



City of Portland
Bureau of Development Services
Land Use Services Division

1900 SW Fourth Ave., Suite 5000
Portland, Oregon 97201
Telephone: (503) 823-7300
TDD: (503) 823-6868
FAX: (503) 823-5630
www.bds.ci.portland.or.us

Date: July 3, 2008
From: Lois Jennings, Land Use Services
503-823-2877

NOTICE OF A FINAL PLAT DECISION

The Bureau of Development Services has **approved** a Final Plat for a site in your neighborhood. The reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it to the Oregon Land Use Board of Appeals (LUBA) at 550 Capitol St. NE, Salem, OR 97301. The phone number for LUBA is 503-373-1265. Information on how to appeal this decision is listed at the end of this notice.

CASE FILE NUMBER: FP 97-014497 FINAL PLAT (LUR 97-00451 MP)

Owner: Donald Holman
Holman Properties
6406 SW Beaverton Hillsdale Hwy
Portland, OR 97221

Representative: Daryl Abe
W.B. Wells & Associates
4230 NE Fremont St
Portland, OR 97213

Site Address: 6412 SW BRUGGER ST
Legal Description: LOT 9 BLOCK 2, TUALATIN AC
Tax Account No.: R844701040
State ID No.: 1S1E30BC 05100
Quarter Section: 3927
Neighborhood: Ashcreek
District Coalition: Southwest Neighborhoods, Inc.
Zoning: R7- Medium Density Single Family Residential Zone
Case Type: FP - Final Plat Review
Procedure: An Administrative Decision

Proposal: The Preliminary Plan for LU 97-014497 MP (old case file # LUR 97-00451 MP) was approved by the Bureau of Development Services on June 27, 1997. That decision approved a minor partition to create 2 lots, with lot areas ranging from 8,964 to 10,036 square feet in area.

The applicant has submitted the proposed Final Plat to the Bureau of Development Services (BDS) for approval. This final technical review ensures that the Final Plat conforms with the approved Preliminary Plan and with the conditions of approval imposed by the review body. This review is not an opportunity to add or change conditions of approval, or to review other issues.

Compliance with Approval Criteria

As required by Oregon State Statutes (ORS 92.040), final plats must be reviewed under the approval criteria in effect at the time that the original land division application was submitted. In order to be approved, this proposal must comply with the approval criteria in Section 34.20.070 of Title 34, the City's Subdivision and Partitioning Regulations in effect at the time of the original submittal.

As shown by the attached Final Plat Status Report (Exhibit A) the Final Plat proposal complies with all of the Approval Standards of Section 34.20.070. This requirement is met.

Compliance with Conditions of Approval


In order to be approved, this proposal must also show compliance with all applicable conditions of approval imposed with City approval of the Preliminary Plat decision.

As shown by the attached Final Plat Status Report (Exhibit A) the Final Plat proposal complies with all of the conditions of approval of the Preliminary Plat decision. This requirement is met.

ADMINISTRATIVE DECISION

Approval of the Final Plat for a Land Division to create 2 parcels, as indicated by City signatures on the Final Plat (Exhibit C.2, attached).

Staff Planner: Lois Jennings

Decision rendered by:  **on June 27, 2008**
By Authority of the Director of the Bureau of Development Services

Decision mailed (within 5 days of dec. date) July 3, 2008

This decision is final. It may be appealed to the Oregon Land Use Board of Appeals (LUBA), within 21 days of the date of decision, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have submitted written testimony during the comment period for this land use review. You may call LUBA at 1-503-373-1265 for further information on filing an appeal.

Recording the land division final plat. The signed plat must be recorded by the applicant with the County Deed Records.

The Bureau of Development Services is committed to providing equal access to information and hearings. If you need special accommodations, please call 503-823-0625 (TTY 503-823-6868).


