



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

Ted Wheeler, Mayor
Rebecca Esau, Director
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www.portlandoregon.gov/bds

Date: December 17, 2018
To: Interested Person
From: Hannah Bryant, Land Use Services
503-823-5353 / Hannah.Bryant@portlandoregon.gov

NOTICE OF A TYPE II 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 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 18-259959 HR – EXPANDING REAR DORMER

GENERAL INFORMATION

Applicant: Liz Williams | Elizabeth Williams Architect
3526 NE 25th Avenue | Portland OR 97212
(503)709.9028

Owners: Catherine Johnson & Kurt Armstrong
3122 NE 13th Avenue
Portland, OR 97212-2201

Site Address: **3122 NE 13th Avenue**

Legal Description: BLOCK 72 LOT 13, IRVINGTON
Tax Account No.: R420415470
State ID No.: 1N1E26BA 14400
Quarter Section: 2731
Neighborhood: Sabin Community Assoc., contact Rachel Lee at 503-964-8417.,
Irvington, contact Dean Gisvold at 503-284-3885.

Business District: Soul District Business Association, contact at info@nnebaportland.org
District Coalition: Northeast Coalition of Neighborhoods, contact Laura Becker at 503-388-6088.

Plan District: None
Other Designations: Contributing Resource in the Irvington Historic District
Zoning: **R5** – Residential 5,000 with Historic Resource Protection Overlay
Case Type: **HR** – Historic Resource Review
Procedure: **Type II**, an administrative decision with appeal to the Landmarks Commission.

Proposal:
The applicant seeks Historic Resource Review for the expansion of an existing rear dormer on a contributing resource in the Irvington Historic District. The new walls are proposed to be held back two feet from the existing ground floor walls, leaving four feet of roof on either side. The

east wall will remain aligned with the existing east dormer wall. The expanded roof is proposed to match the existing dormer roof in slope, overhang and detailing. New windows are proposed to be wood windows matching the existing downstairs windows. New trim and lap siding are proposed to match original details on the lower story. Historic Resource Review is required 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 of Title 33, Portland Zoning Code. The relevant criteria are:

- 33.846.060.G *Other Approval Criteria*

ANALYSIS

Site and Vicinity: The subject property, a two-story Colonial bungalow known as the Henry H. Keck House, was constructed in 1925 by the Matot Construction Company. Located on a 5,000 square foot lot, the property is listed in the National Register of Historic Places documentation for the Irvington Historic District as a contributing resource within the Irvington Historic District.

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.

Irvington 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.

Land Use History: City records indicate no prior land use reviews.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **November 16, 2018**. The following Bureaus have responded with no issues or concerns:

- Life Safety (Exhibit E.1)
- Site Development
- Fire Bureau

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on November 16, 2018. Four written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

- Brent, Bill. December 6, 2018. *As a neighbor, he supports the proposal.* (Exhibit F.1)
- Dooris, Jackie. November 21, 2018. *As a neighbor, she supports the proposal.* Exhibit F.2)
- Gisvold, Dean, on behalf of the Irvington Community Association. December 7, 2018. *The ICA does not object to the proposal.*
- Lee, Rachel, on behalf of the Sabin Community Association. December 7, 2018. *The Sabin Community Association recommends approval of the proposal.*

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.
- 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.

Findings for 1 and 2: The existing house is a Colonial bungalow with minimal previous alterations. The roof is a jerkinhead gable, with the ridge parallel to the street and approximately two-foot deep soffited eaves. There are two dormers, one on the front and one on the back of the house. The street-facing front dormer is an unusual compound curved roof form over a semi round front porch and steps. The rear dormer is a simple shed with minimal eaves.

The proposal expands the existing rear shed dormer, extending the existing roof line, eave depth and east wall plane. The new north and south side walls will be inset two feet from the existing ground floor walls, maintaining four feet of roof on either side. New windows are proposed to match the existing original wood windows, and the new trim and siding will also be wood to match existing materials.

The historic character of the house will be retained and preserved with a minimal extension of a rear-facing dormer, and through matching the existing roof slope, siding, windows and trim details. Unlike the curved front dormer, the rear-facing dormer is not a character defining architectural element, nor is it visible from the public realm. Once completed, the addition will be a seamless extension of an existing condition and will not significantly alter the proportions, roofline, mass or appearance of the contributing resource.

These guidelines are met.

- 3. Historic changes.** Most properties change over time. Those changes that have acquired historic significance will be preserved.
- 4. 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 3 and 4: This contributing resource has not had significant exterior alterations. The rear facing dormer does not have historic significance and the proposal will not significantly alter it. The proposal will not damage historic materials.

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.

Findings for 7, 8 and 9: The new addition will align the new east wall with the existing, and will match the existing dormer in all proportions, materials and dimensions. However, close examination will clearly reveal the new double-pane windows as differentiated from historic material. The dormer could be reduced in size, or removed in the future without altering the significant, character-defining elements of this house or this style.

