



CITY OF PORTLAND  
 Bureau of Development Services  
 1900 SW Fourth Avenue, Suite 5000  
 Portland, OR 97201 **P524**  
**Land Use Decision Enclosed**  
**Case # LU 16-154572 HR**



U.S. POSTAGE FITNEY BOWES



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**Return Service Requested**

**REC'D JUN 27 2016**

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

97211#9599 C022



POSTNET BY FITNEY BOWES



**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:** June 23, 2016  
**To:** Interested Person  
**From:** Jeff Mitchem, Land Use Services  
 503-823-7011 / [Jeffrey.Mitchem@portlandoregon.gov](mailto:Jeffrey.Mitchem@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 16-154572 HR**  
**SINGLE-DWELLING ADDITION**

**GENERAL INFORMATION**

**Applicant:** Clark and Mary Fisher  
 3130 NE 19th Ave  
 Portland, OR 97212

**Representative:** Tara Doherty | Tara Doherty Architect  
 1831 SE Knapp  
 Portland OR 97202

**Site Address:** 3130 NE 19TH AVE  
**Legal Description:** BLOCK 30 N 1/2 OF LOT 13 S 1/2 OF LOT 14, IRVINGTON  
**Tax Account No.:** R420406480  
**State ID No.:** 1N1E26AA 09000  
**Quarter Section:** 2732

**Neighborhood:** Irvington, contact Dean Gisvold at 503-284-3885; Sabin Community Assoc., contact Rachel Lee at 503-964-8417.  
**Business District:** North-Northeast Business Assoc, contact Joice Taylor at 503-841-5032.  
**District Coalition:** Northeast Coalition of Neighborhoods, contact Zena Rockowitz at 503-388-5070.  
**Plan District:** None  
**Zoning:** R5, Residential 5,000  
**Case Type:** HR, Historic Resource Review  
**Procedure:** Type II, an administrative decision with appeal to the Landmarks Commission.

**Proposal:**  
 The proposal is for a 500 square-foot addition to the rear of an existing 960 square-foot home. The 17' x 29'-4" addition will extend eastward (rear lot) under a single hipped gable centered on the structure's main N-S ridge line and recessed on the north and south elevations by

approximately 2'-6". The existing impervious surface of 2,314 square feet will be expanded by 468 square feet to 2,782 square feet. The de-construction necessary to accommodate the new work is limited to approximately 30 linear feet of exterior wall, four windows (three on the rear façade and one on the north façade) and one door. The new addition is limited to

- approximately 40 linear feet of wall (CVG wood lap siding to match existing);
- south elevation – one, three-part Marvin wood casement window (divided lites to match existing windows);
- east elevation (rear) – one, three-part Marvin wood casement window, and a single four-panel accordion door (with divided lites to match existing windows); and,
- north elevation – two Marvin wood double-hung windows (with divided lites to match existing windows).

Historic Resource review is required because the proposal is for exterior alteration within 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:

- 33.846.060.G. Other Approval Criteria

## CONCLUSIONS

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 sensitive addition includes only historically-compatible material and form that does compromise the historic character of Irvington Conservation District. This proposal meets the applicable Historic Design Review criteria and therefore warrants approval.

## ADMINISTRATIVE DECISION

Approval of historic design review for exterior alterations to the existing house in the Irvington Historic District that includes the following:

- a 17' x 29'-4" addition will extend eastward (rear lot);
- approximately 40 linear feet of wall (wood lap siding to match existing);
- two new Marvin wood casement windows (with divided lites to match existing) on the south and east (rear) elevations;
- two new Marvin wood double-hung windows (with divided lites to match existing) on the north elevation and,
- a single four-panel accordion door (with divided lites) on the east elevation.

Approved, per the approved site plans, Exhibits C-1 through C-10 signed and dated June 21, 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 16-154572 HR. No field changes allowed."

