



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: March 13, 2023
To: Interested Person
From: David Besley, Land Use Services
503-865-6715/David.Besley@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 days, **we need to receive your written comments by 5 p.m. on April 3, 2023. Your comments must be e-mailed to the assigned planner listed above;** please include the Case File Number, LU 23-015757 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 23-015757 AD

Applicants/Owners: Ivana Deletis and Chris Kaminski
6316 SE 65th Ave
Portland, OR 97206-6614

Site Address: 6316 SE 65TH AVE

Legal Description: BLOCK 28 LOT 3, TREMONT PL
Tax Account No.: R842410050
State ID No.: 1S2E17CC 11000
Quarter Section: 3637

Neighborhood: Mt. Scott-Arleta, contact Tiffany Johnson-Heavener at
MSANALandusechair@gmail.com

Business District: NONE

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

Plan District: NONE

Zoning: R5 (Single Dwelling Residential 5,000)

Case Type: AD (Adjustment Review – 3 concurrent Adjustments)
Procedure: Type II, an administrative decision with appeal to the Adjustment Committee

Proposal:

The applicant is proposing to convert an existing 412 sq.ft. garage into an art studio with a partial second story loft. The Portland Zoning Code requires that structures be set back a minimum of 5 feet from the side lot lines in this zone (Section 33.110.220; Table 110-4). The existing garage is 0 feet from the side (north) lot line. An Adjustment is therefore requested to reduce the minimum side building setback from 5 feet to 0 feet.

The Portland Zoning Code requires that detached accessory structures over 15 feet high must meet development standards including a minimum roof pitch of 6/12 and a minimum 10-foot eave projection from the building wall on all elevations (Section 33.110.245.C.4). While most of the roof has a proposed roof pitch of 8/12, a portion of the roof at the southwest corner of the structure roof has a proposed roof pitch of 2.25/12. A second Adjustment is therefore required to reduce the minimum roof pitch to 2.25/12. Because the structure is located 0 feet from the north and east lot lines, no eaves are proposed along the north and east facades. A third Adjustment is therefore required to reduce the minimum eave projection from 1 foot to 0 feet along the north and east facades. The south and west facades meet the minimum 1-foot eave projection requirement.

In summary, 3 Adjustments are requested:

1. Reduce the side (north) setback from 5 feet to 0 feet;
2. Reduce the minimum roof pitch from 6/12 to 2.25/12 at the southwest portion of roof; and
3. Reduce the minimum eave projection from 1 foot to 0 feet along the north and east facades.

Relevant Approval Criteria:

Adjustment requests will be approved if the review body finds that the applicant has shown that approval criteria A. through F. of Section 33.805.040, Adjustment Approval Criteria, have been met.

33.805.040 Approval Criteria

- 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
- D.** City-designated scenic resources and historic resources are preserved (*not applicable*); and
- 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 February 21, 2023 and determined to be complete on March 7, 2023.

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 only digital copies of material in the file are available for viewing. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at <https://www.portlandoregon.gov/citycode/28197>.

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.

