



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

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**NOTICE OF FINAL FINDINGS, CONCLUSIONS AND DECISION OF THE CITY OF
PORTLAND ADJUSTMENT COMMITTEE ON AN APPEALED
ADMINISTRATIVE DECISION (Type II Process)**

CASE FILE: LU 12-149752 AD

The administrative decision for this case, published on March 26, 2013, was appealed to the Adjustment Committee by Arnold Rochlin as authorized by the Forest Park Neighborhood Association

The Adjustment Committee overturned the administrative decision of approval and granted the appeal, thereby denying the requested Adjustments as proposed. The original analysis, findings and conclusion have been revised by the Adjustment Committee, and follow. This decision is available on line:

<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.

GENERAL INFORMATION AND PROCEDURAL HISTORY

Applicant:

Eric Rystadt, Main Street Development Inc., Property Owner, PO Box 91096, Portland, OR 97291

Representatives:

Mike Coyle, Faster Permits, 14334 NW Eagleridge Lane, Portland, OR 97229

Geoff Wright, Emerio Design, 6107 SW Murray Blvd, Suite 147, Beaverton, OR 97008

Appellant:

Arnold Rochlin as authorized by the Forest Park Neighborhood Association, PO Box 83645, Portland, OR 97283

Site Address:	Vacant Lot south of, and adjacent to 360 NW ROYAL BLVD
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Legal Description:	BLOCK 4, LOT 3, ROYAL
Tax Account No.:	R731000680
State ID No.:	1N1E31CB 02500
Quarter Section:	3023
Neighborhood:	Forest Park, contact Jerry Grossnickle at 503-289-3046.
District Coalition:	Neighbors West/Northwest, Mark Sieber at 503-823-4212.
Plan District:	Northwest Hills - Forest Park and Skyline
Zoning:	R20 (Single Family Residential 20,000)
Case Type:	AD (Adjustment)

Procedure: Type II, an administrative decision with appeal to the Adjustment Committee.

PROPOSAL

The applicant requested an adjustment to the Zoning Code's front setback standards, requesting that the front setback be reduced from 20 feet to 5 feet (at its closest point). In addition, the applicant is requesting an adjustment to the Zoning Code's height standards, proposing to build a home that is two levels as viewed from the street and that is 23 feet above street grade. The Adjustment request is to increase the maximum height limit from 8 feet to 23 feet.

The Zoning Code provides alternative height limits for steeply sloping lots (Section 33.110.215.D). Because the lot slopes downhill from the street, the Code allows the maximum height of 23 feet above the average grade of the street. When this method is used, reductions to the required front setback are allowed, per Section 33.110.220.D.4. The front building setback may be reduced from 20 feet to 10 feet and the entrance to the garage may be reduced from 18 feet to 5 feet. However, this provision requires the height limit in the area of the reduced setback to be lowered one foot for every foot of reduced setback area. The applicant is proposing a front building setback of 5 feet, which reduced the maximum allowed height to 8 feet.

The site is located directly west and north of adjacent property with a "c" overlay zone designation (see attached Zoning Map). The "c" overlay is an environmental conservation zone that has additional development regulations intended to protect resources on an environmentally sensitive site. The "c" environmental conservation overlay zone allows new development to have a zero front setback from the street and a maximum height of 23 ft. above street grade in order to lessen the impact of construction on environmentally sensitive areas on a site.

The applicant has indicated that since the subject site is an area that is environmentally sensitive, and mirrors the adjacent properties which are "c" zoned, they would like to construct a new home on the site under the same development standards allowed in the environmental conservation overlay zone. This would allow the applicant to preserve more trees and cause less impact on the overall site since development would be located closer to the street. The applicant's proposed adjustments to height (from 8 feet to 23 feet above street grade) and front setback (from 20 feet to 5 feet) would allow new development on the site to be built to the same development standards as allowed on a site zoned "c" with an environmental conservation overlay zone designation.

PROCEDURAL HISTORY

- The application was submitted on June 13, 2012.
- The applicant placed this application on hold for 30 days on November 2, 2012 (Exhibit A-4) in order to respond to the concerns raised by neighbors. The applicant then waived the right to a land use decision within 120 days on December 12, 2012 (Exhibit A-5). The applicant has revised the plans which have resulted in an over all reduction in height and a greater front setback than originally proposed, along with the elimination of a side setback adjustment request. The applicant submitted revised plans on January 4, 2013 and requested that the application continue to be processed. A new public notice was mailed on January 15, 2013.

- On March 26, 2013, BDS mailed the Administrative Decision approving the requested Adjustment to reduce the front setback from 20 feet to 5 feet and increase the height within the reduced setback area from 8 feet to 23 feet.
- On April 9, 2013, Arnold Rochlin as authorized by the Forest Park Neighborhood Association appealed the Administrative Decision.
- On April 16, 2013, a Notice of Appeal Hearing was mailed, which announced a hearing date before the Adjustment Committee on May 21, 2013.
- On May 21, 2013, a public hearing before the Adjustment Committee was held at 1900 SW 4th Avenue, Portland, Oregon, Room 2500A. The Committee heard testimony from the Bureau of Development Services (BDS), the applicant, the appellant and those in opposition to the proposal.

Following the testimony, the Adjustment Committee deliberated and then voted 5-0 to overturn the administrative decision of approval and grant the appeal, thereby denying the requested Adjustments as proposed.

Site and Vicinity: The site is steeply sloped downward from NW Royal Blvd. and covered with mature trees and vegetation. There is a stream channel located along the north end of the property, which is a headwater tributary of Balch Creek. There is approximately 17 feet between the edge of the pavement within the public right of way (NW Royal Blvd) and the front property line of the subject site. The homes surrounding the site are a mix of unique architectural styles from various eras. The home located directly north (360 NW Royal Blvd.) of the subject site was built in 2004, while the home south (340 NW Royal Blvd.) of the subject site was built in 1972. The home located directly west (325 NW Royal Blvd.) of the subject site across NW Royal Blvd. was built in 1958. There are four vacant lots located east (down slope) from the subject site. The area surrounding the site is heavily wooded with mature trees. The existing home located north of the subject site (360 NW Royal Blvd) is a two story home with a garage door which appears to be approximately 10 feet from its front property line abutting NW Royal Blvd. based on the City's GIS aerial photos. The street facing façade of the existing home at 360 NW Royal Blvd. is tiered, stepping up in height for that portion of the structure which begins approximately 20 feet from the property line. In addition, the two story home located south of the subject site (340 NW Royal Blvd.) is located approximately 20 feet from NW Royal Blvd and is not visible from the street. This home has an associated one story detached garage located approximately 8 feet from NW Royal Blvd. which is visible from the right-of-way. It should be noted that Transportation (PBOT) has waived any required street frontage improvements at this site because the improvement would be impracticable and infeasible to construct at this location as noted in a Public Works Appeal 12-127770 PW (Exhibit E-2).

