



City of Portland, Oregon Bureau of Development Services

Land Use Services

FROM CONCEPT TO CONSTRUCTION

Amanda Fritz, Commissioner Paul L. Scarlett, Director Phone: (503) 823-7300 Fax: (503) 823-5630 TTY: (503) 823-6868 www.portlandoregon.gov/bds

Date: May 6, 2015

To: Interested Person

From: Benjamin Nielsen, Land Use Services

503-823-7812 / Benjamin.Nielsen@portlandoregon.gov

NOTICE OF A TYPE I DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has **approved** a proposal in your neighborhood. The mailed copy of this document is only a summary of the decision. The reasons for the decision, including the written response to the approval criteria and to public comments received on this application, 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 15-126132 HR—WINDOW & EXTERIOR ALTERATIONS

GENERAL INFORMATION

Applicant: Brian Elliott | e.studio design

2814 NE 37th Ave / Portland OR 97212

Owner: Bill Mcallister

2527 NE 17th Ave / Portland OR 97212-4239

Site Address: 2527 NE 17TH AVE

Legal Description: BLOCK 52 LOT 7&8, IRVINGTON

Tax Account No.: R420411350 **State ID No.:** R420411350 1N1E26AC 16300

Quarter Section: 2832

Neighborhood: Irvington, contact Dean Gisvold at 503-284-3885.

Business District: North-Northeast Business Assoc, contact Joice Taylor at 503-841-

5032.

District Coalition: Northeast Coalition of Neighborhoods, contact info@necoalition.org

Plan District: None

Other Designations: Irvington Historic District

Zoning: R5 – Single-dwelling Residential 5,000

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 requests historic resource review to replace exterior windows on both side elevations and the rear elevation and to replace a door on the north elevation of the Harry H. and Laura A. Austin House, a contributing structure built in 1907 within the Irvington Historic District. The proposal includes:

- *Optionally* replacing two double-hung, wood fame windows with two half-size awning, wood frame windows and new siding to match existing on the north elevation, and otherwise keeping both existing double-hung wood windows in place.
- Replacing one anodized aluminum bay window with operable casements on either side on the north elevation with one wood frame bay window with operable casements on either side.
- Removing one anodized aluminum casement window on the north elevation and patching with new siding to match existing.
- Adding a pair of wood frame casement windows on the north elevation.
- Replacing a 32-inch wide painted wood door with a 36-inch wide painted wood door of similar style on the north elevation.
- Adding a new wood casement window on the west elevation.
- Adding a small new wood awning window on the south elevation.

All new and replacement windows will either maintain the existing window trim or add new trim designed to match the existing where it is either missing or added as part of a new window opening.

The applicant's proposal also includes removal of a secondary non-contributing chimney from the roof and is exempt from this review.

Historic resource review is required for design proposals with exterior alterations in the Irvington Historic District.

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 Historic Resource Reviews

• 33.846.060.G Other Approval Criteria

ANALYSIS

Site and Vicinity: The subject property is home to the Harry H. & Laura A. Austin House, a contributing structure within the Irvington Historic District. The house is a three-story (including attic), Foursquare style house with wood shingle siding, and it was built in 1907. The house has a hipped roof with small gabled dormers at the front (east) and rear (west) elevations. The front porch is covered by a gable roof with an open pediment and articulated with decorative brackets, timber lintel, and decorative-end beams, and supported by a paneled square column at either end. On the south elevation, a rectangular sunroom with a flat roof deck projects out from the side of the main house form. The sunroom deck is surrounded by a simple wood railing. The north elevation has another porch in front of a slightly projecting bay. The porch is covered with an open wooden trellis that is anchored on either side by columns that match the design of those on the porch. At the rear of the house, a two-story hipped bay projects into the backyard. A detached two-car garage with an uneven hip roof sits to the northwest of the projecting bay

There are a variety of windows currently present on the house. Most of the original windows are either some variety of double-hung wood windows or wood fixed windows with multiple lites divided by wood muntins. Newer windows on the house are casements with anodized aluminum frames.

The immediate neighborhood contains a collection of predominantly single-dwelling homes with detached garages. As in other parts of the neighborhood, styles vary and include, among other styles, Craftsman, Foursquare, Arts & Crafts, colonial revival styles, and Prairie Style homes. There is a small retail center within two blocks at the corner of NE 15th Ave & Brazee St, and Irvington Elementary School is yet two blocks farther west along NE Brazee.

