



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

Dan Saltzman, Commissioner  
Paul L. Scarlett, Director  
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[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** December 28, 2016  
**To:** Interested Person  
**From:** Meriam Rahali, Land Use Services  
503-823-5363 / [Meriam.Rahali@portlandoregon.gov](mailto:Meriam.Rahali@portlandoregon.gov)

## **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 mailed copy of this document is only a summary of the decision. 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 16-264819 HR – NEW FRENCH DOOR AND WINDOW REPLACEMENTS**

#### **GENERAL INFORMATION**

**Applicant:** Darren Schroeder | Darren Schroeder Design And Consulting  
716 SE 45th Avenue | Portland, OR 97215

**Owners:** Jerod Fitzgerald and Maria Fitzgerald  
2724 NE 25th Avenue | Portland, OR 97212

**Site Address:** **2425 NE 18<sup>th</sup> Avenue**

**Legal Description:** BLOCK 48 LOT 3, IRVINGTON  
**Tax Account No.:** R420410460  
**State ID No.:** 1N1E26DB 08800  
**Quarter Section:** 2832  
**Neighborhood:** Irvington, contact Dean Gisvold at 503-284-3885.  
**Business District:** North-Northeast Business Assoc, contact at [chair@nnebaportland.org](mailto:chair@nnebaportland.org)  
**District Coalition:** Northeast Coalition of Neighborhoods, contact Zena Rockowitz at 503-388-5070.

**Plan District:** None  
**Other Designations:** Irvington Historic District  
**Zoning:** R5, Residential 5,000  
**Case Type:** HR, Historic Resource Review  
**Procedure:** Type I, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

**Proposal:**

Applicant is proposing to replace three 1<sup>st</sup> floor windows, two along the driveway and one on the back of the house. Two windows are original and one window is non-original to the house. All window trim, casings and sills will be new with similar materials and detailing as the existing original trim, casings and sills. All new proposed siding will match existing original siding material and detailing. The following is proposed:

## 1. North Façade:

- Removing a “garden window” installed in 1978 and replacing it with a new 4’-0” wide x 3’-4” high Pella Architect Series LX single hung wood window with true divided lights in upper sash. This window will be installed in the same existing opening.
- Removing an original wood window and replacing it with a 3’-8” wide x 3’-4” high Pella Architect Series LX single hung wood window with true divided lights in upper sash. This proposed window sill will be 6” higher than the original window. The new height of the sill will accommodate interior kitchen counter. The rest of the opening will be unchanged.

## 2. West Façade:

- Removing an original wood window and replacing it with a 6’-0” wide x 7’-0” high Pella Architect Series LX French wood door.

Historic resource review is required because the proposal is for non-exempt exterior alterations on a resource in the Irvington Historic District.

**Relevant Approval Criteria:**

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

- 33.846 Historic Resource Reviews
- 33.846.060.G Other Approval Criteria

**ANALYSIS**

**Site and Vicinity:** The subject property is located on NE 18<sup>th</sup> Avenue between NE Thompson Street and NE Brazee Street. The existing residence is a 2 story Colonial with Prairie School characteristics, constructed circa 1922. The house is a contributing resource in the National Register of Historic Places documentation for the Irvington Historic District. The house sits on a 5,000 sq. ft. lot. The Portland Transportation System Plan designates NE 18<sup>th</sup> Avenue as Local Service Traffic Street, Local Service Walkway, Local Service Bikeway, and Minor Emergency Response Street.

**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.

Irvington Historic District Platted in the late Nineteenth Century as the first addition to Portland that employed restrictive covenants, the Irvington area developed intensely with a mix of middle class housing types and sizes during the first two decades of the Twentieth Century. The contributing resources in Irvington range in design character from expressions

of the late Victorian Era styles, especially Queen Anne, through the many Period Revival modes of the early decades of the Twentieth Century, to a few early modernist examples. There is also a wide diversity in the sizes of lots and houses. In terms of the streetscape, the numbered north-south avenues in Irvington vary dramatically in width, and they mostly form rather long block faces which the houses generally face. The named east-west street block faces are more consistent in length, almost all being traditional 200' Portland blocks. All are lined with mature street trees. These patterns help to lend the neighborhood the distinctive and homogeneous historic character.

**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 **November 21, 2016**.

**Neighborhood Review:** A Notice of Proposal in Your Neighborhood was mailed on **November 21, 2016**. One written response has been received from the Neighborhood Association in response to the proposal.

- Dean Gisvold, Chair of the Irvington Community Association Land Use Committee, on December 5, 2016, wrote that the Committee had no objections.

