



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

Charlie Hales, Mayor  
Paul L. Scarlett, Director  
Phone: (503) 823-7300  
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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** February 21, 2013  
**To:** Interested Person  
**From:** Hillary Adam, Land Use Services  
503-823-3581 / [Hillary.Adam@portlandoregon.gov](mailto:Hillary.Adam@portlandoregon.gov)

## **NOTICE OF A TYPE II 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 the version located on the BDS website <http://www.portlandonline.com/bds/index.cfm?c=46429>. Click on the District Coalition then scroll to the relevant Neighborhood, and case number. If you disagree with the decision, you can appeal. Information on how to do so is included at the end of this decision.

### **CASE FILE NUMBER: LU 13-103528 HDZ – EXTERIOR ALTERATIONS**

#### **GENERAL INFORMATION**

**Applicant:** Heidi Lawrence, / Square Deal Remodel  
8603 SE Stark Street / Portland, OR 97216  
  
Simon J Harding, Owner  
2276 SE Spruce Ave / Portland, OR 97214

**Site Address:** 2276 SE SPRUCE AVE

**Legal Description:** BLOCK 5 LOT 11, LADDS ADD  
**Tax Account No.:** R463301070  
**State ID No.:** 1S1E02CD 03900  
**Quarter Section:** 3231  
**Neighborhood:** Hosford-Abernethy, contact Joanne Stainbrook at 503-231-9245.  
**Business District:** Division-Clinton Business Assoc, Darice Robinson at 503-233-1888.  
**District Coalition:** Southeast Uplift, contact Bob Kellett at 503-232-0010.  
**Plan District:** None  
**Other Designations:** Contributing resource in the Ladd's Addition Historic District, listed in the National Register of Historic Places on August 31, 1988.

**Zoning:** R5 – Residential 5,000  
**Case Type:** HDZ – Historic Design Review  
**Procedure:** Type II, an administrative decision with appeal to the Historic Landmarks Commission.

#### **Proposal:**

The applicant proposes the following exterior alterations:

- On the southwest (side) façade, removal of two wood divided-light fixed windows, two wood double-hung windows, and their replacement with two custom wood divided-light casement windows and two custom wood casement windows, respectively, to accommodate interior alterations; and
- On the southeast (rear) elevation, removal of one wood divided-light fixed window, one wood double-hung window, one solid wood door, and their replacement with one custom divided-light casement window, two divided-light casement windows, and one fully-glazed wood door with transom, respectively, to accommodate interior alterations.

The Notice of Proposal stated that the two double-hung windows on the southwest (side) elevation would be replaced with similar double-hung windows, but these have been revised to casement for ease of operability.

Historic Design Review is required because the proposal is for exterior alterations to a contributing resource in the Ladd's Addition Historic District.

**Relevant Approval Criteria:**

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

- Ladd's Addition Historic District Design Guidelines

## ANALYSIS

**Site and Vicinity:** The subject property is a 2½-story Craftsman single-family residence, constructed in 1909 by Smith and Dodge. The house was built for Fred Torgler, a real estate agent for Ladd's Addition and, upon completion, was purchased by John Perrott, a civil engineer, and his wife Helen. The gabled roof has deep flared eaves with open brackets and flared bargeboards. Windowless wall dormers with similar roofs rise on the northeast and southwest facades. The attic level is clad with stucco and half-timbering while the lower two levels are clad with imbricated wood shingles. A full-width front porch with battered columns on shingled piers and crisscrossed balustrade is covered with a shed roof with exposed rafters. Many of the windows are wood double-hung or wood divided-light casements. The single car garage facing the alley at the rear yard has a gable roof with exposed rafters and beveled siding and is a contributing resource to the district.

