

Development Services

From Concept to Construction

Phone: 503-823-7300 Email: bds@portlandoregon.gov 1900 SW 4th Ave, Portland, OR 97201

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APPEAL SUMMARY

Status: Mixed Decision. Items 1, 3: Decision Rendered. Item 2: Hold for Additional Information - Reconsideration of ID 16512

Appeal ID: 23510	Project Address: 8005 N Willamette Blvd
Hearing Date: 2/26/20	Appellant Name: Elijah Elder
Case No.: B-017	Appellant Phone: 5034751220
Appeal Type: Building	Plans Examiner/Inspector: Guy Altman
Project Type: commercial	Stories: 3 Occupancy: R-2 Construction Type: V-B
Building/Business Name:	Fire Sprinklers: No
Appeal Involves: Alteration of an existing structure, Reconsideration of appeal	LUR or Permit Application No.: 19-267744-CO
Plan Submitted Option: pdf [File 1] [File 2] [File 3] [File 4]	Proposed use: Apartment Building

APPEAL INFORMATION SHEET

Appeal item 1

Code Section	Table 1021.2(1)
Requires	<p>Table Title: Stories with one exit or access to one exit for R-2 occupancies.</p> <p>Requires: R-2 occupancies w/ up to 4 dwelling units can have one exit from a third floor if the travel distance is 125 feet or less and is equipped w/ an automatic sprinkler system.</p>
Code Modification or Alternate Requested	Remove existing fire escape from third story and utilize existing interior exit access stairway as sole means of egress.
Proposed Design	<p>This was originally appealed under Appeal #16512 as the design of the stair has changed from the original appeal the plans examiner requested we make a new appeal.</p> <p>Original Text: Fire Escape is old & deteriorated. If Fire escape is removed, one exit remains from 3rd floor. As indicated on the attached Floor Plans & Travel Distance Diagram, the travel distance is 83 feet. With these conditions, to consider removal of fire escape via Building Code Appeal, the Plans Examiner required that non-conforming conditions (per current code) to be identified along Path of Egress. The non-conforming conditions are: 1) Stair head height at 1st to 2nd stair. 2) Noncontinuous handrail at 1st to 2nd stair. 3) 2nd to 3rd stair rise and run and stair width. 4) No automatic sprinkler system.</p> <p>Updated proposed design includes: 1) Modifying 2nd to 3rd stair such that it conforms to required code and also addresses the head height deficiency below on the 1st to 2nd stair. 2) Move Unit #4 entrance to top of new staircase so that the dwelling space is separated from the Path of Egress.</p>

Add handrail to east side of 1st to 2nd stair per required code. 4) Install a Partial NFPA 13R Exitway Protection automatic sprinkler system to cover the Path of Egress.

Reconsideration Text: The revised plan includes the following changes from the previous appeal:
1) Install a NFPA 13R sprinkler system in entire building. 2) Entry to 3rd story unit is now accessed via a stair within the unit with entry door on 2nd story.

Reason for alternative Original Text :Alternate is required because the remaining single path of egress in its current state does not provide equivalent Life Safety to Fire Escape. Alternate will provide an equivalent Life Safety as it: 1) ensures the path of egress is easily traversable; 2) ensures the path of egress is protected from fire hazards by removing non-conforming conditions and adding exitway fire sprinkler protection.

Reconsideration Text: In addition to the above the new design provides an additional amount of protection by fully sprinklering building with NFPA 13R Sprinklers. Moving the door to 3rd floor unit to the 2nd floor reduces the amount of floors connected by interior access stairways to 2.

Appeal item 2

Code Section 1008.1.1

Requires Door openings must be 32" wide and 80" high.

Code Modification or Alternate Requested Utilize the non-conforming door opening at the right of the stair.

Proposed Design The opening is 38" wide but because of the slope of the roof in the space there is only 15" of the opening that is 80" high or higher (See diagram on building section).

Reason for alternative This is required to allow the new stair to utilize the existing framing at the head of the stair to avoid additional posts beneath a new stair head location. The door opening enters into a kitchen dining area. This will offer an equivalent life and safety protection because: 1) The room accessed is a kitchen and not a sleeping area so occupants will be aware of the door size 2) The opening is within a dwelling unit and any occupants will be familiar with the doorways in their apartment. 3) Opening to sleeping area meets the height requirements.