EXHIBITS
NOT ATTACHED UNLESS INDICATED

- A. Final Plat Status Report (attached)
- B. Zoning Map (attached)
- C. Plans
 - 1. Preliminary Plan (attached)
 - 2. Final Plat (attached)
- D. Agency Responses:
 - 1. Bureau of Transportation Engineering and Development
 - 2. Bureau of Environmental Services
 - 3. Site Development Section of BDS
 - 4. Addressing Section of BDS
- E. Other:
 - 1. Final Plat Application
 - 2. Original Land Use Decision
 - 3. Title Report
 - 4. Supplemental Site Plan
 - 5. Original Supplemental Survey submittal
 - 6. Final Utility Plan Submittal
 - 7. Other previous Utility Plans
- F. Correspondence with Applicant



FINAL PLAT APPROVAL STATUS REPORT

Folder # **FP 97-014497**
 (Final Plat for LUR 97-00451 MP)
 Address **6412 SW BRUGGER ST**
 Tax Account # **R844701040**
 Zoning: **R7**
 Quarter Section Map **3923**
 Review Date **June 27, 2008**

To:	Donald Holman HOLMAN PROPERTIES Holman Properties 6406 SW Beaverton Hillsdale Hwy Portland, OR 97221	From:	Lois Jennings, Planner Land Use Services Division Phone: 503-823-2877
Surveyor:	Daryl Abe W.B. Wells & Associates 4230 NE Fremont St Portland, OR 97213		

❖ Approval of a Final Plat for a two-lot minor partition

The checklist below indicates the items that were completed for approval of your final plat.

FINAL PLAT SURVEY

Met	Requirement	Status
<input checked="" type="checkbox"/>	The final Plat Survey for a two lot minor partition.	Satisfied. The Final Plat survey for a two lot minor partition is in compliance with the preliminary plan. The service bureaus and the Bureau of Development Services have reviewed and signed the final plat survey.

STATUS OF CONDITIONS OF APPROVAL

Met	Condition of Approval	Status
A. Supplemental Survey		
<input checked="" type="checkbox"/> Met	Three copies a of a supplemental plan shall be submitted with the final plat survey. That plan must portray how conditions of approval listed below are met.	Satisfied. The supplemental survey was submitted with the final plat application. This requirement is met, since Condition #1 listed below is met.

B. The Final Plat must show the following

<input checked="" type="checkbox"/> MET	All easements required by any of the Service Bureaus	Satisfied. This condition is met on the Final Plat survey.
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C. The following must occur prior to Final Plat approval

<input checked="" type="checkbox"/> MET	<p>Condition #1 states:</p> <p>1. In order to insure that the setbacks are met for the existing structure (s) on Parcel 1, and to assure that there are no structures on Parcel 2, one additional blueline signed by the surveyor must be submitted showing the location and 10-foot setback dimensions from the new property line for the existing house, any other structures.</p> <p>The supplemental survey shall show the garage /off-street parking space and the driveway have been constructed completely located on Parcel 1 and</p>	Satisfied. The supplemental survey submitted shows that setbacks, building coverage and required parking for the existing house on Parcel 1 is still in compliance with Title 33 (City of Portland Zoning Code) development standards. The supplemental survey shows there are no accessory structures located on Parcel 2.
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	compliance with the setbacks. Any accessory structures on Parcel 2 shall be removed prior to final plat approval or the applicant shall submit a copy of a recorded Adjustment legalizing the structure.	
<input checked="" type="checkbox"/> MET	Condition #2 states the following: 2. The sanitary and stormwater conditions shall be met to the satisfaction of the Bureau of Environmental Services as cited in Exhibit C.2	Satisfied. The Bureau of Environmental Services and the Site Development Section/Plumbing Section of BDS have accepted the site utility plan for sanitary and stormwater for these proposed lots. This condition of approval is met.
<input checked="" type="checkbox"/> MET	Condition #3 states the following: 3. The applicant shall sign and return street and storm waivers to the satisfaction of Transportation Engineering as cited in Exhibit C.3.	Satisfied. The Street and storm waivers were submitted and reviewed by Transportation Engineering Section. This condition of approval is met.
<input checked="" type="checkbox"/> MET	Condition #4 states the following: 4. The dimensions (lot area) shall meet the dimension granted by LUR 97-00450 AD. Any dimensions less than the Adjustment decision require an additional adjustment approval. The applicant shall submit a copy of the recorded LUR 97-00450 AD decision along with the plat.	Satisfied. The lot area is in compliance with the adjustment decision, LUR 97-00450 AD. This condition of approval is met.

