

**CITY OF NEWPORT
NOTICE OF A PUBLIC HEARING¹**

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Newport, Oregon, will hold a public hearing to consider the following variance request:

Applicant: Pacific Communities Health District (James Shepherd, agent). **File No. 1-VAR-18.**

Request: Approval of a Type III variance pursuant to Section 14.10.030 of the City of Newport Municipal Code to modify an existing approved variance (File # 1-VAR-17) for the mechanical penthouse on the three-story addition to the existing hospital to allow for the placement of a 240 square foot non-structural awning for the air handler unit. The size of the variance will be increased to 3,770 square feet in size, which exceeds the 200 square-foot limitation of the code section. As a result, a height variance is requested.

Location: 930 SW Abbey St, Newport, OR 97365 (Assessor's Map 11-11-08-CA; Tax Lots 12200, 12300, 12500, 12600, 12700, 12900, 13000, 13001, 13100, 13200, 13300, 13400, 13500, 13501, 13502, 13600, 13700, & 13800, and Assessor's Map 11-11-08-CB; Tax Lots 4500, 4600, 4700, 4800, 4900, 5000, 5100, 5200, & 5300).

Applicable Criteria: Newport Municipal Code Section 14.33.060; Criteria for Approval of a Variance: (A.) A circumstance or condition applies to the property or to the intended use that does not apply generally to other property in the same vicinity or zoning district. (B.) The circumstance or condition in "A" above is not of the applicant's or present property owner's making and does not result solely from personal circumstances of the applicant or property owner. Personal circumstances include, but are not limited to, financial circumstances. (C.) There is practical difficulty or unnecessary hardship to the property owner in the application of the dimensional standard. (D.) Authorization of the Variance will not result in substantial adverse physical impacts to property in the vicinity or zoning district in which the property is located, or adversely affect the appropriate development of adjoining properties. Adverse physical impacts may include, but are not limited to, traffic beyond the carrying capacity of the street, unreasonable noise, dust, or loss of air quality. Geology is not a consideration because the Code contains a separate section addressing geologic limitations. (E.) The Variance will not interfere with the provision of or access to appropriate utilities, including sewer, water, storm drainage, streets, electricity, natural gas, telephone, or cable services, nor will it hinder fire access.

Testimony: Testimony and evidence must be directed toward the criteria described above or other criteria in the Comprehensive Plan and its implementing ordinances which the person believes to apply to the decision. Failure to raise an issue with sufficient specificity to afford the city and the parties an opportunity to respond to that issue precludes an appeal, including to the Land Use Board of Appeals, based on that issue. Testimony may be submitted in written or oral form. Oral and written testimony will be taken during the course of the public hearing. Letters to the Community Development/Planning Department (address under "Reports/Materials") must be received by 5:00 p.m. the day of the hearing or be personally entered into the record during the hearing. The hearing will include a report by staff, testimony (both oral and written) from those in favor or opposed to the application, rebuttal by the applicant, and questions and deliberation by the Planning Commission. Pursuant to ORS 197.763 (6), any person prior to the conclusion of the initial public hearing may request a continuance of the public hearing or that the record be left open for at least seven days to present additional evidence, arguments, or testimony regarding the application.

Reports/Materials: The staff report may be reviewed or a copy purchased at the Newport Community Development Department, City Hall, 169 S.W. Coast Hwy, Newport, Oregon, 97365 seven days prior to the hearing. The application materials and the applicable criteria are available for inspection at no cost or copies may be purchased at this address.

Contact: Derrick I. Tokos, AICP, Community Development Director, (541) 574-0626 (address above in "Reports/Materials").

