

## Development Services

### From Concept to Construction

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#### APPEAL SUMMARY

**Status:** Decision Rendered - Reconsideration of ID 23954

<b>Appeal ID:</b> 24390	<b>Project Address:</b> 200 NW Royal Blvd, Lot #5
<b>Hearing Date:</b> 11/25/20	<b>Appellant Name:</b> Robert Oshatz
<b>Case No.:</b> P-001	<b>Appellant Phone:</b> 5036354243
<b>Appeal Type:</b> Plumbing	<b>Plans Examiner/Inspector:</b> Jim Bechtel, McKenzie James, Joe Blanco
<b>Project Type:</b> residential	<b>Stories:</b> 5 <b>Occupancy:</b> R <b>Construction Type:</b> V-B
<b>Building/Business Name:</b> RHO LLC	<b>Fire Sprinklers:</b> Yes -
<b>Appeal Involves:</b> Erection of a new structure	<b>LUR or Permit Application No.:</b> 20-176267-RS
<b>Plan Submitted Option:</b> pdf [File 1]	<b>Proposed use:</b> Single family residence

#### APPEAL INFORMATION SHEET

##### Appeal item 1

<b>Code Section</b>	307.0 LOCATION
<b>Requires</b>	307.1 SYSTEMS. Except as otherwise provide in this code, no plumbing system, drainage system, building sewer, private sewage disposal system, or part thereof shall be located in a lot other than the lot that is the site of the building, structure or premises served by such facilities.
<b>Code Modification or Alternate Requested</b>	I am requesting to be able to construction stormwater planters and their related catch basins and drainage lines in part or wholly in Tract A the commonly own portion of the subdivision. And requesting approval of existing private sanitary pressure line running in existing easement that goes through Tract A and other lots in the subdivision.
<b>Proposed Design</b>	<p>Stormwater system</p> <p>I am proposing to efficiently build stormwater planters following City of Portland Stormwater Management typical detail SW-140. To be apply to efficiently build along the site contour lines I am requesting to partial locate the planter outside of the actual individual lot lines.</p> <p>Sanitary sewer system</p> <p>This work has already been done and approved by the City in 2010. The lot is serviced by its own private pressurize sewer line that is place in an easement recorded by Multnomah County. The easement runs through Tract A of the subdivision and other lots within the subdivision</p>
<b>Reason for alternative</b>	<p>Stormwater sewer system</p> <p>Originally, When the subdivision was approved it had one large stormwater planter for all 5 lots in Tract A (which is own by the HOA) with future drainage lines from each lot dug in Tract A connecting to the stormwater planter. When doing the work that needed to be done on the subdivision before I would be able to get individual building permits for each lot, the one large stormwater planter was supposed to be constructed. I didn't want to build the one large stormwater planter. For one, since no homes were yet designed the size would be purely a guess.</p>

If too big I would be financially penalized and if too small it would require future enlargement of the existing planter or adding a secondary stormwater planter in Tract A. In addition, the geotechnical engineer is now recommending small stormwater planter spread out on the site.

At the time I submitted Construction Management Plans, the City agreed I could build individual stormwater planters with the construction of a residence. The Planning Department agreed that the stormwater planters could be located within their lot or whole or in part into Tract "A" (reference Timothy Novak and Ella Indarta in Planning). The intent is to select the most favorable contours on this steeply downslope site and as close to each residence as possible for visual maintenance. Individual lots are long and narrow and run perpendicular to the contours of the site. To keep the stormwater planter within their lot lines the stormwater planters would need to be built inefficiently stepping down the site. An efficient stormwater planter should be built running parallel with the site contours.

In closing this is a very environmentally sensitive site so my intent is to select the best locations for stormwater planters and as close to each lot as possible without disturbing trees so each owner can easily visually see and get to the planters so they can properly perform maintenance. See attached drawing for stormwater sewer system layout

Sanitary sewer system

I am not sure if it is necessary to include this system in the appeal since the work has already been done and approved by the City.

Hearing Officer Ian Simpson approved the subdivision on Lot 7 Block 5, Royal on March 28, 2007 (see LU 06-109711). In 2010 through building permit 09-150770-5D, 5 pressurized private sewer lines were installed, inspected and approved by the City in an easement recorded with Multnomah County. At the time there was no requirement by the City to appeal code section R307 but to cover all plumbing that could be within the requirements of section 307 it is included there. See attached drawing for sanitary sewer system layout.

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## APPEAL DECISION

**Construction of stormwater planters, related catch basins and drainage lines in part or wholly in the commonly owned Tract A: Granted as proposed with drainage and maintenance easement. Easement shall be reviewed and approved by Bureau of Development Services prior to recording. Appellant shall contact Jessica Ruch (503-823-4162) for information.**

**Note: Appellant is responsible to confirm any outstanding items on the public works permit(s) are resolved before proceeding with work.**

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 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](http://www.portlandoregon.gov/bds/appealsinfo), call (503) 823-7300 or come in to the Development Services Center.



RHO LLC SUBDIVISION STORMWATER MANAGEMENT PLAN

SCALE: 1" = 40'-0"

ROYAL FIVE LOT #5

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