

Director's Interpretation Application

APPLICANT:

NAME:

ADDRESS:

PHONE:

E-MAIL:

SITE INFORMATION (if applicable):

ZONING DISTRICT: T-C Timber Conservation.

TAX MAP AND LOT: 07-11-25-00-00115-00

SITE ADDRESS: 2515 S. Schooner Creek Road Lincoln City, OR.

SITE LOCATION: 2 1/2 miles East of Hwy 101 (at 48th St.)
Located on corner of Schooner Creek Rd and Anderson Cr. Rd.

The purpose of the Director's Interpretation Application is to provide a process to clarify terms or phrases within this title which may require further interpretation. The application also provides a means to assign new or non-categorized uses to permitted, accessory, or conditional uses in a zone. Interpretations of code terms, intent, or meaning are different from other land use applications in that they are an interpretation of language and policy, as opposed to an evaluation of a use or development. The application may be submitted in advance of, or concurrent with, an application, permit, or other action.

What is the requested interpretation? _____

The director has the authority to consider the request for an interpretation, and shall respond within 30 days following the date of the request, as to whether or not a requested interpretation will be issued. The director may issue or decline to issue a requested interpretation. The director's decision to decline to issue an interpretation is final when the decision is mailed to the party requesting the interpretation. The decision to decline to issue an interpretation is not subject to local appeal.

I (We) hereby declare under penalty of perjury under the laws of the State of Oregon that the foregoing information is true, complete, and accurate.

SIGNATURE:

Applicant [Signature]

7-18-22
Date





Isaac Ersoff
Joshua D. Zantello
David V. Cramer
Jack A. Wray
Brian D. Green, *of Counsel*

May 13, 2022

VIA EMAIL (D.Legarza@lincolncity.org) ONLY

City of Lincoln City
Attention: Daphne Legarza, City Manager
PO Box 50
Lincoln City, OR 97367

Re:

Water Connection Application

Dear Ms. Legarza:

Purpose. The purpose of this letter is to request water service for Lincoln City, OR 97367.

Water Connection. Please find enclosed, a letter from Kevin Mattias, Administrator Coordinator for the City Public Works Department to our client, [REDACTED]. As you will read in Mr. Mattias' letter, [REDACTED] residence is located outside the urban growth boundary of Lincoln City and is not initially eligible for water service. However, due to the fact that there is a water main that runs along Schooner Creek Road, water is available at Ms. [REDACTED] location. Mr. Mattias instructed [REDACTED] to write to you in order to explain her situation and any hardship that would prevent her from obtaining water from other sources. The purpose of this letter is to provide that written explanation.

Current Water Source is a Hardship. [REDACTED] current water source is a small creek that runs along her property. The water level in the creek is becoming lower. [REDACTED] had to build a dam in the creek in order to get enough water. This current dam system requires consistent maintenance. [REDACTED] must put on chest high waders and use a shovel to muck out the sediment that builds up and blocks her water source. This needs to be done at least five times a year. In the past, [REDACTED] husband was able to perform the maintenance. Unfortunately, [REDACTED] passed away. [REDACTED] has continued the maintenance on her own. However, her age and health now make the maintenance a hardship on her, and she is no longer able to perform the maintenance.

Alternate Water Source is a Hardship. [REDACTED] requested bids to drill a well on her property. The estimate she received amounts to \$27,496.00. A copy of the estimate is enclosed for your reference. This amount of money is out of reach for [REDACTED] and is a financial burden that she is unable to bear. Thus, [REDACTED] only alternate water source is a hardship.

Similar Exceptions Have Been Granted. All of the properties that surround [redacted] property are currently connected to city water, including (1)

[redacted]. Maps showing these properties' respective locations compared to [redacted] property are enclosed for your reference. As you will see, all three of these surrounding properties are actually a little bit further out from the city than [redacted] property. Since the City granted similar exceptions to these properties, it makes sense to grant [redacted] an exception as well.

No Net Loss in Water. The creek that runs through [redacted] property is a tributary to Schooner Creek. Thus, if [redacted] no longer pulls water from the creek, more water will flow from her creek into Schooner Creek, increasing the amount of water in Schooner Creek, resulting in an overall zero net loss of water.

