

March 25, 2005

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Ken Gibbs, Community Development Department Director
Kelly Schlesener, Planning Division Manager
Bob Richardson, Assistant Planner
City of Corvallis
City Hall
501 SW Madison Ave
Corvallis, Or 97339

Community Development

**SUBJECT: RULING ON SECTION 4.9.40.01 AND SECTION 4.9.40.02 OF THE LDC
REGARDING ACCESSORY DWELLING UNITS IN THE CITY OF CORVALLIS.**

Dear Mr. Gibbs, Ms Schlesener and Mr. Richardson:

My name is Malcolm Dundas and I live at 720 SW 5th Street in the Avery Helms Historical District. I have an application for constructing a new accessory dwelling unit, in the rear yard of my property. This application is in the process of being reviewed by Bob Richardson, in order for the application to be presented to the Historical Preservation Advisory Board on Tuesday, April 12, 2005. In that application I included plans and details regarding materials and treatments to be used in the construction of this unit.

The primary residence was constructed originally in 1938 and though listed as historically contributing, the dwelling has been remodeled many times, sometimes with permits and sometimes without, all prior to my ownership of this property. Included in the remodeling was a re-siding of the residence with 1x8" lap siding composed of 3 different types of composite material. I do not know what these materials are only that they are not of the best quality for sure. Also, the siding types, though outwardly somewhat similar to each other are of divergent patterns as well. In parts it is rough sawn surface, even, though most is smooth. The south elevation has a composite type siding that is delaminating and needs to be replaced. None of these current sidings are from the original house. The original type of siding and window details are viewable in my application packet where there are pictures of the sister house to this one at 712 SW 5th St where the original siding is still intact including window trims from the period. I would say that the re-siding was done sometime in the 1980's. A perimeter foundation and basement were constructed in the 1970's.

In his review Bob brought up to me that my interpretation of the LDC section 4.9 might be incorrect. In that section there are two options for construction of ADU's in an RS-9 or other allowable zoning districts. The section **4.9.40.01 Standards Option** in reference to roofing, siding and windows says that **all new construction must be of the same type and detail as the original dwelling**. If this strict interpretation is followed than my new unit would not meet several building code requirements, for instance. Given that I had looked at my unit and at these construction/building codes and felt that I should instead of using a material or materials that are no longer available or recommended or even discontinued, for new construction, to use in the case of the siding, a composite cement board siding,

made by the James Hardi Company and in wide use in the industry. The Habitat Houses behind me have this type of siding.

The current windows in the residence are single glazed double hung wood sash units. I can not put in the same type of units in the new dwelling due to current code standards as well. So I was proposing to use instead Milgard or equal Fiberglass, dual glazed, double hung units with interior grids. This option would meet current code energy standards and be comparable with the existing in detail if not in the construction. The window trim detail I currently have was done at the same time as the re-siding and in that process the original flat style traditional trim work was removed and "brick mold" a stepped narrow band use, was installed instead. Brick mold is not historical nor very attractive. My proposal was to go back to the original detail of the windows, again viewable at 712 SW 5th Street and comparable to almost all of the older homes in this district.

Finally, the residence's roofing material is a low end 20 year asphaltic tab shingle with no definition. I am proposing to use instead Elk Prestique 40 year architectural definition shingles of similar color to the existing. This type of shingles are on most of the residences in my area where re-roofing has been done and are an industry standard.

This coded section 4.9.40.01 apparently only allows for strict compliance with the letter of the law in this section. I can understand that ordinarily this section would meet most applications since most dwellings have a consistent pattern or style that can be replicated. However, as I have pointed out in my narrative herein, I am up against that fact that materials and application have altered the existing residence and in many cases the current materials are no longer industry standards or even available. There is an option, I was informed, but in order to meet that option I must apply under a **Plan Compatibility Review application** and ask for rulings from the reviewers' under Section **4.9.40.02 Guidelines Options**. This is fine, except, because of my situation, I must as well pay for something which it seems to me should be able to be adjudicated by staff without an extra overlay of cost and time and review.

I would ask that staff, and both Directors please review this letter and its requests for adjudication. Respectfully, I would further ask that a review of this section would be in order. Such a review could then allow for the **Standards Option clause to meet current code and design standards**.

Sincerely,



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