

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

COMPLETED BY STAFF

<p>Received By: <u>UMB</u></p> <p>Date Submitted: <u>3/30/20</u></p> <p>Application No.: <u>ACU-20-009</u></p> <p>Fee: <u>1480⁰⁰</u></p> <p>Fee Paid: <u>1480⁰⁰</u></p> <p>Receipt No.: <u>214589</u></p>	<p><input type="checkbox"/> COMP PLAN AMENDMENT</p> <p><input type="checkbox"/> ZONE CHANGE</p> <p><input type="checkbox"/> TEXT AMENDMENT</p> <p>CONDITIONAL USE REVIEW</p> <p><input type="checkbox"/> HEARINGS BODY</p> <p><input type="checkbox"/> ADMINISTRATIVE</p> <p><input type="checkbox"/> VARIANCE</p> <p><input type="checkbox"/> LAND DIVISION *</p> <p><input type="checkbox"/> HAZARD REVIEW *</p> <p><input type="checkbox"/> FARM OR FOREST REVIEW *</p> <p><input type="checkbox"/> FAMILY/MEDICAL HARDSHIP*</p> <p><input type="checkbox"/> HOME OCCUPATION/COTTAGE INDUSTRY</p> <p>*Supplemental Application required</p> <p>STAFF NOTES:</p>
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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: Morrison-Gederos Construction c/o Sheri McGrath

Mailing Address: P.O. Box 1548

City Bandon State OR Zip 97411

Daytime Phone 541-982-9531

Email: cooscurry@gmail.com

II. OWNER(S)

Name: Scott Manske

Mailing Address: P.O. Box 649

City Lakeside State OR Zip 97449

Daytime Phone

Email:

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

Location or Address: 64282 Fairview Road, Coquille, OR 97423

No. Acreage 13.76 acres

Tax Acct. 450603

Township: 26 Range: 11 Section: 21 ¼ Section: 1/16 Section: Tax lot: 401

Zone: F

Water Service Type: Well Log COOS 57502

Sewage Disposal Type: On site septic system

School District: Coquille

Fire District: Coos Forest Protective Association

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

District.") Application for a non-compling use including a single family dwelling and accessory structures, a driveway and on site septic system.

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.

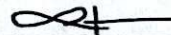
- A. A written statement of intent, attached to this application, with necessary supporting evidence which fully and factually describes the following:
1. A complete explanation of how the request complies with the applicable provisions and criteria in the Zoning Ordinance. A planner will explain which 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 my 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.

Sheri McGrath on behalf of Morrison-Gederos Construction

Applicant/Owner Signature



Applicant/Owner Signature

Morrison-Gederos Construction, LLC

CCB #178168

P.O. Box 1225 * Coos Bay, Oregon 97420

Keith Morrison 541-260-6740

CONSENT FOR REPRESENTATION

I, Scott Manske of P.O. Box 649 in Lakeside, Oregon give permission to Morrison-Gederos Construction to represent me on all design, permit and consulting matters concerning the property located at 26-11-21 TL 401 in Coos County, Oregon. The site address for this property is 10 64282 Fairview Road in Coquille, Oregon. The tax account for this property is 450603.

Sheri McGrath is the direct contact for all permit application questions, plan review comments, concerns or questions, and any other information related to the above property.

Contact information for Sheri McGrath is:

Cell: 541-982-9531

E-mail: cooscurry@gmail.com

Mailing address: P.O. Box 1548, Bandon, OR 97411

This consent automatically expires twelve months from the date below, without requirement of notice.

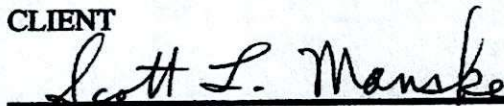
DATED: July 25, 2019

MORRISON-GEDEROS CONSTRUCTION, LLC



By: KEITH MORRISON

CLIENT



By: Property Owner

March 26, 2020
NON-CONFORMING USE APPLICATION
64282 Fairview Road
Coquille, OR 97423
26-11-21 TL 401
Tax Account 450603

PROPERTY OWNER

Scott Manske
P.O. Box 649
Lakeside, OR 97449

APPLICANT

Morrison-Gederos Construction, LLC
% Sheri McGrath
P.O. Box 1548
Bandon, OR 97411
cooscurry@gmail.com
CCB #178168

EXISTING PROPERTY CONDITIONS

The Manske property is located outside of the city limits of Coquille, found in Coos County, Oregon. The property is known as Tax Lot 401 on the Coos County Tax Assessor's Map 26-11-21. The property is located in the forest zoning district. The property is 13.76 acres in size. The situs address is 64282 Fairview Road, Coquille, OR 97423.

Existing development includes a septic system, a domestic well, a 1970 manufactured home with porch and deck, a small wood shed, a 24'x40' shop, a 22'-6" x 59' garage, and a 10'-6" x 36'-6" barn. With exception to the well, these improvements existed when Mr. Manske purchased the property. A mix of vegetation exists including bushes and scrubs, a variety of trees and grasses. The property is not used for farming or forest practices and is primarily cleared. All driveways are installed, and kept in good working order.

The North Fork of the Coquille River abuts the property, and a portion of the property is located within the 100 year floodplain. A site survey by Troy Rambo of Mulkins and Rambo, LLC shows the location of the floodplain, and all existing development is outside of that area. A floodplain application is not required for the existing or proposed development.