Ladd's Addition is characterized by its unique layout of diagonal streets, the circular public garden in the center of the district, and four smaller diamond-shaped public gardens. Platted in 1891, Ladd's Addition is one of the first planned suburban communities in Portland, and also one of the only subdivisions with rear alleys. With the vehicle access at the rear, there are few curbcuts on the street side of the blocks, making for a pleasant pedestrian environment along the heavily canopied avenues. The majority of the buildings are residences constructed during the years 1905-1939, primarily in Bungalow, Craftsman, and Period-Revival styles with a typical front-yard setback, front porches and rear garages. Multi-dwelling buildings and commercial properties are located at the edges of the district along SE Division, SE 12<sup>th</sup> Avenue and SE Hawthorne, with the exception of a sprinkling of churches and a school, and the Ladd Circle Grocery, since converted, at the center of the district. Ladd's Addition is unique among planned communities on the west coast, primarily due to its diagonal street pattern, and was listed on the National Register in 1988.

**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 zone implements the comprehensive plan policies and designations for single-dwelling housing. Minimum lot size is 3,000 square feet, with minimum width and depth dimensions of 36 and 50 feet, respectively. Minimum densities are based on lot size and street configuration. Maximum densities are 1 lot per 5,000 square feet of site area.

The Historic Resource Protection overlay is comprised of Historic and Conservation Districts, as well as Historic and Conservation Landmarks and protects certain historic resources in the region and preserves significant parts of the region's heritage. The regulations implement Portland's Comprehensive Plan policies that address historic preservation. These policies recognize the role historic resources have in promoting the education and enjoyment of those living in and visiting the region. The regulations foster pride among the region's citizens in their

city and its heritage. Historic preservation beautifies the city, promotes the city's economic health, and helps to preserve and enhance the value of historic properties.

**Land Use History:** City records indicate that prior land use reviews include the following:

- LU 12-164332 HDZ – Historic Design Review approval for a new basement egress window at the rear of the house.

**Agency Review:** A “Notice of Proposal in Your Neighborhood” was mailed **January 24, 2013**. The following Bureaus have responded with no issues or concerns:

- Life Safety Division of BDS

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **January 24, 2013**. One written response was received from either the Neighborhood Association or notified property owners in response to the proposal.

- Joanne Stainbrook, Land Use Chair for the Hosford-Abernethy Neighborhood Development Association, wrote on February 14, 2013, stating that the Historic Resource Subcommittee had no concerns with the project. Please see Exhibit F-1 for additional details.

## **ZONING CODE APPROVAL CRITERIA**

### **Chapter 33.846.060 - Historic Design Review**

#### **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 located within the Ladd's Addition Historic District and the proposal is for a non-exempt treatment not requiring a new foundation. Therefore Historic Design Review approval is required. The approval criteria are the *Ladd's Addition Conservation District Design Guidelines – Exterior Rehabilitation*.

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

### **Ladd's Addition Conservation District Guidelines – Exterior Rehabilitation**

- 1. Façades Oriented to a Street.** In rehabilitating existing buildings, the architectural integrity of street-oriented façades should be maintained. Additions and structural alterations should be limited to the rear and side yard façades and be minimally visible from the street.

**Findings:** The proposed alterations are to occur at the rear and rear half of the west side of the house. They will be minimally visible from the street and are designed to mimic the existing condition, while accommodating the interior alterations. *This guideline is met.*

- 3. Exterior Siding Material.** Restoration and maintenance of original siding materials is encouraged. Materials used on additions should match or be compatible with the predominant materials used on the original structure. Most single family residences and duplexes in Ladd's Addition feature stucco, horizontal wood siding, wood shingles, brick or

a combination of these materials. Most commercial and multi-family structures feature stucco or brick. The following materials are discouraged: plywood, used brick, shakes, exposed concrete block and metal.

**Findings:** The proposed elevations show that new siding and trim material around the window and door alterations will match the existing wood shingle siding and trim. *With the condition of approval that the areas of siding to be patched shall match the existing siding in form and material, this guideline is met.*

- 6. Windows and Doors.** Original windows and doors, including trim, should be retained or restored. If repair is not feasible, new windows or doors on additions should match or be compatible with original windows in form, materials, type, pattern and placement of openings. On residences, the removal of original wood sash windows and replacement with aluminum sash is especially discouraged. Restoration of commercial storefront windows with large fixed glass panes below and smaller glass panes above is especially encouraged.

