



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

Dan Saltzman, Commissioner  
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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** May 1, 2012  
**To:** Interested Person  
**From:** Mark Bello, Land Use Services  
503-823-7810 / [Mark.Bello@portlandoregon.gov](mailto:Mark.Bello@portlandoregon.gov)

## **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 reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it and request a public hearing. Information on how to appeal this decision is listed at the end of this notice.

### **CASE FILE NUMBER: LU 12-116846 HDZM**

#### **CLOVIS HOUSE/EXTERIOR ALTERATIONS**

#### **GENERAL INFORMATION**

**Applicant:** Continental Imports Inc.  
1414 SW 3rd Ave Apt 2401  
Portland, OR 97201

Peter Zaik  
Zaik Associates, Architects  
2340 NW Thurman St #201  
Portland, OR 97210  
Continental Porsche 16920458

**Site Address:** 2018 SW MADISON ST

**Legal Description:** W 35' OF N 1/2 OF NE 1/4 OF BLOCK 9, AMOS N KINGS  
**Tax Account No.:** R024401690  
**State ID No.:** 1S1E04BA 03300  
**Quarter Section:** 3127  
**Neighborhood:** Goose Hollow, contact Jerry Powell at 503-222-7173.  
**Business District:** Goose Hollow Business Association, contact Angela Crawford at 503-223-6376.  
**District Coalition:** Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.  
**Zoning:** RH, High Density Residential  
**Case Type:** HDZ, Historic Design Review with Modification  
**Procedure:** Type II, an administrative decision with appeal to the Landmarks Commission.

**Proposal:** The applicant is seeking Historic Design Review approval for a proposal to alter the exterior of the Peter Clovis House, a contributing resource in the King's Hill Historic District. This Craftsman style resident is two and one half stories over a basement. It is square in plan and faces north on SW Madison Street. The house is to be renovated. Existing windows and siding will be restored and repaired as needed. New wood windows will be installed that match existing.

Also, on the north elevation, concrete steps and the porch will be repaired as needed and new wood handrails will be installed.

On the east elevation a new direct vent for a gas fireplace will be installed.

On the south elevation, a new two story porch will be constructed to replace an old sleeping porch that was demolished in 2008 as unsafe. Also, windows will be restored, replaced, eliminated and added. A new wood glazed door will be added.

On the west elevation, the existing stair will be replaced with a new wood stair and handrail with pre cast concrete stair treads and be adjacent to the west property line. (This stair will encroach into the side set back; however, the zoning code requires a minimum 5' set back.)

Because exterior alterations are proposed in an historic district, historic design review is required. Because the required west property would be reduced to 0', a modification request is part of this application.

## ANALYSIS

**Site and Vicinity:** This modest Craftsman style residence is two and one-half stories. It is square in plan and faces north on SW Madison Street. The house is surfaced with narrow wood weatherboards and has a low-pitched pyramidal roof. A single dormer with pyramidal roof is located on the front elevation. The entrance is located at the northwest corner of the house and is recessed within the volume of the house. Windows are single-pane double hung; a grouping of three windows is located on the front elevation. The house has had minor alterations during the including the addition of a sleeping porch at the rear, now demolished.

The house is sited adjacent to the SW Madison Street sidewalk. Immediately adjacent to the west is a newer townhouse project, four attached units, built in 1992. To the east is a vacant lot. To the south is an auto dealership, located down the hill on SW Jefferson Street.

The site is located in the King's Hill Historic District. The King's Hill Historic District is an irregularly shaped area of mixed residential and commercial use. The majority of the buildings in the district are residential in design, although a number of the larger residences have been converted to commercial use. The district is significant for its association with citizens important to the development of King's Hill and the excellent representation of architectural designs.

**Zoning:** The High Density Residential (RH) is a high density multi-dwelling zone which allows the highest density of dwelling units of the residential zones. Density is not regulated by a maximum number of units per acre. Rather, the maximum size of buildings and intensity of use are regulated by floor area ratio (FAR) limits and other site development standards. Generally the density will range from 80 to 125 units per acre. Allowed housing is characterized by medium to high height and a relatively high percentage of building coverage. The major types of new housing development will be low, medium, and high-rise apartments and condominiums. Generally, RH zones will be well served by transit facilities or be near areas with supportive commercial services. Newly created lots in the RH zone must be at least 10,000 square feet in area for multi-dwelling development. There is no minimum lot area for development with detached or attached houses or for development with duplexes. Minimum lot width and depth standards may apply.