## **ZONING CODE APPROVAL CRITERIA**

### **Chapter 33.846.060 - Historic Resource Review**

#### **Purpose of Historic Resource Review**

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

#### **Historic Resource Review Approval Criteria**

Requests for Historic Resource 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 within the Irvington Historic District and the proposal is for non-exempt treatment. Therefore, Historic Resource Review approval is required. The approval criteria are those listed in 33.846.060 G – Other Approval Criteria.

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

### **33.846.060 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.
- 2. Record of its time.** The historic 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.
- 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 old 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.
- 9. Preserve the form and integrity of historic resources.** New additions and adjacent or related new construction will be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic resource and its environment would be unimpaired.

**Findings for 1, 2, 4 and 9:** The essential form and integrity of the historic resource will remain intact. No major changes are proposed to the building structure beyond the replacement of three windows. The majority of these changes occur on a side or

back façade. Window changes on the North façade (side) of this residence include two replacements: replacement of a non-original 'garden window', installed in 1978, with a single-hung wood window with true divided lights in upper sash. The opening itself will be unchanged. This is due to a desire to restore this historic resource back to its original historic character. The second replacement is of an original window with a single-hung wood window with true divided lights in upper sash. This window will be in a smaller opening. Applicant would like to have both windows be at the same height to be able to install a counter along the kitchen wall. This would be a loss of a small original feature of this house. But staff believes that their proximity to each other, their similar height, and similar top sash will make them read better on this façade. These proposed windows will complement the North façade in size, proportion, and scale. They will also purvey the interior activity in this corner of the house. Window changes on the West façade include: the replacement of an original window with a wood French door, to allow access to the rear deck directly from the kitchen, increases the functionality of the home for the homeowner without a significant effect on the character of the home or the district. While one original window will be removed, the livability of the home will increase, and the changes will not be seen from the street. Staff also believes that the scale of the new French door will look better on this façade. Currently, with the addition put on the back of the house in an undetermined time, the west façade looks off center. The new French door will provide some balance to this façade.

All new windows and door proposed are to be made of wood to match the original materials. All new window and door trim proposed will match material, size and detailing of existing window trim. New siding, proposed to be introduced where window openings are reduced, will also match the existing siding material and profile. Staff believes that the essential integrity of the resource will be retained. Because the changes proposed to the historic resource are also only on non-street-facing façades, the historic character of the resource will remain intact and the resource will remain a record of its time. *These criteria are met.*

**3. Historic changes.** Most properties change over time. Those changes that have acquired historic significance will be preserved.

**Findings:** There are no prior changes that have been made or documented to the property that have acquired historic significance and so need preservation. Staff notes that two original windows are proposed to be removed from the main body of the historic resource, a third one is non-original. All are replaced with wood windows appropriate to the Irvington Historic District. *This criterion is met.*

**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.

**Findings:** No chemical or physical treatments that may cause damage are proposed to be used. *This criterion does not apply.*

**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.

**Findings:** No substantial earthwork is proposed as part of this application. *This criterion does not apply.*

**7. Differentiate new from old.** New additions, exterior alterations, or related new construction will not destroy historic materials that characterize a property. New work will be differentiated from the old.

**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.

**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 for 7, 8 and 10:** As noted above, the proposed work is limited to small areas at the side and rear of the house and will not be seen from the street. However, the proposed alterations are compatible with the existing historic resource and the district as a whole in that the new windows and French door will be constructed of wood to match the other fenestration on the house and they will be located in the same areas as existing openings. The windows will be at a similar depth in the wall plane as other windows on the house. And the French door scale will be more appropriate to the resource's back façade scale. *These criteria are 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 limited in scope and designed to minimize damage to historic materials. The proposed windows and French door are designed to match the existing windows in materials, style and character. They are compatible with the resource, adjacent properties, and the district as a whole. The purpose of the Historic Resource 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 Resource Review criteria and therefore warrants approval.

## ADMINISTRATIVE DECISION

Approval of replacement of three windows, two with two wood windows, and one with one wood French door, per the approved site plans, Exhibits C-1 through C-10, signed and dated December 20, 2016, 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-C.10. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 16-264819 HR." No field changes allowed.

**Staff Planner: Meriam Rahali**

**Decision rendered by:** Meriam Rahali **on December 22, 2016**  
By authority of the Director of the Bureau of Development Services

**Decision mailed December 28, 2016**

**Procedural Information.** The application for this land use review was submitted on October 26, 2016, and was determined to be complete on November 15, 2016.

*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 October 26, 2016.

