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Appeal 34816

Appeal Summary

Status: Decision Rendered

Appeal ID: 34816

Submission Date: 5/22/25 11:18 AM

Hearing Date: 6/4/25

Case #: B-2

Appeal Type: Building

Project Type: commercial

Building/Business Name: Wickersham Condo Owners Assn

Appeal Involves: Alteration of an existing structure

Proposed use: Multifamily residential condominium
(No Change)

Project Address: 410 NW 18th Ave

Appellant Name: Eric Harker

Appellant Phone: 5037237500

LUR or Permit Application #: LUR United States

Stories: 5 **Occupancy:** R-2 **Construction Type:** III-B

Fire Sprinklers: Yes - Throughout common spaces

Plans Examiner/Inspector: Maureen McCafferty

Plan Submitted Option: pdf [\[File 1\]](#) [\[File 2\]](#)
Payment Option: electronic

Appeal Information Sheet

Appeal item 1

Code Section

1206.2

Requires

Interior walls, partitions, and floor-ceiling assemblies separating dwelling units must provide an airborne sound insulation rating of not less than STC 50 (or STC 45 if field-tested).

Code Modification or Alternate Requested

Approval to maintain and restore existing demising wall construction between units without increasing sound transmission class (STC) ratings to meet current OSSC 1206.2 levels, based on original construction and feasibility constraints.

Proposed Design

The existing demising walls between dwelling units are composed of wood stud framing, likely 2" x 4" or 2x4, at 16" o.c., with single layers of lath and plaster or gypsum wallboard on both sides. There is no known existing batt insulation in the wall cavities. Under the plumbing rehabilitation project, selective removal of interior finishes is necessary to access domestic water piping, including limited removal of finishes on certain demising walls. All affected finishes will be restored to a uniform 1-hour fire-resistance-rated assembly (UL U305) using fiberglass batt insulation, Type X gypsum

wallboard, mud, tape, and matching texture. No modification is being made to the structural, spatial, or occupancy of the building.

Reason for alternative

This Chapter 13 building was constructed in 1910, prior to the adoption of STC requirements. Achieving STC 50 would require full demolition and reconstruction of existing demising walls. Given the dimensional limitations and existing stud configurations, compliance is infeasible without major disruption to occupied units. The current scope involves limited finish removal for plumbing access. Restoring affected areas with Type X gypsum board to a UL U305-rated assembly enhances acoustic separation. This targeted restoration provides functional equivalency within the scope and practical constraints.

Appeal Decision

Allow repairs to existing walls without meeting STC 50: 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 the 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.

Wickersham Condominiums

Plumbing Rehabilitation Project

Project Team

Property Owner
Wickersham Condominiums Owners Association
c/o Superior Community Management
Attn: Ashlyn Dietz, Community Manager
503-684-1832
PO Box 4585, Tualatin, OR 97062-4585

General Contractor
Gores Construction, Inc.
Attn: Marcus Gores, President
marcus@goresinc.com
503-723-7500
5831 SE International Way, Milwaukie, OR 97222
License: CCB #168655

Mechanical Engineer
Windsor Engineers
Attn: Florin D. Somlea, PE, GPD
dsomlea@windsorengineers.com
360-302-2707
27300 NE 10th Ave, Ridgefield, WA 98642
License: 82599PE

Plumbing Subcontractor
National Renovations, LLC-DBA Repipe Specialists, Inc
Attn: David Hossfeld
david.hossfeld@repipespecialists.com
800-203-2909
PO Box 910, Burbank, CA 91503
License: 239022

Project Information

Project Address
410 NW 18th Ave, Portland, OR 97209

Legal Description
Jurisdiction: City of Portland
Tax Accounts: R116224 to R116325
Taxlot Numbers: 1N2E29CD-90001 to 1N2E29CD-90102

of Buildings: 1
of Units: 18
Year(s) Built: 1910

Habitable Area
Existing habitable building area to remain.
No additional habitable building area is proposed in this scope of work.

Drawing Index

G001	Project Data
G002	Site Plan
A100	Level 0 Plan
A101	Level 1 Plan
A102	Level 2 Plan
A103	Level 3 Plan
A104	Level 4 Plan
A105	Level 5 Plan
A601	Partition Details
A602	UL U305 Assembly

Permit History

25-034760-000-00-CO

Single PDF: Open Interior Finishes to Provide Plumbing Supply and Drain Line and Patch and Restore.

Abbreviations

(D)	Demo
(E)	Existing
(N)	New
BT	Bathtub
Clo	Closet
CW	Clothes Washer
DW	Dishwasher
GWB	Gypsum Wall Board
KS	Kitchen Sink
Lav	Lavatory (Bathroom Sink)
LS	Laundry Sink
SH	Shower
Typ.	Typical
UNO	Unless Noted Otherwise
VIF	Verify in Field
w/	With
w/o	Without
WC	Water Closet (Toilet)
WH	Water Heater

Symbols

	Chase ID
	Chase Location
	Opening in W1: 1-Hour Fire Partition
	Opening in W2: Non-Rated Partition
	Wall Between Unit & Corridor
	Wall Between Adjoining Units

General Notes

Description of Work
Non-structural interior wall and ceiling finish removal and restoration associated with domestic water piping replacement. Plumbing work to be performed under a separate permit.

- Scope of Work**
- Open selective interior wall and ceiling finishes to access domestic water piping.
 - Restore affected finishes to match original conditions with gypsum wallboard, mud, tape, and texture to a paint-ready state.
 - Maintain existing fire-resistance-rated construction where applicable (per OSSC 420.2, 708); repair in compliance with rated assembly listings.
 - No work proposed to fire sprinkler or fire alarm systems.
 - No work proposed to hydronic system.

