



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

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner
Paul L. Scarlett, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: November 14, 2016
To: Interested Person
From: Cassandra Ballew, Land Use Services
503-823-7252 / Cassandra.Ballew@portlandoregon.gov

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

The Bureau of Development Services has a approved proposal in your neighborhood. The mailed copy of this document is only a summary of the decision. 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. Information on how to do so is included at the end of this decision.

CASE FILE NUMBER: LU 16-198522 HR – NEW GARAGE DOOR

GENERAL INFORMATION

Applicant/Owner: James E. Dixon & Judith M. Rizzio
3432 NE 16th Ave
Portland, OR 97212-2314

Site Address: 3432 NE 16TH Avenue A
Legal Description: BLOCK 18 LOT 2-4 TL 5600, DIXON PL
Tax Account No.: R210502540
State ID No.: 1N1E26AB 05600
Quarter Section: 2732
Neighborhood: Sabin Community Assoc., contact Rachel Lee at 503-964-8417. Irvington, contact Dean Gisvold at 503-284-3885.

Business District: North-Northeast Business Assoc, contact at chair@nnebaportland.org
District Coalition: Northeast Coalition of Neighborhoods, contact Zena Rockowitz at 503-388-5070.

Other Designations: Irvington Historic District
Zoning: R5, Single Dwelling Residential 5000
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 to remove and replace an existing 16'x7' wide garage door on the south façade of a non-contributing garage, built in 1995. The garage is accessory to a 1925 bungalow in the colonial style, which is a contributing resource in the Irvington Historic District. The proposed wood rail and stile door with glass lights, will be smaller in size at 13'-6" x 7'. This work will also allow for the removal of a wind column that was placed on the southern wall of the garage for structural support.

Historic Resource Review is required because proposals for an alteration to the exterior of a structure in a Historic District require a Type I Historic Resource Review, per Section 33.846.060, Table 846-3.

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.

ANALYSIS

Site and Vicinity: The 5,800 square foot lot is developed with a single-dwelling, 1.5 story bungalow in the colonial revival style. Originally built in 1925, the home shares the property with a detached garage built in 1995. The garage is located outside the side and rear setback at the southeast corner of the lot, and a driveway extends along the southern portion of the lot, accessed from NE 16th Avenue.

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 yard 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 address. 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.

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.

Agency Review: A Notice of Proposal in your Neighborhood was mailed on **October 24, 2016**.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **October 24, 2016**. One written response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

1. Rachel Lee, Chair of the Sabin Community Association Board, November 7, 2016, Wrote in approval of the proposed work.

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.

I. 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.
- 2. Record of its time.** The historic resource will remain a physical record of its time, place, and use. Changes that create a false sense of historic development, such as adding conjectural features or architectural elements from other buildings will be avoided.
- 3. Historic changes.** Most properties change over time. Those changes that have acquired historic significance will be preserved.
- 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.
- 5. Historic materials.** Historic materials will be protected. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials will not be used.

Findings for 1, 2, 3, 4 and 5: The existing garage was constructed in 1995, out of the period of significance and is a non-contributing structure in the Irvington Historic District; as such, no historic materials or features will be altered or impacted. The alteration of the garage door will decrease its size and improve the quality of the garage with a new door that is more in keeping with the character of the adjacent contributing bungalow home. *These guidelines are 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.
- 9. Preserve the form and integrity of historic resources.** New additions and adjacent or related new construction will be undertaken in such a manner that if removed in the

future, the essential form and integrity of the historic resource and its environment would be unimpaired.

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, 9 and 10: As mentioned, the existing detached garage was constructed in 1995 and is a non-contributing structure in the Irvington Historic District; as such, no historic materials or features will be altered or impacted. The proposed alterations include the following:

- Replacement of existing 16'-0" garage door with a new 13'-6" wood insulated rail and stile door with glass lites. New wood lap siding will be used to patch the existing opening and wood trim will be used to frame the new door, aligning it with the garage above.
- Removal of a existing wind column on south side of garage door and replace with 16" wide simpson strong wall garage portal bracing.

Although the existing detached garage is a non-contributing structure in the Irvington Historic District, and therefore no alteration to historic material is currently proposed, the alterations listed above are informed by the character of neighboring contributing home and District and are therefore architecturally compatible with the district. The detailing of the proposal, such as the use of all wood trim, lap siding to match existing, wood insulated rail and stile door with glass lites and the placement of the strong wall is architecturally compatible with the site and district. The new work will be differentiated with the relatively contemporary products and materials proposed. *These guidelines 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 proposed alterations to replace an existing garage door with a higher quality door of a more appropriate scale and size, in addition to the removal an existing wind column are architecturally compatible with the district and therefore warrant approval.