**Findings:** The proposed windows will be located essentially in the same location as the existing windows, with minor adjustments to height and width of the openings. In addition, the new windows will be custom wood in order to achieve the aesthetic appropriate for this historic resource. The applicant has indicated that the divided-light windows at the rear porch, to be replaced with similar divided-light wood windows, are not original. In addition, the double-hung kitchen windows will be replaced with wood casement windows to allow greater ease of operability, but designed to give the appearance of a double-hung window. The proposed changes are in response to interior alterations and deteriorated conditions. The applicant has stated that any salvageable windows to be removed will be donated. *This guideline is met.*

- 13. Crime Prevention.** Crime prevention elements should be included in the design with specific attention to landscaping, parking areas, walkways, lighting, entries, and visibility. Windows and entries should not be obscured. Parking areas, walkways, and entries should be adequately illuminated for visibility.

**Findings:** The purpose of the exterior alterations is to provide a more direct connection between the kitchen and the rear yard. The replacement of the existing solid door with a full-light glass and wood door and the introduction of two additional windows will allow clear views into the rear yard from the interior, thereby increasing the visibility between these two realms. *This guideline is 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 are relatively minor and are located at the rear of the historic resource and are compatible with the resource and the district as a whole. Great care is being taken by the owner and applicant to retain the historic aesthetic of the house while providing accommodation for modern household requirements. By preserving the majority of the resource's windows, salvaging those to be removed, and enlisting the expertise of a custom wood window manufacturer, the applicant is continuing the historic tradition and aesthetic of

Ladd's Addition and the local area. The purpose of the Historic Design Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. This proposal meets the applicable Historic Design Review criteria and therefore warrants approval

## ADMINISTRATIVE DECISION


Approval of exterior alteration in the Ladd's Addition Historic District, including:

- On the southwest (side) façade, removal of two wood divided-light casement windows, two wood double-hung windows, and their replacement with two custom wood divided-light casement windows and two custom wood double hung windows, respectively, to accommodate interior alterations; and
- On the southeast (rear) elevation, removal of one wood divided-light casement window, one wood double-hung window, one solid wood door, and their replacement with one custom divided-light casement window, two divided-light casement windows, and one fully-glazed wood door with transom, respectively, to accommodate interior alterations.

This approval is per the approved site plans, Exhibits C-1 through C-12, signed and dated February 15, 2013, subject to the following conditions:

- A. As part of the building permit application submittal, the following development-related conditions (B) must be noted on each of the 4 required site plans or included as a sheet in the numbered set of plans. The sheet on which this information appears must be labeled "ZONING COMPLIANCE PAGE - Case File LU 13-103528 HDZ." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- B. Areas of siding to be patched shall match the existing siding in form and material.

**Staff Planner: Hillary Adam**

Decision rendered by:  on February 15, 2013  
By authority of the Director of the Bureau of Development Services

**Decision mailed: February 21, 2013**

**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 January 10, 2013, and was determined to be complete on **January 17, 2013.**

*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 January 10, 2013.

*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.

**Appealing this decision.** This decision may be appealed to the Historic Landmarks Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on March 7, 2013** at 1900 SW Fourth Ave. Appeals can be filed Tuesday through Friday on the first floor of the Development Services Center until 3 p.m. After 3 p.m. and Mondays, appeals must be submitted to the receptionist at the front desk on the fifth floor. **An appeal fee of \$250 will be charged.** The appeal fee will be refunded if the appellant prevails. There is no fee for ONI recognized organizations appealing a land use decision for property within the organization’s boundaries. The vote to appeal must be in accordance with the organization’s bylaws. Assistance in filing the appeal and information on fee waivers is available from BDS in the Development Services Center. Please see the appeal form for additional information.

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).

**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 Historic Landmarks Commission is final; 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 550 Capitol St. NE, Suite 235, Salem, Oregon 97301, 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 Historic Landmarks Commission an opportunity to respond to it, that also may preclude an appeal to LUBA on that issue.

