

# Development Services

## From Concept to Construction

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



### APPEAL SUMMARY

**Status:** No Decision Rendered

<b>Appeal ID:</b> 20264	<b>Project Address:</b> 8438 SE 21st Ave
<b>Hearing Date:</b> 4/17/19	<b>Appellant Name:</b> Zac Horton
<b>Case No.:</b> P-005	<b>Appellant Phone:</b> 503-438-9654
<b>Appeal Type:</b> Plumbing	<b>Plans Examiner/Inspector:</b> Joe Blanco, McKenzie James, Jim Bechtel
<b>Project Type:</b> residential	<b>Stories:</b> 2 <b>Occupancy:</b> Not given <b>Construction Type:</b> Not given
<b>Building/Business Name:</b>	<b>Fire Sprinklers:</b> No
<b>Appeal Involves:</b> other: 2-lot partition	<b>LUR or Permit Application No.:</b>
<b>Plan Submitted Option:</b> pdf [File 1]	<b>Proposed use:</b> single family dwelling

### APPEAL INFORMATION SHEET

#### Appeal item 1

<b>Code Section</b>	Oregon Plumbing Specialty Code - Chapter 7
<b>Requires</b>	<p>Oregon Plumbing Specialty Code - Chapter 7</p> <p>B. Easement width. The easement for a private sewer must be at least 10 feet wide. However, the easement may be reduced to 5 feet wide if the sewer line will be installed, and can be repaired without conventional open trench excavation within any portion of the easement area that is less than 10 feet wide.</p> <p>17.33.030 Sewer Connection Mandated.</p> <p>A. Applicability. Properties having development that generates or may generate sanitary waste must decommission onsite sewage disposal systems and connect to the public sewer when:</p> <p>The development is not completely connected to a public sewer system;                  A public sewer is immediately available without the need for further sewer extension; and                  A sewer branch has been provided to curb closest to the property line or property line.</p> <p>ENB-4.18 - Mandatory Sewer Connection Program -</p> <p>Applicability</p> <p>Properties are required to connect to the City's Sanitary Sewer system when both of the following criteria are met:</p> <p>A. Property Conditions. There is an onsite structure with plumbing facilities that require sanitary waste disposal in order to comply with State Plumbing Code or the Portland City Code (PCC). In the absence of onsite inspections by BES or documentation demonstrating otherwise to BES' satisfaction, BES will consider that a property requires sanitary waste disposal if the property receives water service from the City, another water provider or a private well.</p>

B. Available Public Sewer. A public sewer is deemed immediately available when the subject property has direct access via an approved route of service to a public sewer branch or lateral at an adjacent curb line, property line, or at the boundary of a permanent easement acquired for the benefit of the property. Sewer availability is not dependent on the provision of gravity service to the property.

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**Proposed Design** The applicant is proposing a 5-foot wide private sewer easement north of the existing dwelling (dwelling to remain) for a future dwelling to the east through a partition. The new sewer lateral would connect to the existing 18" combo sewer in SE 21st Avenue. The existing house has a sanitary lateral to SE 21st Avenue along the south property line.

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**Reason for alternative** The proposed parcel off SE Sherrett Street will not have access to a public sanitary line in the right-of-way. The proposed 5-foot wide private sewer easement provides access to the new lot and has the no impact to the environmental zone in SE Sherrett right-of-way. A sanitary extension would likely impact the environmental zone that is over at least the southern half of SE Sherrett Street and require environmental review. The 5-foot easement is requested as 10 feet does not appear to exist between the existing house and north property line. The proposed new sanitary lateral will be able to be installed and repaired without conventional open trench construction.

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## APPEAL DECISION

**Location of sewer line within easement: No decision rendered. Refer to Code Guide for Private Sewer Easements online at <https://www.portlandoregon.gov/bds/article/68619> Appellant may contact McKenzie James (503-823-7317) with questions.**

