



# 19-002V

# CITY OF GEARHART

698 PACIFIC WAY • P.O. BOX 2510 • GEARHART, OREGON 97138  
(503) 738-5501 • (503) FAX 738-9385

## APPLICATION FOR VARIANCE

APPLICATION FEE: \$400.00 PD 02

APPLICANT Shawn Helligso Construction CONTACT PHONE # 503 791 8111  
ADDRESS 1692 Heritage Way Gearhart OR 97138  
EMAIL ADDRESS shawnhelligso@gmail.com or wendy@shawnhelligsoconstruction.com

OWNER NAME (PRINT) Wendy Boone  
OWNER SIGNATURE Wendy Boone

PROPERTY ADDRESS 1310 Sea Ridge Lane PRESENT CITY ZONE DISTRICT R2  
LEGAL MAP & TAX LOT # 61003 CD Lot # 604 (see attached map)

DESCRIBE THE REQUEST please allow fence along highway for privacy and noise reduction -> traffic volume and noise increase every year and w/o a taller fence, there is no privacy in the back yard of the house - vehicle height sees right over shorter fence heights, we want privacy for family.

ATTACH A SITE PLAN SKETCH OF THE PROPOSAL DRAWN TO SCALE illustrating the size, and location, of existing uses and structures on the property and describing the proposed variance. (1"=20' scale will fit on an 8-1/2" x 11" sheet of paper.)

GEARHART ZONE CODE SECTION 9.030 CRITERIA FOR GRANTING VARIANCE: Variance to a requirement of this ordinance with respect to lot area and dimensions, setbacks, yard area, lot coverage, height of structures, vision clearance, decks and walls, and other quantitative requirements may be granted only if, on the basis of the application, investigation, evidence submitted and findings are made based on the four approval criteria. Please attach a narrative that answers the following approval criteria:

1. Explain how the request is necessary to prevent a hardship to the applicant; and
2. Will the proposed development that results from the granting of the variance be injurious to the adjacent area in which the property is located? Describe adjoining uses and possible impacts if the variance is granted; and
3. Is the request necessary to enable reasonable use of the property; and
4. Is the request in conflict with the Gearhart Comprehensive Plan?

PLEASE NOTE: In addition to the fee, costs may be incurred as a result of staff time investigating and/or writing of the staff report that may be required to be paid by the applicant. City Staff may determine that other material or information is deemed necessary for their evaluation. The applicant may find it beneficial to consult with the planning staff about the application.

COPIES: AFTER THE APPLICATION IS DEEMED COMPLETE SUPPLY 15 COPIES DRAWN TO SCALE NO SMALLER THAN 11" X 17" AND ONE PDF SENT TO [planning@ci.gearhart.or.us](mailto:planning@ci.gearhart.or.us)

PUBLIC NOTICE: ATTACH LIST OF NAMES OF RECORD OWNERS OF CONTIGUOUS LAND WITHIN 100 FEET

**NOTICE: ALL ITEMS MUST BE COMPLETED IN ORDER FOR THE APPLICATION TO BE DEEMED COMPLETE AND READY FOR PROCESSING.**

## Cheryl Lund

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**From:** Shawn Helligso Construction  
**Sent:** Tuesday, June 11, 2019 8:41 AM  
**To:** [planning@cityofgearhart.com](mailto:planning@cityofgearhart.com)  
**Subject:** Fence Variance

Hi Cheryl,

Thank you, I just got your message and I'm sorry about that omission - The fence height is seven feet.

Sincerely

***Shawn Helligso***

Shawn Helligso Construction  
1692 Heritage Way  
Gearhart Oregon 97138  
Cell 503-791-8111



# CITY OF GEARHART

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(503) 738-5501 • (503) FAX 738-9385

## APPLICATION BEFORE THE CITY OF GEARHART PLANNING COMMISSION

PLANNING COMMISSION  
2<sup>ND</sup> THURSDAY, 6:00 PM

DATE RECEIVED 08 10 19

1. APPLICANT: Shawn Helligso Construction PHONE: \_\_\_\_\_  
MAILING ADDRESS: 1692 Heritage Way Gearhart OR 97138  
EMAIL ADDRESS: shawnhelligso@gmail.com CELL PHONE: 503 791 8111
2. PROPERTY OWNER: same PHONE: \_\_\_\_\_  
MAILING ADDRESS: \_\_\_\_\_  
EMAIL ADDRESS: \_\_\_\_\_ CELL PHONE: \_\_\_\_\_
3. SURVEYOR/ ENGINEER: \_\_\_\_\_ PHONE: \_\_\_\_\_  
MAILING ADDRESS: \_\_\_\_\_  
EMAIL ADDRESS: \_\_\_\_\_ CELL PHONE: \_\_\_\_\_
4. LEGAL COUNSEL: Moberg & Rust PC PHONE: \_\_\_\_\_  
MAILING ADDRESS: \_\_\_\_\_  
EMAIL ADDRESS: \_\_\_\_\_ CELL PHONE: \_\_\_\_\_
5. PROPERTY LOCATION: 1310 Sea Ridge Lane Gearhart OR 97138
6. LEGAL DESCRIPTION OF PROPERTY:  
(A) ASSESSORS PLAT AND TAX LOT: 10-05 604 61003CD00604  
(B) ADDITION, BLOCK, AND LOT: Sea Ridge Estates Lot 604

