



# CITY OF GEARHART

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April 23, 2020  
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, May 14, 2020 at 6:00 p.m. via video and teleconference call. You can get participation information at <https://www.cityofgearhart.com/calendar> closer to the hearing date.

File #20-01P – Land Partition request submitted by John S. Banta on behalf of the Heirs of John A. Banta for property located at 1060 McCormick Gardens Road and further described as Assessors Plat 6.10.3DB, Tax Lot 800. Said property is located such as to be under the jurisdiction of both the City of Gearhart in the south portion of the lot and Clatsop County in the north portion of the lot. Said request is a simultaneous request with the City of Gearhart and Clatsop County to partition the estimated 9.7 acre parcel into three (3) lots along the city / county boundary line.

Criteria relevant to the land partitions is Zoning Ordinance Section 3.0 Rural Agricultural RA, Gearhart Subdivision Ordinance Sections 23-36 Land Partitioning, Sections 37-46 General Regulations and Design Standards and Sections 47-50 Improvements.

A copy of the application, all documents and evidence relied upon and applicable criteria pertinent to the requests are available for review on the city website [www.cityofgearhart.com](http://www.cityofgearhart.com) and at Gearhart City Hall at the office of Chad Sweet, 503-738-5501 and copies may be obtained at a reasonable cost. Staff reports will be available for inspection at no cost and may be obtained at reasonable cost seven (7) days prior to the hearing. 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 prior to 4:00 o'clock pm the day of 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.

Cheryl A. Lund  
Gearhart Planning Commission  
City of Gearhart

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