



CITY OF PORTLAND  
 Bureau of Development Services  
 1900 SW Fourth Avenue, Suite 5000  
 Portland, OR 97201 P524  
**Land Use Decision Enclosed**  
**Case # LU 16-181208 HR**

16



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

97211#3939 C022



City of Portland, Oregon | Bureau of Development Services | 1900 SW Fourth Avenue, Portland, Oregon 97201 | www.portlandoregon.gov/bds



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503-823-7300 | BDS@PortlandOregon.gov | www.PortlandOregon.gov/bds/translated

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

Chloe Eudaly, 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:** March 16, 2017  
**To:** Interested Person  
**From:** Puja Bhutani, Land Use Services  
 503-823-7226 / [Puja.Bhutani@portlandoregon.gov](mailto:Puja.Bhutani@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 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 16-181208 HR – REAR ADDITION**

**GENERAL INFORMATION**

**Applicant:** Rich Farrington, Applicant  
 415 N State Street, #134  
 Lake Oswego, OR 97034

Jan M Cleiland, Owner  
 3140 NE 19th Avenue  
 Portland, OR 97212

**Site Address:** 3140 NE 19TH AVENUE  
**Legal Description:** BLOCK 30 N 1/2 OF LOT 14 S 35' OF LOT 15, IRVINGTON  
**Tax Account No.:** R420406490  
**State ID No.:** 1N1E26AA 08900  
**Quarter Section:** 2789

**Neighborhood:** Sabin Community Association, contact Rachel Lee at 503-964-8417./ 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.

**Other Designations:** Contributing Resource in the Irvington Historic District  
**Zoning:** R5, Single Family Residential 5000  
**Case Type:** HR, Historic Resource Review  
**Procedure:** Type II, an administrative decision with appeal to the Landmarks Commission.

**Proposal:**  
 The proposed exterior alterations to the existing residence in the Irvington Historic District include:

- A one-story, approximately 150 sqft rear addition to the existing residence in the Irvington Historic District. The addition includes five (5) painted double hung wood windows with divided lites in the upper sash, two (2) new French doors with full divided lites and wall

sconces. The existing bay window, French door, and steps on the rear elevation will be demolished.

- Replace an existing wood double hung window on the south elevation with two new wood double hung windows with divided lites on the upper sash.
- A raised terrace with concrete walls and low planters with concrete curb.

Historic Resource Review is required because the proposal is for non-exempt new construction in the Irvington 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:

- Section 33.846.060 Other Approval Criteria

## CONCLUSIONS

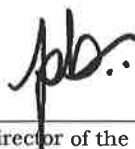
The proposed rear addition will be compatible with the existing character and architectural features of the house, adjacent properties and the rest of the district. The purpose of the Historic Resource Review process is to ensure that additions, new construction, and exterior alterations to historic 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 a one-story rear addition to the existing residence in the Irvington Historic District. The proposal also includes replacing an existing wood double hung window on the south elevation with two new wood double hung windows, and adding a raised terrace with concrete walls and low planters. Approved per the approved site plans, Exhibits C-1 through C-19, signed and dated 3/13/2017, subject to the following conditions:

- As part of the building permit application submittal, the following development-related conditions (B through D) 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 16-181208 HR." All requirements must be graphically represented on the site plan, landscape, or other required plan and must be labeled "REQUIRED."
- The installed depth of the new painted wood windows of the addition and the new painted wood windows on the south elevation, as measured from the exterior face of the exterior trim to the exterior face of the upper sash (and muntins), to be the same as the original wood windows and with a dimension of at least 1-5/8" .
- At the time of building permit submittal, a signed Certificate of Compliance form (<https://www.portlandoregon.gov/bds/article/623658>) must be submitted to ensure the permit plans comply with the Design/Historic Resource Review decision and approved exhibits.
- No field changes allowed.

**Staff Planner: Puja Bhutani**



**Decision rendered by:** \_\_\_\_\_ **on (3/13/2017)**

By authority of the Director of the Bureau of Development Services

**Decision mailed: March 16, 2017**

**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 June 1, 2016, and was determined to be complete on October 10, 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 June 1, 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 requested that the 120-day review period be extended by another 120 days as stated with Exhibit G3. Unless further extended by the applicant, **the 120 days will expire on: June 7, 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.