COMPLIANCE WITH FINAL PLAT APPROVAL STANDARDS		
Met	Approval Standard	Status
<input checked="" type="checkbox"/> MET	Conformance with Preliminary Plan: The Final Plat must conform to the approved Preliminary Plan. Allowed variations are specified in Section 33.663.200 of the Zoning Code.	Satisfied. BDS has reviewed the proposed Final Plat against the list of allowed variations and has determined it conforms to the approved Preliminary Plan.
<input checked="" type="checkbox"/> MET	Conditions of Approval: The Final Plat must comply with all conditions of approval that apply to the Final Plat. All other conditions remain in effect.	Satisfied. As shown above, all of the conditions of approval have been met, or continue to remain in effect as noted.
<input checked="" type="checkbox"/> MET	Services: All services must meet the requirements of the City Code.	Satisfied. The City Service bureaus have given approval of the final plat, so all of the services meet the requirements of the City Code for the purpose of Final Plat approval.
<input checked="" type="checkbox"/> MET	Dedications, tracts and easements: All dedications of property to the City or the public must be shown on the Final Plat, and must be made at the time the Final Plat is recorded. All tracts and easements must be shown on the Final Plat and the requirements of Chapter 33.636, Tracts and Easements, must be met.	Satisfied. All required easements are shown on the Final Plat, and the requirements of Chapter 33.636, Tracts and Easements, have been met.

In order to complete the final plat process and create the new lots you must record your final plat. Once the plat has been signed by the City of Portland and by the County Surveyor, the plat and any other documents required by the land use decision (i.e. Fire Bureau document) must be recorded at the **Multnomah County Recorders Office located at 501 SE Hawthorne Blvd., 1st floor, Room # 158, Portland, OR 97202.** The phone number is 503-988-3034.

Per section 33.730.130 B2b of Title 33 Portland Zoning Code, **plats must be submitted to the County Recorder to be recorded within 90 days from the signature date on the mylar by the delegate for the Bureau of Development Services, or the approval shall be null and void.**

If you have any questions about the approval of this Final Plat Approval Status Report please contact me, Lois Jennings, at 503-823-2877.



ZONING

 Site



File No.	FP 97-00451
1/4 Section	3923
Scale	1 inch = 200 feet
State Id	1S1E30BC 5100
Exhibit	B (Jun 30, 2008)

PRELIMINARY Plan

TENTATIVE PLAN FOR A PARTITION PLAN

LUR 97-00450 MP
97-00451 MP

S.W. BRUGGER ST (50' WIDE)

Edge Pavement

SCALE: 1"=30'



PREPARED FOR:
DON HOLMAN
HOLMAN CONSTRUCTION
7024 S.W. 5TH AVE.
PORTLAND, ORE. 97219
(503)246-3388

PREPARED BY:
JON T. FEIGION, P.L.S.
P.O. BOX 5095
ALOHA, ORE. 97006
(503) 649-1425

ZONE IS R-10
(R-7 COMP. PLAN)

1/4 SEC. MAP 3923

**REGISTERED
PROFESSIONAL
LAND SURVEYOR**

Jon T. Feigion

OREGON
JANUARY 15, 1987
JON T. FEIGION
#2252

EXP. 12-31-97.

PROPOSED PARTITION OF
LOT 9, BLOCK 2,
"TUALATIN ACRES"
NW 1/4 SEC. 30, T. 1S., R. 1E., W.M.
CITY OF PORTLAND, MULT. CO.
OREGON 4-15-97

