



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

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**Date:** January 13, 2016  
**To:** Interested Person  
**From:** Amanda Rhoads, Land Use Services  
503-823-7837 / [Amanda.Rhoads@portlandoregon.gov](mailto:Amanda.Rhoads@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 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 15-262571 HR** ***WINDOWS AND DOOR ALTERATIONS ON A CONTRIBUTING RESOURCE***

#### **GENERAL INFORMATION**

**Applicant:** Doug Irwin  
Irwin Renovations, LLC  
9929 NE Campaign St.  
Portland, OR 97220

**Owners:** John and Julie Casey  
2737 NE 12th Ave  
Portland, OR 97212-3217

**Site Address:** 2003 NE STANTON ST

**Legal Description:** BLOCK 26 W 1/2 OF LOT 11&12, IRVINGTON  
**Tax Account No.:** R420405630  
**State ID No.:** 1N1E26AD 04700  
**Quarter Section:** 2732  
**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 Lokyee Au at 503-388-9030.  
**Plan District:** None  
**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 seeks Historic Resource Review approval for alterations to a contributing 1916 one-story bungalow in the Irvington Historic District. Alterations include the following:

- Removal of a door on the east façade of the house, along with two decommissioned 1-foot ventilation screens and adjacent trim. The area will be filled with matching 4.5-inch reveal cedar siding on top, and matching plywood wainscoting on bottom;
- Removal of a 5-foot by 4.5-foot window on north elevation, filled in with matching 4.5-inch reveal cedar siding; and
- Replacement of one wood 15-inch by 36-inch basement window on the west façade, facing NE 20<sup>th</sup> Ave., with a Marvin wood awning window with three light panes and two vertical muntins with spacer bar between glass to match existing pattern.

Historic Resource Review is required for exterior alterations to contributing structures such as this one 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:

- 33.846.060.G *Other Approval Criteria*

**ANALYSIS**

**Site and Vicinity:** The 5,000-square-foot lot is developed with the H. Hamlin House, a single-story bungalow constructed in 1916 by Oregon Home Builders. Both the house and the detached garage on the site are classified as contributing resources in the Irvington Historic District.

Platted in the late Nineteenth Century, today's Irvington Historic District represents the first additions to Portland that employed restrictive covenants from the outset. These included the exclusion of most non-residential uses from the interior of the neighborhood, and where non-residential uses were allowed, such as the fire station and the telephone exchange, the buildings were purposely disguised to appear more residential in character. Other deed restrictions excluded minority groups, established uniform front setbacks, and required a minimum expenditure on new buildings. The area developed generally from southwest to northeast and its growth was greatly influenced by the installation of streetcar lines that introduced an easy commuting option to downtown.

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-foot Portland blocks. All are lined with mature street trees. Original development in many cases included garages or other accessory structures, typically facing side streets on corner lots and accessed by a variety of driveway types on mid-block sites. Garages that were added within the historic period were sometimes built at the sidewalk and/or out of architectural character with the house.

**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 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.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **December 10, 2015**. A total of two written responses were received from the Neighborhood Association and notified property owners in response to the proposal.

- Dean Gisvold, on behalf of the Irvington Community Association Land Use Committee, wrote on December 22, 2015 with no concerns. He noted their appreciation that the applicant brought the proposal to the group in November.
- A neighbor wrote in with support for the proposal.

## 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 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.
- 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.
- 3. 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.
- 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.
- 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.
- 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.

**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 alterations proposed, including the replacement of one wood basement awning window with a new wood awning window in the existing opening, and the removal of a side entry and window facing to the rear, both in the mudroom area, will preserve the essential form and integrity of the historic resource. No alterations that have gained historic significance over time are proposed to be altered. The new wood awning window at the basement level will replace a deteriorated existing wood window, while the door and window on the east and north elevations will be replaced with cedar siding or wainscoting and paint to match the existing house.

The proposed replacement basement window is compatible in its size, scale, placement, and color with the existing house. The essential form and integrity of the house will remain unimpaired. The overall historic character of the property will be maintained, allowing it to remain a record of its time, while the proposed alterations will be differentiated from the historic materials with subtle differences in technology. In addition, this decision will also serve as a record of these changes. In addition, the proposed changes are compatible with adjacent properties and the district as a whole in that they are designed to not draw attention and to not detract from the historic significance of the district. *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 proposal is for non-street-facing alterations to remove an existing side door and window to enlarge the kitchen, as well as to replace a street-facing basement window within the existing opening. The kitchen/mudroom alterations will not be visible from the street. The basement window replacement, though street-facing, will also be minimally visible due to its small size and the presence of shrubs between the house and the street. The wood window is a high-quality replacement that repeats the pattern evident on the other basement windows. The proposal meets the relevant approval criteria and should be approved.

