

Development Services

From Concept to Construction

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APPEAL SUMMARY

Status: Decision Rendered - Reconsideration of ID 18825

Appeal ID: 19044	Project Address: 6434 NE 42nd Ave
Hearing Date: 2/20/19	Appellant Name: Melissa Meiners
Case No.: B-013	Appellant Phone: 5037082157
Appeal Type: Building	Plans Examiner/Inspector: Chanel Horn
Project Type: residential	Stories: 2 Occupancy: R-3, U Construction Type: V-B
Building/Business Name: Fernhill Crossing	Fire Sprinklers: Yes - Throughout Building
Appeal Involves: Reconsideration of appeal	LUR or Permit Application No.: 18-186031-RS, 18-253148-CO
Plan Submitted Option: pdf [File 1] [File 2] [File 3]	Proposed use: Duplex, Carport

APPEAL INFORMATION SHEET

Appeal item 1

Code Section	2017 ORSC Ch 1 - R101.2 Scope; 2014 OSSC Ch 3 - 310.5 Residential Group R-3
Requires	<p>2014 Oregon Structural Specialty Code (OSSC) Chapter 3 - 310.5 Residential Group R-3. Residential occupancies where occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-4 or I, including:</p> <p>Buildings that do not contain more than two dwellings units.</p> <p>2017 Oregon Residential Specialty Code (ORSC) Chapter 1 - Scope and Administration: R101.2 Scope. The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use, occupancy, and location of detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress and their accessory structures.</p> <p>Exceptions:</p> <p>The requirements of this code apply to:</p> <p>1.1 Detached one- and two-family dwellings and townhouses classified as R-3, and Group U occupancies; and</p>
Proposed Design	<p>The two-family dwelling unit and carport are part of a larger planned unit development that also includes (3) buildings with multi-family dwelling units.</p> <p>The duplex is 2-stories, Type VB construction, and will be fully-sprinklered per NFPA 13R.</p> <p>The carport is 1-story, constructed entirely of non-combustible materials with no concealed spaces: concrete footings, steel columns, and metal decking roof.</p>

The use of the carport is for short-term vehicle loading, not permanent long-term parking.

The area of the carport is very small at 472 square feet.

The carport is open on all 4 sides.

The adjacent building is fully-sprinklered per NFPA 13R.

Both structures are well within the allowable area for U occupancy classification, per Table 503.

Reason for alternative The two-family dwelling unit was initially submitted for a building permit under the OSSC but was requested upon submission to be regulated under the 2017 ORSC. The carport was accepted as designed under the 2014 OSSC. Because the 2 structures (carport and duplex) have been deemed to be regulated under the two different codes, this would require an implied property line and fire separation.

If the carport and duplex were both regulated by the OSSC, fire separation between the 2 structures would not be required.

Table 503 Allowable Building Height and Area (per story):

R-3: VB, 40 feet, 3-stories, Unlimited

U: VB, 40 feet, 1-story, 5,500 SF

Actual Building Height and Area (per story):

R-3: VB, 21.5 feet, 2-stories, 1,200 SF

U: VB, 11.5 feet, 1-story, 472 SF

Regulating these structures under two different codes requires fire separation, but is otherwise allowed without separation if under the same code. The use of the structures does not become more hazardous when it is regulated under different codes. Regulating under the same code provides equivalent fire, and life-safety protection.

Therefore, it is requested that both structures be regulated under the 2014 OSSC.

RECONSIDERATION TEXT:

The intent of the appeal was to demonstrate that equivalent life-safety and fire protection is provided whether the 2 structures are regulated under the same code, or whether regulated under different codes. There is no defined path that spans both codes that provides requirements for 2 buildings on the same lot that are regulated under different codes. OSSC Section 503.1.2 provides requirements for buildings on the same lot but the scoping of the OSSC does not include one- and two-family dwellings.

Under the ORSC, the carport would be considered an accessory structure to the duplex, and fire-resistance construction is not required per Section R302, Exception 2, as it relates to Table R302.1.

Under the OSSC, if considered as 2 buildings on the same lot, fire-resistance separation would not be required because the aggregate area of both structures is well within the allowable area for U occupancy classification, per Table 503.

The use and occupancy of the two structures are the same under both codes. The relative hazard of the two structures does not change, whether they are regulated under the ORSC or the OSSC.

Therefore, the applicant requests the following:

The duplex remain to be regulated under the 2017 ORSC.

The carport remain to be regulated under the 2014 OSSC.

Fire-resistance construction not be required between the duplex and carport.

All other provisions and conditions of the 2 structures that were previously granted as part of the original appeal to remain unchanged, which include the following:

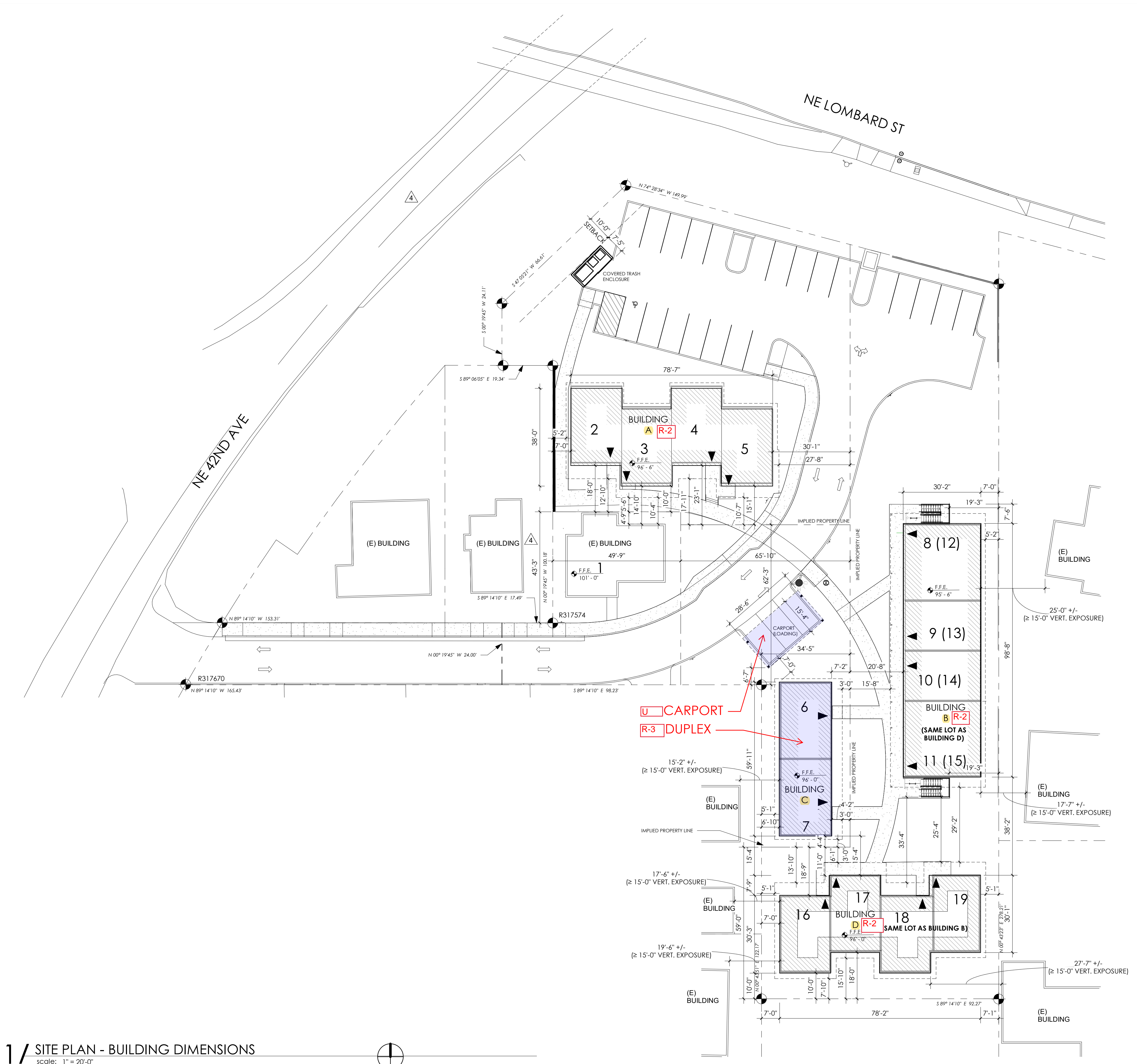
- a. The duplex will be sprinklered per NFPA 13R, although not required by the ORSC.
- b. The carport is constructed entirely of non-combustible materials with no concealed spaces; concrete footings, steel columns, and metal decking roof.
- c. The carport is fully open on all 4 sides.
- d. The use of the carport is for short-term vehicle loading, not permanent long-term parking.
- e. The area of the carport is very small at 472 square feet.

APPEAL DECISION

Omission of fire resistant rated construction as separation between ORSC duplex and OSSC carport: 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, call (503) 823-7300 or come in to the Development Services Center.



1 / SITE PLAN - BUILDING DIMENSIONS
scale: 1" = 20'-0"



consultant
logo here

FERNHILL CROSSING

6428-6434 NE 42ND AVENUE
PORTLAND, OR 97218

DATE:	6/8/2018
DRAWN BY:	Author
JOB NO:	18-2016
REV NO:	
1	Chkshft Resp: 08.06.18
2	Chkshft Resp: 10.17.18
3	Chkshft Resp: 10.30.18
4	Chkshft Resp: 11.28.18

SITE PLAN - BUILDING
LOCATION &
DIMENSIONS

A100

ENCLOSED RAFTER VENTILATION

(ORSC SECTION R806)

