



**City of Portland, Oregon**  
**Bureau of Development Services**  
**Land Use Services**

FROM CONCEPT TO CONSTRUCTION

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Paul L. Scarlett, Director  
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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** April 19, 2013  
**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 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 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 13-108188 HDZ – EXTERIOR ALTERATIONS**

#### **GENERAL INFORMATION**

**Applicant:** Don Rouzie, / Rouzie Design  
4520 NE 15th Avenue / Portland, OR 97211

**Owner:** Francis Wilde,  
2434 NE Tillamook St / Portland, OR 97212-4766

**Site Address:** 2434 NE TILLAMOOK ST

**Legal Description:** BLOCK 8 TL 4500, EAST IRVINGTON  
**Tax Account No.:** R224400790  
**State ID No.:** 1N1E25CC 04500  
**Quarter Section:** 2833  
**Neighborhood:** Irvington, contact Dean Gisvold at 503-284-3885.  
**Business District:** North-Northeast Business Assoc, contact Joice Taylor at 503-445-1321.  
**District Coalition:** NE Coalition of Neighborhoods, Shoshana Cohen at 503-388-5004.  
**Designations:** Contributing resource in the Irvington Historic District, listed in the National Register of Historic Places on October 22, 2010.

**Zoning:** R5a – Residential 5,000 with Alternative Design Density and Historic Resource Protection overlays

**Case Type:** HDZ – Historic Design Review  
**Procedure:** Type II, an administrative decision with appeal to the Historic Landmarks Commission.

#### **Proposal:**

The applicant proposes the following exterior alterations:

- On the south (rear) façade, construction of a new 2<sup>nd</sup> floor dormer to match the front dormer in style, with wood double hung windows on the south façade and wood casement windows on the west and east façades, and at the first floor level, new wood true-divide-light French doors to replace existing non-historic sliding doors;
- On the east (street-facing) façade, new wood true-divided-light French doors at the first floor balcony to replace existing non-historic sliding doors, and at the 2<sup>nd</sup> floor level, new wood casement windows with false center check rail to replace the existing vinyl windows and to provide egress;

- On the west (interior) façade, a new 3'-0" x 3'-0" wood egress window with concrete egress well at the basement and, at the 2<sup>nd</sup> floor level, new wood casement windows with false center check rail to replace the existing vinyl windows and to provide egress.

Historic Design Review is required because the proposal is for non-exempt exterior alterations to a contributing resource in the Irvington 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*

**ANALYSIS**

**Site and Vicinity:** The subject property is located at the southwest corner of NE 25<sup>th</sup> Avenue and NE Tillamook Street, facing north. The 1-1/2-story Bungalow was built in the Colonial Revival style in 1924 by Joseph S. Crane. To its west is a 1-1/2-story Bungalow of similar design constructed at the same time, also by Joseph S. Crane, differentiated by minor variations in the front dormer and side fenestration. NE Tillamook Street is designated as a City Bikeway.

The Irvington Historic District was platted in 1887 and was one of the first subdivisions in Portland to employ restrictive covenants, including uniform setbacks, minimum construction expenditures, the exclusion of minorities and the exclusion of non-residential uses. The few non-residential uses allowed at the interior of the district were required to be designed to resemble residential buildings. Development of the neighborhood spread slowly from the south east corner toward the northeast, following the patterns of streetcar development, first along NE Broadway, followed by extensions north into the neighborhood. As the restrictive covenants expired, more commercial development occurred at the edge of the subdivision along NE Broadway through conversion of residential properties and new development. The district comprises an eclectic assortment of late 19<sup>th</sup> and early 20<sup>th</sup> century architectural styles, including Queen Anne, Craftsman, and Period Revival styles. Garages built during the period of significance were either built at the same time as the associated residences for the later developments, or were later additions to the earlier residences, and were most commonly located at the rear or front of the property.

**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 Alternative Design Density "a" overlay is in place to focus development on vacant sites, preserve existing housing and encourage new development that is compatible with and supportive of the positive qualities of residential neighborhoods. The concept for the zone is to allow increased density for development that meets additional design compatibility requirements.

