

# Development Services

## From Concept to Construction

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### APPEAL SUMMARY

**Status:** Decision Rendered - Reconsideration of ID 23380

**Appeal ID:** 23431

**Project Address:** 8230 SE Yamhill St

**Hearing Date:** 2/5/20

**Appellant Name:** Derrick Swerhone

**Case No.:** B-022

**Appellant Phone:** 360-852-1872

**Appeal Type:** Building

**Plans Examiner/Inspector:** Peter Drake

**Project Type:** commercial

**Stories:** 3 **Occupancy:** B **Construction Type:** Type V-N

**Building/Business Name:** Well House

**Fire Sprinklers:** No

**Appeal Involves:** Alteration of an existing structure, Reconsideration of appeal

**LUR or Permit Application No.:** 19-152547-AD

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

**Proposed use:** Wellness/Holistic Health Clinic

### APPEAL INFORMATION SHEET

#### Appeal item 1

**Code Section** 1019.3- Exit Access Stairways

**Requires** The code requires an enclosed 1-hr shaft at the Exit Access Stairway which is a hardship for the Owner.

**Code Modification or Alternate Requested** The proposed non-compliant revised stair configuration will substantially improve life safety and overall exiting conditions over the original, initially approved, now demolished, residential "winder" stair design as part of the Change of Occupancy approvals.

**Proposed Design** The Appellant proposes a new 36" wide wood frame stair with 180 deg. half landing turn. The stair rise and run, handrail locations, and head clearances all meet 2019 OSSC requirements; with the exception of the Code Appeal Section 1019.3. regarding the enclosed shaft requirement. (See Sheet BLD.03) The revision proposes the elimination of the side door (which would require 1-hr rating) for the basement exit, but rather connects the basement directly to the main floor improves the path of travel from the basement to public way. The revision also eliminates the "winder" stair to the second floor, the main floor provides two exits as previous described. (See Sheet BLD.02) This new stair will not only improve life safety but also the functional flow, circulation, security and safety of the clinic.

As part of the reconsideration application, Owner and Appellant shall provide an NFPA-13D approved residential automatic sprinkler system.

**Reason for alternative** Previous contractor removed the original residential stair(s). These stairs had been permitted as a non-conforming, existing condition, but have been removed and no longer exist. If reconstructed as originally designed, the stairs would be too steep, too narrow, with inadequate landings, and insufficient clearances. This original stair configuration consisted of a single flight from basement

to an exterior side door, and stacked above, a “winder” stair from main floor to 2nd. The stairs are not contiguous, but are stacked, reliant and dependent on combined layout for vertical clearances and landings. The basement stair leads upstairs to a narrow 30” landing, (located approx. 24” below main floor), to then exit through a side door directly into a 36” side yard. The second-floor stair discharges to the main floor with two exits; one to the front street yard and the second to the rear yard. (See Sheet BLD.01).

The NFPA-13D System is designed to provide protection against a fire originating from a single ignition location. The purpose to aid in the detection and control of fire , thus providing protection against injury and loss of life.. Designed to prevent total involvement in room of origin, improving Occupant escape.

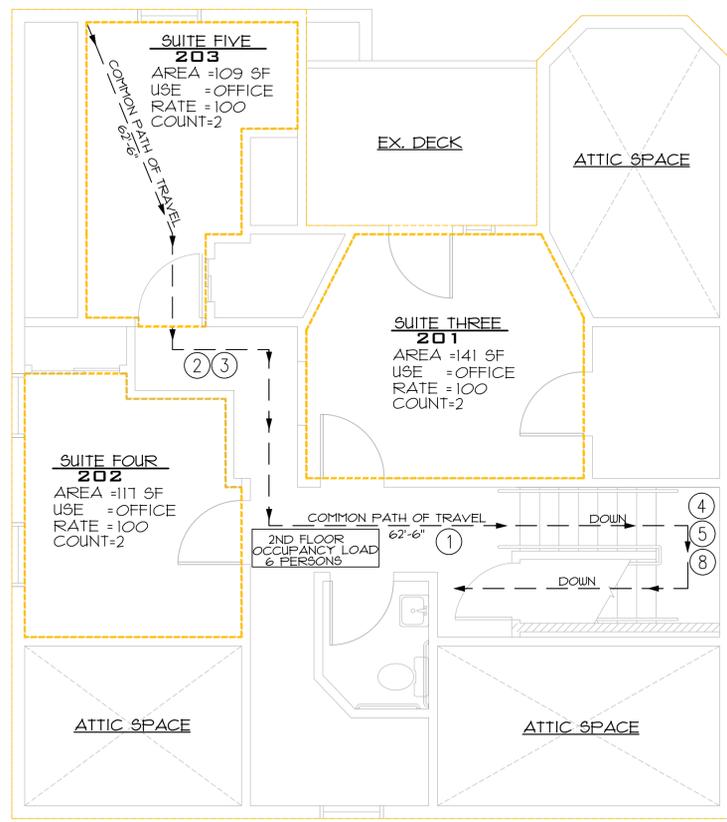
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## APPEAL DECISION

### **Reconstruction of existing stairs to connect 3 stories with omission of rated shaft enclosure: 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.

