

# Development Services

## From Concept to Construction

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### APPEAL SUMMARY

**Status:** Decision Rendered

<b>Appeal ID:</b> 16151	<b>Project Address:</b> 1205 SE Morrison St
<b>Hearing Date:</b> 11/22/17	<b>Appellant Name:</b> Tom Byrne
<b>Case No.:</b> B-004	<b>Appellant Phone:</b> 5032263617
<b>Appeal Type:</b> Building	<b>Plans Examiner/Inspector:</b> Natalie Davis
<b>Project Type:</b> commercial	<b>Stories:</b> 4 <b>Occupancy:</b> R-2 <b>Construction Type:</b> V-A
<b>Building/Business Name:</b> The Ella Marie Apartments <b>Fire Sprinklers:</b> Yes - Through out	
<b>Appeal Involves:</b> Erection of a new structure	<b>LUR or Permit Application No.:</b> 16-202236-CO
<b>Plan Submitted Option:</b> pdf [File 1] [File 2]	<b>Proposed use:</b> Multi-Family Residential

### APPEAL INFORMATION SHEET

#### Appeal item 1

**Code Section** 1509.2

**Requires**

Appeal Item #1: Elevator Vestibule at Penthouse

Code Sections: 2014 OSSC, Table 503, Sections 1007.2.1 and 1509

Table 503: Limits the number of stories of a Type V-A, R-2 occupancy building to 3-stories plus one additional level for sprinkler increase (4-stories).

Section 1007.2.1 Elevators Required: A small roof deck is proposed and approved through previous code appeals above the fourth floor requiring elevator access to the roof.

Section 1509.2 Rooftop Structures: Penthouses complying with height, area, use, weather protection and type of construction listed in 1509.2.1 through 1509.2.5 are to be considered as a portion of the story directly below the roof deck on which such penthouses are located.

**Proposed Design**

Approved design includes separate penthouses for stair and elevator access to the roof with an uncovered landing between.

Proposed design is to add an enclosed and attached vestibule at the roof level to weather protect the elevator shaft opening from the elements. This vestibule would also be attached to the adjacent stair penthouse that provides the primary means of egress from the roof. This is due to close proximity of the stair and elevator penthouses and not as weather protection for the stair shaft.

The proposed combined penthouse would be less than 18 feet above the deck, less than one-third the roof area (including all penthouses), will not be occupied or used for any other purpose than weather protection and constructed of walls, floors and roofs as required by type V-A construction

type. Proposed penthouse would therefore comply with all provisions of OSSC 1509.2.1 through 1509.2.5.

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**Reason for alternative** The enclosed elevator vestibule at the roof will be used as a shelter per Section 1509.2.3 for weather protection from the elements for the elevator shaft per Section 1509.2.4.

Also note that the enclosed elevator vestibule is sized to be just large enough for access to the elevator door and controls at about 6'-4" x 8'-8". Proposed door swings and wall mounted fire extinguisher occupying this vestibule would highly discouraging storage of furniture or other item. See attached drawings for reference.

This appeal is to confirm that the enclosed vestibule as part of the penthouse for the elevator would be allowed per OSSC Section 1509.2

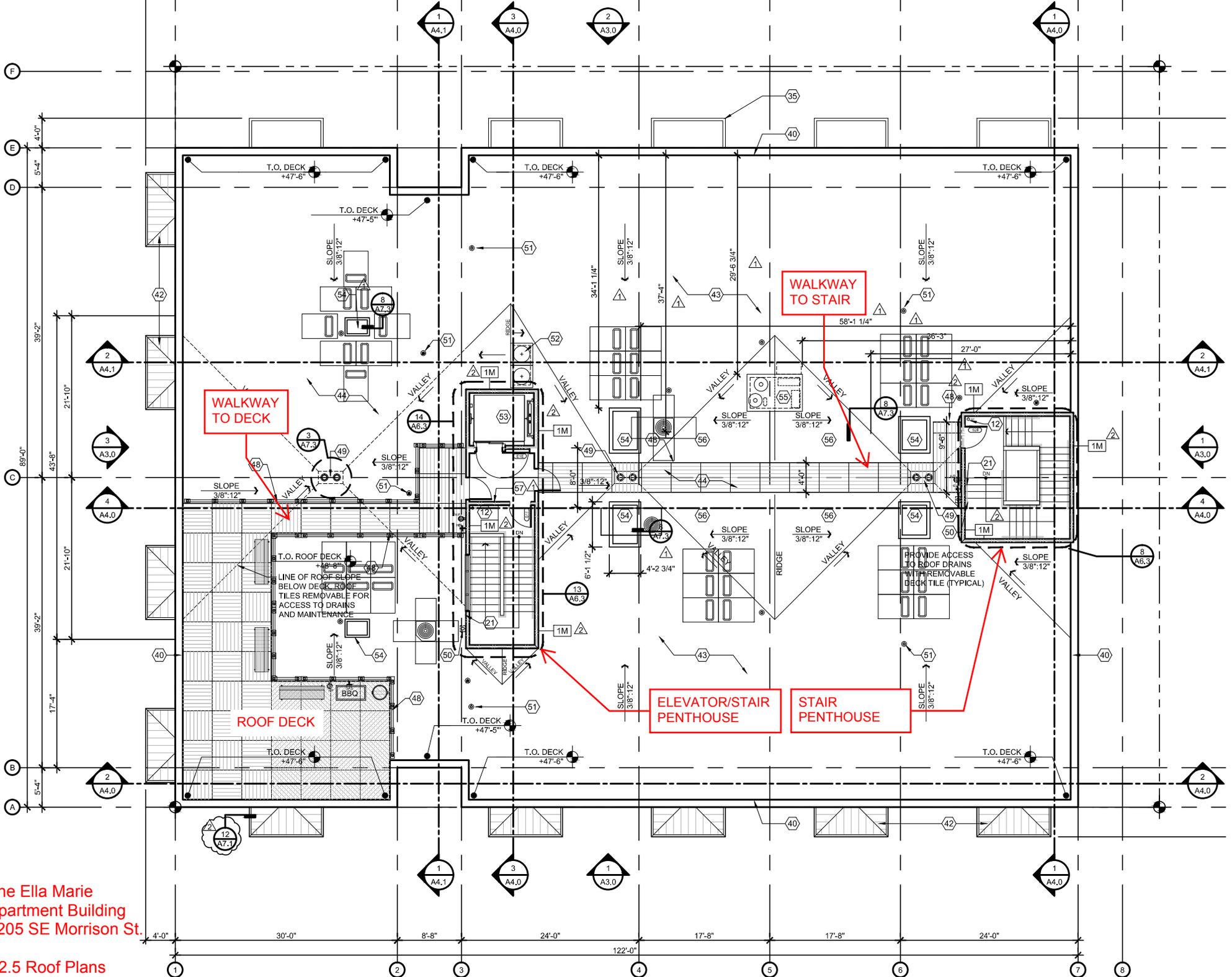
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## APPEAL DECISION