**Recording the final decision.**

If this Land Use Review is approved the final decision must be recorded with the Multnomah County Recorder. A few days prior to the last day to appeal, the City will mail instructions to the applicant for recording the documents associated with their final land use decision.

- *Unless appealed*, The final decision may be recorded on or after **March 8, 2013**.
- A building or zoning permit will be issued only after the final decision is recorded.

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 503-823-0625.

**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 of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

#### **EXHIBITS**

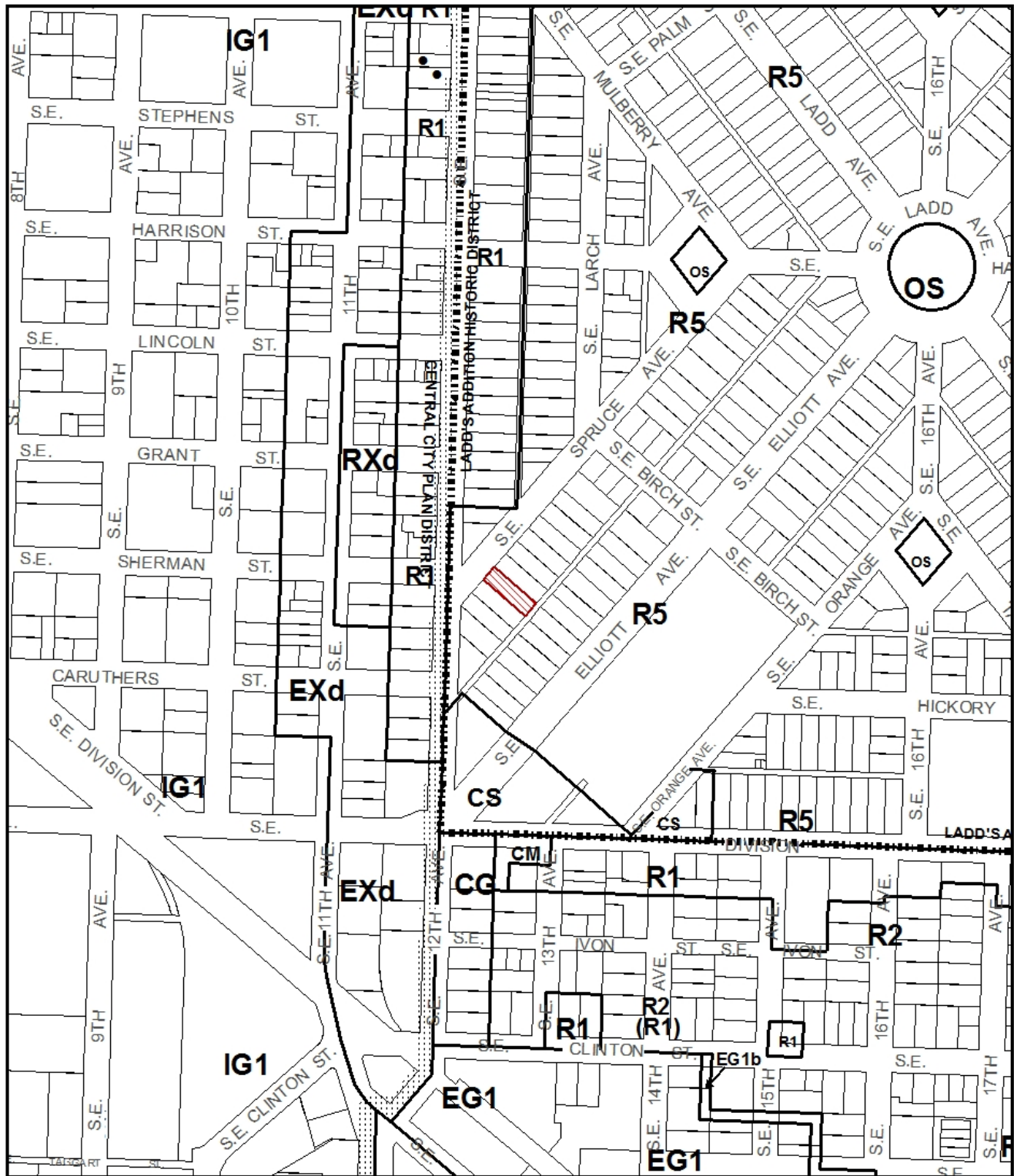
NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Cover Page
  - 2. Site Plan (attached)
  - 3. Existing Floor Plan
  - 4. Proposed Floor Plan
  - 5. Existing SW Elevation
  - 6. Existing SE Elevation
  - 7. Proposed SW Elevation (attached)
  - 8. Proposed SE Elevation (attached)
  - 9. Window Section Profiles
  - 10. Window and Door Jamb Details
  - 11. Window Details
  - 12. Siding Details
- D. Notification information:

1. Mailing list
  2. Mailed notice
- E. Agency Responses:
1. Life Safety Division of BDS
- F. Correspondence:
1. Joanne Stainbrook, Land Use Chair for the Hosford-Abernethy Neighborhood Development Association, wrote on February 14, 2013, stating that the Historic Resource Subcommittee had no concerns with the project.
- G. Other:
1. Original LU Application
  2. National Register Information

**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



This site lies within the:  
LADD'S ADDITION HISTORIC DISTRICT

File No.	LU 13-103528 HDZ
1/4 Section	3231
Scale	1 inch = 300 feet
State_Id	1S1E02CD 3900
Exhibit	B (Jan 14, 2013)

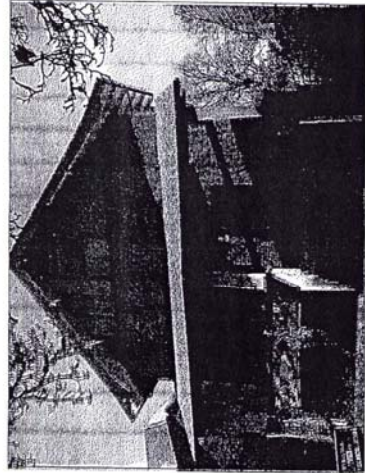
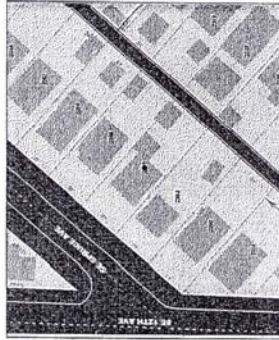
# Site Plan

Scale: 1" = 15'

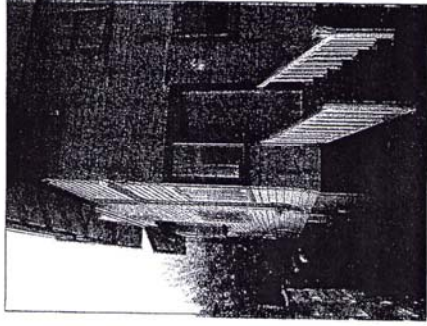
Legal: Multnomah Co. Property ID #R200145
Zoning: RS
Owner: Simon Harding
Address: 2276 SE Spruce Ave. Portland, OR 97214
Contractor: Square Deal Remodeling Co.

Legend:
Sewer: — S — S
Power: — 200V —
Water: — C/W —
Property Line: — — —

Lot Coverage
Lot Area: 5,120 Sq. Ft.
Main Building Area: 4715 Sq. Ft.
Building Coverage: 2,285 Sq. Ft.
Building Height: 30'
Year Built: 1904



