



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

Ted Wheeler, Mayor
Rebecca Esau, Director
Phone: (503) 823-7300
Fax: (503) 823-5630
TTY: (503) 823-6868
www.portlandoregon.gov/bds

Date: 8/28/2019
To: Interested Person
From: Tanya Paglia, Land Use Services
503-823-4989 / Tanya.Paglia@portlandoregon.gov

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

The Bureau of Development Services has **approved** a proposal in your neighborhood. The 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 19-192357 HR – REMODELED ENTRY WITH NEW ROOF

GENERAL INFORMATION

Applicant: David Spitzer, DMS Architects
2325 NE 19th Ave | Portland, OR 97212
dave@dmsarchitects.com

Owners: Stephanie Go and Evan Schaye
3144 NE 24th Ave | Portland, OR 97212

Site Address: **3144 NE 24TH AVE**

Legal Description: BLOCK 8 LOT 15, EDGEMONT
Tax Account No.: R237502540
State ID No.: 1N1E25BB 07700
Quarter Section: 2733

Neighborhood: Alameda, contact Dave Johansen at johansendr@gmail.com, 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 I**, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

The applicant is seeking Historic Resource Review approval for a proposal to renovate the primary entry of a contributing resource in the Irvington Historic District. The project will include removal of an existing fabric canopy above a front door and replacement with a permanent cedar canopy. It will also include the replacement of existing concrete stairs and landing with new, larger concrete stairs and landing with iron railings. The proposed new canopy will be a gabled entry roof with a roof pitch and trim to match the home's main roof. The new covered porch will have new brackets and an exposed wood soffit.

Historic Resource Review is required because the proposal is for non-exempt exterior alterations in the Irvington 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 approval criteria are:

- 33.846.060.G *Other approval criteria*

ANALYSIS

Site and Vicinity: The subject structure is a single-family, one and a half-story house in the Minimal Traditional style that is a contributing resource in the Irvington Historic District. It was built in 1939 and its historic name is the *Chester R Hazard House*. The house features a cross-gable roof and non-original asbestos cement clapboard siding. It sits back from the street on a 5,000 SF lot facing west onto NE 24th Ave.

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 on **August 2, 2019**. No agency review was provided given the scope of work.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **August 2, 2019**. One written response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

1. Dean Gisvold, Chair of the Irvington Community Association Land Use Committee, 8/14/2019, wrote that the members of the ICA Land Use Committee had no concerns about 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.
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.
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, 3, 4, 5, 7, 8, 9 and 10: The proposed covered entry is of a very simple design that complements the simplicity of the house and will not detract from the historic character of this contributing resource in the Irvington Historic District. The front of the house already has several non-original features, including vinyl windows, cement siding and a fabric awning over the front porch. The new porch cover will be more sympathetic to the house and district than the existing condition and is in keeping with similar covered stoops in the area.

The proposed roof will not compromise the architectural integrity of the 1939-built resource and will be a compatible addition in size, scale, materials and features. The new covered entry will be well integrated with the front façade of the house, having the same roof pitch and trim as the main structure. It will have reclaimed old-growth brackets as well as a soffit similar to what an original small covered entry of the home's era in the area would have. By using reclaimed wood and new cedar, the proposed porch roof is using high quality materials that are well integrated with the house as well as the rest of the district.

The historic significance and integrity of the resource will be maintained with the proposed alterations, and the house will remain a physical record of its time, place and use. The project will not alter any changes made over time that have acquired historic significance. If the new porch and gabled-cover were to be removed in the future, the form and integrity of the primary house would remain intact.

The proposed design will be compatible with the home's features, adjacent properties and the rest of the district. The visual impact of the proposed alterations will be positive as the porch cover is replacing a fabric awning that is incongruous with the house and district. Overall the proposed work respects the original character and design of the subject resource and will not visually detract from the historic aesthetic of the house and the Irvington Historic District.

These criteria 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 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 redesigned entry is minimal in nature and will work with the existing architecture of the house, a contributing resource in the Irvington Historic District. The size, scale and placement of the new porch roof is a compatible addition. The materials and design are consistent with the home and the project will not adversely impact the character defining features of the property. 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 to renovate the primary entry of a contributing resource in the Irvington Historic District, including removal of existing fabric canopy above front door and replacement with a permanent cedar canopy and replacement of existing concrete stairs and landing with new, larger concrete stairs and landing with iron railings, per the approved site plans, Exhibits C-1 through C-4, signed and dated 8/23/2019, 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 19-192357 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: Tanya Paglia



Decision rendered by: _____ **on 8/23/2019**

By authority of the Director of the Bureau of Development Services

Decision mailed: 8/28/2019

Procedural Information. The application for this land use review was submitted on July 12, 2019, and was determined to be complete on July 26, 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 July 12, 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: 11/23/2019.**

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.