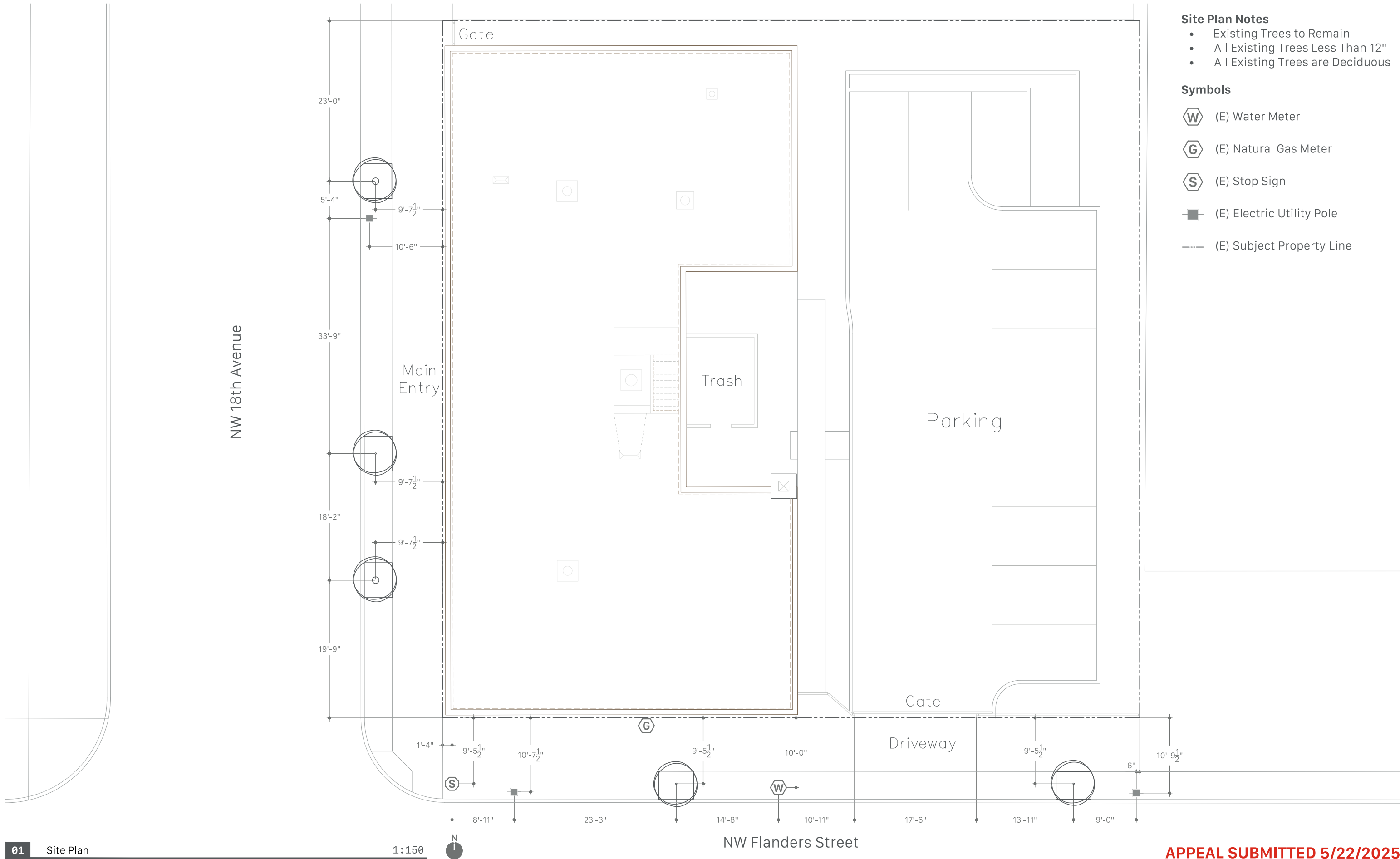
Firestop Coordination Requirement
The General Contractor shall schedule a firestopping meeting with the Building Inspector and all Subcontractors that will be installing firestopping materials. Each Subcontractor will provide a list of firestop materials and assemblies, which will be used, the type of penetrations where each type of material and assembly will be used, and the listing and approval information (i.e. UL, ICC, or other approved report or listing numbers.) This information must be submitted to, and approved by, the Building Inspector prior to any installation.

Life Safety Notes
Chapter 13 building; rated separations must be maintained. Refer to OSSC 420 and ENB 13.28. Maintain or restore fire-resistance-rated assemblies in accordance with UL Design U305. All penetrations to be sealed per UL listing.

- Rated Fire Partitions**
- Use UL U305 for 1-hour rated dwelling separation walls.
 - Where existing fire-resistance-rated partitions between dwelling units or between units and corridors are opened for plumbing work, the construction shall be restored to match original fire-resistance rating in accordance with OSSC 420.2 and 708. Assemblies shall conform to UL-listed systems such as UL U305. Penetrations shall be firestopped per OSSC 714 using listed and approved materials.

- General Requirements**
- All dimensions must be verified on site.
 - Contractor responsible for accurate and safe conditions prior to and during construction.
 - Maintain protected access and egress at all times.
 - Contractor shall furnish all labor, materials, and equipment to the best of their kind.
 - All construction to conform with latest OSSC.
 - Avoid notching or cutting structural members w/o prior approval.

APPEAL SUBMITTED 5/22/2025



Floor Plan Notes

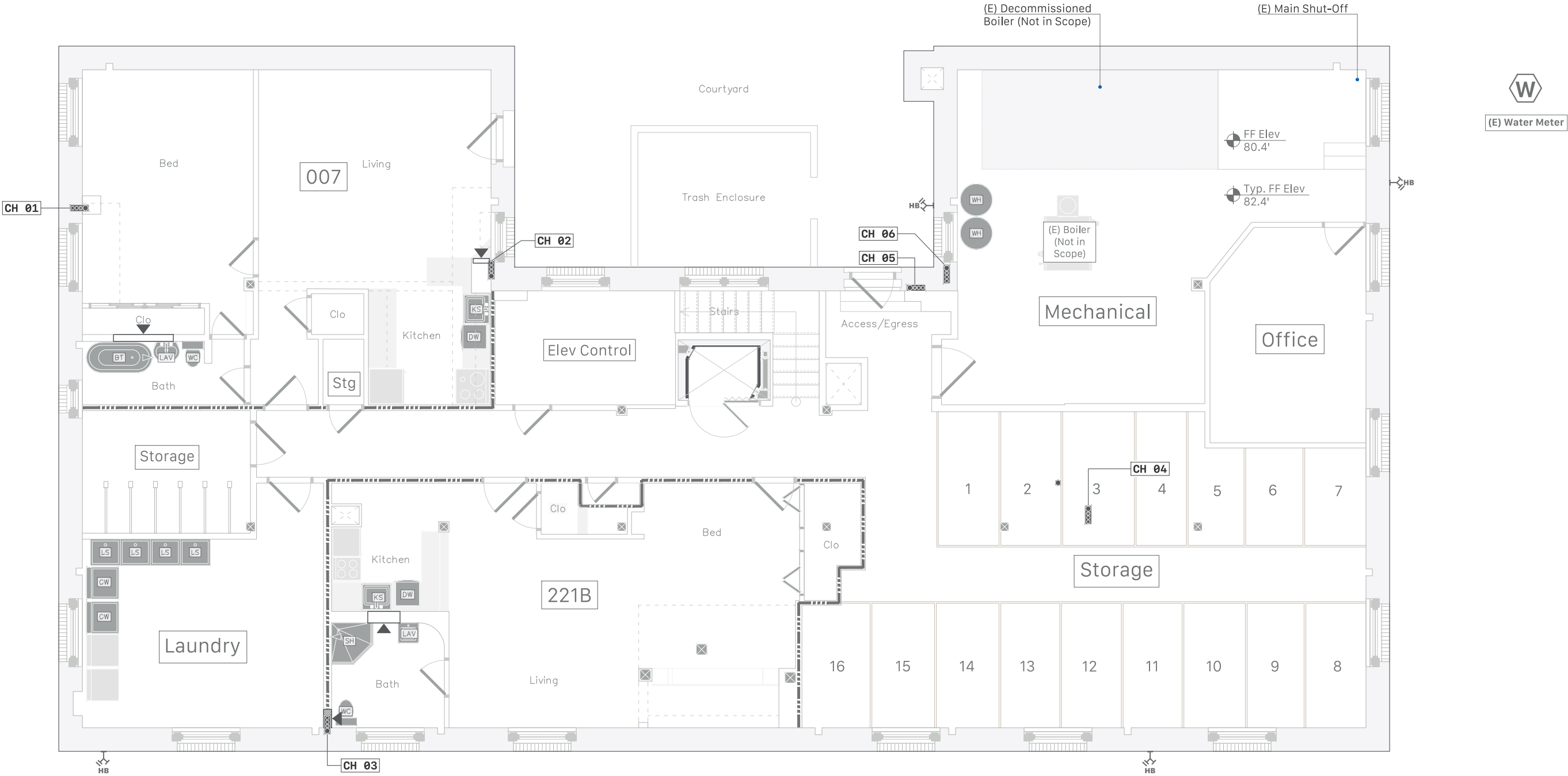
- Typical 'W1' 1-Hour Fire Partition opening size: floor-to-ceiling, width varies per field condition, break on vertical studs.
- Typical 'W2' Non-Rated Partition opening size: <2'-0" tall, width varies per field condition, break on vertical studs.
- Demo locations are diagrammatic; confirm field layout.
- All base and door trims to remain and be protected during construction.
- Gypsum wallboard repair to overlap existing surfaces by 6" min.
- Wall opening patch finish to match surrounding area.

