

Development Services

From Concept to Construction

Phone: 503-823-7300 Email: 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

Appeal ID: 18946	Project Address: 16119 SE Stark St
Hearing Date: 2/6/19	Appellant Name: Larry Shirts
Case No.: B-001	Appellant Phone: 503-760-1353
Appeal Type: Building	Plans Examiner/Inspector: Tara Carlson
Project Type: commercial	Stories: 1 Occupancy: M Construction Type: V-B
Building/Business Name:	Fire Sprinklers: No
Appeal Involves: Erection of a new structure	LUR or Permit Application No.: 18-260687-CO
Plan Submitted Option: pdf [File 1]	Proposed use: Retail

APPEAL INFORMATION SHEET

Appeal item 1

Code Section 2014 OSSC Section 506.2

Requires Building shall adjoin or have access to a public way to receive a building area increase for frontage.

Proposed Design The proposed building is located 5.50' off of the west lot line and the wall facing the west lot line will have a 1-hour exterior wall rating. The frontage increase is being used to increase the allowable building area for a Group M occupancy building with VB construction type from 9,000 sf to 14,670 per the attached Frontage Increase Exhibit. The reason the proposed building is located 5.50' off of the west lot line while still utilizing the minimum 20' public way or open space per 506.2 is because of the existing 30' access easement that exists on 16055 SE Stark St (lot 1300) for the perpetual benefit of landlocked lot 1700.

Reason for alternative The existing 30' access easement for 16055 SE Stark St. is being used as part of our Frontage Increase as a means to increase the allowable building area without having to locate the proposed building 20' off of the west lot line.

The existing 30' access easement is to maintain ingress and egress for the residence of the Rosewood Apartments for the east one-half of Lots 13 and 14, Block 3, Meyermead (lot 1700). There is approximately 50' of public way/open area west of the lot line separating 16119 SE Stark St and 16055 SE Stark St. that is used for parking and ingress/egress access for the Rosewood residents. This 30' easement plus the 5.5' building setback guarantees adequate public way/open area for fire department access.

APPEAL DECISION

Use of existing access easement for frontage increase: Denied. Proposal does not provide equivalent Life Safety protection.

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

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.

333 SE 162ND AVE
GRESHAM

(E) CHAIN LINK SECURITY FENCE

EXISTING
BUILDING

16119 SE STARK ST
40,232 SF
CM2hm ZONE

—STORMWATER FACILITY

STORMWATER FACILITY

→ STORMWATER F

STORMWATER

(E) CHAIN LINK SECURITY FENCE

N00°30'30"E 275.00'
(267.00' AFTER DEDICATION)

491 SE 162ND AVE
GRESHAM

(E) PP
W/ GUY -

SEE 1/A2 FOR ADA
PARKING COMPLIANCE &
PEDESTRIAN CONNECTION

SITE PLAN

SCALE: N.T.S.

