

# Development Services

## From Concept to Construction

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

More Contact Info (<http://www.portlandoregon.gov/bds/article/519984>)



### APPEAL SUMMARY

**Status:** Decision Rendered

<b>Appeal ID:</b> 18791	<b>Project Address:</b> 3204 & 3202 SE Hawthorne Blvd
<b>Hearing Date:</b> 12/19/18	<b>Appellant Name:</b> Robert Halverson
<b>Case No.:</b> B-015	<b>Appellant Phone:</b> (971) 344-4565
<b>Appeal Type:</b> Building	<b>Plans Examiner/Inspector:</b> Kathy Aulwes
<b>Project Type:</b> commercial	<b>Stories:</b> 1 <b>Occupancy:</b> M <b>Construction Type:</b> III-B
<b>Building/Business Name:</b> Savvy Plus	<b>Fire Sprinklers:</b> No
<b>Appeal Involves:</b> Alteration of an existing structure	<b>LUR or Permit Application No.:</b> 18-262211-CO
<b>Plan Submitted Option:</b> pdf [File 1] [File 2]	<b>Proposed use:</b> Consignment Clothing Boutique

### APPEAL INFORMATION SHEET

#### Appeal item 1

**Code Section** ICC A117.1; ANSI 404.2.3.2

**Requires** Front approach, pull side doors must have a minimum of 18" clear at the latch side. If the door has a closer, the front approach, push side must have 12" clear at the latch side.

**Proposed Design** Changing front entry doors to open out is required for life safety – per check sheet 3b:

"The exit door must swing out in the direction of egress if the combined occupant loads from both spaces exceeds 49."

Propose adding an accessible electric door opener at the 3204 door, and a sign at the 3202 door indicating location of the accessible door at 3204. The pull side activation button will be placed to allow opening of the door without needing to enter an 18" clear area. There is no clearance problem on the push side – 12" clearance at the latch will be provided. Location of the activation buttons will comply with ICC A117.1 ANSI 404.3.5 and 309. The activation buttons will be placed and beyond the arc of the door swing, 36" above the sidewalk or floor, providing an unobstructed forward reach for activation. They will be operable with one hand without tight grasping, pinching, or twisting of the wrist. The force required to activate the opener button will less than 5.0 pounds. See Sheet C Entry Detail.

**Reason for alternative** Because doors are inset, changing the doors to out-swinging results in an impediment to the accessibility minimum pull side clearance of 18" at the latch side. Providing this 18" clearance cannot be achieved without major reconfiguration of the entrance.

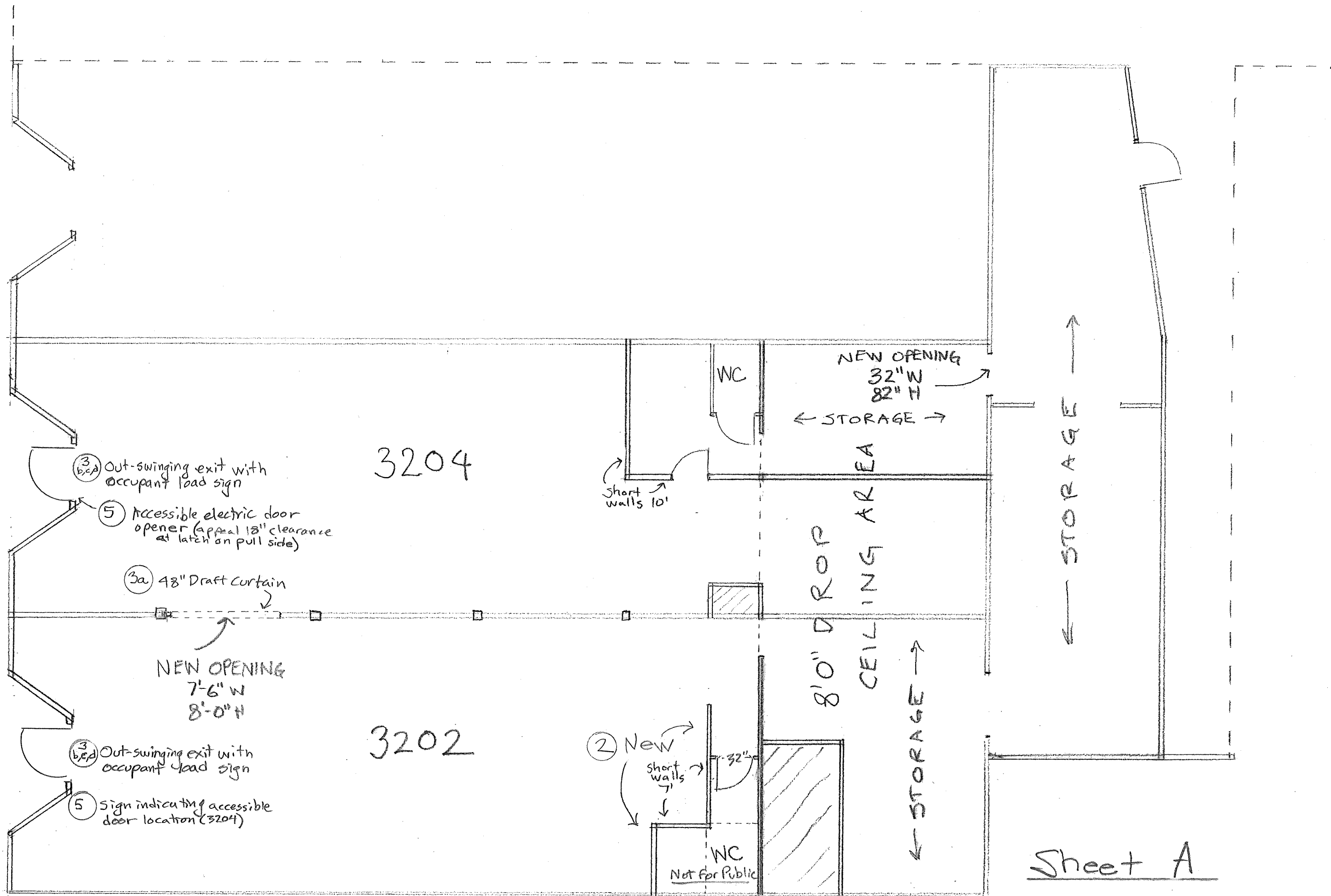
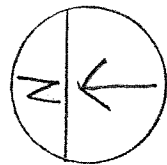
The accessible electric door opener mitigates the need for 18" of maneuvering space at the latch side on the pull side of the door by allowing the door to be opened by an activation button located with ample accessibility clearance.

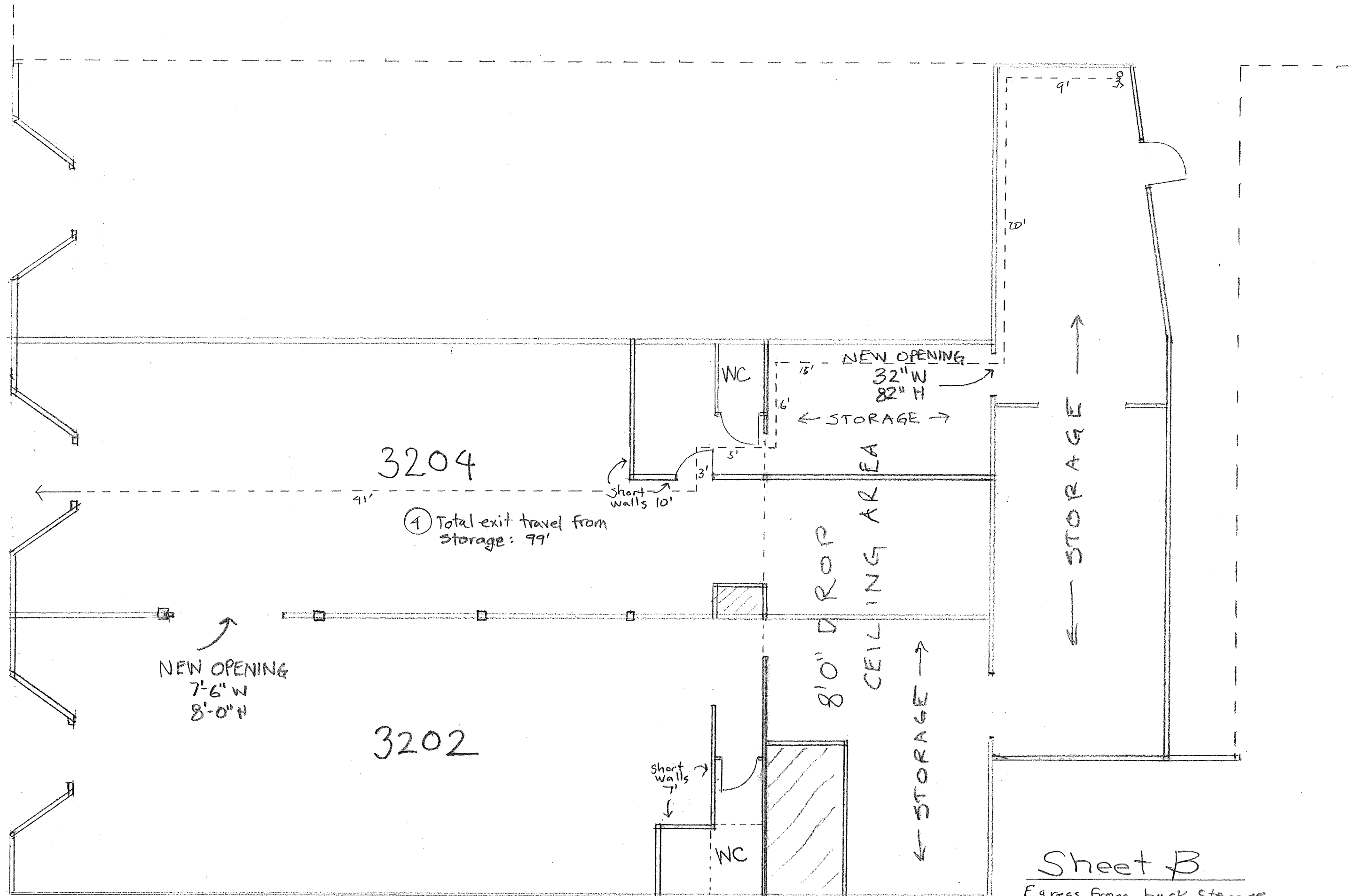
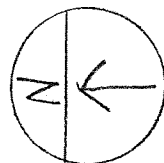
## APPEAL DECISION

**Omission of 18 inch clear space on latch side of existing door with automatic door opener: 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.

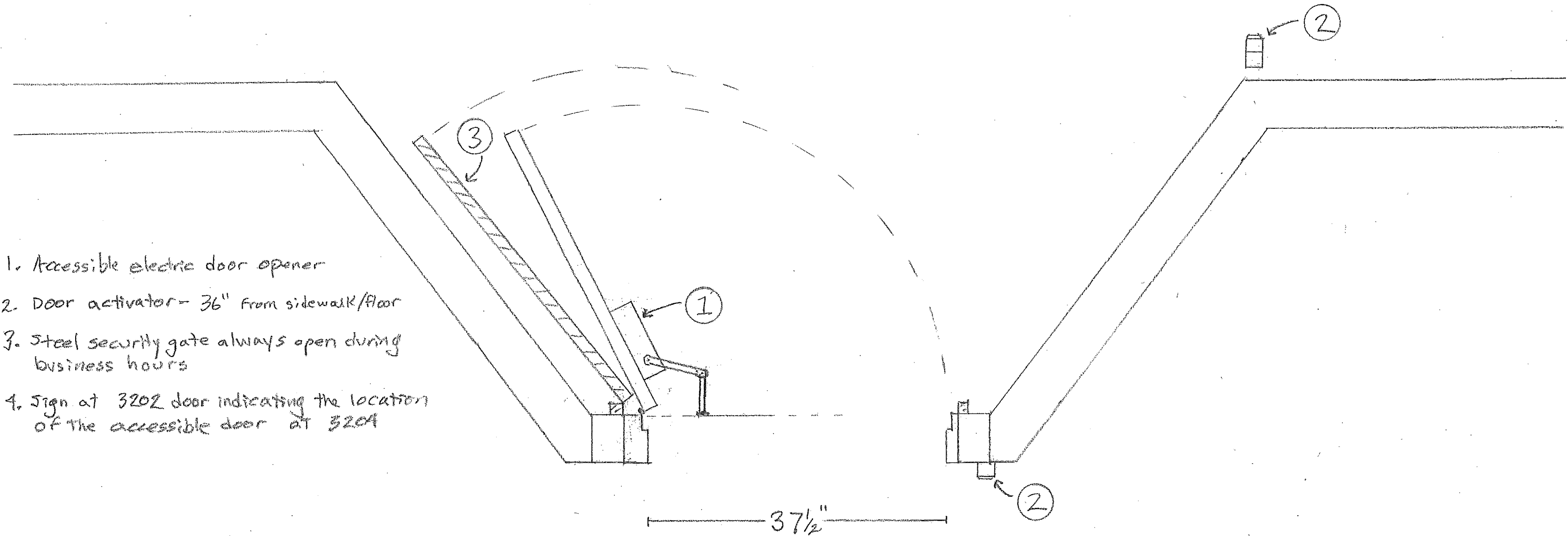
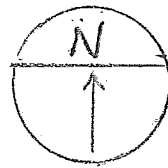
Pursuant to City Code Chapter 24.10, you may appeal this decision to the Building Code Board of Appeal within 180 calendar days of the date this decision is published. For information on the appeals process and costs, including forms, appeal fee, payment methods and fee waivers, go to [www.portlandoregon.gov/bds/appealsinfo](http://www.portlandoregon.gov/bds/appealsinfo), call (503) 823-7300 or come in to the Development Services Center.





Sheet B  
Egress from back Storage

TENANT IMPROVEMENT FOR SAVVY PLUS - 3202 + 3204 SE HAWTHORNE BLVD.  
SCALE 1/8" = .75' DATE - 11/25/2018



3204 SE HAWTHORNE BLVD - ENTRY DETAIL

SHEET C

Scale: 1" = 1.0'      Date: 12/16/2018



APPEALS  
City of Portland  
Bureau of Development Services  
1900 SW 4<sup>th</sup> Ave., Suite 5000 (5<sup>th</sup> floor)  
Portland, Oregon 97201  
(503) 823-7335

## Building Code Appeal Form (Appeal Information Sheet)

# BLD

### To Appellant:

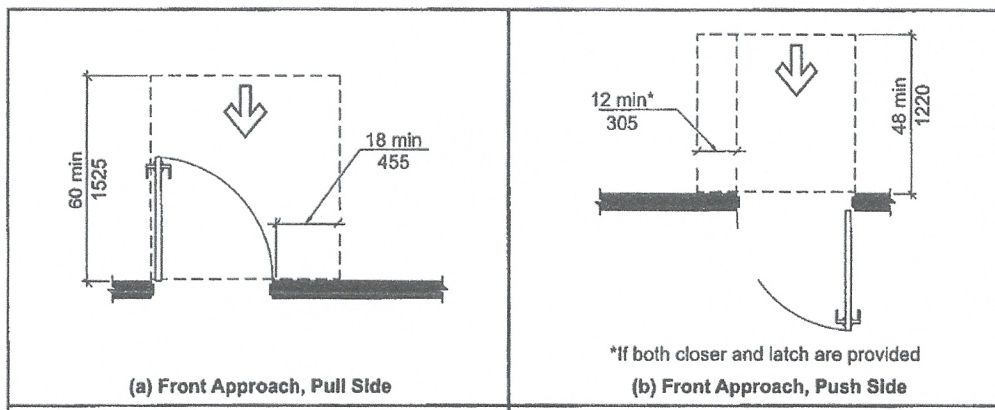
Each item you are appealing requires a separate Appeal Information Sheet to be filled out. All requested information is to be filled out completely with as much detail as possible. **Failure to do so may cause your appeal to be held over until adequate information is received.** For help in filling out these forms, consult with the Plans Examiner assigned to your project or with a Plans Examiner in the Development Services Center.

Any alternative method or modification of a Building Code requirement requires an appeal. A reasonable degree of equivalent health, accessibility, structural capacity, energy conservation, life safety or fire protection must be demonstrated before an appeal may be considered.

**Code Section being appealed:** ICC A117.1; ANSI 404.2.3.2

### **Regulation Requirement:**

Front approach, pull side doors must have a minimum of 18" clear at the latch side. If the door has a closer, the front approach, push side must have 12" clear at the latch side.



**Proposed Design:** (Describe the alternate methods or materials of construction to be used or that exist. Be as specific as possible)

Changing front entry doors to open out is required for life safety – per check sheet 3b:

*The exit door must swing out in the direction of egress if the combined occupant loads from both spaces exceeds 49.*

Propose adding an accessible electric door opener at the 3204 door, and a sign at the 3202 door indicating location of the accessible door at 3204. The pull side activation button will be placed to allow opening of the door without needing to enter an 18" clear area. There is no clearance problem on the push side – 12" clearance at the latch will be provided. Location of the activation buttons will comply with ICC A117.1 ANSI 404.3.5 and 309. The activation buttons will be placed and beyond the arc of the door swing, 36" above the sidewalk or floor, providing an unobstructed forward reach for activation. They will be operable with one hand without tight grasping, pinching, or twisting of the wrist. The force required to activate the opener button will be less than 5.0 pounds. See Sheet C Entry Detail.



**Reason for Alternate:** (Describe why the alternate is required and how it will provide equivalent health, accessibility, structural capacity, energy conservation, life safety or fire protection to what the code requires).

Because doors are inset, changing the doors to out-swinging results in an impediment to the accessibility minimum pull side clearance of 18" at the latch side. Providing this 18" clearance cannot be achieved without major reconfiguration of the entrance.

The accessible electric door opener mitigates the need for 18" of maneuvering space at the latch side on the pull side of the door by allowing the door to be opened by an activation button located with ample accessibility clearance.

07/10/15

KPI Initial here