These guidelines are met.

- 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 10: Through matching the existing wall plane, roof slope, window style, and materials of the existing rear dormer, the proposed exterior addition will be compatible with the primary resource. It is set back two feet from the lower story walls, and four feet from the eaves, which allows the original roof form to be clearly legible and reduces the visibility of the dormer from surrounding properties. Rear dormers are common throughout the Historic District. The limited scale of this dormer does not significantly impact the building mass, or the spatial form of the neighborhood. The unusual curved front dormer and porch will be untouched by this scope of work.

This guideline is 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 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 carefully considered proposal is respectful of the unique architectural features of the contributing resource and seeks to celebrate those features as appropriate, and to maintain the clear legibility of all original roof and wall planes. This proposal meets the applicable Historic Resource Review criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

Approval of an addition to an existing rear shed dormer, per the approved site plans, Exhibits C-1 through C-6, signed and dated December 13, 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 4 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 18-259959 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: Hannah Bryant

Decision rendered by:  **on December 13, 2018**
By authority of the Director of the Bureau of Development Services

Decision mailed: December 17, 2018

About this Decision. This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

Procedural Information. The application for this land use review was submitted on October 30, 2018 and was determined to be complete on November 13, 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 October 30, 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: March 13, 2019.**

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.

Appealing this decision. This decision may be appealed to the Landmarks Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on December 31, 2018** at 1900 SW Fourth Ave. Appeals can be filed at the 5th floor reception desk of 1900 SW 4th Avenue Monday through Friday between 8:00 am and 4:30 pm. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional 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.

Attending the hearing. If this decision is appealed, a hearing will be scheduled, and you will be notified of the date and time of the hearing. The decision of the Landmarks Commission is final; any further appeal must be made to the Oregon Land Use Board of Appeals (LUBA) within 21 days of the date of mailing the decision, pursuant to ORS 197.620 and 197.830. Contact LUBA at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, or phone 1-503-373-1265 for further information.

Failure to raise an issue by the close of the record at or following the final hearing on this case, in person or by letter, may preclude an appeal to the Land Use Board of Appeals (LUBA) on that issue. Also, if you do not raise an issue with enough specificity to give the Landmarks Commission an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

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 **January 2, 2019** 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.

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

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:

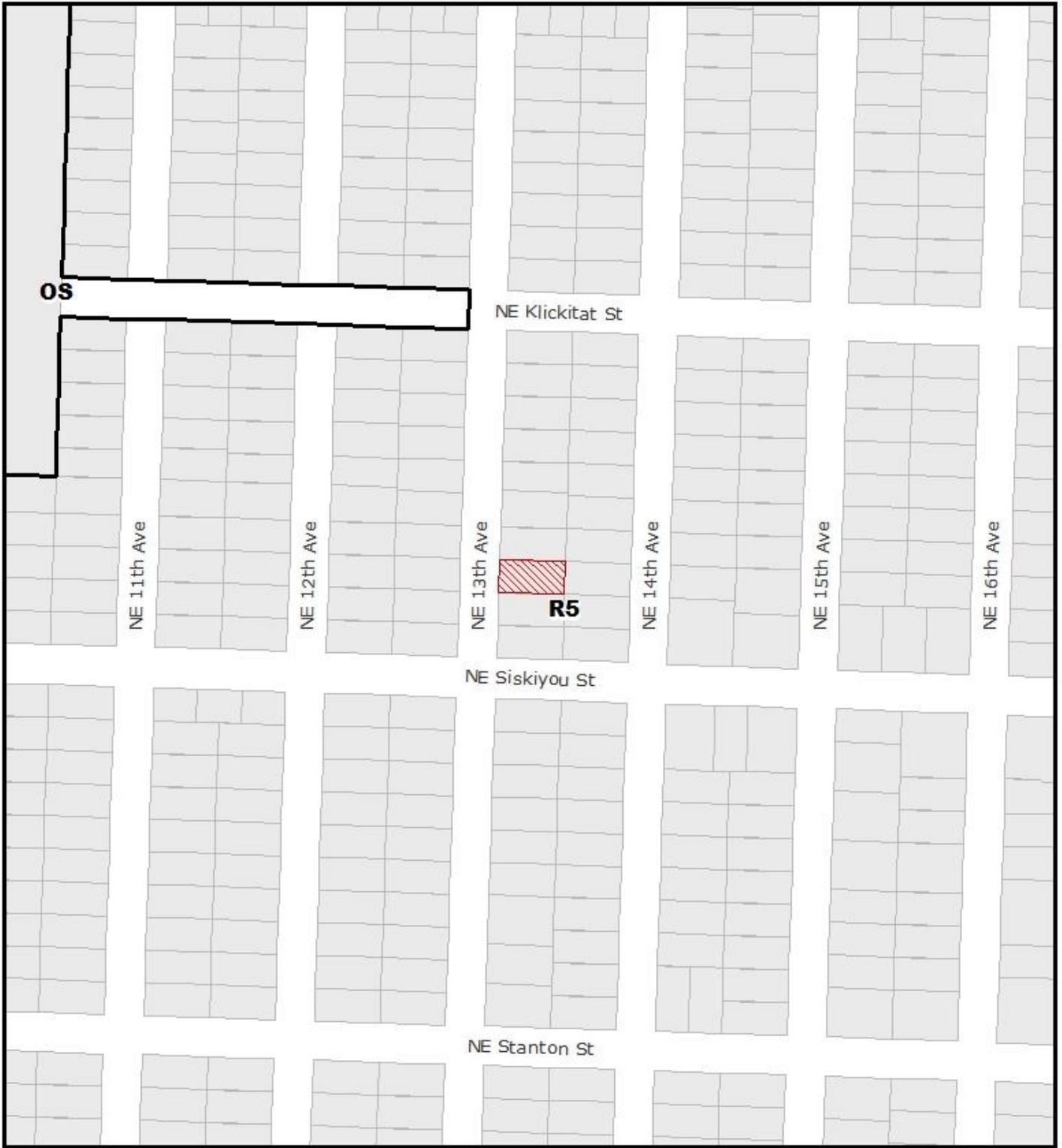
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittals
 - 1. Original Narrative
 - 2. Site Photos
 - 3. Original Submittal
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. Existing North Elevation
 - 3. Proposed North Elevation
 - 4. Existing East Elevation
 - 5. Proposed East Elevation
 - 6. Window Details
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Life Safety
- F. Correspondence:
 - 1. Brent, Bill. December 6, 2018. *As a neighbor, he supports the proposal.* (Exhibit F.1)
 - 2. Dooris, Jackie. November 21, 2018. *As a neighbor, she supports the proposal.* Exhibit F.2)
 - 3. Gisvold, Dean, on behalf of the Irvington Community Association. December 7, 2018. *The ICA does not object to the proposal.*
 - 4. Lee, Rachel, on behalf of the Sabin Community Association. December 7, 2018. *The Sabin Community Association recommends approval of the proposal.*
- G. Other:
 - 1. Original LU Application