TOTAL ENCLOSED RAFTER AREA:
1,196 SF

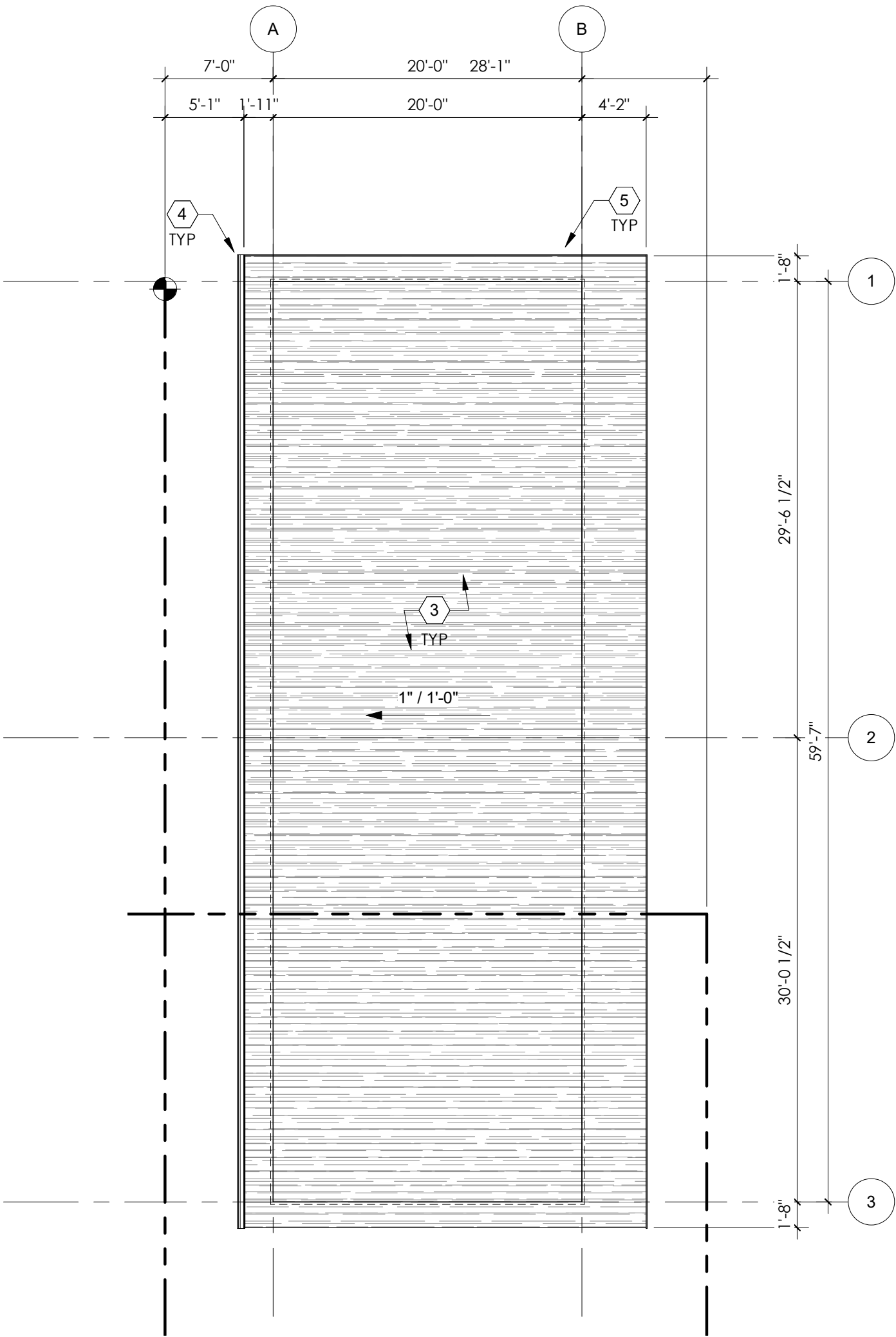
REQUIRED VENTING:
1 SF OF VENTING PER 300 SF OF ENCLOSED AREA

TOTAL NET FREE AREA REQUIRED:
[1,196 SF / 300] = 4.0 SQ. IN. PER FOOT

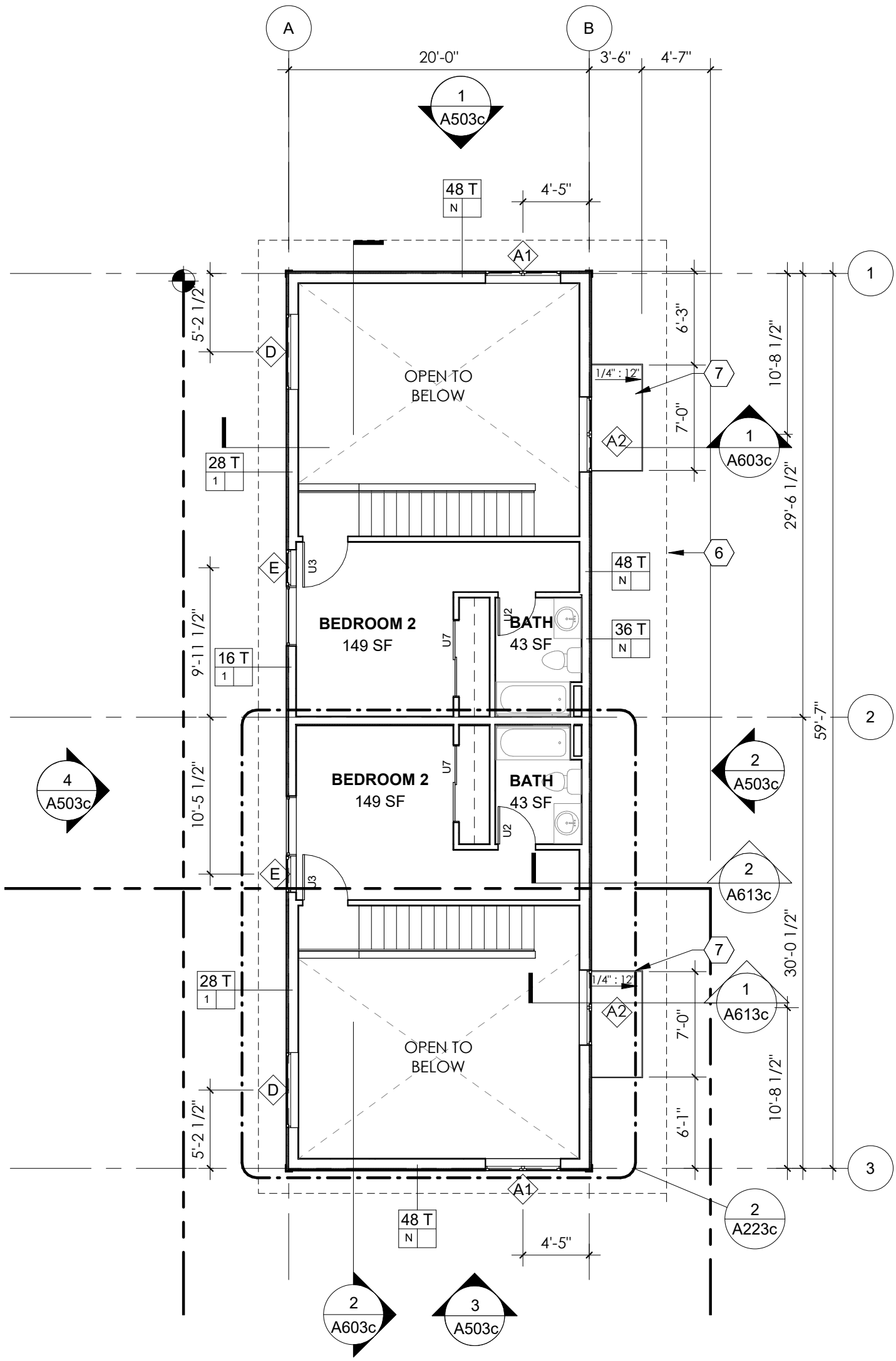
TOTAL PERIMETER:
160'-6" (1,926 SQ. IN.)

