



**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](http://www.portlandoregon.gov/bds)

**Date:** October 8, 2019  
**To:** Interested Person  
**From:** Hillary Adam, Land Use Services  
503-823-3581 / [Hillary.Adam@portlandoregon.gov](mailto:Hillary.Adam@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 19-200556 HR – REAR FAÇADE WINDOW/DOOR**

#### **GENERAL INFORMATION**

**Applicant:** Josh Hilton 503-245-0685/[josh@roloffconstruction.com](mailto:josh@roloffconstruction.com)  
Roloff Construction  
4300 NE Fremont St, Suite 130  
Portland, OR 97213

Sarah Stange, Owner  
Alexander Stange, Owner  
3419 NE 15th Ave  
Portland, OR 97212-2308

**Site Address:** 3419 NE 15TH AVE

**Legal Description:** BLOCK 16 LOT 3&4 TL 7800, DIXON PL  
**Tax Account No.:** R210502270  
**State ID No.:** 1N1E26AB 07800  
**Quarter Section:** 2732

**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](mailto: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 proposes the following exterior alterations to a contributing resource in the Irvington Historic District:

- On the west (rear) elevation - one new wood double-hung window in the location of an existing door and one new full-lite wood door in the location of an existing window. Vinyl siding to match the existing is proposed where patches are necessary due to these changes.
- Also proposed but exempt from review are a small set of steps to the rear door, one basement egress window and well on the west façade and one basement egress window and well on the south façade.

Historic Resource Review is required because the proposal includes non-exempt exterior alterations.

**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 subject property was constructed in 1938 in the English Cottage style. It is a 2-story contributing resource known as the Frank J. Poppe House, is oriented east on NE 15<sup>th</sup> and clad in brick and vinyl siding. NE 15<sup>th</sup> Avenue is a City Bikeway, a Major Emergency Response Route, a Neighborhood Collector Street, and a Major Transit Priority Street.

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.

**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.

**Agency Review:** A Notice of Proposal in your Neighborhood was mailed on September 19, 2019. No responses were received.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on September 19, 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, on October 1, 2019, wrote in support.

## **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.
- 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, and 9:** The proposed alterations are relatively minor and are concentrated in a small area of the rear façade. They consist of swapping the locations of a window and door and patching areas of the wall affected with siding to match the existing. At some point prior to the listing of the historic district, all windows in the house were replaced with vinyl windows; therefore, none of the existing windows have historic character worthy of preservation. The existing rear door also appears to have little, if any, historic character and will be replaced with a full-light door to provide more light to the interior of the dwelling. No chemical treatments are proposed and no historic features will be replaced. With this minor

change, the essential form and integrity of the resource will remain intact, historic character will be preserved, and the resource will remain a record of its time. *These criteria are met.*

**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:** Excavation proposed is relatively minor, located only at the two egress wells. It is unlikely that this excavation will produce significant archaeological resources. *This criterion is not applicable.*

**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.

**10. Hierarchy of compatibility.** Exterior alterations and additions will be designed to be compatible primarily with the original resource, secondarily with adjacent properties, and finally, if located within a Historic or Conservation District, with the rest of the district. Where practical, compatibility will be pursued on all three levels.

**Findings for 7, 8, and 10:** The proposed new window and doors will be constructed of wood in order to match the original character of the house as well as the broader historic district; as such they will not match the “old” vinyl windows which were installed prior to 2010 but will be substantially more compatible with the resource and the district. While not generally preferred, vinyl siding to match the existing siding is proposed at the areas of the rear wall to be patched. Staff notes that the applicant may in the near future, choose to remove the vinyl siding and restore the original siding which may lay beneath; such a proposal is encouraged and exempt from review. *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 proposed changes are modest, located at the rear, and are compatible with the 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 following exterior alterations to a contributing resource in the Irvington Historic District:

- On the west (rear) elevation - one new wood double-hung window in the location of an existing door and one new full-lite wood door in the location of an existing

window. Vinyl siding to match the existing is proposed where patches are necessary due to these changes.

This approval is per the approved site plans, Exhibits C-1 through C-5, signed and dated October 4, 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 19-200556 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: Hillary Adam**

**Decision rendered by:**  **on October 4, 2019**

By authority of the Director of the Bureau of Development Services

**Decision mailed: October 8, 2019**

**Procedural Information.** The application for this land use review was submitted on July 29, 2019 and was determined to be complete on August 21, 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 29, 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: December 19, 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](http://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 **October 8, 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 it is rendered unless:

- A building permit has been issued, or
- The approved activity has begun, or
- In situations involving only the creation of lots, the land division has been recorded.

**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. Original Drawing Submittal
  2. Siding, Window, and Door Cutsheets
  3. Completeness Response, received August 21, 2019
- B. Zoning Map (attached)
- C. Plans/Drawings:
  1. Site Plan (attached)
  2. Existing West Elevation (attached)

3. Proposed West Elevation (attached)
  4. Door Cutsheets
  5. Window Section Detail
- D. Notification information:
1. Mailing list
  2. Mailed notice
- E. Agency Responses: No responses were received.
- F. Correspondence:
1. Dean Gisvold, Chair of the Irvington Community Association Land Use Committee, on October 1, 2019, wrote in support.
- G. Other:
1. Original LU Application
  2. Incomplete Letter dated August 8, 2019

**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

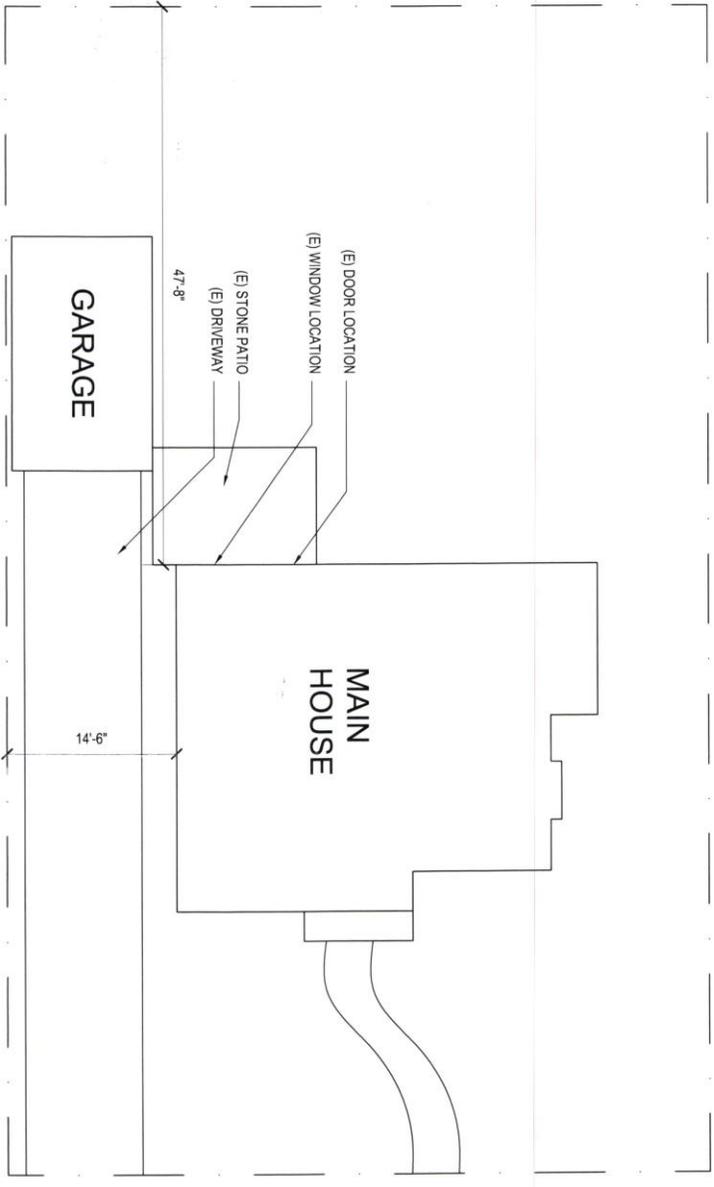


THIS SITE LIES WITHIN THE:  
IRVINGTON HISTORIC DISTRICT

File No.	LU 19-200556 HR
1/4 Section	2732
Scale	1 inch = 200 feet
State ID	1N1E26AB 7800
Exhibit	B Jul 31, 2019

**SITE PLAN (EXISTING)**

SCALE: 1" = 10'-0"