Conclusion. After reviewing the above and the enclosed I am sure you will agree that (1) current water source is a hardship, (2) her only alternate water source is a hardship, (3) the City has granted similar exceptions in the past, (4) an exception for [redacted] would result in a zero net loss of water in the area, and (5) under the totality of the circumstances, it makes sense to allow [redacted] to access city water service. Please provide us with your written approval for [redacted] to connect to city water so that she can make the necessary arrangements with Mr. Mattias' office.

Point of Contact. If you have any questions or concerns, please feel free to contact me directly at Joshua@ZantelloLawGroup.com or 541-994-7350.

Sincerely,

/s/ Joshua D. Zantello

Joshua D. Zantello

JDZ/mh

Encls: 1. Letter from Kevin Mattias, Public Works Department
 2. Bid
 3. Maps

cc (w/ encls):
220513.LTR.JDZ.LEGARZA.docx



June 18, 2020

RE: Water Connection Application

Due to the fact that your residency is located outside the Urban Growth Boundary of Lincoln City, your house is not eligible for a water service.

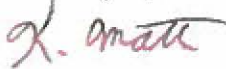
But due to the fact that there is a water main that runs along Schooner Creek Road, water is available at that location. In order for you to become eligible for a water service, you will need to write a letter to our City Manager, Ron Chandler, explaining your situation and any hardships that would prevent you from obtaining water from other sources. This would include why you are unable to continue to receive water from your current source.

You will want to mail your letter to:

**City Manager
PO Box 50
Lincoln City, OR 97367**

If you do become eligible for a water service, the cost to connect to water in 2020 is \$4,703.00.

Thank you,



**Kevin Mattias
Administrator Coordinator
Public Works Dept.**



City of Lincoln City | 801 SW Highway 101 PO Box 50 Lincoln City, OR 97367 541.996.2154
Public Works Department lincolncity.org

To ensure equal access to City services, Lincoln City will reasonably modify procedures for person with disabilities. Call 541-996-1221, Oregon Relay 7-1-1, or visit the website with request.

Aqua Pro Pump Service

35967 Plagmann Dr. NE
 Albany, OR 97322
 Albany (541) 791-4202
 Salem (503) 364-1516
 Email: carie@aquapropumpservice.net
 Email: shayne@aquapropumpservice.net
 website: www.AquaProPumpService.com



CCB# 206120

Estimate

Date	Estimate #
5/11/2022	3563

Name / Address / Phone

Job Site Address

Qty	Description	Rate	Total
1	7GS07 Goulds Pump Complete with 1ph Franklin motor	1,245.00	1,245.00
180	1" Schedule 80 Drop Pipe with Stainless Steel Couplings	3.15	567.00
185	#10 Flat Sub Cable Wire	2.95	545.75
1	1 1/4" x 1" Stainless Steel Bushing	15.00	15.00
2	1" Stainless Steel Check Valve	55.00	110.00
1	Wire Splice Kit	10.00	10.00
11	Torque Arrestor	20.00	220.00
1	6" x 1" Well Seal	75.00	75.00
1	Well Vent	6.00	6.00
1	1" Stainless Steel Well Head Fittings	125.00	125.00
1	1" Conduit Well Head Fittings- 90's, Male Adaptor, Female Adaptor, Coupling, Wire nuts.	20.00	20.00
1	3/4HP Franklin Control Box	115.00	115.00
1	Ground Casing Lug	20.00	20.00
1	Pump Tech- Protection for pump/motor to ensure not overpumping the well	275.00	275.00
1	FL-28 Flexlight Pressure Tank- 82 Gallons	925.00	925.00
1	Brass Tank Tee	55.00	55.00
1	3/4" Non-Adj Pressure Relief Valve	15.00	15.00
1	3/4" No kink Hose Bib	12.25	12.25
1	0- 100 1/4" Liquid Filled Stainless Steel Pressure Gauge	25.00	25.00
1	FSG2 40-60 Pressure Switch	35.00	35.00
1	1/4" x 4" SS Nipple	8.00	8.00
1	1" Brass Ball Valve	35.00	35.00
1	1" x Close SS Nipple	7.00	7.00
1	Temporary Pallet 3'x4'	15.00	15.00
1	Misc. Uponor Plumbing/ Electrical Fittings	250.00	250.00
1	Glue, Sealants & Bleach- Electrical Tape, pipe dope, primer, glue & bleach for well sanitation.	40.00	40.00
7	2 Men 7 hours labor	175.00	1,225.00

