February 19, 2014

Coos County Planning Dept.

RE: Shoaf Conditional Use Application

If there are any issues pertaining to the attached application, please contact me. Sheri McGrath of Residential Engineering will be unavailable until the first part of April. Thank you

Troy Rambo, LS 2865
Coos County Planning Department
Conditional Use Application

Please place a check mark on the appropriate type of review that has been requested.

☑ Administrative Conditional Use ☐ Hearings Body Conditional Use
☑ Site Plan Review ☐ Variance

An incomplete application will not be processed. Applicant is responsible for completing the form. Attach additional sheets to answer questions if needed.

A. Applicant:

Name: Residential Engineering
Address: P.O. Box 1548
City: Bandon
State: OR
Zip Code: 97411
Telephone: 541-347-3651

B. Owner:

Name: Bascom Shoaf
Address: 88681 TokyoLn.
City: Bandon
State: OR
Zip Code: 97411

C. As applicant, I am (check one):

☑ The owner of the property;
☑ The purchaser of the property under a duly executed written contract who has the written consent of the vendor to make such application (consent form attached).
☑ A lessee in possession of the property who has written consent of the owner to make such application (consent form attached).
☒ The agent of any of the foregoing who states on the application that he/she is the duly authorized agent and who submits evidence of being duly authorized in writing by his principal (consent form attached).

D. Description of Property:

Township 30S Range 15W Section 2 Tax Lot 110

Tax Account 1362309 Lot Size 9.95 AC Zoning District F

Updated 11/09
E. Information (please check off as you complete)

1. Existing Use  **VACANT**

2. Site Address  **0 LOWER FOUR MILE LANE**

3. Access Road  **LOWER FOUR MILE LANE**

4. Is the Property on Farm/Forest Tax Deferral  **No**

5. Current Land Use (timber, farming, residential, etc.)  **NO CURRENT USE**

6. Major Topography Features (streams, ditches, slopes, etc.)  **WETLANDS**

7. Letter from Natural Resource Conservation Service (for Forest/Farm dwellings only).

8. List all lots or parcels that the current owner owns, co-owns or is purchasing which have a common boundary with the subject property on an assessment map.  **✓**

9. Identify any homes or development that exists on properties identified in #8.  **N/A**  

10. A copy of the current deed of record.  **✓**

11. Covenants or deed restrictions on the property, if unknown contact title company.  **N/A**  

12. A detailed parcel map of the subject property illustrating the size and location of existing and proposed uses, structures and roads on an 8½” x 11” paper to scale. **Applicable distances must be noted on the parcel map along with slopes.**  
   (See example plot map)

F. Proposed use and Justification

Please attach an explanation of the requested proposed use and findings (or reasons) regarding how your application and proposed use comply with the following the Coos County Zoning and Land Development Ordinance (LDO). Pursuant to the LDO, this application may be approved only if it is found to comply with the applicable criteria for the proposed use. Staff will provide you with the criteria; however, staff cannot provide you with any legal information concerning the adequacy of the submitted findings, there is no guarantee of approval and the burden rests on the applicant. (You may request examples of a finding)

Applicable Criteria: **SEE ATTACHED SHEETS**

_____ ____________

_____ ____________

_____ ____________

_____ ____________

Updated 2013
I. Authorization:
All areas must be initialed by all applicant(s) prior to the Planning Department accepting any application.

I hereby attest that I am authorized to make the application for a conditional use and the statements within this application are true and correct to the best of my knowledge and belief. I affirm that this is a legally created tract, lot or parcel of land. I understand that I have the right to an attorney for verification as to the creation of the subject property. I understand that any action authorized by Coos County may be revoked if it is determined that the action was issued based upon false statements or misrepresentation.

ORS 215.416 Permit application; fees; consolidated procedures; hearings; notice; approval criteria; decision without hearing. (1) When required or authorized by the ordinances, rules and regulations of a county, an owner of land may apply in writing to such persons as the governing body designates, for a permit, in the manner prescribed by the governing body. The governing body shall establish fees charged for processing permits at an amount no more than the actual or average cost of providing that service. The Coos County Board of Commissioners adopt a schedule of fees which reflect the average review cost of processing and set-forth that the Planning Department shall charge the actual cost of processing an application. Therefore, upon completion of review of your submitted application/permit a cost evaluation will be done and any balance owed will be billed to the applicant(s) and is due at that time. By signing this form you acknowledge that you are response to pay any debt caused by the processing of this application. Furthermore, the Coos County Planning Department reserves the right to determine the appropriate amount of time required to thoroughly complete any type of request and, by signing this page as the applicant and/or owner of the subject property, you agree to pay the amount owed as a result of this review. If the amount is not paid within 30 days of the invoice, or other arrangements have not been made, the Planning Department may chose to revoke this permit or send this debt to a collection agency at your expense.

