

LAND USE PERMIT APPLICATION – BALANCE OF COUNTY
COOS COUNTY PLANNING DEPARTMENT

COMPLETED BY STAFF

Received By: <u>MB</u>	<input type="checkbox"/> COMP PLAN AMENDMENT
Date Submitted: <u>2/26/20</u>	<input type="checkbox"/> ZONE CHANGE
Application No.: <u>ACU-20-005</u>	<input type="checkbox"/> TEXT AMENDMENT
Fee: <u>\$1480⁰⁰</u>	<u>CONDITIONAL USE REVIEW</u>
Fee Paid: <u>1480⁰⁰</u>	<input type="checkbox"/> HEARINGS BODY
Receipt No.: <u>214548</u>	<input type="checkbox"/> ADMINISTRATIVE
	<input type="checkbox"/> VARIANCE
	<input type="checkbox"/> LAND DIVISION *
	<input type="checkbox"/> HAZARD REVIEW *
	<input type="checkbox"/> FARM OR FOREST REVIEW *
	<input type="checkbox"/> FAMILY/MEDICAL HARDSHIP*
	<input type="checkbox"/> HOME OCCUPATION/COTTAGE INDUSTRY
	*Supplemental Application required
	STAFF NOTES:

Please type or clearly print all of the requested information below. Please be sure to include any supplemental application for if required.

I. APPLICANT

Name: ALLEN R DEAN
Mailing Address: 126 LOOP RD.
City State Zip: MYRTLE CREEK OR 97457
Daytime Phone: 541-863-1430
Email: cheryldiane@frontiernet.net

II. OWNER(S)

Name: WYGANT RD LLC
Mailing Address: 126 LOOP RD.
City State Zip: MYRTLE CREEK OR 97457
Daytime Phone: 541-863-1430
Email: cheryldiane@frontiernet.net

III. PROPERTY - If multiple properties are part of this review please check here and attached a separate sheet with property information.

Location or Address: 64635 Wygant Rd., Coos Bay, OR 97420

No. Acreage: .29

Tax Acct. 380824

Township: Range: Section: ¼ Section: 1/16 Section: Tax lot:
25 13 30 AB 1100

Zone: -1

Water Service Type: City

Sewage Disposal Type: Charleston Sanitation

School District: Coos Bay #9

Fire District: Charleston Rural Fire Dept.

IV. REQUEST SUMMARY (Example: "To establish a template dwelling in the Forest Zoning District.")

To establish an Air BNB vacation home that is currently a residential home.

V. ATTACHED WRITTEN STATEMENT. With all land use applications, the "burden of proof" is on the applicant. It is important that you provide information that clearly describes the nature of the request and indicates how the proposal complies with all of the applicable criteria within the Coos County Zoning and Land Development Ordinance (CCZLDO). You must address each of the Ordinance criteria on a point-by-point basis in order for this application to be deemed complete. A planner will explain which sections of the Ordinance pertain to your specific request. The information described below is required at the time you submit your application. The processing of your application does not begin until the application is determined to be complete. An incomplete application will postpone the decision, or may result in denial of the request. Please mark the items below to ensure your submittal is complete.

Application Check List: Please make off all steps as you complete them.

- A. A written statement of intent, attached to this application, with necessary supporting evidence which fully and factually describes the following:
1. A complete explanation of how the request complies with the applicable provisions and criteria in the Zoning Ordinance. A planner will explain which sections of the Ordinance pertain to your specific request. You must address each of the Ordinance criteria on a point-by-point basis in order for this application to be deemed complete.
 2. A description of the property in question, including, but not limited to the following: size, vegetation, crops grown, access, existing buildings, topography, etc.
 3. A complete description of the request, including any new structures proposed.
 4. If applicable, documentation from sewer and water district showing availability for connection.
- B. A plot plan (map) of the property. Please indicate the following on your plot plan:
1. Location of all existing and proposed buildings and structures
 2. Existing County Road, public right-of-way or other means of legal access
 3. Location of any existing septic systems and designated repair areas
 4. Limits of 100-year floodplain elevation (if applicable)
 5. Vegetation on the property
 6. Location of any outstanding physical features
 7. Location and description (paved, gravel, etc.) of vehicular access to the dwelling location
- C. A copy of the current deed, including the legal description, of the subject property. Copies may be obtained at the Coos County Clerk's Office.

I certify that this application and its related documents are accurate to the best of my knowledge. I am aware that there is an appeal period following the date of the Planning Director's decision on this land use action. I understand that the signature on this application authorizes representatives of the Coos County Planning Department to enter upon the subject property to gather information pertinent to this request. If the application is signed by an agent, the owner's written authorization must be attached.

