



**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:** April 6, 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 II 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 16-109461 HR** ***EXTERIOR ALTERATIONS TO CONTRIBUTING HOUSE IN IRVINGTON***

#### **GENERAL INFORMATION**

**Applicant:** Jack Barnes / Jack Barnes Architect, PC  
615 SE Alder St #304 / Portland, OR 97214

**Owners:** Raelee Jones and Andreas Lauer  
3107 NE 27th Ave / Portland, OR 97212

**Site Address:** 3107 NE 27TH AVE

**Legal Description:** BLOCK 1 LOT 1, MIAMI  
**Tax Account No.:** R566200010  
**State ID No.:** 1N1E25BB 12400  
**Quarter Section:** 2733  
**Neighborhood:** Alameda, contact Gene Avery at [alameda@necoalition.org](mailto:alameda@necoalition.org).  
**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, with Historic Resource Overlay  
**Case Type:** HR – Historic Resource Review  
**Procedure:** Type II, an administrative decision with appeal to the Landmarks Commission.

#### **Proposal:**

The applicant proposes exterior alterations to a contributing home in the Irvington Historic District. On the north façade, the applicant proposes to replace a pair of double-hung windows with a pair of wood French doors opening onto an expanded deck area. Changes to the deck are exempt from review as per Zoning Code Section 33.445.320.B.21.

The applicant also proposes to remove an existing window and shift an existing entry to the west on that façade. The new single-door entrance will be a new wood door with a roof cover

with decorative brackets. On the west façade, the applicant proposes to remove a pair of non-original patio doors and install three new painted wood windows. No changes are proposed to the two street-facing façades.

Historic Resource Review is required because the proposal is for non-exempt exterior alterations in a historic district.

**Relevant Approval Criteria:**

In order to be approved, this proposal must comply with the approval criteria of Title 33. The relevant approval criteria are:

- 33.846.060 G – Other Approval Criteria

## ANALYSIS

**Site and Vicinity:** The 5,700-square-foot corner lot is developed with a 1.5-story house constructed in the Twentieth Century English Cottage style, and a detached garage. Both the house and garage are listed as contributing resources in the Irvington Historic District. The main entrance to the house is oriented to the east.

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 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' 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.

**Public Review:** A “Notice of Proposal in Your Neighborhood” was mailed **March 1, 2016**.

**Agency Review:** The Life Safety (Building Code) Plans Examiner responded with no issues or concerns (Exhibit E.1).

**Neighborhood Review:** A total of three written responses have been received from either the Neighborhood Association or notified property owners in support of the proposal. The Irvington Community Association Land Use Committee concluded that the alterations are tasteful, with quality materials, and therefore they have no objections. The other two neighbors also expressed support, and both noted the landscaping along the street that will obscure views into the area of work.

## 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.

**Findings:** The changes are proposed on the two non-street-facing facades, resulting in minimal alterations of the appearance of the house from the street. Materials and features to be removed are limited to doors and windows, some of which are non-original (such as the doors on the west façade). No features or spaces that contribute to the property's historic significance will be removed. *This criterion is 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.

**Findings:** The roof/cover above the new door on the north façade has been designed to have minimal impact on the house; the design is not conjectural, nor out of character with the style of the house. The other alterations are to windows and doors, and do not create a false sense of historic development. *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.

**Findings:** The proposed windows and doors will be compatible with the rest of the windows and doors on the house in material, trim, and recess into the wall plane. However, the new doors and windows will be differentiated from the historic materials with differences in construction. In addition, this decision will also serve as a record of these changes. *This criterion is 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.

**Findings:** The proposed window and door openings in the proposed remodel have been designed to match the proportion and style of windows elsewhere on the existing house, and will be installed within the wall depth (rather than installed at the wall surface as is common in current building practice). Exterior trim and moulding details will match the current house details. Wood windows and doors will be used to match those used originally on the house, with divided lites in the upper sash to match those used throughout the house. Where new siding is needed for patching old openings, cedar siding will be used with the same profile and exposure as on the existing house. *This criterion is met.*

**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:** The new roof above the door could be removed in the future to return the house to its original condition, without destroying historic features that characterize the house. Otherwise, there is no change proposed to the form or massing of the house. *This criterion is 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:** Exterior alterations aim for compatibility primarily with the subject house by using the same siding exposure and trim details, sizes, and materials, along with similarly proportioned window openings and wood windows. The proposed windows will have a scale and dimension similar to the traditional wood windows originally used on the house, and throughout the district. The proposed roof addition will be supported by wood brackets which draw their design style from other homes within the district. Compatibility with the historic district is bolstered by the fact that the changes to this structure will be difficult to see from the public right-of-way given the current landscaping along the east property line. *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

