

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 - Reconsideration of ID 22104

Appeal ID: 22145	Project Address: 5543 NE Killingsworth St, Lot 6
Hearing Date: 11/20/19	Appellant Name: Slavik Dezhnyuk
Case No.: P-002	Appellant Phone: 503-209-7561
Appeal Type: Plumbing	Plans Examiner/Inspector: Jim Bechtel
Project Type: residential	Stories: 2 Occupancy: Residential Construction Type: Other
Building/Business Name:	Fire Sprinklers: No
Appeal Involves: Erection of a new structure, other: 6-lot subdivision	LUR or Permit Application No.: Appeal ID 22104 reconsideration
Plan Submitted Option: pdf [File 1] [File 2]	Proposed use: Single-family dwelling

APPEAL INFORMATION SHEET

Appeal item 1

Code Section	Oregon Plumbing Specialty Code - Chapter 7
Requires	<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;</p> <p>A public sewer is immediately available without the need for further sewer extension; and</p> <p>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> <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</p>

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.

Proposed Design

For the construction of and any maintenance and repair to the proposed new sanitary lateral for Lot 6, the applicant is proposing to dig a conventional trench within the proposed 5' x 88' easement on Lot 2 by placing the excavator on Lot 6, Lot 2 within the easement, or on NE 55th Avenue and reaching into the 5' x 88' easement. A 5' wide easement is proposed adjacent to this easement for the benefit of Parcel 5. The construction of both laterals can be done in the 10' total width of the easements. The excavation will be done vertically as possible and will minimize soil disturbances and shoring. Any maintenance for the sanitary line can be done in the 5' x 88' wide easement on Lot 2.

RECONSIDERATION TEXT

For the construction of and any maintenance and repair to the proposed new sanitary lateral for Lot 6, the applicant is proposing to hand dig or bore within the proposed 5' x 88' easement on Lot 2. A 5' wide easement is proposed adjacent to this easement for the benefit of Parcel 5. The construction of both laterals can be done in the 10' total width of the easements. If hand excavation will be done vertically as possible and will minimize soil disturbances and shoring. Any maintenance for the sanitary line can be done in the 5' x 88' wide easement on Lot 2 through boring or hand digging.

Reason for alternative Lot 6 does not have access to a public sanitary line in the NE Killingsworth Street right-of-way (lot frontage). The existing sanitary line is west of the property in NE 55th Avenue. The proposed 5' x 88' easement provides access to the sanitary main for Lot 6. A 10' x 88' easement would not change how the construction and/or repair of the sanitary lateral would be completed.

RECONSIDERATION TEXT

Lot 6 does not have access to a public sanitary line in the NE Killingsworth Street right-of-way (lot frontage). The existing sanitary line is west of the property in NE 55th Avenue. The proposed 5' x 88' easement provides access to the sanitary main for Lot 6. A 10' x 88' easement would not change how the construction and/or repair of the sanitary lateral would be completed as construction will be done by boring or hand digging.