If this application is refereed directly to a hearings officer or hearings body I understand that I am obligated to pay the additional fees incurred as part of the conditions of approval. I understand that I/we are not acting on the county's behalf and any fee that is a result of complying with any conditions of approval is the applicants/property owner responsibility. I understand that conditions of approval are required to be complied with at all time and an violation of such conditions may result in a revocation of this permit.


Applicant/Owner Signature


Applicant/Owner Signature



Plot Plan Instructions

FAILURE TO INCLUDE ALL INFORMATION IN THIS CHECKLIST WILL RESULT IN A DELAY OF YOUR PERMIT OR APPLICATION REVIEW.

The following information and elements must be on your plot plan map. The Plot Plan ***MUST*** be drawn on white paper that is 8½" x 11". Multiple pages may be used. Please verify that your plot plan contains each of the following elements listed below.

General Information

1. Owner's name, address and phone number
2. Assessor's map and tax lot number
3. North arrow
4. Scale – using standard engineering scale
5. Accurate shape and dimensions of parcel or development site. Draw the property lines in a solid black line
6. Lengths of all property lines
7. Any adjacent public or private roads, all easements and/or driveway locations – including road names
8. All natural features on the entire property, which may include but are not limited to creeks, rivers, ponds, lakes, wetlands, ravines, and slopes.
9. Driveway location and parking areas – including the distance from at least one property line to the intersection of the driveway and the road (apron area)

Existing Structure(s)

1. Clearly label *all* existing structures on the property and indicate if these structures will remain or be removed. Existing Structures include: all commercial and non-commercial buildings, dwellings, shops, garages, barns, porches, barns, equine facilities, sheds, propane tanks, pump houses, etc.
2. Show distances to all property lines. If you have a large property you may want to submit a insert map.
3. Location of existing water source (ie. well, lake, pond, etc.) and distance from property lines and development.
4. Location of existing sewage facility (ie. tank, lines, replacement area, etc.) and distance from property lines and development.
5. Show the distances from all Natural Features to the existing development.

Proposed Structure(s)

1. Location of proposed structure showing distances to property lines and natural features. These proposed structures can be shown by dashed lines. Indicate dimensions of structures.
2. Distance of proposed development from roadways, water sources and sewage facilities.
3. Location of the proposed structure from existing development.
4. Direction and location of all slopes.
5. Location and dimension of all proposed water sources and sewage facilities.
6. Confirm that all setbacks have been met for the proposed development and project

