



## City of Portland, Oregon - Portland Permitting & Development

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# Type II Land Use Appeal

## MEMORANDUM

**Date:** 3/14/25  
**To:** Historic Landmarks Commission  
**From:** Staci Monroe, Design & Historic Review Team  
503-865-6516 | [staci.monroe@portlandoregon.gov](mailto:staci.monroe@portlandoregon.gov)  
**Re:** LU 23-098235 HR – Addition to 2214 NE 19<sup>th</sup>  
Type II Historic Resource Review Appeal – 3/24/25

This memo is regarding the upcoming appeal hearing on 3/24/25 for an **addition to 2214 NE 19<sup>th</sup>**. The following supporting documents are available as follows:

- Drawings – [accessed here](#)
- Staff Decision – [accessed here](#)

I. **PROPOSAL** - The applicant constructed a deck and storage addition approximately 12' wide x 14' deep to the front porch of the house at 2214 NE 19<sup>th</sup> in the Irvington Historic District. This review was in response to a code compliance case (22-144081 CC) that confirmed the addition occurred without the benefit of a building permit or Historic Resource Review. 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.

### II. APPLICANT INFORMATION

<b>Applicant &amp; Owner</b>	Marcus & Katie Oliver
<b>Project Valuation</b>	\$ 12,000

III. **HISTORIC RESOURCE REVIEW APPROVAL CRITERIA** - Section 33.846.060.G (see attached)

### IV. PROCEDURAL HISTORY

- 7/7/22 - applicant received a code compliance letter from BDS (now PP&D) notifying the exterior alterations require a building permit and a Historic Resource Review.
- 8/9/22 – applicant submitted a Historic Resource Review (LU 22-171780 HR) for the addition. The 365-day review window was close to expiring so the application was withdrawn with the intent of resubmitting a new application.
- 10/27/23 – applicant submitted a new Historic Resource Review (LU 23-098235 HR). Staff issued a decision for denial on 5/28/24.
- 6/9/24 – applicant submitted an appeal of Staff's decision for denial.

- 8/12/24 – date of original appeal hearing but postponed so applicant could have time to work on building permit to understand if any exterior alterations would be required before the appeal hearing occurred.

City Staff and the applicant have been working together over the past several years to resolve the code compliance case. The applicant desires to retain the addition and get it legalized via a Historic Resource Review approval and building permit approval and inspection. The building permit remains under review. Discussions with the Life Safety plan reviewer has confirmed that exterior changes to the addition to meet the building code are unlikely and could be addressed on the interior of the structure. So, the structure that exists would look the same once permitted.

The Historic Resource Review denial was based on not meeting approval criteria 7, 8 and 10 of Section 33.846.060.G (Other Approval Criteria) noting:

- 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.
- 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.

Over the years Historic Review in Portland has become much more flexible and placing the highest priority on the front as this is where the resource and district are most impacted. If this were not an already built addition, Staff would have encouraged the addition to be on the rear of the house. And if a front addition was appropriate, it would be approvable if located off to the side and not impeding the front door and the house's primary relationship to the street.

## V. NEXT STEPS

- **Grant the Appeal and Reject the Staff Decision** – Approve the deck and storage addition approximately 12' wide x 14' deep to the front porch of the house (Requires a return hearing)
- **Deny the Appeal and Adopt the Staff Decision** – Maintain the staff approval to deny the deck and storage addition, which requires the addition to be removed (Does not require a return hearing)
- **Modify the Staff Decision**– Maintain or reject the staff decision of approval with revisions to the decision, per Historic Landmarks Commission direction. (Requires a return hearing)

*Attached: Section 33.846.060.G – Other Approval Criteria*

### **33.846.060 G - Other Historic Approval Criteria**

- 1. Historic character.** The historic character of the landmark or contributing resource will be retained and preserved. Removal of historic materials or alteration of features and spaces that contribute to the historic significance of the landmark or contributing resource will be avoided.
- 2. Record of its time.** The landmark or contributing resource will remain a physical record of its time, place, and use. Changes that create a false sense of historic development, such as adding conjectural features or architectural elements from other buildings will be avoided.
- 3. Historic changes.** Most resources change over time. Those changes that have acquired historic significance will be preserved.
- 4. Historic features.** Generally, deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement, the new feature will match the historic feature in design, color, texture, and other visual qualities and, where practical, in materials. Replacement of missing features must be substantiated by documentary, physical, or pictorial evidence.
- 5. Historic materials.** Historic materials will be protected. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials will not be used.
- 6. 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.
- 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.
- 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.
- 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.