

**STAFF REPORT
FOR THE HISTORIC REVIEW BOARD**

FILE NUMBER: DR-16-05

HEARING DATE: January 24, 2017

REQUEST: Class II Historic Design Review – Modify back porch and create a master bedroom on the main floor. Also, proposing to convert existing attic area to flex space and add dormer to increase head room. A window on the gable will be added on the west elevation and the kitchen window will be replaced with a smaller, counter height window. The applicant is proposing to remove a noncontributing addition to the existing small barn. The front porch will also be rebuilt.

APPROVAL CRITERIA: Community Development Code Chapter 13, R-5 Zoning
Community Development Code Chapter 25, Historic Resources
Community Development Code Chapter 99, Quasi-Judicial Decision Making

STAFF REPORT PREPARED BY: Jennifer Arnold, Associate Planner

Planning Manager's Review *AB*

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GENERAL INFORMATION

APPLICANT/ OWNER:	Phil Chek & Associates
SITE LOCATION:	1822 5 th Ave
LEGAL DESCRIPTION:	Clackamas County Assessor's Map 3-1E-02BA, Tax Lot 6800
SITE SIZE:	10,000 square feet
ZONING:	R-5, Single Family Residential Detached and Attached/Duplex
COMP PLAN DESIGNATION:	Medium Density Residential
120-DAY PERIOD:	This application became complete on December 16, 2016. The 120-day maximum application processing period ends on April 14, 2017.
PUBLIC NOTICE:	Public notice was mailed to the Willamette Neighborhood Association and to affected property owners on January 5, 2017. The property was posted with a sign on January 5, 2017. In addition, the application has been posted on the City's website. The notice requirements of CDC 99 have been met.

EXECUTIVE SUMMARY

The subject property is located in both the Willamette Historic District Overlay and Willamette Historic District National Register. It is an eligible, contributing historic home located in the Willamette neighborhood on the north side of 5th Avenue, between 12th and 13th Streets. It is approximately two blocks south of Willamette Falls Drive and a block west of the Willamette Primary School. The residence was built c. 1899 and is a Victorian Style home.

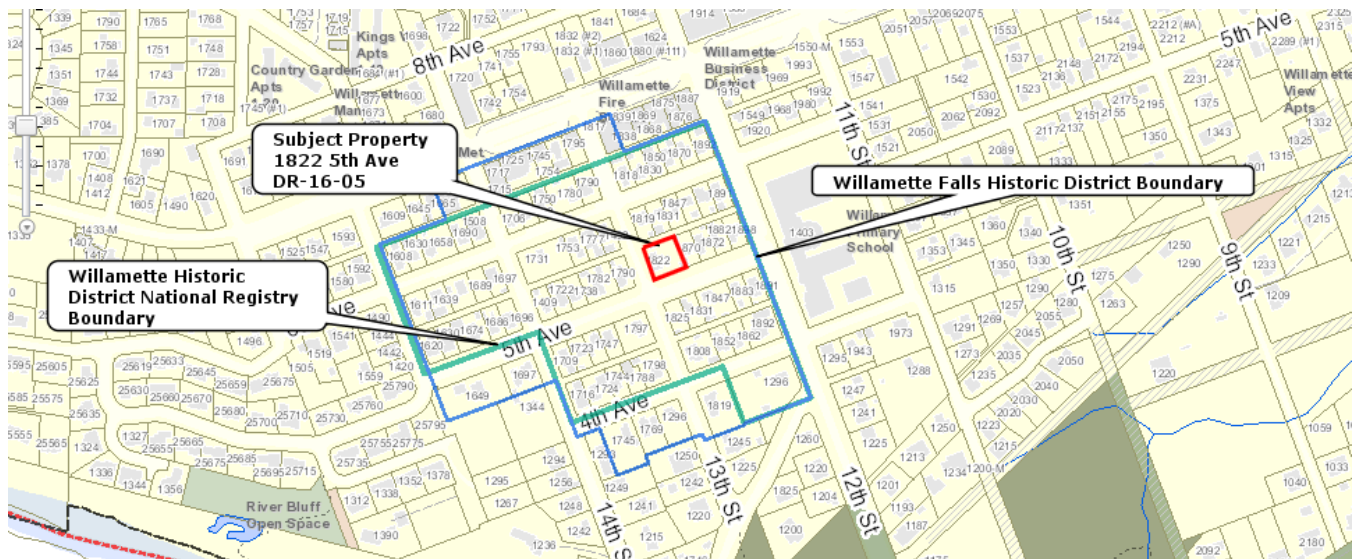
The applicant is proposing to modify back porch and create a master bedroom on the main floor. Converting the existing attic area to flex space, and add dormer to increase head room. A window on the gable will be added on the west elevation, and the kitchen window will be replaced with a smaller, counter height window. The applicant is also proposing to remove an existing garage and remove a noncontributing addition on the existing small barn. The front porch will also be rebuilt.

APPROVAL

Staff finds that the applicant’s proposal, supplemented with the condition of approval, meets the applicable criteria. Therefore, staff recommends approval.

BACKGROUND

The subject property is 1822 5th Avenue and located in the Willamette neighborhood between 12th and 13th Streets. It is located within both the Local and National Willamette Historic Districts.



Site Conditions: The lot currently accommodates a contributing single family house, constructed c. 1899, a garage, and small barn with a non-contributing addition. The property was included in the 1984 Clackamas County Cultural Resource Inventory (Clackamas County Inventory).

The residence is constructed in the Queen Anne style. It has a cross gable roof with decorative shingles in the gable ends. When the structure was entered into the Clackamas County Cultural Resource Inventory the exterior, original wood siding was covered by asphalt shingles. Since purchasing the property, the applicant has removed the asphalt shingles to expose the original wood siding. The main entrance has an encircling porch with a flat roof supported by plain posts with consoles and pendants from cornices. A historic photo submitted with the application shows that there was originally much more detail on the posts and cornices of the front porch.

The subject property recently submitted and received approval to repair the original brick foundation, replace boards on the front porch, replace the roof, and do interior restoration/remodeling. These repairs are exempt from review under the criteria of CDC Chapter 25.040(A).



South (Front) Elevation



North (Rear) Elevation



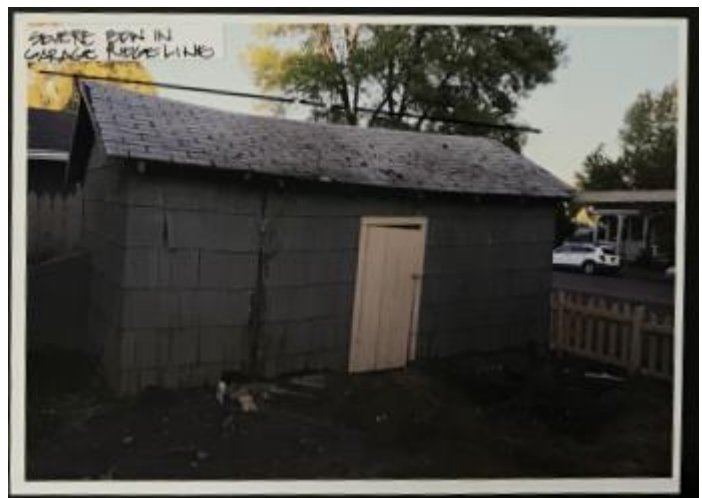
East Elevation



West Elevation



Noncontributing Accessory Structure Addition



Existing Garage (proposed to be removed)

Project Description: The applicant is proposing to

- Modify back porch and create a master bedroom on the main floor.
- Convert the existing attic area to flex space and add dormer to increase head room.
- Add a window to the gable on the west elevation,
- Replace the kitchen window with a smaller, counter height window,
- Rebuild the front porch will also be rebuilt, and
- Remove an existing garage and remove a noncontributing addition on the existing small barn.

Surrounding Land Use: The subject property is in the middle of the Historic District. The surrounding properties are all zoned R-5.

Public comments. To date, staff has not received any comments from the public.

ANALYSIS

CDC Chapter 13, R-5 Zoning, CDC Chapter 25, Historic Resources, and CDC Chapter 34, Accessory Structures apply to this project. Staff has found the proposal is consistent with the applicable criteria.

RECOMMENDATION

Staff recommends approval of application DR-16-05 subject to the following proposed condition:

- 1. Site Plan, Elevations, and Narrative.** The project shall conform to the plans, elevations, and narrative submitted in Exhibit HRB-4.

**APPLICABLE REGULATIONS AND ASSOCIATED SUPPLEMENTAL FINDINGS
DR-16-05**

CHAPTER 13, R-5 ZONING

13.070 DIMENSIONAL REQUIREMENTS, USES PERMITTED OUTRIGHT AND USES PERMITTED UNDER PRESCRIBED CONDITIONS

Staff Finding 1: These criteria are met. The existing single-family home is permitted outright and the lot meets the minimum size requirements. The home is less than the maximum allowed height of 35 feet and no changes to the height. Building setbacks are regulated by CDC 25.070(C) 1-4. Sidewall provisions and accessways not abutting a street are not applicable as the proposal does not alter the existing footprint of the home.

CHAPTER 25, HISTORIC RESOURCES

25.030 PERMITTED USES

Unless otherwise provided for in this chapter, uses permitted by the base zoning district that are in accordance with the CDC are allowed on sites containing historic resources.

Staff Finding 2: A detached single family residence and accessory uses (garage and barn) are permitted within the zone. The criterion is met.

25.040 HISTORIC DESIGN REVIEW PROCESSES

Proposed changes to historic resources that are not exempted by subsection A of this section, Exemptions from historic design review, are subject to subsection B of this section, Class I historic design review, or subsection C of this section, Class II historic design review. Class I historic design review addresses significant changes that warrant staff review. Class II historic design review addresses major changes including additions and new construction, subject to Historic Review Board approval. The processes for conducting Class I and Class II historic design review are in Chapter 99 CDC.

...

C. Class II historic design review. All proposed new construction, alterations, and additions, not identified as exempt under subsection A of this section, or subject to Class I historic design review under subsection B of this section, are subject to Class II historic design review and must meet the applicable approval standards.

Staff Finding 3: Alterations and additions require Class II historic design review. The criterion is met.

25.060 DESIGN STANDARDS APPLICABLE TO HISTORIC RESOURCES

The following design standards apply to all changes, including alterations, additions, and new construction proposed on a designated historic resource. These standards are intended to preserve the features that made the resources eligible for historic designation. Development must comply with all applicable standards, or be approved through the modifications process specified in CDC [25.080](#).

A. Standards for alterations and additions. This section applies to historic reviews for alteration of and additions to designated historic resources:

- 1. Retention of original construction. The original construction shall be maintained or restored to the greatest extent practicable. Stylistic features of original construction that shall be preserved include, but are not limited to: a line of columns, decorative shingles, projecting bays, other primary structural elements, spatial relationships that characterize the property, examples of skilled craftsmanship that characterize the building, and architectural details defining the structure's character and historic significance.*

Staff Finding 4: The proposed alteration of the rear elevation is to add a dormer. The materials proposed by the applicant are consistent with the existing materials and architectural details. All other exterior features have and are proposed to be restored. The front elevation will remain the same. The criterion is met.

- 2. Retention of historic material. Removal or alteration of historic materials and features shall be avoided during the construction of new additions or exterior alterations. Whenever possible, deteriorated materials and architectural features shall be repaired rather than replaced. In the event replacement of an existing feature is necessary, new materials shall, to the extent possible, match those of the original building in terms of composition, design, color, texture, and other visual features.*

Staff Finding 5: The proposed addition of a dormer will use siding, windows, and shingles that match the original building. This criterion is met.

- 3. Time period consistency. Buildings shall be recognizable as a physical record of their time and place. Alterations which have no historical basis or which seek to create a false sense of historical development are not allowed.*

Staff Finding 6: The proposed front elevation alteration will restore the original architecture of the home. The rear elevation has will be altered with the proposed dormer addition and all new features will be tied into the original construction. The addition, as well as the home will be painted in historic colors and the original lap siding has been restored. All original historical features will remain recognizable. This criterion is met.

4. *Significance over time. Changes to a property that have acquired historic significance in their own right, and during the period of significance, shall be retained and preserved.*

Staff Finding 7: No alterations to the elevations appear to have any historical significance. This criterion is met.

5. *Differentiate old from new. Alterations and additions shall be differentiated from the original buildings and shall be compatible with the historic materials, features, size, scale, proportion, and massing to protect the integrity of the property.*

Staff Finding 8: The proposed dormer to the rear elevation will be compatible to the home's original architecture and will use materials consistent with the existing historic look of the home (see applicant submittal page 5). This criterion is met.

6. *Reversibility. Additions and alterations shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its context would be unimpaired.*

Staff Finding 9: The proposed dormer addition will not alter the structural integrity of the home and could be removed in the future. This criterion is met.

7. *Building additions. Building additions shall be subordinate to the original building, smaller in scale, and attached to the rear or set back along the side. Features of building additions, including the proportions of window and door openings, shall be consistent with those of the existing building. Dimensional and other requirements in the underlying zone, as applicable, shall apply*

Staff Finding 10: The proposed dormer addition is in the rear of the home and all design features are consistent with the historical character of the existing home. All dimensional standards of the underlying zone are satisfied. This criterion is met.

8. *Building height and roof pitch. Existing or historic building heights and roof pitch shall be maintained.*

Staff Finding 11: No height or pitch changes are proposed to the existing home's roof. This criterion is met.

9. *Roof materials. Replacement of a roof or installation of a new roof with materials other than cedar shingles, three tab asphalt shingles, or architectural composition shingles must be demonstrated, using photographic or other evidence, to be in character with those of the original roof, or with materials that are consistent with the original construction.*

Staff Finding 12: The applicant has replaced the roof with architectural composition shingles. This criterion is met.

10. *Existing exterior walls and siding. Replacement of the finish materials of existing walls and siding with different material must be demonstrated, using photographic or other evidence, to be in*

character with those of the original materials, or with materials that are consistent with the original construction.

Staff Finding 13: The proposed rear dormer addition will use wood siding to match the original construction. In places where siding has been removed the new siding will be milled to match the original wood lap siding. This criterion is met.

11. New exterior walls and siding. Wood siding or shingles shall be used unless the applicant demonstrates that an alternative material has a texture and finish typically used on similar style buildings of the era, or the era the building style references. Vinyl or other materials that do not match those that were typically used on similar style buildings of the era, or the era the building style references, are not permitted.

Staff Finding 14: The proposed rear dormer addition will use wood siding to match the original construction. In places where siding has been removed the new siding will be milled to match the original wood lap siding. This criterion is met.

12. Gutters and downspouts. Replacement or new gutters and downspouts shall be rectangular, ogee, or K-shaped and comprised of wood or metal material, or styles and materials that match those that were typically used on similar style buildings of the era, or the era the building style references. Vinyl or other materials and styles that do not match those that were typically used on similar style buildings of the era, or the era the building style references, are not permitted.

Staff Finding 15: The gutters will be removed and replaced with new to match the original and the new gutters will be in the same historic color scheme as the rest of the home. This criterion is met.

13. New windows. New windows shall match the appearance of the original windows as closely as possible. Wood window frames and sashes shall be used unless the applicant demonstrates that the non-wood windows are consistent with their wooden counterparts, including profile and proportion of the sash, sill, trim, light patterns, glass color, and profile of mullions and muntins. The window trim and sill shall match the original trim.

Staff Finding 16: There is one window to be replaced facing 13th street on the west elevation. The replacement window is consistent with the historic character of the home in size, shape, and materials. The window trim will match the proposed historically accurate color pallet. There is one new window proposed in the gable of the west elevation. This will be a diamond shaped window and is consistent with the historical architecture of the home. This criterion is met.

14. Storm windows. Storm windows shall be made of painted wood, baked enamel, anodized aluminum, or another material that is consistent with the color, detail, and proportions of the building.

Staff Finding 17: The original storm windows have been restored, re-sashed, and the trim will be painted in the proposed historically accurate color pallet. This criterion is met.

15. *Window replacement. Replacement of windows or window sashes shall be consistent with the original historic appearance, including the profile of the sash, sill, trim, window plane relative to the building wall plane, light pattern, glass color, profile of mullions and muntins, and color.*

Staff Finding 18: See staff finding number 16. This criterion is met.

16. *Doors. Doors shall be painted or stained wood, fiberglass clad, or metal clad, or another material that is consistent with the original historic appearance.*

Staff Finding 19: No doors are proposed. This criterion is met.

17. *Porches. Front porches are allowed on new construction...*

Staff Finding 20: No new porches are proposed. This criterion is met.

18. *Decks. Decks shall be located in rear yard or the portion of the side yard behind the front 50 percent of the primary structure.*

Staff Finding 21: No decks are proposed. This criterion is met.

19. *Foundations. Repair or construction of a foundation that results in raising or lowering the building elevation must demonstrate that:*

- a. The proposal is consistent with the original design and, if applicable, is consistent in the context of adjacent and other structures on the block, based on photographic or other evidence; or*
- b. That it is necessary to satisfy a requirement of the building code and/or floodplain regulations (Chapter 27 CDC).*

Staff Finding 22: The original foundation was repaired, house lifted and beams were added under the house to make the home level and to shift the weight from the brick foundation to the post and beams. The original brick foundation does not carry the weight of the house and maintains the original character. This criterion is met.

20. *Lighting. Residential lighting shall be shielded to prevent glare and compatible with the architectural character of the building. Blinking, flashing, or moving lighting is not permitted.*

Staff Finding 23: No new outside lighting work is proposed. This criterion is met.

B. Standards for accessory structures. The following standards apply to accessory structures on properties designated as historic resources in addition to the regulations in Chapter 34 CDC:

1. *All accessory structures.*

a. Location.

- 1) *Accessory structures in the Willamette Historic District are subject to the setback requirements of CDC 25.070(C)(1) through (4);*

- 2) *Accessory structures on historic landmark properties must meet the setback requirements of the underlying zone and Chapter 34 CDC;*
- 3) *Detached accessory structures shall be in the rear yard; and*
- 4) *Two-story accessory structures shall be at least 10 feet from the house; and one-story accessory structures shall be at least three feet from the house.*

Staff Finding 24: There are two accessory buildings on the property. The first is a single car garage in the front of the property. This garage has been neglected to a state beyond repair. The garage does not meet dimensional standards of the Community Development Code Chapter 13 as it is too close to the property lines and right of way for 5th avenue. The applicant is proposing to remove this structure. The second accessory building on the property is a barn with a non-contributing addition. The applicant proposes significant repairs to the structural integrity of the barn and to remove the addition. These criteria are met.

- b. *Height. Accessory structures in the Willamette Historic District are subject to CDC 25.070(C)(7). Accessory structures on historic landmark properties must meet the height requirements of the underlying zone and Chapter 34 CDC.*

Staff Finding 25: There are no changes to the height of the accessory structure with this proposal. This criterion is met.

2. *Conversions and additions. Existing detached, unheated structures including, but not limited to, workshops and garages, may be converted into other allowable accessory uses under the following conditions:*
 - a. *The structure is located behind the house's front building line;*
 - b. *A structure in the front yard cannot be converted to a heated accessory structure;*
 - c. *A story may be added to an existing non-contributing garage or similar accessory structure; provided, that the final design meets the setback standards of this chapter for a two story accessory structure (see CDC 25.070(C)(1) through (4)) for the historic district, or the setbacks in Chapter 34 CDC for a historic landmark; and*
 - d. *The conversion of an existing structure is not required to meet the design standards in CDC 34.030, but it must conform to all applicable requirements of this chapter. (Ord. 1614 § 6, 2013)*

Staff Finding 26: There are no conversions or additions to the accessory structure with this proposal. This criterion is met.

25.070 ADDITIONAL STANDARDS APPLICABLE TO HISTORIC DISTRICTS

This section provides additional standards that are applicable to properties within a historic district.

- A. *Standards for alterations and additions.*

1. *Compatibility with nearby context. Alterations and additions shall be:*
 - a. *Compatible in scale and mass to adjacent properties; and*
 - b. *Constructed such that they maintain the privacy of the residents of adjacent properties through window placement, orientation or landscaping.*

Staff Finding 27: The proposed rear dormer is compatible to other homes in neighborhood (See Staff Finding 14). This criterion is met.

