



City of Portland, Oregon
Bureau of Development Services
Land Use Services
FROM CONCEPT TO CONSTRUCTION

Chloe Eudaly, Commissioner
Rebecca Esau, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: June 14, 2018
To: Interested Person
From: Puja Bhutani, Land Use Services
503-823-7226 / Puja.Bhutani@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 18-144967 HR – REAR DORMER ADDITION

GENERAL INFORMATION

Applicant: Omar Martinez Barrera, Casa Bonita LLC
1631 NE Broadway #721 | Portland, OR 97232

Owner: Terry D Tran and Michael J Huffner
2625 NE 27th Ave | Portland, OR 97212

Site Address: 2625 NE 27TH AVENUE

Legal Description: BLOCK 3 LOT 3, KNOTT ST ADD
Tax Account No.: R458800610
State ID No.: 1N1E25BC 19600
Quarter Section: 2733

Neighborhood: Grant Park, contact Ken Peterson at gpnalanduse@gmail.com.
Business District: Soul District Business Association, contact at info@nnebaportland.org
District Coalition: Northeast Coalition of Neighborhoods, contact Jessica Rojas at 503-388-5030.

Other Designations: Contributing Resource in the Irvington Historic District
Zoning: R5 – Residential 5,000. Single-Dwelling Residential Zone with Historic Resource Protection 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 requesting Historic Resource Approval for the addition of a dormer on the rear façade of the house, and includes a double hung wood window. The siding, roof, gutters, eaves, soffit and asphalt shingles will match the existing house.

Historic Resource Review is required because the proposal is for non-exempt exterior alteration to a contributing resource in the Irvington 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

ANALYSIS

Site and Vicinity: The existing residence is a contributing resource in the Irvington Historic District. It was constructed in 1923, in a bungalow/colonial revival style. The house fronts on to NE 27th Avenue, and is located on the east edge of the historic district.

Platted in the late Nineteenth Century as the first addition to Portland that employed restrictive covenants, the Irvington area developed intensely with a mix of middle class housing types and sizes during the first two decades of the Twentieth Century. 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. These patterns help to lend the neighborhood the distinctive and homogeneous historic character

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 no prior land use reviews.

Agency Review: A Notice of Proposal in your Neighborhood was mailed on **May 22, 2018**. No comments were required from other city Bureaus.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **May 22, 2018**. One written response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

1. Dean Gisvold, 6/5/18, ICA Land use Committee, stated that they would approve the gable style dormer only if it was wider, and better proportioned to the existing house. Refer to Exhibit F-1 for more details.

Staff appreciates the feedback regarding the proposed dormer. The original proposal included a large dormer with vertical proportions and an off-center window. Staff has worked with the applicant to reduce the size of the dormer for more appropriate proportions and location of window. The dormer, as proposed, is small, located in the rear and should not have a significant impact on the architectural character of the existing house. This is discussed in more detail in the findings below.

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

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.
6. **Archaeological resources.** Significant archaeological resources affected by a proposal will be protected and preserved to the extent practical. When such resources are disturbed, mitigation measures will be undertaken.

Findings for 3, 4, 5 & 6: The proposed dormer on the rear elevation is a relatively small addition and will not be visible from the street. A minimal amount of siding and asphalt roof will be removed for the addition, but will be replicated by the replacement siding and roof. There are no changes proposed to the foot print, and therefore no impacts on potential archaeological resources, and there will be no destruction of character defining materials or features. *These guidelines are therefore met.*

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.
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 1, 2, 7, 8, 9 & 10: The proposed exterior alterations are limited to the rear elevation of the existing house, which is a contributing resource in the Historic District. The exterior alterations will not affect any character defining feature of the

house. The dormer will match the existing lap siding and asphalt roof shingles. There are no changes being proposed to the existing house's form, roofline or the building footprint. There are no original windows being removed. The sizes and proportion of the new double hung window will match existing windows. The original shadow lines and exterior window trim and detailing have been replicated in the proposal, to the extent possible. The window has been relocated to be centered on the dormer to preserve the balance and symmetry of the rear façade. The proposed exterior alterations will be compatible with the existing character and architectural features of the house, adjacent properties and the rest of the district. *These guidelines are 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 requirements of Title 11 can be met, and 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 dormer is located at the rear of the house and the materials and detailing match that of the existing residence, a contributing resource in the Irvington Historic District. 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. This proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

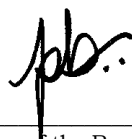
ADMINISTRATIVE DECISION

Approval of Historic Resource Review for the addition of a dormer with a double hung wood window on the rear façade of the house, a contributing resource in the Irvington Historic District. The siding, roof, gutters, eaves, soffit and asphalt shingles will match the existing house.

