STAFF REPORT FOR HEARINGS BODY REVIEW

APPLICANT: Robert Parrish
18272 Highway 42
Myrtle Point OR 97458

OWNER: Norman Parrish Robert & Susan Parrish
2405 Spruce St. 18272 Highway 42
Myrtle Point OR Myrtle Point OR
97458 97458

REQUEST: Expansion of a Grandfathered Use, an existing aggregate mining operation

STAFF CONTACT: Jill Rolfe, Planning Director
Debby Darling, Planner II

REVIEWING BODY: Coos County Planning Commission

MAP NUMBER(S) / LEGAL DESCRIPTION
ASSESSOR’S MAPS: Township 29S Range 11W Section 28 Tax Lots 304 and 305

PROPERTY LOCATION
The property is located off of Highway 42, west of the unincorporated community of Bridge.

APPLICABLE CRITERIA
Coos County Zoning and Land Development Ordinance (LDO), Coos County Comprehensive Plan (CCCP), Oregon Administrative Rule (OAR)

| LDO | § 4.8.350(E) | Hearings Body Conditional Uses (Forest Zone) |
| LDO | § 4.8.400 | Review Criteria for Conditional Uses (Forest Zone) |
| LDO | § 3.4.100 | Use and Alteration of Buildings, Structures, or Land existing prior to the Enactment of this Ordinance (Expansion of Grandfathered Use) |

1. BASIC FINDINGS

A. LAWFULLY CREATED PARCELS: The property was lawfully created in accordance with LDO § 3.3.800(1). Township 29S, Range 11W, Section 28 and tax lots 304 and 305 were determined to be discrete lawfully created parcels described as Parcel 2 (tax lot 304) and Parcel 3 (tax lot 305). Therefore, these parcels meet the criteria in 3.3.800(1) for lawfully created parcels.

B. ZONING: The property is currently zoned Forest Mixed Use.
The purpose of the "F" district is to designate forest lands and protect them for forest uses, except where findings establish that certain limited non-forest uses may be allowed. Some of the areas covered by the "F" zone are exclusive forest lands, while other areas include a combination of mixed farm and forest uses.

**Mixed Farm-Forest Area**

These areas include land which is currently or potentially in farm-forest use. Typically such lands are those with soil, aspect, topographic features and present ground cover that are best suited to a combination of forest and grazing uses. The areas generally occupy land on the periphery of large corporate and agency holdings and tend to form a buffer between more remote uplands and populated valleys. In addition, these "mixed use" areas contain ownerships of smaller size than in prime forest areas. Some are generally marginal in terms of forest productivity, such as areas close to the ocean.

In certain areas of the County, these "mixed use" areas consist of extensive uplands where the lands are held predominantly by ranchers who manage their properties interchangeably between grazing and forestry depending on the economic base of each commodity at any given time. An essential management approach practiced by these ranchers is to maintain enough upland grazing acreage to sustain livestock during the winter months due to the flooding of lowland areas. Some intensive forest management is practiced on these lands, but not to the same extent as in "prime forest areas", and grazing is in many places a co-dominant use. There are typically mixtures of farm and forest uses in these areas. Certain non-forest uses will be allowed in areas that meet the criteria of this classification as established in the zoning ordinance.

C. **SITE DESCRIPTION:** The mining operation is located on tax lot 305 and is fairly small compared to the overall size of the property. The majority of the property contains trees with some cleared grassy areas. The quarry operation is contained to the southeast corner of tax lot 305. Tax lot 305 has a dwelling.

The site that was grandfathered for removal is about 7.4 acres as shown in the picture to the left. The applicant provided staff with information that the mining operation had existed prior to 1975. This map was generated to show the area that was approved for the grandfathered use.

The property is surrounded by Forest Zone to the north and south. There are Rural Residential Zoned properties to the southeast and Exclusive Farm Use to the west and south west. The majority of surrounding properties appear to be in forest production.

