



**City of Portland, Oregon**  
**Bureau of Development Services**  
**Land Use Services**

1900 SW 4th Avenue, Suite 5000  
Portland, Oregon 97201  
503-823-7300  
Fax 503-823-5630  
TTY 503-823-6868  
[www.portlandonline.com/bds](http://www.portlandonline.com/bds)

**Date:** September 23, 2009  
**To:** Interested Person  
**From:** Dave Skilton, Land Use Services 503-823-0660  
dave.skilton@ci.portland.or.us

**NOTICE OF A TYPE I DECISION ON A PROPOSAL IN  
YOUR NEIGHBORHOOD**

The Bureau of Development Services has approved a proposal in your neighborhood. The reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it to the Oregon Land Use Board of Appeals (LUBA) at 550 Capitol St. NE, Suite 235, Salem, OR 97301. The phone number for LUBA is 1-503-373-1265. Information on how to appeal this decision is listed at the end of this notice.

**CASE FILE NUMBER: LU 09-148238 HDZ – VENT HOOD AND  
LIGHT FIXTURE**

**GENERAL INFORMATION**

**Applicant:** Merrit L Quarum,  
3533 NE Klickitat St  
Portland, OR 97212-2762

**Representative:** Bill Capps, Architect 503-493-7344  
Arciform LLC  
2303 N Randolph Ave  
Portland OR 97227

**Site Address:** 3533 NE Klickitat Street

**Legal Description:** BLOCK 1 LOT 9&12-17, IRENE HTS  
**Tax Account No.:** R418400190  
**State ID No.:** 1N1E25AB 02800  
**Quarter Section:** 2734

**Neighborhood:** Beaumont-Wilshire, contact Michael Rounds at 503-936-0740.  
**Business District:** None  
**District Coalition:** Central Northeast Neighbors, contact Alison Stoll at 503-823-3156.

**Other Designations:** Historic Landmark, pursuant to listing in the National Register of Historic Places on September 1, 1983 as the Frank C. Barnes House  
**Zoning:** R5h, Residential 5000 with an Aircraft Landing Zone overlay  
**Case Type:** HDZ, Historic Design Review  
**Procedure:** Type I, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

**PROPOSAL:**

The applicant is seeking Historic Design Review approval for a proposal to install an exterior kitchen vent hood and a new lighting fixture on a side wall of the house. Historic Design

Review is required because the proposal is for exterior alterations, and the property is listed in the National Register of Historic Places

**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:

- 33.846 Historic Design Review
- 33.846.060 G, Other Approval Criteria

## ANALYSIS

**Site and Vicinity:** The Frank C. Barnes was completed for the Barnes family in 1914 in an area of the city which was developing as a new upper middle-class neighborhood. Mr. Barnes himself was involved in the platting and early development of the area. Stylistically the house is an exuberant and eclectic expression, mostly in the Jacobethan vein. It is attributed to the architect David L. Williams and it was individually listed in the National Register of Historic Places on September 1, 1983.

**Zoning:** The single-dwelling zones, in this instance R5, are 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.

The Aircraft Landing (h) overlay zone provides safer operating conditions for aircraft in the vicinity of Portland International Airport by limiting the height of structures and vegetation.

**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 on **August 19, 2009**. No Bureaus have responded with no issues or concerns about the proposal:

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **August 19, 2009**. No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

## ZONING CODE APPROVAL CRITERIA

### Chapter 33.846, Historic Reviews

#### Purpose of Historic Design Review

Historic Design Review ensures the conservation and enhancement of the special characteristics of historic resources.

#### Historic Design Review Approval Criteria

Requests for historic design 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 a designated Historic Landmark. Therefore the proposal requires historic design review approval. The relevant approval criteria are listed in 33.846.060 G. 1.-10. In addition, because the site is located within the Central City Plan District, the relevant approval criteria are the Central City Fundamental Design Guidelines.

*Staff has considered all guidelines and has addressed only those guidelines considered applicable to this project.*

### G. Other Approval Criteria

1. **Historic character.** The historic character of the property will be retained and preserved. Removal of historic materials or alteration of features and spaces that contribute to the property's historic significance will be avoided.