Approved per the approved site plans, Exhibits C-1 through C-5, signed and dated 6/11/2018 subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through C) 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 18-144967 HR." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. At the time of building permit submittal, a signed Certificate of Compliance form (<https://www.portlandoregon.gov/bds/article/623658>) must be submitted to ensure the permit plans comply with the Design/Historic Resource Review decision and approved exhibits.
- C. No field changes allowed.

Staff Planner: Puja Bhutani



Decision rendered by: _____ **on 6/11/2018**

By authority of the Director of the Bureau of Development Services

Decision mailed: 6/14/2018

Procedural Information. The application for this land use review was submitted on April 3, 2018, and was determined to be complete on May 17, 2018.

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 April 3, 2018.

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: 9/14/2018.**

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 will be recorded with the Multnomah County Recorder.

- *Unless appealed*, the final decision will be recorded after **6/15/2018** by the Bureau of Development Services.

The applicant, builder, or a representative does not need to record the final decision with the Multnomah County Recorder.

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. Narrative
 - 2. Original Drawing Set- for reference only, not approved
 - 3. Residence photographs
 - 4. Option A- shed dormer
 - 5. Option B- gable dormer
 - 6. Response to staff incomplete letter, received 5/18/2018
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Floor Plans and Building Section
 - 3. Front& Left Elevation
 - 4. Rear Elevation (attached)
 - 5. Window Sections
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses: None Required
- F. Correspondence:
 - 1. Dean Gisvold, 6/5/18, ICA Land use Committee, stated that they would approve the gable style dormer only if it is better proportioned to the existing house.
- G. Other:
 - 1. Original LU Application
 - 2. Incomplete letter send by staff, dated 4/17/18

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



THIS SITE LIES WITHIN THE:
IRVINGTON HISTORIC DISTRICT



Site



Historic Landmark

File No.	LU 18-144967 HR
1/4 Section	2733
Scale	1 inch = 200 feet
State ID	1N1E25BC 19600
Exhibit	B Apr 05, 2018

Sketch Copy 4

LEGEND

PROPERTY LINE	---
SET BACK LINE	- - - -
EASEMENT	---
CONTOUR LINE	---
CURB	---
CENTERLINE OF ROAD	---
ROOF LINE	---
SEWER/SEPTIC LINE	---
FENCE	---
WELL	⊙
WATER LINE	---
UG POWER	---
OH POWER	---
HEAVILY TREED AREA	
TREE	*
PROPOSED TREE REMOVAL	⊗
DECIDUOUS TREE	⊙
DECIDUOUS TREE REMOVAL	⊗
ELEVATIONS	X



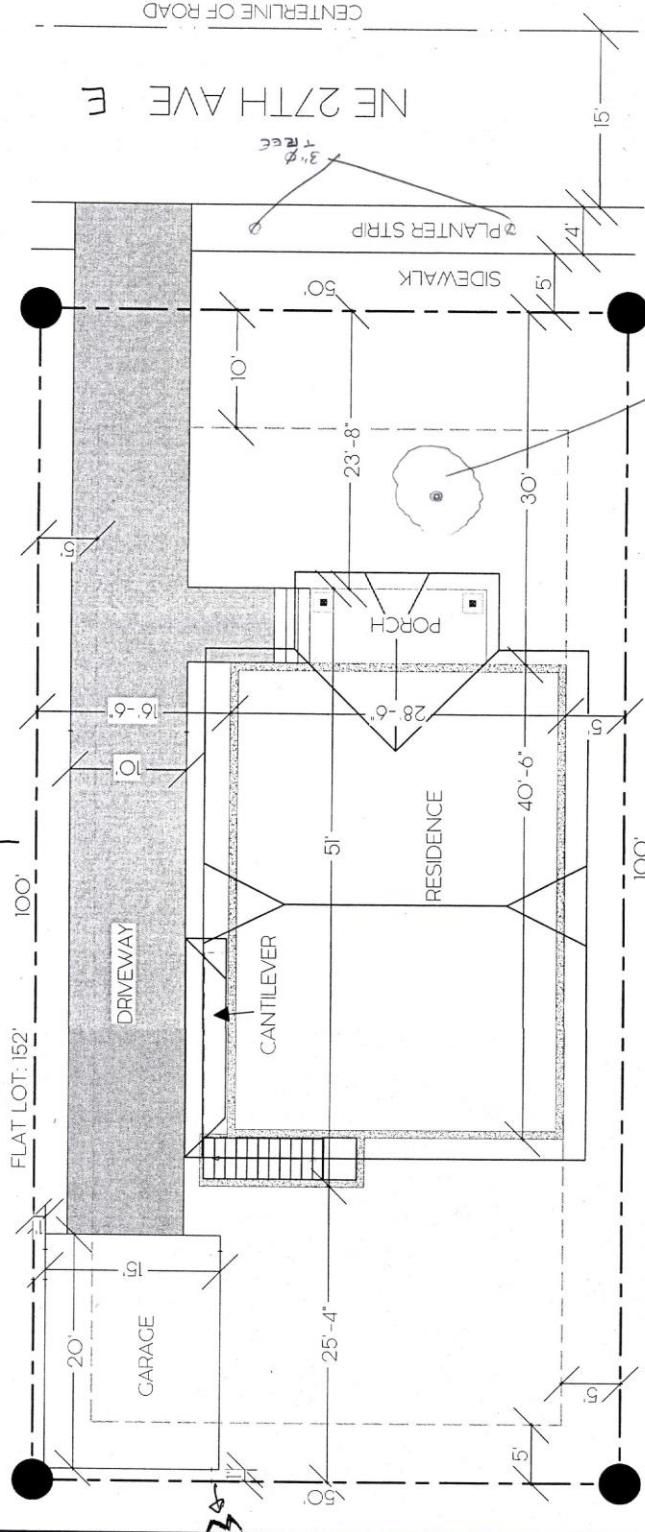
WISE OWL HOME PLANS
 4421 NE ST. JOHNS RD, SUITE 1
 VANCOUVER, WA 98661
 360-750-8911