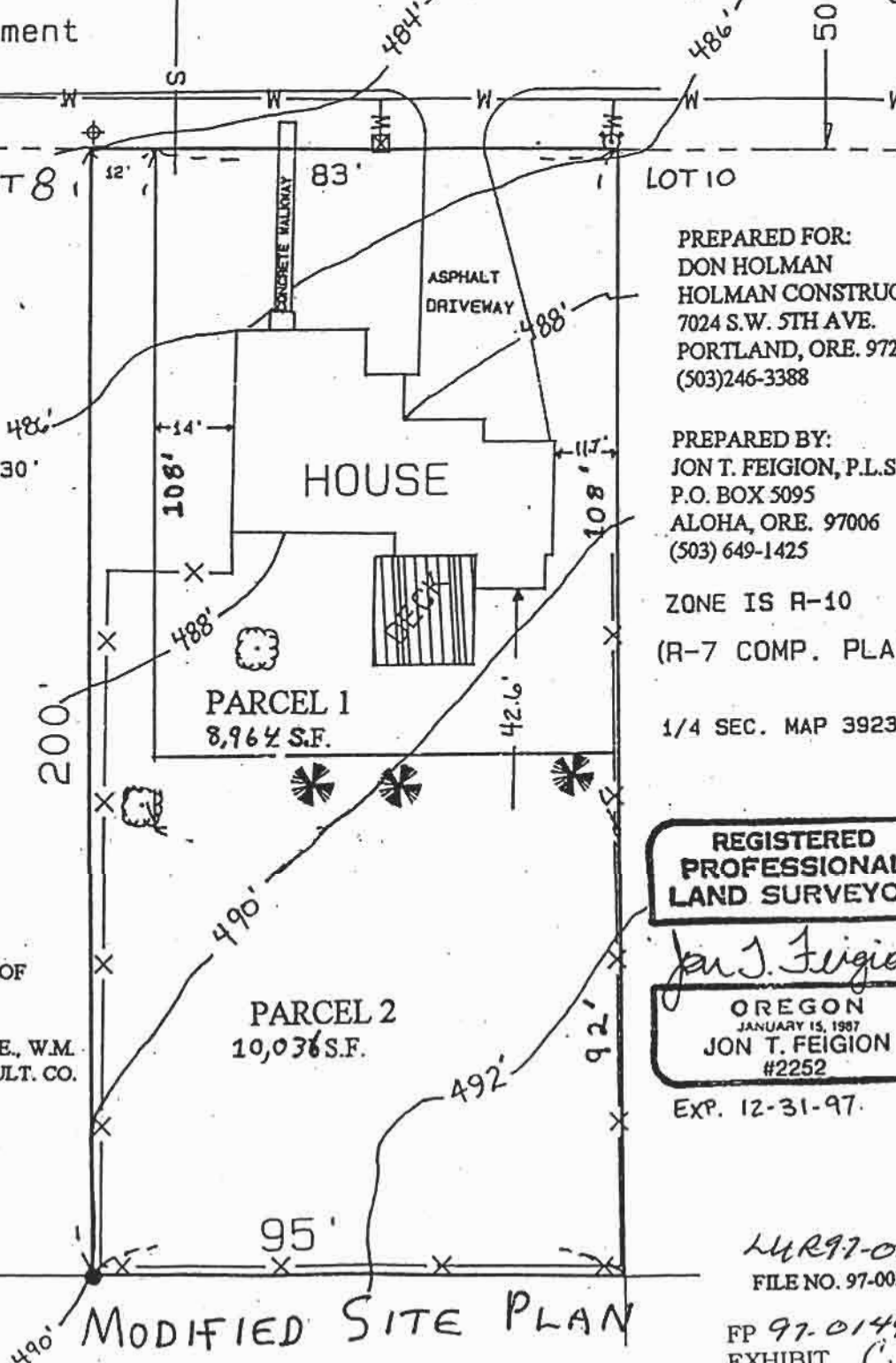
PARCEL 1
8,964 S.F.

PARCEL 2
10,036 S.F.

HOUSE

ASPHALT
DRIVEWAY

CONCRETE WALKWAY



MODIFIED SITE PLAN

LUR 97-00451 MP
FILE NO. 97-003
FP 97-014497
EXHIBIT C.1

PARTITION PLAT NO.

A REPLAT OF LOT 9, BLOCK 2, OF THE DULY RECORDED PLAT OF "TUALATIN ACRES", MULTNOMAH COUNTY PLAT RECORDS, SITUATED IN THE NORTHWEST ONE-QUARTER OF SECTION 30, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN, CITY OF PORTLAND, COUNTY OF MULTNOMAH, STATE OF OREGON

