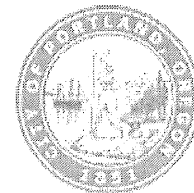


Development Services

From Concept to Construction

Phone: 503-823-7300 Email: bds@portlandoregon.gov 1900 SW 4th Ave, Portland, OR 97201More Contact Info (<http://www.portlandoregon.gov/bds/article/519984>)

APPEAL SUMMARY

Status: Decision Rendered - Reconsideration of ID 15536**Appeal ID:** 15827**Project Address:** 1902 NW 24th Ave**Hearing Date:** 9/13/17**Appellant Name:** Chandra Robinson**Case No.:** B-013**Appellant Phone:** 503-804-5509**Appeal Type:** Building**Plans Examiner/Inspector:** Gail Knoll**Project Type:** commercial**Stories:** 2 **Occupancy:** B **Construction Type:** V-B**Building/Business Name:** Little House Foods**Fire Sprinklers:** Yes - basement**Appeal Involves:** Reconsideration of appeal**LUR or Permit Application No.:** 17-138944-CO**Plan Submitted Option:** pdf [File 1] [File 2]**Proposed use:** Business with F-1 area

APPEAL INFORMATION SHEET

Appeal item 1

Code Section OSSC 2014 1009.5**Requires** Stairways shall have a minimum clearance of 80" measured vertically.**Proposed Design** We ask that the board reconsider allowing the stair to remain as it exists.**Reason for alternative** RE-CONSIDERATION OF APPEAL

We ask for the board to reconsider allowing the use of the basement as food prep and not only storage. The basement has been used as a catering business since the building permit dated 11/21/86 was approved to allow a change the occupancy from Residential to Business. Permit is attached. The basement has always been used as storage and was permitted as storage – but as storage for a catering business it was very actively used with employees travelling up and down the stairs many times a day to retrieve dry goods and food from the walk in. This active use has not changed significantly over the years. The current tenant would like to continue to use the basement as active storage but would like to add the element of food preparation for the fully compliant commercial kitchen on the 1st floor.

The food prep area would be used by 1 employee and the use of this space would not add additional trips on the stairs. For example, the employee would go downstairs, bring items to the counter/sink/dishwasher to prepare and then bring them upstairs. When it was used as storage for the same type of business in the past, employees would go downstairs to retrieve items and bring them upstairs to be prepared. The new occupancy in the basement would not create additional trips – it would simply allow the employee to do some portion of their work downstairs before taking the stairs to the kitchen on the 1st floor.

Additionally, the basement has 3 sprinkler heads and a smoke detector that were not previously noted in the appeal documents. The sprinklers and smoke detection increase the life safety of the basement for the employee who will use the proposed food prep area.

The main reason for not changing the head clearance is that the beam in the way is supporting a wall above which is supporting the stairs from the 1st floor to the 2nd floor. A revision to that beam would mean significant modification to plaster walls in the main building entry and stair stringer support above. Even with financially infeasible modifications, only a few inches could be gained and the code required stair clearance could not be met.

Appeal item 2

Code Section OSSC 1208.2 Interior Space Dimensions

Requires Minimum Ceiling Heights.
Occupiable spaces, habitable spaces and corridors shall have a ceiling height of not less than 7 feet 6 inches. Bathrooms, toilet rooms, kitchens, storage rooms and laundry rooms shall be permitted to have a ceiling height of not less than 7 feet.
Exceptions:
Minimum ceiling height for storage is 7'-0".

Proposed Design We propose that the sheetrock be removed so that the clearance is 6'-10".

Reason for alternative RE CONSIDERATION OF APPEAL

The existing ceiling has 5/8" of sheetrock ceiling panels fastened to 2x8 joists supporting the floor above. From the concrete floor to the bottom of the joists is 6'-10". With the addition of a ceiling, the ceiling height is reduced to ~6'9". The only way to increase the height of the ceiling would be to remove and lower a portion of the concrete slab or to remove the joists and somehow replace them with lumber of a different dimension. These paths would unfortunately be financially infeasible for the tenant and owner.

