



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

FROM CONCEPT TO CONSTRUCTION

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Date: October 25, 2013
To: Interested Person
From: Staci Monroe, 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 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 13-209251 HR

WINDOW REPLACEMENT IN LADD'S ADDITION

GENERAL INFORMATION

Applicant: Bill Myles / Craftsman Design & Renovation
1100 SE Grand Ave. Suite 202 / Portland, OR 97214

Owner: M. Margaret Rogers
1943 SE Locust Avenue / Portland, OR 97214-4826

Site Address: 1943 SE Locust Avenue

Legal Description: BLOCK 24 LOT 12, LADDS ADD **Tax Account No.:**R463305290
State ID No.: 1S1E02DB 05600 **Quarter Section:**3232

Neighborhood: Hosford-Abernethy, contact Joanne Stainbrook at 503-231-9245.
Business District: Division-Clinton Business Assoc, Darice Robinson at 503-233-1888.
District Coalition: Southeast Uplift, contact Bob Kellett at 503-232-0010.
Zoning: R5 – Single Family Residential 5000 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 is seeking Historic Resource Review approval to replace an existing garden window on the NE, side-facing façade of the house with a new 1'-10" x 3'-0" vertically-oriented wooden casement window in the same location. The 1 ½-story house is a contributing property within the Ladd's Addition Historic District. The new window will use site-obscuring glass and wood trim to match the original window. Historic Resource 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 Portland Zoning Code (Title 33). The relevant approval criteria are:

- Ladd's Addition Conservation District Guidelines – Exterior Rehabilitation

ANALYSIS

Site and Vicinity: The single-family residential property is developed with an El-shaped 1-½ story house and garage built in 1923. The buildings are considered contributing structures to the Ladd's Addition Historic District. The house is designed in the Twentieth Century English Cottage style, with a moderately-pitched cross-gable roof, dormers, stucco siding, and multi-light casement windows.

The Ladd's Addition Historic District, with its distinctive pattern of streets, alleys, and public gardens, is significant as an early example of planned suburban development related to the extension of streetcar lines east of the Willamette River in the late nineteenth century. Ladd's Addition Historic District was listed in the National Register of Historic Places on August 31, 1988, with a period of significance of 1891-1939.

The historic character of the Ladd's Addition neighborhood is one of small to medium-sized houses, set back moderately from tree-lined streets, with five public gardens incorporated into the distinctive layout of the subdivision at significant nodes. A few larger houses, churches, small apartment buildings, and modest commercial properties, similar in character to the single-family housing, are sprinkled throughout the district. Denser traditional storefront commercial and apartment development is concentrated along SE Hawthorne, the northern boundary street, and SE Division at the south. These were the streets that were originally designed to accommodate the streetcar lines.

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 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 no prior land use reviews.

Agency Review: A Notice of Proposal in your Neighborhood was mailed on **October 4, 2013**. Given the small scope of the proposal, no Bureau responses were provided.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **October 4, 2013**. No written responses were received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

Chapter 33.846, Historic Reviews

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 located within the Ladd's Addition Historic District. Therefore the proposal requires historic resource review approval. The relevant approval criteria are the Ladd's Addition Conservation District Design Guidelines.

Ladd's Addition Conservation District Guidelines

The revised Ladd's Addition guidelines were adopted in 1988, with both the Ladd's Addition Conservation District Advisory Council and the Historic Landmarks Commission and staff participating in their formulation. The basic intent of the guidelines is to ensure that new development in the district is compatible with the character and the architecture, which distinguish Ladd's Addition. The guidelines document is organized around three general topic areas: community design, new construction, and exterior remodeling.

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

Exterior Rehabilitation Guidelines

6. Windows and Doors. Original windows and doors, including trim, should be retained or restored. If repair is not feasible, new windows or windows on additions should match or be compatible with original windows in form, materials, type, pattern and placement of openings. On residences, the removal of original wood sash windows and replacement with aluminum sash is especially discouraged. Restoration of commercial storefront windows with large fixed glass panes below and smaller glass panes above is especially encouraged.