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 **8/28/2019** 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:

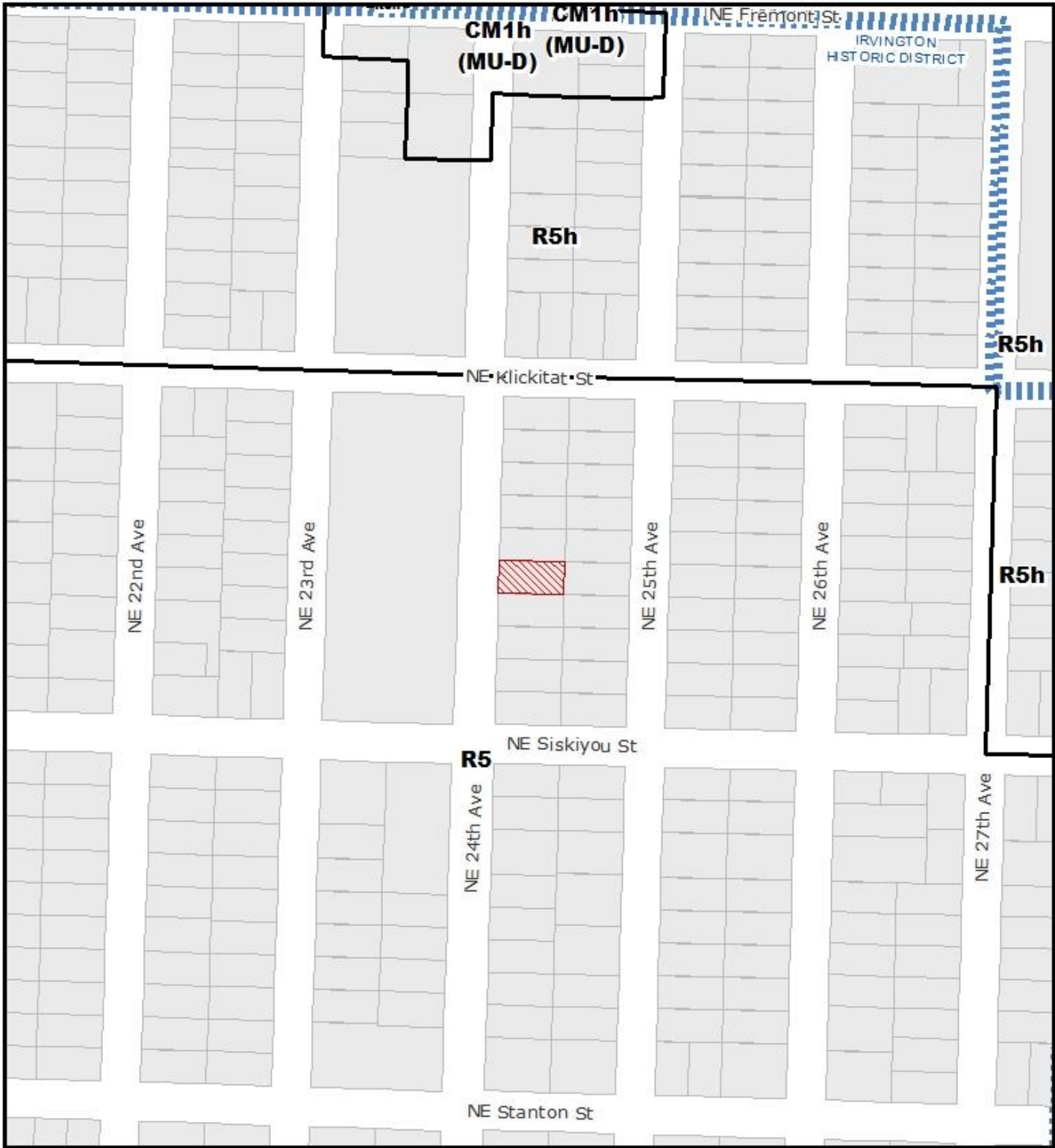
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Submittal
 - 1. Applicant's Response to Approval Criteria, 6/14/2019
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan
 - 2. Site Plan, Front Entry Area Plan, Front Elevation, Sections (attached)
 - 3. Enlarged Porch Roof Elevation & Section (attached)
 - 4. Rendering of Existing Condition (attached)
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:
 - 1. Life Safety Division of the Bureau of Development Services
- F. Correspondence:
 - 1. Dean Gisvold, Chair of the Irvington Community Association Land Use Committee, 8/14/2019, wrote that the members of the ICA Land Use Committee had no concerns about the proposal.
- G. Other:
 - 1. Original LU Application
 - 2. Oregon Historic Site Record

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

File No.	LU 19-192357 HR
1/4 Section	2733
Scale	1 inch = 200 feet
State ID	1N1E25BB 7700
Exhibit	B Jul 15, 2019