2. *Not in period buildings. Alterations to compatible, not in period buildings shall follow all applicable standards of this chapter to avoid creating a false sense of history.*

3. *Not in period noncompatible buildings. Alterations to not in period, noncompatible buildings shall be consistent with applicable standards in CDC [25.060](#) and [25.070](#). Such buildings do not contribute to the historic value of the district and are not subject to standards pertaining to siding, windows, and other materials listed in CDC [25.060\(A\)](#); however, such buildings shall not be so stylistically different from adjacent buildings that they detract from the district's historic character.*

B. *Standards for new construction. The standards in this section apply only to new construction in a historic district beyond alterations and additions, including new accessory structures. These standards shall apply in addition to any other applicable standards (see the Standards Applicability Matrix in CDC [25.020](#)).*

1. *New construction shall complement and support the district. The historic district's defining characteristics include a discernible aesthetic rhythm of massing, scale, and siting. Infill buildings shall not deviate in a detracting manner from these elements, but appear as complementary members of the district, by conforming to the following:*

- a. *Lot or parcel size, massing, scale, proportion, form, siting, floor area ratio, window patterns, building divisions, and height shall correspond to the contributing buildings within the district, and any specific historic district standards and the applicable requirements of the underlying zone.*
- b. *Infill buildings shall relate to and strengthen the defining characteristics, including architectural style, without replicating the historic buildings. Buildings shall differentiate by use of materials, mechanical systems, construction methods, and, if applicable, signage. Architectural style shall not be the primary indicator of differentiation.*
- c. *Mechanical and automobile infrastructure must be appropriately concealed when not consistent with the district's character.*

2. *Reconstruction. Reconstruction of buildings that existed within the district during the period of significance is allowed. Reconstructions shall be done in accordance with the Secretary of the Interior's Standards for Reconstruction.*

3. *Archaeological resources shall be preserved in place or mitigated. When new construction must disturb archaeological resources, mitigation measures shall be carried out consistent with applicable*

state and federal laws. As appropriate, information yielded from archaeological mitigation shall be interpreted in the new building or site.

Staff Finding 28: The standards above are not applicable.

C. *Willamette Historic District general design standards. This subsection applies only to alterations and additions, new construction, and accessory structure construction of residential and historically residential properties in the Willamette Historic District. Other buildings are subject to the requirements in Chapter 58 CDC. Dimensional and other requirements of the underlying zone, as applicable, shall apply.*

1. *Front yard setback.*

- a. *The front yard setback shall equal the average of the front setbacks of adjacent homes on the block face. For corner lots, the setback shall be the average between the adjacent house to the side and 20 feet. The setback shall be the distance measured from the front property line to the dominant vertical face of the building, exclusive of any porches or front landings.*
- b. *Unenclosed porches with no living space above may encroach into the front yard setback six feet from the dominant vertical face of the building.*

Staff Finding 29: The proposed work on the home does not impact the front yard setback. The existing garage does not meet setback standards of the R-5 zone and is proposed to be removed. These criteria are met.

2. *Side yard setback. Side yard setbacks shall be five feet, except:*

- a. *Bays, porches and chimneys and other projections that are cumulatively no more than 20 percent of the overall respective building wall length may intrude 18 inches into the side yard setback; and*
- b. *One story accessory structures may be sited within three feet of the side property line and two story accessory structures shall be a minimum of 15 feet from the side property line.*

Staff Finding 30: The proposed dormer will not encroach into side yard setback requirements. These criteria are met.

3. *Side street setback. Setbacks from side streets shall be 10 feet for both developed and undeveloped streets, except:*

- a. *Bays, porches and chimneys and other projections may intrude two feet into side street yard setback; and*
- b. *One and two story accessory structures may be sited within five feet of the side street property line.*

Staff Finding 31: The existing home, barn, and proposed addition do not encroach into side street setbacks. These criteria are met.

4. *Rear yard setback. The rear yard setback shall be a minimum of 20 feet, except for accessory structures, which may be sited to within three feet of the rear property lines.*

Staff Finding 32: The proposed rear addition to the home meets the 20 foot setback. This criterion is met.

5. *Orientation. New home construction on corner lots shall be oriented the same direction as the majority of homes on the street with the longest block frontage.*

Staff Finding 33: This standard is not applicable.

6. *New lot configuration. In addition to other requirements of the CDC, all new lots in the historic district shall be perpendicular to the street and extend directly from the lot line along the street to the opposite lot line. The primary structure and any other contributing structures on the original property shall not be located on separate lots.*

Staff Finding 34: This standard is not applicable.

7. *Building height.*

- a. *Residential structures are limited to 28 feet in height. Cupolas and towers shall not exceed 50 feet in height.*
- b. *One story accessory structures shall not exceed a height of 15 feet. For the purposes of this chapter, any one story accessory structure over 15 feet is considered a two story structure.*
- c. *Two story accessory structures shall not exceed the maximum height of 23 feet as measured per Chapter 41 CDC.*
- d. *Accessory structures shall not exceed the height of the primary dwelling.*

Staff Finding 35: The home is roughly 21 feet in height and the existing cupola is roughly 28 feet in height. There are no height changes to the existing accessory structure (barn) with this proposal. These criteria are met.

8. *Building shapes and sizes. No building shall exceed 35 feet in overall width. Front facade gables shall not exceed 28 feet in overall width.*

Staff Finding 36: The proposal does not impact the home's width or front façade width. This criterion is met.

9. *Roof pitch. Roofs shall have a pitch of at least 6:12.*

Staff Finding 37: The existing roof pitch will not be altered and the new addition will maintain the 6:12 pitch roof. This criterion is met.

10. *Garage access and parking areas.*

- a. *Garages shall be accessed from an alley, if present. No garage door may face or have access onto a street except when alley access is not available.*

- b. *Parking areas.*
 - 1) *No residential lot shall be converted solely to parking use.*
 - 2) *No rear yard area shall be converted solely to parking use.*
 - 3) *When a lot is adjacent to an alley, all parking access shall be from the alley. (Ord. 1614 § 6, 2013; Ord. 1636 § 23, 2014)*

Staff Finding 38: The existing garage is proposed to be removed and not replaced. There are no proposed changes to parking spaces on the property. These criteria are met.

25.080 MODIFICATIONS TO DESIGN STANDARDS

This section provides for deviation from site development standards in this chapter to enable flexibility and innovation consistent with the purposes of this chapter while ensuring that the features that historic designations are intended to preserve are maintained.

A. *Applicability. The provisions of Chapter 75 CDC, Variance, shall not apply to the standards in this chapter.*

B. *Assessment of modification. When an applicant proposes an alternative to the standards of this chapter the approval authority shall grant a modification when:*

- 1. *Historical records. The applicant demonstrates by review of historical records or photographs that the proposed alternative is consistent with and appropriate to the architecture in the historic district, or is appropriate to the applicable style of architecture;*
- 2. *Consistency. The resulting development of the proposal would be consistent with the intent of the standards for which the modification is requested, as determined by the approval authority;*
- 3. *Negative impacts. Negative impacts to adjacent homes and/or a historic district will be minimized. These include, but are not limited to, loss of solar access, light, or air to an adjacent structure, and scale or mass that visually overwhelm or are not deferential to an adjacent landmark or contributing structure; and*
- 4. *Exceptional architecture. The proposal incorporates exceptional and appropriate architectural elements into the building. (Ord. 1614 § 6, 2013)*

Staff Finding 39: All proposed changes are compliment with the Community Development Code and comply with the historical design standards. No proposed variances or modifications to the design standards of CDC Chapter 25. These criteria are met.

HRB-1
AFFIDAVIT OF NOTICE

AFFIDAVIT OF NOTICE

We, the undersigned do hereby certify that, in the interest of the party (parties) initiating a proposed land use, the following took place on the dates indicated below:

GENERAL

File No. DR-16-05 Applicant's Name Phil Chek Associates
Development Name _____
Scheduled Meeting/Decision Date 1-24-17 HRB Meeting

NOTICE: Notices were sent at least 20 days prior to the scheduled hearing, meeting, or decision date per Section 99.080 of the Community Development Code. (check below)

TYPE A

- A. The applicant (date) _____ (signed) _____
- B. Affected property owners (date) _____ (signed) _____
- C. School District/ Board (date) _____ (signed) _____
- D. Other affected gov't. agencies (date) _____ (signed) _____
- E. Affected neighborhood assns. (date) _____ (signed) _____
- F. All parties to an appeal or review (date) _____ (signed) _____

At least 10 days prior to the scheduled hearing or meeting, notice was published/posted:

Tidings (published date) _____ (signed) _____
City's website (posted date) _____ (signed) _____

SIGN

At least 10 days prior to the scheduled hearing, meeting or decision date, a sign was posted on the property per Section 99.080 of the Community Development Code.

(date) _____ (signed) _____

NOTICE: Notices were sent at least 14 days prior to the scheduled hearing, meeting, or decision date per Section 99.080 of the Community Development Code. (check below)

TYPE B

- A. The applicant (date) 1-5-17 (signed) S. Shroyer
- B. Affected property owners (date) 1-5-17 (signed) S. Shroyer
- C. School District/ Board (date) _____ (signed) _____
- D. Other affected gov't. agencies (date) 1-5-17 (signed) S. Shroyer
- E. Affected neighborhood assns. (date) 1-5-17 (signed) S. Shroyer

Notice was posted on the City's website at least 10 days prior to the scheduled hearing or meeting.
Date: 1-5-17 (signed) S. Shroyer

STAFF REPORT mailed to applicant, City Council/Planning Commission and any other applicable parties 10 days prior to the scheduled hearing.

(date) 1-13-17 (signed) S. Shroyer

FINAL DECISION notice mailed to applicant, all other parties with standing, and, if zone change, the County surveyor's office.

(date) _____ (signed) _____

HRB-2
NOTICE MAILING PACKET

**CITY OF WEST LINN
HISTORIC REVIEW BOARD
PUBLIC HEARING NOTICE
FILE NO. DR-16-05**

The City of West Linn Historic Review Board (HRB) will hold a public hearing on **Tuesday, January 24, 2017, at 7:00 p.m.** in the Council Chambers at City Hall, 22500 Salamo Road, West Linn. The HRB will review an application to modify back porch and create a master bedroom on the main floor. Also, proposing to convert existing attic area to flex space and add dormer to increase head room. A window on the gable will be added on the west elevation and the kitchen window will be replaced with a smaller, counter height window. The applicant is also proposing to remove an existing garage and remove an addition on the existing small barn. The front porch will also be rebuilt at 1822 5th Ave. in the Willamette Historic District. See the attached map.

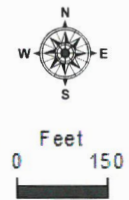
The hearing will be based upon the provisions of Chapters 13, 25, and 99 of the West Linn Community Development Code (CDC). Approval or disapproval of the request by the HRB will be based solely upon these criteria. At the hearing, it is important that comments relate specifically to the applicable criteria listed.

You have received this notice because County records indicate that you own property within 300 feet of the affected site on Clackamas County Assessor's Map 31E02BA, Tax Lot 6800, or as otherwise required by Chapter 99 of the CDC.

All documents and applicable criteria for DR-16-05 are available for inspection, at no cost, in the Planning Department at City Hall or via the City's web site at <http://westlinnoregon.gov/planning/1822-5th-avenue-class-ii-design-review-proposed-modifications-home-within-willamette>. Copies can also be obtained for a minimal charge per page. At least 10 days prior to the hearing, a copy of the staff report will be available for inspection. For further information, please contact Jennifer Arnold, Associate Planner, at City Hall, 22500 Salamo Road, West Linn, OR, (503) 723-2542, or jarnold@westlinnoregon.gov.

The hearing will be conducted in accordance with the rules of Section 99.170 of the CDC. Anyone wishing to present written testimony on this proposed action may do so in writing prior to, or at the public hearing. Oral testimony may be presented at the public hearing. At the public hearing, the HRB will receive a staff presentation, and invite both oral and written testimony. The HRB may continue the public hearing to another meeting to obtain additional information, leave the record open for additional evidence, arguments, or testimony, or close the public hearing and take action on the application as provided by state law. Failure to raise an issue in person or by letter at some point prior to the close of the hearing, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue, precludes an appeal to the Land Use Board of Appeals (LUBA) based on that issue.

1822 5th Avenue Notification Map



Scale 1:3,600 - 1 in = 300 ft
Scale is based on 8-1/2 x 11 paper size



Map created by: SSHROYER
Date Created: 30-Nov-16 10:09 AM

WEST LINN GIS

DISCLAIMER: This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information. Map scale is approximate. Source: West Linn GIS (Geographic Information System) MapOptix.



CITY OF West Linn

CITY OF WEST LINN CITY COUNCIL PUBLIC HEARING

**PROJECT # DR-16-05
MAIL: 1/5/17 TIDINGS: N/A**

CITIZEN CONTACT INFORMATION

To lessen the bulk of agenda packets, land use application notice, and to address the worries of some City residents about testimony contact information and online application packets containing their names and addresses as a reflection of the mailing notice area, this sheet substitutes for the photocopy of the testimony forms and/or mailing labels. A copy is available upon request.

HRB-3
HISTORIC SITE INVENTORY FORMS

Cultural Resource Survey Form:

CLACKAMAS COUNTY

T. D. NUMBER WL-2-58

PHOTO INFORMATION:

ROLL: XXX
FRAME: 8

STUDY AREA: West Linn
LEGAL: T. 3 R. 1E SEC. 2BA
TAX (LOTS): 6800
ZONE _____ SIZE .23

IDENTIFICATION:

COMMON/HISTORICAL NAME: Baker Residence
ADDRESS: 1822 S.W. 5th Avenue AREA: West Linn
CURRENT OWNER: EDWIN A. WOODWORTH USE: Residence
OWNER'S ADDRESS: same West Linn
ORIGINAL OWNER: BENJAMIN and MARY ANN BAKER USE: Residence
AREA OF SIGNIFICANCE: TOWN: X COUNTY: _____ CITY: _____ NATION: _____

HISTORIC INTEREST:

THEME: Architecture - 19th Century DATE: ca. 1895
DESCRIPTION: Land for the town of Willamette was purchased from B. F. Baker by the Willamette Falls Electric Company, predecessor of Portland General Electric. Baker stipulated that 12th Street run from town to the river to allow residents access to the docks.

ARCHITECTURAL INTEREST:

STYLE: Queen Anne Vernacular STORIES: 1 1/2
DATE: ca. 1895 CONDITION: Good ARCHITECT: _____
SIDING: Covered with asphalt shingles. Decorative shingles in gable peak.
ROOF: Cross gable.
DOORS: Paneled with flash glass.
WINDOWS: Appear to be replaced. Diamond windows on east elevation.

MAIN ENTRANCE: Encircling porch with flat roof supported by plain posts with consoles and pendants from cornice (?).

NOTES: Turret with flared tent roof, weather vane, bracketed eaves and paired 1/1 double-hung windows. Brick foundation.



BIBLIOGRAPHY:

0, 51

DATE: 1/16/84
RECORDER: BORGE/ALTIER
445

HRB-4
APPLICANT SUBMITTAL

DEVELOPMENT REVIEW APPLICATION

For Office Use Only		
STAFF CONTACT <i>Jennifer Arnold</i>	PROJECT NO.(s). <i>DR-1605</i>	
NON-REFUNDABLE FEE(S) <i>100</i>	REFUNDABLE DEPOSIT(S) <i>0</i>	TOTAL <i>100</i>

RECEIVED

NOV 18 2016

Type of Review (Please check all that apply):

- | | | |
|--|---|--|
| <input type="checkbox"/> Annexation (ANX) | <input checked="" type="checkbox"/> Historic Review | <input type="checkbox"/> Subdivision (SUB) |
| <input type="checkbox"/> Appeal and Review (AP) * | <input type="checkbox"/> Legislative Plan or Change | <input type="checkbox"/> Temporary Uses * |
| <input type="checkbox"/> Conditional Use (CUP) | <input type="checkbox"/> Lot Line Adjustment (LLA) */** | <input type="checkbox"/> Time Extension * |
| <input type="checkbox"/> Design Review (DR) | <input type="checkbox"/> Minor Partition (MIP) (Preliminary Plat or Plan) | <input type="checkbox"/> Variance (VAR) |
| <input type="checkbox"/> Easement Vacation | <input type="checkbox"/> Non-Conforming Lots, Uses & Structures | <input type="checkbox"/> Water Resource Area Protection/Single Lot (WAP) |
| <input type="checkbox"/> Extraterritorial Ext. of Utilities | <input type="checkbox"/> Planned Unit Development (PUD) | <input type="checkbox"/> Water Resource Area Protection/Wetland (WAP) |
| <input type="checkbox"/> Final Plat or Plan (FP) | <input type="checkbox"/> Pre-Application Conference (PA) */** | <input type="checkbox"/> Willamette & Tualatin River Greenway (WRG) |
| <input type="checkbox"/> Flood Management Area | <input type="checkbox"/> Street Vacation | <input type="checkbox"/> Zone Change |
| <input type="checkbox"/> Hillside Protection & Erosion Control | | |

Home Occupation, Pre-Application, Sidewalk Use, Sign Review Permit, and Temporary Sign Permit applications require different or additional application forms, available on the City website or at City Hall.

Site Location/Address: <i>1822 5TH AVE WEST LINN, OR 97068</i>	Assessor's Map No.:
	Tax Lot(s):
	Total Land Area:

Brief Description of Proposal: *MODIFY BACK EXTERIOR PORCH & CREATE A MASTER BEDROOM ON THE MAIN FLOOR. CONVERT EXISTING ATTIC AREA TO FLEX SPACE & ADD DORMER TO INCREASE HEAD ROOM.*

Applicant Name: <i>PHIL CHEK & ASSOCIATES</i> <small>(please print)</small> Address: <i>148 B AVE, SUITE 100</i> City State Zip: <i>LAKE OSWEGO, OR 97034</i>	Phone: <i>503.224.4500</i> Email: <i>phil@philchek.com</i>
---	---

Owner Name (required): <i>PHIL CHEK</i> <small>(please print)</small> Address: <i>148 B AVE, SUITE 100</i> City State Zip: <i>LAKE OSWEGO, OR 97034</i>	Phone: <i>503.224.4500</i> Email: <i>phil@philchek.com</i>
---	---

Consultant Name: <i>PHIL CHEK & ASSOCIATES</i> <small>(please print)</small> Address: <i>148 B AVE, SUITE 100</i> City State Zip: <i>LAKE OSWEGO, OR 97034</i>	Phone: <i>503.224.4500</i> Email: <i>phil@philchek.com</i>
--	---

- All application fees are non-refundable (excluding deposit). Any overruns to deposit will result in additional billing.
- The owner/applicant or their representative should be present at all public hearings.
- A denial or approval may be reversed on appeal. No permit will be in effect until the appeal period has expired.
- Three (3) complete hard-copy sets (single sided) of application materials must be submitted with this application. One (1) complete set of digital application materials must also be submitted on CD in PDF format. If large sets of plans are required in application please submit only two sets.

* No CD required / ** Only one hard-copy set needed

The undersigned property owner(s) hereby authorizes the filing of this application, and authorizes on site review by authorized staff. I hereby agree to comply with all code requirements applicable to my application. Acceptance of this application does not infer a complete submittal. All amendments to the Community Development Code and to other regulations adopted after the application is approved shall be enforced where applicable. Approved applications and subsequent development is not vested under the provisions in place at the time of the initial application.

Phil Chek _____ *11/18/16* _____ *Phil Chek* _____ *11/18/16* _____
 Applicant's signature Date Owner's signature (required) Date

Historic Design Review – Narrative

1822 5th Avenue
West Linn, Oregon 97068

Prepared by:

Phil Chek & Associates

148 B Avenue, Suite 100

Lake Oswego, Oregon 97034

503.224.4500

phil@philchek.com

Historic Design Review
1822 5th Avenue
West Linn, Oregon 97068

25.060 DESIGN STANDARDS APPLICABLE TO HISTORIC RESOURCES

The following design standards apply to all changes, including alterations, additions, and new construction proposed on a designated historic resource. These standards are intended to preserve the features that made the resources eligible for historic designation. Development must comply with all applicable standards, or be approved through the modifications process specified in CDC [25.080](#).