Zoning: The site is located in the Single Dwelling Residential 20,000 (R20) zone, and in the Balch Creek and Skyline subdistricts of the NW Hills Plan District. The R20 designation is one of the City's single-dwelling zones which is intended to preserve land for housing and to promote housing opportunities for individual households. The zone implements the comprehensive plan policies and designations for single-dwelling housing.

The Northwest Hills plan district protects sites with sensitive and highly valued resources and functional values. The portions of the plan district that include the Balch Creek Watershed and the Forest Park subdistrict contain unique, high quality resources and functional values that require additional protection beyond that of the

Environmental overlay zone. The plan district also promotes the orderly development of the Skyline subdistrict while assuring that adequate services are available to support development.

Land Use History: City records indicate there are no prior land use reviews for this site.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **October 5, 2012**. A revised Notice of Proposal was mailed on **January 15, 2013**. The following Bureaus have responded with no issues or concerns:

Bureau of Environmental Services; Bureau of Transportation Engineering; Water Bureau; Fire Bureau; Site Development Section of BDS; Bureau of Parks-Forestry Division; and Life Safety.

Neighborhood Review: For the Administrative Decision, a total of six written responses (2 letters each from the same 3 people) were received from the Neighborhood Association and notified property owners in response to the Notice of Proposal.

Following issuance of the Administrative Decision and the filing of the appeal, one letter was received from Arnold Rochlin of the Forest Park Neighborhood Association (Exhibit H-5) expressing opposition to the requested Adjustment.

In addition, two additional letters (Exhibits H-9 and H-10) were received at the Adjustment Committee Hearing on May 21, 2013; both letters were from representatives of the Forest Park Neighborhood Association

In summary, those submitting letters opposed to the Adjustment request generally focused on the following:

- the Adjustment request does not equally or better meet the stated purpose of the setback and height regulations;
- the request does not reflect the established physical relationship between residences that is found in the surrounding neighborhood;
- proposed home is not compatible with the neighboring homes;
- impacts traffic safety by obstructing view of drivers from either side on NW Royal Blvd. and from NW Manor Drive and would appear disproportionately tall when viewed from behind;
- no formal mitigation has been proposed; no guarantee prospective benefits (such as tree preservation) of placing house closer to street will actually materialize;
- not convinced (adjustments) are made necessary by the topography of the site;
- if the house were more appropriately sited, design possibilities could be considered that would work with the slope, taking advantage of the natural features of this site while better fitting the neighborhood;
- adjustment requests would allow new construction to be built close to the street for what the neighbor assumes is to maximize the view;
- new development would devastate the natural wooded landscaping and put adjacent homes at risk due to land erosion;
- having a very tall house very close to the road would be unattractive and uncharacteristic of the neighborhood; impact to a passerby (on foot or in a car), and the increased height coupled with the reduced setback will have a negative impact;
- the site is not located in an environmental “c” overlay zone, so any reference to this criteria is not relevant to this site;

- reasonably sized home could be developed on this site under the current regulations in place without an adjustment;
- there is no precedent in the neighborhood for allowing 2 story development within required front setback;
- development in the surrounding neighborhood is built into the hillside and follows the topography;

ZONING CODE APPROVAL CRITERIA

33.805.010 Purpose (Adjustments)

The regulations of the zoning code are designed to implement the goals and policies of the Comprehensive Plan. These regulations apply city-wide, but because of the city's diversity, some sites are difficult to develop in compliance with the regulations. The adjustment review process provides a mechanism by which the regulations in the zoning code may be modified if the proposed development continues to meet the intended purpose of those regulations. Adjustments may also be used when strict application of the zoning code's regulations would preclude all use of a site. Adjustment reviews provide flexibility for unusual situations and allow for alternative ways to meet the purposes of the code, while allowing the zoning code to continue providing certainty and rapid processing for land use applications.

33.805.040 Approval Criteria

Adjustment requests will be approved if the review body finds that the applicant has shown that approval criteria A. through F. below have been met.

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

Findings: The regulations the applicant requests to adjust are maximum height and front setbacks. The purpose of the height regulations is found at 33.110.215.A. which states:

Purpose. The height standards serve several purposes:

- *They promote a reasonable building scale and relationship of one residence to another;*
- *They promote options for privacy for neighboring properties; and*
- *They reflect the general building scale and placement of houses in the city's neighborhoods.*

The purposes of the setback standard are found in Section (33.110.220 and table 110-3, Setbacks. The setback regulations 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.*
- *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.

The applicant proposed a new home 5 feet from the street at 23 feet in height at street grade. The intent of Zoning Code Section 33.110.215.D, which provides alternative height measurements for steeply sloped lots is to address the challenges of constructing a home on a steep site. A 23-foot height limit applies to downhill sloping lots. This provision allows homes to be multiple stories at the back of the house where the slope declines and to be located closer to the street. However, with every foot closer than that required in the base zone provisions, the house must be lowered by 1 foot. The alternative height standard allows a 23 foot tall (2-story) home to be legally constructed on this site at street grade, however it would be required to be set back 20 feet, the minimum front setback required in the R20 zone. Based on the alternative height exception referred to above, the proposed home at a 5 foot setback would be limited to 8 feet in height, (23 feet minus the 15 feet of reduced setback area from 20 feet to 5 feet).

