



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

Dan Ryan, Commissioner
Rebecca Esau, Director
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www.portland.gov/bds

Date: October 11, 2021
To: Interested Person
From: Tanya Paglia, Land Use Services
503-865-6518 / Tanya.Paglia@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 November 1, 2021. Your comments must be e-mailed to the assigned planner listed above;** please include the Case File Number, LU 21-041376 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 21-041376 HR –WINDOW REPLACEMENT

Applicant/Owner: David E & Yi H Triplett Living Trust
1110 Grizzley Peak Blvd
Berkeley, Ca 94708

Site Address: 2516-2518 NE 14TH AVE

Legal Description: BLOCK 66 LOT 12 S 6 1/4' OF LOT 13, IRVINGTON
Tax Account No.: R420414300
State ID No.: 1N1E26DB 01800
Quarter Section: 2832

Neighborhood: 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

Plan District: None
Other Designations: Contributing resource in the Irvington Historic District, listed on the National Register October 22, 2010.

Zoning: R5a – Residential 5,000

Case Type: HR
Procedure: Type II, an administrative decision with appeal to the Landmarks Commission.

Proposal:

The applicant proposes replacement of some of the existing vinyl windows which were installed without historic resource review in response to a Zoning Code Violation notice (21-023142-CC), dated March 24, 2021. The violation notice was issued after Code Compliance was notified of unapproved window alterations which replaced nearly all original wood windows with new vinyl windows. Window changes prior to 2021 include replacement of one window at the first floor of the west (front) façade with a pair of aluminum windows which occurred prior to the district's listing in 2010 and replacement of two arched windows (one single pane and one pair of multi-paned diamond casements) on the second floor of the west (front) façade which occurred sometime between November 2015 and July 2017, after the district's listing. All original windows replaced in 2021 were double-hung multi-light-over-one wood windows with a pair of divided-light windows flanking the pair of aluminum windows at the west façade.

Correction of the violation requires replacement of all illegally installed windows or approval of the replacement windows, including all windows replaced after 2010 without review. The applicant proposes replacement of the west (front) façade with new wood windows, including divided lights, where appropriate, while requesting to maintain the vinyl windows on the side and rear façades.

Historic Resource Review is required because the proposal is 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. 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 April 27, 2021 and determined to be complete on September 27, 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
West (front) and East (rear) Elevation
North (side) and South (side) Elevation



