

Development Services

From Concept to Construction

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APPEAL SUMMARY

Status: Decision Rendered

Appeal ID: 27590	Project Address: 4234 SE Henderson St
Hearing Date: 3/16/22	Appellant Name: Courtney Giordano
Case No.: P-001	Appellant Phone: 5035440617
Appeal Type: Plumbing	Plans Examiner/Inspector: Dawn Krantz, McKenzie James, Jim Bechtel, Joe Blanco
Project Type: residential	Stories: 2 Occupancy: owner Construction Type: wood frame
Building/Business Name:	Fire Sprinklers: No
Appeal Involves: Alteration of an existing structure	LUR or Permit Application No.:
Plan Submitted Option: pdf [File 1]	Proposed use: Residential

APPEAL INFORMATION SHEET

Appeal item 1

Code Section	402.5 of the 2021 Oregon Plumbing Specialty Code
Requires	No water closet or bidet shall be set closer than 15 inches from its center to any side wall or obstruction.
Code Modification or Alternate Requested	Allow to maintain the current historic distance of 14" from the north bathroom side wall to water closet center after restoring water damaged drywall following waterproofing the interior foundation wall.
Proposed Design	We would like to propose that an exception be made to the 15" clearance requirement between the toilet drain and the north side wall. If the small portion of the wall undergoing the waterproofing that is adjacent to the toilet can once again be flat-framed, the distance between the wall and the toilet drain will be a comparable distance to what it has historically been (approximately 14") without tampering with the existing cast iron in the foundation of the house. Please see the provided drawing where the details of the current finished and heated bathroom, closet, bedroom in their existing layout are on page 1 and the proposed changes are detailed on page 2. In total, 25'9" of existing flat-framed and uninsulated exterior walls will be demoed to add waterproofing. 18'7" will be restored using conventional framing and will add R-15 insulation and air space where currently none exists. The remaining 7'2" would be flat-framed to allow for air space and minimum R-6 insulation as possible to be added after the completion of the waterproofing and to maintain 14" clearance from wall to toilet center.
Reason for alternative	Restore water damaged drywall and framing while maintaining the historic distance of the toilet drain to the wall. In November of 2021, the finished bathroom in the daylight basement incurred water damage after record rainfall in the Portland area. Multiple waterproofing companies were

consulted and the most cost-effective means to address future water incursion and damage to the existing finished and conditioned spaces (bathroom and closet) is to apply a waterproof membrane and drainage system from the inside of the house along a portion of the north and west walls that lie below grade. This process requires the removal of the existing drywall, framing, and a portion of the existing flooring to accommodate a French drain and sump pump system as well as sealing the foundation wall with a membrane. During the process of homeowners demoing the closet and bathroom wall, it was discovered that the existing north wall of the finished basement was "flat-framed" with the 2x4's placed flat on the foundation wall instead of the typical short side against the wall. Drywall was then installed on the flat to approach but not meet 15" of clearance from the finished wall to the center of the toilet drain as measured from the side. The toilet drain on center is currently approximately 14" from the wall as it has been since initial approval of the plumbing on 1/16/1957.

To restore the bathroom wall with the waterproofing in place, the clearance to the center of the toilet drain will not be able to meet the 15" requirement without excavation of the existing cast-iron waste drain. To move the existing drain would incur cost-prohibitive expenses and would require demolition of exterior front steps, a 50+ year old rhododendron, the new concrete walkway and extensive front yard landscaping that we put in after replacing our sewer line in 2016.