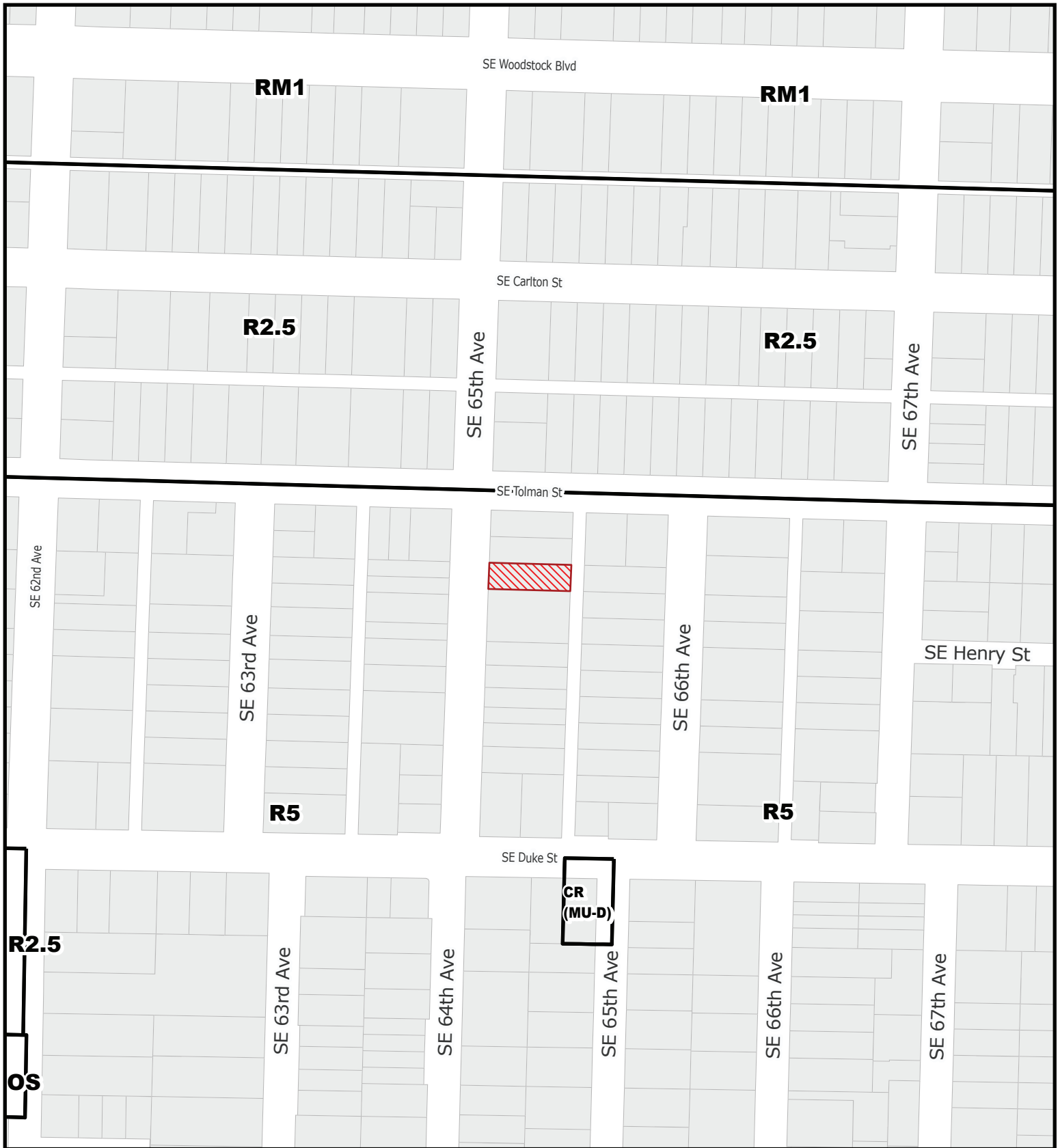
APPEAL OF THE FINAL CITY DECISION

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
Building Elevations

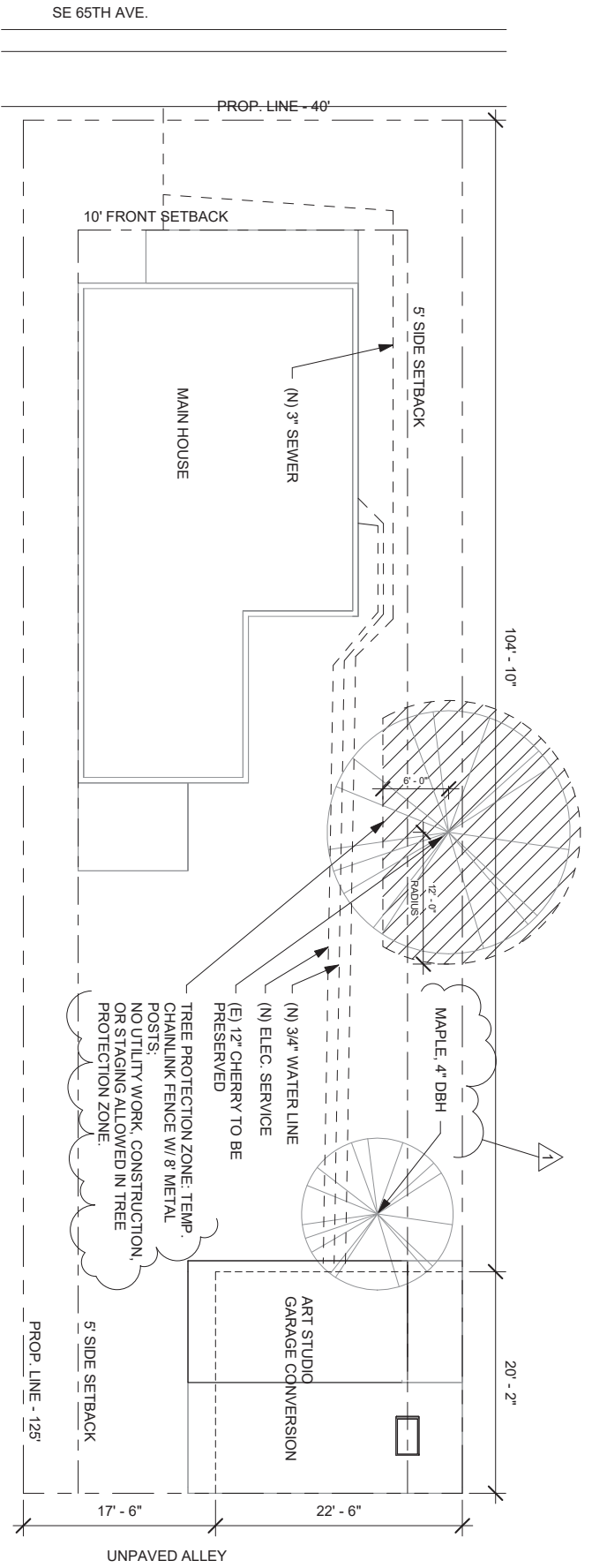


For Zoning Code in Effect Post October 1, 2022

ZONING 

 Site

File No. LU 23 - 015757 AD
 1/4 Section 3637
 Scale 1 inch = 200 feet
 State ID 1S2E17CC 11000
 Exhibit B Feb 22, 2023



1 SITE PLAN
1" = 10'-0"

PROJECT DESCRIPTION:

CONVERSION OF EXISTING 412 SF GARAGE TO FINISHED ART STUDIO. NO CHANGE TO BUILDING COVERAGE.
 PROPERTY ID: R290135
 STATE ID: 1S2E17CC 11000