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. Unless further extended by the applicant, **the 120 days will expire on: February 23, 2017**

**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. Contact LUBA at 775 Summer St NE Suite 330, Salem, OR 97301-1283 or phone 1-503-373-1265 for further 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).

**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 **December 29, 2016**. 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 503-823-7617.

**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:

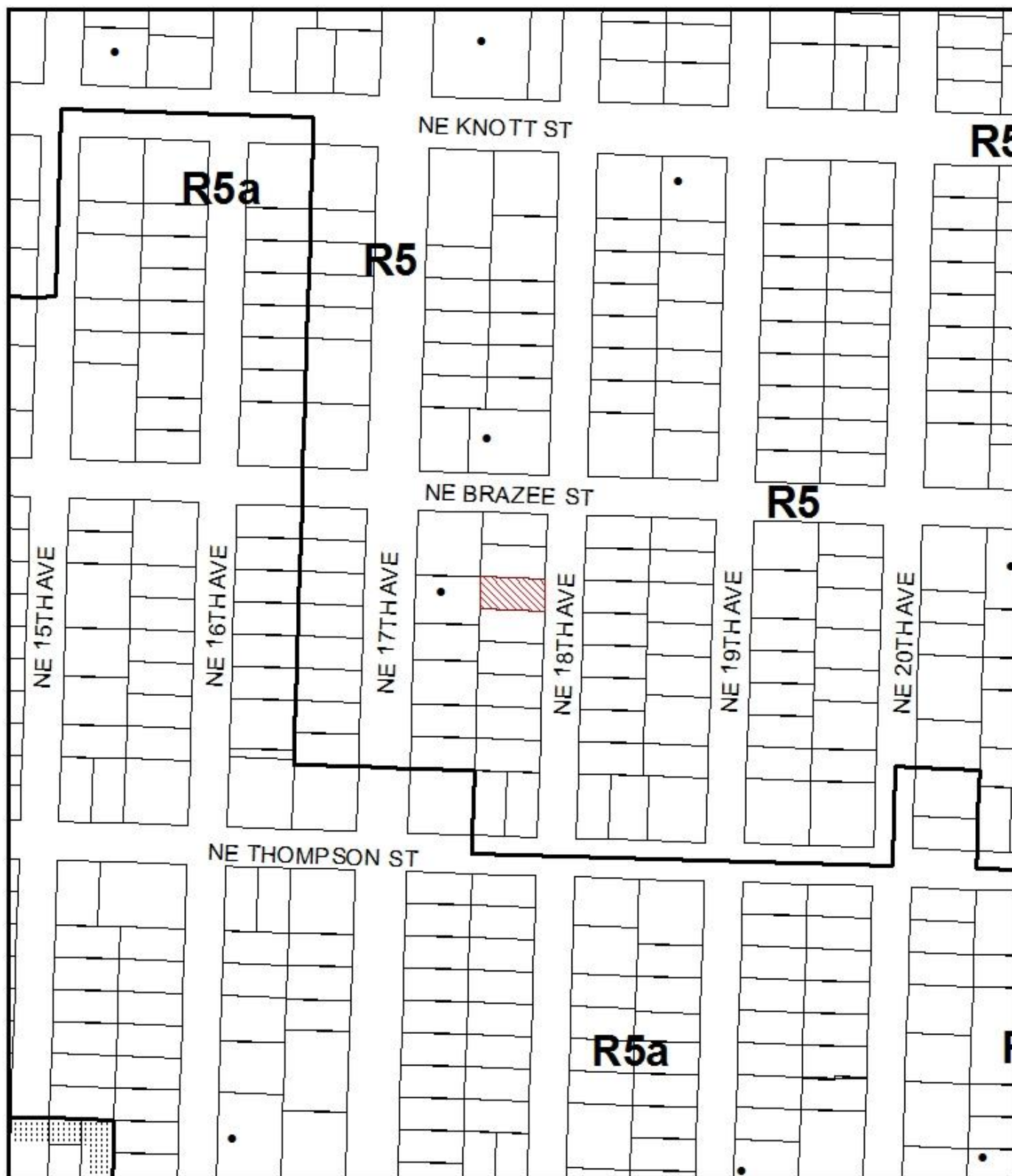
- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations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

#### **EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan and Photos (attached)
  - 2. Photos
  - 3. Existing Main Floor Plan
  - 4. Existing North Elevation (attached)
  - 5. Existing West Elevation (attached)
  - 6. Proposed Floor Plan
  - 7. Proposed North Elevation (attached)
  - 8. Proposed West Elevation (attached)
  - 9. French Door Cutsheet
  - 10. Window Cutsheet
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses: None
- F. Correspondence:
  - 1. Dean Gisvold, Chair of the Irvington Community Association Land Use Committee, on August 1, 2014, wrote that the Committee had no objections.
- G. Other:
  - 1. Original LU Application
  - 2. Letter of Incompleteness
  - 3. Photo

