



# **Staff Presentation to the Adjustment Committee**

**Appeal of LU 15-133082 AD  
Type II Adjustment Review  
653 SE Andover Place**

**Bureau of Development Services  
City of Portland**



An aerial photograph of a city with a river winding through it. The city grid is visible, and the river is a prominent feature. The text is overlaid on the left side of the image.

# Presentation

1. Summary of Proposal
2. Zoning and Neighborhood Context
3. Neighborhood Comment
4. Adjustment Approval Criteria
5. Staff Decision
6. Appeal Summary
7. Adjustment Committee Options



# 1. Summary of the Proposal



Renovation and expansion of the existing house and garage  
653 SE Andover Place



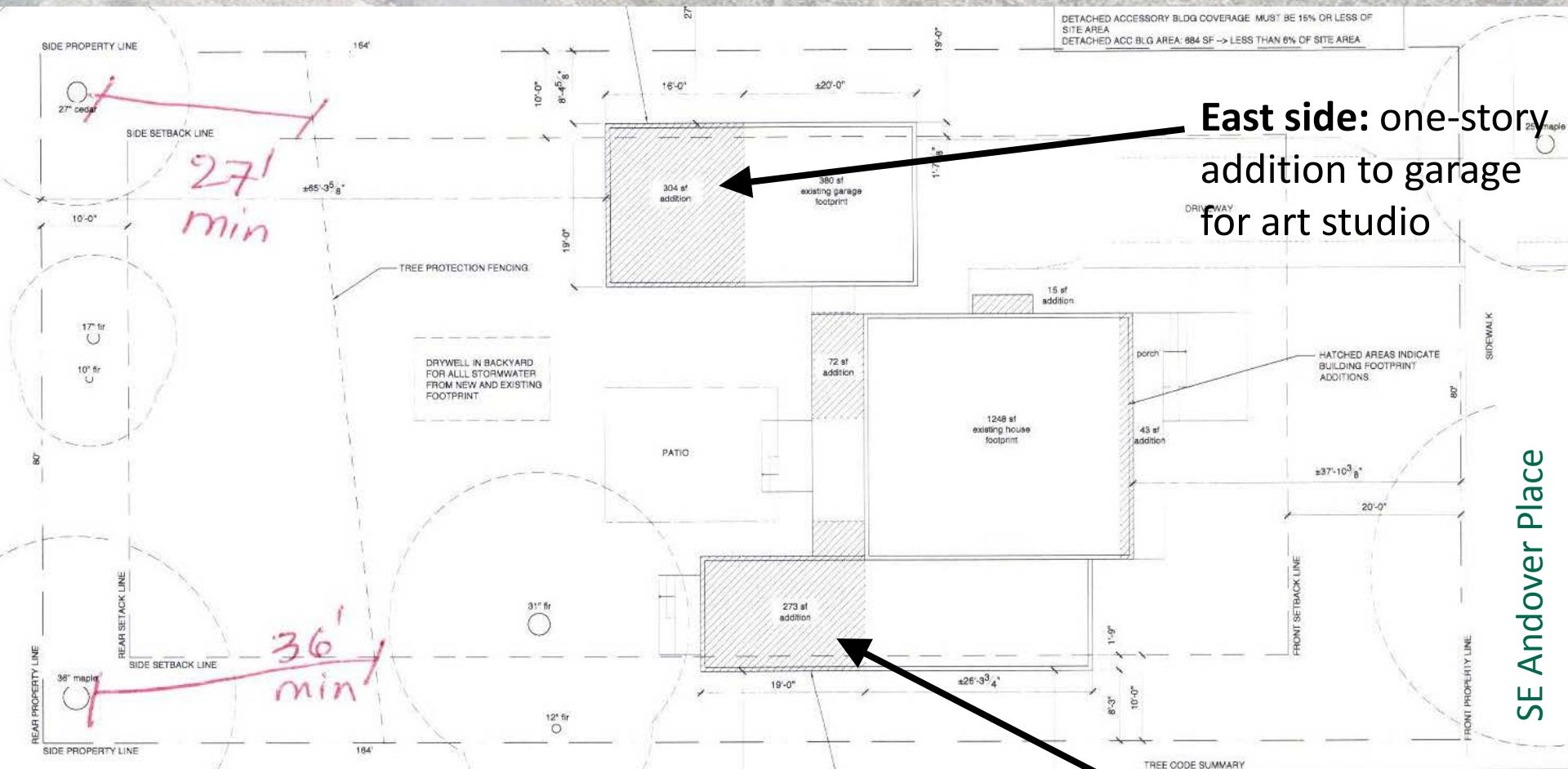


Renovation and expansion of the existing house and garage:

- new second story,
- new main level bedroom addition (west side)
- new art studio attached to the rear garage wall (east side),
- replace hipped roof with flat roof
- new basement living area.