Existing Front Facade



South Corner Remodel Area

RECEIVED

FEB 19 2013



**square deal**  
remodeling company  
8600 SE Stark St. Portland, Or 97216  
www.squaredealremodel.com

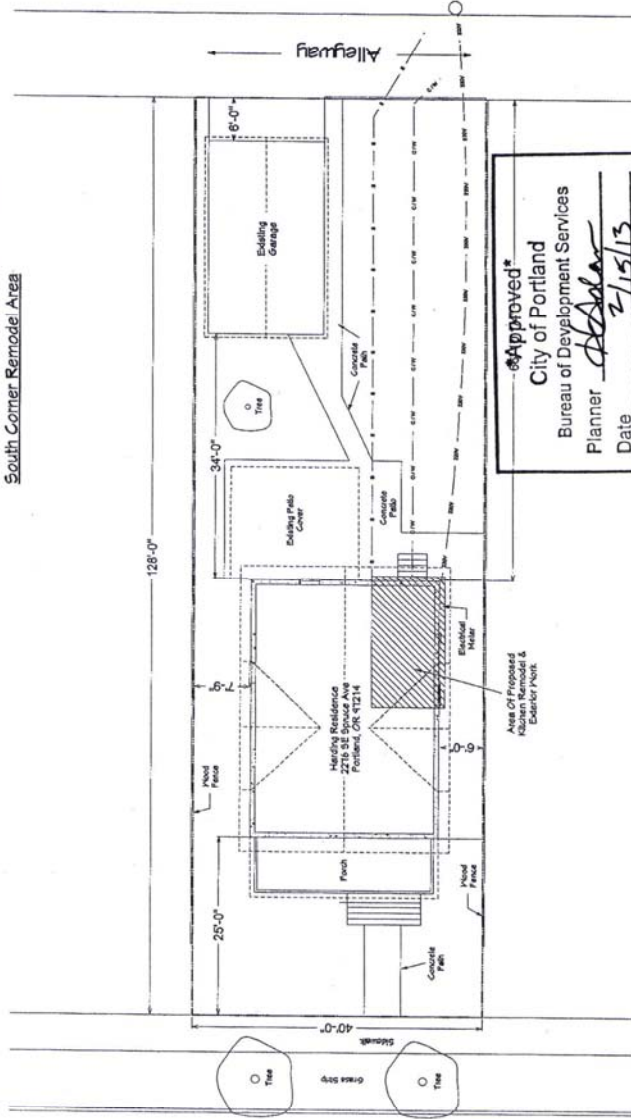
Name: Simon Harding  
Address: 2276 SE Spruce Ave  
Portland, OR 97214

square deal  
CCB# 79188

Print Date: 2/12/2013

The Drawings And Covenants  
Shall Be Used For The Property  
Only And Not Be Reproduced  
Or Modified In Any Manner  
Without The Written Consent Of  
The Developer. Any Violation  
Of These Conditions Shall Be  
Cause For Immediate Termination  
Of The Contract And The  
Developer Shall Not Be  
Bound By Any Other  
Conditions.

**Site Plan**



**Approved\***  
City of Portland  
Bureau of Development Services  
Planner *[Signature]*  
Date *2/15/13*

\* This approval applies only to the reviews requested and is subject to all conditions of approval.  
Additional zoning requirements may apply.



