

# Development Services

## From Concept to Construction

Phone: 503-823-7300 Email: [bds@portlandoregon.gov](mailto:bds@portlandoregon.gov) 1900 SW 4th Ave, Portland, OR 97201

More Contact Info (<http://www.portlandoregon.gov/bds/article/519984>)



### APPEAL SUMMARY

**Status:** Decision Rendered

**Appeal ID:** 20414

**Project Address:** 3532 SE 67th Ave

**Hearing Date:** 5/22/19

**Appellant Name:** Kevin Partain

**Case No.:** B-003

**Appellant Phone:** 5034212967

**Appeal Type:** Building

**Plans Examiner/Inspector:** Chanel Horn

**Project Type:** lur

**Stories:** 1 **Occupancy:** R-3 **Construction Type:** V-B

**Building/Business Name:**

**Fire Sprinklers:** No

**Appeal Involves:** other: Lot Confirmation With Existing Dwelling

**LUR or Permit Application No.:** 19-153240-PR

**Plan Submitted Option:** pdf [File 1] [File 2]

**Proposed use:** Residential

### APPEAL INFORMATION SHEET

#### Appeal item 1

**Code Section** ORSC R302.1 and Table R302.1

#### Requires

Exterior walls less than 3 feet to a property line shall be one-hour fire-rated with no openings allowed. Roofs and eaves may project not closer than 2 feet to a property line. Eaves less than 3 feet to a property line must be protected on the underside as required for one-hour fire-rated construction.

#### Proposed Design

An application is currently under review to confirm Lot 25. There is an existing dwelling currently on Lot 26 that will be a minimum of 3.6' from the lot line to be confirmed. The eaves on the south side of the house extend another 2' leaving a minimum of 1.6' between the edge of the eave & the lot line to be confirmed. A 4' no-build easement on Lot 25 along with the soffited eave on the existing dwelling is proposed in lieu of any modifications to the existing dwelling. Eaves on the future development on Lot 25 are proposed to project up to the no-build easement but that will still provide a minimum of 6.6' between eave projections.

#### Reason for alternative

The dwelling is an existing condition & does not extend past the confirmed lot line. The proposed 4' no-build easement on Lot 25 will ensure that adequate separation between structures will be maintained. The eaves of the existing dwelling are already soffited. There will still be a minimum 6.6' of separation between the eave of the existing dwelling & the eave of the future dwelling on Lot 25.

### APPEAL DECISION

**Omission of fire rated eave construction within 3 feet of the property line with no build easement:  
Granted provided the easement is a minimum of 3 feet 6 inches wide.**

**Appellant must contact Nancy Thorington (503-823-7023) for more information prior to writing the no build easement.**

**The unrecorded easement must be reviewed and approved by BDS prior to recording. A copy of the recorded easement must then be provided to BDS prior to plan review approval.**

**The easement must include language that prohibits the construction of fences and eaves in the easement.**

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.