**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

This site lies within the:  
IRVINGTON HISTORIC DISTRICT

File No. LU 16-264819 HR

1/4 Section 2832

Scale 1 inch = 200 feet

State\_Id 1N1E26DB 8800

Exhibit B (Oct 28, 2016)



2425 NE 18th Ave  
Portland, OR 97212

Window Replacement / New Door  
Ivington Historic District

HISTORIC RESOURCE REVIEW  
SUBMITTAL

PROJECT LEGAL:

SITE ADDRESS: 2425 NE 18TH AVE  
PROPERTY ID: R188301  
STATE ID: 1N1E28DB 8800  
ALI ACCT#: R420410460  
TAX ROLL: IRVINGTON, BLOCK 48, LOT 3

SCOPE OF WORK

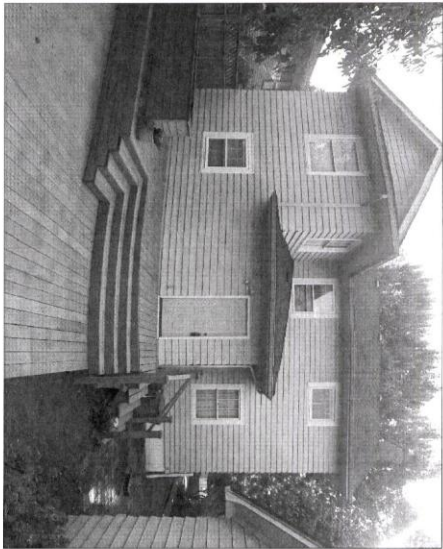
1. REPLACE (2) WINDOWS ON NORTH ELEVATION (SIDE)
2. CHANGE EXISTING WINDOW ON WEST (REAR) ELEVATION TO FRENCH DOOR

**\*Approved\***  
City of Portland - Bureau of Development Services  
Planner Meriam Kaskas Date 12/24/2016  
\* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

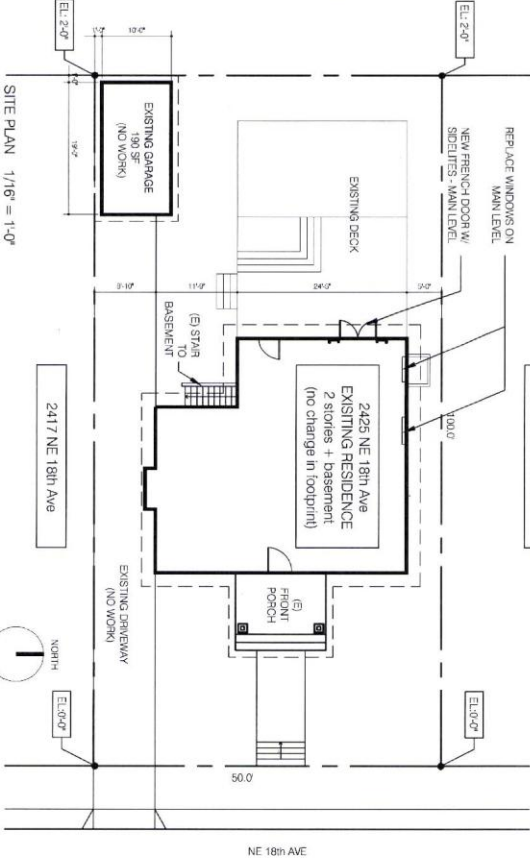
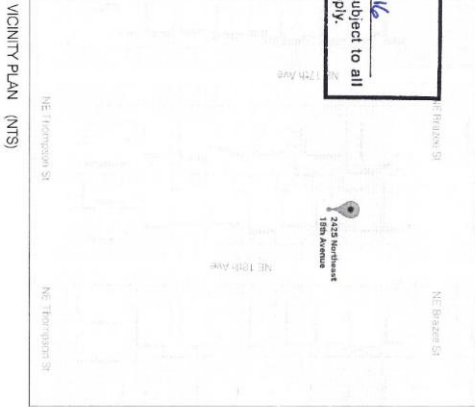
- INDEX OF DRAWINGS
- A0 PROJECT/PROPERTY INFO/SITE PLAN
  - A01 EXISTING PHOTOS
  - AD1 EXISTING CONDITIONS PLAN - MAIN LEVEL
  - AD2 EXISTING ELEVATION - NORTH
  - AD3 EXISTING ELEVATION - WEST
  - A1 MAIN LEVEL FLOOR PLAN
  - A2 NORTH ELEVATION
  - A3 WEST ELEVATION



