



City of Portland, Oregon - Bureau of Development Services

1900 SW Fourth Avenue • Portland, Oregon 97201 | 503-823-7300 | www.portlandoregon.gov/bds



Type II and IIX Decision Appeal Form

LU Number: _____

FOR INTAKE, STAFF USE ONLY

Date/Time Received _____ ☐ Action Attached _____
Received By _____ Fee Amount _____
Appeal Deadline Date _____ Y N Fee Waived
☐ Entered in Appeal Log _____ Bill # _____
☐ Notice to Dev. Review _____ Neighborhood _____

APPELLANT: Complete all sections below. Please print legibly.

PROPOSAL SITE ADDRESS _____ DEADLINE OF APPEAL _____

Name _____

Address _____ City _____ State/Zip Code _____

Day Phone _____ Email _____ Fax _____

Interest in proposal (applicant, neighbor, etc.) _____

Identify the specific approval criteria at the source of the appeal

Zoning Code Section 33. _____ . _____ Zoning Code Section 33. _____ . _____

Zoning Code Section 33. _____ . _____ Zoning Code Section 33. _____ . _____

Describe how the proposal does or does not meet the specific approval criteria identified above or how the City erred procedurally:

Appellant's Name _____

I acknowledge this typed
name as my signature

FILE THE APPEAL - Submit the following:

- ☐ This completed appeal form
- ☐ A copy of the Type II or IIX Decision being appealed
- ☐ An appeal fee as follows:
 - ☐ \$250, payable to City of Portland
 - ☐ No appeal fee is charged when appeal is filed by Civic Life recognized organizations for properties within organization's boundaries
 - ☐ Fee waiver request letter for low income individual is signed and attached
 - ☐ Fee waiver request letter for Unincorporated Multnomah County recognized organizations is signed and attached

Email this application and supporting documents
to: LandUseIntake@portlandoregon.gov

To file the appeal, this completed application form and any supporting documentation must be emailed to LandUseIntake@portlandoregon.gov and to the planner listed on the first page of the Decision. To be valid, the City must receive the appeal by 4:30 p.m. on the deadline listed in the Decision. Once the completed appeal application form is received, a Land Use Services Technician will contact you with instructions on how to pay the fee.

A public hearing on the appeal will be held. The land use review applicant, those who testified and everyone who received notice of the initial hearing will receive notice of the appeal hearing date.

Information about the appeal hearing procedure and fee waivers is on the back of this form.

Type II and IIx Appeal Procedure

For land use review applications that follow a Type II and IIx procedure, the Bureau of Development Services makes the decision on the application. This decision is called the Administrative Decision and may be appealed. The applicant and/or an interested person who does not agree with the Administrative Decision may appeal it by using the Type II and IIx Decision Appeal Form and submitting an appeal fee. No appeal fee is charged for Type II and IIx appeals when filed by a Civic Life recognized organization; the appeal must be for property located within the organization's boundaries, and the vote to appeal must be in accordance with the organization's bylaws. An appeal of a decision triggers an initial hearing before a City review body.

There is a 14-day appeal period that starts the day that the decision is mailed. The last day to appeal is stated in the decision. If appealed, a specific review body hears the case and makes the final City decision. These review bodies include:

- The Hearings Officer
- The Design Commission
- The Portland Historic Landmarks Commission
- The Adjustment Committee

Type II and IIx Appeal Hearing

When a decision is appealed, the Bureau of Development Services schedules a public hearing and sends out a notice within five days of receiving the appeal. The hearing is held at least 21 days from the mailing of the notice.

At the hearing, everyone attending is allowed to speak to the review body. The testimony must address whether or not the proposal meets the approval criteria as described in the Administrative Decision or how the City erred procedurally. Written testimony is also accepted prior to or at the hearing. This may include additional information submitted by the applicant and/or appellant.

If a committee reviews the appeal, a decision is made at the hearing. If the Hearings Officer is the review body, they may make a decision at the hearing, or make a decision later. Both the Hearings Officer and the committee must make a written decision and send notice of the decision within 17 days after the hearing. The decision is mailed to the appellant, applicant, and to anyone who submits oral or written testimony at the hearing.

The review body may adopt, modify, or overturn the Administrative Decision based on the information presented at the hearing and in the case record.

Appeal Fees

An appeal of a land use decision must include an appeal fee. There is a \$250 fee charged for appealing a Type II and IIx decision. This fee is refunded if the decision-maker grants the appeal; i.e. agrees with the appellant.

In order for an appeal to be valid, an appeal fee must accompany the appeal form or a fee waiver request must be approved before the appeal deadline as stated in the specific land use decision (Section 33.730.020 of the Portland Zoning Code). See below for fee waiver eligibility information.

Low Income Fee Waiver

The appeal fee may be waived for low income applicants who appeal a land use decision on the site of their primary residence in which they have an ownership interest. In addition, the appeal fee may be waived for low income individuals who have resided for at least 60 days within the required notification area for the land use review. Low income individuals requesting a fee waiver will be required to certify their annual gross income and household size. The appeal fee will only be waived for households with a gross annual income of less than 50 percent of the area median income as established and adjusted for household size by the federal Department of Housing and Urban Development (HUD). All financial information submitted to request a fee waiver is confidential. Fee waiver requests must be approved prior to appeal deadline to be considered for a fee waiver.

Information is subject to change



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

Carmen Rubio, Commissioner
David Kuhnhausen, Interim Director
Phone: (503) 823-7300
TTY: 711
www.portland.gov/bds

Date: 5/28/24
To: Interested Person
From: Staci Monroe, Land Use Services
503-865-6516 / staci.monroe@portlandoregon.gov

NOTICE OF A TYPE II DECISION IN YOUR NEIGHBORHOOD

The Bureau of Development Services has denied a proposal in your neighborhood. The mailed copy of this document is only a summary of the decision. The reasons for the decision and responses to any public comments are included in the version located on the BDS website <https://www.portland.gov/bds/zoning-land-use/news/notices>. Enter the land use case file number in the keyword search. If you disagree with the decision, you can appeal. Information on how to appeal the decision is included at the end of this decision.

CASE FILE NUMBER: LU 23-098235 HR
Exterior Alterations

GENERAL INFORMATION

Applicants/Owners: Marcus & Katie Oliver
2214 NE 19th Ave | Portland, OR 97212
503-449-6265, mvo73cook@gmail.com

Site Address: 2214 NE 19TH AVE

Legal Description: BLOCK 35 LOT 17, IRVINGTON
Tax Account No.: R420407590
State ID No.: 1N1E26DA 16300
Quarter Section: 2832

Neighborhood: Irvington, contact at landusechair@irvingtonpdx.com
Business District: Soul District Business Association, contact at info@nnebaportland.org
District Coalition: Northeast Coalition of Neighborhoods, contact at info@necoalition.org

Plan District: NONE
Other Designations: Noncontributing resource in the Irvington Historic District
Zoning: R5 - Single Dwelling Residential 5000 and Historic Resource Overlay
Case Type: HR - Historic Resource Review
Procedure: Type II, an administrative decision with appeal to the Landmarks Commission.

Proposal:

The applicants request Historic Resource Review for exterior alterations to their non-contributing residence in the Irvington Historic District. The review is in response to a code compliance case (22-144081 CC) for a deck and storage addition on the front of the house. The work was done without a building permit or Historic Resource Review. The alterations include extending a portion of the front porch (approximately 12' deep x 14' wide) with a storage space below and door on the south elevation. The materials and detailing match the house with composite shingle panel siding, decorative wood railing interspersed with 2"x2" cedar pickets

spaced at 4" with posts that appear to range from 4"x4 to 6"x6". Composite wood decking and a 36" wide door with a reduced height is also included.

Historic Resource Review is required for exterior alterations in Historic Districts that do not meet the exemptions per Section 33.445.200.D.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33, Portland Zoning Code. The relevant criteria are below and can be found online at portland.gov/code/33:

- Section 33.846.060.G

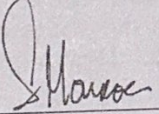
CONCLUSIONS

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. As stated in the findings above the addition onto the front of the house is not compatible with the Foursquare house itself, resources within the district nor the district itself. Therefore, the project does not meet the applicable Historic Resource Review criteria.

ADMINISTRATIVE DECISION

Denial of a deck and storage addition to the front of the house in the Irvington Historic District.

Staff Planner: Staci Monroe

Decision rendered by: 

on 5/23/24

By authority of the Director of the Bureau of Development Services

Decision mailed: 5/28/24

PROCEDURAL INFORMATION

The application for this land use review was submitted on October 27, 2023, and was determined to be complete on April 22, 2024.

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 October 27, 2023.

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 extended by the applicant, **the 120 days will expire on 8/20/24.**

Some of the information contained in this report was provided by the applicant. As required by Zoning Code Section 33.800.060, 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, and if appealed a hearing will be held. Information on filing the appeal and the appeal form are available from the Bureau of Development Services website:

<https://www.portland.gov/bds/zoning-land-use/land-use-review-fees-and-types/appeals-fees-and-fee-waivers>. Appeals must be received **by 4:30 PM on 6/11/24**. **The completed appeal application form must be emailed to LandUseIntake@portlandoregon.gov and to the planner listed on the first page of this decision.** If you do not have access to email, please telephone the planner listed on the front page of this notice about submitting the appeal application. **An appeal fee of \$250 will be charged.** Once the completed appeal form is received, Bureau of Development Services staff will contact you regarding paying the appeal fee. The appeal fee will be refunded if the appellant prevails. There is no fee for Office of Community and Civic Life recognized organizations for the appeal of Type II and IIX decisions on property within the organization's boundaries. The vote to appeal must be in accordance with the organization's bylaws. Please contact the planner listed on the front page of this decision for assistance in filing the appeal and information on fee waivers. Please see the appeal form for additional information.

If you are interested in viewing information in this file, please contact the planner listed on the front of this notice. The planner can email you documents from the file. A fee would be required for all requests for paper copies of file documents. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at <https://www.portlandoregon.gov/citycode/28197>.

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 on an appeal would be the final decision of the City. 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.

EXHIBITS (not attached unless indicated)

- A. Applicant's Statement
 - 1. Context Images
 - 2. As Built Conditions
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. North Elevation



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

Carmen Rubio, Commissioner
David Kuhnhausen, Interim Director
Phone: (503) 823-7300
TTY: 711
www.portland.gov/bds

Date: 5/28/24
To: Interested Person
From: Staci Monroe, Land Use Services
503-865-6516 / staci.monroe@portlandoregon.gov

NOTICE OF A TYPE II DECISION IN YOUR NEIGHBORHOOD

The Bureau of Development Services has denied a proposal in your neighborhood. The mailed copy of this document is only a summary of the decision. The reasons for the decision and responses to any public comments are included in the version located on the BDS website <https://www.portland.gov/bds/zoning-land-use/news/notices>. Enter the land use case file number in the keyword search. If you disagree with the decision, you can appeal. Information on how to appeal the decision is included at the end of this decision.

CASE FILE NUMBER: LU 23-098235 HR

Exterior Alterations

GENERAL INFORMATION

Applicants/Owners: Marcus & Katie Oliver
2214 NE 19th Ave | Portland, OR 97212
503-449-6265, mvo73cook@gmail.com

Site Address: 2214 NE 19TH AVE

Legal Description: BLOCK 35 LOT 17, IRVINGTON
Tax Account No.: R420407590
State ID No.: 1N1E26DA 16300
Quarter Section: 2832

Neighborhood: Irvington, contact at landusechair@irvingtonpdx.com
Business District: Soul District Business Association, contact at info@nnebaportland.org
District Coalition: Northeast Coalition of Neighborhoods, contact at info@necoalition.org

Plan District: NONE
Other Designations: Noncontributing resource in the Irvington Historic District
Zoning: R5 - Single Dwelling Residential 5000 and Historic Resource Overlay
Case Type: HR - Historic Resource Review
Procedure: Type II, an administrative decision with appeal to the Landmarks Commission.

