

Development Services

From Concept to Construction

Phone: 503-823-7300 Email: bds@portlandoregon.gov 1900 SW 4th Ave, Portland, OR 97201

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APPEAL SUMMARY

Status: Decision Rendered - Held over from ID 15524 (8/9/17) for additional information

Appeal ID: 15724	Project Address: 9649 SE Foster Rd
Hearing Date: 8/23/17	Appellant Name: John Beirwagen
Case No.: B-005	Appellant Phone: 503-888-0085
Appeal Type: Building	Plans Examiner/Inspector: Tara Carlson, Dave Tebeau
Project Type: residential	Stories: 1 Occupancy: T-2 Construction Type: V-B
Building/Business Name:	Fire Sprinklers: No
Appeal Involves: Reconsideration of appeal, other: Legalizing work done	LUR or Permit Application No.: 17-212968-RS
Plan Submitted Option: pdf [File 1]	Proposed use: Residential

APPEAL INFORMATION SHEET

Appeal item 1

Code Section	Brochure 9
Requires	Rise and run: The stairway must have treads (runs) no smaller than nine inches and risers no higher than nine inches. The steps should be relatively even with the largest difference between the biggest and the smallest rise or run not more than a three-eighths inch.
Proposed Design	These are existing concrete stairs. See attached plan.
Reason for alternative	<p>R104.10 Allows for modification if code is impractical. The existing stairs are concrete and attached to the foundation walls. Owner is legalizing work done without a permit. Any modification would be difficult and a financial burden to achieve code compliance. He will be the only one accessing the unfinished basement. If the basement is converted to habitable space in the future, the stairs will be brought up to code at that time.</p> <p>Reconsideration text:</p> <p>On Monday 8/14, Inspector Mr. Dave Tebeau from the City of Portland came to home on Foster Road and reviewed existing stairs. He confirmed that the existing code is impractical and any modification to stairs would not only be extremely difficult but extreme financial burden to achieve code compliance.</p> <p>As the owner of the house I will not allow anyone other than myself or worker under my supervision access to the basement. If the house is ever sold it will be made clear to the owner that the basement will be used only as non-habitable space and only to be accessed by owner and/or supervision by owner.</p> <p>Thank you for reconsideration of this appeal.</p>

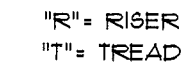
APPEAL DECISION

Non-permitted stairs to non-habitable basement to remain with uneven treads, risers and insufficient headroom: Granted provided basement with existing bathroom remains as non-habitable space.

Appellant may contact John Butler (503-823-7339) with questions.

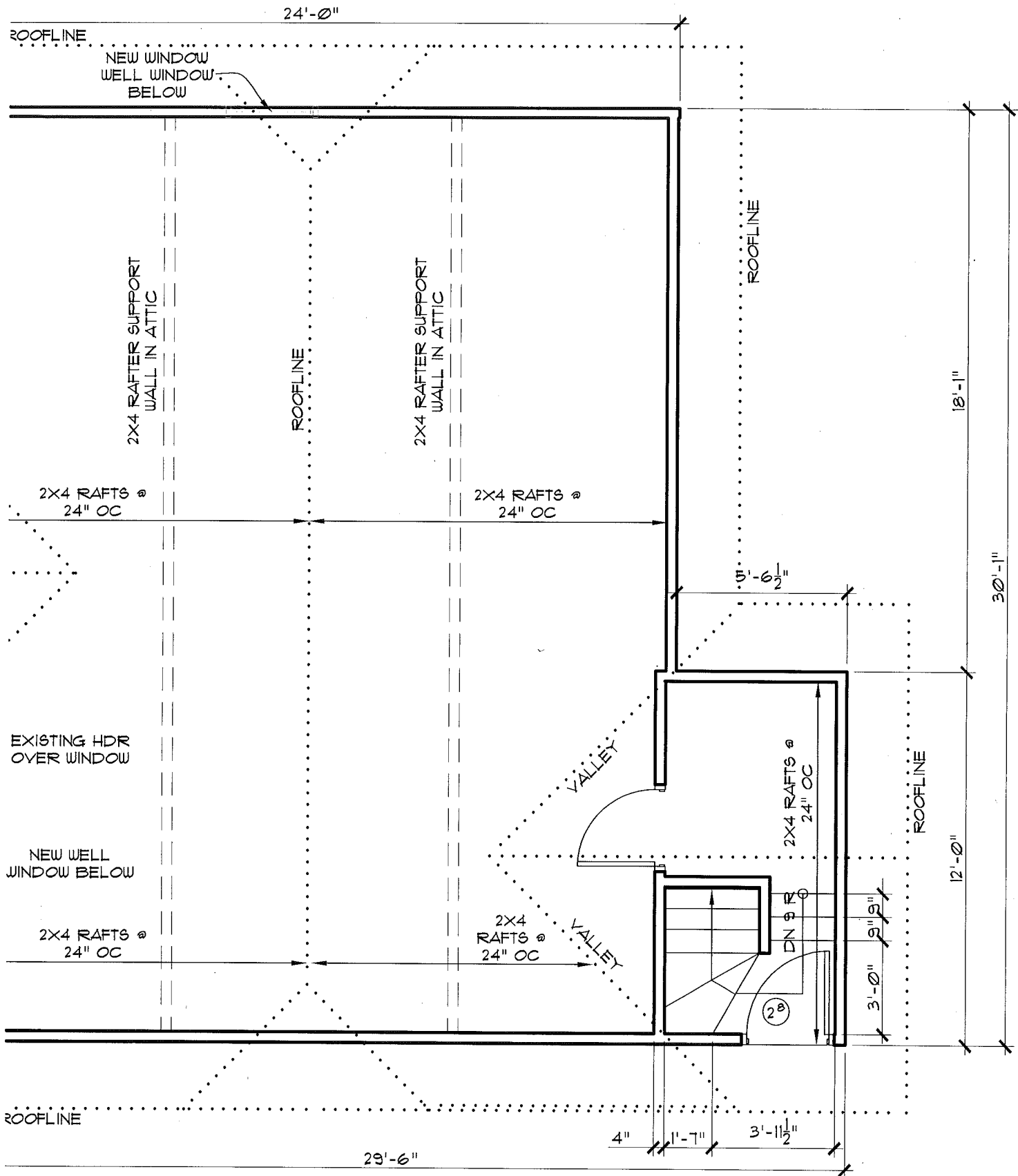
The Administrative Appeal Board finds with the conditions noted, that the information submitted by the appellant demonstrates that the approved modifications or alternate methods are consistent with the intent of the code; do not lessen health, safety, accessibility, life, fire safety or structural requirements; 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 180 calendar days of the date this decision is published. For information on the appeals process and costs, including forms, appeal fee, payment methods and fee waivers, go to www.portlandoregon.gov/bds/appealsinfo, call (503) 823-7300 or come in to the Development Services Center.