SITE PLAN

OWNER	HUFFNER RESIDENCE
CONTRACTOR	
ADDRESS	2625 NE 27TH AVE
CITY/STATE	PORTLAND, OR
SUBDIVISION/LOT #	
TAX ID	
SCALE	1"=10'
DATE	3/27/18



Approved
 City of Portland
 Bureau of Development Services
 Planner AP
 Date 6/11/18
 This approval applies only to the reviewed and is subject to all reviews and conditions of approval. Additional zoning requirements may apply.



EXISTING SITE PLAN

C1

WA 18-144967 PR

CREATED 03/20/2018
 REVISED 05/06/2018

DESIGN CRITERIA

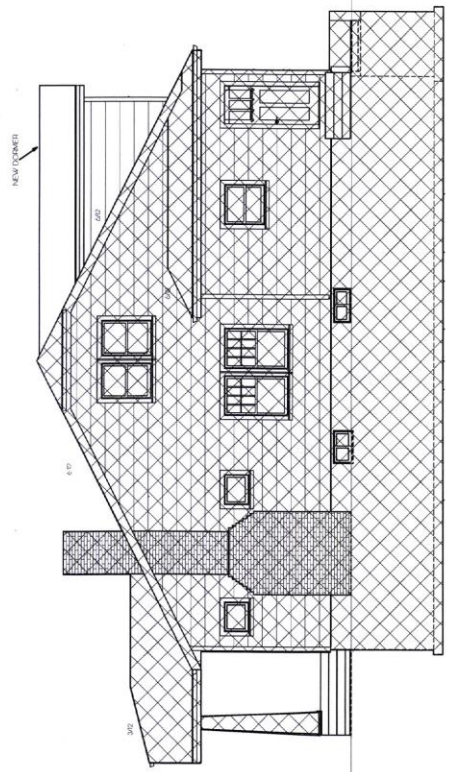
FLOOR LOADS	40# L.F.
ROOF SNOW LOADS	20# S.F.
GROUND SNOW LOADS	30# S.F.
FROST DEPTH	36"

1. THIS DRAWING CONTAINS INFORMATION WHICH IS THE PROPERTY OF WISE OWL PLANS, LLC. THE DRAWING IS REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF WISE OWL PLANS, LLC. ANY REPRODUCTION OR TRANSMISSION OF THIS DRAWING FOR ANY PURPOSES WITHOUT THE WRITTEN PERMISSION OF WISE OWL PLANS, LLC IS STRICTLY PROHIBITED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL DIMENSIONS AND CONDITIONS SHOWN ON THIS DRAWING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.

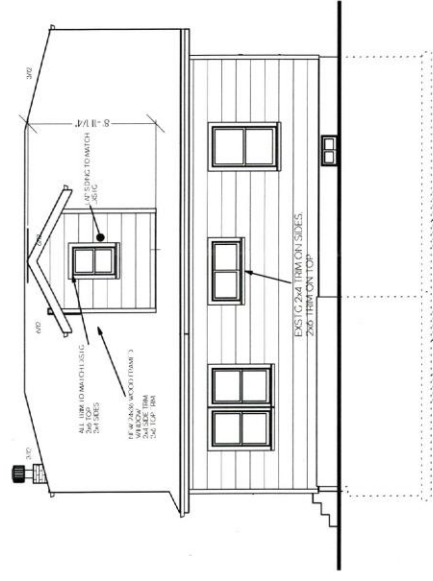


360 . 750 . 8911

HUFFNER
 REMODEL
 2655 NE 27TH AVE
 PORTLAND, OR 97212



RIGHT ELEVATION
 SCALE 1/8"=1'



REAR ELEVATION
 SCALE 1/8"=1'

Approved
 City of Portland
 Bureau of Development Services
 Planner sbj
 Date 6/1/19
 * This approval applies only to the
 drawings for which it is issued. It
 does not constitute a warranty of
 accuracy or a guarantee of results.

C-4