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

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Portland, Oregon 97201
503-823-7300
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TTY 503-823-6868
www.portlandonline.com/bds

Date: February 26, 2010
To: Interested Person
From: Kate Green, Land Use Services
503-823-5868 / kate.green@ci.portland.or.us

NOTICE OF A TYPE IIx 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 42 days, **we need to receive your written comments by 5 p.m. on March 26, 2010**. Please mail or deliver your comments to the address above, and include the Case File Number, LU 10-100293 LDP AD, in your letter. It also is helpful to address your letter to me, Kate Green.

CASE FILE NUMBER: LU 10-100293 LDP AD

Applicant: John L Welsh
3350 SE Harold Court
Portland, OR 97202-4340

Site Address: 3350 SE Harold Court

Legal Description: BLOCK 5 LOT 22, REED COLLEGE HTS
Tax Account No.: R694301840
State ID No.: 1S1E13DB 01000
Quarter Section: 3634

Neighborhood: Reed, contact Jody Kruilla at 503-475-1041
Business District: none
District Coalition: Southeast Uplift, contact Leah Hyman at 503-232-0010

Zoning: Single Dwelling Residential 7,000 (R7)
Other Designations: Potential Landslide Hazard

Case Type: Land Division-Partition (LDP)
Adjustment (AD)
Procedure: Type IIx, administrative decision with appeal to the Hearings Officer

Proposal: The applicant proposes a **Land Division-Partition** to divide a 21,216 square foot property into 2 parcels. An established house will be retained on proposed Parcel 1, which will be 9,791 square feet in area; and Parcel 2 will be configured as an 11,489 square foot "flag lot" and is proposed to be developed with a single-dwelling residence. An existing garage and 10 trees are proposed for removal.

A shared driveway within the "flag pole" is proposed to provide vehicular access to both parcels. Water service is proposed via a public line in SE Harold Court. Sanitary and stormwater disposal are proposed via a connection to a public sewer line situated along the east boundary of the subject site.

An **Adjustment** is also requested to allow the wall of the existing house to be set back one-foot from the proposed flag pole, instead of the required 5 feet; and to allow the eave of the existing house to project approximately 2 feet into the proposed flag pole.

This partition proposal is reviewed through a Type IIx procedure because: (1) the site is in a residential zone; (2) 2 or 3 lots are proposed within a Potential Landslide Hazard Area; and (3) a concurrent land use review (Adjustment) is requested (See 33.660.110).

For purposes of State Law, this land division is considered a partition. To partition land is to divide an area or tract of land into two or three parcels within a calendar year (See ORS 92.010).

RELEVANT APPROVAL CRITERIA: In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are found in Section(s):

- **33.660.120, Approval Criteria for Land Divisions in Open Space and Residential Zones**
- **33.805.040 A-F, Approval Criteria for Adjustments**

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 January 5, 2010 and determined to be complete on February 23, 2010.

DECISION MAKING PROCESS: The Bureau of Development Services will make a decision on this proposal. We will consider your comments, and:

- 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.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.ci.portland.or.us.

