



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

FROM CONCEPT TO CONSTRUCTION

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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** February 13, 2014  
**To:** Interested Person  
**From:** Staci Monroe, Land Use Services  
503-823-0624 / [staci.monroe@portlandoregon.gov](mailto:staci.monroe@portlandoregon.gov)

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

The Bureau of Development Services has **approved** a proposal in your neighborhood. The reasons for the decision are included in the version located on the BDS website <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 it to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St NE, Suite 330, Salem, OR 97301-1283. The phone number for LUBA is 1-503-373-1265. Information on how to appeal this decision is listed at the end of this notice.

### **CASE FILE NUMBER: LU 13-221940 HR – GARAGE RENOVATION**

#### **GENERAL INFORMATION**

**Applicant:** Richard Poirier, Emerio Design | 6107 SW Murray Blvd, Ste 147 | Beaverton OR 97008

**Owners:** Richard and Allison Bernat | 2207 NE 18th Avenue | Portland, OR 97212

**Site Address:** 2207 NE 18<sup>th</sup> Avenue

**Legal Description:** BLOCK 49 LOT 5, IRVINGTON      **Tax Account No.:** R420410700  
**State ID No.:** 1N1E26DB 13000      **Quarter Section:** 2832  
**Neighborhood:** Irvington, contact Dean Gisvold at 503-284-3885.  
**Business District:** North-Northeast Business Assoc, Joice Taylor at 503-445-1321.  
**District Coalition:** NE Coalition of Neighborhoods, Claire at 503-388-9030.  
**Zoning:** R5a: Single-Dwelling Residential 5000, with Historic Resource Overlay and an Alternate Design Density overlay

**Case Type:** HR: Historic Resource Review  
**Procedure:** Type II, an administrative decision with appeal to the Landmarks Commission.

#### **Proposal:**

The applicant is seeking Historic Resource Review approval for the exterior alterations indicated below in the Irvington Historic District. Note, the installation of these elements has already occurred without the benefit of a Historic Resource Review per the current code compliance case number 13-191026 CC. The proposal includes:

- One new multi-panel wooden garage door measuring 9'-0" wide and 7'-0" tall on the front (east) facing façade of the existing residential garage. The new door contains glass panels at the top.
- One new multi-panel wooden and glass garage door measuring 10'-0" wide by 7'-0" tall on the side (north) facing façade of the existing residential garage.
- One 7'-0" wide by 4'-0" tall reclaimed wooden multi-paned window on the rear (west) facing façade of the existing residential garage.

- Replace the existing front door of the residence (facing east) with a new wood and full-height glass door.
- Replace the side door on the east façade of the garage with a new wood door with an upper glass panel.

Historic Resource Review is required because the proposal is for non-exempt exterior alteration in a historic district.

**Relevant Approval Criteria:**

In order to be approved, this proposal must comply with the approval criteria of Title 33, Portland Zoning Code. The relevant criteria are:

- 33.846.060 G Other Approval Criteria

## ANALYSIS

**Site and Vicinity:** The subject property is a two-story single-family house in the Victorian Eclectic Craftsman style. It was built in 1892 and is evaluated as a noncontributing resource in the National Register of Historic Places documentation for the Irvington Historic District.

Platted in the late Nineteenth Century, today's Irvington Historic District represents the first additions to Portland that employed restrictive covenants from the outset. These included the exclusion of most non-residential uses from the interior of the neighborhood, and where non-residential uses were allowed, such as the fire station and the telephone exchange, the buildings were purposely disguised to appear more residential in character. Other deed restrictions excluded minority groups, established uniform front setbacks, and required minimum expenditure on new buildings. The area developed generally from southwest to northeast and its growth was greatly influenced by the installation of streetcar lines that introduced an easy commuting option to downtown.