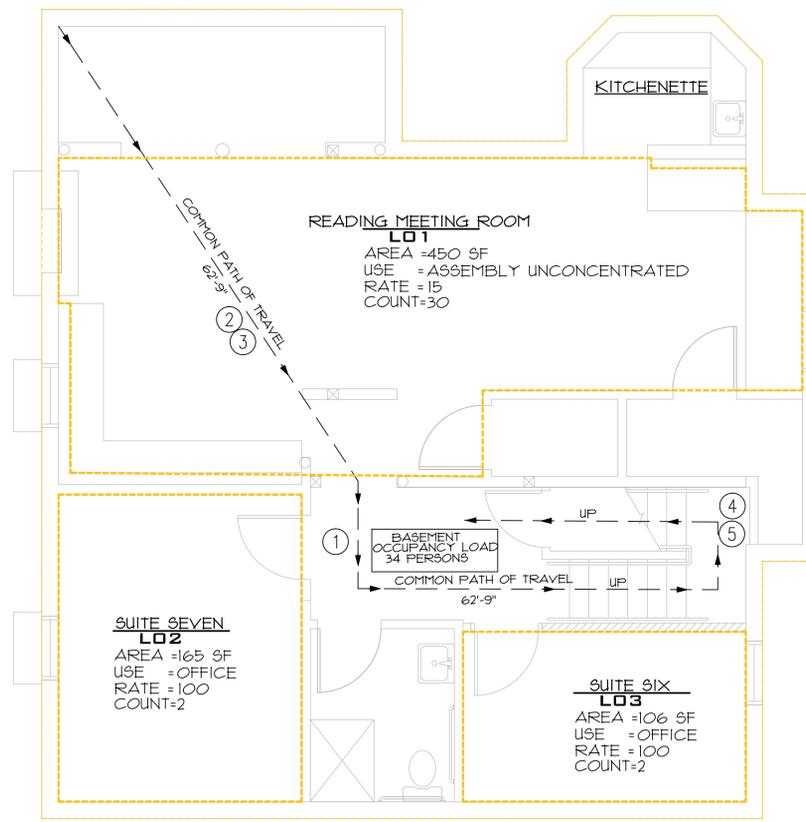
Pursuant to City Code Chapter 24.10, you may appeal this decision to the Building Code Board of Appeal within 90 calendar days of the date this decision is published. For information on the appeals process, go to [www.portlandoregon.gov/bds/appealsinfo](http://www.portlandoregon.gov/bds/appealsinfo), call (503) 823-7300 or come in to the Development Services Center.



