



## NOTICE OF PUBLIC HEARING

HEARING DATE: Wednesday, April 26, 2017

TO: All Interested Parties

FROM: Jason T., Assistant Planner

PROPOSAL: **FS2017-0002 (Winters Rear Flexible Setback).**

LOCATION: The property is located at 7215 SW Hall Boulevard. Tax lot 5302 of Washington County's Tax Assessors tax map 1S122CB .The total site is approximately .20 acres.

SUMMARY: Flexible Setback for Individual Lot without Endorsement approval, proposing to reduce the required rear yard setback from 25-feet that is standard in the R7 zone, to a 5-foot rear setback, in order to build a two story addition to the rear of the applicant's house.

APPLICANT-PROPERTY OWNER: Faith Winters  
7215 SW Hall Boulevard  
Beaverton, OR 97008

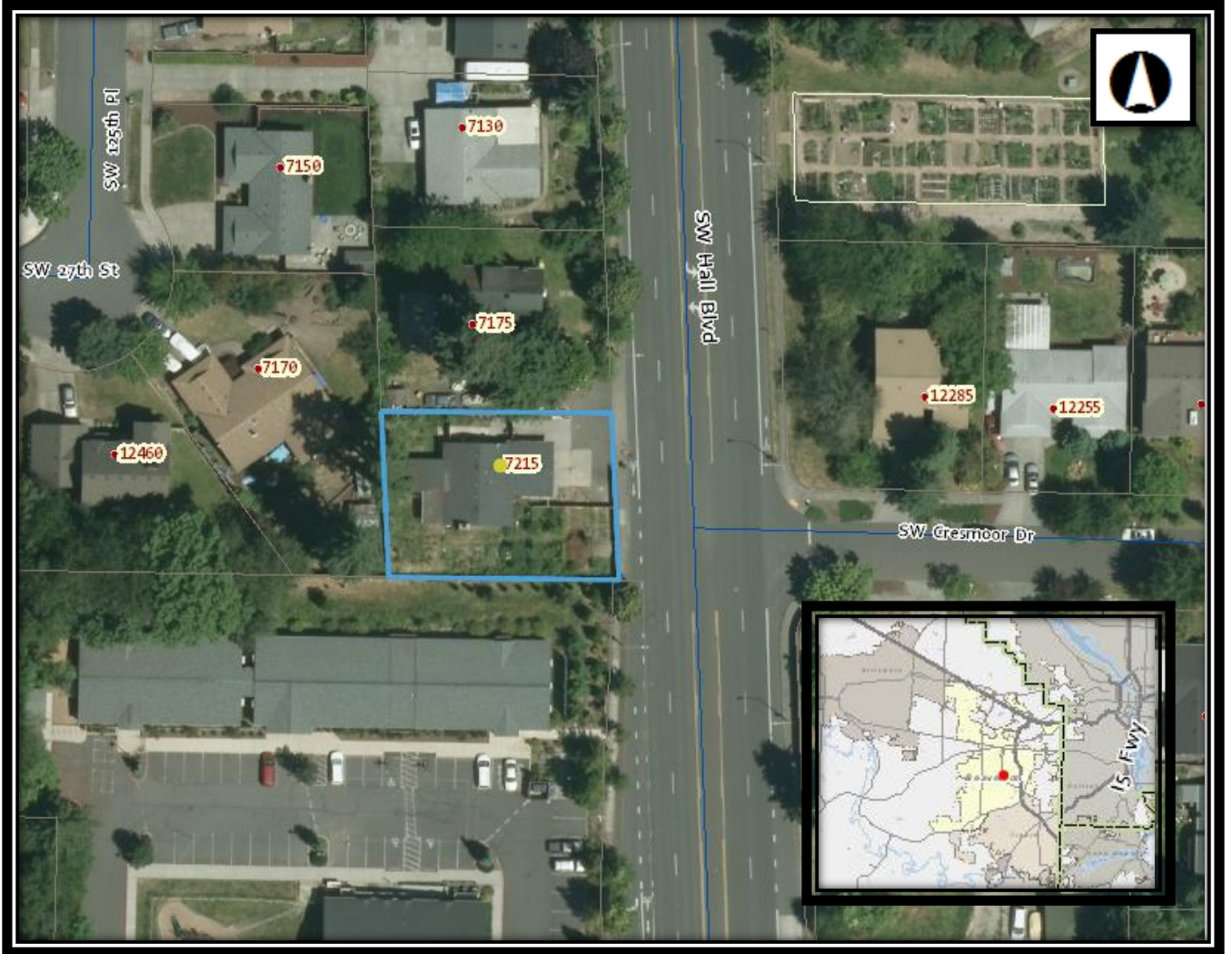
APPLICABLE CRITERIA: Flexible Setback for Individual Lot without Endorsement: Section 40.30.15.2.C

