



Phone (541) 575-0028  
Fax (541) 575-3668

450 East Main Street  
John Day, Oregon 97845

**NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: THE CITY OF JOHN DAY  
DEVELOPMENT CODE REQUIRES THAT IF YOU RECEIVE THIS NOTICE IT SHALL BE  
PROMPTLY FORWARDED TO THE PURCHASER OR PERSON IN FEE TITLE TO THE  
PROPERTY**

**NOTICE OF PUBLIC HEARING – TYPE III PROCEDURE**

November 25, 2016

Dear Property Owner,

Notice is hereby given that the John Day Planning Department is considering the following request:

<b>Application Number:</b>	<b>LUR-16-08</b>
<b>Applicant:</b>	<b>Neale Ledgerwood</b>
<b>Property Owner:</b>	<b>Neale Ledgerwood</b>
<b>Subject Property:</b>	<b>318 NW Boyce Place, John Day, OR 97845</b>
	<b>Map 13-31-23CD Tax Lot 6400</b>
<b>Requested Action:</b>	<b>Land Use Review with Class B Variance</b>

**REQUEST**

Mr. Neale Ledgerwood is the owner of the property located at 13S31E26CD Tax Lot 6400 in John Day, OR (318 NW Boyce Place). The owner wishes to place a shop/storage facility on the back of the property attached to the home. This property is zoned Residential Limited (RL).

Mr. Ledgerwood is requesting a Class B Variance for the rear setback to build the structure five (5) feet from the back property line, closer than the standard rear setback of 10 feet.

**APPLICABLE CRITERIA**

Accessory structures are allowed in the RL zone subject to the standards in Section 5-2 of the City of John Day Development Code (the Code), specifically sections 5-2.2.030 (Development Standards for Residential Districts).

All land use and development permit applications and approvals, except building permits, shall be decided by using the procedures contained in Chapter 5-4 of the Code. The procedure "type" assigned to each application governs the decision-making process for that permit or approval.

Class B variances are allowed for requests that do not otherwise meet the criteria under subsection 5-5.1.030 (Class A Variance), pursuant to the limitations under subsections 1-3, and the approval criteria in Sections 5-5.1.040C through 5-5.1.040G. Class B variances shall be reviewed using a Type III procedure under Chapter 5-4.1.040.

## NOTICE REQUIREMENTS

The purpose of this notice is to give nearby property owners and other interested people the opportunity to submit written comments about the application before the Type III decision is made. The goal of this notice is to invite people to participate early in the decision-making process.

### **If you would like to respond:**

Written comments received or presented in person to Nicholas Green, City Manager, 450 East Main Street, John Day prior to December 12th, 2016 by 4:00 p.m. will be considered in rendering a decision. Issues must be addressed with sufficient specificity based on criteria with the John Day Development Code, upon which the Planning Commission must base its decision. Failure to address the relevant approval criteria with enough detail may preclude you to appeal to the Land Use Board of Appeals or Circuit Court on that issue. Only comments on the relevant approval criteria are considered relevant evidence. All evidence relied upon by the Planning Commission to make this decision is in the public record, available for public review. Copies of this evidence can be obtained at a reasonable cost from the City of John Day, 450 East Main Street, John Day, OR 97845.

The Planning Commission shall hold a public hearing on December 15th, 2016 at 6:00 PM at the John Day Fire Station, 316 S. Canyon Blvd. The Commission's decision shall be mailed to the applicant and to anyone else who submitted written comments or who is otherwise legally entitled to notice.

Any questions regarding the hearing should be directed to the City Manager at 450 E. Main, John Day, by email to [cityofjohnday@grantcounty-or.gov](mailto:cityofjohnday@grantcounty-or.gov), or phone 575-0028, Monday through Friday from 8:00 a.m. to 4:00 p.m.

Respectfully submitted this 25th day of November, 2016,



Nicholas Green, City Manager  
John Day Planning Official

Enclosure: Request area map

cc: Neale Ledgerwood, Applicant  
Property owners within affected area  
John Day Fire Chief Ron Smith  
John Day Police Chief Richard Gray  
John Day Public Works Director Monte Legg

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# NW BOYCOTT PLACE

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