

**From:** Bhajan Kester [mailto:yogacircus@gmail.com]  
**Sent:** Tuesday, August 09, 2016 3:54 PM  
**To:** Planning and Sustainability Commission <psc@portlandoregon.gov>  
**Subject:** CC2035 Plan Testimony

Dear commission members,

I am writing to you today as a homeowner within the Central City Plan boundaries. In 2008, with little difficulty, my partner and I purchased the Historic Rachel Louise Hawthorne House at 1007 SE 12th Avenue. We refinanced shortly thereafter to take advantage of declining interest rates. During the appraisal process we learned of a rebuild clause that comes into effect when a property's use is non-conforming with the current zoning (our home is a grandfathered residential property within an industrial zone- IG1).

This clause states that, "When a structure containing a nonconforming use is damaged by fire or other causes beyond the control of the owner, the re-establishment of the nonconforming use is prohibited if the repair cost of the structure is more than 75 percent of its assessed value." 75 percent of our assessed value is currently \$283,000. With such a budget, it would be very difficult to rebuild this grand Victorian as it stands today replete with peaks, spires and a tower; redwood trim and white oak banisters; stained glass; a balcony and wrap around porch; and original and period hardware and lighting throughout.

While our mortgage broker was successful at that time, additional attempts to refinance have been unfruitful- increased scrutiny by financial institutions have made it impossible to secure financing in light of the rebuild clause.

This has real world implications-

First, we clearly have been unable to take advantage of the savings that would have resulted from lowered interest rates.

Second, we are not able to access significant equity that might assist us in large repairs and maintenance of our beloved historic home.

Third, we are concerned about the saleability of the property. While we have no short term plans to do so, will we be able to find a buyer able to secure financing?

So, our pleas today are twofold:

1) On behalf of other property owners in the Central City District, please consider the long term implications of changing their zoning- of forcing them into a non-conforming status. And,

2) More specifically, we request that you consider changing our zoning from IG1 to EX, which would bring the residential use of our property into a conforming status. The eleven blocks directly north of our property are zoned EX, so this change would retain the general zoning characteristic of the neighborhood and street. As a bonus, if the entire stretch from Yamhill to Taylor were rezoned, two other residential buildings would be brought into conforming status.

I am deeply concerned that such non-conforming properties are at risk for neglect and abandonment in the long term. Please help to head off this potential problem for property owners in our district.

Thank you very much for hearing my input today and for your careful consideration of public testimony.

Most Sincerely,  
Bhajan Kester  
Homeowner  
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