The site is steeply sloped downhill and is located directly west and north of adjacent property with a “c” overlay zone designation (see Zoning Map, Exhibit B). The “c” overlay is an environmental conservation zone that has additional development regulations intended to protect resources on an environmentally sensitive site. The “c” environmental conservation overlay zone allows new development to have a zero front setback from the street and a maximum height of 23 ft. above street grade in order to lessen the impact of construction on environmentally sensitive areas on a site. The applicant indicated that although the site is not zoned with a “c” overlay, the subject site is environmentally sensitive with a stream running along the northern property boundary and mature trees throughout the site, mirroring the adjacent properties which are “c” zoned. The applicant stated they would like to construct a new home on the site under the same development standards allowed in the environmental conservation overlay zone. This would allow the applicant to locate development closer to the street and away from the environmental resources thereby preserving more trees and causing less impact on the overall site.

The Adjustment Committee found that since the site is not located in the “c” overlay, and will not be subject to other restrictions or allowances that apply to development in a “c” zone, that any reference to the “c” zone is irrelevant to this proposal.

Regarding the intent of the regulation to *maintain light and air*, the proposed home meets or exceeds the 10 foot side and rear setbacks required. The proposed home is set back approximately 30 feet from the side property line to the north and a 10 foot side setback is proposed along the site’s southern side property boundary, so the overall relationship of the proposed home to adjacent homes is typical. In addition, the reduced front setback and height increase will still allow for the maintenance of light and air given the 60 foot wide right of way that fronts the property. The Adjustment request will have no impact on light and air.

As for the intent of the regulation to *maintain separation for fire protection and access for fire fighting*, given the 60 foot wide right of way that fronts the property, the Fire Bureau indicated they have no concerns with the proposal.

The minimum required setback is also intended to ensure that development reflects the general building scale and placement of houses in the neighborhood. The Adjustment Committee finds that there is a consistent placement of houses on the sloped lots in the surrounding area, with homes built within the front setback but limited in height. The reduction in the front building setback for the proposed development in combination with the increase in height within the front setback is not consistent with the established development pattern in the area and does not meet the purpose of the regulation. Furthermore, the increase in height within the reduced front setback results in a proposal that does not promote an open, visually pleasing front yard.

Some of the testimony in opposition to the proposal corroborates the Adjustment Committee's conclusion that having a two story home so close to the front lot line is incompatible with the neighborhood. The Adjustment Committee finds that the appellant (Exhibits H-1, H-5, H-9 and H-10) has successfully demonstrated that the proposal is incompatible with the broader neighborhood given the fact the surrounding neighborhood is made up of predominantly one story tiered homes that are set back a minimum of 10 feet.

It is not likely the proposal would have adverse impacts on *privacy for adjacent properties*. As indicated above, the proposed home meets or exceeds the 10 foot side and rear setbacks required. Large trees act as visual buffer separating the subject site from the adjacent homes. At this location NW Royal Blvd meanders from north to south with several curves in the roadway. There is a curve in the street located along the frontage of the subject site. The curvature in the street makes it so the development proposed on this site would not be readily visible from the frontage of adjacent properties to the north or the south. For these reasons, privacy for adjacent neighbors is maintained.

The Adjustment request will have no impact on the intent of the setback regulation to allow for *cars to park in front of the garage door without overhanging the street or sidewalk*, or on the *ability of drivers to view the street* when exiting the property. The Zoning Code allows garages on steeply sloped lots (20% or more) to be located 5 feet from the street (which would apply in this situation). There will be approximately 17 feet from the edge of the pavement within the public right of way, which when combined with the 5 foot garage setback proposed will provide 22 feet of separation between the garage door and the paved street within the NW Royal Blvd right-of-way. This distance provides more than enough room to meet the intent of this regulation.

The Adjustment Committee concurred with the appellant's argument (Exhibits H.1, H.5, H.9 and H.10) that the requested front setback reduction and height increase within the reduced setback does not equally meet all of the intents of the regulations, and therefore this criterion is not met.

- 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

Findings:

Because the subject site is located in a Single-Dwelling Residential zone, it must be demonstrated that the proposal will not significantly detract from the

livability or appearance of the residential area. As identified above in response to Approval Criterion A, the steep topography of the surrounding residential area has resulted in primarily one story or tiered homes set back at least 10 feet from the front property lines. As such, the applicant's requested reduction in the front setback combined with the increase in height and the absence of any tiering would allow a structure significantly at variance with the existing pattern of street facing visual scale and placement characteristic of structures in the surrounding neighborhood.

The administrative decision pointed to the fact that there is approximately 17 feet between the edge of the pavement in the public right-of-way (NW Royal Blvd.) and the front property line of the subject site, which provides a large visual setback. When the distance between the edge of the pavement and the front property line is combined with the 5 foot front setback proposed, there will be 22 feet of separation between the front facade and the paved street within the NW Royal Blvd right-of-way, which serves as a setback.

The Adjustment Committee did not agree with this argument. One member of the Committee pointed to the fact that the 20 foot front setback required is in addition to the distance found within the public right of way that separates a paved roadway from a front property line, and is an area which usually includes elements such as curbs, sidewalks and planter strips. At this site, curbs and a sidewalk are not feasible. However, the Adjustment Committee member noted that the 17 feet of separation between the paved road way and the front property line should be in addition to the front setback required.

The Committee finds that evidence in the record demonstrates that homes in the surrounding neighborhood are characterized by one-story or tiered homes set back at least 10 feet from their front property lines. Because of this, the proposed new home will adversely impact the established appearance of the residential area.

This criterion is not met.

- 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

Findings:

The Administrative Decision noted that the cumulative effects of the adjustments are consistent with the overall purpose of the zone which is to provide opportunities for single family development and to promote desirable residential areas, allowing flexibility of development while maintaining compatibility with the City's various neighborhoods. Since the edge of the pavement within the public right-of-way (NW Royal Blvd) is located approximately 17 feet from the front property line on the subject site, and when combined with the front setback proposed, there will be 22 feet of separation between the paved roadway and the front facade of the proposed home. The Administrative Decision found that this juxtaposition will result in project that still appears to be located over 20 feet from the street, which meets the overall purpose of the zone. As indicated under Criterion B, the Adjustment Committee did not agree with the argument that the 17 feet of separation between the roadway and the front property line serves the same purpose as the front setback.

The Adjustment Committee also found that the cumulative impact of the Adjustments will significantly detract from the livability and appearance of the residential area. As identified above in response to Approval Criteria A and B, the steep topography along this portion of NW Royal Blvd. has resulted in homes primarily one story in height or tiered, and set back at least 10 feet from the front property lines so as to buffer the visual scale of these homes. As such, the applicant's requested reduction in the front setback and increase in height within the reduced setback would allow a structure significantly at variance with the existing pattern of street facing visual scale and placement characteristic of structures in the surrounding neighborhood.