Findings: The proposed new wood casement window, which replaces an existing garden window in the same location, is an architecturally appropriate addition to the historic English Cottage style house. The new window, measuring 1'-10" x 3'-0", has a vertical orientation which matches the original multi-light wood casement windows found throughout the residence. The existing garden-style window, on the other hand, has a more square appearance that marks it as clearly non-original to the building. The new wood window trim matches the profile and dimensions of wood trim found on windows on both the first and upper floor. The slightly smaller size of the new window subtly distinguishes it from the original windows, while its careful sizing, placement and installation ensures that it does not stand out within the informal composition on the side façade. *This guideline 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 project utilizes compatible materials and design elements that respect the character of the Twentieth Century English Cottage residence and the surrounding Historic District. The proposed minor changes to this contributing property in the Ladd's Addition Historic District support the continued longevity of the building by helping it adapt to the residents' needs. The visual impact of the changes on the character of the residential home and the District are negligible. This proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of Historic Resource Review for a replacement window on the NE, side-facing façade of the house consisting of a 1'-10" x 3'-0" vertically-oriented wooden casement window in the same location, in the Ladd's Addition Historic District.

Per the approved site plans, Exhibits C-1 through C-3, signed and dated 10/22/13, subject to the following conditions:

- A. As part of the building permit application submittal, each of the 4 required drawings 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 13-209251 HR."

Staff Planner: Staci Monroe



Decision rendered by: _____ **on October 22, 2013**
By authority of the Director of the Bureau of Development Services

Decision mailed October 25, 2013

Procedural Information. The application for this land use review was submitted on September 24, 2013, and was determined to be complete on **October 1, 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 September 24, 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 did not waive or extend the 120-day review period.

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.

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 **October 25, 2013**.

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.