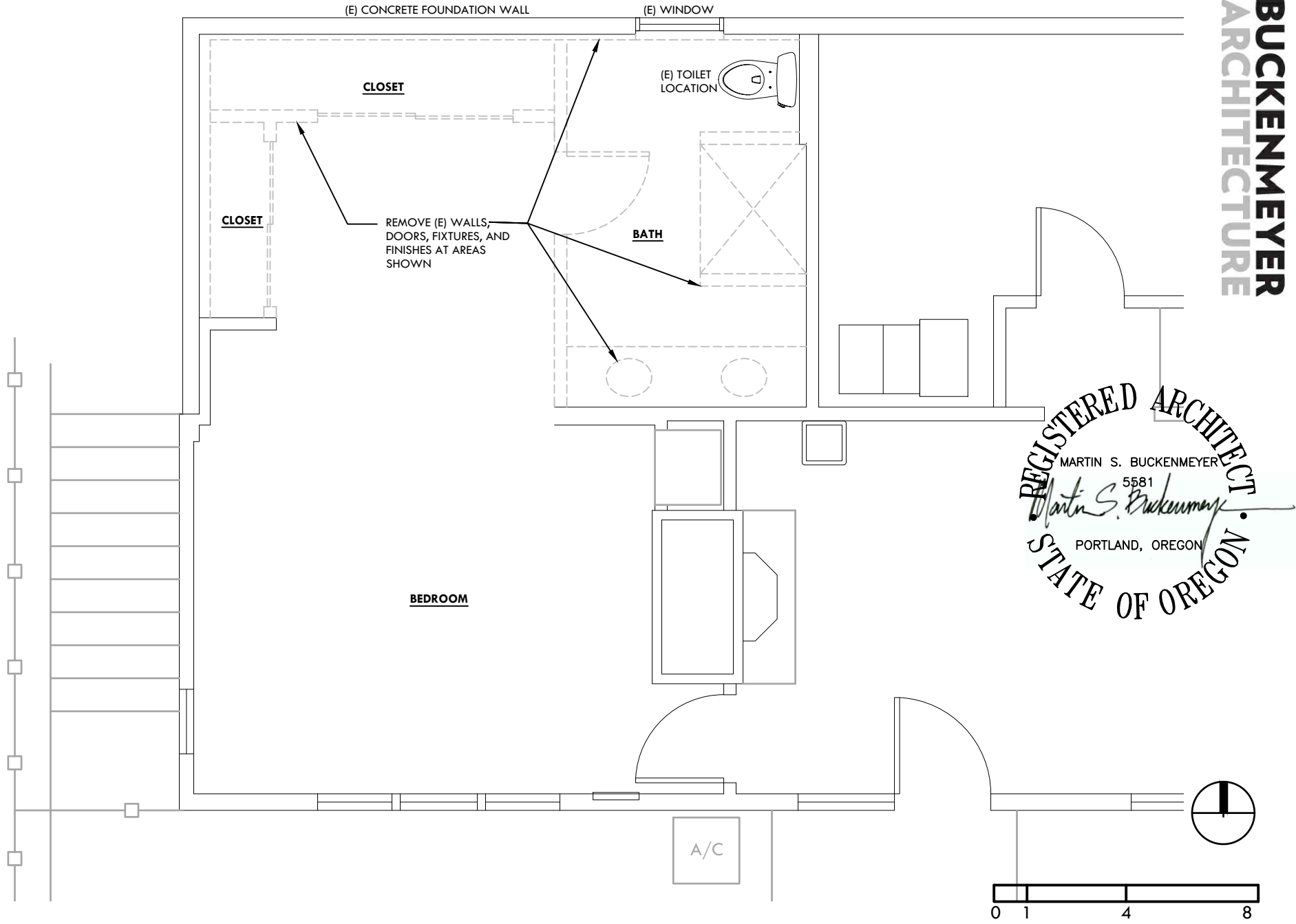
The proposed design and modifications will improve the structure by adding insulation where none currently exists and preserves the intent of the code. No compromise to health and safety is present, and the repairs shall be in accordance with N1101.2.1 and the exception for existing conditioned spaces, as conventional framing and insulation of the exterior wall adjacent to the toilet would be impractical.

APPEAL DECISION

Reduction in the minimum required side wall clearance of water closet from 15 inches to 14 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.