A. Standards for alterations and additions. This section applies to historic reviews for alteration of and additions to designated historic resources:

1. Retention of original construction.

The original construction shall be maintained or restored to the greatest extent practicable. Stylistic features of original construction that shall be preserved include, but are not limited to: a line of columns, decorative shingles, projecting bays, other primary structural elements, spatial relationships that characterize the property, examples of skilled craftsmanship that characterize the building, and architectural details defining the structure's character and historic significance.

The original construction will be maintained or restored to the greatest extent practicable. Stylistic features that shall be preserved include, but are not limited to: rebuilding the front porch roof and porch that was dry rotted to its original 1899 condition. Shingles added to the house in the 1930's were removed and the original lap siding was restored and replaced where needed.

2. Retention of historic material.

Removal or alteration of historic materials and features shall be avoided during the construction of new additions or exterior alterations. Whenever possible, deteriorated materials and architectural features shall be repaired rather than replaced. In the event replacement of an existing feature is necessary, new materials shall, to the extent possible, match those of the original building in terms of composition, design, color, texture, and other visual features.

In addition to the restorations mentioned in item 1 above, the deteriorated/dry rotted stairs that lead to the newly restored front porch were replaced with brick steps to match the brick used on the foundation of the home. This replacement was more historically accurate and matched the original building design and materials.

3. Time period consistency. Buildings shall be recognizable as a physical record of their time and place.

Alterations which have no historical basis or which seek to create a false sense of historical development are not allowed.

All time period details of this home remain recognizable. We have selected (5) historic colors for the exterior facade of the home which are very similar to the original color of the home (which was uncovered when the shingles were removed to reveal the original lap siding) and have also restored and re-installed the original weather vane.

4. Significance over time. Changes to a property that have acquired historic significance in their own right, and during the period of significance, shall be retained and preserved.
There are no changes that have acquired historic significance. As described throughout this narrative, the historic character is being restored per the original design details of the home.
5. Differentiate old from new. Alterations and additions shall be differentiated from the original buildings and shall be compatible with the historic materials, features, size, scale, proportion, and massing to protect the integrity of the property.
The new addition will be compatible with the historic materials, features, size, scale, proportion and massing of the existing home and will be differentiated by using stylistically unique materials that compliment the existing home design.
6. Reversibility. Additions and alterations shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its context would be unimpaired.
The addition has been designed in such a way that if it was removed in the future, the home could be restored to it's original form without impairing the integrity or context of the historic property.
7. Building additions. Building additions shall be subordinate to the original building, smaller in scale, and attached to the rear or set back along the side. Features of building additions, including the proportions of window and door openings, shall be consistent with those of the existing building. Dimensional and other requirements in the underlying zone, as applicable, shall apply.
The proposed new rear yard addition will be consistent with the original building, is smaller in scale, and is attached to the rear side of the existing building. Features of the addition (proportions, design details, materials, etc.) are consistent with those of the existing building. The location and size of the addition meets the requirements of a R5 Zone within a Historic District.
8. Building height and roof pitch. Existing or historic building heights and roof pitch shall be maintained.
The existing/historic building heights and roof pitch will be maintained (no changes) in the proposed design.
9. Roof materials. Replacement of a roof or installation of a new roof with materials other than cedar shingles, three tab asphalt shingles, or architectural composition shingles must be demonstrated, using photographic or other evidence, to be in character with those of the original roof, or with materials that are consistent with the original construction.
The existing asphalt shingle roof was removed which revealed old cedar shakes that had been covered with comp shingles and didn't lay flat and was not water tight. All layers were removed, and a new plywood underlayment was installed for stability before new asphalt shingles were installed to match the existing roof.
10. Existing exterior walls and siding. Replacement of the finish materials of existing walls and siding with different material must be demonstrated, using photographic or other evidence, to be in character with those of the original materials, or with materials that are consistent with the original construction.
The existing exterior walls and siding have been restored to the original lap siding, as illustrated in photos of the home that show original materials.

11. New exterior walls and siding. Wood siding or shingles shall be used unless the applicant demonstrates that an alternative material has a texture and finish typically used on similar style buildings of the era, or the era the building style references. Vinyl or other materials that do not match those that were typically used on similar style buildings of the era, or the era the building style references, are not permitted.

The original wood lap siding will be revealed and restored. Siding on the new addition will be custom milled match the exact details of the existing original siding.

12. Gutters and downspouts. Replacement or new gutters and downspouts shall be rectangular, ogee, or K-shaped and comprised of wood or metal material, or styles and materials that match those that were typically used on similar style buildings of the era, or the era the building style references. Vinyl or other materials and styles that do not match those that were typically used on similar style buildings of the era, or the era the building style references, are not permitted.

The existing gutters and downspouts will be removed and replaced to match existing and will tie in to the historic color scheme of the home.

13. New windows. New windows shall match the appearance of the original windows as closely as possible. Wood window frames and sashes shall be used unless the applicant demonstrates that the non-wood windows are consistent with their wooden counterparts, including profile and proportion of the sash, sill, trim, light patterns, glass color, and profile of mullions and muntins. The window trim and sill shall match the original trim. There is one window that faces 13th street that was a more recent addition and doesn't match the height or scale of the existing windows on the home. We are proposing a new wood double hung window that will match all details of existing windows of the home, to include profile and proportion of sash, sill, trim, glass color, and profile of mullions and muntins. The window trim and sill will match the originals as well.

14. Storm windows. Storm windows shall be made of painted wood, baked enamel, anodized aluminum, or another material that is consistent with the color, detail, and proportions of the building.

The aluminum storm windows have been removed and the sash re-built and painted to a historically accurate color.

15. Window replacement. Replacement of windows or window sashes shall be consistent with the original historic appearance, including the profile of the sash, sill, trim, window plane relative to the building wall plane, light pattern, glass color, profile of mullions and muntins, and color.

Existing windows with broken panes will be repaired using glass that matches the existing color. Sashes will be repaired as needed to be consistent with the historic appearance. All windows frames and trim will be painted in historically relevant colors.

16. Doors. Doors shall be painted or stained wood, fiberglass clad, or metal clad, or another material that is consistent with the original historic appearance.

There are no new doors. The existing front door is original and has been restored.

17. Porches. Front porches are allowed on new construction. No front porch shall be added to a structure if there was not one originally. Existing front porches shall not be enclosed or enlarged. Alterations to existing front porches and side yard porches that face a street shall:

The existing front porch has been repaired and restored as follows:

a. Maintain the shape, width, and spacing of the original columns; and

The shape, width, and spacing of the original columns have been maintained but have been reinforced and restored at the bottom, as there was dry rot below the porch line.

b. Maintain the height, detail, and spacing of the original balustrade.

There are currently no balustrades on the porch, but we will be adding them for historic accuracy. The height, detail and spacing will match the time period of the home.

18. Decks. Decks shall be located in rear yard or the portion of the side yard behind the front 50 percent of the primary structure.

No new decks are proposed.

19. Foundations. Repair or construction of a foundation that results in raising or lowering the building elevation must demonstrate that:

We re-tuck pointed and restored the brick on the current foundation as it was in poor condition causing the house to sag. The house was lifted in 23 points and new posts and beams were added under the house to level the house and 4x12 beams were added along the brick foundation to transfer the weight of the house from the brick foundation onto the new posts and beams.

a. The proposal is consistent with the original design and, if applicable, is consistent in the context of adjacent and other structures on the block, based on photographic or other evidence; or

The foundation repair retains the original design.

b. That it is necessary to satisfy a requirement of the building code and/or floodplain regulations (Chapter 27CDC).

The foundation repair is required in order to level the home and reinforce the posts and beams.

20. Lighting. Residential lighting shall be shielded to prevent glare and compatible with the architectural character of the building. Blinking, flashing, or moving lighting is not permitted.

Lighting shall be shielded to prevent glare and compatible with the architectural character of the home.

B. Standards for accessory structures. The following standards apply to accessory structures on properties designated as historic resources in addition to the regulations in Chapter 34 CDC:

1. All accessory structures.

There are currently (2) accessory structures on the property: a dilapidated, un-usable garage that we have been advised by an engineer to remove. (Please see attached letter from Gregg Creighton stating his recommendations for the existing accessory structures). The existing garage has no foundation, is not structurally sound, and is situated directly on the property line which presents a hazard to the adjacent property. The second accessory structure is an existing barn. There is a shed adjacent to the barn, which is hazardous and should be removed. The barn is also not structurally sound and will require further review in order to determine if it is possible to save the structure with additional reinforcement and structural updates. If the barn can be salvaged, we will restore the historic elements and features to every extent possible.

a. Location.

1) Accessory structures in the Willamette Historic District are subject to the setback requirements of CDC25.070(C)(1) through (4);

The existing garage in the front of the property does not meet the front or side setback requirements of the Willamette Historic District and will be removed. The existing detached barn meets all setback requirements of the the Willamette Historic District and will remain.

2) Accessory structures on historic landmark properties must meet the setback requirements of the underlying zone and Chapter [34](#) CDC;

The existing garage in the front of the property does not meet the front or side setback requirements of the R-5 zone and will be removed. The existing detached barn meets all setback requirements of the R-5 zone.

3) Detached accessory structures shall be in the rear yard; and

We would like to remove the existing detached garaged in the front yard, as it does not meet the side or front setback criteria and is a hazard. The existing detached barn is at the rear of the property and meets the 3'-0" rear yard setback for accessory structures.

4) Two-story accessory structures shall be at least 10 feet from the house; and one-story accessory structures shall be at least three feet from the house.

There are no two-story accessory structures on this property.

b. Height. Accessory structures in the Willamette Historic District are subject to CDC [25.070\(C\)\(7\)](#). Accessory structures on historic landmark properties must meet the height requirements of the underlying zone and Chapter [34](#) CDC.

The existing detached barn does not exceed 15' in height.

2. Conversions and additions. Existing detached, unheated structures including, but not limited to, workshops and garages, may be converted into other allowable accessory uses under the following conditions:

a. The structure is located behind the house's front building line;

The existing barn structure is located behind the house's front building line. The existing non-compliant garage (located in front of the house's front building line) will be removed.

b. A structure in the front yard cannot be converted to a heated accessory structure;

Once the existing non-compliant garage is removed, there will be no structure(s) in the front yard.

c. A story may be added to an existing non-contributing garage or similar accessory structure; provided, that the final design meets the setback standards of this chapter for a two story accessory structure (see CDC [25.070\(C\)\(1\)](#) through (4)) for the historic district, or the setbacks in Chapter [34](#) CDC for a historic landmark; and

No stories will be added to existing accessory structures.

d. The conversion of an existing structure is not required to meet the design standards in CDC [34.030](#), but it must conform to all applicable requirements of this chapter. (Ord. 1614 § 6, 2013)

No existing structures will be converted during this renovation.

Historic Design Review
1822 5th Avenue
West Linn, Oregon 97068

25.070 ADDITIONAL STANDARDS APPLICABLE TO HISTORIC DISTRICTS

This section provides additional standards that are applicable to properties within a historic district.

A. Standards for alterations and additions.

1. Compatibility with nearby context. Alterations and additions shall be:

a. Compatible in scale and mass to adjacent properties; and

The proposed addition is compatible in scale and mass to adjacent properties.

b. Constructed such that they maintain the privacy of the residents of adjacent properties through window placement, orientation or landscaping.

The new addition is at the rear of the property and is not visible from the street. The new addition maintains the privacy of residents through placement and orientation.

2. Not in period buildings. Alterations to compatible, not in period buildings shall follow all applicable standards of this chapter to avoid creating a false sense of history.

The building is in period, so this criterion does not apply.

3. Not in period noncompatible buildings. Alterations to not in period, noncompatible buildings shall be consistent with applicable standards in CDC 25.060 and 25.070. Such buildings do not contribute to the historic value of the district and are not subject to standards pertaining to siding, windows, and other materials listed in CDC 25.060(A); however, such buildings shall not be so stylistically different from adjacent buildings that they detract from the district's historic character.

The building is in period, so this criterion does not apply.

C. Willamette Historic District general design standards. This subsection applies only to alterations and additions, new construction, and accessory structure construction of residential and historically residential properties in the Willamette Historic District. Other buildings are subject to the requirements in Chapter 58 CDC. Dimensional and other requirements of the underlying zone, as applicable, shall apply.

1. Front yard setback.

a. The front yard setback shall equal the average of the front setbacks of adjacent homes on the block face. For corner lots, the setback shall be the average between the adjacent house to the side and 20 feet. The setback shall be the distance measured from the front property line to the dominant vertical face of the building, exclusive of any porches or front landings.

The average front yard setback is 20'. The proposed addition is clear of this setback.

b. Unenclosed porches with no living space above may encroach into the front yard setback six feet from the dominant vertical face of the building.

The existing unenclosed front porch (with no living space above) does not encroach on the front yard setback. The roof overhang does encroach into the front yard setback approx. 1'-6"

2. Side yard setback. Side yard setbacks shall be five feet, except:

Side yard setback will be maintained at 5'

a. Bays, porches and chimneys and other projections that are cumulatively no more than 20 percent of the overall respective building wall length may intrude 18 inches into the side yard setback; and

There are no bays, porches, chimneys or other projections into any setback area.

b. One story accessory structures may be sited within three feet of the side property line and two story accessory structures shall be a minimum of 15 feet from the side property line.

The existing non-compliant garage accessory structure will be removed. The existing barn accessory structure is more than 15' from the side property line.

3. Side street setback. Setbacks from side streets shall be 10 feet for both developed and undeveloped streets, except:

Side street setback will be maintained at 10'

a. Bays, porches and chimneys and other projections may intrude two feet into side street yard setback; and

There are no bays, porches, chimneys or other projections into any setback area.

b. One and two story accessory structures may be sited within five feet of the side street property line.

There are no accessory structures within 5' of any side street property line.

4. Rear yard setback. The rear yard setback shall be a minimum of 20 feet, except for accessory structures, which may be sited to within three feet of the rear property lines.

Rear yard setback will be maintained at 20'. The existing detached barn will conform to the 3' setback to rear property line.

5. Orientation. New home construction on corner lots shall be oriented the same direction as the majority of homes on the street with the longest block frontage.

The home is existing. This criterion does not apply.

6. New lot configuration. In addition to other requirements of the CDC, all new lots in the historic district shall be perpendicular to the street and extend directly from the lot line along the street to the opposite lot line. The primary structure and any other contributing structures on the original property shall not be located on separate lots.

The lot is existing. This criterion does not apply.

7. Building height.

a. Residential structures are limited to 28 feet in height. Cupolas and towers shall not exceed 50 feet in height.

The existing home is 21' in height (verify) and is within the height limit. The existing Cupola is at 28' high (verify) and meets the Cupola criteria as well.

b. One story accessory structures shall not exceed a height of 15 feet. For the purposes of this chapter, any one story accessory structure over 15 feet is considered a two story structure.

The existing accessory barn structure does not exceed 15' in height.

c. Two story accessory structures shall not exceed the maximum height of 23 feet as measured per Chapter 41 CDC.

There are no two story accessory structures; this criterion does not apply.

d. Accessory structures shall not exceed the height of the primary dwelling.

The height of the existing accessory barn structure does not exceed the height of the primary dwelling.

8. Building shapes and sizes. No building shall exceed 35 feet in overall width. Front facade gables shall not exceed 28 feet in overall width.

There is no change to the overall building width. There are no front facing gables in excess of 28 feet in width.

9. Roof pitch. Roofs shall have a pitch of at least 6:12.

Existing roof pitch will not be altered; new roof will maintain a pitch of at least 6:12.

10. Garage access and parking areas.

a. Garages shall be accessed from an alley, if present. No garage door may face or have access onto a street except when alley access is not available.

The existing garage is non-compliant (it faces the street, cannot fit a car, has no foundation, and does not meet setback requirements) and will be removed per the advice of our engineer (see attached letter). Once the existing garage is removed, there will not be a garage on the property.

b. Parking areas.

1) No residential lot shall be converted solely to parking use.

This lot is not being converted for parking use; this criterion does not apply.

2) No rear yard area shall be converted solely to parking use.

No yard area is being converted for parking use; this criterion does not apply.

3) When a lot is adjacent to an alley, all parking access shall be from the alley. (Ord. 1614 § 6, 2013; Ord. 1636 § 23, 2014)

All parking access will be from the alley.

Willamette

Creighton Architecture
252 "A" Ave. Suite 300
Lake Oswego, Or. 97034
Ph. (503) 635-0797
www.gbcarch.com

Sept. 14, 2016

TO: Phil Chek / Chek & Assoc.
Lake Oswego, OR 97034

RE: 1822 5th Ave. , West Linn (Willamette Historic District)

At your request, I visited the above RE site to observe 2 outbuildings on that property. I was on the site from 8:15 am until 8:45 am on Tuesday, Sept 13, 2016. You asked me to determine the feasibility of restoring them with regards to structural integrity.

Outbuilding 1: A barn/garage structure with an attached lean-to addition located close to the north property line. There is a shed / lean-to structure on the east side. There is an alley immediately to the north of this building.

Outbuilding 2: A small 1-car garage located at the SE corner of the property. Very close to propertylines on the south and the east.

Observations.

Outbuilding 1 is rumored to have been used as a general store at one time. It has a wood floor, so it probably was used as a barn. It does not have a continuous concrete foundation and pier blocks have been added to provide some support for the floor. It is approx. 12'-6" x 29'-0": (including the shed) The gable roof structure has been modified and strengthened on the inside and a loft has been added. The loft should be removed and the building returned to its original barn-like interior. However the shed structure on the east side has pulled away from the gable structure and poses a safety hazard. Wood from that shed can be used to complete the barn.

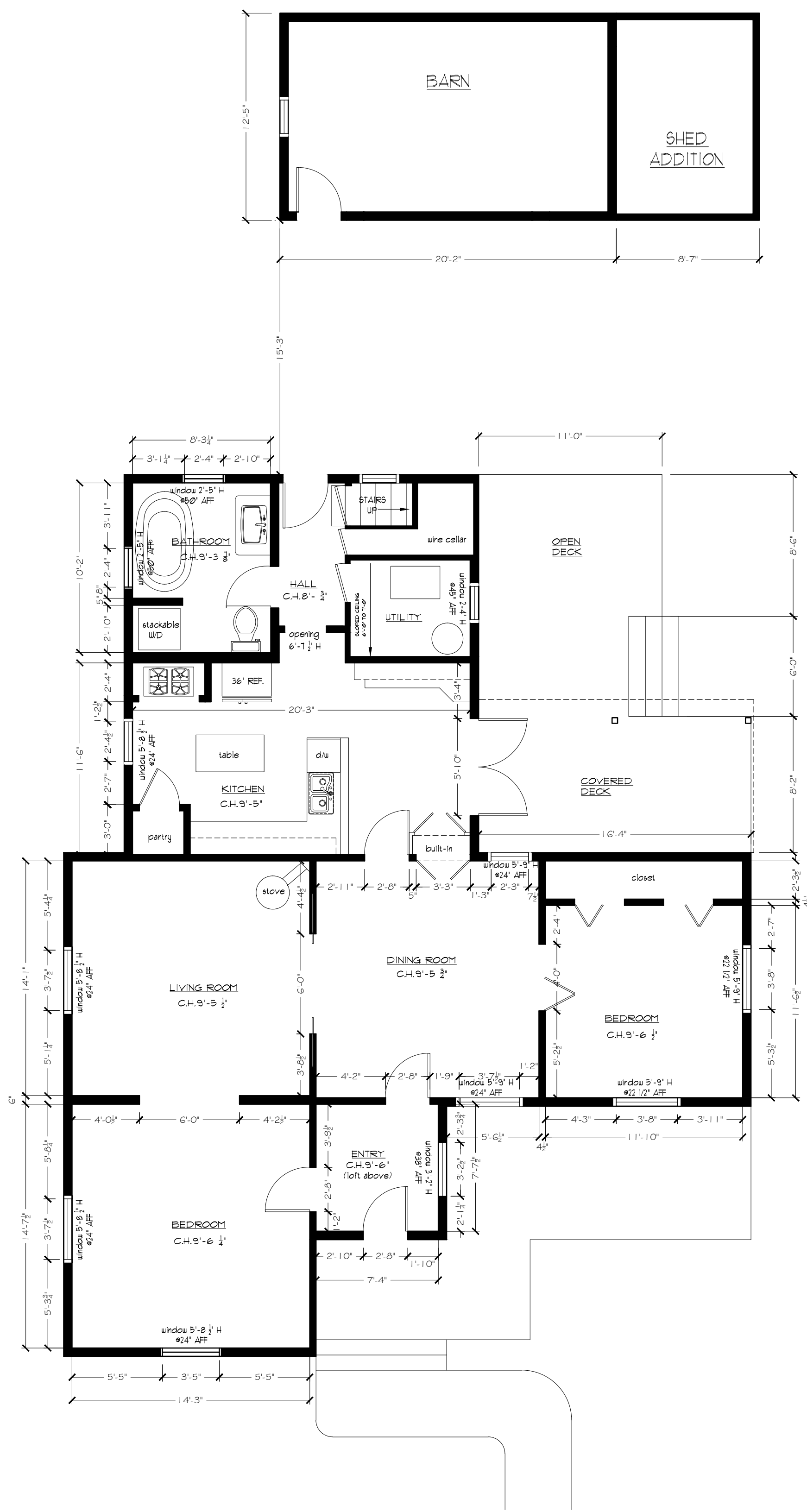
Recommendation: Rebuild the gable roof portion (12'-6" x 20') and demolish the lean-to shed.

