site parking in the existing driveway such that it encroaches 5 feet 6 inches into the 10-foot parking setback. The findings above note that allowing the on-site parking space to be located 4 feet 6 inches from the front property line should not result in vehicles overhanging the sidewalk and the project is well designed to maintain a positive pedestrian experience. The findings also note that there is 2 feet 6 inches of additional right-of-way between the sidewalk and the front property line which will give an appearance that the parking space encroaches less into the parking setback. Based on this information, the proposal meets the applicable approval criteria and is approved.

ADMINISTRATIVE DECISION

Approval of an Adjustment to 33.266.120.C.2.a to allow the 18-foot deep parking space to be located 4 feet 6 inches from the front property line, per the approved site plans, Exhibits C.1 through C.2, signed and dated January 12, 2023, subject to the following conditions:

- A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C.1-C.2. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 22-206714 AD. No field changes allowed."

Staff Planner: Matt Wickstrom



Decision rendered by: _____ **on January 12, 2023**
By authority of the Director of the Bureau of Development Services

Decision mailed: January 23, 2023

About this Decision. This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

Procedural Information. The application for this land use review was submitted on November 29, 2022, and was determined to be complete on November 30, 2022.

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. Therefore this application was reviewed against the Zoning Code in effect on November 29, 2022.

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 waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on: March 30, 2023.**

Some of the information contained in this report was provided by the applicant.

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

Conditions of Approval. If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term “applicant” includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

Appealing this decision. This decision may be appealed to the Adjustment Committee, and if appealed a hearing will be held. The appeal application form can be accessed at <https://www.portlandoregon.gov/bds/45477>. Appeals must be received **by 4:30 PM on February 6, 2023. The completed appeal application form must be emailed to LandUseIntake@portlandoregon.gov and to the planner listed on the first page of this decision.** If you do not have access to e-mail, please telephone the planner listed on the front page of this notice about submitting the appeal application. **An appeal fee of \$250 will be charged.** Once the completed appeal application form is received, Bureau of Development Services staff will contact you regarding paying the appeal fee. The appeal fee will be refunded if the appellant prevails. There is no fee for Office of Community and Civic Life recognized organizations for the appeal of Type II and IIX decisions on property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Please contact the planner listed on the front page of this decision for assistance in filing the appeal and information on fee waivers. Please see the appeal form for additional information.

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>.

Attending the hearing. If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Adjustment Committee is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Adjustment Committee an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

Recording the final decision.

If this Land Use Review is approved the final decision will be recorded with the Multnomah County Recorder.

- *Unless appealed*, the final decision will be recorded after **February 6, 2023** by the Bureau of Development Services.

The applicant, builder, or a representative does not need to record the final decision with the Multnomah County Recorder.

For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

Expiration of this approval. An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

Applying for your permits. A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