NE 15TH AVENUE



503 245 0685  
 PO Box 12142 Portland, OR 97212  
 CCB #14071 WA#R010151873NU

PLAN/DESIGN/BUILD  
 ROLOFFCONSTRUCTION.COM

**Stange  
 Remodel**

Address: 3419 NE 15th Avenue  
 Portland OR 97212

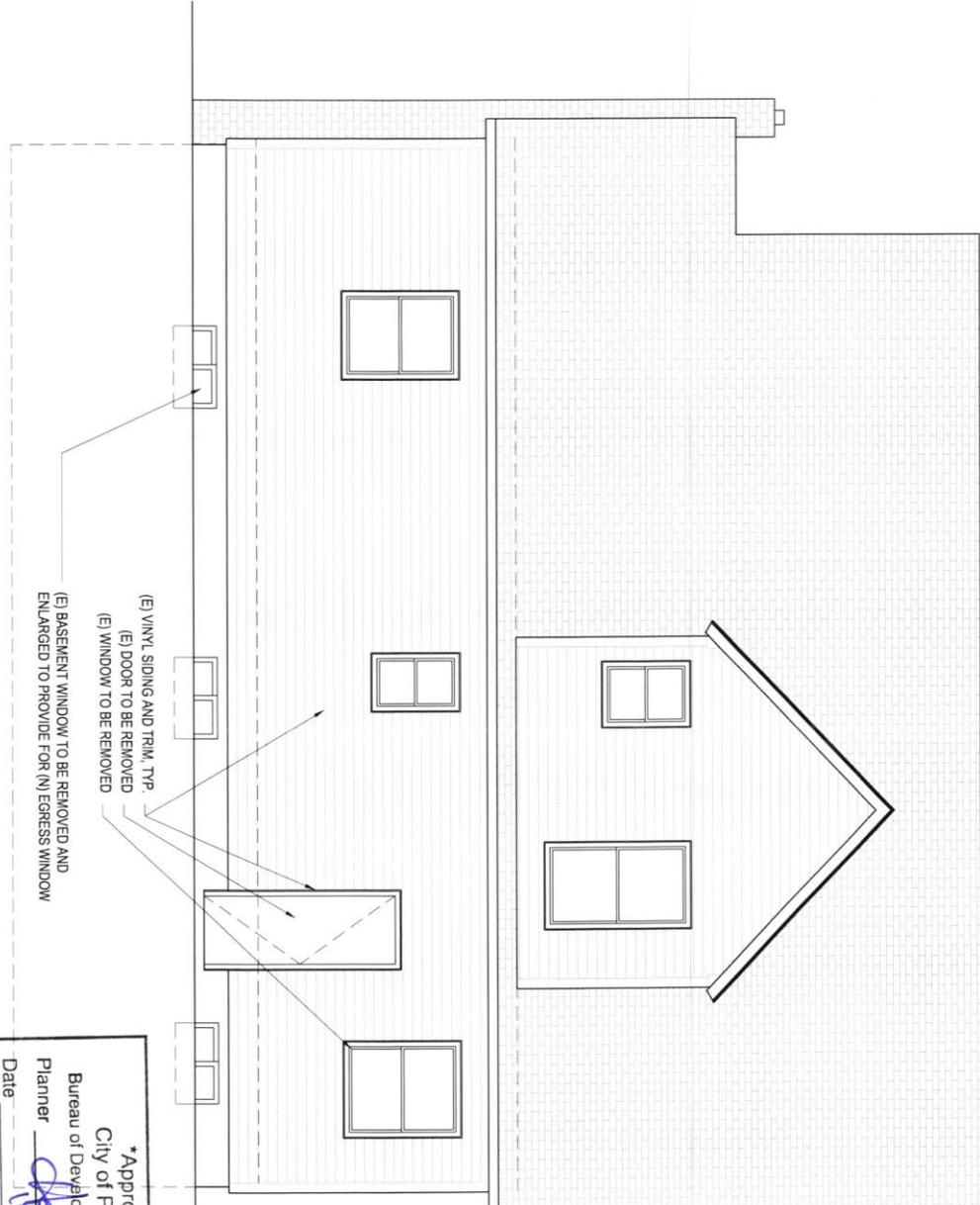
**Design Set  
 NOT FOR CONSTRUCTION**

<p><b>*Approved*</b>          City of Portland          Bureau of Development Services</p> <p>Planner: <i>[Signature]</i>          Date: <i>10/4/19</i></p> <p>Sheet Number: <b>A0.02e</b></p> <p>Date: August 15, 2019</p>	<p>Architect: <i>[Signature]</i>          Date: <i>10/4/19</i></p>
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*W19-200556HR C-1*

WEST ELEVATION (EXISTING)

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



\*Approved\*  
 City of Portland  
 Bureau of Development Services  
 Planner *[Signature]*  
 Date *10/2/19*

\* This approval applies only to the reviewed conditions of approval.  
 Additional zoning requirements may apply.



**ROLOFF  
 CONSTRUCTION**

503.245.0685  
 PO Box 1742 Portland, OR 97212  
 CCB #40721 WA#R0105183NU

PLAN/DESIGN/BUILD  
 ROLOFFCONSTRUCTION.COM

**Stange  
 Remodel**

Address: 3419 NE 15th Avenue  
 Portland OR 97212

**Design Set  
 NOT FOR CONSTRUCTION**

Revisions:

Drawing Title: Elevation

Sheet Number:  
**A2.02e**

Date: August 15, 2019

*LD 19-200556HR C-2*



503.245.0895  
 PO Box 12142 Portland, OR | 97212  
 CCB #140721 WA#40L0F01813WU

PLAN/DESIGN/BUILD  
 ROLOFFCONSTRUCTION.COM

# Strange Remodel

Address: 3419 NE 15th Avenue  
 Portland OR 97212

**Design Set**  
**NOT FOR CONSTRUCTION**

Revisions:

Drawing Title: Elevation

Sheet Number:

# A2.02

Date: July 10, 2019

LI 19-200556 HR

13

- NEW WOOD CLAD CASEMENT EGRESS WINDOW
- 1ST FLOOR F.F.E. 103'-0"
- EGRESS WINDOW HEAD 100'-10"
- FINISHED GRADE 100'-0"
- NEW EGRESS WINDOW WELL
- EGRESS WINDOW SILL 97'-3"
- BASEMENT F.F.E. 93'-9"

- (N) WINDOW AND DOOR TRIM TO MATCH (E)
- NEW WOOD DOUBLE HUNG WINDOW
- NEW PAINTED WOOD DOOR W/ FULL LITE
- WOOD FRAMED STAIRS
- WOOD PLANTER BOX
- INFILL SIDING TO MATCH (E) AT PREVIOUS DOOR OPENING

**\*Approved\***  
 Bureau of Development Services  
 City of Portland  
 Planner: *[Signature]*  
 Date: 7/10/19

\* This approval applies only to the reviews requested and is subject to all applicable zoning requirements may apply.

**WEST ELEVATION**  
 SCALE: 1/4" = 1'-0"

