



CITY OF PORTLAND  
 Bureau of Development Services  
 1900 SW Fourth Avenue, Suite 5000  
 Portland, OR 97201  
**Land Use Decision Enclosed**  
**Case # LU 18-105467 HR**

P524

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**RETURN SERVICE REQUESTED**

RACHEL LEE  
 SABIN COMMUNITY ASSOCIATION  
 C/O NECN  
 4815 NE 7TH AVE  
 PORTLAND OR 97211

98 DRAMN51 97211



City of Portland, Oregon | Bureau of Development Services | 1900 SW Fourth Avenue, Portland, Oregon 97201 | www.portlandoregon.gov/bds



The City of Portland is committed to providing meaningful access. For accommodations, modifications, translation, interpretation or other services, please call 503-823-7300, the TTY at 503-823-6868 or the Oregon Relay Service at 711.

503-823-7300 BDS@PortlandOregon.gov www.PortlandOregon.gov/bds/translated

Traducción e interpretación | Chuyen Ngủ hoặc Phiên Dịch | 翻译或传译  
 Turjumida ama Fasiraadda | 翻訳または通訳 | Письменный или устный перевод  
 Traducere sau Interpretare | 번역 및 통역 | الشفوية أو الشفهية | الترجمة الشفهية أو الشفهية  
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**City of Portland, Oregon**  
**Bureau of Development Services**  
**Land Use Services**

FROM CONCEPT TO CONSTRUCTION

Ted Wheeler, Mayor  
Rebecca Esau, Director  
Phone: (503) 823-7300  
Fax: (503) 823-5630  
TTY: (503) 823-6868  
[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** May 25, 2018  
**To:** Interested Person  
**From:** Santiago Mendez, Land Use Services  
503-823-1361 / [Santiago.Mendez@portlandoregon.gov](mailto:Santiago.Mendez@portlandoregon.gov)

**NOTICE OF A TYPE I DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD**

The Bureau of Development Services has an approved 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 18-105467 HR - NEW DETACHED ADU**

**GENERAL INFORMATION**

**Applicant:** Stan Anderson, Stan Anderson Builders Llc  
2707 SE 74th Avenue  
Portland, OR 97206  
[stanandersonbuilders@msn.com](mailto:stanandersonbuilders@msn.com)

**Owner:** Susan D'Alessandro  
3411 NE 14th Avenue  
Portland, OR 97212-2216

**Site Address:** **3411 NE 14<sup>th</sup> Avenue**

**Legal Description:** BLOCK 71 LOT 4, IRVINGTON  
**Tax Account No.:** R420415180  
**State ID No.:** 1N1E26BA 00400  
**Quarter Section:** 2731

**Neighborhood:** Sabin Community Assoc., contact Rachel Lee at 503-964-8417.  
**Business District:** Soul District Business Association, contact at [info@nnebaportland.org](mailto:info@nnebaportland.org)  
**District Coalition:** Northeast Coalition of Neighborhoods, contact Jessica Rojas at 503-388-5030.

**Plan District:** None  
**Other Designations:** Contributing Resource in the Irvington Historic District

**Zoning:** **R5**, Residential 5,000 with Historic Resource Protection Overlay  
**Case Type:** **HR**, Historic Resource Review  
**Procedure:** **Type I**, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

**Proposal:**

The applicant requests Historic Resource review to demolish the existing detached non-contributing garage of a contributing property in the Irvington Historic District and build a new ADU. The new ADU that will replace the existing CMU garage, built in the 1960's, is proposed with the following elements:

- Hardie Artisan or Wood siding painted to match main house
- Street facing gable roof with a 12/12 pitch to match main house, secondary hip roof with a 6/12 pitch to reduce visual impact
- Wood windows and fiberglass front door.

Additionally, the applicant is proposing to remove a 4-stemmed Norway Maple (considered a nuisance specie as per Title 11 Tree Code)

Historic Resource Review is required for the proposed new detached ADU in the Irvington Historic District.

**Relevant Approval Criteria:**

In order to be approved, this proposal must comply with the approval criteria specified in the Portland Zoning Code. The relevant approval criteria are:

- Criteria in Section 33.846.060.G of the Portland Zoning Code

**CONCLUSIONS**


The purpose of the Historic Resource Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. This proposal for a new detached ADU meets the applicable Historic Resource Review criteria and therefore warrants approval.

**ADMINISTRATIVE DECISION**

Approval of a new detached ADU located at 3411 NE 14<sup>th</sup> Ave., per the approved site plans, Exhibits C-1 through C-4, signed and dated 5/21/18, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through C) must be noted on each of the four required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE- Case File LU 18-105467 HR." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. At the time of building permit submittal, a signed Certificate of Compliance form (<https://www.portlandoregon.gov/bds/article/623658>) must be submitted to ensure the permit plans comply with the Design/Historic Resource Review decision and approved exhibits.
- C. No field changes allowed.

**Staff Planner: Santiago Mendez**

**Decision rendered by:**  \_\_\_\_\_ **on 5/21/18**  
By authority of the Director of the Bureau of Development Services

**Decision mailed 5/25/18**

**Procedural Information.** The application for this land use review was submitted on January 10, 2018, and was determined to be complete on May 2, 2018.

*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 January 10, 2018.

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: 8/30/18.**

**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.

**This decision, and any conditions associated with it, is final.** It may be appealed to the Oregon Land Use Board of Appeals (LUBA), within 21 days of the date the decision is mailed, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have submitted written testimony during the comment period for this land use review. Contact LUBA at 775 Summer St NE Suite 330, Salem, OR 97301-1283 or phone 1-503-373-1265 for further information.

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.portlandonline.com](http://www.portlandonline.com).

**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 **5/29/18** 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 for the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

#### **EXHIBITS**

#### **NOT ATTACHED UNLESS INDICATED**

- A. Applicant's Submittal
  - 1. Approval Criteria and Project Description
  - 2. Site Photos
  - 3. Past Inspection Reports
  - 4. Initial Site Plan Proposal
  - 5. Initial ADU Proposal
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Approved Site Plan (attached)
  - 2. Approved Floor Plan, Front Elevation and Detailing
  - 3. Approved Elevations
  - 4. Window, Door and Exterior Light cut sheets
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses: None
- F. Correspondence:
  - 1. Jim Loewenherz, May 15, 2018, concerns with proposal.
  - 2. Jasmine Murphy, May 20, 2018, concerns with proposal.
  - 3. Dean Gisvold, Irvington Community Association, May 21, 2018, support for revised proposal.
- G. Other:
  - 1. Original LU Application
  - 2. Incomplete Letter

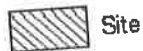
**The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).**



# ZONING



THIS SITE LIES WITHIN THE:  
IRVINGTON HISTORIC DISTRICT



File No.	LU 18-105467 HR
1/4 Section	2731
Scale	1 inch = 200 feet
State ID	1N1E26BA 400
Exhibit	B Jan 12, 2018



**SYMONS ENGINEERING  
CONSULTANTS, INC.**

12805 s.e. Isclair road  
Portland, Oregon 97236  
phone 503 760 3553  
facsimile 503 762 1962

**CLIENT**

BYAN ANDERSON BUILDERS  
2707 SE 74TH AVE  
PORTLAND, OR 97206  
503-901-3000

**PROJECT**

**D'ALESSANDRO  
ADU**

**SITE ADDRESS**

3481 NE 14TH AVE  
PORTLAND, OR 97212

**SHEET NAME  
PRELIMINARY  
SITE PLAN**

**REVISION**

- 12/20/17 ISSUED FOR CLIENT REVIEW
- 1/4/18 ISSUED FOR HISTORIC REVIEW
- 4/1/18 ISSUED FOR CLIENT REVIEW
- 4/18/18 ISSUED FOR HISTORIC REVIEW

ISSUE DATE **APRIL 6, 2018**

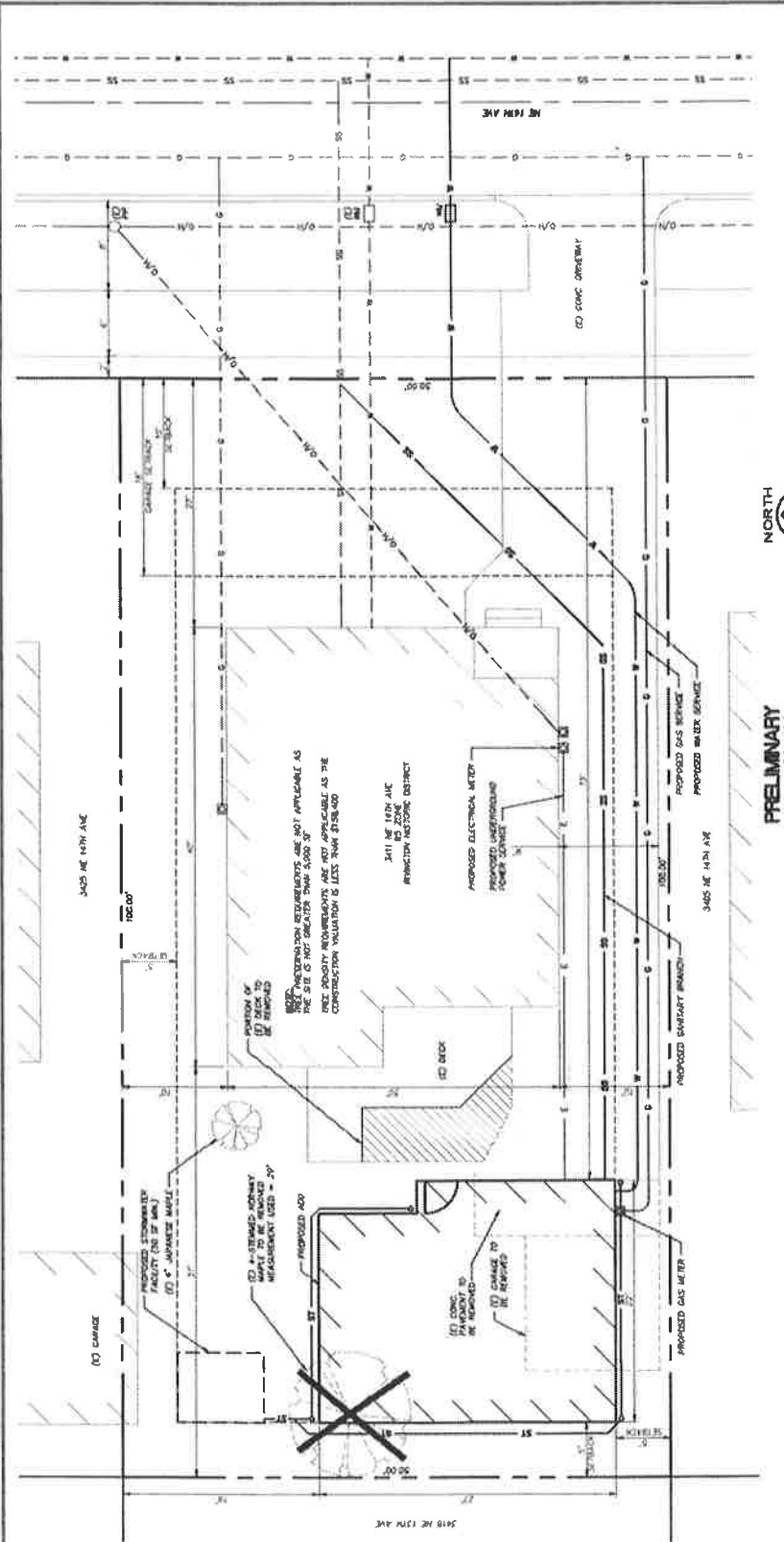
DRAWING FILE **D-ADU-DWG**

PROJECT NUMBER **D-46**

SHEET 1

**C1**

OF 3 SHEETS



**SITE DATA**

ZONING RS  
LEGAL DESCRIPTION RITCHIEBA  
ADU 5,000 SF / 010 ADOPS  
TAX LOT  
SITE AREA

**ADU DEVELOPMENT STANDARDS**

LIVING AREA OF (1) HOUSE = 1,008 SF MAIN FLOOR  
 1,008 SF + 1,008 SF = 2,016 SF TOTAL  
 PROPOSED ADU LIVING AREA = 248 SF  
 ADU HEIGHT = 15' 0"  
 ADU COVERAGE OF LOT = 91.5%

**\*Approved\***  
**City of Portland - Bureau of Development Services**  
 Planner *SM* Date *5/21/18*  
 This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

LU 18-105467HR  
EXHIBIT C-1

