

Development Services

From Concept to Construction

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



APPEAL SUMMARY

Status: Decision Rendered

Appeal ID: 20214	Project Address: 1836 SE 45th Ave
Hearing Date: 4/10/19	Appellant Name: Matt Ortiz
Case No.: B-012	Appellant Phone: 9717039629
Appeal Type: Building	Plans Examiner/Inspector: Doug Reese
Project Type: residential	Stories: 3 Occupancy: vacant Construction Type:
Building/Business Name:	Fire Sprinklers: No
Appeal Involves: Alteration of an existing structure	LUR or Permit Application No.: 18-266971-RS
Plan Submitted Option: pdf [File 1] [File 2]	Proposed use: Single Family

APPEAL INFORMATION SHEET

Appeal item 1

Code Section ORSC/3#1 C

Requires ORSC/3#1 C

Existing Stairways providing access to new habitable spaces shall be:

- a. 30" wide
- b. Stairway headroom must be at least 6' 2"
- c. Tread Run must be 9 inches
- d. Stair Height to be no more than 9"
- e. Stair Landing at top and Bottom must be at least 30" wide and long, with at least 6' 2" in head room.
- f. A maximum Variation of 3/8 inch will be allowed between the largest and smallest riser.

Winder Stairs (does Not Apply)

Rebuilding (does not Apply)

Non Compliant Stairs in Basement converted to living space: Existing Stairs in a Basement converted to habitable space must comply to the requirements of this code guide. Where the stair cannot be made to comply and another compliant means of egress is provided, scubas a new stair in another location or an exterior door, the non compliant stair shall either be reconstructed or walled off. A Building Code Appeal to retain the noncompliant stair may be an option in some case.

Proposed Design Our Proposal is to make no Modifications or Alterations and to retain the interior Existing Stairs.

Reason for alternative During the final inspection the inspector did not pass the stairs due to the head height. Our proposal to not Modify the Stairs is 4 fold:

There is a secondary entrance to the same Habitable space from the outside that meets all current code.

There is only one portion on the stairs at the 2nd to last step where the head height is less than the required 6' 2". At all other portions of the staircase the Head Height requirement is more than met.

The portion where the head height is not met is because of an existing structural beam runs across the opening, any modification to this portion would compromise the structural integrity of the home.

Reconstructing the stairs is not feasible and walling off the stairs would greatly diminish the function and value of the home.

Thank you for taking your time to consider our appeal!

APPEAL DECISION

Basement conversion with reduction in minimum required headroom at existing interior stair: Denied. Proposal does not provide equivalent Life Safety protection. Appellant may contact Dave Tebeau (503-823-6802) 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.