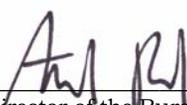
## **ADMINISTRATIVE DECISION**

Approval of exterior alterations to a contributing historic resource in the Irvington Historic district, including replacement of one street-facing basement window with a wood window with two vertical muntins with spacer bar; removal of east-facing door and north-facing window; and replacement of same with cedar siding with 4.5-inch reveal to match existing on top, and matching plywood wainscoting to match existing on bottom, per the approved site plans, Exhibits C.1 through C.6, signed and dated January 11, 2016, 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.6. The sheets on which this information

appears must be labeled, "Proposal and design as approved in Case File # LU 15-262571 HR."

**Staff Planner: Amanda Rhoads**

**Decision rendered by:**  **on January 11, 2016**  
By authority of the Director of the Bureau of Development Services

**Decision mailed January 13, 2016**

**Procedural Information.** The application for this land use review was submitted on November 9, 2015, and was determined to be complete on **December 8, 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 November 9, 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: April 6, 2016.**

**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](http://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 **January 13, 2016**.

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 503-823-7617.

**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 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
  1. Original Narrative, November 9, 2015
  2. Site Photos with Notes
  3. Original Plan Set (superseded)
  4. Window Specifications
  5. Response to Incomplete Letter, November 25, 2015
  6. Response to Incomplete Letter, December 7, 2015
  7. Final Narrative, December 7, 2015
- B. Zoning Map (attached)
- C. Plans/Drawings:
  1. Site Plan (attached)
  2. Kitchen Floor Plan (attached)
  3. East Elevation (attached)
  4. North Elevation (attached)
  5. Basement Window Section Details in Wall
  6. Marvin Window Section Details

D. Notification information:

1. Mailing list
2. Mailed notice

E. Agency Responses: No responses were received.

F. Correspondence:

1. Lee Littlewood, December 17, 2015, in support
2. Dean Gisvold, Irvington Community Association Land Use Committee, December 22, 2015, no objections

G. Other:

1. Original Land Use Application and Receipt
2. Incomplete Letter, November 23, 2015
3. Oregon Historic Site Record
4. Site Photos

**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. LU 15-262571 HR  
 1/4 Section 2732  
 Scale 1 inch = 200 feet  
 State\_Id 1N1E26AD 4700  
 Exhibit B (Nov 12, 2015)

# 2003 NE Stanton St. Site Plan

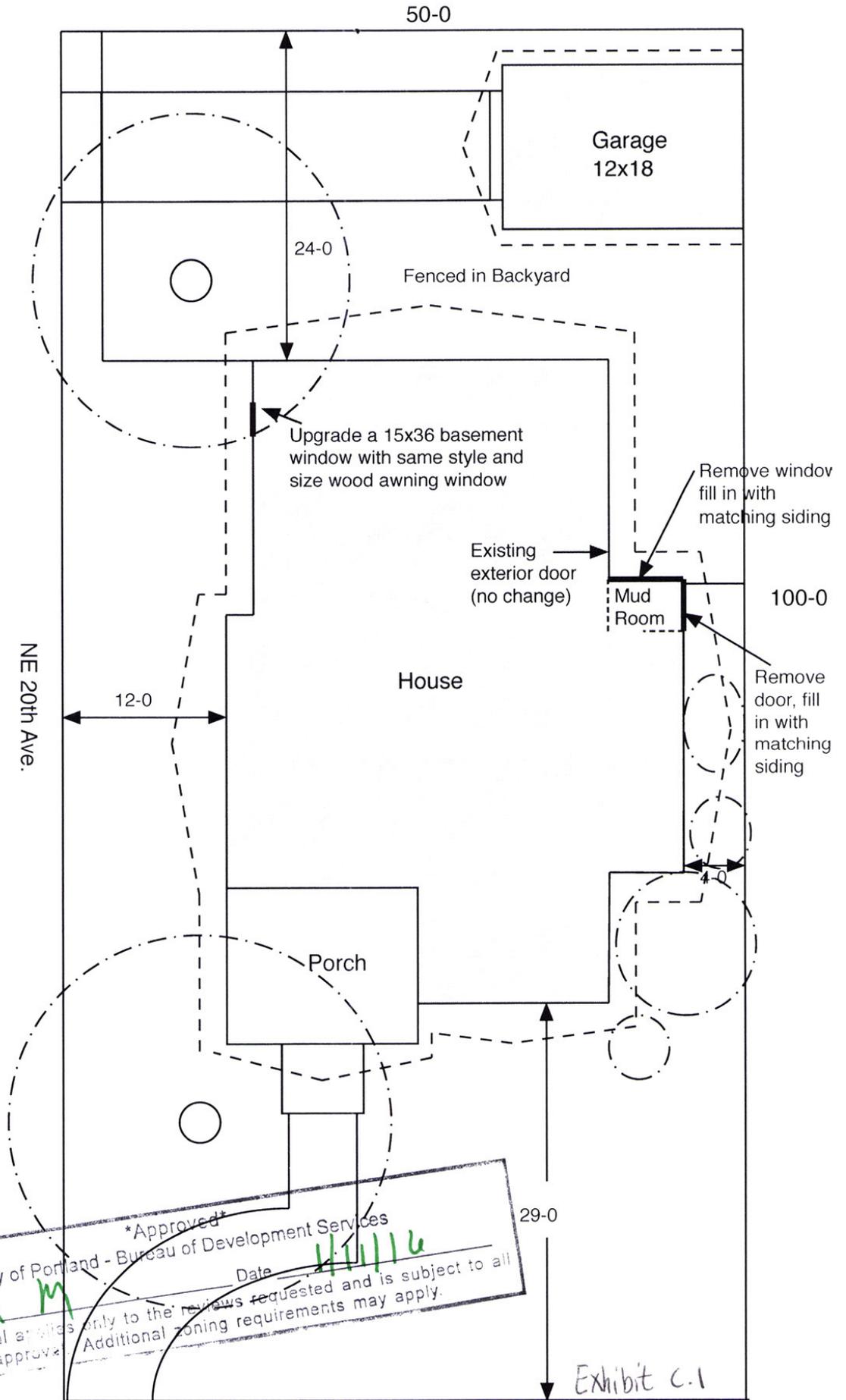
Scale: 1" = 10'