D. **HISTORY:** The mining operation is located on tax lot 305 and is operating with a temporary use permit for the site. The temporary use permitted allowed the applicants to continue to operate until they receive approval for the expansion from the Planning Commission. This allowed the applicant to work on obtaining permits from DOGAMI. DOGAMI will not issue a final permit for the site until the Planning
Commission has approved the application.

E. **SPECIAL CONSIDERATIONS:** This property does not contain any special development considerations.

## II. FINDINGS TO THE APPLICABLE REVIEW CRITERIA

<table>
<thead>
<tr>
<th>Section</th>
<th>Criteria</th>
<th>Description</th>
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<td>LDO § 4.8.350(E)</td>
<td>Hearings Body Conditional Uses (Forest Zone)</td>
<td>These uses and their accessory uses may be allowed as hearings body conditional uses in the Forest zone subject to the applicable requirements in Section 4.8.400 and applicable siting criteria set forth in this Article and elsewhere in this Ordinance. (Subsection E) Mining and processing of oil, gas, or other subsurface resources, as defined in ORS Chapter 520, and not otherwise permitted under Section 4.8.200 (R) (e.g., compressors, separators and storage serving multiple wells), and mining and processing of aggregate and mineral resources as defined in ORS Chapter 517. *** Any operation that sells greater than 5,000 cubic yards of aggregate must comply with standards established by the Department of Geology and Mineral Industries.</td>
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<tr>
<td>LDO § 4.8.400</td>
<td>Review Criteria for Conditional Uses (Forest Zone)</td>
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**FINDING:** This operation is a mining and processing of aggregate over 5,000 cubic yards. The purpose of this application is to expand the mining operation which will consist of mining, processing, sorting and storage of both aggregate and overburden1.

The site expansion boundary has been surveyed and seems to include all of tax lot 304 and only the corner of tax lot 305.

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1 Overburden in mining, also referred to as waste or spoil, is the material that lies above the area of interest or product of choice such as topsoil.
SECTION 4.8.400 Review Criteria for Conditional Uses in Section 4.8.300 and Section 4.8.350. A use authorized by Section 4.8.300 and Section 4.8.350 may be allowed provided the following requirements are met. These requirements are designed to make the use compatible with forest operations and agriculture and to conserve values found on forest lands. 

A. The proposed use will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands; and 
B. The proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or significantly increase risks to fire suppression personnel; and 
C. All uses must comply with *** (Applicable portions of) Section 4.8.750 listed in this report.

FINDING: The current mining operation has recently become more active. Over the years mining has only taken place when needed. The applicants would like to start selling the produce. The applicant has stated that there will be no significant increased or changed the cost of accepted farming or forest practices on agricultural or forestlands. Staff has not received any comments to contradict this statement. Accepted farming practice are defined in the ORS as a mode of operation that is common to farms of a similar nature, necessary for the operation of these similar farms to obtain a profit in money and customarily utilized in conjunction with farm use. Accepted forest practices are a much broader definition but basically mean any commercial activity relating to the establishment, management or harvest of forest tree species.

The burden of proof is on the applicant to provide evidence that the expansion area will meet the criteria. The applicant has stated that the proposal will not have any increased cost to farm or forest practices and after mining of aggregate has been completed the area will be reclaimed and seeded back to grassy pastureland or reforested. He further states, that the proposed use will not increase potential fire risk. Quarry vehicles run on improved gravel roads during fire season. All measures are used in compliance with forest practice acts. All activities related to the mining operation expansion will be contained on the subject property. The applicant stated that mining area would be kept to a minimum.

| LDO | § 3.4.100 | Use and Alteration of Buildings, Structures, or Land existing prior to the Enactment of this Ordinance (Expansion of Grandfathered Use) |

SECTION 3.4.100. Use and Alteration of Buildings, Structures or Land Existing Prior to the Enactment of this Ordinance. The lawful use of any building, structure or land at the time of the enactment or amendment of this Ordinance may at the discretion of the owner be continued.