The contributing resources in Irvington range in design character from expressions of the late Victorian Era styles, especially Queen Anne, through the many Period Revival modes of the early decades of the Twentieth Century, to a few early modernist examples. There is also a wide diversity in the sizes of lots and houses. In terms of the streetscape, the numbered north-south avenues in Irvington vary dramatically in width, and they mostly form rather long block faces which the houses generally face. The named east-west street block faces are more consistent in length, almost all being traditional 200' Portland blocks. All are lined with mature street trees. Original development in many cases included garages or other accessory structures, typically facing side streets on corner lots and accessed by a variety of driveway types on mid-block sites. Garages that were added within the historic period, were sometimes built at the sidewalk and/or out of architectural character with the house.

**Zoning:** The single-dwelling zones, including R5, are intended to preserve land for housing and to provide housing opportunities for individual households. The zones implement the comprehensive plan policies and designations for single-dwelling housing.

The Alternative Design Density "a" overlay is in place to focus development on vacant sites, preserve existing housing and encourage new development that is compatible with and supportive of the positive qualities of residential neighborhoods. The concept for the zone is to allow increased density for development that meets additional design compatibility requirements.

The Historic Resource Protection Overlay zone protects certain historic resources in the region and preserves significant parts of the region's heritage. The regulations implement Portland's Comprehensive Plan policies that address historic preservation. These policies recognize the role historic resources have in promoting the education and enjoyment of those living in and visiting the region. The regulations foster pride among the region's citizens in their city and its heritage. Historic preservation beautifies the city, promotes the city's economic health, and helps to preserve and enhance the value of historic properties.

**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 on November 14, 2013. No Bureaus responses were provided given the small scope of the project.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on November 14, 2013. One written response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

1. Dean Gisvold for Irvington Community Association (ICA), December 2, 2013, stating concerns with the incompatible design of the proposed front door.

*Staff Response:* The applicant consulted with a local architectural historian who suggested a custom wood door that utilizes a full-height glass panel that was typical between 1905 and 1915. The ICA supports the door, as does the applicant and Staff.

## ZONING CODE APPROVAL CRITERIA

### Chapter 33.846.060 - Historic Design Review

#### **Purpose of Historic Design Review**

Historic Design Review ensures the conservation and enhancement of the special characteristics of historic resources.

#### **Historic Design Review Approval Criteria**

Requests for historic design review will be approved if the review body finds the applicant has shown that all of the approval criteria have been met.

**Findings:** The site is within the Irvington Historic District and the proposal is for non-exempt treatment. Therefore Historic Design Review approval is required. The approval criteria are those listed in *33.846.060 G – Other Approval Criteria*.

### 33.846.060 G - Other Approval Criteria

**1. Historic character.** The historic character of the property will be retained and preserved. Removal of historic materials or alteration of features and spaces that contribute to the property's historic significance will be avoided.

**Findings:** The designated "property", by virtue of its listing in the National Register of Historic Places, is the Irvington Historic District. By definition historic districts include buildings, sites, structures, and objects which, although they may lack individual distinction, can nonetheless contribute to the overall quality of the larger historic place. In this case, the subject house is considered a noncontributing resource to the Historic District. The changes proposed do not diminish the historic character of either the house or the District, due to their minor visual impact on the building façade. The alterations have been carefully made, utilizing historically appropriate window and door types for this Craftsman style residence.

In addition, approximately half of the changes proposed alter a rear or side facade that do not contribute materially to the significance of the historic district, as they are located entirely out of view from the public right-of-way. The essential character of the Historic District is retained. *This criterion is met.*

**4. Historic features.** Generally, deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement, the new feature will match the old in design, color, texture, and other visual qualities and, where practical, in materials. Replacement of missing features must be substantiated by documentary, physical, or pictorial evidence.