PER SEC 13.080 OF THE GEARHART ZONING CODE ACTUAL EXPENSES INCURRED BY THE CITY DURING THE PROCESS OF TECHNICAL EVALUATION OF AN APPLICATION SHALL BE BORNE BY THE APPLICANT, IN ADDITION TO THE FILING FEES ESTABLISHED BY RESOLUTION. UNPAID PENALTIES, FINES OR INCUMBRANCERS OWED TO THE CITY OF GEARHART ARE GROUNDS FOR WITHHOLDING ISSUANCE OF A PERMIT. DO YOU OWE ANY MONEYS TO THE CITY OF GEARHART? (CIRCLE) YES  NO

7. SIGNATURE (APPLICANT) Wendy Boone DATE: \_\_\_\_\_  
PRINT Wendy Boone
8. SIGNATURE (OWNER) \_\_\_\_\_ DATE: \_\_\_\_\_  
PRINT \_\_\_\_\_

NOTICE: ALL ITEMS MUST BE COMPLETED IN ORDER FOR THE APPLICATION TO BE DEEMED COMPLETE AND READY FOR PROCESSING.

TO BE COMPLETED BY STAFF  
DOES APPLICANT OWN ANY MONEY TO THE CITY? \_\_\_\_\_ IF SO, AMOUNT \_\_\_\_\_  
FOR \_\_\_\_\_ ACCOUNT # \_\_\_\_\_ DEPARTMENT STAFF \_\_\_\_\_ (INITIAL)

## **Hardship Variance Application for 1310 Sea Ridge Lane, Gearhart, OR 97138**

### **1. Explain how the request is necessary to prevent a hardship to the applicant;**

The placement of the house along a very busy four lane Highway 101 through Gearhart necessitates a solid fence of a height tall enough to block visibility of the yards in order to allow for a level of privacy in the back and side yards of the home. Traffic volume continues to increase and the resultant noise can also be somewhat mitigated by the placement of a solid fence built taller than the current zoning allows. A sense of safety and a level of comfort is also achieved with a solid visual barrier between a person and the vehicles traveling by at speeds of 40+ miles per hour, which is particularly important for children and families.

The location of the fence is set back 15 feet from the property line specifically as to not interfere with the visual range of a vehicle entering or leaving the street. No visual impairment when entering or exiting the street onto the highway is created by the placement or the size of the fence.

### **2. Will the proposed development that results from the granting of the variance be injurious to the adjacent area in which the property is located? Describe adjoining uses and possible impacts if the variance is granted;**

The granting of this variance is not injurious to the surrounding area. Rather, the fence we are requesting this variance for both beautifies the surrounding area and provides a pleasing visual experience to both neighbors and passing traffic. We have been told that they hope the variance will be allowed as the fence itself is a nicely designed custom built fence (please see the attached photo.)

Adjoining uses are not impacted by this request. Possible impacts include enhanced enjoyment of the outdoor yard space and positive relations with neighboring homeowners.