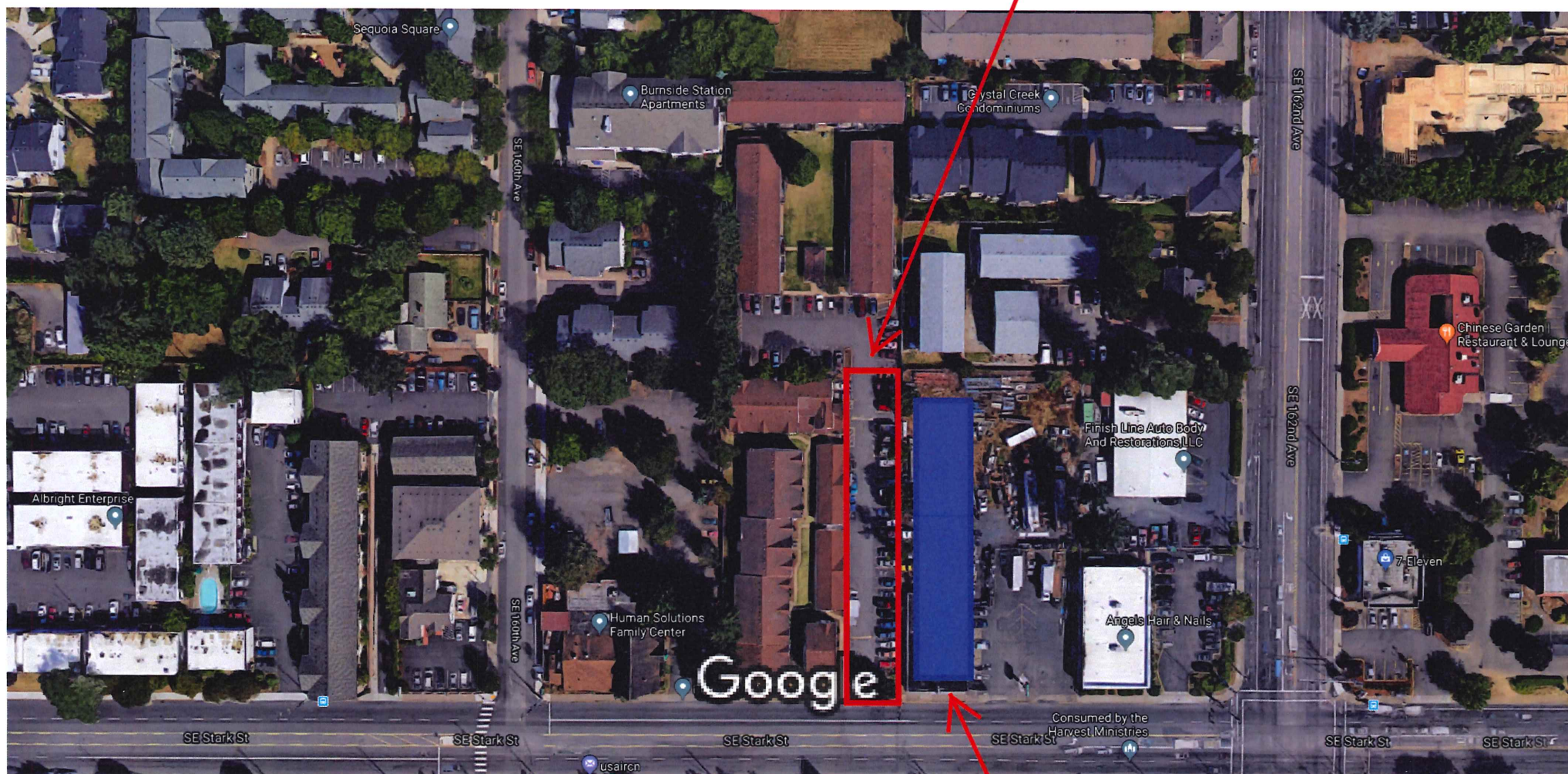
SE STARK ST

NORTH



Google Maps

Approx. 50' from lot line to existing apartment building



Imagery ©2019 Google, Map data ©2019 Google

50 ft

Proposed 50'x240' building
setback 5.50' from west lot



Chicago Title Company

10151 SE Sunnyside Road, Suite 300
Clackamas, Oregon 97015
Phone: 503.786.3940 Fax: 866.892.3853
E-mail: trios@ctt.com

METROSCAN PROPERTY PROFILE

Multnomah (OR)

OWNERSHIP INFORMATION

Owner	: Myc Properties Inc	Parcel Number	: R217933
CoOwner	:	Ref Parcel #	: 1N2E36DD 01300
Site Address	: 16055 SE Stark St #WI Portland 97233	T: 01N R: 02E S: 36 Q: SE QQ: SE	
Mail Address	: 661 SE 162nd Ave Portland Or 97233	Bldg #	: 1 Of 1
Telephone	:		

SALES INFORMATION

Transfer Date	: 03/05/2008	Document #	: 8034223
Sale Price	: \$2,679,000	Deed Type	: Warranty
% Owned	: 100	Vesting Type	:
Prior Transfer Date	: 12/16/1992	Prior Document #	: 2625-2989
Prior Sales Price	: \$75,000		

