

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

| | |
|--|---|
| Appeal ID: 26195 | Project Address: 515 NE Tomahawk Island Dr |
| Hearing Date: 10/6/21 | Appellant Name: Loren Davis |
| Case No.: B-006 | Appellant Phone: 206-999-5177 |
| Appeal Type: Building | Plans Examiner/Inspector: Sloan Shelton, Nancy Thorington |
| Project Type: residential | Stories: 1 Occupancy: S-1 Construction Type: V-B |
| Building/Business Name: | Fire Sprinklers: No |
| Appeal Involves: other: No Build Easement | LUR or Permit Application No.: 20-154281-PR |
| Plan Submitted Option: pdf [File 1] | Proposed use: Garages for auto storage |

APPEAL INFORMATION SHEET

Appeal item 1

| | |
|---|---|
| Code Section | Table 602 Fire Resistance Rating Table |
| Requires | Garages need 2 hour fire restive wall if the wall is built on property line |
| Code Modification or Alternate Requested | Provide a 10' wide no-build easement adjacent to the garages wall at property line |
| Proposed Design | 10' wide No Build Easement |
| Reason for alternative | The 10' wide No Build Easement will provide the same fire separation similar to if the garage walls were 10' from the property line |

APPEAL DECISION

Omission of fire rated construction within 10 feet of the property line with no build easement: Granted provided the no-build easement is located on Tract 7 and is a minimum of 10 feet wide and extends along the East side of the parking garage from the corner created by the new property lines and extends 120 feet to the South along the new property line.

Appellant must contact Nancy Thorington (503-865-6438) for more information prior to writing the no build easement.

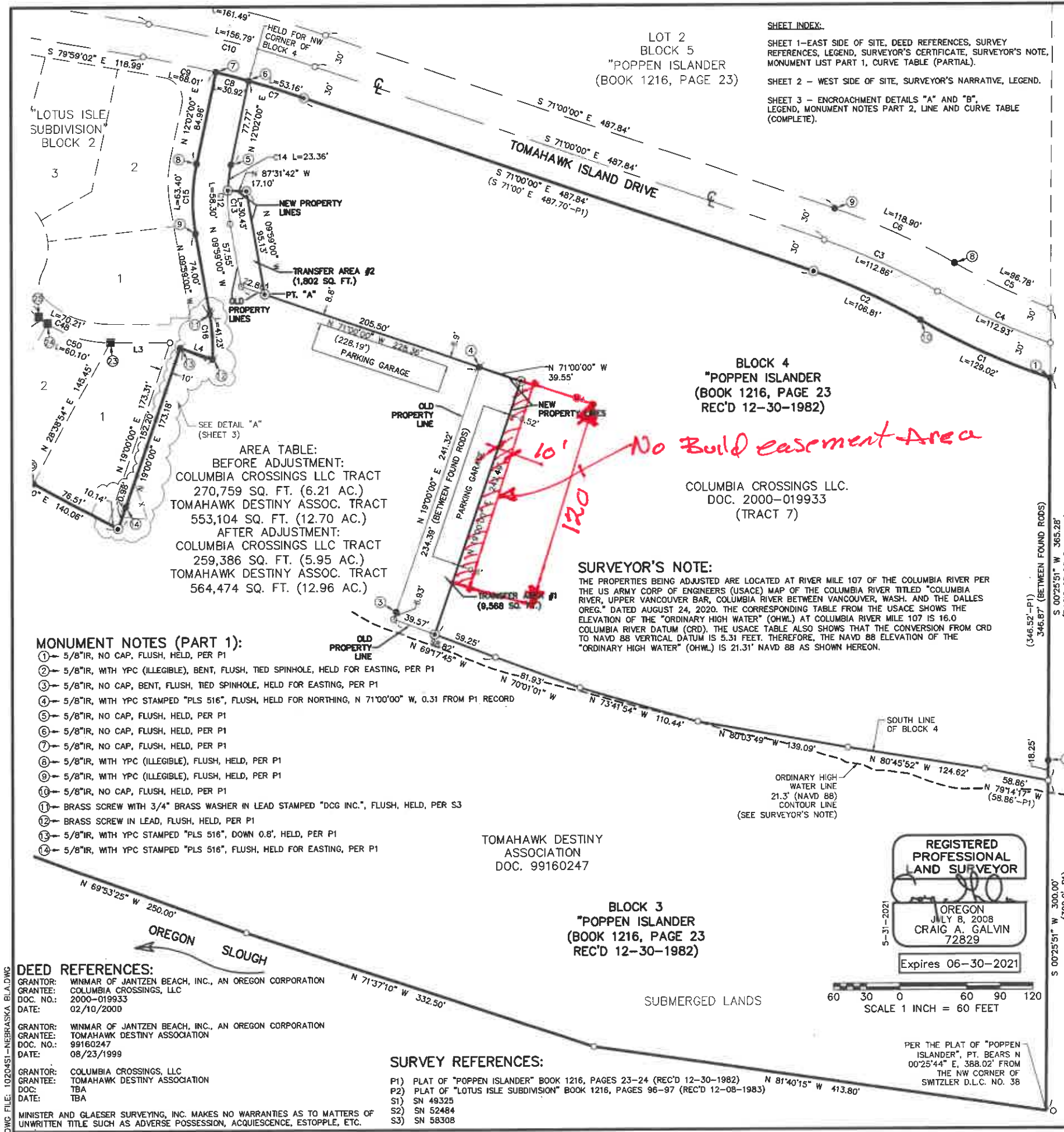
The easement must include language that establishes the edge of the easement on the adjacent lot as the implied property line for the purpose of determining fire separation distance for future development on the adjacent lot.