VENTING PROVIDED:
2" WIDE CONTINUOUS VENT
EQUALLY DISTRIBUTED AT ALL SIDES (INTAKE & EXHAUST)

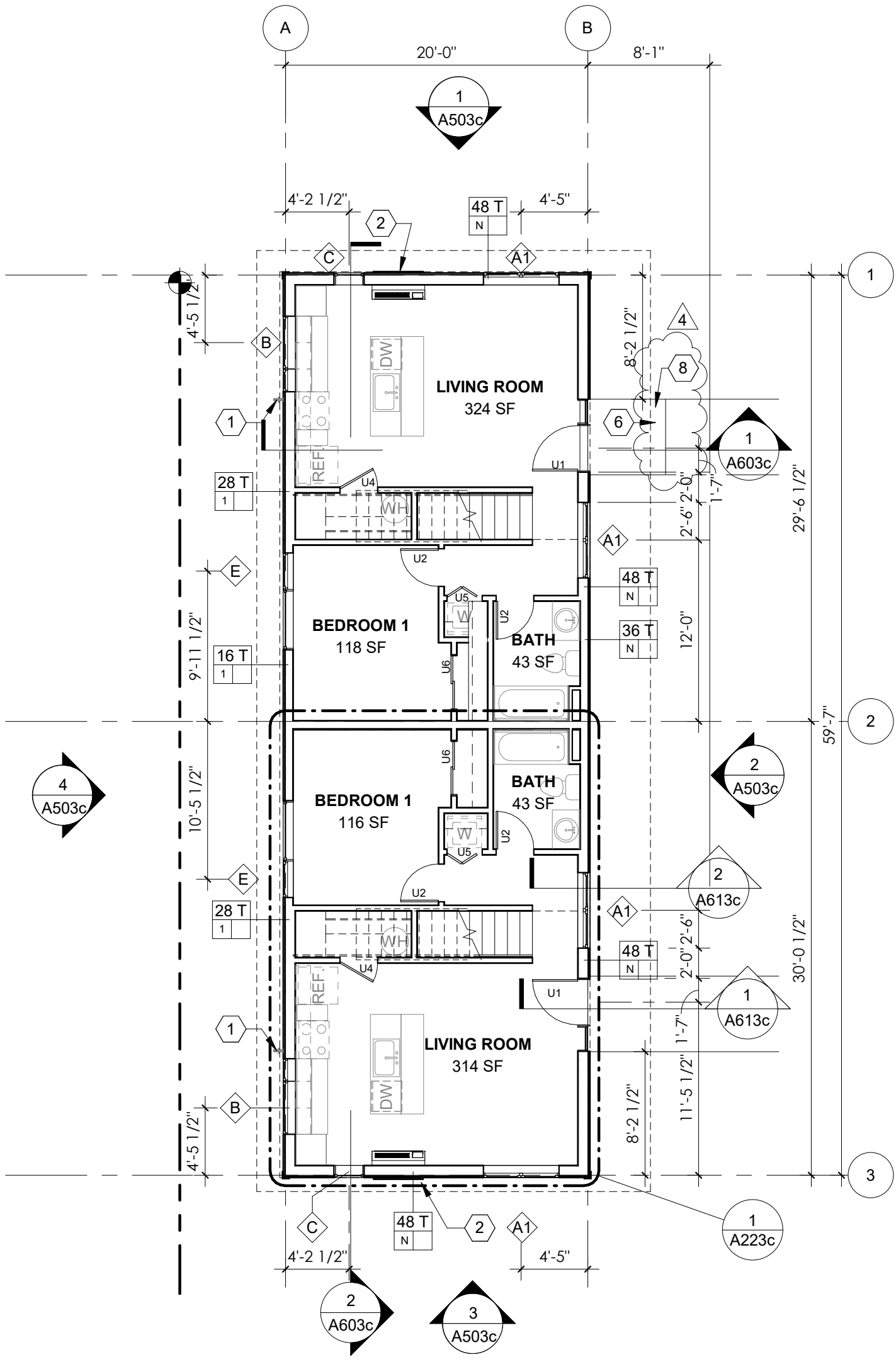
PROVIDE 1"X2" NOTCH AT TOPS OF RAFTERS TO PROVIDE
CONTINUOUS AIR MOVEMENT AS REQ'D



3/ ROOF PLAN
scale: 1/8" = 1'-0"



2/ FLOOR PLAN - LEVEL 2
scale: 1/8" = 1'-0"



1/ FLOOR PLAN - LEVEL 1
scale: 1/8" = 1'-0"