RECOMMENDATIONS: **FS2017-0002 (Winters Rear Flexible Setback)** subject to Conditions of Approval identified at the end of this report.

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VICINITY MAP

Exhibit 1



## BACKGROUND FACTS

### Key Application Dates

<u>Application</u>	<u>Submittal Date</u>	<u>Deemed Complete</u>	<u>120-Day*</u>	<u>240-Day*</u>
FS2017-0002	February 14, 2017	March 8, 2017	July 6, 2017	November 3, 2017

\* Pursuant to Section 50.25.8 of the Beaverton Development Code, the City will reach a final decision on an application within 120 calendar days from the date that the application was determined to be complete or deemed complete unless the applicant agrees to extend the 120 calendar day time line pursuant to subsection 9 or unless State law provides otherwise.

\* Pursuant to Section 50.25.9 of the Beaverton Development Code, the total of all extensions may not to exceed 240 calendar days from the date the application was deemed complete. This is the latest date by which a final written decision on the proposal can be made.

### Existing Conditions Table

<b>Zoning</b>	R7 (Urban Standard Density)	
<b>Current Development</b>	This property is currently developed with a single family home.	
<b>Site Size</b>	Approximately .20 Acres	
<b>NAC</b>	Highland	
<b>Surrounding Uses</b>	<u>Zoning:</u> North: R7 South: R7 East: R7 West: R7	<u>Uses:</u> North: Single Family South: Single Family East: Single Family West: Single Family

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<b>Exhibit 1. Vicinity/Zoning Map</b>	
<b>Exhibit 2. Public Comment</b>  Submittal dated April 5, 2017 from Garold and Kathryn Nickerson-Pugh, residing at 7170 SW 125 <sup>th</sup> Place Beaverton, OR 97008.	

**Analysis & Findings for  
Flexible Setback for Individual Lot Without Endorsement  
FS2017-0002 – Winters Rear Flexible Setback**

**Section 40.30.15.2.C Approval Criteria.**

*In order to approve a Flexible Setback for Individual Lot Without Endorsement application, the decision making authority shall make findings based on evidence provided by the applicant demonstrating that all the following criteria are satisfied.*

- 1. The proposal satisfies the threshold requirements for a Flexible Setback on Individual Lot Without Endorsement application.***

**Facts and Findings:**

An application for Flexible Setback for Individual Lot Without Endorsement shall be required when the following threshold applies:

*“Development on individual residentially zoned lots of record proposes to use flexible setbacks and cannot demonstrate the affected abutting property owners of record endorsement of the request.”*

The applicant proposes to reduce the rear yard setback from 25-feet (the standard setback in the R7 zone) to 5-feet, however, has not been able to obtain one of the required abutting property owner's signatures.

**Therefore, staff finds the proposal meets the criterion for approval.**

- 2. The application complies with all applicable submittal requirements as specified in Section 50.25.1 and includes all applicable fees.***

**Facts and Findings:**

The applicant submitted the required fee for a Flexible Setback for Individual Lot Without Endorsement application.

**Therefore, staff finds the proposal meets the criterion for approval.**

- 3. The proposal does not violate any recorded Solar Access Permit requirements.***

**Facts and Findings:**

No building permits have been applied for with this proposed flexible setback application. There are no known Solar Access Permits on any of the abutting neighboring properties.

**Therefore, staff finds the proposal meets the criterion for approval.**

**4. *The proposal meets the minimum standards specified in Section 20.05.15.G. of the Development Code.***

**Facts and Findings:**

Staff cites the findings in the Code Conformance Analysis chart herein, which evaluates the project as it relates the applicable Code requirements of Chapter 20 for the Urban Standard Density (R7) zone.