The purpose of the historic resource review process is to ensure that exterior alterations to existing buildings protect the integrity of the special characteristics of the historic resources. The proposal employs durable, architecturally compatible materials, respects the original character of the subject building, and allows it to remain a coherent composition. The proposal meets the applicable approval criteria and therefore warrants approval.


ADMINISTRATIVE DECISION

Approval of exterior alterations in the Irvington Historic District to replace an existing garage door with a higher quality door of a more appropriate scale and size, in addition to the removal an existing wind column, per the approved site plans, Exhibits C-1 through C-3, signed and dated November 8, 2016, 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 16-198522 HR ."

Staff Planner: Cassandra Ballew

Decision rendered by:  **on November 8, 2016**
By authority of the Director of the Bureau of Development Services

Decision mailed: November 14, 2016

Procedural Information. The application for this land use review was submitted on July 1, 2016, and was determined to be complete on October 11, 2016.

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 July 1, 2016.

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. 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 **November 1, 2016**. 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 503-823-7617.

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.

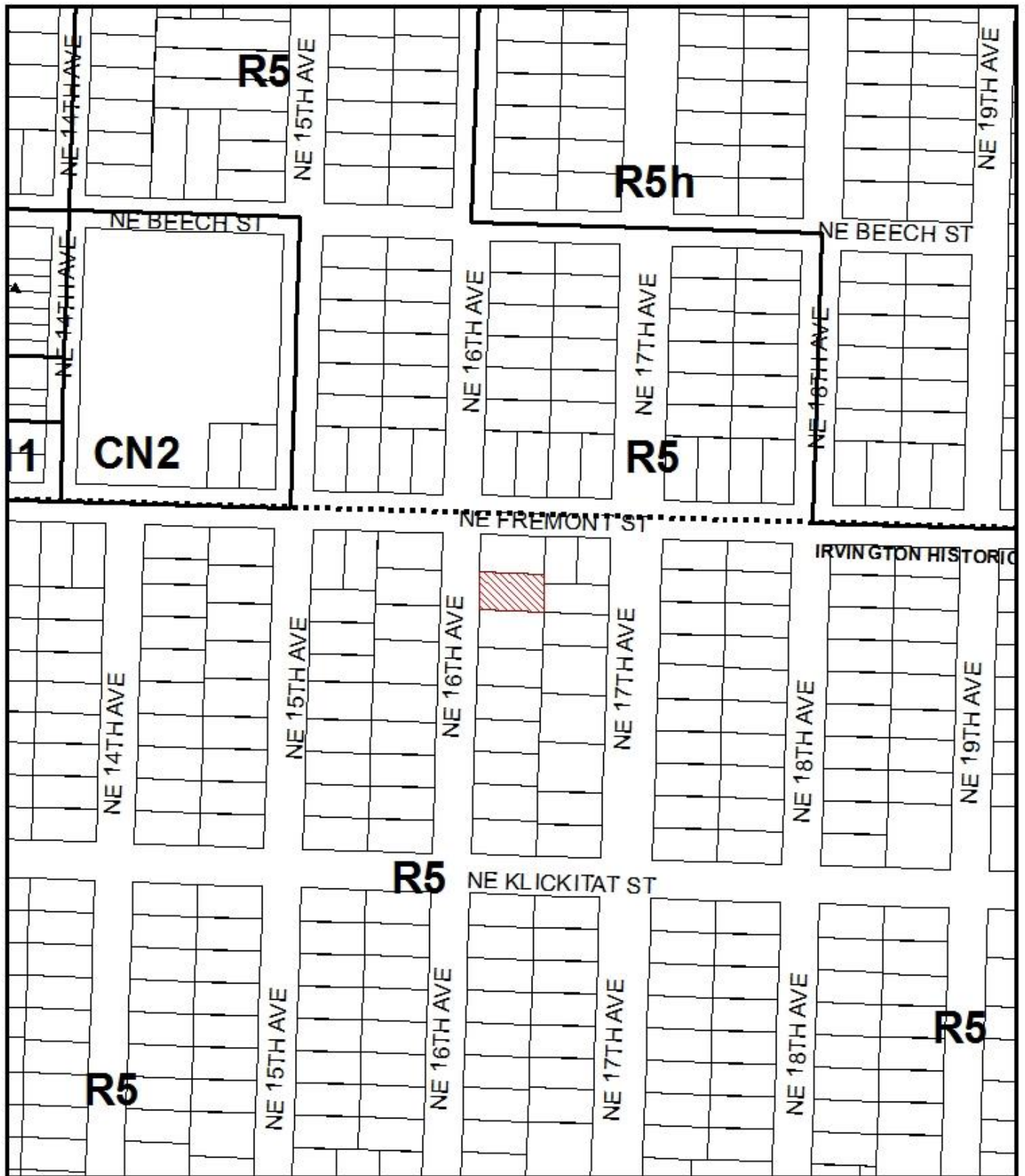
EXHIBITS

NOT ATTACHED UNLESS INDICATED


- A. Administrative Information:
 1. Applicant's Statement
 2. Email Correspondence
 3. LU Waiver for Compliance Case
- B. Zoning Map (attached)
- C. Plans/Drawings:
 1. A1.00 Site Plan (attached)
 2. A2.00 Plans (attached)
 3. A3.00 Elevations (attached)
- D. Notification information:
 1. Mailing list
 2. Mailed notice
- E. Agency Responses: No responses were received.
- F. Correspondence:
 1. Rachel Lee, Chair of the Sabin Community Association Board, November 7, 2016, Wrote in approval of the proposed work.
- G. Other:

1. Original LU Application
2. Site Research

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).



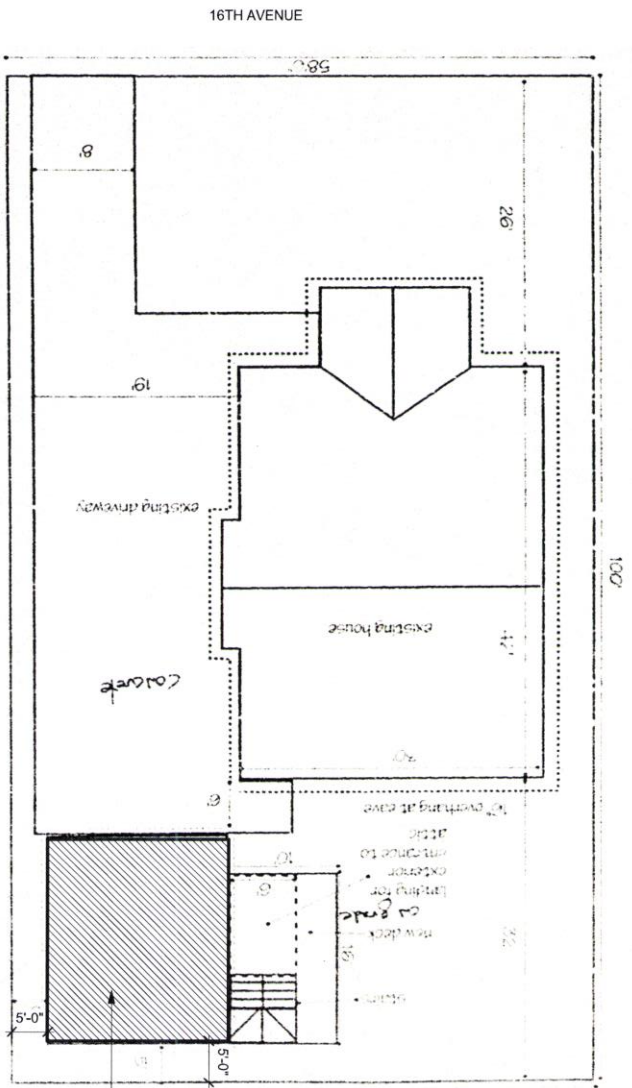
ZONING

 Site

This site lies within the:
IRVINGTON HISTORIC DISTRICT



File No. LU 16-198522 HR
 1/4 Section 2732
 Scale 1 inch = 200 feet
 State_Id 1N1E26AB 5600
 Exhibit B (Jul 06, 2016)



1 SITE PLAN
Scale: 1" = 10 ft



City of Portland - Bureau of Development Services
 LU# 16-198522 HR
 * Approved * VICINITY MAP
 Planner C. Rollins Date 11.8.16
 # Approved Monitoring/Maintenance Plan

ADDRESS:

3432 NE 16th
 Portland, Oregon 97212
 Zone: R5
 Historic Irvington District

PROJECT SCOPE:

- MODIFICATION TO EXISTING NON-HISTORIC STRUCTURE BUILT IN 1995, PERMIT #RES95-54403
- REMOVE EXISTING WIND COLUMN ON SOUTH SIDE OF GARAGE DOOR AND REPLACE WITH 16" WIDE SIMPSON STRONG WALL GARAGE PORTAL BRACING.
- MODIFY EXISTING 16'-0" WIDE GARAGE DOOR TO APPROXIMATELY 13'-6" TO ALIGN WITH DOORWAY ABOVE

EXISTING GARAGE WITH ATTIC STUDIO

CHASS MAYER ARCHITECT
 4507 N. GAVELINSON
 PORTLAND, OREGON 97217
 503.281.8800
 chm@cmayear.com

DXN

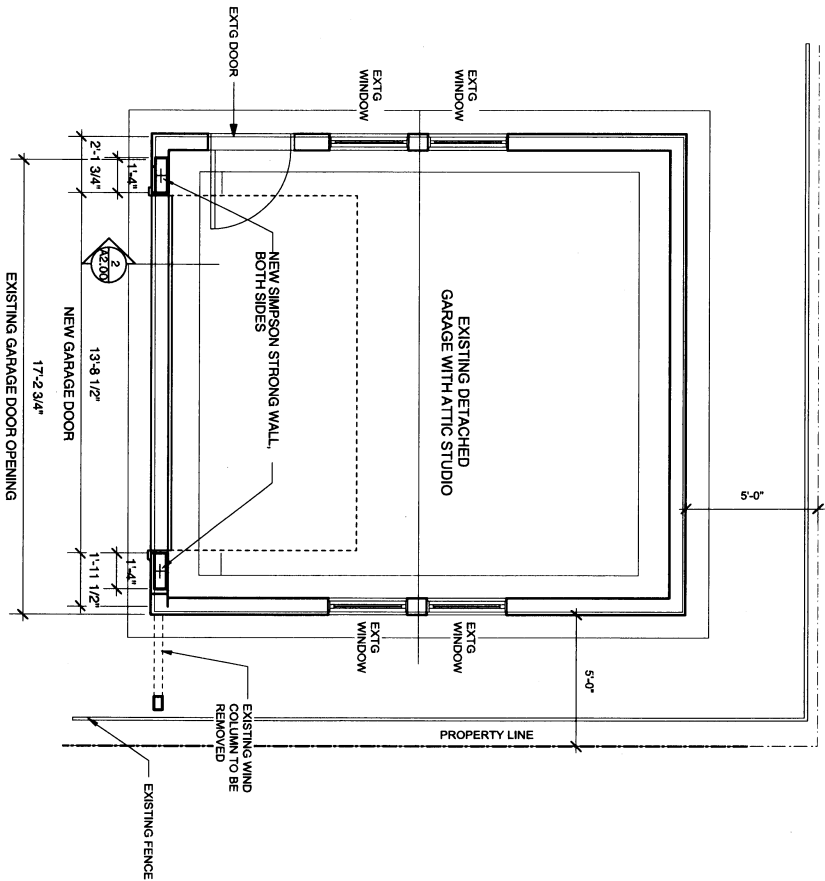
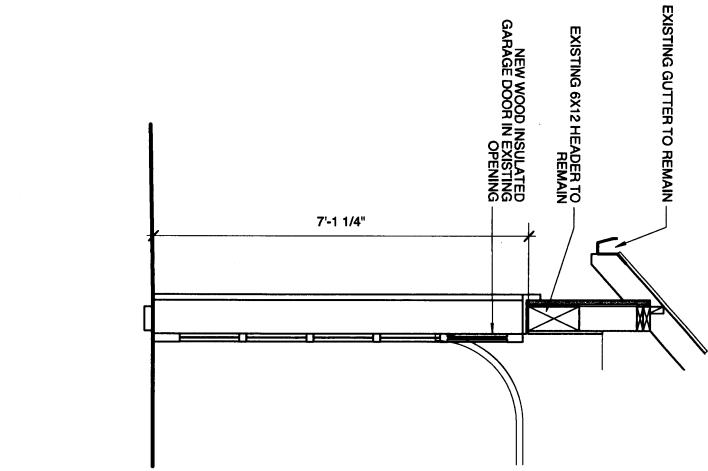
Dixon Residence Studio
 Project Site Address:
 Portland, Oregon 97212
 Mailing Address:

10.10.2016

SCALE: VARIES

SITE PLAN - INFO

 A1.00



2 SECTION THROUGH GARAGE DOOR
Scale: 1/2" = 1'-0"

1 1ST FLOOR PLAN
Scale: 1/4" = 1'-0"

Approved

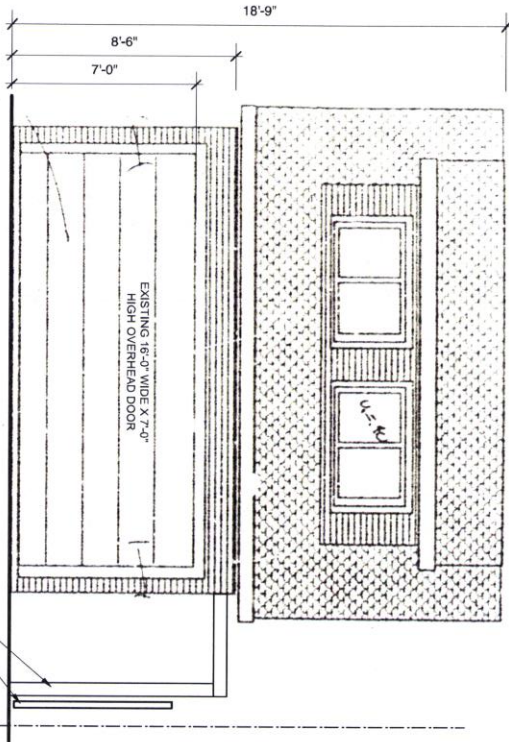
City of Portland - Bureau of Development Services
 LU# 16-198522-HR
 Planner E. B. [Signature] Date 11.8.16
 * Approved Monitoring/Maintenance Plan

DXN
 Dixon Residence Studio
 Project Site Address:
 Portland, Oregon 97212
 Mailing Address:
 [Blank]

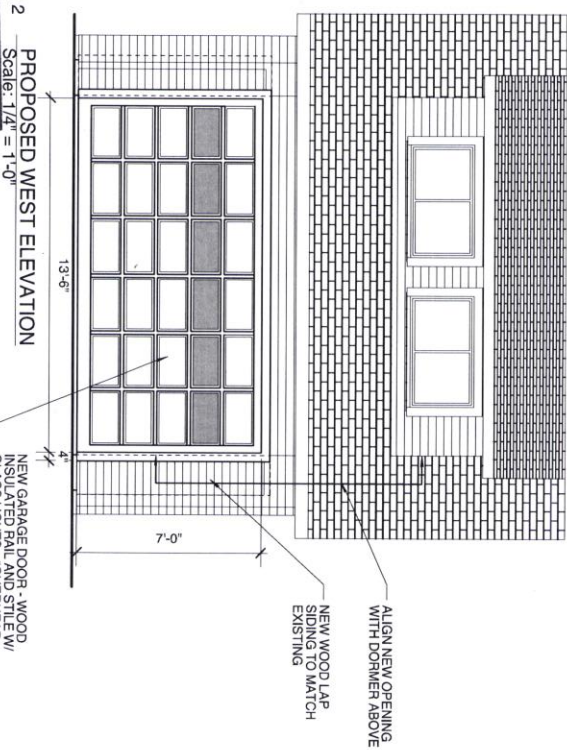
DATE: 10/10/2016
 SCALE: 1/4" = 1'-0"
 PLANS
 A2.00



PHOTO OF EXISTING CONDITION



1 EXISTING WEST ELEVATION
Scale: 1/4" = 1'-0"



2 PROPOSED WEST ELEVATION
Scale: 1/4" = 1'-0"

Approved
 City of Portland - Bureau of Development Services
 LU # 16-198522 HR
 Planner C. B. Lee Date 11.8.16
 * / / Monitoring/Maintenance Plan

CHRIS MOYER ARCHITECT
 4029 N. GARDNER ST.
 PORTLAND, OREGON 97217
 503.281.8100
 chris@moyerarchitect.com

DXN

Dixon Residence Studio
 Project Site Address:
 3432 NE 15th
 Portland, Oregon 97212
 Meeting Address:

10.10.2016
 SCALE: 1/4" = 1'-0"
 ELEVATIONS

16
 A3.00

EXHIBIT C-3