

ORDINANCE No. 150195

An Ordinance waiving Section 33.98.040 of the Code to permit late acceptance of Variance No. VZ 216-80, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. The Variance Committee, on June 24, 1980, acting on the application of Floyd A. and Rose M. Chapman, deedholders, granted Variance No. VZ 216-80 to increase the height of a wall in the required front yard (along SE 36th) from the permitted 3.5 feet to four feet in order to construct a three foot retaining wall two inches from the property line and a four foot wall nine feet from the line (the four foot wall would be nine feet, four inches above the sidewalk level), the wall is to enclose a proposed swimming pool which would be 12 to 14 feet from the front property line and partially within the front yard area, the proposed pool would be three feet from the south property line, the applicant proposes a four foot wall along the south property line, all located at 6838 SE 36th Avenue on Tax Lot 1 of Block 78, Eastmoreland. Pursuant to the Code, written acceptance was required prior to July 25, 1980. Late acceptance was received August 1, 1980. No appeal was received on approval of the variance.
2. The applicants have requested and the Auditor recommends waiver of the 30 day limit for filing acceptance in order to avoid substantial delay and hardship.

NOW, THEREFORE, the Council directs:

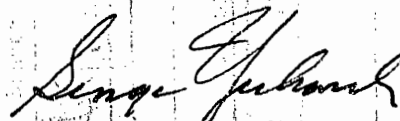
- a. That Section 33.98.040 of the Code be waived in order to render late acceptance of Variance No. VZ 216-80 to be valid and the variance to be in full force and effect.

Section 2. The Council declares that an emergency exists because the variance described in Section 1 above should be effective immediately in order to avoid unnecessary delay and additional costs; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council, AUG 13 1980

Mayor Connie McCready
CJS:ca
August 6, 1980

Attest:


Auditor of the City of Portland

Calendar No. 2890

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Title

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THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
Ivancie	1	
Jordan	1	
Lindberg	1	
Schwab		
McCready	1	

FOUR-FIFTHS CALENDAR	
Ivancie	
Jordan	
Lindberg	
Schwab	
McCready	

INTRODUCED BY
Mayor Connie McCready

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration <i>CM</i>
Safety
Utilities
Works

BUREAU APPROVAL
Bureau:
City Auditor
Prepared By: <i>ca</i> Date: 8/6/80
Budget Impact Review:
<input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required
Bureau Head:
George Yerkovich <i>ca</i>

CALENDAR
Consent <input checked="" type="checkbox"/> Regular <input type="checkbox"/>

NOTED BY
City Attorney
City Auditor
City Engineer

Filed AUG 7 1980

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

BY *Gordon Crull*
Deputy

20102