GENERAL NOTES

- ALL PLAN WALLS SHOW FRAMING ONLY U.N.O. NO FINISHES ARE DRAWN. ALL DIMENSIONS ARE TO FACE OF FRAMING U.N.O. OR CENTER OF WINDOW OPENING, COLUMN, OR GRID. EXTERIOR DIMENSIONS ARE TO FACE OF FRAMING. DIMENSIONS INDICATED AS "CLR" ARE CLEAR MINIMUM TO FACE OF FINISH.
- SEE STANDARD FIXTURE MOUNTING HEIGHT SHEET G102 FOR MOUNTING REQUIREMENTS, U.N.O.
- EXTERIOR WALL AND WINDOW CONDITIONS/ SIZES VARY. SEE PLANS & WINDOW SCHEDULE FOR SIZE & TYPE.
- ALL DOOR OPENINGS PERPENDICULAR TO A WALL ARE 5' TO THE WALL, U.N.O.
- DOTTED BOXES AND CIRCLES DESIGNATE ACCESSIBLE CLEAR FLOOR SPACES FOR REFERENCE.
- SEE STRUCTURAL PLANS FOR LOCATIONS OF SHEAR WALLS WITH WOOD SHEATHING.
- SEE SHEET G102 FOR GRAB BAR BLOCKING REQUIREMENTS AT SHOWER AND TOILET.
- ALL DRYER EXHAUST AND EXHAUST FANS SHALL BE INSTALLED PER MANUFACTURER'S WRITTEN SPECIFICATIONS. VENT TO OUTSIDE AT ROOF, U.N.O.

KEYNOTES

- HOSE BIBB, MOUNTED AT 18" A.F.F.
- PACKAGED TERMINAL HEAT PUMP UNIT (PTHP)
- ASPHALT SHINGLE ROOFING SYSTEM
- PREFINISHED METAL GUTTER & DOWNSPOUT
- 1x12 FASCIA TRIM
- ROOFLINE ABOVE
- ENTRY CANOPY
- 5x5' CONC. LANDING

/kōblə/CREATIVE



FERNHILL CROSSING
BUILDING C
6434 NE 42ND AVENUE
PORTLAND, OR 97218

DATE: 6/08/2018
DRAWN BY: TJK
JOB NO: 18-2016
REV NO:
Chkshst Resp: 08.06.18
Chkshst Resp: 10.17.18
Chkshst Resp: 10.30.18
Chkshst Resp: 11.28.18