VIEW FROM STREET

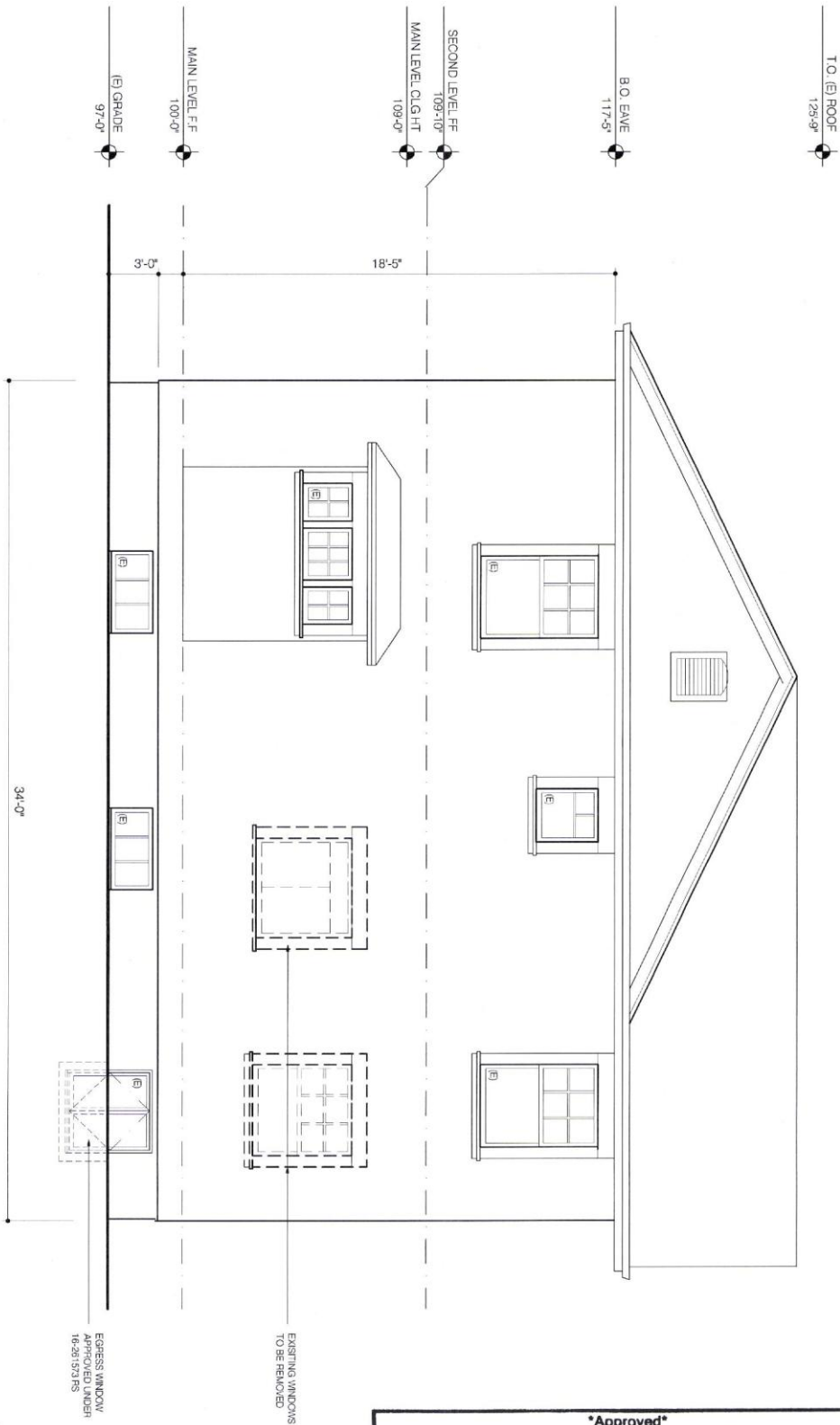


VIEW FROM BACKYARD



Darren Schroeder Designs Consulting 716 SE 45th Avenue Portland, OR 97215 503.241.1113	City of Portland Historic Resource Review	2425 NE 18th Ave Portland, OR 97212	SCALE: DATE: 11.15.16	Project & Property Info	A0
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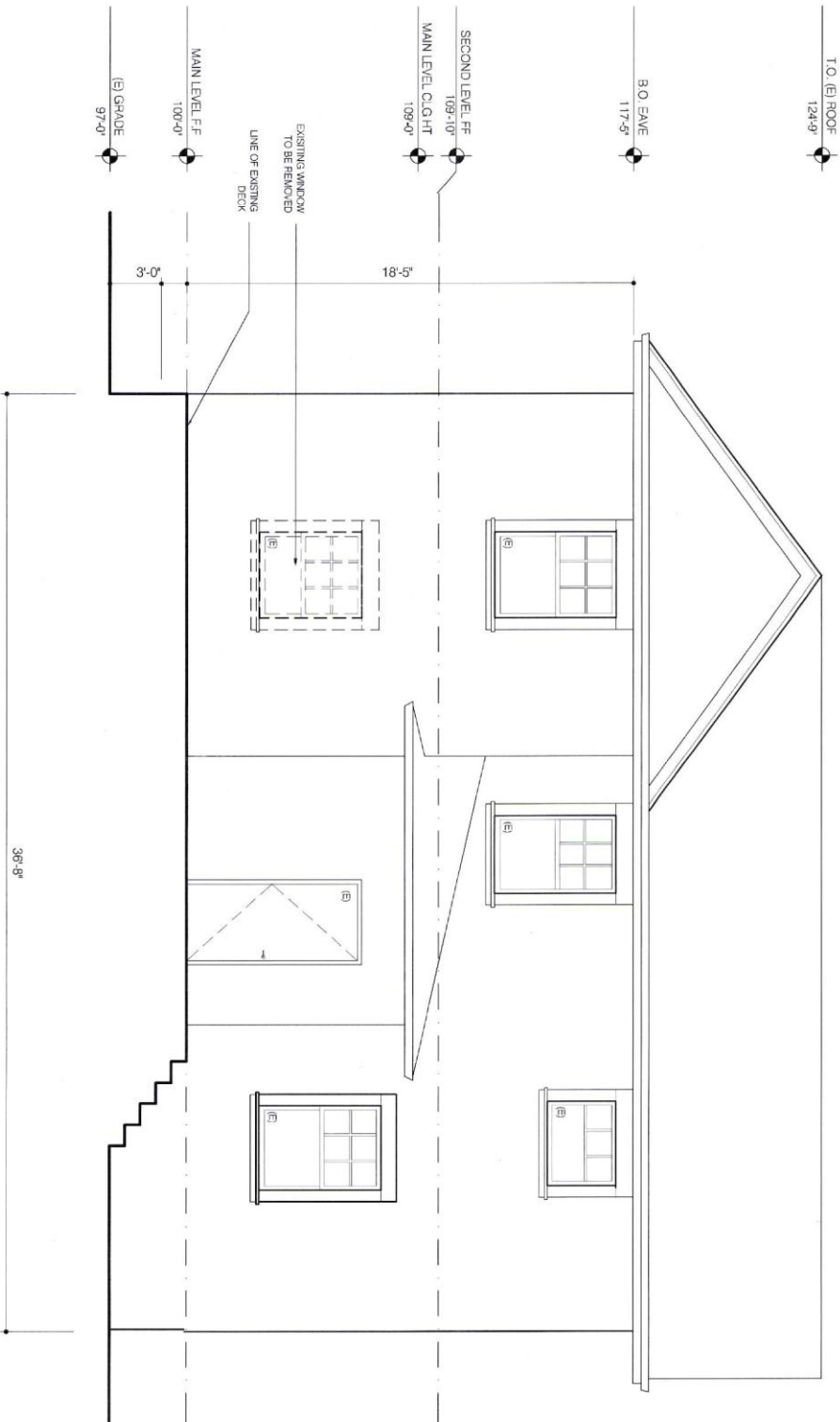
EXH.C1



**\*Approved\***  
 City of Portland - Bureau of Development Services  
 Planner Meriam Rahali Date 12/22/2016  
 \* This approval applies only to the reviews requested and is subject to all  
 code requirements. Additional zoning requirements may apply.

Darren Schroeder Design & Consulting 1832 SE 14th Ave Portland, OR 97214 503.516.2713	City of Portland Historic Resource Review	2425 NE 18th Ave Portland, OR 97212	SCALE 1/4" = 1'-0" DATE: 10/26/16	North Elevation - Existing	AD2
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EXH.C4



**\*Approved\***  
City of Portland - Bureau of Development Services  
Planner Meriam Bahati Date 12/23/2016  
\* This approval applies only to the reviews requested and is subject to all conditions of approval. Additional zoning requirements may apply.