PROPERTY DESCRIPTION

Map Page Grid :
Census Tract : 93.01 Block: 3
Neighborhood : A921
Subdivision/Plat: Meyermead
Improv Type : Mfm 21-50 Unit Multi-Family
Class Code :
Land Use : 721 Res,Multi-Fam,Com,Impr
Legal : MEYERMEAD, BLOCK 3, LOT 11 MAP 3046
:
:

ASSESSMENT AND TAX INFORMATION

Mkt Land	: \$1,837,690
Mkt Structure	: \$245,880
Mkt Total	: \$2,083,570
%Improved	: 12
M50AssdTotal	: \$1,433,780
Levy Code	: 855
17-18 Taxes	: \$30,832.29
Millage Rate	: 21.5042

PROPERTY CHARACTERISTICS

Bedrooms	:	Bldg SqFt	: 23,608	Year Built	: 1996
Bathrooms	:	1stFlrSqFt	: 23,608	EffYearBlt	:
Family Room	:	2ndFlrSqFt	:	LotAcres	: .95
Kitchen	:	AtticSqFt	:	LotSqFt	: 41,250
Dining Room	:	BsmtFinSqFt	:	Lot Dimen	:
Utility Room	:	BsmtUnFinSqFt:	:	Curb/Gutter:	:
Living Room	:	BsmtTotalSqFt :	:	StAccess	:
Other Rooms	:	TotalLvgsqFt	: 23,608	Paving Matl:	:
Floor Cov	:	GarageSqFt	:	ElecService:	:
Fireplace	:	GarageSp	:	Nuisance	:
Cooling	:	GarageType	:	Sewer	:
Heat Method	:	Patio SqFt	:	View Qlty	:
Heat Source	:	Patio	:	Foundation	:
WallMaterial	:	Deck SqFt	:	Roof Mat	:
Water Source	:	Deck	:	Roof Shape:	:
Bldg Style	:	Stories	: 1	Const Type	:

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report. Information is deemed reliable but not guaranteed



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METROSCAN PROPERTY PROFILE

Multnomah (OR)

OWNERSHIP INFORMATION

Owner	: Myc Properties Inc	Parcel Number	: R217937
CoOwner	:	Ref Parcel #	: 1N2E36DD 01700
Site Address	: 16055 SE Stark St Portland 97233	T: 01N R: 02E S: 36 Q: SE QQ: SE	
Mail Address	: 661 SE 162nd Ave Portland Or 97233	Bldg # 1 Of 1	
Telephone	:		

SALES INFORMATION

Transfer Date	: 03/05/2008	Document #	: 8034223
Sale Price	: \$2,679,000 Full	Deed Type	: Warranty
% Owned	: 100	Vesting Type	: Corporation
Prior Transfer Date	: 08/01/1996	Prior Document #	: 96137119
Prior Sales Price	: \$525,000		

PROPERTY DESCRIPTION

Map Page Grid :
Census Tract : 93.01 Block: 3
Neighborhood : A921
Subdivision/Plat: Meyermead
Improv Type : Mfm 21-50 Unit Multi-Family
Class Code :
Land Use : 701 Res,Multi-Fam,Improved
Legal : MEYERMEAD, BLOCK 3, E 1/2 OF LOT
: 13&14 MAP 3046
:

ASSESSMENT AND TAX INFORMATION

Mkt Land	: \$4,193,460
Mkt Structure	: \$236,240
Mkt Total	: \$4,429,700
%Improved	: 5
M50AssdTotal	: \$1,150,080
Levy Code	: 855
17-18 Taxes	: \$24,731.57
Millage Rate	: 21.5042

PROPERTY CHARACTERISTICS

Bedrooms	:	Bldg SqFt	: 20,188	Year Built	: 1965
Bathrooms	:	1stFlrSqFt	: 20,188	EffYearBlt	:
Family Room	:	2ndFlrSqFt	:	LotAcres	: 1.25
Kitchen	:	AtticSqFt	:	LotSqFt	: 54,375
Dining Room	:	BsmtFinSqFt	:	Lot Dimen	:
Utility Room	:	BsmtUnFinSqFt:		Curb/Gutter:	
Living Room	:	BsmtTotalSqFt :		StAccess	:
Other Rooms	:	TotalLvgSqFt : 20,188		Paving Matl:	
Floor Cov	:	GarageSqFt	:	ElecService:	
Fireplace	:	GarageSp	:	Nuisance	:
Cooling	:	GarageType	:	Sewer	:
Heat Method	:	Patio SqFt	:	View Qlty	:
Heat Source	:	Patio	:	Foundation	:
WallMaterial	:	Deck SqFt	:	Roof Mat	:
Water Source	:	Deck	:	Roof Shape:	
Bldg Style	: Colonial	Stories	: 1	Const Type	: Wd Frme & Wd