 TREMONT PL, BLOCK 28, LOT 3
 ZONE: R5
 LOT AREA: 5000 SF

BUILDING CODE: OREGON RESIDENTIAL SPECIALTY CODE 2021
 CHAPTER 11: ENERGY EFFICIENCY
 AND CITY OF PORTLAND CODE GUIDE FOR CONVERSION TO HABITABLE SPACE

TABLE N1101.3
 SMALL ADDITION ADDITIONAL MEASURES
 1: INCREASE THE CEILING INSULATION OF THE EXISTING PORTION OF THE HOME AS SPECIFIED IN TABLE N1101.2: R-38 VAULTED CEILINGS THROUGHOUT.

ART STUDIO GARAGE CONVERSION
 6316 SE 65TH AVE
 PORTLAND, OR 97206

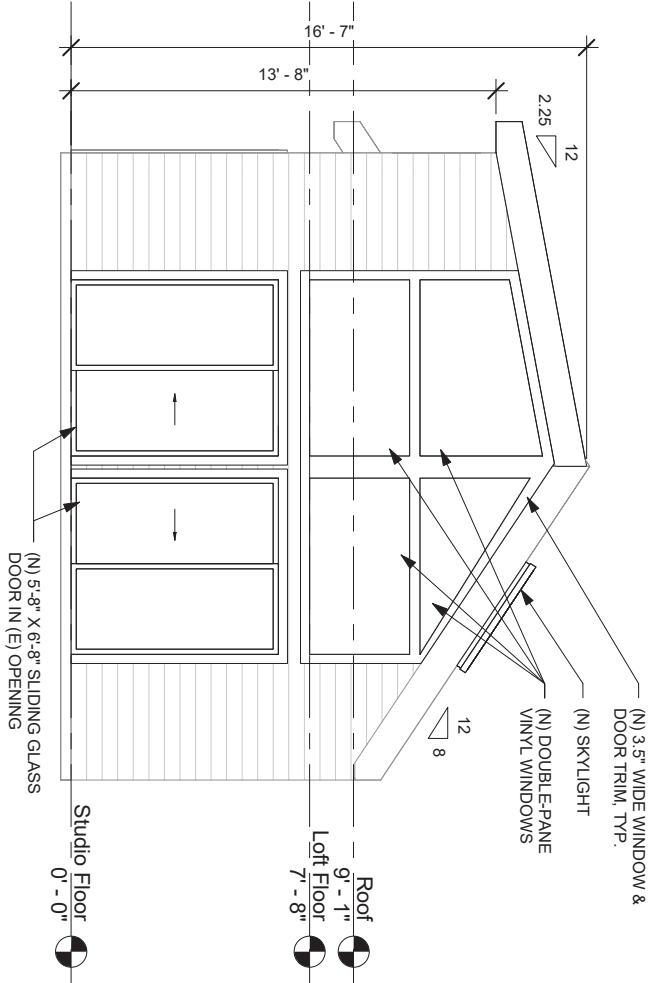
Revision 1:
 SUBMITTED December 28, 2022
 Permit # 2020-214903-000-00-RS

