

Development Services

From Concept to Construction

Phone: 503-823-7300 Email: 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: 23369	Project Address: 11650-11658 NW St Helens Rd
Hearing Date: 1/29/20	Appellant Name: Christopher Schwindt
Case No.: B-002	Appellant Phone: 5038106374
Appeal Type: Building	Plans Examiner/Inspector: David Bartley
Project Type: commercial	Stories: 2 Occupancy: R-2 Construction Type: Wood Frame
Building/Business Name: St Helens Rd 4-Plex	Fire Sprinklers: No
Appeal Involves: other: Repair existing stairway	LUR or Permit Application No.: 19-254607-CO
Plan Submitted Option: pdf [File 1] [File 2] [File 3]	Proposed use: 4-unit residential building

APPEAL INFORMATION SHEET

Appeal item 1

Code Section 805.2 Exception 2, 1021.2(1), 3405.3, 1009, 1013, 704.1,

Requires Plans reviewer David Bartley with Life Safety submitted the only checksheet back on this permit application to repair an existing rear stairway parts of which deteriorated due to rain/weather exposure. He says these code sections require the upper units be unoccupied during the repair work on the stairway, which is currently in unusable condition and has been for months or years. I believe the interpretation is that because these units are unsprinklered they require the rear stair as a means of egress, and so the reconstruction permit could not be issued unless we agree to vacate the units or do this appeal, which he suggested in light of the circumstances.

Code Modification or Alternate Requested Intent of appeal is to allow the issuance of the permit to repair the existing rear stairway in accordance with the plans and specifications that were submitted and approved by every department except life safety due to one or both units being currently occupied. We believe the code is being interpreted wrong because the condition during repair will not in fact be any different than it is and has been for some time, or that one of the exceptions should apply. Otherwise, we are asking for a modification that would allow continued occupancy during the repairs.

Proposed Design The type of materials and construction is already approved.

Reason for alternative It is simply a matter of weather we can proceed with the necessary repairs now to correct the rotten and unusable stairway as quickly as possible in order to correct the violation and to improve the safety of the building, or whether we have to wait months longer until some theoretically future date when the upper unit(s) are vacant to proceed with the repairs. The actual building owner (Joanne James) occupies one of the upper units and has no intention of moving any time soon and has nowhere to go and lives on very limited fixed income. The existing conditions of rotten

unusable stair have existed for some time and it's not getting any safer just sitting there. Clearway Realty is assisting in this process and funding the repairs in order to get the building out of violation and financeable, but we cannot vacate her from the upper unit she lives in just in order to complete these repairs, which could take 1-2 weeks, depending on contractor availability, etc. Here the interpretation of the code is preventing us from meeting the actual intent of the code, which is to make the building safer for its occupants without further unnecessary delay.

APPEAL DECISION

Continued occupancy of 4 unit apartment building while 1 of 2 required egress stairs is reconstructed: Granted provided wireless interconnected smoke detectors are installed throughout building and provided 2nd upstairs unit is vacant and provided the back stairway remains until work on reconstruction is ready to begin.

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 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.

BUILDING CODE DATA:

1. CONSTRUCTION TYPE:

VB

2. FIRE RATING EXTERIOR WALLS

0 HR

FIRE RATING FOR STAIRCASE ENCLOSURE

1HR (1HR PROVIDED)

3. FIRE SEPARATION DISTANCE

> 30 FT

4. MAX COMMON PATH OF TRAVEL (Table 1014.3) for R-occ

75 FT

5. MAX EXIT TRAVEL DISTANCE (Table 1016.2) for R-occ

200 FT

PROVIDED:

for Unit 1 (1-level)

63.33 FT

for Unit 2 (2-level)

86.68 FT

for Unit 2 (2-level)

86.68 FT

for Unit 1 (1-level)

63.33 FT
6. EXIT ACCESS TRAVEL DISTANCE SHALL BE INCREASED TO AN ADDITIONAL 100 FT, PROVIDED THE LAST PORTION OF THE EXIT ACCESS LEADING TO EXIT OCCURS ON AN EXTERIOR EGRESS BALCONY.

7. EACH DWELLING UNIT IS PROVIDED WITH A DEDICATED ENCLOSED STAIRCASE AND DISCHARGES DIRECTLY TO THE EXTERIOR AT THE LEVEL OF EXIT DISCHARGE. THIS IS PERMITTED BY SECTION 1021.2.3.