**Land Use History:** City records indicate there are prior land use reviews for this site. Most notably, a previous owner explored demolition of the property in 2007. A pre-application conference was held and the applicant was informed that demolition required Type IV Demolition Review approval (EA 07-161410). A new owner has elected to renovate the house rather than demolish it.

**Agency Review:** A “Notice of Proposal in Your Neighborhood” was mailed **March 22, 2012**. The following Bureaus have responded with no issues or concerns:

1. Bureau of Environmental Services
2. Bureau of Transportation Engineering and Development Review
3. Water Bureau
4. Fire Bureau
5. Site Development Review Section of BDS
6. Bureau of Parks, Forestry Division
7. Life Safety Plans Examiner, BDS

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on March 22, 2012. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

## **ZONING CODE APPROVAL CRITERIA**

### **I. Chapter 33.846 Historic Design Review**

#### **Purpose of Historic Design Review**

Historic Design Review ensures the conservation and enhancement of the special characteristics of historic resources.

#### **Historic Design Review Approval Criteria**

Requests for historic design 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 located within the King's Hill Historic District and the proposal is for a non-exempt treatment. Therefore Historic Design Review approval is required. The approval criteria are the *King's Hill Historic District Guidelines*.

*Staff has considered all guidelines and addressed only those applicable to this proposal.*

#### **King's Hill Historic District Guidelines**

The guidelines for the King's Hill Historic District were adopted on November 15, 2001. King's Hill was locally designated as a historic district, and then listed in the National Register of Historic Places in 1991. The guidelines are designed to maintain and preserve those qualities that make the King's Hill Historic District a unique historic neighborhood. They promote the continued integrity and identity of the district in three broad areas, which are addressed under the following guideline headings:

- Area Character
- Pedestrian Emphasis
- Project Design

#### **King's Hill Historic District Guidelines**

**A1. Historic Character.** Retain and preserve the diverse historic character of the King's Hill Historic District.

**A2. Architectural Styles.** Maintain the architectural integrity of historic building façades. Respect the essential forms and styles of the historic buildings in the district.

**Findings for A1 and A2:** The district's historic character is defined by the historic structures that have been classified as “contributing” such as this house. Although described as modest by the National Register inventory sheet, the Clovis house contributes to the district in its style and massing. The house has Craftsman style elements such as the broad overhanging

eaves, exposed rafters, and horizontal siding. The applicant's proposal to completely restore the exterior to a condition to original, while remodeling/renovating the interior for a new owner ensures that this building will endure. *Therefore, these guidelines are met.*

**A3. Historic Material, Features, and Color.** During exterior rehabilitation, protect, maintain, and preserve historic materials, color, and architectural features.

**D8. Exterior Materials and Features.** Retain or restore original exterior finishing materials. Use materials and design features that promote permanence, quality, and visual interest. Use materials and design features that are consistent with the building's style and with the existing vocabulary of the historic district.

**Findings for A1, A2, A3 and D8:** Existing windows, doors, porch posts, and eaves can be restored rather than replaced. With restoration of these and other architectural details the historic integrity of the architecture is enhanced.

On the south elevation, a series of porches were added in the 1920s and later enclosed though never built structurally to serve as living spaces. These structures have been removed, and existing or added doorways are now floating on the elevation, multiple floors above ground. A series of new decks are proposed are proposed that are consistent with the building's style and existing vocabulary and also mostly blocked from view by surrounding buildings.

These open decks are not visible from SW SE Madison Street or SW 20<sup>th</sup> (after construction on the corner). They are also mostly block from view by the car dealership on SW Jefferson.

*Therefore, these guidelines are met.*

**D11. Main Entrances.** Main entrances, including doors, porches, and balconies, should be prominent features, compatible with the detailing, style, and quality of historic main entrance features of nearby buildings. Retain and preserve main entrance features that are important in defining the building's historic character. Replace, in kind, extensively deteriorated or missing parts of the main entrance when surviving prototypes exist. When in-kind replacement is not practical, replace with elements that recreate the historic character of the main entrance.