Cape Arago Hwy

property lines

20' bank down from Cape Arago Hwy

64635
Wygant Rd.
Coos Bay, OR 97420
Wygant Rd.
LLC

Attn. Allen & Cheryl
Dean

mailing address:
126 Loop Rd.
Myrtle Creek, OR
97457

541-863-5147
541-863-1430

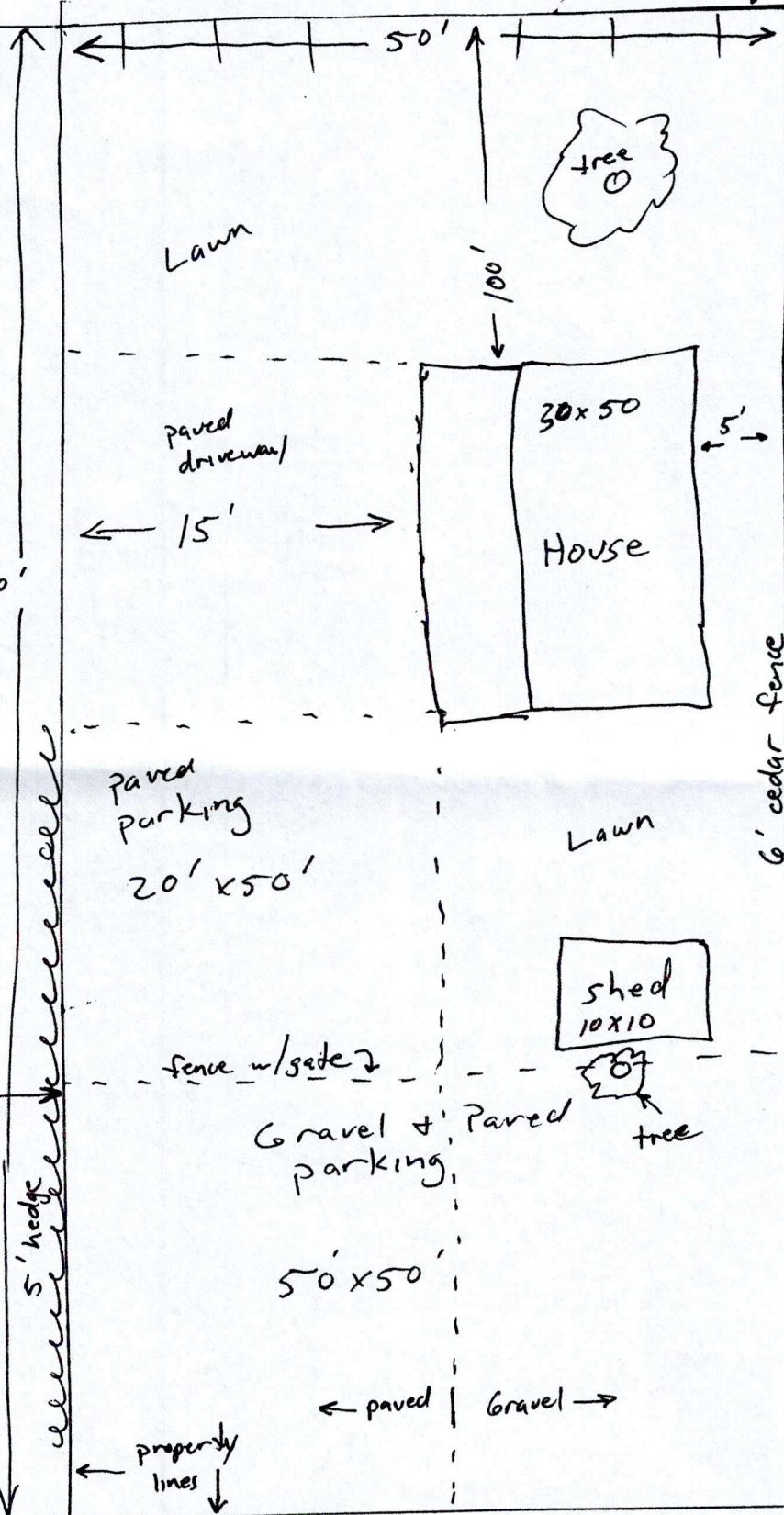
Township 25
Range 13
Section 30
1/4 section AB
Tax lot 1100

250'

North

- property owner owns these parcels for about 450' north of this property line

North



Wygant Rd.

After Recording Return to:

Sarah C. Subias
PO Box 10567
Eugene, OR 97440

Coos County, Oregon

2019-06406

\$96.00

07/23/2019 10:55 AM

Pgs=3



00099484201900064060030033

Debbie Heller, CCC, Coos County Clerk

Until a change is requested all tax statements shall be sent to the following address:

Wygant Road, LLC
126 Loop Road
Myrtle Creek, OR 97457

64635 WYGANT

Consideration: \$0

WARRANTY DEED - STATUTORY FORM

Dean Logging, Inc., an Oregon corporation, Grantor, conveys and warrants to Wygant Road, LLC, an Oregon limited liability company, Grantee, the following described real property, free of encumbrances except as specifically set forth herein:

Legal description on attached Exhibit A.

Subject to: Easements, conditions, and restrictions, of record.

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 7/1 day of JULY, 2019.

Dean Logging, Inc., Grantor

By *Allen R. Dean*
Allen R. Dean, President

STATE OF OREGON)
) ss.
County of Douglas)

This instrument was acknowledged before me on July 11, 2019, by Allen R. Dean, president, Dean Logging, Inc., Grantor

Carin D Little
Notary Public – State of Oregon

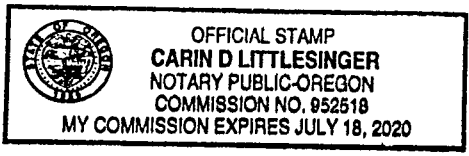


EXHIBIT A

Legal Description

Lot 13, Block 5, Empire Homesites, Coos County, Oregon, being more particularly described as follows: Beginning at the Southeast corner of Lot 13, Block 5, unrecorded plat of Empire Homesites, said point being located on the Westerly boundary of the right of way of the Cape Arago section of the Oregon State Highway through the E. J. Foley Donation Land Claim No. 40 in Section 30, Township 25 South, Range 13 West of the Willamette Meridian, Coos County, Oregon, and said point also being located 1122.95 feet South and 2231.33 feet West of the Northeast corner of said Section 30; thence along the highway right of way North 37° 05' East a distance of 50 feet; thence North 52° 55' West a distance of 243.68 feet; thence South 37° 05' West a distance of 50 feet; thence South 52° 55' East a distance of 243.68 feet to the point of beginning, and being a portion of the E. J. Foley Donation Land Claim No. 40, in Section 30, Township 25 South, Range 13 West, Willamette Meridian, Coos County, Oregon.