Keynotes

- ▼

Opening in W1: 1-Hour Fire Partition (Restore to original 1-hour rating (UL U305) with Type X GWB, R-13 batt insulation, and approved firestopping to a paint-ready finish.)
- ▼

Opening in W2: Non-Rated Partition (Patch with Type X GWB to a paint-ready finish. For use at non-rated interior walls within the same unit.)
- Wall Between Unit & Corridor
- Wall Between Adjoining Units

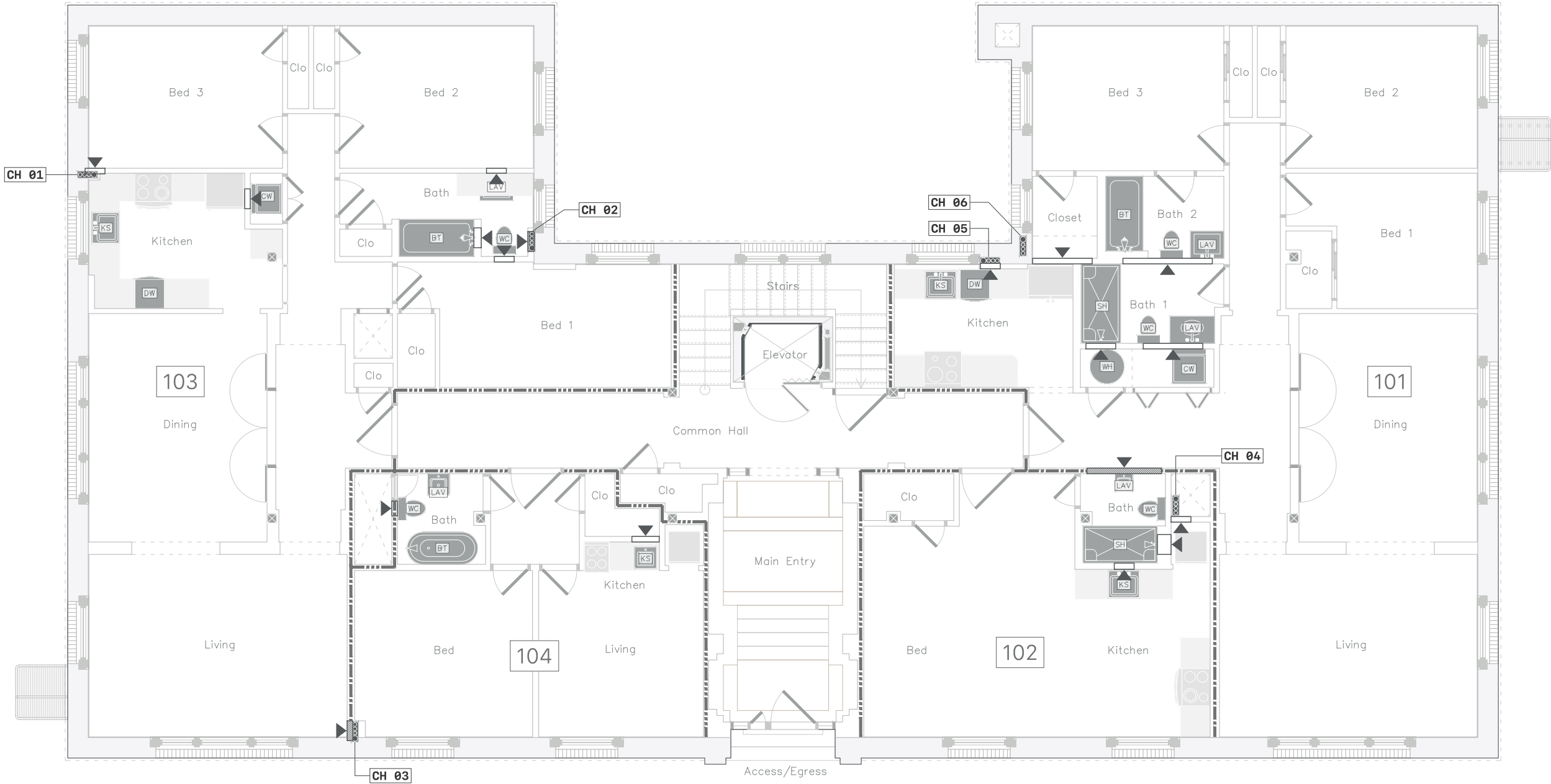


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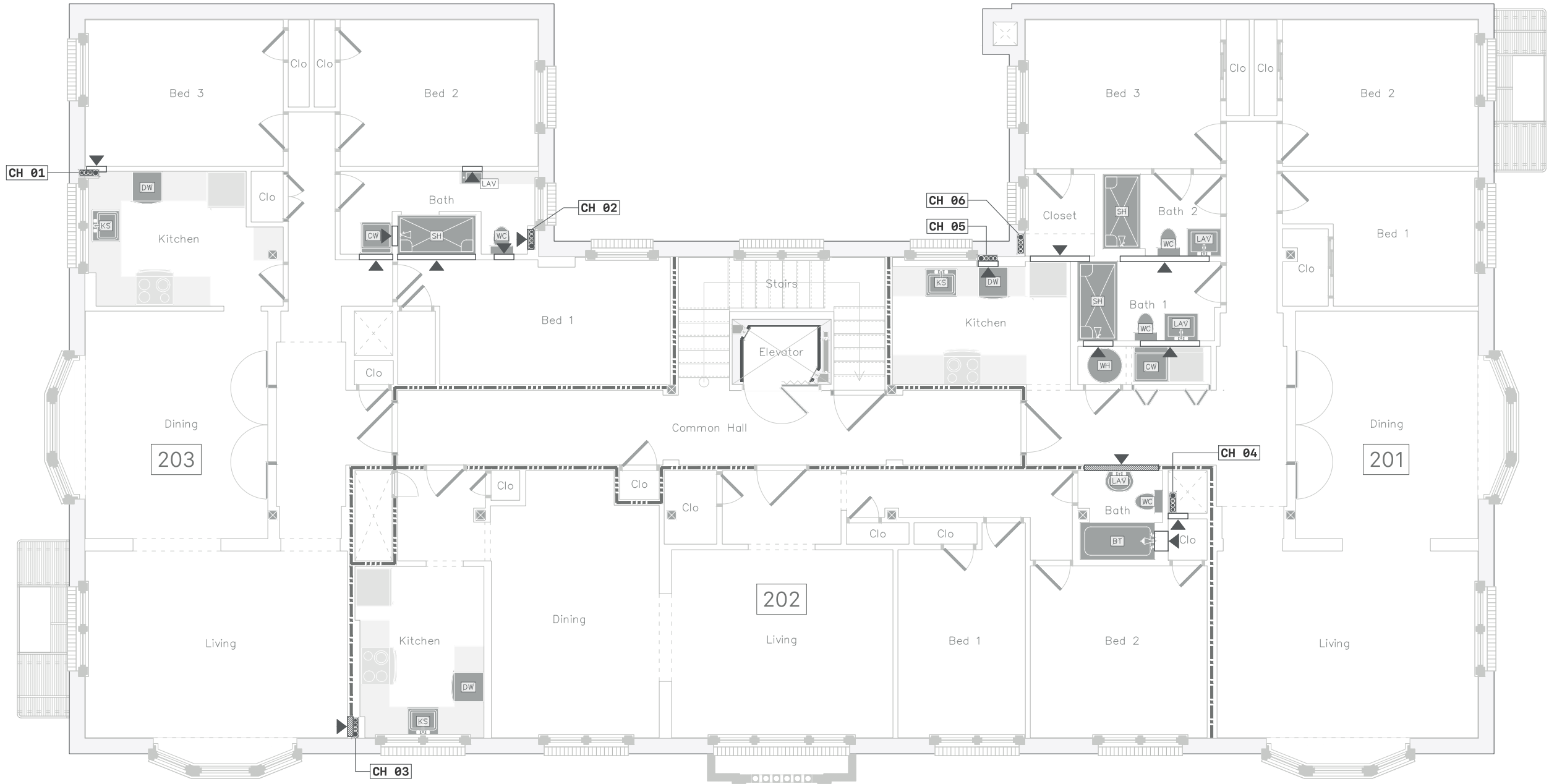


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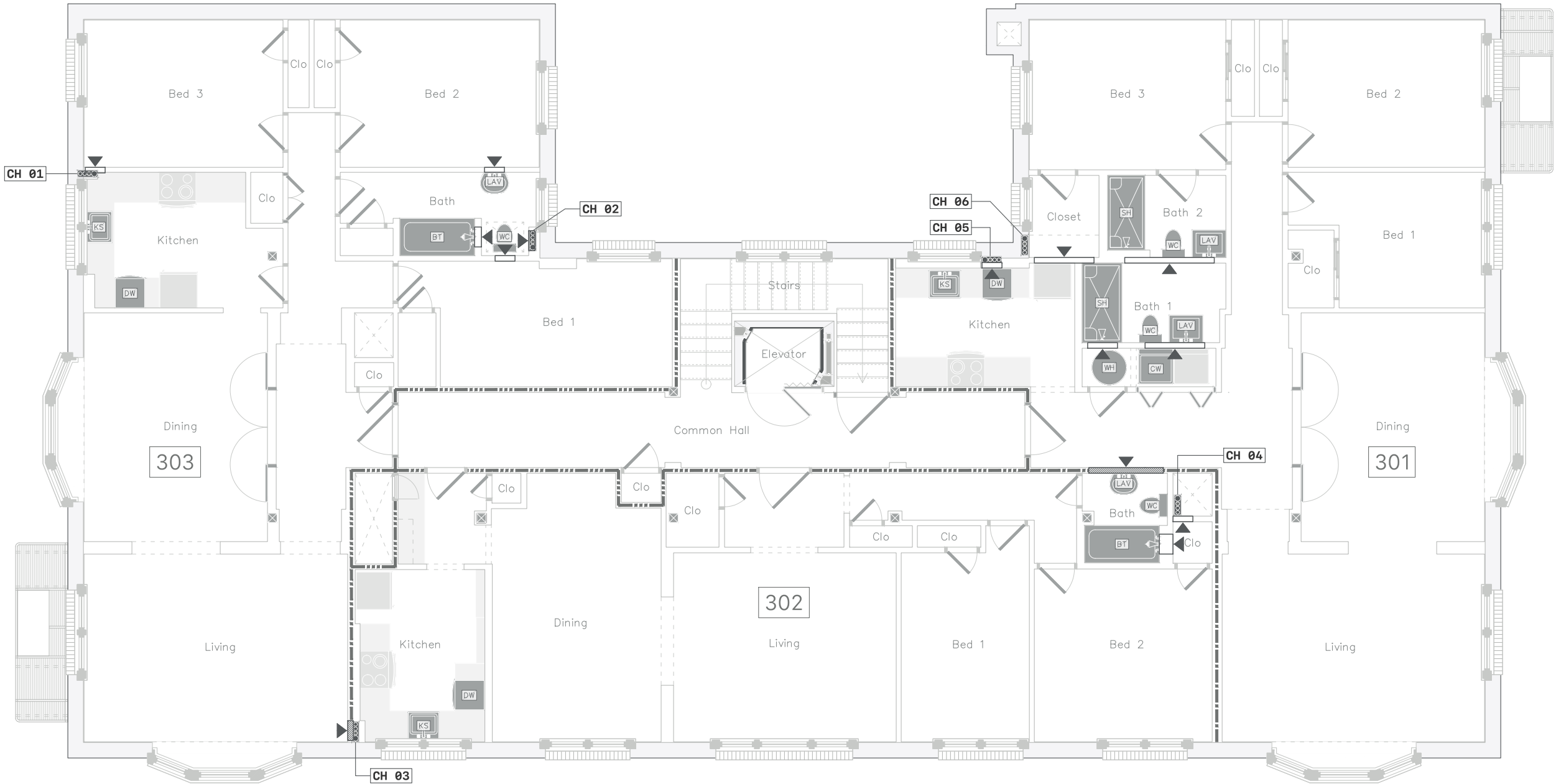