Zoning: The <u>Residential 5,000</u> (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 <u>Historic Resource Protection</u> 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.

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.

Land Use History: City records indicate there are no prior land use reviews for this site.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on **April 2, 2015**. One written response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

1. Dean Gisvold, on behalf of the Irvington Community Association Land Use Committee, April 13, 2015. The committee approves of most of the changes, but requested that the proposed awning windows not be installed on the second floor of the north elevation and that the existing double-hung windows remain in place or replaced with comparable double-hung windows.

Staff forwarded these comments to the applicant who then requested that the installation of the awning windows be an optional alteration. Staff believes that, based on the detailing and proportion of the proposed awning window replacements, either retaining the existing windows or the proposed replacement option is acceptable and satisfies the approval criteria.

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 criteria 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.
- **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.

Findings for 1 & 8: The existing house retains many of its original windows and its contributing wood shingle siding, among other features. Many of the proposed changes will bring the building detailing closer to its original historic character, even if the alterations do not restore it to its historically original state.

The removal of the existing anodized aluminum frame casement and bay windows on the north elevation and their replacement with a pair of new wood-framed casements and a new wood-framed bay window, respectively, will better represent the historic character of the house. The replacement of the existing 32" wood door on the north elevation with a slightly wider 36" wood door of otherwise nearly identical design having three panels and a quarter-lite window with three panes—is a compatible alteration that allows for greater accessibility. The proposed new wood casement window on the west elevation is detailed to match the existing wood windows, and its head and sill heights align with the adjacent windows. The proposed awning window on the south elevation is small in size and proportioned to match the nearby windows on either side of the chimney on the west elevation. Its detailing will also match that of the existing windows. Finally, the two wood awning windows that are optionally proposed to replace two of the existing double-hung wood windows on the second story of the north elevation match the size of the top sashes of the doublehung windows and will be detailed in section to match the existing windows. At the owner's option, these windows will either be installed together to maintain the balance on the north elevation, or the existing double-hung wood windows will remain in place.

At both the existing double-hung windows on the second story and the anodized aluminum casement on the ground floor of the north elevation, portions of the existing wall openings will be patched with new wood shingles that match the existing shingle siding.

All told, the proposed exterior alterations have minimal impact on the historic character of the building, and the changes that are proposed use compatible detailing, dimensioning, materials, and proportions to the architectural details on the existing house.

With the condition of approval that, if the two optional awning windows are installed on the second story of the north elevation, they shall both be installed at the same time, these criteria can be met.

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.

Findings: Except for areas with proposed alterations, the existing historic materials will remain unchanged and will be protected. *Therefore, this criterion is met.*

- **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 7 & 9: The replacement windows, the new windows, and the replacement door that are proposed will maintain the historic character of the existing contributing house. The changes occur only on the sides and the rear of the house, and the existing wood shingle siding, which is mentioned in the historic nomination, will be maintained overall and new wood shingle siding will be installed where existing window openings need to be patched.

The proposed alterations can also be removed in the future without altering the historic integrity or the form of the contributing house. The proposed pair of casement windows on the north elevation can be patched with new wood shingle siding. Similarly, the proposed wood casement window on the west elevation and the proposed awning window on the south elevation can also be patched with new wood shingle siding should they be removed in the future. The proposed optional awning windows on the second floor of the north elevation can be removed and the double-hung wood windows replaced fairly easily as the head heights and opening widths are staying the same. The existing wood sill framing will also be retained and covered with new wood shingle siding if the *optional* awning windows are installed. Maintaining these original components helps preserve the integrity of the contributing house.

With the condition of approval that, if the two optional awning windows are installed on the second story of the north elevation, the existing sill, jamb, and header framing of the existing double-hung windows shall remain in place, these criteria can be met.

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: The proposed exterior alterations are designed to be primarily compatible with the existing house, utilizing wood frames, sashes, sills, and mullions for the proposed new windows, wood shingle siding identical to that present on the house, and a wood door that is designed to be nearly identical in its detailing as the existing door it will replace. The proposed alterations are also compatible with the character of nearby homes and with the district as a whole.

