

Development Services

From Concept to Construction

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



APPEAL SUMMARY

Status: Decision Rendered - Reconsideration of ID 27869

Appeal ID: 27922	Project Address: 2334 SE 8th Ave
Hearing Date: 8/3/22	Appellant Name: Will Uebelacker
Case No.: B-006	Appellant Phone: 503-208-2034
Appeal Type: Building	Plans Examiner/Inspector: Tara Carlson
Project Type: commercial	Stories: 2 Occupancy: R-3 Construction Type: V-B
Building/Business Name:	Fire Sprinklers: Yes - NFPA 13D throughout
Appeal Involves: Reconsideration of appeal, occ Change from residential to residential transient living units, other: Transient, less than 10 occupants	LUR or Permit Application No.: 22-124671-CO
Plan Submitted Option: pdf [File 1]	Proposed use: Residence - Transient Living (R3)

APPEAL INFORMATION SHEET

Appeal item 1

Code Section	1207.2
Requires	Occupiable spaces, habitable spaces and corridors shall have a ceiling height of not less than 7'-6" above the finished floor. Bathrooms, toilet rooms, kitchens, storage rooms and laundry rooms shall have a ceiling height of not less than 7 feet above the finished floor.
Code Modification or Alternate Requested	Requesting lower than 7'-6" ceilings in the basement unit.
Proposed Design	We are proposing a 7'-0" ceiling in the basement and adding a larger 2'x3' casement egress window in the bedroom. The underside of existing beams is at 6'-7", except at the kitchen/dining location where we are proposing to move the beam up into the ceiling so the main egress path will have a 7'-0" height. The underside of existing ductwork is at 6'-4 1/2", and we are proposing to move the main duct line to the perimeter of the basement where it will not interfere w/ the main egress path.
Reason for alternative	Since a 6'-8" ceiling height is permitted in the Portland code guide for residential basements, we believe the use of these units matches the intention of the residential ceiling height requirement, rather than the 7'-6" commercial requirement. Beams, girders, ducts or other obstructions in basement containing habitable spaces are permitted to project within 6'-4" of the finished floor for residential uses. The existing beams and ductwork are 6'-4" or higher, meeting the residential code requirement. The beam along the kitchen/dining room will be moved into the ceiling, and the ductwork will be rerouted to provide a clear egress travel path of 7'-0". These are single family dwelling units, intended to be rented to a single group (no more than 5-6 people per dwelling). The occupancy is R3 and hazard is nearly identical to it's currently R3 use. We are providing larger

than required windows which meet the intent of the code for a comfortable living space and safe means of egress. Excavating the slab to add 6" of height represents an unreasonable burden.

APPEAL DECISION

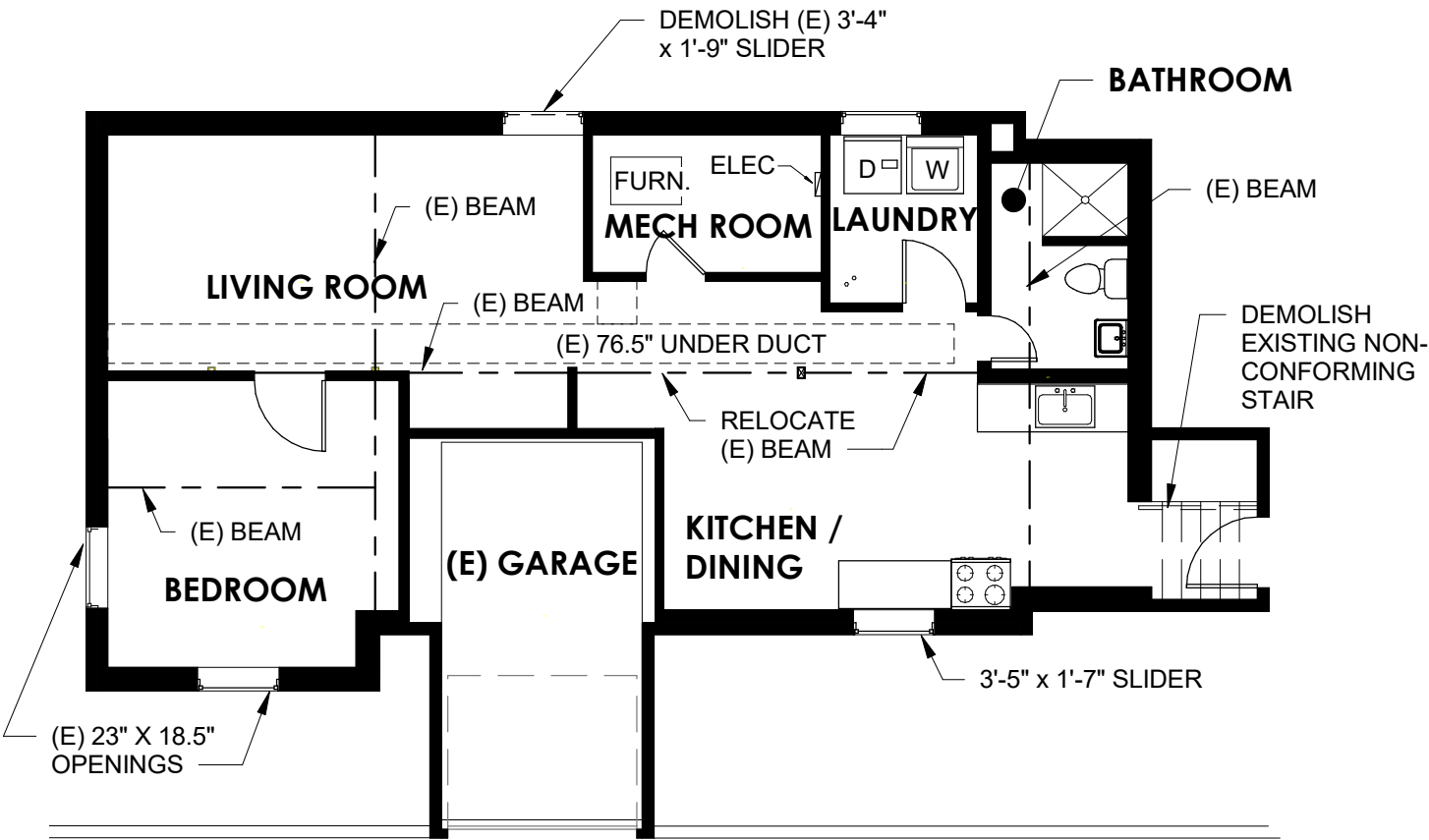
Reduction in the minimum required ceiling height from 7 feet 6 inches to 7 feet with projections to minimum 6 feet 4 inches: Granted as proposed.