64635 Wygant Rd
Coos Bay, OR
97420

(87) Vacation rental/short term rental - Subject to the following criteria:

- (a) Shall be found to be compatible with the surrounding area.
- (b) Shall be licensed by the Coos Health & Wellness (CHW) in accordance with ORS 446.310-350;
- (c) Shall meet parking access, driveway and parking standards as identified in Chapter VII;
- (d) Shall not be conveyed or otherwise transferred to a subsequent landowner without a the new property owner submitting a Compliance Determination Application showing compliance with this section; and
- (e) A deed restriction shall be recorded with the Coos County Clerk's Office acknowledging that this is an accessory use to the approved residential use. If located within Urban Growth Boundary further restrictions may be required based on comments from the City.

Vacation rental/short term rental - Subject to the following criteria:

- (a) Shall be found to be compatible with the surrounding area.

RESPONSE: There are 2 vacation rentals on Wygant Rd. now, addresses are 64664 and 64744 Wygant Rd. Crown Roofing is about 1/4 mile from this property. Several properties on Wygant Road are used by the owners for camping in the summer, no permanent residence. The property owner owns 3 other pieces of property on Wygant, all contiguous. Much vacant land across the street and to the south. This is a dead end street with minimal traffic. Only one neighboring property directly borders this property that the owner does not own. There is a large campground w/ rental units 3/8 mile down the Cape Arago Hwy.

- (b) Shall be licensed by the Coos Health & Wellness (CHW) in accordance with ORS 446.310-350;

RESPONSE: Will have yearly inspections as required.

- (c) Shall meet parking access, driveway and parking standards as identified in Chapter VII;

RESPONSE: All parking is to be on the property.

- (d) Shall not be conveyed or otherwise transferred to a subsequent landowner without a the new property owner submitting a Compliance Determination Application showing compliance with this section; and

RESPONSE: The short term vacation rental is to be operated by the current owner only.

- (e) A deed restriction shall be recorded with the Coos County Clerk's Office acknowledging that this is an accessory use to the approved residential use. If located within Urban Growth Boundary further restrictions may be required based on comments from the City.

RESPONSE: The property is currently a single residence, to be converted into a short term vacation rental.

Urban Residential) – The following conditional use review standards apply to all USES, ACTIVITIES and DEVELOPMENT in the UR zoning districts:

(a) Conditional Use Review Criteria - The following criteria only apply to conditional uses in the RR zoning districts:

- i. **COMPATIBILITY:** The proposed USE, ACTIVITY OR DEVELOPMENT is required to demonstrate compatibility with the surrounding properties or compatibility may be made through the imposition of conditions. Compatibility means that the proposed use is capable of existing together with the surrounding uses without discord or disharmony. The test is where the proposed use is compatible with the existing surrounding uses and not potential or future uses in the surround area.

RESPONSE: See response to 87-a on previous page. Also, the remainder of the neighborhood is residential with a low density. No agriculture or timber harvest. The house will be limited to 10 people. Quiet hours are after 9:00 pm. It is anticipated that 90% of the vacationing will occur in the summer. Several neighbors allow camping for family + friends in the summer on vacant lots.

Section 4.3.225 General Siting Standards (2 and 5 are the only criteria that applies to vacation rentals)

All new USES, ACTIVITIES and DEVELOPMENT are subject to the following siting standards:

- 2.) Fences, Hedges, and Walls: No requirement, but vision clearance provisions of Section 7.1.525 apply.

RESPONSE: 6' cedar fence on south property line. 5' hedge on north property line between the house and Wygant Rd. Entire 50' of road frontage on Wygant Rd. is open, gravelled or paved.

- 5.) Parking - Off-street access, parking and loading requirements per Chapter VII apply.

RESPONSE:

- There is no road access off the Cape Arago Hwy. There is a 20' ~~bank~~ bank from the hwy. down to the property. All access is off Wygant Rd. Wygant is all weather gravel road with excellent drainage and maintenance. There are only 9 homes on the 600' at the south end of Wygant Rd, and the property owner owns 3 of them.
- There is a 50' x 50' gravel and paved parking area adjacent to Wygant Rd. There is also a 20' x 50' paved parking area near the house, contiguous to the 50' x 50' area. The 20' x 50' parking area is behind a fence/gate for security.