**Staff Planner: Jeff Mitchem**

**Decision rendered by:**  **on June 21, 2016**  
By authority of the Director of the Bureau of Development Services

**Decision mailed: June 23, 2016**

**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 April 18, 2016, and was determined to be complete on May 23, 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 April 18, 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: September 20, 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.

**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 July 7, 2016** at 1900 SW Fourth Ave. Appeals can be filed at the Development Services Center Monday through Wednesday and Fridays between 8:00 am to 3:00 pm and on Thursdays between 8:00 am to 12:00 pm. After 3:00 pm Monday through Wednesday and Fridays, and after 12:00 pm on Thursdays, appeals must be submitted at the reception desk on the 5<sup>th</sup> 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 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 **July 8, 2016**.
- 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.

Zone Change and Comprehensive Plan Map Amendment approvals do not expire.

**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

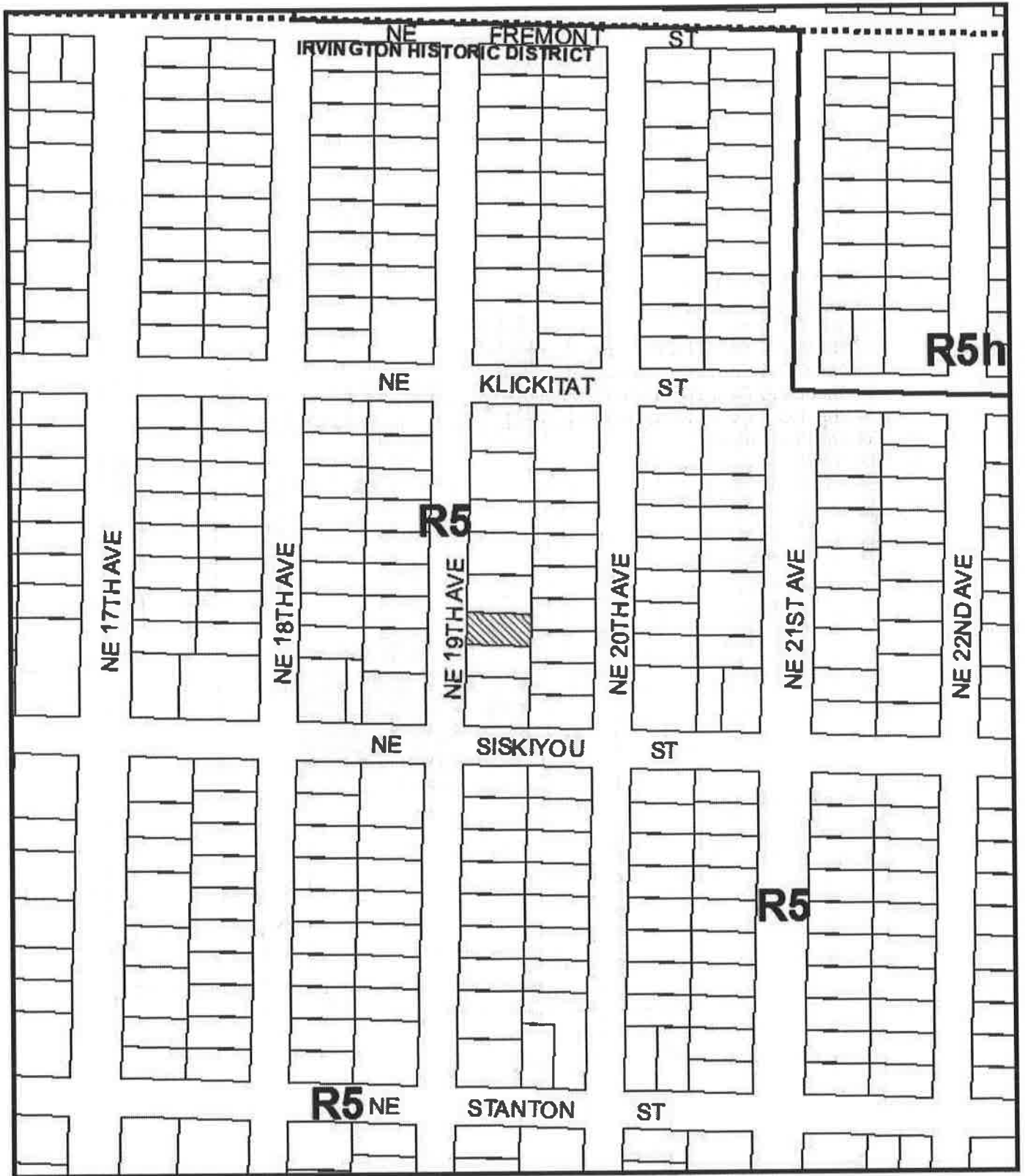
- All provisions of the Municipal Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