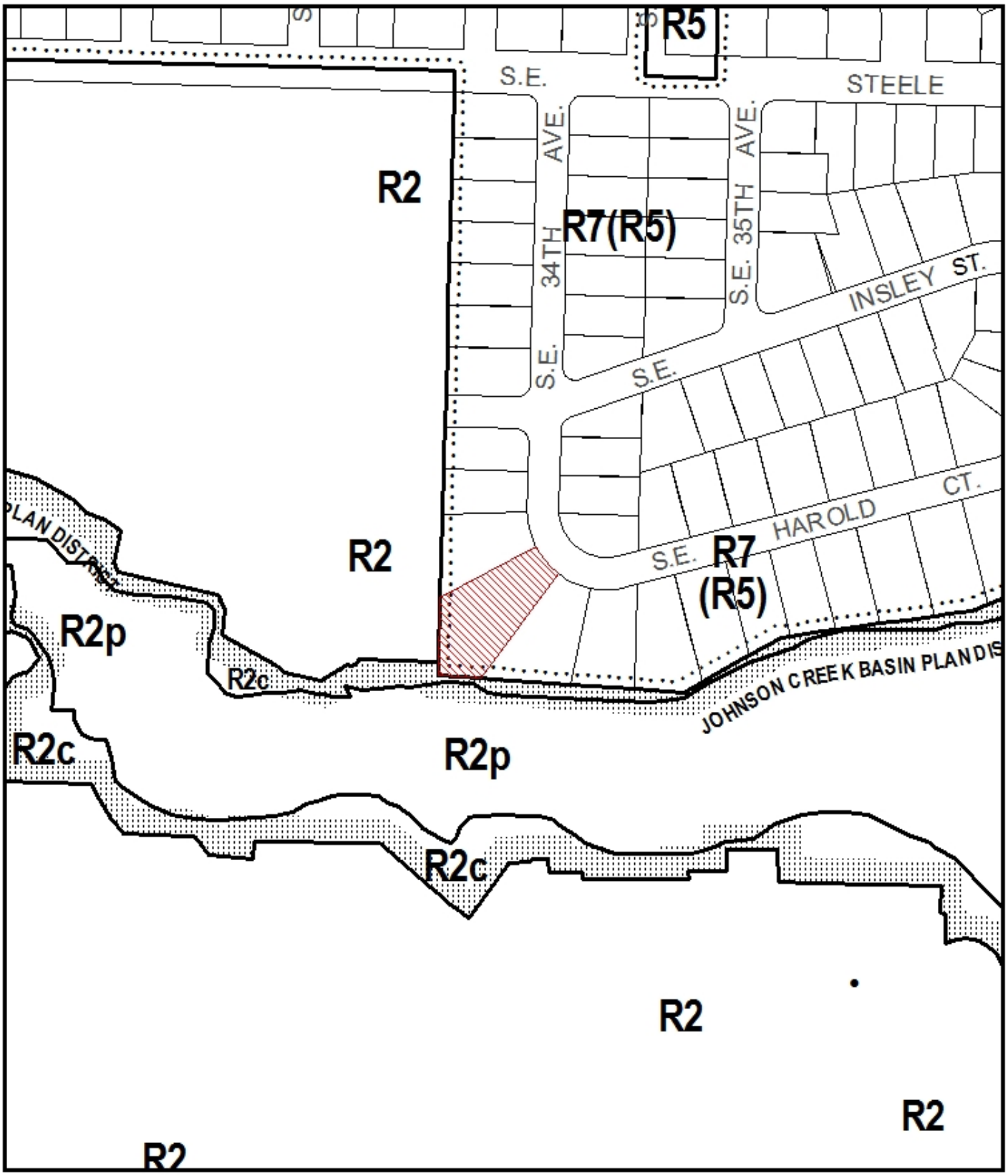
APPEAL PROCESS: If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Hearings Officer. This review body will hold a public hearing for the appeal. When the decision is mailed, the criteria used to make the decision and information on how 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. 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
Preliminary Partition Plat



ZONING

Site

NORTH

File No. LU 10-100293 LDP,AD
1/4 Section 3634
Scale 1 inch = 200 feet
State_Id 1S1E13DB 1000
Exhibit B (Jan 05,2010)

LEGEND:

●	MONUMENTS FOUND AS NOTED
I.R.	IRON ROD
I.P.	IRON PIPE
FD.	FOUND
(M)	MEASURED
—SA—	EXISTING SEWER
—ST—	EXISTING STORM
—W—	EXISTING WATER
XXX	EXISTING CONTOUR
	EXISTING STORM MANHOLE
	EXISTING SANITARY MANHOLE
	EXISTING LIGHT POLE
WM	EXISTING WATER METER
	EXISTING CONCRETE SIDEWALK
	EXISTING TREE
AV	ARBORVITAE
CH	CHERRY
DW	DOGWOOD
M	MAPLE
MAG	MAGNOLIA
(P)	DENOTES PLAT OF "REED COLLEGE HEIGHTS"
SN(1)	SN 2072