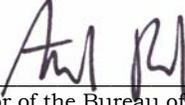
The changes to the north and west façades are compatible with the resource and will have limited visibility from the street. The materials are chosen for quality, permanence and compatibility with existing materials. The purpose of the Historic Resource Review process is to ensure that additions, new 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

Historic Resource Review approval of exterior alterations to a contributing house in the Irvington Historic District, including replacement of doors and windows on the north and west facades with a new configuration of doors and windows, per the approved plans, Exhibits C.1 through C.9, signed and dated April 4, 2016, 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-C.9. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 16-109461 HR. No field changes allowed."

**Staff Planner: Amanda Rhoads**

Decision rendered by:  on April 4, 2016  
By authority of the Director of the Bureau of Development Services

**Decision mailed: Date**

**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 22, 2016, and was determined to be complete on **February 24, 2016**.

*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 22, 2016.

*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: June 23, 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.

**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 April 20, 2016** at 1900 SW Fourth Ave. Appeals can be filed at the Development Services Center Monday through Wednesday and Fridays between 8:00 am to 3:00 pm and on Thursdays between 8:00 am to 12:00 pm. After 3:00 pm Monday through Wednesday and Fridays, and after 12:00 pm on Thursdays, appeals must be submitted at the reception desk on the 5<sup>th</sup> 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 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, 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 **April 21, 2016 – the day following the last day to appeal.**
- 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:

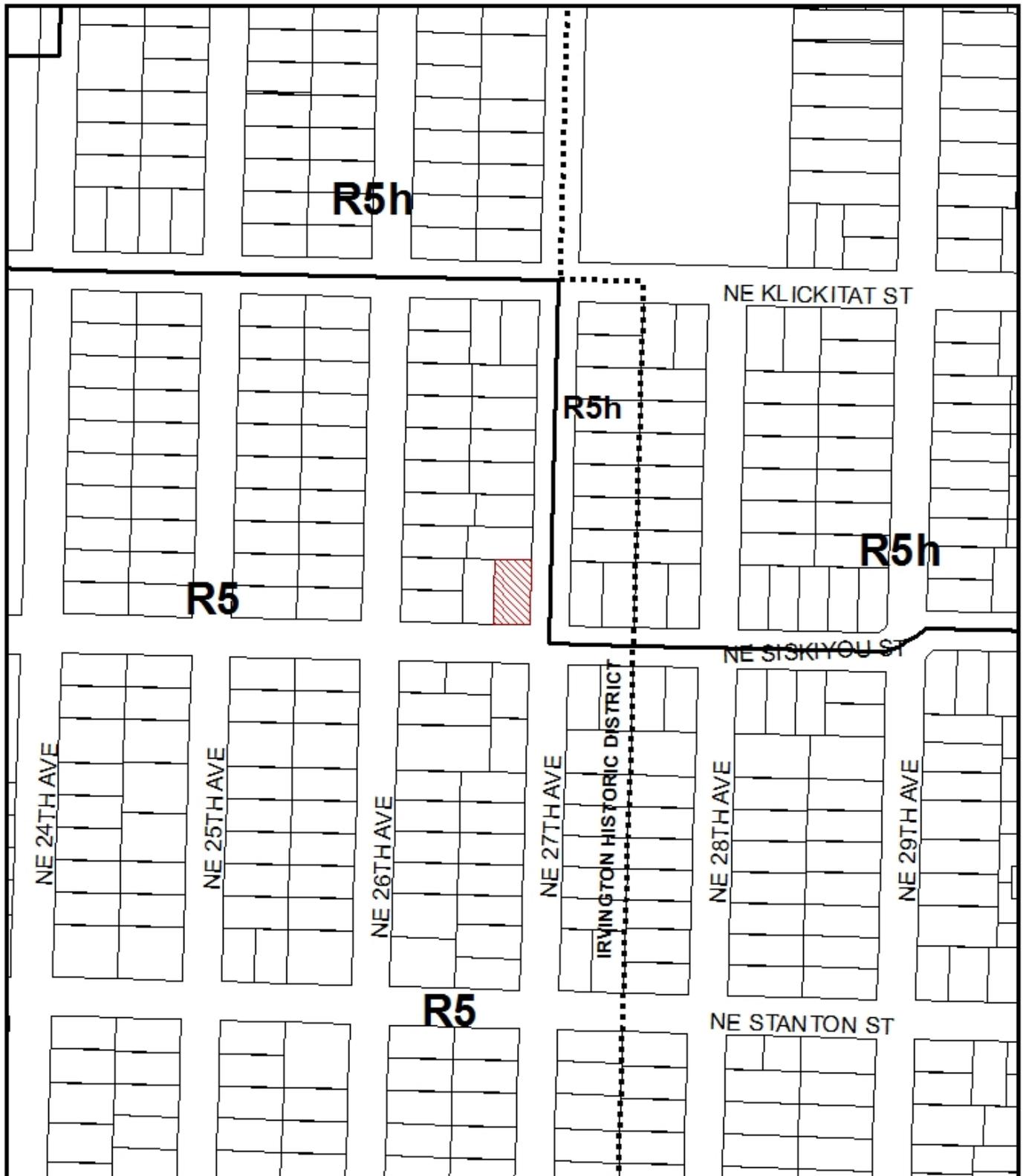
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

#### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- |   |   |
|---|---|
| <p>A. Applicant's Statement</p> <ol style="list-style-type: none"> <li>1. Applicant Narrative</li> <li>2. House Photos</li> <li>3. Original Plan Set (superseded)</li> <li>4. Revised Plan Set/Response to Incomplete</li> </ol> <p>B. Zoning Map (attached)</p> <p>C. Plans/Drawings:</p> <ol style="list-style-type: none"> <li>1. Site Plan (attached)</li> <li>2. East Elevation Drawings (attached)</li> <li>3. North Elevation Drawings (attached)</li> <li>4. West Elevation Drawings (attached)</li> <li>5. Floor Plan</li> <li>6. Door and Window Section Drawings</li> <li>7. French Door Details</li> <li>8. Window Details</li> <li>9. Existing Floor Plan</li> </ol> <p>D. Notification information:</p> <ol style="list-style-type: none"> <li>1. Mailing list</li> </ol> | <ol style="list-style-type: none"> <li>2. Mailed notice</li> </ol> <p>E. Agency Responses:</p> <ol style="list-style-type: none"> <li>1. Life Safety (Building Code) Plans Examiner</li> </ol> <p>F. Correspondence:</p> <ol style="list-style-type: none"> <li>1. Ginny and Mark Stern, March 6, 2016, in support</li> <li>2. Bill Dockstader, March 15, 2016, in support</li> <li>3. Dean Gisvold, Irvington Community Association Land Use Committee, March 22, 2016, in support</li> </ol> <p>G. Other:</p> <ol style="list-style-type: none"> <li>1. Original Land Use Application and Receipt</li> <li>2. Incomplete Letter, February 17, 2016</li> <li>3. Oregon Historic Site Record</li> </ol> |
|---|---|

**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



This site lies within the:  
IRVINGTON HISTORIC DISTRICT

File No. LU 16-109461 HR  
 1/4 Section 2733  
 Scale 1 inch = 200 feet  
 State\_Id 1N1E25BB 12400  
 Exhibit B (Jan 28, 2016)



JACK BARNES ARCHITECT  
 615 SE Alder Street, Suite 304  
 Portland, Oregon 97214  
 T 503.232.1420  
 jack@jacksbarnesarchitect.com  
 www.jacksbarnesarchitect.com

Planner *AM* \*Approved\*  
 City of Portland - Bureau of Development Services  
 Date *April 4, 2016*  
 \* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