**EXHIBITS**

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement
  - 1. Narrative
  - 2. Original Drawing Set Submitted with Application
  - 3. Site Photos
  - 4. Revised Drawing Set
- B. Zoning Map (attached)
- C. Plans/Drawings:
  - 1. Historic Review Drawing Set (Sheet C.1-C.10)
    - Sheet C.1 Site Plan (attached)
    - Sheet C.5 South Elevation (attached)
    - Sheet C.6 East Elevation (attached)
    - Sheet C.7 North Elevation (attached)
- D. Notification information
  - 1. Mailing list
  - 2. Mailed notice
- E. Agency Responses
  - 1. Site Development Section of BDS
  - 2. Life Safety Plans Examiner
- F. Correspondence
  - 1. Rachel Lee, Sabin Land Use & Transportation Committee, June 7, 2016
  - 2. Dean P. Gisvold, Irvington Community Association, June 15, 2016 (Exhibit F.2)
- G. Other
  - 1. Original LU Application
  - 2. Incomplete Letter, May 10, 2016

**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



File No. LU 16-154572 HR  
 1/4 Section 2732  
 Scale 1 inch = 200 feet  
 State\_Id 1N1E26AA 9000  
 Exhibit B (Apr 19, 2016)

**1**  
**SITE PLAN**  
 SCALE: 1" = 10'-0"

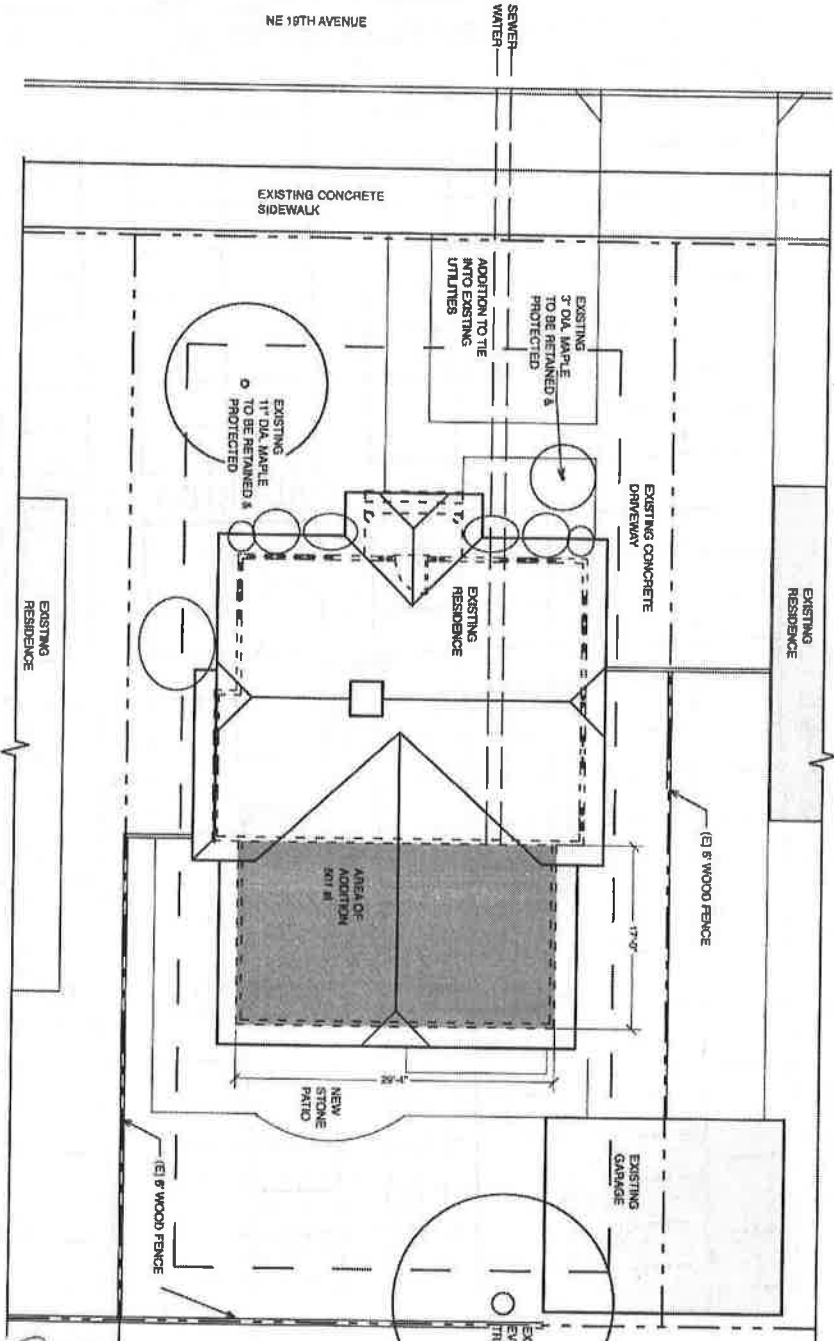


- NOTES:**