# SITE PLAN



**East side: one-story addition to garage for art studio**

**West side: one-story addition for master bedroom expansion**

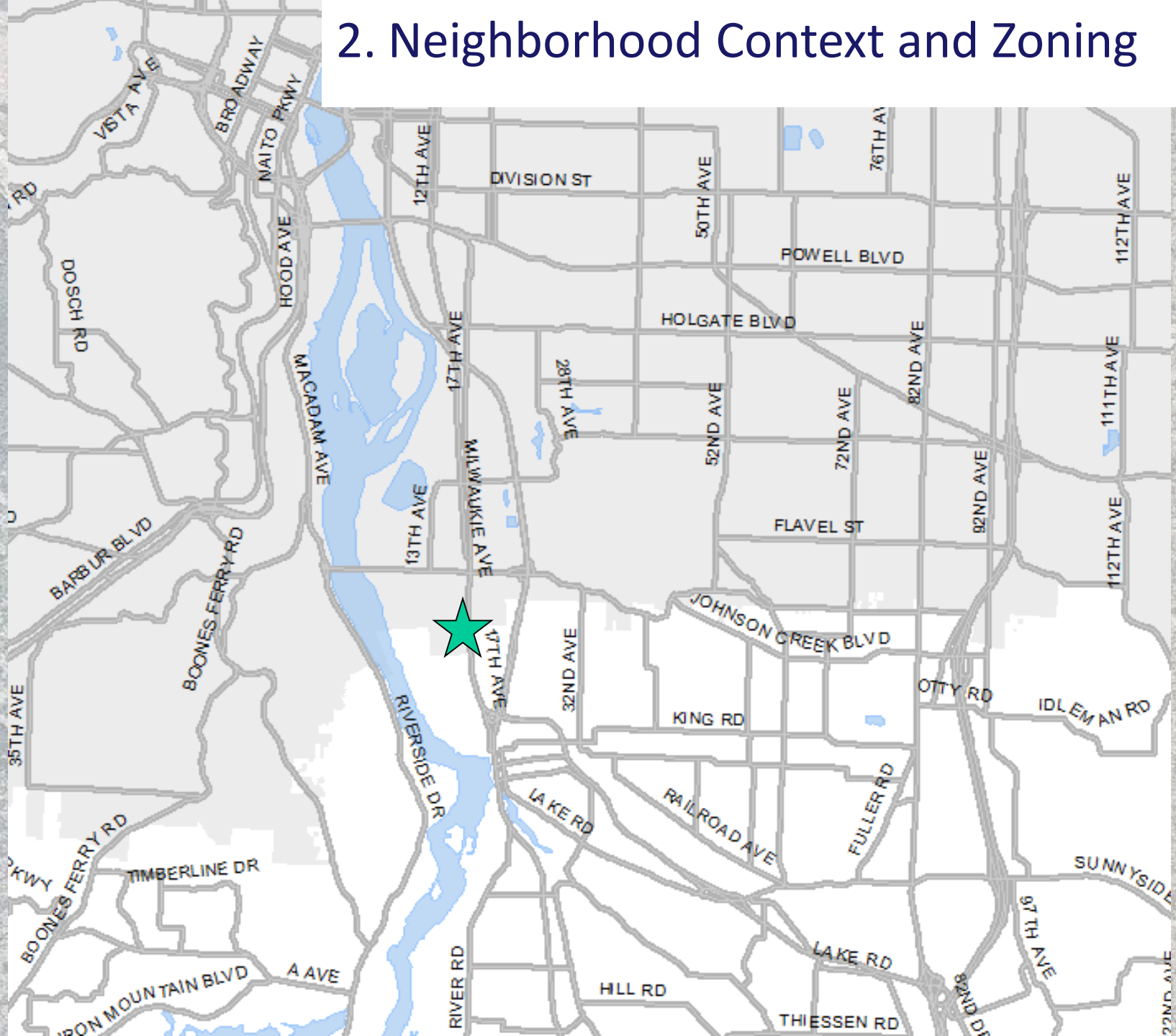
## ADJUSTMENT REQUEST

**Reduce both side setbacks from 10 feet to 8 feet.**



SE Andover Place

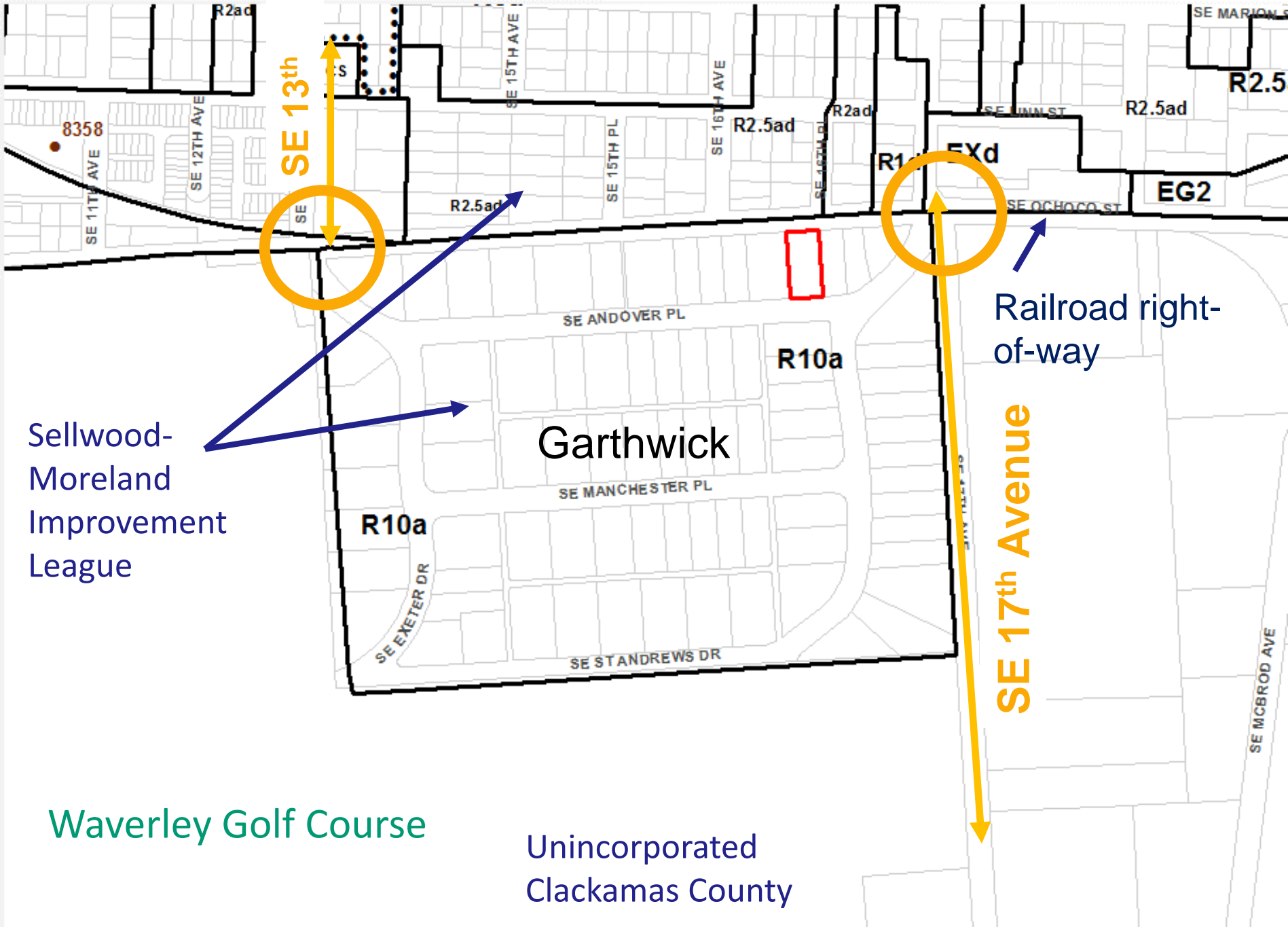
## 2. Neighborhood Context and Zoning







- ZONING R10
- Lot size  
13,121 square feet



Sellwood-Moreland Improvement League

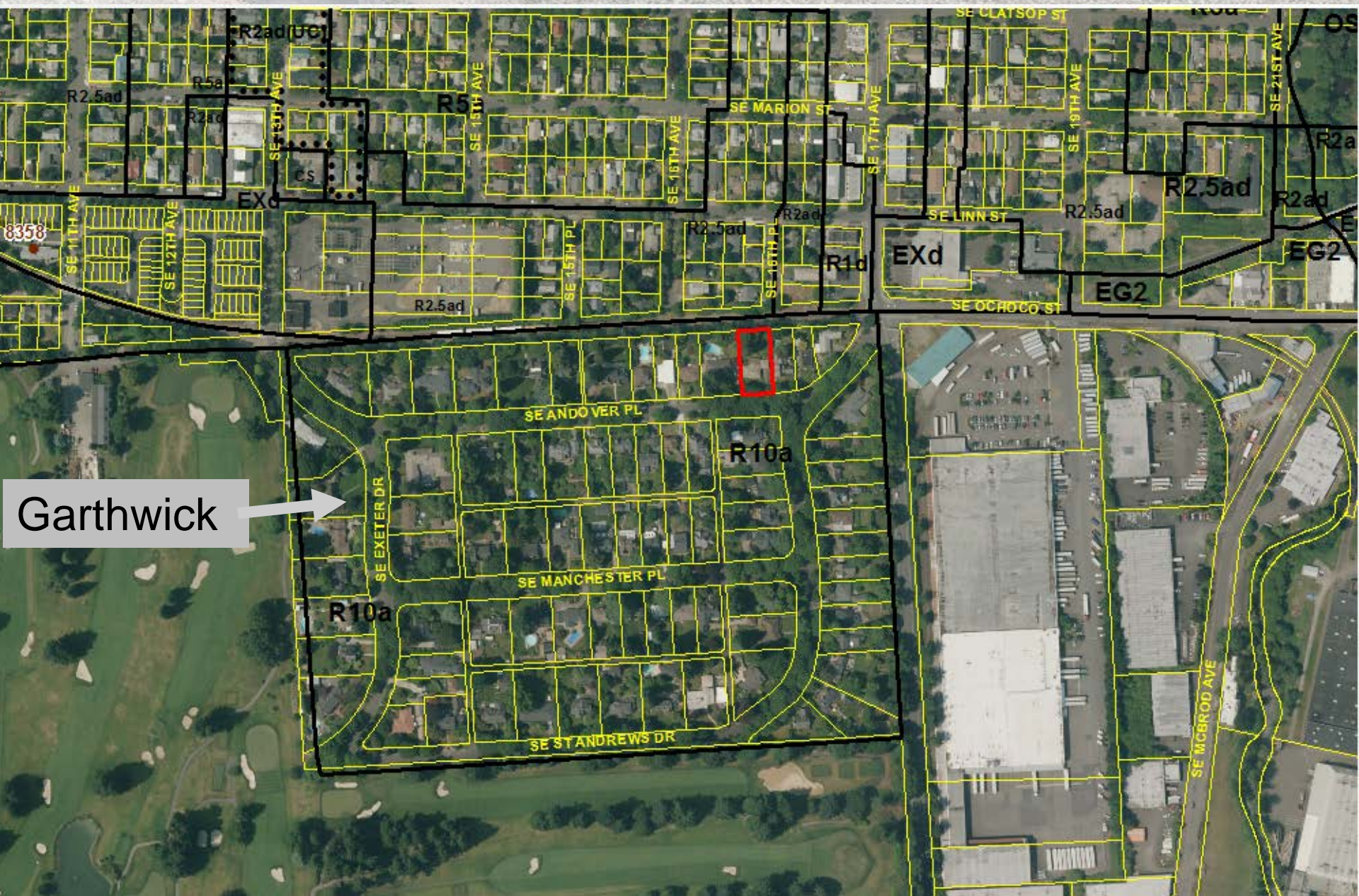
Waverley Golf Course

Unincorporated Clackamas County

Railroad right-of-way

SE 17th Avenue















STATE OF OREGON,  
COUNTY OF CLATSOP.

COUNTY OF CLACKAMAS ) ss.  
I, P. D. Delaney, Recorder of the above named County and State, do hereby  
certify that the foregoing copy of Warrant has been by me compared  
with the original, and that it is a correct transcript therefrom, and the whole of each original  
as the same appears of record in my office and in my custody, and  
In Testimony Whereof, I have hereunto set my hand and the seal of said County at  
Clackamas, Oregon, this 28th day of February, 1914.

Density.

[illegible]

Density.

SITUATED IN  
SECTION 26 T.1S.R.1E., W.M.  
CLACKAMAS COUNTY, OREGON

Scale -- 1 inch = 100 feet      Surveyed July 1914      R. S. Greenleaf, Eng.