Lot: 5000sf  
Buildings: 1492sf  
Porch: 167sf  
Driveway: 256sf  
Walk: 150sf

### Land Use Revisions

1. Upgrade street view basement window (west side)
2. Renovate Mud Room
  - remove exterior door and window
  - fill in exterior walls with matching siding details
  - convert mud room to part of kitchen area



\*Approved\*

City of Portland - Bureau of Development Services

Planner AM Date 11/11/16

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

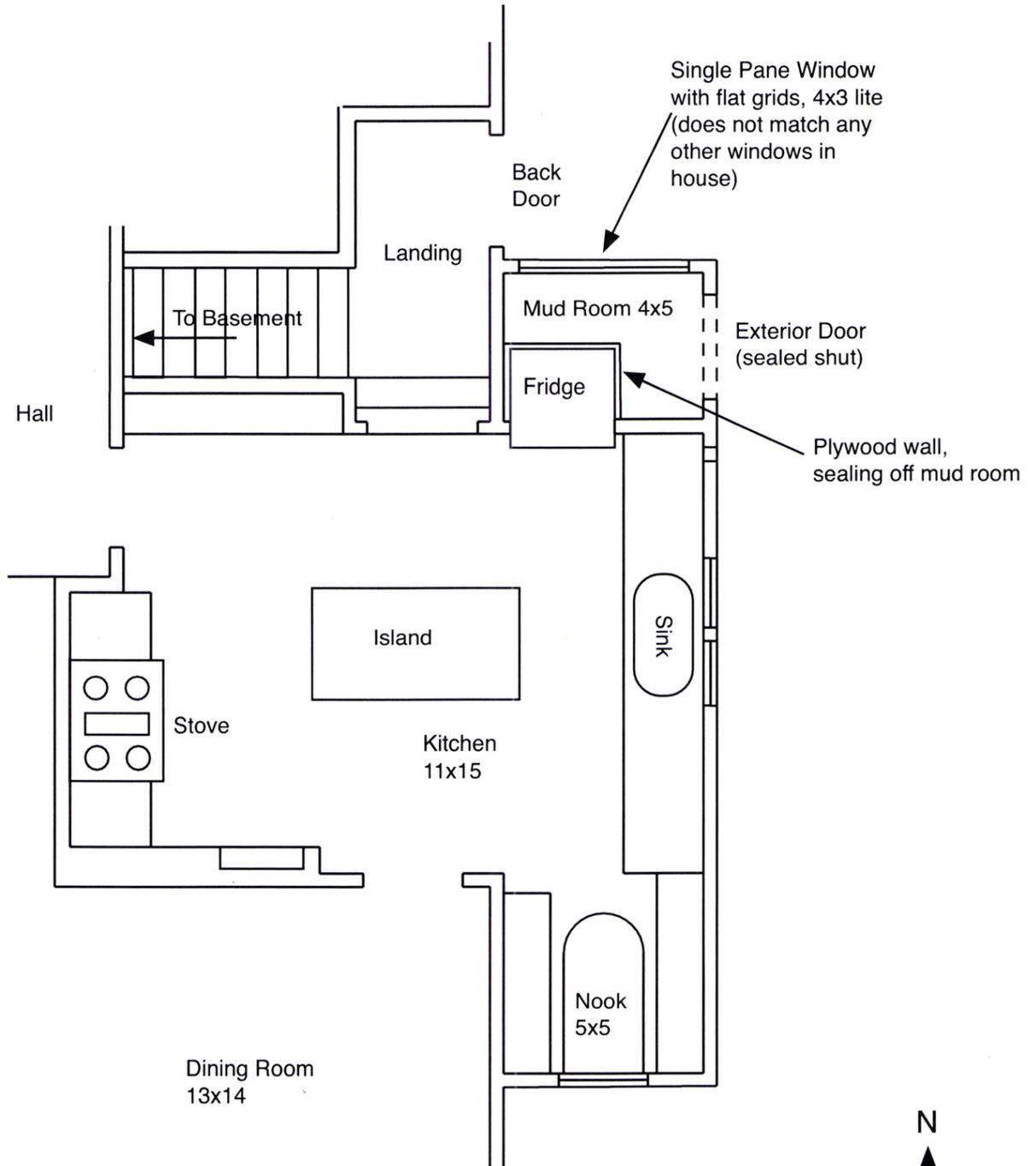
Exhibit C.1

NE Stanton St.

LU15-262571HR

2003 NE Stanton St.  
First Floor Kitchen Area- Existing

Scale: 1/4" = 1'



\*Approved\*

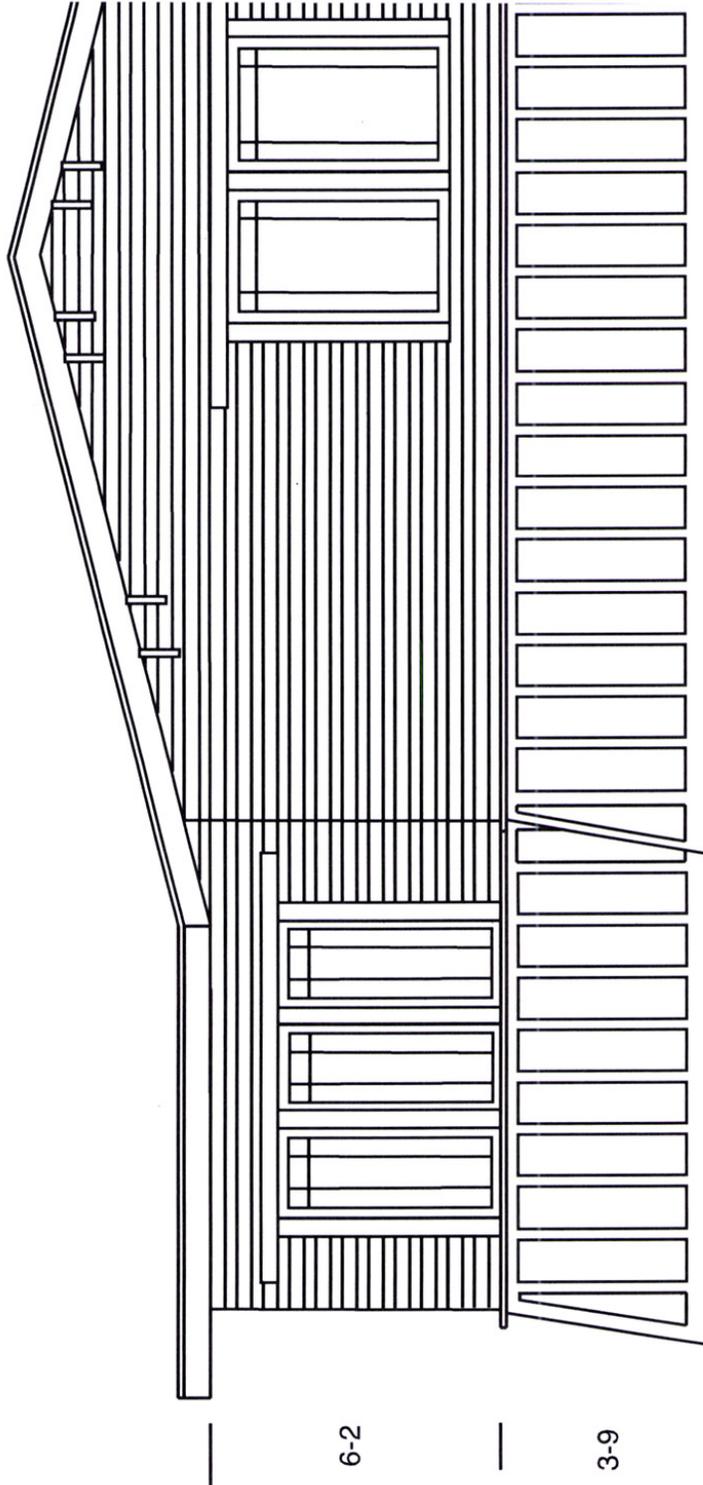
City of Portland - Bureau of Development Services