- A. ALL TREES TO REMAIN ON THIS SITE. IN PLANTING STRIP AND ON ADJACENT PROPERTIES WILL BE PROTECTED FROM DAMAGE FROM THE CONSTRUCTION PROCESS AND MACHINE USAGE.
  - B. SELECTIVELY CLEAR OR PRUNE ANY UNWANTED VEGETATION OR THOSE IMPEDING CONSTRUCTION WITH CONSENT OF OWNERS, COORDINATE REMOVAL AND DISPOSAL WITH OWNER.
  - C. CONTRACTOR TO STORE ALL NEW MATERIALS IN DRY AND SECURE LOCATION ON SITE AS SPECIFIED BY OWNER.
  - D. CONTRACTOR TO INSURE ALL EROSION CONTROL MEASURES HAVE BEEN ACCOMMODATED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PROCESS.
  - E. PROVIDE NEW GUTTERS AND DOWNSPOUTS FOR ADDITION TO DRAIN ON SITE. DOWNSPOUT LOCATIONS TO BE DETERMINED BY ARCHITECT OR OWNER ON SITE.

**EXISTING IMPERVIOUS AREA**  
 HOUSE = 960 SF  
 PATIO = 460 SF  
 PORCH, STEPS, DRIVEWAY, WALK = 906 SF  
 GARAGE = 188 SF  
 TOTAL = 2314 SF

**NEW IMPERVIOUS AREA**  
 HOUSE = 1373 SF  
 PATIO = 405 SF  
 PORCH, STEPS, DRIVEWAY, WALK = 906 SF  
 GARAGE = 188 SF  
 TOTAL = 2782 SF

LESS THAN 600 SF ADDITIONAL IMPERVIOUS SURFACE.



**\*Approved\***  
 City of Portland - Bureau of Development Services  
 Planner: [Signature] Date: 6/20/16  
 \* This approval applies only to the reviews requested and is subject to all other applicable codes and regulations. Additional zoning requirements may apply.