**Findings:** The north/front elevation will be restored; the recessed entry will remain. Steps within the right-of-way will be reconfigured and a new wood balustrade will be built across the front and along the side based on existing conditions, adjusted to meet current building code requirements. *Therefore, this guideline is met.*

**D9. Window Features.** Retain and preserve window features that are important in defining the building's historic character. Replace, in kind, extensively deteriorated or missing parts of the window casement when surviving prototypes exist. When in-kind replacement is not practical, replace with elements that recreate the window's historic character.

**Findings:** Per the submitted elevations, existing wood windows will be repaired and restored. New windows will be wood windows that match existing windows. The applicant has requested and received State of Oregon Historic Preservation Office approval of the Preservation Plan (Exhibit G4).

*Therefore, this guideline is met.*

**(2) 33.846.070 – Modifications Considered During Historic Design Review**

The approval criteria for modifications considered during historic design review are:

**A. Better meets historic design review approval criteria.** The resulting development will better meet the approval criteria for historic design review than would a design that meets the standard being modified; and

**B. Purpose of the standard.**

1. The resulting development will meet the purpose of the standard being modified; or
2. The preservation of the character of the historic resource is more important than meeting the purpose of the standard for which a modification has been requested.

**33.120.220 A. Purpose** The building setback regulations serve several purposes:

- They maintain light, air, separation for fire protection, and access for fire fighting;
- They reflect the general building scale and placement of multi-dwelling development in the City's neighborhoods;
- They promote a reasonable physical relationship between residences;
- They promote options for privacy for neighboring properties;
- They require larger front setbacks than side and rear setbacks to promote open, visually pleasing front yards;
- They provide adequate flexibility to site a building so that it may be compatible with the neighborhood, fit the topography of the site, allow for required outdoor areas, and allow for architectural diversity; and
- Setback requirements along transit streets create an environment that is inviting to pedestrians and transit users.
- They provide room for a car to park in front of a garage door without overhanging the street or sidewalk, and they enhance driver visibility when backing onto the street.

**Modification:** The applicant is seeking modification of 33.120.220 Setbacks, in order to reduce the west side minimum setback from a required 5 feet to 0 feet, based on a west wall area of 850 square feet.

**Findings for A:** As evidenced in the findings under A1, A2, A5, and D11 above, the resulting development will better meet the approval criteria because it will have no impact on the existing historic character of the district or building as the stair case extension is to be placed in the narrow slot between the Clovis House and the noncontributing townhouses to the west. This location cannot be seen. *Therefore, this approval criterion is met.*

**Findings for B:**

The proposed meets the purpose of the standard. The Fire Bureau has no objection. The scale and placement of the structure impacts no other neighbor as the east façade of the adjacent townhouse does not have any openings at the level of the staircase. The staircase follows the slope of the hillside leading down from SW Madison Street. The stair provides access from the front to the back of the property only for the owner(s). *Therefore, this approval criterion is 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 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

Restoration of the Clovis House, a contributing resource, is a very positive event for the King's Hill Historic District. The restored home will continue to tell the story of this unique historic part of Portland. All applicable historic design guidelines are met.

## ADMINISTRATIVE DECISION

Approval of exterior alterations to a contributing structure in the King's Hill Historic District, including:

Existing windows and siding will be restored and repaired as needed. New wood windows will be installed that match existing.

- North elevation  
Porch repair, new wood handrails
- East elevation  
New direct vent for a gas fireplace
- South elevation  
New two story porch, new wood glazed door
- West elevation  
Existing stair to be replaced with a new wood stair and handrail with pre cast concrete stair treads.
- All elevations  
Existing windows to be restored, replaced, eliminated and added. New windows to match existing

Approval of an Adjustment to reduce the minimum set back from 5'to 0' along the west property line

Per the approved site plans, Exhibits C-1 through C-4, signed and dated April 26, 2012, subject to the following conditions:

- A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C.1-C.4. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 12-116846 HDZM. No field changes allowed."