**Findings:** A small amount of historic siding and trim will be removed in an obscure location. The removal is fully reversible. *This criterion is therefore met.*

- 8. Architectural compatibility.** New additions, exterior alterations, or related new construction will be compatible with the resource's massing, size, scale, and architectural features. When retrofitting buildings or sites to improve accessibility for persons with disabilities, design solutions will not compromise the architectural integrity of the historic resource.

**Findings:** The proposed new vent and light fixture, although clearly modern, are compatible with the resource by virtue of their small size, and detailed design. *This criterion is therefore met.*

- 10. Hierarchy of compatibility.** Exterior alterations and additions will be designed to be compatible primarily with the original resource, secondarily with adjacent properties, and finally, if located within a Historic or Conservation District, with the rest of the district. Where practical, compatibility will be pursued on all three levels.

**Findings:** The proposed new vent and light fixture are compatible with the resource by virtue of their small size, and detailed design. They will have no impact on neighboring properties. The building is not within a historic or conservation district. *This criterion is therefore met.*

## DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

## CONCLUSIONS

The proposed alterations to the historic Frank C. Barnes House are very minor in character and will have no adverse effect on the property's ability to convey its historic significance.

The purpose of the historic design review process is to ensure that exterior alterations to existing buildings protect the integrity of the special characteristics of the historic resources. The proposal meets the applicable design guidelines and therefore warrants approval.

## ADMINISTRATIVE DECISION

Approval of Historic Design Review for exterior alterations to a Historic Landmark, the Frank C. Barnes House;

Approval per the criteria contained in Section 33.846.060 G of the Portland Zoning Code, of the following:

- Installation of a range vent outlet in the frieze band, between two modillion brackets, below an ornamental balustrade;
- Installation of a new light fixture by the rear door.

Approval per Exhibits C-1 through C-2, signed and dated September 21, 2009, subject to the following conditions:

- A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C-1 through C-2. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 09-148238 HDZ."

**Staff Planner: Dave Skilton**

**Decision rendered by:**  **on September 21, 2009.**  
By authority of the Director of the Bureau of Development Services

**Decision mailed September 23, 2009.**

**About this Decision.** This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

**Procedural Information.** The application for this land use review was submitted on August 3, 2009, and was determined to be complete on **August 17, 2009.**

*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 August 3, 2009.

*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.

**Some of the information contained in this report was provided by the applicant.**

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

**Conditions of Approval.** If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term "applicant" includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

**This decision, and any conditions associated with it, is final.** It may be appealed to the Oregon Land Use Board of Appeals (LUBA), within 21 days of the date the decision is mailed, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have submitted written testimony during

the comment period for this land use review. You may call LUBA at 1-503-373-1265 for further information on filing an appeal.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at [www.portlandonline.com](http://www.portlandonline.com).

**Recording the final decision.**

If this Land Use Review is approved, the final decision must be recorded with the Multnomah County Recorder. A building or zoning permit will be issued only after the final decision is recorded. The final decision may be recorded on or after **September 23, 2009**. The applicant, builder, or a representative may record the final decision as follows:

- By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034

For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-7967.

**Expiration of this approval.** An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

**Applying for your permits.** A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

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

**EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan, Partial Elevation, Vent Section, Vent and Fixture Types (attached)
  - 2. Light Fixture Detail

