



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

FROM CONCEPT TO CONSTRUCTION

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**Date:** December 23, 2011  
**To:** Interested Person  
**From:** Douglas Hardy, Land Use Services  
503-823-7816 / [Douglas.Hardy@portlandoregon.gov](mailto:Douglas.Hardy@portlandoregon.gov)

## **NOTICE OF A TYPE II DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD**

The Bureau of Development Services has **approved with conditions** a proposal in your neighborhood. The reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

### **CASE FILE NUMBER: LU 11-192548 AD**

#### **GENERAL INFORMATION**

**Applicant:** Rodney E. Cooper, property-owner  
2006 NE 38th Avenue  
Portland, OR 97212-5222

**Site Address:** 950 E / NE South Shore Road

**Legal Description:** Lot 53, TL 3300, South Shore Ac  
**Tax Account No.:** R779403620  
**State ID No.:** 1N1E02CA 03300  
**Quarter Section:** 2031  
**Neighborhood:** East Columbia Neighborhood Association, contact Maryhelen Kincaid at 503-286-3354

**Business District:** Columbia Corridor Association, contact Peter Livingston at 503-796-2892

**District Coalition:** North Portland Neighborhood Services, contact Mary Jaron Kelley at 503-823-4099

**Zoning:** R10hx – Single-Dwelling Residential 10,000, with an Aircraft Landing overlay zone and a Portland International Airport Noise Impact overlay zone

**Case Type:** Adjustment (AD)  
**Procedure:** Type II, Administrative decision with appeal to Adjustment Committee

#### **PROPOSAL**

The applicant proposes placing a pre-fabricated modular dwelling on the subject site. The one-story dwelling will have width and depth dimensions of 14 feet by 36 feet for a total floor area of 504 square feet. The dwelling will be placed towards the front of the site and set back 45 feet from the front lot line. An existing one-story shed with a floor area of 1,632 square feet will remain on the rear of the lot. The shed is located approximately 167 feet back from the front lot line.

Zoning standards state that the building coverage (or footprint) for accessory structures cannot exceed the building coverage of the primary structure on the site (Zoning Code Section

33.110.250.D.2). The applicant requests an Adjustment to allow the building coverage of the existing accessory structure (the shed) to exceed the building coverage of the proposed primary structure (the dwelling unit) by 1,128 square feet.

*[Note that the Notice of Proposal identified the need for an additional Adjustment to the manufactured home standards included in Zoning Code Section 33.251.020.D. Subsequent to sending out the notice, it was determined the proposed dwelling unit is not a “manufactured home” as that term is defined in Zoning Code Section 33.910.030. Because the proposed dwelling unit is not built in conformance with federal manufacturing housing construction and safety standards (HUD Code), the dwelling unit is not defined as a “manufactured home.” Therefore, an Adjustment to the standards in Section 33.251.020.D is not needed.]*

#### **RELEVANT APPROVAL CRITERIA**

In order to be approved, this proposal must comply with the Adjustment Review approval criteria of Chapter 33.805.040.A-F of the Portland Zoning Code.

### **ANALYSIS**

**Site and Vicinity:** The subject site is a 19,079 square foot lot, with a front lot line width of approximately 83 feet and a depth of approximately 261 feet. Existing development on the site is limited to a one-story, 1,632 square foot accessory storage building located towards the rear of the property, which received a building permit in 1986 (BLD 86-116440). The property slopes gently down from the street, with large mature evergreen trees located along the length of the east side lot and mature deciduous trees at the rear of the property. Several smaller deciduous trees are located along the west side lot line, as well as several tall evergreen bamboo groves. The abutting street is improved only with an asphalt roadway (no curbs or sidewalks), with the front lot line of the subject site being approximately 16 to 20 feet back from the edge of the asphalt.

The surrounding area along NE South Shore Road is developed predominantly with single-dwelling homes on oversized lots, many with accessory structures located at the rear of the lot. The larger neighborhood contains a variety of housing types, including manufactured homes in a manufactured dwelling park 1,000 feet north of the subject site, a floating home community on the Columbia River 1,600 feet north of the site, and attached townhomes 1,800 feet northwest of the site. An industrial area is located approximately a quarter mile to the west, with the Columbia Edgewater Country Club located just east of the site along NE 13<sup>th</sup> Avenue.

**Zoning:** The site is located in an R10 (Single-Dwelling Residential 10,000) zone, and mapped with the Aircraft Landing (h) and Portland International Airport Noise Impact (x) overlay zones.