Because of this, the cumulative impact of the Adjustment requests results in a proposal that is not consistent with the purpose of the zone and this criterion is not met.

- D.** City-designated scenic resources and historic resources are preserved; and

Findings: City designated resources are shown on the zoning map by the 's' overlay; historic resources are designated by a large dot, and by historic and conservation districts. There are no such resources present on the site. Therefore, this criterion is not applicable.

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

Findings: The Administrative Decision noted that the reduced front setback and height increase allows a reasonably sized home to be built on the site closer to the street which creates less of an impact on the rear of the site, preserves more trees and causes less disturbance in this environmentally sensitive area. The Administrative Decision argued that by placing the proposed home closer to the street the development will not significantly impact the character of the neighborhood given the curvilinear nature of the street. Based on these findings, the Administrative decision found that the requested Adjustments would not create impacts and therefore did not require mitigation to lessen their effect.

One issue raised by the appellant was that the applicant indicated that the reduced front setback proposed would allow the applicant to place a 2-story home closer to the street and allow additional trees in the rear of the site to be protected from development since the site is in an environmentally sensitive area surround by property zoned for environmental conservation ("c" overlay). As indicated above, the Adjustment Committee found that since the site is not located in the "c" overlay, any reference to the "c" zone is irrelevant to this proposal. In addition, the appellant indicated that there was no guarantee that these trees would be protected, and since the site was not located in the "c" environmental conservation overlay zone, there was no protection under the Zoning Code guaranteeing that these trees would not be removed in the future.

Additionally, the Committee finds that the applicant has made no attempt to select a house design that reflects the topography of the site.

As indicated above, the Adjustment Committee finds the requested reduction in the front setback and increase in building height within the reduced setback will significantly impact the appearance of the surrounding neighborhood.

No mitigation was proposed by the applicant to address these issues. Therefore, the Adjustment Committee finds that this is criterion is not met.

- F. If in an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable;

Findings: The site is not within an environmental zone. This criterion is not applicable.

CONCLUSIONS

The Adjustment Committee finds that the proposal to reduce the front setback from 20 feet to 5 feet (Zoning Code Section 33.110.220.B) and to increase the max allowed height within the reduced setback area from 8 feet to 23 (Zoning Code Section 33.110.220.D.4.C), does not equally or better meet the intent of the minimum setback and height regulation and has significant impacts on the livability and/or appearance of the surrounding residential area. The request is not consistent with the purpose of the R20 base zone and the applicant has not proposed mitigation for these impacts. Therefore, the Adjustment Committee found that the requested adjustments cannot be approved as proposed.

DECISION

The appellant prevailed, and the Administrative Decision that approved the requested Adjustment is overturned.

Grant the appeal and reverse the Administrative Decision of approval, thereby **denying** Adjustments to reduce the front setback from 20 feet to 5 feet (Zoning Code Section 33.110.220.B) and increase the height within the reduced setback area from 8 feet to 23 feet (Zoning Code Section 33.110.220.D.4.C),

Staff Planner: Shawn Burgett

First Hearing Date: May 21, 2013

Date of Tentative Decision: May 21, 2013

These findings and conclusions were adopted by the Portland Adjustment Committee on June 18, 2013



By: _____
Adjustment Committee
Roger Alfred - Chair

Date Final Decision Effective/Mailed: June 26, 2013

About this Decision. This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

Procedural Information. The application for this land use review was submitted on June 13, 2012, and was determined to be complete on **September 28, 2012.**

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 June 13, 2012.

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 waived the 120-day review period, as stated with Exhibit A-5. The 365-day review period will expire on **September 28, 2013**.

Appeal of this Decision. This decision is final and becomes effective the day the notice of decision is mailed (noted above). This decision may not be appealed to City Council; however, it may be challenged by filing a "Notice of Intent to Appeal" with the State Land Use Board of Appeals (LUBA) within 21 days of the date the decision is mailed, pursuant to ORS 197.0 and 197.830. A fee is required, and the issue being appealed must have been raised by the close of the record and with sufficient specificity to afford the review body an opportunity to respond to the issue. For further information, contact LUBA at the Public Utility Commission Building, 550 Capitol Street NE, Salem, OR 97310 [Telephone: (503) 373-1265]

EXHIBITS

(NOT ATTACHED UNLESS INDICATED)

- A. Applicant's Statement
 - 1. Narrative dated 5/18/12
 - 2. Memo dated 6/28/12
 - 3. Narrative dated 9/26/12
 - 4. 30 Day Extension to 120 day clock, e-mail dated 11/2/12
 - 5. 120 day waiver dated 12/12/12
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Elevations (attached)
- D. Notification information:
 - 1. Mailing list dated 10/5/12
 - 2. Mailed notice dated 10/5/12
 - 3. Revised Mailing list dated 1/15/13
 - 4. Revised Mailed notice dated 1/15/13
- E. Agency Responses:
 - 1. Bureau of Environmental Services
 - 2. Bureau of Transportation Engineering and Development Review
 - 3. Water Bureau
 - 4. Fire Bureau
 - 5. Site Development Review Section of BDS
 - 6. Bureau of Parks, Forestry Division
 - 7. Life Safety Plans Examiner
- F. Correspondence:
 - 1. Tom Gifford, 360 NW Royal Blvd. Portland, OR 97210. Letter dated 10/20/12
 - 2. Jerry Grossnickle, President, Forest Park Neighborhood Association. 13510 NW Germantown Rd. Portland, OR 97231. Letter dated 10/23/12

3. Eileen A. Wong. 340 NW Royal Blvd. Portland, OR 97210. Letter dated 10/23/12.
4. Jerry Grossnickle, President, Forest Park Neighborhood Association. 13510 NW Germantown Rd. Portland, OR 97231. Letter dated 1/21/13.
5. Eileen A. Wong. 340 NW Royal Blvd. Portland, OR 97210. Letter dated 2/1/13.
6. Tom Gifford, 360 NW Royal Blvd. Portland, OR 97210. Letter dated 2/2/13

