



Deschutes County Board of Commissioners  
1300 NW Wall St., Suite 200, Bend, OR 97701-1960  
(541) 388-6570 - Fax (541) 385-3202 - [www.deschutes.org](http://www.deschutes.org)

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## **AGENDA REQUEST & STAFF REPORT**

### **For Board Business Meeting of June 3, 2015**

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*Please see directions for completing this document on the next page.*

**DATE:** May 11, 2015

**FROM:** George Kolb, County Engineer                      Road                      541-322-7113

**TITLE OF AGENDA ITEM:**

Consideration of Signature of Document No. 2015-291, Gate Permit No. 15-001 for NW Coyner Lane applied for by David Skvorak and Lisa M. Bowers

**PUBLIC HEARING ON THIS DATE?** NO

**BACKGROUND AND POLICY IMPLICATIONS:**

David Skvorak and Lisa Bowers contacted the Deschutes County Road Department about obtaining a gate permit for a gate that is already installed on a road accessing their property on NW Coyner Avenue. They are in the process of partitioning their property (247-15-000109-MP) and once the road is dedicated to the public, they will have to obtain a gate permit from the County in order for the gate to remain in place.

Per DCC 10.04.020. Barriers and Gates-Installation Conditions, official traffic-control devices consisting of barriers and gates on and across roads and highways may be established by resolution of the Board of County Commissioners upon and across any road or highway under the jurisdiction of the County for the purpose of prohibiting motor vehicle traffic on the road or highway beyond the barrier or gate so established.

Per the Findings and Decisions for 247-15-000109-MP, condition no. 11, "The applicant shall apply for and obtain approval of a gate permit to allow the existing gate to remain on the road after it is dedicated as a public right of way. If the gate permit is not approved, the gate shall be removed prior to acceptance of the right of way." This gate meets all the following criteria for a gate in the public right of way per Resolution No. 90-081:

1. It is a dead end road
2. It is not a road that is generally used by the public. It is a dead end road used only by the residents living along it.
3. All parties affected by the gate have signed off on its installation.
4. The gate will not restrict access to public land.
5. Installation of the gate will help protect property owned by the Mr. Skvorak and Ms. Bowers.
6. The road is not in a recorded subdivision.

Deschutes County will not maintain this right of way. See attachments for type and location of the gate.

**FISCAL IMPLICATIONS:**

None, Mr. Skvorak and Ms. Bowers will be responsible for the maintenance of the gate.

**RECOMMENDATION & ACTION REQUESTED:**

The Road Department recommends signature of Document No. 2015-291, Gate Permit No. 15-001 for NW Coyner Lane.

**ATTENDANCE:** George Kolb, County Engineer

**DISTRIBUTION OF DOCUMENTS:**

Copy to Sheila Odle (ext. 7148) at the Road Department

## DESCHUTES COUNTY DOCUMENT SUMMARY

(NOTE: This form is required to be submitted with ALL contracts and other agreements, regardless of whether the document is to be on a Board agenda or can be signed by the County Administrator or Department Director. If the document is to be on a Board agenda, the Agenda Request Form is also required. If this form is not included with the document, the document will be returned to the Department. Please submit documents to the Board Secretary for tracking purposes, and not directly to Legal Counsel, the County Administrator or the Commissioners. In addition to submitting this form with your documents, please submit this form electronically to the Board Secretary.)

Please complete all sections above the Official Review line.

**Date:** May 12, 2015

**Department:** Road

**Contractor/Supplier/Consultant Name:** David Skvorak and Lisa Bowers

**Contractor Contact:** David Skvorak and Lisa Bowers

**Contractor**

**Phone #:** 253-797-3712

**Type of Document:** Gate permit No. 15-001

**Goods and/or Services:** Allows for the installation of a gate on NW Coyner Lane

**Background & History:** David Skvorak and Lisa Bowers contacted the Deschutes County Road Department about obtaining a gate permit for a gate that is already installed on a road accessing their property on NW Coyner Avenue. They are in the process of partitioning their property (247-15-000109-MP) and once the road is dedicated to the public, they will have to obtain a gate permit from the County in order for the gate to remain in place. Per DCC 10.04.020. Barriers and Gates-Installation Conditions, official traffic-control devices consisting of barriers and gates on and across roads and highways may be established by resolution of the Board of County Commissioners upon and across any road or highway under the jurisdiction of the County for the purpose of prohibiting motor vehicle traffic on the road or highway beyond the barrier or gate so established. Per the Findings and Decisions for 247-15-000109-MP, condition no. 11, "The applicant shall apply for and obtain approval of a gate permit to allow the existing gate to remain on the road after it is dedicated as a public right of way. If the gate permit is not approved, the gate shall be removed prior to acceptance of the right of way." This gate meets all the following criteria for a gate in the public right of way per Resolution No. 90-081:

1. It is a dead end road
2. It is not a road that is generally used by the public. It is a dead end road used only by the residents living along it.
3. All parties affected by the gate have signed off on its installation.
4. The gate will not restrict access to public land.
5. Installation of the gate will help protect property owned by the Mr. Skvorak and Ms. Bowers.
6. The road is not in a recorded subdivision.