Appeal item 3

Code Section 1109.3.12

Requires Exit access stairways connecting 4 stories in R-2 Buildings must have an enclosure with a 2hr rating. Exit access stairways connection less than 4 stories must have a 1 hr rating.

Code Modification or Alternate Requested Utilization of the existing walls of the stairway without upgrading the walls and doors to fire rated construction.

Proposed Design The existing walls are gypsum board over wood studs and will remain as-is. All new walls will be built as 1 HR construction and all new doors will have the appropriate fire rating. New NFPA 13R Fire Sprinklers will be installed throughout building.

Reason for alternative This alternate is required to avoid additional work within the structure which would extend into the basement. This provides equivalent protection because:

No part of the exit access stairway connects more than two floors. These stairways are not required to be enclosed per 1109.3 Exception #1
 Stairway to 3rd floor unit is within dwelling unit. This stairways is not required to be enclosed per 1109.3 Exception #1.
 New fire sprinklers in currently unsprinklered building will provide additional protection.

APPEAL DECISION

- 1. Removal of existing fire escape with single existing interior exit access stair to remain: Granted as proposed.**
- 2. Existing door opening with reduction in minimum required opening height: Hold for additional information.**
- 3. Existing non-fire rated stair enclosure walls and doors to remain: Hold for additional information.**

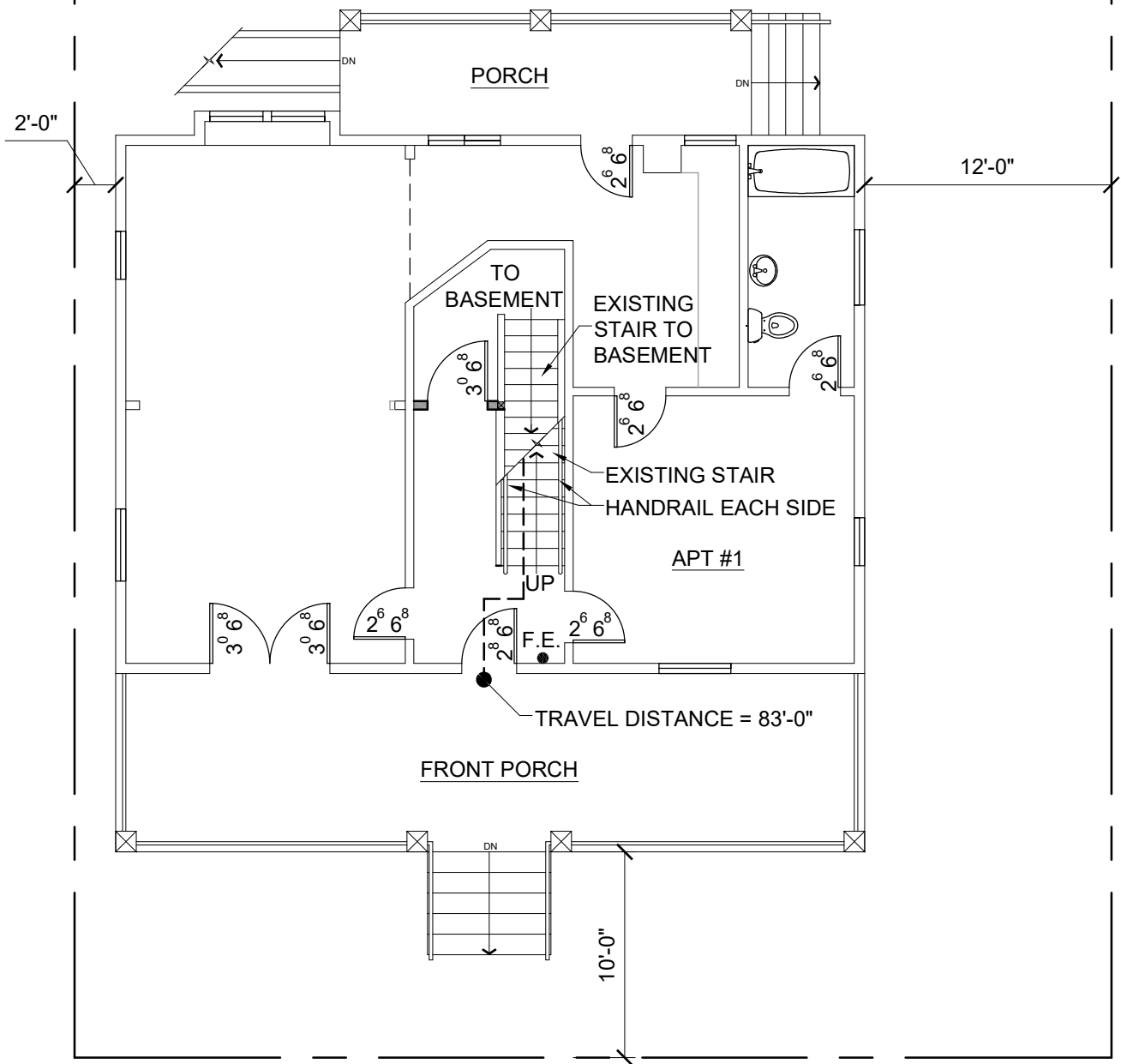
Appellant may contact John Butler (503 823-7339) with questions.

