



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

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

Date: October 22, 2018
To: Interested Person
From: David Besley, Land Use Services
503-823-7282/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 November 13, 2018.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 18-242329 AD, in your letter. It also is helpful to address your letter to me, David Besley. You can also e-mail your comments to me at my e-mail address identified above. Please note that all correspondence received will become part of the public record.

CASE FILE NUMBER: LU 18-242329 AD

Applicant: Beate Ioani De-Culi
R & B Design Studio
70 NE Fremont St
Portland OR 97212

Owner: Laura and Colin Runkle
1217 NE Mason St
Portland, OR 97211

Site Address: 1217 NE MASON ST

Legal Description: BLOCK 19 LOT 7&8 TL 12100, NORTH IRVINGTON
Tax Account No.: R611503210
State ID No.: 1N1E23CA 12100
Quarter Section: 2631

Neighborhood: Sabin Community Assoc., contact Rachel Lee at 503-964-8417.
Business District: Soul District Business Association, contact at info@nnebaportland.org
District Coalition: Northeast Coalition of Neighborhoods, contact Laura Becker at 503-388-6088

Zoning: R5ah (Single Dwelling Residential 5,000 with Alternative Design Density and Aircraft Landing overlay zones)

Case Type: AD (Adjustment Review – 4 concurrent Adjustments)
Procedure: Type II, an administrative decision with appeal to the Adjustment Committee

Proposal:

The applicant is proposing to deconstruct an existing, permitted 141 square foot detached one-car garage and construct a new 385 square foot attached one-car garage in the same approximate location. The existing garage is tucked into the hillside, and the garage replacement is proposed to connect with the dwelling unit at the basement level. The Portland Zoning Code requires that structures be set back a minimum of 10 feet from the front lot line and 5 feet from the side lot line in this zone (Section 33.110.220; Table 110-3). Additionally, garage entrances must be set back a minimum of 18 feet from the front lot line. The proposed garage will be 2 feet -7 inches from the front (south) lot line and 6 inches from the side (east) lot line; therefore, an Adjustment is required for each of these setback reductions.

The Portland Zoning Code also requires that a garage wall that faces a street may be no closer to the street lot line than the longest street-facing wall of the dwelling unit (33.110.253.E). This, in part, is to ensure that the location and amount of the living area of the residence, as seen from the street, is more prominent than the garage. The existing garage wall is about 27 feet closer to the street than the longest street facing wall of the dwelling unit, and the proposed new garage – located the same distance away – will widen the street-facing garage wall by 3 feet. Approval through an Adjustment Review is therefore necessary.

To summarize, the applicant is proposing to replace an existing garage with a larger garage in the same approximate location, which requires four Adjustments:

1. To reduce the minimum front (south) setback from 10 feet to 2 feet -7 inches;
2. To reduce the minimum garage entrance (south) setback from 18 feet to 2 feet -7 inches;
3. To reduce the minimum side (east) setback from 5 feet to 6 inches; and
4. To allow the garage wall to be 27-feet closer to the street than the longest street-facing wall of the house.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33. 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 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
- 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)*;
- 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 September 24, 2018 and determined to be complete on October 15, 2018.

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.

The file and all evidence on this case are available for your review by appointment by making a request online or contacting me.

- Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. Copies of all information in the file can be obtained for the cost of making copies during the appointment.
- If you would like to request a copy of the file online, please visit <https://www.portlandoregon.gov/bds/54732>. The fee for this service varies based on the size of the case file and how long it would take to scan or copy documents.
- I can provide some information over the phone or through email.

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.portlandoregon.gov.

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.

