

Development Services

From Concept to Construction

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APPEAL SUMMARY

Status: Decision Rendered

Appeal ID: 21887	Project Address: 3060 NW Wilson St
Hearing Date: 9/18/19	Appellant Name: Nicholas Locke
Case No.: B-003	Appellant Phone: 7752764250
Appeal Type: Building	Plans Examiner/Inspector: Sloan Shelton
Project Type: residential	Stories: 2 Occupancy: Single Family Construction Type: V-B
Building/Business Name: 3060 NW	Fire Sprinklers: No
Appeal Involves: Alteration of an existing structure	LUR or Permit Application No.: 19-222120-RS
Plan Submitted Option: pdf [File 1]	Proposed use: ADU

APPEAL INFORMATION SHEET

Appeal item 1

Code Section BDS ADU Program Guide

Requires Per Life Safety Plan Reviewer Sloan Shelton, openings between a new ADU and the existing main house space may be allowed on a case-by-case basis, but require a building code appeal to assess the proposal. Ms Shelton says this requirement “does not exist in any code” but is found in the Guide to ADUs published March 15 2019.

The BDS document “Program Guide - Accessory Dwelling Units” states as follows at page 12, section V.D.2.a.1

..Separation Between Dwellings and between a Dwelling and Common Space. Except as modified within this program guide, dwellings shall be separated from each other and from common space by wall and floor assemblies having not less than one-hour fire-resistance rating, 45-STC, and a 45-IIC rating for floor / ceiling assemblies.

a. New Construction. Where a new wall or floor/ceiling is constructed, such new wall or floor/ceiling shall be constructed to comply with the Oregon Residential Specialty Code (ORSC) requirements for two-family dwellings.

A door between dwelling units in newly constructed buildings shall be allowed provided that door is:

- Minimum sixty-minute fire-resistance rated; and
- Self-closing; and
- Smoke gasketed.

We do not seek to deviate from current residential building code or fire code.

Proposed Design	<p>Consistent with the BDS document “Program Guide - Accessory Dwelling Units” at page 12, section V.D.2.a.1.,</p> <p>we propose to allow a 3 ' 0" W x 6'8" H solid 60-minute fire-rated door on the interior wall separating the ADU from the existing finished basement, as shown on the accompanying plan document. This Existing Door will have a closer and smoke gasket installed to further meet the program guide. The remaining wall sections between the ADU and the finished basement will be 1-hour rated, per the existing plans.</p>
Reason for alternative	<p>The proposal will satisfy existing building and fire codes, and will be consistent with the BDS document “Program Guide - Accessory Dwelling Units.”</p> <p>It will also facilitate the efficient use of our ADU space by allowing for dual uses, as was our original intent with the project:</p> <p>With the interior ADU door closed and locked, it will provide for safe, secure, and private living space for occasional renters or other short-term occupants.</p> <p>With the interior ADU door open and unlocked, it will provide space for our family and friends to use that allows for convenient access to the rest of the house.</p>