**Jones-Lauer  
 Remodel**  
 3107 NE 27th Ave  
 Portland, OR 97212

client:  
 Russel Jones and Andy Lauer

ISSUE DATE: 2/22/2016  
 © Jack Barnes Architect, P.C. 2016



East Elevation

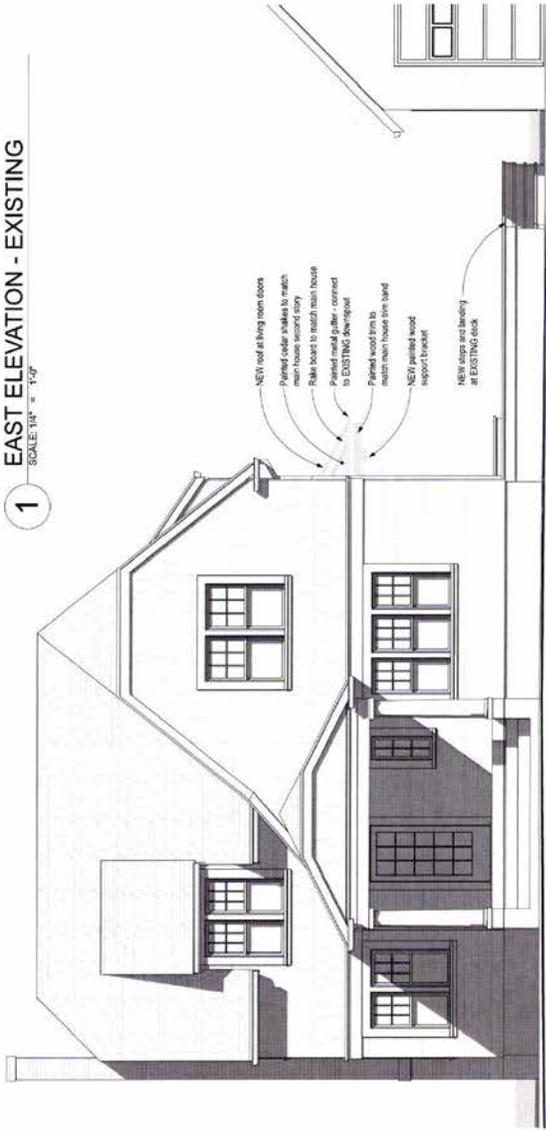
**HR-4**

Printed On: 2/22/16

CASE NO. LA 16-107401 HL  
 EXHIBIT C-3



1 EAST ELEVATION - EXISTING  
 SCALE 1/4" = 1'-0"



2 EAST ELEVATION - PROPOSED  
 SCALE 1/4" = 1'-0"

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**Jones-Lauer Remodel**  
 3107 NE 27th Ave  
 Portland, OR 97212

Client:  
 Rainer Jones and Andy Lauer

ISSUE DATE: 2/22/2016  
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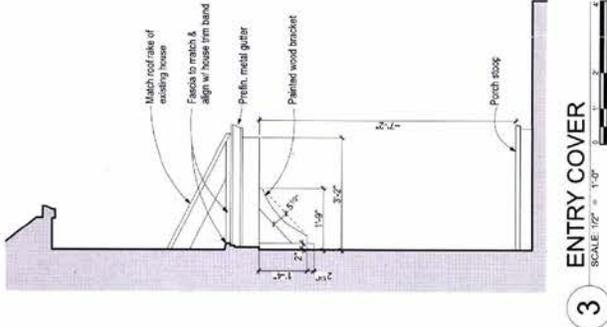


**North Elevations**

**HR-5**

CASE NO. L4 14-10114g.L.H.C  
 EXHIBIT C.3

Plotted On: 2/22/16

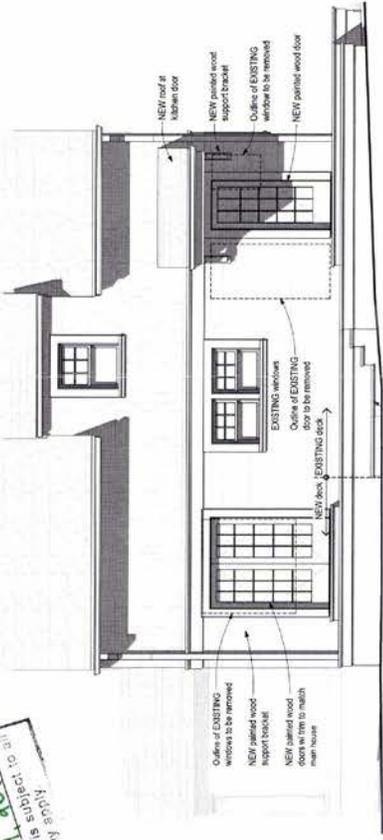


**3 ENTRY COVER**  
 SCALE: 1/2" = 1'-0"



**1 NORTH ELEVATION - EXISTING**  
 SCALE: 1/4" = 1'-0"

Planner: *[Signature]* Date: **April 2016**  
 City of Portland - Bureau of Development Services  
 Approved: *[Signature]*  
 \* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning regulations may apply.



**2 NORTH ELEVATION - PROPOSED**  
 SCALE: 1/4" = 1'-0"

JACK BARNES ARCHITECT

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### Jones-Lauer Remodel

3107 NE 27th Ave  
Portland, OR 97212

client:  
Raine, Jones and Andy Lauer

ISSUE DATE: 2/22/2016  
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West Elevations

# HR-6

Project ID: 222716

CASE NO. 14-16516 JBL  
EXHIBIT C-4

**\*Approved\***  
City of Portland - Bureau of Development Services  
Date: April 9, 2016  
Planner: AMM  
\* This approval applies only to the reviews remitted and is subject to all conditions of the City of Portland Planning Department's may apply.



1 WEST ELEVATION - EXISTING

SCALE 1/4" = 1'-0"



2 WEST ELEVATION - PROPOSED

SCALE 1/4" = 1'-0"