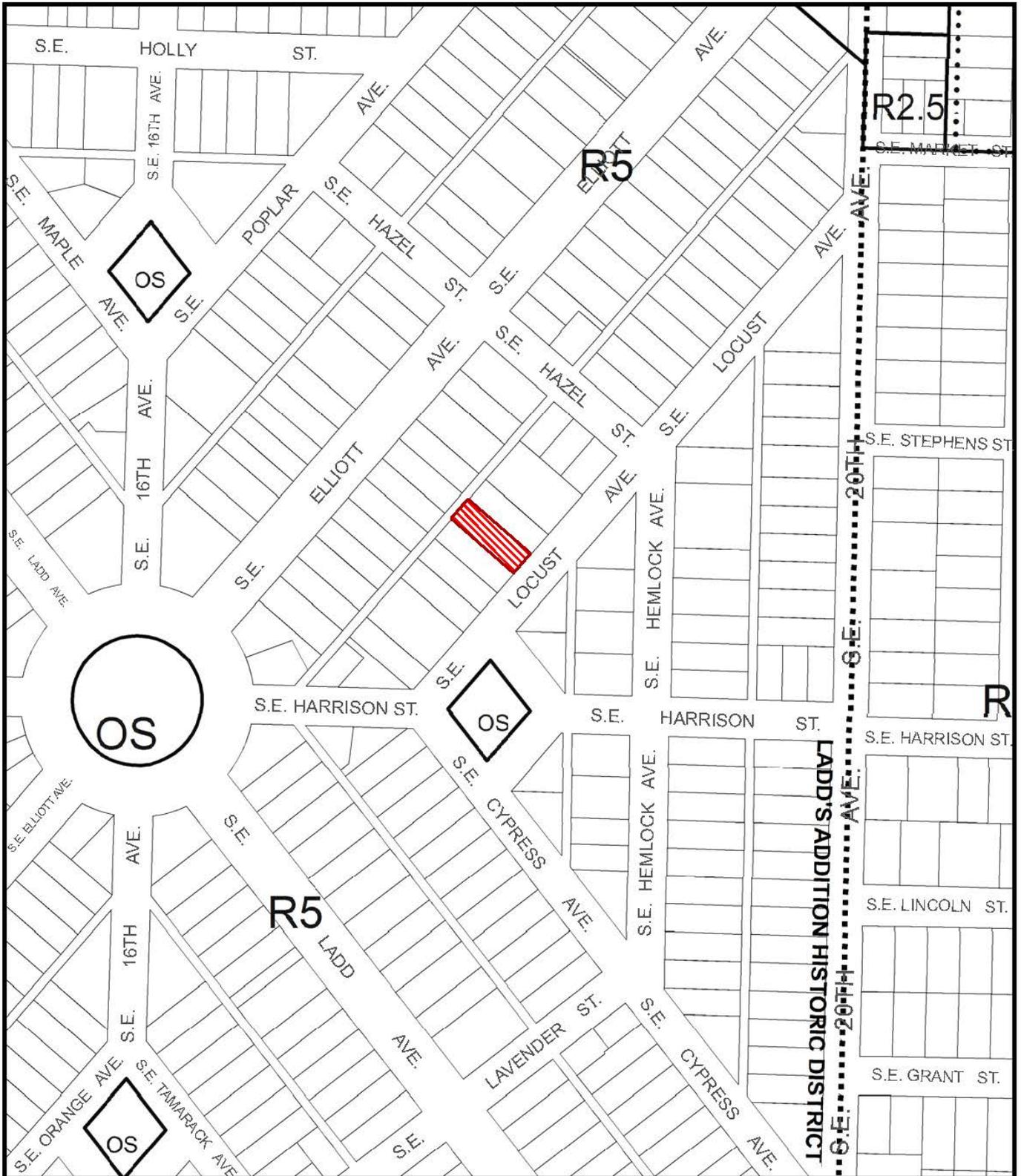
EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Vicinity Plan & Photo (attached)
 - 2. Site Plan (attached)
 - 3. Proposed NE Elevation & Window Section (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses: None.
- F. Correspondence: None.
- G. Other:

1. Original LU Application
2. Resource Description from Ladd's Historic District Nomination

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



NORTH

This site lies within the:
LADD'S ADDITION HISTORIC DISTRICT

File No. LU 13-209251 HR
 1/4 Section 3232
 Scale 1 inch = 200 feet
 State_Id 1S1E02DB 5600
 Exhibit B (Sep 25, 2013)

Historic Review Plans

1930 Southeast Locust Avenue Portland, Oregon, United States
Address in 1930s



Approved
City of Portland - Bureau of Development Services

Planner: *[Signature]* Date: 10/22/13
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

ROGERS WINDOW REPLACEMENT

1943 SE Locust Avenue Portland Oregon 97214

THESE DRAWINGS ARE THE PROPRIETARY WORK PRODUCT AND PROPERTY OF CRAFTSMAN DESIGN AND RENOVATION. DEVELOPED FOR THE EXCLUSIVE USE OF LOCAL MAN DESIGN AND RENOVATION USE OF THESE DRAWINGS AND CONCEPTS CONTAINED THEREIN WITHOUT THE WRITTEN PERMISSION OF CRAFTSMAN DESIGN AND RENOVATION IS PROHIBITED. DRAWINGS ARE CONCEPTUAL IN NATURE. DIMENSIONS ARE +/- AND MAY NOT REFLECT JOBSITE CONDITIONS.