Deschutes County will not maintain this right of way. See attachments for type and location of the gate.

**Agreement Starting Date:** Upon Signature

**Ending Date:** N/A

**Annual Value or Total Payment:** N/A

Insurance Certificate Received (check box)

Insurance Expiration Date:

Check all that apply:

- RFP, Solicitation or Bid Process  
 Informal quotes (<\$150K)  
 Exempt from RFP, Solicitation or Bid Process (specify – see DCC §2.37)

**Funding Source:** (Included in current budget?  Yes  No

If **No**, has budget amendment been submitted?  Yes  No

**Is this a Grant Agreement providing revenue to the County?**  Yes  No

Special conditions attached to this grant:

Deadlines for reporting to the grantor:

If a new FTE will be hired with grant funds, confirm that Personnel has been notified that it is a grant-funded position so that this will be noted in the offer letter:  Yes  No

Contact information for the person responsible for grant compliance:

Name:

Phone #:

**Departmental Contact and Title:** George Kolb, PE, County Engineer

**Phone #:** 541-322-7113

**Department Director Approval:**

  
Signature

05/12/15  
Date

**Distribution of Document:** Copy to Sheila Odle (ext. 7148) at the Road Department after recording.

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**Official Review:**

County Signature Required (check one):  BOCC  Department Director (if <\$25K)

Administrator (if >\$25K but <\$150K; if >\$150K, BOCC Order No. \_\_\_\_\_)

Legal Review \_\_\_\_\_ Date \_\_\_\_\_

Document Number \_\_\_\_\_



Deschutes County Road Department

March 21, 2015

To Whom It May Concern,

The intent of this letter is to support our request to be approved for a gate permit on our dedicated road.

The road to be dedicated has served as our private driveway and has been gated for 14 years.

Previous to our living here, this property was a well used, popular spot for trespassers to hang out & "party" and dispose of general garbage.

This was evidenced by the detritus we removed.

When we cleaned up the area, the most notable garbage we removed - Beer, wine & liquor bottles, condoms, syringes, bailing twine, clothing, a mattress, shot gun shells, rifle cartridges, skeet pucks, household refuse, a muffler, irrigation pipe, and a car bumper.

Our concern is that if public access onto this property is renewed before homes are built on the new parcels we are creating, we will again be dealing with the nuisance and illegal activities described above.

Approving this Gate Permit will be in the public's best interest because it prevents trespassers and partiers from doing their thing.

Thank you for your consideration in approving this permit,

David A. Skvorak and Lisa M. Bowers

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES, COUNTY, OREGON

Gate Permit for NW Coyner Lane \*  
Located within Township 14 South, \*  
Range 12 East, Section 28 W.M., \*  
Deschutes County, Oregon. \*

GATE PERMIT 15-001

Pursuant to ORS 368.056 the Board of County Commissioners of Deschutes County, Oregon authorizes David Skvorak and Lisa Bowers to maintain a gate upon the public right of way described as:

NW Coyner Lane located within Township 14 South, Range 12 East, Section 28 located in Deschutes County, Oregon.

in accordance with the conditions of approval (Exhibit "A") and in the location shown on the map (Exhibit "B") attached hereto and by this reference made a part hereof.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

BOARD OF COUNTY COMMISSIONERS  
OF DESCHUTES COUNTY, OREGON

\_\_\_\_\_  
ANTHONY DEBONE, CHAIR

\_\_\_\_\_  
ALAN UNGER, VICE-CHAIR

\_\_\_\_\_  
TAMMY BANEY, COMMISSIONER

ATTEST:

\_\_\_\_\_  
Recording Secretary

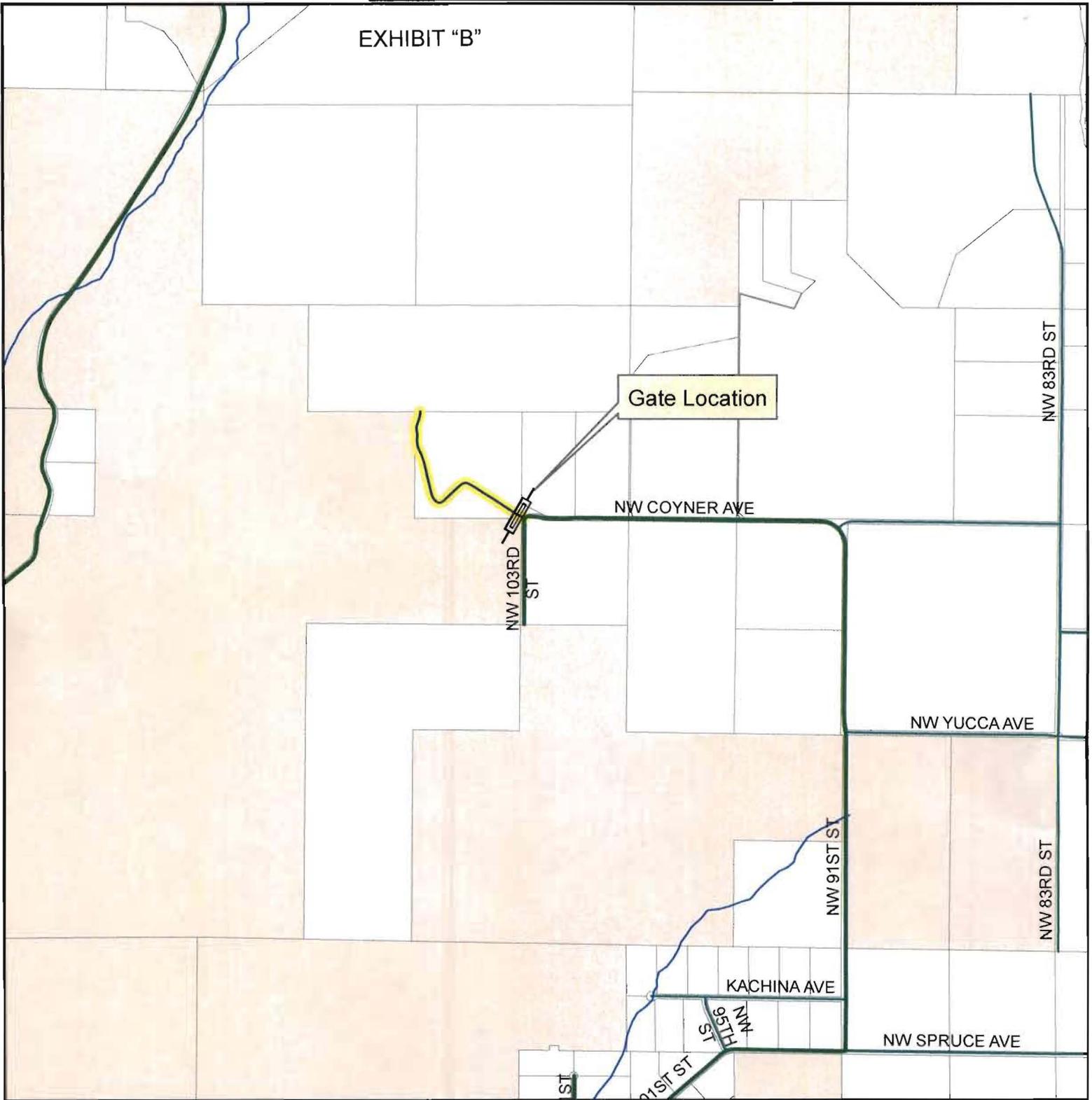
## EXHIBIT "A"

### GATE PERMIT 2015-001 CONDITIONS FOR APPROVAL

1. Gate permit may be reviewed by the County at any time and upon a finding that the gate does not meet the criteria of the Gate Permit Resolution 90-081, the permit may be revoked by the Board of County Commissioners.
2. The gate design shall be approved by the County Engineer.
3. If the gate is locked, a key must be deposited with the fire district, Sheriff's office and with the Deschutes County Road Department with a map showing the gate location and telephone number of the applicant or contact person.
4. The gate location shall be as shown on the attached Exhibit "B".
5. Fencing, if required, must be adequate to supplement gate.
6. No mail will be delivered inside gate, therefore, post office boxes or an approved mail box location outside gate shall be used.
7. Access for existing utilities and irrigation facilities in the area behind the gate must be maintained at all times.
8. If the applicant wants the road accessed by the gate to be included in the County maintenance system, the gate will be removed and the roadway brought up to a condition acceptable to the County Road Department prior to acceptance into the system.
9. Per Deschutes County Code 10.04.020, the gate is for the purpose of prohibiting motor vehicle traffic only. Pedestrian, bicycle and horse travel will still be permitted.

# Skvorak / Bowers Gate Permit

EXHIBIT "B"



Gate Location

NW COYNER AVE

NW 103RD ST

NW 83RD ST

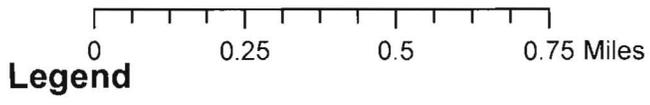
NW YUCCA AVE

NW 91ST ST

NW 83RD ST

KACHINA AVE

NW SPRUCE AVE



## Legend

-  Gates
-  Private Rd
-  County Routes
-  Taxlots
-  Public Land



Printed:  
May 8, 2015



**DESCHUTES COUNTY**  
Mapping & GIS

**John Anderson, GIS Analyst**  
Phone: (541) 322-7102  
Email: john.anderson@deschutes.org  
Address: 61150 SE 27th St  
Bend, OR 97702

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**Road Department**

The information on this map was derived from digital databases on Deschutes County's G.I.S. Care was taken in the creation of this map. Deschutes County cannot accept any responsibility for errors, omissions, or positional accuracy and, therefore, there are no warranties which accompany this product. However, notification of any errors will be appreciated.



NO  
TRESPASSING