Proposal:

The applicants request Historic Resource Review for exterior alterations to their non-contributing residence in the Irvington Historic District. The review is in response to a code compliance case (22-144081 CC) for a deck and storage addition on the front of the house. The work was done without a building permit or Historic Resource Review. The alterations include extending a portion of the front porch (approximately 12' deep x 14' wide) with a storage space below and door on the south elevation. The materials and detailing match the house with composite shingle panel siding, decorative wood railing interspersed with 2"x2" cedar pickets

spaced at 4" with posts that appear to range from 4"x4" to 6"x6". Composite wood decking and a 36" wide door with a reduced height is also included.

Historic Resource Review is required for exterior alterations in Historic Districts that do not meet the exemptions per Section 33.445.200.D.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33, Portland Zoning Code. The relevant criteria are below and can be found online at portland.gov/code/33:

- Section 33.846.060.G

ANALYSIS

Site and Vicinity: The 5,000 SF property is located on the east side NE 19th Avenue between NE Thompson and NE Tillamook in the southern portion of the historic district. The house is centrally located on the lot with a driveway on the south side of the house. The two-story Foursquare was built in 1906, during the period of significance. The nomination lists the single-family home as noncontributing and notes the fiber cement siding and that the roof was potentially raised to a full two stories around 1960. While it hasn't been confirmed if the roof was raised, the overall form of the structure looks like it could be original. The fiber cement siding and some non-original windows are the more obvious alterations, aside from the deck and storage addition that are subject of this review.

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 zones implement the comprehensive plan policies and designations for single-dwelling housing and provide options for infill housing that is compatible with the scale of the single-dwelling neighborhood. Generally, minimum lot size is 3,000 square feet with minimum width and depth dimensions of 36 and 50 feet, respectively, and a maximum density of 1 lot per 5,000 square feet of site area. For attached houses, minimum lot size is 1,500 square feet with minimum width and depth dimensions of 15 and 50 feet, respectively, and a maximum density of 1 lot per 1,500 square feet of site area.

The Historic Resource Overlay zone protects historic resources that have been identified as significant to the history of the city and region. The regulations implement Portland's Comprehensive Plan policies that address historic preservation. These policies recognize the role historic resources have in promoting education and enjoyment for those living in and visiting the region. The regulations foster awareness, memory, and pride among the region's current and future residents in their city and its diverse architecture, culture, and history. Historic preservation recognizes social and cultural history, retains significant architecture, promotes economic and environmental health, and stewards important resources for the use, education, and enjoyment of future generations.

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.

Agency Review: A “Notice of Proposal in Your Neighborhood” was mailed **April 25, 2024**. The following Bureaus have responded with no issues or concerns:

- Portland Bureau of Transportation (see Exhibit E1)
- Bureau of Parks-Urban Forestry Division (see Exhibit E2)
- Life Safety Plan Review Section of BDS (see Exhibit E3)
- Bureau of Environmental Services
- Water Bureau
- Fire Bureau
- Site Development Section of BDS

Staff note: Land Use staff encouraged the applicant to inquire with a Building Code reviewer to assess compliance with the building code before finalizing the land use review. Because the addition did not receive a building permit it is possible that the design would have to be altered. The applicant has submitted a building permit, which is currently under review.

Neighborhood Review: A Notice of Proposal in Your Neighborhood was mailed on April 25, 2024. One written response has been received from either the Neighborhood Association or notified property owners in response to the proposal.

- Irvington Community Association, email dated 5/16/24, stating opposition to the project stating it does not meet the approval criteria.

ZONING CODE APPROVAL CRITERIA

33.846.060 G - Other Historic Approval Criteria

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.

4. Archaeological resources. Significant archaeological resources affected by a proposal will be protected and preserved to the extent practical. When such resources are disturbed, mitigation measures will be undertaken.

Findings: The project is already constructed and did not include significant, if any, excavation. Furthermore, Irvington has not yet been associated with any significant archaeological discoveries. *This guideline is therefore met.*

9. Preserve the form and integrity of historic resources. New additions, exterior alterations, or new construction will be undertaken in such a manner that if removed in the future, the essential form and integrity of the landmark or contributing resource and, if in a district, the district as a whole would be unimpaired.

Findings: The location and attachment of the deck and storage addition could be removed in the future without impacting the historic district. *This guideline is therefore met.*

7. Differentiate new from old. New additions, exterior alterations, or related new construction will not destroy historic materials that characterize a landmark or contributing resource. New work may be differentiated from the old if the differentiation does not diminish the character, features, materials, form, or integrity of the landmark or contributing resource and, if in a Historic District, the district as a whole.

8. Architectural compatibility. New additions, exterior alterations, or new construction will be compatible with the massing, size, scale, and architectural features of the landmark or contributing resource and, if in a district, the district as a whole. When retrofitting to improve accessibility for persons with disabilities or accommodate seismic improvements, design solutions will not compromise the architectural integrity of the landmark or contributing resource.

10. Hierarchy of compatibility. New additions, exterior alterations, or new construction will be designed to be compatible primarily with the landmark or contributing resource and, if located within a district, secondarily with contributing resources within 200 feet and, finally, with the rest of the district. Where practical, compatibility in districts will be pursued on all three levels.

Findings for 7, 8 and 10: The two-story Foursquare was built in 1906. The nomination lists the single-family home as noncontributing and notes the fiber cement siding and that the roof was potentially raised to a full two stories around 1960. While it hasn't been confirmed if the roof was raised, the overall form of the structure looks like it could be original. The fiber cement siding and some non-original windows are the more obvious alterations, aside from the deck and storage addition that are subject of this review.

While not currently a contributing structure, the house was built during Irvington Historic District's period of significance (1891-1948) in a style typical of development at the time (Foursquare). Additions and alterations to structures built during the period of significance should bring the structure closer to its original architectural style and details and be well integrated. The deck and storage addition are a significant change to the main/front elevation of the house in a configuration that is not typical on houses of this style or era. A single covered porch that is parallel with the front façade or a smaller single covered landing are common elements at the front elevation, as is a covered porch that is open below with lattice or other open-work design. The proposed deck and storage addition attempts to be integrated by using similar fiber cement cladding and railing details found on the house. However, the intermediate height, the short door and the jog in attachment to the existing porch result in a less than compatible addition.

The applicant provided images of garages in front of houses within the immediate neighborhood for context (see Exhibit A1). Staff determined these examples are not comparable for several reasons: the structures are standard sized garages for the era (not partial height storage), they occur on sloped sites where the garage is partially set within the ground (not fully on top of the grade) and they are located off to one side with the main entrance and front façade fully visible and prominent from the street. These examples are representative of typical garages on sloped sites in the historic district. Staff is not aware of any comparable additions to the front façade of houses built during the period of significance in the district that are of similar scale, design and location to what is proposed.

If this were a proposal, and not an already-built condition, Staff would have encouraged the addition to be located at the rear of the house. And, if a front addition were to be allowed, it would be approvable if it were located off to the side and not impeding the front door and the house's primary relationship to the street.

Given these reasons, the deck and storage addition do not meet approval criteria 7, 8,

and 10.

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.

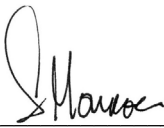
CONCLUSIONS

The 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. As stated in the findings above the addition onto the front of the house is not compatible with the Foursquare house itself, resources within the district nor the district itself. Therefore, the project does not meet the applicable Historic Resource Review criteria.

ADMINISTRATIVE DECISION

Denial of a deck and storage addition to the front of the house in the Irvington Historic District.

Staff Planner: Staci Monroe

Decision rendered by:  **on 5/23/24**
By authority of the Director of the Bureau of Development Services

Decision mailed: 5/28/24

PROCEDURAL INFORMATION

The application for this land use review was submitted on October 27, 2023, and was determined to be complete on April 22, 2024.

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 October 27, 2023.

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 extended by the applicant, **the 120 days will expire on 8/20/24.**

Some of the information contained in this report was provided by the applicant. As required by Zoning Code Section 33.800.060, 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.

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Appealing this decision. This decision may be appealed to the Landmarks Commission, and if appealed a hearing will be held. Information on filing the appeal and the appeal form are available from the Bureau of Development Services website: <https://www.portland.gov/bds/zoning-land-use/land-use-review-fees-and-types/appeals-fees-and-fee-waivers>. Appeals must be received **by 4:30 PM on 6/11/24. The completed appeal application form must be emailed to LandUseIntake@portlandoregon.gov and to the planner listed on the first page of this decision.** If you do not have access to email, please telephone the planner listed on the front page of this notice about submitting the appeal application. **An appeal fee of \$250 will be charged.** Once the completed appeal form is received, Bureau of Development Services staff will contact you regarding paying the appeal fee. The appeal fee will be refunded if the appellant prevails. There is no fee for Office of Community and Civic Life recognized organizations for the appeal of Type II and IIx decisions on property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Please contact the planner listed on the front page of this decision for assistance in filing the appeal and information on fee waivers. Please see the appeal form for additional information.

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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 on an appeal would be the final decision of the City. 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.

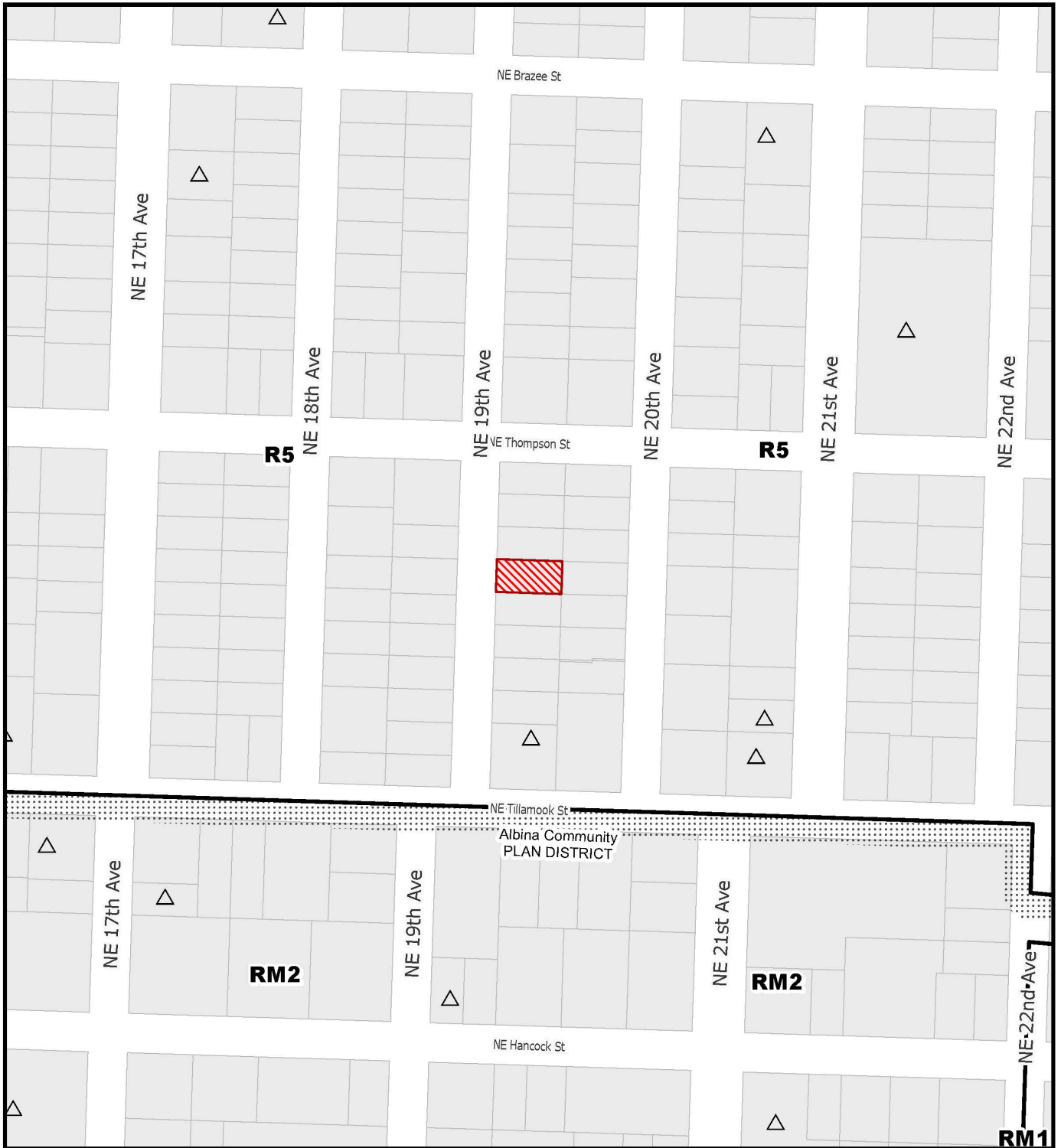
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EXHIBITS (not attached unless indicated)