All development pre-exists the records of the Coos County Tax Assessor's office. Enclosed is the oldest assessment record available, and shows that all development was placed prior to 1990. A letter from Coos Curry Electric Cooperative is attached, and shows that service was started in August 1978.

At the time of placement, a single family dwelling with accessory structures was permitted outright in the IFG-10 zoning district where the property is located. The structures are in compliance to the required setbacks and are located outside of the 100 year floodplain. Section 3.200 of the 1975 Coos County Zoning Ordinance is included with this permit application and request for compliance.

PROPOSED PROPERTY CONDITIONS

The Manske family would like to bring the current property conditions into compliance with the Coos County Zoning and Land Development Ordinance. Clearance for the existing structures and septic system is being requested, so that a new single family dwelling, ie: replacement dwelling, can be constructed. An application for a hardship dwelling has been applied for and approved with conditions. One condition is to bring the property into compliance. That permit can be referenced as FHD-19-004.

COOS COUNTY ZONING AND LAND DEVELOPMENT ORDINANCE (CCZLDO) FINDINGS OF FACT

2.1.200 Single Family Dwelling is defined as, "a single household unit of which construction is characterized by no common wall or ceiling with another unit, including a mobile home unless otherwise prohibited." *The existing dwelling meets this definition.*

Accessory Use is defined as, "a use, building or structure that is (1) customarily incidental and subordinate to the principal use, main building or structure, and (2) subordinate in extent, area, and purpose to the principal use. A use that constitutes, in effect, conversion to a use not permitted in the district is not an accessory use." *There are no proposed changes to the existing accessory structures.*

Agricultural Building is defined as, "a structure customarily provided in conjunction with farm or forest use for..." In the instance of this specific property, the barn is used for, "Storage, maintenance or repair of farm or forestry machinery and equipment."

Conditional Use is "applied to a use which may be permitted by the issuance of a conditional use permit." *The hardship dwelling may be permitted as an Administrative Conditional Use.*

Evidence is defined as, "Facts, documents, data or other information offered to demonstrate compliance or noncompliance with the standards believed by the proponent to be relevant to the decision.

Zoning District is defined as, "a zoning designation in this Ordinance text and delineated on the zoning maps, in which requirements for the use of land or buildings and development standards are prescribed." *The proposed hardship dwelling is located in the Forest zoning district.*

1.1.300 All development must comply with the Comprehensive Plan and Zoning Ordinance. *The existing development was sited without compliance and the approval of the Coos County Planning Department in 1978. The single family dwelling and accessory structures were permitted outright in the IFG-10 district in 1975. The structures are permitted under the current zoning ordinance as a conditional use.*

5.6.100 Non-conforming uses may continue and be altered. Alterations to the use or physical use of the property is allowed if there is no greater impact on the neighborhood. *The existing development does not adversely impact the neighborhood.*

5.6.105 Restoration or replacement due to a natural disaster is permitted outright. *This does not apply to the current application.*

5.6.110 Replacement of non-conforming uses is permitted as long as there has not been abandonment for more than one year. *The existing dwelling has been in continual use.*

5.6.120 Alterations, repairs or verification of a non-conforming use requires a conditional use permit. The application shall comply with Section 5.6.125 and be consistent in intent to ORS 215.130 (5-8). *The applicant is applying for the required permit with conditions listed below.*

5.6.125 When evaluating the conditional use, the following criteria are to be met:

1. The change of use will have no greater adverse impact on the neighborhood. *The applicant is not requesting a change of use.*
2. The change in structure or physical use of the property will not have a greater adverse impact on the neighborhood. *The neighborhood has residential development and there will be no greater adverse impact.*
3. Other provisions of this ordinance , such as development standards are met. *The applicant meets or exceeds the development standards of this ordinance. All property line setbacks are exceeded. All structure heights are lower than permitted. All driveways and fire protection setbacks are maintained.*

The applicant shall provide evidence that the non-conforming use was in use for a ten year period preceeding the date of application. *The applicant has provided a letter from Coos-Curry Electric Cooperative regarding the service start date for utilities. A Coos County Tax Assessment from 1990 also shows the existence of the structures. There has been continual service and taxation on the property which exceeds the ten year period.*

The applicant shall provide evidence that the non-conforming use was lawful at the time the zoning ordinance or regulation went into effect. *The applicant has provided the 1975 Zoning Ordinance showing that a single family dwelling with accessory structures were permitted outright in the IFG-10 zone.*

4.6.130 All conditional uses are subject to requirements that make the use compatible with forest and agricultural operations. *The applicant understands the criteria.*

4.6.130(1) The proposed use will not result in a significant change or increase the cost of accepted farming and forest practices. *Though the property is zoned Forest, the use is Residential in nature. There are no known farm or forest practices in the vicinity that have been affected by the use.*

4.6.130(2) The proposed use will not significantly increase fire suppression costs or increase risk. *The property is protected by the Coos Forest Protective Association. A letter has been sent to the Fairview Rural Fire Protection District requesting to be included in their fire protection district.*

4.6.130(3) All uses must comply with applicable development standards and fire siting and safety standards. *There is a primary and secondary firebreak around the structures.*

4.6.130(4) A "Forest Management Covenant" must be signed by the owner and recorded in the deed records of Coos County. *The applicant will sign the covenant and have it recorded. A recorded copy will be given to the planning department.*

4.6.130(5,a) The dwelling will be sited so that it has the least impact on nearby forest or agricultural lands. There will be no adverse impacts on existing operations. The amount of forest lands used to site roads and structures will be minimized. The risks associated with wildfires will be minimized. *There have been no*

impacts on existing operations, and no impacts are anticipated. The new homesite is located near other existing development including the neighboring development and an installed driveway.