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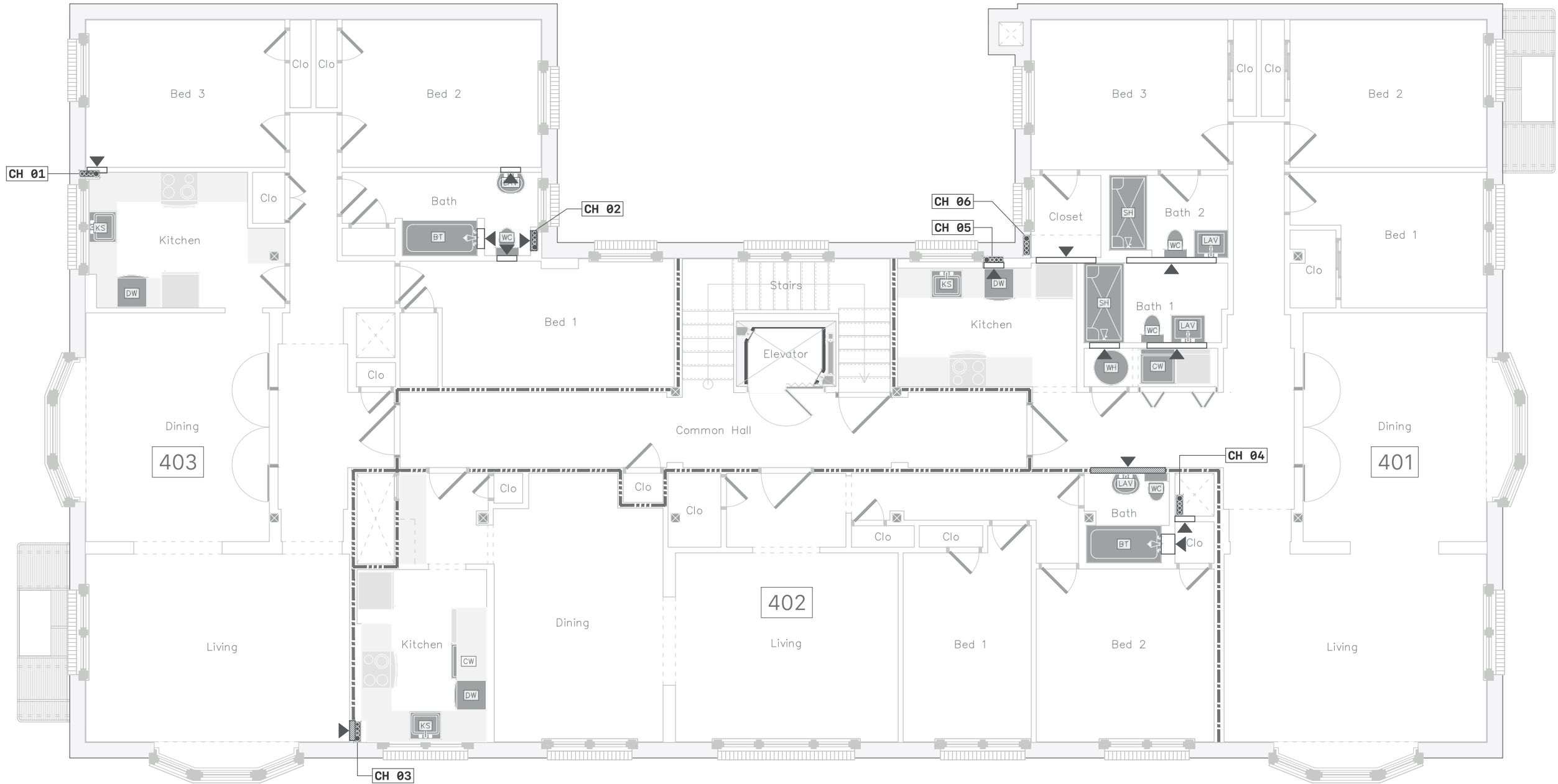


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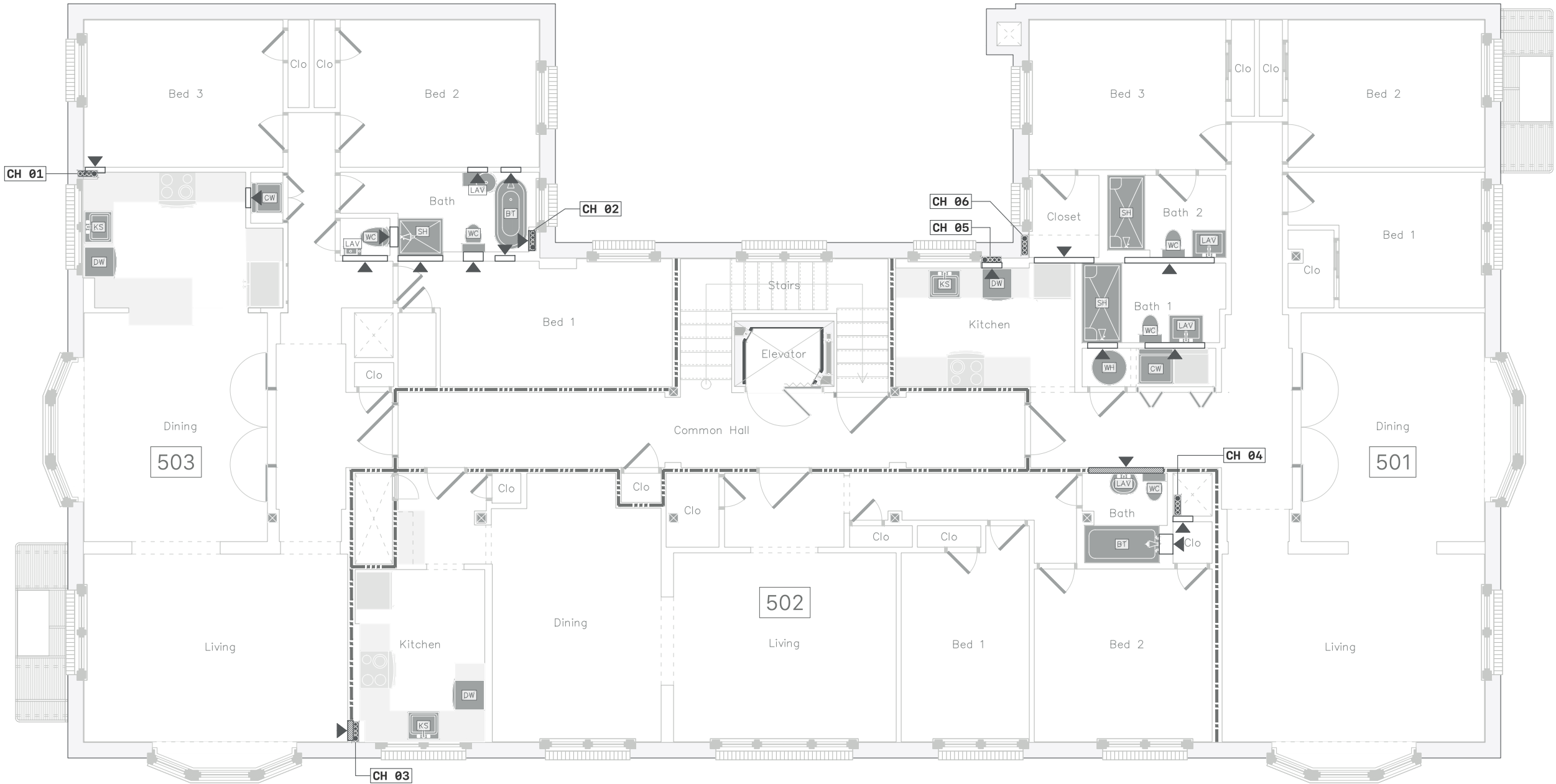


