



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

FROM CONCEPT TO CONSTRUCTION

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Date: March 31, 2015
To: Interested Person
From: Chris Caruso, Land Use Services
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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 mailed copy of this document is only a summary of the decision. The reasons for the decision, including the written response to the approval criteria and to public comments received on this application, 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. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 15-126898 HR- REPLACEMENT WINDOWS & DOOR

GENERAL INFORMATION

Applicant: Janice Dilg & Frank Cunningham
2603 NE 11th Ave/Portland, OR 97212-4135

Site Address: 2603 NE 11TH AVE

Legal Description: BLOCK 94 LOT 5, IRVINGTON
Tax Account No.: R420421270
State ID No.: 1N1E26BD 20400
Quarter Section: 2731
Neighborhood: Irvington, contact Dean Gisvold at 503-284-3885.
Business District: North-Northeast Business Assoc, contact Joice Taylor at 503-841-5032.

District Coalition: Northeast Coalition of Neighborhoods, contact info@necoalition.org
Plan District: None
Other Designations: Contributing resource in the Irvington Historic District
Zoning: R5 – Single-Dwelling Zone with Historic Resource overlay
Case Type: HR – Historic Resource Review
Procedure: Type I, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

The applicant seeks Historic Resource Review approval for exterior alterations to a 1923 bungalow-style house listed as a contributing resource in the Irvington Historic District. The proposed work includes the following:

- Three new wood double-hung windows in a slightly reduced existing opening on the north façade, to replace four non-original windows. Infill siding and trim to match existing materials on the house; and

- One new ½ glass lite panel door to replace a solid door in the same opening on the north facade. Existing trim to remain in place.

Historic Resource Review is required for exterior alterations to existing buildings within this historic district.

Relevant Approval Criteria:

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

- 33.846.060.G Other Approval Criteria
- 33.846 Historic Reviews

ANALYSIS

Site and Vicinity: The subject resource, a two-story bungalow style house on a standard 50' x 100' city lot, was built in 1923 and is listed as a contributing resource in the National Register of Historic Places documentation of the Irvington Historic District. No owner, designer, or builder's names are listed in the documentation.

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 after original construction, but still within the historic period, were sometimes built at the sidewalk and/or out of architectural character with the house.

Zoning: The Residential 5,000 (R5) single-dwelling zone is intended to preserve land for housing and to provide housing opportunities for individual households. The zone implements the comprehensive plan policies and designations for single-dwelling housing. Minimum lot size is 3,000 square feet, with minimum width and depth dimensions of 36 and 50 feet, respectively. Minimum densities are based on lot size and street configuration. Maximum densities are 1 lot per 5,000 square feet of site area. Single-family residential uses are allowed by right in this zone.

The Historic Resource Protection overlay is comprised of Historic and Conservation Districts, as well as Historic and Conservation Landmarks and 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.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **March 13, 2015**. One written responses has been received from either the Neighborhood Association or notified property owners in response to the proposal.

1. Dean Gisvold, ICA Land Use Committee, March 26, 2015 – no objections.

ZONING CODE APPROVAL CRITERIA

Chapter 33.846.060 - Historic Resource Review

Purpose of Historic Resource Review

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

Historic Resource Review Approval Criteria

Requests for Historic Resource 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 Resource Review approval is required. The approval criteria are those listed in *33.846.060 G – Other Approval Criteria*.

Staff has considered all guidelines and addressed only those applicable to this proposal.

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.

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 1, 8 & 10: The new wood windows proposed for this contributing house will not alter the original character of the property as they will be located within the same location as existing window openings and will be surrounded with matching trim and infill wood siding. The new wood windows will match existing original windows on the house in form and type, making them compatible with the size, scale, and architectural features present in this 1923 bungalow-style house. The new wood windows are compatible with the original structure, with adjacent residential properties, and with the rest of the Historic District by the matching of typical historic profiles and materials. The new wood 1/2 lite side door will also match materials and details present around other door openings on the exterior of the house, including trim profiles and detailing. The new door replaces a solid wood door and will allow for better visual surveillance of this part of the yard. *These criteria are therefore 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.

Findings: The proposed three new wood windows, and the new 1/2 lite wood door will match existing features on the house in style, profile and composition, but will all be fabricated out of new material. This will give them a less weathered appearance which will differentiate them from older elements on the building. *This criterion is therefore 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 proposed new wood double-hung windows and new wood and glass door are sensitive alterations north side façade. These new elements maintain the historic form of the house so as to not compromise the historic character of Irvington Historic District. This proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

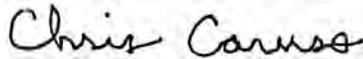
Approval of Historic Resource Review for exterior alterations to a 1923 bungalow-style house listed as a contributing resource in the Irvington Historic District, to include the following:

- Three new wood double-hung windows in a slightly reduced existing opening on the north façade, to replace four non-original windows. Infill siding and trim to match existing materials on the house; and
- One new ½ glass lite panel door to replace a solid door in the same opening on the north facade. Existing trim to remain in place.

Approved, per the approved site plans, Exhibits C-1 through C-3 signed and dated March 27, 2015, subject to the following conditions:

- A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C.1-C.3. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 15-126898 HR."

Staff Planner: Chris Caruso



Decision rendered by: _____ **on March 27, 2015.**

By authority of the Director of the Bureau of Development Services

Decision mailed March 31, 2015.

Procedural Information. The application for this land use review was submitted on March 2, 2015, and was determined to be complete on **March 10, 2015.**

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 March 2, 2015.