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 **March 25, 2013**. The following Bureaus have responded with no issues or concerns:

- Life Safety Division of BDS

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on March 25, 2013. One written response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

- Dean Gisvold, Chair of the Irvington Community Association Land Use Committee, wrote on March 28, 2013, stating that the committee unanimously approved the proposed alterations and had no objections to the proposal. Please see Exhibit F-1 for additional details.

## **ZONING CODE APPROVAL CRITERIA**

### **Chapter 33.846.060 - 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 within the Irvington Historic District and the proposal is for non-exempt treatment. Therefore Historic Design 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.

**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.

**Findings 1, 3, and 4:** The materials proposed for removal include vinyl windows at the second floor and sliding glass doors at the first floor, neither of which are original nor have gained historic significance over time. The removed windows and doors will be replaced with new wood windows and doors to be more compatible with the historic resource. The proposed rear roof dormer is designed to be similar to the front dormer and will not have an adverse effect on the historic resource, in that it is on a secondary façade, relatively modest in scale, and designed to be compatible with the historic resource through the use of wood double-hung windows and the style of the dormer roof. In addition, the proposed wood basement egress window will also not have an adverse effect on the historic resource as it is located mostly below grade, on a secondary façade, and will be minimally visible from the street. *These criteria are met.*

**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.

**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.

**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 2, 7, and 9:** The historic resource will remain a record of its time, with the proposed alterations enhancing the historic character. No conjectural features from other buildings are proposed, however, the proposal includes new windows, doors, and dormer designed in response to specific architectural features of the subject property. The proposed second floor casement windows on the east and west façades will feature a horizontal false check rail in order to give the appearance of double-hung windows, such as occur on the existing house, but provide the capability of an egress window. Also, the proposed French doors will feature true divided lights in a pattern that mimics French doors on the interior. As mentioned above, the proposed dormer will also feature a roof similar to that of the front dormer with two gabled dormers connected by a center shed roof. The new dormer will be slightly larger than the front dormer due to it extending further down the roof slope; however it is relatively modest in scale, extending just over one-third of the width of the roof and will be located at the same height as the front dormer. It will also feature window panes of similar size, though they will be double-hung rather than single fixed windows. The proposed alterations will be compatible with the historic character but differentiated through their contemporary construction methods as well as by this record. In the event that the proposed alterations are removed in the future, the essential form and integrity of the historic resource will remain intact. *These criteria are met.*

**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 8 and 10:** As described above the proposed alterations are designed to be compatible with the historic resource. The proposed dormer is designed to be similar to the existing front dormer in its roof style and scale of its fenestration, the proposed French doors are designed to mimic interior French doors, and the proposed windows will be wood double hung and wood casement windows. Rear dormers and wood French doors and windows are common in nearby properties and throughout the Irvington Historic District, particularly among Bungalows built in the same period as the subject property. *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 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 alterations provide for contemporary uses while also being compatible with the historic resource and responsive to its particular architectural features. The proposed removal of the vinyl windows and sliding glass doors and their replacement with wood windows and true divided light French doors will enhance the historic character of the resource, as will the design of the rear dormer. The purpose of the Historic Design 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 Design Review criteria and therefore warrants approval.

## ADMINISTRATIVE DECISION


Approval of exterior alterations in the Irvington Historic District, including:

- On the south (rear) façade, construction of a new 2<sup>nd</sup> floor dormer to match the front dormer in style, with wood double hung windows on the south façade and wood casement windows on the west and east façades, and at the first floor level, new wood true-divide-light French doors to replace existing non-historic sliding doors;
- On the east (street-facing) façade, new wood true-divided-light French doors at the first floor balcony to replace existing non-historic sliding doors, and at the 2<sup>nd</sup> floor level, new wood casement windows with false center check rail to replace the existing vinyl windows and to provide egress;
- On the west (interior) façade, a new 3'-0" x 3'-0" wood egress window with concrete egress well at the basement and, at the 2<sup>nd</sup> floor level, new wood casement windows with false center check rail to replace the existing vinyl windows and to provide egress.

This approval is per the approved site plans, Exhibits C-1 through C-9, signed and dated April 16, 2013, subject to the following condition:

- 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 through C-9. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 13-108188 HDZ. No field changes allowed."

**Staff Planner: Hillary Adam**

**Decision rendered by:**  **on April 16, 2013**

By authority of the Director of the Bureau of Development Services

**Decision mailed: April 19, 2013**

**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 January 23, 2013, and was determined to be complete on March 21, 2013.

*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 January 23, 2013.

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.

**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 Historic Landmarks Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on May 3, 2013** 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 Historic 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 Historic 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 6, 2013**.
- 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.

**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**

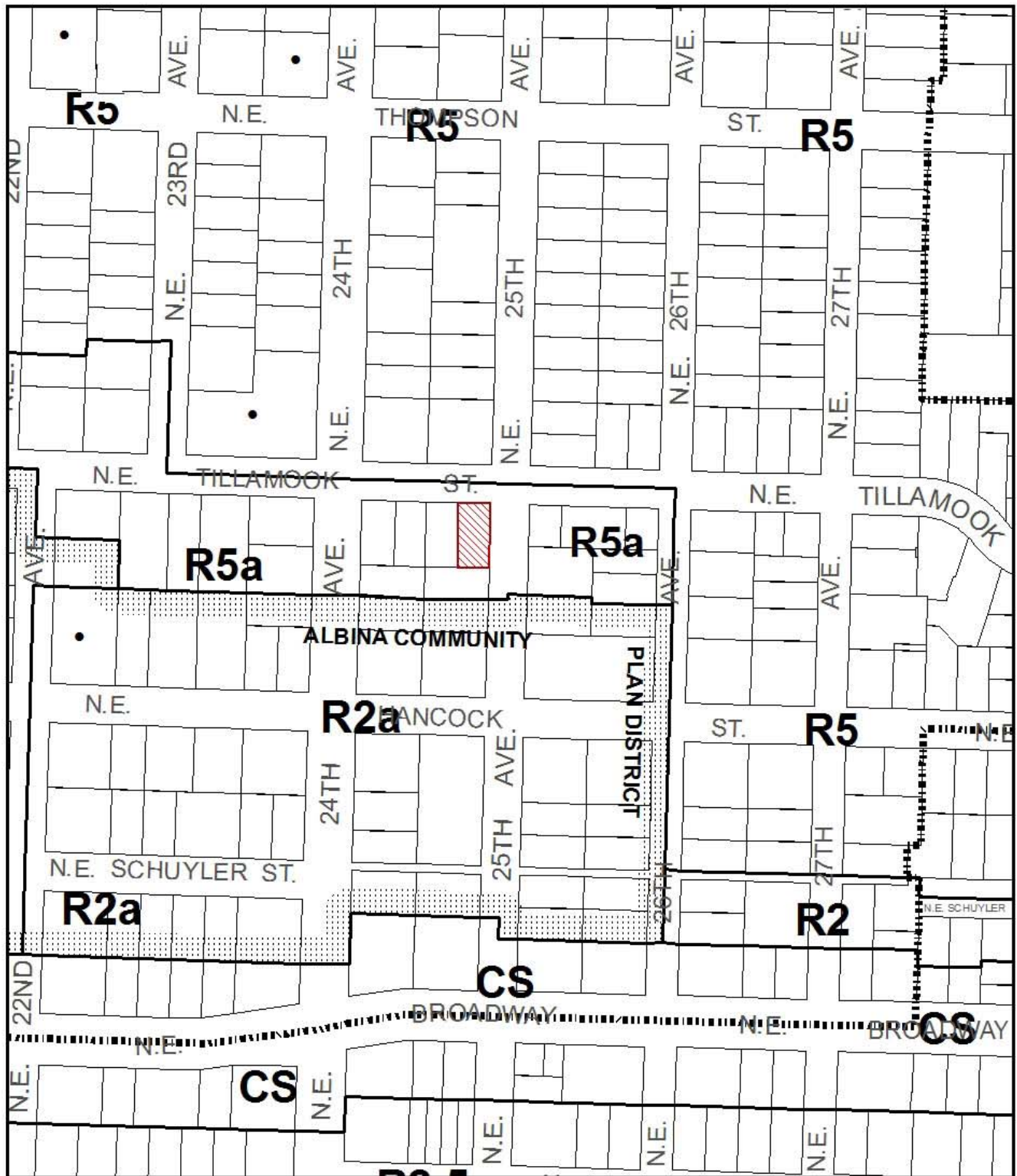
NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
  1. Original Approval Criteria Response
  2. Response to Incomplete Letter, dated March 20, 2013
- B. Zoning Map (attached)
- C. Plans/Drawings:
  1. Site Plan (attached)
  2. North (Front) and South (Rear) Elevations (attached)
  3. East Elevation (attached)
  4. West Elevation (attached)
  5. New Dormer Wall Section
  6. Marvin Wood Ultimate Casement/Push Out Casement Specifications
  7. Marvin Wood Ultimate Casement Section Detail
  8. Marvin Wood Ultimate Double Hung Sections
  9. Marvin 1-3/4" Wood Ultimate Swinging French Doors Sections
- D. Notification information:
  1. Mailing list