The use regulations of the R10 zone are intended to create, maintain and promote single-dwelling neighborhoods. They allow for some non-household living uses but not to such an extent as to sacrifice the overall image and character of the single-dwelling neighborhood. The development standards work together to promote desirable residential areas by addressing aesthetically pleasing environments, safety, privacy, energy conservation, and recreational opportunities. The site development standards allow for flexibility of development while maintaining compatibility within the City's various neighborhoods.

The Aircraft Landing overlay zone provides safer operating conditions for aircraft in the vicinity of Portland International Airport by limiting the maximum height of structures, vegetation and construction equipment. In residential zones, structures are regulated by the base zone maximum height limits (in this case 30 feet) rather than the height limits of the Aircraft Landing overlay zone.

The Portland International Airport Noise Impact overlay zone reduces the impact of aircraft noise on development within the noise impact area surrounding the Portland International Airport. The zone achieves this by limiting residential densities and by requiring noise

insulation, noise disclosure statements, and noise easements. The southerly three-quarters of the subject site is located within the 55 DNL noise contour, with the northern one-quarter of the site located in the 65 DNL noise contour. The proposed dwelling is located on the portion of the site within the 65 DNL contour, which requires the dwelling unit to be constructed with sound insulation or other means to achieve a day/night average interior noise level of 45 dBA. The property-owner is also required to sign and record a noise disclosure statement, and must dedicate a noise easement to the Port of Portland. The applicant has been advised of these requirements and provided a weblink to the necessary forms and requirements.

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

**Agency Review:** A Notice of Proposal was mailed November 23, 2011. The following City bureaus have responded with no issues or concerns:

- Fire Bureau;
- Bureau of Development Services (BDS) - Site Development Section;
- BDS Life Safety Plans Examiner; and
- Portland Parks & Recreation - Forestry Division.

The Portland Bureau of Transportation Engineering and Development has no concerns with the requested Adjustment, but noted that the site's right-of-way frontage is currently not built to City standards. A roadway widening will be required, as well as a sidewalk, curbing and stormwater management facility. To accommodate required right-of-way improvements, a two foot dedication of property will be required. A Public Works Permit will be required for the right-of-way street improvements, and the improvements will be required to be constructed as a condition of Building Permit issuance. The applicant may request a Public Works Administrative Appeal to oppose, or to modify, the required right-of-way improvements.

The Bureau of Environmental Services has no concerns with the requested Adjustment, but noted that at time of building permit application review, the applicant will need to demonstrate how the stormwater management requirements will be met both on site and in the public right-of-way (if street improvements are required).

The Portland Water Bureau has no issues with the requested land use review, and included comments that will apply at time of building permit application.

Both the Multnomah County Drainage District No. 1 and the Peninsula Drainage District No. 2 reviewed the proposal and provided written comments indicating no concerns with the requested land use review

**Neighborhood Review:** Two written responses were received from the public, both in opposition to the proposal. The first letter from the East Columbia Neighborhood Association opposes the proposal based on the following issues:

- There are reports of the applicant living in the existing accessory structure on the site.  
*[BDS Comment: This issue is not pertinent to the Adjustment request or to the approval criteria that must be applied to the Adjustment request. If this activity is occurring, it is a compliance issue that can be reported to BDS Compliance Services.]*
- The proposed dwelling unit is a low quality, pre-fabricated structure that is inconsistent with the surrounding residential area.
- While the proposed structure is not an Accessory Dwelling Unit (ADU), similar sized structures that are ADUs on other sites are required to meet higher design standards.  
*[BDS Comment: The applicant is not proposing an ADU on the property. The proposed dwelling unit will be the sole dwelling on the site, and as such, application of the ADU standards would not be appropriate to this situation. The development standards of the base*

zone, such as building height, coverage and setbacks, main entrances, and street facing facades, are intended to promote desirable residential areas. The proposed dwelling will be in conformance with all the requirements that address the appearance and size of the dwelling unit itself.]

- The driveway and parking area will be highly visible, and oversized.

*[BDS Comment: The Zoning Code limits the amount of vehicle area to no more than 40% of the area between the front lot line and the front building line. Given the proposed location of the dwelling, approximately 1,512 square feet of the front yard area could be in paved vehicle area. The applicant has proposed a paved parking area in the front yard setback of approximately 960 square feet. As such, the proposed parking area is in conformance with parking regulations.]*

- The proposal (including the dwelling unit and paved parking area) will increase the amount of impervious surface on the site and stormwater runoff.