**Vestibule at rooftop elevator and stair enclosures without classification as a story: Granted as proposed.**

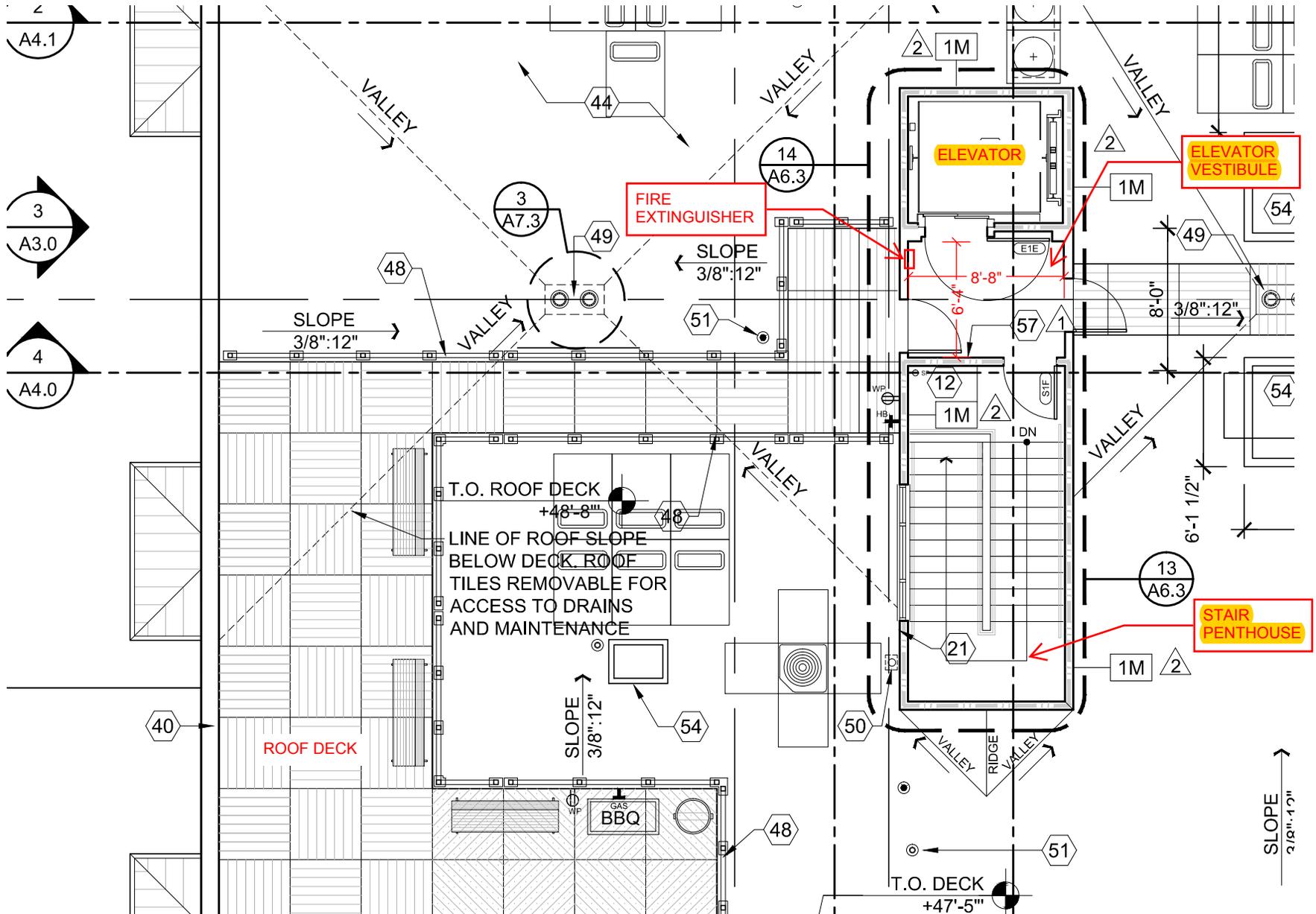
The Administrative Appeal Board finds that the information submitted by the appellant demonstrates that the approved modifications or alternate methods are consistent with the intent of the code; do not lessen health, safety, accessibility, life, fire safety or structural requirements; and that special 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 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](http://www.portlandoregon.gov/bds/appealsinfo), call (503) 823-7300 or come in to the Development Services Center.



The Ella Marie  
 Apartment Building  
 1205 SE Morrison St.

A2.5 Roof Plans



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