- A. Applicant’s Statement
 - 1. Context Images
 - 2. As Built Conditions
- B. Zoning Map (attached)
- C. Plans/Drawings:
 - 1. Site Plan (attached)
 - 2. North Elevation

3. South Elevation
 4. As-built Image (attached)
- D. Notification information:
1. Mailing list
 2. Mailed notice
- E. Agency Responses:
1. Portland Bureau of Transportation
 2. Bureau of Parks, Urban Forestry Division
 3. Life Safety Plan Review Section of BDS
- F. Correspondence:
1. Irvington Community Association, email dated 5/16/24, stating opposition to the project.
- G. Other:
1. Original LU Application
 2. Incomplete letter dated 11/9/23
 3. 180-Day Expiration email dated 4/3/24



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).



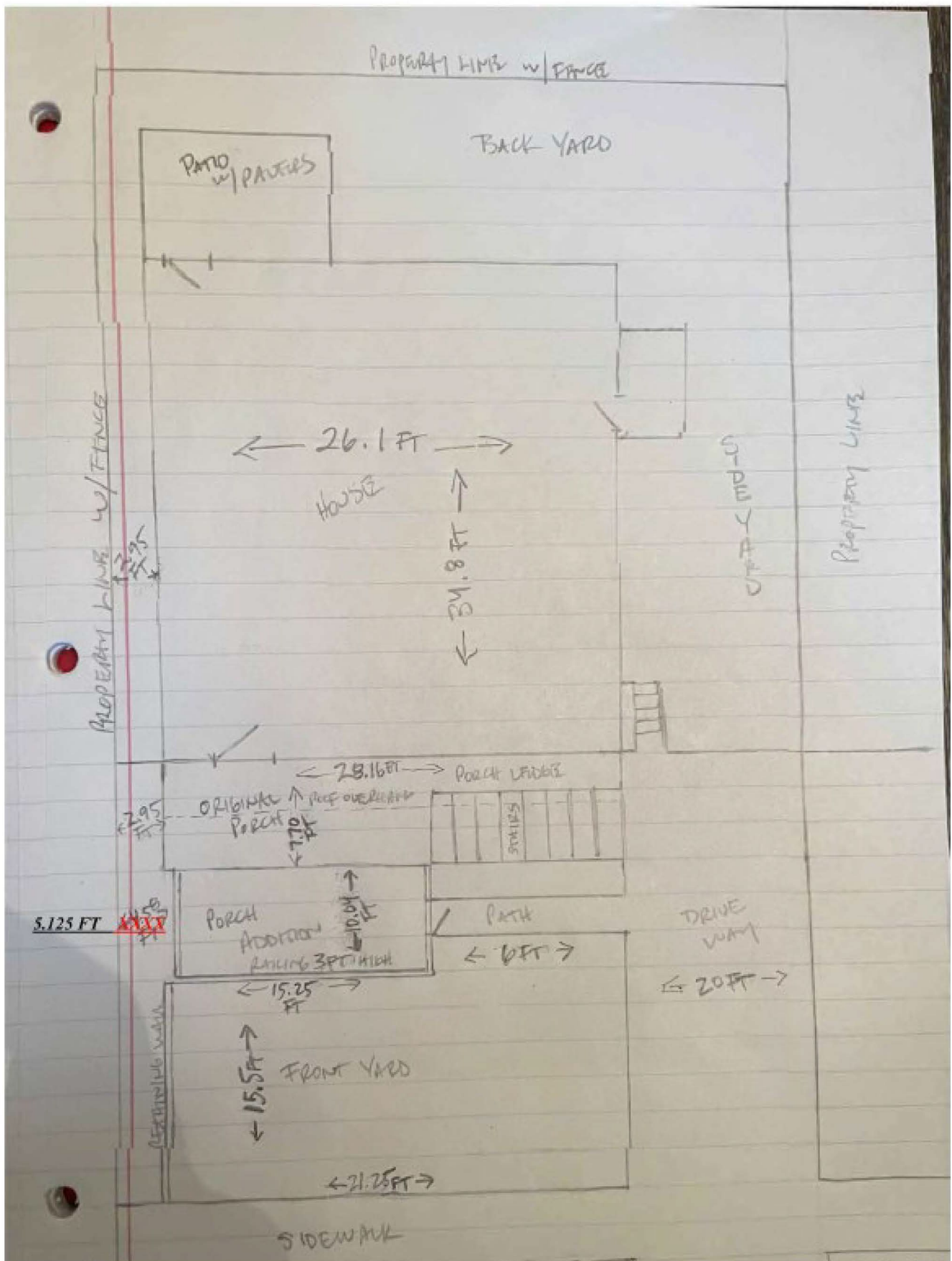
For Zoning Code in Effect Post October 1, 2022

ZONING

THIS SITE LIES WITHIN THE:
IRVINGTON HISTORIC DISTRICT

-  Site
-  Plan District
-  Historic Landmark

File No.	<u>LU 23 - 098235 HR</u>
1/4 Section	<u>2832</u>
Scale	<u>1 inch = 200 feet</u>
State ID	<u>1N1E26DA 16300</u>
Exhibit	<u>B</u> <u>Oct 30, 2023</u>





2214 NE 19th - Built Condition

	A	B	C	D	E	F
1	ENDORSEMENT	INFO1	INFO2	NAME	ADDRESS/IO ADDRESS	CITYSTATEZIP/ADDRESSEE
2	RETURN SERVICE REQUESTED		1N1E26DA 14800	SEIDEL TERESA & SEIDEL HANS-WALTER	2243 NE 20TH AVE	PORTLAND OR 97212
3	RETURN SERVICE REQUESTED		1N1E26DA 14900	HILBER MATTHEW & SPAGNOLI CHRISTIN	2233 NE 20TH AVE	PORTLAND OR 97212-4619
4	RETURN SERVICE REQUESTED		1N1E26DA 15000	VALENTINE JAMIE & VALENTINE ANYA	2227 NE 20TH AVE	PORTLAND OR 97212
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30				CURRENT RESIDENT	2239 NE 19TH AVE	PORTLAND OR 97212
31	RETURN SERVICE REQUESTED	RESPONDENT	IRVINGTON COMMUNITY ASSOCIATION	LAND USE COMMITTEE CHAIR	2201 NE 23RD AVE	PORTLAND OR 97212
32	RETURN SERVICE REQUESTED	OWNERS/APPLICANT	1N1E26DA 16300	OLIVER MARCUS & OLIVER KATIE	2214 NE 19TH AVE	PORTLAND OR 97212
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39				LAND USE CONTACT	PROSPER PORTLAND	129/PROSPER



2123 NE 21st

LU 23-098235 HR
Exhibit A1



2133 NE 21st

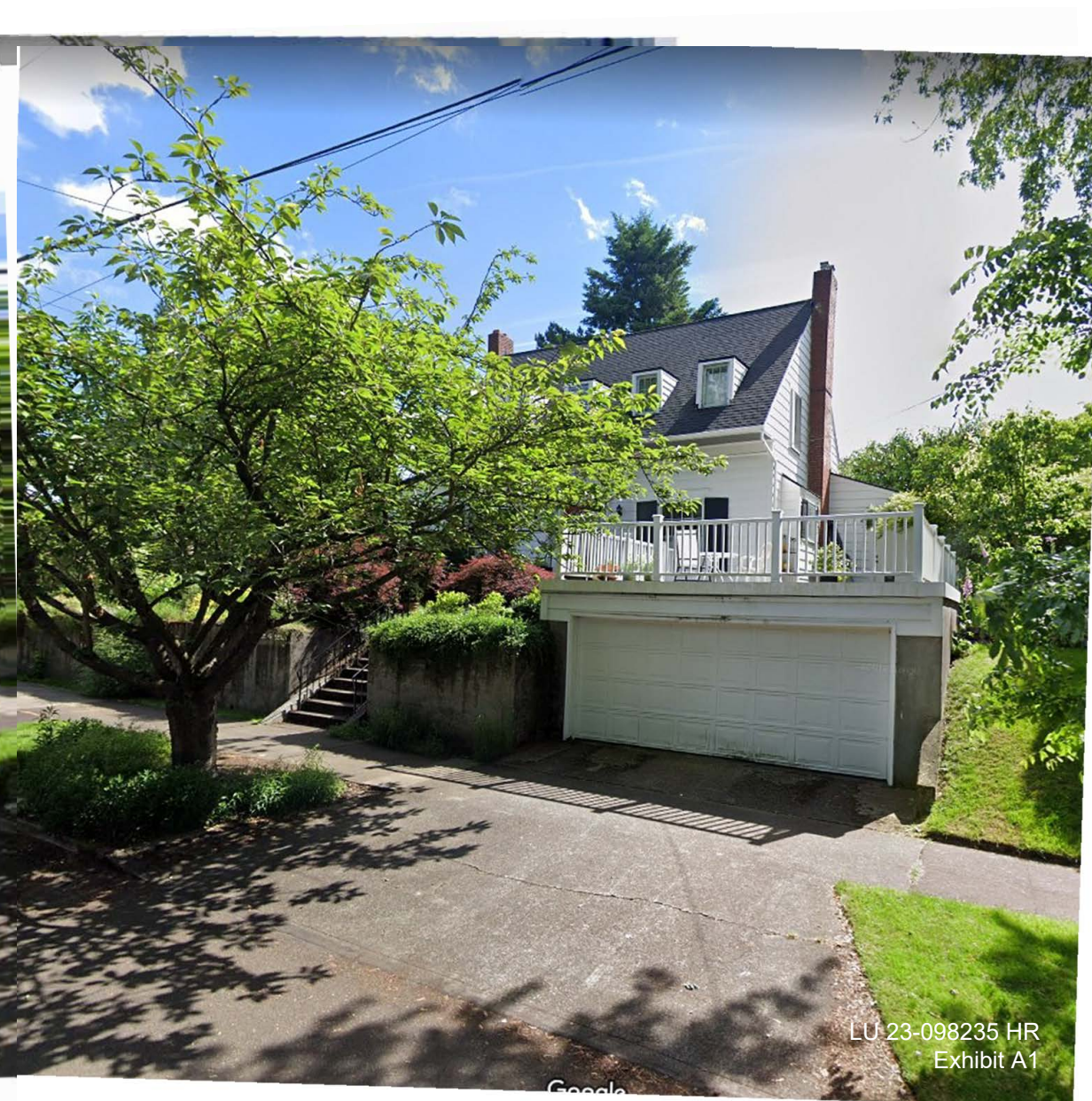
LU 23-098235 HR
Exhibit A1



2138 NE 21st

LU 23-098235 HR
Exhibit A1

2242 NE 18th



LU 23-098235 HR
Exhibit A1



2408 NE 21st LU 23-098235 HR
Exhibit A1



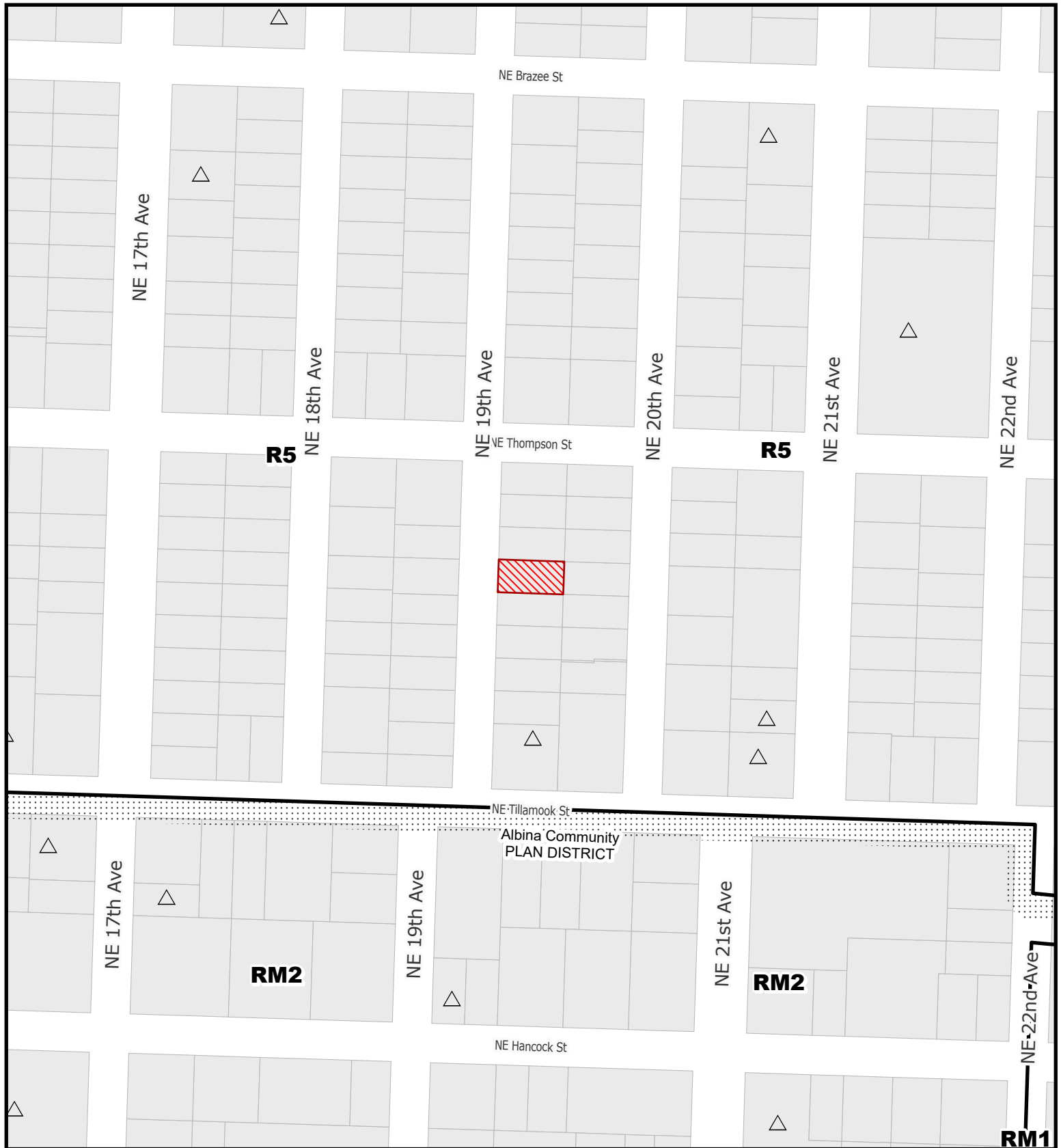















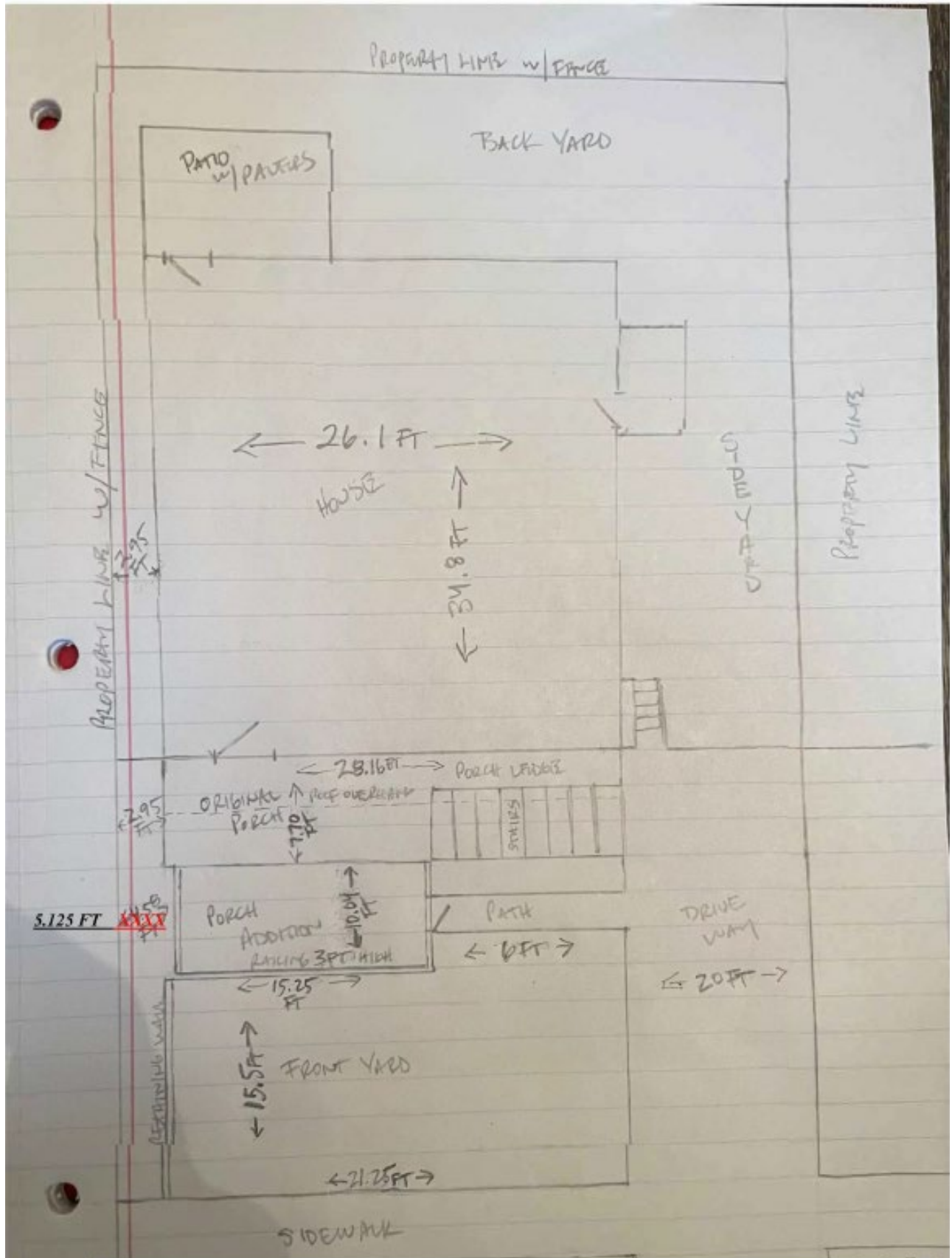
For Zoning Code in Effect Post October 1, 2022

ZONING

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IRVINGTON HISTORIC DISTRICT

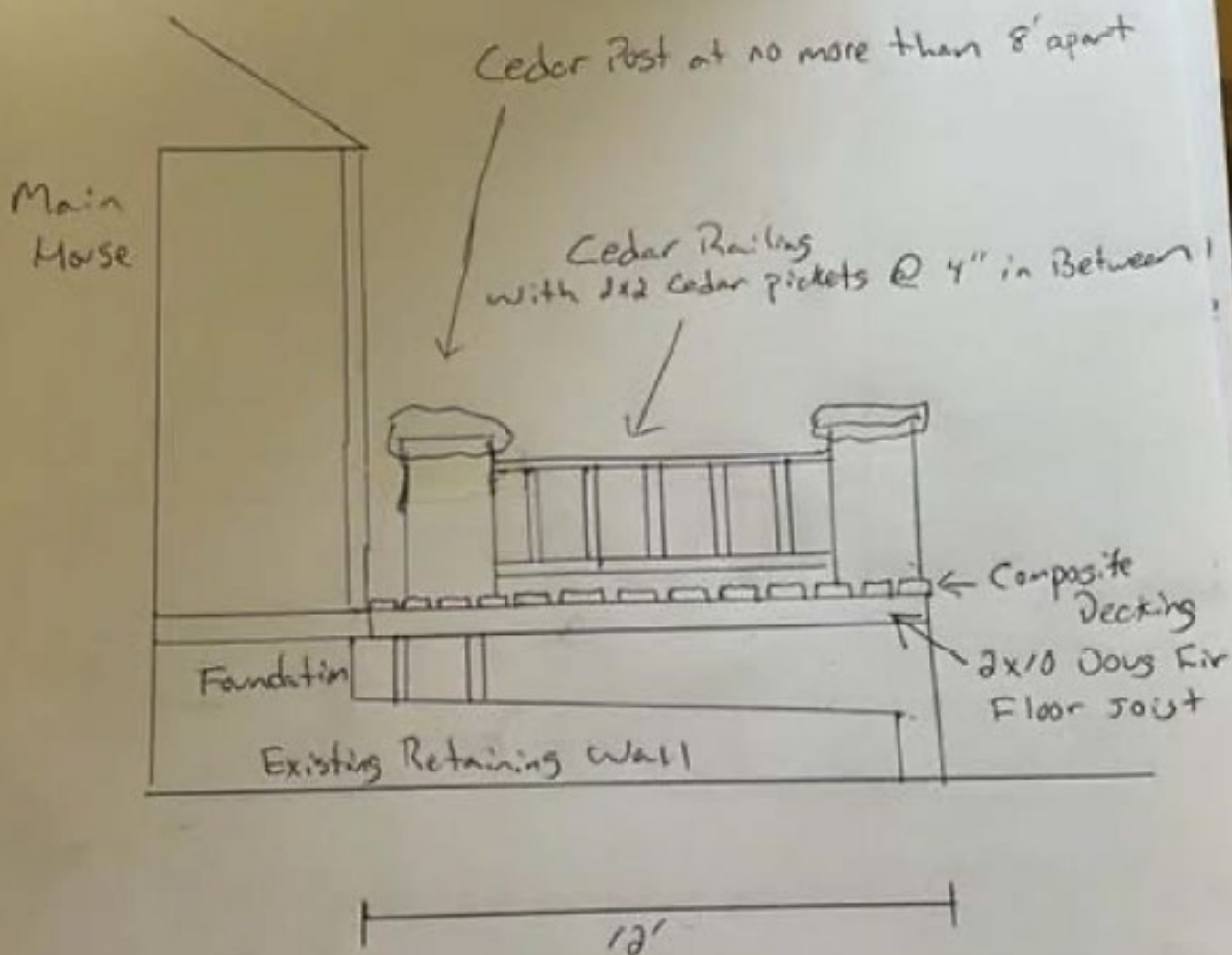
-  Site
-  Plan District
-  Historic Landmark

File No.	<u>LU 23 - 098235 HR</u>
1/4 Section	<u>2832</u>
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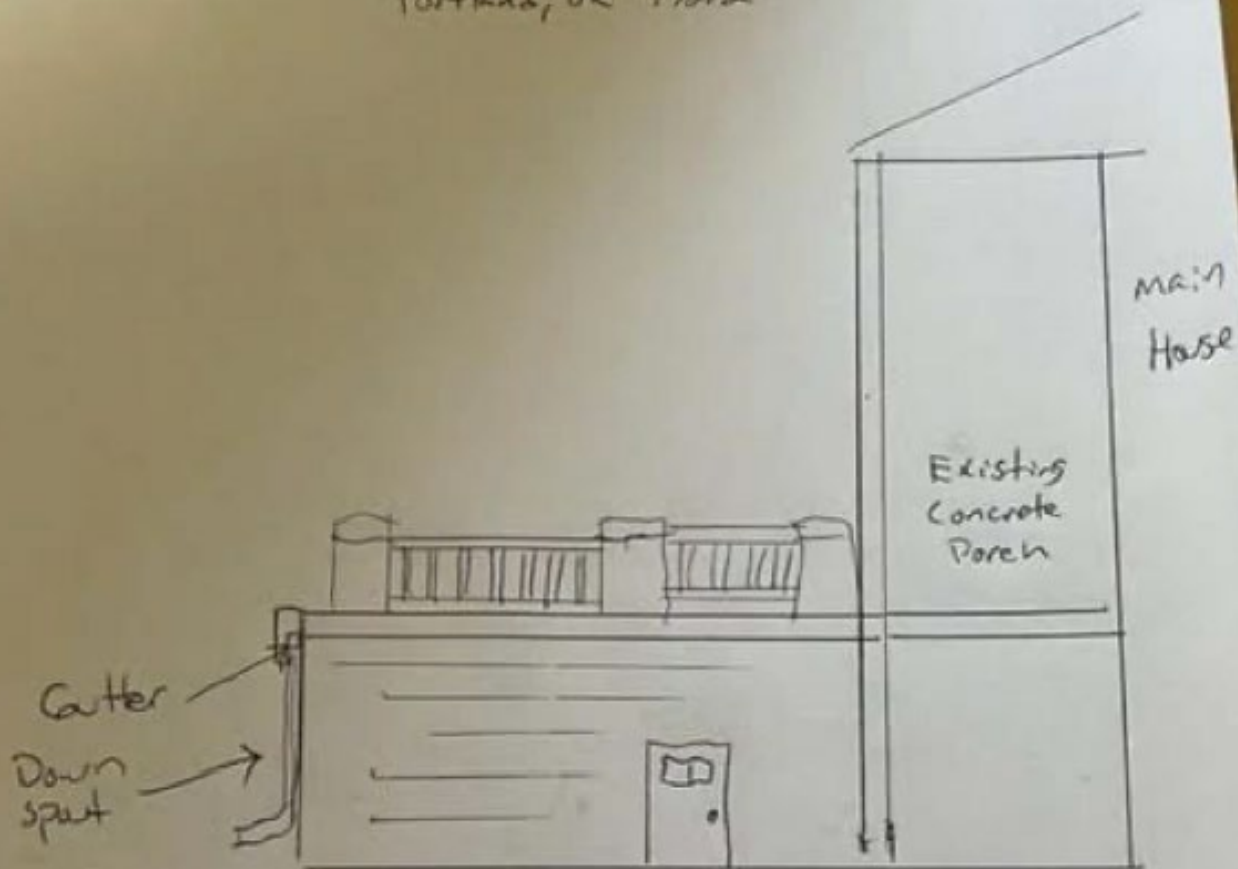
Porch Extension

Marcus Oliver
2214 NE 19th Ave
Portland, OR 97212



Porch Extension Comes out 12' and is 14' wide
2x10 Doug Fir Floor Joist
2x4 wall construction
12' x 14' Grand Frame Floor Construction done
in 2x6 Doug Fir on top of 4x4 P/T
4x4 P/T sits on two 14" x 14" concrete Footings 18" apart

Marcus Oliver
2214 NE 19th Ave
Portland, OR 97212



$\frac{1}{2}$ " CDX Plywood on top of 2x4 Framing
Composite style Shingle Panels for Siding
36" Exterior Door
Railing height 36" high to top of Rail
Interior Walls have $\frac{1}{2}$ " Sheetrock
Ceiling in Sheetrock with Dry Deck System between Joists



2214 NE 19th - Built Condition

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39				LAND USE CONTACT	PROSPER PORTLAND	129/PROSPER



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

Carmen Rubio, Commissioner
David Kuhnhausen, Interim Director
Phone: (503) 823-7300
TTY: 711
www.portland.gov/bds

Date: 4/25/24
To: Interested Person
From: Staci Monroe, Land Use Services
503-865-6516/staci.monroe@portlandoregon.gov

NOTICE OF A TYPE II PROPOSAL IN YOUR NEIGHBORHOOD

Development has been proposed in your neighborhood. The proposed development requires a land use review. The development proposal, review process, and information on how to respond to this notice are described below. A copy of the site plan and zoning map is attached. I am the staff person handling the case. Please call me if you have questions regarding this proposal. Please contact the applicant if you have questions regarding any future development on the site.

Public comments must be received within 21 days of the mail date of this notice. If you would like to submit written comments, they must be received by 5 p.m. on 5/16/24. Your comments must be emailed to the assigned planner listed above; please include the Case File Number, LU 23-098235 HR, in your email. If you do not have access to email, please telephone the planner listed above about submitting comments. Please note that all correspondence received will become part of the public record.

CASE FILE NUMBER: LU 23-098235 HR

Exterior Alterations

Applicant/Owners: Marcus & Katie Oliver
2214 NE 19th Ave | Portland, OR 97212
503-449-6265, mvo73cook@gmail.com

Site Address: 2214 NE 19TH AVE

Legal Description: BLOCK 35 LOT 17, IRVINGTON
Tax Account No.: R420407590
State ID No.: 1N1E26DA 16300
Quarter Section: 2832

Neighborhood: Irvington, contact the Irvington Land Use Committee Chair at landusechair@irvingtonpdx.com

Business District: Soul District Business Association, contact at info@nnebaportland.org
District Coalition: Northeast Coalition of Neighborhoods, contact at info@necoalition.org

Plan District: NONE
Other Designations: Non-contributing resource in the Irvington Historic District
Zoning: R5 – Single Dwelling Residential 5000 and Historic Resource Overlay
Case Type: HR- Historic Resource Review
Procedure: Type II, an administrative decision with appeal to the Landmarks Commission.

Proposal:

The applicants request Historic Resource Review for exterior alterations to their non-contributing residence in the Irvington Historic District. The review is in response to a code compliance case (22-144081 CC) for a porch extension with a storage area below into the front yard. The work was done without a building permit or Historic Resource Review. The alterations include extending a portion of the front porch (approximately 12' deep x 14' wide) with a storage space below and door on the south elevation. The materials and detailing match the house with composite shingle panel siding, decorative wood railing interspersed with 2"x2" cedar pickets spaced at 4" with posts that appear to range from 4"x4 to 6"x6". Composite wood decking and a 36" wide door with a reduced height is also included.

Historic Resource Review is required for exterior alterations in Historic Districts that do not meet the exemptions per Section 33.445.200.D.

Note, the previous Historic Resource Review application, case file LU 22-171780 HR, expired This new land use application supersedes the previous one.

Relevant Approval Criteria:

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

- Section 33.846.060.G

The Portland Zoning Code is available online at <https://www.portland.gov/code/33>.

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. This application was submitted on October 27, 2023 and determined to be complete on 4/22/24.

DECISION MAKING PROCESS

The Bureau of Development Services will make a decision on this proposal.

After we consider your comments, we will do one of the following:

- Approve the proposal;
- Approve the proposal with conditions; or
- Deny the proposal.

The neighborhood association listed on the first page of this notice may take a position on this application. They may also schedule an open meeting prior to making their recommendation to the Bureau of Development Services. Please contact the person listed as the neighborhood contact to determine the time and date of this meeting.

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 extended at the request of the applicant.

If you are interested in viewing information in this file, please contact the planner listed on the front of this notice. The planner can email you documents from the file. A fee would be required for all requests for paper copies of file documents.

APPEAL PROCESS

If you disagree with the Bureau of Development Services administrative decision, you can appeal the decision to the Landmarks Commission. This review body will hold a public hearing for the appeal. When the decision is mailed, the criteria used to make the decision and information on how to file an appeal will be included. If you do not send any comments, you can still appeal the decision. There is a 14-day deadline to file an appeal beginning on the day the decision is mailed. The reason for the appeal must be specifically defined in order for the

review body to respond to the appeal. If an appeal is filed, you will be notified of the time and location of the appeal hearing.

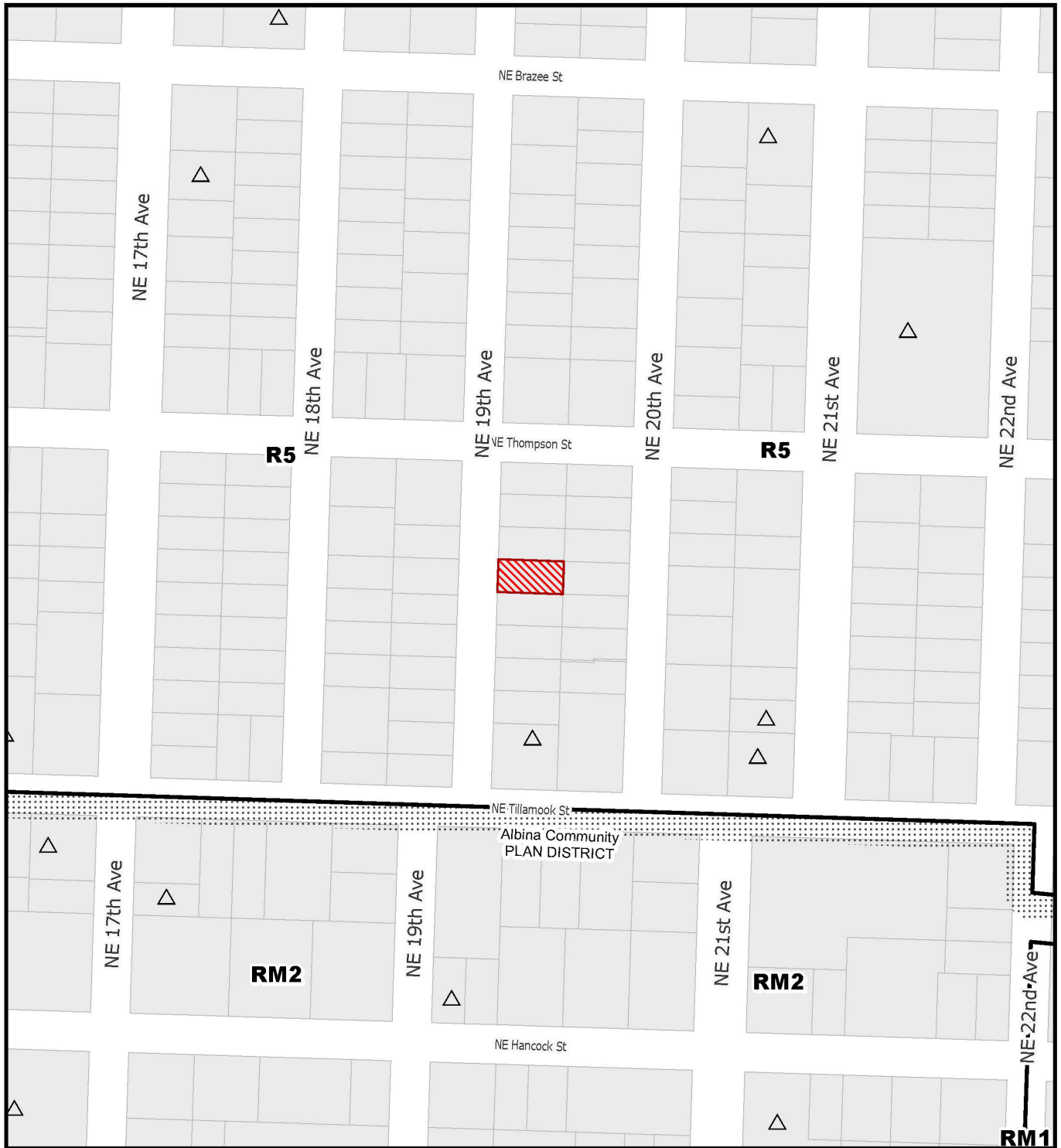
There is a fee charged for appeals. Recognized neighborhood associations may qualify for an appeal fee waiver.

APPEAL OF THE FINAL CITY DECISION

After an appeal hearing, the review body decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) at 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283. The phone number for LUBA is 1-503-373-1265. Issues that may provide the basis for an appeal to LUBA must be raised prior to the comment deadline or prior to the conclusion of the hearing if a local appeal is requested. If you do not raise an issue with enough specificity to give the Bureau of Development Services an opportunity to respond to it, that may also preclude an appeal to LUBA on that issue.

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).


Enclosures: Zoning Map, Site Plan, Building Elevations, Current Photo



For Zoning Code in Effect Post October 1, 2022

ZONING

THIS SITE LIES WITHIN THE:
IRVINGTON HISTORIC DISTRICT

-  Site
-  Plan District
-  Historic Landmark

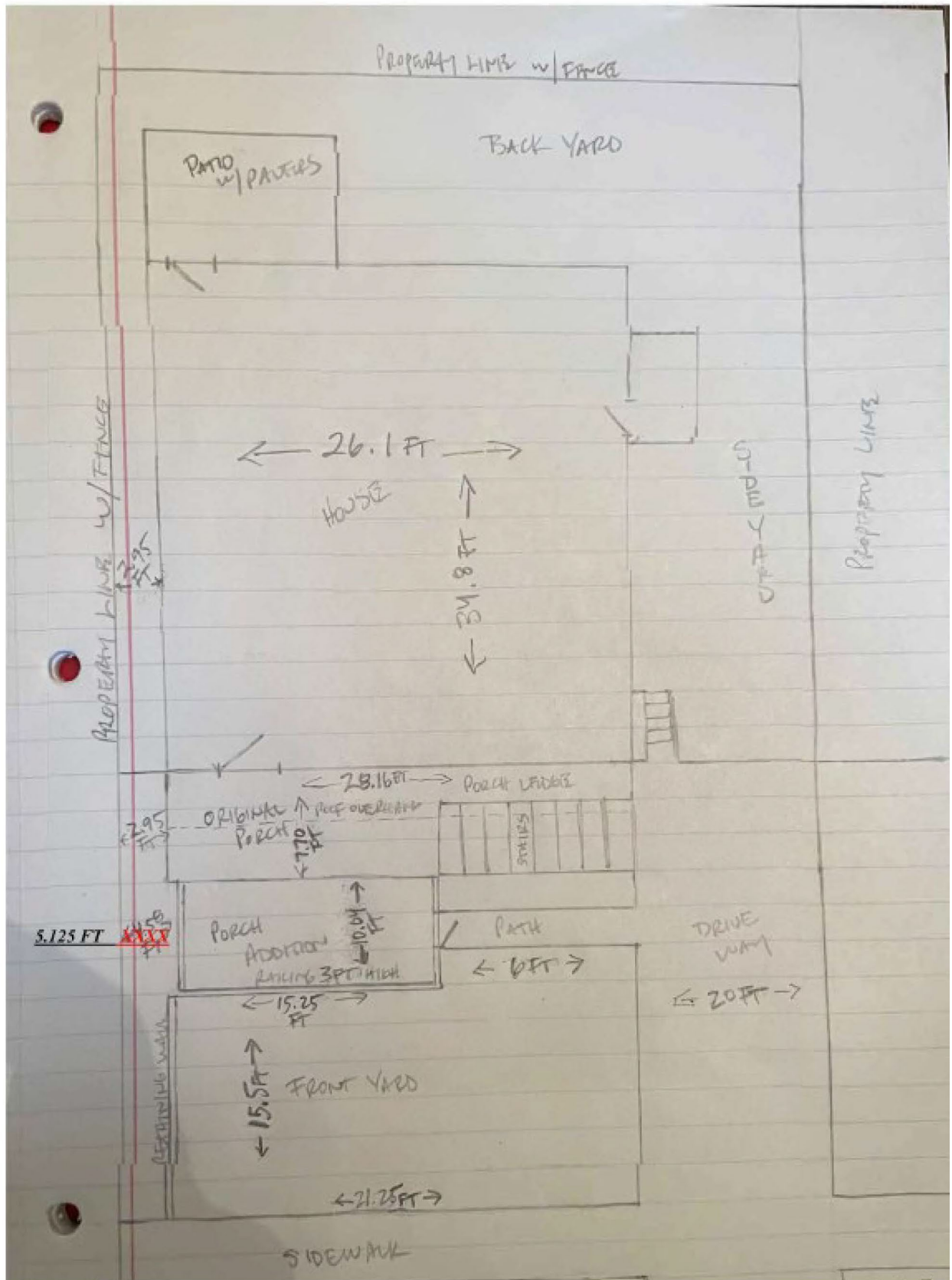
File No. LU 23 - 098235 HR

1/4 Section 2832

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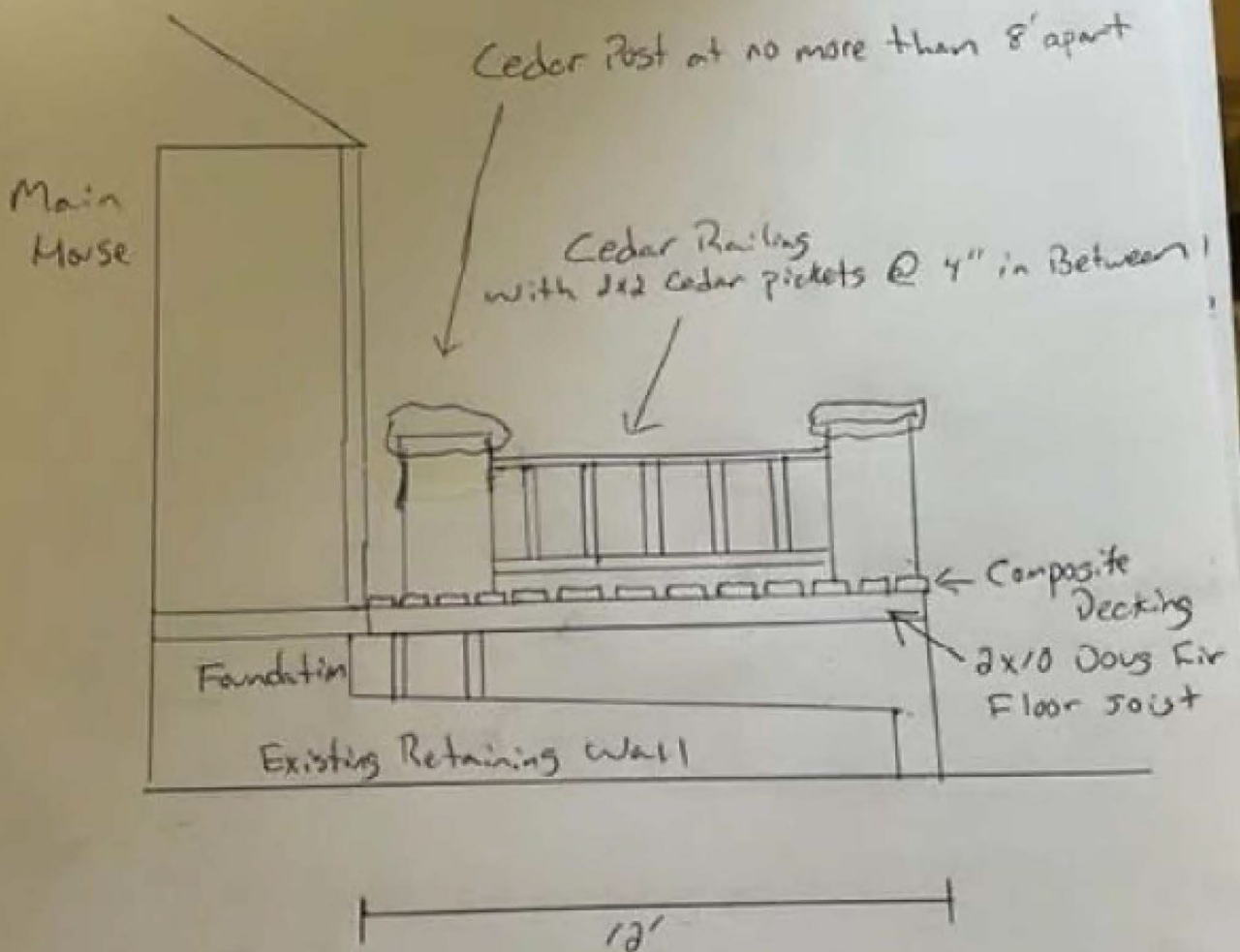
State ID 1N1E26DA 16300

