



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

FROM CONCEPT TO CONSTRUCTION

Charlie Hales, Mayor  
Paul L. Scarlett, Director  
Phone: (503) 823-7300  
Fax: (503) 823-5630  
TTY: (503) 823-6868  
[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** March 14, 2013  
**To:** Interested Person  
**From:** Dave Skilton, Land Use Services 503-823-0660  
dave.skilton@portlandoregon.gov

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

Development has been proposed in your neighborhood. The proposed development requires a land use review. The proposal, review process, and information on how to respond to this notice are described below. A copy of the site plan and zoning map is attached. I am the staff person handling the case. Please call me if you have questions regarding this proposal. Please contact the applicant if you have questions regarding any future development on the site.

Because we must publish our decision within 28 days, **we need to receive your written comments by 5 p.m. on April 4, 2013.** Please mail or deliver your comments to the address at the bottom of the page, and include the Case File Number, LU 13-122910 HDZ, in your letter. It also is helpful to address your letter to me, Dave Skilton.

## **CASE FILE NUMBER: LU 13-122910 HDZ – BASEMENT WINDOW REPLACEMENTS**

**Applicant:** Soren Clark 503-913-6349  
5024 N Montana Ave  
Portland, OR 97217-3768

**Owner:** Debbie Wager  
3311 NE 12th Avenue  
Portland, OR 97212-2246

**Site Address:** 3311 NE 12<sup>th</sup> Avenue

**Legal Description:** BLOCK 85 LOT 9, IRVINGTON  
**Tax Account No.:** R420417690  
**State ID No.:** 1N1E26BA 04900  
**Quarter Section:** 2731  
**Neighborhood:** Sabin Community Assoc., contact David Sweet at 503-493-9434.  
Irvington, contact Dean Gisvold at 503-284-3885.

**Business District:** North-Northeast Business Assoc, contact Joice Taylor at 503-445-1321.  
**District Coalition:** NE Coalition of Neighborhoods, Shoshana Cohen at 503-388-5004.  
**Other Designations:** Contributing resource in the Irvington Historic District, which was listed in the National Register of Historic Places on October 22, 2010.

**Zoning:** R5, Single Dwelling Residential 5000, with Historic Resource Protection Overlay.

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

**Proposal:**

The applicant is seeking Historic Design Review approval to replace two existing basement windows, one on the north side and one at the rear, in the same opening with new vinyl windows of similar profile; and to enlarge a third basement window opening, on the rear of the house, by cutting down the sill to accommodate a new vinyl, casement egress window. Historic Design Review is required because the proposal is for non-exempt exterior alterations in a historic district.

**Relevant Approval Criteria:**

In order to be approved, this proposal must comply with the approval criteria specified in the Zoning Code (Title 33 of the Portland City Code). The applicable criteria are:

- 33.846.060 G. Other Approval Criteria

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. This application was submitted on March 5, 2013 and determined to be complete on **March 12, 2013**.

**Decision Making Process**

The Bureau of Development Services will make a decision on this proposal.

We will consider your comments, and

- Approve the proposal.
- Approve the proposal with conditions.
- Deny the proposal.

The neighborhood association listed on the first page of this notice may take a position on this application. They may also schedule an open meeting prior to making their recommendation to the Bureau of Development Services. Please contact the person listed as the neighborhood contact to determine the time and date of this meeting.

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.

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).

**Appeal Process**

If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Historic Landmarks Commission. This review body will hold a public hearing for the appeal. When the decision is mailed, the criteria used to make the decision and information on how to file an appeal will be included. If you do not send any comments, you can still appeal the decision. There is a 14-day deadline to file an appeal beginning on the day the decision is mailed. The reason for the appeal must be specifically defined in order for the review body to respond to the appeal. If an appeal is filed, you will be notified of the time and location of the appeal hearing.

There is a fee charged for appeals. Recognized neighborhood associations may qualify for an appeal fee waiver.