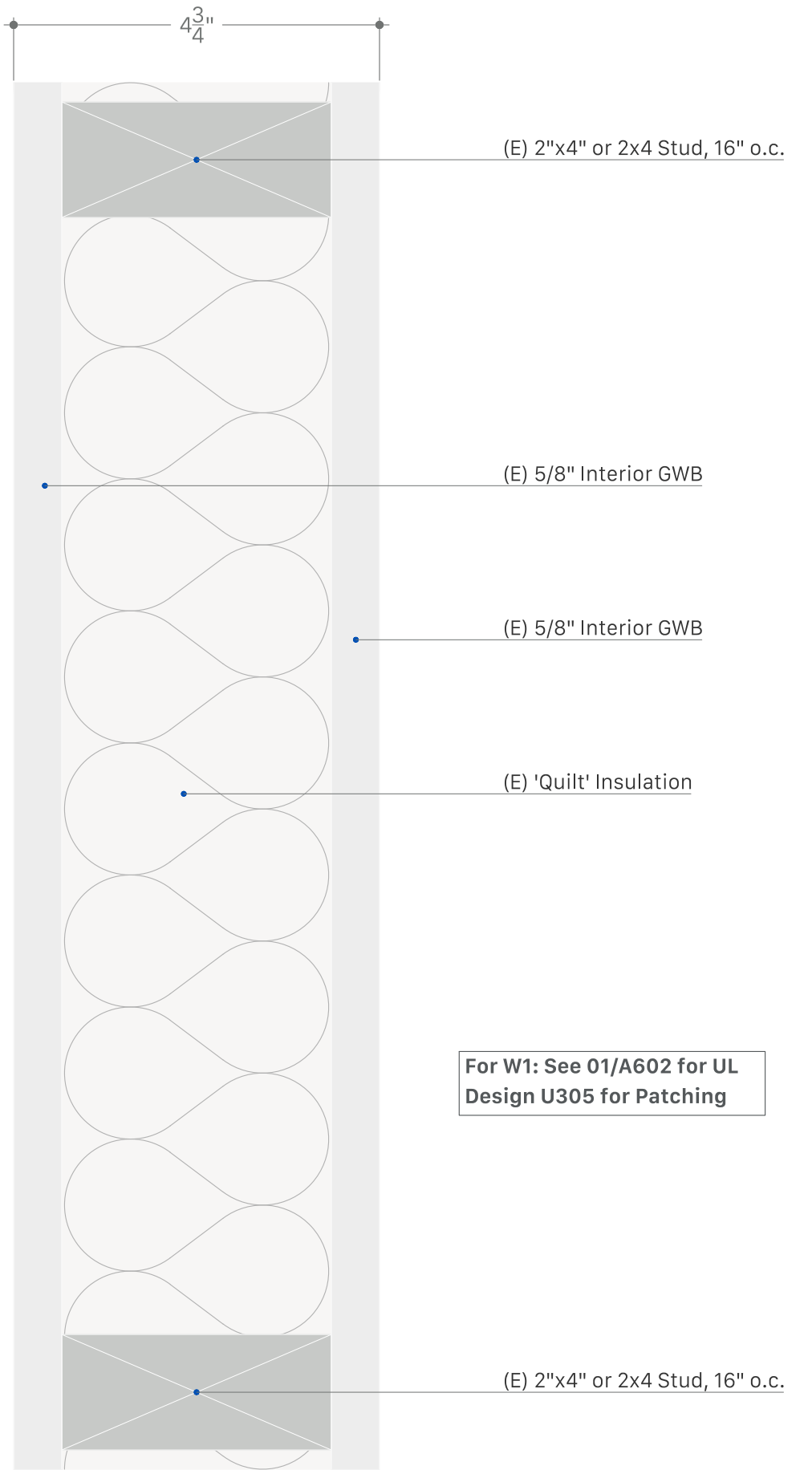
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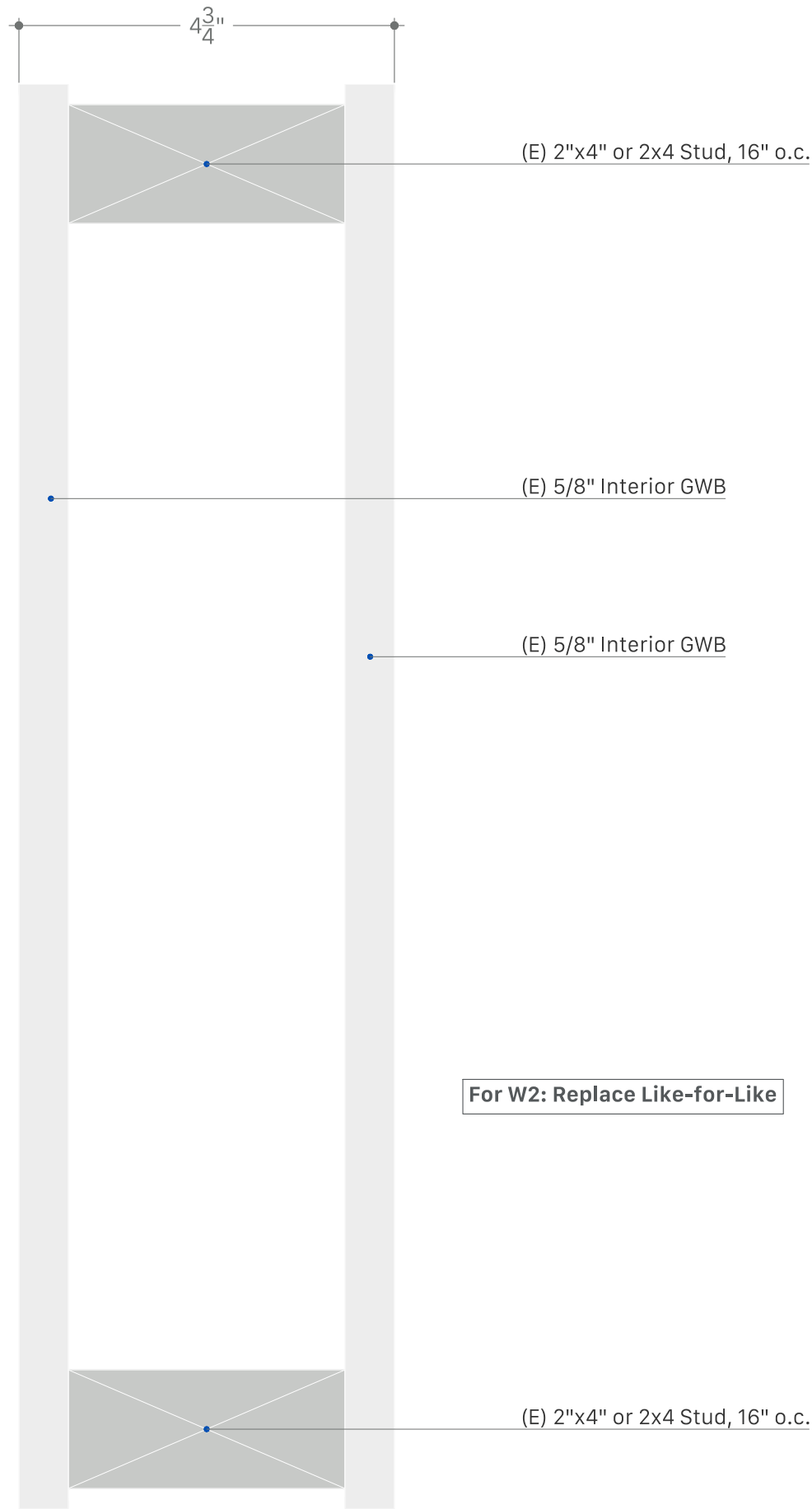
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W1 (E) Wall Type W1: 1-Hour Fire Partition 6" = 1'-0"