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1051-11

RECORDING REQUESTED BY:
Fidelity National Title Company of Oregon

GRANTOR'S NAME:
Rosewood, LLC

GRANTEE'S NAME:
MYC PROPERTIES, INC

SEND TAX STATEMENTS TO:
MYC PROPERTIES, INC
2711 SE Hwy 212
Damasius OR 97089

AFTER RECORDING RETURN TO:
MYC PROPERTIES, INC
As above

Multnomah County Official Records
Cindy Swick, Deputy Clerk

2008-034223



\$26.00

1R-W DEED
\$10.00 \$11.00 \$5.00

03/05/2008 03:40:10 PM
Cnt=1 Stn=10 RECCASH1

Escrow No: 20070010999-FTPOR01

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Rosewood, LLC, an Oregon limited liability company, Grantor, conveys and warrants to

MYC PROPERTIES, INC, an Oregon corporation, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Multnomah, State of Oregon:

Parcel I:

The East one-half of Lots 13 and 14, Block 3, MEYERMEAD, in the City of Portland, Multnomah County, Oregon

TOGETHER WITH that non-exclusive perpetual easement for ingress, egress and utilities over the East 30 feet of Lot 11, Block 3, MEYERMEAD as described in Deed recorded December 10, 1963 in Book 2198, Page 641 and re-recorded December 13, 1963 in Book 2199, Page 229

Parcel II:

Lot 11, Block 3, MEYERMEAD, in the City of Portland, Multnomah County, Oregon

Subject to and excepting:

Any and all covenants, conditions, restrictions, easements and assessments of record

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

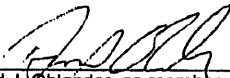
THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$2,679,000.00. (See ORS 93.030)

2

FIDELITY NATIONAL TITLE CO. 01-20070010999


DATED: March 5, 2008

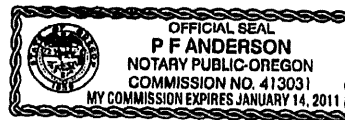
Rosewood, LLC

BY: 
Donald J. Oblander, as member

State of OREGON
County of Multnomah

This instrument was acknowledged before me on March 5, 2008 by Donald J. Oblander
as Member of ROSEWOOD, LLC.


Notary Public - State of Oregon
My commission expires: 1.14.11



294060

ANNIBAL BERTRAND and

_____, hereinafter called the grantor,
 _____ Dollars.

SUBJECT TO:
An easement for public utilities over the East 5 feet of said
Lots 11 and 13, as disclosed by the plat of said Meyermead,
recorded 9-6-21 in Book 870 pages 5 and 6, Plat Records of
said County.

and that grantor will and
grantor's heirs, executors and administrators shall warrant and forever defend the above granted premises
and every part and parcel thereof against the lawful claims and demands of all persons whomsoever.
In testifying this deed and where the contest so requires, the singular includes the plural.
WITNESS grantor's hand and seal this 24th day of December, 1963

c. General Brehm (SEAL)
 c. Helen Brehm (SEAL)
 (SEAL)
 (SEAL)

Before me, W. C. Harrison
Notary Public for Oregon
My commission expires 12/10/64

[illegible]

SECRET

~~_____~~ _____

Милосердие, Счастье

DEC 10 1963

P.T. #294060

DEC 10 PM 4 23

In Book 2197 On Page 641
Witness my hand and seal of office affixed.
SI CORON,
County Clerk
[Signature]
Deputy.

Re-Recorded

PACIFIC TITLE INSURANCE CO.