ZONING



For Zoning Code in effect
August 1, 2020 - July 31, 2021

THIS SITE LIES WITHIN THE:
IRVINGTON HISTORIC DISTRICT

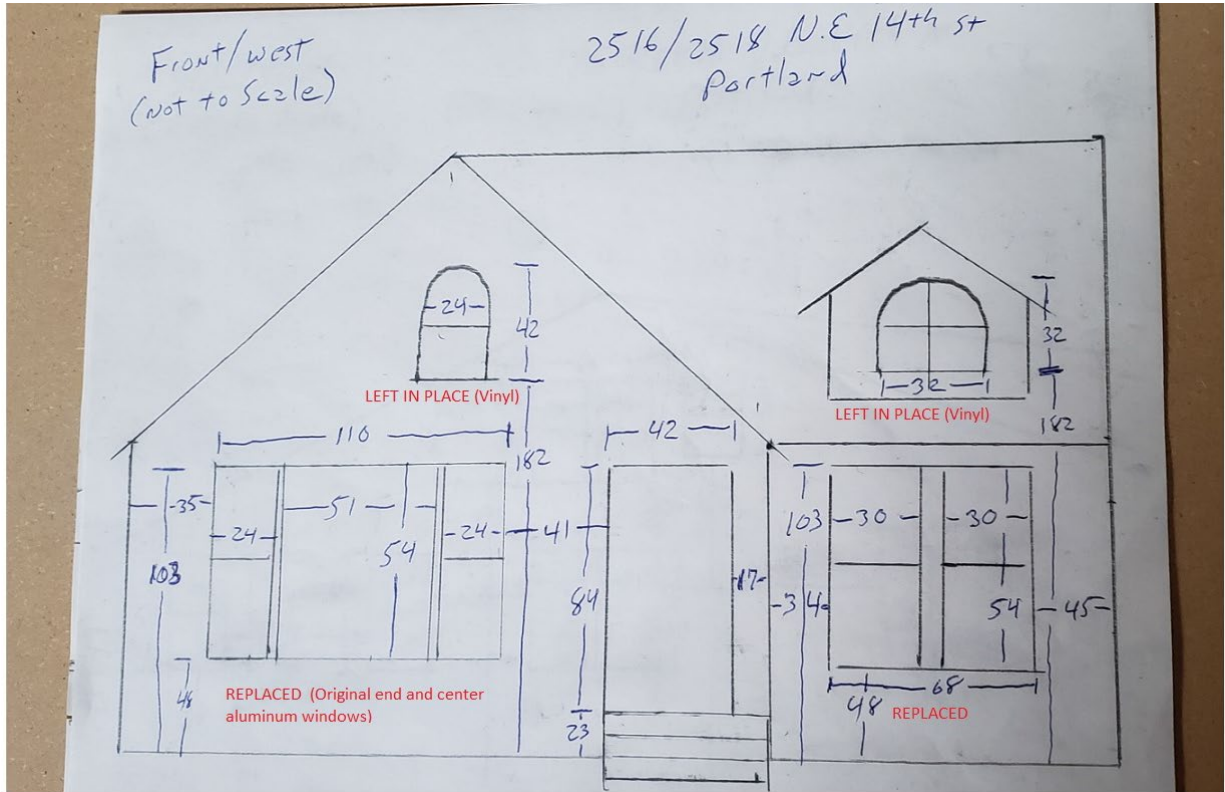


Site

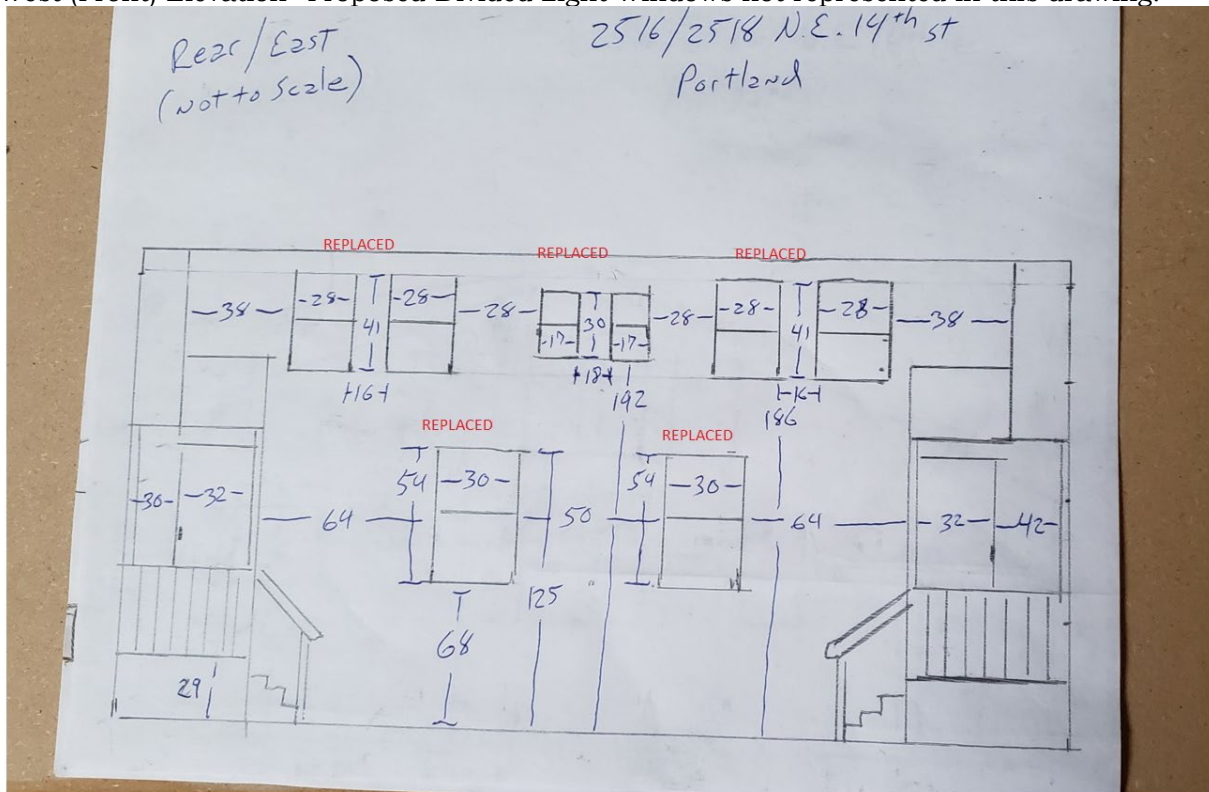


