

ORDINANCE No. 100908

An Ordinance changing from Zone II to Zone III Lots 8, 9, 10 and 11, Block 1, Terrace Park, located on the east side of S. E. 82nd Avenue between S. E. Ash Street and S. E. Stark Street, under certain conditions, petitioned for by Herman L. Nordstrom, Gustav W. Christ and Svea K. Christ, and declaring an emergency.

The City of Portland does ordain as follows:

Section 1. The Council finds that Herman L. Nordstrom, 3216 N. E. 48th Avenue, Portland 6, Oregon, and Gustav W. and Svea K. Christ, 300 N. E. 82nd Avenue, Portland, Oregon, have filed a petition to change from Zone II to Zone III Lots 8, 9, 10 and 11, Block 1, Terrace Park, located on the east side of S. E. 82nd Avenue between S. E. Ash Street and S. E. Stark Street, in the City of Portland, County of Multnomah and State of Oregon, and the City Planning Commission has recommended that the petition be granted under certain conditions, which conditions have been accepted in writing by the petitioners; that all remonstrances made or filed against said zone change have been considered by the Council at a hearing held on August 4, 1954, and have been overruled and are by this ordinance specifically overruled, and the Council finds that a rezoning as herein provided will not adversely affect the peace, health, safety or convenience of the neighborhood, but will be beneficial to both the neighborhood and the general public, and a rezoning as herein stated should be made; now, therefore, subject to the conditions herein stated, and pursuant to the Planning and Zoning Code (Ordinance No. 77953) the following described property hereby is changed from Zone II to Zone III, to-wit:

(Zone Change No. 1289) Lots 8, 9, 10 and 11, Block 1, Terrace Park, being a tract approximately 95 feet by 200 feet located on the east side of S. E. 82nd Avenue between S. E. Ash Street and S. E. Stark Street, in the City of Portland, County of Multnomah and State of Oregon.

This zone change is granted upon the following terms and conditions:

1. No part of any structure hereafter erected on the zone change area shall be closer than 45' to the center line of S. E. 82nd Avenue.

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2. One off-street parking space of 250 square feet shall be provided for every 250 square feet of ground floor area in buildings hereafter constructed on the zone change area.
3. Such off-street parking space shall be paved with a dust-proof material.
4. There shall be a screen immediately provided and thereafter maintained along the east boundary of the zone change area. This screen shall be a masonry wall, a lattice fence with openings not less than 30% nor more than 50%, a woven wire fence with evergreen vines or an evergreen hedge. Such wall, fence or hedge shall be at least 5 feet and not more than 6 feet high.

In the event of a failure to comply with the terms and provisions herein stated, or any thereof, the Council may in its discretion repeal this ordinance and restore the property to Zone II, or otherwise rezone the same as it may determine. This ordinance shall not be effective and no change shall be made in the zoning maps of the City until a certified copy of this ordinance shall have been recorded in the appropriate deed record file in the office of the County Clerk of Multnomah County. No recording shall be effected until the petitioners shall have filed with the City Auditor, in a form approved by the City Attorney, a document in writing accepting the terms and conditions of this ordinance and shall have paid the required fee for filing. The Auditor hereby is directed to charge the maps provided for in Section 6-601 of the Planning and Zoning Code by designating on said maps said property as being in Zone III.

Section 2. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: In order that there be no delay in the beneficial use of the above-described property; therefore, an emergency hereby is declared to exist, and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, AUG 18 1954

Fred L. Peterson
Mayor of the City of Portland

Attest:

Will Gibson

Auditor of the City of Portland

By *S. L. Tucker*
CHIEF DEPUTY

Calendar No. 3688

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Title

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INTRODUCED BY

Order of Council

DRAWN BY

FMI/dh

Date

August 6, 1954

NOTED BY THE COMMISSIONER

Affairs

Finance

Safety

Utilities

Works

City Attorney

MCR

NOTED FOR CITY AUDITOR

RSI

JHL

APPROVED

Date

By

City Engineer

Date

By

THE COMMISSIONERS VOTED
AS FOLLOWS:

	Yeas	Nays
Bean	/	
Boody	/	
Bowes	/	
Earl	/	
Peterson	/	

FOUR-FIFTHS CALENDAR

Bean	
Boody	
Bowes	
Earl	
Peterson	

Filed..... AUG 9 - 1954

Will Gibson.
Auditor of the CITY OF PORTLAND

By..... **R. S. MEY**
Deputy