**Findings:** The garage that is altered by this proposal is a non-historic structure, and the addition of a wood multi-panel garage door to the street-facing façade is a positive and historically appropriate addition to both the residence and the Irvington Historic District. The new garage door incorporates glazed panels at the upper level, which projects both a historic and welcoming appearance to the building. The new wooden glazed garage door on the side-facing façade has a more contemporary appearance, but will have no visibility from the street and brings added daylight to the structure. The new window added to the rear facade of the garage is a reclaimed historic wooden multi-paned window, and appropriate to the Craftsman style of the house. The new doors, both on the house and the garage facing east, are both typical doors for Craftsman style and used between 1905 and 1915. All of these wooden elements will be stained a medium brown, which is a classic finish, that will unify these features. These alterations will not have an adverse effect on this individual resource's ability to contribute to the character of the Irvington Historic District because the changes utilize historically appropriate materials and styles, are located a significant distance from the street, and mostly out of view from the public right-of-way. *This criterion is met.*

**7. Differentiate new from old.** New additions, exterior alterations, or related new construction will not destroy historic materials that characterize a property. New work will be differentiated from the old.

**8. Architectural compatibility.** New additions, exterior alterations, or related new construction will be compatible with the resource's massing, size, scale, and architectural features. When retrofitting buildings or sites to improve accessibility for persons with disabilities, design solutions will not compromise the architectural integrity of the historic resource.

**10. Hierarchy of compatibility.** Exterior alterations and additions will be designed to be compatible primarily with the original resource, secondarily with adjacent properties, and finally, if located within a Historic or Conservation District, with the rest of the district. Where practical, compatibility will be pursued on all three levels.

**Findings for 7, 8, and 10:** The changes proposed are designed to be architecturally compatible with the historic residence and the Irvington Historic District. The proposal primarily reflects window and door additions to the non-historic garage (not original to the building), the majority of which are on the rear and side façade. Building elements out of view from the right-of-way do not characterize a historic district, and are therefore the preferred location for alterations. Although the new wood window and doors reflect historic detailing, with their multi-paned and multi-panel appearance, for the most part they will be subtly distinguishable as modern additions because of features such as double glazing. The new garage door facing the street, and the replacement door on the residence, are architecturally compatible with the Craftsman style of the house in their detailing and wood materiality. *These criteria are met.*

## 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 or Modification via a land use review prior to the approval of a building or zoning permit.

## CONCLUSIONS

The purpose of the Historic Resource Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. The project utilizes compatible materials and design elements that respect the character of the Victorian Eclectic Craftsman style residence and the surrounding Historic District. The alterations proposed are minor in scope and distant

from the public right-of-way, and the proposed materials match those on the house. The result is that the impact on the character of the residential home and the Irvington Historic District are negligible. This proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

### **ADMINISTRATIVE DECISION**

Approval of exterior alterations to a single-family residence located in the Irvington Historic District. The changes include the following:

- Install one new multi-panel wooden garage door measuring 9'-0" wide and 7'-0" tall on the front (east) facing façade of the existing residential garage. The new door contains glass panels at the top.
- Install one new multi-panel wooden and glass garage door measuring 10'-0" wide by 7'-0" tall on the side (north) facing façade of the existing residential garage.
- Install one 7'-0" wide by 4'-0" tall reclaimed wooden multi-paned window on the rear (west) facing façade of the existing residential garage.
- Replace the existing front door of the residence (facing east) with a new wooden and full height glass front door.
- Replace the side door on the east façade of the garage with a new wood door with an upper glass lite.

Per the approved site plans, Exhibits C-1 through C-1-, signed and dated 2/13/14, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B ) 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 13-221940 HR." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. The garage door and both replacement person doors on the east façade of the garage and house must be stained the same medium brown finish.

**Staff Planner: Staci Monroe**



**Decision rendered by:** \_\_\_\_\_ **on February 11, 2014**  
By authority of the Director of the Bureau of Development Services

**Decision mailed February 13, 2014**

**Procedural Information.** The application for this land use review was submitted on October 29, 2013, and was determined to be complete on November 12, 2013 .

*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 October 29, 2013.

*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 extended the 120-day review period for 90 days to May 10, 2014.**

**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.

**This decision, and any conditions associated with it, is final.** It may be appealed to the Oregon Land Use Board of Appeals (LUBA), within 21 days of the date the decision is mailed, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have submitted written testimony during the comment period for this land use review. You may call LUBA at 1-503-373-1265 for further information on filing an appeal.

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).