W2 (E) Wall Type W2: Non-Rated Partition 6" = 1'-0"

Patching & Partition Notes

- All wall and ceiling finishes removed for plumbing access shall be restored with materials matching (E) conditions unless noted otherwise.
- Where openings occur in fire-rated assemblies, replace finishes and substrates in accordance with UL Design U305 or equivalent 2x4 1-hour rated wood-frame wall assembly.
- Walls between dwelling units shall be repaired to maintain 1-hour fire-resistance rating and sound separation per OSSC Table 720.1(2) and OSSC Chapter 12.
- (E) Interior walls within units (non-rated) shall be patched with 5/8" gypsum wallboard to match existing thickness and finish.
- All gypsum board to be installed per ASTM C840 and GA-216. Use Type X gypsum board for fire-resistive assemblies.
- Insulation (R-13 batt or equal) to be replaced in cavity spaces within rated partitions where disturbed.
- Fire-resistance-rated assemblies must comply with OSSC 703.2.
- Coordinate all field conditions with actual pipe routing. Final access locations and patch sizes may vary.

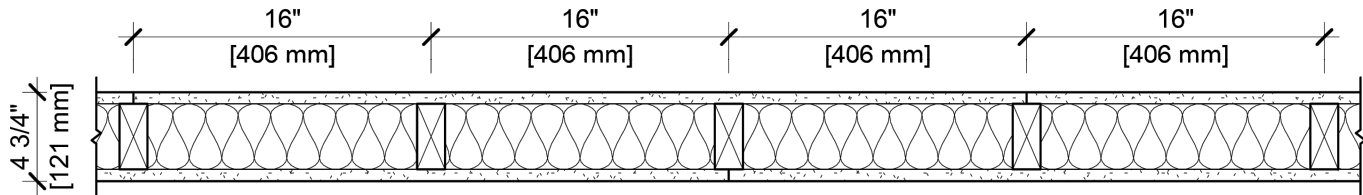
Product Specs

- Drywall Patch Product: CertainTeed 5/8" Fire Resistant Type X Drywall Panel. Verify thickness matches existing conditions with mock-up.

DESIGN NO.UL U305

FIRE RATING:
STC RATING:
SOUND TEST:
SYSTEM THICKNESS:
LOCATION:
FRAMING TYPE:

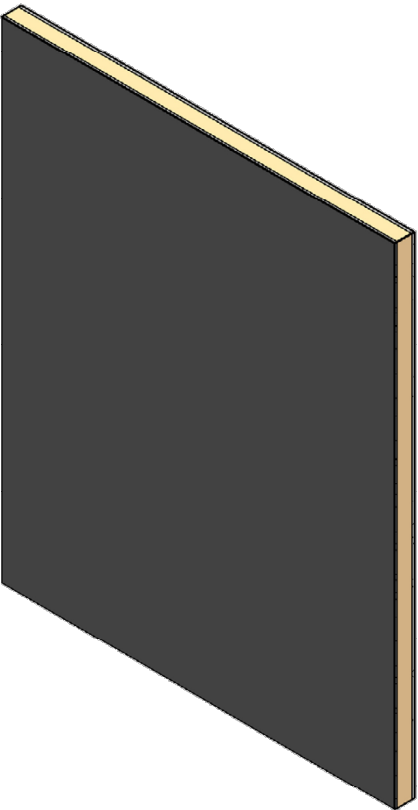
1 HOUR
36
USG-151235
4-3/4" [121 MM]
INTERIOR
WOOD STUD (LOAD-BEARING)



ASSEMBLY REQUIREMENTS:

GYPSUM PANELS:
WOOD STUDS:
INSULATION:
GYPSUM PANELS:

ONE LAYER 5/8" [15.9 MM] SHEETROCK® ECOSMART GYPSUM PANEL (UL TYPE ULIX™)
2" X 4" [38 X 89 MM] WOOD STUDS, 16" [406 MM] O.C.
3-1/2" [89 MM] FIBERGLASS INSULATION
ONE LAYER 5/8" [15.9 MM] SHEETROCK® ECOSMART GYPSUM PANEL (UL TYPE ULIX™)



- GENERAL WALL NOTES:**
1.
2.
3.
4.
5.
6.
7.
8.
9.
10.

REFER TO APPLICABLE CODES REQUIREMENTS TO ENSURE COMPLIANCE PRIOR TO CONSTRUCTION.
FOR THE MOST UP-TO-DATE DETAILS, INCLUDING CONSTRUCTION VARIATIONS, REFER TO THE PUBLISHED DESIGN.
WHERE DESIGN NO. INDICATES “PER”, THE FIRE RATING IS BASED ON LABORATORY TEST DATA OF THE REFERENCED SIMILARLY CONSTRUCTED ASSEMBLIES.
STUD SIZES AND INSULATION THICKNESS ARE MINIMUM UNLESS OTHERWISE STATED IN THE PUBLISHED ASSEMBLY.
STUD AND FASTENER SPACINGS ARE MAXIMUM UNLESS OTHERWISE STATED IN THE PUBLISHED ASSEMBLY.
PANEL ORIENTATION SHALL BE AS SPECIFIED IN THE PUBLISHED DESIGN.
FIRE-RATINGS ARE FROM BOTH SIDES UNLESS OTHERWISE STATED.
FIRE-RATINGS ARE MAINTAINED WITH ONE OR MORE OF THE FOLLOWING MODIFICATIONS: INCREASE STUD DEPTH, INCREASE STUD MATERIAL THICKNESS, DECREASE STUD SPACING, DECREASE FASTENER SPACING, INCREASE INSULATION THICKNESS UP TO CAVITY DEPTH.
WHERE ACOUSTICAL PERFORMANCE IS PROVIDED IN AN ESTIMATED RANGE, THE VALUES ARE BASED ON LABORATORY TEST DATA OF SIMILARLY CONSTRUCTED ASSEMBLIES.
SOUND-RATINGS ARE MAINTAINED WITH ONE OR MORE OF THE FOLLOWING MODIFICATIONS: INCREASE STUD DEPTH, DECREASE STUD MATERIAL THICKNESS, INCREASE STUD SPACING, INCREASE FASTENER SPACING, INCREASE INSULATION THICKNESS UP TO CAVITY DEPTH. MODIFICATIONS MUST NOT EXCEED LIMITATIONS OF FIRE RATING.