SITE PLAN  
 DRAWING NO.:  
**A1.0**  
 2.1

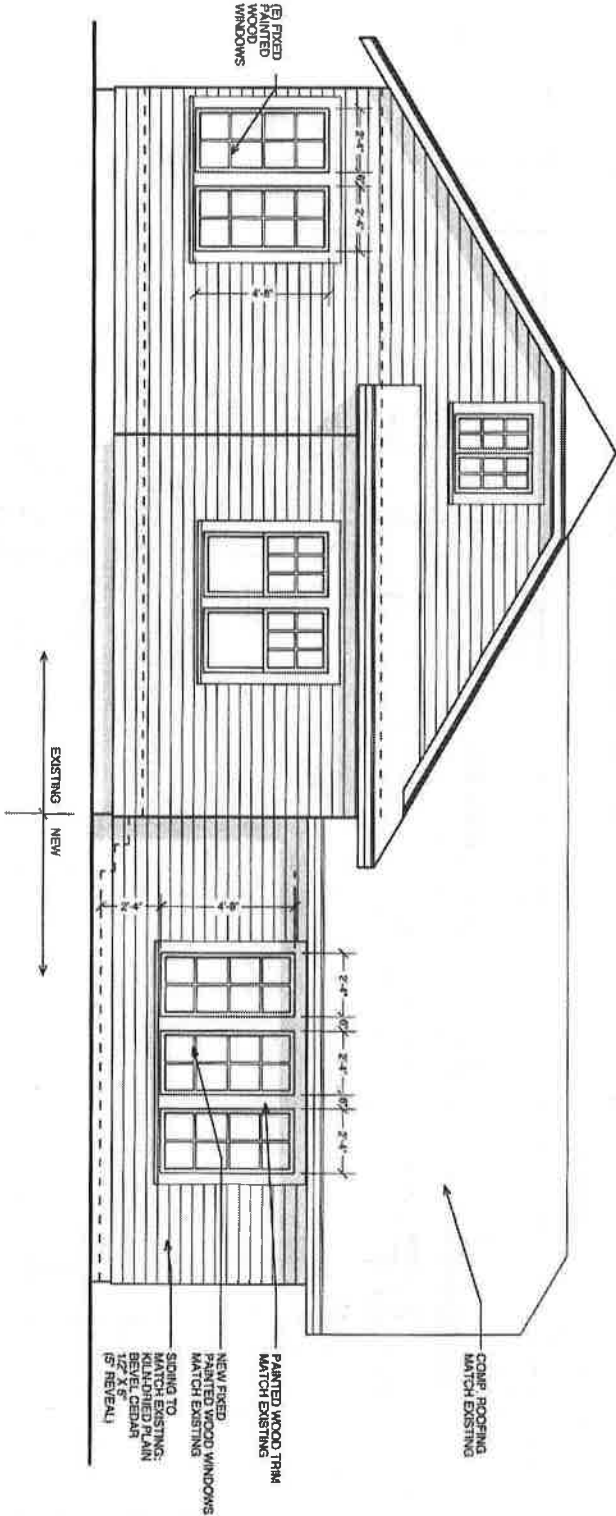
**TARA DOHERTY**  
**ARCHITECT LLC**  
 1831 SE Knapp  
 Portland Oregon 97202  
 503.473.0500

**FISHER RESIDENCE**  
 3700 NE 19TH AVENUE  
 PORTLAND, OR 97212

ISSUE DATE:  
 6.20.16  
 LHM SET 3

NOT FOR CONSTRUCTION





**1 SOUTH ELEVATION**

SCALE: 1/4" = 1'-0"

**\*Approver\***  
 City of Portland - Bureau of Development Services  
 Planner: *[Signature]* Date: *02/11/16*  
 \* This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.

