

Development Services

From Concept to Construction

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APPEAL SUMMARY

Status: Decision Rendered

Appeal ID: 14939	Project Address: 118 NE 16th Ave
Hearing Date: 4/12/17	Appellant Name: Matthew Kirkpatrick
Case No.: B-007	Appellant Phone: 503-239-1987
Appeal Type: Building	Plans Examiner/Inspector: Marc Vieno
Project Type: commercial	Stories: 4 Occupancy: R-2 Construction Type: V-A
Building/Business Name:	Fire Sprinklers: Yes - throughout
Appeal Involves: Erection of a new structure	LUR or Permit Application No.: 17-102113-CO
Plan Submitted Option: pdf [File 1]	Proposed use: multifamily

APPEAL INFORMATION SHEET

Appeal item 1

Code Section 2902.2 Separate Facilities

Requires "Where plumbing fixtures are required, separate facilities shall be provided for each sex. Exception
1. Separate facilities shall not be required for dwelling units and sleeping units."

Lobby (A-3), mail room (A-3) and office (B) amenity spaces combine to have 71 occupants requiring 0.32 water closets for men and 0.58 for women.

Proposed Design There is one proposed unisex restroom adjacent to amenity spaces. See attached floor plan.

Reason for alternative Lobby and other amenity spaces in this proposed building will be exclusively used by tenants and their guests. Each apartment will have its own facilities, and it is assumed that tenants will primarily use their own bathrooms. While using amenity spaces, individuals will have access to a minimum of two restrooms: the restroom adjacent to the amenity spaces, and the one associated with their apartment.

Appeal item 2

Code Section 705.8 Openings

Requires "The maximum area of unprotected and protected openings permitted in an exterior wall in any story of a building shall not exceed the percentages specified in Table 705.8"

Per table 705.8, a fire separation distance of 10'-0" to 15'-0" allows 15% unprotected, nonsprinklered openings and 45% protected or sprinklered openings. A fire separation distance of 15'-0" to 20'-0" allows 25% unprotected, nonsprinklered openings and 75% protected or sprinklered openings. For this table, sprinklered is defined as "equipped throughout with an

automatic sprinkler system in accordance with Section 903.3.1.1. Section 903.3.1.1 requires NFPA 13 sprinklers.