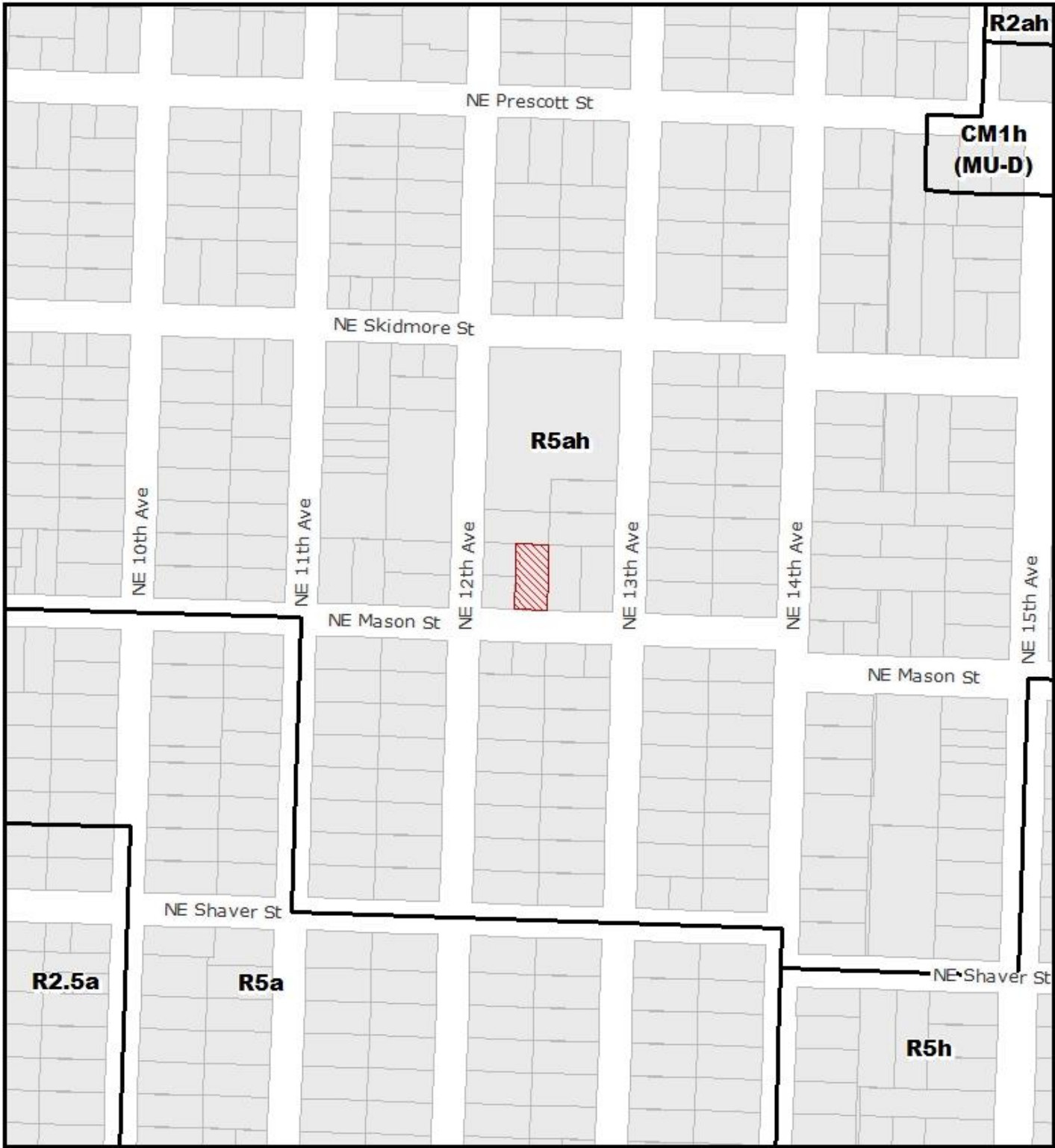
APPEAL OF THE FINAL CITY DECISION

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
Elevation Drawing



ZONING 
NORTH

 Site

File No.	LU 18-242329 AD
1/4 Section	2631
Scale	1 inch = 200 feet
State ID	1N1E23CA 12100
Exhibit	B Sep 28, 2018