For items 1: 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 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.

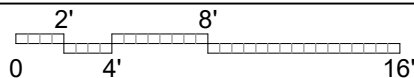
For item 2,3: Additional information is submitted as a no fee reconsideration, following the same submittal process and using the same appeals form as the original appeal. Indicate at the beginning of the appeal form that you are filing a reconsideration and include the original assigned Appeal ID number. The reconsideration will receive a new appeal number.

Include the original attachments and appeal language. Provide new text with only that information that is specific to the reconsideration in a separate paragraph(s) clearly identified as "Reconsideration Text" with any new attachments also referenced. No additional fee is required.



FIRST FLOOR PLAN

1/8"=1'-0"



WALL SCHEDULE

	EXISTING WALL
	NEW 1HR WALL
	PARTIAL HEIGHT WALL
	DEMO WALL

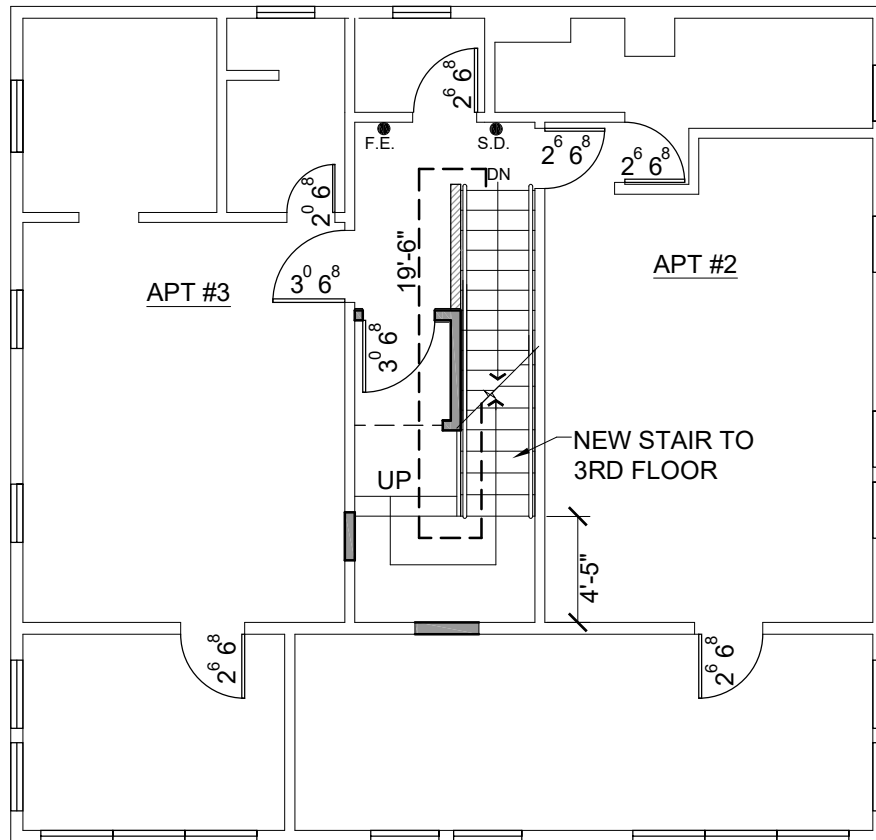
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RAREBIRD WILLAMETTE 4-PLEX