G. Other:

1. Original LU Application
2. Site History Research
3. Incomplete Letter dated 6/18/12
4. GIS aerial of site
5. Photo's of adjacent homes and street view of NW Royal Blvd. from Google

H. Appeal Submittal

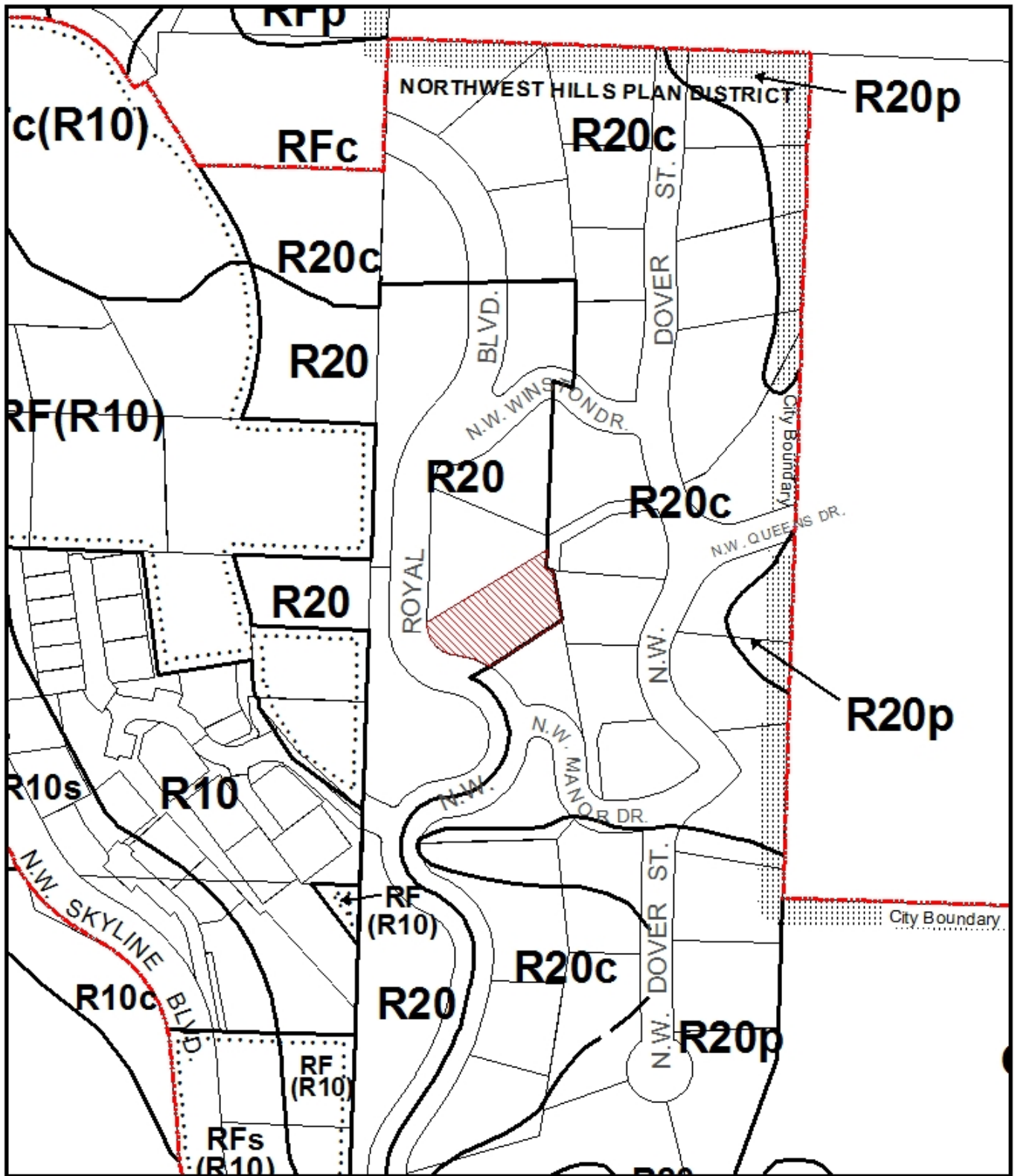
1. Appeal Submittal
2. Appealed Decision
3. Notice of Appeal Hearing
4. Appeal Mailing List

(Received before Hearing)

5. Arnold Rochlin, Forest Park letter & photos, 5-3-13
6. Adjustment Committee Appeal Packet Memo, 5-7-13
7. Adjustment Committee Additional Info Memo, 5-14-13

(Received During Hearing)

8. PowerPoint Presentation to Hearing Body
9. Arnold Rochlin, Forest Park, written testimony, 5-21-13
10. Jerry Grossnickle, Forest Park, written testimony, 5-21-13
11. Eric Rystadt, 2 drawings, 5-21-13