*[BDS Comment: One component that adds to impervious surface on a site is building coverage. On a site of this size, 4,361 square feet of the site could be covered by buildings. The amount of building coverage (both existing and proposed development) on the site is only 2,136 square feet. The amount of building coverage is substantially less than what would be allowed by right on the site, and as indicated above, the amount of paved parking area allowed within the front setback is substantially less than what would be allowed. BES has noted in their written comments that the stormwater runoff from the driveway can be managed in the surrounding vegetated area. The applicant will be required to meet stormwater management requirements at time of building permit review for all development on the site.]*

- Fear that the dwelling unit will be placed on the site and not be connected to utilities.

*[BDS Comment: As a dwelling unit, the applicant will be required through the building permit process to have the required utility hook-ups. Additionally, the applicant's site plan identifies connection for water and sewer.]*

The second letter, from an area resident, also opposes the proposal based on the following issues:

- The proposal does not fit the character of the surrounding residential neighborhood, and sets a precedent.
- The applicant is already living on the property, without sanitation facilities.

*[BDS Comment: See comment above about this being a compliance issue, and not pertinent to the land use review.]*

- Fear that proposed dwelling unit will be installed without sanitation facilities.

*[BDS Comment: See comment above about code requirements for on-site utilities.]*

The issues for which a BDS comment was not provided above will be addressed in the findings found later in this decision.

## **ZONING CODE APPROVAL CRITERIA**

**33.805.010 Purpose of 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 to provide certainty and rapid processing for land use applications.

### **33.805.040 Adjustment Approval Criteria**

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

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

**Findings:** The applicant is requesting an Adjustment from the development standard that states the building coverage of detached accessory structures cannot exceed the building coverage of the primary structure on the site (Zoning Code Section 33.110.250.D.2). The purpose for the accessory structure standards, as stated in Zoning Code Section 33.110.250.A, is as follows:

*This section regulates structures that are incidental to primary buildings to prevent them from becoming the predominant element of the site. The standards provide for necessary access around structures, help maintain privacy to abutting lots, and maintain open front setbacks.*

The requested Adjustment equally or better meets the intent of this purpose statement based on the following findings:

- The existing, one-story accessory structure (shed) measures 48 feet in width and 34 feet in depth for a total building footprint of 1,632 square feet. The proposed one-story primary building (dwelling) on the site will measure 14 feet in width and 36 feet in depth for a total building footprint of 504 square feet. While the building coverage of the existing shed will be more than three times larger than that of the proposed dwelling, the shed will be placed towards the rear of the site, with the dwelling located closer to the front of the lot. Having the shed approximately 167 feet back from the street lot line, with the dwelling only 45 feet from the street lot line, substantially diminishes the visual scale of the shed and increases the prominence of the dwelling.
- Because the property slopes down from the street, the proposed dwelling will be at a higher grade than the existing shed. This further increases the prominence of the dwelling on the site.
- While the footprint of the proposed dwelling will be substantially smaller than the existing shed, the dwelling unit will have the traditional architectural elements of a residence, which is the required primary use on the site. As illustrated in Exhibits A3 and C2, the dwelling unit will have an entrance door that faces the street, windows on all facades, exterior clapboard siding, and a pitched roof. To ensure this residential appearance, a condition of approval will require the following elements:
  1. a pitched roof having a predominant pitch of at least 3/12;
  2. the exterior siding must consist of one, or a combination of, the following materials: clapboard; board and batten; shingle; and/or brick or stone;
  3. the foundation must be enclosed at the perimeter;
  4. eaves, at least 10 inches in depth, must be provided; and
  4. any hauling mechanism used to transport the home to the site, such as hitches wheels and axles must be removed.

(Note that as the R10 base zone already includes requirements regarding the placement of the main entrance, and minimum requirements for the amount of window area on street-facing facades, these do not need to be included as conditions of approval. Conformance with these standards must be demonstrated at time of building permit review.)

- Given the smaller scale of the proposed dwelling, in combination with its location to one side of the lot, open views to the larger shed will still exist. To further diminish the contrast in scale between the two structures, a condition of approval will require the planting of at least two evergreen trees which will attain a minimum mature height and spread of 12 to 15 feet in the location just north of the existing gravel area near the shed (see Exhibit C.1). These trees will substantially screen the majority of the shed as viewed from the street.
- The proposal is also consistent with (or has no impact on) the other stated purposes of the regulation being adjusted, such as providing necessary access around structures, helping maintain privacy to abutting lots, and maintaining open front setbacks. Limiting the size of the dwelling allows for deeper setbacks and greater access between structures on the site, and maintains a substantially larger open area near the street than would be the case if a home was proposed that had a building coverage that was greater than that of the existing shed. The Adjustment request has no adverse impact on privacy for residents on abutting lots or lots across the street. Instead, the limited size of the dwelling allows deeper building front, side and rear setbacks than those required by the base zone, thereby increasing privacy for neighboring residents.