- 4.6.130(5,b) Verification of on site water availability is required. *Proof of water has been provided.*
- 4.6.140(1) The minimum lot size for the Forest Zone is 80 acres. *The subject property is 13.76 acres and was lawfully created. Development occurred prior to 1990.*
- 4.6.140(2) All structures will have a 35' setback from the center of a right of way line, or 5' from the edge of the right of way, whichever is greater. *All structures exceed the criteria.*
- 4.6.140(3) No fences are proposed at this time.
- 4.6.140(4) Off street parking will be provided per Chapter 7. *Existing parking is provided and meets this criteria.*
- 4.6.140(5) A Forest Management Covenant shall be filed prior to final approval of the dwelling. *The applicant understands the criteria, and will provide evidence of the recording to the planning department.*
- 4.6.140(6) Riparian vegetation will be protected within 50' of a wetland, stream or lake *The applicant understands the criteria. .*
- 4.6.140(7) The property is required to be fire protected. *The dwelling is fire protected by the Coos Forest Protective Association. A written request has been mailed to the Fairview Rural Fire Protection District.*
- 4.6.140(8) Alternative methods for water supply are not proposed.
- 4.6.140(9) The property owner will provide and maintain a water supply of at least 500 gallons with an operating water pressure of 50PSI. A ¾" garden hose will be provided to reach the perimeter of the primary setback. *The applicant understands the criteria.*
- 4.6.140(10) A 30' primary safety zone will be provided around the structure. Vegetation will be limited to mowed grasses, low scrubs and trees spaced more than 15' apart. A secondary safety zone will be provided for sloped areas. *Owner will follow Table 1 when determining the required feet for the secondary zone based on slope percentage.*
- 4.6.140(16) All roads will be constructed for fire fighting equipment requirements. *The existing driveways meet this criteria.*
- 4.6.140(17) All roads will meet the standards outlined in Chapter 7. *The existing driveways meet this criteria.*
- 4.11.200 Overlay zones add further requirements to the development process.
- 4.11.211 A portion of the property is located in the Floodplain overlay.
- 4.11.235 A Floodplain application is required for all development within the overlay. *The existing structures are located outside of the floodplain overlay.*

1975 COOS COUNTY ZONING AND LAND DEVELOPMENT ORDINANCE (CCZLDO) FINDINGS OF FACT

- 3.200 The purpose of the Interim Forest and Grazing Zone 10 is to designate areas where timber and grazing are predominant but where controlled placement of compatible community uses is also desirable.
- 3.210 Single family dwelling and their accessory structures are permitted outright. *The siting of the dwelling and accessory structures would have been permitted outright at the time of placement. They are non-conforming only due to the lack of a zoning application.*
- 3.230 The minimum lot size is 10 acres. *The subject property is 13.76 acres.*
- 3.240 The maximum height for all structures is 35'. *The structures are all under 35' in height.*
- 3.250 All structures will be set back a minimum of 80' from the centerline of a right of way. *The closest structure is 120' from the centerline.*