NOT FOR CONSTRUCTION

**FISHER RESIDENCE**  
 3130 NE 18TH AVENUE  
 PORTLAND, OR 97212

ISSUE DATE:  
 5.20.16  
 LUR SET 3

**TARA DOHERTY ARCHITECT LLC**  
 1831 SE Knapp  
 Portland Oregon 97202  
 503.413.0500

ELEVATIONS  
 DRAWING NO:  
**A2.1**

*OK'd  
 C.S.*

NOT FOR CONSTRUCTION

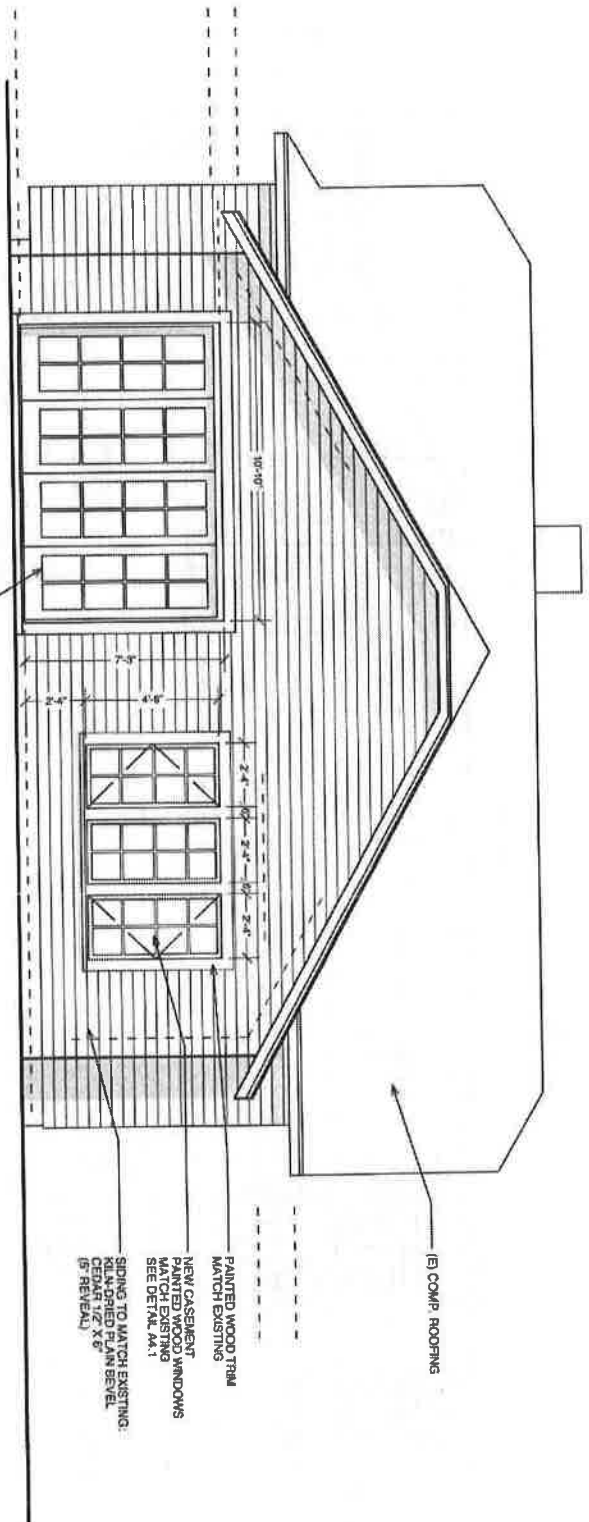
**FISHER  
RESIDENCE**  
3130 NE 19TH AVENUE  
PORTLAND, OR 97212

