

Development Services

From Concept to Construction

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APPEAL SUMMARY

Status: Decision Rendered

Appeal ID: 22217	Project Address: 437 NE Lloyd Blvd
Hearing Date: 12/11/19	Appellant Name: Lorraine Guthrie
Case No.: B-017	Appellant Phone: 503-804-5725
Appeal Type: Building	Plans Examiner/Inspector: Steven Mortensen
Project Type: commercial	Stories: 1 Occupancy: B, S-1 Construction Type: V-B
Building/Business Name: Lil Spirit	Fire Sprinklers: No
Appeal Involves: Alteration of an existing structure	LUR or Permit Application No.:
Plan Submitted Option: pdf [File 1]	Proposed use: Small Bar

APPEAL INFORMATION SHEET

Appeal item 1

Code Section OSSC 705.11

Requires OSSC 705.11 requires that parapets be provided on exterior walls of the property. On the north and west sides of the existing building, OSSC 705.11.1 requires a 30" parapet of 2-hr rated construction at property line walls.

The requirement to bring the parapet into conformance is triggered by a partial change of occupancy from M and S-1, to B and S-1. There is no work proposed in the adjacent tenant space (B occupancy) that also abuts the north property line. The adjacent storage space (S-1) occupancy along the west property line will be reduced in size with this proposal.

Proposed Design The building owner is requesting that no modifications to be the existing parapets be required.

The existing 1937 single story building has parapets of approximately 10" - 12" above the roofing.

The north wall is constructed of 6" unfilled hollow clay tile (exceeds 4hr fire resistive construction) + 2x6 furring, R-21 insulation and gyp bd. The west wall is constructed of a 2hr fire resistive wood framed wall assembly. This tenant space has a gypsum bd ceiling. The roof material of the entire building, replaced in 2008, is a Class A roof covering. No work is proposed to any portion of the existing roof as part of the scope of work.

At the property north of this property the existing building (525 NE Grand) is setback approximately 10' from the property line, and landscaping and a driveway on that other property exist between the two buildings.

At the property west of this property the existing building (500 NE MLK Blvd) has a masonry wall that extends between approximately 4' and 12' above the parapet on this building, and that extends above the roof of that building.

Reason for alternative The building owner is requesting that no modifications to be the existing parapets be required.

The occupancy group for the proposed use is same hazard class as the prior occupancy with exception of 121 sf that goes from S-1 to B for the kitchen and 110 sf that goes from M to S-1 for the walk-in cooler. The proposed use does not create a higher risk than the existing use.

The existing M use was approved in 2016 as a change of occupancy from S-1 to M. There is no increase in hazard level from this approved occupancy that included no modifications to the parapets.

The occupant load of the affected areas is the same as for the prior permitted use (28 occ for this tenant + the adjacent storage room).

The exterior wall on the north side exceeds 4hr fire resistive construction. The exterior wall on the west side is 2hr fire resistive construction. No openings are present on the north or west property lines.

The addition of approximately 20" height of 2hr rated parapet is impractical due to the existing wall construction and would do little to increase the life safety of the building or adjacent properties. Per conversations with a structural engineer, adding a parapet to the top of the existing clay tile wall creates attachment and other structural complications that make this inadvisable. If required, the new 30" parapet would have to be constructed and braced on the roof side of the existing parapet, with additional blocking above the existing gyp bd ceiling within the roof framing, to support the new structure.

The existing building construction and the conditions at the adjacent lots (building separation and wall construction) minimize the potential risk.

The existing roofing material has is Class A rated. No work to the roof is proposed. The ceiling below the roof framing in this tenant space has gypsum board.

APPEAL DECISION

Reduction in required parapet height to minimum 10 inches: Granted as proposed.

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 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.