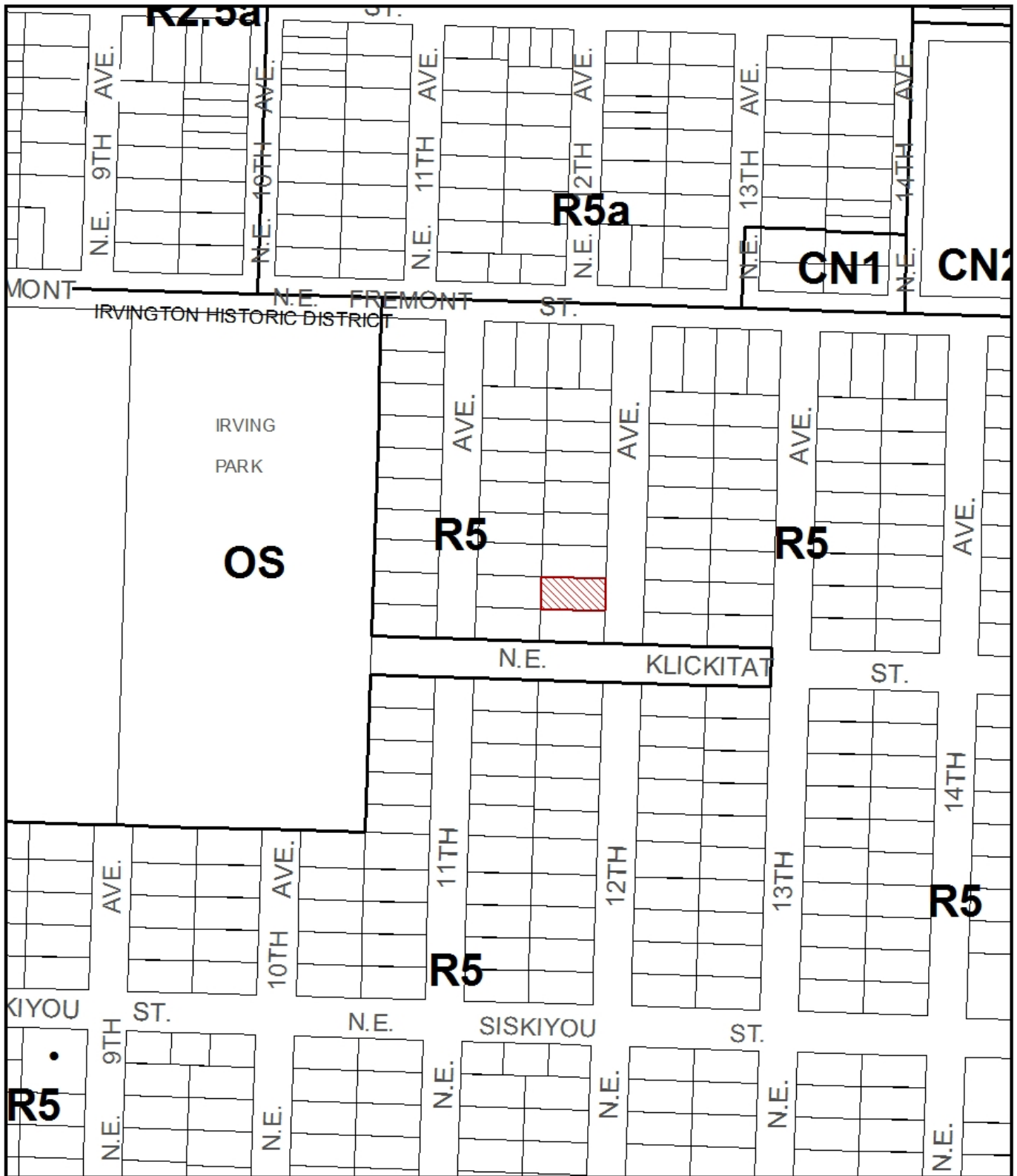
**Appeal of the Final City Decision**

After an appeal hearing, the review body decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) at 550 Capitol St. NE, Suite 235, Salem, OR 97301. The phone number for LUBA is 1-503-373-1265. Issues that may provide the basis for an appeal to LUBA must be raised prior to the comment deadline or prior to the conclusion of the hearing if a local appeal is requested. If you do not raise an issue with enough specificity to give the Bureau of Development Services an opportunity to respond to it, that may also preclude an appeal to LUBA on that issue.