Date November 9, 2020

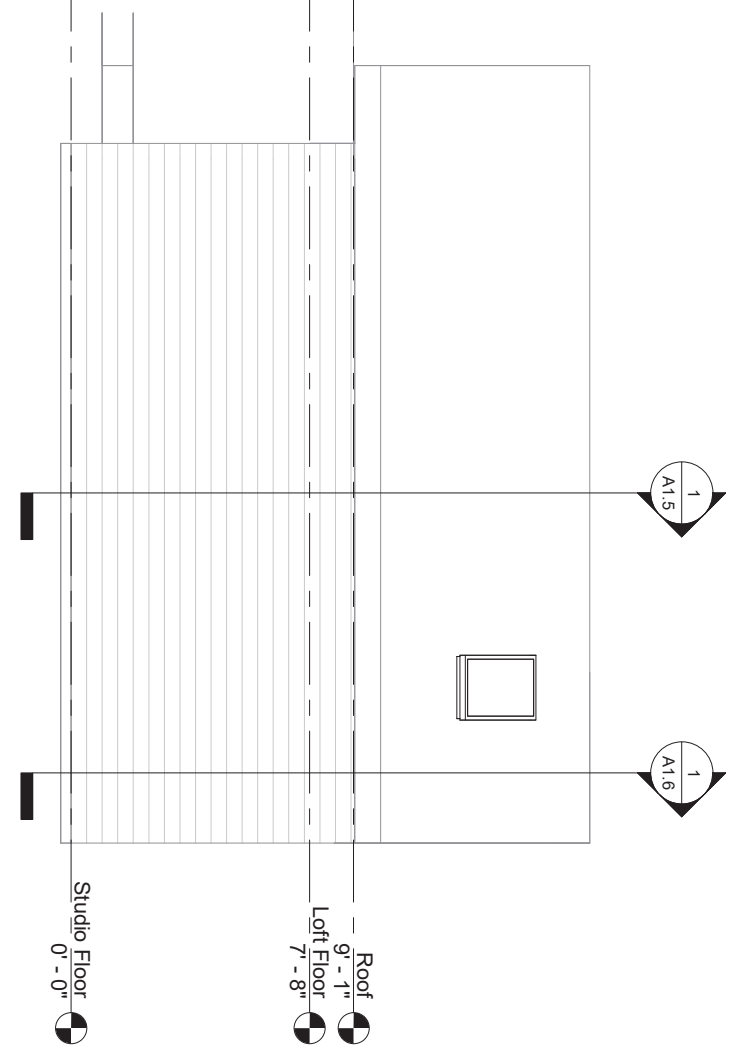
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LU 23-015757 AD

