



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

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Date: July 2, 2019
To: Interested Person
From: Grace Jeffreys, Land Use Services
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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 19-159740 HR – 2515 NE 17TH, FRONT AND REAR PORCH RENOVATIONS

GENERAL INFORMATION

Applicant: Mark Mikolavich, Mark Mikolavich Architect
2515 NE 17th Ave., Portland, OR 97212-4239
971-269-6126, archmark@pacifier.com

Owners: Marsha Willard and Mark Mikolavich
2515 NE 17th Ave., Portland, OR 97212-4239

Site Address: **2515 NE 17TH AVE**

Legal Description: BLOCK 52 LOT 9&10, IRVINGTON
Tax Account No.: R420411370
State ID No.: 1N1E26DB 00900
Quarter Section: 2832

Neighborhood: 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**, Single Dwelling 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 approval for exterior alterations to front and rear porches of a contributing resource in the Irvington Historic District. Originally known as the Ralph Robinson House, built in 1911 in the Craftsman style. This review includes the following:

Front Porch: The existing roof and supporting columns of the front porch will remain, and the work here is limited to the structures below:

- Existing brick masonry will be replaced by new concrete foundations, piers and pony walls with cement plaster stucco finished to match house foundations.
- Existing steps will be replaced with new broom-finish concrete steps.
- Existing deck will be replaced with new painted tongue and groove wood deck.
- Existing benches will be replaced with new painted wood benches to match.

Rear Porch: The existing trellis beams and support joists will remain, and the work here is limited to the structures below these:

- Existing foundations and piers will be replaced by concrete with cement plaster stucco finished to match house foundations.
- Existing deck will be replaced with new stained wood decking.
- Existing columns will be replaced by new painted columns and posts clad with straight-grained solid wood or fiber-cement boards.
- New broom-finish concrete steps will be added.
- New painted wood or fiber cement railings will be added between columns.

Historic Resource Review is required because the proposal is for non-exempt exterior alterations to an existing structure within a Historic District.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant criteria are:

- 33.846, Historic Resource Reviews
- 33.846.060.G, Other Approval Criteria

ANALYSIS

Site and Vicinity: The subject structure is a single-family, craftsman style residence built in 1911, originally known as the *Ralph Robinson House*, and designated a contributing resource in the Irvington Historic District. The house sits on a 10,000 SF corner lot facing NE 17th Avenue to the east and NE Brazee Street to the south, and is elevated on the site, sloping down from the house to the sidewalks. This review is for the front porch, which faces NE 17th, and the rear porch, the side of which is slightly visible from NE Brazee. The residence has painted wood shingle siding, a partial daylight basement, stuccoed foundation walls, a red brick chimney, double-hung windows with divided lights in the upper sashes, moderately pitched gable roofs with eave extensions and bracket-supported gable extensions. The gable-roofed entrance porch facing NE 17th is centered on the symmetrical front elevation, and the trellis-topped back porch at the southwest corner of the house is accessed off the living room.

The site is not located within a Pedestrian District. The City's Transportation System Plan (TSP) classifies the abutting rights-of-way (ROWs) as follows:

- *NE 17th Avenue:* Local Service Street for all modes.
- *NE Brazee Street:* Local Service Street for all modes.

Irvington Historic District 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. 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 Irvington area developed intensely with a mix of middle class housing types and sizes during the first two decades of the Twentieth Century. 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. 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 within the historic period were sometimes built at the sidewalk and/or out of architectural character with the house. 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 there are no prior land use reviews for this site.

Agency Review: A "Notice of Proposal in Your Neighborhood" was mailed **May 20, 2019**. The following Bureaus have responded with no issues or concerns:

- Life Safety Section of BDS (Exhibit E.1)

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on May 20, 2019. One written response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

- Dean Gisvold, Chair of the Irvington Community Association Land Use Committee, June 10, 2019. The ICA Land Use Committee supported the proposal, but preferred wood over fiber cement.

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.
- 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.
- 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.
- 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 1, 2, 3, 4, 5, 7 and 9: This project involves the replacement of deteriorated portions of the front porch and back porch. The front porch's single-wythe unreinforced brick foundation walls and piers have settled over time, opening cracks in the masonry and causing the porch foundation walls to fall out of plumb. The back deck's unreinforced concrete foundation has begun to crumble, and the existing trellis columns and balustrade, part of a non-historic remodel completed by a previous owner, are under-structured and have deteriorated.

Front Porch. The front porch work will involve demolition of the existing brick masonry and footings, the porch deck, which is supported on the masonry, and the porch steps.