VIEWS OF EXISTING GARDEN WINDOW

Drawings reviewed and approved by client(s):

(initial)

Property & Location

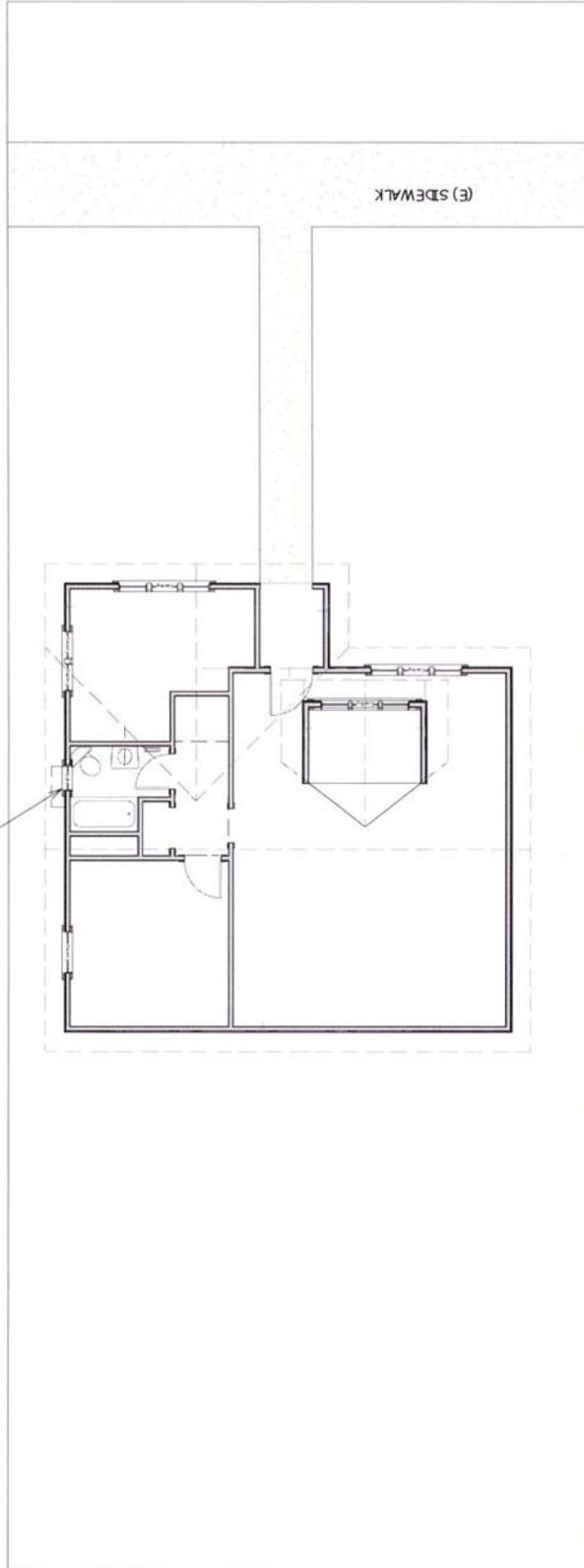


Scale:	Drawn By: BT/ BM	Created: 07/23/2013 Revised: 09-10-13	Printed: 09/19/2013
1		Drawing Number	
ROGERS BATH RENOVATION 1943 SE Locust Avenue Portland Oregon 97214		CRAFTSMAN DESIGN & RENOVATION LLC 1100 SE Grand Ave Suite 202, Portland Oregon 97214 Ph. 503.239.6200 Fax 503.234.1075	

LU 13-209251 HR
EX. C-1

Scale:	Created: 07/23/2013	1100 SE Grand Ave Suite 202, Portland Oregon 97214 Ph. 503.239.6200 Fax 503.234.1075 CRAFTSMAN DESIGN & RENOVATION LLC
	Printed: 09/19/2013	
Drawn By: BT/ BM	Revised: 09-10-13	1943 SE Locust Avenue Portland Oregon 97214 RIVERS BATH RENOVATION

REMOVE (E) GARDEN WINDOW
INSTALL (NEW) 22" x 36" CASEMENT



1 Site Plan
Scale: 1/8" = 1'-0"

* Approved*
 City of Portland - Bureau of Development Services
 Planner Sullivan Date 10/22/13
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



Drawings reviewed and approved by client(s):
(initial)

LV 13-209251 HR
EX-C-2