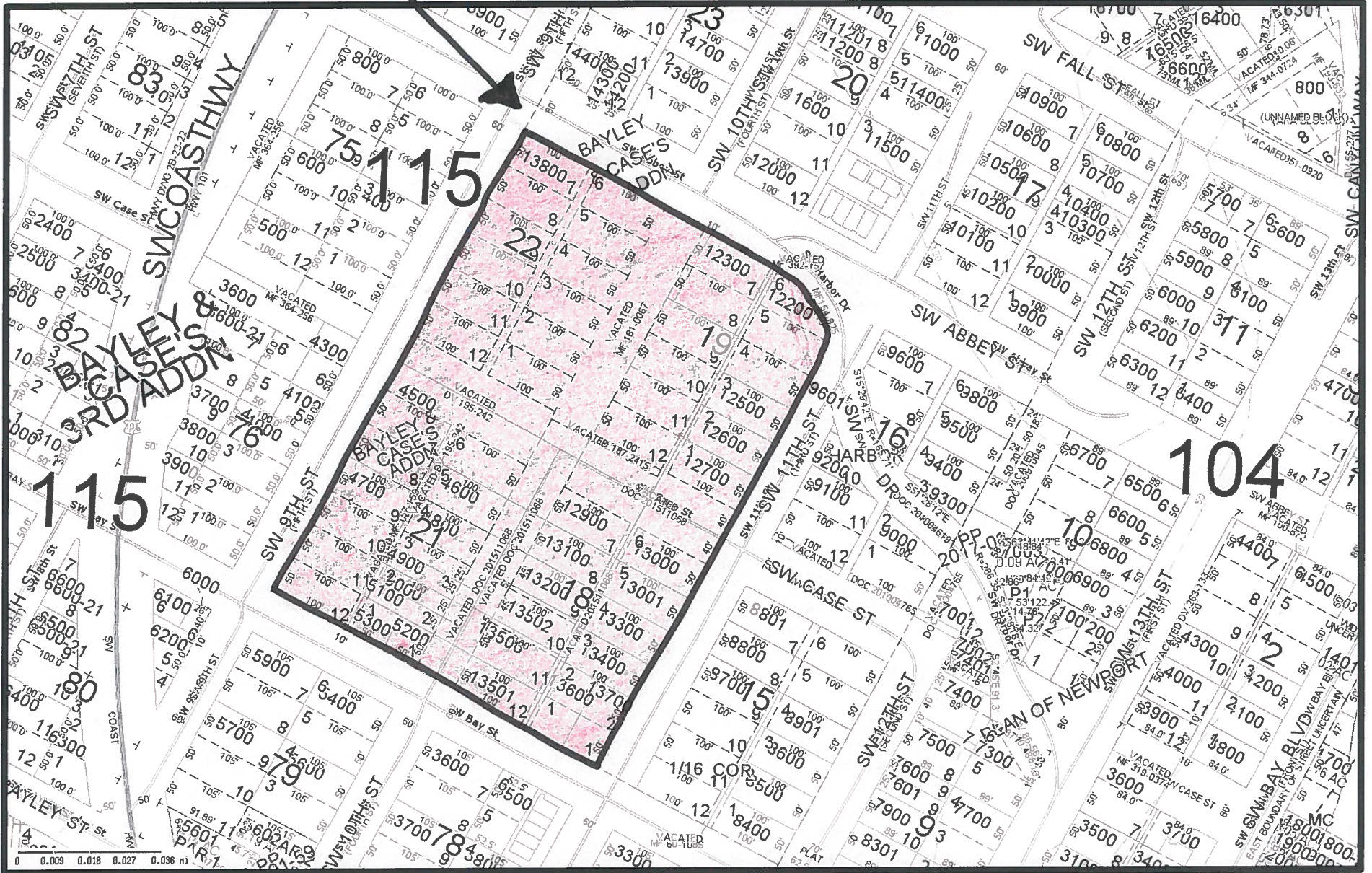
Time/Place of Hearing: Monday, May 14, 2018; 7:00 p.m.; City Hall Council Chambers (address above in "Reports/Materials").

MAILED: April 27, 2018.

PUBLISHED: May 4, 2018/News-Times.

¹This notice is being sent to affected property owners within 200 feet of the subject property (according to Lincoln County tax records), affected public utilities within Lincoln County, and affected city departments

Subject Properties - File No. 1-VAR-18



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