**Staff Planner: Mark Bello**

**Decision rendered by:**  **on April 26, 2012**

By authority of the Director of the Bureau of Development Services

**Decision mailed: May 1, 2012**

**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 February 29, 2012, and was determined to be complete on **March 20, 2012**.

*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 February 29, 2012.

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: July 18, 2012.**

**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 May 15, 2012** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3 p.m. and Mondays, appeals must be submitted to the receptionist at the front desk on the fifth floor. **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](http://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 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, 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 must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed*, The final decision may be recorded on or after **May 16, 2012**.
- A building or zoning permit will be issued only after the final decision is recorded.

The applicant, builder, or a representative may record the final decision as follows:

- By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034

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.

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

**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**

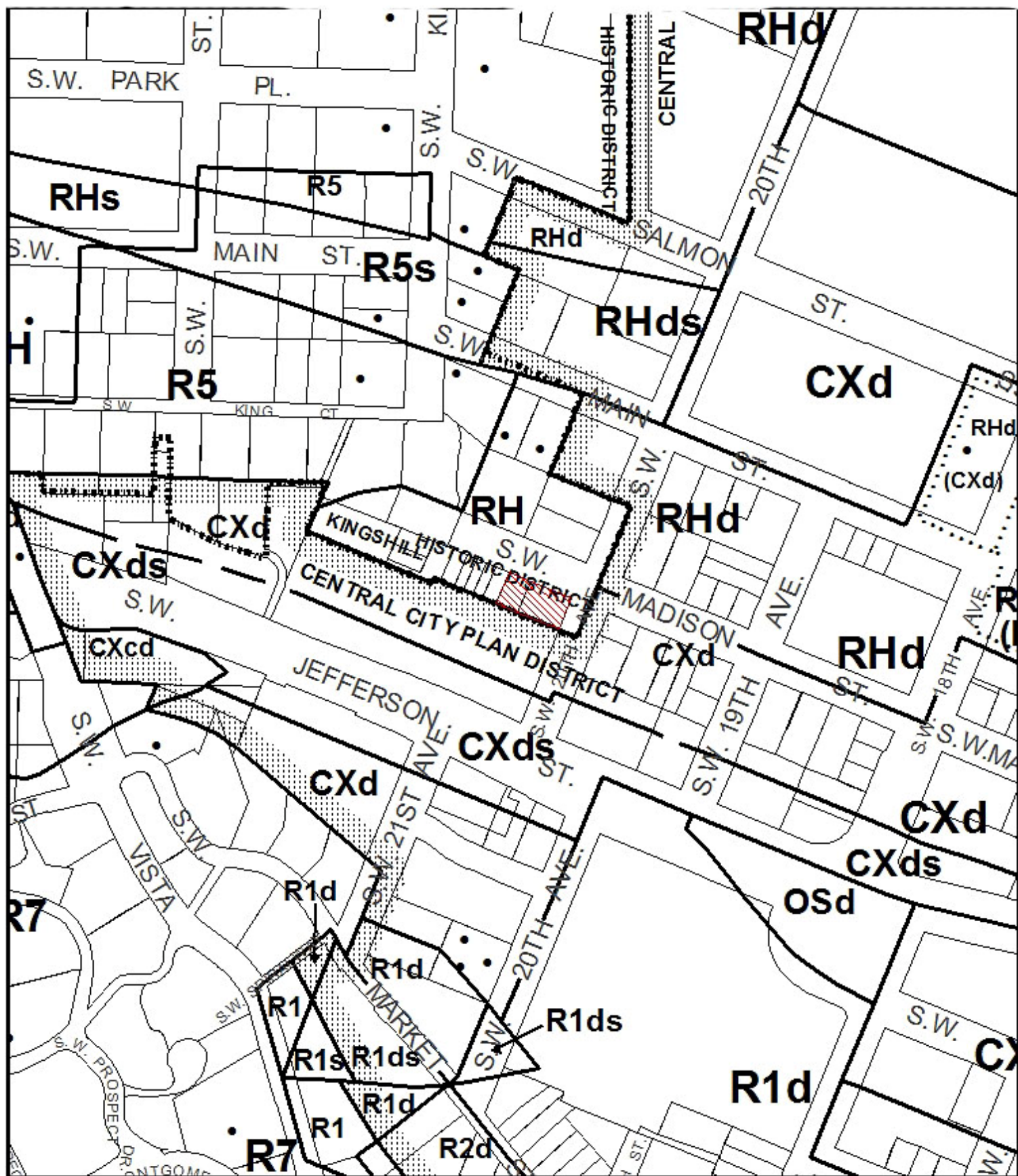
NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. North, South Elevations (attached)
  - 3. West, East Elevations (attached)
  - 4. New Window Details (attached)
  - 5. Proposed Basement Plan
  - 6. Proposed First Floor Plan