**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).**

**Enclosures:**

Zoning Map  
Site Plan  
South Elevation  
Rear Elevation



# ZONING

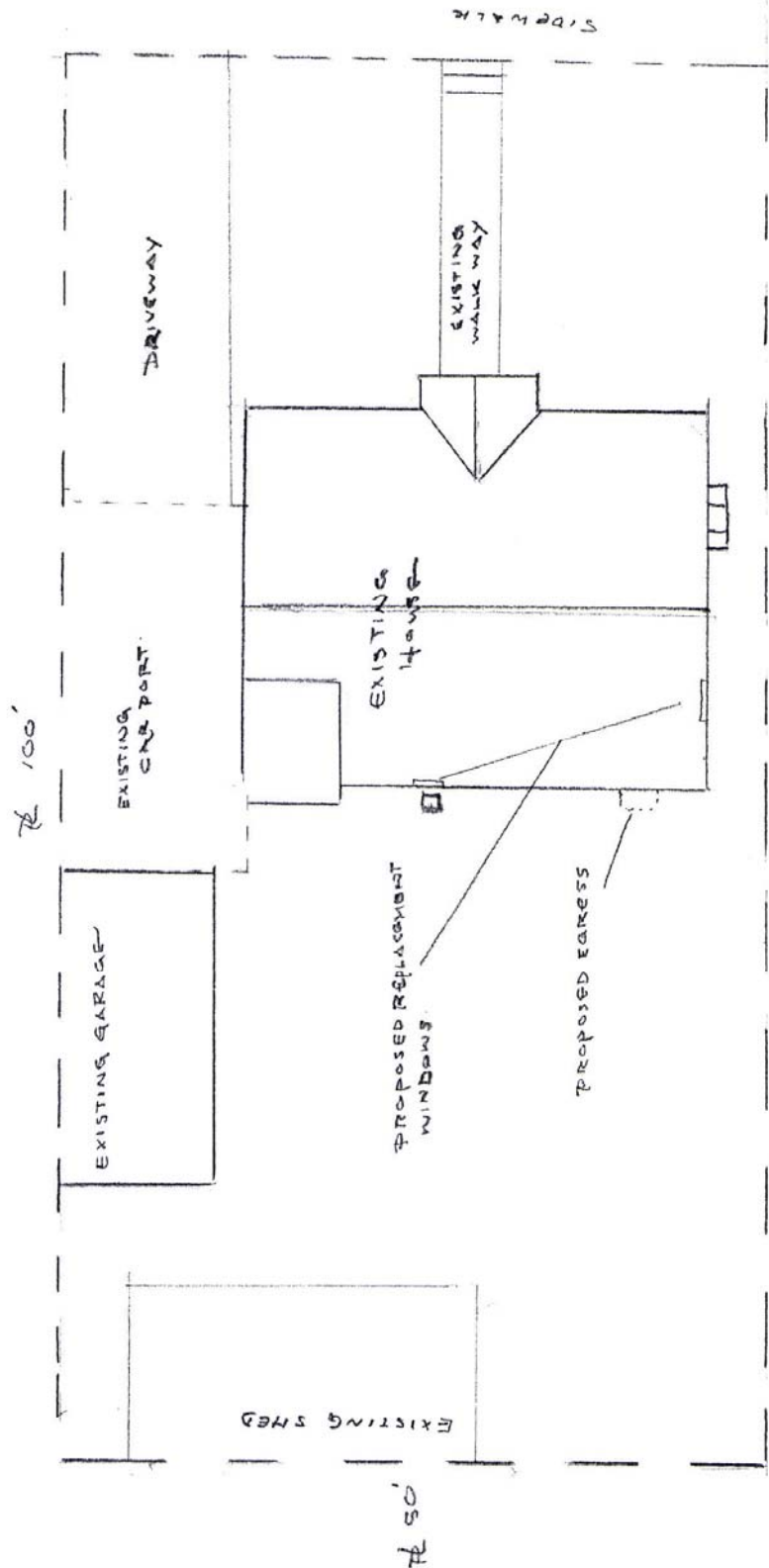
 Site



This site lies within the:  
IRVINGTON HISTORIC DISTRICT

File No. LU 13-122910 HDZ  
 1/4 Section 2731  
 Scale 1 inch = 200 feet  
 State\_Id 1N1E26BA 4900  
 Exhibit B (Mar 07, 2013)