OREGON REVISED STATUTES FINDINGS OF FACT

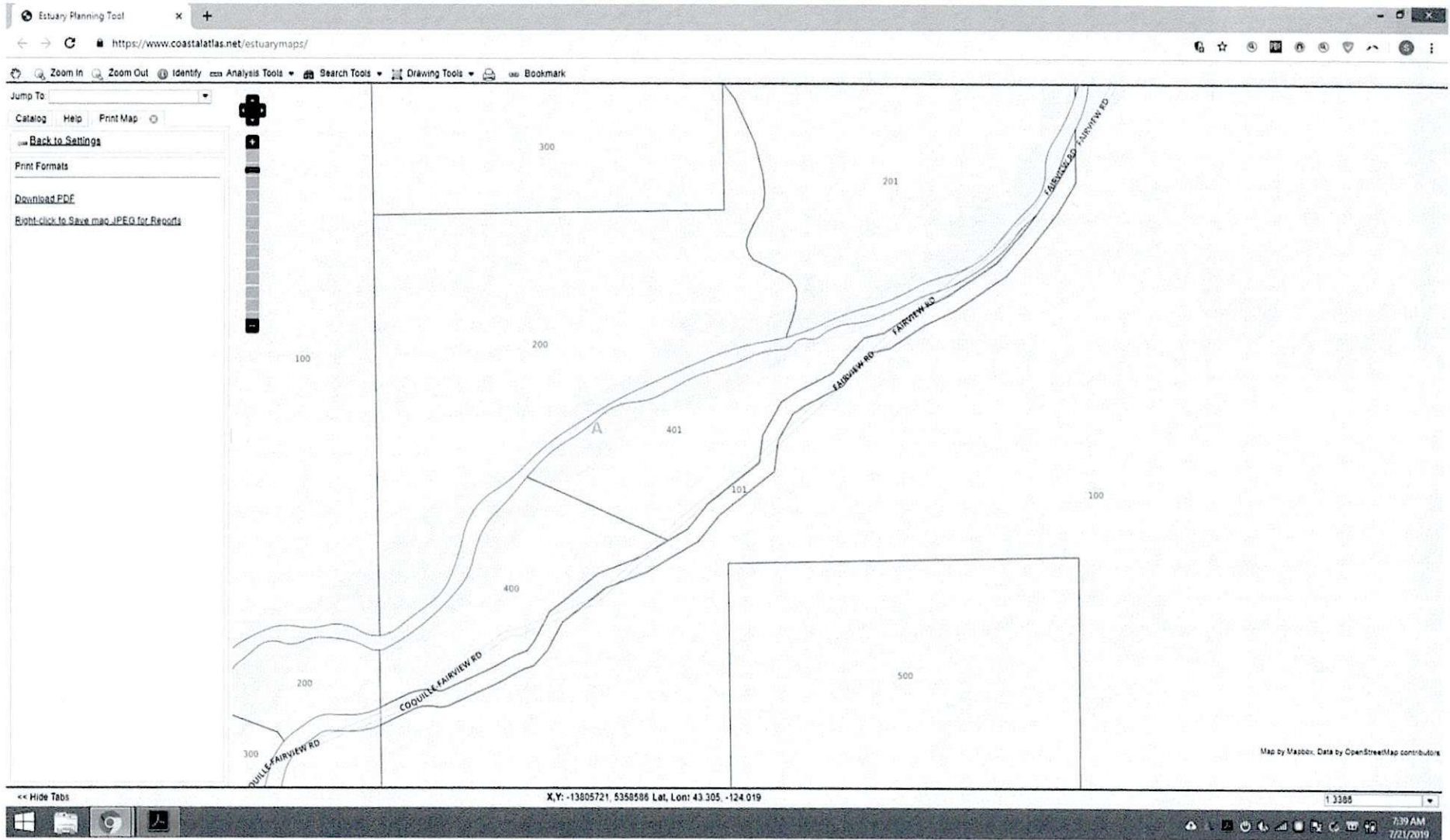
- 215.130 (5) The lawful use of any building, structure or land at the time of the enactment or amendment of any zoning ordinance may be continued. *The applicant has provided the 1975 Zoning Ordinance showing that a single family dwelling with accessory structures were permitted outright in the IFG-10 zone.*
- 215.130 (6) Restoration or replacement of any use described in subsection (5) may be permitted to be restored in the instance of a natural disaster. *This is not applicable to this application.*
- 215.130 (7) The use may not be continued after a period of abandonment. *The use has been continual since the placement in 1978.*
- 215.130 (8) Any proposal for the verification or alteration of the non-conforming use shall be through a permit outlined by the zoning jurisdiction.

ADDITIONAL SUPPORTING DOCUMENTS

Consent Form
Coos County Tax Assessor's Map 26-11-21 TL 401
Coos County Tax Assessor's Summary Report, current
Coos County Tax Assessor's Summary Report, year 1990
As Built Survey with Floodplain Location by Mulkins and Rambo, LLC
Aerial showing existing development
Floodplain Overlay
Warranty Deed
Coos Curry Electric Cooperative Letter
1975 Zoning Ordinance 3.200
Current Zoning Ordinance Article 5.6

Manske Property
10 64282 Fairview Rd
Coquille, OR 97423
26-11-21 TI 401

Floodplain Overlay



Aerial with Floodplain Overlay

Estuary Planning Tool

https://www.coastalatlant.net/estuarymaps/

Zoom In Zoom Out Identify Analysis Tools Search Tools Drawing Tools Bookmark

Jump To

- Catalog Help Print Map
- Administrative Boundaries
 - Tax Lots
 - Coos Tax Lots, 2019
 - City Limits
 - Urban Growth Boundaries
 - County Boundaries
 - Coastal Zone Boundary
- Regulatory Layers
 - Flood Maps
 - FEMA DFIRMs
 - Base Flood Elevation
 - Floodway
 - 500-year Floodplain
 - 100-year Floodplain
- Wetland Maps
 - Local Wetland Inventories
 - Arch Cape LWI, 2011
 - Bandon LWI, 2005
 - Bay City LWI, 1997
 - Cannon Beach LWI, 1993
 - Coos County LWI, 2014
 - Depoe Bay LWI, 2009
 - Florence LWI, 1996
 - Gearhart LWI, 2013
 - Gold Beach LWI, 2002
 - Lincoln City LWI, 1996
 - Reedsport LWI, 1999
 - Rockaway Beach LWI, 1993
 - Seaside LWI, 2000
 - Tillamook LWI, 1997
 - Toledo LWI, 1993
 - Waldport LWI, 1999
 - Warrenton LWI, 1998
 - National Wetland Inventory
 - National Wetland Inventory
- Estuary Plan Maps
 - Zoning
 - City Zoning Maps
 - County Zoning Maps
 - Clatsop County Zoning, 2010
 - Tillamook County Zoning, 2004
 - Lincoln County Zoning, 2012
 - Lane County Zoning, 2012
 - Coos County Zoning, 2015
 - Curry County Zoning, 2012
 - Statewide Zoning Maps
 - Planning Inventories
 - Estuarine Resources - Goal 16
 - Physical
 - Biological
 - Estuary Habitat Maps
 - CMECS Estuary Classification
 - Social and Economic
 - Coastal Shorelands - Goal 17
 - Existing Land Use

X,Y: -13805444, 5358295 Lat, Lon: 43.304, -124.016

1:1893

7:42 AM 7/21/2019

March 9, 2020



Dear Sheri McGrath,

The service at 64282 Fairview Rd in Coquille OR was installed August of 1978.