A. THE 2-STORY UNITS DO NOT EXCEED OCCUPANCY LOAD, NOR COMMON PATH OF TRAVEL DISTANCES, THEREFORE 1 EXIT IS PERMITTED BY 1015.1.

8. EXIT BALCONY AND EXTERIOR STAIRCASE ON THE REAR OF THE BUILDING ARE NOT REQUIRED MEANS OF EGRESS, BUT OPTIONAL FOR THE CONVENIENCE OF THE OCCUPANTS.
9. OCCUPANCY CATEGORY

R-2
10. SPRINKLER SYSTEM

NONE
11. BUILDING AREAS

FIRST FLOOR (EXISTING)

1406 SF
- SECOND FLOOR (EXISTING)

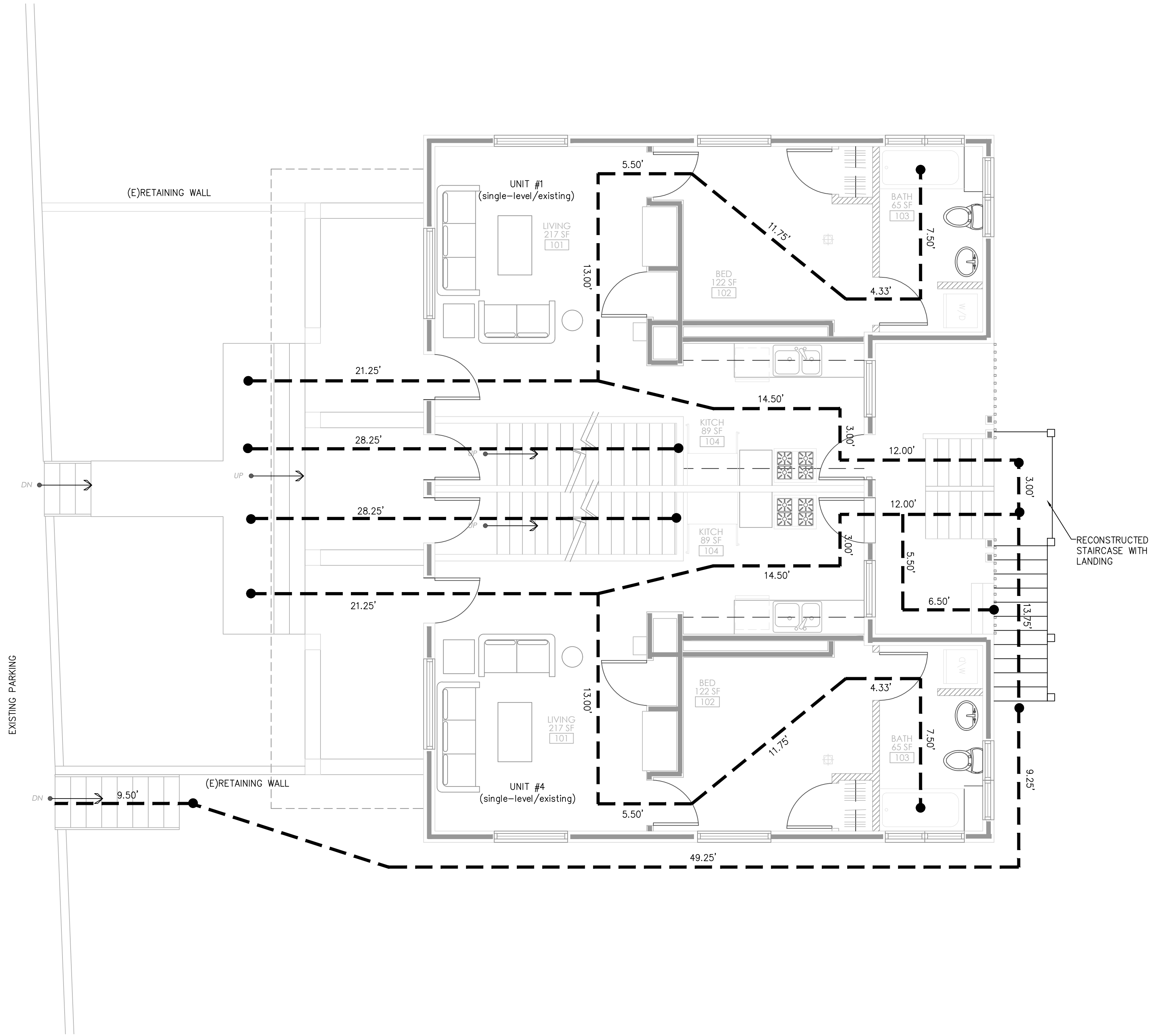
1406 SF
- THIRD FLOOR (EXISTING)