- The existing roof and its supporting columns will remain.
- Due to the unavailability of brick masonry matching the color and dimension of the existing masonry, new concrete or concrete masonry foundations, walls and piers will replace the existing foundations with matching the dimensions, and exposed surfaces will be finished with stucco matching the existing stucco.
- The existing steps will be replaced with new broom-finish concrete steps.
- The new wood deck will be of tongue and groove douglas fir/hemlock, painted.
- The existing wood benches will be replaced with new painted wood benches matching the dimensions and profiles of the existing benches.

The dimensions of the walls, piers, wall caps, pier caps, steps, deck and benches will match the dimensions of the existing elements which they are replacing.

Back Porch. The back deck/trellis work will involve demolition of the existing concrete foundation and footings, pony wall, pony wall siding, wood joists, wood deck, trellis columns and balustrade. The applicant advises that the steps that originally served the back porch were removed before the current owners purchased the house and there is no record of their configuration.

- The existing trellis beams and joists will remain.

- A new concrete foundation, concrete piers, concrete steps, columns, posts, and railing will be constructed. The concrete foundation and piers will be finished with cement plaster stucco finish that matches the existing stucco finish on the foundation of the main body of the house.
- The piers will be topped with concrete pier caps with a troweled finish.
- The new steps will have a broom finish.
- The new porch decking will be stained wood boards.
- New columns and posts will be clad with straight-grained solid wood, painted. The new columns will be arranged in a way that mirrors the arrangement of existing columns at the front porch, with the dimensions and spacing and capitals of the new columns matching those aspects of the existing front porch columns.
- A new railing that complements the character of the existing property will be constructed of painted wood elements.

The elements being removed at the back porch appear to not be original, and therefore do not contribute to the property's historic character. They will be replaced with a foundation, piers, steps, columns, posts, and guardrail that are more in keeping with the character of the house to create a coherent composition that preserves the historic character of the property.

The applicant proposed fiber cement as an alternative to wood for the columns, guardrails and trims on the rear porch; however, wood is a more appropriate response for this historic resource. *Therefore, staff has added a condition of approval that no fiber cement shall be used.*

Generally. It is assumed that the existing elements of the front porch are original, and, except as noted, will be preserved. Some of the elements of the back porch, specifically the porch columns, are not original, do not have a character that matches the rest of the property, and will be replaced with new columns that match the existing front porch columns in dimension and arrangement and will better complement the historic character. And, except for the deteriorated elements on the front and rear porches, the remaining existing historic materials on the resource will remain unchanged and will be protected.

Therefore, the proposed design, details and materials will be compatible with the existing structure, and this proposal will not adversely affect the historic character of the resource, and, the proposed changes result in maintaining this house's historic contribution.

With the condition of approval that no fiber cement shall be used, these criteria are therefore met.

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.

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 8 and 10: The proposed work is intended to be compatible with the architectural character of the property. New elements at the front porch will match the dimensions of the existing elements being removed. New columns at the back porch will closely match those at the front porch. New steps and piers at the back porch will be similar to those at the front porch, only slightly smaller in scale, which is appropriate to their place in the hierarchy of entrances. The new back porch railing will be approximately 30" high to fit better with the scale of the back porch (note that the back-porch deck will not be more than 30" above adjacent grade).

The proposed exterior alterations are designed to be primarily compatible with the existing house, utilizing materials and details consistent with the style of the house. By maintaining traditional materials, details and styles, the proposed work is also compatible with the character of nearby homes and with the district as a whole.

These criteria 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

This proposal to replace deteriorated portions of the front porch and back porch is intended to repair and maintain the existing historic residence, utilizing materials and details consistent with the style of the house. It will therefore be compatible with the character of the property, as well as the surrounding area and 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 exterior alterations to front porch and rear porches of a contributing resource in the Irvington Historical District, per the approved site plans, Exhibits C-1 through C-8, signed and dated June 27, 2019, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B through D) 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 19-159740 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.
- d. No fiber cement shall be used.

Staff Planner: Grace Jeffreys

Decision rendered by:  **on June 27, 2019**

By authority of the Director of the Bureau of Development Services

Decision mailed: July 2, 2019

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 **May 3, 2019** and was determined to be complete on **May 15, 2019**.

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 May 3, 2019.

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: September 12, 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 July 16, 2019** 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 **July 16, 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.