Thanks,

Coos-Curry Electric Cooperative

Mailing Address for all Coos-Curry Electric Co-op offices P.O. Box 1268, Port Orford OR 97465-1268

Port Orford Office: 43050 Hwy 101 Port Orford OR 97465 · Phone: 541-332-3931 Fax: 541-332-3501

Brookings Office: 815 Railroad St Brookings OR 97415 · Phone: 541-469-2103 Fax: 541-469-3193

Gold Beach Office: 29439 Ellensburg Gold Beach OR 97444 · Phone: 541-247-6638 Fax: 541-247-6630

Coquille Office: 220 S Mill Ave Coquille OR 97423 · Phone: 541-396-3118 Fax: 541-396-3119

www.ccec.coop

After Hours Outage Number 866-352-9044

COOS County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 1990

October 15, 2019 9:58:19 am

Account # 450603
 Map # 26S11210000401
 Code - Tax # 0804-450603

Tax Status ASSESSABLE
 Acct Status ACTIVE
 Subtype NORMAL

Legal Descr See Record

Mailing Name PERRY, GLENN L. & MAXINE M.

Deed Reference # 2014-05530

Agent

Sales Date/Price 07-15-2014 / \$175,000.00

In Care Of

Appraiser

Mailing Address HC 83 BOX 4360
 COQUILLE, OR 97423

Prop Class 543 MA SA NH Unit
 RMV Class 500 04 00 004 7456-1

Situs Address(s) Situs City

Code Area	RMV	MAV	Value Summary			MSAV	RMV Exception	CPR %
			AV	SAV				
0804 Land	18,333	0	0	18,333	0	Land	0	
Impr.	19,637	0	0	0	0	Impr.	0	
Code Area Total	37,970	0	0	18,333	0		0	
Grand Total	37,970	0	0	18,333	0		0	

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown		Size	Land Class	LUC	Trended RMV
						TD%	LS				
0804	20	<input checked="" type="checkbox"/>		F	Designated Forest Land	100	A	8.26	AA	006*	1,487
0804	30	<input checked="" type="checkbox"/>		F	Farm Use Unzoned	100	A	2.50	B4	006*	408
0804	40	<input checked="" type="checkbox"/>		F	Farm Use Unzoned	100	A	2.00	H5	006*	158
0804	10	<input checked="" type="checkbox"/>		F	Farm Use Zoned	100	A	1.00	MHS	006*	16,280
Grand Total								13.76			18,333

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown			Total Sq. Ft.	Ex% MS Acct #	Trended RMV
					TD%					
0804	1	1970	462	MH REAL DOUBLE CLASS 6	100		1,392	R - 195497	0	
0804	1	0	309	MISC FARM BUILDING	100		0		19,637	
Grand Total								1,392		19,637

Code Area	Type	Exemptions/Special Assessments/Potential Liability									
NOTATION(S):											
■ OTHER POT'L ADD'L TAX LIABILITY											
0804											
FIRE PATROL:											
■ FIRE PATROL TIMBER											
Amount 35.00 Acres 0 Year 1990											

*** The Real MS value is not included in the total of the real account

COOS County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2020

NOT OFFICIAL VALUE

March 26, 2020 12:52:56 pm

Account # 450603
 Map # 26S11210000401
 Code - Tax # 0804-450603

Tax Status ASSESSABLE
 Acct Status ACTIVE
 Subtype NORMAL

Legal Descr See Record

Mailing Name MANSKE, SCOTT L.

Deed Reference # 2014-05530

Agent

Sales Date/Price 07-15-2014 / \$175,000.00

In Care Of

Appraiser GORDON WEST

Mailing Address PO BOX 649
 LAKESIDE, OR 97449-0649

Prop Class 641 MA SA NH Unit
 RMV Class 601 04 16 RRF 7456-1

Situs Address(s)	Situs City
ID# 10 64282 FAIRVIEW RD	COQUILLE

Code Area	RMV	MAV	Value Summary			RMV Exception	CPR %
			AV	SAV	MSAV		
0804 Land	129,044					Land	0
Impr.	60,470					Impr.	0
Code Area Total	189,514	161,350	167,492	9,104	6,142		0
Grand Total	189,514	161,350	167,492	9,104	6,142		0

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown			Land Class	LUC	Trended RMV
						TD%	LS	Size			
0804	50	<input type="checkbox"/>		F	Designated Forest Land	100	A	8.26	A	006*	9,104
0804	10	<input type="checkbox"/>		F	Market	100	A	1.00	HS	003	71,600
0804	40	<input type="checkbox"/>		F	Market	100	A	4.50	MV	003	48,340
Grand Total								13.76			129,044