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.

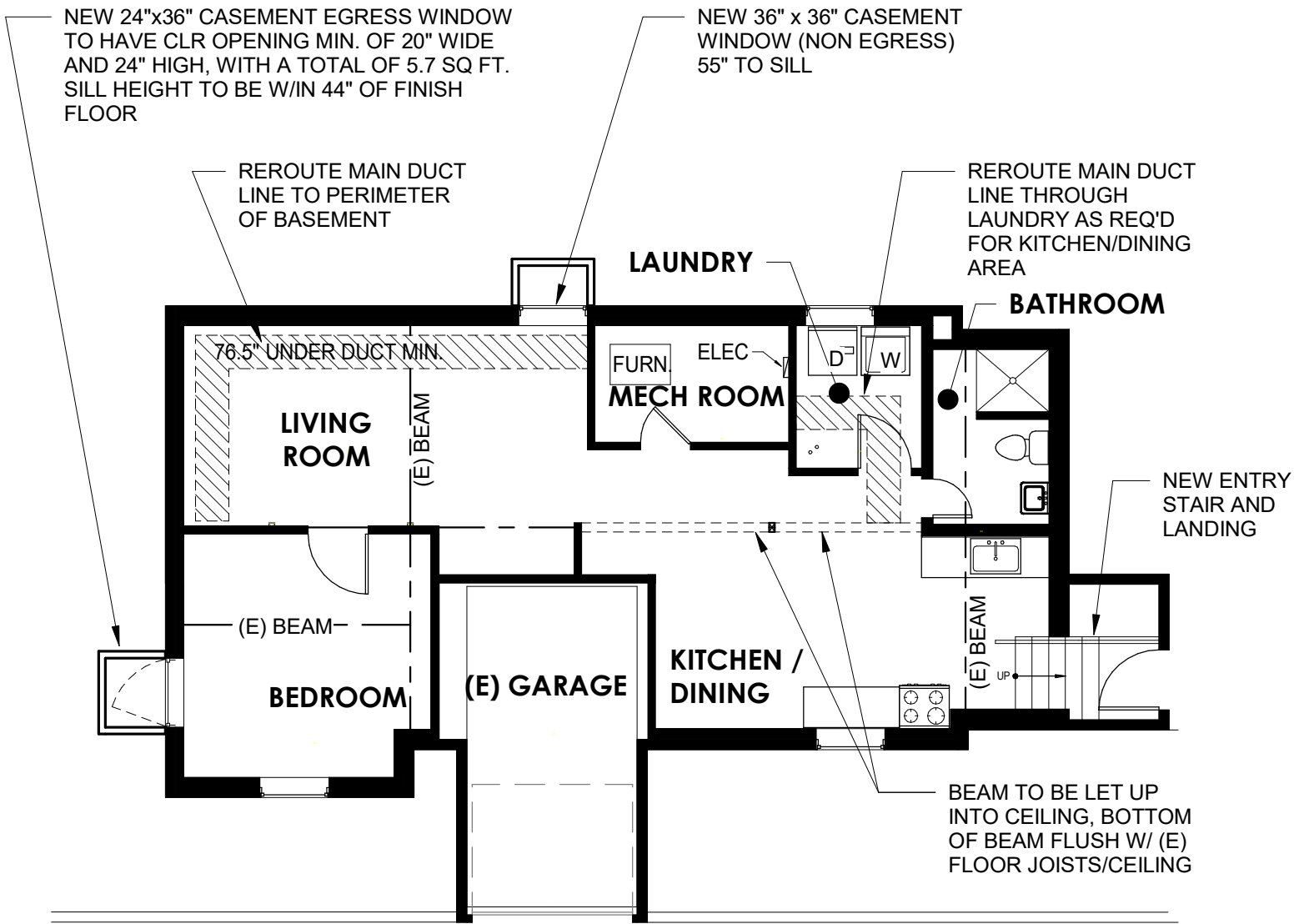
Pursuant to City Code Chapter 24.10, you may appeal this decision to the Building Code Board of Appeal within 90 calendar days of the date this decision is published. For information on the appeals process, go to www.portlandoregon.gov/bds/appealsinfo, call (503) 823-7300 or come in to the Development Services Center.

NOTE: EXISTING BASEMENT LAYOUT TO BE CONVERTED TO CONDITIONED LIVING SPACE - WAS NOT PREVIOUSLY PERMITTED.

EXISTING HEIGHT: 84" TO CEILING
79" TO BOTTOM OF BEAMS



1 BASEMENT - EXISTING PLAN
1/8" = 1'-0"



2 BASEMENT - PROPOSED PLAN
1/8" = 1'-0"