- 2. Mailed notice
- E. Agency Responses:
  - 1. Life Safety Division of BDS
- F. Correspondence:
  - 1. Dean Gisvold, Chair of the Irvington Community Association Land Use Committee, wrote on March 28, 2013, stating the committee unanimously approved the proposal
- G. Other:
  - 1. Original LU Application
  - 2. Incomplete Letter, dated February 6, 2013
  - 3. National Register Information


**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

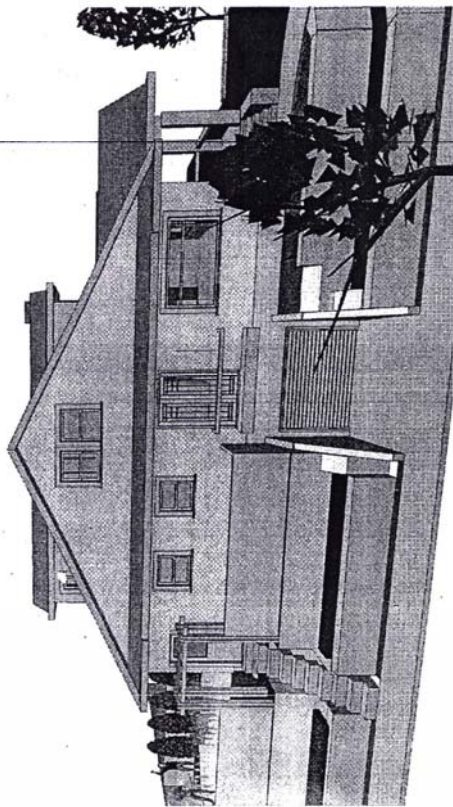
 Site

 Historic Landmark

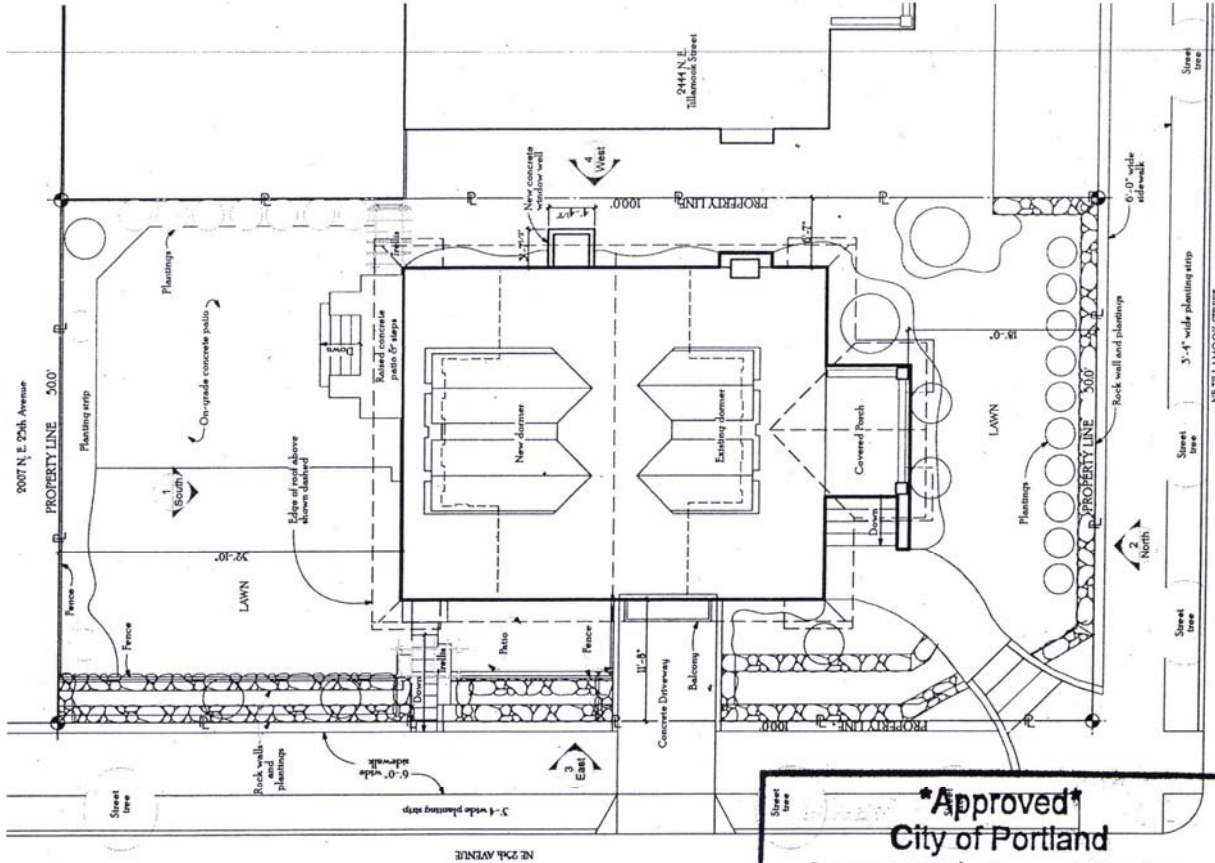


This site lies within the:  
IRVINGTON HISTORIC DISTRICT

|             |                          |
|-------------|--------------------------|
| File No.    | <u>LU 13-108188 HDZ</u>  |
| 1/4 Section | <u>2833</u>              |
| Scale       | <u>1 inch = 200 feet</u> |
| State_Id    | <u>1N1E25CC 4500</u>     |
| Exhibit     | <u>B</u> (Jan 24, 2013)  |



PERSPECTIVE from NE 25th AVE.  
No Scale



FRANCIS WILDE RESIDENCE  
9434 N.E. Tillamook Street Portland, Oregon 97220-4766  
Legal Description: East Irvington, Block 8 T.L. 4500  
Multnomah County, Portland, OR.

SITE PLAN / ROOF PLAN

Scale: 1/8" = 1'-0"

**\*Approved\***  
**City of Portland**  
Bureau of Development Services  
Planner *[Signature]*  
Date 4/16/13

• This approval applies only to the



VICINITY MAP

No Scale

1

NOTE:  
Property not surveyed. Property data, shown for reference only, taken from Portland, City of Portland, Corporate GIS.



| Revisions | Date      |
|-----------|-----------|
|           | 01/22/201 |
|           |           |
|           |           |
|           |           |

