

Development Services

From Concept to Construction

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



APPEAL SUMMARY

Status: Decision Rendered

Appeal ID: 20755	Project Address: 5351 SE 88th Ave
Hearing Date: 8/21/19	Appellant Name: Trisha Clark
Case No.: P-001	Appellant Phone: 503.330.2019
Appeal Type: Plumbing	Plans Examiner/Inspector: McKenzie James, Jim Bechtel, Joe Blanco
Project Type: residential	Stories: 2 Occupancy: R2 Construction Type: wood frame
Building/Business Name: 2nd Story Investments LLC	Fire Sprinklers: No
Appeal Involves: other: Private sewer easement width	LUR or Permit Application No.: 19-129717-LU
Plan Submitted Option: pdf [File 1]	Proposed use: duplex

APPEAL INFORMATION SHEET

Appeal item 1

Code Section Private Plumbing Code

Requires The applicant is proposing the site be partitioned into three parcels for the retention of the existing home on Lot 1, a new single family detached home on Lot 2 and a duplex on Lot 3. The public sanitary sewer is located within the right of way of SE 88th Avenue. In order to serve the duplex with sanitary sewer service, the applicant needs to bring the lateral into the site along the north property line over Lot 1. The Private Plumbing Code requires a 10.00 foot wide easement for the placement of private utilities such as the needed sanitary sewer lateral. The existing home was built in 1917 and is placed 10.7 feet from the north boundary line for most of its length except for a bump out area that is approximately 6.5 feet in length - that area is 9.5 feet from the north line, as shown on the included sketch.

There are 2 trees that will be preserved, one is close to the area of the easement, so extra care will be employed with this line placement already due to the arborist requirements.

The applicant is requesting relief from the required 10 feet in this area to allow for the placement of the private sewer lateral to serve the duplex on Lot 3.

Proposed Design The applicant proposes allowing the easement to be reduced by 0.5 feet for the approximate 6.5 feet of length in the area of the bump out. The easement will be shown on the face of the final Partition Plat to be recorded for this partition. Ownership and maintenance will be private and will be the sole responsibility of the owner of Lot 3.

Reason for alternative The Alternative is needed because of the pre-existing location of the home that is to remain on Lot 1, built in 1917. The home is 10.7 feet from the north line for most of its length, except for approximately 6.5 feet that is 9.5 feet from the north line.

The easement reduced in just this area will provide fairly equal access to the private sanitary

lateral within, and will not be such a drastic reduction in width that it will have effect on the structural capacity of the existing house.

The request is a reduction of 0.5 feet.

APPEAL DECISION

Reduction in minimum 10 foot wide sewer easement to minimum 9 feet 6 inches: Granted provided the easement is reviewed and approved by Bureau of Development Services prior to recording. Appellant shall contact Jessica Ruch (503-823-4162) for information.

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 Plumbing Code Board of Appeal within 90 calendar days of the date this decision is published. For information on the appeals process, go to www.portlandoregon.gov/bds/appealsinfo, call (503) 823-7300 or come in to the Development Services Center.

~ LU 19-129717 ~
(LOIS JENNIFER'S PORTLAND
PLANNER)

AREA
OF 9.5'
FROM NORTH
LINE

SANITARY SEWER ESMT
TO BENEFIT PARCEL 3

EXHIBIT
E APPEAL

PLUMBING CODE APPEAL