STATE OF OREGON
 PROFESSIONAL ARCHITECT
 License No. 23000
 DMS
 OFFICE: 623.333.8800
 FAX: 623.333.8800
 ONE@DMSARCHITECTS.COM
 PORTLAND, OR 97212

GO-SCHAYE RESIDENCE

3144 NE 24TH AVE
 PORTLAND, OREGON 97212

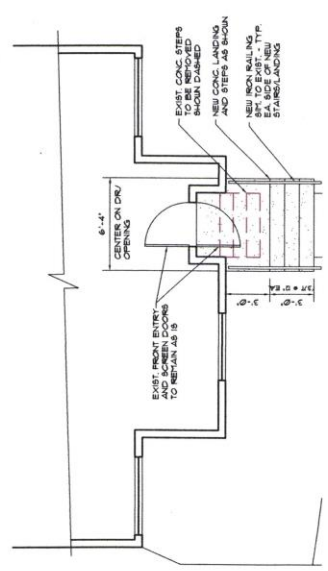
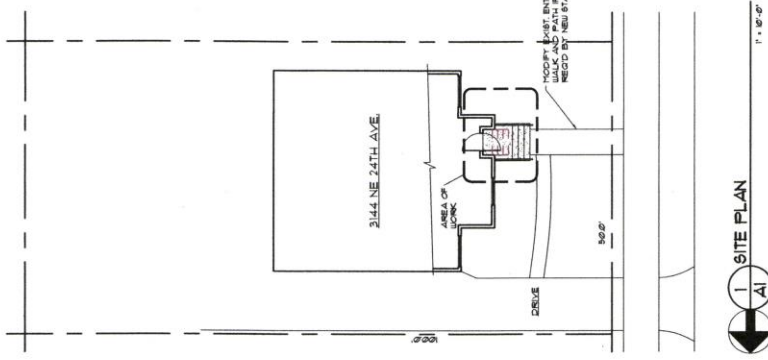
SHEET CONTENT
 SITE PLAN
 FLOOR PLAN
 ELEVATIONS AND SECTION

JOB NO. 000016
 DRAWN DMS
 CHECKED DMS
 DATE 6-12-19
 REVISIONS

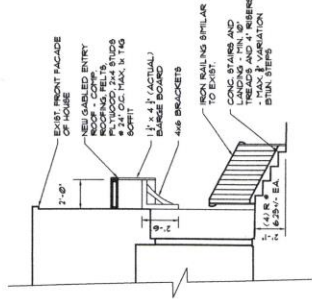
SHEET A1 of 1

Sol. INT

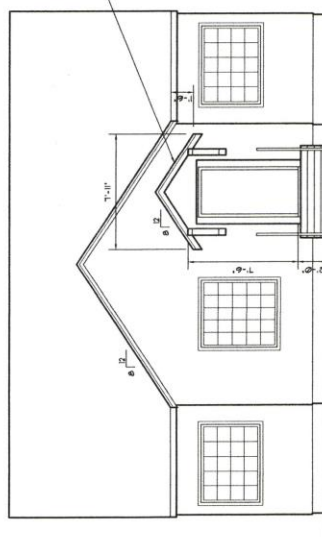
LU 19-192357 HR



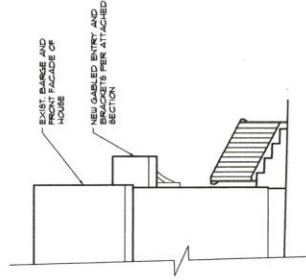
2 FRONT ENTRY AREA PLAN
 1/4" = 1'-0"



4 SECTION AT ENTRY
 1/4" = 1'-0"



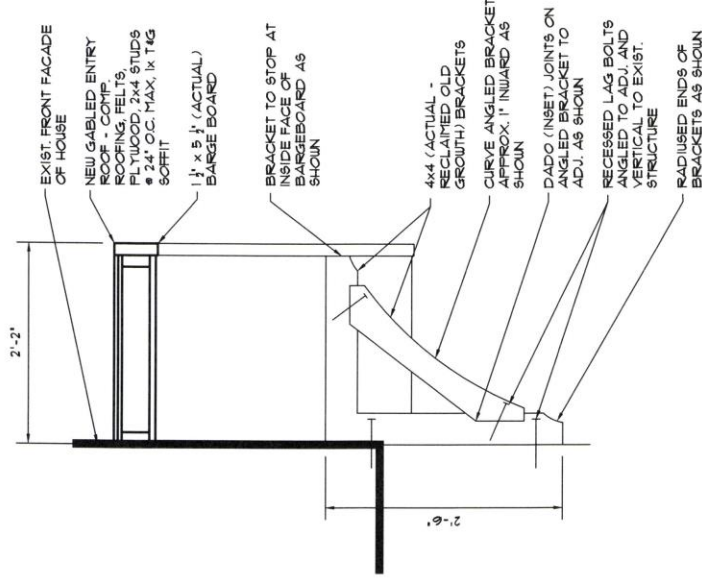
3 FRONT ELEVATION
 1/4" = 1'-0"