630 SF
12. PER 1007.1 ACCESSIBLE MEANS OF EGRESS ARE NOT REQUIRED IN ALTERATIONS TO EXISTING BUILDING.

13. PER SECTION 3404.1, AN EXISTING STAIRCASE SHALL NOT BE REQUIRED TO COMPLY WITH THE REQUIREMENTS OF SECTION 1009, WHERE THE EXISTING SPACE AND CONSTRUCTION DOES NOT ALLOW A REDUCTION IN PITCH OR SLOPE, THEREFORE THE OPTIONAL REAR-EXTERIOR STAIRCASE IS RECONSTRUCTED AS-IS, EXCEPT EXCEPT FOR THE MANDATORY STRUCTURAL UPGRADES.

14. GOVERNING CODES:

2019 OREGON STRUCTURAL SPECIALTY CODE



1 FIRST FLOOR EGRESS PLAN
1/4" = 1'-0"

MAGNUM OPUS ENGINEERING, LLC

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1940 NW Miller Rd. A204
Portland, OR 97229



REPAIR OF REAR ACCESS STAIRCASE
AT PLEX ON ST. HELENS ROAD

11650 NW ST. HELENS RD
PORTLAND, OR 97231

SET ISSUED: 11/5/2019

REVISIONS:

1	

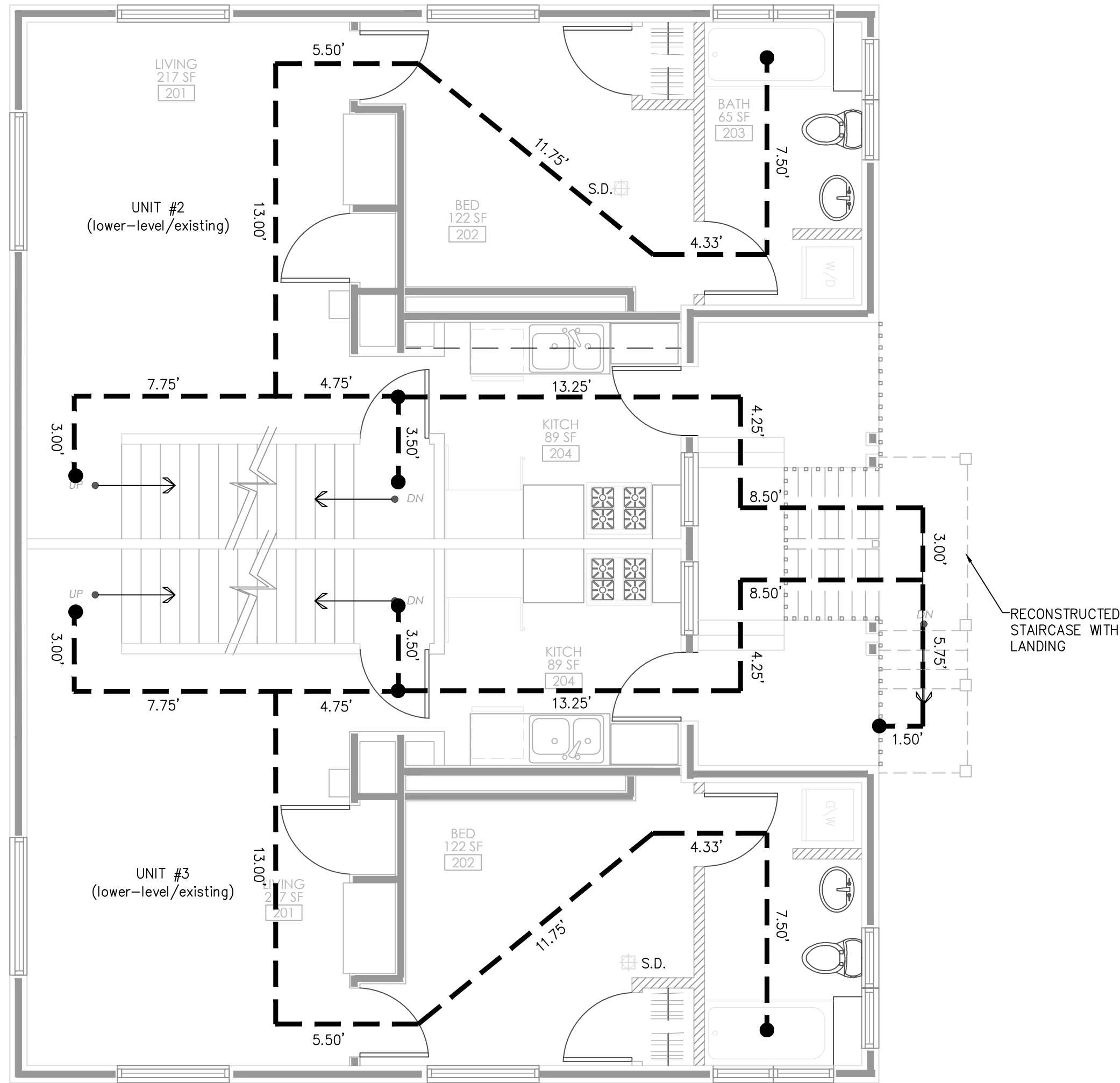
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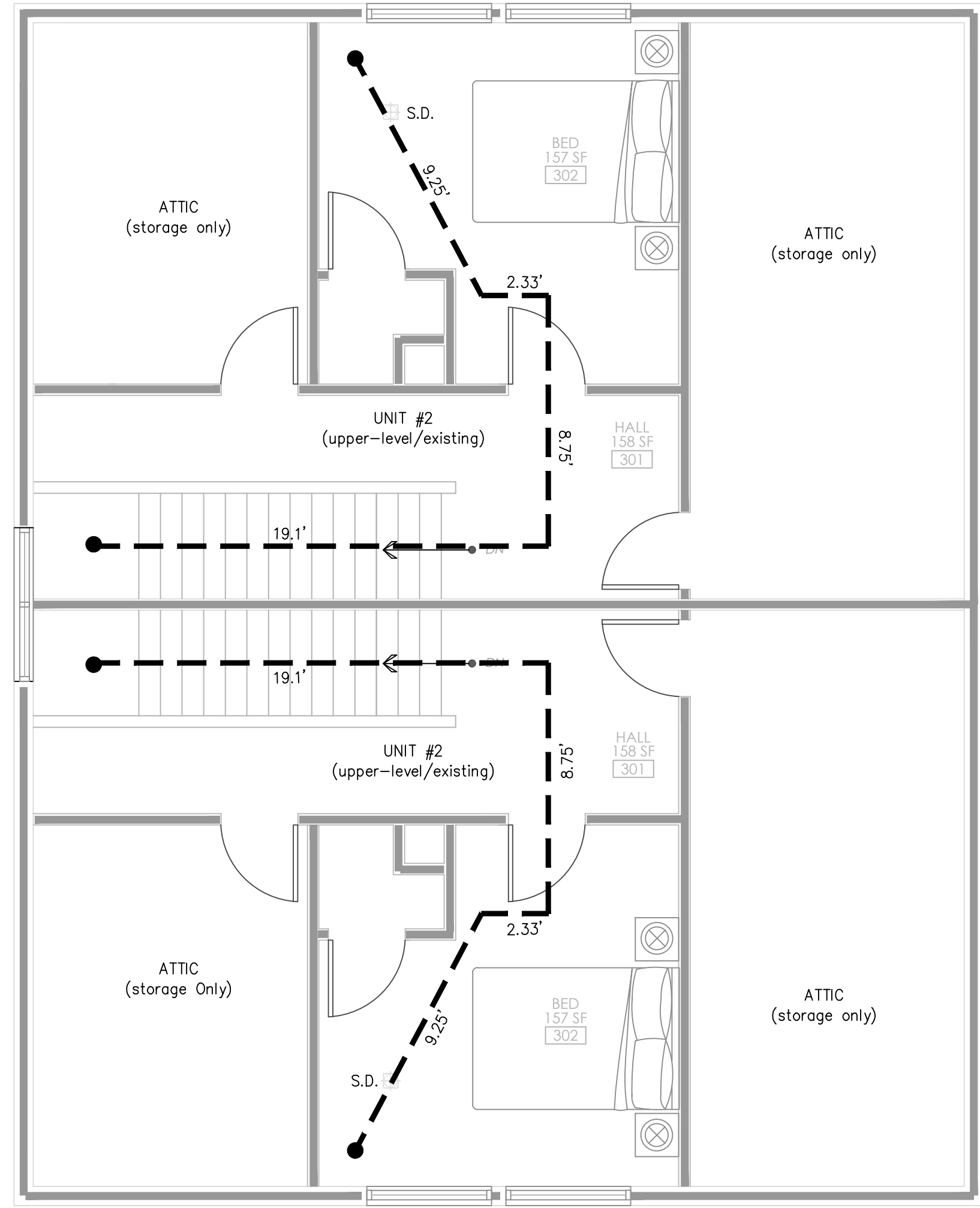
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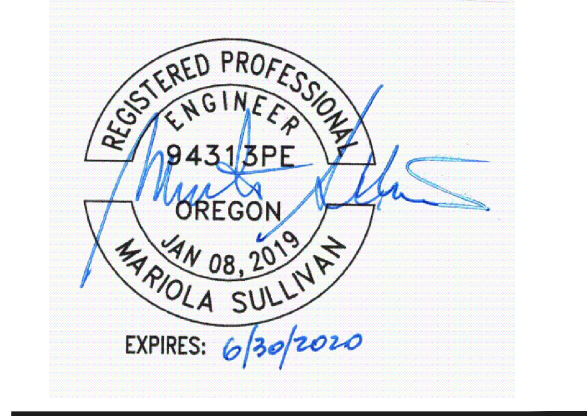
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1 SECOND FLOOR EGRESS PLAN
1/4" = 1'-0"



1 THIRD FLOOR EGRESS PLAN
1/4" = 1'-0"

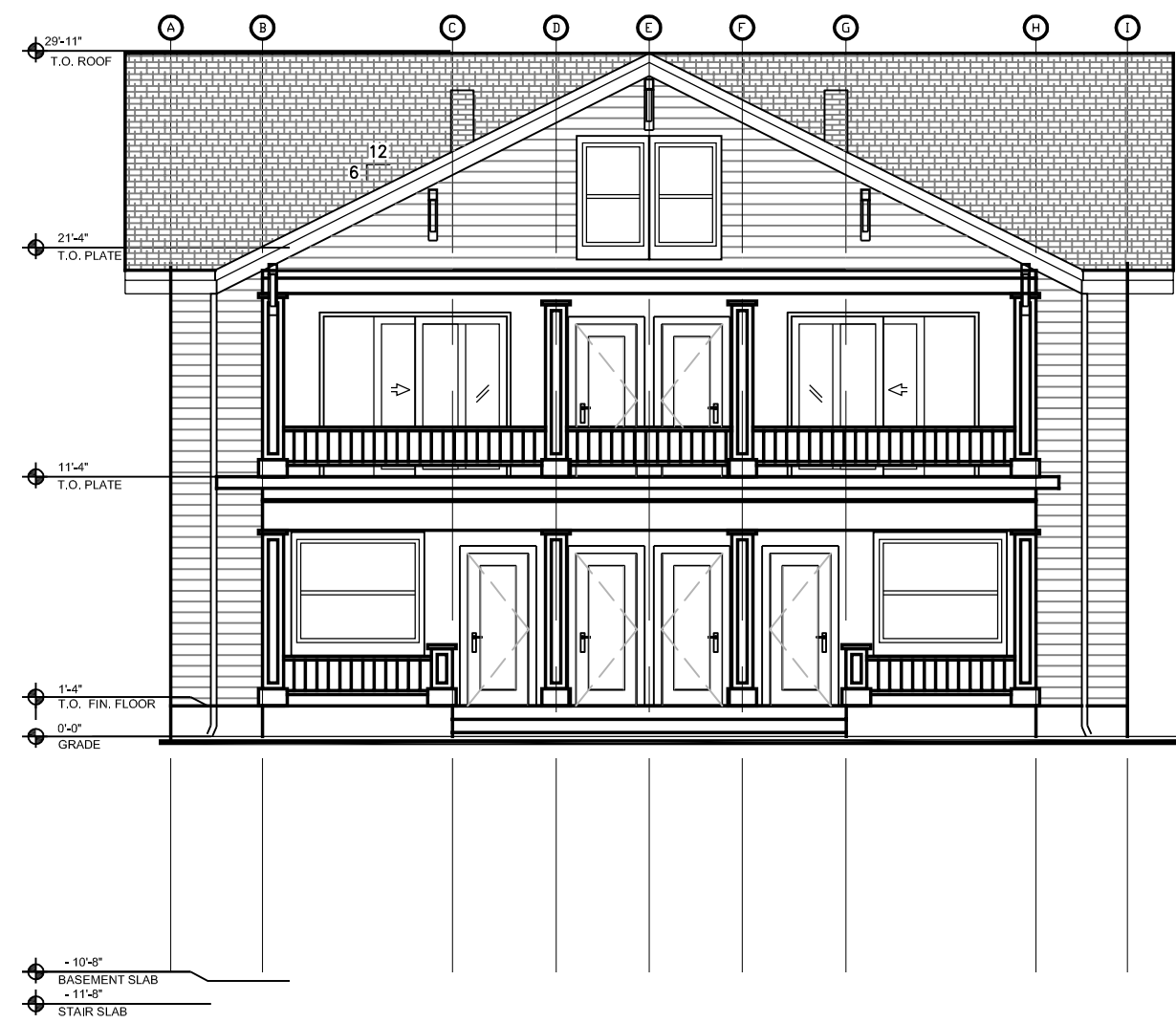


REPAIR OF REAR ACCESS STAIRCASE
AT PLEX ON ST. HELENS ROAD
11650 NW ST. HELENS RD
PORTLAND, OR 97231

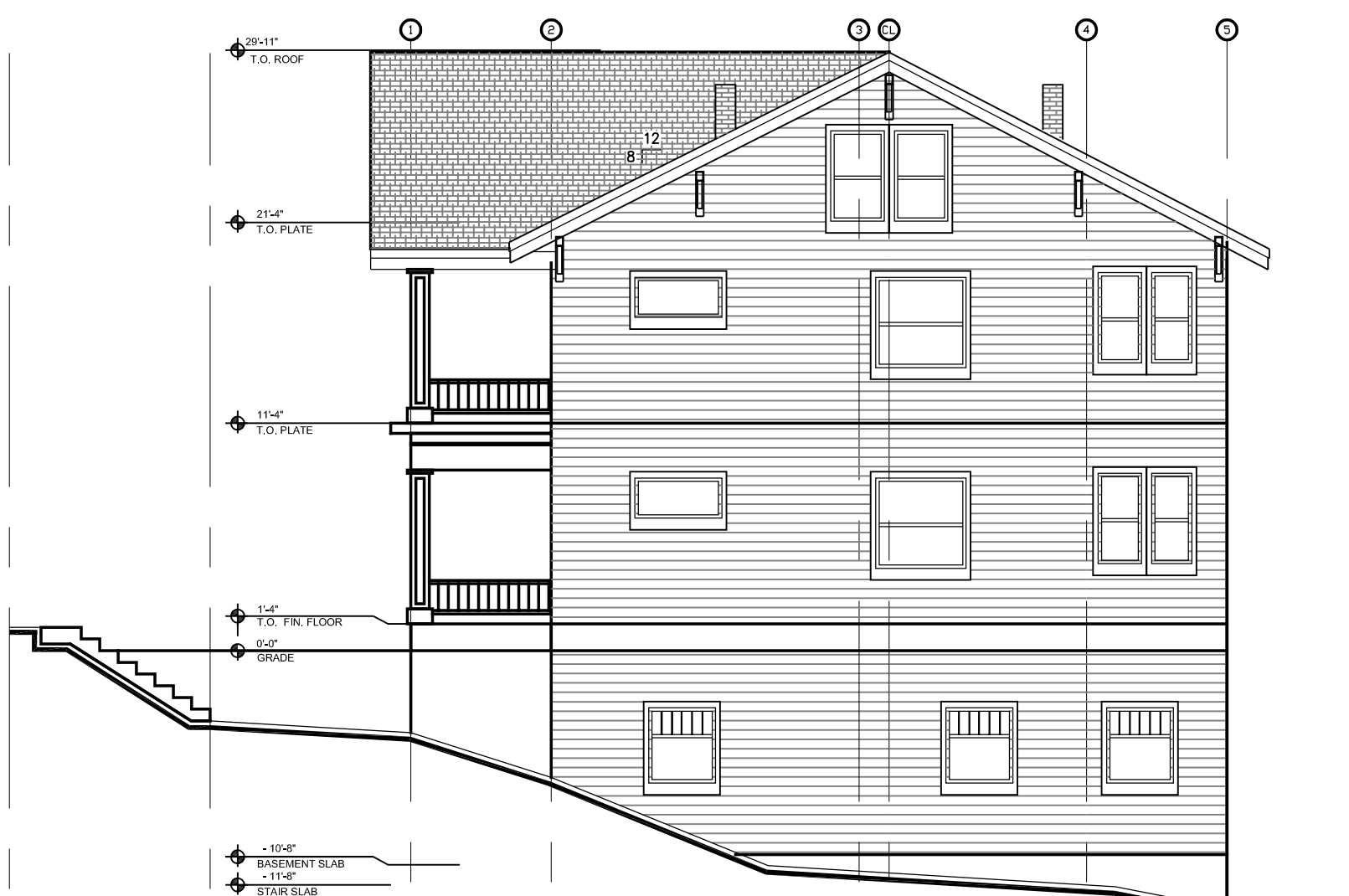
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SITE PLAN AND ELEVATIONS