Alteration or change of any use or structure which increases the floor square footage or intensity of use, shall comply with Table 3.4 and the property development standards of the applicable zone, except that the alteration of any such use shall be permitted outright when necessary to comply with any lawful requirement for alteration of the use. With the exception of grandfathered uses in resource zones, conditions shall not be placed upon the continuation or alteration of a grandfathered use when necessary to comply with state or local health or safety requirements or to maintain existing structures associated with the use. (OR-98-01-002PL 5/4/98) A change of ownership or occupancy shall be permitted.
An alteration, replacement or change of a use or structure on land may be permitted subject to an Administrative Conditional Use, and findings which establish that: (1) Any adverse impacts of the proposed use will not be generally more intensive than the use that is or was “grandfathered” on the subject property; and (2) Review Standard #7. Review Standard #7 states the proposed use must be found compatible with surrounding uses or may be made compatible through the imposition of conditions.

Once a grandfathered use, structure or land is altered to become more in compliance with this Ordinance, said grandfathered use, structure, or land shall not thereafter be altered so as to become or revert into less compliance.

FINDING: The applicants are requesting to expand a grandfathered mining operation. The expansion is a listed use in the Forest zone and can be considered a compatible use. This is an expansion of the same use. The applicant has addressed the expanded by addressing current land use laws for a mining operation. Therefore, the applicant has met this criterion.

**SUMMARY / CONCLUSIONS**

The applicant has addressed the relevant criteria and will be able to provide any further justification at the Planning Commission meeting.

A letter was received from Randy & Trish Pollard. They own the property to the east of tax lot 304 as shown below.
Mr. & Mrs. Pollard have concerns about protecting their water supply and disturbing the steep slopes. The Pollard’s property is zoned Rural Residential and does not appear the property is being utilized for forest or farm. The property is not receiving a tax deferral for either. The only improvement shown on the property is a garden shed. From the aerial photo it appears as the property owners maybe utilizing the property for recreational purposes at this point. The applicant will have a chance to provide relevant rebuttal to the issues raised. While falling debris and water are valid concerns they do not relate directly to the criteria.

If you have any questions, please contact any Planning Staff member.

COOS COUNTY PLANNING DEPARTMENT

Jill Rolfe, Planning Director

Attachment:  A – Application
            B – Maps
            C – Letter from Mr. & Mrs. Pollard

C:  Applicant
    Parties

EC:  Counsel
     DOGAMI
     Dave Perry, DLCD
Attachment A
Coos County Planning Department
Land Use Application

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

- [ ] Administrative Review
- [ ] Hearings Body Review
- [ ] Site Plan Review
- [ ] Variance

An **incomplete** application will **not** be processed. Applicant is responsible for completing the form and addressing all criteria. Attach additional sheets to answer questions if needed. Please indicated not applicable on any portion of the application that does not apply to your request.

A. **Applicant:**

Name: Robert H Parrish
Address: 18271 Hwy 42
City: Myrtle Point
State: OR Zip Code: 97458
Telephone: Cell 1-541-268-6946

B. **Owner:**

Name: Myra Parrish
Address: Po. Box 328 18271 Hwy 42
City: Myrtle Point OR 97458
State: OR Zip Code: 97458
Telephone: Cell 541-277-5486

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

- [ ] The owner of the property (shown on deed of record);
- [ ] 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 29S Range 11S Section 28 Tax Lot 3c 4 + 3c5 364-87.03 Ac
Tax Account 16954.36 Lot Size 3c5 - 52.80 A < Zoning District (F) Mix Ray
E. Information (please check off as you complete)

1. Existing Use [ ] Mix (E) Overlay

2. Site Address [ ] 18271 Hwy 42 Mystic Point OR 97458

3. Access Road [ ] Private Road

4. Is the Property on Farm/Forest Tax Deferral [ ] Forest

5. Current Land Use (timber, farming, residential, etc.) [ ] Mining + Rest timber +

6. Major Topography Features (streams, ditches, slopes, etc.) [ ] Coquille River to South West

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.