Outbuilding 2 is at least 100 years old. While the structure has lasted a long time, the years have taken a toll. The structure It has a dirt floor and lacks a continuous foundation . Dryrot is evident all along the bottom of the wall. It is not airtight or watertight and will continue to decay until it falls down. The building is too small to be used to a even a small car. It also represents a fire hazard to the garage on the property immediately to the east. If this caught on fire, the one next to it would surly go as well.

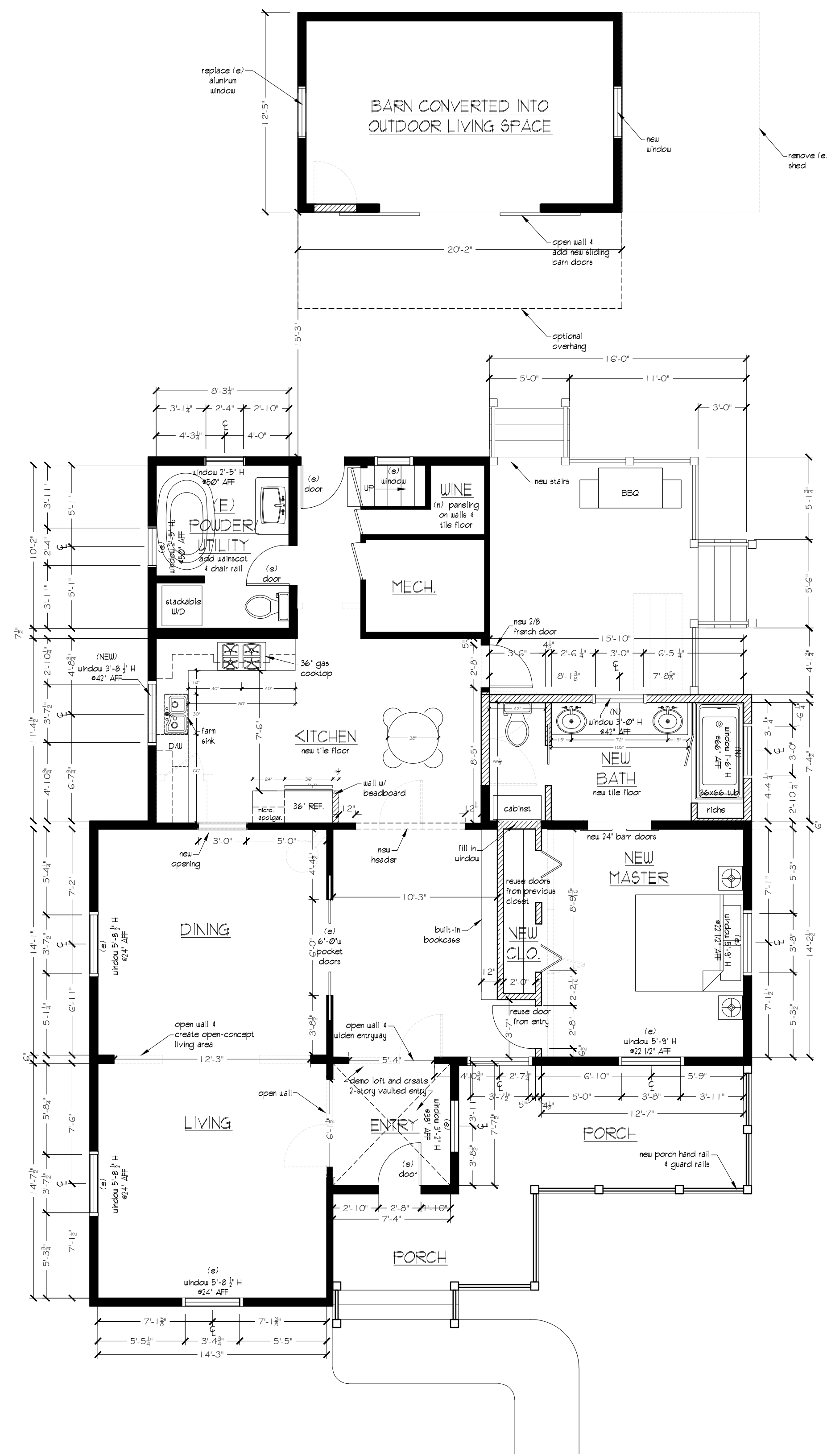
Recommendation: Demolish

Sincerely,

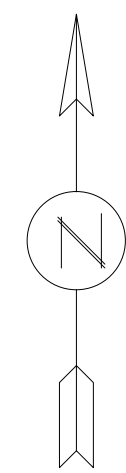
Gregg Creighton, architect. / Creighton Architecture



1 MAIN FLOOR AS-BUILT
SCALE: 3/16" = 1'-0"



2 PROPOSED MAIN FLOOR PLAN
SCALE: 3/16" = 1'-0"



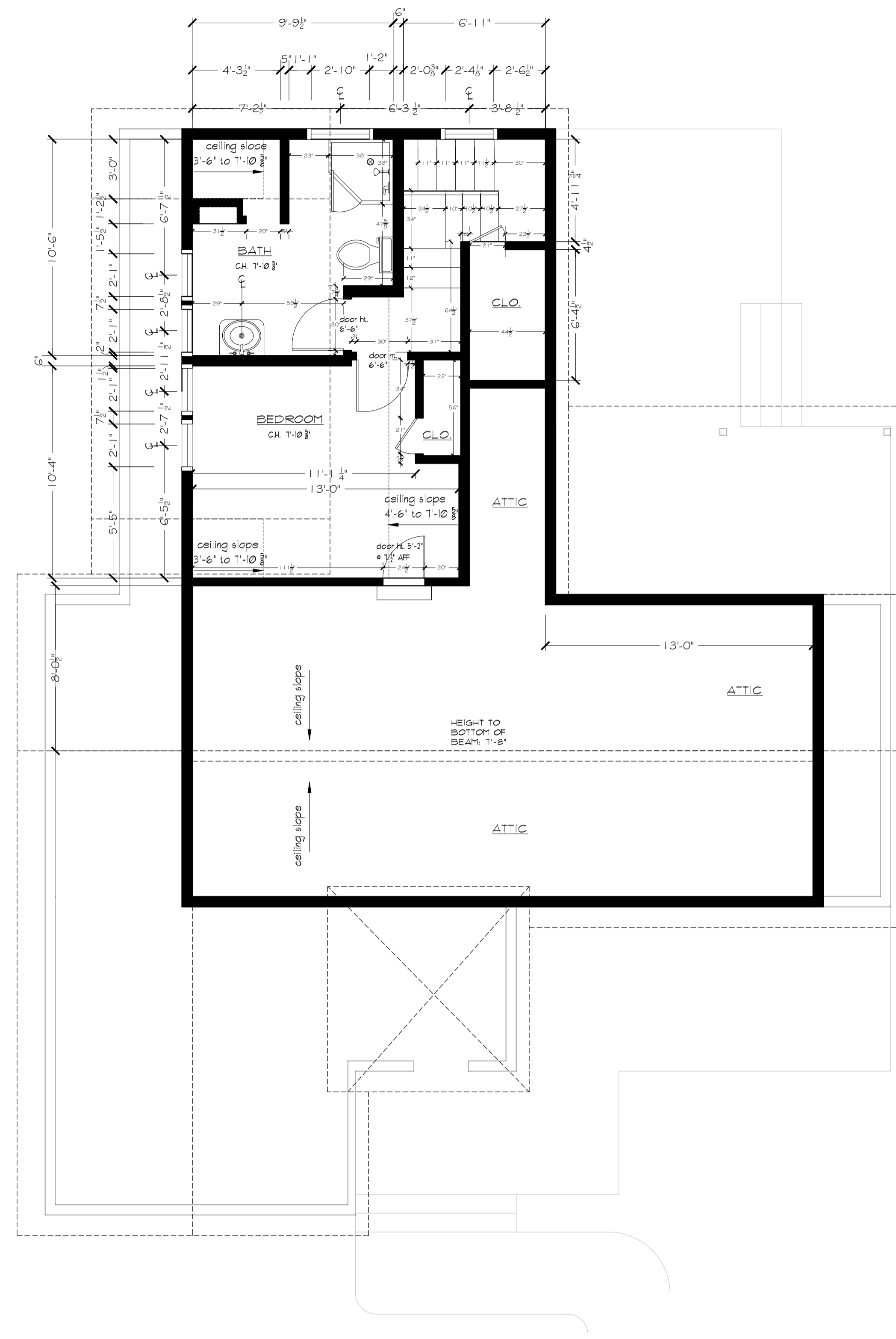
148 B AVENUE
LAKE OSWEGO,
OREGON 97034
503.224.4500 phone
503.636.4565 fax

Phil Chek
AND ASSOCIATES

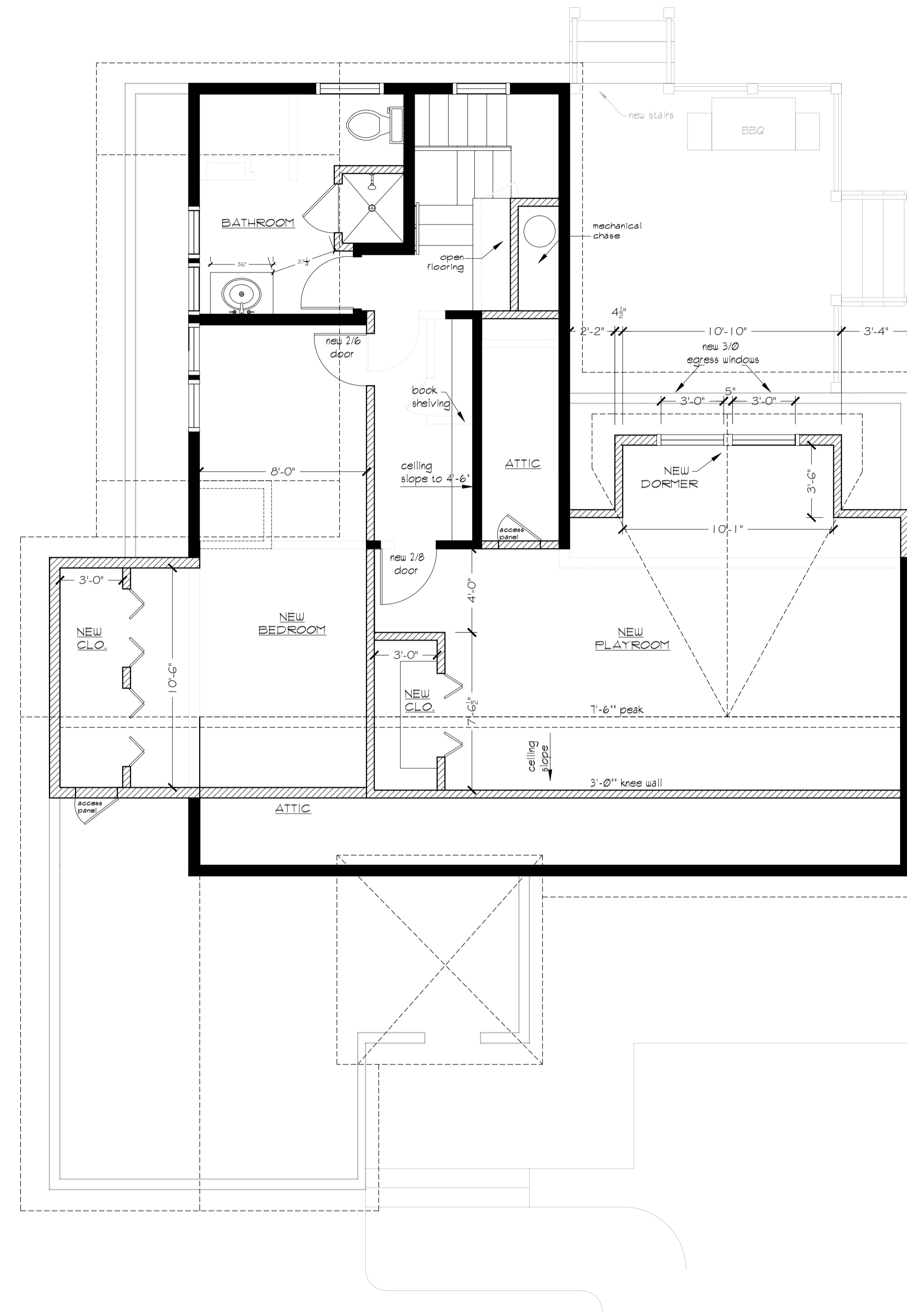
DATE:
08/08/2016
DRAWN BY:
HNS
JOB NAME:
Willamette
REVISIONS:
1 10/21/2016
2
3
APPROVED BY:
PC

PROJECT:
WARREN RESIDENCE
1822 5th Ave
West Linn, OR 97068

A-1



1 SECOND FLOOR AS-BUILT
SCALE: 1/4" = 1'-0"



2 PROPOSED SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

148 B AVENUE
LAKE OSWEGO,
OREGON 97034
503.224.4500 phone
503.636.4565 fax

Phil Chok
AND ASSOCIATES

DATE:
08/08/2016

DRAWN BY:
HS/NS

JOB NAME:
Willamette

REVISIONS:
1 10/31/2016
2 11/02/2016
3

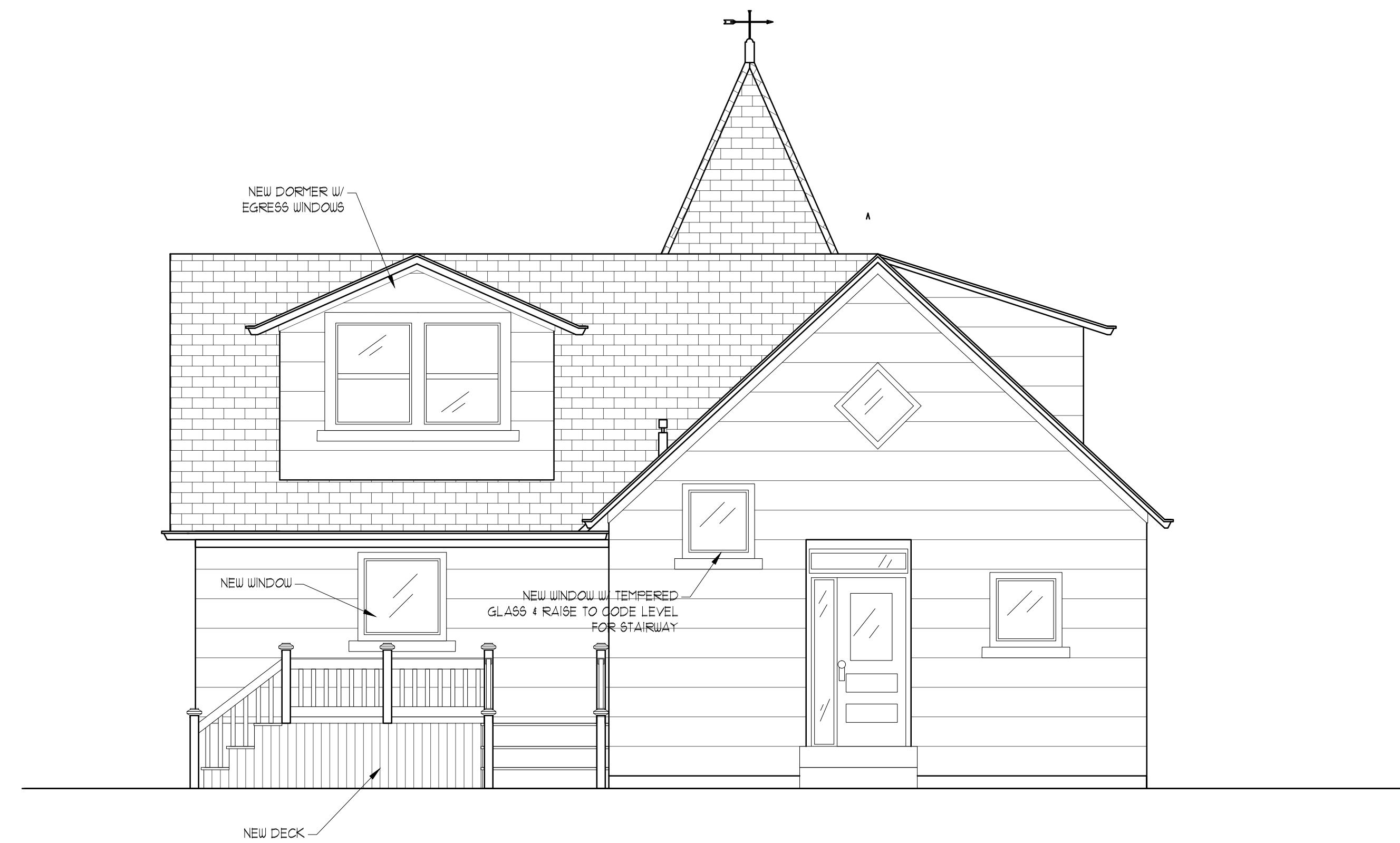
APPROVED BY:
PC

PROJECT:
WARREN RESIDENCE
1822 5th Ave
West Linn, OR 97068

A-2



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



2 PROPOSED EXTERIOR NORTH ELEVATION
SCALE: 1/4" = 1'-0"

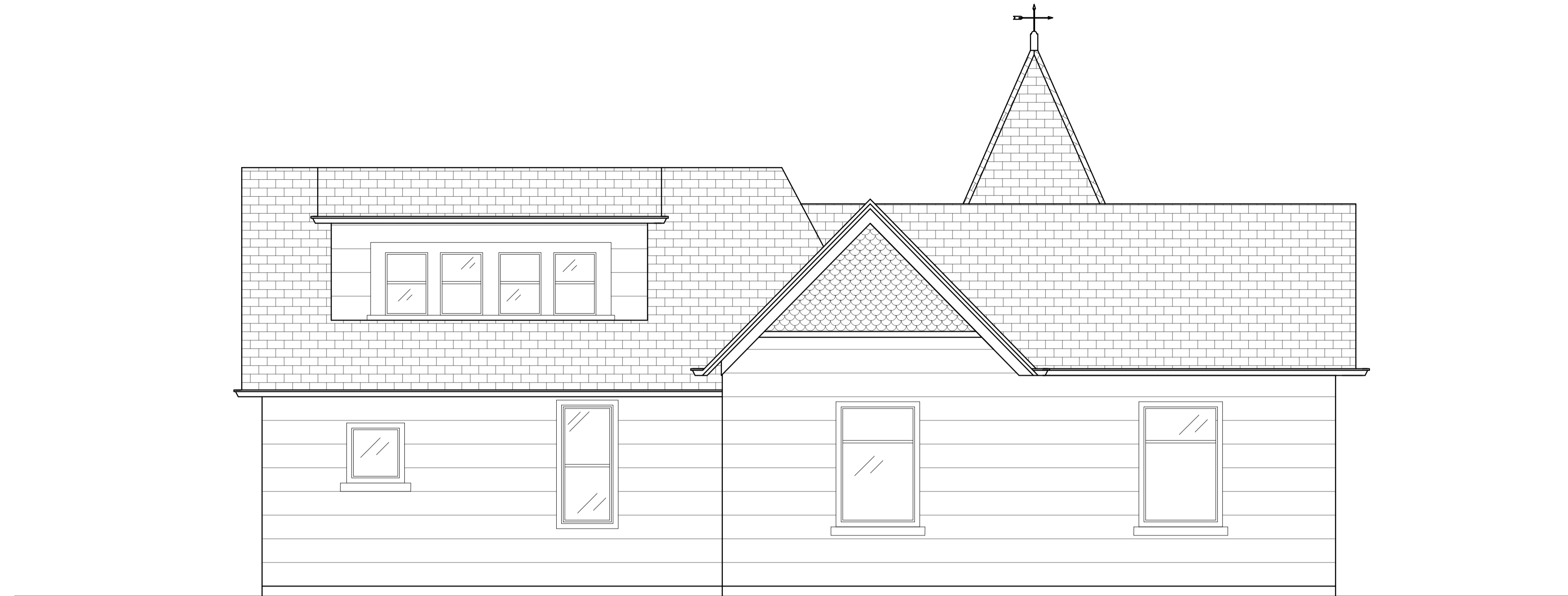
148 B AVENUE
LAKE OSWEGO,
OREGON 97034
503.224.4500 phone
503.636.4565 fax

