



# NOTICE OF PUBLIC HEARING

DATE OF NOTICE March 21, 2024

DATE OF HEARING April 10, 2024

FILE NUMBER / NAME LU-0003-2024 1635 SW Hewitt Avenue

APPLICATION TYPE Type III Special Variance

PROJECT APPLICANT Emad Mikhail

PROPERTY OWNER Same as Applicant

PROJECT LOCATION 1635 SW Hewitt Avenue

TAX MAP / TAX LOT # 1N3E35AD-08000 / R556943

COMPREHENSIVE  
PLAN DESIGNATION High-Density Residential (HDR)

LAND USE ACTIVITY Residential

ZONING DISTRICT High-Density Residential (HDR)

OVERLAY DISTRICT None

## PROPOSAL

The Applicant is seeking a Type III Special Variance approval to allow an addition located partially within the 15-foot rear yard setback of their property. The applicant intends to use the space as a study room/ bedroom. A Type III Special Variance was requested by the applicant to waive the rear yard setback standard to allow the building footprint to extend approximately 15 percent into the rear yard setback (TDC 6.1330). No other site improvements are requested with this application.

## APPLICATION HISTORY

No pre-application meeting was held for this application. The applicant submitted their application on January 23, 2024 and it was deemed incomplete February 22, 2024. The applicant resubmitted materials March 11, 2024, and the application was deemed complete on March 15, 2024. The public hearing is scheduled for April 10, 2024.

## VICINITY MAP



Location of street view perspective

**STREET VIEW – Google 2023**



View looking west from SW Hewitt Avenue.

**APPLICABLE CRITERIA**

- *Troutdale Development Code (TDC): Ch. 1* Introductory Provisions; **Ch. 2** Procedures for Decision Making; **Sec. 3.114** High-Density Residential (HDR); **Sec. 6.1300** Variance; **Ch. 17** General Provisions;
- *City of Troutdale Comprehensive Land Use Plan*
- *Construction Standards for Public Works Facilities*
- Building and Fire Codes

**PUBLIC HEARING**

The public hearing will be held at **7:00 p.m. on Wednesday, April 10, 2024** in the Kellogg Room of the Troutdale Police Community Center, located at 234 SW Kendall Court, as well as via Zoom. Please visit our website at [troutdaleoregon.gov](http://troutdaleoregon.gov) or contact us for an updated list on methods to view and participate in the hearing. The public hearing will be conducted by the City of Troutdale Planning Commission. The location of the hearing is accessible to citizens with disabilities. If you require any other accommodation, please contact the Planning Division at [comdev@troutdaleoregon.gov](mailto:comdev@troutdaleoregon.gov) or call 503-674-7229 at least one (1) week prior to the hearing.

**PROCEDURE**

This application will undergo a Type III quasi-judicial procedure which requires a public hearing prior to a decision being rendered [TDC 2.060]. The Planning Commission is the decision-making entity for this application. Nearby property owners, relevant review entities, and other stakeholders are hereby notified of the application. [TDC 2.075, 2.080, 2.085]

**REVIEWING & OBTAINING FILES**

A copy of the application, submittal items, and applicable criteria are available for inspection at no cost at the Community Development office at 2200 SW 18<sup>th</sup> Way in Troutdale. Obtaining paper or digital files for review can be arranged at a reasonable cost. A Staff Report will be produced and can be made available no later than **Wednesday, April 3, 2024**.

### PROVIDING COMMENTS

Interested parties may provide comments in regard to this application. Comments must be received by 5:00 p.m. PT on **Tuesday, April 2, 2024** for inclusion in the Staff Report and may be submitted by any of these methods:

**How to Provide Testimony on the Proposal?** Interested parties may provide testimony on the proposal in the following ways:

1. **In Writing:** For your comment to be addressed in the staff report to the Planning Commission it must be received by 5:00 pm PT on **Tuesday, April 2, 2024**. You may submit written comments by any of these methods: Email: [comdev@troutdaleoregon.gov](mailto:comdev@troutdaleoregon.gov) Fax: 503-667-0524 Attn: Planning Dept Mail or Drop-Off: City of Troutdale, Community Development Dept. 219 E. Historic Columbia Hwy, Troutdale, OR 97060 Please note: Your written testimony is welcomed up to the time of the public hearing.
2. **In Person:** You may provide written testimony or verbal testimony during the hearing in the Kellogg Room of the Troutdale Policy Community Center, located at 234 SW Kendall Court. The location of the hearing is accessible to citizens with disabilities. If you require accommodations, please contact the Planning Division at [comdev@troutdaleoregon.gov](mailto:comdev@troutdaleoregon.gov) or call 503-674-7229 at least one week prior to the hearing date.
3. **By Zoom:** To provide testimony online during the hearing via Zoom please email [comdev@troutdaleoregon.gov](mailto:comdev@troutdaleoregon.gov) to request meeting access credentials.

Public testimony should be limited to the criteria listed on this notice, or other City or State applicable land use standards. Only those persons who provide testimony may appeal the decision. Failure to raise an issue accompanied by statements or evidence sufficient to afford the decision-maker and the parties an opportunity to respond to the issue will preclude an appeal, on said issue, to the Appeal Authority or State Land Use Board of Appeals (LUBA).

### APPEAL PROCESS & RIGHTS

Appeals of a decision of the Planning Commission shall be to the City Council. Those recipients who raised an issue with the application have appeal rights in the event there is a disagreement with the decision. Appeal procedures are found in TDC Sections 2.195 through 2.215. Failure of an issue to be raised in a hearing, in person, or by letter; or failure to provide statements or evidence sufficient to afford the decision-maker an opportunity to respond to the issue, precludes appeal to the particular issue. [TDC 2.080.E]

### GENERAL INQUIRIES

For more information, please contact Dakota Meyer at [Dakota.meyer@troutdaleoregon.gov](mailto:Dakota.meyer@troutdaleoregon.gov) or at (503) 674-7249.