10. A copy of the current deed of record.

11. Covenants or deed restrictions on the property, if unknown contact title company.

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: 49. 400 4 s 400

See next page

Updated 2013
April 9, 2014

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

RE: Conditional Use Application  Parrish Site

Criteria:

Section 4.8.400 Review Criteria for Conditional use section 4.8.300

A: The proposed use will not force a change in cost of forest or farming land. The proposal will not have any cost on farm or forest practices after mining of aggregates has been completed. The affected areas will be reclaimed and seeded back to grassy pastureland or reforested.

B: Increased fire hazard – The proposed use will not increase potential fire risk. Quarry vehicles run on improved gravel roads during fire season. All measures are used in compliance with forest practice acts. No known reasons why the request proposed would increase cost of fire suppression or safety to fire suppression crews. Improved road systems would help access in the event of a fire.

C: Use complies with section 4.8.600, 4.8.700, 4.8.750 - N/A there will be no permanent structures on site.

D: Forest Management Covenant – N/A no dwellings on site.

Section: 4.9.400 Criteria for Conditional use Section 4.9.300 & Section 4.9.350

A: Will not force significant change in accepted farm or forest practices on surrounding land devoted to farm or forest use. Activities will not affect surrounding landowners and their practices. All proposed activities will be contained to the described land parcel described in the application.

B: Activities on described land parcel will not have any financial cost to farm or forest use. All affected land areas will be reclaimed back to the original conditions after mining has been completed.
CONSENT

On this 9th day of May, 2014,

I, Myra M. Parrish
(Print Owners Name as on Deed)

as owner/owners of the property described as Township 29 S, Range 11
Section 28, Tax Lot 304, Deed Reference 2012-7248

hereby grant permission to Robert H Parrish
(Print Name)

Conditional Use Permit
(Print Application Type)

application can be submitted to the Coos County Planning Department.

Owners Signature/s
Myra M. Parrish
Coos County Planning Department
Coos County Courthouse Annex, Coquille, Oregon 97423
Mailing Address: Planning Department, Coos County Courthouse, Coquille, Oregon 97423
(541) 396-7770
FAX (541) 396-1022 / TDD (800) 735-2900

Jill Rolfe       Planning Director

CONSENT

On this __________ day of May 2014,

I, __________________________       (Print Owners Name as on Deed)

as owner/owners of the property described as Township 29 S, Range 11

Section 28, Tax Lot 304, Deed Reference 2012-7248

hereby grant permission to __________________________    (Print Name)

Conditional use Permit    (Print Application Type)

application can be submitted to the Coos County Planning Department.

Owners Signature/s

____________________________

Coos County is an Affirmative Action/Equal Opportunity Employer and complies with Section 504 of the Rehabilitation Act of 1973
KNOX COUNTY

KROLL COUNTY CLERK, OREGON

TROY T. CCR. COUNTY CLERK

TOTAL: $60.00

2012 7248

BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that WALLACE N. PARRISH and
MYRA M. PARRISH, hereby sell, convey and transfer unto
NORMAN W. PARRISH, an unincorporated business, and ROBERT H. PARRISH, an unincorporated business,
hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of that certain real property, with the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining, situated in


County, State of Oregon, described as follows (legal description of property):

SEE EXHIBIT A ATTACHED.

Exhibit B
Robert H. Parrish, Wallace N. Parrish, Myra M. Parrish, Norman W. Parrish

Joint Tenants with rights of survivorship

IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is $.

However, the actual consideration consists of or includes other property or value given or promised which is part of the

IN WITNESS WHEREOF, grantor has executed this instrument on August 28, 2012.