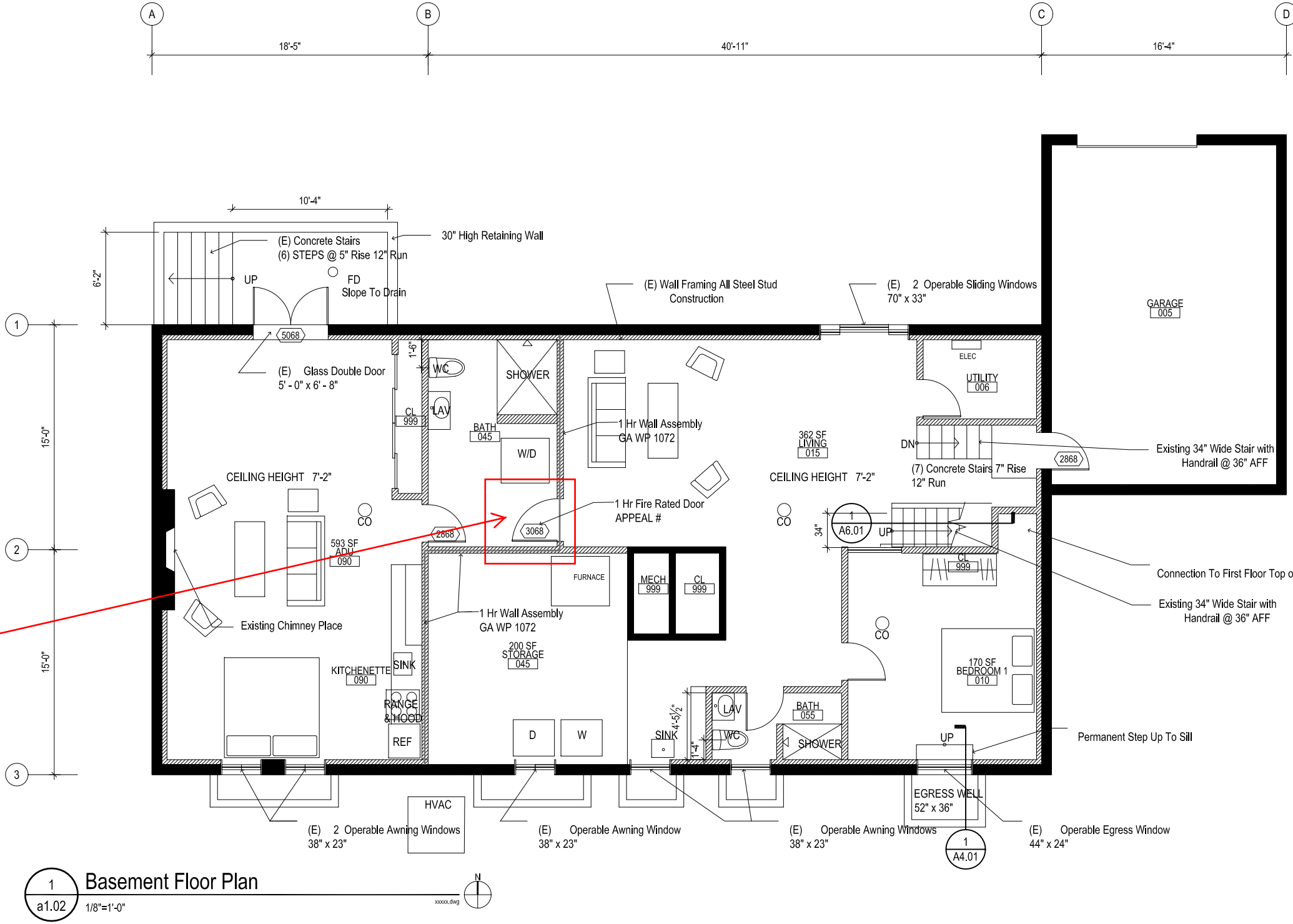
APPEAL DECISION

Communicating door between ADU and main dwelling unit: Granted provided the separation wall is full 1 hour fire rated construction without reductions allowed in ADU Program Guide.
Appellant may contact John Butler (503 823-7339) with questions.

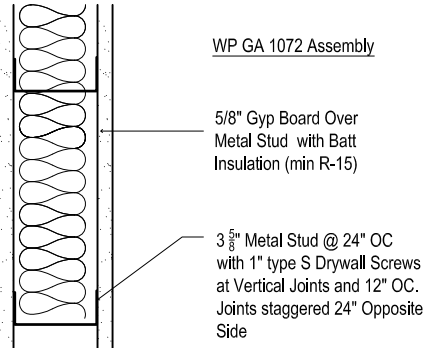
The Administrative Appeal Board finds with the conditions noted, that the information submitted by the appellant demonstrates that the approved modifications or alternate methods are consistent with the intent of the code; do not lessen health, safety, accessibility, life, fire safety or structural requirements; 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 90 calendar days of the date this decision is published. For information on the appeals process, go to www.portlandoregon.gov/bds/appealsinfo, call (503) 823-7300 or come in to the Development Services Center.

- General Notes
- A. Contractor To Verify Existing Conditions Prior To Start of Work.
 - B. See Enlarged Sections For Egress and Stair Details
 - C. Existing Floor Framing is 2x10 Wood Joists @ 16" O.C. See Wall Section for Assembly
 - D. All Existing Wall Partitions to Be Legalized.



This Existing Door Provides Communication Between the Proposed ADU and the Main Dwelling Unit.



CONSULTANTS/ CONTRACTOR			TITLE				FROM	PHASE	PROJECT NUMBER
ARCHITECT			BASEMENT FLOOR PLAN				NKL	PERMIT	029-OR
ONE TO ONE works LLC - 2645 NE 7th Ave PORTLAND, OREGON 97212		LOCATION	LEVEL	SCALE	ZONE	REVISION	DRAWING NUMBER	AUTHOR	DATE
		3060 NW WILSON STREET PORTLAND, OREGON 97210	B	1/8" = 1'-0"		001	A2.01		09/07/2019