#887 COUNTY ROAD (PORTLAND TO MILWAUKIE) #887

BK 14-22

Page 351

~~394~~

# AMENDED PLAT of GARTHWICK.

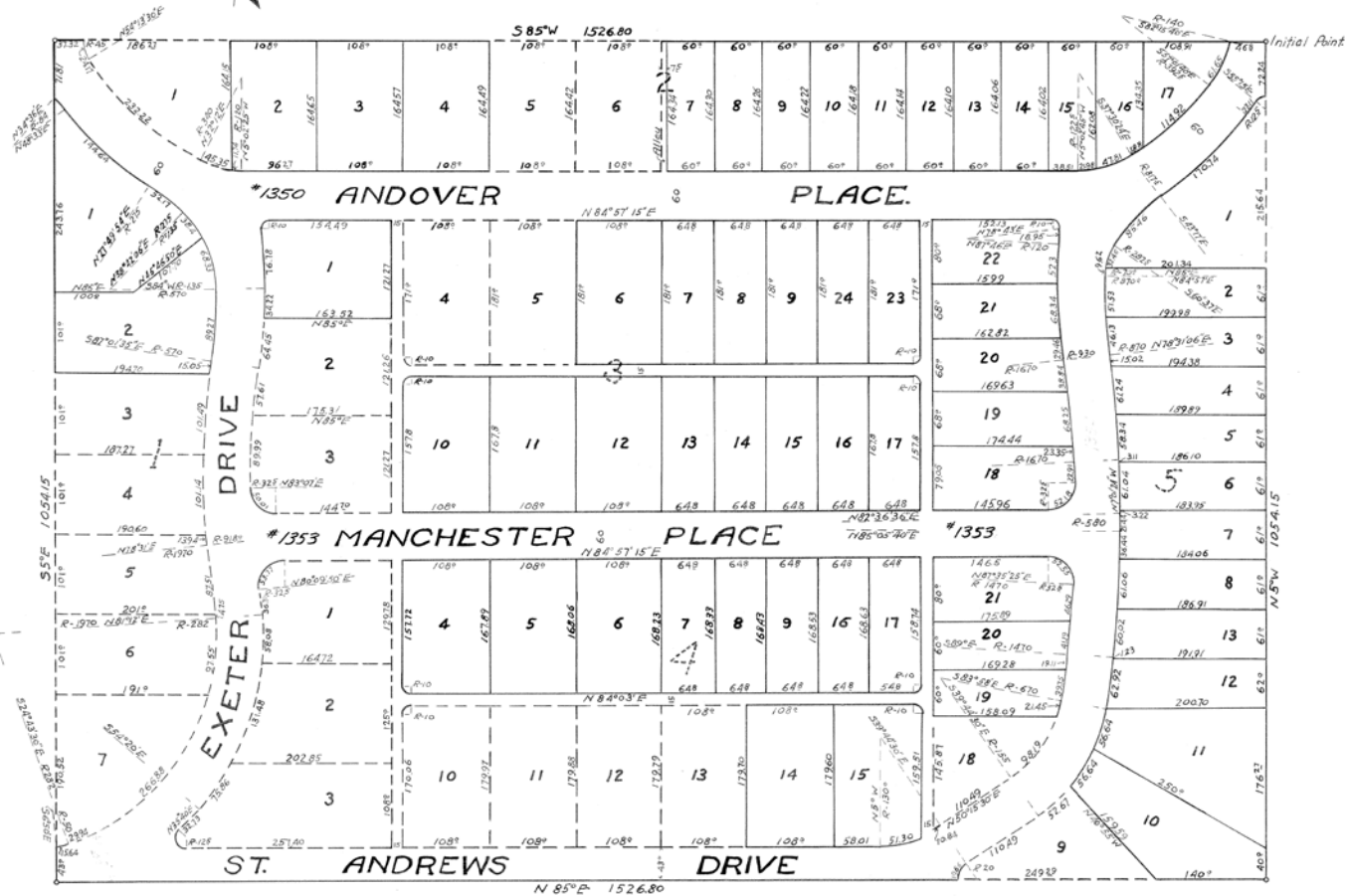
Situated in Sec. 26 Twp. 15. R. 1 E. Wil. Mer.

CLACKAMAS COUNTY.

Scale 1 in. = 100 ft.

OREGON.

U. Ernest Nelson  
Civil Engineer.











SE ANDOVER PL

SE MANCHESTER PL

SE ST ANDREWS DR

SE EXETER DR

SE 17TH AVE



















### **3. Neighborhood Comment**

#### **Neighborhood Review**

- 1 Desire to maintain the historic character of Garthwick
- 2 Contemporary architectural design does not fit with historic character of existing homes
- 3 Loss of privacy within homes and in backyards
- 4 Loss of light and views

#### **Staff Response**

- Garthwick is not designated as a historic resource; compatibility with existing architectural style is not a requirement of the R10 zone and is not part of the approval criteria.
- Issues 3 & 4 are relevant to the approval criteria A and B



## 4. Adjustment Approval Criteria

Zoning Code Section 33.805.040. A through F

### RELEVANT APPROVAL CRITERIA

**A, B, C and E**

### APPROVAL CRITERIA THAT DO NOT APPLY TO THE PROPOSAL

- D. City-designated scenic resources and historic resources are preserved;
- F. If in an environmental zone, the proposal has as few significant detrimental environmental impacts on the resource and resource values as is practicable;



## 4. Adjustment Approval Criteria

Zoning Code Section 33.805.040. A through F

**A Granting the Adjustment will equally or better meet the purpose of the regulation to be modified.**

### Setbacks

- maintain light, air, separation for fire protection, and access for fire fighting;
- reflect the general building scale and placement of houses in the city's neighborhoods;
- promote a reasonable physical relationship between residences;
- promote options for privacy for neighboring properties;
- require larger front setbacks than side and rear setbacks to promote open, visually pleasing front yards;
- provide adequate flexibility to site a building so that it may be compatible with the neighborhood, fit the topography of the site, allow for required outdoor areas, and allow for architectural diversity; and
- They provide room for a car to park in front of a garage door without overhanging the street or sidewalk, and they enhance driver visibility when backing onto the street.



An aerial photograph of a river flowing through a city. The river is dark and winding, with urban buildings and green spaces visible on either bank. The image is slightly faded to serve as a background for the text.

**A Granting the Adjustment will equally or better meet the purpose of the regulation to be modified.**

## SETBACK PURPOSE

- maintain light, air, separation for fire protection, and access for fire fighting
- promote options for privacy for neighboring properties