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UL U305

ISSUE
RECORD:

Revision Date

10/05/2021 11:54:30 PM

SHEET INFORMATION:

W-P-1-05

CERTAINTEED®

TYPE X

DRYWALL PANEL

Job Name _____

Contractor _____

Date _____

Products Specified _____

PRODUCT DESCRIPTION

CertainTeed Type X Drywall Panel is an interior drywall panel consisting of a non-combustible, fire-resistant Type X gypsum core enclosed in ivory-colored face paper and a strong liner back paper. CertainTeed Type X Drywall Panel features a specially formulated core providing fire resistance ratings when used in tested assemblies. Long edges are slightly tapered, allowing joints to be reinforced and concealed with joint tape and joint compound. CertainTeed Type X Drywall Panel is available in a variety of lengths and widths.

BASIC USES

CertainTeed Type X Drywall Panel is used for interior walls and ceilings in residential and commercial applications requiring extended fire ratings. It can be used for new construction or renovations over wood or steel framing. The panels are typically nailed or screwed to studs spaced 16" (406 mm) or 24" (610 mm) o.c.

ADVANTAGES

- Fire ratings up to four hours.
- Consistently high quality.
- Uniformly flat, attractive appearance.
- High edge hardness.
- No wavy edges, warps, bows or deformities.
- Uniform high-strength cores eliminate crumbling, cracking.
- Edge tapers consistent to form perfect joints.
- Excellent thermal barrier and sound attenuation qualities.
- GREENGUARD® Gold certified.

INSTALLATION

LIMITATIONS

- Exposure to continuous moisture or extreme temperatures should be avoided. Not recommended for continuous exposure to temperatures exceeding 125°F (52°C).
- Framing spacing should not exceed 24" (610 mm) o.c.
- Should be stored indoors and off ground surface.
- Panels should be stacked flat with care taken to prevent sagging or damage to edges, ends and surfaces.
- Storing panel lengthwise, leaning against the framing is not recommended.
- Panels should be carried, not dragged, to place of installation to prevent damaging finished edges.
- Cutting and scoring should be done from the face side.
- In cold weather or during joint finishing, temperatures within the enclosure should stay within the range of 50° to 95°F (10° to 35°C) and with sufficient ventilation to carry off excess moisture.

RECOMMENDATIONS

Installation of CertainTeed Type X Drywall Panels should be consistent with methods described in the standards and references noted. Cutting should be from the face side of the panels for best results.



PRODUCT DATA

PROPERTIES	5/8" TYPE X DRYWALL PANELS
Thickness	5/8" (15.9 mm)
Width	4' (1220 mm) and 54" (1370 mm)
Length	8' to 16' (2440 mm to 4880 mm)
Weight	2.2 lb/ft² (10.7 kg/m²)
Edges	Tapered
Packaging	Two pieces per bundle, face-to-face and end-taped

Custom lengths may be available on special order. Consult your CertainTeed sales representative.

TECHNICAL DATA

APPLICABLE STANDARDS AND REFERENCE	
Product Standard	ASTM C1396
Installation Guidelines	ASTM C840 / GA-216
Finishing Guidelines	ASTM C840 / GA-214
Code References	International Building Code (IBC)
Code References	International Residential Code (IRC)
Code References	National Building Code of Canada (NBCC)
UL/ULC Designation	Type X-1

PHYSICAL PROPERTIES	5/8" (15.9 MM) TYPE X	TEST METHOD
Nominal Width	4' (1220 mm) & 54" (1375 mm)	-
Standard Lengths	8' (2440 mm) to 16' (4880 mm)	-
Face Surface	Paper	-
Weight - lb/ft ² (kg/m ²)	2.2 lb/ft ² (10.7 kg/m ²)	-
Edge Profile	Tapered	-
Surface Burning Characteristics - Flame Spread	15 (0)	ASTM E84 / UL 723 (CAN/ULC-S102)
Surface Burning Characteristics - Smoke Developed	0 (0)	ASTM E84 / UL 723 (CAN/ULC-S102)
Surface Burning Characteristics	Class A	ASTM E84 / UL 723 (CAN/ULC-S102)
Combustibility	Non-Combustible	ASTM E136
Nail Pull	≥ 87 lbf (387 N)	ASTM C473 (Method B)
Core Hardness - End	≥ 11 lbf (49 N)	ASTM C473 (Method B)
Core Hardness - Edge	≥ 11 lbf (49 N)	ASTM C473 (Method B)
Flexural Strength - Parallel	≥ 46 lbf (205 N)	ASTM C473 (Method B)
Flexural Strength - Perpendicular	≥ 147 lbf (654 N)	ASTM C473 (Method B)
Humidified Deflection	≤ 5/8" (16 mm)	ASTM C473

DECORATION

CertainTeed® Type X Drywall Panel accepts most types of paints, texture and wall covering materials. The surface shall be primed with a full-bodied latex primer before applying a final decorative material. This will equalize the suction between the joint compounds and the paper surface.

For best painting results, all surfaces, including joint compound, should be clean, dust-free and not glossy. If glossy paints are used, a Level 5 finish, is recommended to reduce highlighting or joint photographing. This method is also recommended for areas of critical sidelighting of natural or artificial light sources.

A sealer application under wallpaper or other wall covering is also recommended so the panel surface will not be damaged if the covering is subsequently removed during redecorating. Joint treatment must be thoroughly dry before proceeding with primer-sealer application and final decoration.

BIM/CAD INFORMATION

The BIM and CAD UL fire rated assemblies and sound assemblies can be found on CertainTeed's BIM and CAD Design Studio at bimlibrary.saint-gobain.com/certainteed. CertainTeed's BIM and CAD Design Studio provides BIM and CAD details to many UL

fire rated assemblies and sound assemblies in easy to view experience. Plus, downloadable Revit and DWG and PDF CAD Details are available.

SUSTAINABILITY

Sustainable documentation, including recycled content, EPD's, HPD's, VOC Certifications, can be found at saintgobain.ecomedes.com.

NOTICE

The information in this document is subject to change without notice. CertainTeed assumes no responsibility for any errors that may inadvertently appear in this document.

For Fire Resistance, no warranty is made other than conformance to the standard under which the assembly was tested. Minor discrepancies may exist in the values of ratings, attributable to changes in materials and standards, as well as differences between testing facilities. Assemblies are listed as "combustible" (wood framing) and "noncombustible" (concrete and/or steel construction).

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CertainTeed

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