Phil Chek
AND ASSOCIATES

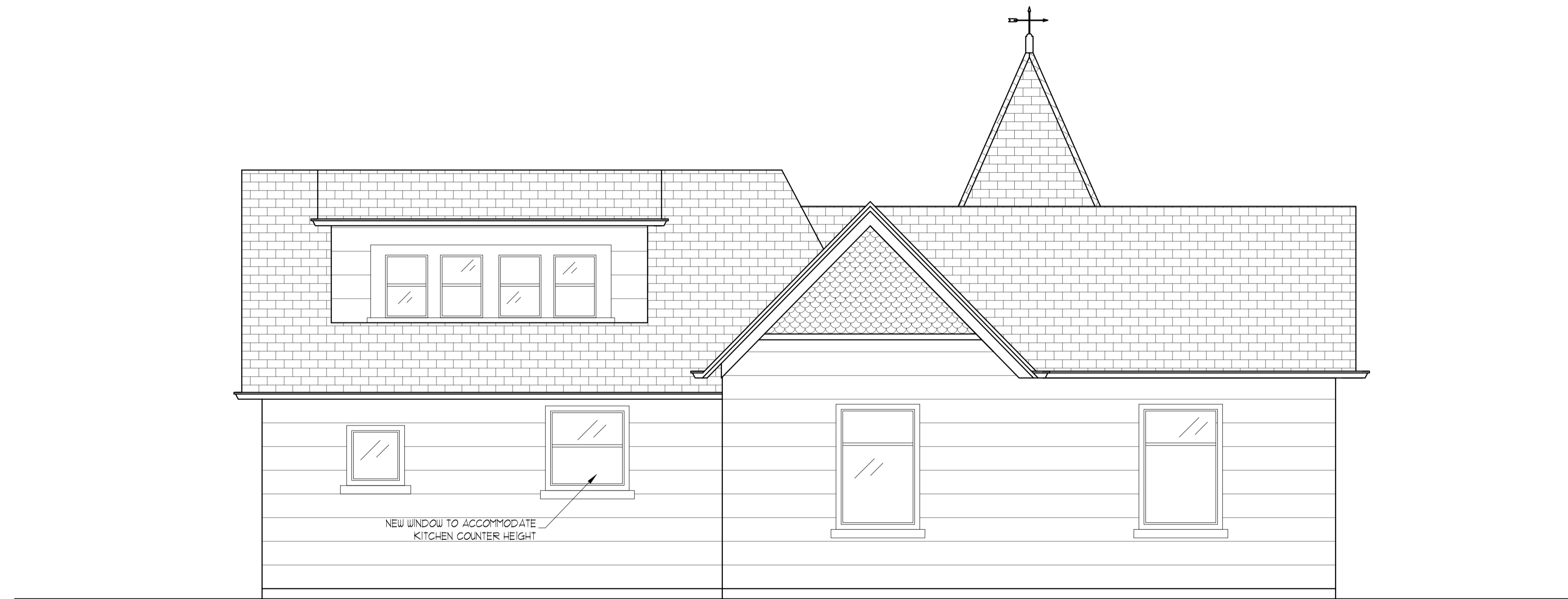
DATE:
02/02/2016
DRAWN BY:
H&NS
JOB NAME:
Willamette
REVISIONS:
1
2
3
APPROVED BY:
PC

PROJECT:
WARREN RESIDENCE
1822 5th Ave
West Linn, OR 97068

A-3



1 EXISTING WEST EXTERIOR WALL
SCALE: 1/4" = 1'-0"



2 PROPOSED WEST EXTERIOR WALL
SCALE: 1/4" = 1'-0"

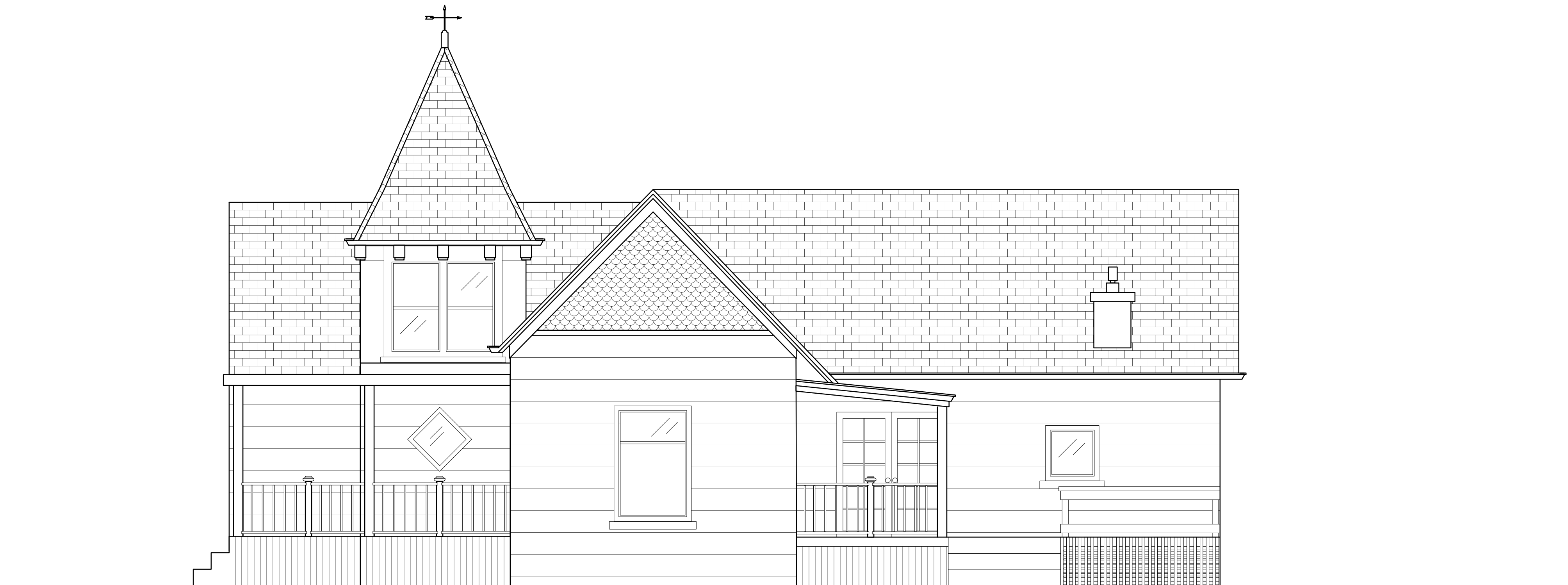
148 B AVENUE
LAKE OSWEGO,
OREGON 97034
503.224.4500 phone
503.636.4565 fax

Phil Chok
AND ASSOCIATES

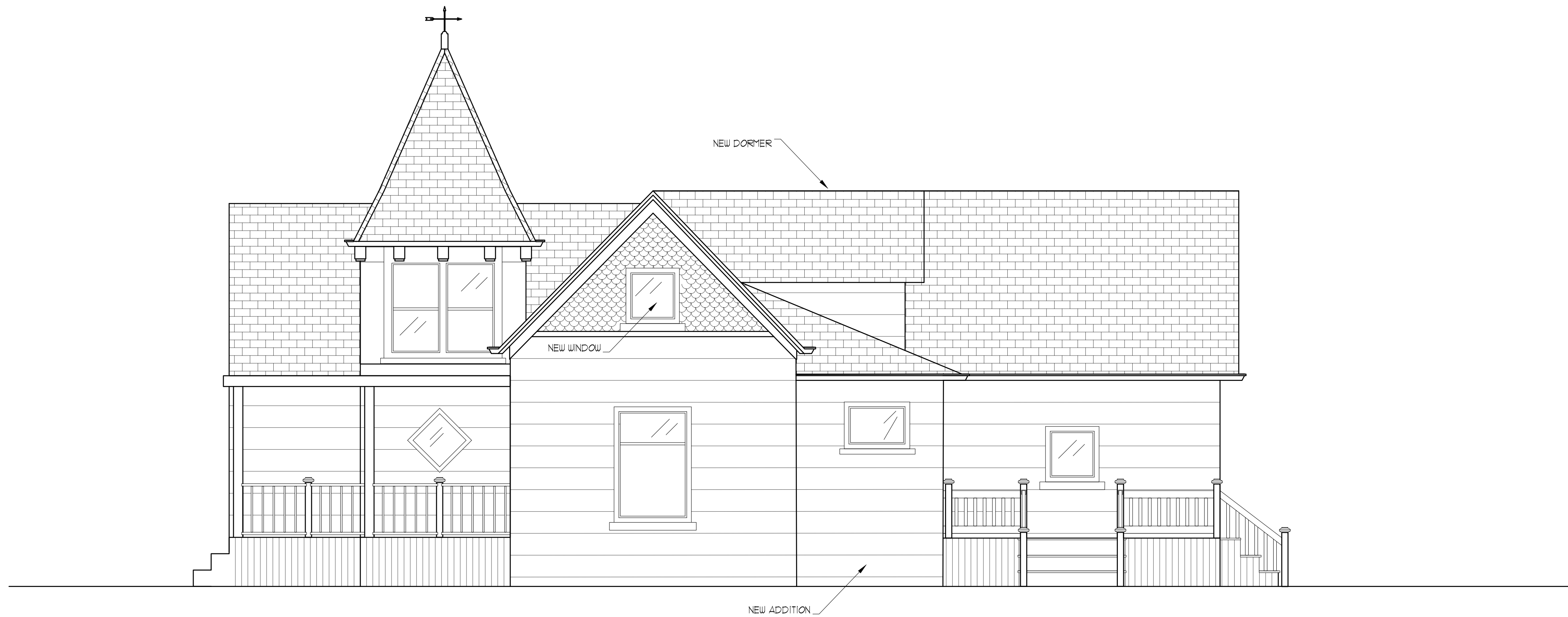
DATE:
02/02/2016
DRAWN BY:
HS/NG
JOB NAME:
Willamette
REVISIONS:
1
2
3
APPROVED BY:
PC

PROJECT:
WARREN RESIDENCE
1822 5th Ave
West Linn, OR 97068

A-4



1 EXISTING EAST EXTERIOR WALL
SCALE: 1/8" = 1'-0"



2 PROPOSED EAST EXTERIOR WALL
SCALE: 1/8" = 1'-0"

148 B AVENUE
LAKE OSWEGO,
OREGON 97034
503.224.4500 phone
503.636.4565 fax

Phil Cherk
AND ASSOCIATES

DATE:
08/08/2016

DRAWN BY:
HNS

JOB NAME:
Willamette

REVISIONS:
1
2
3

APPROVED BY:
PC

PROJECT:
WARREN RESIDENCE
1822 5th Ave
West Linn, OR 97068

A-5

HRB-5
FINAL DECISION DR-14-06



**STAFF REPORT
PLANNING MANAGER DECISION**

FILE NUMBER: DR-14-06, Class I Historic Design Review

REQUEST: Reduction in window size from 72 inches to 62 inches

**APPROVAL
CRITERIA:** Community Development Code (CDC) Chapter 25, Historic Resources

**STAFF REPORT
PREPARED BY:** Sara Javoronok, Associate Planner

Planning Manager's Review *JB*

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GENERAL INFORMATION

**APPLICANT/
OWNER:** Peter Graves

SITE LOCATION: 1724 4th Avenue

**LEGAL
DESCRIPTION:** Clackamas County Assessor's Map 31E02BD, Tax Lot 1200

SITE SIZE: 7,500 square feet

ZONING: R-5, Single Family Residential Detached and Attached/Duplex

**COMP PLAN
DESIGNATION:** Medium Density

120-DAY PERIOD: The application was complete on January 5, 2015. Therefore, the 120-day application processing period ends on May 5, 2015.

PUBLIC NOTICE: Public notice was mailed to the Willamette Neighborhood Association and to affected property owners on January 9, 2015, a notice posted on the site on January 13, 2015, and the application has been posted on the City's website. Therefore, notice requirements have been satisfied.

BACKGROUND

The subject property is 1724 4th Avenue, which is in the Willamette Historic District, approximately three blocks south of Willamette Falls Drive and two blocks west of Willamette Primary School.



Front façade of existing residence



East (right) elevation of existing residence, the first floor window would be reduced in size



Window to be reduced in size

Site Conditions. The property accommodates a contributing single family home constructed c. 1905 and a c. 1960 non-contributing garage/carport. The residence is constructed in the Queen Anne style. It has a cross gable roof with decorative shingles in the gable ends. It has wood shiplap siding and there appear to be additions to the rear. There is decorative spindlework on the front porch. A historic photo submitted with the application shows that there was originally an open turret on the front elevation that was enclosed. The windows are wood and many have ogee lugs and aluminum storm windows. The property was included in the City's 2006 Reconnaissance Level Survey and the 1984 Clackamas County Inventory (Exhibit PM-3).

Project Description. The property owner is remodeling the kitchen and is proposing to reduce the size of the window from 72 inches to 62 inches to allow for the installation of a counter and sink in the adjacent kitchen.

Surrounding Land Use. The property is on the southern edge of the Willamette Historic District. The properties to the north, west, and east are zoned Single Family Residential, Detached and Attached/Duplex (R-5). The property to the south is zoned Single Family Residential Detached (R-10).

DIRECTION FROM SITE	LAND USE	ZONING
North	Single family residence	R-5
East	Single family residence	R-5
South	Single family residence	R-10
West	Single family residence	R-5

Public comments. To date, staff has not received any comments from the public.

ANALYSIS

CDC Chapter 25, Historic Resources applies to this project, specifically CDC 25.040(B)(2), Class I historic design review for alteration of less than 100 square feet of a façade, CDC 25.060 Design Standards Applicable to Historic Resources, subsection (A) Standards for Alterations and Additions and CDC 25.070 Additional Standards Applicable to Historic Districts subsection (A).

DECISION

Staff approves application DR-14-06 subject to the following condition:

1. Plans, Elevations, and Narrative. The project shall conform to the plans, elevations, and narrative submitted in Exhibit PM-4.
2. Siding. The applicant shall, to the greatest extent possible, match and lace the new wood siding to blend with the existing wood siding.

Staff has determined that with the recommended condition of approval as discussed above, the application meets the criteria of Chapter 25.

This decision was processed under the provisions of Chapter 99.

Sara Javoronok
Sara Javoronok, Associate Planner

1/23/15
Date

Appeals to this decision must be filed with the West Linn Planning Department within 14 days of mailing date. Cost is \$400. The appeal must be filed by an individual who has established standing by submitting comments prior to or on January 23, 2015. Approval will lapse three years from effective approval date.

Mailed this 23rd day of January, 2015.

Therefore, the 14-day appeal period ends at 5 p.m., on

February 6, 2015

Notes to applicant.

- Expiration of Approval. This approval shall expire three years from the effective date of this decision.
- Additional Permits Required. Your project may require the following additional permits:

- Public improvement permit: contact Engineering at (503) 723-5501 or mcoffie@westlinnoregon.gov
- Public works permit: contact Engineering at (503) 723-5501 or mcoffie@westlinnoregon.gov
- On-Site Utilities: contact the Building Division at (503) 656-4211, jnomie@westlinnoregon.gov. (Electrical permits are through Clackamas County, not the City of West Linn.)
- Building permit: contact the Building Division at (503) 656-4211, jnomie@westlinnoregon.gov.
- Inspections: Call the Building Division's Inspection Line at (503) 722-5509.

APPLICABLE REGULATIONS AND ASSOCIATED SUPPLEMENTAL FINDINGS

DR-14-06

CHAPTER 25, HISTORIC RESOURCES

25.040 HISTORIC DESIGN REVIEW PROCESSES

Proposed changes to historic resources that are not exempted by subsection A of this section, Exemptions from historic design review, are subject to subsection B of this section, Class I historic design review, or subsection C of this section, Class II historic design review. Class I historic design review addresses significant changes that warrant staff review. Class II historic design review addresses major changes including additions and new construction, subject to Historic Review Board approval. The processes for conducting Class I and Class II historic design review are in Chapter 99 CDC.

B. Class I historic design review. The following are subject to Class I historic design review to determine their compliance with the applicable approval standards:

...

2. Facade alteration. Alteration of a facade when 100 square feet or less of the structure's facade is being altered;

Finding 1: The proposed change is subject to Class I historic design review since it is an alteration of less than 100 square feet on a side façade.

25.060 DESIGN STANDARDS APPLICABLE TO HISTORIC RESOURCES

The following design standards apply to all changes, including alterations, additions, and new construction proposed on a designated historic resource. These standards are intended to preserve the features that made the resources eligible for historic designation. Development must comply with all applicable standards, or be approved through the modifications process specified in CDC 25.080.

A. Standards for alterations and additions. This section applies to historic reviews for alteration of and additions to designated historic resources:

...

1. Retention of original construction. The original construction shall be maintained or restored to the greatest extent practicable. Stylistic features of original construction that shall be preserved include, but are not limited to: a line of columns, decorative shingles, projecting bays, other primary structural elements, spatial relationships that characterize the property, examples of skilled craftsmanship that characterize the building, and architectural details defining the structure's character and historic significance.

Finding 2: The applicant is proposing to reduce the size of the window 10 inches from 72 inches to 62 inches. The existing window is a two light transom window. The reduction will be from the bottom of the window. This will not affect stylistic features of the original construction. The criterion is met.

2. *Retention of historic material. Removal or alteration of historic materials and features shall be avoided during the construction of new additions or exterior alterations. Whenever possible, deteriorated materials and architectural features shall be repaired rather than replaced. In the event replacement of an existing feature is necessary, new materials shall, to the extent possible, match those of the original building in terms of composition, design, color, texture, and other visual features.*

Finding 3: The applicant is proposing to cut the existing window to the new size, and, unless necessary to replace material, will use the same material. The criterion is met.

3. *Time period consistency. Buildings shall be recognizable as a physical record of their time and place. Alterations which have no historical basis or which seek to create a false sense of historical development are not allowed.*

Finding 4: The proposed alteration of the window size will not seek to create a false sense of historical development. The criterion is met.

5. *Differentiate old from new. Alterations and additions shall be differentiated from the original buildings and shall be compatible with the historic materials, features, size, scale, proportion, and massing to protect the integrity of the property.*

Finding 5: The proposed alteration of the window will be compatible with the existing window in terms of material, features, and size of other windows on the property. The criterion is met.

6. *Reversibility. Additions and alterations shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its context would be unimpaired.*

Finding 6: The proposed alteration of the window could be reversed, if necessary. It does not alter the essential form and integrity of the property, nor does it affect structural portions of the residence. The criterion is met.

10. *Existing exterior walls and siding. Replacement of the finish materials of existing walls and siding with different material must be demonstrated, using photographic or other evidence, to be in character with those of the original materials, or with materials that are consistent with the original construction.*

Finding 7: The applicant is proposing to use siding that matches the existing wood siding in the area below the wood window. Staff finds that this is acceptable provided that the applicant laces the siding to blend with the existing siding. This criterion can be met with Condition of Approval #2.