The unrecorded easement must be reviewed and approved by BDS prior to recording. A copy of the recorded easement must then be provided to BDS prior to plan review approval.

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.



SHEET INDEX:
SHEET 1—EAST SIDE OF SITE, DEED REFERENCES, SURVEY REFERENCES, LEGEND, SURVEYOR'S CERTIFICATE, SURVEYOR'S NOTE, MONUMENT LIST PART 1, CURVE TABLE (PARTIAL).
SHEET 2 — WEST SIDE OF SITE, SURVEYOR'S NARRATIVE, LEGEND.
SHEET 3 — ENCROACHMENT DETAILS "A" AND "B", LEGEND, MONUMENT NOTES PART 2, LINE AND CURVE TABLE (COMPLETE).

SURVEY
FOR PROPERTY LINE
ADJUSTMENT
OF A PORTION OF BLOCK 3
AND BLOCK 4 OF
"POPPEN ISLANDER"
(BK. 1216, PGS. 23-24)
LOCATED IN THE
NE 1/4 OF SECTION 3
T. 1 N., R. 1 E., W. M. AND THE
SE 1/4 OF SECTION 34
T. 2 N., R. 1 E., W. M
CITY OF PORTLAND,
MULTNOMAH COUNTY, OREGON
COP CASE FILE: 20-154281-PR

- LEGEND:**
- INDICATES RIGHT OF WAY CENTERLINE
 - INDICATES CALCULATED POSITION
 - ⊙ INDICATES 5/8" x 30" REBAR WITH YPC INSCRIBED "GALVIN 72829", SET
 - INDICATES FOUND 5/8" REBAR, NO CAP (HELD), SET ON PLAT OF "POPPEN ISLANDER", UNLESS NOTED OTHERWISE.
 - ⊗ INDICATES FOUND 5/8" REBAR W/ YPC (HELD), SET ON PLAT OF "POPPEN ISLANDER", UNLESS NOTED OTHERWISE
 - ⊗ INDICATES FOUND BRASS SCREW IN CONCRETE (HELD), UNLESS NOTED OTHERWISE.
 - INDICATES FOUND 5/8" REBAR, NO CAP (HELD), SET ON PLAT OF "LOTUS ISLE SUBDIVISION", UNLESS NOTED OTHERWISE.
 - ④ INDICATES MONUMENT LABEL, SEE MONUMENT NOTES
 - IR INDICATES IRON ROD
 - IP INDICATES IRON PIPE
 - YPC INDICATES YELLOW PLASTIC CAP
 - COP INDICATES CITY OF PORTLAND

| CURVE TABLE | | | | | |
|-------------|----------|-----------|-----------|---------------|-------------|
| CURVE | RADIUS | DELTA | ARC DIST. | CHORD BEARING | CHORD DIST. |
| C1 | 590.30' | 12°31'23" | 129.02' | S 65°43'15" E | 128.76' |
| C2 | 530.30' | 11°32'26" | 106.81' | N 65°13'47" W | 106.63' |
| C3 | 560.30' | 11°32'26" | 112.86' | N 65°13'47" W | 112.67' |
| C4 | 560.30' | 11°32'53" | 112.93' | S 65°14'00" E | 112.74' |
| C5 | 530.30' | 10°27'21" | 96.78' | S 64°41'15" E | 96.64' |
| C6 | 590.30' | 11°32'26" | 118.90' | N 65°13'47" W | 118.70' |
| C7 | 970.00' | 3°08'24" | 53.16' | N 72°34'12" W | 53.15' |
| C8 | 970.00' | 1°49'35" | 30.92' | N 75°03'12" W | 30.92' |
| C9 | 970.00' | 4°01'02" | 68.01' | N 77°58'30" W | 68.00' |
| C10 | 1000.00' | 8°58'00" | 156.79' | N 75°30'01" W | 156.63' |
| C12 | 140.00' | 22°01'00" | 53.80' | S 01°01'30" W | 53.47' |
| C13 | 140.00' | 12°27'18" | 30.43' | S 03°45'21" E | 30.37' |
| C14 | 140.00' | 9°33'42" | 23.36' | S 07°15'09" W | 23.34' |
| C15 | 165.00' | 22°01'00" | 63.40' | S 01°01'30" W | 63.01' |
| C16 | 177.74' | 13°17'32" | 41.23' | N 03°20'14" W | 41.14' |
| C48 | 102.00' | 39°26'28" | 70.21' | S 69°52'27" E | 68.84' |
| C50 | 102.00' | 33°45'33" | 60.10' | S 72°42'55" E | 59.23' |