8005 N WILLAMETTE BLVD.
PORTLAND, OR 97203

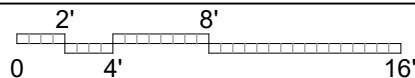
CONVERGENCE
ARCHITECTURE

7302 N Richmond Ave, Portland, OR 97203
ph. 503.308.1028 | fax 503.308.6272
info@convergencearch.com
www.convergencearch.com



SECOND FLOOR PLAN

1/8"=1'-0"



WALL SCHEDULE

	EXISTING WALL
	NEW 1HR WALL
	PARTIAL HEIGHT WALL
	DEMO WALL

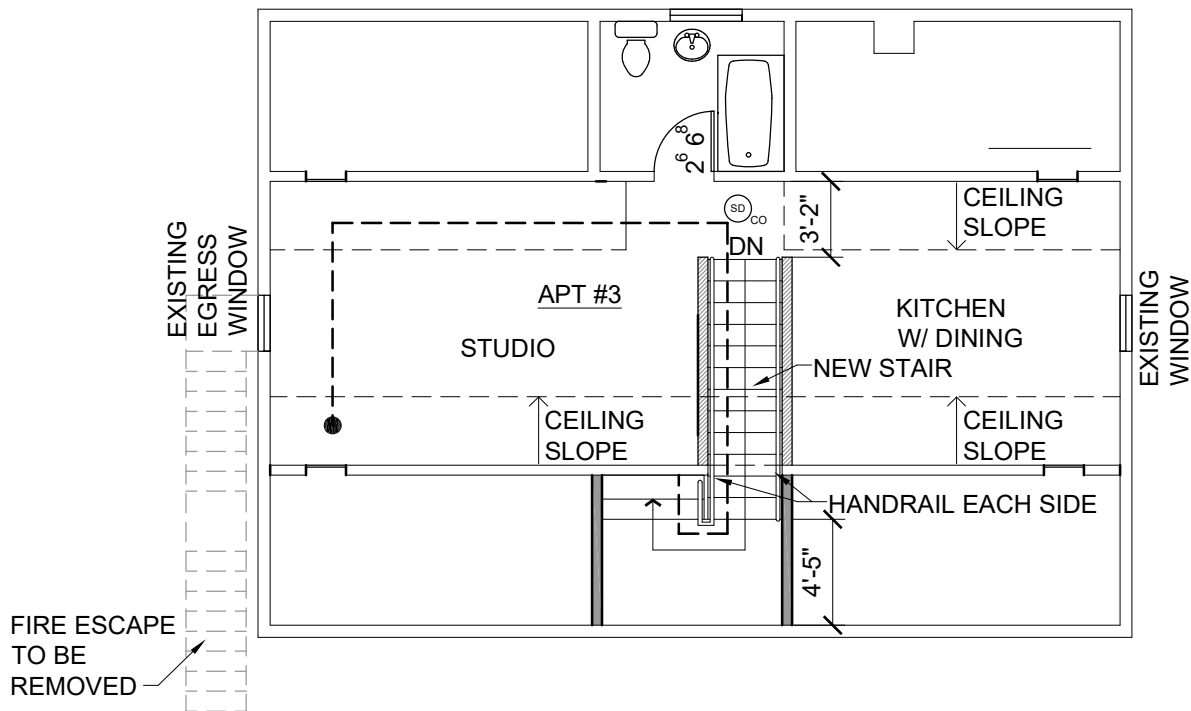
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RAREBIRD WILLAMETTE 4-PLEX

8005 N WILLAMETTE BLVD.
PORTLAND, OR 97203

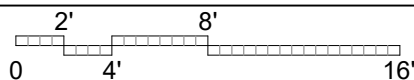
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THIRD FLOOR PLAN

1/8"=1'-0"