15. *Window replacement. Replacement of windows or window sashes shall be consistent with the original historic appearance, including the profile of the sash, sill, trim, window plane relative to the building wall plane, light pattern, glass color, profile of mullions and muntins, and color.*

Finding 8: The applicant is proposing to cut and restore the existing window and reuse it. The original construction materials will be retained unless it is necessary to replace them, and the replacement would be the same material. The criterion is met.

25.070 ADDITIONAL STANDARDS APPLICABLE TO HISTORIC DISTRICTS

This section provides additional standards that are applicable to properties within a historic district.

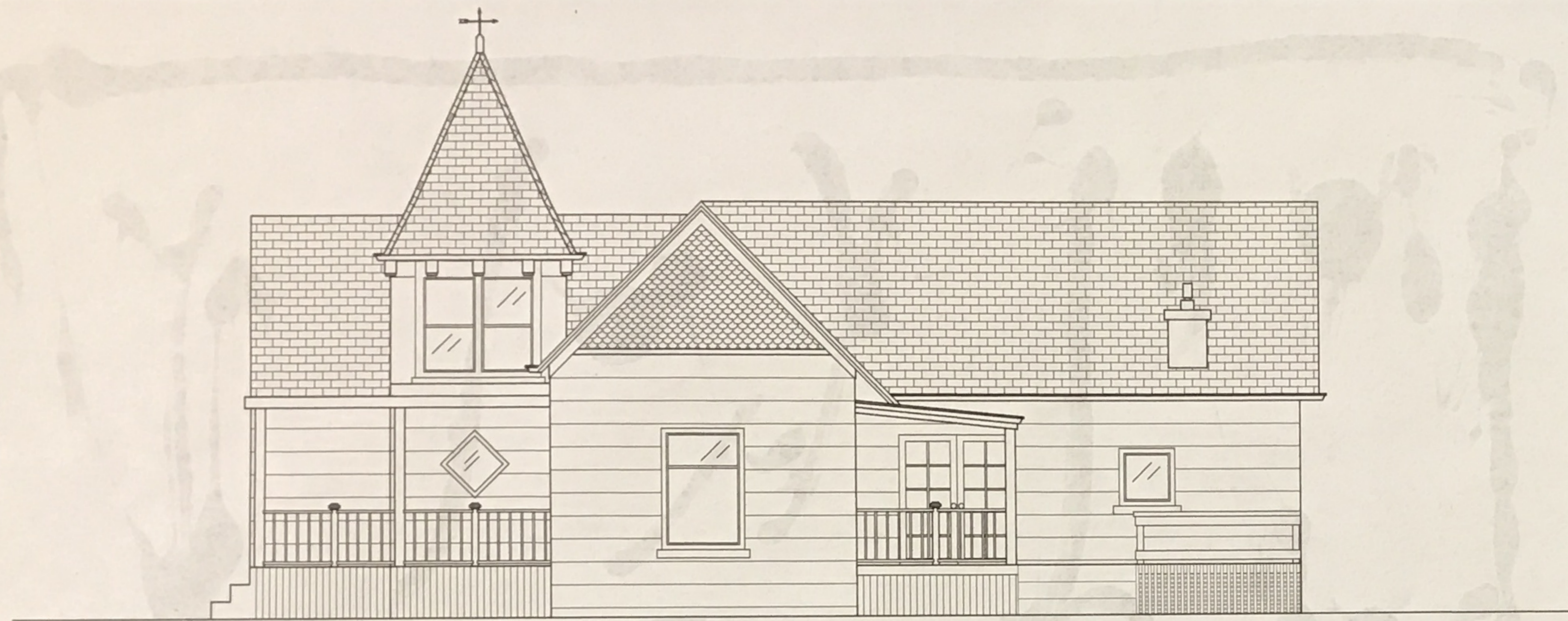
A. Standards for alterations and additions.

1. *Compatibility with nearby context. Alterations and additions shall be:*
 - a. *Compatible in scale and mass to adjacent properties; and*
 - b. *Constructed such that they maintain the privacy of the residents of adjacent properties through window placement, orientation or landscaping.*

Finding 9: The proposed window alteration with siding replacement will result in a window that is compatible in scale and mass. The proposed alteration reduces the size of the window and is unlikely to alter the existing conditions regarding privacy of adjacent properties. If there is an alteration, it would increase the privacy of adjacent properties. The criterion is met.

HRB-6
ADDITIONAL PROPERTY PHOTOS

EAST ELEVATION



1 EXISTING EAST EXTERIOR WALL
SCALE: 1/8" = 1'-0"



2 PROPOSED EAST EXTERIOR WALL
SCALE: 1/8" = 1'-0"



PROGRESS SHOT



PROGRESS SHOT



PROGRESS SHOT



WOULD LIKE TO
REPLACE
ALUMINUM
WINDOW

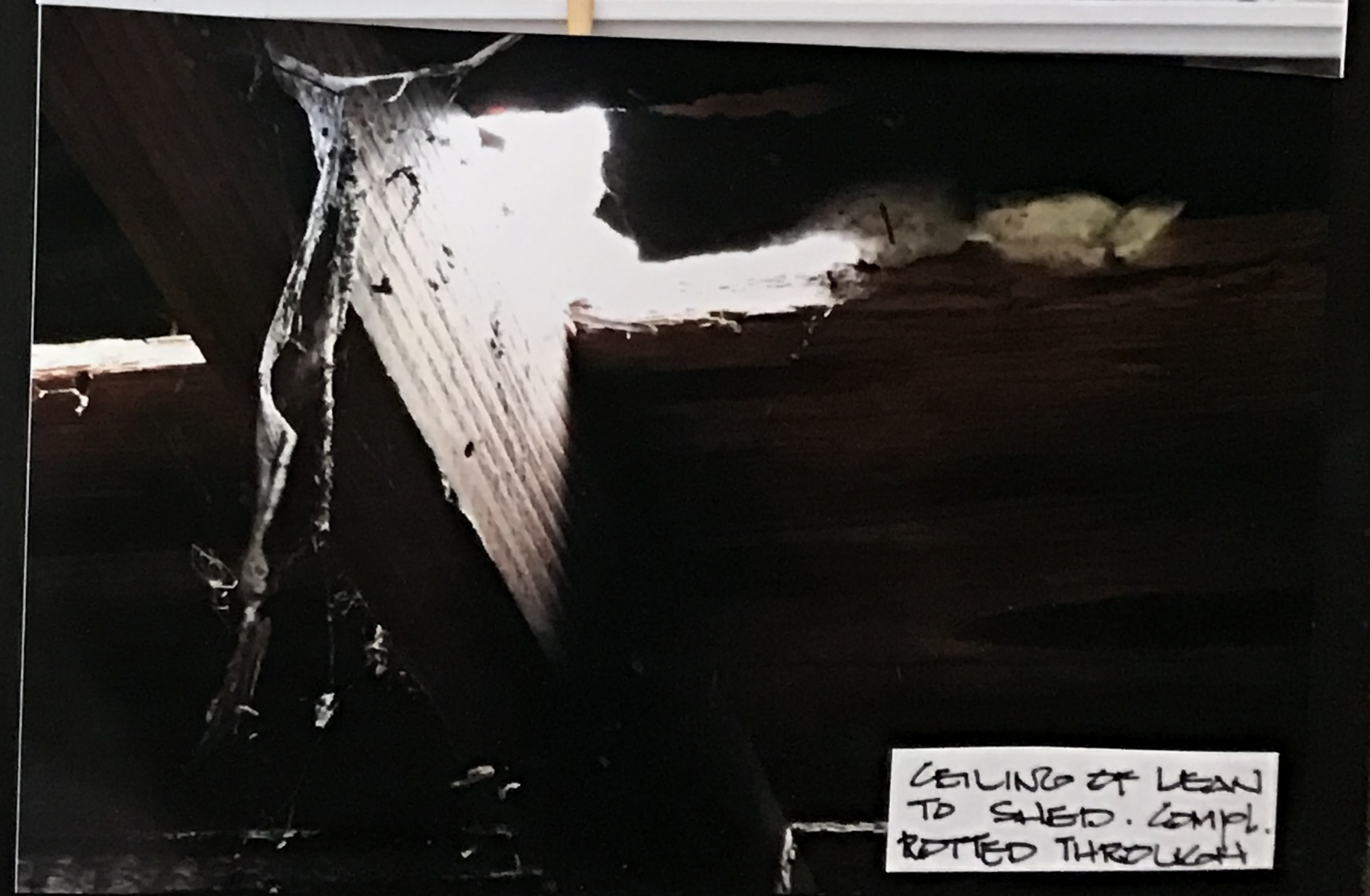


DOES RUN
LEAN TO SHED.