Exhibit B Oct 30, 2023



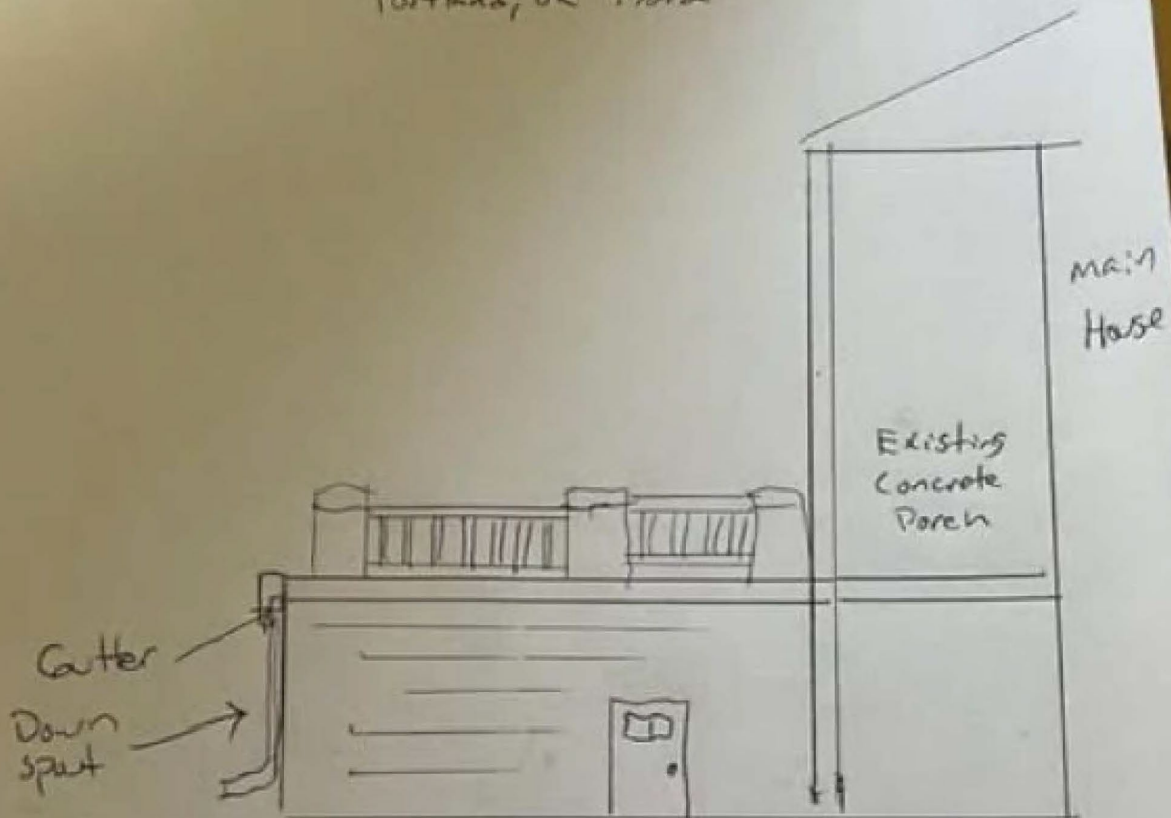
Porch Extension

Marcus Oliver
2214 NE 19th Ave
Portland, OR 97212



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2x4 Wall Construction
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Marcus Oliver
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Portland, OR 97212



$\frac{1}{2}$ " CDX Plywood on top of 2x4 Framing
Composite style Shingle Panels for Siding
36" Exterior Door
Railing height 36" high to top of Rail
Interior walls have $\frac{1}{2}$ " Sheetrock
Ceiling in Sheetrock with Dry Deck System between Joists

LU 23-098235 HR

LU 23-098235 HR
EXHIBIT D.2



2214 NE 19th - Built Condition



PORTLAND BUREAU OF TRANSPORTATION

1900 SW Fourth Ave., Suite 5000 Portland, OR 97201 503-823-5185
Fax 503-823-7576 TTY 503-823-6868 www.portlandoregon.gov/transportation

RESPONSE TO THE BUREAU OF DEVELOPMENT SERVICES LAND USE REVIEW REQUEST

Portland Transportation Development Review Bureau of Transportation Engineering & Development

LU: 23-098235-000-00-LU Date: May 10, 2024
To: Staci Monroe, Bureau of Development Services, B299/R5000
From: Michael Pina, B1720206/800, 503-823-4249, michael.pina@portlandoregon.gov
Applicant: Marcus Oliver
2214 NE 19TH AVE
PORTLAND, OR 97212
Location: 2214 NE 19TH AVE
TYPE OF REQUEST: Type 2 procedure HR - Historic Resource Review

DESCRIPTION OF PROJECT

The applicants request Historic Resource Review for exterior alterations to their non-contributing residence in the Irvington Historic District. The review is in response to a code compliance case (22-144081 CC) for a porch extension with a storage area below into the front yard. The work was done without a building permit or Historic Resource Review. The alterations include extending a portion of the front porch (approximately 12-ft deep x 14-ft wide) with a storage space below and door on the south elevation. The materials and detailing match the house with composite shingle panel siding, decorative wood railing interspersed with 2-in x 2-in cedar pickets spaced at 4-in with posts that appear to range from 4-in x 4-in to 6-in x 6-in. Composite wood decking and a 36-in wide door with a reduced height is also included. Historic Resource Review is required for exterior alterations in Historic Districts that do not meet the exemptions per Section 33.445.200.D. Note, the previous Historic Resource Review application, case file LU 22-171780 HR, expired. This new land use application supersedes the previous one.

RESPONSE

Portland Bureau of Transportation (PBOT) Development Review has reviewed the application for its potential impacts regarding the public Right-of-Way (ROW), traffic impacts and conformance with adopted policies, street designations, Title 33, Title 17, and for potential impacts upon transportation services.

Historic Resource Review Approval Criteria (33.846.060.G)

There are no applicable transportation-related approval criteria associated with the proposed Historic Review. The proposal does not trigger either threshold noted in 17.88.020, nor will have an effect on the public right-of-way or transportation system as a whole. Therefore, PBOT has no objection to this request.

RECOMMENDATION

PBOT has no objection to the proposed Historic Resource Review.

LU 23-098235 HR
EXHIBIT E.1



Urban Forestry

Land Use Review Response

Date: May 16, 2024
From: Dan Gleason
503-823-1691, Daniel.Gleason@portlandoregon.gov

Case File: 23-098235-000-00-LU

Location: 2214 NE 19TH AVE

Proposal: The applicants request Historic Resource Review for exterior alterations to their non-contributing residence in the Irvington Historic District. The review is in response to a code compliance case (22-144081 CC) for a porch extension with a storage area below into the front yard. The work was done without a building permit or Historic Resource Review. The alterations include extending a portion of the front porch (approximately 12' deep x 14' wide) with a storage space below and door on the south elevation. The materials and detailing match the house with composite shingle panel siding, decorative wood railing interspersed with 2"x2" cedar pickets spaced at 4" with posts that appear to range from 4"x4" to 6"x6". Composite wood decking and a 36" wide door with a reduced height is also included.

Historic Resource Review is required for exterior alterations in Historic Districts that do not meet the exemptions per Section 33.445.200.D.

Note, the previous Historic Resource Review application, case file LU 22-171780 HR, expired This new land use application supersedes the previous one.

Urban Forestry has reviewed the proposal for its impact on existing city trees, street trees and heritage trees, street tree planting requirements and related mitigation in accordance with Title 11, Trees and for potential impacts upon urban tree canopy. It is the applicant's responsibility to disclose all aspects of their land use proposal that may impact required street tree plantings and existing street trees during the land use review process.

UNLESS EXPLICITLY STATED HEREIN, THIS REVIEW DOES NOT APPROVE STREET TREE REMOVALS AND DOES NOT PROVIDE ANY EXEMPTIONS TO TITLE 11 REQUIREMENTS.

Permits required after land use approval are subject to all applicable development standards and all provisions of the City Code, including Title 11. Title 11 regulations will be applied during the permit review process.

PLEASE NOTE THERE MAY BE OTHER APPLICABLE TREE REQUIREMENTS AS PER TITLE 33 PLANNING & ZONING.

A. Response Summary

Urban Forestry does not object to approval of the land use proposal. The proposed development will be subject to Title 11 regulations during the permit review process.

B. Recommendations

Urban Forestry has no objection to the proposed project.





City of Portland, Oregon - Bureau of Development Services

1900 SW Fourth Avenue • Portland, Oregon 97201 | 503-823-7300 | www.portland.gov/bds



To: Staci Monroe
From: Geoffrey Harker, Life Safety Plans Examiner
Date: May 3, 2024
RE: 2214 NE 19TH AVE, 23-098235-LU

LIFE SAFETY PLAN REVIEW RESPONSE

The following comments are based on the plans and documents provided to the Life Safety Plan reviewer. They are intended to provide the applicant with preliminary Building Code information that could affect the Land Use Review, Public Records request and/or future Building Permit reviews. The comments may not identify all conflicts between the Land Use proposal and the Building Codes. A complete Life Safety plan review will be provided at the time of Building Permit submittal at which time any additional Building Code issues will be noted. The comments are based on the Oregon Structural Specialty Code (OSSC), the International Existing Building Code (IEBC), the Oregon Mechanical Specialty Code (OMSC), or the Oregon Residential Specialty Code (ORSC).

RESPONSE SUMMARY

- ☒ Life Safety Plan Review does not object to the approval of this proposal. The applicant should be aware that several building code requirements may impact the final design of this building. For information regarding future compliance, see the **GENERAL LIFE SAFETY COMMENTS** below.
- ☐ Life Safety Plan Review does not object to the approval of this proposal. This approval is conditional on the finalization of the property line adjustment approved through this LUR/PR. If this public record is not finalized, a Covenant Not to Sell the Properties Separately must be established for this project. For information regarding future compliance, see the **GENERAL LIFE SAFETY COMMENTS** below.
- ☐ Life Safety Plan Review does not object to the approval of this proposal. Prior to Life Safety approval of the final plat or Land Use proposal, the applicant must address the Building Code issues listed as part of the **GENERAL LIFE SAFETY COMMENTS** below.
- ☐ Life Safety Plan Review cannot support approval of the current Land Use proposal. Prior to Life Safety approval of the final plat, the applicant must address the Building Code issues listed as part of the **GENERAL LIFE SAFETY COMMENTS** below.

Item #	GENERAL LIFE SAFETY COMMENTS
1	Building Permit Under Review or Issued A Building Permit has been applied for and is currently under review or has been issued or, a Life Safety reviewer has been in contact with the applicant. Please refer to correspondence from the assigned Life Safety reviewer for building code-related comments. All questions regarding Building Code issues should be directed to the assigned Life Safety reviewer.

From: [Watkins](#)
To: [Monroe, Staci](#)
Subject: Case File: LU 23-098235 HR - Exterior Alterations
Date: Thursday, May 16, 2024 12:26:40 PM
Attachments: [lu_23_098235_hr_propapr25 - 2214 NE 19th Ave.pdf](#)

Hi Staci

The Irvington Community Association (ICA) Land Use Committee (LUC) strongly opposes the proposed "make legal" application LU 23-098235 HR for 2214 NE 19th Ave. As noted in the proposal part of the Notice, this exterior alteration was built "without a building permit or Historic Resource Review". Further, the applicants did not take advantage of the free LUC review prior to submission, because nothing was submitted. Finally, it is noted that there is no exemption in the Code for this exterior alteration. It was illegal to begin with and is illegal now.

The two most relevant criteria from 33.846.060 G are subsections 8 Architectural Compatibility and 10 Hierarchy of Compatibility, which are foot noted in full below. In reviewing compliance with the two criteria, non-contributing resources are irrelevant. Both criteria refer only to landmark and contributing resources. Thus, the two resources adjoining the applicants' property are both non-contributing, and therefore not relevant to this discussion.

First some context.

The original intent of Elizabeth Irving when she had the neighborhood platted and put the restrictive covenants on it was that houses had to be set back 25' from the front lot line -- a number set out specifically in the restrictions. The intent of this was to encourage the homeowners to create beautiful gardens. Many other residential developments followed with similar rules all over the city, including Rose City Park to the east of 39th Avenue where the developers required 25' setbacks and sponsored contests for the most beautiful front gardens in their neighborhood in 1910.

The unity of setbacks resulting from Mrs. Irving's mandate is absolutely one of the defining characteristics of the neighborhood and the Irvington Historic District. If anything is to be built closer to the street than the 25', there must be a compelling reason why it is compatible with the overall architectural features of the neighborhood context.