west neighbor

east neighbor

647

653

659

181

30 feet

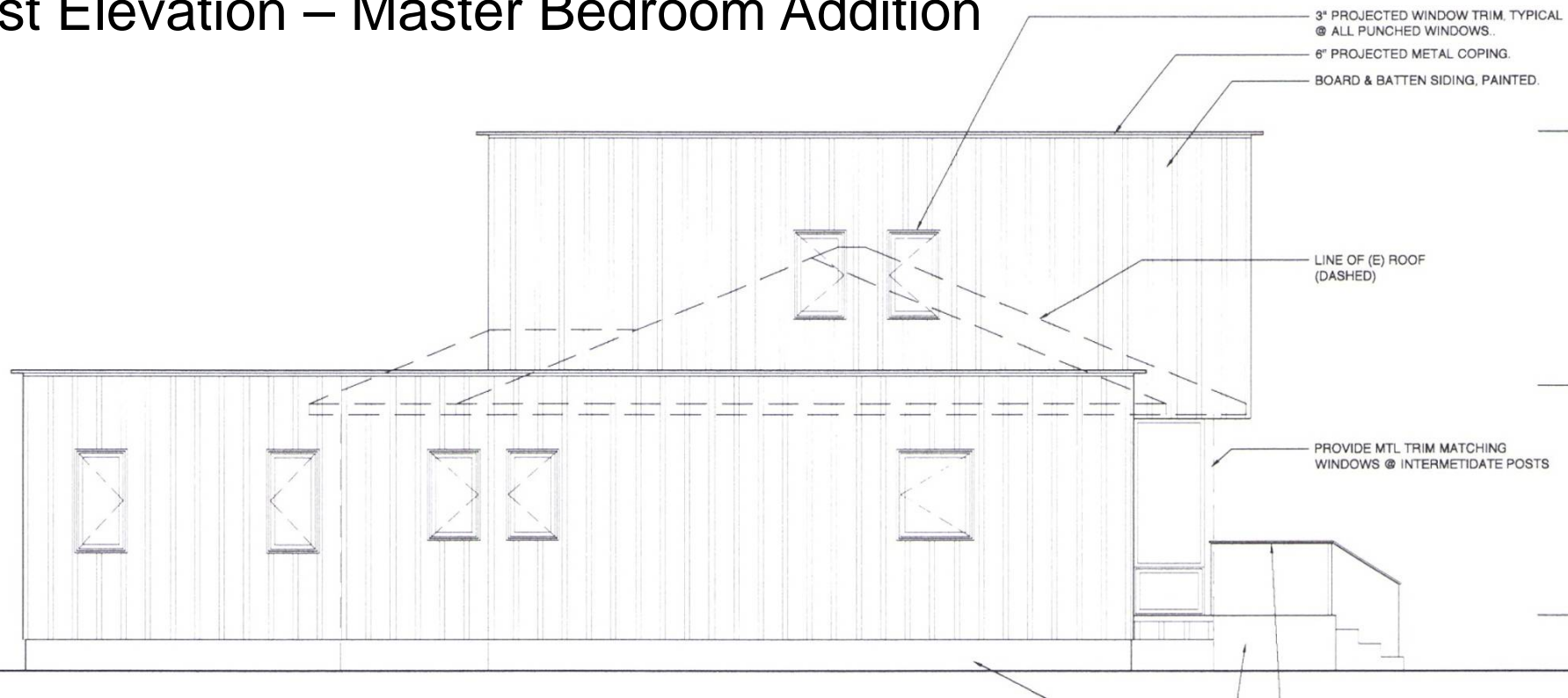
Site

19 feet





# West Elevation – Master Bedroom Addition

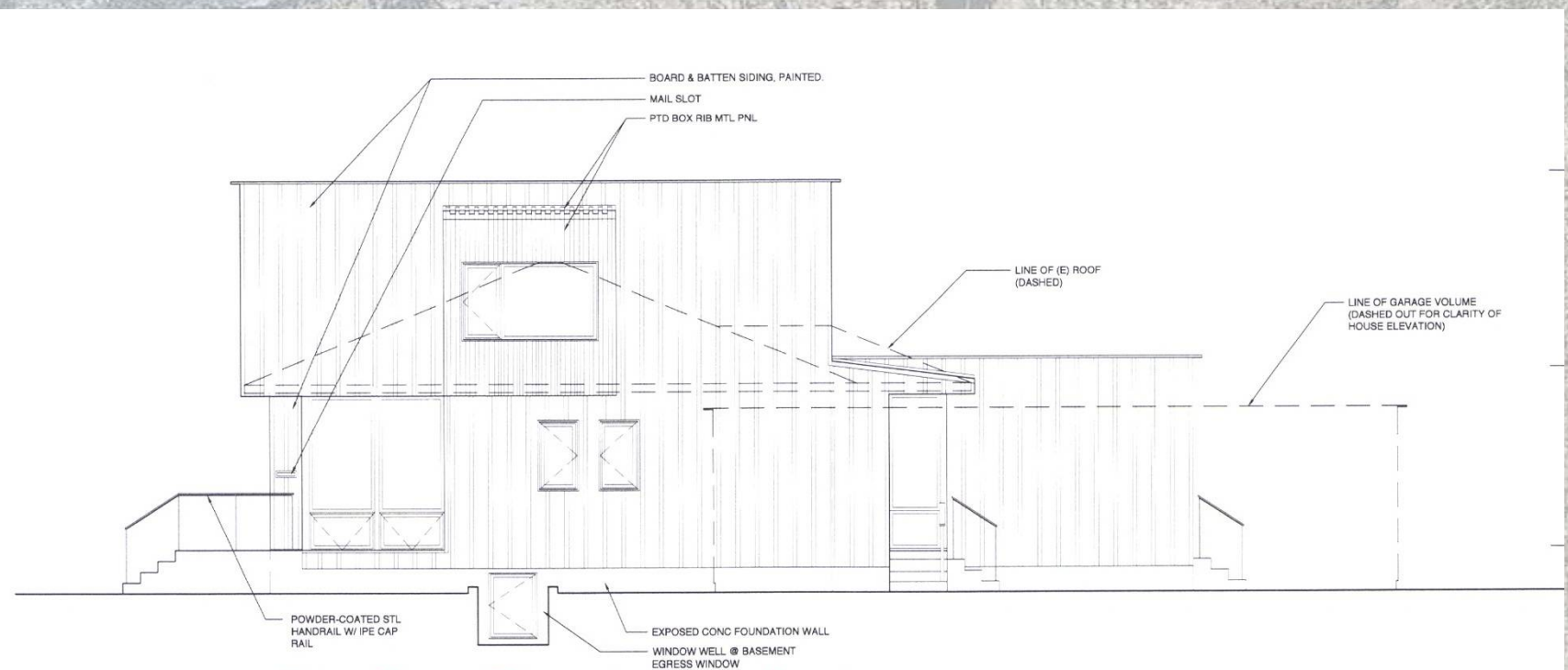
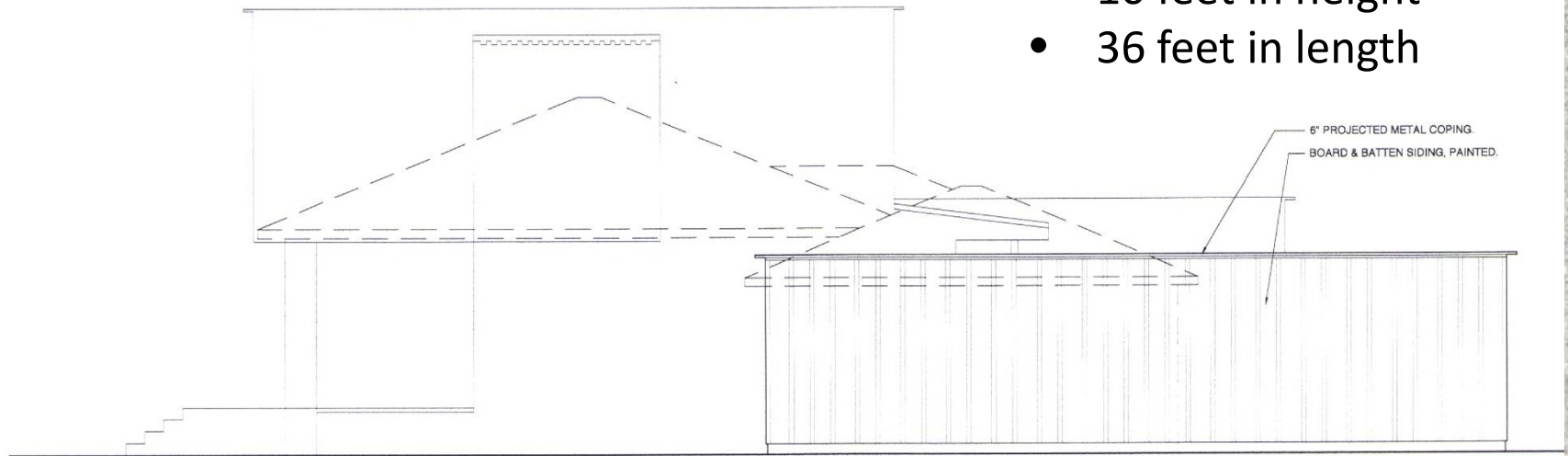


- Dashed lines show extent of existing house within west side setback
- New proposal has flat roof, walls are 12 ½ feet in height, overall wall length is 45 feet
- New additions within side setback areas are low in height