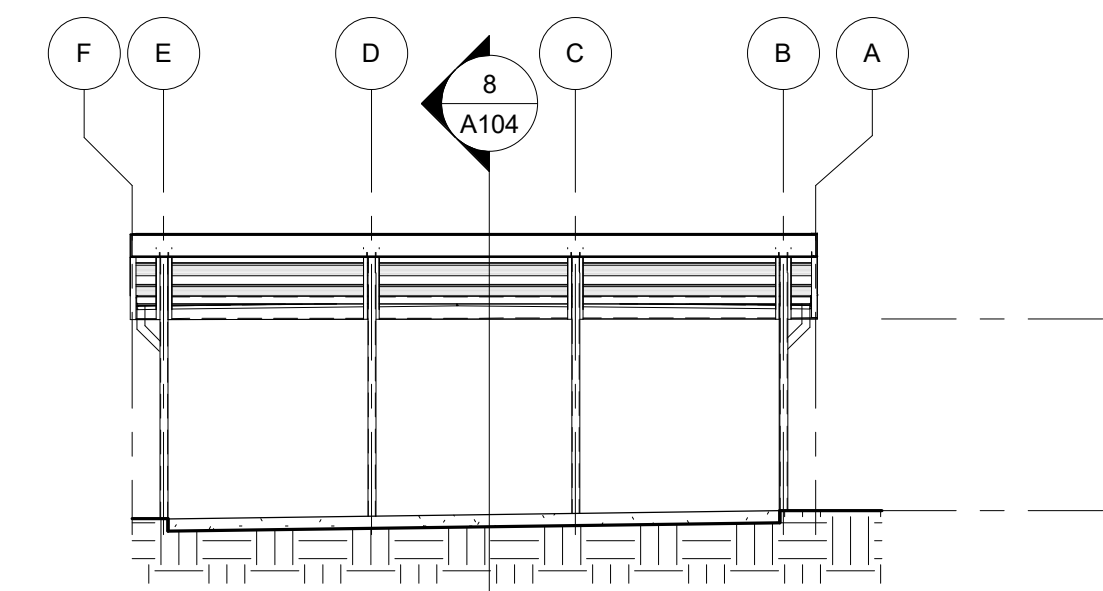
FLOOR & ROOF
PLANS - BLDG C

A203c

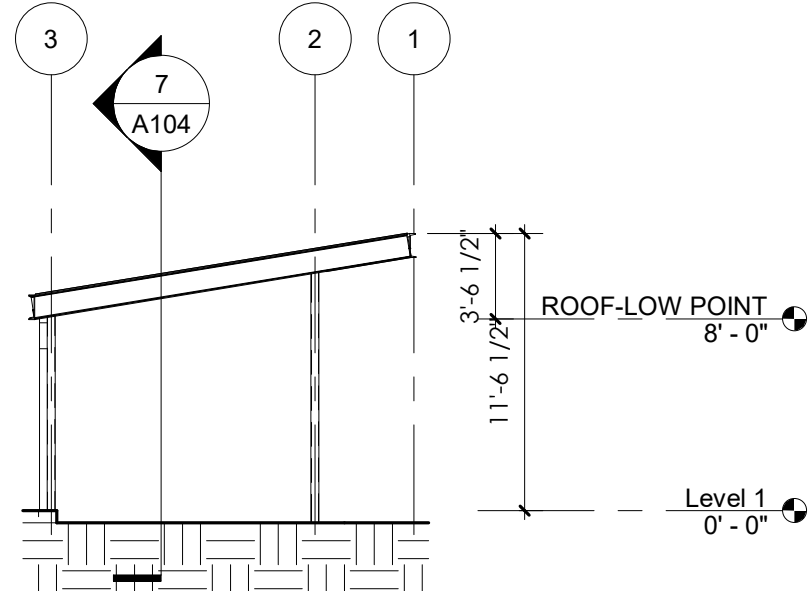
PERMIT SET

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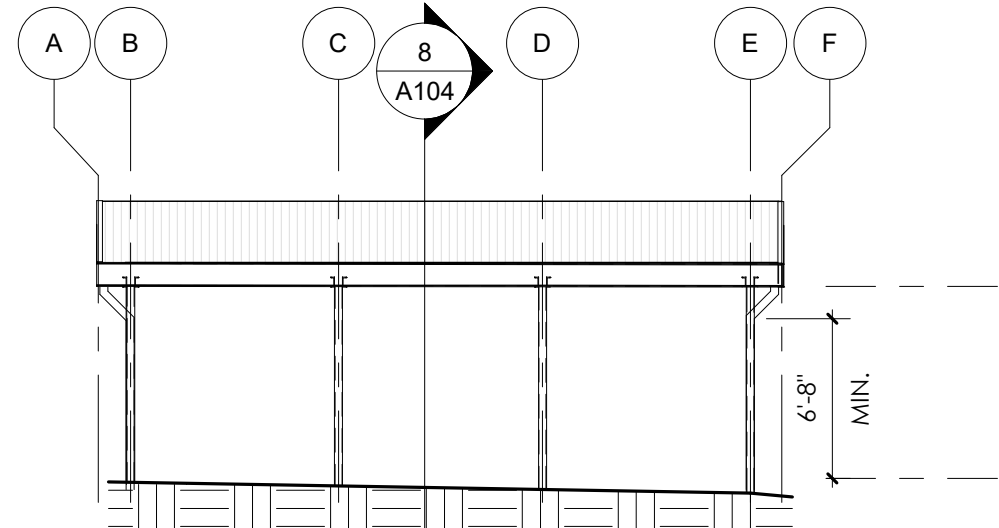
APPEAL ID 18825



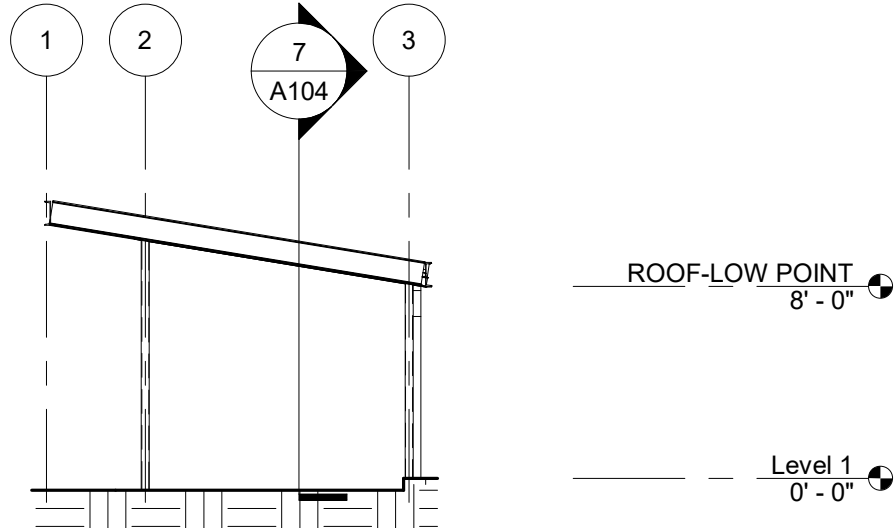
3/ ELEVATION - NORTH
scale: 1/8" = 1'-0"



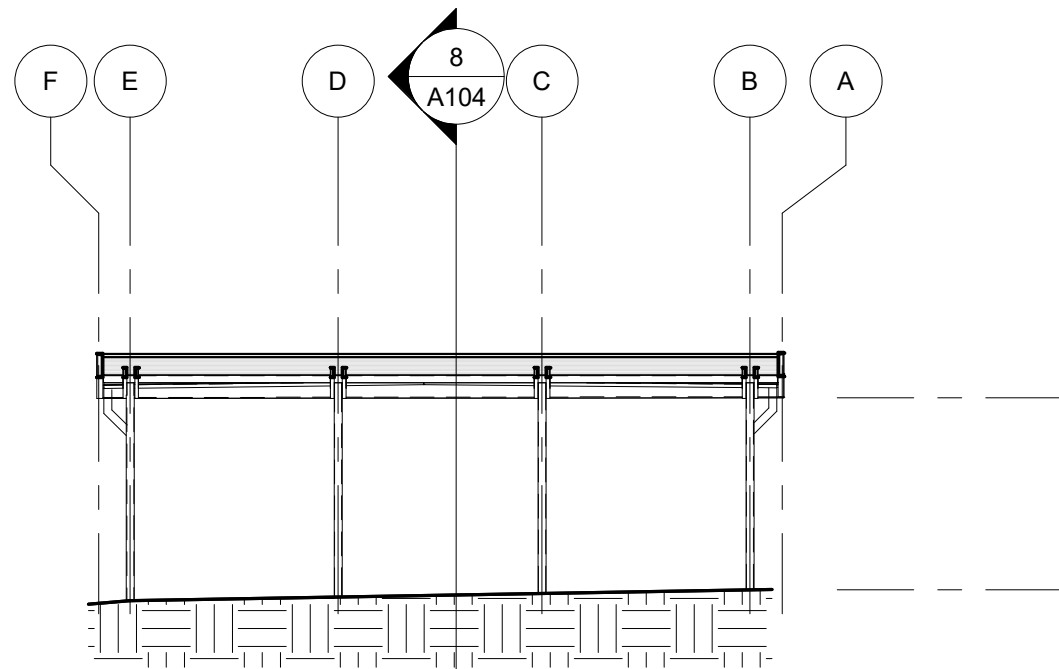
4/ ELEVATION - EAST
scale: 1/8" = 1'-0"



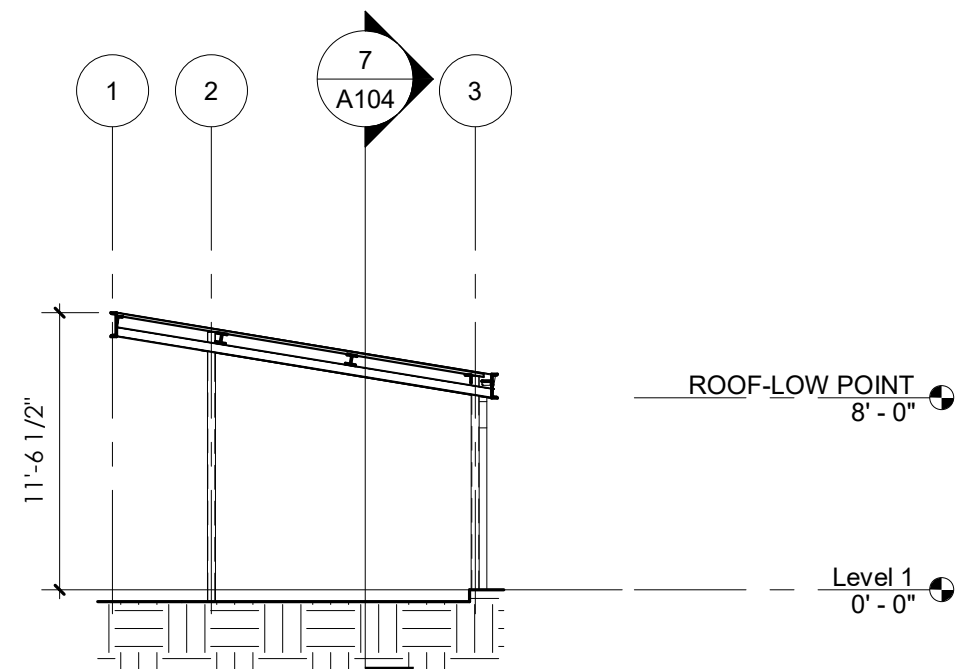
5/ ELEVATION - SOUTH
scale: 1/8" = 1'-0"



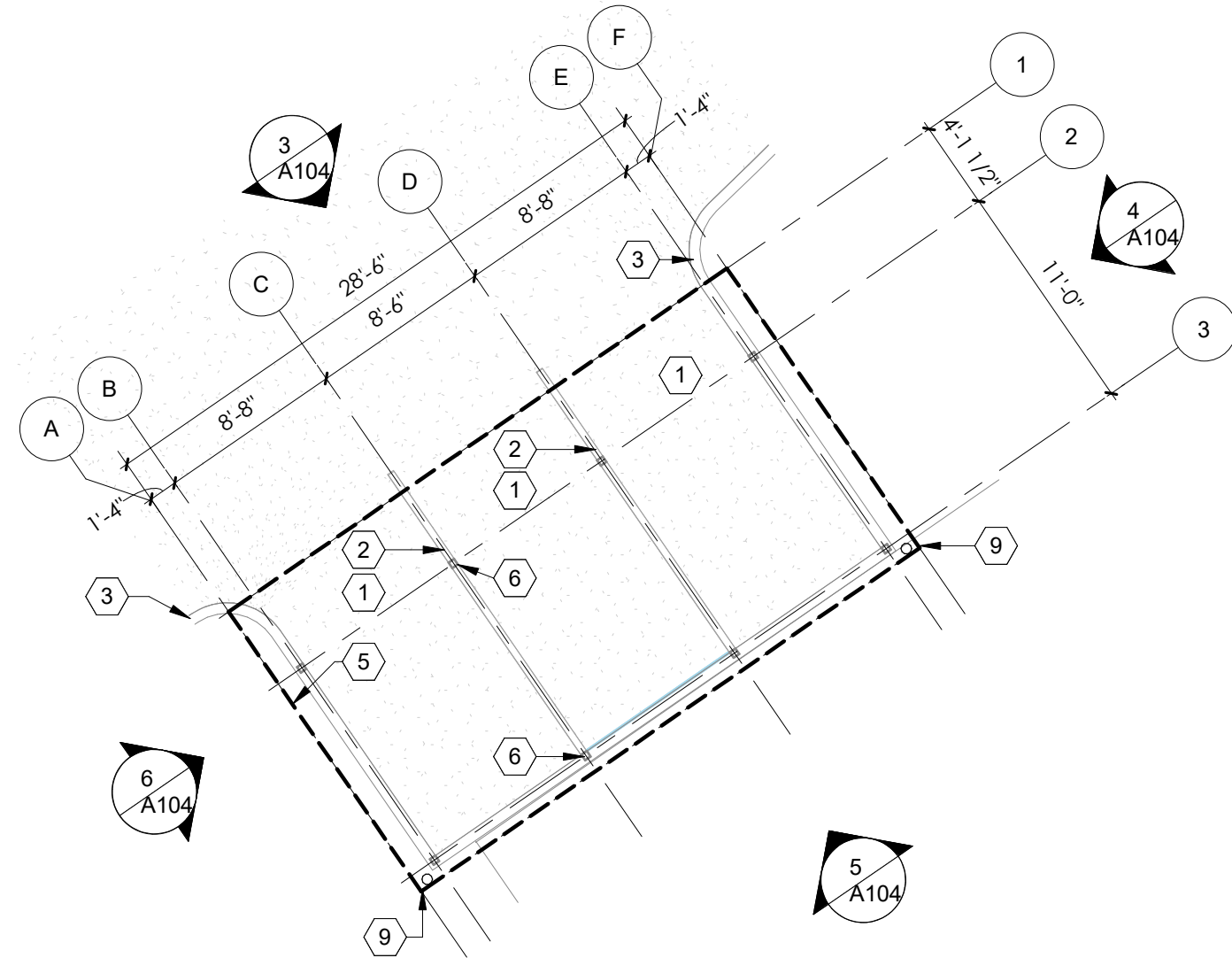
6/ ELEVATION - WEST
scale: 1/8" = 1'-0"