NE 1246



WAGER RESIDENCE - MARCH 2013

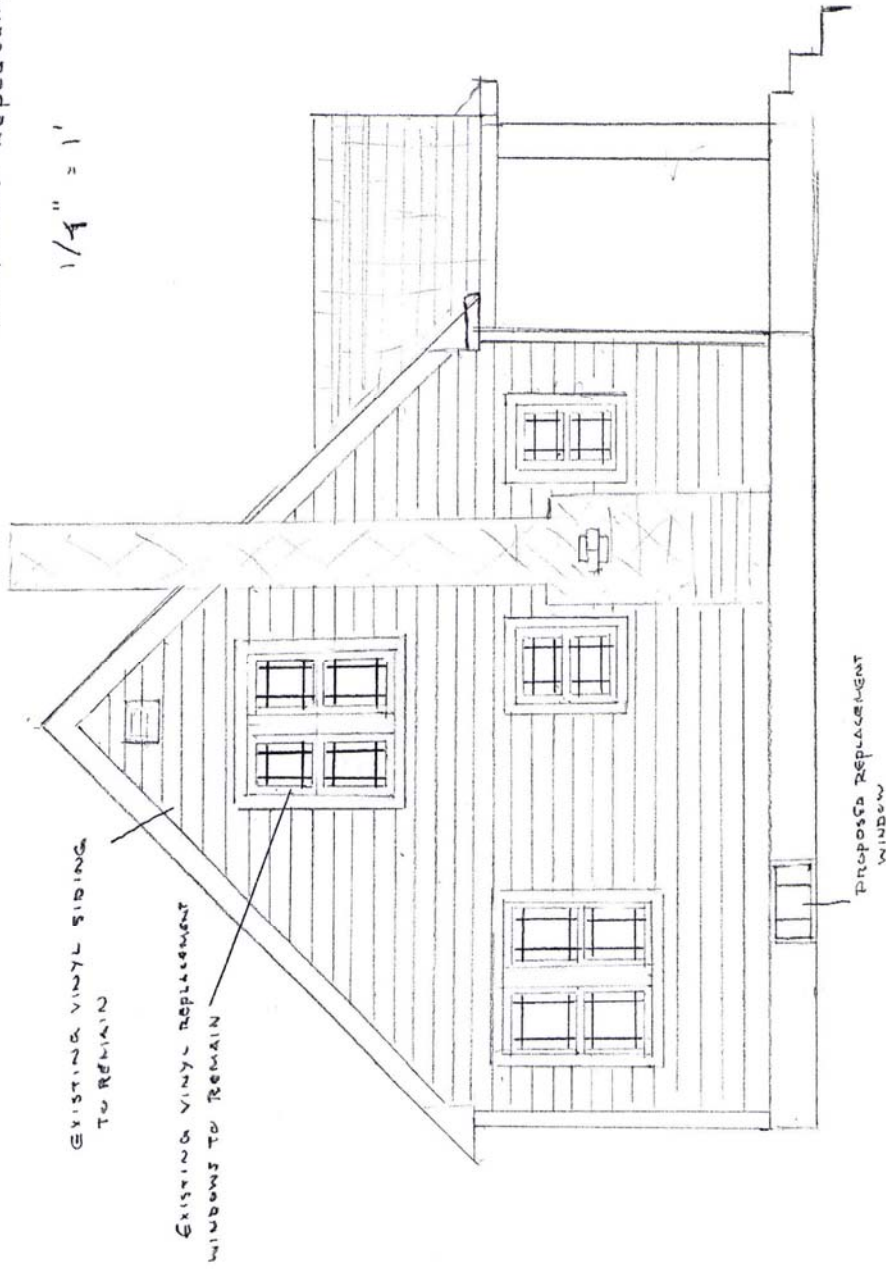
N ↑ SITE PLAN  
 1" = 10'