- 7. Proposed Second Floor Plan
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Bureau of Environmental Services
  - 2. Bureau of Transportation Engineering and Development Review
  - 3. Water Bureau
  - 4. Fire Bureau
  - 5. Site Development Review Section of BDS
  - 6. Bureau of Parks, Forestry Division
  - 7. Life Safety Plans Examiner, BDS
- F. Correspondence: (none)
- G. Other:
  - 1. Original LU Application
  - 2. Site History Research
  - 3. National Register of Historic Places inventory sheet
  - 4. State Historic Preservation Office approval, with condition, of Preservation Plan
  - 5. Draft Overview of Clovis House Rehabilitation Plan

**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



Site



Historic Landmark



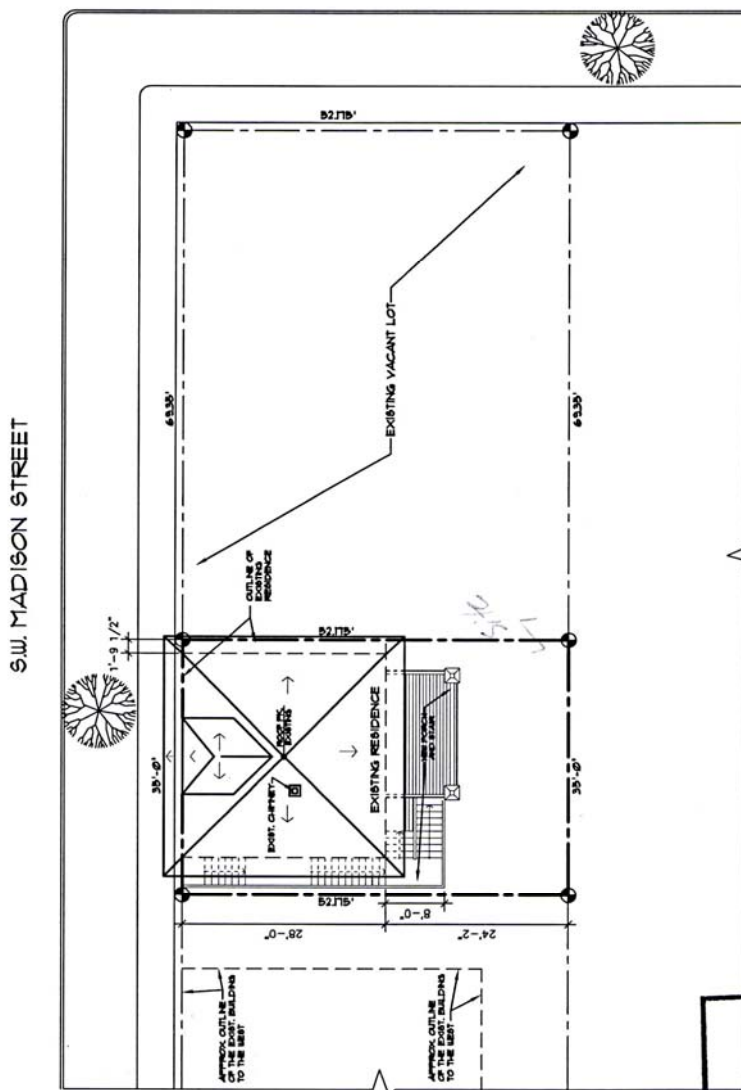
NORTH

File No. LU 12-116846 HDZ  
 1/4 Section 3127  
 Scale 1 inch = 200 feet  
 State\_Id 1S1E04BA 3200  
 Exhibit B (Mar 16, 2012)