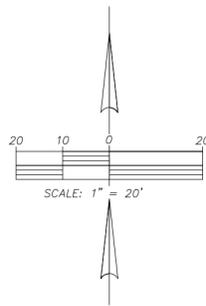
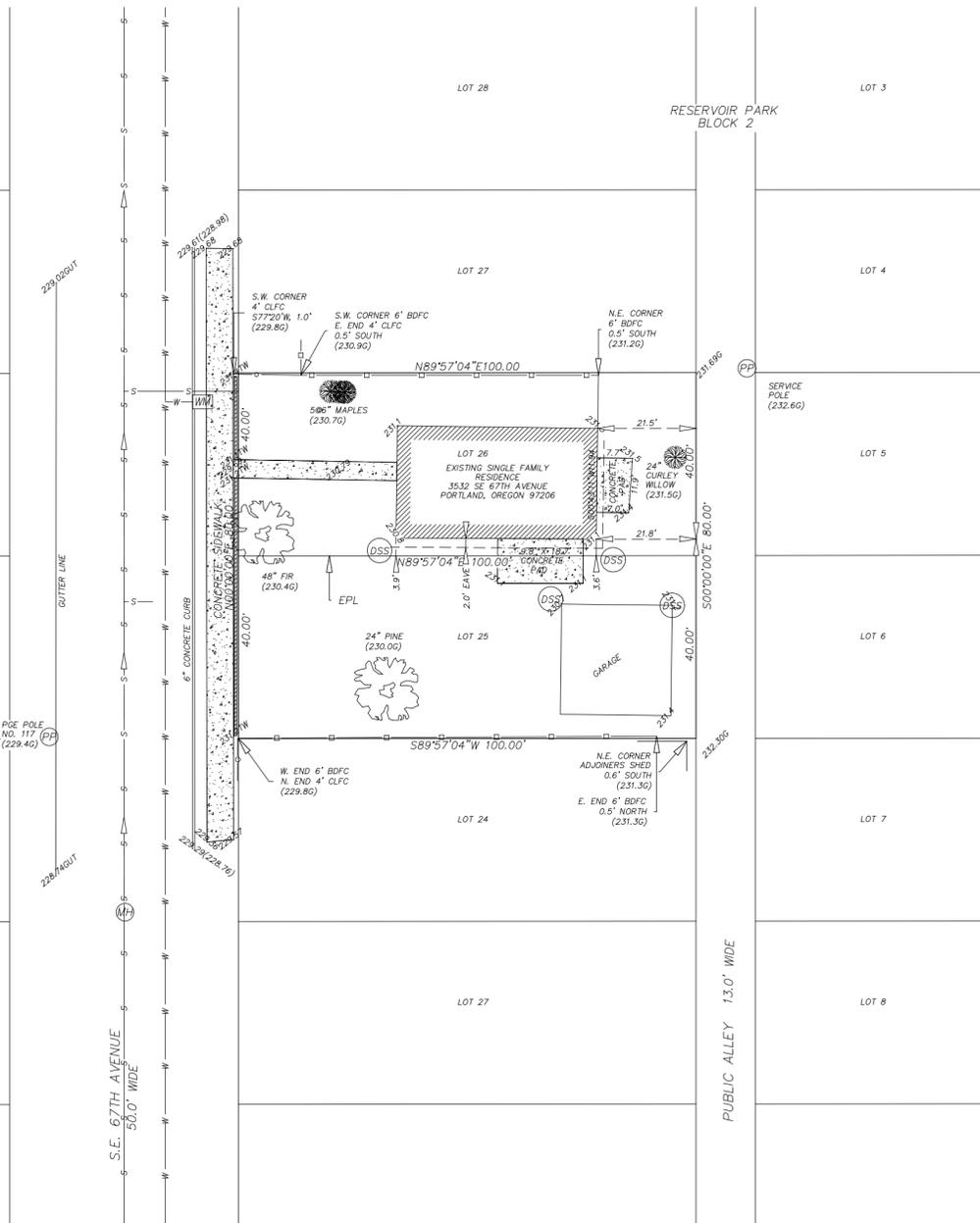
Pursuant to City Code Chapter 24.10, you may appeal this decision to the Building Code Board of Appeal within 180 calendar days of the date this decision is published. For information on the appeals process and costs, including forms, appeal fee, payment methods and fee waivers, go to [www.portlandoregon.gov/bds/appealsinfo](http://www.portlandoregon.gov/bds/app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

EXISTING CONDITIONS, TREE SURVEY AND TENTATIVE PLAN  
FOR A PROPOSED PROPERTY LINE ADJUSTMENT,  
LOTS 25 AND 26, BLOCK 2, RESERVOIR PARK  
DOCUMENT NO. 2016-008940

SITUATED IN THE S.W. 1/4 OF SECTION 8, T.1S., R.2E., W.M.  
CITY OF PORTLAND  
MULTNOMAH CO., OREGON

MARX ASSOCIATES  
18615 E. BURNSIDE STREET  
PORTLAND, OR 97233  
TEL: 503-667-5550  
FAX: 503-666-8666  
EMAIL: DON@MARXASSOCS.NET

DATE DRAWN: APRIL 9, 2019  
DRAWING NO. 19020EXC  
ACCOUNT NO. 19020



REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
FEBRUARY 14, 1985  
DANIEL R. BAUER  
2183  
EXPIRATION DATE: 12/31/19