STATE OF OREGON, County of

This instrument was acknowledged before me on August 28, 2012
by
Wallace N. Parrish

This instrument was acknowledged before me on August 28, 2012
by
Myra M. Parrish

Notary Public for Oregon
My commission expires 2-19-2015
EXHIBIT "A"

Parcel 2

Beginning at the corner of Sections 20, 21, 28, and 29, Township 29 South, Range 11 West, Willamette Meridian, Coos County, Oregon; thence along the Section line between Sections 21 and 28 S89°34′00″E a distance of 2683.12 ft. to the true point of beginning; thence South a distance of 2358.35 ft., more or less, to the North line of the Weakly Tract described in Book 170 Page 237, Deed Records of Coos County; thence West a distance of 340.93 ft., more or less, to the Northwest corner of said tract; thence South a distance of 130.00 ft., more or less, along the Westerly boundary of said tract to the Northeast corner of the E.E. Basey Tract described in Book 169 Page 379, Deed Records of Coos County; thence West a distance of 1050.00 ft. to the Northwest corner of the E.E. Basey Tract; thence South along the West boundary of said Basey Tract 595.70 ft. more or less, to the North Right-of-Way boundary of the Coos Bay-Roseburg State HWY. No. 42; thence along said Right-of-Way N37°26′34″W a distance of 306.55 ft., more or less; thence N44°37′08″W a distance of 407.03 ft., more or less; thence N31°06′31″W a distance of 618.41 ft., more or less; thence N17°59′09″W a distance of 88.09 ft. more or less; thence Northwesterly 680.00 ft., more or less; thence leaving said Right-of-Way East a distance of 1650.00 ft., to a point from which the northwest corner of Section 28 bears N50°20′51″W a distance of 2243.83 ft.; thence North a distance of 1418.79 ft. to the line between Sections 21 and 28; thence S89°34′00″E a distance of 955.48 ft. to the point of beginning. Said parcel contains 88.81 acres, more or less.

ALSO, together with an easement for ingress and egress to and from the subject property over property owned by the Grantors, located in Section 28, Township 29 South, Range 11 West of the Willamette Meridian, Coos County, Oregon. Said easement is for existing roads 15 feet from either side of the constructed center line, for a total width of 30 feet, but subject to additional widths as necessary to accommodate larger cuts and fills if necessary.

RESERVING THEREFROM a Life Estate for mineral rights to the quarry rock on a portion of the property located in the East half of the Northwest quarter, and the West half of the Northeast quarter, Section 28, Township 29 South, Range 11 West of the Willamette Meridian, Coos County, Oregon, more particularly described as follows: Beginning at a point on the Northerly boundary of said Section 28, from which the corner of Sections 20, 21, 28, and 29 bears N 89°34′00″W a distance of 1727.64 feet; thence South a distance of 1418.79 feet to a point; thence East a distance of 955.45 feet to a point; thence North a distance of 1411.57 feet to a point on the Northerly boundary of said Section 28; thence N 89°34′00″W a distance of 955.48 feet, to the point of beginning. Said Life Estate shall terminate at the time of death of both Wallace N. Parrish and Myra M. Parrish. ALSO, reserving the right to store rock on the existing stock pile sites previously used.
## COOS County Assessor's Summary Report

### Real Property Assessment Report

**FOR ASSESSMENT YEAR 2014**

**NOT OFFICIAL VALUE**

### Account #
1095436

### Map #
29S1128-00-00305

### Code - Tax #
4101-1095436
4181-99917762

### Legal Descr
See Record

### Mailing Name
PARRISH, ROBERT H. & SUSAN GAY

### Deed Reference #
2013-3537

### Agent
Sales Date/Price
04-17-2013 / $0.00

### In Care Of
Appraiser
GORDON WEST

### Mailing Address
PO BOX 642
COQUILLE, OR 97423-0642

### Prop Class
661 MA SA NH Unit

### RMV Class
600 05 22 RRL 19198-1

### Situs Address(s)
ID# 18271 HWY 42

### Situs City
MYRTLE POINT

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### Exemptions/Special Assessments/Potential Liability

- **SPECIAL ASSESSMENT:**
  - FOREST LAND ADD'L TAX
  - Amount 134.04 Acres 0 Year 2014

- **SPECIAL ASSESSMENT:**
  - FIRE PATROL TIMBER
  - Amount 61.66 Acres 52.8 Year 2014