I understand it is the function of the planning office to impartially review my application and to address all issues affecting it regardless of whether the issues promote or hinder the approval of my application. In the event a public hearing is required to consider my application, I agree I bare the burden of proof. I understand that approval is not guaranteed and the applicant(s) bear the burden of proof to demonstrate compliance with the applicable review criteria.

As applicant(s) I/we acknowledge that is in my/our desire to submit this application and staff has not encouraged or discouraged the submittal of this application.

_________________________  ____________________________
Applicant(s) Original Signature  Applicant(s) Original Signature

2-18-14
Date

Updated 11/09
PLOT PLAN INSTRUCTIONS:

This plot plan must accompany the application at time of submittal.

_____ Your map must be on white paper which is 8 1/2" x 11" or 8 1/2" x 14" in size, with the information drawn in black ink.

_____ Township, range, section, and tax lot number of property noted on map.

_____ Northpoint, date and scale used (1"=50'; 1"=100'; etc.) must be noted on the map.

_____ Shape and dimensions of your property must be accurately drawn. Show the acreage of the parcel.

_____ Illustrate all existing and proposed structures, septic systems, and wells on your map. Label the uses of these structures and their distances from property lines.

_____ Identify irrigation ditches and canals, if any.

_____ Show all water courses, drainageways, and water bodies (lake, ponds, bogs, marshes, seeps, springs and/or year-round to intermittent streams on the property). Show the location of any dikes or revetments. Show the location of the 100-year floodplain, if applicable.

_____ Please include the name of the person who prepared your map.

_____ Title the map.

Updated 11/09
RE: Authorization to Act as Agent

To Whom It May Concern:

I [BASCOM SHEAF] give authorization for the staff of Residential Engineering, LLC to act as my agents in regard to obtaining any permits or submitting any applications related to new residential construction at my property in [COUNTY] County and located at [30-15-02 Tax Lot 110 and 111].

Signature: [Signature] Date: 9/18/13
Printed Name: BASCOM SHEAF
After recording return to:
Bascom Phillip Shoaf
88681 Tokyo Lane
Bandon, OR 97411

Until a change is requested all tax statements shall be sent to the following address:
Bascom Phillip Shoaf
88681 Tokyo Lane
Bandon, OR 97411

File No.: 7132-2138175 (kad)
Date: August 14, 2013

STATUTORY WARRANTY DEED

Kathryn A. Penk, Grantor, conveys and warrants to Bascom Phillip Shoaf, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

LEGAL DESCRIPTION: Real property in the County of Coos, State of Oregon, described as follows:

PARCEL 1 AND
*PARCEL 2 OF FINAL LAND PARTITION PLAT 2008#8, CAB C-580, FILED AND RECORDED APRIL 23, 2008 AS MICROFILM NO. 2008-4133, RECORDS OF COOS COUNTY, OREGON.

Subject to:
1. The 2013-2014 Taxes, a lien not yet payable.
2. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is $110,000.00. (Here comply with requirements of ORS 93.030)
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 3 day of September 2013.

Kathryn A. Penk

STATE OF Nevada  
COUNTY OF Nevada.

This instrument was acknowledged before me on this 3rd day of September, 2013 by Kathryn A. Penk.

Marilynn C. Lawrence
Notary Public for Nevada
My commission expires March 19 2015.
February 19, 2014

Coos County Planning Dept.
250 N. Baxter
Coos County Courthouse
Coquille, OR 97423

RE: Soil Classification for T.L. 110 - 30S 15W 2

Based on Sheet Number 68 of the Soil Survey of Coos County, Oregon the subject property is predominantly soil type 61D (Waldport - Heceta fine sands, 0 to 30 percent slopes).

One the basis of a 100 year site curve, the mean index for shore pine is 90. The production of 60 year old shore pine trees 1.5 inches in diameter or more at breast height is 79 cubic feet of wood fiber per year if they are protected from the ocean winds which the subject property is not. The majority of the subject property has been classified as wetland and is not suitable for timber production.