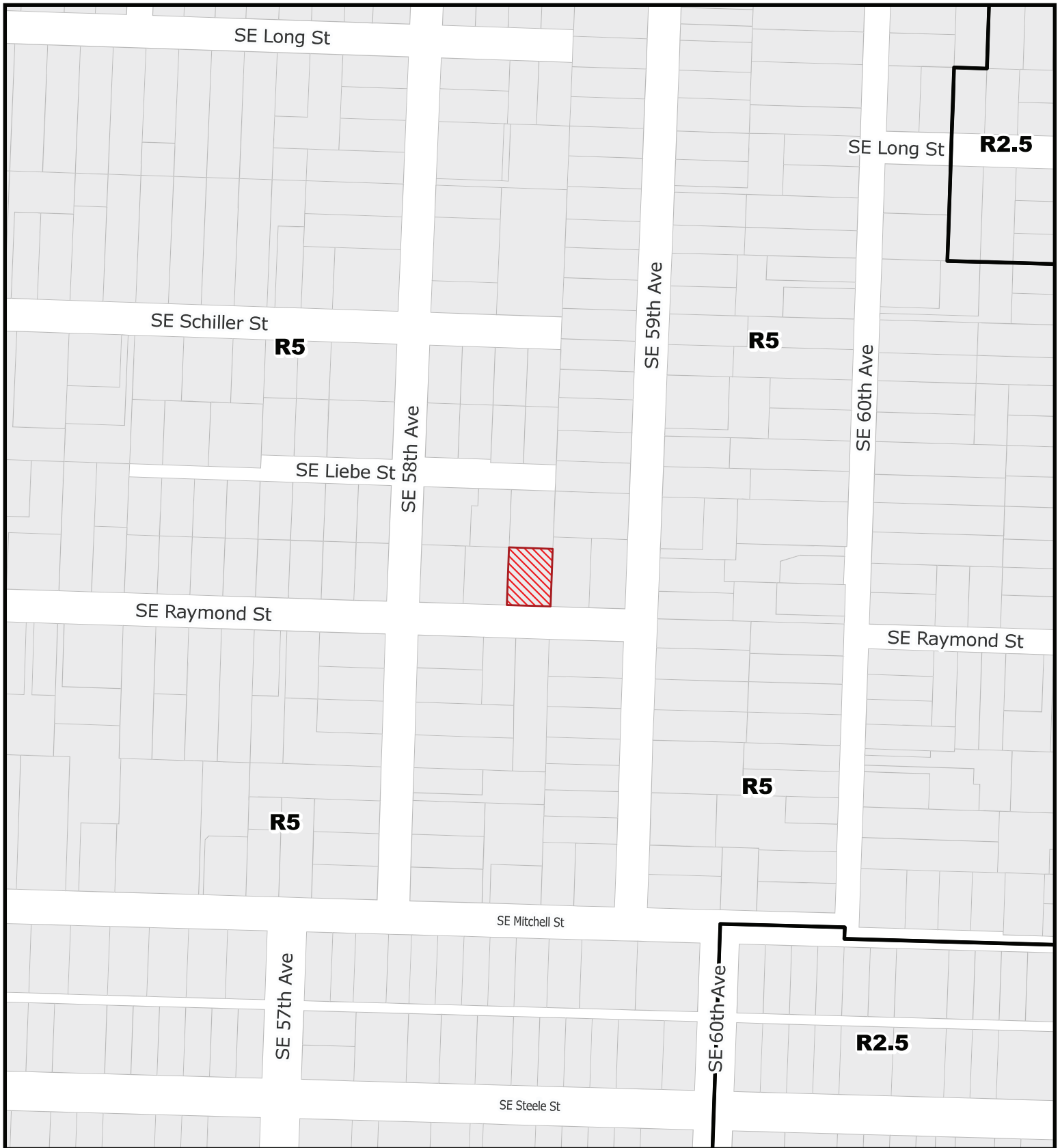
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Elevation Drawings (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Portland Bureau of Transportation
 - 2. Life Safety Section of BDS
 - 3. Bureau of Environmental Services
 - 4. Site Development Section of BDS, Fire Bureau, Water Bureau,
- F. Correspondence: None
- G. Other:
 - 1. Original LU Application

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).