**NOTATION(S):**

- VESTING DIFF/PROP LINE ADJUST ADDED 1998

- FARM/FOREST POTL ADD'L TAX LIABILITY FOREST

- CODE AREA CHANGE ANY REASON ADDED 2014

  4114 Disq 1 ac STF E for SAHS & collect $134.04. Set up split code for imps. Now code area 4101 w/ 47.80 ac & code area 4181 w/ 5 ac & imps. MJS
Account # 1095436

NOTATION(S):
- NEW CONSTRUCTION ADDED 2014.
  02/12/14 Added 1088sf SFD, at 51% complete. R15 for completion. GW
- DECLASS OF SA LAND-COLLECT
  4/1/14 Disq 1 ac STF E for SAHS & collect $134.04. Set up split code for imps. Now code area 4101 w/ 47.80 ac & code area 4181 w/ 5 ac & imps. MJS
- FARM/FOREST POT'L ADD'L TAX LIABILITY ADDED 2014
- TAX NOTATION ADD TAX PENDING

Robert H. Parrish
P.O. Box 642
Cottage Grove, OR 97423

Granter's Name and Address

Robert H. & Susan Gay Parrish
P.O. Box 642
Cottage Grove, OR 97423

Granter’s Name and Address

WARRANTY DEED

KNOW ALL BY THESE PRESENTS that Robert H. Parrish

hereinafter called grantor, for the consideration hereinafter stated, to grantor paid by

Robert H. & Susan Gay Parrish, Husband & Wife

hereinafter called grantees, does hereby grant, bargain, sell and convey unto the grantees, not as tenants in common but with the right of survivorship, their assigns and the heirs of the survivor of the grantees, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Coos County, State of Oregon, described as follows, to wit:

SEE EXHIBIT "A" ATTACHED

(OF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

To have and to hold the same unto grantees, their assigns and the heirs of such survivor, forever; provided that grantees herein do not take the title in common but with the right of survivorship, that is, that the fee shall vest absolutely in the survivor of the grantees.

And grantor hereby covenants to and with grantees, their assigns, and the heirs of such survivor, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except (if no exceptions, so state):


grantor will warrant and forever defend the premises and every part and parcel thereof against the lawful claims and demands of all persons whatsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is $ 0.00 0. However, the actual consideration consists of or includes other property or value given or promised which is part of the whole (indicate which consideration).

In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed applies equally to corporations and to individuals.

In witness whereof, grantor has executed this instrument on the day of 2005; if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

Before signing or accepting this instrument, the person transferring fee title should inquire about the persons rights, if any, under ORS 195.300, 195.301 and 195.305 to 195.336 and sections 5 to 11, chapter 424, ORS 2007. 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 assaults against farming or forest practices as defined in ORS 92.010, 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, ORS 2007.

Robert H. Parrish

STATE OF OREGON, County of Coos

This instrument was acknowledged before me on the day of 2005, by Robert H. Parrish

This instrument was acknowledged before me on the day of 2005.
EXHIBIT "A"

Parcel 3

Beginning at the corner of Sections 20, 21, 28, and 29, Township 29 South, Range 11 West, Willamette Meridian, Coos County, Oregon; thence S89°34′00″E between Sections 21 and 28 a distance of 1727.64 ft. to a point; thence South a distance of 1418.79 ft. to a point; thence West a distance of 1650 ft., more or less, to a point on the South boundary of a parcel; thence along said parcel N58°15′48″E a distance of 157.03 ft., more or less; thence North a distance of 614.54 ft.; thence West a distance of 211.19 ft.; thence S4°13′18″W a distance of 185.23 ft., more or less, to the North right of way boundary of the Coos Bay - Roseburg State Highway No. 42; thence S72°54′29″W a distance of 421.52 ft., more or less; thence continuing along said Right-of-Way in a Northwesterly direction to a point on the West boundary of the NE1/4 of the NE1/4 of Section 29 a distance of 1060 ft., more or less; thence North to the Northeast 1/16 corner of said Section 29 a distance of 365.65 ft., more or less; thence N42°05′52″E a distance of 218.92 ft.; thence North a distance of 208.92 ft., more or less, to the centerline of King creek; thence Northeasterly along said creek 54.80 ft., more or less, to a point; thence S89°05′28″E a distance of 1160.24 ft. to the line between Sections 20 and 21; thence S0°46′00″W a distance of 407.40 ft. to the point of beginning. Said parcel contains 83.94 acres, more or less.