**Therefore, staff finds the proposal meets the criterion for approval.**

**5. *If an addition to an existing structure, the proposal is compatible in design, scale and building materials with the existing structure. If a new structure, the proposal is compatible with neighboring development with respect to scale, bulk, lot coverage, density, rooflines, and building materials.***

**Facts and Findings:**

The applicant states that the addition, when applied for, will be compatible with the existing structure. The applicant proposes to use similar construction materials, same color paint and similar roof line of the existing structure. Proposed building footprints also appear to be comparable with the scales and height of other homes in the surrounding area.

**Therefore, staff finds the proposal meets the criterion for approval.**

**6. *All critical facilities and services related to the development have or can be improved to have adequate capacity to serve the proposal at the time of its completion.***

**Facts and Findings:**

All critical facilities currently serve the subject site. The proposal for flexible setback and a subsequent addition to a single family home does not increase the density nor impact the maximum capacity available to the subject site.

**Therefore, staff finds the proposal meets the criterion for approval.**

**7. *The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) unless applicable provisions are modified by means of one or more applications that already have been approved or are considered concurrently with the subject proposal.***

**Facts and Findings:**

The applicant states that the proposal is consistent with all provisions of Chapter 20. Staff cites the findings in the Code Conformance Analysis chart herein, which evaluates the project as it relates the applicable Code requirements of Chapter 20 for the Urban Standard Density (R7) zone.

**Therefore, staff finds the proposal meets the criterion for approval.**

**8. *The proposal is consistent with all applicable provisions of Chapter 60 (Special Requirements) and that all improvements, dedications, or both required by the applicable provisions of Chapter 60 (Special Requirements) are provided or can be provided in rough proportion to the identified impact(s) of the proposal.***

**Facts and Findings:**

The Design Review Standards and Guidelines do not apply to single family uses in a residential zone. Given the scope of this proposal, Staff has not identified any applicable Chapter 60 standards.

**Therefore, staff finds the criterion for approval is not applicable.**

**9. *Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.***

**Facts and Findings:**

The applicant has submitted a Flexible Setback for Individual Lot without Endorsement application. No additional applications are required at this time.

**Therefore, staff finds the proposal meets the criterion for approval.**

**Code Conformance Analysis**  
**Chapter 20 Use and Site Development Requirements**  
**Urban Standard Density (R7) Zoning District**

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
<b>Development Code Section 20.05.20</b>			
Permitted Uses	Detached Residential	No development is proposed with this flexible setback application, but Single Family Detached Residential lots are permitted.	<b>Yes</b>
<b>Development Code Sections 20.05.15</b>			
Minimum Lot Area	7,000 square feet	No development is proposed with this application.	<b>Yes</b>
Yard Setbacks Minimums: Front Side Rear	17-feet 5-feet 25-feet	No structures are proposed, but a reduced rear yard setback is proposed.	<b>Yes with Approval of FS2017-0002</b>
Reduced Yard Setbacks Minimums: Rear	5-feet	Proposed Adjusted Yard Setbacks Minimums: Rear: 5-feet	
Maximum Building Height	35 feet	Not applicable, no structures are proposed, but the maximum height of the anticipated 2-story addition is no higher than 35-feet.	<b>N/A</b>

**RECOMMENDATION**

Based on the facts and findings presented, staff recommends **APPROVAL** of **FS2017-0002 (Winters Rear Flexible Setback)** subject to the applicable conditions identified in Attachment B.



**CONDITIONS OF APPROVAL**  
**Flexible Setback for Individual Lot without Endorsement**  
**FS2017-0002 – Winters Rear Flexible Setback**

1. All construction shall be carried out in accordance with the site plan, as approved by the Director, on file at City Hall. (Planning/JST)
2. This approval will allow a rear home addition to encroach no more than 20-feet into the standard 25-foot rear setback as shown on the associated site plan. **Any future proposed reduction to the setbacks or additions to the main structure will require an additional Flexible Setback Approval.** (Planning/JST)
3. If necessary, building permits must be obtained for all construction, alteration, and/or demolition of a structure prior to beginning work. For further information regarding building permits and/or related building code issues, please call 503-526-2403. (Planning/JST)
4. Prior to any on site excavation or concrete installation, a 48-hour minimum notice to the One Call Utility Locating Center (Phone: 503-246-6699) shall be given. The applicant shall resolve any utility conflicts prior to work commencing as proposed. (Planning/JST)

**\*\* END OF CONDITIONS \*\***