SURVEYED: AUGUST 28, 2006

SURVEYOR'S CERTIFICATE

I, THOMAS P. BENHAUER, HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS THE LAND HEREIN DESCRIBED IN THIS PARTITION PLAT, BEING LOT 9, BLOCK 2, OF THE DULY RECORDED PLAT OF "TUALATIN ACRES", MULTNOMAH COUNTY PLAT RECORDS, SITUATED IN THE NORTHWEST ONE-QUARTER OF SECTION 30, TOWNSHIP 1 SOUTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN, CITY OF PORTLAND, COUNTY OF MULTNOMAH, STATE OF OREGON, SAID LAND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 10 OF SAID BLOCK 2; THENCE NORTH 87°13'55" WEST ALONG THE NORTH LINE OF SAID BLOCK 2, A DISTANCE OF 178.07 FEET TO THE INITIAL POINT, SAID POINT BEING MARKED BY A 5/8 INCH DIAMETER BY 30 INCH LONG IRON ROD WITH A YELLOW PLASTIC CAP INScribed "W.B. WELLS AND ASSOC., INC" SET ON THE NORTH LINE OF SAID LOT 9; THENCE SOUTH 87°13'55" EAST, ALONG THE NORTH LINE OF SAID BLOCK 2, A DISTANCE OF 83.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 9 BLOCK 2; THENCE SOUTH 07°06'51" EAST, ALONG THE EAST LINE OF SAID LOT 9, A DISTANCE OF 200.04 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 87°13'55" WEST, ALONG THE SOUTH LINE OF SAID LOT 9, A DISTANCE OF 95.00 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE SOUTH 07°06'51" WEST, ALONG THE WEST LINE OF SAID LOT 9, A DISTANCE OF 200.04 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 87°13'55" EAST, ALONG THE NORTH LINE OF SAID BLOCK 2, A DISTANCE OF 12.00 FEET TO THE INITIAL POINT.

CONTAINING 19,002 SQUARE FEET.

I, THOMAS P. BENHAUER, STATE THAT THIS PLAT OR SURVEY WAS PREPARED USING HELMUT-PACKARD PRODUCT NO. 516454 ON CONTINENTAL JPC-42 PROJECTOR FILM.



I HEREBY CERTIFY THIS TO BE A TRUE AND EXACT COPY OF THE ORIGINAL PLAT

SURVEYOR'S NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO ESTABLISH AND MONUMENT THE BOUNDARY OF LOT 9 OF BLOCK 2 OF THE DULY RECORDED PLAT OF "TUALATIN ACRES", MULTNOMAH COUNTY PLAT RECORDS FOR A PARTITION PLAT.

A RANDOM TRAVERSE WAS RUN LOCATING THE MONUMENTS SHOWN ON AUGUST 28, 2006. THE SOUTH OF SAID PLAT WAS ESTABLISHED BY HOLDING THE FOUND MONUMENT AT WEST ONE-QUARTER CORNER OF SECTION 30 AND THE FOUND MONUMENT AT THE ONE-SIXTEENTH CORNER IN THE CENTERLINE OF S.W. TAYLORS FERRY ROAD, THE NORTH LINE OF SAID BLOCK, ALSO BEING THE SOUTH FRONT-OF-WAY LINE OF S.W. BRUGGER STREET, 50.00 FEET WIDE, WAS ESTABLISHED PARALLEL WITH AND PLAT DISTANCE FROM THE SOUTH LINE OF SAID PLAT, ALSO BY HOLDING THE FOUND PLAT MONUMENTS ALONG SAID LINE, THE SOUTH LINE OF SAID LOT 9 WAS ESTABLISHED PARALLEL WITH AND PLAT DISTANCE FROM THE NORTH LINE OF SAID BLOCK, THE WEST LINE OF SAID LOT 9 WAS ESTABLISHED BY HOLDING THE FOUND MONUMENT NEAR THE NORTHEAST CORNER OF SAID LOT 9 AND THE FOUND PLAT MONUMENT NEAR THE SOUTH AND PLAT DISTANCE FROM THE EAST LINE OF SAID LOT 9 WAS ESTABLISHED PARALLEL WITH AND PLAT DISTANCE FROM THE WEST LINE OF SAID LOT 9 AND THE FOUND MONUMENT NEAR THE SOUTHWEST CORNER OF SAID LOT.

NOTES

THIS PLAT IS SUBJECT TO THE CONDITIONS IMPOSED BY THE CITY OF PORTLAND IN CASE FILE NUMBER LUR 97-00451 (LU 97-014497 WP).