D. Notification information:

1. Mailing list
2. Mailed notice

E. Agency Responses: None

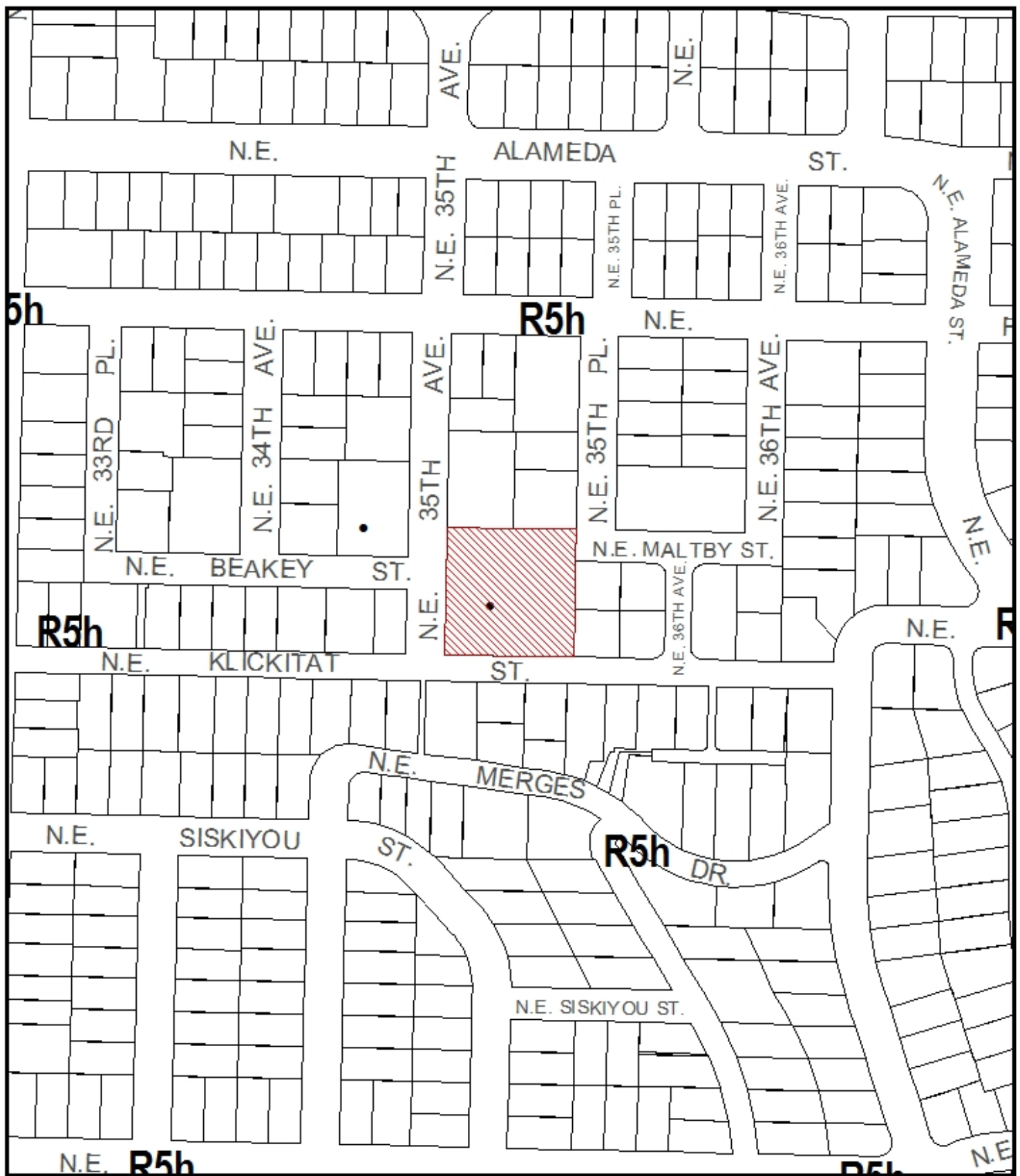
F. Correspondence: None

G. Other:

Original LU Application

1. Original LUR Application
2. Site History Research
3. Case Communication Log

**The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).**



# ZONING



Site



Historic Landmark



NORTH

File No. LU 09-148238 HDZ  
 1/4 Section 2734  
 Scale 1 inch = 200 feet  
 State\_Id 1N1E25AB 2800  
 Exhibit B (Aug 04,2009)

GENERAL NOTES:  
 1. APPROXIMATE LOCATIONS FOR HOOD AND LIGHT FIXTURES. 2. HOOD TERMINATION MEETS ORSC - MIN 36" CLEARANCE TO OPENABLE DOOR AND WINDOW. 3. NO CHANGE TO ANY EXISTING EXTERIOR SURFACE REQUESTED. 4. GAS AND ELECTRIC METERS AND RELATED JUNCTION BOXES ARE EXISTING.