GIORDANO/EBLING RESIDENCE

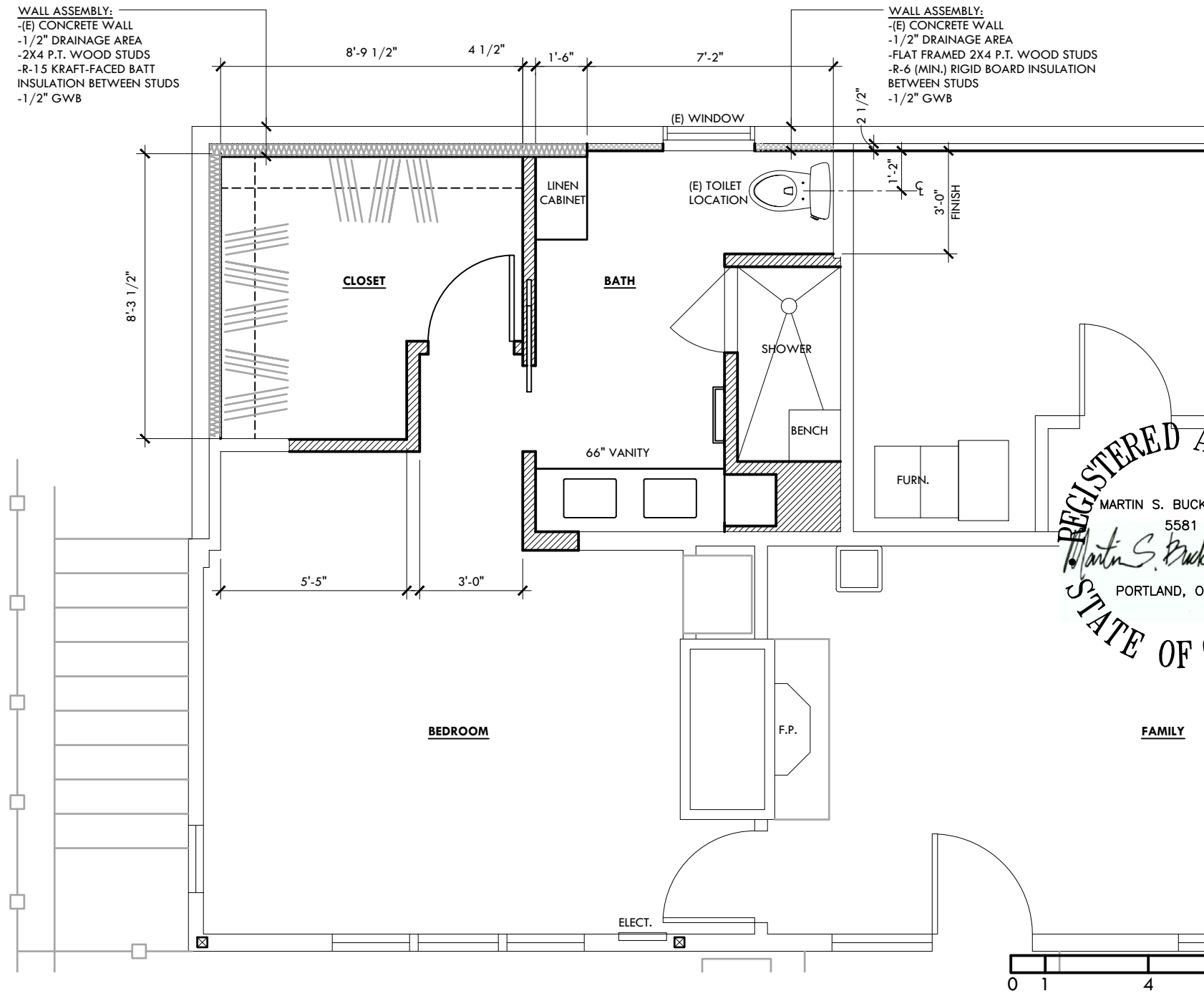
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BASEMENT BATH - DEMO

SCALE: 1/4"=1'-0"
03.03.22

WALL ASSEMBLY:
-(E) CONCRETE WALL
-1/2" DRAINAGE AREA
-2X4 P.T. WOOD STUDS
-R-15 KRAFT-FACED BATT
INSULATION BETWEEN STUDS
-1/2" GWB

WALL ASSEMBLY:
-(E) CONCRETE WALL
-1/2" DRAINAGE AREA
-FLAT FRAMED 2X4 P.T. WOOD STUDS
-R-6 (MIN.) RIGID BOARD INSULATION
BETWEEN STUDS
-1/2" GWB



GIORDANO/EBLING RESIDENCE

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BASEMENT BATH - PROPOSED NEW

SCALE: 1/4"=1'-0"
03.03.22