APPEAL DECISION

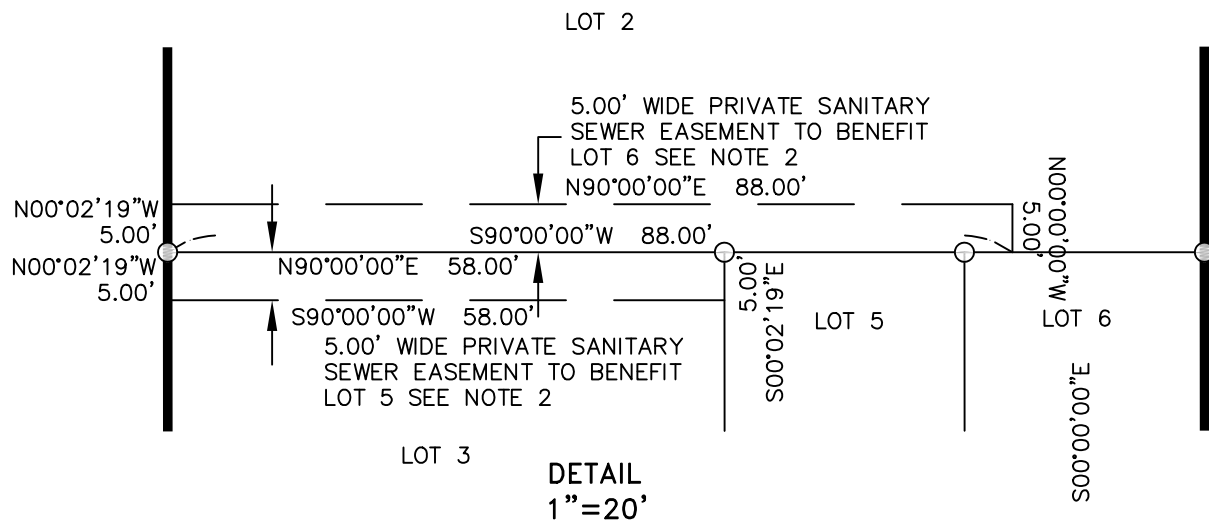
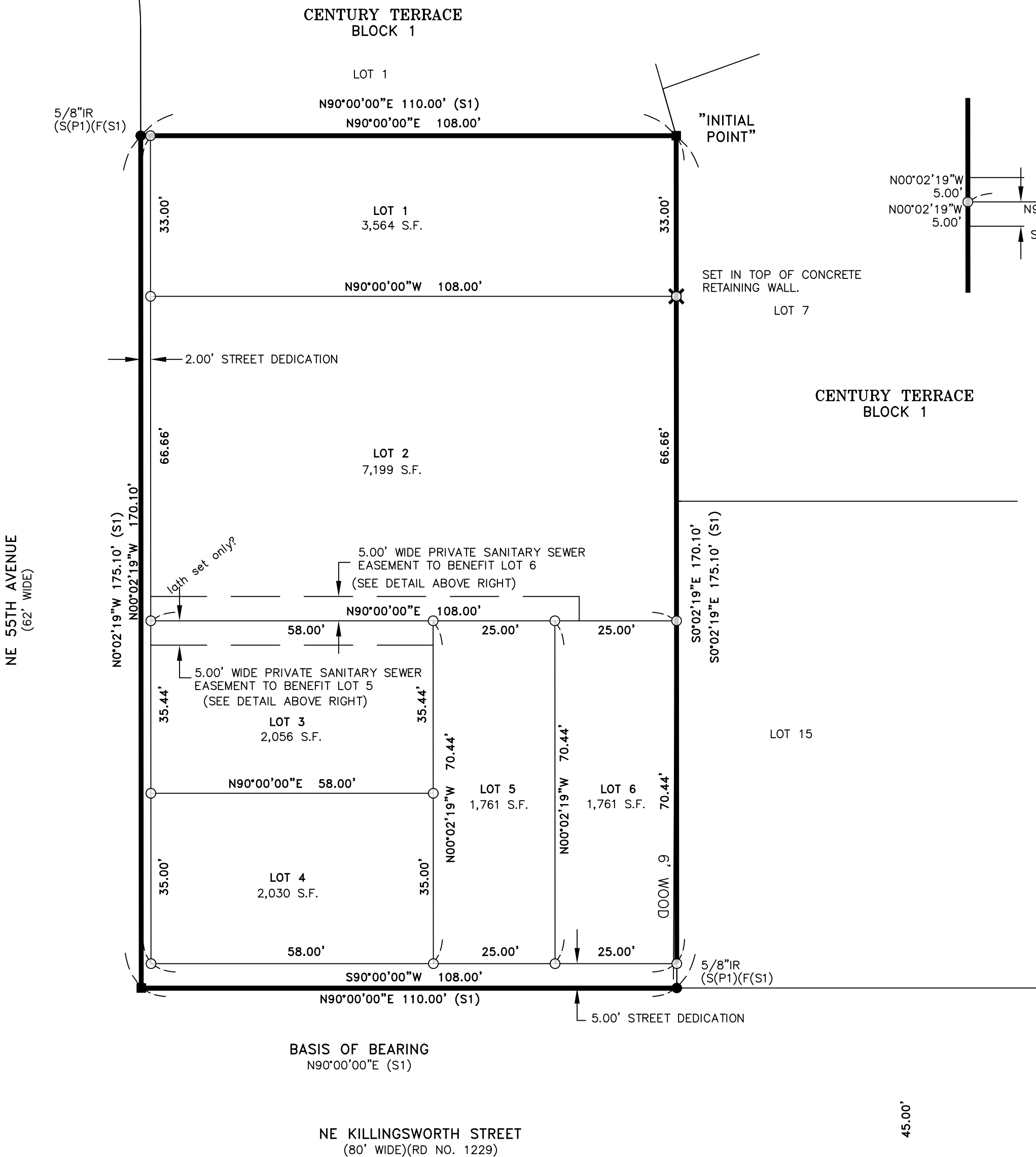
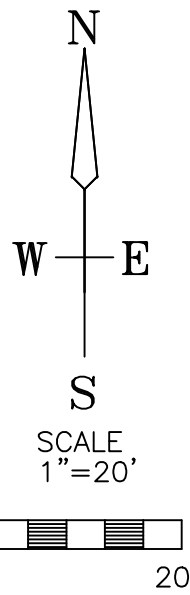
Five foot easement on Lot 2 for sanitary lateral installation on Lot 6: Granted provided the easement is reviewed and approved by Bureau of Development Services prior to recording. Appellant shall contact Jessica Ruch (503-823-4162) for information.