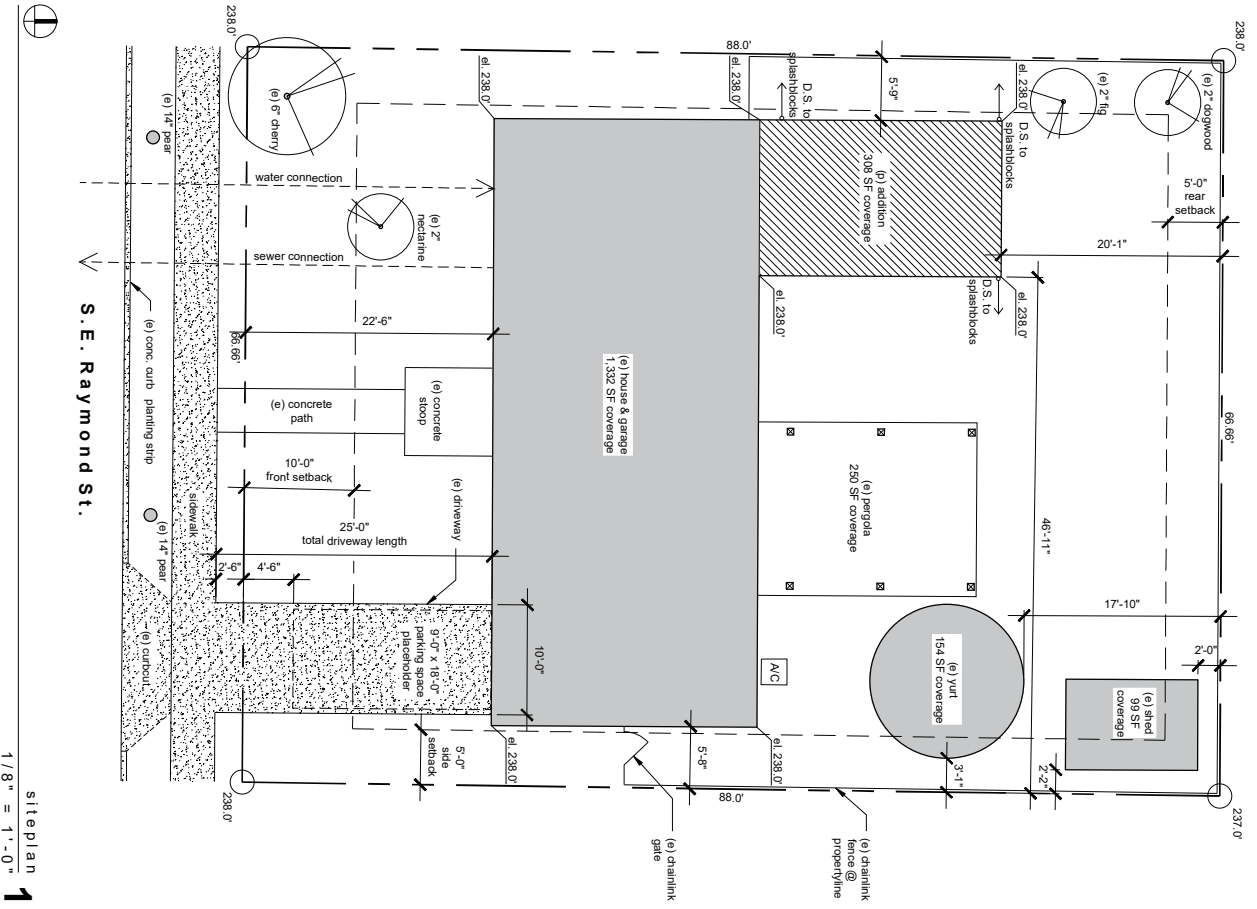


For Zoning Code in Effect Post October 1, 2022

ZONING 

 Site

File No.	<u>LU 22 - 206714 AD</u>
1/4 Section	<u>3536</u>
Scale	<u>1 inch = 200 feet</u>
State ID	<u>1S2E18AA 14100</u>
Exhibit	<u>B</u> <u>Nov 29, 2022</u>



1/8" = 1'-0" siteplan

GENERAL NOTES

ALL MATERIAL AND WORK SHALL CONFORM TO THE REQUIREMENTS OF THE 2015 OREGON RESIDENTIAL SPECIFICITY CODE AND/OR ANY APPLICABLE STATE COUNTY OR LOCAL REGULATIONS. THESE CONSTRUCTION DOCUMENTS SET MINIMUM STANDARDS. THE DRAWINGS SHALL GOVERN OVER GENERAL NOTES TO THE EXTENT SHOWN.

THE CONTRACTOR IS RESPONSIBLE FOR CHECKING THE DRAWINGS, SHALL VERIFY ALL DIMENSIONS, ELEVATIONS, AND SITE CONDITIONS BEFORE STARTING WORK, AND SHALL NOTIFY THE ARCHITECT OF ANY DISCREPANCIES, ERRORS, OR OMISSIONS PRIOR TO THE START OF CONSTRUCTION. DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS HAVE PRECEDENCE OVER DRAWING DIMENSIONS. NOTIFY THE ARCHITECT IMMEDIATELY BY E-MAIL CONTACT FOR ANY DISCREPANCIES OR OMISSIONS. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE STARTING WORK. THE CONTRACTOR SHALL NOTIFY THE ARCHITECT BEFORE PROCEEDING WITH WORK. CONTRACTOR TO FIELD VERIFY EXISTING CONDITIONS PRIOR TO COMMENCING WITH THE WORK. CONTRACTOR SHALL NOTIFY THE ARCHITECT FOR RESOLUTION OF ALL DISCREPANCIES PRIOR TO CONSTRUCTION.

