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GEORGE YERKOVICH, AUDITOR
CITY OF PORTLAND, ORE.

Portland, Oregon, March 19 1982

GEORGE YERKOVICH
Auditor of the City of Portland.
Room 202, City Hall
Portland, Oregon 97204

Dear Sir:

This is to advise the City of Portland, Oregon, that I hereby accept the terms and provisions of

Ordinance No. 152988, passed by Council March 18, 1982, granting a revocable permit to Robert and Esther Myers, dba Myers Drop Box Service, deedholders, to allow the use of drop boxes in an R5L zone, located between NE Stafford and NE Lombard west of NE 11th Avenue, on Lots 7, 8, 9, and 10, Block 4, Farrell's Second Addition, for two years, under certain conditions,

and in consideration of the benefits to be received thereunder by me I hereby agree to abide by and perform each and all of the terms and provisions thereof applicable to me.

Very truly yours,

Robert Myers

Robert Myers

Esther Hahn Myers

Esther Hahn Myers

1039 NE Stafford, Portland, OR 97211

Address

[CORPORATE SEAL]

APPROVED AS TO FORM

Approved as to form:

Christopher P. Thomas

CITY ATTORNEY

City Attorney

*When an acceptance is required from a firm or corporation the Acceptance must be signed by an officer of the firm or corporation stating his or her official title, and corporations must affix the corporate seal.

152988

ORDINANCE NO. 152988

An Ordinance granting a revocable permit to Robert and Esther Myers, dba Myers Drop Box Service, deedholders, to allow the use of drop boxes in an R5L zone, located between NE Stafford and NE Lombard west of NE 11th Avenue, on Lots 7, 8, 9, and 10, Block 4, Farrell's Second Addition, for two years, under certain conditions, and declaring an emergency.

The City of Portland ordains:

Section 1. The Council finds:

1. Robert and Esther Myers, dba Myers Drop Box Service, deedholders, filed an application for a revocable permit to allow the use of drop boxes in an R5L zone, located between NE Stafford and NE Lombard west of NE 11th Avenue.
2. The legal description of said property is Lots 7, 8, 9, and 10, Block 4, Farrell's Second Addition.
3. The applicants paid the proper fee for the filing of such an application.
4. The City's Hearings Officer held a duly authorized and conducted public hearing on November 30, 1982 (Planning Commission File No. 7162R). The Hearings Officer recommended that a revocable permit for an indefinite period of time be denied, but that a revocable permit to allow the use of drop boxes in an R5L zone be approved, for two years, under certain conditions.
5. The City Auditor complied with the notice requirements of Title 33, Planning and Zoning of the City Code, for the hearing before the Hearings Officer.
6. On December 18, 1981, the City Auditor's Office received two appeals. One appeal was filed by Daniel B. Cooper on behalf of the applicants, Robert and Esther Myers. The applicants stated that a two-year limitation was inadequate. They requested that either a revocable permit for at least seven years or a permit without time limitations be granted.

The second appeal was filed by Joe McCulloch, a neighboring property owner, who appealed the approval of a revocable permit.

7. On January 5, 1982, the Planning Commission intercepted the case and voted to hold a public hearing.

8. The City Planning Commission held a duly authorized and conducted public hearing on February 2, 1982, and voted to uphold the report and recommendation of the Hearings Officer.
- 9. The City Auditor complied with the notice requirements of Title 33, Planning and Zoning, of the City Code for the hearing before the Planning Commission.
10. Neither the applicants nor Joe McCulloch appealed the Planning Commission's decision.
11. Based on the facts, findings, conclusions, report and recommendation of the Hearings Officer, approval of a revocable permit to allow the use of drop boxes for two years complies with the requirements of City Code Section 33.98.060.

Now, Therefore, the Council directs:

- a. That the facts, findings, conclusions report and recommendation of the Hearings Officer upheld by the Planning Commission in P.C. File 7162 R be adopted by City Council.
- b. That based on the facts, findings, conclusions, report and recommendation of the Hearings Officer, a revocable permit is granted to allow the use of drop boxes in an R5L zone, located between NE Stafford and NE Lombard west of NE 11th Avenue, on Lots 7, 8, 9, and 10, Block 4, Farrell's Second Addition, for two years.
- c. This revocable permit is granted under the following conditions:
 1. Hours of operation shall be limited to 8:30 a.m. to 5:00 p.m.
 2. The revocable permit hereby granted is personal to the permittees and may not be transferred, assigned or otherwise disposed of by said permittees.
 3. The revocable permit hereby granted shall be revocable at the pleasure of the City Council and no expenditures of money hereunder of lapse of time or any act or thing shall operate as an estoppel against the City of Portland, or be held to give the permittees any vested or other right.
 4. Permittees shall comply with the provisions of the Code of the City of Portland, and all other applicable ordinances, provisions and regulations of the City, whether presently existing or hereafter enacted.
- d. Neither this ordinance nor any permit issued hereunder shall be effective until accepted, filed and recorded in accordance with law.

ORDINANCE No.

Section 2. The Council declares an emergency exists because there should be no delay in the beneficial use of the above-described property; therefore this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, MAR 18 1982

Commissioner Schwab
Nancy Weisser/me
March 8, 1982

Attest:


Auditor of the City of Portland

Calendar No. **690**

ORDINANCE No. 152988

Title

An Ordinance granting a revocable permit to Robert and Esther Myers, dba Myers Drop Box Service, deedholders, to allow the use of drop boxes in an R5L zone, located between NE Stafford and NE Lombard west of NE 11th Avenue, on Lots 7, 8, 9 and 10, Block 4, Farrell's Second Addition, for two years, under certain conditions, and declaring an emergency.

THURSDAY

Filed MAR 10 1982

GEORGE YERKOVICH
Auditor of the CITY OF PORTLAND

By *George Yerovich*
Deputy

THE COMMISSIONERS VOTED AS FOLLOWS:		
	Yeas	Nays
JORDAN	/	
LINDBERG	/	
SCHWAB	/	
STRACHAN	/	
IVANCIE	/	

FOUR-FIFTHS CALENDAR	
JORDAN	
LINDBERG	
SCHWAB	
STRACHAN	
IVANCIE	

INTRODUCED BY
Commissioner Schwab

NOTED BY THE COMMISSIONER
Affairs
Finance and Administration
Safety
Utilities
Works

BUREAU APPROVAL	
Bureau:	
Bureau of Planning	
Prepared By: Nancy Weisser/me	Date: 3/8/82
Budget Impact Review:	
<input type="checkbox"/> Completed <input checked="" type="checkbox"/> Not required	
Bureau Head: <i>TSS</i>	
Terry Sandblast, Director	

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

NOTED BY
City Attorney <i>KS Beaumont</i>
City Auditor
City Engineer