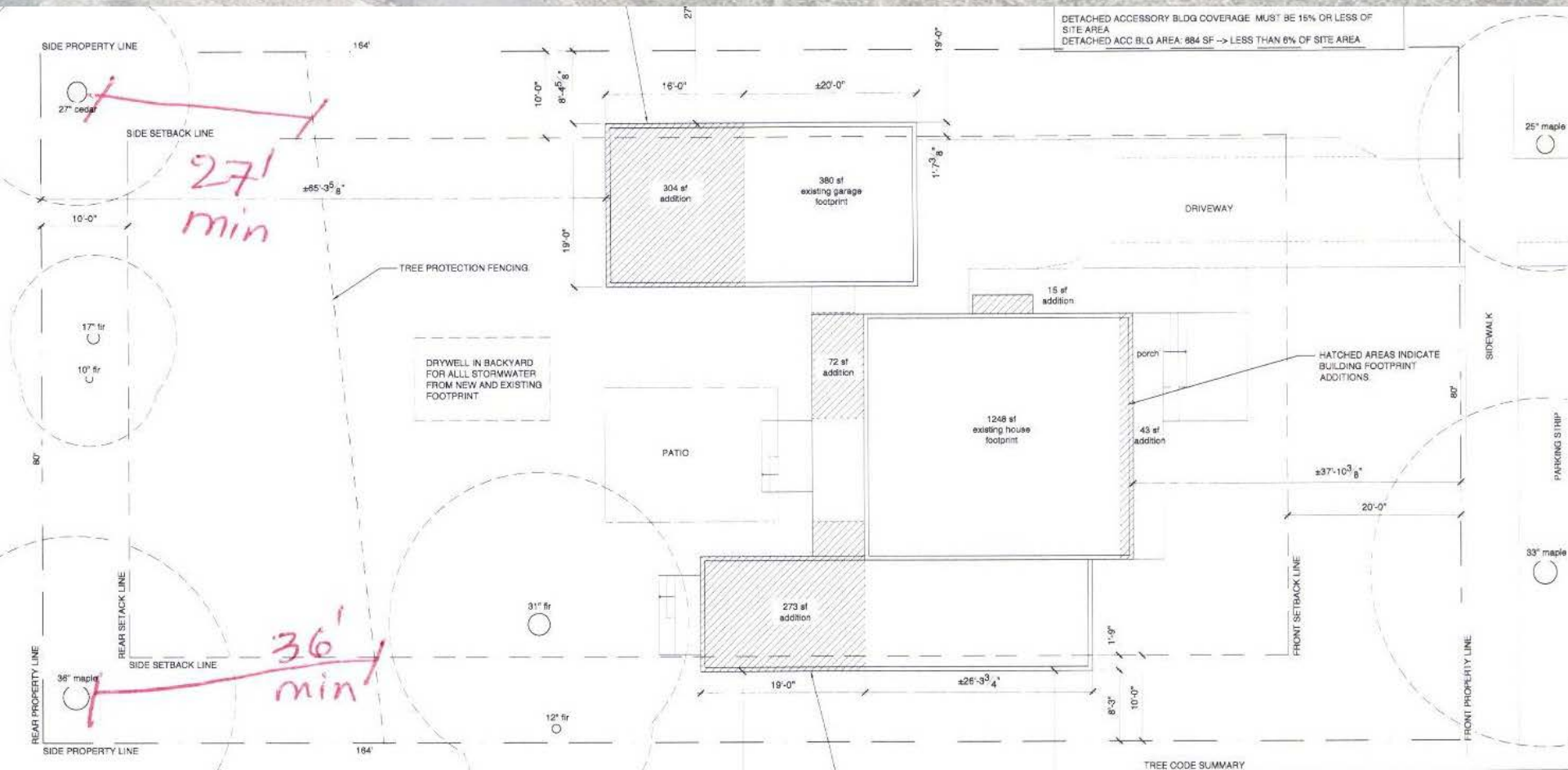
# East Elevations – Art Studio Addition

Garage/art studio wall

- 10 feet in height
- 36 feet in length

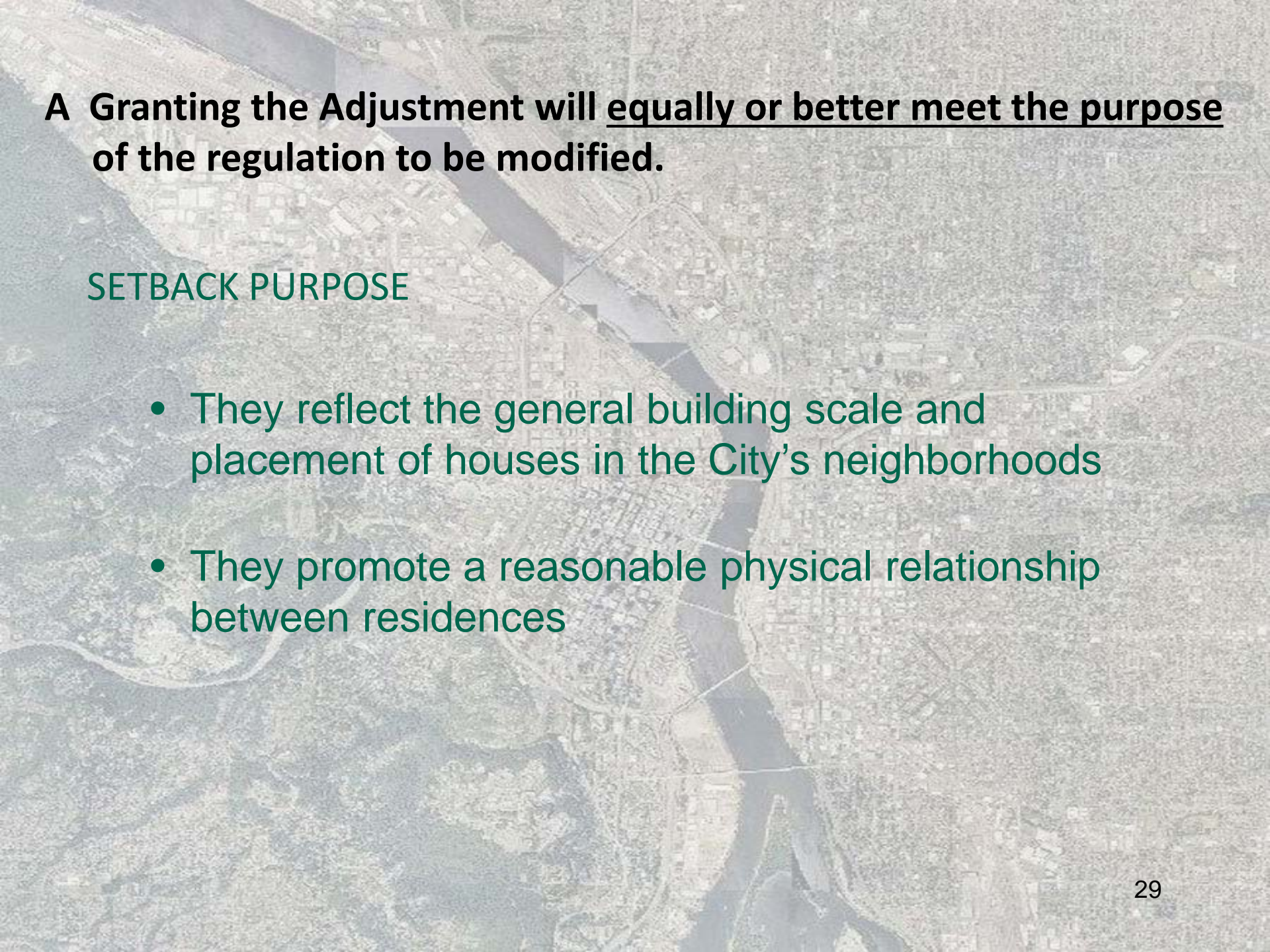






Site Plan



An aerial photograph of a city with a prominent river winding through it. The city grid is visible, with buildings and streets. The river is a dark, winding line. The overall tone is muted, with a light blue and grey overlay.

**A Granting the Adjustment will equally or better meet the purpose of the regulation to be modified.**

## SETBACK PURPOSE

- They reflect the general building scale and placement of houses in the City's neighborhoods
- They promote a reasonable physical relationship between residences