In order to gain back 5/8" of clearance in just the food prep area, the sheetrock could be removed and the joists painted. There would be some exposed plumbing and electrical conduit but the ceiling height would be higher. The new ceiling height would be 6'-10" to the bottom of the joists.

APPEAL DECISION

1. Basement stair to serve proposed food prep area with 5'9" headroom: Denied. Proposal does not provide equivalent Life Safety protection.

Appellant may contact John Butler (503-823-7339) with questions.

2. Basement ceiling height of 6'9" in proposed food prep area: Granted provided ceiling finish remains.

For the item granted, the Administrative Appeal Board finds 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.

August 24, 2017

Re-consideration of Appeal

RE: Application # **17-138944-000-00-CO**
1902 NW 24th Avenue
Portland, OR 97210

Dear Appeals Board,

As the owner of this property I wanted to register an opinion in favor of this appeal:

In 1987 we gain approval by the City of Portland to use the basement for storage. We mitigated the low ceiling and last step headroom by making several safety improvements required by the City, including the addition of fire suppression sprinkler heads. In 2001 we added clean up sinks and a dishwasher to one corner of the basement to assist in minor food prep of inventory stored in the basement. While these improvements were permitted and also approved by health inspectors, we were unaware that a re-classification was required as well.

With the entire basement currently approved and allowed as a storage space, we are simply asking that the small 120 square foot cleanup area be re-classified as F-1 so that our current tenant may use this space for food prep.

It remains economically infeasible to lower the basement floor to gain an inch or so additional head room and we

are doing all we can to make the stairs safe. Please take into consideration our 34 year history of code-compliant ownership and the fact that use of this space has not been a safety issue or a hindrance for employee access to date.

Regards,
Cameron Nagel
Member, Triple Z Properties, LLC
503-939-5457

PORTLAND P D		1900 SW 4th Ave., Suite 1200 Portland, OR 97201 (503) 823-0606 FAX (503) 823-0608		CASH PAYMENT SERVICE REQUEST		SERVICE REQUEST # 677058 <small>Please refer to this service request number when inquiring about status of job.</small>	
REQUESTED BY: Name <u>Chandra Robinson</u> Organization <u>IPAD Architecture</u> Phone <u>503-804-5509</u>						TIME/DATE IN TIME/DATE NEEDED	
COPY SERVICES							
NO. OF ORIGINALS	NO. OF COPIES	PAPER WEIGHT & COLOR			INK COLORS	FINISHED SIZE	
MAPS / PLANS							
NO. OF ORIGINALS	NO. OF COPIES	QUARTER SECTION NUMBER / MAP NAME / PLAN INFO	COPY SIZE	MEDIA TYPE	INK COLORS		
MICROFILM							
NO. OF ORIGINALS	NO. OF COPIES	ADDRESS / ROW / FRAME NO.			COPY SIZE		
18							
SCAN & EMAIL <input checked="" type="checkbox"/>		E-MAIL ADDRESS <u>CHANDRA.ROBINSON@GMAIL.COM</u>					
PAYMENT INFORMATION					TOTAL AMOUNT		
PAYMENT METHOD <input type="checkbox"/> CASH <input checked="" type="checkbox"/> CREDIT CARD (AUTH. #) <u>645613</u>					<u>\$68.40</u>		

Assign SRV
PLEASE PRINT CLEARLY - THIS IS A PERMANENT RECORD

APPLICATION FOR BUILDING PERMIT
BUREAU OF BUILDINGS, CITY OF PORTLAND, OREGON

DATE RECEIVED 11/21/86
MOVE ☐ WRECK ☐ REPAIR ☐ ADDITION ☐ CHANGE OCCUPANCY ☒ OTHER ☐
MOBILE HOME ☐ NEW CONSTRUCTION ☐
FAMILY UNITS ☐ BEDROOMS UNIT ☐ STABLE ☐
APPLICANT PLEASE COMPLETE AREA BOUNDED BY HEAVY LINE (PRINT IN INK)