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 Plumbing 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.

JOANNA PLACE

A TRACT OF LAND
IN THE SE 1/4, SECTION 18, T.1N., R.2E., W.M.
CITY OF PORTLAND, MULTNOMAH COUNTY, OREGON
DATE: JANUARY 23, 2019



LEGEND

- - INDICATES MONUMENT FOUND AS NOTED
- - INDICATED 5/8" IRON ROD W/ RED PLASTIC CAP STAMPED "FERGUSON LS 2445", SN 65987
- - INDICATED 5/8" X 30" IRON ROD W/ YELLOW PLASTIC CAP STAMPED "FERGUSON LAND SURVEYING INC.", SET ON JANUARY 23, 2019
- ⊕ - INDICATES 1-1/4" BRASS DISC STAMPED "LS 2445", SET ON JANUARY 23, 2019
- IR = IRON ROD
- S.F. = SQUARE FEET
- SN = SURVEY NUMBER, MULTNOMAH COUNTY SURVEY RECORDS
- DOC NO. = DOCUMENT NUMBER, MULTNOMAH COUNTY DEED RECORDS

MULTNOMAH COUNTY RECORDS REFERENCED

PLATS: (P1) CENTURY TERRACE,
SURVEYS: (S1) SN 65987,
DEEDS: (D1) DOC NO. 2017-049086

I HEREBY CERTIFY, THIS IS A TRUE
AND EXACT COPY OF THE ORIGINAL
SUBDIVISION PLAT.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 25, 1990
JOE H. FERGUSON
2445
RENEWAL DATE 12/31/19

Ferguson Land Surveying, Inc.
646 SE 106TH AVE. PORTLAND, OR 97216
Phone (503) 408-0601 Fax (503) 408-0602