SCALE:

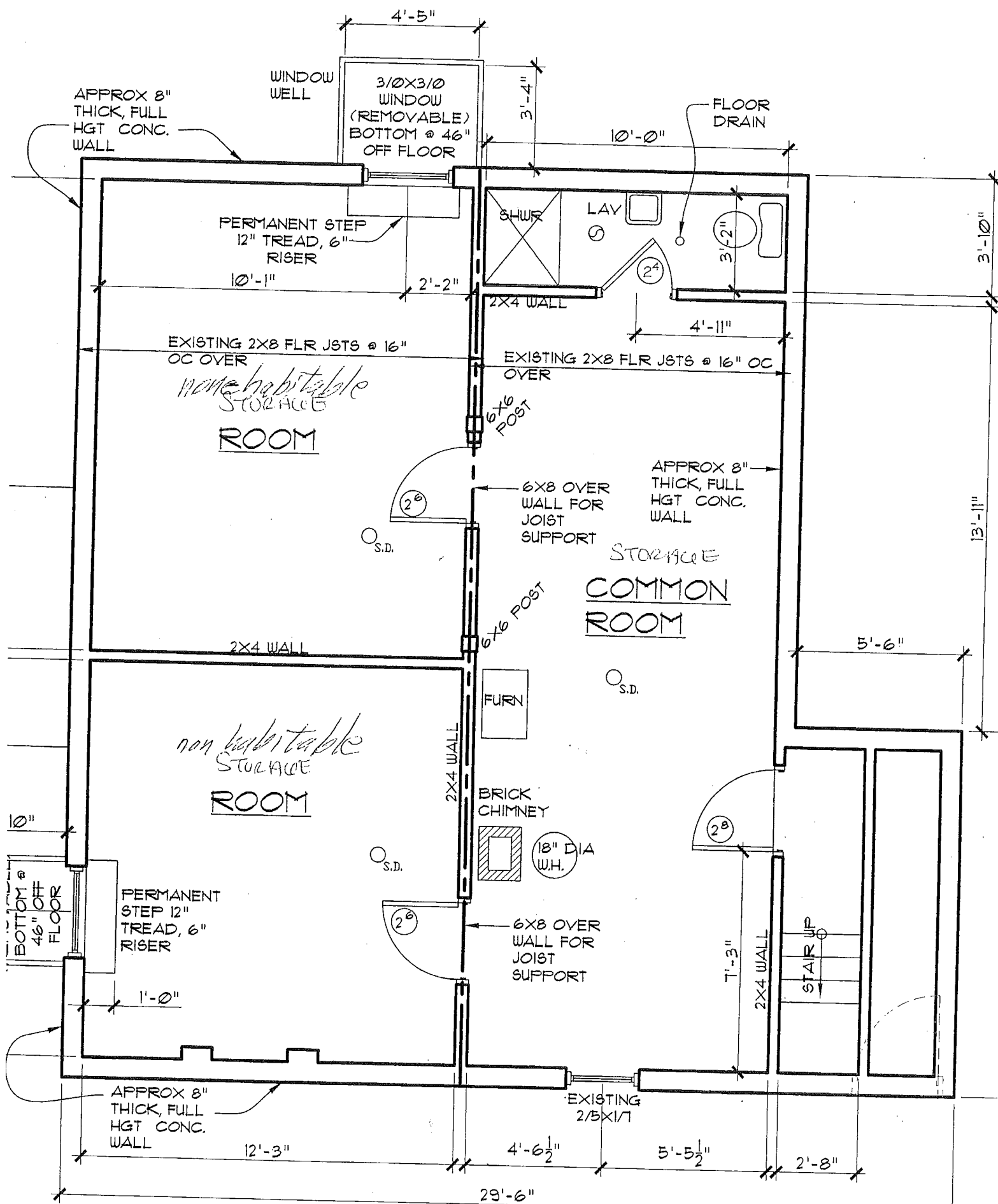
$$1/2'' = 1' - \emptyset''$$



MAIN FLOOR & ROOF

SCALE:

1/4" = 1'-0"



FOUNDATION / LOWER FLOOR PLAN

SCALE: