



City of Portland, Oregon
Bureau of Development Services
Land Use Services

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Portland, Oregon 97201
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TTY 503-823-6868
www.portlandonline.com/bds

Date: July 22, 2009
To: Interested Person
From: Nan Stark, Land Use Services
503-823-7828 / nstark@ci.portland.or.us

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 August 12, 2009.** Please mail or deliver your comments to the address above and include the Case File Number, LU 09-133959 AD, in your letter. It also is helpful to address your letter to me, Nan Stark.

CASE FILE NUMBER: LU 09-133959 AD

Applicant: Carl Snelling
Snelling & Company
PO Box 891
Silverton, OR 97381
503-871-1197

Owner: Florene Wheeler
6416 SE Knight Street
Portland, OR 97206

Site Address: 6416 SE KNIGHT STREET

Legal Description: W 30' OF LOT 17 BLOCK 23 LOT 18 BLOCK 23, TREMONT PL
Tax Account No.: R842406470
State ID No.: 1S2E17CB 12400
Quarter Section: 3637
Neighborhood: Mt. Scott-Arleta, contact Shawna Fuller at 503-771-3104
Business District: Eighty-Second Avenue, contact Ken Turner at 503-484-6225
District Coalition: Southeast Uplift, contact Leah Hyman at 503-232-0010
Zoning: R2.5a – Residential 2,500
Case Type: AD – Adjustment Review
Procedure: Type II, an administrative decision with appeal to the Adjustment Committee

Proposal: The applicant proposes to construct a family room/bathroom addition on the rear (south) portion of the existing residence at 6416 SE Knight Street. As shown on the attached site plan, the addition would measure 14' x 26' (364 SF) and would replace an existing covered patio.

Section 33.110.225 and Table 110-4 of the Portland Zoning Code establish maximum building coverage standards within single-dwelling zones. The property, as presently developed with a primary residence and various accessory structures, has building coverage of 2,624 square feet. The proposed 364 square foot addition would bring total building coverage on the site to 2,988 square feet, which is 228 square feet over the allowed maximum of 2,760 square feet. An adjustment to the maximum building coverage standard is therefore required.

Additionally, an adjustment is required to legalize existing structures on the site that were constructed within the side setback along the east property line. Section 33.110.220 and Table 110-3 of the Portland Zoning Code establish minimum setback standards within single-dwelling zones. Minimum side setbacks within the R2.5 zone are 5 feet. A tool shed and large carport currently extend to the east property line on the site and are within the minimum 5-foot side setback. An adjustment to the minimum side setback standard is therefore required.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Section 33.805.040 of the Portland Zoning Code. The relevant criteria are the following:

- A.** Granting the adjustment will equally or better meet the purpose of the regulation to be modified; and

33.110.225 A. Building Coverage – Purpose

The building coverage standards, together with the height and setback standards, control the overall bulk of structures. They are intended to assure that taller buildings will not have such a large footprint that their total bulk will overwhelm adjacent houses. Additionally, the standards help define the character of the different zones by limiting the amount of buildings allowed on the site.

33.110.220 A. Setbacks – Purpose

The setback regulations for buildings and garage entrances serve several purposes:

- They maintain light, air, separation for fire protection, and access for fire fighting;
- They reflect the general building scale and placement of houses in the city's neighborhoods;
- They promote a reasonable physical relationship between residences;
- They promote options for privacy for neighboring properties;
- They require larger front setbacks than side and rear setbacks to promote open, visually pleasing front yards;
- They provide adequate flexibility to site a building so that it may be compatible with the neighborhood, fit the topography of the site, allow for required outdoor areas, and allow for architectural diversity; and
- They provide room for a car to park in front of a garage door without overhanging the street or sidewalk, and they enhance driver visibility when backing onto the street.

- 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

- E.** Any impacts resulting from the adjustment are mitigated to the extent practical.

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 8, 2009 and determined to be complete on July 10, 2009.

DECISION MAKING PROCESS

The Bureau of Development Services will make a decision on this proposal. We will consider your comments and do one of the following:

- Approve the proposal
- Approve the proposal with conditions
- 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.

The file and all evidence of this case are available for your review by appointment. Please contact the support staff at our office, 1900 SW Fourth Ave., Suite 5000, phone 503-823-7967, to schedule a time. Copies of information in the file can be obtained for a fee equal to the City's cost for providing those copies. I can provide some information over the phone. You may also find additional information about the City of Portland and City Bureaus, as well as a digital copy of the Portland Zoning Code, by visiting the City's homepage on the Internet at www.portlandonline.com.

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 and low-income individuals appealing a decision for their personal residence may qualify for an appeal fee waiver.