SECOND FLOOR 1,175 SF

**3 SECOND FLOOR CODE PLAN**

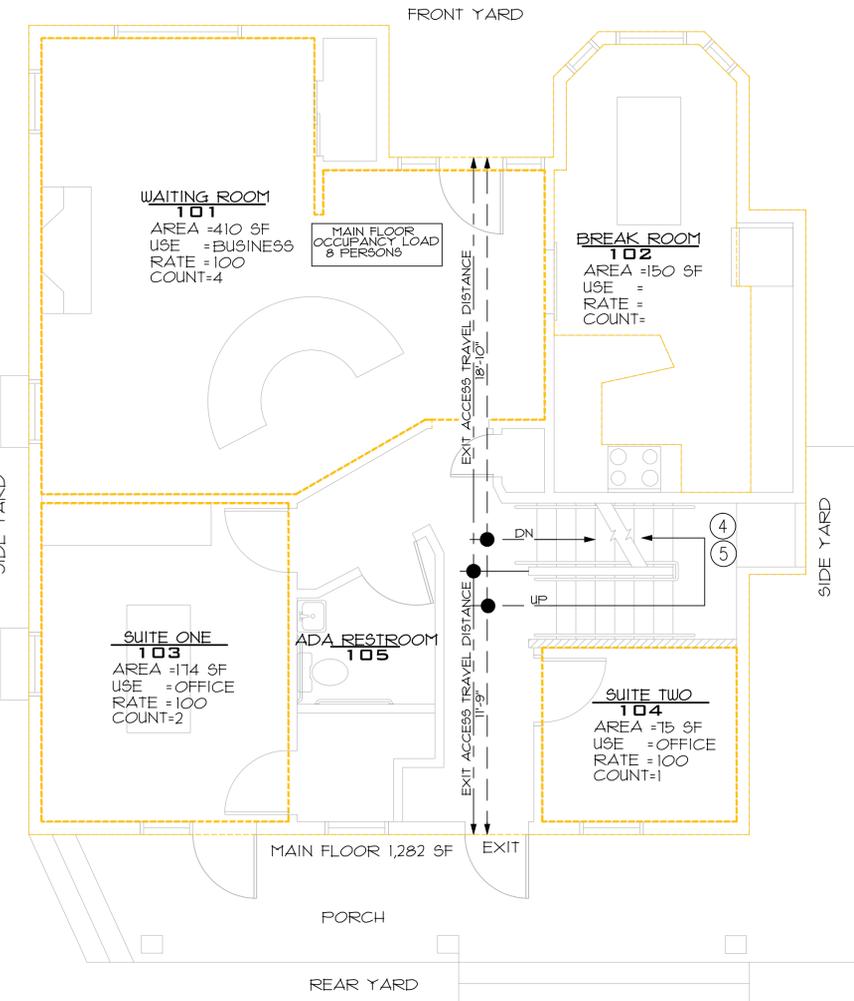
1/4" = 1'-0" 1,175 SF



LOWER FLOOR 1,282 SF

**2 LOWER FLOOR CODE PLAN**

1/4" = 1'-0" 1,282 SF



MAIN FLOOR 1,282 SF

**1 FIRST FLOOR CODE PLAN**

1/4" = 1'-0" 1,282 SF

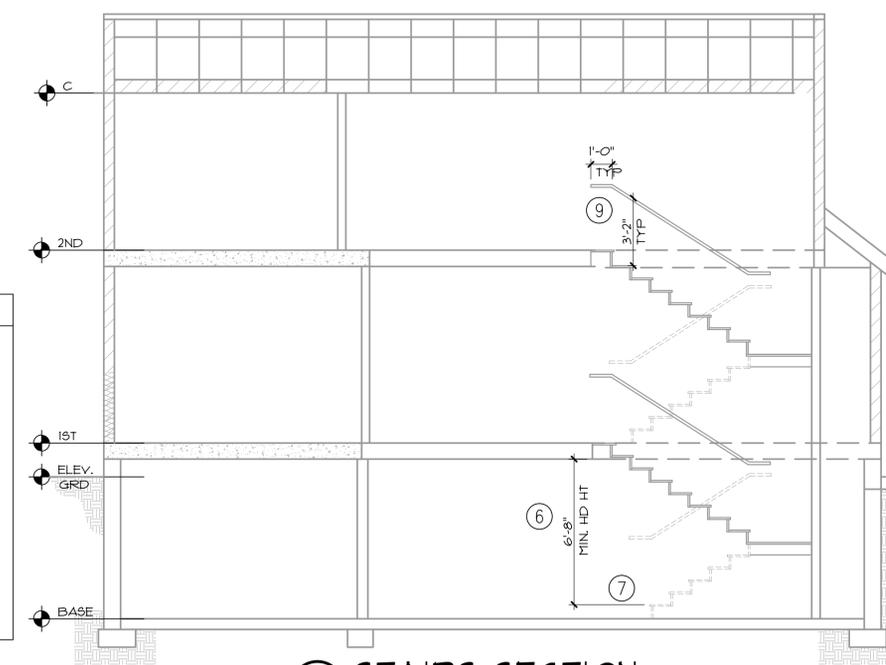
TOTAL BUILDING AREA	3,139 SF
GENERAL TO COMPLY WITH 2019 OREGON SPECIALTY CODE	
OCCUPANT GROUP	B1- WELLNESS CLINIC
TOTAL OCCUPANT LOAD	48 PERSONS

BUILDING CODE NON-COMPLIANCE	
SECTION 1019 EXIT ACCESS STAIRWAYS	
1019.2 - ALL OCCUPANCIES	
1019.3 - EXIT ACCESS ENCLOSED WITH A SHAFT ENCLOSURE	

RECONSIDERATION OF APPEAL- 13D SFRINKLER SYSTEM  
 APPELLANT PROPOSES THE ADDITION OF A NFPA-13D- RESIDENTIAL SFRINKLER SYSTEM  
 THE SYSTEM IS DESIGNED TO PROTECT AGAINST A FIRE ORIGINATING FROM A SINGLE IGNITION LOCATION. THE PURPOSE TO AID IN THE DETECTION AND CONTROL OF FIRE, THIS PROVIDING PROTECTION AGAINST INJURY AND LOSS OF LIFE. A SFRINKLER SYSTEM SHALL BE DESIGNED WITH THIS STANDATD TO PREVENT TOTAL INVOLVEMENT IN THE ROOM OF ORIGIN, WHERE SFRINKLERED, AND TO IMPROVE THE OCCUPANT'S CHANCE OF ESCAPE.