As proposed and with the conditions of approval, the proposal will be consistent with the stated purpose of the regulation being adjusted, and this criterion is 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:** The requested Adjustment will not significantly detract from the livability or appearance of the residential area. The surrounding residential area is characterized by homes having a variety of architectural styles and housing types, with a wide range of building coverage. While the predominant character of the residential area consists of single-dwelling detached homes, there are also duplexes, attached townhouses and a manufactured dwelling park, with small building footprints. There are a few single-dwelling detached homes in the area that have footprints of approximately 1,000 square feet or slightly less. The proposed development is consistent with the eclectic character of this residential neighborhood. Additionally, limiting the size of the dwelling unit maintains a considerable amount of open space on the site, thereby preserving the somewhat rural feel of the area.

No other site in the area appears to have an accessory building that has a larger footprint than the primary dwelling, as will be the case on the applicant's site. However, the conditions of approval cited above in Approval Criterion A will mitigate for the scale of the shed, and allow the proposed development to fit with the character of the surrounding residential area.

Comments included in the two letters received in opposition to the proposal expressed concerns about the proposed dwelling being out of character with the surrounding residential area. The requested Adjustment is limited to evaluating the difference in scale between the proposed dwelling unit and the existing shed, and specifically allowing the accessory structure (the shed) to have a larger footprint than the primary structure (the dwelling). Approval Criterion B focuses on whether this difference in scale adversely impacts the character or livability of the surrounding residential area. There is nothing in the record that would indicate this difference in scale adversely impacts the character or livability of the area.

The opponents focus on the appearance of the dwelling unit itself, and find that the appearance of the dwelling unit will adversely impact the character of the surrounding area. While the dwelling unit may be small, there is no zoning standard that regulates the

minimum size of a dwelling unit on the site. Additionally, other than the basic development standards that address maximum building coverage, maximum building height, minimum building setbacks, location of the main entrance, and amount of window area on the street-facing façade, there are no other standards that would regulate the appearance of the dwelling unit. The proposed dwelling unit will meet all the mentioned basic development standards of the zone. As such, if the shed was not on the site, a dwelling unit of the exact size, in the same location and of the same appearance as what is being proposed would be allowed by-right, with no need for a land use review. However, to ensure that the proposed dwelling unit (which is required to be the primary use and structure on the site) will be residential in appearance, a condition of approval will require that the structure meet several additional design standards. These design standards are identified in Approval Criterion A, above.

As proposed and with the conditions of approval, the Adjustment request will not significantly detract from the appearance or livability of the residential area, and this criterion is 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:** As only one Adjustment is requested, this criterion is not applicable.

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

**Findings:** City-designated scenic resources are identified on the Official Zoning Maps with a lower case “s,” and historic resources are identified either with a dot or as being within the boundaries of a Historic or Conservation district. Because there is neither a scenic nor historic resource designation on the site, this criterion is not applicable.

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

**Findings:** As indicated in the findings above, mitigation will be provided in the form of new evergreen trees that will be required to help screen the existing shed when viewed from the street. This landscaping is intended to reduce the visual scale of the accessory structure while increasing the prominence of the proposed dwelling.

To better ensure that the proposed dwelling, which is required to be the primary structure on the site, has a residential appearance, mitigation will be required in the form of design standards. The design standards, in combination with the required development standards of the R5 base zone, will ensure that the primary use and structure (the proposed dwelling unit) is residential in appearance.

Both the tree planting and the design standards will be required conditions of approval. With these conditions, this criterion is 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:** As the site is not located in an environmental zone, this criterion does not apply.

## DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment via a land use review prior to the approval of a building or zoning permit.

## CONCLUSIONS

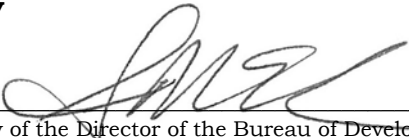
The applicant has demonstrated that, with conditions of approval, the relevant approval criteria for the requested Adjustment have been met. The proposal equally or better meets the intent of the regulation being adjusted, and the proposed development will not detract from the livability or appearance of the surrounding residential area. Conditions of approval are imposed that require the planting of trees to help mitigate for the difference in scale between the primary and accessory structures on the site, and the implementation of design standards that will apply to the proposed dwelling unit.