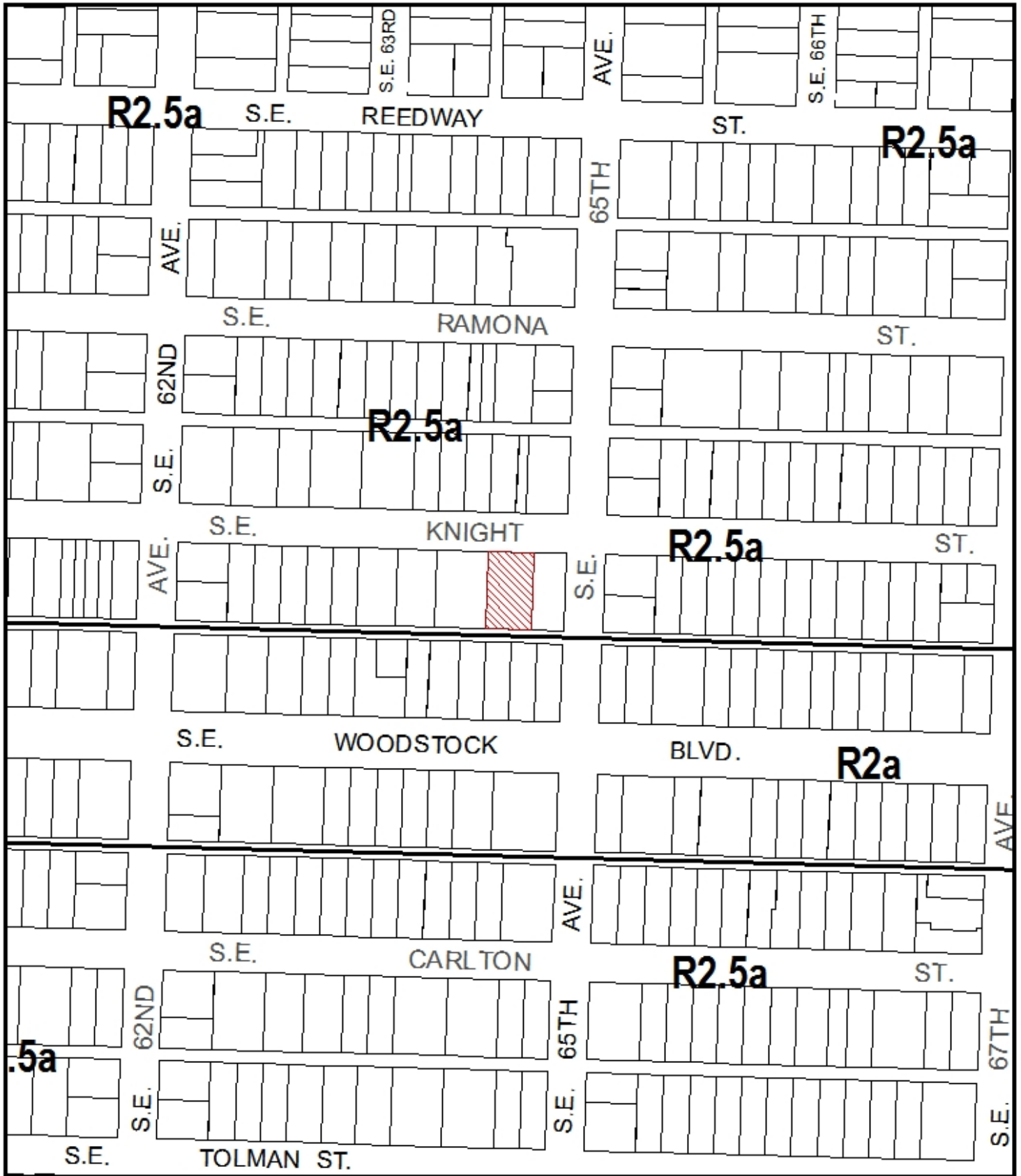
APPEAL OF THE FINAL CITY DECISION

After an appeal hearing, the review body decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) at 550 Capitol St. NE, Suite 235, Salem, OR 97301. 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. If you need special accommodations, please call 503-823-7300 (TTY 503-823-6868).

Enclosures:

Zoning Map
Site Plan and Elevation Drawings



ZONING



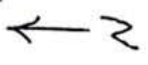
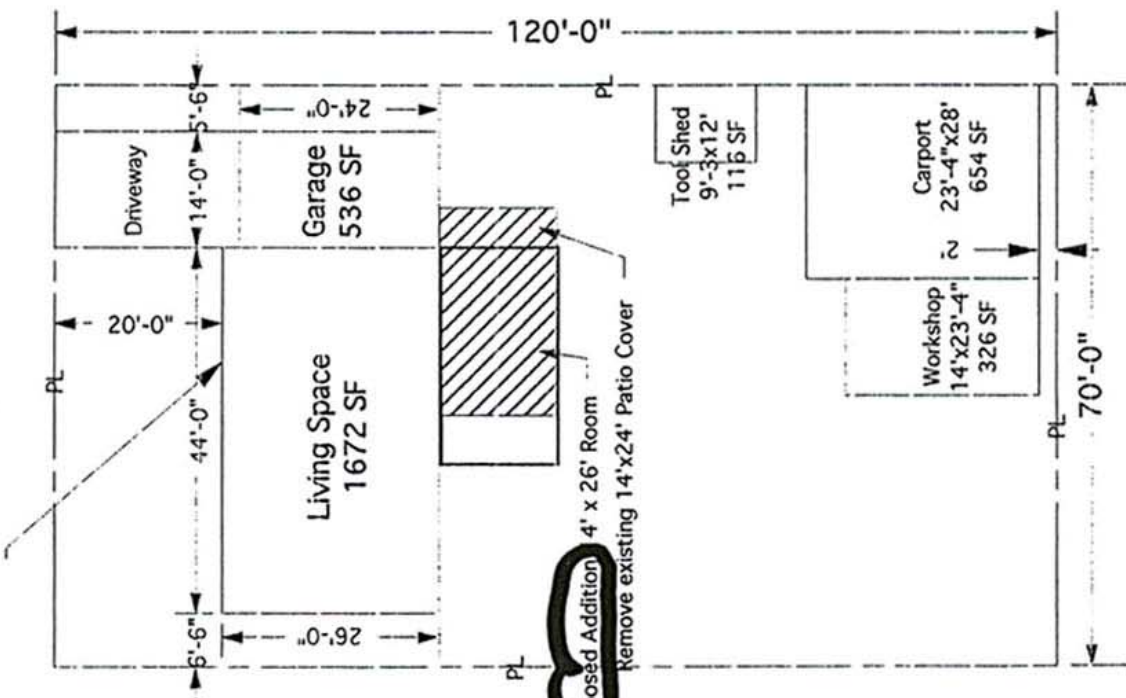
Site



NORTH

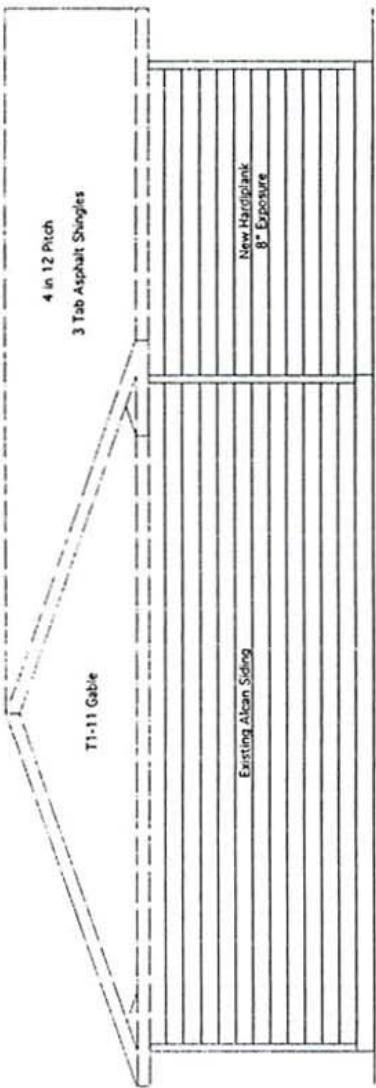
File No.	LU 09-133959 AD
1/4 Section	3637
Scale	1 inch = 200 feet
State_Id	1S2E17CB 12400
Exhibit	B (Jun 09,2009)

Knight Street

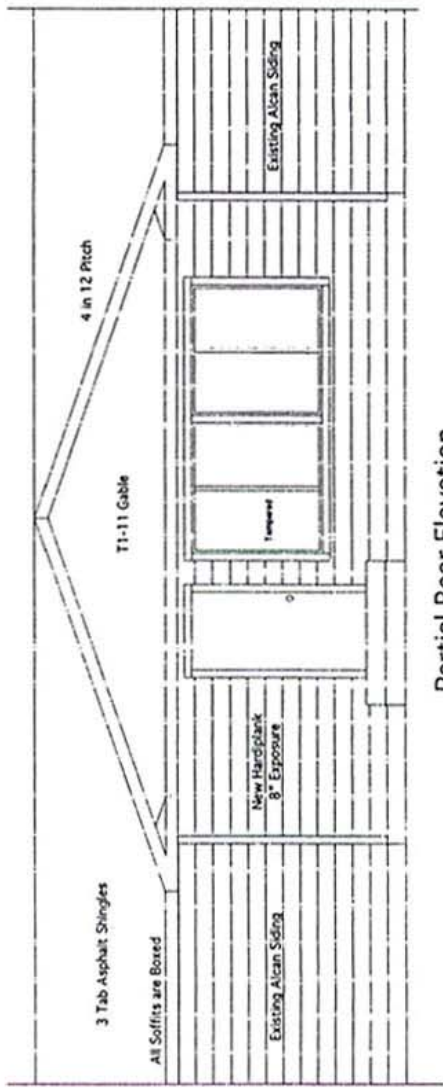


Alley

SITE PLAN



Right Elevation (typ.)



Partial Rear Elevation