ZONING:  
R2 - RESIDENTIAL 2000

SITE SIZE:  
8,000 SQUARE FEET

PARCEL DATA:  
E. 200' OF N. 75.39', LOT 1, BLOCK 2, DAGMAR ACRES.  
DOCUMENT NO. 2016-008940

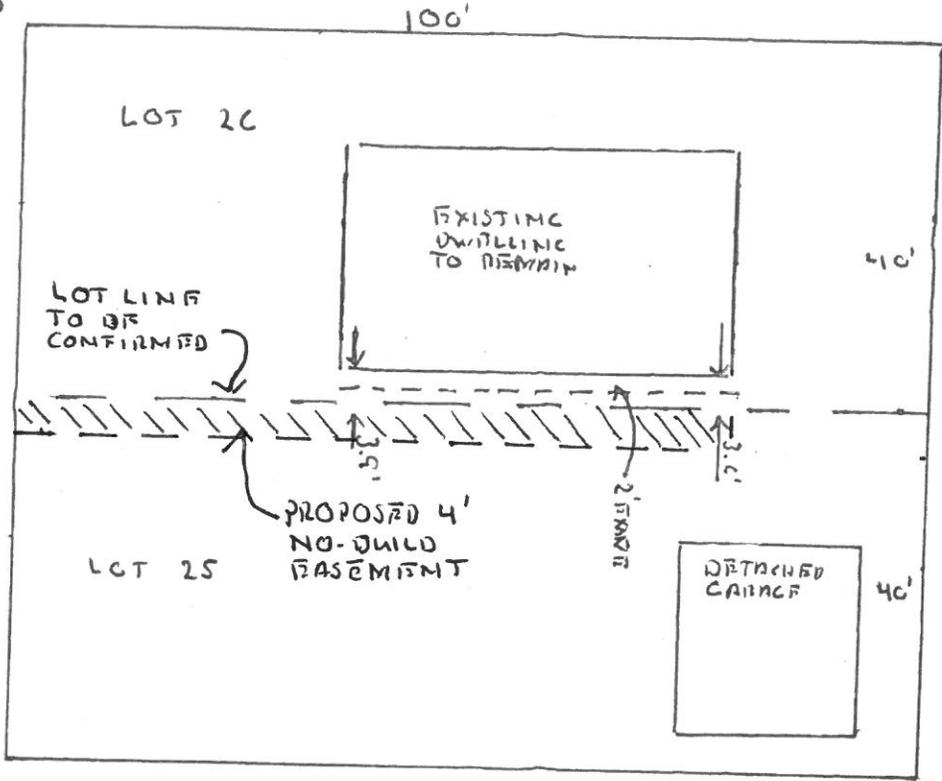
BENCHMARK:  
BENCHMARK IS CITY OF PORTLAND BENCHMARK NO. 788,  
1' EAST OF N.E. CORNER, S.E. RHONE STREET AND S.E. 68TH  
AVENUE. ELEVATION IS 230.236, CITY OF PORTLAND DATUM.

NOTES & LEGEND:

- "WM" DEPICTS WATER METER.
- "MH" DEPICTS MANHOLE.
- "PP" DEPICTS POWER POLE
- "BDFC" DENOTES BOARD FENCE
- "-o-" DEPICTS BOARD FENCE
- "CLFC" DENOTES CHAIN LINK FENCE
- "-O-" DEPICTS CHAIN LINK FENCE
- "-W-" DEPICTS WATER LINE
- "-S-" DEPICTS SEWER LINE.
- "-G-" DEPICTS GAS LINE
- "123.45GUT" DENOTES CUTTER ELEVATION.  
(ELEVATION IS AT THE DECIMAL POINT)
- "123.45(123.00)" DENOTES TOP CURB(GUTTER ELEVATION  
(ELEVATION IS AT THE TOP CURB DECIMAL  
POINT)
- "123.4TW" DENOTES TOP OF WALL ELEVATION.  
(ELEVATION IS AT THE DECIMAL POINT)
- "(123.45G)" DENOTES GROUND ELEVATION AT ITEM NOTED.
- "123.4G" DENOTES SPOT ELEVATION.  
(ELEVATION IS AT THE DECIMAL POINT)
- "SF" DENOTES SQUARE FEET.
- "(DSS)" DEPICTS DOWNSPOUT TO SURFACE.
- "(DSD)" DEPICTS DOWNSPOUT TO DRAIN.
- "-PW-" DENOTES PROPOSED WATER LINE.
- "-PS-" DENOTES PROPOSED SEWER LINE.
- "EPL" DENOTES EXISTING PROPERTY LINE.
- "PAPL" DENOTES PROPOSED ADJUSTED PROPERTY LINE.

NOTE: UTILITIES ARE LOCATED AS SHOWN PER FIELD TIES OR  
CITY OF PORTLAND AS BUILT DATA. ACTUAL LOCATION SHOULD BE  
FIELD VERIFIED BEFORE CONSTRUCTION.

A  
NT  
SCALE: 1" = 20'



SITE PLAN
3532 SE 67TH AVE
Lot Confirmation