**Appealing this decision.** This decision may be appealed to the Landmarks Commission, which will hold a public hearing. Appeals must be filed **by 4:30 PM on March 30, 2017** at 1900 SW Fourth Ave. Appeals can be filed at the 5<sup>th</sup> floor reception desk of 1900 SW 4<sup>th</sup> Avenue Monday through Friday between 8:00 am and 4:30 pm. **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 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 775 Summer St NE, Suite 330, Salem, Oregon 97301-1283, 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 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 31, 2017 – (the day following the last day to appeal)**.
- 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.

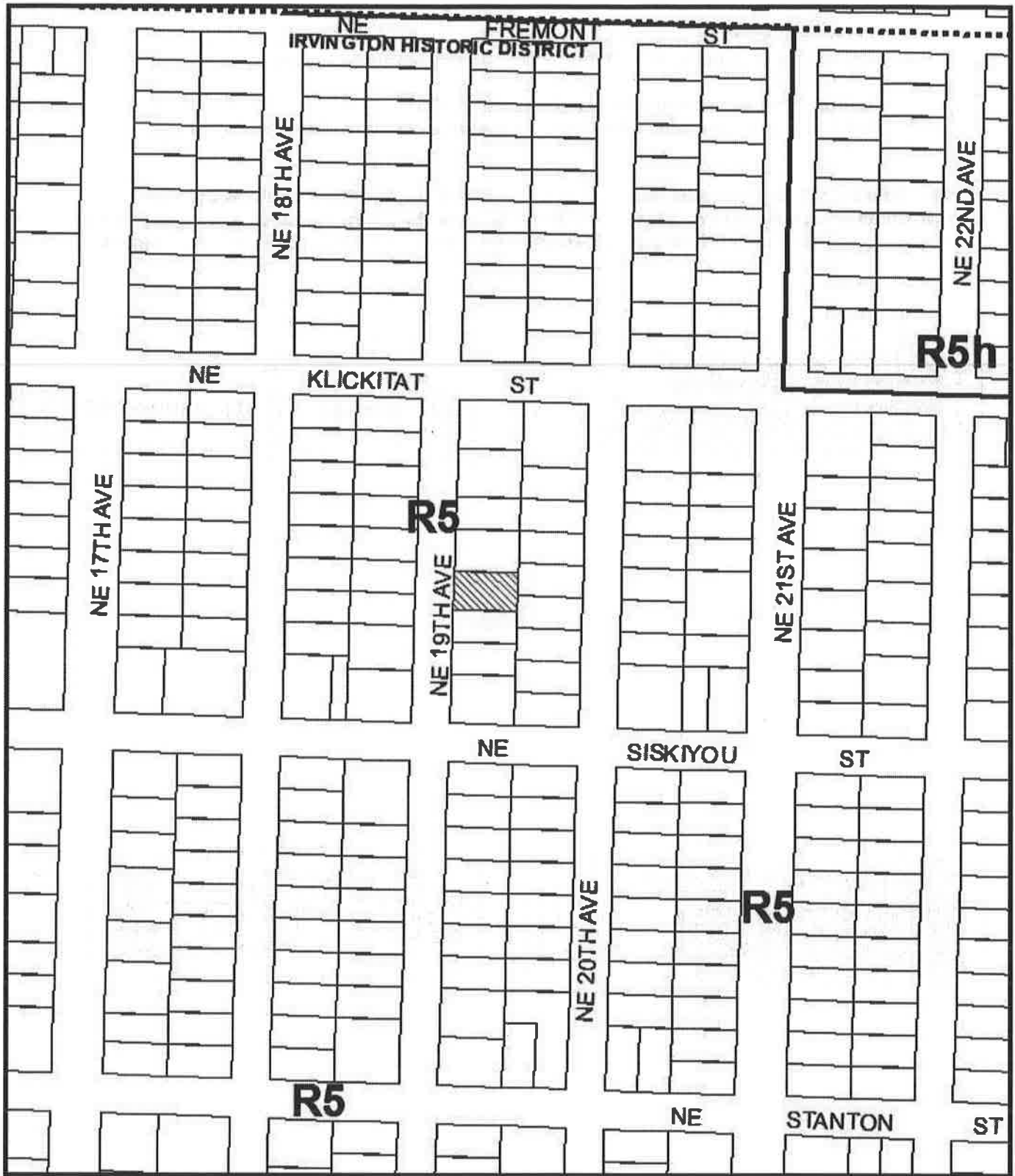
**EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
  - 1. Original Narrative
  - 2. Original Plan set, Not approved-for information only
  - 3. Original Proposal sketches
  - 4. Photographs
  - 5. Revised Narrative, submitted 10/10/16
  - 6. Revised Plan set, Not approved-for information only
  - 7. Photographs of similar additions
  - 8. Final Narrative, dated 12/30/2016
  - 9. Revised perspective of the addition
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Site Plan (attached)
  - 2. Existing First Floor Plan
  - 3. Existing Second Floor Plan
  - 4. Existing Basement Plan
  - 5. Existing Roof Plan
  - 6. Proposed First Floor Plan
  - 7. Proposed Second Floor Plan
  - 8. Proposed Basement Floor Plan
  - 9. Proposed Roof Plan
  - 10. Building Sections
  - 11. Existing West and North Elevation
  - 12. Existing and Proposed South Elevation (attached)
  - 13. Existing and Proposed East Elevation (attached)
  - 14. Window Details
  - 15. Window Details
  - 16. Door Details
  - 17. Eave and Rake Details
  - 18. Skylight, Sconce light manufacturers cut sheets
  - 19. Manufacturers cut sheets
- D. Notification information:
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses:
  - 1. Bureau of Environmental Services
  - 2. Bureau of Transportation Engineering and Development Review
  - 3. Life-Safety Review Section of BDS
- F. Correspondence:
  - 1. Rachel Lee, Chair, Sabin Land use & Transportation Committee, 11/7/2016, wrote in support of the proposal.
  - 2. Dean P. Gisvold, Chair, Irvington Community Association, 11/7/2016, wrote in support of the proposal.
- G. Other:
  - 1. Original LU Application