ZONING

 Site



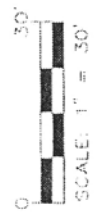
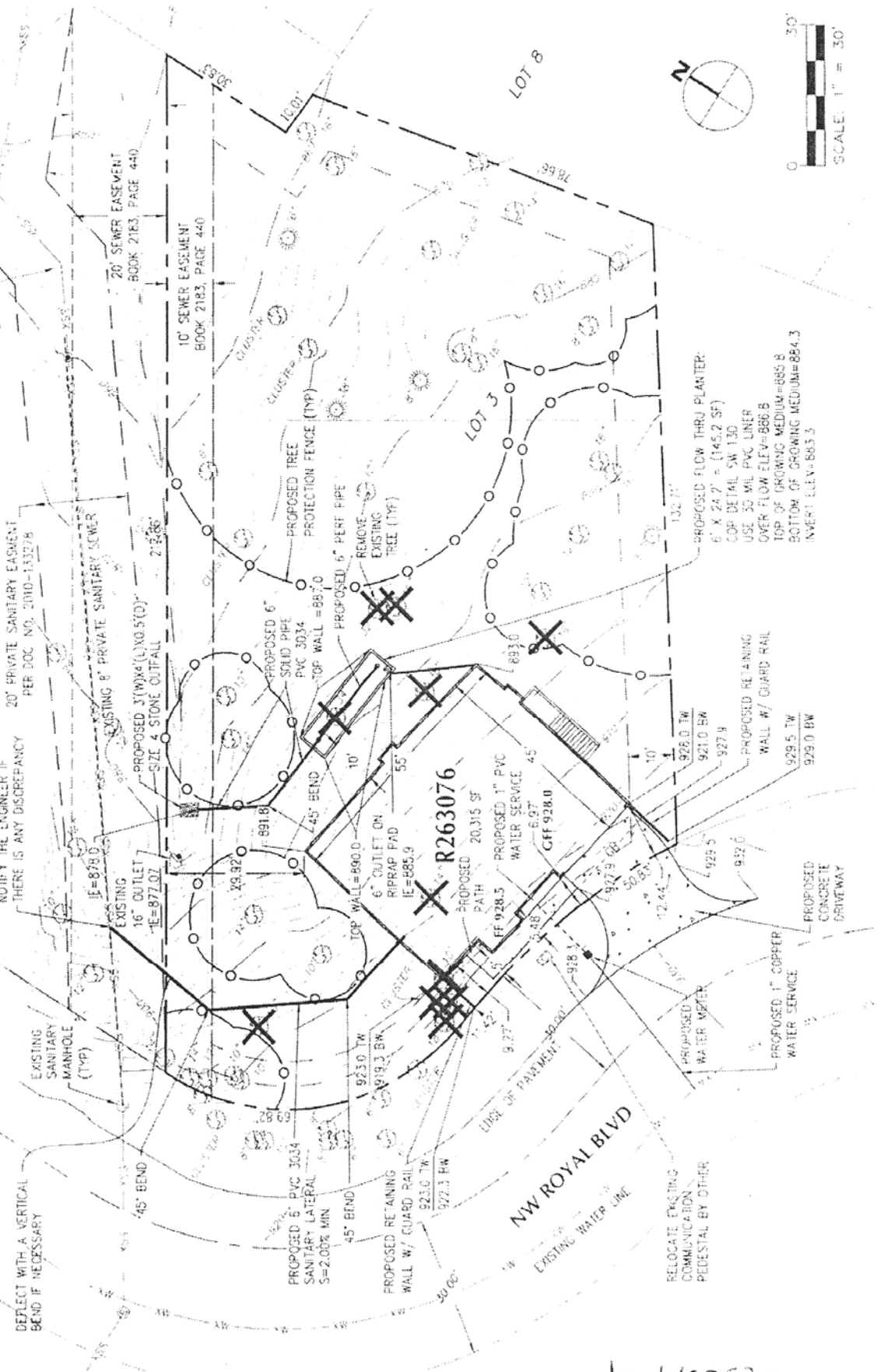
This site lies within the:
NORTHWEST HILLS PLAN DISTRICT

File No.	LU 12-149752 AD
1/4 Section	3023
Scale	1 inch = 200 feet
State_Id	1N1E31CB 2500
Exhibit	B (Jun 19, 2012)

Approved
City of Portland - Bureau of Development Services

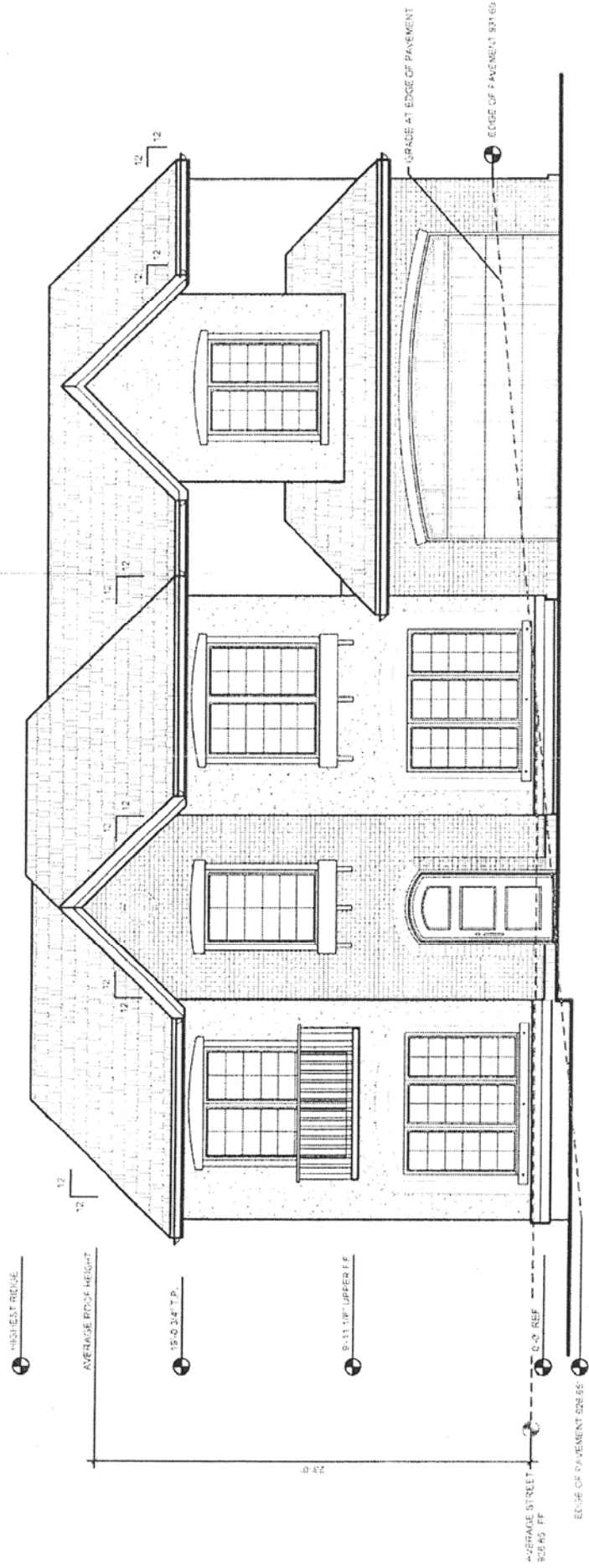
Planner S. Bugate Date 3/21/13

THIS APPROVAL APPLIES ONLY TO THE REVIEWS REQUESTED AND IS SUBJECT TO ANY CHANGES OF APPROVAL. ADDITIONAL ZONING REQUIREMENTS MAY APPLY.
 CONTRACTOR TO VERIFY PERMITS. ADDITIONAL ZONING REQUIREMENTS MAY APPLY.
 NOTIFY THE ENGINEER IF THERE IS ANY DISCREPANCY PER DOC NO. 2010-133276



