



CITY OF PORTLAND  
 Bureau of Development Services  
 1900 SW Fourth Avenue, Suite 5000  
 Portland, OR 97201 **P524**  
**Land Use Decision Enclosed**  
**Case # LU 16-105696 HR**

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**Return Service Requested**

REC'D JUL 18 2016

SABIN CA  
 RACHEL LEE  
 % NECN  
 4815 NE 7TH AVE  
 PORTLAND OR 97211

97211-399915





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

FROM CONCEPT TO CONSTRUCTION

Dan Saltzman, Commissioner  
Paul L. Scarlett, Director  
Phone: (503) 823-7300  
Fax: (503) 823-5630  
TTY: (503) 823-6868  
[www.portlandoregon.gov/bds](http://www.portlandoregon.gov/bds)

**Date:** July 11, 2016  
**To:** Interested Person  
**From:** Megan Sita Walker, Land Use Services  
503-823-7294 / [MeganSita.Walker@portlandoregon.gov](mailto:MeganSita.Walker@portlandoregon.gov)

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

The Bureau of Development Services has a approved 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 16-105696 HR – ATTACHED  
GARAGE TO ADU CONVERSION**

**GENERAL INFORMATION**

**Applicant:** Jamie M Elsbury  
3142 NE 20th Ave  
Portland, OR 97212

**Owners:** Jamie M Elsbury & Nicholas D Nunley  
3142 NE 20th Ave  
Portland, OR 97212

**Site Address:** 3142 NE 20TH AVE

**Legal Description:** BLOCK 27 LOT 15, IRVINGTON  
**Tax Account No.:** R420405880  
**State ID No.:** 1N1E26AA 10600  
**Quarter Section:** 2723

**Neighborhood:** Sabin Community Assoc., contact Rachel Lee at 503-964-8417, Irvington, contact Dean Gisvold at 503-284-3885.

**Business District:** North-Northeast Business Assoc, contact Joice Taylor at 503-841-5032.

**District Coalition:** Northeast Coalition of Neighborhoods, contact Zena Rockowitz at 503-388-9030.

**Plan District:** None  
**Other Designations:** Contributing property in the 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:**

The applicant is seeking Historic Resource Review approval to convert an existing attached garage (with one bedroom above) into living space.

The original house is a bungalow with shake siding, built in 1922, and is a contributing property in the Irvington Historic District. In 1955, an attached double garage with a bedroom above it was added to the rear of the house.

All proposed alterations are to the east and south facades, facing rear and side property lines, and are limited to the previous addition at the rear of the property. No alterations are proposed to the street facing (west) façade, and no historic material is proposed to be altered. On the south façade of the addition, the existing 16'-10" wide by 7'-8" tall roll-up garage door is proposed to be replaced with 3 wooden French doors (one operable and two fixed) that together are approximately 11' wide and 7'-6" tall. The remaining portion of the south façade will be infilled and patched to match the all-wood shake siding on the addition, which matches the original shake siding on the main house. The applicant is also proposing to install two new wood windows on the east (rear) façade of the addition that, together are approximately 5'-6" wide by 3'-6" tall. The current proposal results in approximately 149.3 square feet of affected façade area.

Historic Resource Review is required for non-exempt exterior alterations within the Irvington Historic District.

**Relevant Approval Criteria:**

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

- 33.846.060.G *Other approval criteria*

## CONCLUSIONS

The proposal includes the replacement of the existing roll-up metal garage door with three pairs of wooden French doors, the patching of the remaining portion of the existing garage door opening with all wood siding to match existing conditions, and the installation of two new wood windows on the east (rear) elevation of the previously added addition. The proposed work does not compromise the compatibility of the resource within the district and therefore warrants approval. 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 guidelines and therefore warrants approval.

## ADMINISTRATIVE DECISION

Approval of the replacement of the existing roll-up metal garage door with three pairs of French doors, the patching of the remaining portion of the existing garage door opening with all wood siding to match existing conditions, and the installation of two new all wood windows on the east elevation, per the approved site plans, Exhibits C-1 through C-9, signed and dated 07/06/2016, subject to the following conditions:

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-9. The sheets on which this information appears must be labeled, "Proposal and design as approved in Case File # LU 16-105696 HR."

- A. As part of the building permit application submittal, the following development-related condition B must be noted on each of the four 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 16-105696 HR." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED". No field changes allowed."