SP



S. W. 20th AVENUE



**LEGAL DESCRIPTION**

44006 N KING, W 38' F N 1/2 OF NE  
1/4 OF BLOCK 9 MAP 3027  
MULTNOMAH COUNTY, PORTLAND, OREGON

**SITE PLAN**  
**SCALE 1/8"=1'-0"**

SCALE 1/6"=1'-0"

**\*Approved\***  
**City of Portland**  
**Bureau of Development Services**

## Planner

Date 4/26/12

\* This approval applies only to the reviews requested and is subject to all other conditions of approval.

Additional zoning requirements may apply.

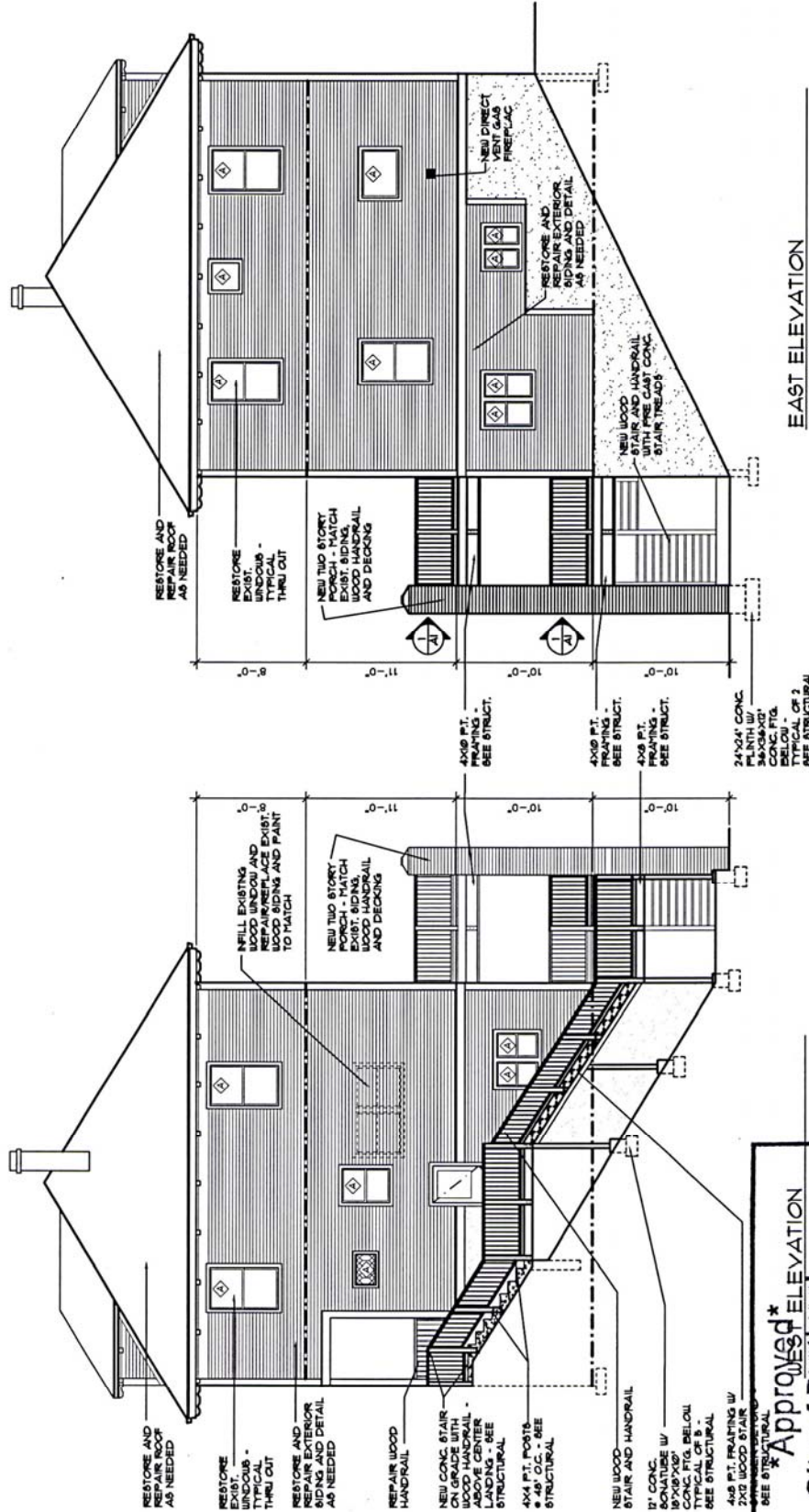
CASE NO. 12-116846  
EXHIBIT C1



REVISIONS	DATE	BY	APP
1	5/27/2012		
2	11/17/2012		
3	11/17/2012		
4	4/17/2013		
5			
6			

DATE 12/2/2011  
 JOB NO. 12-116846  
 DRAWN PZ  
 APPROVED  
**BUILDING ELEVATIONS**

AS NOTED  
 DRAWN BY  
 SAUL ZAIK  
 PROJECT NO.  