Historic Landmark

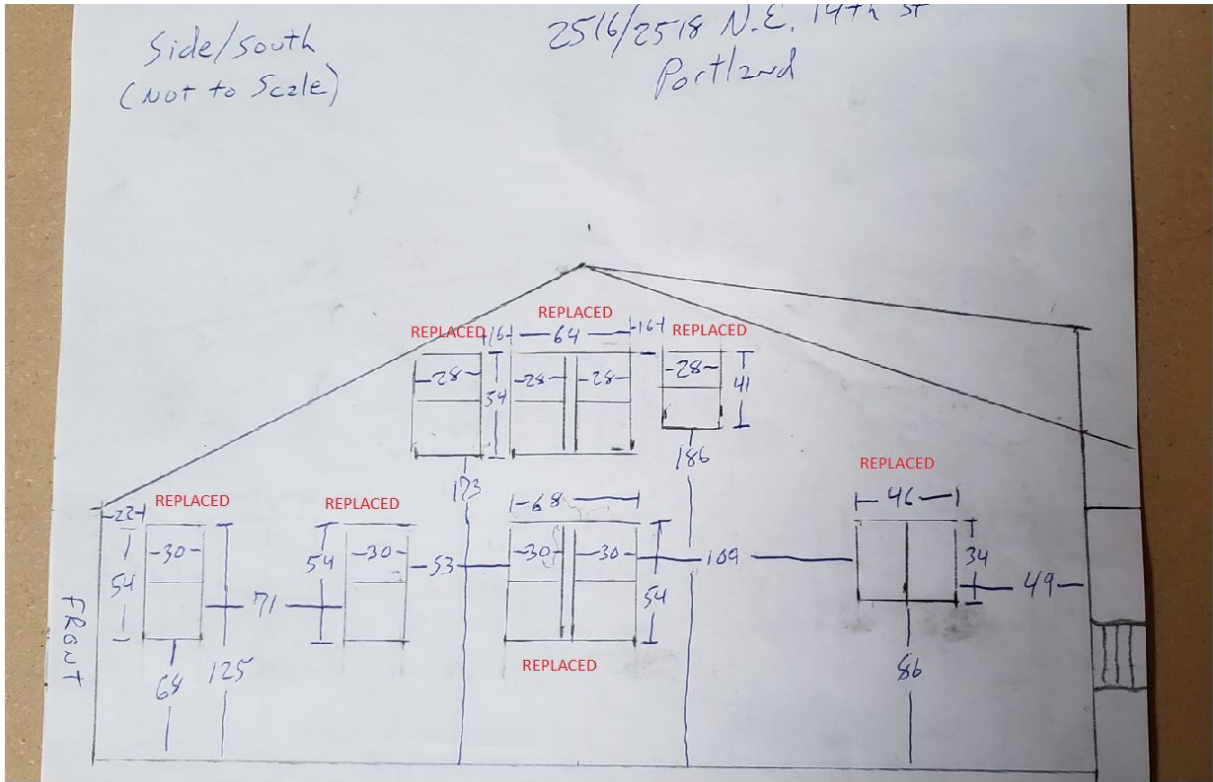
File No.	LU 21 - 041376 HR
1/4 Section	2832
Scale	1 inch = 200 feet
State ID	1N1E26DB 1800
Exhibit	B Apr 28, 2021