294060

FORM No. 403 - WARRANTY DEED

BOOK 2199 PAGE 229

2199-193-193-011

KNOW ALL MEN BY THESE PRESENTS, That ANNIBAL BERTRAND and HELEN BERTRAND, husband and wife

hereinafter called the grantor, in consideration of Ten and No/100 Dollars, and other good and valuable consideration to grantor paid by BYRON L. ROOT and RICHARD M. DAVIS, a partnership doing business as ROOT - Davis Investment Co., hereinafter called the grantees, does hereby grant, bargain, sell and convey unto the said grantees and grantees' heirs and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the State of Oregon and the county therein named below, described as follows, to-wit:

The East one-half of Lots 13 and 14, Block 3, MEYERMEAD together with a non-exclusive perpetual easement for ingress, egress and utilities over the East 30 feet of Lot 11, MEYERMEAD, in the County of Multnomah.

SUBJECT TO:

An easement for public utilities over the East 5 feet of said Lots 11 and 13, as disclosed by the plat of said Meyermead, recorded 9-6-21 in Book 870 pages 5 and 6, Plat Records of said County.

Re-record to show County.

To Have and to Hold the above described and granted premises unto the said grantees and grantees' heirs and assigns forever.

And said grantor hereby covenants to and with said grantees and grantees' heirs and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances Except as above stated.

and that grantor will and grantor's heirs, executors and administrators shall warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever.

In construing this deed and where the conflict so requires, the singular includes the plural.

WITNESS grantor's hand and seal this 6th day of December, 1963.

Annibal Bertrand (SEAL)

Helen Bertrand (SEAL)

(SEAL)

(SEAL)



STATE OF OREGON, County of Multnomah, as December 6th, 1963.

Personally appeared the above named Annibal Bertrand and Helen Bertrand.

and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me, Notary Public for Oregon, My commission expires 12/11/64.

WARRANTY DEED

ANNIBAL BERTRAND, et ux

TO BYRON L. ROOT and RICHARD M. DAVIS, a PARTNERSHIP

AFTER RECORDING RETURN TO BYRON L. ROOT 15709 SE. WENSTER

WENSTER, OR

DEC 13 1963

RECORDED DEC 18 1963 12:09 PM

PTI #294060

FedEx Ground Pick-Up Manifest

HI-TECHTRONIX
12314 SE DIVISION ST
879250765
PORTLAND, OR 97236

Shipper:0879250765

01/24/2019

Page 1

Tracking #	COD Amount	Decl.Val. (If>\$100)	Oversize I	Oversize II	Oversize III	Add'l Handling	A.O.D.	Residential
413719089070	0.0000	0.0000						
Total Packages:	0	0	0	0	0	0	0	0

1. THE LIABILITY OF FEDEX GROUND IS LIMITED TO THE SUM OF \$100.00 PER PACKAGE, UNLESS A HIGHER VALUE IS DECLARED BY A SHIPPER AND AN ADDITIONAL CHARGE IS PAID AT THE RATE SET FORTH IN THE CURRENT FEDEX GROUND RATE SCHEDULE AND TARIFF PER EACH \$100.00 OF ADDITIONAL VALUE, OR FRACTION THEREOF. CLAIMS NOT MADE TO FEDEX GROUND WITHIN 9 MONTHS OF THE SCHEDULED DELIVERY DATE ARE WAIVED.
2. THE ENTRY OF A.C.O.D AMOUNT IS NOT A DECLARATION OF VALUE.
3. IN NO EVENT SHALL FEDEX GROUND BE LIABLE FOR ANY SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES, INCLUDING, WITHOUT LIMITATION, LOSS OF PROFITS OR INCOME, WHETHER OR NOT FEDEX GROUND HAD KNOWLEDGE THAT SUCH DAMAGES MIGHT BE INCURRED.

