Development Services

From Concept to Construction

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APPEAL SUMMARY

Status: Decision Rendered

Appeal ID: 27610	Project Address: 6825 SW 45th St
Hearing Date: 3/30/22	Appellant Name: Armin Quilici
Case No.: B-001	Appellant Phone: 503-477-8922
Appeal Type: Building	Plans Examiner/Inspector: Jason Butler Brown, Kevin Wells, Jeremy Russell, Ericka Koss, Nancy Thorington, Michael Liefeld
Project Type: residential	Stories: 1 Occupancy: R-3 Construction Type: NA
Building/Business Name: The Gabriel	Fire Sprinklers: No
Appeal Involves: Erection of a new structure,occ Change from to ,other: demolition of existing structures	LUR or Permit Application No.: 21-109048, 58, 63-RS
Plan Submitted Option: pdf [File 1]	Proposed use: multifamily residential

APPEAL INFORMATION SHEET

Appeal item 1

Code Section Title 24.55.205.F and Title 24.55.100

Requires Title 24.55.205.F Site Control Measures in Residential Structures:

Demolition Permit Compliance Prerequisite for New Building Permit. No building permit for a new structure on the site that is subject to the demolition permit (including all lots in a land division or lot confirmation) will be issued until the final inspection for the demolition permit has been completed and approved.

Title 24.55.100 Demolition - Debris - Barricades - Nuisances:

After removal of any structure all foundations that are not to be used for new construction shall be removed and all excavations filled in compliance with Chapter 24.70 of this Title, to a level of the adjoining grade.

Code Modification or Alternate Requested

We have approved demo permits for 3 residential structures, 2 of which include basements. This demolition is part of a larger project to build a 121 unit apartment building which is currently under permit review (permit no 2021-022267-000-00-CO). We request that excavated basements shall not be backfilled and the excavated basement foundation to remain until excavation and grading begins for the new apartment building. The south unfilled basement will have a depth of approximately 4 to 5 feet and the north unfilled basement will have a depth of 6 to 7 feet These basements are to remain unfilled for a short time until construction begins which is estimated to be May 1, 2022.

Proposed Design

We request to allow the demolition permit to remain open when the new apartment building permit is issued. The residential structures are undergoing deconstruction and inspections are underway.

The entire residential structures will be deconstructed with exception of the basement and concrete foundation walls. Prior to the new building permit being issued we will demonstrate compliance with the asbestos and lead removal requirements of the approved demolition permit. Temporary fall protection will be installed around the two unfilled open basements until mass grading and vertical construction begins for the new apartment building. The grading plans of building permit 2021-022267-000-00-CO, which is currently under review, will be revised to show the existing unfilled basements to be filled and/or regraded.

Reason for alternative It is wasteful and unnecessary to backfill the basements when they will be excavated shortly after for the the new building. The demolition of the existing residential structures should be executed in a manner that is coordinated with the construction of the new building to minimize the waste of time, material, fuel and other resources. Temporary fall protection will be installed around both unfilled open basements.

APPEAL DECISION

Building demolition with basement cavity to remain unfilled: Granted provided:

- 1. The follow-on plans for the 121-unit apartment complex, Permit 21-022267-CO, must show foundation elements and basement cavities remaining from the partial demolition/s. The plans for new construction must also specify removal of existing foundations/slabs and backfilling of basement cavities in accordance with Title 24.70.080 or recommendations of the geotechnical engineer.
- 2. Existing septic systems (cesspools or septic tanks) on the property must be decommissioned in accordance with OAR 340-071-185 prior to issuance of building permits for new construction.

Appellant may contact Kevin Wells (503-823-5618) with questions.

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.