## ADMINISTRATIVE DECISION

**Approval** of an Adjustment to allow the building coverage of an existing accessory shed on the site to exceed the building coverage of the proposed 504 square foot primary dwelling-unit (33.110.250.D.2) by 1,128 square feet, per the approved site plan, Exhibit C.1, signed and dated December 22, 2011, and subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B and 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 11-192548 AD." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. At least two evergreen trees which will attain a minimum mature height and spread of 12 to 15 feet, shall be planted in the location just north of the existing gravel area near the shed (see Exhibit C.1).
- C. The dwelling unit must conform to the following requirements:
  - 1. a pitched roof having a predominant pitch of at least 3/12;
  - 2. the exterior siding must consist of one, or a combination of, the following materials: clapboard; board and batten; shingle; and/or brick or stone;
  - 3. the foundation must be enclosed at the perimeter;
  - 4. eaves, at least 10 inches in depth, must be provided; and
  - 4. any hauling mechanism used to transport the home to the site, such as hitches wheels and axles must be removed.

**Staff Planner: Douglas Hardy**

**Decision rendered by:**  **on December 22, 2011.**

By authority of the Director of the Bureau of Development Services

**Decision mailed: December 23, 2011**

**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 November 9, 2011, and was determined to be complete on **November 23, 2011.**

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 November 9, 2011.

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. In this case, the applicant did not extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on March 22, 2012.**

**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.

**Appealing this decision.** This decision may be appealed to the Adjustment Committee, which will hold a public hearing. Appeals must be filed **by 4:30 pm on January 6, 2012**, at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3:00 pm. After 3:00 pm. and Mondays, appeals must be submitted to the receptionist at the front desk on the fifth floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization's boundaries. The vote to appeal must be in accordance with the organization's bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional 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).

**Attending the hearing.** If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Adjustment Committee is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that

issue. Also, if you do not raise an issue with enough specificity to give the Adjustment Committee an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

**Recording the final decision.**

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed*, the final decision may be recorded on or after **January 9, 2012 – (the first business day following the last day to appeal)**.
- A building or zoning permit will be issued only after the final decision is recorded.

The applicant, builder, or a representative may record the final decision as follows:

- By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034  
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 of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

**EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
  - 1. Written Narrative
  - 2. Technical Drawings for Dwelling Unit
  - 3. Photos of Dwelling Exterior (attached)
  - 4. Modular Home Fact Sheet
- B. Zoning Map (attached)
- C. Plans/Drawings:

1. Site Plan (attached)
  2. Building Elevations (attached)
  3. Floor plan (attached)
  4. Illustrative Drawing
- D. Notification information:
1. Mailing list
  2. Mailed notice
- E. Agency Responses:
1. Bureau of Environmental Services
  2. Bureau of Transportation Engineering and Development Review
  3. Water Bureau
  4. Fire Bureau
  5. Bureau of Development Services Site Development Review Section
  6. Bureau of Development Services Life Safety Plans Examiner
  7. Bureau of Parks, Forestry Division
  8. Multnomah County Drainage District No. 1
  9. Peninsula Drainage District No. 2
- F. Correspondence:
1. Letter dated 12/14/11 from Maryhelen Kincaid with East Columbia Neighborhood Association, in opposition
  2. E-mail from Karen Myers, received 12/14/11, in opposition
- G. Other:
1. Original LU Application

