



# CITY OF GEARHART

698 PACIFIC WAY • P.O. BOX 2510 • GEARHART, OREGON 97138  
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FEBRUARY 16, 2023  
PUBLIC NOTICE

Notice is hereby given that in accordance with Section 13.030 Administrative Provision of the City of Gearhart Zoning Ordinance, the Gearhart Planning Commission will hold the following public hearing on Thursday, March 9, 2023 at 6:00 p.m. in Gearhart City Hall, 698 Pacific Way, via video and teleconference call. You can get participation information at <https://www.cityofgearhart.com/calendar> closer to the hearing date.

File #23-01V - Variance request submitted by Troy O'Bryan for property located at 3899 Hwy 101 N, and 3883-3899 and further described as Assessors Plat 6.10.3B, Taxlot 4700, 4700, 5200, 5300, 5303. Said request is a side yard setback of 5 feet in place of the 15-foot required buffer between residential and commercial, and for a 10-foot fence height on the north side property line property for safety and deterring access between the boarding properties'.

Criteria relevant to the variance request are zoning ordinance Article 3 (Section 3.5, C-2 General Commercial Zone), Article 6 Supplementary Provisions (Section 6.010(1) Fences), Article 9 Variances, and Article 13 Administrative Provisions.

File #23-02V - Variance request submitted by Shaw Evjen for property located at 202 G Stand further described as Assessors Plat 6. 10. 9AD, Taxlot 5900. Said request is for side yard setbacks to remove the existing 134 square foot covered roof currently in set setbacks and replace it with 224 square feet of roof with roof deck and glass railing.

Criteria relevant to the variance request are zoning ordinance Article 3 (Section 3.1, R-1 Low Density Residential Zone), Article 9 Variances, and Article 13 Administrative Provisions.

A copy of the application, all documents, staff reports, evidence relied upon, and applicable criteria pertinent to the requests will be available for review and may be obtained seven (7) days prior to the hearing on the city website [www.cityofgearhart.com](http://www.cityofgearhart.com) and Gearhart City Hall at the office of Angoleana Brien, 503-738-5501. Copies may be obtained at a reasonable cost. All interested parties are invited to express their opinion for or against the request at the hearing, by letter addressed to the Gearhart Planning Commission, P. O. Box 2510, Gearhart, Oregon 97138, or by email at [planning@cityofgearhart.com](mailto:planning@cityofgearhart.com) received by 5:00 p.m. the Tuesday prior to the hearing. The public hearing will be conducted in accordance with Section 13.050 of the Gearhart Zoning Ordinance.

Any person testifying may appeal the decision, however, failure to raise an issue, including constitutional or other issues regarding conditions of approval, with sufficient specificity to afford the City and parties to the request an opportunity to respond to the issues precludes appeal on said issue to the State Land Use Board of Appeals (LUBA), or to seek damages in circuit court due to a condition of approval.

Angoleana R. Brien  
Gearhart Planning Commission  
City of Gearhart

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