RUNKLE RESIDENCE GARAGE

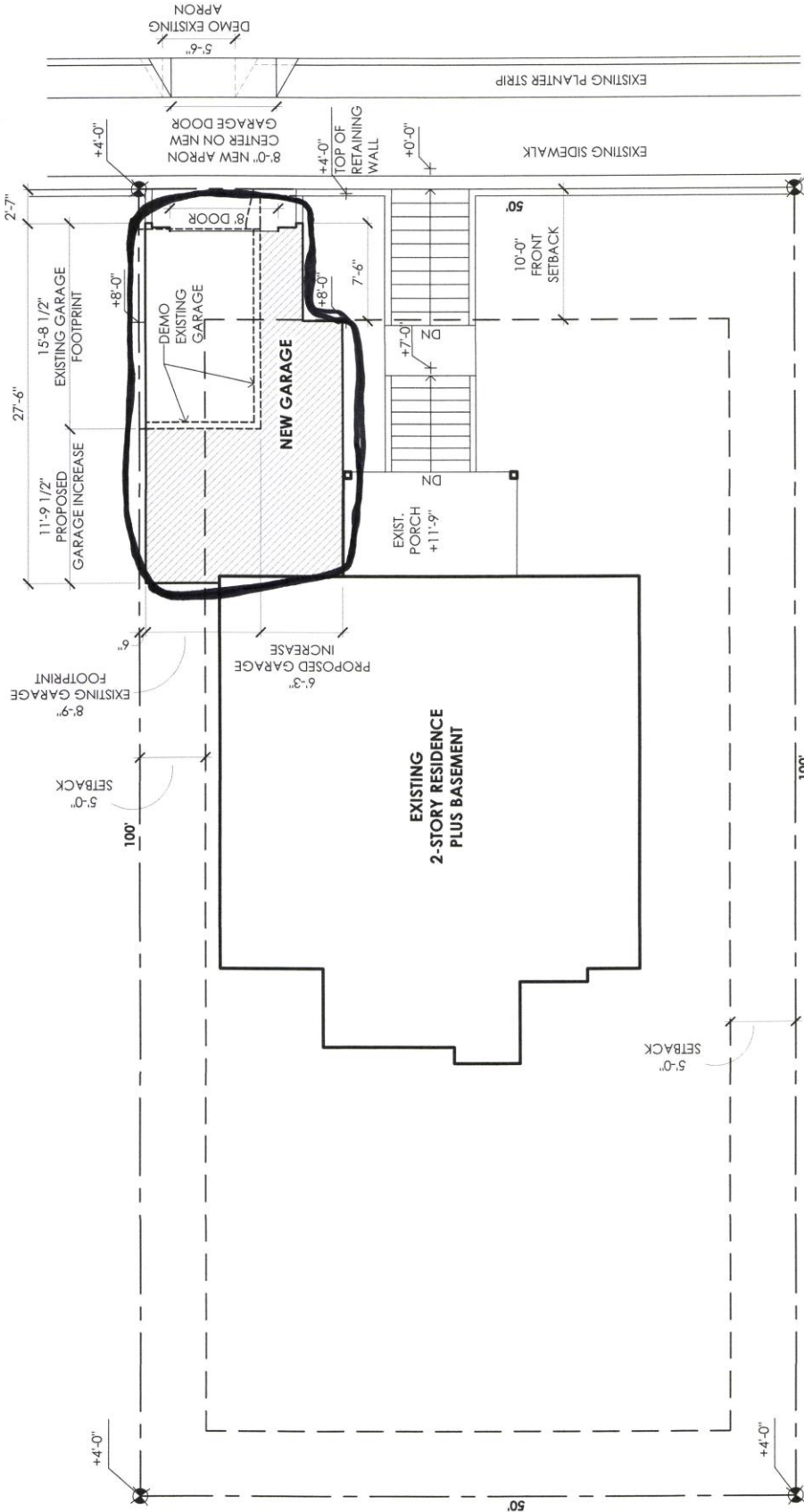
1217 NE MASON STREET, PORTLAND, OR

SITE PLAN

ADJUSTMENT APPLICATION
DATE: 10.12.2018

PROJECT NO. 1608

1



ZONING INFORMATION

ADDRESS:
1217 NE MASON STREET
PORTLAND, OR 97211

LEGAL DESCRIPTION: 1N1E23CA 12100
ALT. ACCOUNT NO: R611 503210
JURISDICTION: PORTLAND, OREGON
ZONE: R5
REQUIRED MINIMUM SETBACKS:
FRONT: 10 FT
SIDE: 5 FT
REAR: 5 FT

MAXIMUM BUILDING HEIGHT: 30 FT
LOT AREA: 5,005 SF



SITE PLAN

SCALE: 1/8"=1'-0"

PROPERTY LINE
ZONING SETBACK LINE



MAXIMUM BUILDING AREA ALLOWED: 2,250SF
PROPOSED BUILDING AREA: 1,061 SF (MAIN HOUSE) + 105 SF (PORCH) + 385 SF = 1,551 SF
MAXIMUM ACCESSORY STRUCTURE: 5,005X.15= 750 SF

AREA SUMMARY

NEW GARAGE AREA ALLOWED BY ZONING CODE: **240 SF**
PROPOSED INCREASED AREA (REQUIRES ADJUSTMENT TO ZONING CODE): **145 SF**
TOTAL AREA: 385 SF