NUMBER AND STREET 1902 NW 24th Ave
BETWEEN Thurman / Vaughn
(NAME CROSS STREETS)
LOT N 10' of 7 and S 20' of 10 BLOCK 4
ADDITION Wilson's
SIZE OF LOT 3,000 # SQ FT BLDG 1,368 #
OCCUPIED AS Catering Service
OWNER Briggs and Champton Catering
ADDRESS Same
BUILDER Same
ADDRESS Same
PLANS BY Same
ADDRESS Same

BUILDER'S LICENSE STATE NO _____ CITY BUSINESS NO _____
PURSUANT TO ORS 701.055 (2) and (3)
MY REGISTRATION IS IN FULL FORCE AND EFFECT PLEASE INITIAL _____
LENDER \$1500
VALUATION OF COMPLETED JOB \$1500
Pre-Application Meeting No. _____

BRIEF DESCRIPTION OF WORK TO BE DONE
Change of Occupancy
SPR TO CATERING BUSINESS
City Engineer Paul Smith

PLANS HELD FOR Hold
CONNECTION CHARGES _____

Appeals / Date until July 1, 19
Number _____

Notes: Appeal Bd. 3/5/87
item #1

Approved: basement ceiling,
ext. wall prot. & stairs

MAILING ADDRESS FOR CHECK SHEETS

1902 NW 24th
223-8690

APPLICANT Nancy Briggs
OWNER OR AUTHORIZED AGENT (Print)
SIGNATURE Nancy Briggs

NOTE: KEEP JOB RECORD CARD AND PLANS ON PREMISES UNTIL FINAL INSPECTION

PLAN CHECK

5/2/87

PERMIT NO. WHEN ISSUED
86-

ZONING
1/4 Sec 2827 LOT USE C2

VZ N/A
CU N/A
Min Yards Front: N/A
Side: N/A
Rear: N/A

DATE 11/21/86
SIGNATURE SG

BUILDING
Occupancy Group B2
Construction Type IV
Plan Examiner VAN
Date 4/7/87

RECEIPT # 114351
P/C 111625

PLANS 3
SPECS _____
CALCS _____
FLOOD PLAN _____
SOILS HAZARD _____
BICYCLE PARKING ☐

ITEM	APP'D BY (SIGNATURE)	DATE
1 DRIVEWAY	<u>EB</u>	<u>12-10-86</u>
2 INDUS. WASTE	<u>EB</u>	<u>12-10-86</u>
3 M.F.E.C.	<u>ST/86</u>	<u>4/7/87</u>
4 SAN SEWER	<u>EB</u>	<u>12-10-86</u>
5 STORM SEWER	<u>EB</u>	<u>12-10-86</u>
6 HOUSE NUMBER	<u>EB</u>	<u>11-24-86</u>
7 PLBG.	<u>EB</u>	<u>12-10-86</u>
8 FIRE MARSHAL	<u>DEMISOM</u>	<u>4/7/87</u>
9 STRUCT. ENGINEER	<u>ST/86</u>	<u>4/7/87</u>
10 TRAFFIC	<u>ST/86</u>	<u>12-10-86</u>
11 SOILS	<u>EB</u>	<u>12-10-86</u>
12 MECH.	<u>VAN</u>	<u>4/7/87</u>
13 EXAMINER	<u>VAN</u>	<u>4/7/87</u>

FOR BUILDING INSPECTIONS
CALL 796-7303
BEFORE 9:00 A.M.

Improvements Reg'd.

MICRO

- Interior wall protection w/ $\frac{5}{8}$ " x - South Wall
- Handrails as per code
- Elongated toilet bowls
- Rebuild basement stairs as per plans
- Structural improvements for basement beam/columns as per Engineer's report.