ISSUE DATE:  
8.20.16  
LUR SET 3

**TARA DOHERTY  
ARCHITECT LLC**  
1831 SE Knapp  
Portland Oregon 97202  
503.413.0500

ELEVATIONS

DRAWING NO.:  
**A2.2**

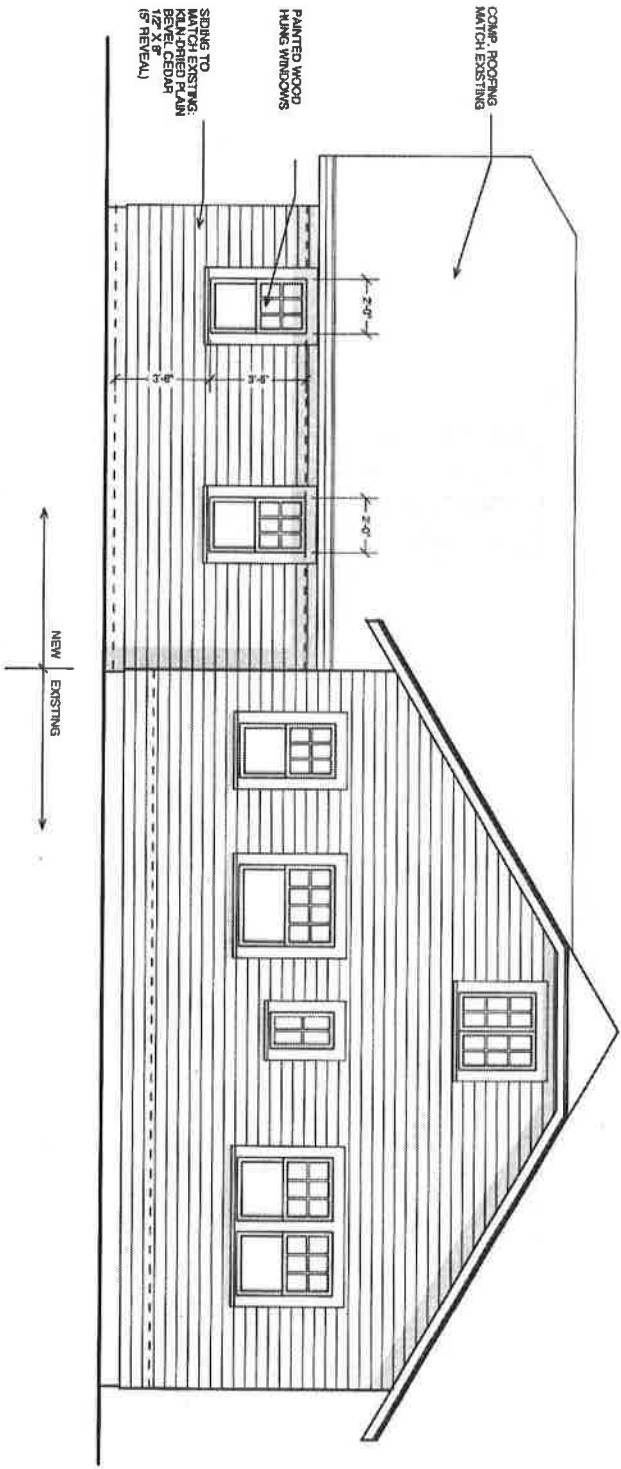


**1 EAST ELEVATION**

SCALE: 1/4" = 1'-0"

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

*EXH  
C-16*



**1 NORTH ELEVATION**  
SCALE: 1/4" = 1'-0"

**\*Approved\***  
City of Portland - Bureau of Development Services  
Planner: *[Signature]* Date: *[Signature]*  
\* This approval is specific to the review requested and is subject to the conditions of approval. Additional zoning requirements may apply.

NOT FOR CONSTRUCTION

**FISHER RESIDENCE**  
3130 NE 18TH AVENUE  
PORTLAND, OR 97212

ISSUE DATE:  
6.20.16  
LUR SET 3

**TARA DOHERTY ARCHITECT LLC**  
1831 SE Knapp  
Portland Oregon 97202  
503.413.0500

ELEVATIONS  
DRAWING NO.:  
**A2.3**  
*2-7*