 DRAWING NO.  
**A5**



**EAST ELEVATION**  
 SCALE 1/8"=1'-0"

- LEGEND**
- NEW CONSTRUCTION
  - EXISTING
  - EXISTING TO BE REMOVED
  - EXISTING WOOD WINDOW TO BE REPAIRED/RESTORED
  - NEW MARVIN ALL WOOD WINDOW - OR EQUIVALENT

**Approved\***  
**City of Portland**  
 Bureau of Development Services  
 Planner *MB*  
 Date *4/26/12*

**LEGEND**

- EXISTING
- EXISTING TO BE REMOVED
- EXISTING WOOD WINDOW TO BE REPAIRED/RESTORED
- NEW MARVIN ALL WOOD WINDOW - OR EQUIVALENT

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

CASE NO. *12-116846*  
 EXHIBIT *C2*



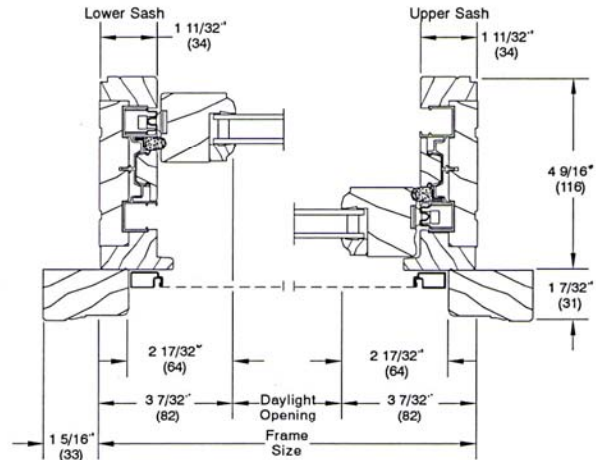


# WOOD ULTIMATE DOUBLE HUNG

## SECTION DETAILS: OPERATING ONLY

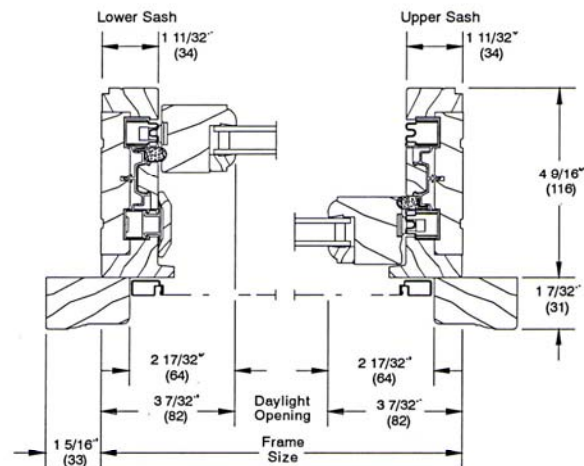
SCALE: 3" = 1'-0" (76 = 305)