**Recording the final decision.**

If this Land Use Review is approved, the final decision must be recorded with the Multnomah County Recorder. A building or zoning permit will be issued only after the final decision is recorded. The final decision may be recorded on or after **February 14, 2014**. 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 for 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. Applicant's Response to Approval Criteria
  - 2. Photos of Existing Conditions
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. Existing & Proposed Elevations (attached)
  - 3. Garage Floor Plan
  - 4. East Façade Garage Door & Section
  - 5. North Façade Garage Door Details & Section
  - 6. West Façade Garage Window Section
  - 7. Garage Side Door Detail
  - 8. House Front Door Detail
  - 9. House Screen Door Detail
  - 10. Finish Details of Garage and Person Doors
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses: none
- F. Correspondence:
  - 2. Dean Gisvold for Irvington Community Association, December 2, 2013, stating concerns with the incompatible design of the proposed front door.
- G. Other:
  - 1. Original LU Application
  - 2. 120-Day Extension Form
  - 3. Permit History

**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).**



# ZONING

 Site

 Historic Landmark



This site lies within the:  
**IRVINGTON HISTORIC DISTRICT**

File No. LU 13-221940 HR  
 1/4 Section 2832  
 Scale 1 inch = 200 feet  
 State\_Id 1N1E26DB 13000  
 Exhibit B (Oct 30, 2013)