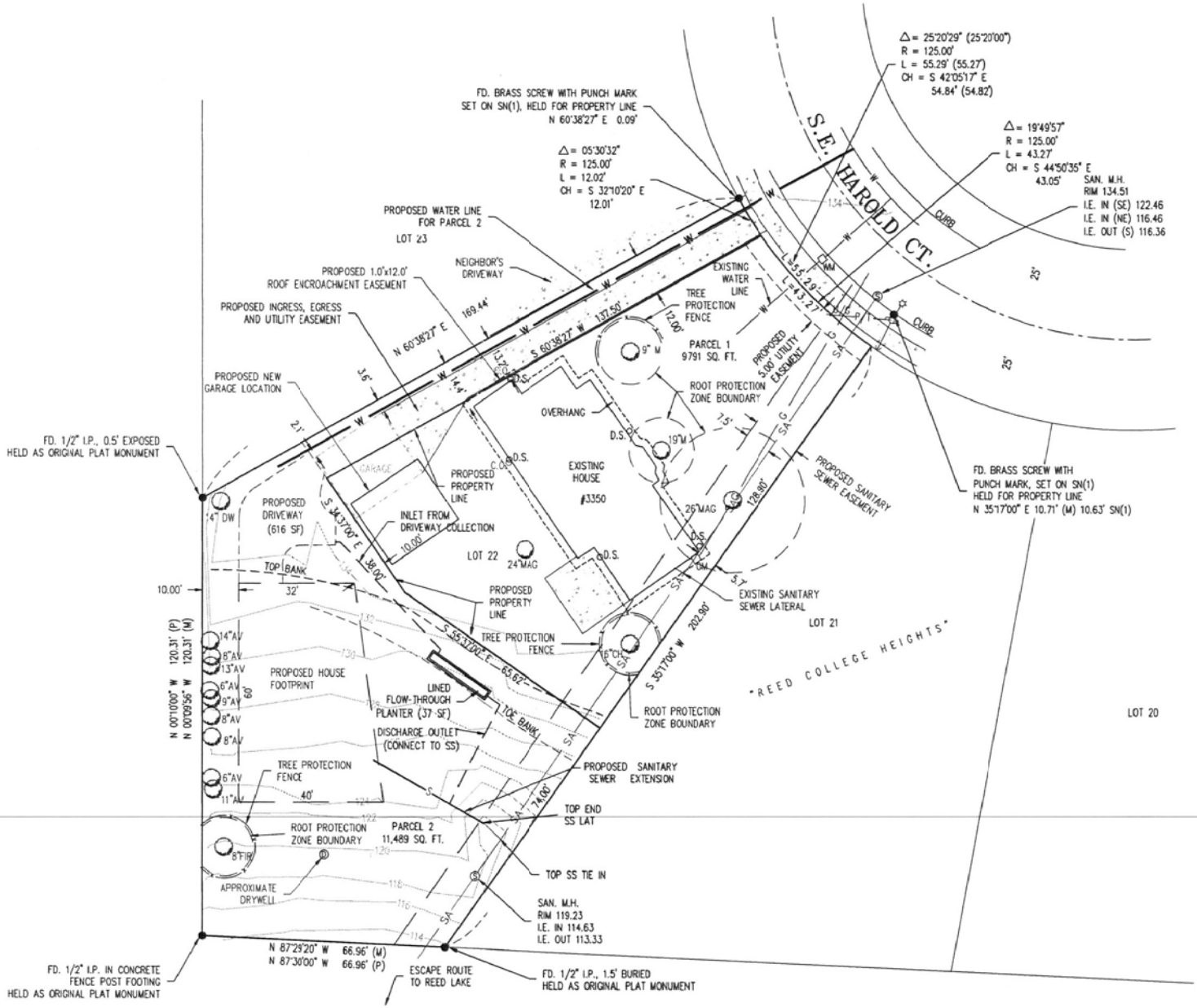
NOTE:

ELEVATIONS ARE BASED ON C.O.P. BM #2031, BRASS DISC IN CURB AT N.W. CORNER OF S.E. 33RD AND S.E. STEELE. ELEV. = 140.21

GRAPHIC SCALE

0 10 20 40

(IN FEET)
1 INCH = 20 FEET



JOB#: S3143-1 DATE: 11-2-09 SCALE: 1"=20' DRAWN: JHH CHKD: CCF FILE: S3143-1 PLOT: 2-23-10	**ZTEC ENGINEERS INC.** 3737 S.E. 8TH AVE., PORTLAND, OREGON 97202 PH: (503) 235-8795 FAX: (503) 233-7889 LOCATED IN THE N.E. 1/4 OF SECTION 13, T.1S., R.1E., W.M., CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON	REGISTERED PROFESSIONAL LAND SURVEYOR OREGON JULY 17, 1981 CHRIS FISCHBORN 1944	JOHN WELSH 3350 SE HAROLD CT **PRELIMINARY PARTITION PLAT**