SITE

CASE NO. 12-149752 AD
 EXHIBIT C-1

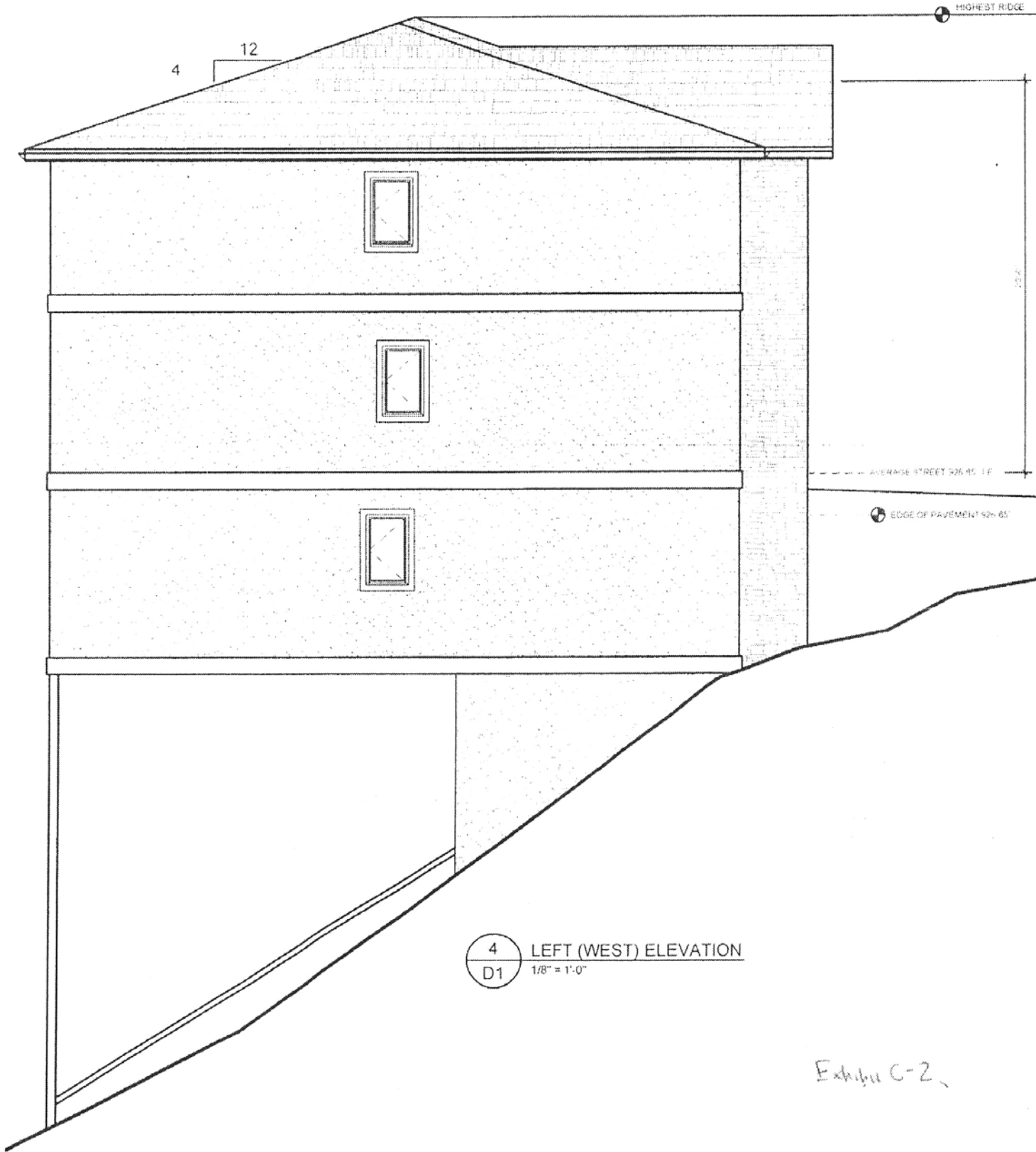


1 FRONT (SOUTH) ELEVATION
 D1 1/8" = 1'-0"

CASE NO. 12-149752 AD
 EXHIBIT C-2

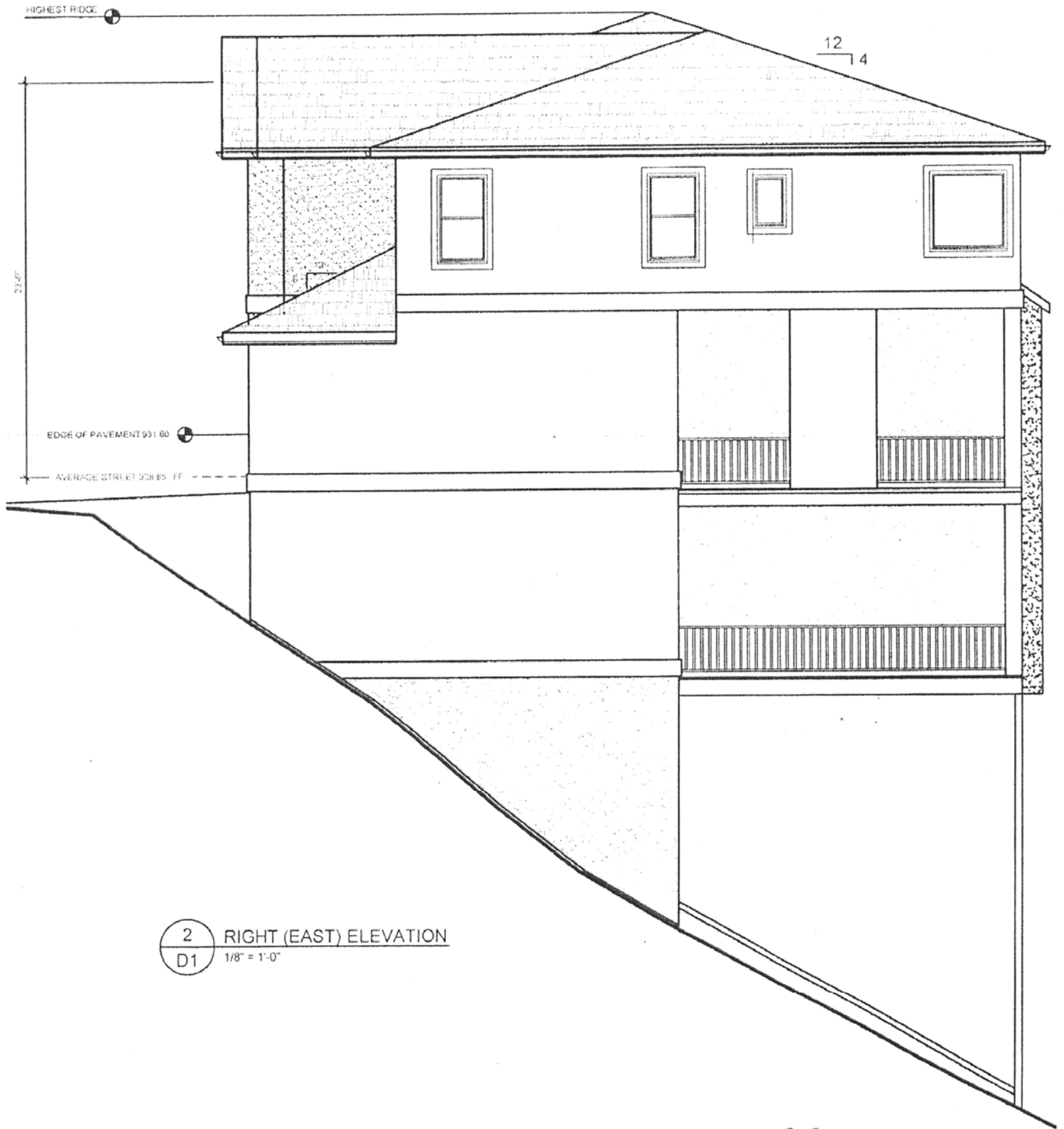
Page 1

Approved
 City of Portland - Bureau of Development Services
 Planner SBurke Date 3/21/13