Code Area	ID#	Yr Built	Stat Class	Description	TD%	Total Sq. Ft.	Ex% MS Acct #	Trended RMV
0804	1	0	303	General Purpose Building	100	864		5,940
0804	2		303	General Purpose Building	100	960		12,430
0804	1	1970	462	MH REAL DOUBLE CLASS 6	100	1,392	E - 195497	42,100
Grand Total						3,216		60,470

Code Area	Type	Exemptions/Special Assessments/Potential Liability					
NOTATION(S):							
■ FARM/FOREST POT'L ADD'L TAX LIABILITY FOREST							
0804							
FIRE PATROL:							
■ FIRE PATROL SURCHARGE		Amount	47.50		Year	2020	
■ FIRE PATROL TIMBER		Amount	22.15	Acres	13.76	Year	2020

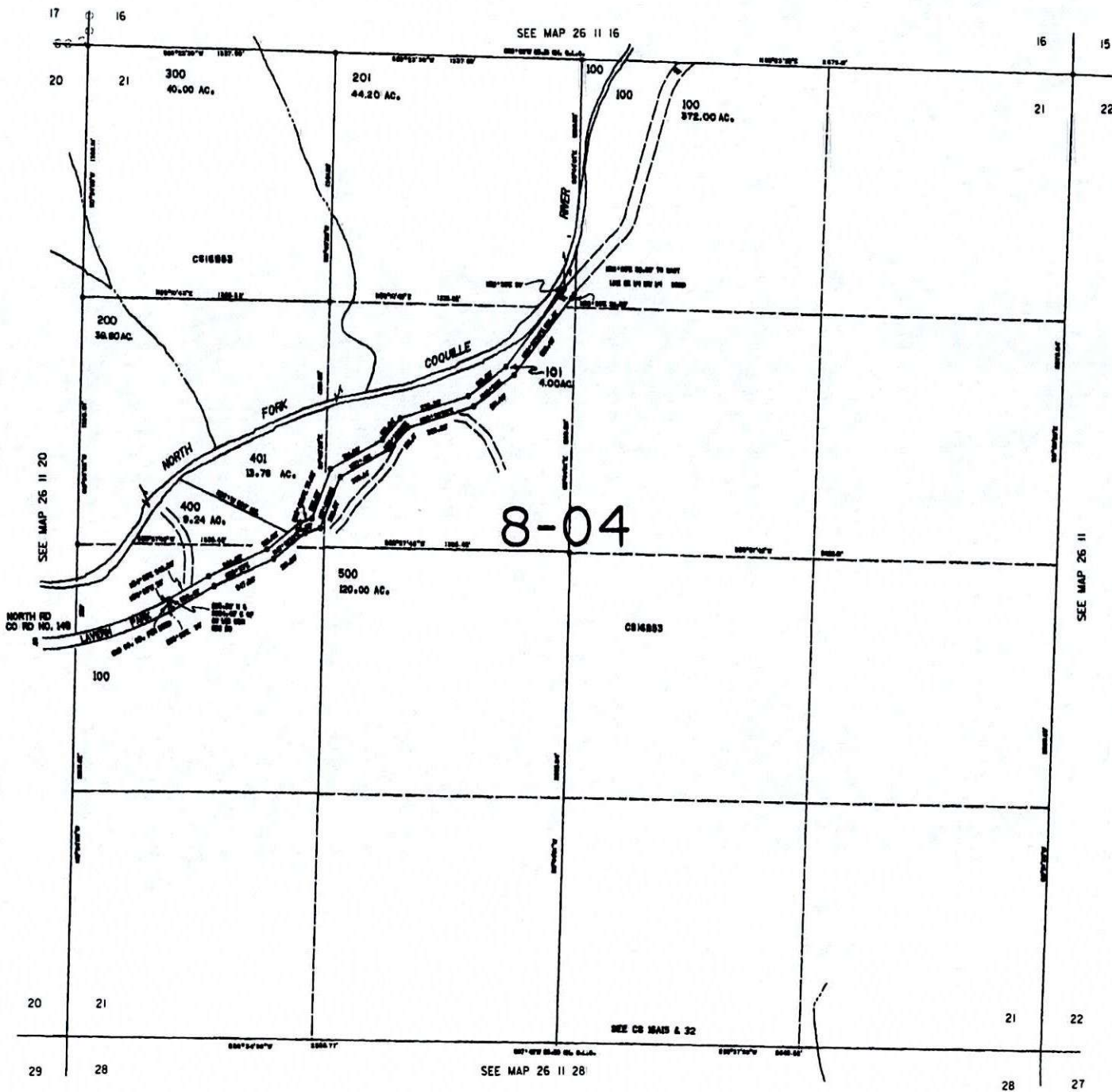
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SECTION 21 T.26S. R.11W. W.M.
COOS COUNTY

1" = 400'

26 11 21

CANCELLED



DATE
26 11 21

ARTICLE 5.6 NONCONFORMING

SECTION 5.6.100 NONCONFORMING USES:

The lawful use of any building, structure or land at the time of the enactment or amendment of this zoning ordinance may be continued. Alteration of any such use may be permitted subject to Sections 5.6.120 and 5.6.125. Alteration of any such use shall be permitted when necessary to comply with any lawful requirement for alteration in the use. Except as provided in ORS 215.215 (Reestablishment of nonfarm use), a county shall not place conditions upon the continuation or alteration of a use described under this Section when necessary to comply with state or local health or safety requirements, or to maintain in good repair the existing structures associated with the use. A change of ownership or occupancy shall be permitted.