This section to be completed by Driver	
Total Ground Pkgs:	Core Zone:
Total Air Pkgs:	Pickup Time:
Driver Number:	
Driver Signature:	

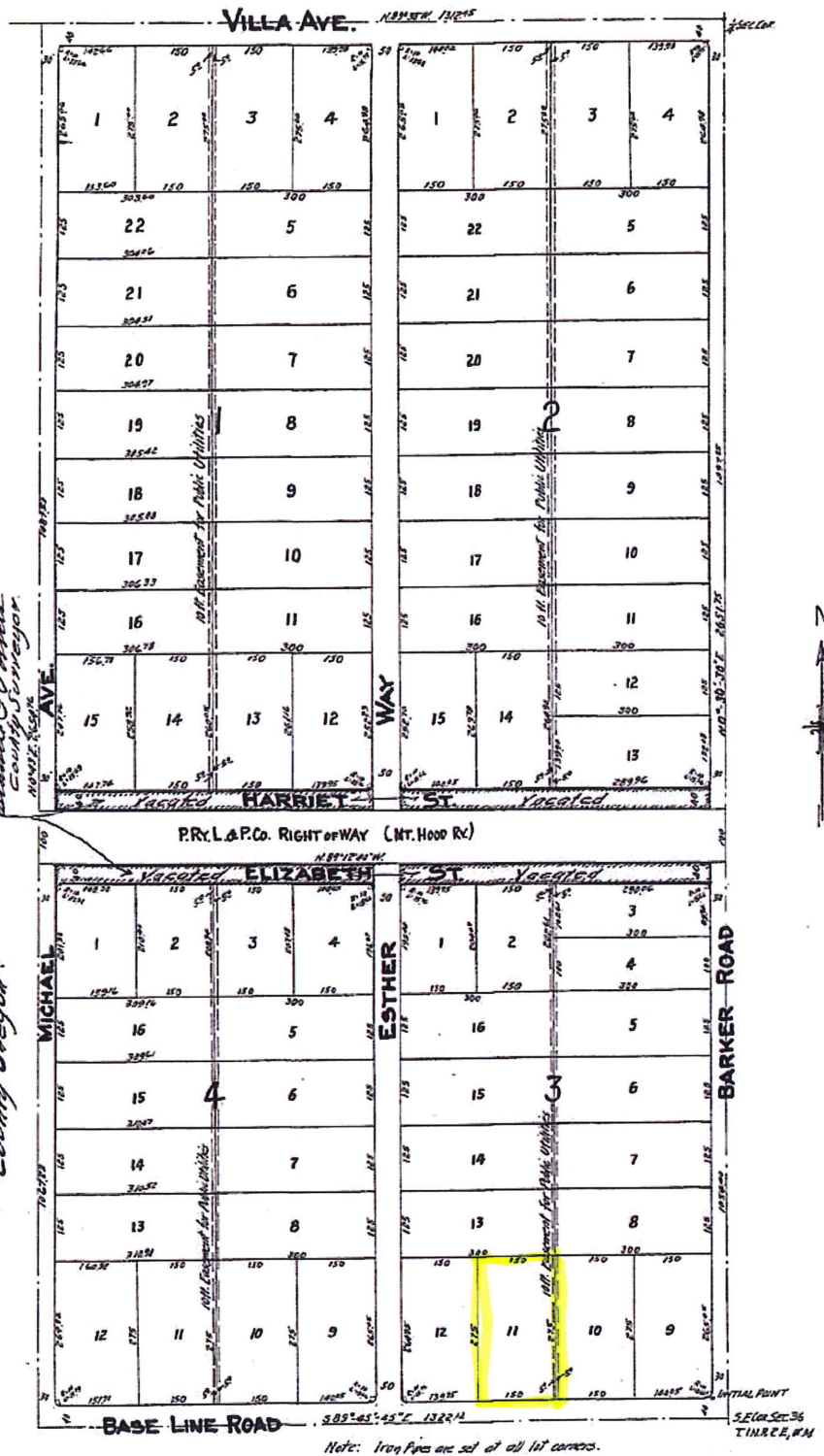
	Ground	GNT
Preprinted Bar Codes Used:	0	0
Voids:	0	0
Total packages:	1	0
Total International packages:	0	

This section to be completed for spotted trailers	
Shipper load?	Trailer #:

Pickup #:032

CAFE3211

VACATED
Order No 1371, June 28, 1927, recorded in P.S. Deed Book
No. 406, Page 58, record of Deeds for Multnomah
County, Oregon.



