



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

Dan Ryan, Commissioner
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Date: October 7, 2021
To: Interested Person
From: Megan Sita Walker, Land Use Services
503-865-6515/MeganSita.Walker@portlandoregon.gov

NOTICE OF A TYPE II PROPOSAL IN YOUR NEIGHBORHOOD

Development has been proposed in your neighborhood. The proposed development requires a land use review. The proposal, review process, and information on how to respond to this notice are described below. A copy of the site plan and zoning map is attached. I am the staff person handling the case. Please call me if you have questions regarding this proposal. Please contact the applicant if you have questions regarding any future development on the site.

Because we must publish our decision within 28 days, **we need to receive your written comments by 5 p.m. on October 28, 2021. Your comments must be e-mailed to the assigned planner listed above;** please include the Case File Number, LU 21-083710 HR, in your e-mail. If you do not have access to e-mail, please telephone the planner listed above about submitting comments. Please note that all correspondence received will become part of the public record.

CASE FILE NUMBER: LU 21-083710 HR – ALTERATIONS & NEW REAR PORCH AND DETACHED GARAGE

Applicant: Darren Schroeder | Darren Schroeder Design & Consulting
716 SE 45th Ave
Portland, OR 97215
(503) 516-2678

Owner: Fitzgerald Design/Build LLC
2724 NE 25th Ave
Portland, OR 97212

Owner's Agent(s): Maria Fitzgerald & Jerod Fitzgerald
2724 NE 25th Ave
Portland, OR 97212

Site Address: 3125 NE 23RD AVE

Legal Description: BLOCK 13 LOT 8, IRVINGTON
Tax Account No.: R420402650
State ID No.: 1N1E26AA 14700
Quarter Section: 2732

Neighborhood: Alameda, contact at stevebacker@gmail.com & Irvington, contact Dean Gisvold at deang@mcewengisvold.com

Business District: Soul District Business Association, contact at Info@nnebaportland.org
District Coalition: Northeast Coalition of Neighborhoods, contact at 503-388-5004.

- Other Designations:** Contributing resource in the Irvington Historic District
- Zoning:** R5 – Residential 5,000 w/ Historic Resource Protection Overlay Zone
- Case Type:** HR – Historic Resource Review
- Procedure:** Type II, an administrative decision with appeal to the Landmarks Commission.

Proposal:

The applicant is seeking Historic Resource Review approval for alterations to a contributing resource in the Irvington Historic District. The proposed alterations are associated with converting the basement and attic into habitable space. The applicant notes that no original windows remain and that the existing windows within original openings include non-original aluminum and vinyl windows. The proposal includes the replacement of all windows with new all-wood windows. The proposal also includes the installation of a new detached garage, new concrete driveway, and new covered rear porch in addition to the following:

On the East (front) Elevation

- Remove a seemingly non-original concrete service yard on the south side of the house with stairs up to the front yard and bring the area up to match the front yard grade;
- Replace existing terraced retaining walls with new terraced concrete retaining walls;
- Install new front steps up to the existing steps of the front porch to remain;
- Replace existing plywood skirt around front porch with concrete board
- Enlarge two (2) window openings to accommodate egress windows at the attic level

On the West (rear) Elevation

- Enlarge two (2) window openings to accommodate egress windows at the attic level;
- Remove a door and patch with siding to match existing, original 1” by 6” bevel lap siding.

Historic Resource Review is required for non-exempt exterior alterations 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:

- 33.846.060.G *Other approval criteria*

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. This application was submitted on September 3, 2021 and determined to be complete on October 1, 2021.

DECISION MAKING PROCESS

The Bureau of Development Services will make a decision on this proposal. After we consider your comments we will do one of the following:

- Approve the proposal;
- Approve the proposal with conditions; or
- Deny the proposal.

The neighborhood association listed on the first page of this notice may take a position on this application. They may also schedule an open meeting prior to making their recommendation to the Bureau of Development Services. Please contact the person listed as the neighborhood contact to determine the time and date of this meeting.

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 extended at the request of the applicant.

If you are interested in viewing information in this file, please contact the planner listed on the front of this notice. The planner can email you documents from the file. A fee would be required for all requests for paper copies of file documents. Additional information about the City of Portland, and city bureaus is available online at <https://www.portland.gov>. A digital copy of the Portland Zoning Code is available online at <https://www.portlandoregon.gov/zoningcode>.

APPEAL PROCESS

If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Landmarks Commission. This review body will hold a public hearing for the appeal. When the decision is mailed, the criteria used to make the decision and information on how to file an appeal will be included. If you do not send any comments, you can still appeal the decision. There is a 14-day deadline to file an appeal beginning on the day the decision is mailed. The reason for the appeal must be specifically defined in order for the review body to respond to the appeal. If an appeal is filed, you will be notified of the time and location of the appeal hearing.

There is a fee charged for appeals. Recognized neighborhood associations may qualify for an appeal fee waiver.

APPEAL OF THE FINAL CITY DECISION

After an appeal hearing, the review body decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283. The phone number for LUBA is 1-503-373-1265. Issues that may provide the basis for an appeal to LUBA must be raised prior to the comment deadline or prior to the conclusion of the hearing if a local appeal is requested. If you do not raise an issue with enough specificity to give the Bureau of Development Services an opportunity to respond to it, that may also preclude an appeal to LUBA on that issue.

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).

Enclosures:

Zoning Map
Site Plan
Elevations