BDS has repeatedly refused to allow protruding garages out at the sidewalk under the compatibility rules where the predominant pattern adheres to the 25' rule. And the key is what is the pattern of contributing resources. There is no requirement for new construction to be compatible with non-contributing resources, regardless of their proximity, but they must be compatible with nearby contributing structures and with the District as a whole.

Second, another key aspect of this review is that it is not a porch expansion. It is an addition to the house with a porch built above it. There is a room with a roof below the deck. Calling it a "porch" is misleading.

Third, the proposal does not meet the relevant criterion.

As noted above, the original neighborhood platting and restrictive covenants dictated that houses had to be set back 25' from the front lot line. In this case, when compared with the contributing resources across the street, the structure at 2214 NE 19th encroaches on the 25 ft setback and is incompatible with these contributing structures.

BDS has repeatedly refused to allow protruding garages and similar structures out at the sidewalk under the compatibility rules where the predominant pattern adheres to the 25' rule. There are no requirements for new construction to be compatible with non-contributing resources, regardless of their proximity, but they must be compatible with nearby contributing structures and with the District as a whole. Although there are a number of garage structures on the block which come right up to the sidewalk, they were not original to the structures, and are not relevant to this discussion.

In summary, the proposed alteration encroaches on the typical 25' setback, is not compatible with contributing houses in the immediate area or in the District as a whole, does not comply with relevant criteria, and therefore this Type II proposal must be denied, and the subject exterior alteration removed.

Regards

ICA LUC

Relevant Criteria Subsections 8 & 10 from City Code 33.846.060 G:

8. Architectural compatibility. New additions, exterior alterations, or new construction will be compatible with the massing, size, scale, and architectural features of the landmark or contributing resource and, if in a district, the district as a whole. When retrofitting to improve accessibility for persons with disabilities or accommodate seismic improvements, design solutions will not compromise the architectural integrity of the landmark or contributing resource;

10. Hierarchy of compatibility. New additions, exterior alterations, or new construction will be designed to be compatible primarily with the landmark or contributing resource and, if located within a district, secondarily with contributing resources located within 200 feet and, finally, with the rest of the district. Where practical, compatibility in districts will be pursued on all three levels.



City of Portland, Oregon - Bureau of Development Services

1900 SW Fourth Avenue • Portland, Oregon 97201 | 503-823-7300 | www.portland.gov/bds



Land Use Review Application

File Number: LU 23-098235 HR

FOR INTAKE, STAFF USE ONLY

Date Rec 10/27/23 by EW

☐ Type I ☐ Type Ix ☒ Type II ☐ Type IIx ☐ Type III ☐ Type IV ☐ ELD

LU Reviews HR

[Y] ☒ Unincorporated MC

[Y] [N] Flood Hazard Area (LD & PD only)

[Y] [N] Potential Landslide Hazard Area (LD & PD only)

[Y] ☒ 100-year Flood Plain [Y] ☒ DOGAMI

Qtr Sec Map(s) 2832 Zoning R5

Plan District None

Historic and/or Design District Irvington

Neighborhood Irvington

District Coalition NECN

Business Assoc Soul District

Related File # HS 22-127647, LU 22-171780

APPLICANT: Complete all sections below that apply to the proposal. Please print legibly.
Email this application and supporting documents to: LandUseIntake@portlandoregon.gov

Development Site

Address or Location 2214 NE 19th AVE

Cross Street NE THOMPSON, NE TILWAMOOK Sq. ft./Acreage 2,304

Site tax account number(s)

R R188090

R

R

R

R

R

Describe project (attach additional page if necessary)

Describe proposed stormwater disposal methods

Identify requested land use reviews

Tier E

- **Design & Historic Reviews** - For new development, provide project valuation.

For renovation, provide exterior alteration value.

AND provide total project valuation.

\$ 12,000

\$

\$ 12,000

- **Land Divisions** - Identify number of lots (include lots for existing development).

New street (public or private)?

☐ yes ☒ no

- **Affordable Housing** - For buildings containing five or more dwelling units, will 50% or more of the units be affordable to households with incomes equal to or less than 60% of the median family income for the county or state, whichever is greater?

☐ yes ☒ no ☐ N/A

continued / over

1

Applicant Information

- Identify the primary contact person, applicant, property owner and contract purchaser. Include any person that has an interest in your property or anyone you want to be notified. Information provided, including telephone numbers and e-mail addresses, will be included in public notices.
- For all reviews, the applicant must sign the Responsibility Statement.
- For land divisions, all property owners must sign the application.

PRIMARY CONTACT:

Typed Full Name MARCO OLIVER ☒ I acknowledge this typed name as my signature
Company/Organization _____
Mailing Address 2214 NE 19th AVE
City PORTLAND State OR Zip Code 97212
Day Phone 503-449-6265 FAX _____ email _____

Check all that apply ☐ Applicant ☐ Owner ☐ Other

Typed Full Name _____ ☐ I acknowledge this typed name as my signature
Company/Organization _____
Mailing Address _____
City _____ State _____ Zip Code _____
Day Phone _____ FAX _____ email _____

Check all that apply ☒ Applicant ☐ Owner ☐ Other

Typed Full Name _____ ☐ I acknowledge this typed name as my signature
Company/Organization _____
Mailing Address _____
City _____ State _____ Zip Code _____
Day Phone _____ FAX _____ email _____

Check all that apply ☐ Applicant ☐ Owner ☐ Other

Typed Full Name _____ ☐ I acknowledge this typed name as my signature
Company/Organization _____
Mailing Address _____
City _____ State _____ Zip Code _____
Day Phone _____ FAX _____ email _____

Check all that apply ☐ Applicant ☐ Owner ☐ Other

Responsibility Statement As the applicant submitting this application for a land use review, I am responsible for the accuracy of the information submitted. The information being submitted includes a description of the site conditions. I am also responsible for gaining the permission of the owner(s) of the property listed above in order to apply for this review and for reviewing the responsibility statement with them. If the proposal is approved, the decision and any conditions of the approval must be recorded in the County Deed Records for the property. The City of Portland is not liable if any of these actions are taken without the consent of the owner(s) of the property. In order to process this review, City staff may visit the site, photograph the property, or otherwise document the site as part of the review. I understand that the completeness of this application is determined by the Director. By my signature, I indicate my understanding and agreement to the Responsibility Statement.

Name of person submitting this application agrees to the above Responsibility Statement and acknowledges typed name as signature:

MARCO OLIVER Date: 10/27/23
Phone number: 503-449-6265 Email this application and supporting documents to LandUseIntake@portlandoregon.gov Submittal of locked or password protected documents will delay intake of your application. 2



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

Carmen Rubio, Commissioner
Rebecca Esau, Director
Phone: (503) 823-7310
TTY: (503) 823-6868
www.portland.gov/bds

11/9/23

Marcus Oliver
2214 NE 19th Ave
Portland, OR 97212
mvo73cook@gmail.com

Re: Land Use Review LU 23-098235 HR – Exterior Alterations

Dear Marcus Oliver:

The Bureau of Development Services received your application for a Historic Resource Review located at 2214 NE 19TH AVE on October 27, 2023. *This application is a replacement of the previous application (LU 22-171780 HR) which was withdrawn.* Your case has been assigned to me, Staci Monroe. In order to continue to review your application, additional information is needed. Once you submit this information, your application will be considered complete, and I will proceed with a full review of your proposal. Up to this point, your application has been reviewed only to determine if all required information has been submitted. The application has not been fully reviewed to determine if it meets the relevant approval criteria, however some issues you may want to consider are identified in Section II below.

I. Information Necessary to Complete Application

The following information must be submitted before your proposal can be evaluated:

1. Potential Alterations - This Historic Resource Review is in relation to Code Compliance case 22-144081 CC. A building permit is also required to correct the violation. Once the building permit is submitted and potential changes to the built addition are identified the Historic Resource Review application can be updated and review can begin.

II. Time to Complete Application

The Portland Zoning Code allows you up to 180 days to complete your application. Since the 180-day period began on the day we received the application, the deadline to make your application complete is **Wednesday April 24, 2024.**

III. Determination of a Complete Application

The application will be determined complete when you have submitted:

1. All of the requested information included in Section I, above. If you cannot provide all of the requested information at one time and intend to submit additional information, please include a written statement with each separate submittal indicating that you still intend to provide the additional missing information by the **Wednesday April 24, 2024** deadline, **or**
2. Some of the requested information included in Section I, above, and a written statement that no additional information will be provided; **or**
3. A written statement that none of the requested information included in Section I, above, will be provided.

Please be aware that not submitting the requested information may result in your application being denied. The information is needed to demonstrate the approval criteria are met. Once the application is deemed complete, review of your application can proceed using the information you have provided.

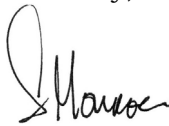
Your application will be approved if it meets the relevant land use review approval criteria. It is your responsibility to document how the approval criteria are met. The items listed above will help provide that documentation.

Voiding of Application

If your application is not complete by **Wednesday April 24, 2024**, it will be voided, and the application fee will not be refunded. The City's land use review procedures are outlined in Chapter 33.730 of the Portland Zoning Code.

Please contact me if you have any questions about this letter. My telephone number is **503-865-6516**, and my e-mail address is staci.monroe@portlandoregon.gov. Requested information noted above should be emailed to me. Please e-mail me for file dropbox instructions if document or drawing file sizes are greater than 5MB. Please label all correspondence and materials you submit with the case number LU 23-098235 HR.

Sincerely,

A handwritten signature in black ink, appearing to read 'Staci Monroe', with a stylized, cursive script.

Staci Monroe, Planner
Land Use Services Division

cc: Application Case File

From: [Monroe, Staci](#)
To: [Marcus Oliver](#)
Subject: Historic Resource Review LU 23-098235 HR
Date: Wednesday, April 3, 2024 12:34:00 PM
Attachments: [23-098235 HR inc ltr.doc](#)

Marcus - We received your application for a Historic Resource Review located at 2214 NE 19th Avenue on 10/27/23.

- It was determined to be incomplete, and a letter was sent to you describing the required information on 11/9/23 (see attached).
- There has been no activity on the application since that time.
- The Portland Zoning Code allows you up to 180 days to complete your application. Since the 180-day period began on the day we received the application, the deadline to make your application complete is **4/24/24**.
- If your application is still incomplete by **4/24/24**, it will be voided, and the application fee will not be refunded.
- If you withdraw this application before **4/24/24**, you will receive a 75% refund on the fees you have paid. Please email me with a request to withdraw before this date.
- If you wish to “complete” the application, submit the requested materials in the attached letter before this date.
- The City’s land use review procedures are outlined in [Chapter 33.730 of Portland Zoning Code](#).

Please contact me if you have any questions about this letter. My contact information is below.

Staci Monroe (she/her)

Senior Planner

Land Use Services Division, Design and Historic Resource Review Team

City of Portland – Bureau of Development Services

1900 SW Fourth Ave., Suite 5000

Portland, OR 97201

503-865-6516 (Cell)

staci.monroe@portlandoregon.gov

<https://www.portland.gov/bds>

Work Hours: Monday-Friday, 9-4:30

Have questions about your permit? Book a [15-minute appointment here!](#)

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823-4000), for Relay Service & TTY: 711.

Traducción e Interpretación | Biên Dịch và Thông Dịch | अनुवादन तथा व्याख्या

口笔译服务 | Устный и письменный перевод | Turjumaad iyo Fasiraad

Письмовий і усний переклад | Traducere și interpretariat | Chiaku me Awewen Kapas

Translation and Interpretation: 503-823-4000