1 SOUTH ELEVATION
1/4" = 1'-0"



2 EAST ELEVATION
1/4" = 1'-0"



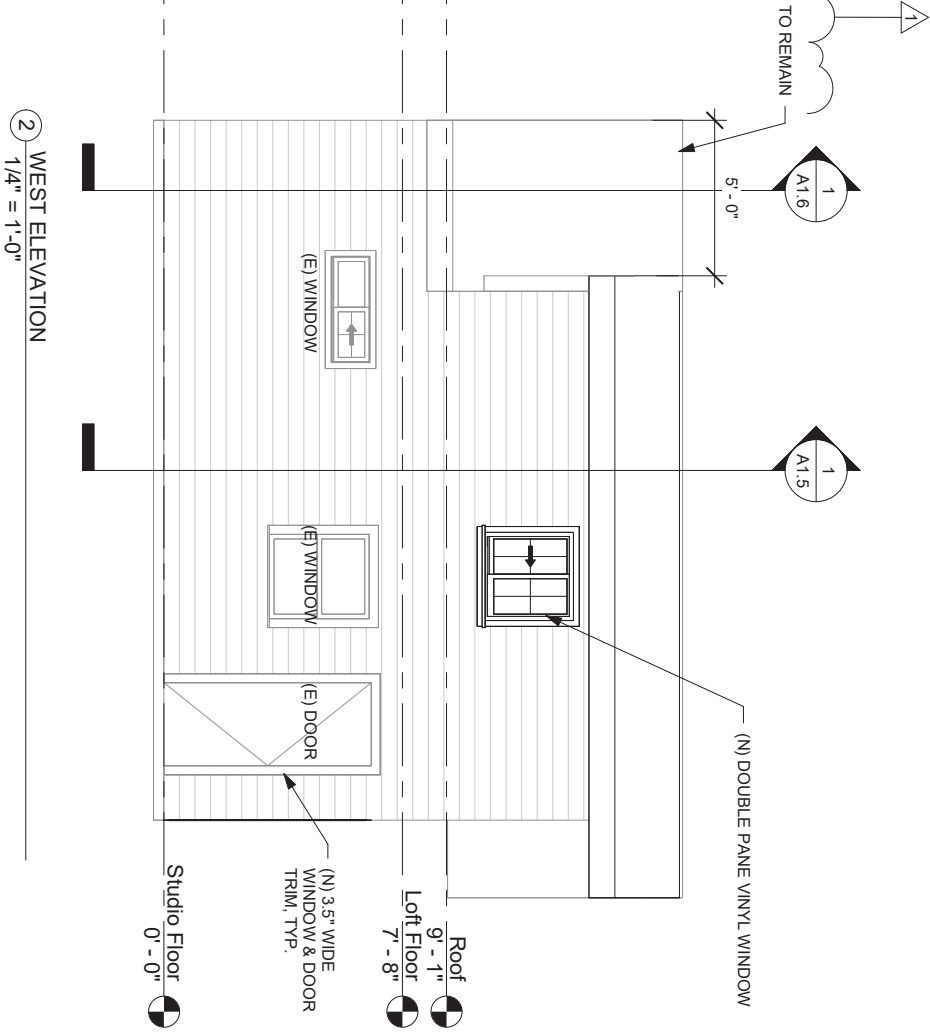
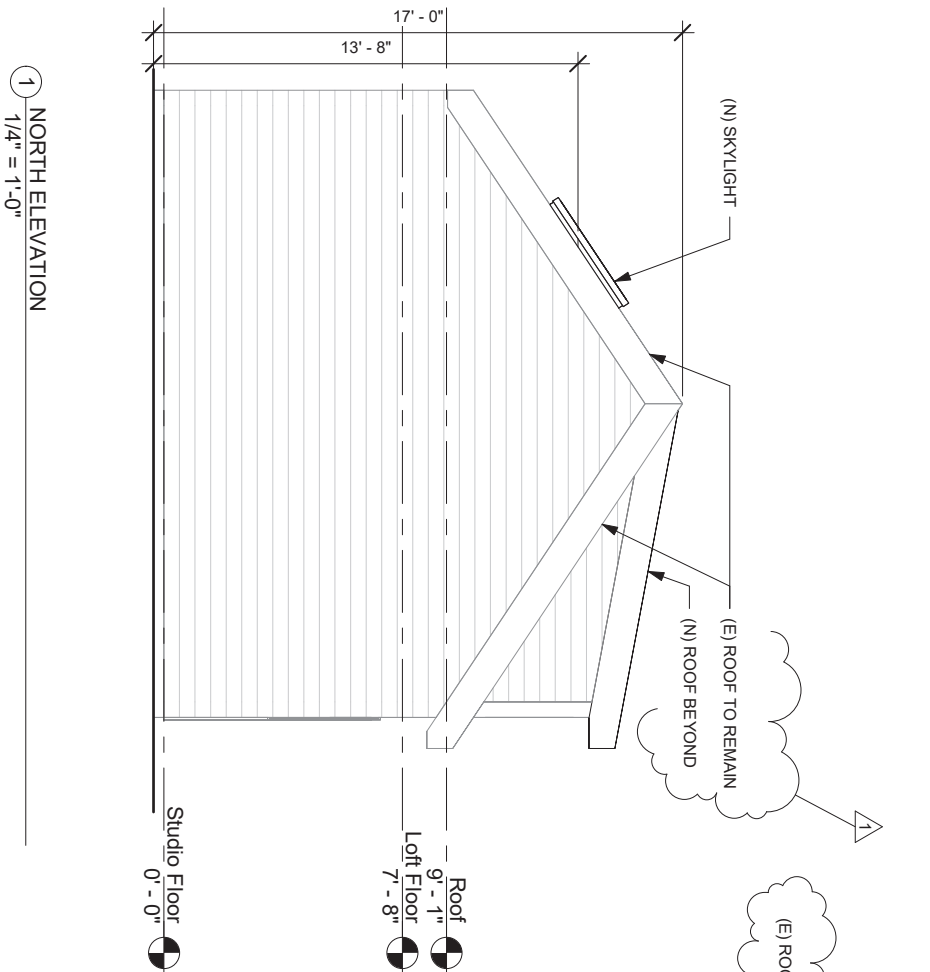
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1 NORTH ELEVATION
1/4" = 1'-0"

2 WEST ELEVATION
1/4" = 1'-0"

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