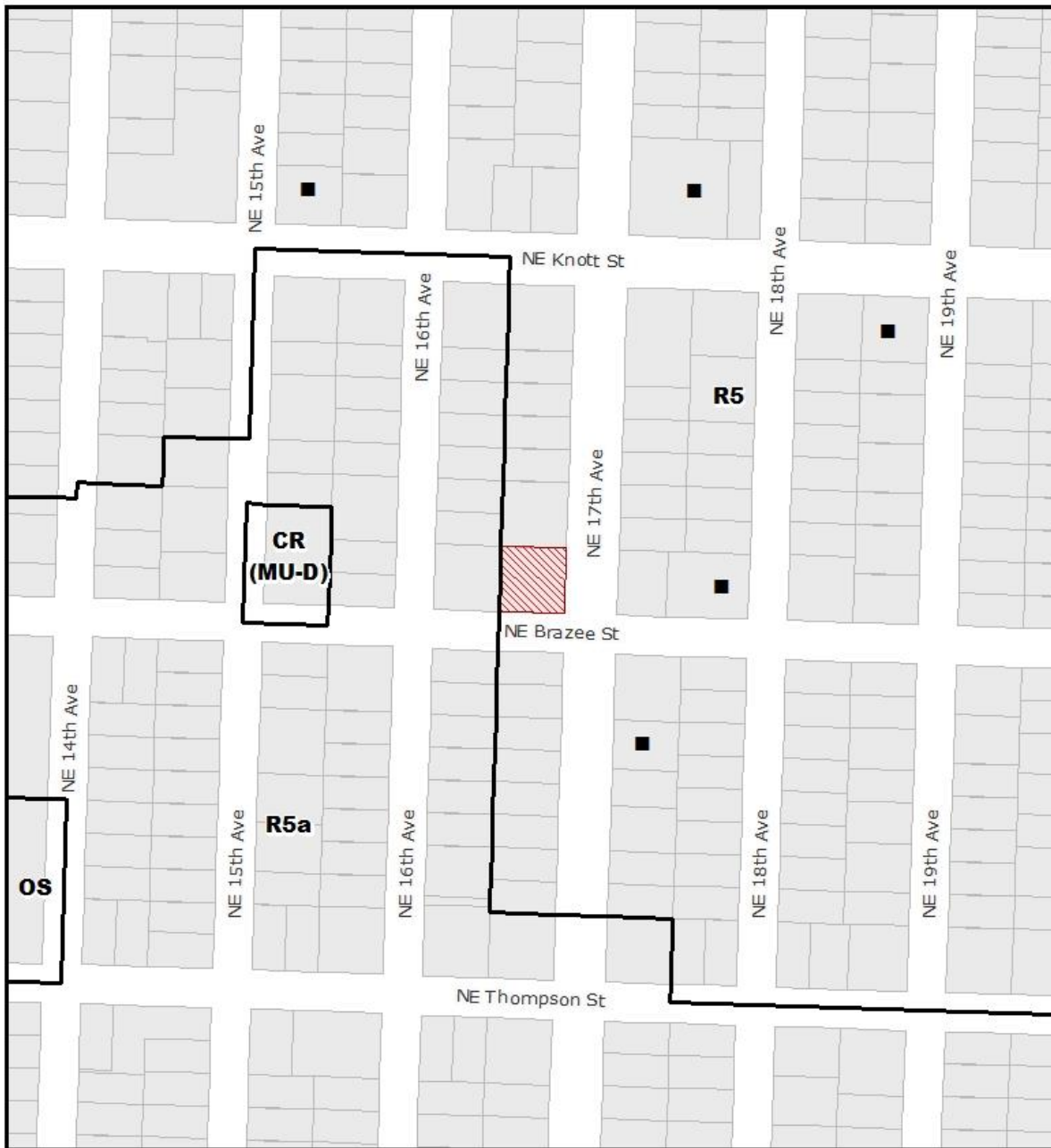
Applying for your permits. A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

- 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 Submittal
 - 1. Applicant's Drawings and narrative, 5/3/19
 - 2. Emil regarding FCEM, fiber cement board, 6/13/19
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Title sheet
 - 2. Site Plan (attached)
 - 3. Demolition plans
 - 4. Floor plans and sections
 - 5. Roof and trellis plans
 - 6. Elevations (attached)
 - 7. Details
 - 8. Photos and renderings
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Life Safety Section of BDS
- F. Correspondence:
 - 1. Dean Gisvold, Chair of the Irvington Community Association Land Use Committee, wrote on June 10, 2019, supporting proposal, except for the FCEM.
- G. Other:
 - 1. Original LU Application
 - 2. Oregon Historic Site Record
 - 3. Photos