If you have any questions, please give me a call. Thank you.

[Signature]
Troy Rambo
February 19, 2014

Coos County Planning Dept.

RE: Template Dwelling Application - T.L. 110 - 30S 15W 2

Applicant/Owner:

Bascom Shoaf
88681 Tokyo Lane
Bandon, OR 97411

RE: Review Standards and Special Considerations

Section 4.8.400

A. Siting a home on the subject tract will not force a significant change in, or significantly increase the cost of accepted forest or farming practices on the adjacent lands. There are multiple parcels within the 160 acre square ranging from 1.54 acres to 80 acres of which are zoned Forest and EFU. Many of the surrounding parcels already have homes or structures sited on them. Based on a 2003 pre-eligibility application, the Planning Department determined that there were 17 parcel with 9 dwellings that fell within the 160 acre template (see attached). By allowing the siting of a single family dwelling on this site, the parcel would conform to what already exists within the area.

B. The proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or increase risks to fire suppression personnel. The maintained roads and maintained firebreak will actually aid in fire suppression by allowing easy and fast access in the event of a fire.

Section 4.8.525

1) Only one residential dwelling will be sited on the subject parcel.

2) There are no deed restrictions on the subject property restricting dwellings.

3) The subject parcel will meet the required number of parcels (7) if the property is capable of producing 79 Cf/Ac./Yr of growth using the 160 acre square. (It was determined that there are approximately 17 parcels within the 160 acre square that existed prior to 1993). See attached Soil Classification letter.
Section 4.8.600

A. 1. The proposed home site is located a minimum of 74 feet from the Westerly property line. This is the only elevated site above the flood plain the owner can build on.

2. The proposed home site will not impact any future forest/farming operations.

3. The proposed cleared home site will be less than 1/4 acre.

4. A 30 ft. primary firebreak will be established around all structures and a secondary firebreak (where available) 100 feet beyond the primary firebreak will be maintained to minimize any risks associated with wildfires.

B. Under ORS 537.545 (b) & (d) - no permit is required to take water for single or group purposes in the amount not to exceed 15,000 gallons per day or for watering a lawn or non-commercial garden not to exceed 1/2 acre in size. This fits this proposed situation.

C. The access road is a private road - not government controlled.

D. 1. A portion of the subject parcel beyond the proposed home site is growing wetland plants and grass.

Section 4.8.700 -

A. 1. Primary firebreak - all brush would be cleared back a minimum of 30 feet from any new structures.

2. A garden hose will be available to reach the perimeter of the primary firebreak.

3. A secondary firebreak (where available) 100 feet beyond the primary firebreak shall be maintained. The subject parcel falls within the Bandon RFPD boundaries.

B. The new structures will be constructed with non-combustible or fire resistant roofing material.

C. There is no water supply exceeding 4000 gallons on the property.

D. The proposed home site has a grade of less than 5%.

E. A spark arrester will be required on any chimney.

F. The subject property falls within the Bandon RFPD district.

G. The access road to the subject property currently has a 12' graveled surface. The driveway to the proposed home site from the graveled road has met county driveway standards (16 ft. subgrade/12 ft. surface).
May 20, 2003

Rosemarie Fisher
50422 Highway 101
Bandon, Oregon 97411

RE: Template Dwelling
Pre-Eligibility Application
(PE-03-04) T.30, R.15, S.02, TL# 110

Dear Mrs. Fisher:

The Planning Department has reviewed your submitted pre-eligibility application to determine if the subject property meets the criteria set forth in Article 4.8 of the Coos County Zoning and Land Development Ordinance (CCZLDO).

Based upon this review the Planning Department has determined the subject property meets and exceeds the criteria and qualifies for a forest dwelling because there are 17 parcels with 9 dwellings that lie within the 160-acre template.

Should you choose to complete the application process $100.00 of the submittal fee for this application will be deducted from the application fee for a template dwelling leaving $280.00 left to be paid when the template application is submitted.

Any approval will be subject to the conditions as outlined in the application. Approval is also subject to Mandatory Siting Standards required for Dwellings and Structures, Fire Siting and Safety Standards and Roadway/Driveway Standards. Please note in order to complete the application process the Bandon Rural Fire District must sign off on the application or you must submit documentation attempting to be a part of a rural fire district.