- MONUMENT NOTES (PART 1):**
- 5/8" IR, NO CAP, FLUSH, HELD, PER P1
 - 5/8" IR, WITH YPC (ILLEGIBLE), BENT, FLUSH, TIED SPINHOLE, HELD FOR EASTING, PER P1
 - 5/8" IR, NO CAP, BENT, FLUSH, TIED SPINHOLE, HELD FOR EASTING, PER P1
 - 5/8" IR, WITH YPC STAMPED "PLS 516", FLUSH, HELD FOR NORTHING, N 71°00'00" W, 0.31 FROM P1 RECORD
 - 5/8" IR, NO CAP, FLUSH, HELD, PER P1
 - 5/8" IR, NO CAP, FLUSH, HELD, PER P1
 - 5/8" IR, NO CAP, FLUSH, HELD, PER P1
 - 5/8" IR, WITH YPC (ILLEGIBLE), FLUSH, HELD, PER P1
 - 5/8" IR, WITH YPC (ILLEGIBLE), FLUSH, HELD, PER P1
 - 5/8" IR, NO CAP, FLUSH, HELD, PER P1
 - BRASS SCREW WITH 3/4" BRASS WASHER IN LEAD STAMPED "DCG INC.", FLUSH, HELD, PER S3
 - BRASS SCREW IN LEAD, FLUSH, HELD, PER P1
 - 5/8" IR, WITH YPC STAMPED "PLS 516", DOWN 0.8", HELD, PER P1
 - 5/8" IR, WITH YPC STAMPED "PLS 516", FLUSH, HELD FOR EASTING, PER P1

SURVEYOR'S NOTE:
THE PROPERTIES BEING ADJUSTED ARE LOCATED AT RIVER MILE 107 OF THE COLUMBIA RIVER PER THE US ARMY CORP OF ENGINEERS (USACE) MAP OF THE COLUMBIA RIVER TITLED "COLUMBIA RIVER, UPPER VANCOUVER BAR, COLUMBIA RIVER BETWEEN VANCOUVER, WASH. AND THE DALLES OREG." DATED AUGUST 24, 2020. THE CORRESPONDING TABLE FROM THE USACE SHOWS THE ELEVATION OF THE "ORDINARY HIGH WATER" (OHWL) AT COLUMBIA RIVER MILE 107 IS 16.0 COLUMBIA RIVER DATUM (CRD). THE USACE TABLE ALSO SHOWS THAT THE CONVERSION FROM CRD TO NAVD 88 VERTICAL DATUM IS 5.31 FEET. THEREFORE, THE NAVD 88 ELEVATION OF THE "ORDINARY HIGH WATER" (OHWL) IS 21.31' NAVD 88 AS SHOWN HEREON.

DEED REFERENCES:
GRANTOR: WINMAR OF JANTZEN BEACH, INC., AN OREGON CORPORATION
GRANTEE: COLUMBIA CROSSINGS, LLC
DOC. NO.: 2000-019933
DATE: 02/10/2000

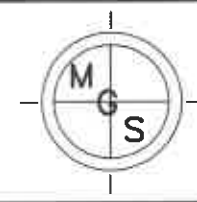
GRANTOR: WINMAR OF JANTZEN BEACH, INC., AN OREGON CORPORATION
GRANTEE: TOMAHAWK DESTINY ASSOCIATION
DOC. NO.: 99160247
DATE: 08/23/1999

GRANTOR: COLUMBIA CROSSINGS, LLC
GRANTEE: TOMAHAWK DESTINY ASSOCIATION
DOC. NO.: TBA
DATE: TBA

MINISTER AND GLAESER SURVEYING, INC. MAKES NO WARRANTIES AS TO MATTERS OF UNWRITTEN TITLE SUCH AS ADVERSE POSSESSION, ACQUIESCENCE, ESTOPPLE, ETC.

SURVEY REFERENCES:
P1) PLAT OF "POPPEN ISLANDER" BOOK 1216, PAGES 23-24 (REC'D 12-30-1982)
P2) PLAT OF "LOTUS ISLE SUBDIVISION" BOOK 1216, PAGES 96-97 (REC'D 12-08-1983)
S1) SN 49325
S2) SN 52484
S3) SN 58308

REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
JULY 8, 2008
CRAIG A. GALVIN
72829
Expires 06-30-2021



MINISTER-GLAESER SURVEYING INC.
2200 E. EVERGREEN BLVD.
VANCOUVER, WA 98661
(360) 694-3313

SCALE: 1"=60'
JOB NO. 10-204
DATE: 5-31-21
CALC BY: CAG
DRAWN BY: CAG
CHECKED BY: DAR
SHEET 1 OF 3