SE ANDOVER PL

SE MANCHESTER PL

SE ST ANDREWS DR

SE EXETER DR

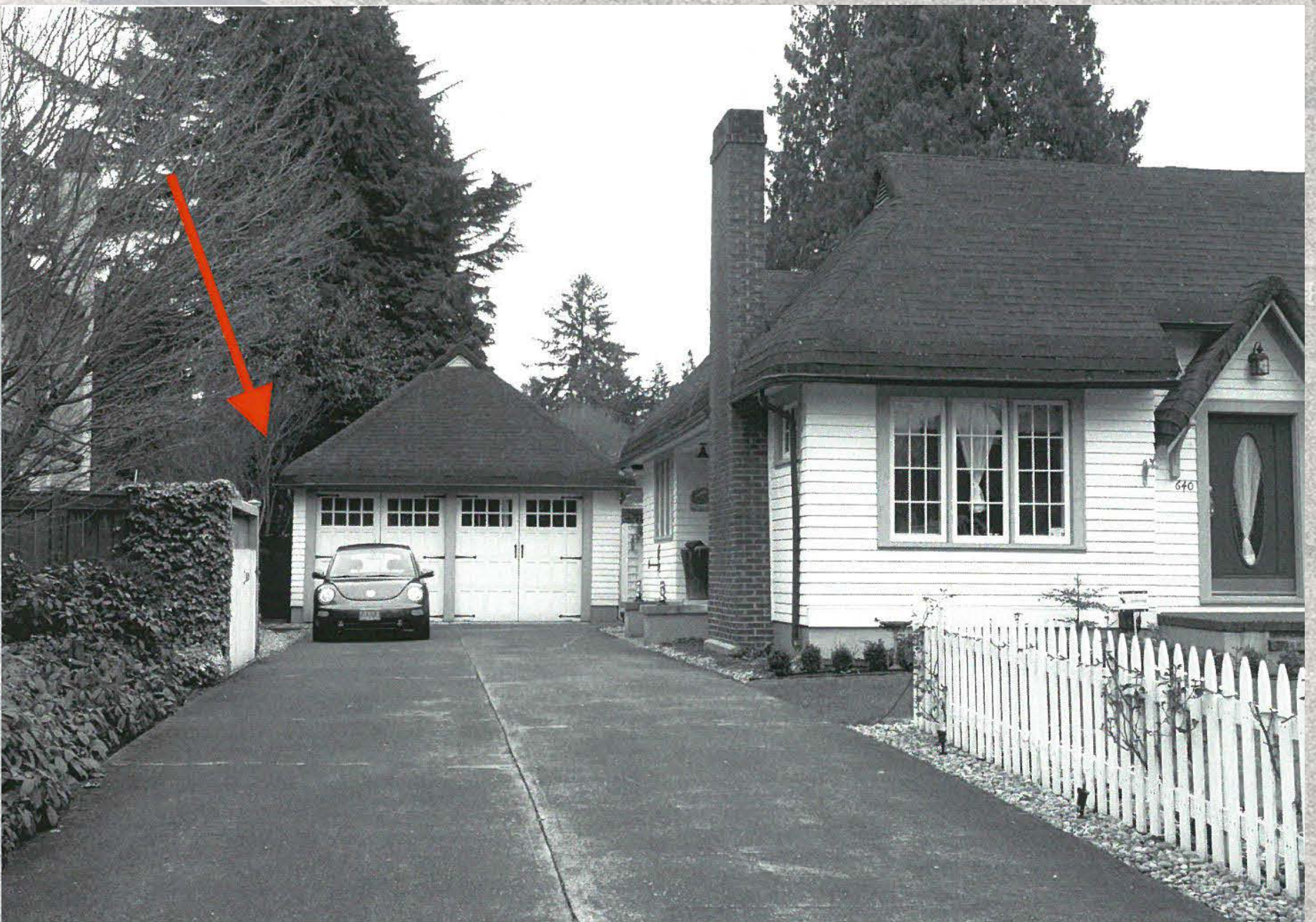
SE 17TH AVE





641 SE Andover (west of the site)





640 SE Andover – south side of street





636 SE Andover (south of site)





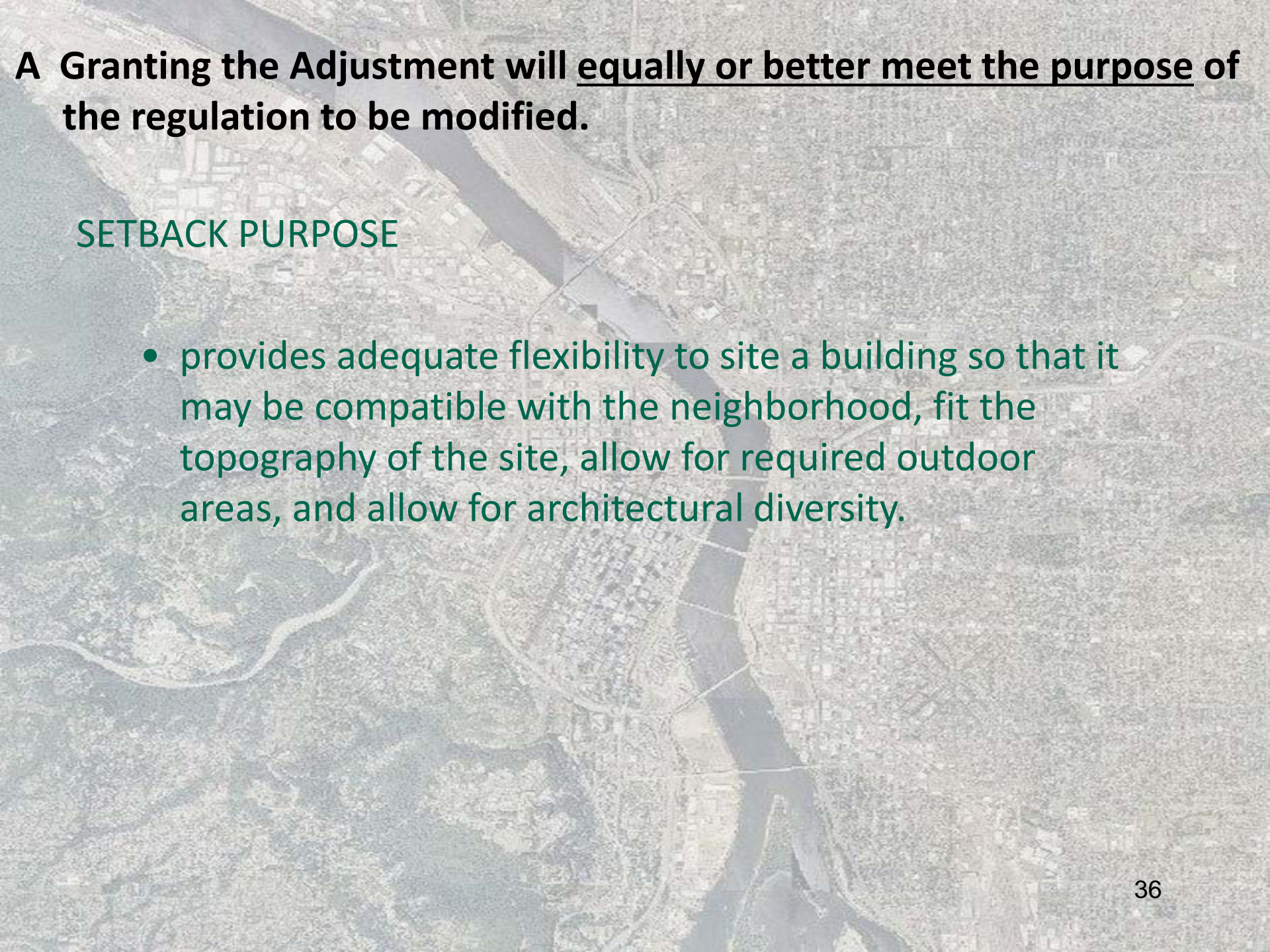
624 SE Andover, south of site





659 SE Andover, east of site



An aerial photograph of a river flowing through an urban area, with buildings and greenery visible on both banks. The river is a prominent dark feature winding through the lighter-toned urban landscape.

**A Granting the Adjustment will equally or better meet the purpose of the regulation to be modified.**

## SETBACK PURPOSE

- provides adequate flexibility to site a building so that it may be compatible with the neighborhood, fit the topography of the site, allow for required outdoor areas, and allow for architectural diversity.



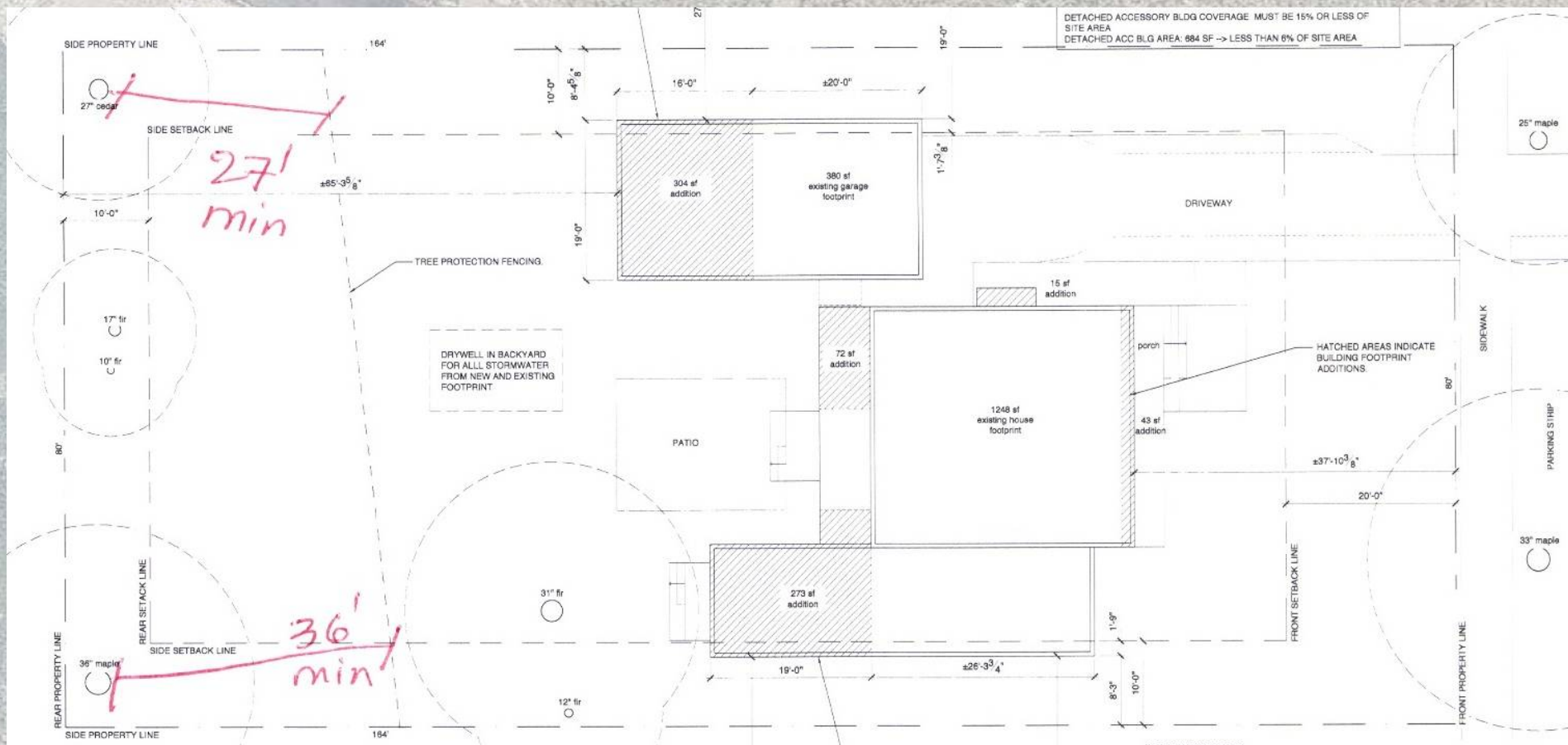


**B. If in a residential zone, the proposal will not significantly detract from the livability or appearance of the residential area.**

The proposal meets this criterion by:

- Maintaining front setback area
- Preserving existing trees
- Keeping additions within side setback areas low in height
- Additions within side setback are small percentage of length of property line.
- Precedence for homes and garages built near side property lines



