

**ORDINANCE No. 150901**

An Ordinance waiving Section 33.98.040 of the Code to permit late acceptance of Variance No. VZ 326-80, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. The Variance Committee, acting on the application by Alfred R. and Elsie M. Wendell, deedholders, and Richard O. Carpenter, optional purchaser, granted Variance No. VZ 326-80 (for both the north and south parcels) to reduce the minimum lot width from the required 50 feet to 41 feet, in order to divide an existing ownership and establish the south parcel as a building site on Lots 12 and 13, Firland Place, located at 5418 SW 70th Avenue. No appeal was made from such approval. Pursuant to Code Section 33.98.040, written acceptance was required prior to November 3, 1980. Acceptances were received from the deedholders on October 14, 1980, but the optional purchaser did not exercise his option and failed to file an acceptance and filing fee within the required time. A new purchaser, Al R. Anspach, desires to secure the variance and has submitted a signed acceptance and the recording fee on December 10, 1980, with a request that the code provisions be waived and the variance be in full force and effect.

NOW, THEREFORE, the Council directs:

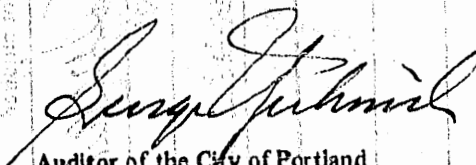
- a. That Section 33.98.040 of the Code be waived in order to render late acceptance of Variance No. VZ 326-80, by a new contract purchaser, to be valid and the Variance to be in full force and effect.

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, **DEC 31 1980**

Mayor Ivancie  
George Yerkovich/CJS:ca  
December 23, 1980

Attest:

  
Auditor of the City of Portland

Calendar No. 4515

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**Title**

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DEC 24 1980

Filed

**GEORGE YERKOVICH**  
Auditor of the CITY OF PORTLAND

By

*Frank Dufay*  
Deputy

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

FOUR-FIFTHS CALENDAR	
Jordan	
Lindberg	
Schwab	
Ivancie	

INTRODUCED BY
Mayor Ivancie

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

BUREAU APPROVAL	
Bureau:	
City Auditor	
Prepared By: GY/CJS:ca	Date: 12/23/80
Budget Impact Review:	
<input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required	
Bureau Head: <i>Charles D. Spear</i>	

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

NOTED BY
City Attorney
City Auditor
City Engineer