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 did not waive or extend the 120-day review period. Unless further extended by the applicant, **the 120 days will expire on: July 8, 2015.**

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. Contact LUBA at 775 Summer St NE Suite 330, Salem, OR 97301-1283 or phone 1-503-373-1265 for further 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.

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 **March 31, 2015**. 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
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan and Elevations (attached)
 - 2. Window Section
 - 3. Window Manufacturer Information
 - 4. Door Manufacturer Information
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses: Not required.
- F. Correspondence:
 - 1. Dean Gisvold, ICA Land Use Committee, March 26, 2015
- G. Other:
 - 1. Original LU Application
 - 2. Incomplete Email

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

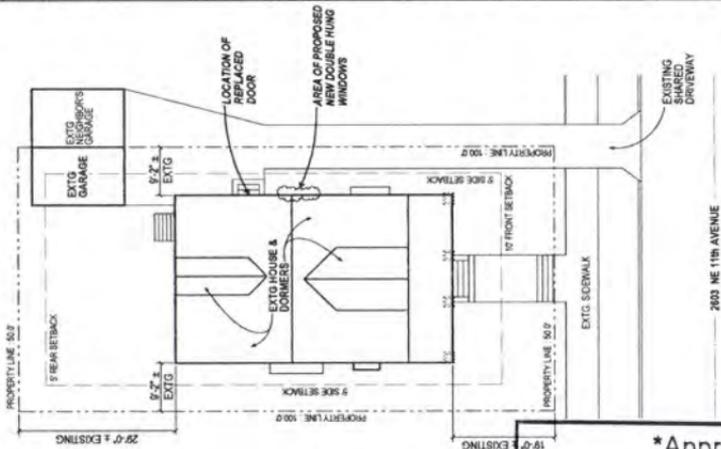
File No. LU 15-126898 HR

1/4 Section 2731

Scale 1 inch = 200 feet

State Id 1N1E26BD 20400

Exhibit B (Mar 03,2015)



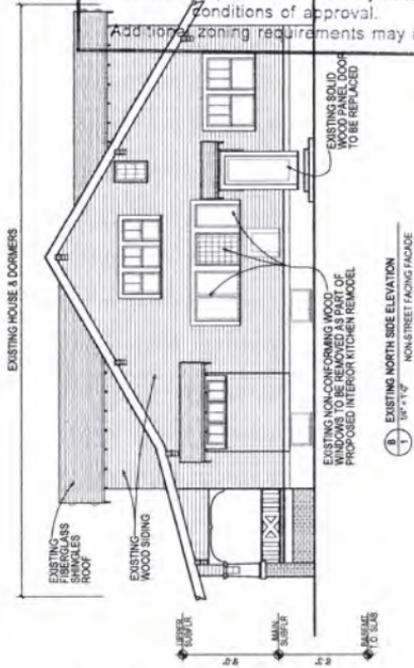
EXISTING SITE PLAN

1' CHANGES TO HOUSE FOOTPRINT OR SITE WORK

NOTE: PROPERTY LINE LOCATIONS ARE APPROX.



PROPOSED NORTH SIDE ELEVATION DEBRON
18" x 11 1/2" NON-STREET FACING FACADE



EXISTING NORTH SIDE ELEVATION
18" x 11 1/2" NON-STREET FACING FACADE

Approved
City of Portland
Bureau of Development Services
Planner CC
Date 3/27/15
* This approval applies only to the reviews requested and is subject to all conditions of approval.
Additional zoning requirements may apply.

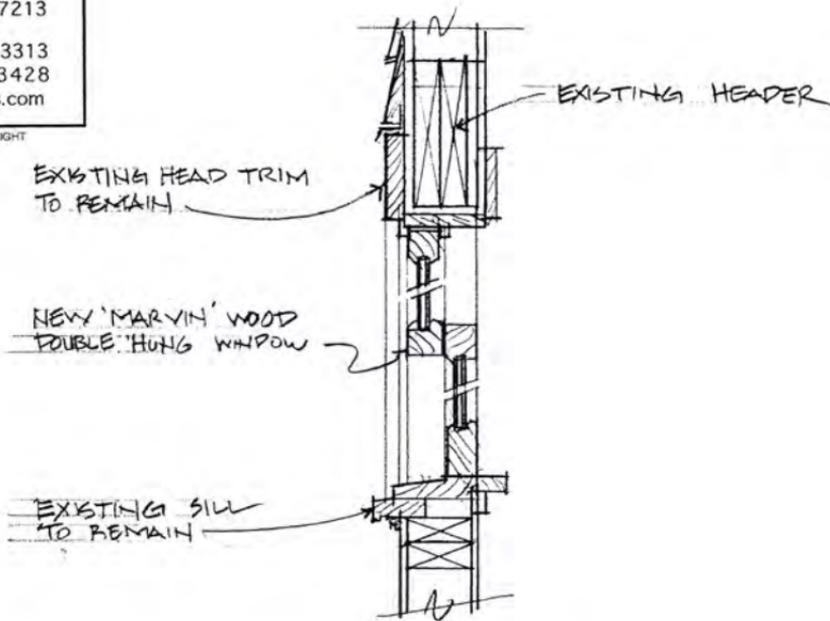
JOHN
HASENBERG
ARCHITECT



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•john@jharchitects.com

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NEW WOOD DBL. HUNG SECTION
1/2" = 1'-0"

Approved	
City of Portland	
Bureau of Development Services	
Planner	<u>Chris</u>
Date	<u>3/27/15</u>
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.	

U15-126898 HR

EXH. C-2