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



File No.	LU 18-259959 HR
1/4 Section	2731
Scale	1 inch = 200 feet
State ID	1N1E26BA 14400
Exhibit	B Nov 01, 2018



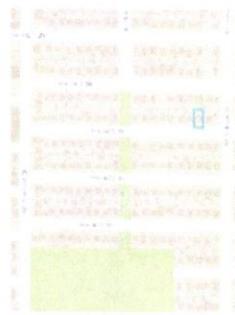
Elizabeth Williams |
STRUCTURAL ENGINEER
3526 NE 25th Ave,
Portland, OR 97212
503.709.9028
pencilworkstudio@gmail.com

ARMSTRONG HOUSE DORMER ADDITION

3122 NE 13th Ave, Portland, OR 97212

DRAWING TITLE _____
DATE: 28 OCT 2018
REV: _____
SCALE: AS INDICATED

DWG NO: G1.0



VICTINITY MAP

PROJECT TEAM
OWNERS:
CATHERINE JOHNSON AND
KURT ARMSTRONG
MICHAEL MUNZING ENGINEERING, LLC
15 SE 16TH AVE.
PORTLAND, OR 97214
503.477.5950

DESIGNER:
ELIZABETH WILLIAMS
3526 NE 25TH AVE.
PORTLAND, OR 97212
503.709.9028
pencilworkstudio@gmail.com

CONTRACTOR:
TRASE BRASH CONSTRUCTION, LLC
303.679.0565
trase@trasemode.com
CEBP 172740

DRAWING LIST
G1.0 SITE PLAN - ROOF PLAN
A1.0 EXISTING GROUND FLOOR
AND BASEMENT
A1.1 PROPOSED SECOND FLOOR
A1.2 PROPOSED SECOND FLOOR
A2.0 EAST ELEVATION
A2.1 WEST ELEVATION
A3.1 PROPOSED BUILDING SECTION
S1 STRUCTURAL SKETCH
S1 STRUCTURAL CALCULATIONS