ALSO, together with an easement for ingress and egress to and from the subject property over property owned by the Grantors, located in Section 28, Township 29 South, Range 11 West of the Willamette Meridian, Coos County, Oregon. Said easement is for existing roads 15 feet from either side of the constructed center line, for a total width of 30 feet, but subject to additional widths as necessary to accommodate larger cuts and fills if necessary.

RESERVING THEREFROM a Life Estate for mineral rights to the quarry rock on a portion of the property located in the Northwest quarter, Section 28, Township 29 South, Range 11 West of the Willamette Meridian, Coos County, Oregon, more particularly described as follows: Beginning at a point on the Northerly boundary of said Section 28, from which the corner of Sections 20, 21, 28, and 29 bears N 89°34′00″ W a distance of 1727.64 feet; thence South a distance of 1418.79 feet to a point; thence West a distance of 200 feet to a point; thence North a distance of 1420.31 feet to a point on the Northerly boundary of said Section 28; thence S 89°34′00″ E a distance of 200.00 feet, to the point of beginning. Said Life Estate shall terminate at the time of death of both Wallace N. Parrish and Myra M. Parrish. ALSO, reserving the right to store rock on the existing stock pile sites previously used.
Coos County - Property Profile

Account: R1095435  
Map: 29S-11W-28 TL 304

Property Class: 600 - HIGH AND BEST USE FOREST LAND  
Building Class: 
Owner of record: PARRISH, NORMAN W.; ET AL  
Owner's Address: 2405 SPRUCE ST  
MYRTLE POINT, OR 97458

Situs Address:  
Acres: 87.03  
Market Improv: 0  
Market Land: 9,260  
RMV: 9  
TAV: 5,682  
2012 Taxes: 149.47

Last Sale Date: 8/2012  
Last Sale Price: 0  
Deed Reference: 2012 7248  
Deed Type: B&S  
Zoning: F  
Code Area: 4101

Tax History:

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This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds; indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any error in this record.
COOS County Assessor's Summary Report
Real Property Assessment Report
FOR ASSESSMENT YEAR 2014
NOT OFFICIAL VALUE

May 8, 2014 10:52:10 am

Account # 1095435
Map # 29S1128-00-00304
Code - Tax # 4101 1006436
Legal Descr See Record
Mailing Name PARRISH, NORMAN W., ET AL
Agent
in Care Of
Mailing Address 2405 SPRUCE ST
MYRTLE POINT, OR 97458-1597
Prop Class 660 MA SA NH Unit
RMV Class 600 05 22 RRL 19197-1

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NOT AS TENANTS IN COMMON RIGHT OF SURVIVORSHIP OWNER
PARRISH, ROBERT H.
PARRISH, MYRA M.
PARRISH, NORMAN W.
G. **Authorization:**
All areas must be initialed by all applicant(s) prior to the Planning Department accepting any application unless the statement is not applicable. If one of the statements, below is not applicable to your request indicated by writing N/A.

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.

Robert H. Perrish
Applicant(s) Original Signature

Jane E. Perrish
Applicant(s) Original Signature

Updated 2013
Attachment B
File: HBCU-14-04

Applicant/Owner: Robert Parrish

Date: 5/12/14

Location: Township 29S Range 11W
Section 28 TL 304 & 305

Proposal: Expansion of rock pit in Forest zone
Attachment C
We own a parcel south of the proposed expansion, and our main concerns are adequate safeguards for our small spring, which supplies our water. Also, any disturbing the steep slopes would cause possible debris being knocked into our area. We trust that there are sufficient setbacks and safety requirements to protect private properties surrounding the proposed expansion. Thanks for your consideration.

Randy&Trish Pollard

1735 E. Evans Creek Rd.
Rogue River, OR 97537