Name: Simon Harding  
Address: 2276 SE Spruce Ave  
Portland, OR 97214

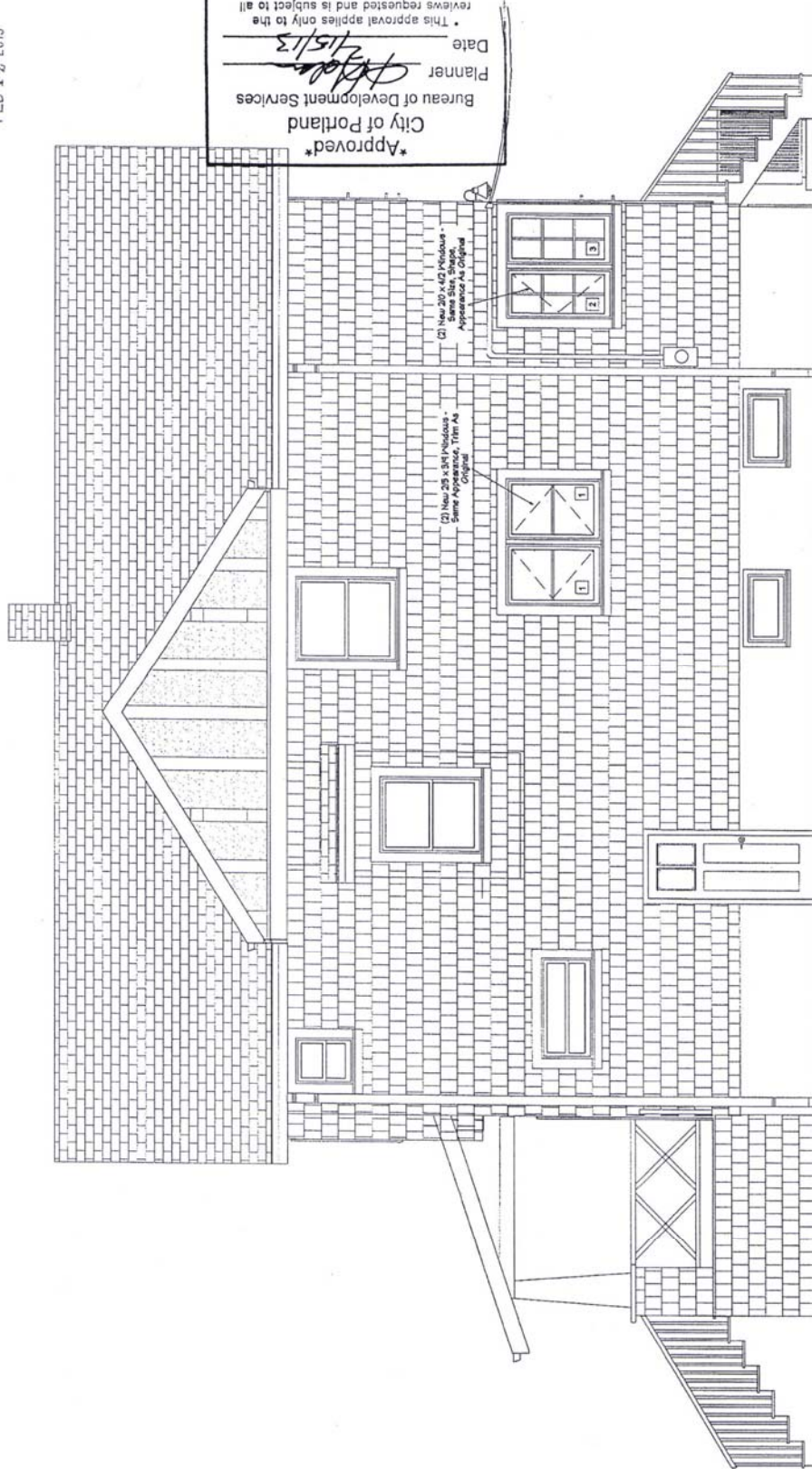
**square deal**  
remodeling company  
8603 SE Stark St. Portland, Or 97216  
www.squaredealremodel.com

Print Date: 2/12/2013

The Drawings And Concepts Represented Are The Property Of SOR Until All Fees For Plan Development Have Been Received After Which The Purchaser May Receive One Copy. Plans Purchased For Use For Other Than Contractor Cannot Be Duplicated And SOR Will Not Warranty Plans From Any Errors Or Omissions.

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\*Approved\*  
City of Portland  
Bureau of Development Services  
Planner *[Signature]*  
Date *1/15/13*  
\* This approval applies only to the reviews requested and is subject to all conditions of approval.  
Additional zoning requirements may apply.