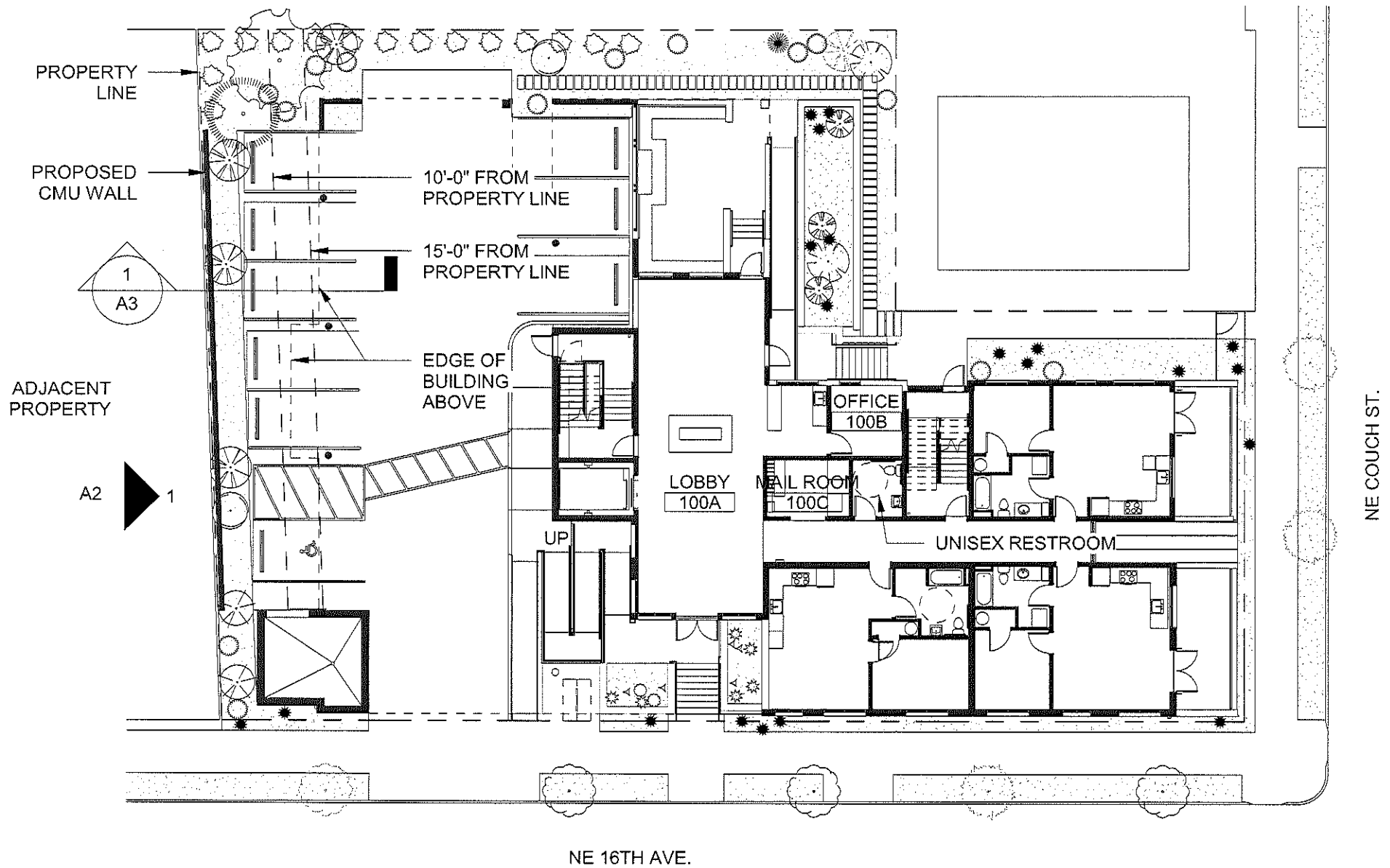
Proposed Design	Construct a detached 8" concrete masonry wall against the property line to the north running the length of the parking area (see attached site plan and elevation), and provide NFPA-13R sprinklers throughout.
Reason for alternative	<p>We believe this proposed configuration meets code requirements, however during our preliminary life safety meeting, our plans examiner felt that he would like to see this processed through an appeal due to the nature of this wall being detached from the primary structure</p> <p>Per table 721.1(2), an 8" concrete masonry unit wall provides four hour protection which exceeds the one hour requirement specified in table 602. The covered parking area is 11'-0" from the property line at its closest, and 16'-7" at its furthest. By building a concrete masonry wall near the property line that covers the extents of the opening, the open area projected against the property line is 0% of the wall area along the first floor.</p>