LU 18-242329 AD

RUNKLE RESIDENCE GARAGE

1217 NE MASON STREET, PORTLAND, OR

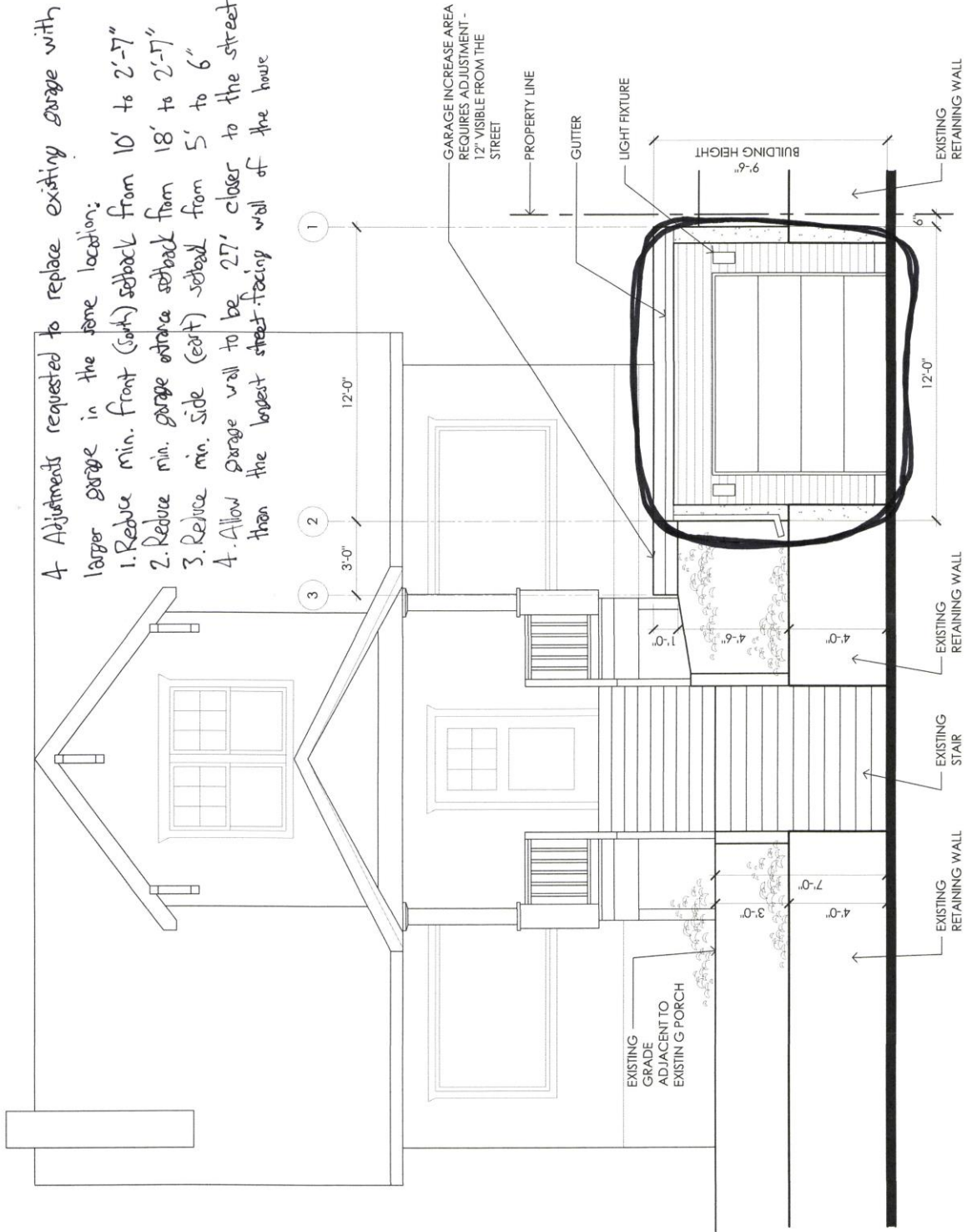
STREET
ELEVATION

ADJUSTMENT
APPLICATION
DATE: 09.09.2018

PROJECT NO. 1608

3

4 Adjustments requested to replace existing garage with a larger garage in the same location:
 1. Reduce min. front (south) setback from 10' to 2'-7"
 2. Reduce min. garage extra setback from 18' to 2'-7"
 3. Reduce min. side (east) setback from 5' to 6"
 4. Allow garage wall to be 27' closer to the street than the longest street-facing wall of the house



1 GARAGE ELEVATION

3 SCALE: 1/4"=1'-0"

LU 18 - 242329 AD

LU 18.242329 AD