BUILDING IS
LEANING TO
NORTH BADLY.
TRYING TO STABILIZE

THIS LINE
IS STRAIGHT



CEILING OF LEAN
TO SHED. COMPL.
ROTTED THROUGH

PHIL CHEK
AND ASSOCIATES
RESIDENTIAL DESIGN AND CONSTRUCTION
SINCE 1986



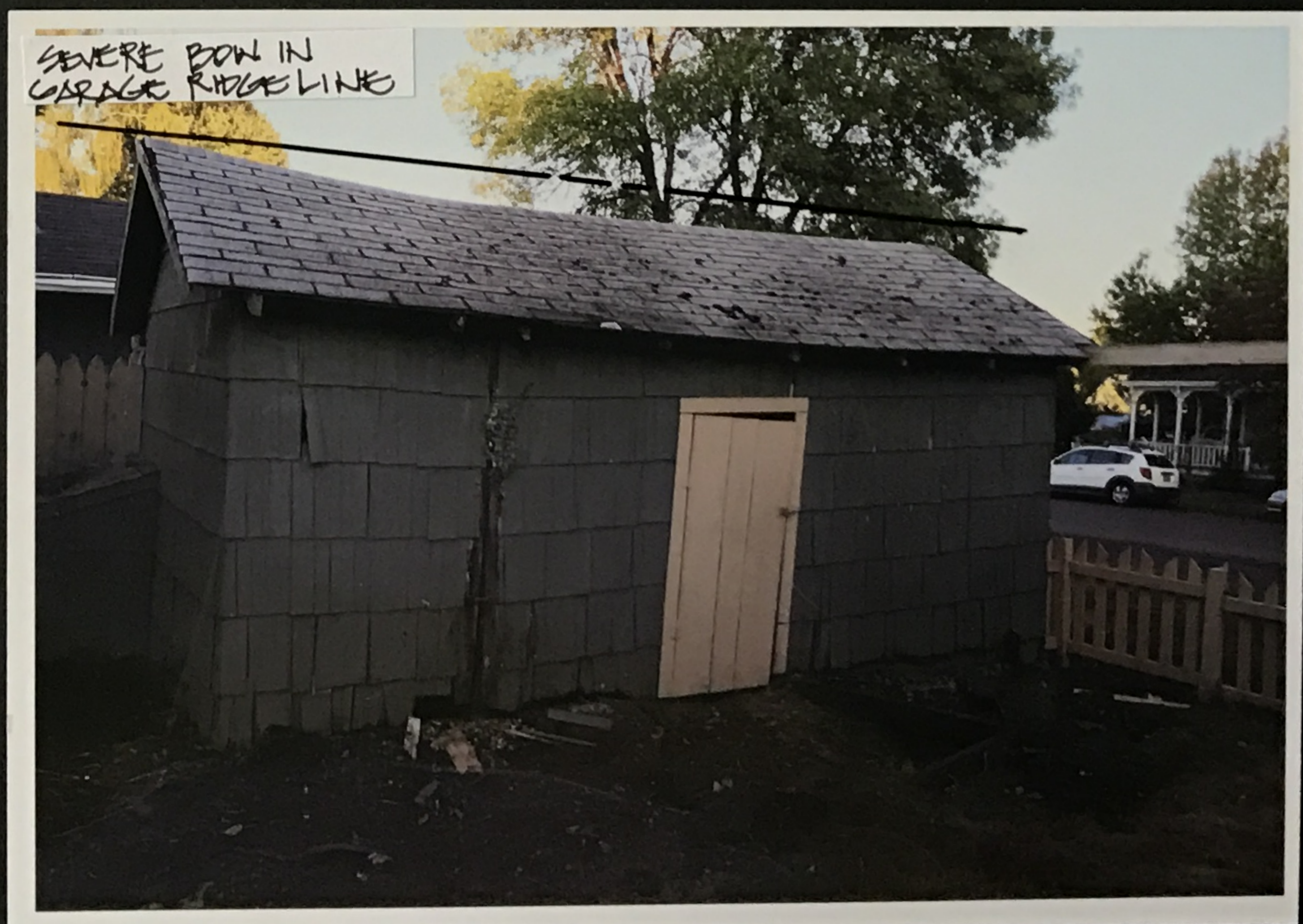
NO HEADER/BEAM
BEHIND GARAGE DOOR



DIRT FLOOR / BUILT
NO FOUNDATION / DIRECTLY ON
SOIL



GARAGE OPENING
IS TOO NARROW
FOR A CAR



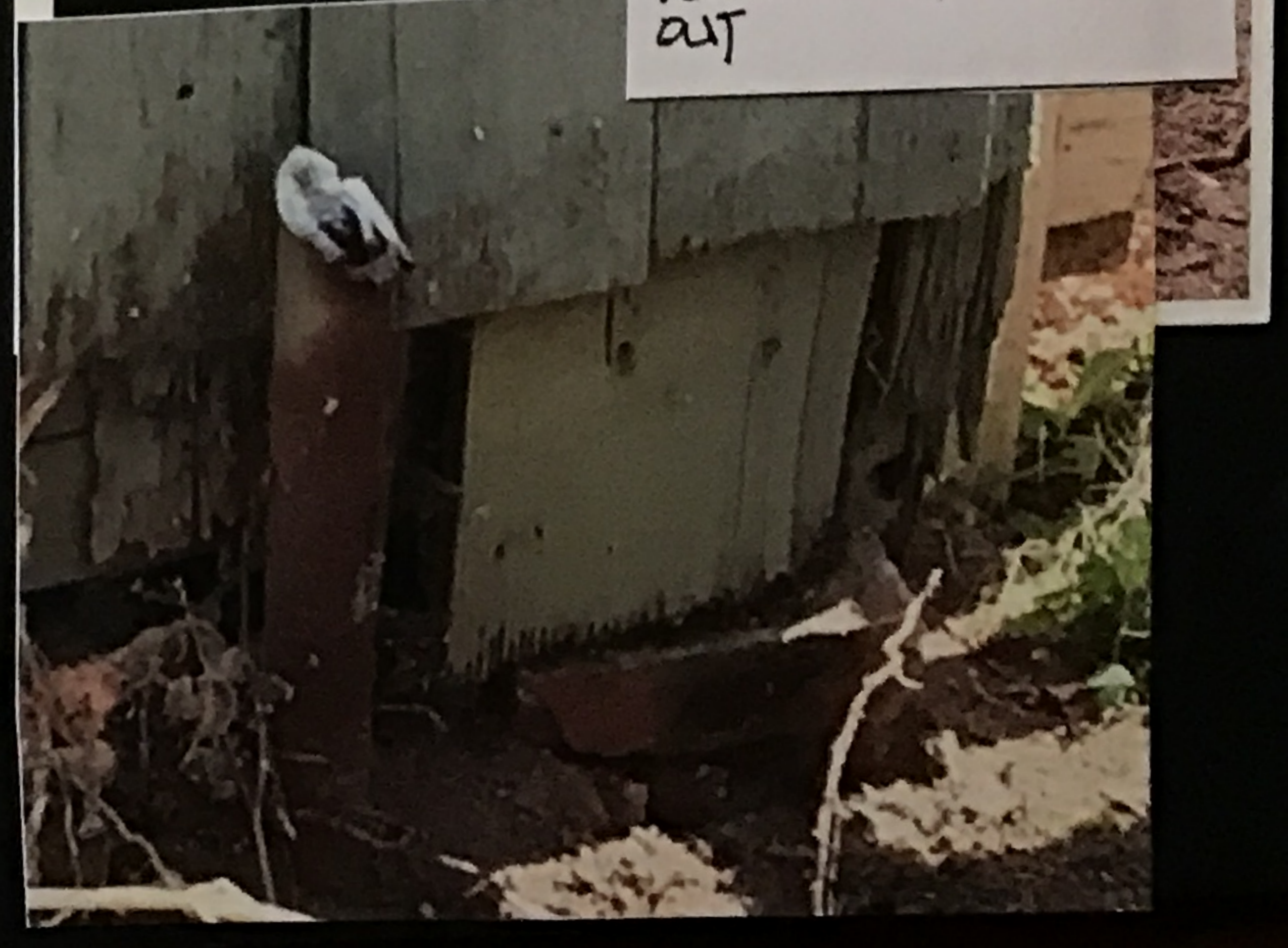
SEVERE BOW IN
GARAGE RIDGELINE

1822 5TH AVE.
EXIST'G GARAGE

PHIL CHEK
AND ASSOCIATES
RESIDENTIAL DESIGN AND CONSTRUCTION
SINCE 1986

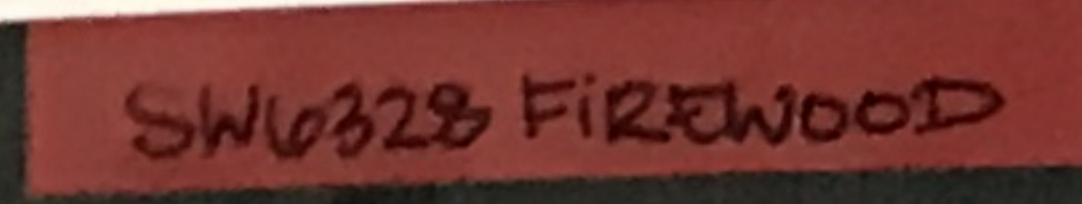
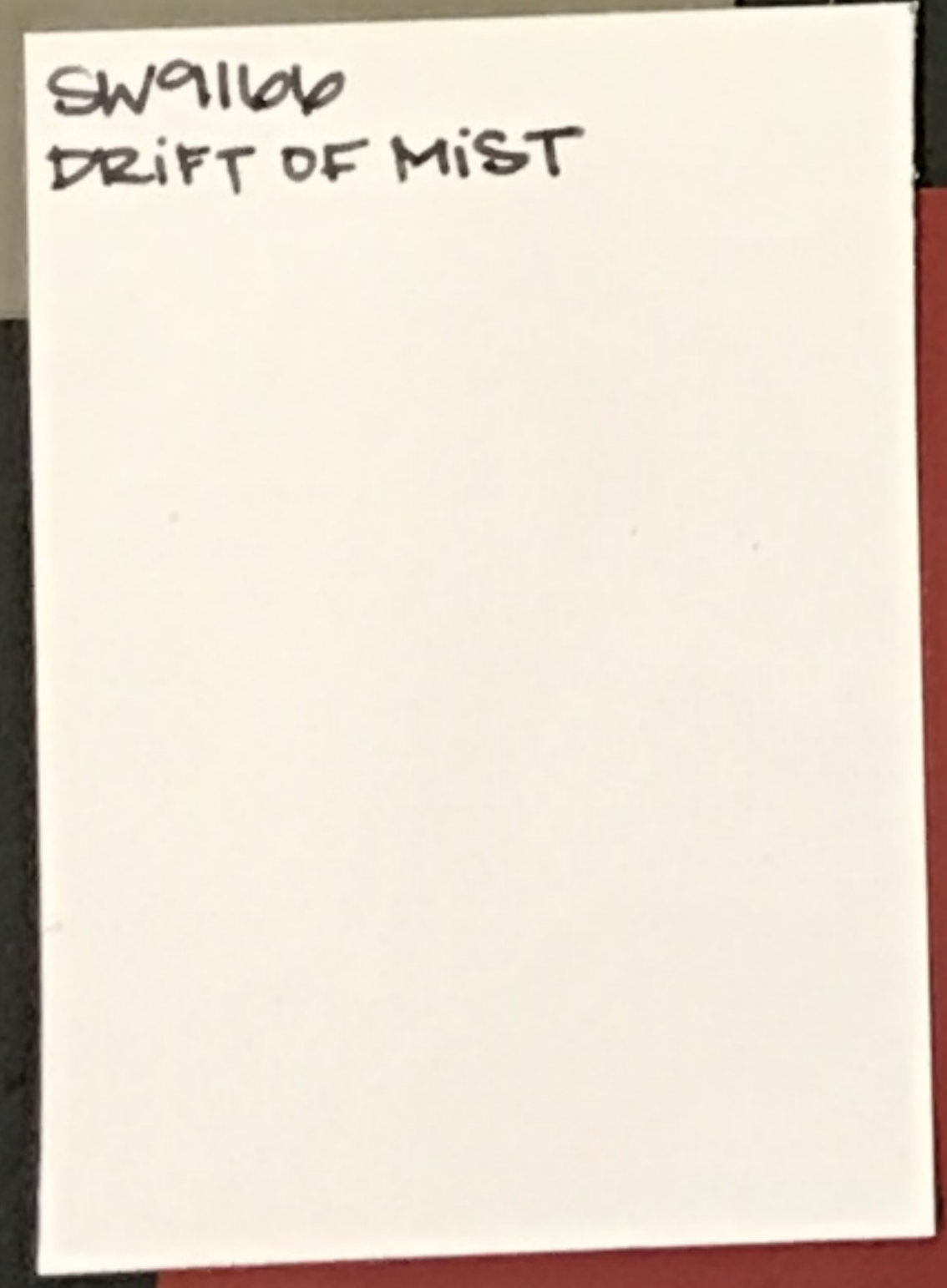
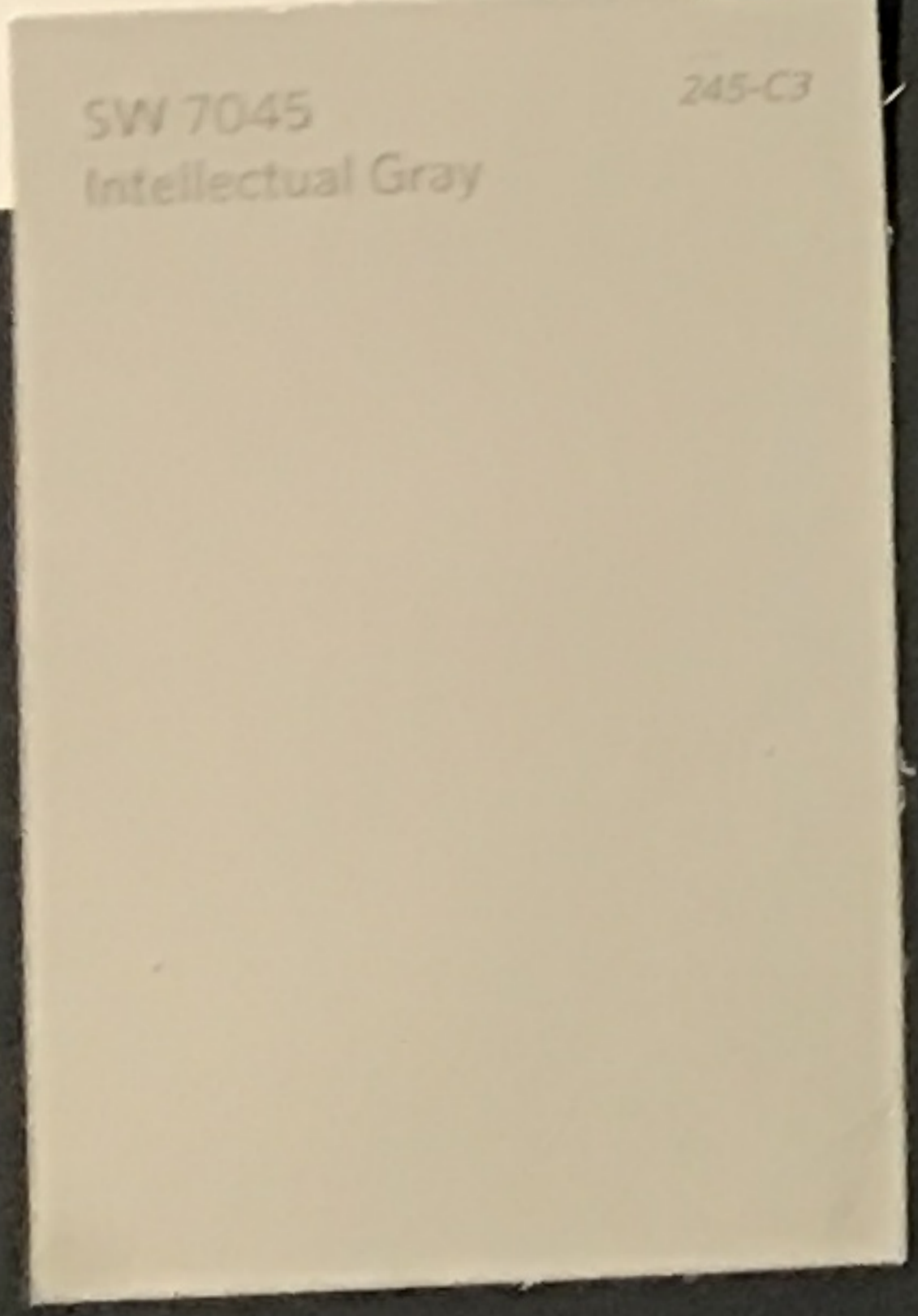
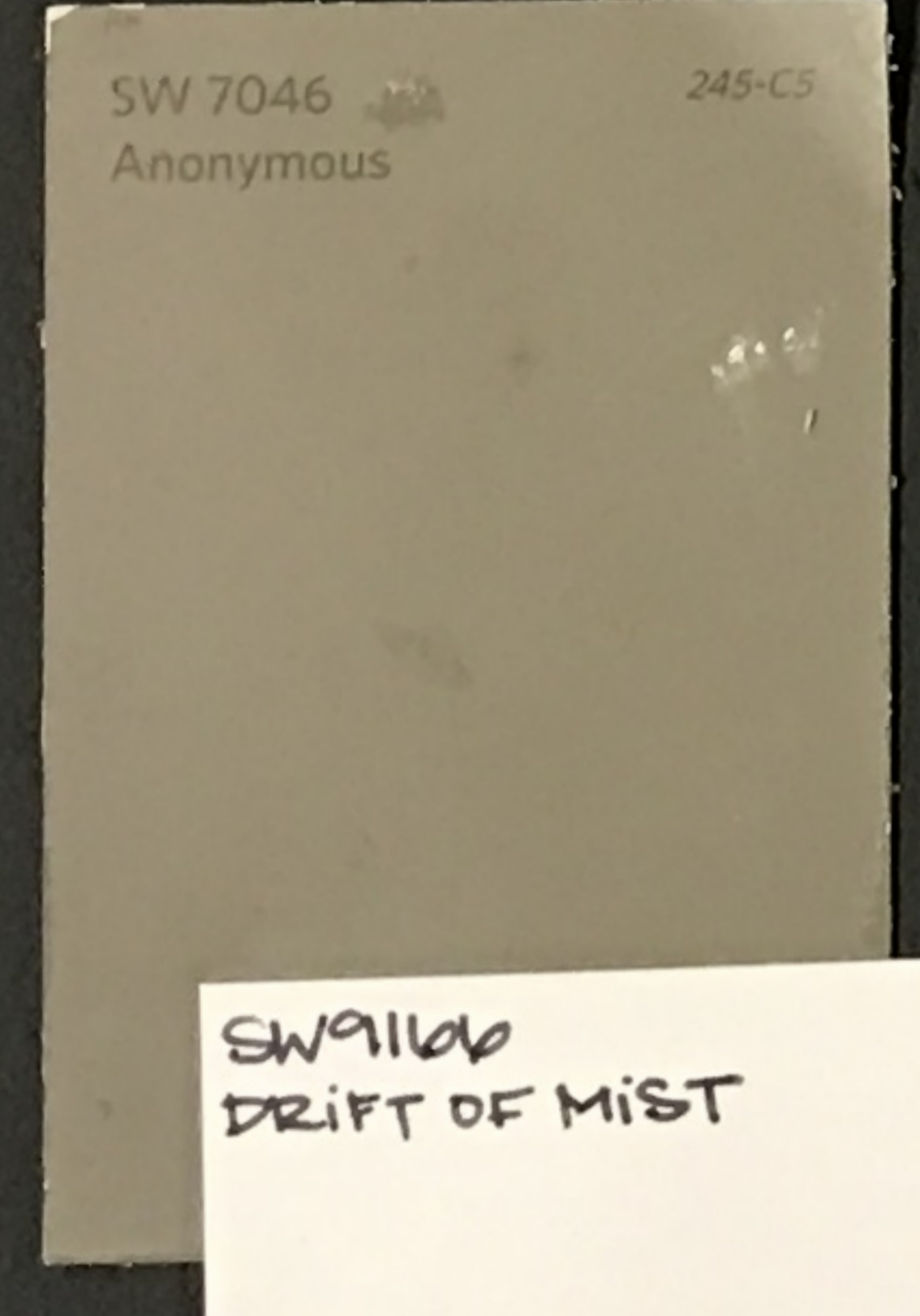
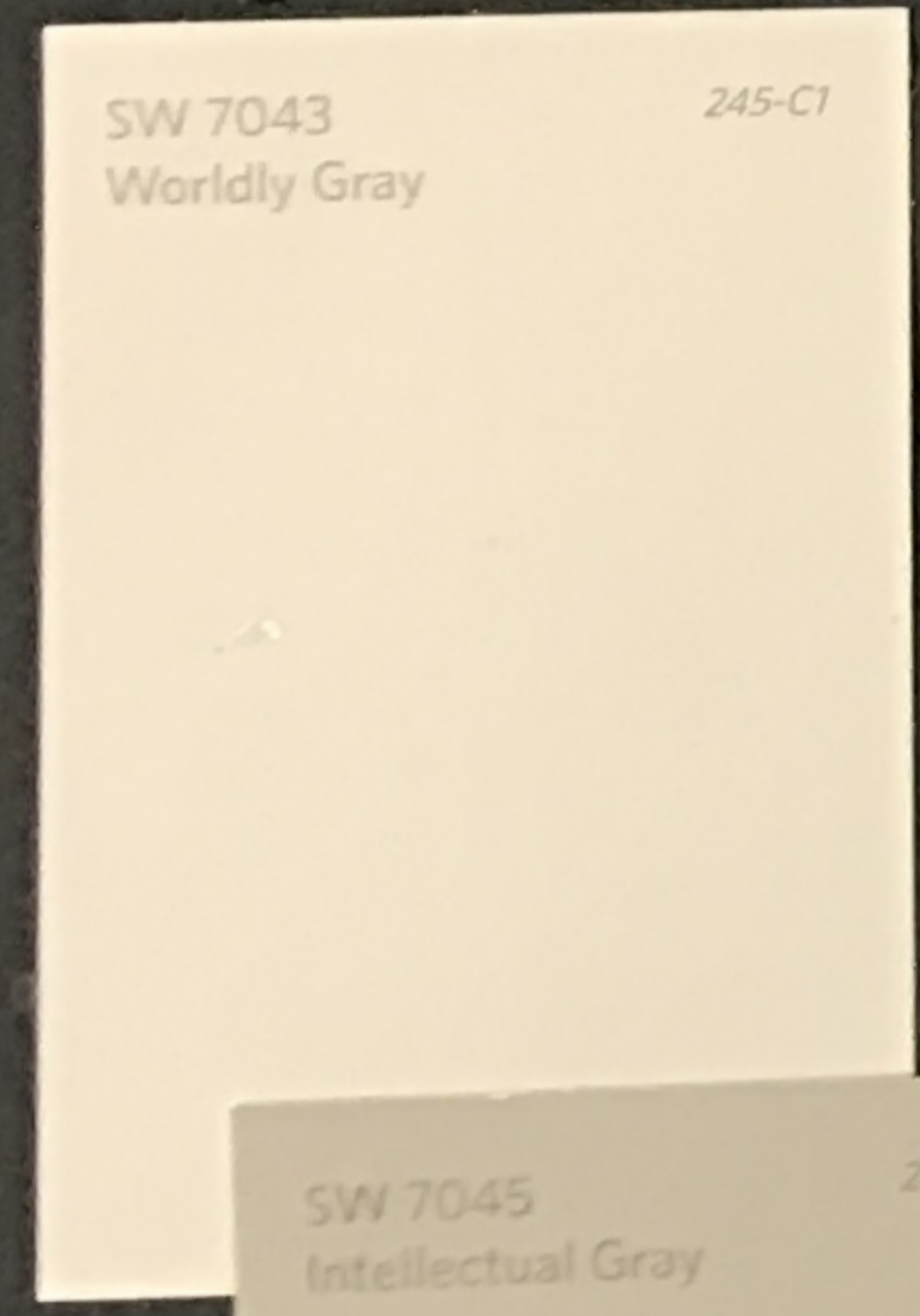
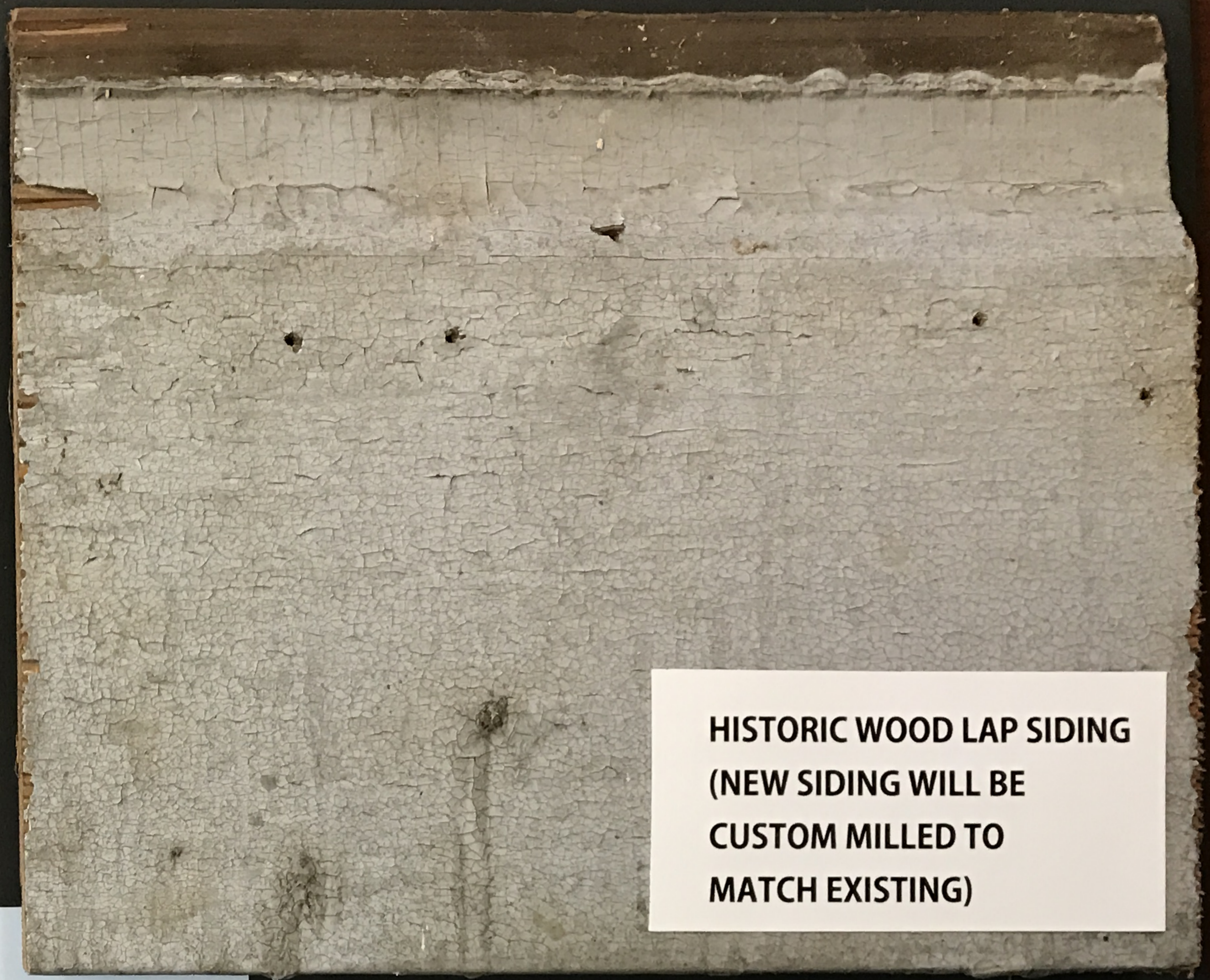
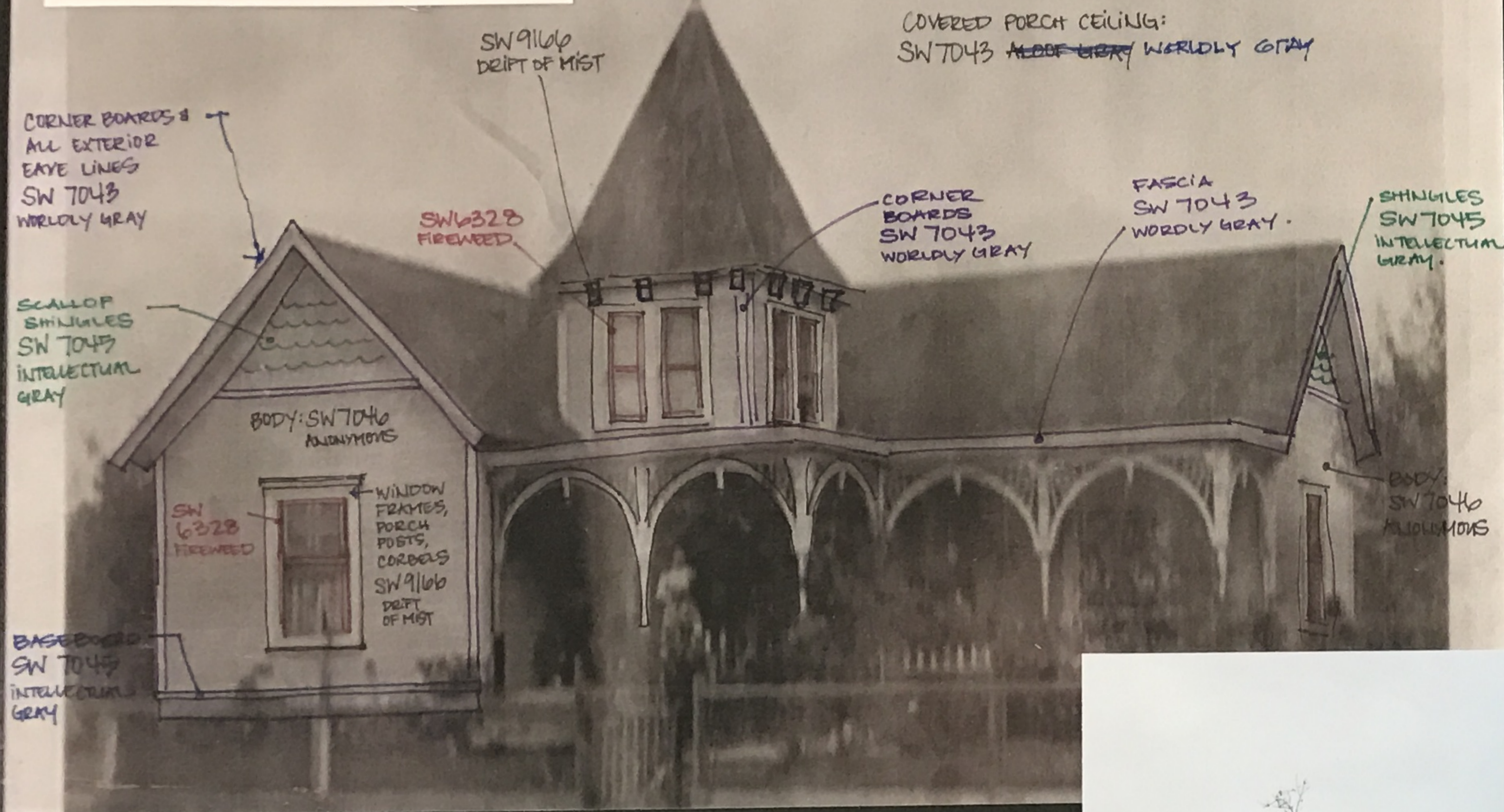