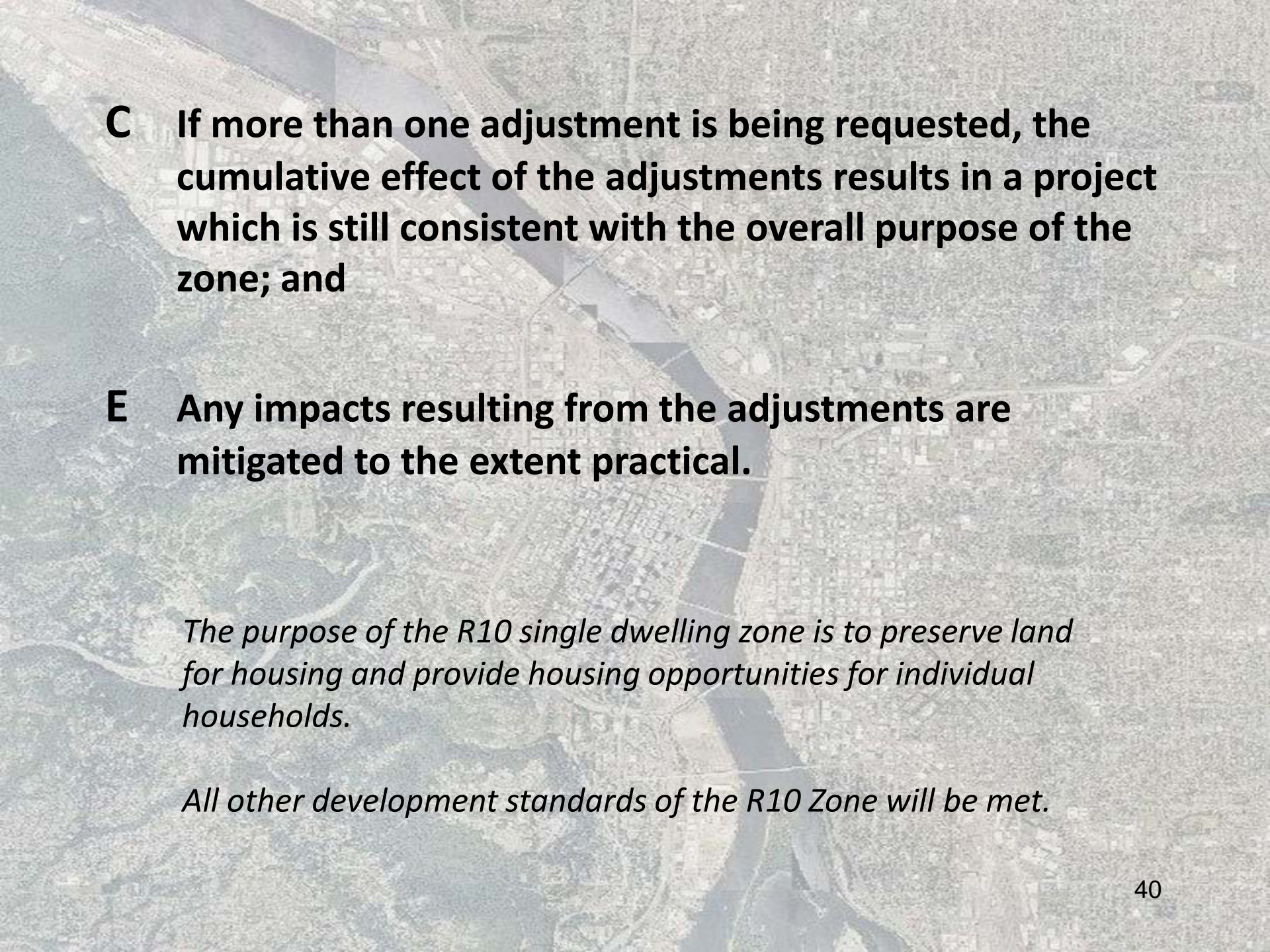


- New additions represent a small percentage of side property line length
- Maintaining front setback and preserving existing trees







- 
- C** If more than one adjustment is being requested, the cumulative effect of the adjustments results in a project which is still consistent with the overall purpose of the zone; and
- E** Any impacts resulting from the adjustments are mitigated to the extent practical.

*The purpose of the R10 single dwelling zone is to preserve land for housing and provide housing opportunities for individual households.*

*All other development standards of the R10 Zone will be met.*



## 5. Staff Decision

### Approval of Site Plan and Elevations:

Approval of adjustments to reduce the minimum side building setbacks,

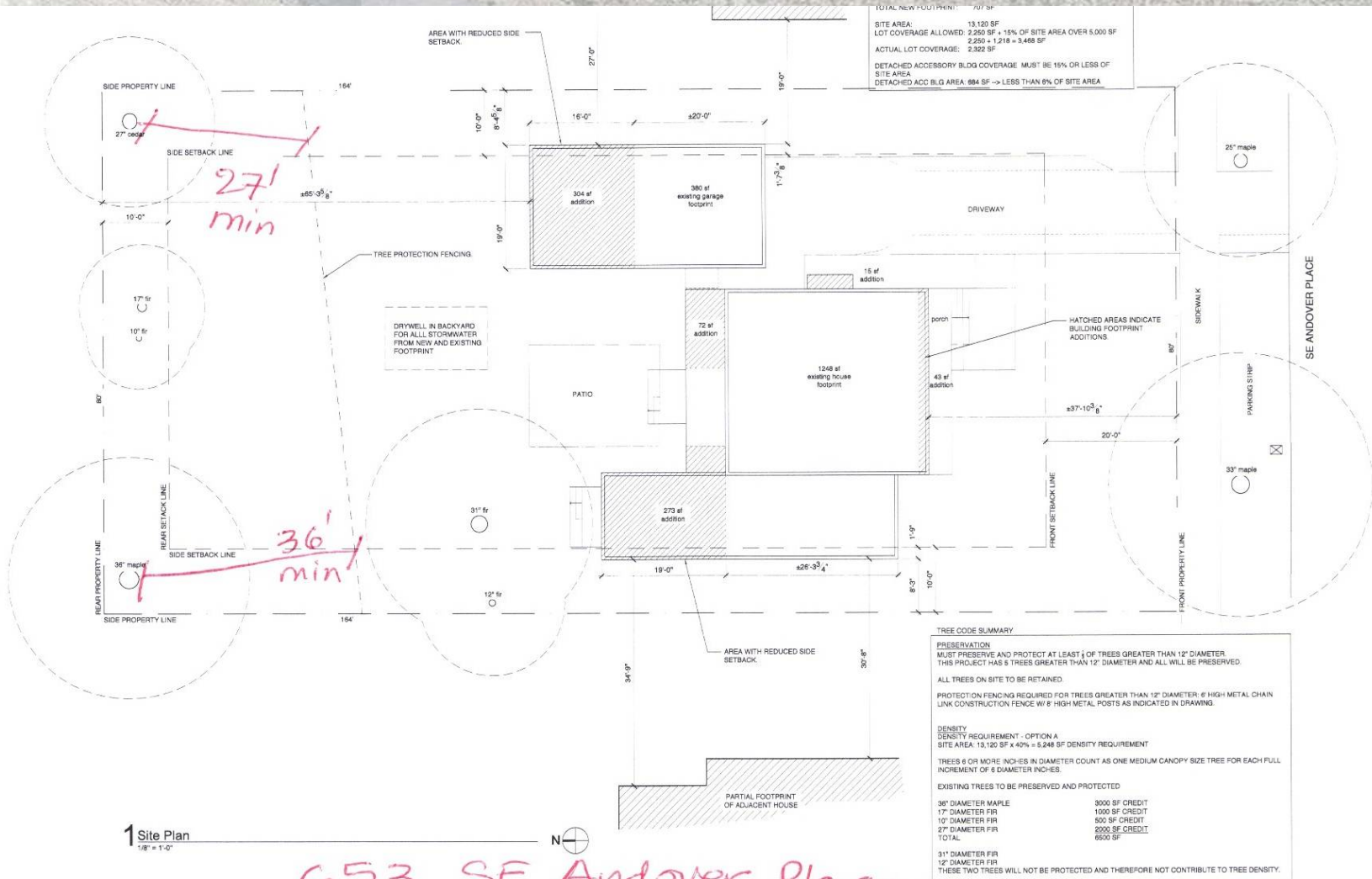
- from 10 feet to 8 feet, 3 inches from the west property line and
- from 10 feet to 8 feet, 4 inches from the east property line,
- with a one-foot wide roof eave on each side,
- in general compliance with the approved site plan and elevation drawings,

### With a condition:

Remove the two northernmost windows on the west elevation of the master bedroom addition, as shown on Exhibit C-2.



# Staff Decision



TOTAL NEW FOOTPRINT: 707 SF  
 SITE AREA: 13,120 SF  
 LOT COVERAGE ALLOWED: 2,250 SF + 15% OF SITE AREA OVER 5,000 SF  
 2,250 + 1,218 = 3,468 SF  
 ACTUAL LOT COVERAGE: 2,322 SF  
 DETACHED ACCESSORY BLDG COVERAGE MUST BE 15% OR LESS OF SITE AREA  
 DETACHED ACC BLDG AREA: 984 SF -> LESS THAN 6% OF SITE AREA

**TREE CODE SUMMARY**

**PRESERVATION**  
 MUST PRESERVE AND PROTECT AT LEAST 4 OF TREES GREATER THAN 12" DIAMETER.  
 THIS PROJECT HAS 5 TREES GREATER THAN 12" DIAMETER AND ALL WILL BE PRESERVED.

**ALL TREES ON SITE TO BE RETAINED**

**PROTECTION FENCING REQUIRED FOR TREES GREATER THAN 12" DIAMETER:** 6' HIGH METAL CHAIN LINK CONSTRUCTION FENCE W/ 8' HIGH METAL POSTS AS INDICATED IN DRAWING.