**Darren Schroeder Design & Consulting**  
71015 44th Avenue  
Portland, OR 97215  
503.516.8978

**City of Portland**  
Historic Resource Review

**2425 NE 18th Ave**  
Portland, OR 97212

SCALE:  
1/4" = 1'-0"  
DATE:  
12/23/16

**West Elevation - Existing**

**AD3**

EXH. C.5

Darren Schroeder Design & Consulting  
716 SE 46th Avenue  
Portland, OR 97215  
(503) 281-8916

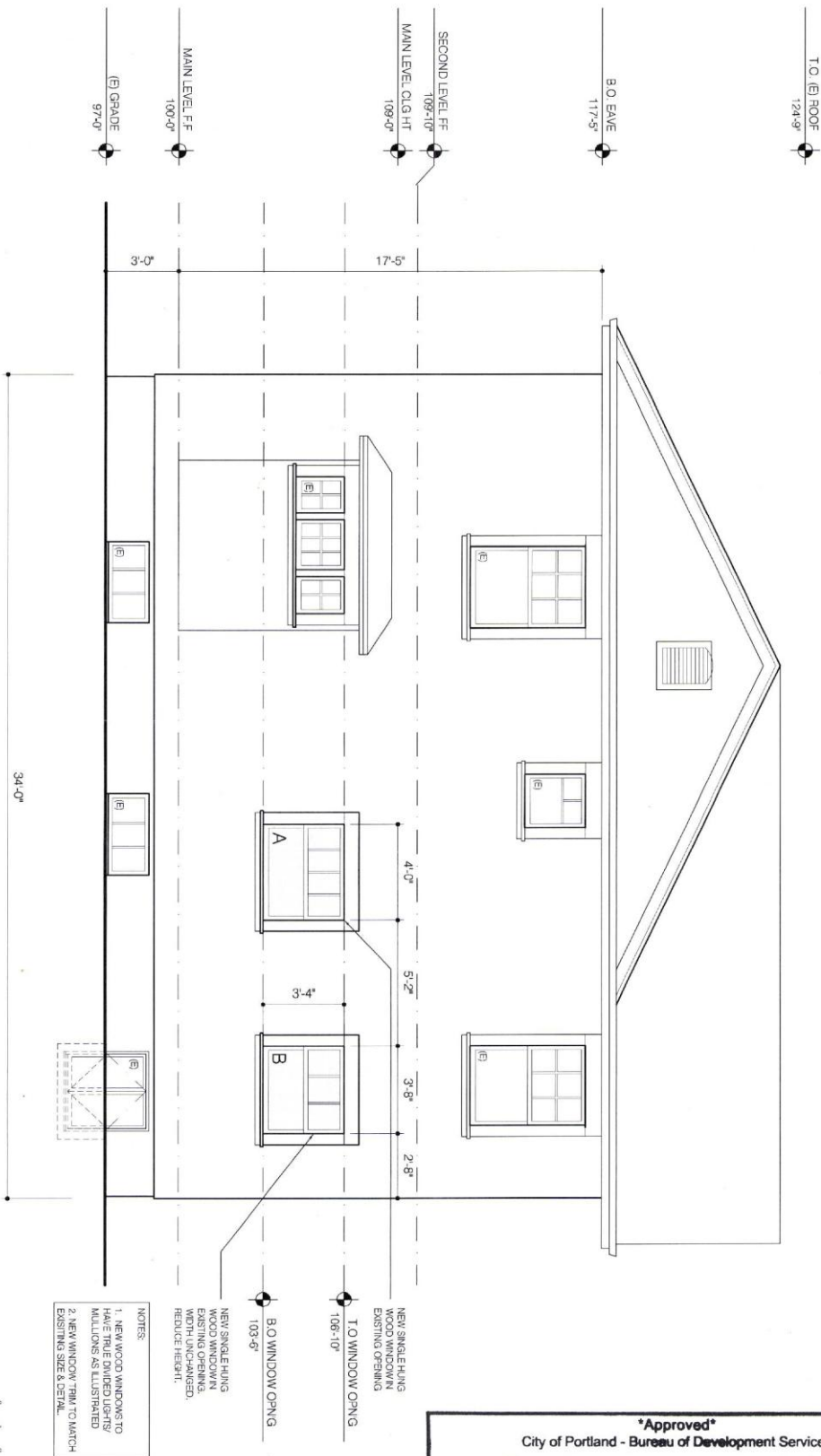
City of Portland  
Historic Resource Review  
2425 NE 18th Ave  
Portland, OR 97212