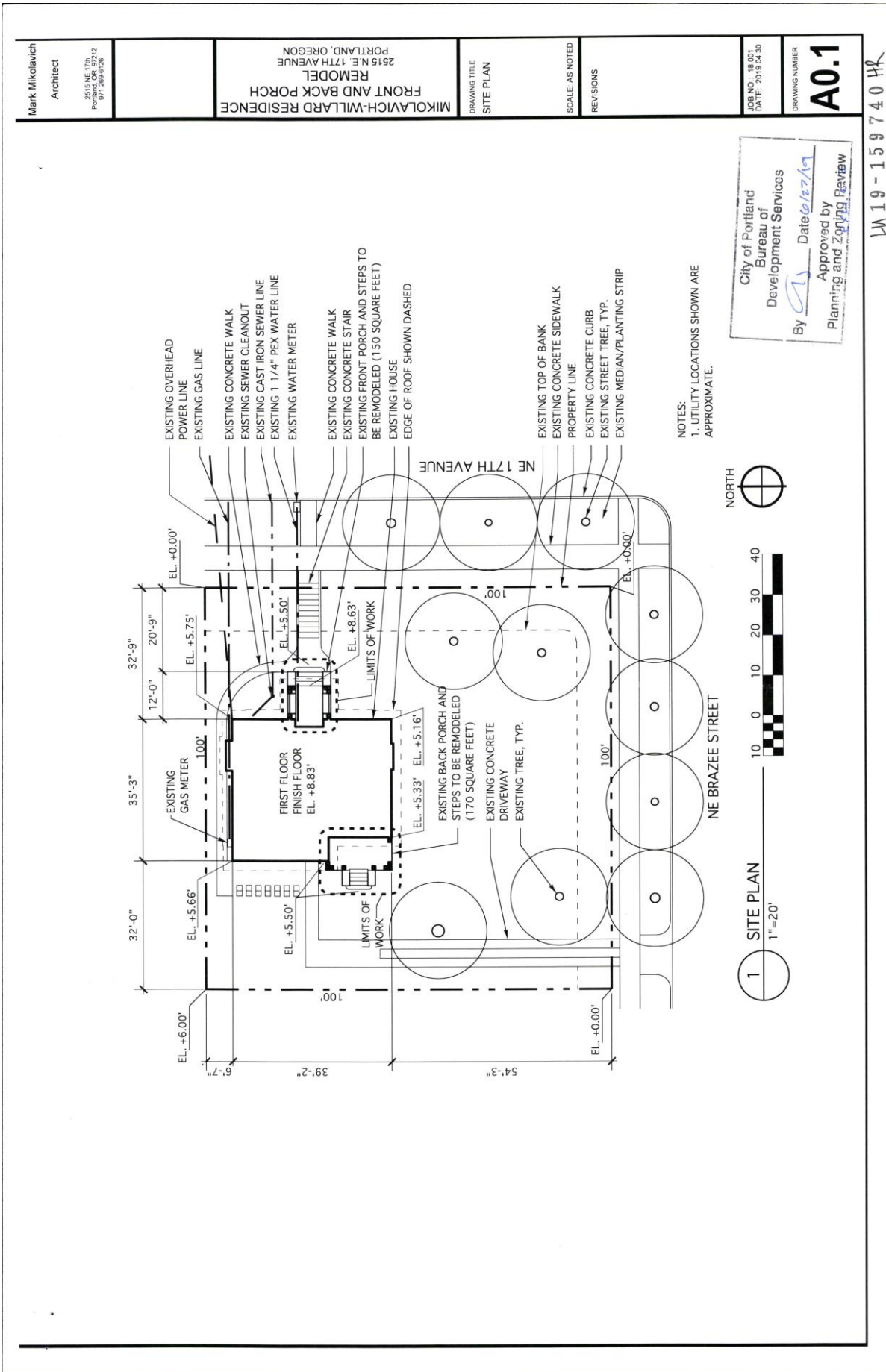
The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).