WALL SCHEDULE

	EXISTING WALL
	NEW 1HR WALL
	PARTIAL HEIGHT WALL
	DEMO WALL

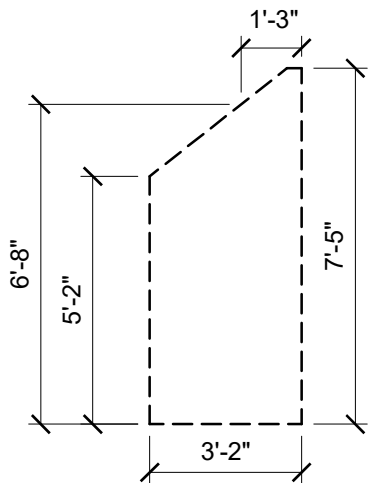
Date: 02/12/20

RAREBIRD WILLAMETTE 4-PLEX

8005 N WILLAMETTE BLVD.
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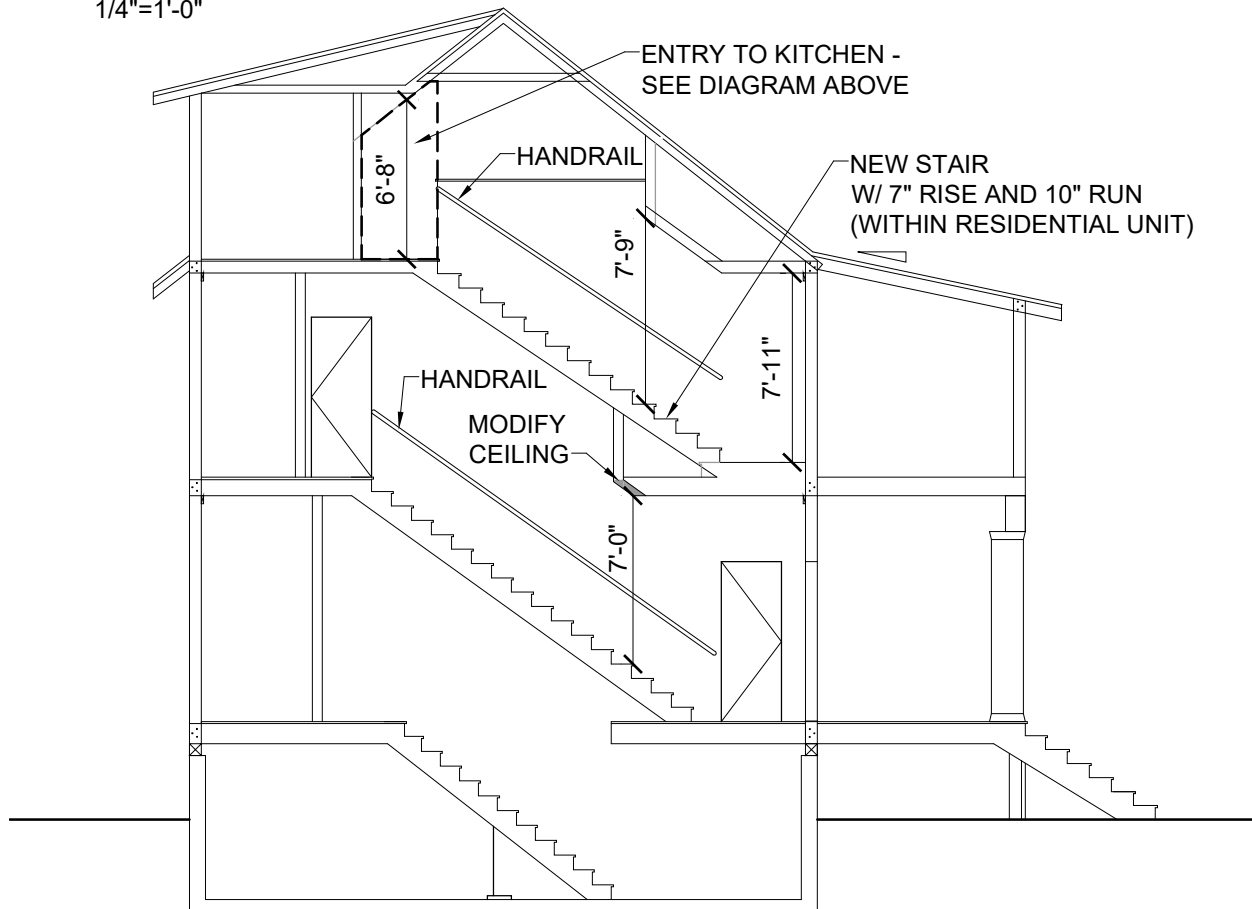
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ENTRY TO KITCHEN

1/4"=1'-0"

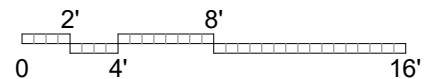


NORTH



SECTION

1/8"=1'-0"



Date: 02/12/20

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