Therefore, this 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

The proposed exterior alterations to the contributing Austin House in the Irvington Historic

District are compatible in detailing, dimension, proportion, and materials with the existing house, and they fit well within the context of the district itself. They will maintain the contributing status of the house, and it will be relatively easy to remove these alterations in the future.

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 proposed exterior alterations to the contributing house in the Irvington Historic District, including:

- Replacing one anodized aluminum bay window with operable casements on either side on the north elevation with one wood frame bay window with operable casements on either side;
- Removing one anodized aluminum casement window on the north elevation and patching with new wood shingle siding to match existing;
- Adding a pair of wood frame casement windows on the ground floor of the north elevation;
- Replacing a 32-inch wide painted wood door with a 36-inch wide painted wood door, with three panels and a quarter-lite window with three panes, on the north elevation;
- Adding a new wood casement window on the west elevation;
- Adding a small new wood awning window on the south elevation;
- Optionally replacing two double-hung, wood fame windows with two half-size awning, wood frame windows and new wood shingle siding to match existing on the north elevation—otherwise keeping both existing double-hung wood windows in place; and,

Per the approved site plans, Exhibits C-1 through C-11, signed and dated 05/01/2015, 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 15-126132 HR." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. If the two *optional* awning windows are installed on the second story of the north elevation, they shall both be installed at the same time.
- C. If the two *optional* awning windows are installed on the second story of the north elevation, the existing sill, jamb, and header framing of the existing double-hung windows shall remain in place.

Staff Planner: Benjamin Nielsen

Decision rendered by: ______ on May 1, 2015.

By authority of the Director of the Bureau of Development Services

Decision mailed: May 6, 2015

Procedural Information. The application for this land use review was submitted on February 27, 2015, and was determined to be complete on **March 30, 2015**.

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 27, 2015.

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 28, 2015.**

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.

Recording the final decision.

If this Land Use Review is approved, the final decision must be recorded with the Multnomah County Recorder. A building or zoning permit will be issued only after the final decision is recorded. The final decision may be recorded on or after **May 7, 2015**. 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, permitees 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

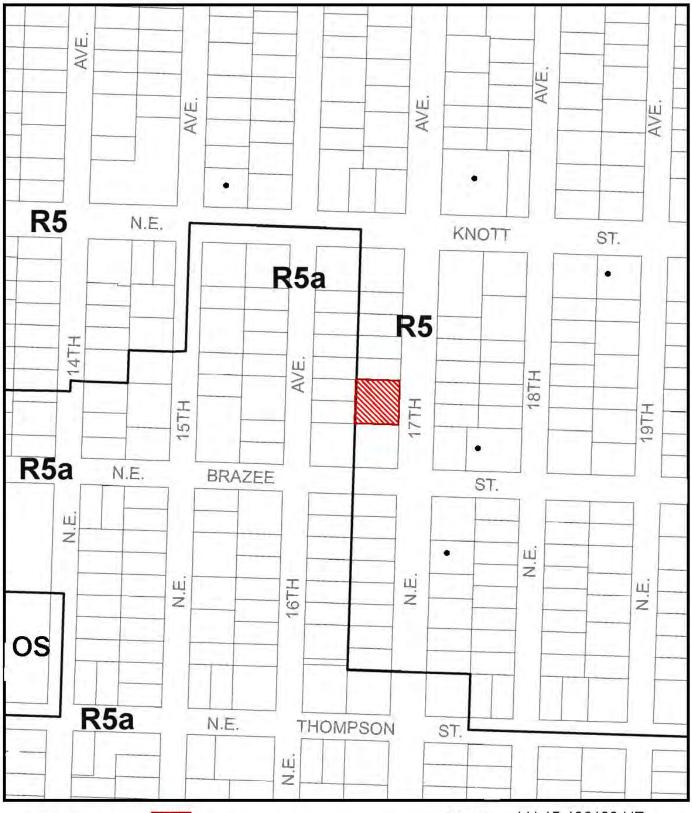
NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan Sheet 1.0 (attached)
 - 2. Existing Elevations Sheet 4.0 (attached)
 - 3. Existing Photos Sheet 4.1
 - 4. Elevations Sheet 4.2 (attached)
 - 5. North Elevation Sheet 4.3 (attached)
 - 6. Details Sheet 5.0
 - 7. First Floor Plan
 - 8. Casement windows cutsheet
 - 9. Awning windows cutsheet
 - 10. Bay window cutsheet
 - 11. Exterior doors cutsheet
- D. Notification information:
 - 1. Mailing list
 - 2. Mailed notice
- E. Agency Responses:

There were no agency responses.