DECLARATION

KNOW ALL PERSONS BY THESE PRESENTS THAT HOLMAN PROPERTIES LLC, AN OREGON LIMITED LIABILITY COMPANY, DOUG E. HOLMAN AND DONALD R. HOLMAN ARE THE OWNERS OF THE PROPERTY REPRESENTED ON THE ANNEXED MAP AND MORE PARTICULARLY DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE AND DOES HEREBY MAKE, ESTABLISH AND DECLARE THE ANNEXED PARTITION PLAT TO BE A TRUE AND CORRECT MAP AND PLAT THEREOF. THE DECLARANTS HAVE CAUSED THIS PARTITION PLAT TO BE PREPARED AND THE PROPERTY PARTITIONED INTO PARCELS, AS SHOWN AND NOTED, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 92 OF THE OREGON REVISED STATUTES.

Donald R. Holman, Jr.
DONALD R. HOLMAN, JR., MANAGER, HOLMAN PROPERTIES LLC.
Doug E. Holman
DOUG E. HOLMAN
R. A. Holman
RENA A. HOLMAN

ACKNOWLEDGMENT

STATE OF OREGON)
COUNTY OF MULTNOMAH)
I, SS
DO HEREBY CERTIFY THAT ON THIS 14 DAY OF MAY 2006, I, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, PERSONALLY APPEARED DONALD R. HOLMAN, JR., DONALD R. HOLMAN, DOUG E. HOLMAN, AND RENNA A. HOLMAN, ALL OF WHOM SAY THAT HE IS THE IDENTICAL PERSON NAMED IN THE FOREGOING DECLARATION, AND THAT HE EXECUTED SAID DECLARATION FREELY AND VOLUNTARILY.

Thomas P. Benhauer
NOTARY SIGNATURE
Diane M. Peterson
NOTARY PUBLIC - OREGON
COMMISSION NO. 388915
MY COMMISSION EXPIRES March 09, 2009

ACKNOWLEDGMENT

STATE OF Washington)
COUNTY OF King)
I, SS
DO HEREBY CERTIFY THAT ON THIS 12th DAY OF MAY 2006, I, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, PERSONALLY APPEARED DONALD R. HOLMAN, JR., DONALD R. HOLMAN, DOUG E. HOLMAN, AND RENNA A. HOLMAN, ALL OF WHOM SAY THAT THEY ARE THE IDENTICAL PERSONS NAMED IN THE FOREGOING DECLARATION, AND THAT THEY EXECUTED SAID DECLARATION FREELY AND VOLUNTARILY.

Sarah A. Barth
NOTARY SIGNATURE
SARAH A. BARTH
NOTARY PUBLIC - WASHINGTON
COMMISSION NO. _____
MY COMMISSION EXPIRES August 09, 2009

CITY OF PORTLAND APPROVALS

CASE FILE NO. LUR 97-00451 MP

APPROVED THIS 27 DAY OF June, 2006

CITY OF PORTLAND BUREAU OF DEVELOPMENT SERVICES

BY: [Signature]
PLANNING DIRECTOR'S DELEGATE

APPROVED THIS 25 DAY OF JUNE, 2006

CITY OF PORTLAND - CITY ENGINEER'S DELEGATE

BY: Cherie M. Lundy

MULTNOMAH COUNTY APPROVALS

APPROVED THIS ___ DAY OF _____, 200__
COUNTY SURVEYOR,
MULTNOMAH COUNTY, OREGON

BY: _____

ALL TAXES, FEES, ASSESSMENTS, OR OTHER CHARGES AS PROVIDED BY O.R.S. 92.095 HAVE BEEN PAID AS OF _____, 200__

DIRECTOR, DIVISION OF ASSESSMENT & TAXATION,
MULTNOMAH COUNTY, OREGON.

BY: _____ DEPUTY

STATE OF OREGON)
COUNTY OF MULTNOMAH)

I DO HEREBY CERTIFY THAT THE ATTACHED PARTITION PLAT WAS RECEIVED FOR RECORD AND RECORDED _____, 200__

AT _____ M. AS PARTITION

PLAT NO. _____

COUNTY RECORDING OFFICE

BY: _____ DEPUTY

DOCUMENT NO. _____



W.B. WELLS
and associates, inc.
REGISTERED SURVEYOR & LAND SURVEYOR
1000 NE 10TH STREET
PORTLAND, OREGON 97232
PHONE: (503) 241-1111 FAX: (503) 241-1110
WWW.WB-WELLS.COM