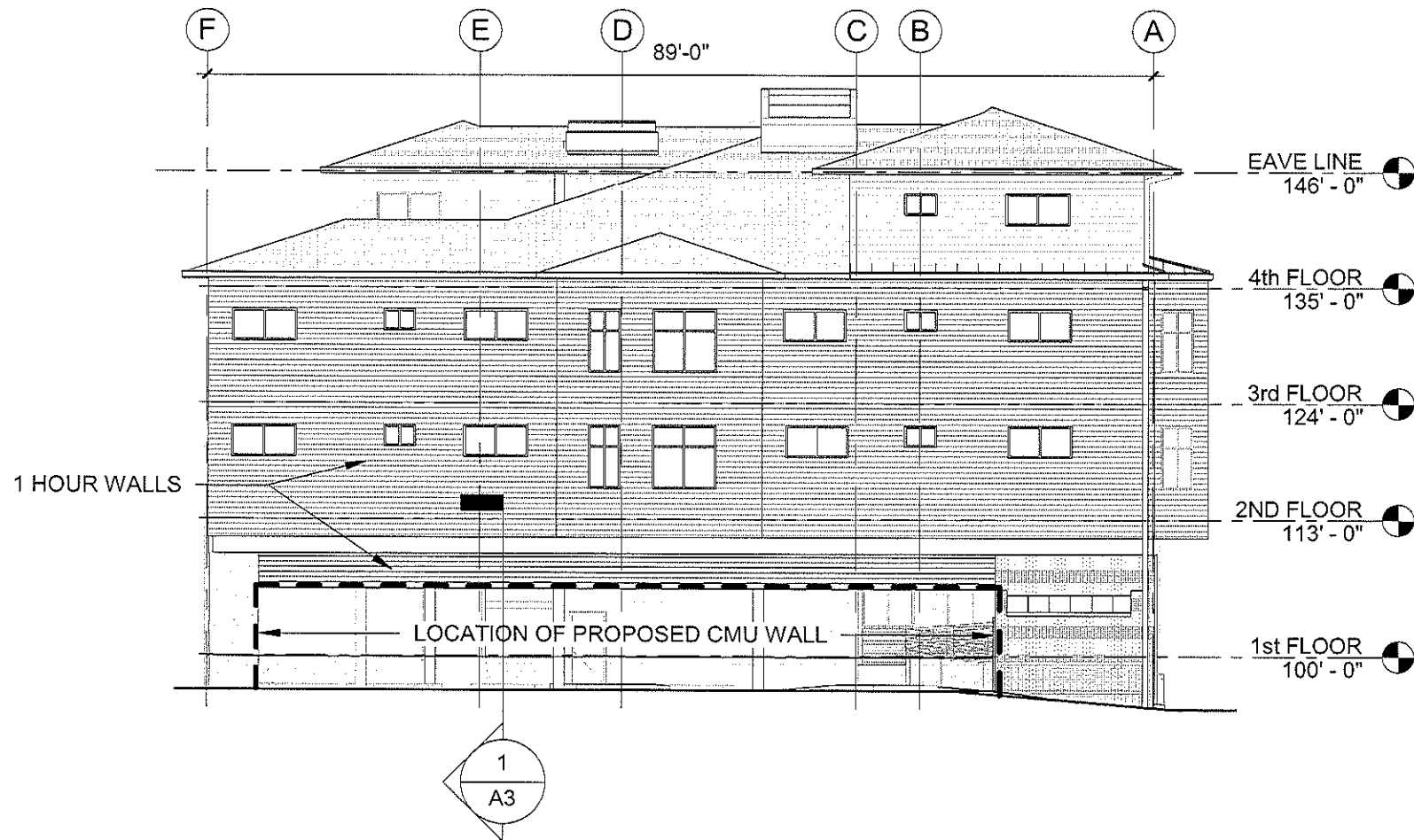
APPEAL DECISION

- 1. Reduction of plumbing fixture count for tenant-only amenity spaces: Bathrooms in private dwelling units in lieu of dedicated toilets serving tenant-only amenity spaces: Granted as proposed.**
- 2. Eight inch c.m.u. wall at property line to allow unlimited openings at the North Elevation at garge level: Granted provided wall height is at least as high as the openings.**

The Administrative Appeal Board finds with the conditions noted, that the information submitted by the appellant demonstrates that the approved modifications or alternate methods are consistent with the intent of the code; do not lessen health, safety, accessibility, life, fire safety or structural requirements; and that special conditions unique to this project make strict application of those code sections impractical.