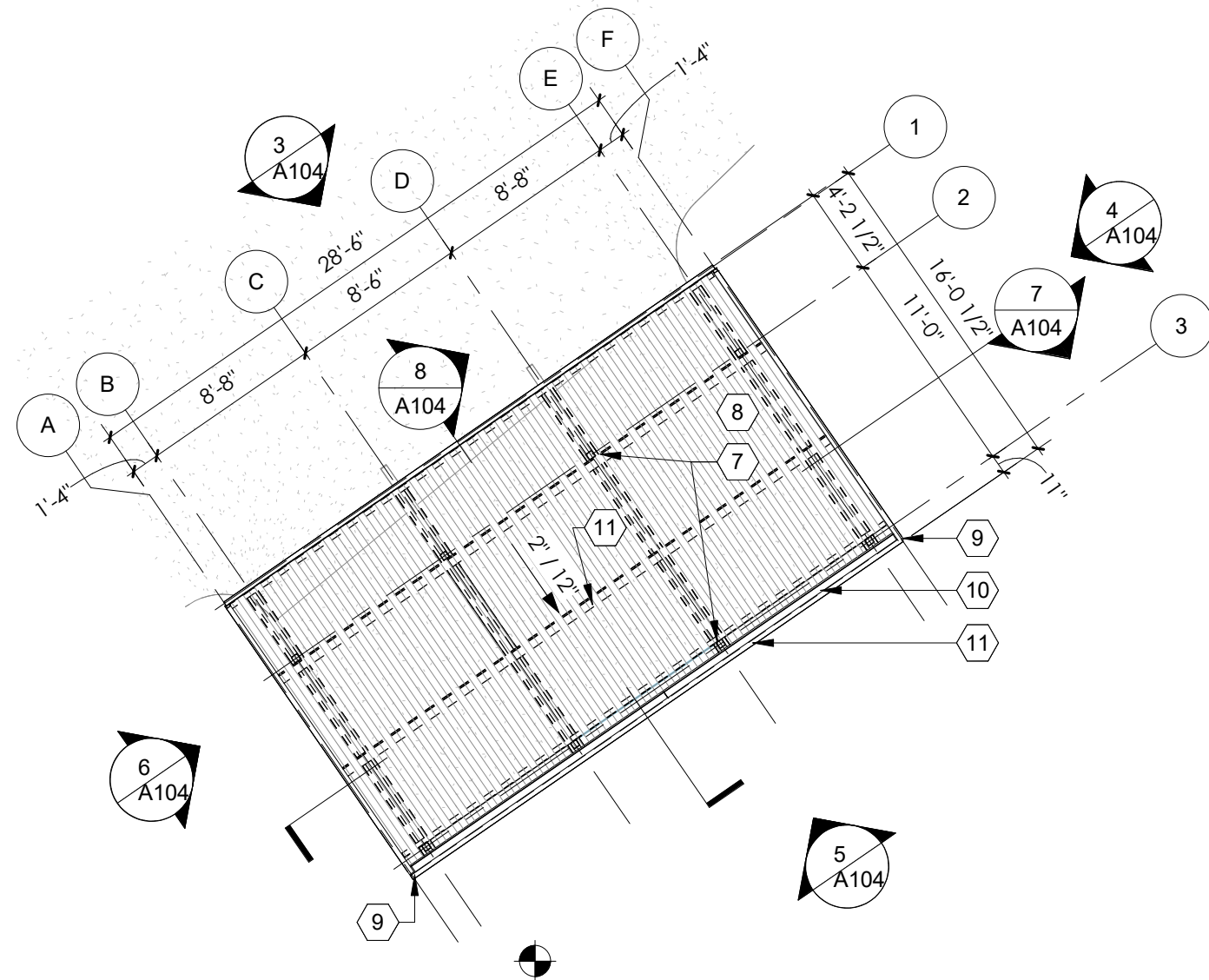
7/ SECTION A
scale: 1/8" = 1'-0"



8/ SECTION B
scale: 1/8" = 1'-0"



1/ FLOOR PLAN - CARPORT
scale: 1/8" = 1'-0"



2/ CARPORT ROOF
scale: 1/8" = 1'-0"

KEYNOTES

- 1 SHORT-TERM LOADING STALL
- 2 PARKING STRIPING
- 3 6" CONC. CURB
- 5 ROOF OUTLINE ABOVE
- 6 4X4 HSS POST, TYP. - SEE STRUCT.
- 7 4X4 HSS POST BEYOND - SEE STRUCT
- 8 METAL DECK ROOFING - SEE STRUCT.
- 9 DOWNSPOUT - CONNECTS W/ SANITY/SEWER UTILITY LINE.
- 10 GUTTER W/ 1/2":12" SLOPE TO SIDES OF CANOPY - SPLIT AT MID-POINT.
- 11 STEEL CHANNEL AT ROOFLINE PERIMETER, TYP. - SEE STRUCT.



DATE: 5/25/2018
DRAWN BY: AMG
JOB NO: 18-2016
REV NO:

Chkst Resp: 08.06.18
Chkst Resp: 10.17.18

CARPORT DRAWINGS