- F. Correspondence:
 - 1. Dean Gisvold, on behalf of the Irvington Community Association Land Use Committee, 04/13/2015, general approval with request to keep two existing double-hung wood windows on the second floor north elevation
- G. Other:
 - 1. Original LU Application
 - 2. Incomplete Application Letter

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 DISTICT

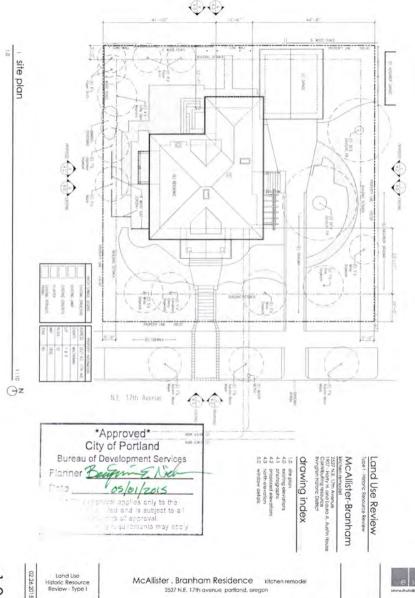
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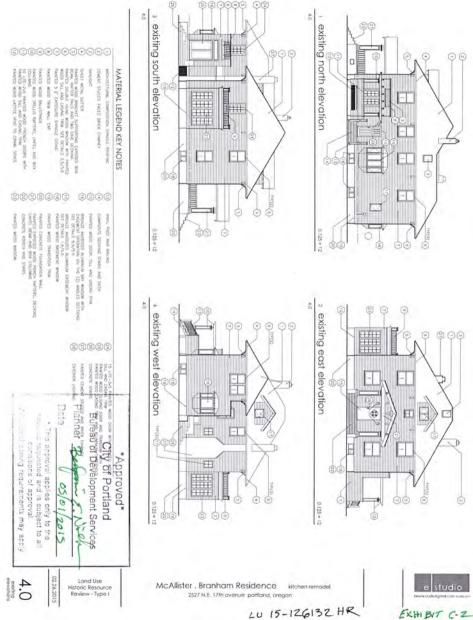
1 inch = 200 feet Scale.

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В (Mar 03,2015) Exhibit.



















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north elevation

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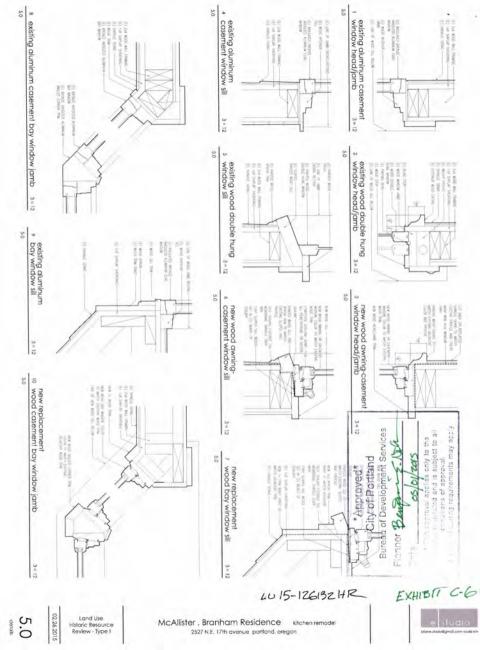
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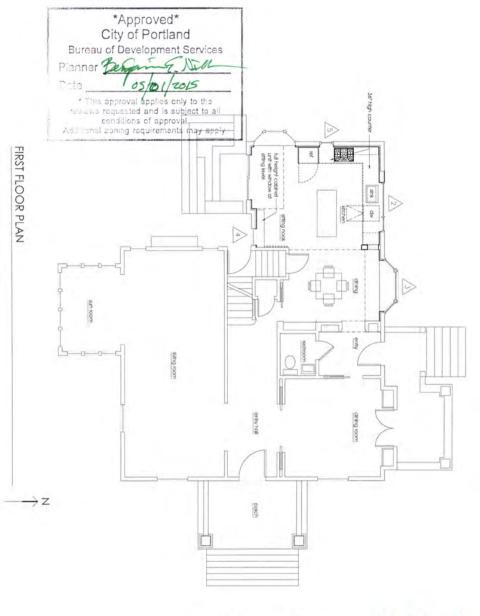
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Land Use Historic Resource Review - Type I

Received 03.30,2015





COUNTIESS DESIGN OPTIONS.