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



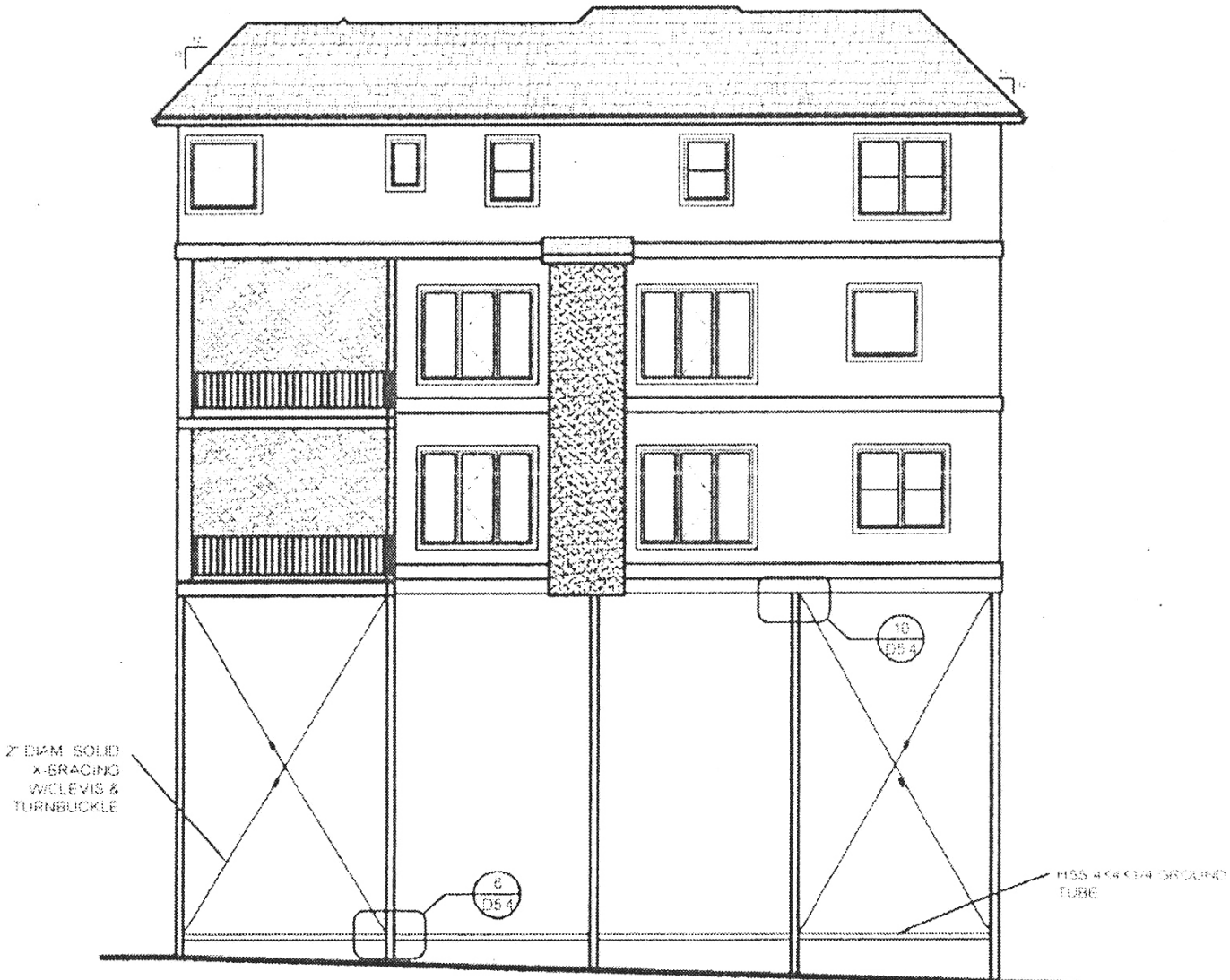
4 LEFT (WEST) ELEVATION
 D1 1/8" = 1'-0"

Exhibit C-2



2 RIGHT (EAST) ELEVATION
D1 1/8" = 1'-0"

Exhibit C-2
 (Page 3)



3 REAR (NORTH) ELEVATION
D1 1/16" = 1'-0"

Exhibit C-2
 (Page 4)