As used in this Section, alteration of a nonconforming use includes:

1. A change in the use of no greater adverse impact to the neighborhood; and
2. A change in the structure or physical improvements of no greater adverse impact to the neighborhood.

SECTION 5.6.105 EXCEPTIONS TO RESTORATION OR REPLACEMENT OF NONCONFORMING USES:

Restoration or replacement of any use described in Section 5.6.100 may be permitted outright when the restoration is made necessary by fire, other casualty or natural disaster. Restoration or replacement shall be commenced within one year from the occurrence of the fire, casualty or natural disaster. If restoration or replacement is necessary under this Section, restoration or replacement shall be done in compliance with any Special Development Considerations of Article 4.11 that apply to the property.

SECTION 5.6.110 INTERRUPTION OR ABANDONMENT OF NONCONFORMING USES:

A non-conforming use or activity may not be resumed if it was subject to interruption or abandonment for more than one (1) year, unless the resumed use conforms to the requirements of zoning ordinances or regulations applicable at the time of the proposed resumption.

SECTION 5.6.115 SURFACE MINING:

Surface mining use continued under Section 5.6.100 shall not be deemed to be interrupted or abandoned for any period after July 1, 1972, provided:

1. The owner or operator was issued and continuously renewed a state or local surface mining permit, or received and maintained a state or local exemption from surface mining regulation; and
2. The surface mining use was not inactive for a period of 12 consecutive years or more.

3. For purposes of this subsection, inactive means no aggregate materials were excavated, crushed, removed, stockpiled or sold by the owner or operator of the surface mine.

SECTION 5.6.120 ALTERATIONS, REPAIRS OR VERIFICATION:

Alterations, repairs or verification of a nonconforming use requires filing an application for a conditional use (See CCZLDO Article 5.2). All such applications shall be subject to the provisions of Section 5.6.125 of this ordinance and consistent with the intent of ORS 215.130(5)-(8). Alteration of any nonconforming use shall be permitted when necessary to comply with any lawful requirement for alteration in the use. The County shall not condition an approval of a land use application when the alteration is necessary to comply with State or local health or safety requirements, or to maintain in good repair the existing structures associated with the use.

SECTION 5.6.125 CRITERIA FOR DECISION:

When evaluating a conditional use application for alteration or repair of a nonconforming use, the following criteria shall apply:

1. The change in the use will be of no greater adverse impact to the neighborhood;
2. The change in a structure or physical improvements will cause no greater adverse impact to the neighborhood; and
3. Other provisions of this ordinance, such as property development standards, are met.

For the purpose of verifying a nonconforming use, an applicant shall provide evidence establishing the existence, continuity, nature and extent of the nonconforming use for the 10-year period immediately preceding the date of the application, and that the nonconforming use was lawful at the time the zoning ordinance or regulation went into effect. Such evidence shall create a rebuttable presumption that the nonconforming use lawfully existed at the time the applicable zoning ordinance or regulation was adopted and has continued uninterrupted until the date of the application.

INTERIM FOREST AND GRAZING ZONE (IFG-10)

Section 3.200 Purpose. The purpose of the Interim Forest and Grazing (IFG-10) Zone is to designate areas of the county where timber production and grazing are the predominant uses but where controlled placement of compatible community uses is also desirable.

Section 3.210 Permitted Uses. In a IFG-10 Zone the following uses and their accessory buildings and uses are permitted outright.

- (1) Management, production, harvesting or primary processing of forest products
- (2) Farming, excluding hog farm or livestock feedlot
- (3) Grazing
- (4) Single family dwelling
- (5) Home occupation or business within a single family dwelling

Section 3.220 Conditional Uses. In a IFG-10 Zone the following uses and their accessory uses may be permitted subject to the provisions of Article 8.

- (1) Solid waste disposal facility
- (2) Sanitary land fill
- (3) Sewage treatment plant
- (4) Community building, grange or lodge hall
- (5) Church
- (6) School
- (7) Fire station
- (8) Library
- (9) Museum
- (10) Park or recreation area

- (11) Public utility facility
- (12) Communication facility
- (13) Dams, power plants and accessory buildings
- (14) Operations conducted for the exploration, mining and processing of geothermal resources as defined in Subsection (4) or ORS 522.019, aggregate and other mineral resources or other subsurface resources.
- (15) Commercial stable
- (16) Cemeteries
- (17) Roadside stand
- (18) Private hunting or fishing preserve
- (19) Motel or hotel
- (20) Veterinary clinic or kennel
- (21) Family Hardship dwelling
- (22) Neighborhood store

Section 3.230 Lot Requirements. In a IFG-10 Zone the minimum lot size shall be ten (10) acres for the permitted and conditional uses listed in the following Subsections: 3.210 (1), (2), (3) and (4); 3.220 (10). There shall be no minimum lot size for other permitted or conditional uses except as required by State and local sanitation regulations.

Section 3.240 Height Requirements. In a IFG-10 Zone no building or structure shall exceed 35 feet in height.

Section 3.250 Setback Requirements. In a IFG-10 Zone any building or structure shall be located a minimum of 80 feet from the centerline or 20 feet from the boundary of an existing or proposed public road right-of-way, whichever is greater.