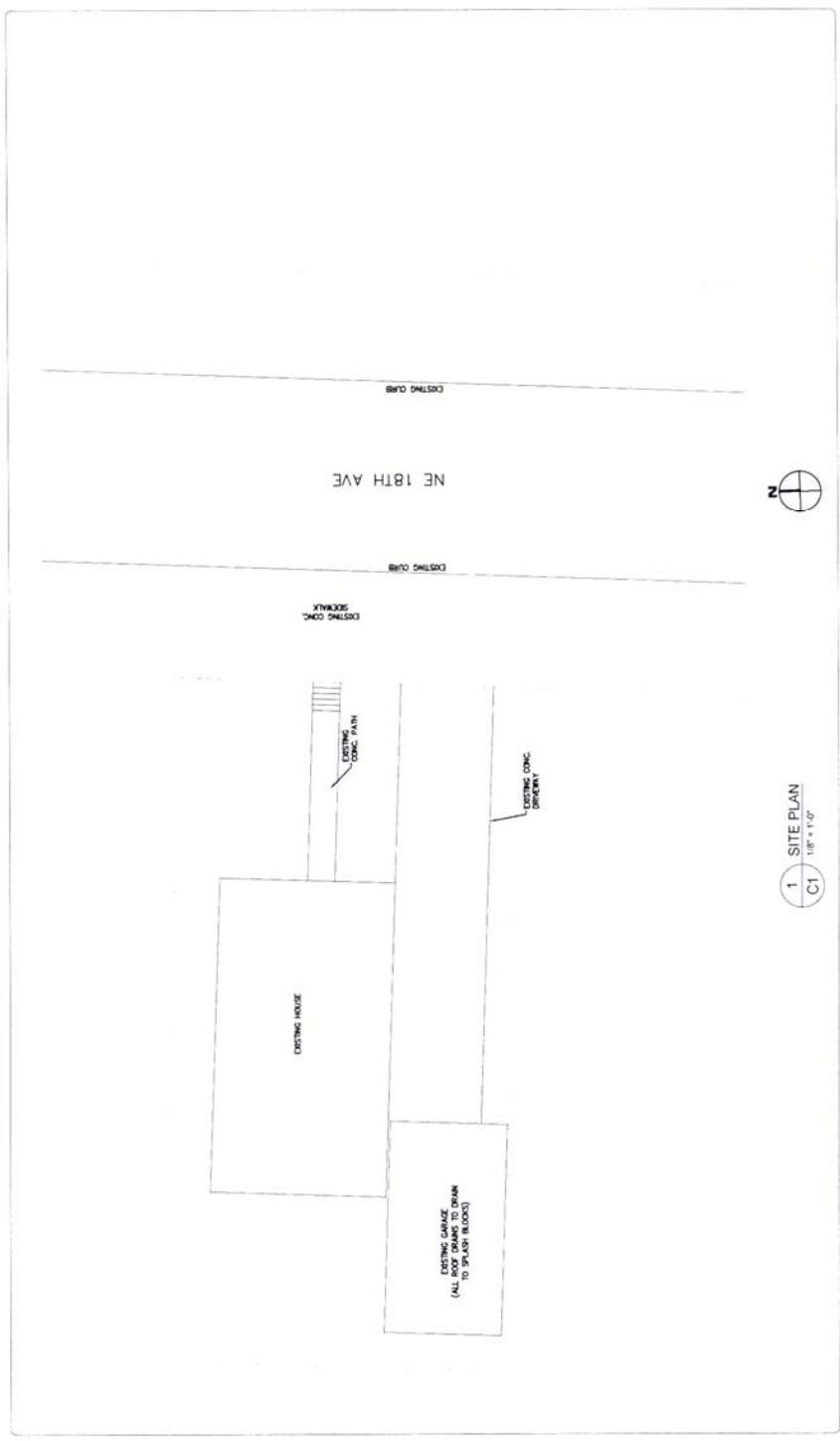
# GARAGE REMODEL

FOR RICHARD BERNAT  
2207 NE 18TH AVE, PORTLAND, OR

**EMERIO**  
*Design*  
6107 SW HUNTER BLVD, SUITE 147  
PORTLAND, OREGON 97206  
PH: (503) 915-5528  
FAX: (503) 838-8882

NO.	DATE	REVISIONS

C1



*City of Portland - Bureau of Development Services*  
Date: 2/11/14  
*SWC*  
All revisions to drawings shall be subject to the City of Portland's standard conditions of contract for construction services.

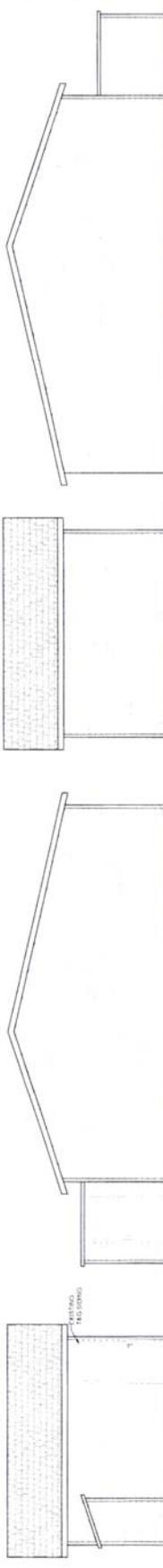
EX.C-1  
LW 13-221940 HR

GARAGE REMODEL  
 2207 NE 18TH AVE, PORTLAND, OR  
 FOR: RICHARD BERNAT

NO.	DATE	DESCRIPTION
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8		

D1

EXISTING



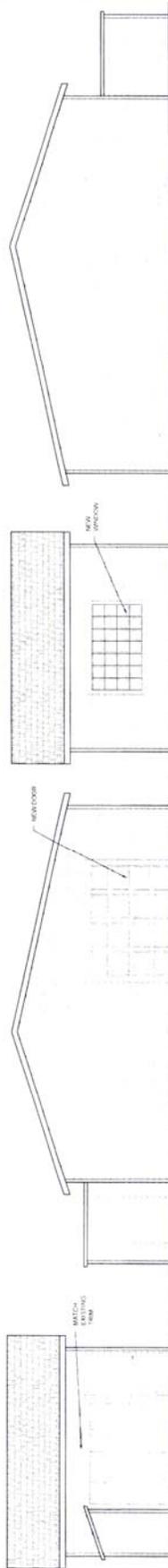
1 EXISTING FRONT ELEVATION  
 D1 1/8" = 1'-0"