13 122910

WAGER RESIDENCE  
MARCH 2013  
SOUTH ELEVATION

PROPOSED REPLACEMENT WINDOW

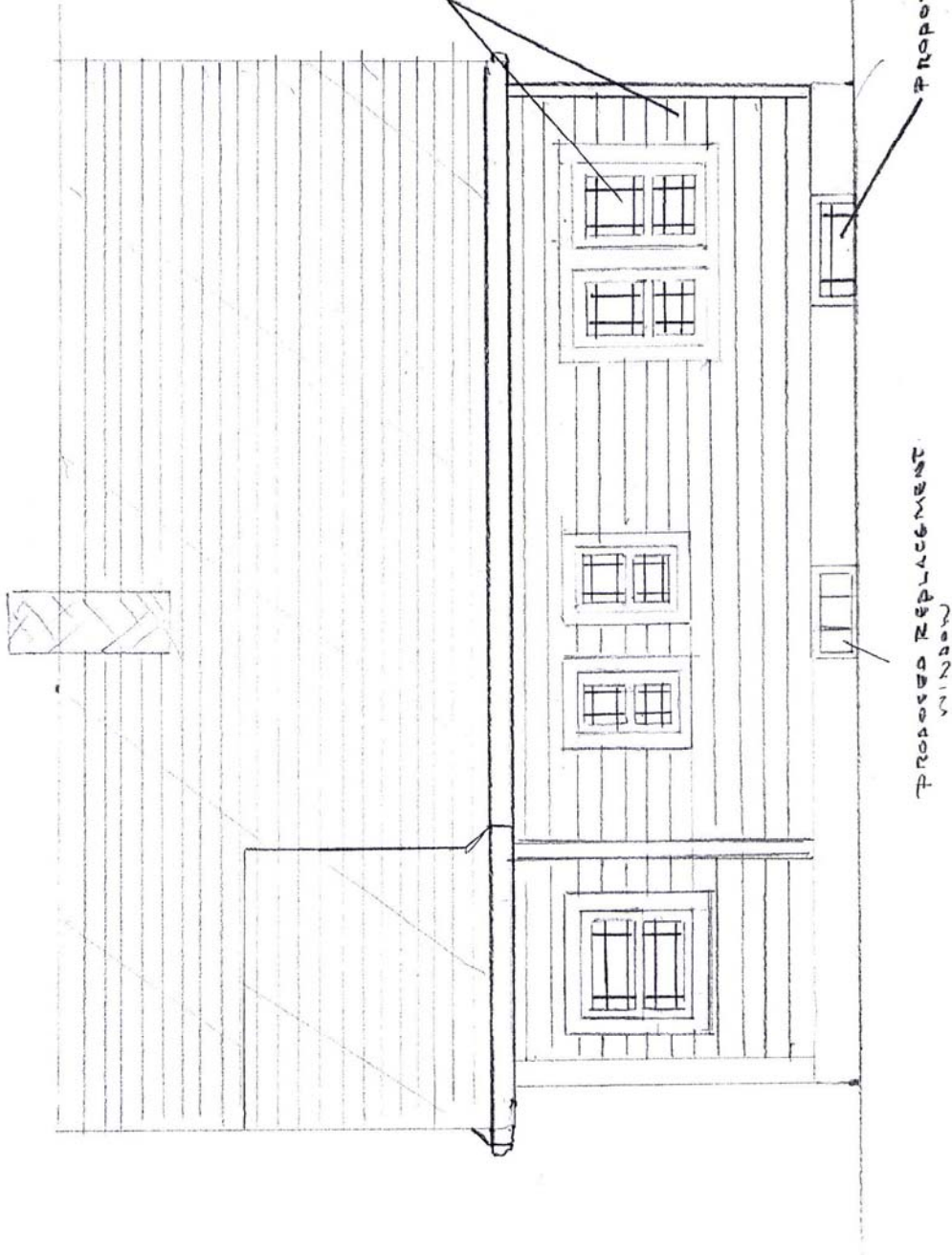
1/4" = 1'



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WAGNER RESIDENCE 4 MARCH 2013  
WEST ELEVATION

1/4" = 1'



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