JOANNA PLACE

CLIENT:
DEZ DEVELOPMENT
SLAVIK DEZHNYUK
5543 NE KILLINGSWORTH STREET
PORTLAND OR. 97015

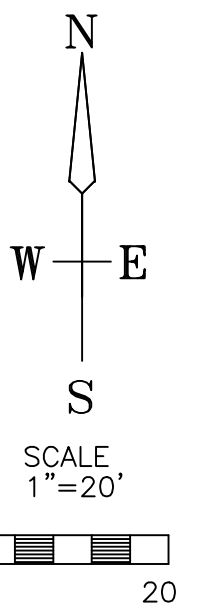
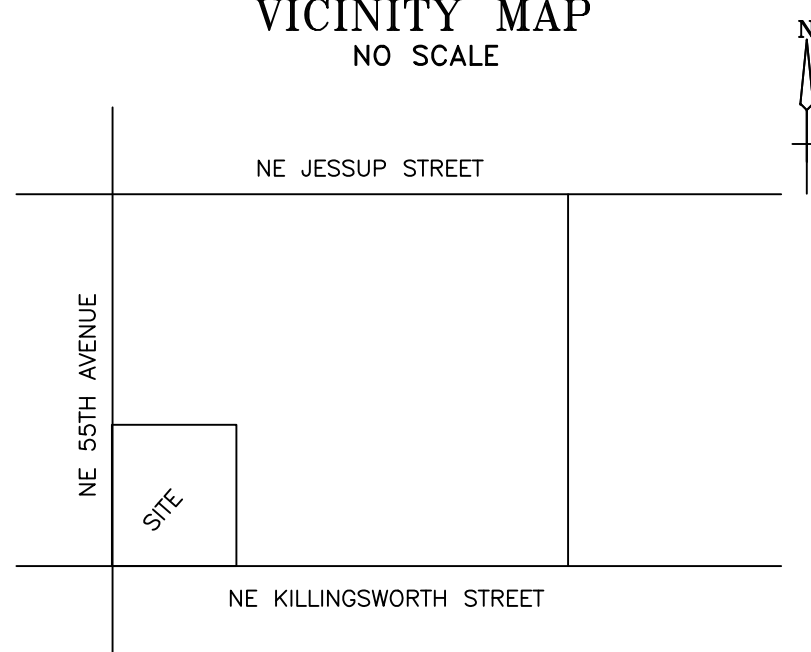
DATE: JANUARY 23, 2019
REVISED
REVISED
REVISED

JOB NO. 17-073
DRAFTED 05.07.18
SHEET 2 OF 2

SYMBOLS

- ⊕ = POWER POLE
- = GUY ANCHOR
- ⊞ = WATER METER
- ⊞ = GAS METER
- ⊞ = ELECTRIC METER
- ⊞_W = WATER VALVE
- ⊞_G = GAS VALVE
- ⊗ = SANITARY MANHOLE
- ⊙ = CLEAN OUT
- ⊞ = CATCH BASIN
- ⊙ = FIRE HYDRANT
- * = DOWN SPOUTS TO SPLASH BLOCKS
- ⊙ = DOWNSPOUT TO PIPE
- ⊙ = STORM MANHOLE
- P— = TELEPHONE LINE
- W— = WATER LINE
- PW— = PROPOSED WATER LINE
- G— = GAS LINE
- E— = ELECTRIC LINE
- PS— = PROPOSED SANITARY SEWER
- S— = SANITARY SEWER
- ST— = STORM SEWER
- ⊙ = OIL FILL
- ⊙ = PROPOSED DRYWELL
- "EPL" = LINE TO CONFIRM
- ⊙ = DECIDUOUS TREE
- ⊙ = CONIFER TREE
- ⊙ = PROPOSED LELAND CYPRESS