11650 NW SAINT HELEN'S RD
PORTLAND, OREGON



EAST ELEVATION



NORTH ELEVATION



WEST ELEVATION

DIRECTORY

OWNER / TENANT/APPLICANT
CLEARWAY REALTY LLC

GENERAL CONTRACTOR
TBA

P: 503.810.6374

CONTACT: chris@cds-enterprise.com
CHRISTOPHER SCHWINDT

P: -

CONTACT:

CODE SUMMARY

ZONING CODES:

Title 33: Portland Zoning Code
ZONE IH,

GENERAL BUILDING DESCRIPTION:

CONSTRUCTION TYPE: RESIDENTIAL
NUMBER OF STORIES: 3 / DAYLIGHT BASEMENT
SPRINKLED: NO
OCCUPANCY GROUP: RESIDENTIAL
ALARM: NO

33.110.213 FIG. 110-3 SET BACKS:

FRONT SET BACK REQUIREMENT: 5'
SIDE SET BACK REQUIREMENT: 0'
REAR SET BACK REQUIREMENT: 0'
GARAGE SET BACK REQUIREMENT: 18'
MAXIMUM BUILDING COVERAGE: 100%
MAXIMUM HEIGHT: NO LIMIT

LEGAL DESCRIPTION:

STATE ID: 1N1W03A8-00200

LOT AREA:

4,346 S.F.

BUILDING AREA:

EXISTING APARTMENT - 3,664
BASEMENT STORAGE - 294
TOTAL 3,958
BUILDING COVERAGE: (building area/lot area = % coverage)

RESIDENCE - 1,823
TOTAL 1223 / 4346 = (42%) 1,223

BUILDING CODES:

2011 Oregon Residential Specialty Code

CONSTRUCTION TYPE

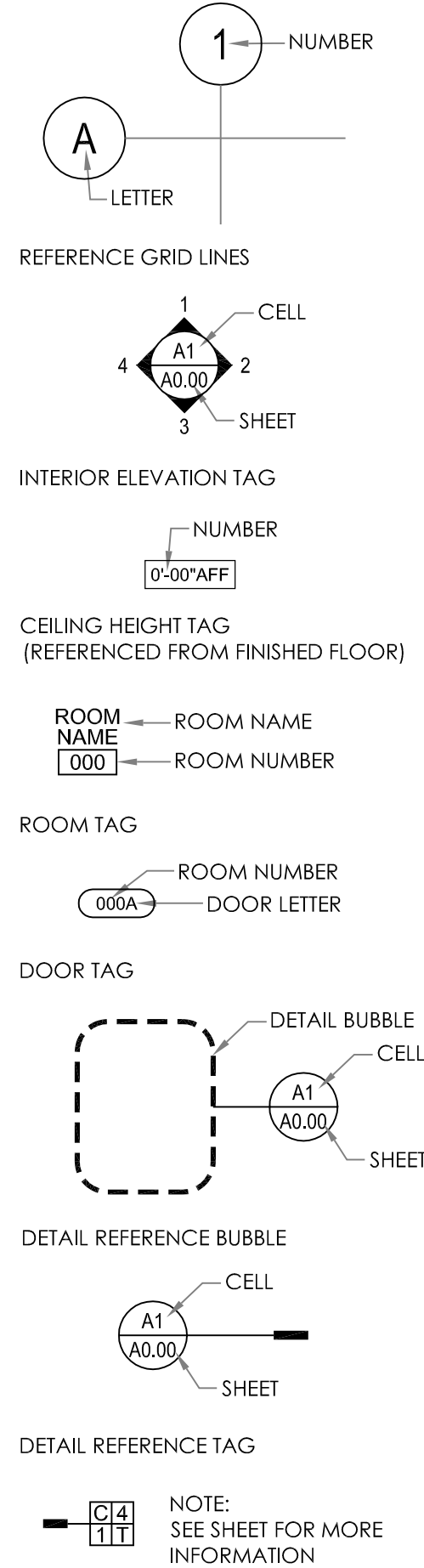
- VB

OCCUPANCY

- R2

TYPICAL SYMBOLS

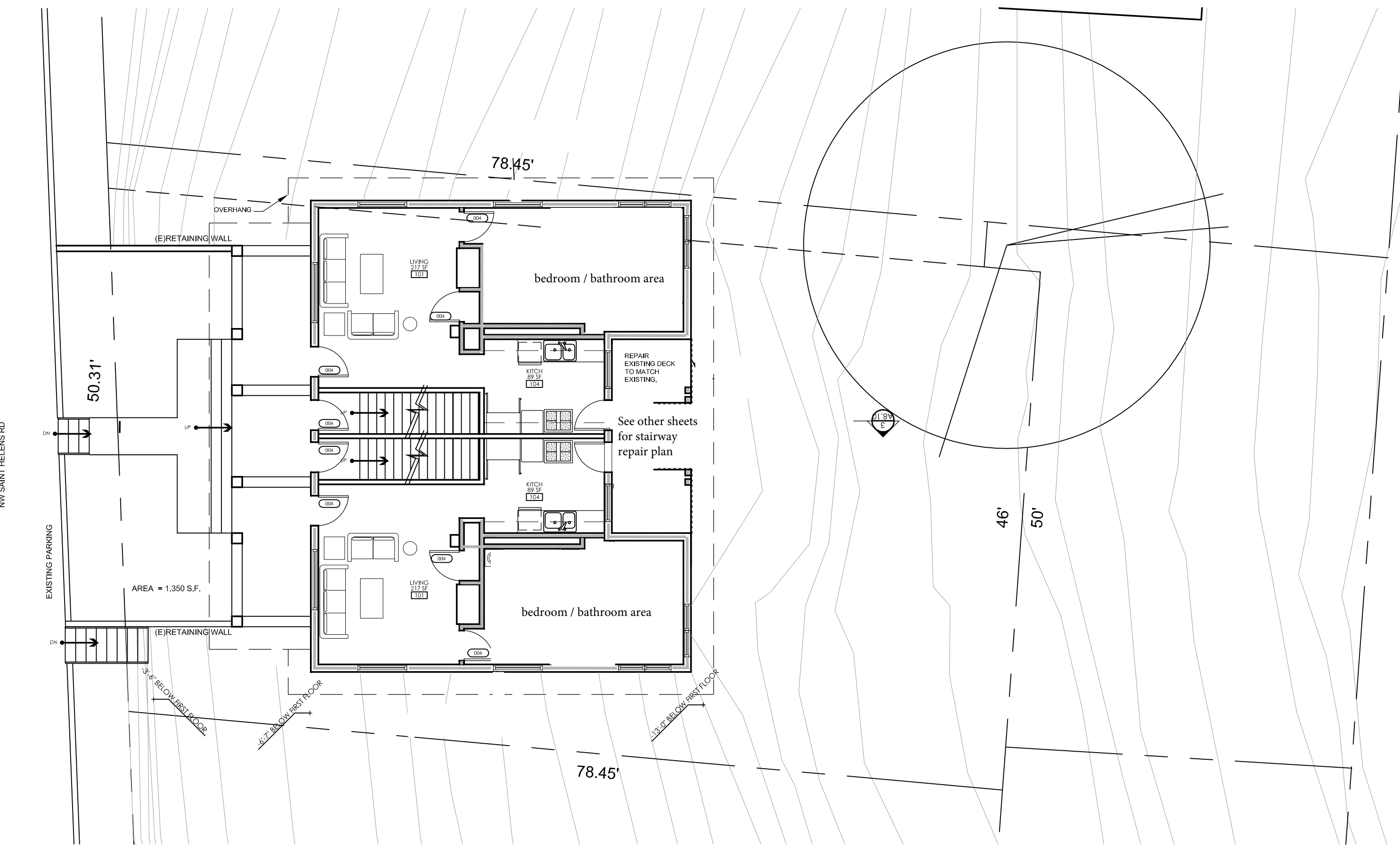
NOTES: NOT ALL SYMBOLS SHOWN
MAY BE USED



WALL ASSEMBLY TAG



VICINITY MAP:



SITE PLAN

1/8" = 1'-0"

11650 NW SAINT
HELENS RD
PORTLAND, OR