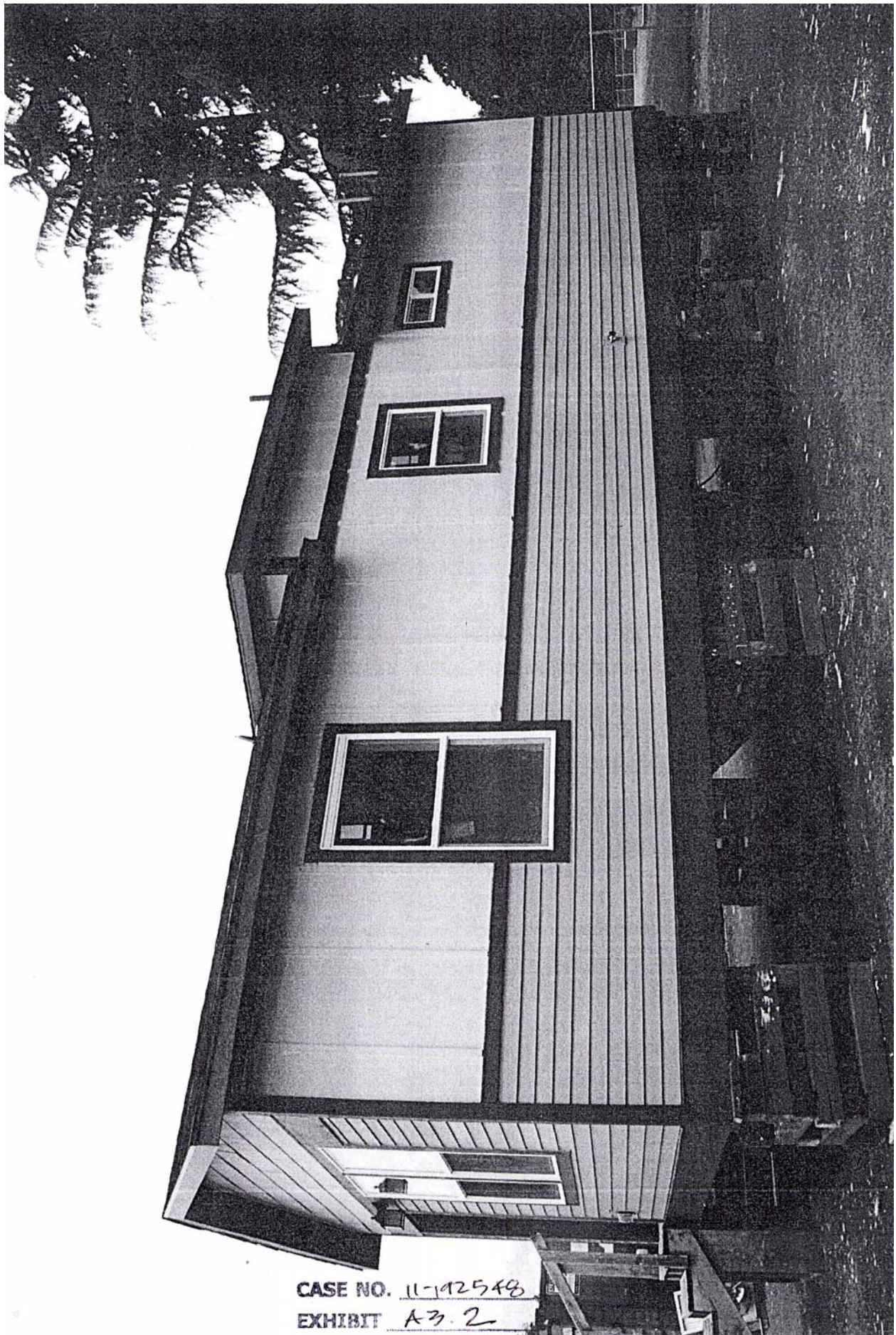
**The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).**