**ARCIFORM**  
 DESIGN | RETIRE | REMODEL  
**DESIGN**  
 423 N. INTERSTATE AVE  
 PORTLAND, OR 97217  
 DESIGN 971.230.0045  
**ADMIN + WORKSHOP**  
 2303 N. RANDOLPH AVE  
 PORTLAND, OR 97227  
 ADMIN 503.493.7344  
 OR CCB# 119917  
 WA CCB# ARCIFL-910KJ

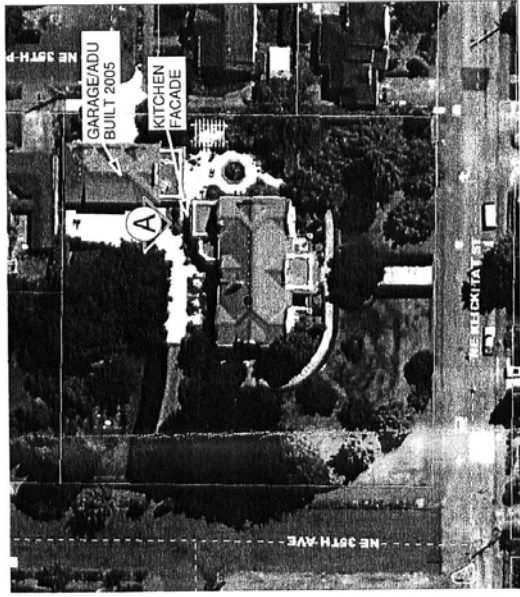
**ANNA & MERRIT QUARUM**  
 3533 NE KICKITAT ST.  
 PORTLAND, OR 97212  
 503.281.2285 aquarum@comcast.net

PAGE TITLE:  
 EXTERIOR ELEVATIONS  
 DESIGNER:  
 AD/WLC  
 DATE:  
 08.03.2009  
 REVISED:

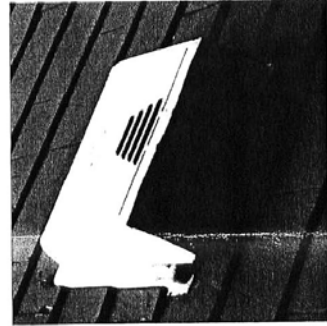
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EXHIBIT G-1  
 LV 09-148238 HDZ

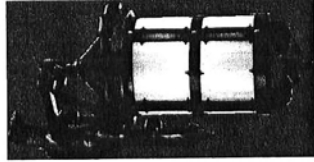
\*Approved\*  
 City of Portland - Bureau of Development Services  
 Planner: *Dave Smith*  
 Date: 7.21.9  
 \* This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.



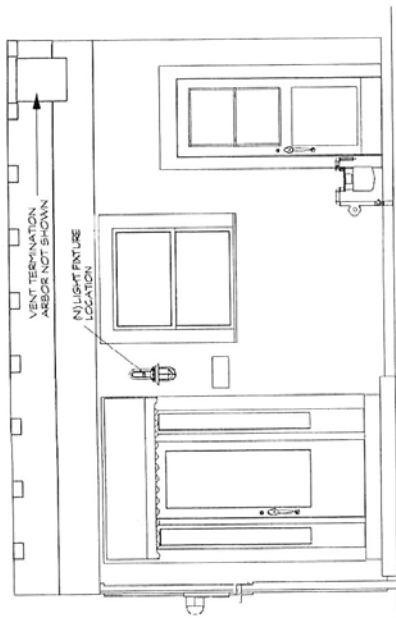
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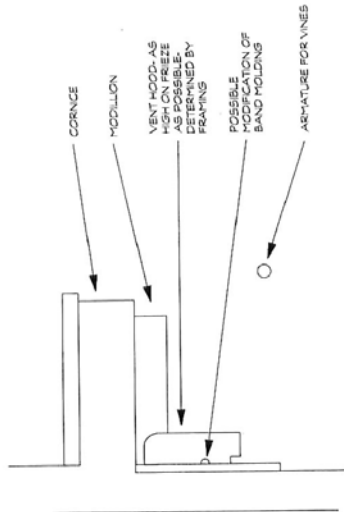
**D** VENT HOOD TYPE  
 NOT TO SCALE



**E** THURSTON LIGHT FIXTURE  
 NOT TO SCALE



**A** PARTIAL ELEVATION  
 NOT TO SCALE



**C** SECTION  
 NOT TO SCALE