Harding - Proposed SW  
Elevation  
Scale: 1/4" = 1'

WINDOW SCHEDULE						
NUMBER	QTY	SIZE	DIMENSIONS	R/O	DESCRIPTION	COMMENTS
1	2	2'3 1/4" x 46"	50"W x 46"H		CASEMENT	Kitchen Sink Window w/ Center Mullion
2	1	2'3 1/4" x 50"	50"W x 50"H		CASEMENT	Kitchen Window Divided
3	2	2'0 1/2" x 50"	25"W x 50"H		FIXED GLASS	Kitchen Window Divided
4	2	2'0 1/2" x 50"	53"W x 51"H		PIED CASEMENT	Kitchen Div. Casement Window Divided 1 line

Name: Simon Harding  
Address: 2276 SE Spruce Ave  
Portland, OR 97214

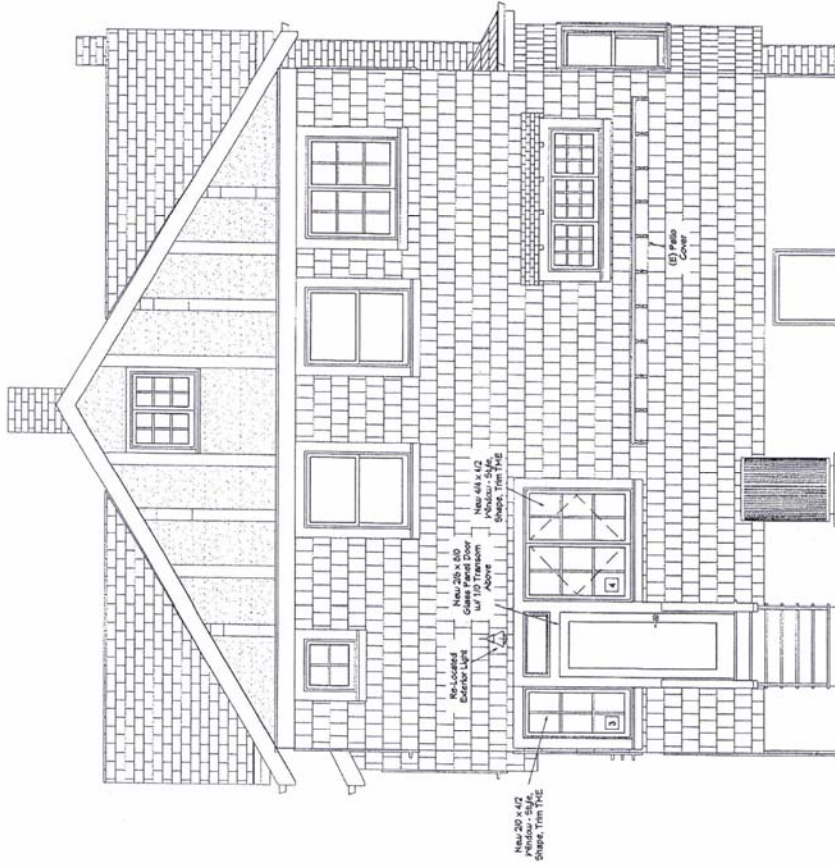
square deal  
remodeling company  
8603 SE Stark St. Portland, Or 97216  
www.squaredealremodel.com

Print Date: 2/12/2013

The Drawings and Concepts  
are the property of square deal  
remodeling company and shall  
be used only for the project  
described herein. Any other  
use without the written  
consent of square deal  
remodeling company is  
prohibited. This document  
shall be void if not  
signed and dated by the  
owner.

Page  
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FEB 12 2013



\*Approved\*  
City of Portland  
Bureau of Development Services  
Planner Chadman  
Date 2/15/13  
\* This approval applies only to the  
reviews requested and is subject to all  
conditions of approval.  
Additional zoning requirements may apply.

Harding - Proposed  
SE Elevation  
Scale 1/4" = 1'

WINDOW SCHEDULE			
NUMBER	QTY	SIZE	DESCRIPTION
1	2	20' W x 40' H	CASEMENT
2	2	20' W x 50' H	CASEMENT
3	2	20' W x 50' H	FIXED GLASS
4	1	48' W x 51' H	DBL CASEMENT

COMMENTS  
KITCHEN DOOR WINDOW w/ CENTER MULLION  
KITCHEN DOOR WINDOW w/ CENTER MULLION  
KITCHEN DOOR WINDOW w/ CENTER MULLION  
KITCHEN DOOR WINDOW w/ CENTER MULLION  
KITCHEN DOOR WINDOW w/ CENTER MULLION