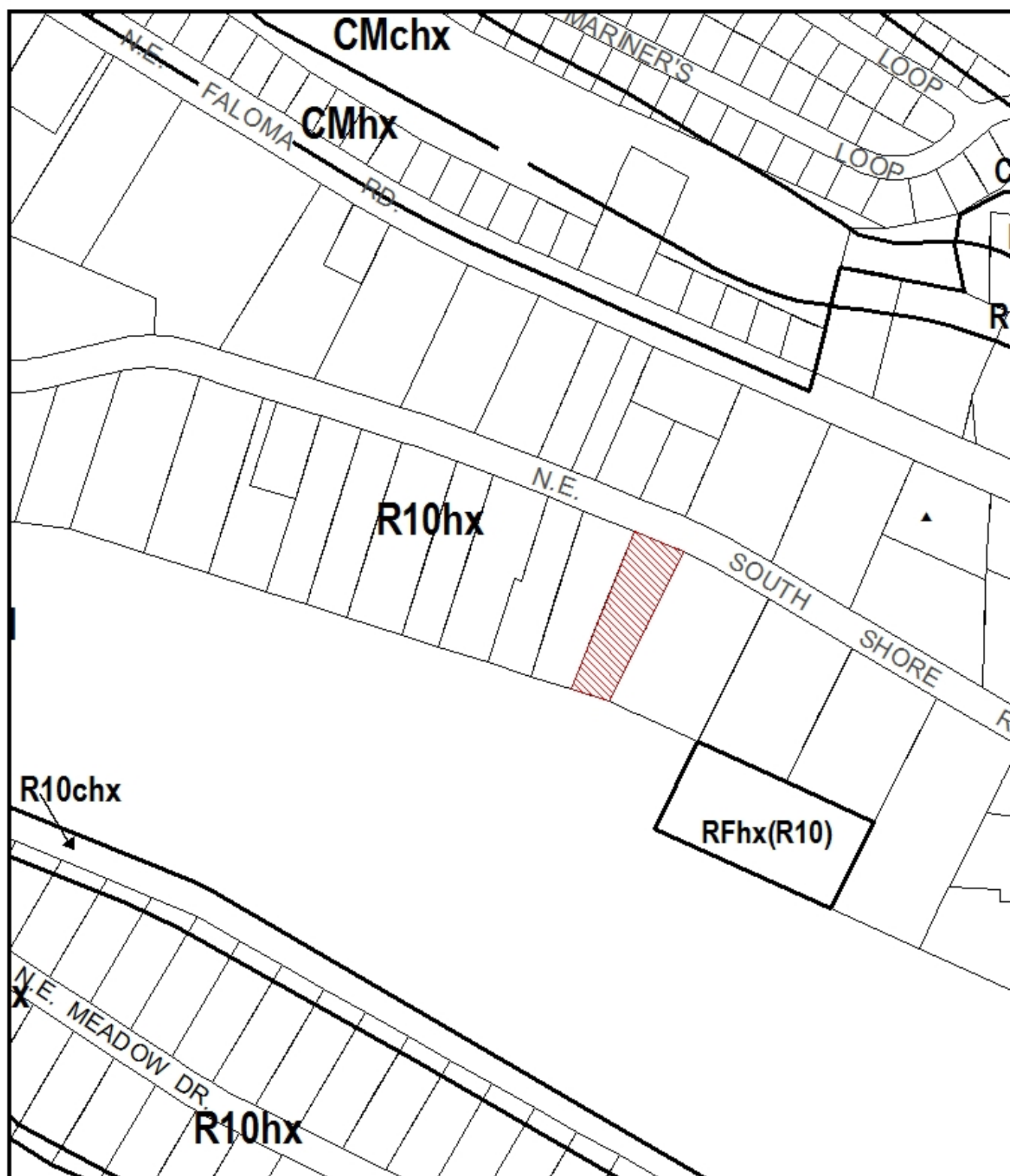


CASE NO. 11-192548  
EXHIBIT A3.1





CASE NO. 11-192548  
EXHIBIT A3.2



# ZONING



File No.	LU 11-192548 AD
1/4 Section	2031
Scale	1 inch = 200 feet
State_Id	1N1E02CA 3300
Exhibit	B (Nov 15, 2011)





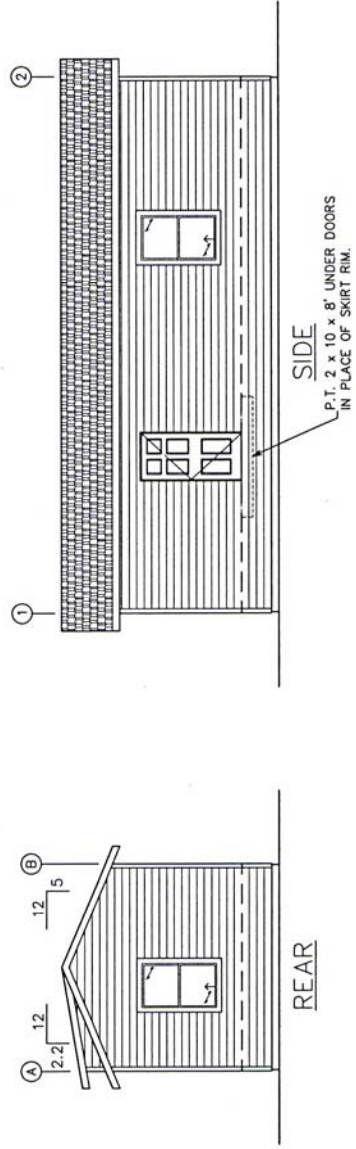
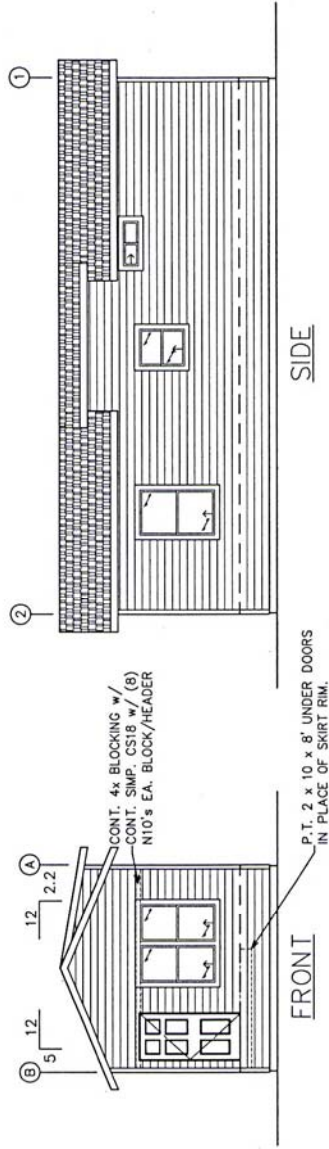