THE PRICE BELOW IS AN ESTIMATE ONLY. SHOULD LESS MATERIALS OR LABOR BE NEEDED TO COMPLETE THE PROJECT THEY WILL BE REMOVED FROM THE FINAL INVOICE. IN THE CASE THAT A SIGNIFICANT AMOUNT OF LABOR OR MATERIALS ARE NEEDED TO COMPLETE THE PROJECT BECAUSE OF UNKNOWNS OR PROBLEMS, AQUA PRO PUMP SERVICE WILL LET THE CUSTOMER KNOW AND THEY WILL BE ADDED TO THE FINAL INVOICE.

ESTIMATE TOTAL

***FULL PAYMENT IS DUE UPON COMPLETION OF WORK*. All materials and workmanship are guaranteed. A 1 year labor warranty is provided to all customers from the date of installation on all materials installed by Aqua Pro Pump Service. Certain materials are warranted for a specific amount of time based on the manufacturer's warranty (CCB #206120 CPI Pump Installers License #CPI102) * 3% CREDIT CARD FEE WILL APPLY TO ALL CARD PAYMENTS ***

TO ACCEPT ESTIMATE, PLEASE SIGN AND RETURN TO OUR OFFICE. IF NOT ACCEPTED WITHIN 30 DAYS FROM ABOVE DATE, THIS ESTIMATE MAY BE REVOKED. WEEKLY BASIS DUE TO THE SUPPLY & DEMAND BECAUSE OF COVID-19.

Signature

Aqua Pro Pump Service

35967 Plagmann Dr. NE
 Albany, OR 97322
 Albany (541) 791-4202
 Salem (503) 364-1516
 Email: carie@aquapropumpservice.net
 Email: shayne@aquapropumpservice.net
 website: www.AquaProPumpService.com



CCB# 206120

Estimate

Date	Estimate #
5/11/2022	3563

Name / Address / Phone

Job Site Address

Qty	Description	Rate	Total
	<p>*ALL MATERIALS, LABOR, DRIVE TIME, SET UP AND CLEAN UP TO INSTALL NEW PUMPING SYSTEM IN NEWLY DRILLED WELL AND PRESSURE SYSTEM SET UP AT TEMPORARY WELL HEAD LOCATION. ESTIMATE IS BASED ON GUESSTIMATED FIGURES FROM WELL DRILLER, ONCE WELL IS DRILLED AND EXACT DEPTH AND GALLONS PER MINUTE IS DETERMINED, ESTIMATE WILL BE ADJUSTED ACCORDINGLY.</p>		

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ESTIMATE TOTAL \$5,996.00

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Signature	
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Contract
Corvallis Drilling Co., Inc.

3440 S.W. 3rd Street
 Corvallis, Oregon 97333
 Phone 541-753-8991

NAME.....

ADDRESS.....

WORK AT (Property location legal description).....

PHONE.....

ADDRESS.....

DESCRIPTION OF WORK REQUESTED	CHARGE
1. Minimum set-up charge.	
2. Drill well <u>6</u> in diameter from surface to maximum depth of <u>200</u> feet at cost of <u>25.00</u> per foot.	5,000 00
3. (Optional) Extend to depth of feet if sufficient water supply not reached at first agreed depth. @ per foot.	
4. Material to be FURNISHED BY DRILLING CONTRACTOR at job site:	
A. Casing @ \$ <u>50.00</u> per lineal foot (installed) <u>60</u>	3,000 00
B. Liner @ \$ <u>10.00</u> per lineal foot (installed) <u>200</u>	2,000 00
C. Drive shoe	
D. Sanitary well seal	
E. Screen (Type & Size) (Installed)	
F. <u>10</u> Surface seal Const. <u>STATICARD FEE / Initial FEE</u>	500 00
G.	
H.	
Estimate Total	15,000 00

****NOTE** Oregon Water Resources will be sending you a letter stating that your well needs to be registered with them. They will be requesting a \$300.00 fee to do this registration.**