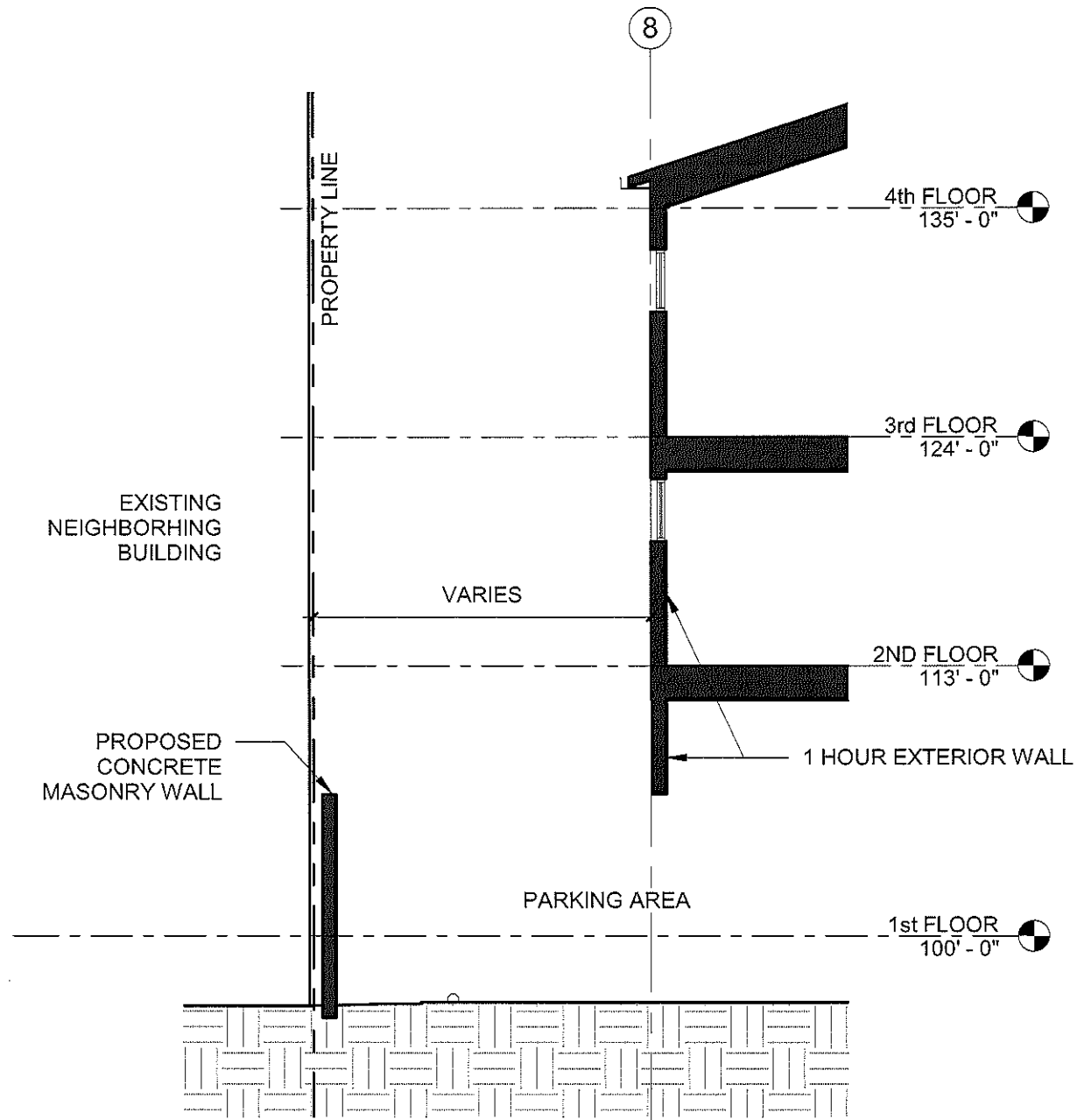
Pursuant to City Code Chapter 24.10, you may appeal this decision to the Building Code Board of Appeal within 180 calendar days of the date this decision is published. For information on the appeals process and costs, including forms, appeal fee, payment methods and fee waivers, go to www.portlandoregon.gov/bds/appealsinfo, call (503) 823-7300 or come in to the Development Services Center.





1 NORTH ELEVATION WITH PROPOSED WALL
1/16" = 1'-0"

A2



1 PROPOSED WALL SECTION
1/8" = 1'-0"