**Staff Planner: Megan Sita Walker**

**Decision rendered by:**  **on July 6, 2016**

By authority of the Director of the Bureau of Development Services

**Decision mailed July 11, 2016.**

**Procedural Information.** The application for this land use review was submitted on January 14, 2016, and was determined to be complete on February 2, 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 January 14, 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: June 1, 2016.**

**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 **July 12, 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
  1. Project Narrative & response to Approval Criteria
  2. Site Photos
- B. Zoning Map (attached)
- C. Plans/Drawings:
  1. Site Plan (attached)
  2. Existing South Elevation (attached)
  3. Proposed South Elevation (attached)
  4. Existing East Elevation (attached)
  5. Proposed East Elevation (attached)
  6. Floor Plan – Ground Level
  7. Floor Plan – Upper Level
  8. Door Specifications
  9. Window Specification

D. Notification information:

1. Mailing list
2. Mailed notice

E. Agency Responses: No responses were received.

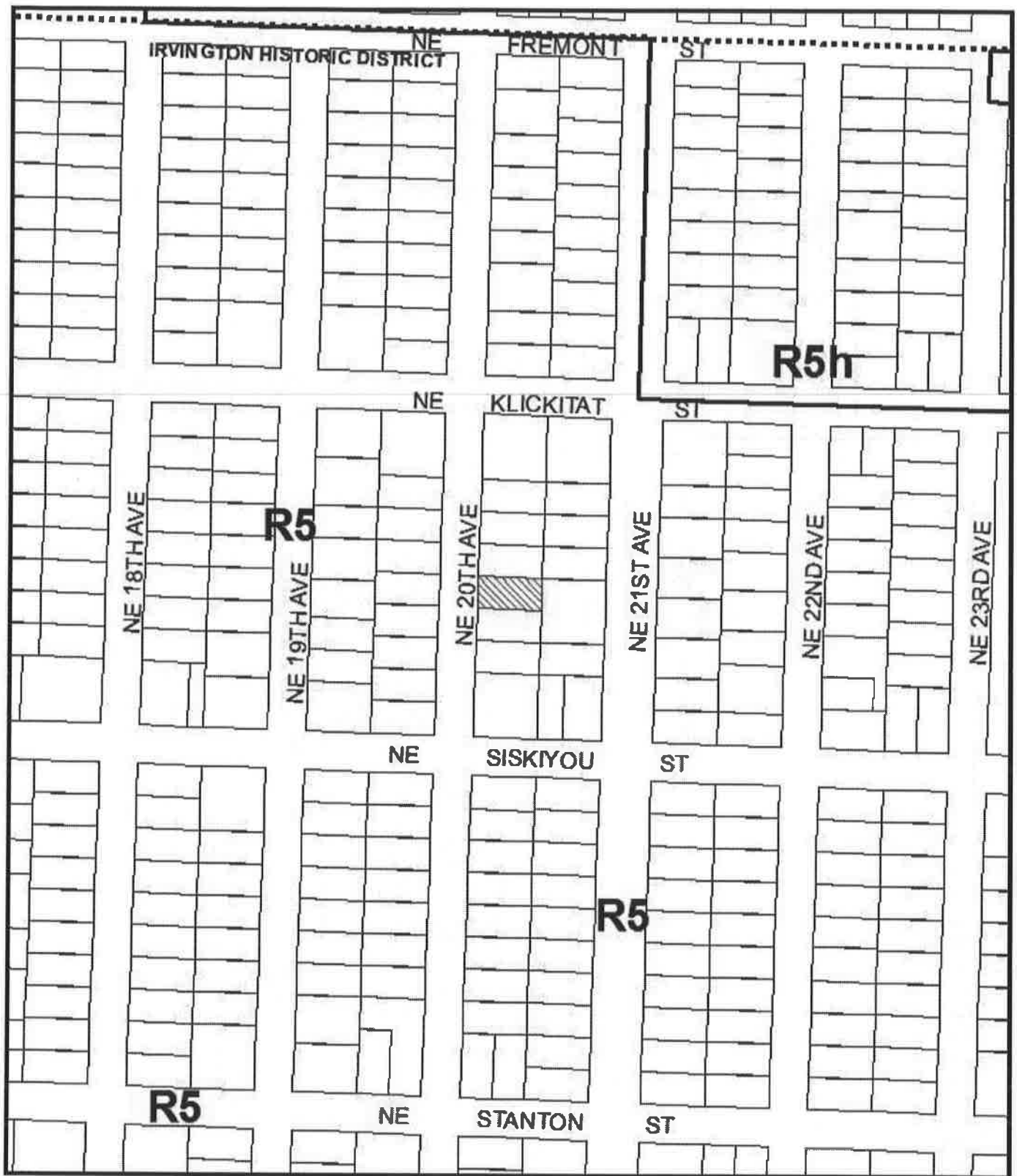
F. Correspondence:

1. Rachel Lee on behalf of the Land Use & Transportation Committee of the Sabin Community Association, on February 17, 2016, wrote in support of the proposal.
2. Dean Gisvold on behalf of the Irvington Community Association (ICA), on February 22, 2016 wrote in support of the proposal, and expressed that the new windows proposed to be located on the rear (east) elevation of the addition should be all wood windows.

G. Other:

1. Original LU Application

**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:  
IRVINGTON HISTORIC DISTRICT

File No.	<u>LU 16-105696 HR</u>
1/4 Section	<u>2732</u>
Scale	<u>1 inch = 200 feet</u>
State Id	<u>1N1E26AA 10600</u>
Exhibit	<u>B</u> (Jan 15, 2016)

NE 20TH AVE.

WATER & SEWER  
CONNECT IN NE  
20TH AVE.

(E) PARKING STRIP

(E) SIDEWALK

ELEC  
OVERHEAD

NO CHANGES TO  
EXISTING HOUSE OR  
PORCH FOOTPRINT.  
PROPERTY SLOPES  
GENTLY UP FROM  
FRONT PORCH TO  
BACK AND FALLS OFF  
STEPLY FROM FRONT  
PORCH TO STREET.

GAS  
METER

(E) SHARED DRIVEWAY

100'-0"

(E) WALL

19'-2"

NO GROUND WORK  
WITHIN 30 FT ROAD,  
OR CEDAR RPTZ

50'-0"

ADD.  
WINDOW

AREA OF  
INTERIOR  
WORK

FACE  
MODIFICATION

9'X8' CAR  
PARK AREA

**\*Approved\***  
City of Portland  
Bureau of Development Services  
Planner *[Signature]*  
Date 07.06.16

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



1 HDI  
SITE PLAN

1/8"=1'-0"