### Double Hung



Double Hung Jamb  
Lower and upper sash

### Single Hung



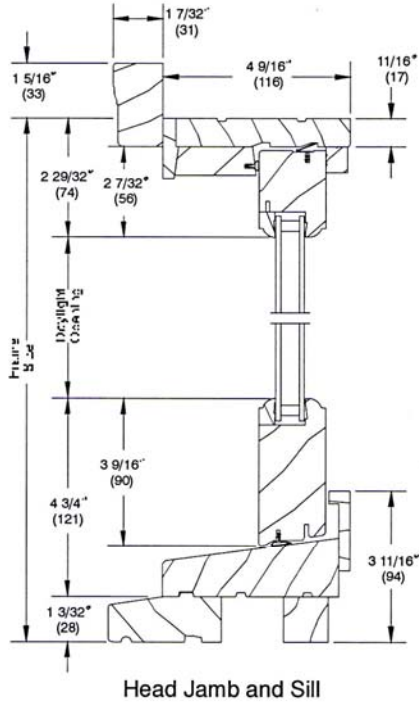
Single Hung Jamb  
Lower and upper sash

**NOTE:**  
Optional half screen shown.

# WOOD ULTIMATE DOUBLE HUNG

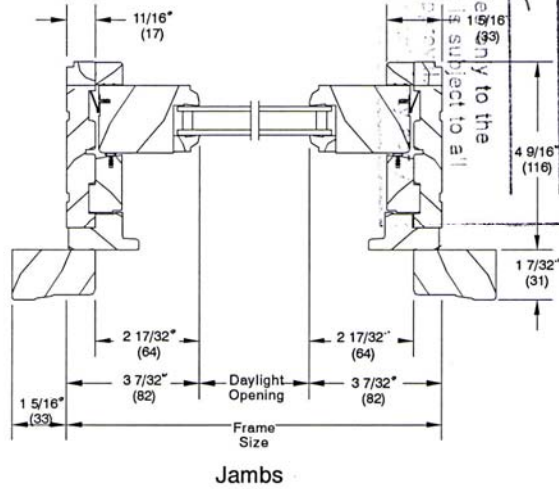
## SECTION DETAILS: PICTURE

SCALE: 3" = 1' 0" (76 = 305)



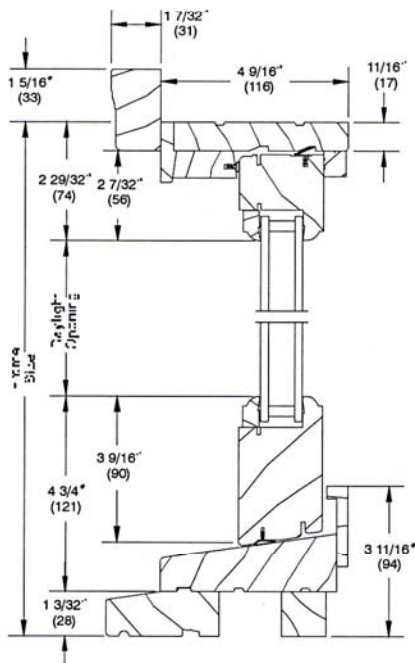
Head Jamb and Sill

Picture 1 5/8" Sash

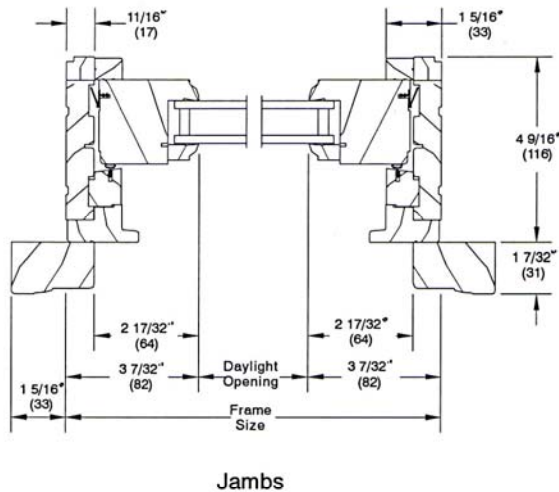


Jambs

Picture 2" Sash



Head Jamb and Sill



Jambs

**MARVIN**  
Windows and Doors

Built around you

Planner  
Date

4/26/12

Bureau of Development Services

City of Portland

\*Approved\*

approval applies only to the  
requested and is subject to all  
conditions of approval