THE CONTRACTOR SHALL DESIGN, CONSTRUCT, AND MAINTAIN ALL SAFETY DEVICES INCLUDING STAIRWAYS, LIFELINES, FALL PROTECTION, AND SAFETY NETS. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.

PROJECT INFORMATION

ZONING: RS
OVERLAY: N/A
ZONING MAP: 3536
CONSERVATION DIST.: N/A
PROJECT DESCRIPTION: BEDROOM ADDITION, ADDITIONAL FULL BATH WITHIN HOUSE FOOTPRINT, CONVERSION OF GARAGE TO LIVING SPACE.
LOT SIZE: 5,808
PROPOSED LOT COVERAGE: 2,250 SF + (1/5) 5,808 SF = 5,000 SF = 2,231 SF

ALLOWABLE LOT COVERAGE: 2,250 SF + (1/5) 5,808 SF = 5,000 SF = 2,231 SF

EXISTING YURT	1,332 SF
EXISTING PERGOLA	154 SF
EXISTING SHED	250 SF
PROPOSED BEDROOM ADDITION	99 SF
PROPOSED BATH ADDITION	308 SF
TOTAL	2,143 SF

STREET TREES

(2) EXISTING 14" BRADFORD PEAR
 SMALL ADDITION, LESS THAN 600 SF

ENERGY EFFICIENCY

TABLE N1101.1(2) ADDITIONAL MEASURES
 OPTION 2c: HIGH EFFICIENCY WATER HEATER
 NATURAL GAS HEATER WITH
 MIN. 0.28 DEF AND DRAIN VALVE HEAT RECOVERY
 UNIT INSTALLED IN PROPOSED BATH SHOWER.

PROPERTY INFORMATION

PROPERTY ADDRESS: 5833 SE Raymond St
 Portland, OR 97206
 PROPERTY ID: R231974
 TAX ROLL: OVERTON BK, BLOCK B, S 88'-0" E 66'-2 1/2" OF LOT 14
 STATE ID: 152E18A, 14100
 LOT SIZE: 0.13 ACRES (5,808 SF)
 JURISDICTION: CITY OF PORTLAND

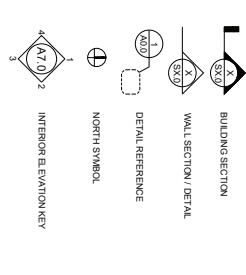
CONTACT INFORMATION

OWNER: MONICA SEMERIA
 5833 SE RAYMOND ST.
 PORTLAND, OR 97206
ARCHITECT: BOWLINE STUDIO, LLC
 INFO@BOWLINESTUDIO.COM
ENGINEER: WCL ENGINEERING, LLC
 COLLEATHROP@GMAIL.COM
CONTRACTOR: RICK JUNE
 RMJ CONSTRUCTION
 rmj_pjrs@earthlink.net
 CO#9 74293

DRAWING INDEX

- A1.0 PROJECT INFO / SITE PLAN
- D1.0 AS-BUILT / DEMO PLANS
- A2.0 - A2.1 PLANS - ELEVATIONS
- A4.0 - A4.1 HOUSE SECTIONS
- A5.0 - A5.1 WALL SECTIONS & DETAILS
- A7.0 - A7.3 INTERIOR ELEVATIONS
- A8.0 - A8.1 SCHEDULES
- E1.0 REFLECTED CEILING / ELECTRICAL PLAN
- SE.0 - SE.3 STRUCTURAL PLANS
- SD.1 - SD.2 STRUCTURAL DETAILS

SYMBOLS LEGEND



Spener Cer Kroll
 Digitally signed by Spener Cer Kroll
 Date: 11/29/2022 10:23:27 -0800'

PROJECT NO.: 22006
 ISSUE: permit
 DATE: Nov. 29, 2022
 REVISION:

Semeria ADDITION & REMODEL

5833 SE Raymond St
 Portland, OR 97206

BOWLINE STUDIO

15323 Keasler Rd
 Vernonia, OR 97064

T. 248.425.4388
 info@bowlinestudio.com

REGISTERED ARCHITECT
 PORTLAND, OREGON
 SPENCER B. KROLL
 INFO@BOWLINESTUDIO.COM

Approved
 City of Portland
 Bureau of Development Services

Planner: Matt Wikstrom
 Date: 11/22/23

* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

A1.0

LU 22-206714 AD