LV 16-105696 HR

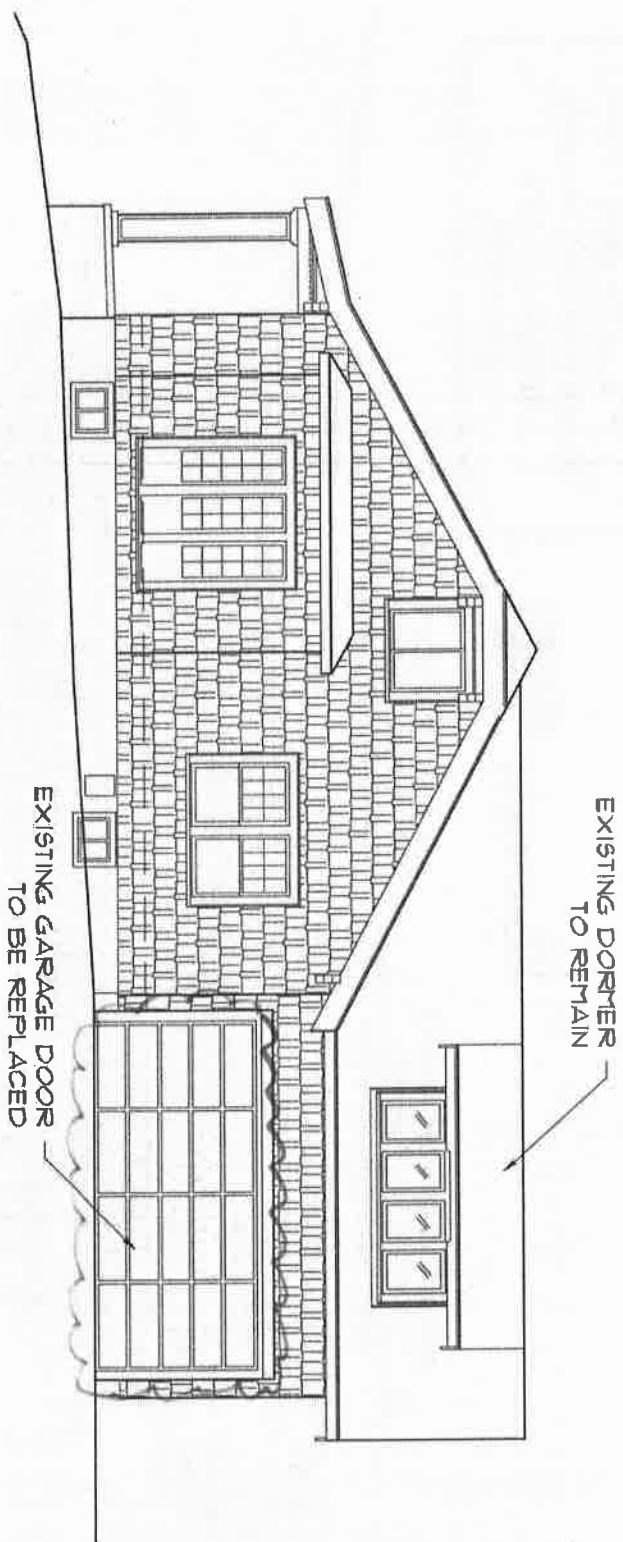
EXH C-1


DRAWN KWB DATE 01/11/15 SHEET HD1	<b>ELSBURY-NUNLEY RESIDENCE</b> 3142 NE 20th AVE. PORTLAND, OR 97212		KATHRYN BASH, ARCHITECT 3208 NE 18TH AVE. PORTLAND, OR 97218  OFFICE 503-263-1968	
	SITE PLAN			



**\*Approved\***  
 City of Portland  
 Bureau of Development Services  
 Planner HJW  
 Date 07.06.16

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



 1 HD2 (E)  
 EXISTING SOUTH ELEVATION  
1/8" = 1'-0"

LU 16-105696 HR

EXH C-2

SHEET <b>HD2 (E)</b>	DRAWN <b>KWB</b> DATE <b>01/11/15</b>	<b>ELSBURY-NUNLEY RESIDENCE</b> 3142 NE 20th AVE. PORTLAND, OR 97212  <b>SOUTH ELEVATION EXISTING</b>	<b>KATHRYN BASH, ARCHITECT</b> <small>2505 NE 18TH AVE.          PORTLAND, OR 97213</small>  <small>OFFICE 903-282-1869</small>	
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**\* Approved \***  
 City of Portland  
 Bureau of Development Services  
 Planner HP/We  
 Date 07.06.15

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

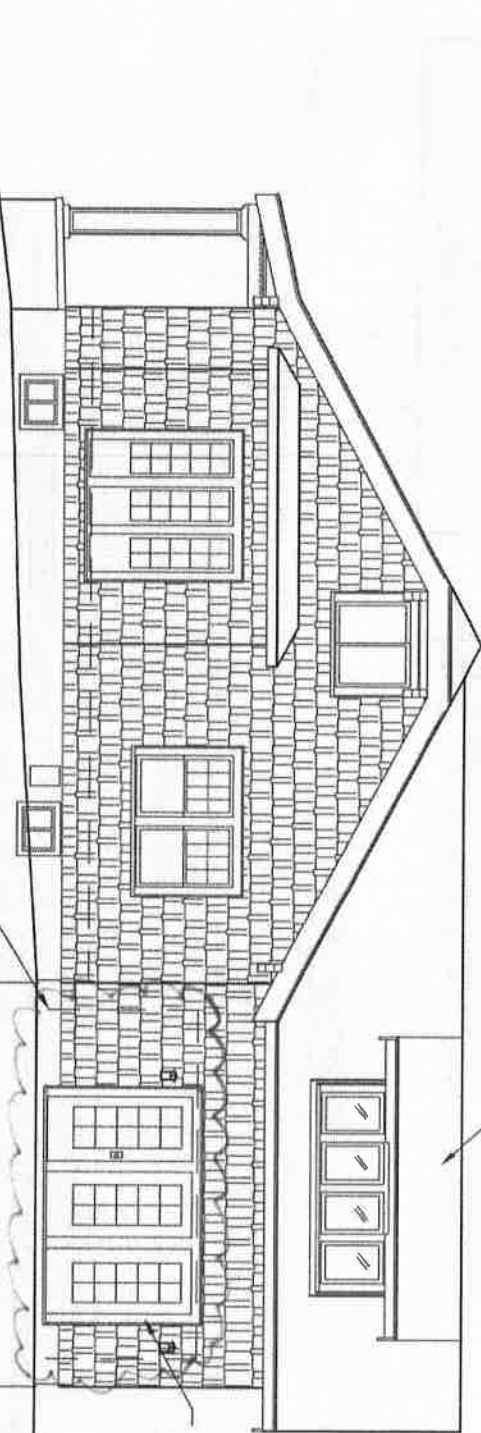


DASHED LINE INDICATES GARAGE DOOR TO BE REMOVED AND INFILLED

AREA OF INTERIOR WORK 124 SF OF MODIFIED EXTERIOR SURFACE AREA

NEW FRENCH DOORS  
 2 FIXED  
 1 OPERABLE

EXISTING DORMER TO REMAIN



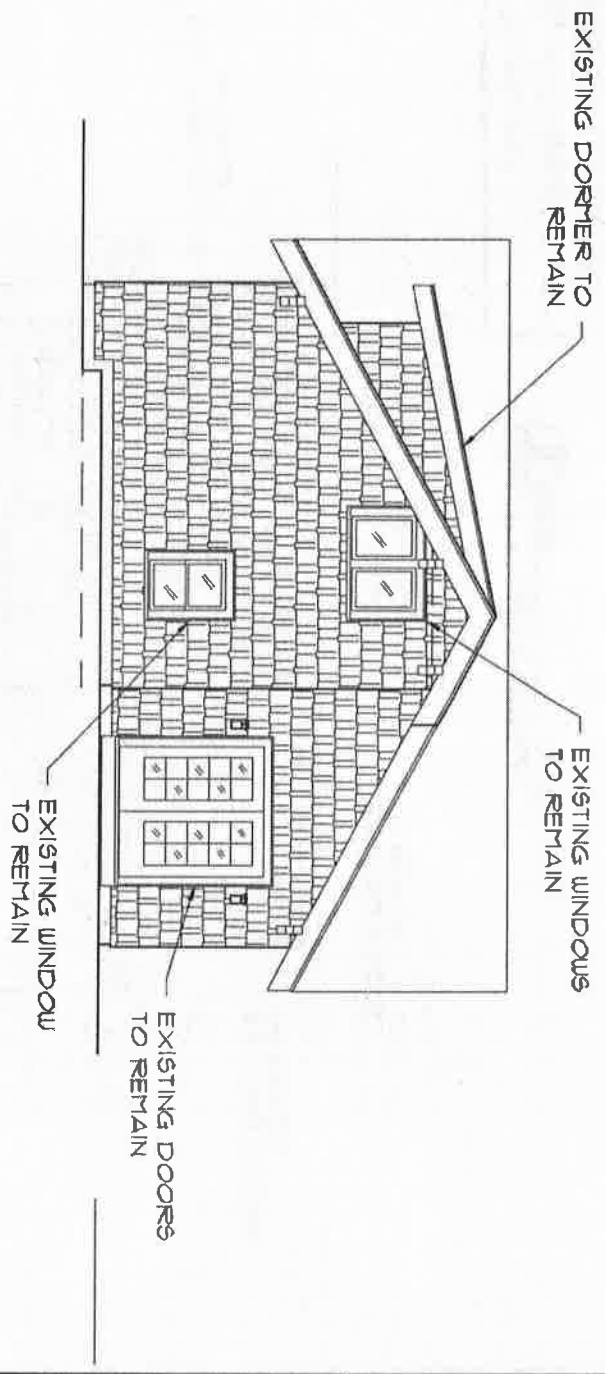
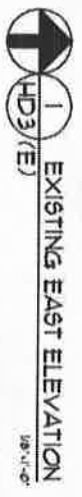
LV 16-105696 HR

EXH C-3

SHEET <b>HD2</b>	DRAWN <b>KWB</b>	DATE <b>01/11/15</b>	<b>ELS BURY-NUNLEY RESIDENCE</b> 3142 NE 20th AVE. PORTLAND, OR 97212	<b>KATHRYN BASH, ARCHITECT</b> 2306 NE 18TH AVE. PORTLAND, OR 97212  OFFICE 503-882-1849	
	<b>SOUTH ELEVATION PROPOSED</b>				