**DENSITY**  
 DENSITY REQUIREMENT - OPTION A  
 SITE AREA: 13,120 SF x 40% = 5,248 SF DENSITY REQUIREMENT

**TREES 6 OR MORE INCHES IN DIAMETER COUNT AS ONE MEDIUM CANOPY SIZE TREE FOR EACH FULL INCREMENT OF 6 DIAMETER INCHES.**

**EXISTING TREES TO BE PRESERVED AND PROTECTED**

36" DIAMETER MAPLE	3000 SF CREDIT
17" DIAMETER FIR	1000 SF CREDIT
12" DIAMETER FIR	500 SF CREDIT
27" DIAMETER FIR	2000 SF CREDIT
TOTAL	6500 SF

31" DIAMETER FIR  
 12" DIAMETER FIR  
 THESE TWO TREES WILL NOT BE PROTECTED AND THEREFORE NOT CONTRIBUTE TO TREE DENSITY.

REVISIONS

NOT FOR CONSTRUCTION - SUBMITTED FOR ADJUSTMENT REVIEW

BIRENBAUM house  
 653 SE Andover Place  
 Portland, OR 97202

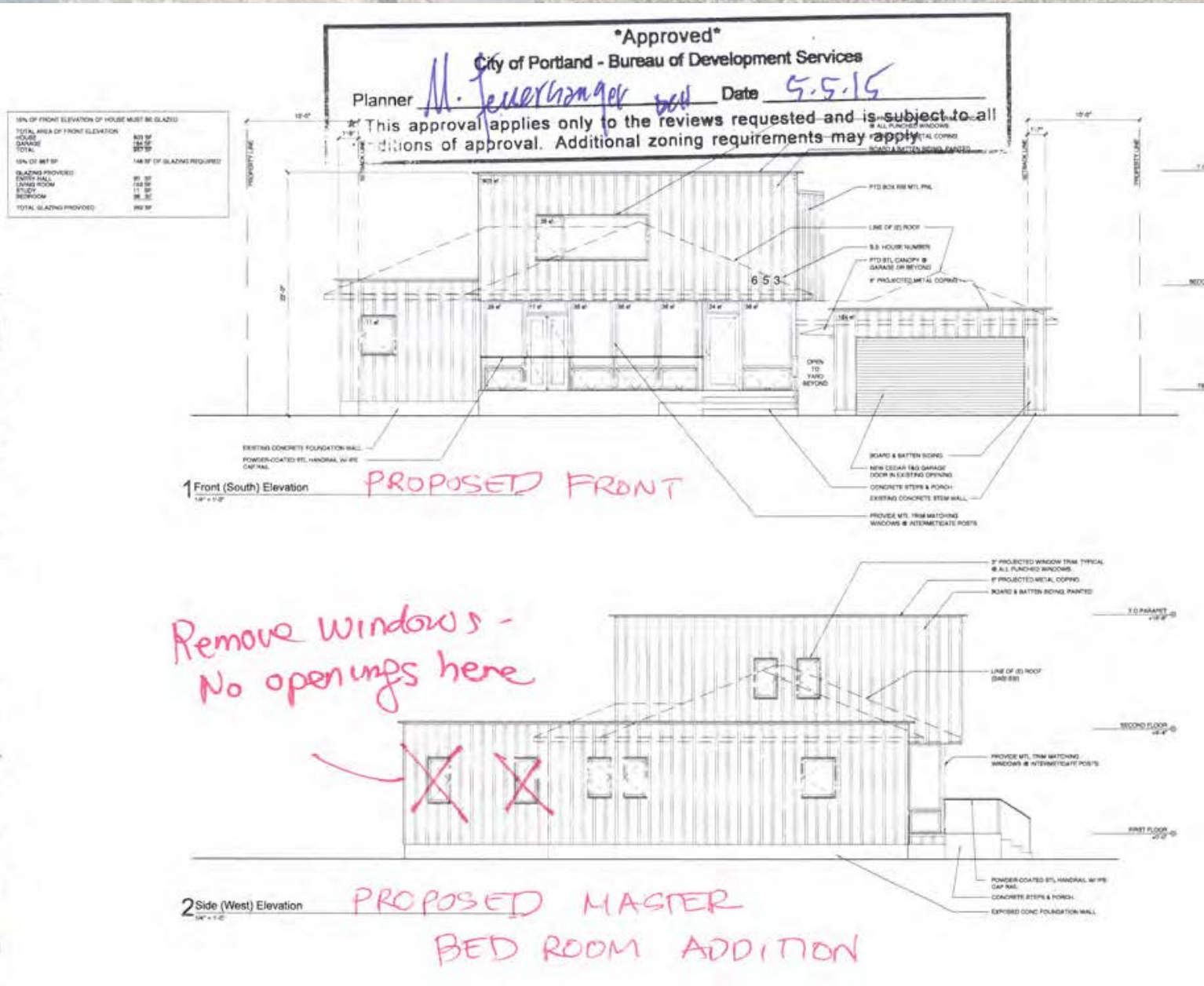
SITE PLAN  
**A0.01**

1/8" = 1'-0"  
 March 11, 2015

Approved Site Plan



# Staff Decision – Approved Elevations



**Approval,  
with  
condition:**

Remove  
windows from  
master  
bedroom  
addition, to  
maintain  
privacy for  
neighbor



EXHIBIT C-3



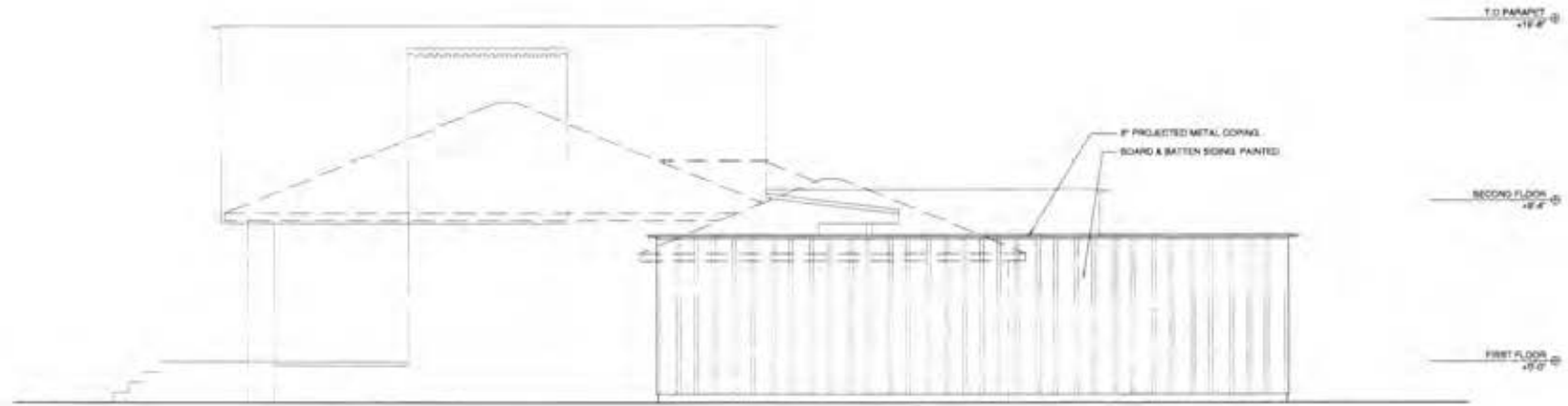
March 11, 2015



# Staff Decision – Approved Elevations

L015-133082AD

EXHIBIT C-4



1 Side (East) Elevation  
1/8" = 1'-0"

PROPOSED GARAGE + ART STUDIO



## 6. Appeal Summary

**City decision does not meet the Approval Criteria A, B and C:**

### **A Equally or better meet purpose of setback regulations?**

- greater fire risk
- less air separation
- doesn't reflect the placement of houses because new additions are closer to existing houses
- less privacy options with new second story windows





## **City decision does not meet the Approval Criteria:**

### **B Proposal does not detract from the livability or appearance of the residential area?**

- desired character should be determined by those living in neighborhood. An informal poll shows the house design is not desired
- new house design detracts from the neighborhood appearance
- neighboring houses have larger buildings and closer buildings
- livability is changed with diminished privacy – 2<sup>nd</sup> story with windows



An aerial photograph of a river flowing through an urban area, with buildings and green spaces visible on both banks. The image is slightly faded to serve as a background for the text.

**City decision does not meet the Approval Criteria:**

**C The cumulative effect of the adjustments results in a project that is consistent with overall purpose of the zone?**

- decision does not take into consideration the cumulative effect on the neighborhood and not using the City's standards to maintain neighborhood livability



## 7. Adjustment Committee Options

1. **Grant the appeal** in its entirety, denying the requested Adjustments;
2. **Deny the appeal** in its entirety and accept the proposal as approved by BDS; or
3. **Grant the appeal in part**, with modifications to the BDS approval (for example, add, remove, or change conditions of approval, modify aspects of the proposed design).





END



## 120-Day Clock

- The City is required to make a decision within 120 days from the date the application was complete (March 16 – July 24, 2015).
- The applicant provided a 30-day extension to this deadline.
- **A City decision is required on or before August 24, 2015.**





639 SE Andover (west of site)



## Site – existing house