14' x 36' HOUSE  
EVERGREEN XXXXI  
EVERGREEN, WASHINGTON  
EXTERIOR ELEVATIONS

REV. # BY: DATE: PER: SHEETS:

LH 7/12/2010 -

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EXTERIOR ELEVATIONS

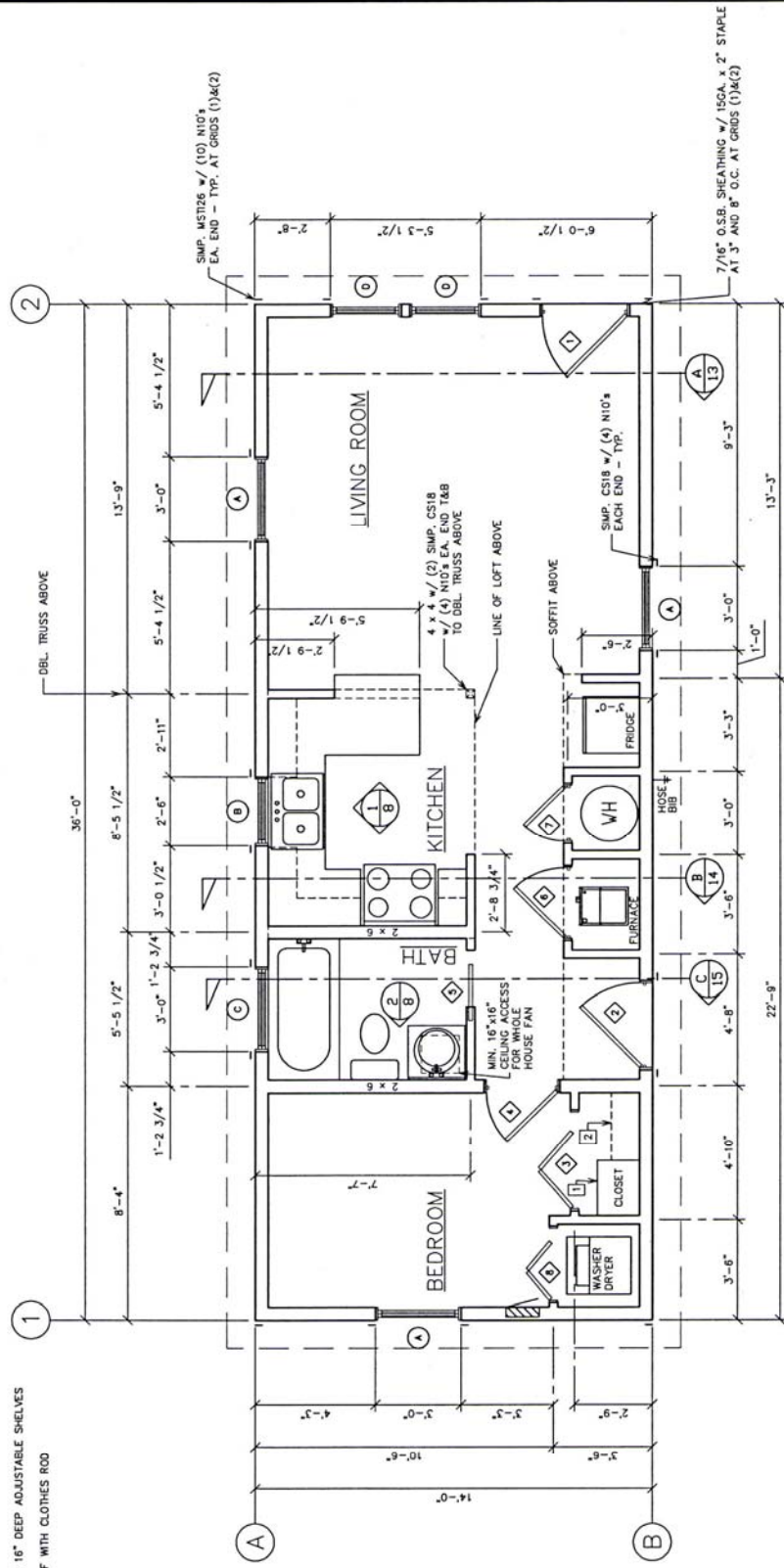
SCALE: 1/8" = 1'-0"

CASE NO. 11-112548  
EXHIBIT C2





- 1 (4) 24" WIDE x 16" DEEP ADJUSTABLE SHELVES



## FLOOR PLAN

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