If you have any questions please contact the department at (541) 396-3121 or 756-2020, extension 210.

Sincerely,
Coos County Planning Department

Staci Courtright, Planner I

SC/nc:
Anthony & Sandra Holloway, owner
File

Coos County is an Affirmative Action-Equal Opportunity Employer and complies with section 504 of the Rehabilitation Act of 1973
July 9, 2007

PERMIT

BEFORE THE ROADMASTER OF COOS COUNTY

Residential Engineering Co, Sheri Merzler, 3473651

This permit is issued to

for the placement and/or construction of the following facility

access

upon the

Roaring Surf Road (Public Access)

at the following location: 7/10 Mile West Of

Lower Four-Mile Lane, off of Roaring Surf Road

All work shall be in strict conformity with all terms of this permit, with any exhibits attached hereto, and with Article Four, Division One of the Coos County Code and ORS 374.305 to 374.340.

TS 30 R 15 S 2 TL 110

GENERAL PROVISIONS

Permit Holder shall be solely responsible for any and all damages, or destruction to any road, road structure, utility, cable, pipe, waterline, ditch or culvert arising out of or incident to this permit. Permit Holder shall repair or reimburse the County or Utility for the cost of repair or replacing damaged or destroyed property.

Permit Holder shall indemnify, hold harmless, and defend Coos County, its elected officials, officers and employees from any liability, claim, damage, loss and/or expense, including, but not limited to, reasonable attorneys fees, arising out of or resulting from the performance of or failure to provide the obligations of this Permit by Permit Holder, its employees, agents and subcontractors.

Permit Holder shall supply all materials and labor at own expense.

Permit Holder shall provide adequate warning and traffic control in a manner to insure public safety and cause minimum inconvenience.

A minimum of two lane traffic will be maintained at all times and control of traffic will be in accordance with the current provisions in the Manual on Uniform Traffic Control Devices for Streets and Highways.

This permit authorizes no work other than that specifically mentioned.

SPECIAL PROVISIONS

1. Permit Holder shall compact backfill material to 95% of original density and maintain finish composition same as original for 90 days after completion of construction. Replacing any rock and/or asphalt to its original depth.

2. Permit Holder shall supply the county with a performance bond or cash in the amount of ______ to be refunded 90 days after completion of the project if at that time an inspection is made and all measures in this permit are found to have been complied with.

3. Permit Holder shall install a minimum of ________ culvert located as directed by county.

4. Permit Holder shall not fell trees within the traveled portion of the roadway and shall clear the right-of-way of any slash or debris caused from the felling of said trees.

5. This permit is issued pursuant to ORS 368.942 and is for the specific purpose of allowing the construction and maintenance of a signage within the county right-of-way. This sign shall be in no way impede vision or cause an unsafe traffic condition. Permit is revocable for non-maintenance of sign or signs for which permit holder is responsible.

6. Permit Holder shall construct driveways to meet at right angles with county road and shall construct driveway to be at same level at county road for a distance of 20 feet more or less.

7. This permit is revocable at any time when area is determined to be needed for road purposes.

8. Permit Holder or his contractor shall notify the Coos County Road Dept., at 396-3121 Ext. 377, forty-eight (48) hours prior to commencing work and after completing work covered by this permit.


I accept and agree to the conditions herein:

Permittee

Date

This permit shall be void unless the work herein contemplated shall have been completed before:

January 9, 2008

12/10/2013

ISSUED BY AGENT OF BOARD OF COMMISSIONERS

Access Foreman

Date

Renewed 9/12/2013

Roadmaster

Date
CERTIFICATION OF 100 YEAR FLOODPLAIN

I, Robert Brannan, Registered Civil Engineer in Oregon, #10,203, do hereby certify that Parcel "B" shown on the hereon map is entirely above the floodplain elevation of 12.00 ft. M.S.L. and that 1.) the proposed land division is safe from flooding 2.) the proposed land division is consistent with the need to minimize flood damage 3.) Any planned facilities and structures will be constructed above said base floodplain elevation.

E. F. BUSSMANN

PARCEL A.

22.6 ACRES

Robert Brannan
R.C.E. 10,203
2549 Warren Ave North
Seattle, Wash. 98109
OFFSITE WETLAND DETERMINATION REPORT
OREGON DEPARTMENT OF STATE LANDS
775 Summer Street NE, Suite 100, Salem OR 97301-1279 Phone: (503) 986-5200

At your request, an offsite wetland determination has been conducted on the property described below.