WALLS SLOPED
OUT

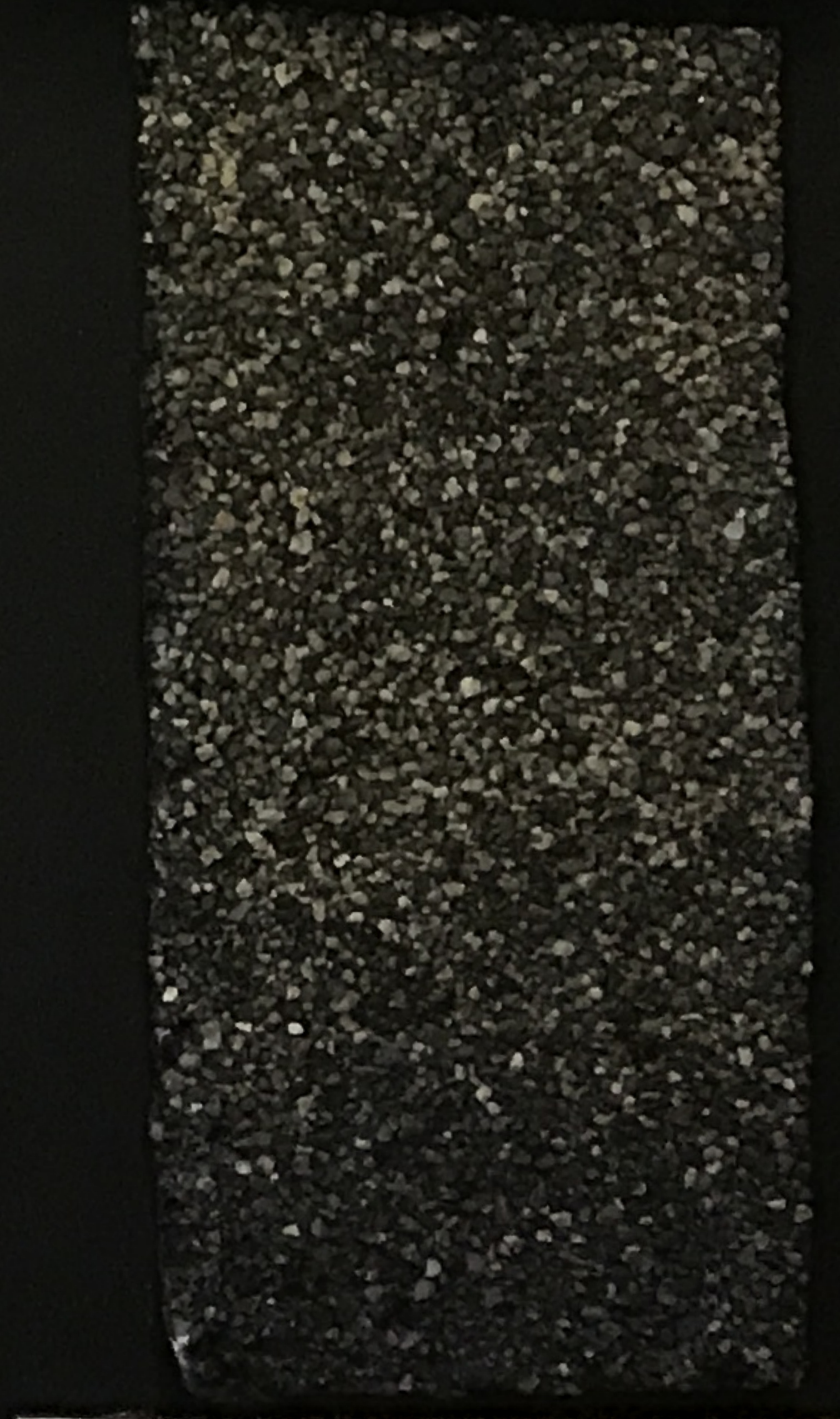


MATERIALS BOARD

EXTERIOR PAINT DETAIL

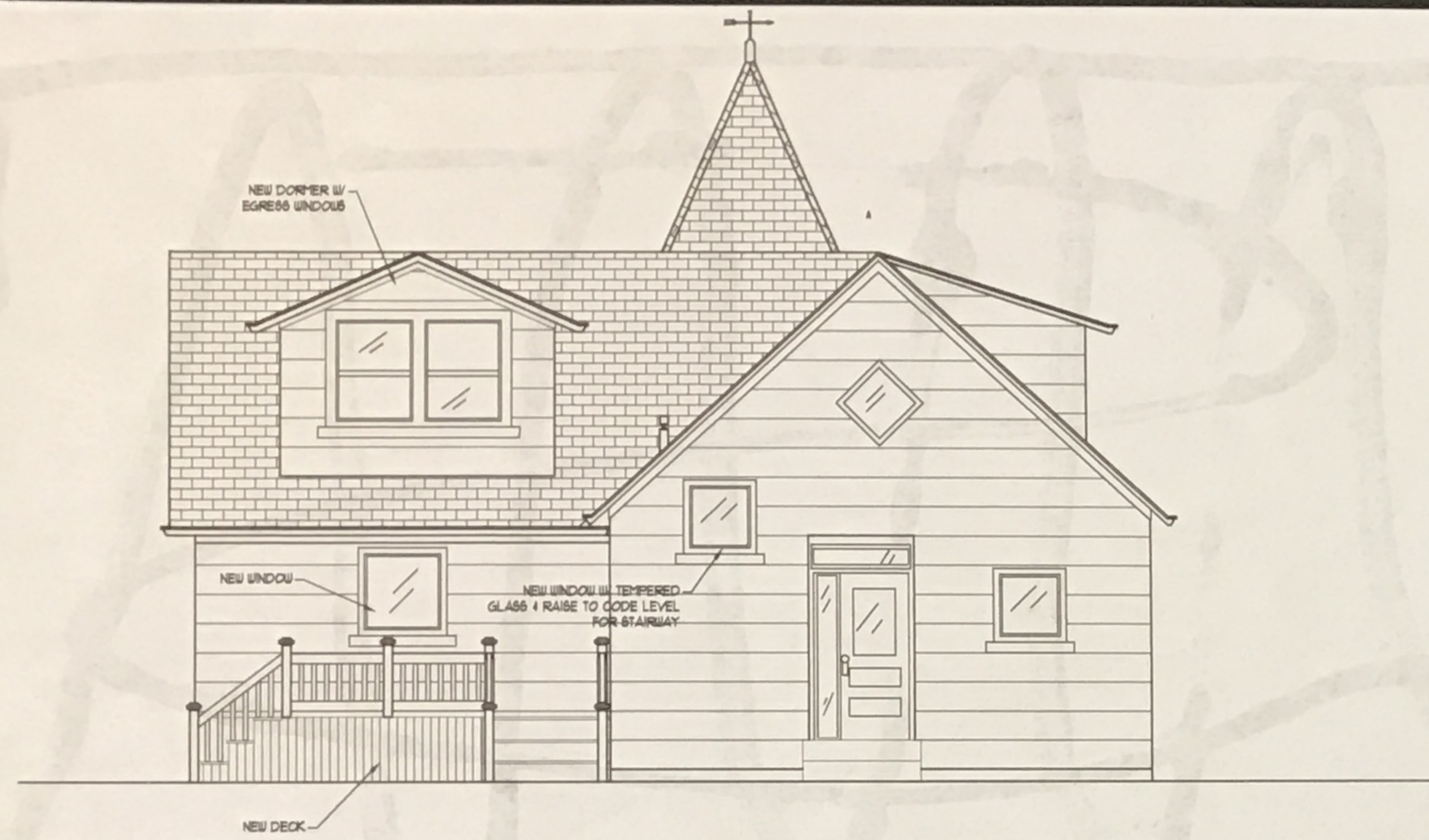


NEW ROOF MATERIAL

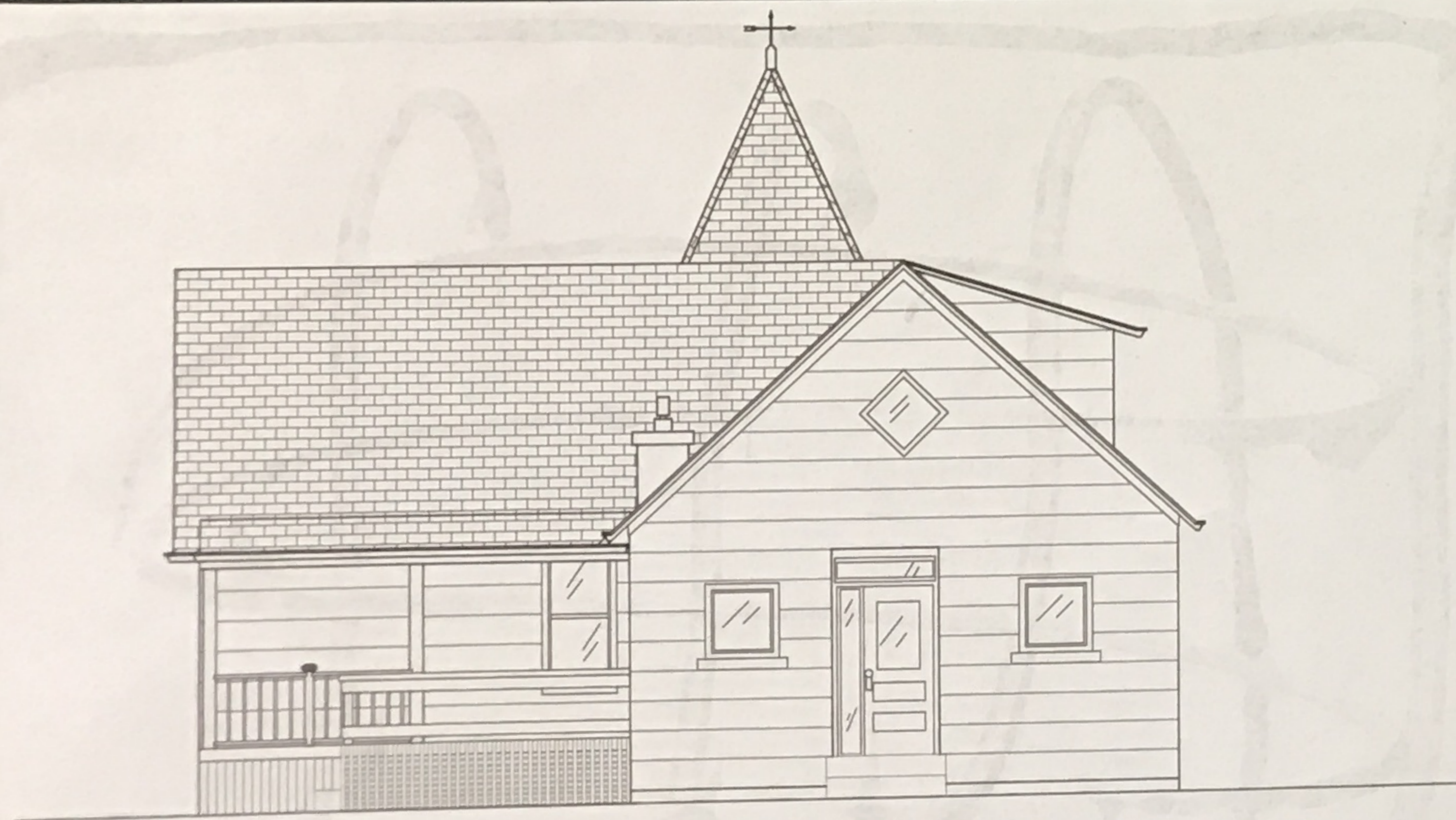


EXISTING ROOF MATERIAL

NORTH ELEVATION



2 PROPOSED EXTERIOR NORTH ELEVATION
SCALE: 1/4" = 1'-0"



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



PURCHASE CONDITION



PURCHASE CONDITION



PURCHASE CONDITION

SOUTH ELEVATION



HISTORIC PHOTO



PURCHASE CONDITION



PROGRESS SHOT



RESTORED WEATHER VANE

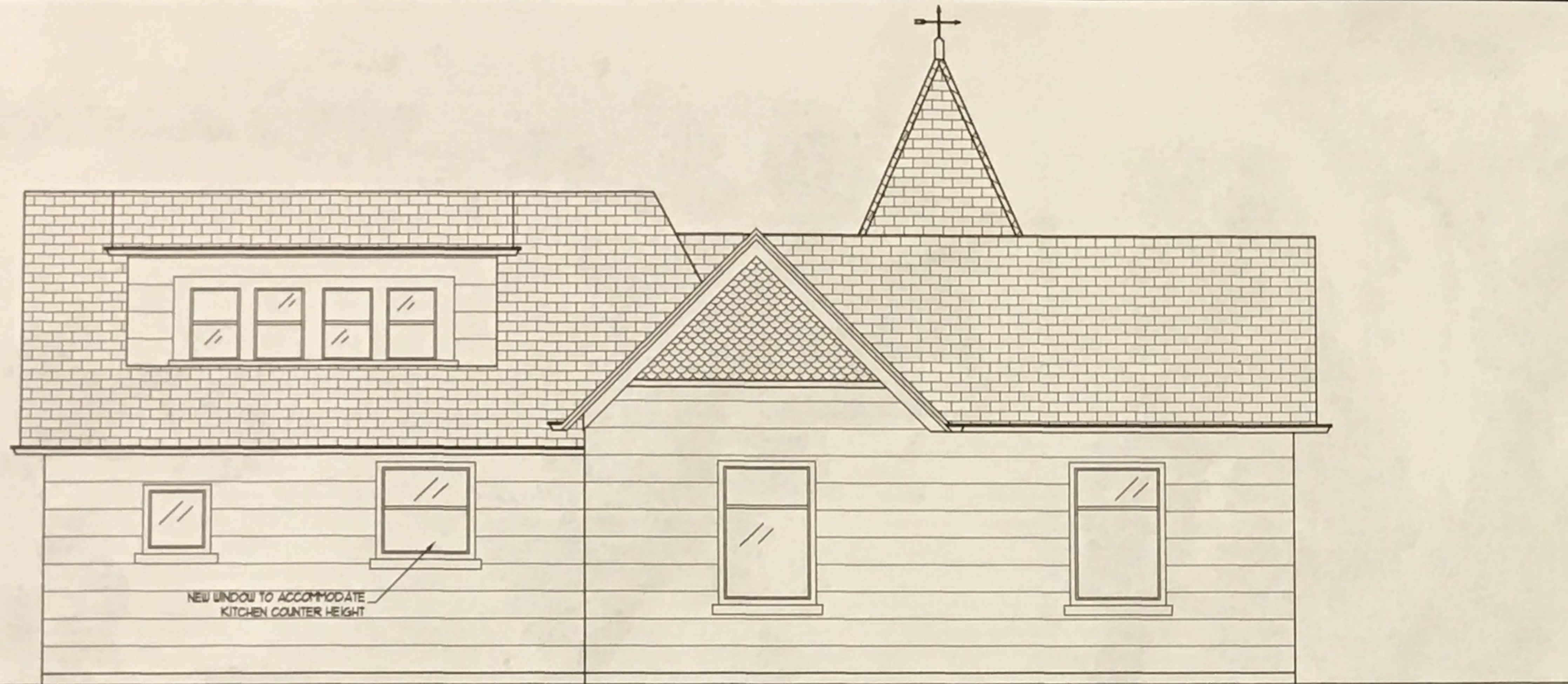


CURRENT CONDITION

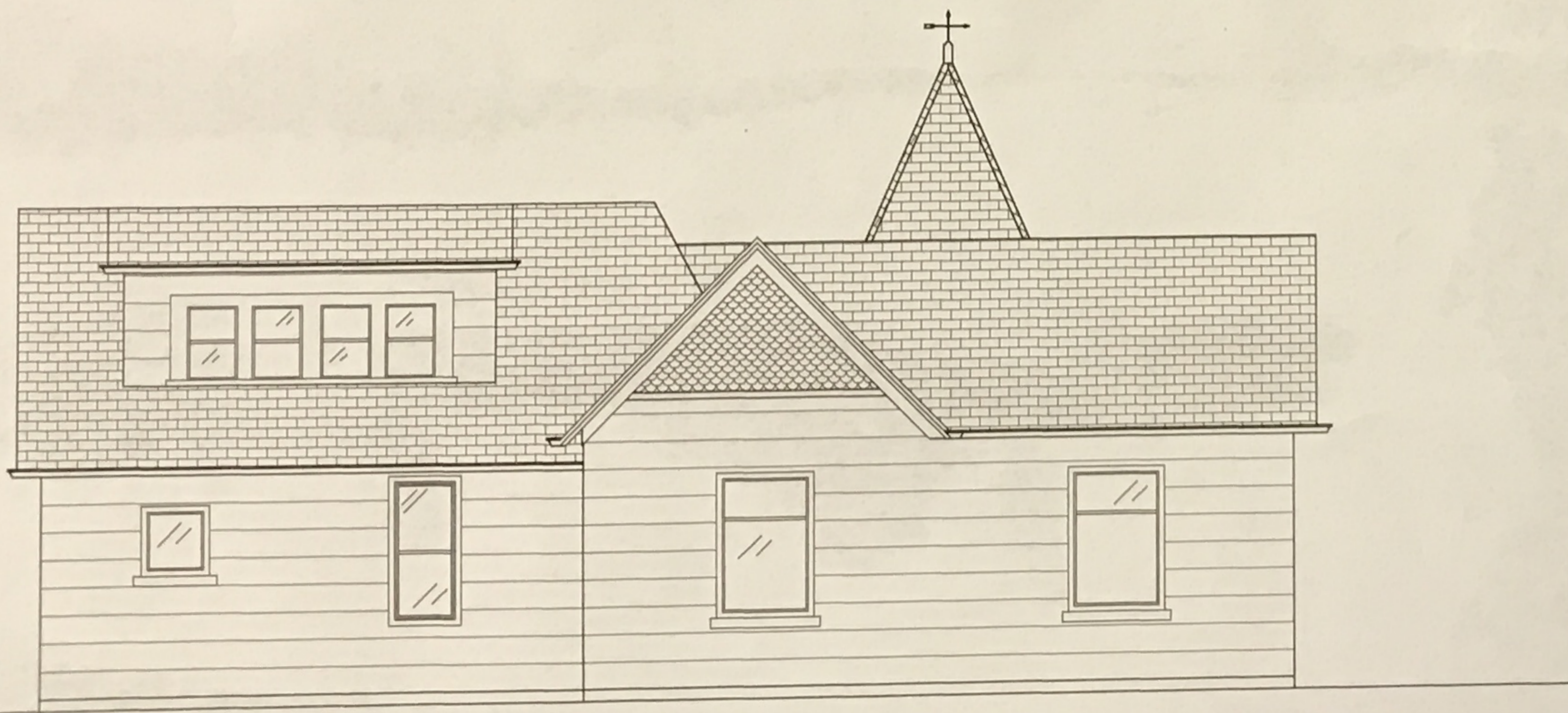


PROGRESS SHOT

WEST ELEVATION



2 PROPOSED WEST EXTERIOR WALL
SCALE: 1/4" = 1'-0"



1 EXISTING WEST EXTERIOR WALL
SCALE: 1/4" = 1'-0"



PURCHASE CONDITION



PROGRESS SHOT



CURRENT CONDITION

HRB-7

DR-16-05 COMPLETENESS LETTER



CITY OF
West Linn

December 16, 2016

Phil Chek & Associates
148 B Ave, Suite 100
Lake Oswego, Oregon 97034

SUBJECT: Completeness Determination for Historic Design Review at 1822 5th Ave
(FILE: DR-16-05)

Dear Phil:

Your application was received on November 18, 2016 and found to be **complete**. The City has 120 days to exhaust all local review; that period ends on April 14, 2017.

Please be aware that a determination of a complete application does not guarantee a recommendation of approval from staff for your proposal as submitted – it signals that staff believes you have provided the necessary information for the Planning Manager to render a decision on your proposal.

Fourteen day public notice will be prepared and mailed. The notice will identify the earliest possible Hearing date by the Historic Review Board.

Please contact me at 503-723-2542, or by email at jarnold@westlinnoregon.gov if you have any questions or comments.

Sincerely,

A handwritten signature in blue ink that reads "Jennifer Arnold".

Jennifer Arnold
Associate Planner