COVER SHEET  
SITE PLAN  
VICINITY PLAN  
PERSPECTIVE

CS

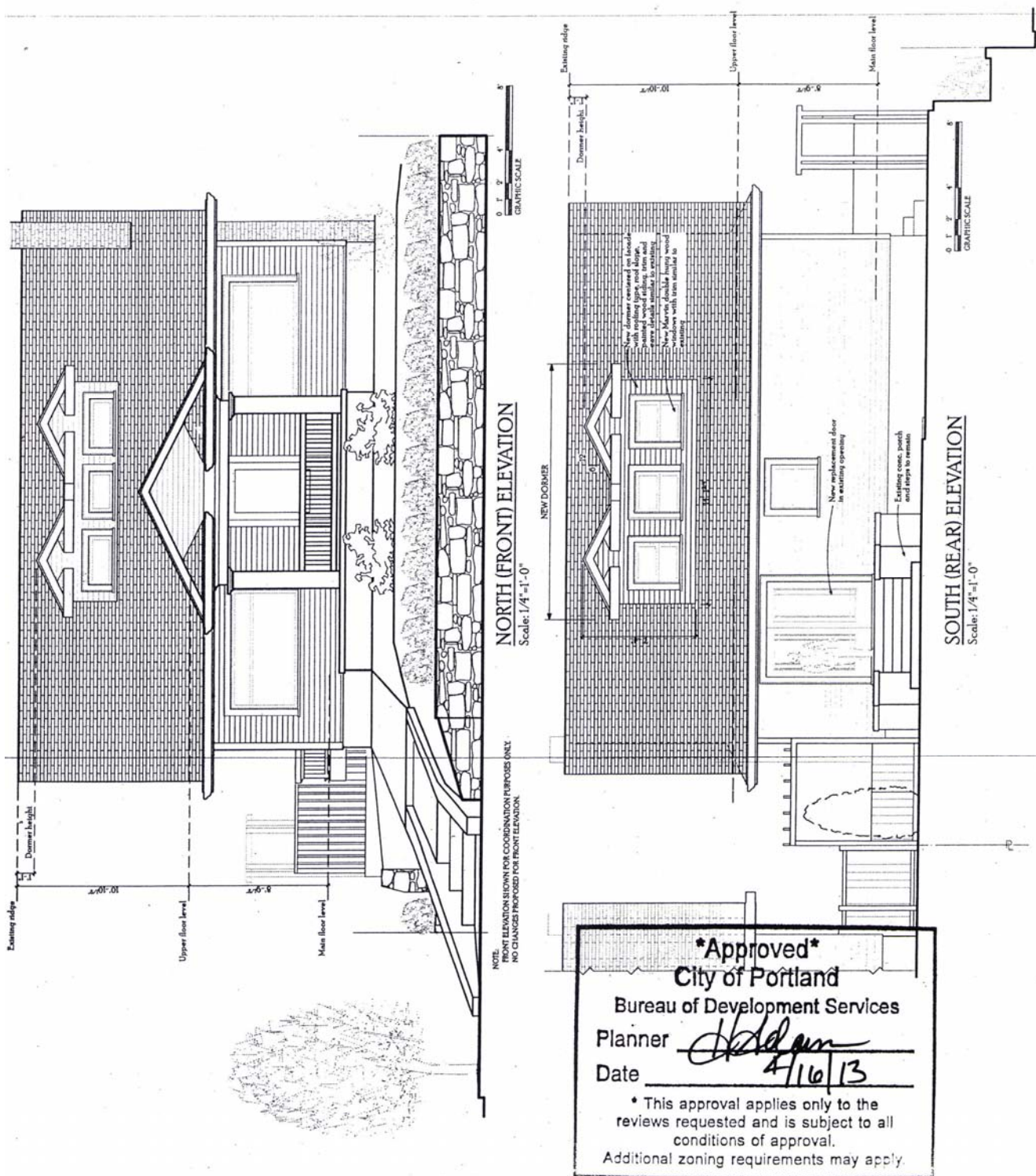
Francis Wilde Residence  
2434 NE Tillamook Street  
Portland, Oregon 97212  
\* In the Irvington Neighborhood National Historic District \*

RouzieDesign  
Don Rouzie  
© 2013  
4520 NE 15th Avenue  
Portland, Oregon 97211-5120  
\* Email: don@rouzie.com

LU13 108188HDZ

13





LV13 108188 HDZ

c2

A-2



**\*Approved\***  
**City of Portland**  
**Bureau of Development Services**  
Planner *[Signature]*  
Date 4/16/13

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

✓3





Additional zoning requirements may apply.

OK