County: Coos                    City: Bandon
Other Name & Address: Sheri McGrath, Bandon Drafting & Design, 1010 1st St. SE, Bandon, OR 97411
Township: 30S Range: 15W Section: 02 Q/A: Tax Lot(s): 110

Project Name: Proposed homesite, Lower Fourmile Road

Site Address/Location: Lower Fourmile Road

☒ The National Wetlands Inventory or Local Wetlands Inventory shows a wetland on the property.
☒ The county soil survey shows hydric (wet) soils on the property. Hydric soils indicate that there may be wetlands.
☐ It is unlikely that there are jurisdictional wetlands or waterways on the property based upon a review of wetlands maps, the county soil survey and other information. An onsite investigation by a qualified professional is the only way to be certain that there are no wetlands.
☒ There may be waterways on the property that are subject to the state Removal-Fill Law.
☐ A state permit is required for ≥ 50 cubic yards of fill, removal, or ground alteration in the wetlands or waterways.
☐ A state permit may be required for any amount of fill, removal, or other ground alteration in the Essential Salmonid Habitat and hydrologically associated wetlands.

☐ A state permit will be/will not be required for project because/if
☐ The proposed parcel division may create a lot that is largely wetland and thus create future development problems.
☐ A wetland determination or delineation is needed prior to site development; the wetland delineation report should be submitted to the Department of State Lands for review and approval.
☐ A permit may be required by the Army Corps of Engineers: (503) 808-4373

Note: This report is for the state Removal-Fill Law only. City or County permits may be required for the proposed activity.

Comments: Bob Lobdell, DSL Resource Coordinator, conducted a site visit on January 8, 2014. Michael Scalici, consultant, submitted a review of the wetlands on this property on February 13, 2014. A concurrent wetland delineation (WD#02-0225) was issued by DSL in 2002 and expired in 2007. This delineation is now considered a historical reference document.

Although this offsite determination does not take the place of an official reissuance/concurrence letter, based on my conversations with Bob Lobdell, a review of the Scalici report and GIS data layers, the fill pad area shown on Figure 2 (p.7) of the Scalici report may be built upon. Any activities outside this previously fill area will require an official delineation and permit from DSL.

Determination by: ___________________________________________________________ Date: 2-19-14

☐ This jurisdictional determination is valid for five years from the above date, unless new information necessitates a revision.
Circumstances under which the Department may change a determination and procedures for renewal of an expired determination are found in OAR 141-090-0045 (available on our website or upon request). The applicant, landowner, or agent may submit a request for reconsideration of this determination in writing within six months from the above date.
☒ This is a preliminary jurisdictional determination and is advisory only.

Copy To: ☐ Other ☒ Enclosures: email: sherih@bandondrafting.com
☒ Coos County Planning Department

FOR OFFICE USE ONLY

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http://www.oregonstatelands.us/
FIGURE 1: Wetland map of area surrounding the proposed home site of the property on the Coos County Assessor’s Map 30-15-02 TL 110, Phil Shoaf

Image is from NWI Wetland Mapper centered at Lat. 43.0098, Long. -124.4471, corresponding to the center of the home site and the split-rail fence surrounding it.

The NWI Wetland Boundary is the black dotted line and the proposed jurisdictional boundary is the black solid line.

The sample plot points from DSL WD # 02-0225 are sp# and the February 2014 sample plot points included in this report are SP#.

The wetland boundary is fairly well demarcated on this aerial image as the sharp boundary between the smooth tan color of sand dune dominated by Anthoxanthum odoratum (ANOD) and the lush green dominated by Juncus effusus (JUEF).

The mottled color pattern occurs where tufts of tall Carex obtpta (CAGB) form overlapping thickets. A few circular Salix hookeriana groves (SAHO) are also apparent in this image.
FIGURE 2: Wetland map of area surrounding the proposed home site of the property on the Coos County Assessor's Map 30-15-02 TL 110, Phil Shoaf

The NWI Wetland Boundary is the black dotted line and the proposed jurisdictional boundary is the black solid line.

The sample plot points from DSL WD# 02-0225 are in lower case (sp#) and the February 2014 sample plot points included in this report are in upper case (SP#).

Field work for this report done on Feb. 9, 2014.