THE NEW ULTIMATE CASEMENT

THE ULTIMATE REPLACEMENT CASEMENT

19/16

NARROW

EASE OF INSTALLATION.

REVOLUTIONARY WASH MODE.



ANY APPLICATION. Choice of a full 4 % a jambor a narrow nearly any new construction, remodeling,

72" x 72" Ultimate Awning

Bureau of Developm

LARGE SIZES-ULTIMATE PERFORMANCE.

N, NC, SC, S

W15-126132-HR

EXHIBIT C.8



Full frame for a recessed traditional look.

ULTIMATE AWNING



AWNING

Awnings are a great complement to casements.

DESIGN FLEXIBILITY

INNOVATIONS THAT HEIGHTEN AND LIGHTEN.

The Ultimate Collection also offers Ultimate Awnings. Awnings open from the bottom, and can be used on their own or as a complement to casement windows. Ultimate Awnings can achieve wider than ever openings for better airflow and expansive, open views. And with the most durable hardware in the industry, Ultimate Awnings are available in larger than ever sizes - 72" x 72" or 72" x 63". For maximum visual impact and flexibility, picture windows are also available.

STANDARD FEATURES

- Full 4 % or narrow 2 3/16" jamb options
- Satin Taupe folding handle
- · Exclusive easy-installation features
- One-lite LoE²-272[®] with Argon insulating glass
- Extruded aluminum clad exterior (clad units)

Bare wood interior Approved* City of Portland Bureau of Development Services Planner Begger Dete * This approval applies only to the reviews requested and is subject to all conditions of approval.

As bond soning requirements may apply

DETAILS



ULTIMATE REPLACEMENT AWNING

The Ultimate Replacement Awning features a narrow 2 3/16" jamb, making it the flexible solution for any remodel, replacement, or frame-in-frame application.



BAY

BOW

30° 45°

BAY INTERIOR AND EXTERIOR

ANGLE OPTIONS

OPEN UP TO THE POSSIBILITIES OF MARVIN® BOW AND BAY WINDOWS.

A Bay or Bow window from Marvin turns an ordinary wall into an extraordinary expression of your own personal style. Adding openness and space, they're perfect for creating a window retreat and bringing the outdoors in. Have your Bay or Bow designed with any number of windows, angles, and finish options. Made with our Ultimate Casement, Ultimate Double Hung or Picture Unit configurations, we assemble our Bows and Bays to give your home a look that will draw admiration from both the indoors and out.

STANDARD FEATURES

- One-lite LoE²-272^e with Argon insulating glass
- · Bare wood interior
- · All wood brick mould casing (wood units)
- · Extruded aluminum clad exterior (clad units)
- 4 ⁹/16" (116 mm) jambs

Approved City of Portland Bureau of Development Services Planner Bureau On John Services

* This approval applies only to the TOX pws requested and is subject to all cenditions of approval.

ANALYST Explain 250109 requirements may apply.

DETAILS



BOW AND BAY OPTIONS

Bows and Bays can be used to add height and light to any room. Curved, laminated head and seat boards can be factory applied for your Bow and Bay windows to create a seamless wood interior and perfect fit.



CRAFTSMAN COLLECTION

(doors are 1%*, 3'0" x 6'8*, %* flat panel and ovolo sticking with UltraBlock® technology and offered in Douglas Fir, unless otherwise noted)



6861



6862 Clan IS



6863



HOLBROOK™ III



CORTEZ TM III



TORRANCE® III 5873 Silver IG



SOLANO® III



AVONDALE® III 68x2 Black 16



VALENCIATM III



RAVENNATM III
6941, shown with
exticinal 9541 dent



one with 9541 dentil



TALCOTT™ III



PALOMAR™ III



FOUR SQUARE® III*

Black IG



6811 Clear III



6812



Cleat IG



SOLANO® I



AVONDALE® I



5853 (Name 16)



LU 15-126132 HR

EXHIBIT C-11

Please note that not all models are stocked at each branch.