EXIT AND STAIR REQUIREMENTS

<p>1 TABLE 1006.3.2 STORIES WITH ONE EXIT</p> <ul style="list-style-type: none"> <li>FIRST STORY ABOVE OR BELOW GRADE OCCUPANT LOAD MAX. 49 PERSONS EXIT TRAVEL DISTANCE 15'-0"</li> <li>SECOND STORY ABOVE OR BELOW GRADE OCCUPANT LOAD MAX. 29 PERSONS EXIT TRAVEL DISTANCE 15'-0"</li> </ul>	<p>2 SECTION 1006- EXITS</p> <p>TABLE 1006.2.1-NUMBER OF EXITS AND EXIT ACCESS DOORWAYS</p> <p>SPACES WITH ONE EXIT OR EXIT ACCESS</p> <ul style="list-style-type: none"> <li>"B" OCCUPANCY 1/10L430 MAX. COMMON PATH OF TRAVEL 75'-0".</li> </ul> <p>3 TABLE 1006.3.2 STORIES WITH ONE EXIT</p> <ul style="list-style-type: none"> <li>FIRST STORY ABOVE OR BELOW GRADE OCCUPANT LOAD MAX. 49 PERSONS EXIT TRAVEL DISTANCE 15'-0"</li> <li>SECOND STORY ABOVE OR BELOW GRADE OCCUPANT LOAD MAX. 29 PERSONS EXIT TRAVEL DISTANCE 15'-0"</li> </ul>	<p>4 SECTION 1009.3.1- STAIRWAYS</p> <p>THE CAPACITY, IN INCHES, OF MEANS OF EGRESS STAIRWAYS SHALL BE CALCULATED BY OCCUPANT LOAD BY FACTOR OF 0.3 INCHES.</p> <p>THEREFORE:</p> <ul style="list-style-type: none"> <li>FIRST STORY ABOVE OR BELOW GRADE OCCUPANT LOAD 6 PERSONS 0.3 X 6 = 1.8" 50, 36" OK</li> <li>SECOND STORY ABOVE OR BELOW GRADE OCCUPANT LOAD MAX. 34 PERSONS 0.3 X 34 = 10.2" 50, 36" OK</li> </ul>	<p>5 SECTION 1011- STAIRWAYS</p> <p>1011.2 WIDTH AND CAPACITY</p> <p>THE REQUIRED CAPACITY OF STAIRWAYS SHALL BE DETERMINED AS SPECIFIED IN SECTION 1005.1, BUT THE MIN. WIDTH SHALL BE NOT LESS THAN 44".</p> <p>EXCEPTIONS:</p> <ol style="list-style-type: none"> <li>STAIRWAYS SERVING AN OCCUPANT LOAD OF 450 SHALL BE NOT LESS THAN 36".</li> </ol>	<p>6 1011.3 HEADROOM</p> <p>HEADROOM CLEARANCE NOT LESS THAN 80".</p>	<p>7 1011.5.2 RISER HEIGHT AND TREAD DEPTH</p> <p>STAIR RISER HEIGHT 11"</p> <p>STAIR TREAD MIN. 11"</p>	<p>8 SECTION 1011- HANDRAILS</p> <p>HANDRAILS BOTH SIDES</p>	<p>9 SECTION 1014-HANDRAILS</p> <p>1014.2 HEIGHT- 38" MAX.</p> <p>1014.3 HANDRAIL GRASPABILITY</p> <p>1014.3.1 TYPE I- USED CIRCULAR</p> <p>1014.6 HANDRAIL EXTENSIONS</p>
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**4 STAIRS SECTION**

1/4" = 1'-0"



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 VANCOUVER, WA 98683  
 360-852-1872 Derrick@Swerhone.com

BUILDING CODE APPEAL - REVISION REQUEST  
 BUILDING PERMIT #18-273800  
 WELLNESS CLINIC / HEBERT REMODEL  
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 PORTLAND, OR 97216

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Issue Date: 1/22/2020  
 Project Number: 19025B  
 BUILDING PERMIT SUBMITAL

CODE PLAN

BLD.03  
 REVISION REQUEST