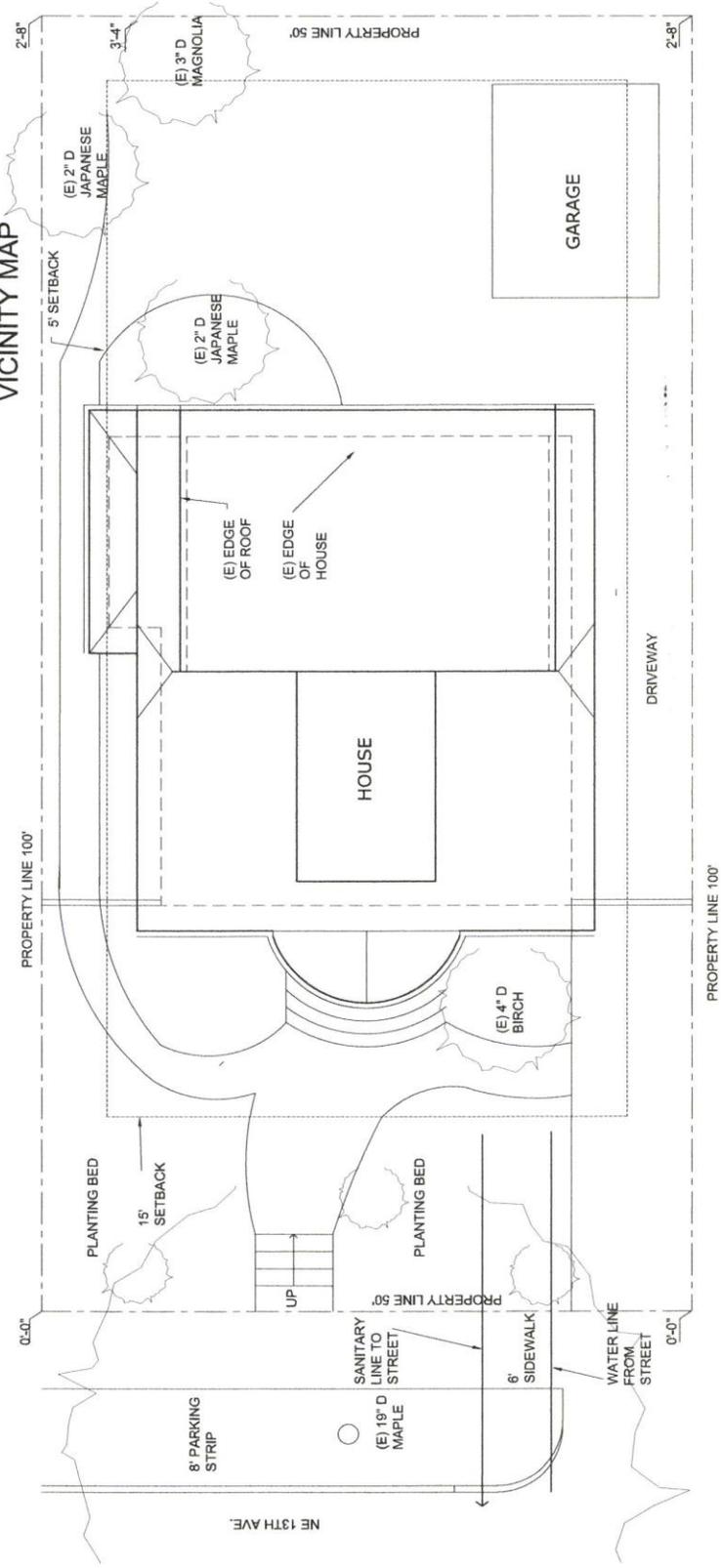
NOTE
SEE A2.0 FOR GENERAL NOTES
SEE ALSO FOR WINDSON SCHEDULE
(3% ALLOWED)

ARMSTRONG DORMER ADDITION

PROJECT DESCRIPTION
REMODEL OF A 1924 BUNGALOW TO
EXPAND AN EXISTING DORMER TO
CONVERT A HALF BATH TO A FULL
BATH AND ADD A SECOND FLOOR.
NO ADDITIONAL IMPERVIOUS AREA.
THE PROJECT IS IN THE IRVINGTON
HISTORIC DISTRICT AND IS SUBJECT
TO HISTORICAL REVIEW.

PROJECT INFORMATION/
CODE SUMMARY
LEGAL DESCRIPTION: IRVINGTON, BLOCK 72,
LOT 13
STATE ID: IN162684 14400
MAP NO: 2731 OLD
MAP NO: 2731 OLD

PROPERTY INFORMATION
SITE AREA: 5,600 SF
BUILDING FOOTPRINT: 974 SF HOUSE, 230 SF
GARAGE
TOTAL AREA: 1800 SF
EXISTING LOT COVERAGE: 24%
PROPOSED LOT COVERAGE: 24% NO CHANGE
(3% ALLOWED)



1 SITE PLAN
G1.0

1/8" = 1'-0"

Approved
City of Portland - Bureau of Development Services
Planner: *[Signature]* Date: 12-13-18
* This approval applies only to the reviews requested and is subject to change without notice. Additional zoning requirements may apply to this project.

LA 18 - 259959 HR