MEYERMEAD
IN SECTION 36. T.1N.R.2E.W.M.
MULTNOMAH COUNTY, OREGON.
Surveyed by Marshall Bros. July, 1921. Scale 1 in = 200 ft.

KNOW ALL MEN BY THESE PRESENTS, That Harry Meyer and Rose J. Meyer, his wife, and Harry Meyer as Trustee, do hereby make and declare the annexed map of MEYERMEAD a true and correct map and plat thereof, all tracts being of the dimensions shown on said map, and all roads, highways and easements of the width therein set forth and said Harry Meyer, and Rose J. Meyer, his wife, and Harry Meyer, as Trustee, do hereby dedicate to the use of the public as public ways or easements forever, all roads, highways or easements shown on said map.

IN WITNESS WHEREOF said Harry Meyer and Rose J. Meyer, his wife, and Harry Meyer, as Trustee, have hereof set their hands and seals this 31st day of August 1921

Executed in the presence
of us as witnesses
Earl A. Marshall
Bethel A. Simon

Harry Meyer
Rose J. Meyer
Harry Meyer, Trustee

STATE of OREGON } ss
COUNTY of MULTNOMAH

BE IT REMEMBERED that on this 31st day of August 1921, before me the undersigned, a notary public in and for said state and county, personally appeared Harry Meyer and Rose J. Meyer, his wife, and Harry Meyer, as Trustee, to me known to be the individuals named and described in, and who executed the foregoing instrument and who acknowledged to me that they executed the same freely and voluntarily.

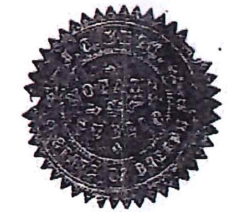
IN TESTIMONY WHEREOF I have hereunto set my hand and affixed my official seal the day and year first in this my certificate written.



Notary Public for State of Oregon
My Commission expires September 3, 1923

I, Earl A. Marshall, being first duly sworn, depose and say that I have correctly surveyed and marked with proper monuments the lands represented on the annexed map of MEYERMEAD, that at the initial point of said survey, I drove a galvanized iron pipe 2 inches in diameter and 3 feet long, 6 inches below the surface, of the ground, said initial point being situated 40 feet North 0°-30'-30" East and 30 feet North 89°-45'-45" West of the S.E. Corner of Section 36 T.1N.R.2E.W.M. The property platted is the East one half of the South East one quarter of Section 36 T.1N.R.2E.W.M., described as follows to wit: Beginning at the South East corner of said Sec. 36, thence N 0°-30'-30" E. 2651.25 feet, thence N 89°-38' W 1312.25 feet, thence S 89°-45'-45" E. 1322.12 feet, to point of beginning, excepting therefrom the right of way of the P.R.R. L.P. Co.

Subscribed and sworn to before me this 31st day of August 1921



Notary Public for State of Oregon
My Commission expires September 3, 1923

Approved August 25, 1921
Earl A. Marshall
County Surveyor

Approved August 31, 1921
James O. Holman
Ray R. Russell
County Commissioners

Attest: Jos. W. Beveridge County Clerk
By: R. P. Richardson Deputy

STATE OF OREGON,
County of Multnomah
I, Jos. W. Beveridge, County Clerk
office Recorder of Conveyances, in
said County, do hereby certify the
within instrument of writing was
for record and proper.

Approved Aug. 22, 1921
Hiram H. Kelch
County Assessor

All taxes from 1911 to 1920 both inclusive
are paid
J. M. Hurlbush Sherrill
by J. H. Coffey - Deputy

Approved July 18, 1921
City Planning Commission
Attest: J. H. Coffey President

870
In Book
805
Witness my hand and seal
JOS. W. BE
J. H. Coffey

Original Plat

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SE1/4 SE1/4 SEC. 36 T.1N. R.2E. W.M.
MULTNOMAH COUNTY
1" = 100'

IN 2E 36DD



CANCELLED NO.
101
200
700
2200
3000
3100
3200
3201
3300
3800
3900
4000
4100
4200
4300

East one-half
of Lots 13 and
14, Block 3
Meyermead

A1 HAWK
16119 SE Stark St

EXISTING 30'
ACCESS EASEMENT

IN 2E 36DD