2 EXISTING RIGHT ELEVATION  
 D1 1/8" = 1'-0"

3 EXISTING REAR ELEVATION  
 D1 1/8" = 1'-0"

4 EXISTING LEFT ELEVATION  
 D1 1/8" = 1'-0"

PROPOSED



5 PROPOSED FRONT ELEVATION  
 D1 1/8" = 1'-0"

6 PROPOSED RIGHT ELEVATION  
 D1 1/8" = 1'-0"

7 PROPOSED REAR ELEVATION  
 D1 1/8" = 1'-0"

8 PROPOSED LEFT ELEVATION  
 D1 1/8" = 1'-0"

W 13-221 940 HR  
 EX.C-2

City of Portland - Bureau of Development Services  
 Planner: *Shelley* Date: *2/11/14*  
 This set of plans is only to the reviews requested and is subject to all applicable codes and regulations. Additional requirements may apply.

# GARAGE REMODEL

2207 NE 18TH AVE. PORTLAND, OR  
 FOR: RICHARD BERNAT

D2

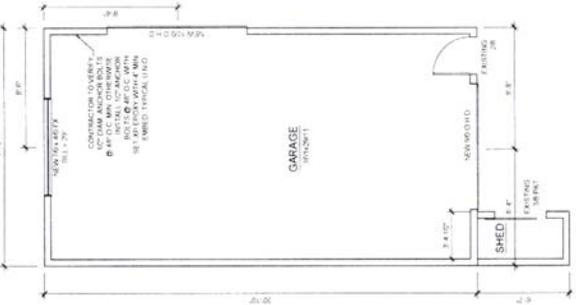


**3 ROOF FRAMING PLAN**  
 D2 14'0" x 11'0"

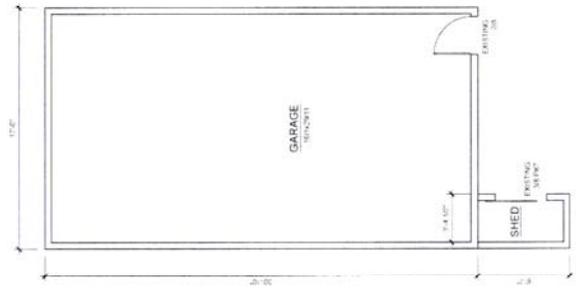
SHEARWALL SCHEDULE		EDGE WALLING	RELIANT WALLING	NOTES
1	TYPE 1 (BASED SHEATHING)	8" x 8" OC	8" x 8" OC	CONNECTION TO FOUNDATION
2	TYPE 2 (BASED SHEATHING)	8" x 8" OC	8" x 8" OC	DOUBLE STUDS AT WALL EDGES

HOLD-DOWN SCHEDULE		ANCHOR	NOTES
1	BASE REQUIRED	NA	
2	WIMPERON HOLD-DOWNS	5/8" TENSILE BOLD EMBEDMENT PLATE	DOUBLE END STUDS

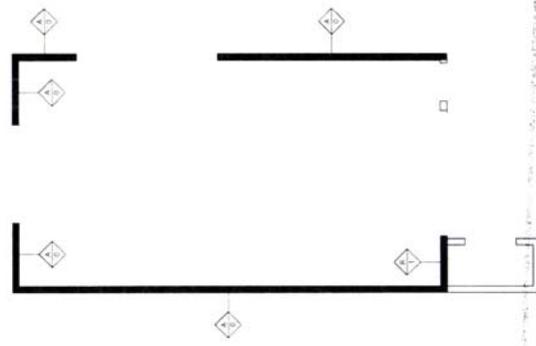
- SHEARWALL AND HOLD-DOWN NOTES:**
- ALL STUDS EDGES TO BE BLOCKED.
  - ALL EXTERIOR WALLS TO BE SHEATHED WITH CONVENTIONAL SHEATHING TO BE 4" DIA. AND NAIL PER SHEATHING TO BE 16" DIA.
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**2 REMODELED GARAGE PLAN**  
 D2 14'0" x 11'0"



**1 EXISTING GARAGE PLAN**  
 D2 14'0" x 11'0"



**4 REMODELED GARAGE LATERAL PLAN**  
 D2 Attachment Services

Date 2/11/14

W 13-221940 HR  
 EX. C-3.