Planner AM Date 11/11/16

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CASE NO. LU 15-262571 HR  
EXHIBIT C.2

East Elevation (right side of house)  
2003 NE Stanton St.



CASE NO. LU15-262571 HR

EXHIBIT C.3

21-6

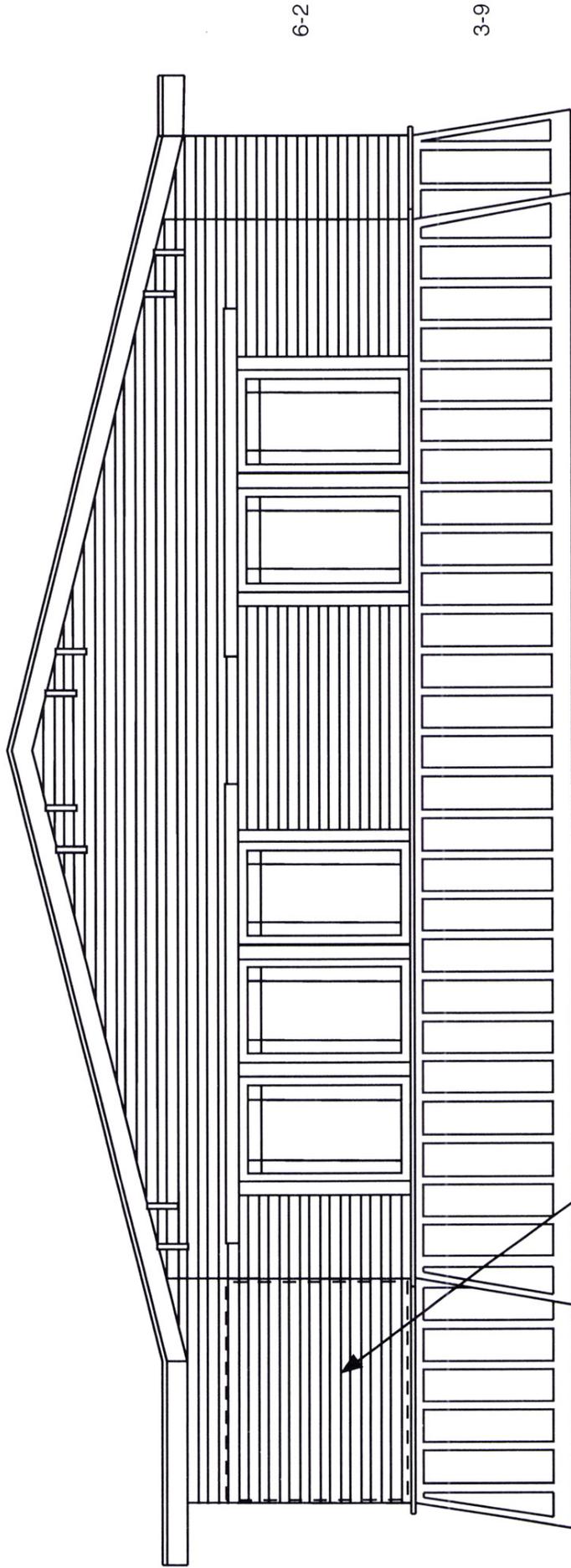
9-6

Remove door and fill with 2x4 (16 oc) covered in matchin cedar siding on top matching plywood on bottom, painting original.

\*Approved\*  
City of Portland - Bureau of Development Services  
Planner AM Date 1/11/16  
\* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

North Elevation (back side of house)  
 2003 NE Stanton St.

Scale: 1" = 4' 1/8" = 6"



LU15-262571HR

EXHIBIT C.4

26-0

2-0

Remove window and trim and fill with 2x4 (16 oc) insulated wall covered in matching 4.5" reveal cedar siding, painting to tie into original.

\*Approved\*  
 City of Portland - Bureau of Development Services  
 Planner AM Date 11/11/16  
 \* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.