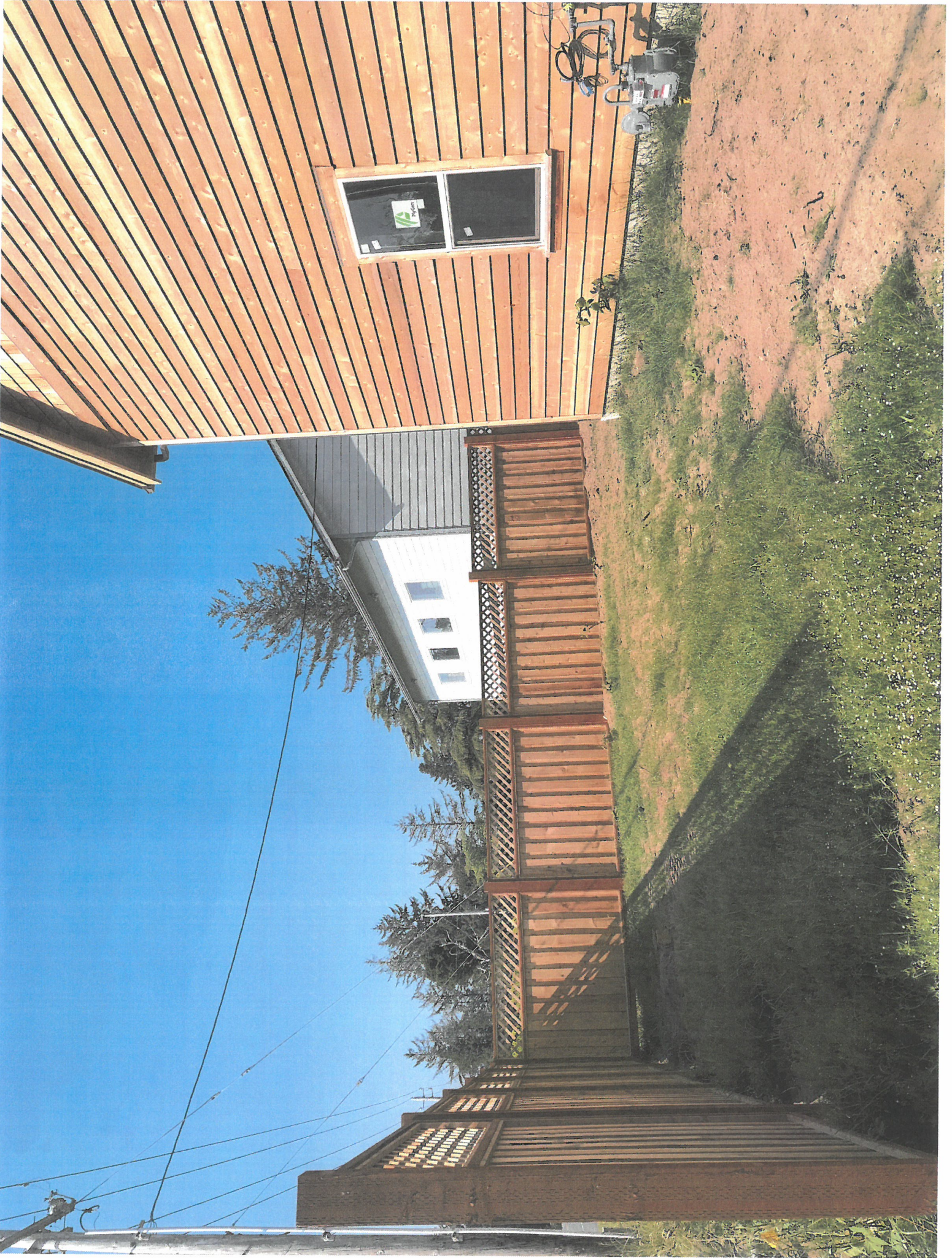
### **3. Is the request necessary to enable reasonable use of the property?**

This request will indeed enable reasonable use of the property. Without the variance, a smaller and less appropriate barrier could inhibit reasonable use of the back and side yard areas of the home, especially for children and/or pets. Noise and the visual impact of heavy traffic volume could reasonably prohibit outdoor enjoyment and limit the yard space usage. In the interest of enhancing the surrounding neighborhood and encouraging the use and beautification of the outdoor spaces, we feel that a solid well-built fence will help mitigate the risks and incursions of privacy posed by passing traffic.

### **4. Is the request in conflict with the Gearhart Comprehensive Plan?**

To the best of my knowledge, this request is not in conflict with the Gearhart Comprehensive Plan.



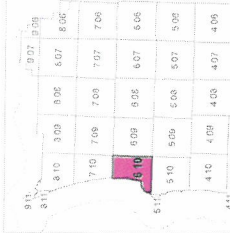




Sea Ridge variance App.

6 10 03 CD  
CLATSOP COUNTY  
SE 1/4 SW 1/4 SEC. 3 T6N R10W WM  
0 62.5 125 250 ft

Scale 1:1,200



CANCELLED TAXLOT NUMBERS  
200 1000 1014 1800 3702  
300 1001 1100 2100 3703  
400 1002 1200 3000 3704  
401U1 1003 1300 3500  
403 1004 1400 3600 3708  
501 1005 1500 3700 3709  
900 1008 1008 1530 3701



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT  
[www.co.clatsop.or.us](http://www.co.clatsop.or.us)  
This map was produced using Clatsop County GIS data. The data is maintained by Clatsop County GIS. We support its governmental activities. Clatsop County is not responsible for any errors, omissions, or misinterpretation.  
PLOT DATE: 4/01/2019



6 10 03 CD



**10-05 TRACTS**

BEACH ESTATES

GEOPHART ESTATES

41-TRACTS

SEA RIDGE SEA RIDGE ESTATES