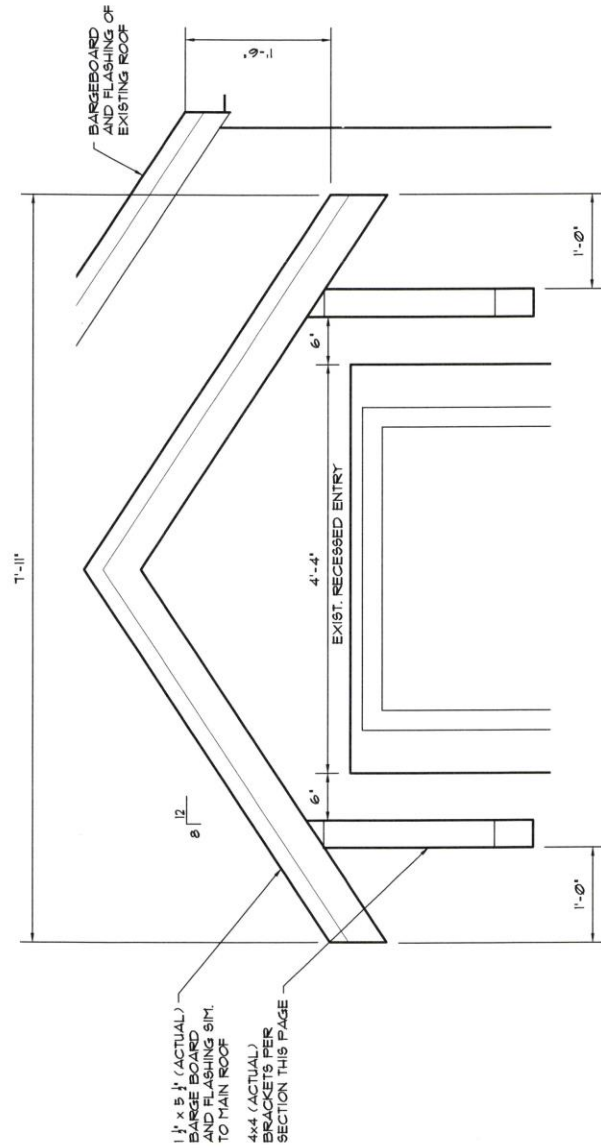
5 SECTION AT ENTRY
 1/4" = 1'-0"

1/8" SUP

Approved
 City of Portland - Bureau of Development Services
 Planner _____ Date 8/23/2019
 * This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.



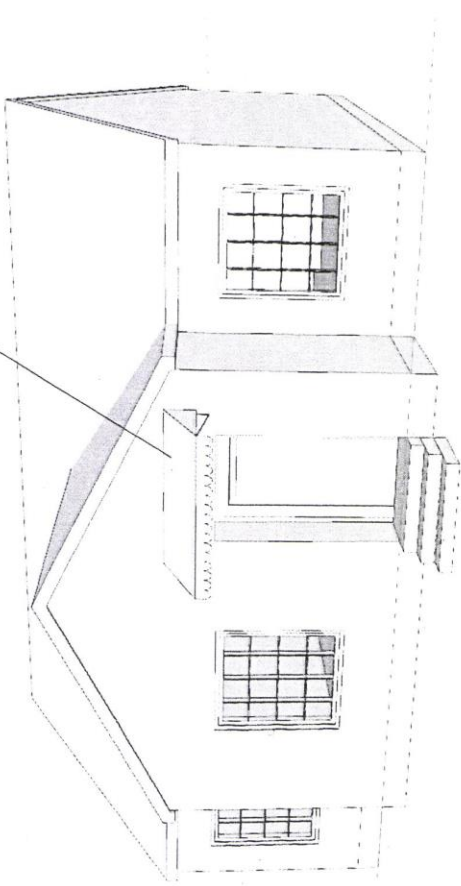
2 SECTION OF GABLED ENTRY
A2
1" = 1'-0"



1 ELEVATION OF GABLED ENTRY
A2
1" = 1'-0"

Approved
City of Portland - Bureau of Development Services
Planner Date 8/23/2019
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

Textile Canopy, not original to home



Existing Conditions

GO RESIDENCE | 3144 NE 24th Avenue

DMS ARCHITECTS | KS 2019

Approved
City of Portland - Bureau of Development Services
Planner [Signature] Date 8/23/2019
* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

LA 19-192357 HR C-4