ZONING 
NORTH
THIS SITE LIES WITHIN THE:
IRVINGTON HISTORIC DISTRICT

 Site
 Historic Landmark

File No.	LU 19-159740 HR
1/4 Section	2832
Scale	1 inch = 200 feet
State ID	1N1E26DB 900
Exhibit	B May 07, 2019



Mark Mikolavich
Architect
2515 NE 17th
Portland, OR 97212
971.259.9725

MIKOLAVICH-WILLARD RESIDENCE
FRONT AND BACK PORCH
REMODEL
2515 N.E. 17TH AVENUE
PORTLAND, OREGON

DRAWING TITLE
SITE PLAN

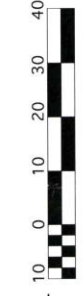
SCALE AS NOTED
REVISIONS

JOB NO. 18-001
DATE 2018.04.30

DRAWING NUMBER
A0.1

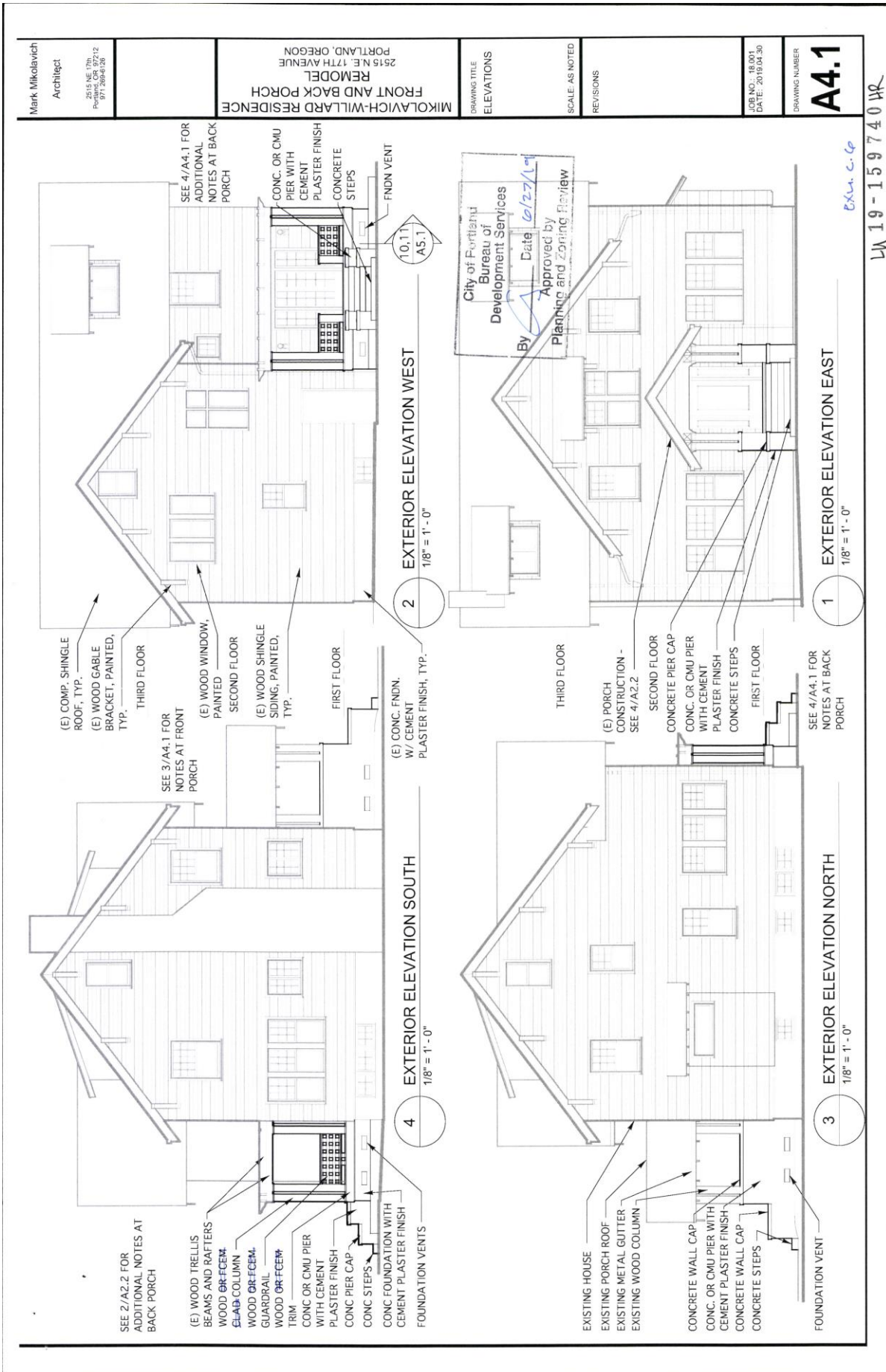
City of Portland
Bureau of
Development Services
By *[Signature]* Date 6/27/19
Approved by
Planning and Zoning Review

NOTES:
1. UTILITY LOCATIONS SHOWN ARE APPROXIMATE.



1 SITE PLAN
1"=20'

19-159740 HR



LU 19-159740 HR