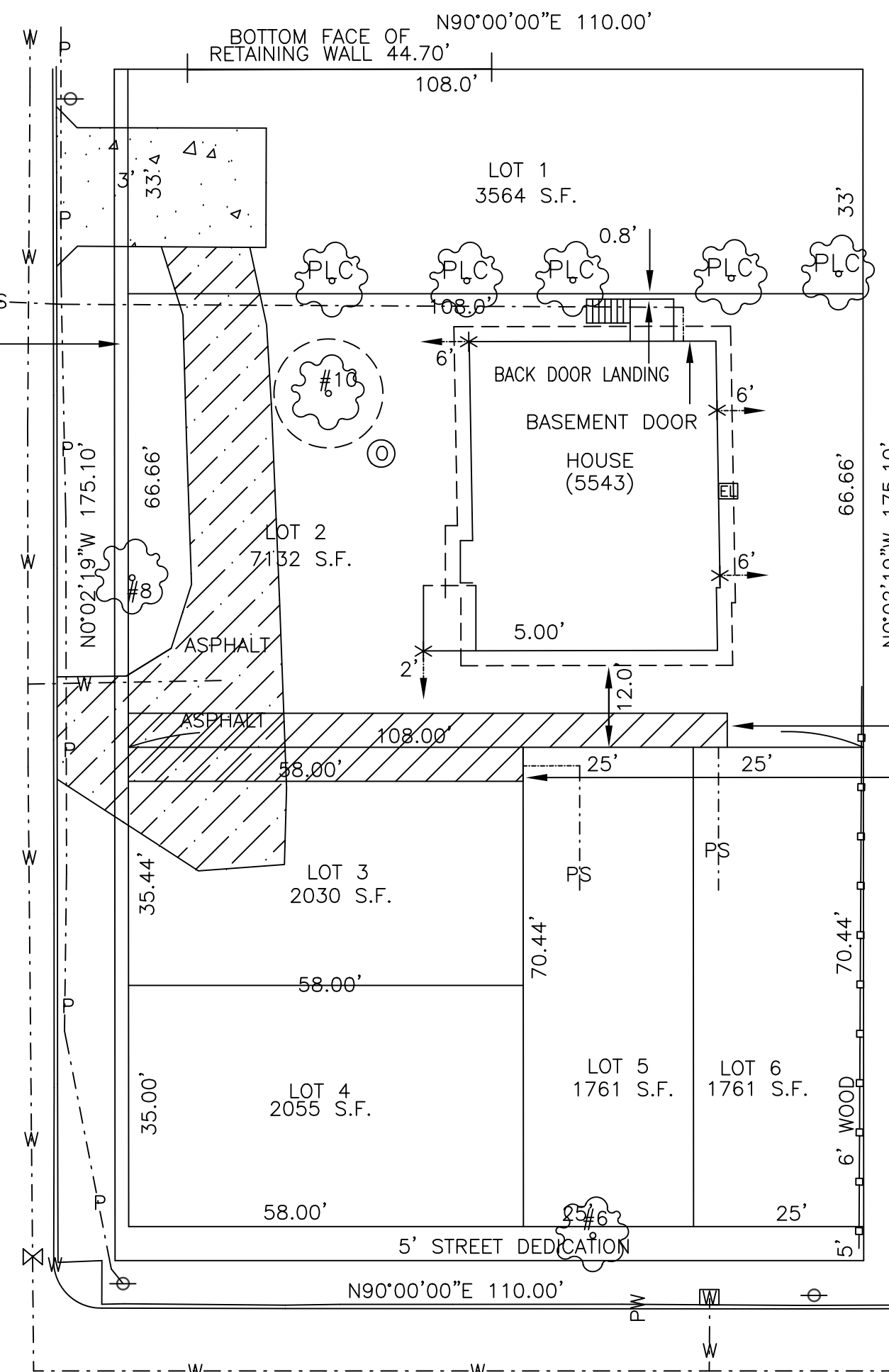
VICINITY MAP NO SCALE



TOTAL LOT AREA 19,260 S.F.
TOTAL LOT AREA AFTER DEDICATION 18,370 S.F.

2' STREET DEDICATION

N.E. 55TH AVENUE
(50.00' WIDE)



5' WIDE SAN. SEWER EASEMENT TO
SERVE LOT 6
5' WIDE SAN. SEWER EASEMENT TO
SERVE LOT 5

N.E. KILLINGSWORTH STREET
(80.00' WIDE)

MH #1001
RIM ELEV= 132.22'
IE IN WEST = -15.60'
IE OUT NORTH = -15.83'

Frontage improvements along NE Killingsworth and the corner ramp will be included as part of the City of Portland - Bureau of Transportation Connected Cully Sidewalk Infill Project (T00460).

MH #1008
RIM ELEV= 131.73'
IE IN SOUTH = -13.22'
IE OUT EAST = -13.37'

NOTE: ELEVATION DATUM IS PER CITY OF PORTLAND BENCHMARK NO. 3237

REGISTERED
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LAND SURVEYOR

OREGON
JULY 25, 1990
JOE H. FERGUSON
2445
RENEWAL DATE 12/31/19

Ferguson Land Surveying, Inc.

646 SE 106TH AVE. PORTLAND, OR 97216
Phone (503) 408-0601 Fax (503) 408-0602
www.FergusonLandSurveying.com

SUPPLEMENTAL MAP

TAX LOT 5200 SITUATED
IN THE SE 1/4, SECTION 18, T.1N., R.2E., W.M.
PORTLAND, MULTNOMAH COUNTY, OREGON

DEZ DEVELOPMENT LLC
SLAVIK DEZHNYUK
10117 SE SUNNYSIDE ROAD
SUITE F1123
CLACKAMAS, OR 97015

DATE: MAY 9, 2017

REVISED 10/17/2019

REVISED: 2.15.2018

REVISED: 7.8.2019

JOB NO. 17-073

DRAFTED 5.9.17

SHEET 1 OF 1