TERMS

1. Oregon State law requires well shall be 50' or more from septic tank and 100' from any open leach line or drain field. The customer realizing that the driller would have to dig up customers property to personally ascertain location of sewer installations, agrees to assume full responsibility for legal location of well.
2. Customer hereby permits the Drilling Contractor to dump all drill cuttings, water and debris taken out of the hole during progress of the work, around and about the drill site at such place and in such manner as the Drilling Contractor may choose and the Drilling Contractor shall not be obligated to remove the same.
3. The Drilling Contractor shall drill the hole with the diameter and casing sizes as specified above as long as, in the opinion of the Drilling Contractor, it remains practicable to do so considering the nature of the material being drilled. The Drilling Contractor does guarantee that the hole drilled shall be of sufficient diameter and plumb and straight enough to permit installation of pump.
4. Payment shall be made on demand for all holes drilled and material used. The Drilling Contractor does not agree to find or develop water, nor does he represent, warrant or guarantee the quantity, quality or kind of water, if any, which shall be encountered. Failure of the Drilling Contractor to strike water shall in no way release the Customer from payment of the full contract price.
5. In case of suit or action to collect any sum due under this order. Customer shall pay attorney's fees and cost of suit together with interest on the sum due at the rate of one and one quarter percent (1 1/4%) per month from the date of discontinuence of drilling.

(signed) Drilling Contract 5-10-2022 Date

..... Customer Date

Estimates For
Installing A Well

Corvillis Drilling \$15,000

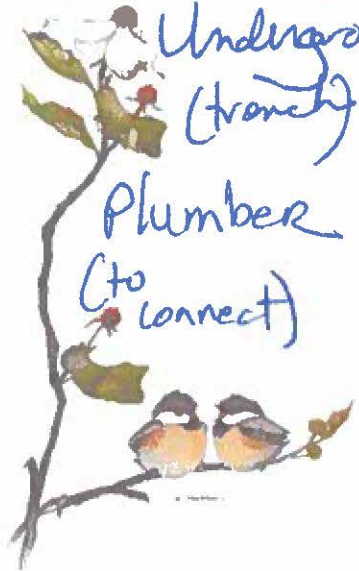
Ignat Pro Pump Co \$5,996

Willamette Valley
Underground \$5,000

(Trench) 25,996

Plumber \$1,500

(to connect) \$27,496



Y075632

Estimate

Willamette Valley
Underground

(to dig a line (including
PIPE)

From well to house

\$5,000

(Verbal) -



W2QF+G5 Lincoln City, Oregon



Directions



Save



Nearby



Send to phone

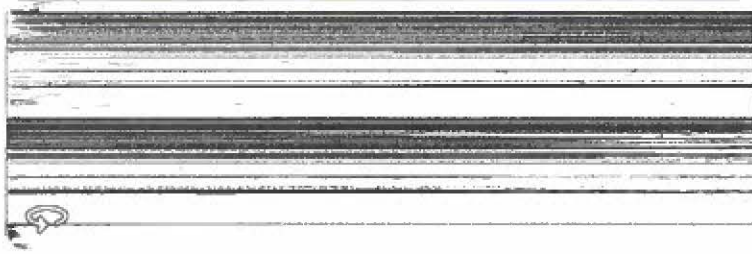


Share



W2QF+G5 Lincoln City, Oregon

Photos



W2QF+G5 Lincoln City, Oregon

Google



Creek Rd

Building



Directions



Save



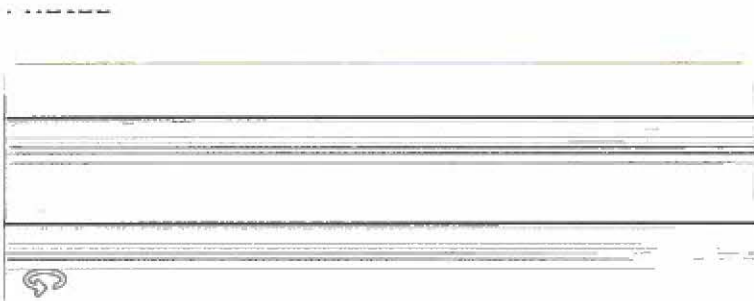
Nearby








Send to phone



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Photos