RECORDING REQUESTED BY:
GRANTOR:
James D. Judd and K'Lynn Landmark
60110 Lee Valley Rd.
Coquille, OR 97423

COOS COUNTY, OREGON **2014-05530**
\$56.00 **07/17/2014 01:29:57 PM**
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Terri L. Turl, Coos County Clerk

GRANTEE:
Scott L. Manske
PO Box 649
Lakeside, OR 97449

SEND TAX STATEMENTS TO:
Scott L. Manske
P.O. Box 649
Lakeside, OR 97449

AFTER RECORDING RETURN TO:
Scott L. Manske
P.O. Box 649
Lakeside, OR 97449

AFTER RECORDING
RETURN TO
Ticor Title Insurance
300 West Anderson Ave - Box 1075
Coos Bay, OR 97420-0233

Escrow No: 360614011066-TTCOO42
26-11-21 401 A450603
M195497
64282 Fairview Rd
Coquille, OR 97423

STATUTORY WARRANTY DEED

James D. Judd and K'Lynn Landmark, not as tenants in common, but with the right of survivorship, that is the fee shall vest in the survivor of the grantees. Grantor, conveys and warrants to

Scott L. Manske, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Coos, State of Oregon:

See Attached Exhibit "A"

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$175,000.00. (See ORS 93.030)

Subject to and excepting:

2014/15 taxes, covenants, conditions, restrictions, easements, rights of way, homeowners association assessments, if any, and matters now 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: 7-15-14

James D. Judd

K'Lynn Landmark

360614011066-TTCOO42
Deed (Warranty-Statutory)

State of OREGON

COUNTY of COOS

This instrument was acknowledged before me on 7-15, 2014

by: James D. Judd and K'Lynn Landmark

Tonya Leanne Tucker, Notary Public - State of Oregon
My commission expires: 5-26-18



EXHIBIT "A"

That portion of land located in the NW 1/4 and the NW 1/4 of the SW 1/4 of Section 21, Township 26 South, Range 11 West of the Willamette Meridian, Coos County, Oregon, being more particularly described as follows: Beginning at a point 1125.28 feet North and 3284.49 feet East of the Center-South 1/16th corner, Section 20, Township 26 South, Range 11 West of the Willamette Meridian, Coos County, Oregon, said point being the end of the Laverne Park North County Road; thence North 35° 02' West a distance of 30.00 feet to the Northerly boundary of a 60 foot right-of-way; thence continuing along said right-of-way boundary North 54° 58' East a distance of 242.33 feet; thence North 60° 27' East a distance of 344.22 feet; thence North 47° 51' 30" East a distance of 221.92 feet; thence North 69° 41' 30" East a distance of 77.92 feet; thence North 17° 40' 30" East a distance of 295.53 feet; thence North 57° 41' East a distance of 314.20 feet; thence North 33° 38' 30" East a distance of 163.04 feet; thence North 69° 20' 30" East a distance of 378.28 feet; thence North 49° 50' East a distance of 251.55 feet; thence North 32° 22' 30" East a distance of 521.42 feet; thence North 36° 39' East a distance of 20 feet, more or less, to a point 60.00 feet West of the East line of the NW 1/4; thence Northerly and parallel with the East line of the NW 1/4 to the Southeasterly edge of the North Fork of the Coquille River; thence Southwesterly along the Southerly edge of the North Fork of the Coquille River to the West line of Section 21, Township 26 South, Range 11 West of the Willamette Meridian, Coos County, Oregon; thence Southerly along said West line of Section 21 a distance of 250 feet, more or less, to the Northerly boundary of the Laverne Park North County Road; thence Northeasterly along the Northerly boundary of said County Road to the point of beginning.

TOGETHER WITH a perpetual right for ingress and egress as disclosed in instrument recorded June 3, 1978, as Microfilm No. 78-4-6370, Records of Coos County, Oregon.

ALSO TOGETHER WITH a perpetual right for ingress and egress as set forth in instrument recorded August 10, 2001, as Microfilm No. 2001-9243, Records of Coos County, Oregon.

EXCEPT:

Beginning at a point 1125.28 feet North and 3284.49 feet East of the center South 1/16 corner of Section 20, Township 26 South, Range 11 West of the Willamette Meridian, Coos County, Oregon, said point being the end of the LaVerne Park North County Road; thence North 35° 02' West 30.00 feet to the Northwesterly boundary of a 60 foot right of way and the true point of beginning; thence continuing along the right of way boundary, North 54° 58' East 242.33 feet; thence North 60° 27' East 344.22 feet; thence North 47° 51' 30" East 142.43 feet; thence leaving the right of way boundary, North 67° West 600 feet, more or less, to the Southerly edge of the North Fork of the Coquille River; thence Southwesterly along the Southerly edge of the North Fork of the Coquille River to the West Section line of Section 21; thence Southerly along said Section line 250 feet, more or less, to the Northerly boundary of the LaVerne Park North County Road; thence Northeasterly along the Northerly boundary of said County Road to the point of beginning. Being a portion of the Southwest quarter of the Northwest quarter and the Northwest quarter of the Southwest quarter of Section 21, Township 26 South, Range 11 West of the Willamette Meridian, Coos County, Oregon.