



COMMUNITY DEVELOPMENT DEPARTMENT
(541) 574-0629 FAX: (541) 574-0644

NOTICE OF DECISION¹

The City of Newport has approved an encroachment permit on February 10, 2020, pursuant to Newport Municipal Code (NMC) Chapter 9.15 within the public rights-of-way adjacent to Owner's property:

FILE NO.: 2-TEP-20

OWNER(S): Patrick and Marina Maguire (Corey Rivera, Ground FX Landscaping Mgmt. LLC, representative)

ENCROACHMENT APPROVED: Approval to install low retaining walls and landscaping. The walls are to be placed next to the west property line and extending southerly into the right-of-way of NW 27th Street, along the right-of-way, and then northerly back onto the property ending east of an existing shed.

PROPERTY LOCATION: The property benefited by the encroachment is 2709 NW Pacific Place (Lincoln County Assessor's Tax Map 10-11-32-DB Tax Lot 00600; legally described as MONTEREY BEACH, BLOCK 1, LOT 1, DOC201811529).

APPLICABLE CRITERIA [NMC Section 9.15.050 (A)]: (1) A minimum of three feet of clearance shall be maintained on all sides of fire hydrants; (2) Clearances to water meters shall be one foot behind and two feet from the sides measured from the outside edges of the box. The applicant shall pay for meter relocation if this standard cannot be met; (3) Clearances from manholes and underground pipelines such as city sewer lines, water lines, and storm drain lines shall be a minimum of 7 feet; (4) Clearances between underground utilities such as power, telephone, cable TV and natural landscape materials, or structures placed over those facilities shall be the distance required by the affected utilities. Conditions requested by the utility providers shall be considered for inclusion into the permit; (5) Proposed encroachments shall not prevent access to, cover, or block the flow of water to or into catch basins, ditches, or swales, and shall not otherwise alter the natural drainage patterns in a manner that adversely affects other property. Where drainage is involved, the city manager may set specific requirements; (6) Where the adjacent right-of-way has been fully improved to its planned dimension with associated curbs, sidewalks, utilities and street trees, an encroachment permit may be permitted between the property line and the back edge of sidewalk provided there is a one foot minimum clearance between the proposed encroachment and the back edge of the sidewalk and all other standards have been met. (7) Sufficient room for off-street parking and pedestrian travel shall be maintained and the encroachment shall not result in a loss of area needed for parking, vehicular maneuvering, or pedestrian travel. (8) It is determined that the requested encroachment is consistent with the current use of the unimproved public right-of-way, easement or public property.

APPROVED PERMIT/APPLICATION MATERIALS: The approved permit and application materials for the permit may be reviewed or a copy purchased at the Community Development (Planning) Department, Newport City Hall, 169 SW Coast Hwy, Newport, Oregon 97365.

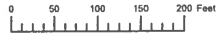
APPEALS: Within 15 calendar days of the date of the decision (**Tuesday, February 25, 2020**) the applicant or any affected owner/occupant of property within 200 linear feet of the boundary of the proposed encroachment may appeal the decision to the Planning Commission. Contact the Community Development Department at the address shown above under "Approved Permit/Application Materials" for information on appeal procedures. If no appeals are received within the appeal period, the permit becomes final.

CONTACT: Derrick Tokos, Community Development Director, (541) 574-0626 (address under "Approved Permit/Application Materials").

Date Notice Mailed: February 10, 2020

¹ The following are being notified: (1) Property owners within 200 feet of the proposed improvements (according to Lincoln County Assessor's records); (2) affected public utilities within Lincoln County; and (3) affected City departments.

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY



N.W.1/4 S.E.1/4 SEC.32 T.10S. R.11W. W.M.
LINCOLN COUNTY
1" = 100'

10 11 32 DB
NEWPORT

Cancelled
1101
1201
1301
1401
1800
1900



Subject Property
File No. 2-TEP-20

115

104

Revised: SAO
11/12/2015

NEWPORT
10 11 32 DB