**\*Approved\***  
 City of Portland  
 Bureau of Development Services  
 Planner *[Signature]*  
 Date 07.06.16

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



L0 16-105696 HR

EXH C-4

DRAWN  
KWB  
DATE 01/11/15  
SHEET  
HD3(E)

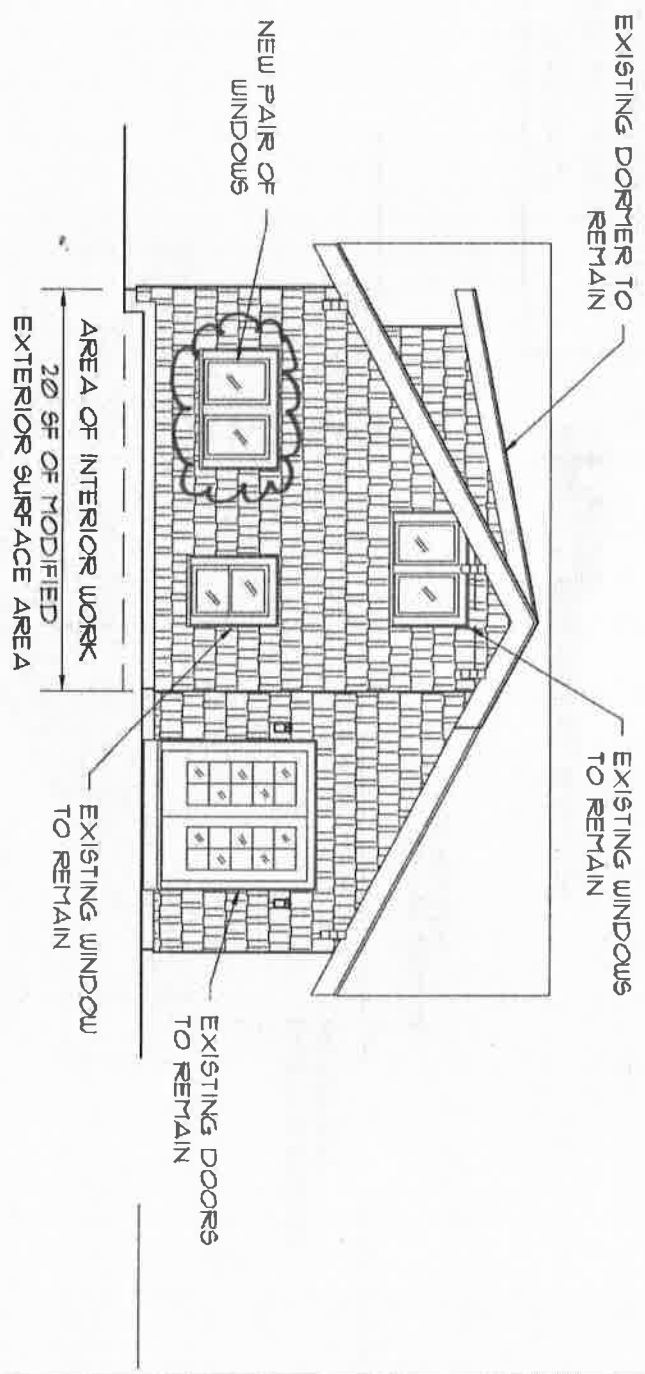
**ELSBURY-NUNLEY RESIDENCE**  
 3142 NE 20th AVE. PORTLAND, OR 97212  
**EAST ELEVATION EXISTING**

**KATHRYN BASH, ARCHITECT**  
 3208 NE 18th AVE  
 PORTLAND, OR 97218  
 OFFICE 503-288-1369



**\* Approved \***  
 City of Portland  
 Bureau of Development Services  
 Planner MSW  
 Date 07.06.16

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



LU 16-105696 MP

**EXH C-5**

SHEET <b>HDS 3</b>	DRAWN <b>KWB</b>	DATE <b>01/11/15</b>	<b>ELSBURY-NUNLEY RESIDENCE</b> 3142 NE 20th AVE. PORTLAND, OR 97212	<b>KATHRYN BASH, ARCHITECT</b> 3205 NE 18TH AVE. PORTLAND, OR 97213  OFFICE 503-282-1849	
	<b>EAST ELEVATION PROPOSED</b>				