2. Incomplete letter send by staff, dated 6/16/17
3. Request for Extension of 120 day review period, received 11/28/16
4. Sanborn map
5. Building permit drawings for addition, dated 2001
6. Building Inspection report for applying aluminum siding, dated 7/30/74

**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



This site lies within the:  
IRVINGTON HISTORIC DISTRICT

 Site

File No. LU 16-181208 HR  
 1/4 Section 2732  
 Scale 1 inch = 200 feet  
 State\_Id 1N1E26AA 8900  
 Exhibit B (Jun 03, 2010)



**SITE/LOT/BUILDING/ZONING INFORMATION:**

**ZONE (CITY OF PORTLAND):**  
 ZONE: R-3 M (METROPOLITAN RESIDENTIAL DISTRICT)  
**SETBACKS:** SIDE YARD: 5.0 FT. MINIMUM REQUIRED  
 FRONT YARD: 10.0 FT. MINIMUM REQUIRED  
 REAR YARD: 5.0 FT. MINIMUM REQUIRED  
**BUILDING HEIGHT:** 30 FT MAXIMUM  
**BUILDING LOT AREA:** 5,200 SF  
**MAX BUILDING COVERAGE:** 3,280 SF (15% (1,000) - 2,400 SF)  
**PROPERTY ADDRESS:**  
 3140 NE 19th AVENUE  
 PORTLAND OREGON 97212

**SUBJECT LOT:**

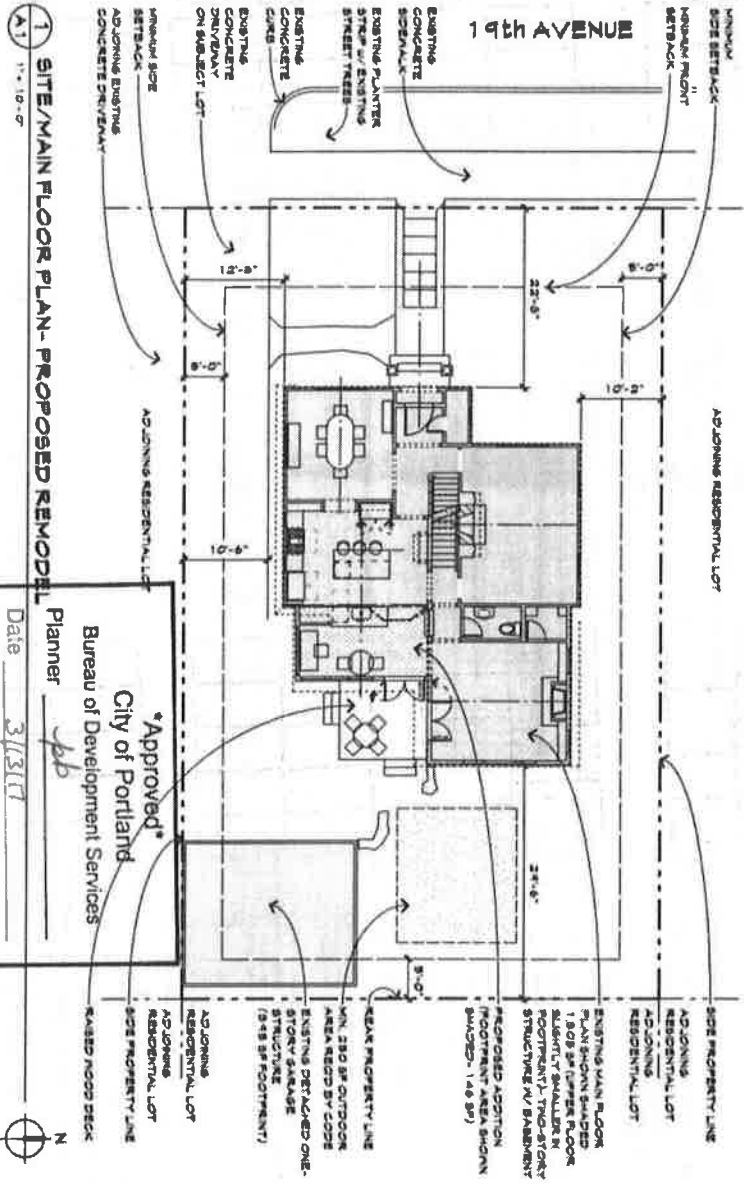
14.54 SQ. FT. (14.54 SQ. FT. OF LOT 18, DIVISION DISTRICT OF PORTLAND OREGON)

**EXISTING/PROPOSED AREA CALCULATIONS:**

**EXISTING BUILDING COVERAGE:** EX. EXISTING STRUCTURE = 1,502 SF  
 EX. DETACHED GARAGE = 858 SF  
**PROPOSED ADDITION:** 1,448 SF  
**TOTAL PROPOSED BUILDING COVERAGE:** 3,808 SF  
 (91% OF MAXIMUM ALLOWED)

**PROPOSED ZONING DIMENSIONS:**

**PROPOSED SETBACKS:**  
 FRONT: 35'-0" (EXISTING UNCHANGED), 15'-0" MINIMUM REQUIRED  
 REAR (YARD): 25'-0" (EXISTING UNCHANGED), 5'-0" MINIMUM REQUIRED  
 SIDE YARD (EAST): 15'-0" (EXISTING UNCHANGED), 5'-0" MINIMUM REQUIRED  
 SIDE YARD (WEST): 10'-0" (PROPOSED), 5'-0" MINIMUM REQUIRED  
**MINIMUM BUILDING HEIGHT:** 30 FT MAXIMUM ALLOWED (NO ROOM HEIGHTS)  
 EXISTING BUILDING HEIGHT: 28 FT (MAXIMUM HEIGHT: 30 FT (R-3))  
 PROPOSED BUILDING HEIGHT: 30 FT (MAXIMUM HEIGHT: 30 FT (R-3))  
 (MAXIMUM HEIGHT: 30 FT (R-3))



**1 SITE/MAIN FLOOR PLAN-PROPOSED REMODEL**  
 AI 11-10-07

**\*Approved\***  
 City of Portland  
 Bureau of Development Services  
 Planner *pb*  
 Date 3/3/17

\* This approval applies only to the  
 review requested and is subject to all  
 applicable zoning requirements that apply.



STREET VIEW OF SUBJECT HOME FROM 19TH AVENUE (WEST ELEVATION)



VIEW OF SUBJECT HOME FROM SOUTHEAST

REVISION	DATE
REV 1	8/18/10
REV 2	4/21/10
REV 3	12/24/10
REV 4	2/28/17

SHEET NUMBER: 1 OF 15  <b>C1</b>	<b>CLEILAND RESIDENTIAL REMODEL</b> 3140 NE 19th AVENUE PORTLAND, OREGON 97212 OWNER: Jan Cleiland
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