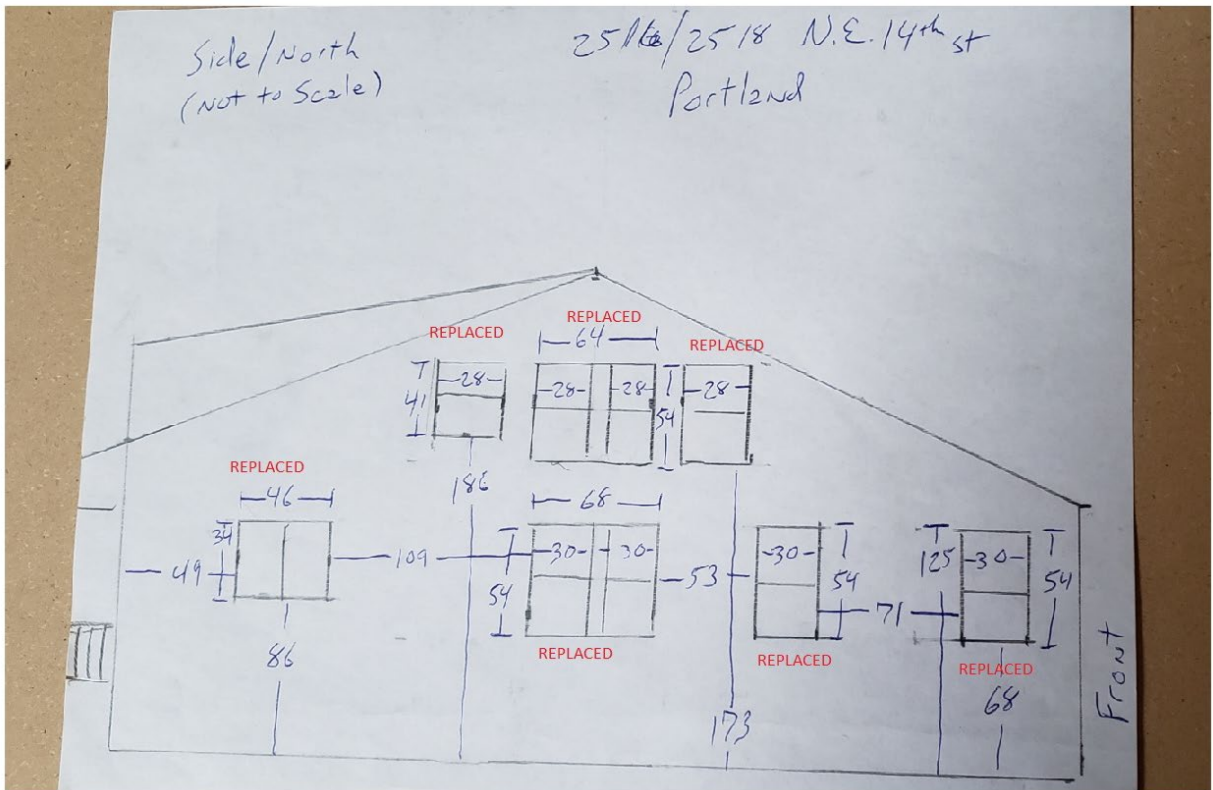
West (Front) Elevation *Proposed Divided Light Windows not represented in this drawing.



East (Rear) Elevation



North Elevation



South Elevation