Scale:  
1" = 4'-0"  
DATE:  
05/28/16

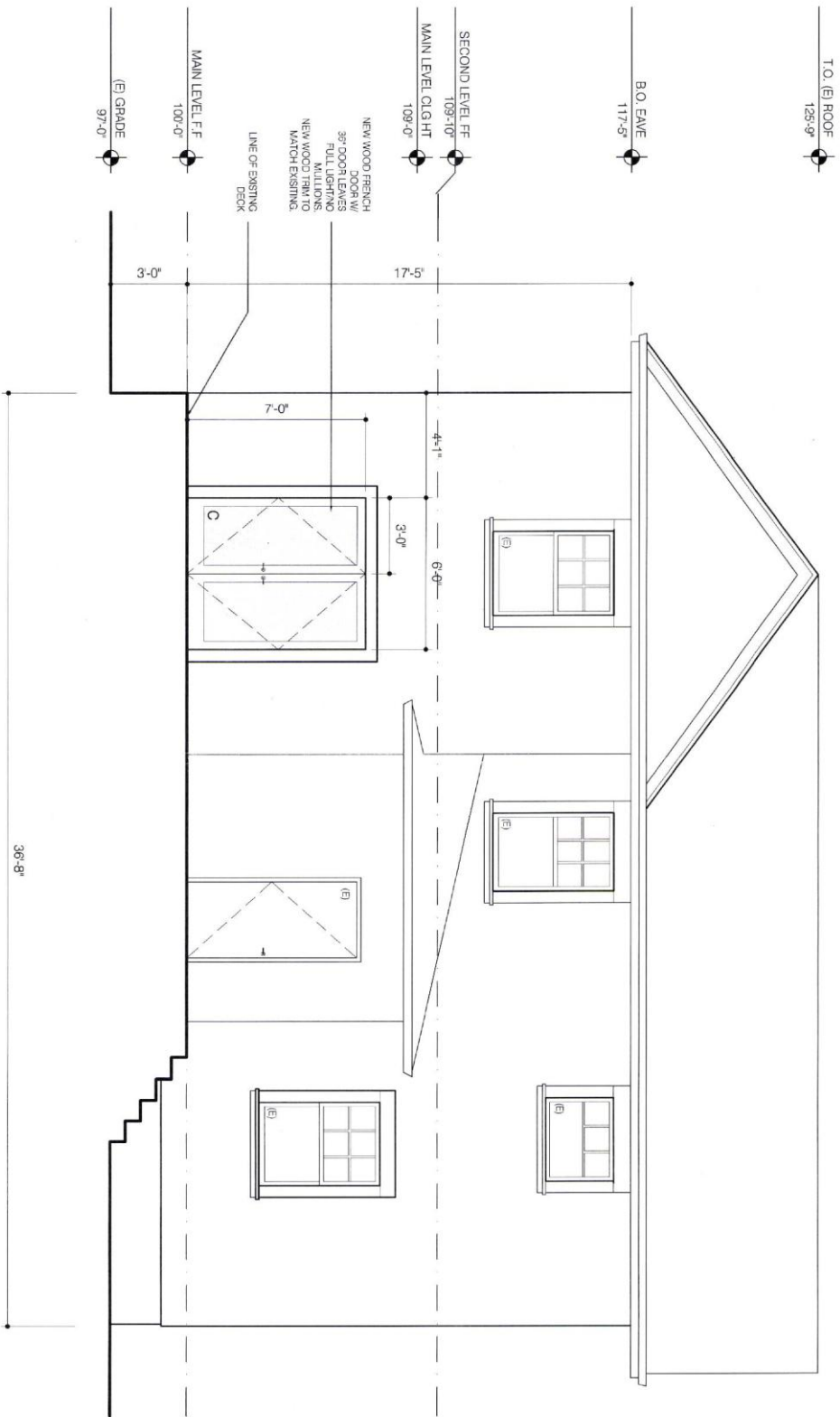
North Elevation - Proposed

A2

EXH.C.7



**\*Approved\***  
City of Portland - Bureau of Development Services  
Planner: Meriam Rahali Date: 12/22/2016  
\* This approval applies only to the reviews requested and is subject to all city codes and regulations. Additional zoning requirements may apply.



**\*Approved\***  
City of Portland - Bureau of Development Services  
Planner Meriam Katali Date 12/22/2016  
\* This applies only to the reviews requested and is subject to all  
cc approval. Additional zoning requirements may apply.

**Daren Schroeder Design & Consulting**  
1111 SW 10th Ave  
Portland, OR 97205  
503.516.2973 P

City of Portland  
Historic Resource Review

2425 NE 18th Ave  
Portland, OR 97212

SCALE  
1" = 4'-0"  
DATE: 11.15.16

West Elevation - Proposed

A3

EXH.C.8