

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

COMPLETED BY STAFF

Received By: _____	<input type="checkbox"/> COMP PLAN AMENDMENT
Date Submitted: <u>10/10/19</u>	<input type="checkbox"/> ZONE CHANGE
Application No.: <u>ACU-19-042</u>	<input type="checkbox"/> TEXT AMENEDMENT
Fee: <u>1479 + 153⁰⁰</u>	<u>CONDITIONAL USE REVIEW</u>
Fee Paid: <u>10/10/19 checks</u>	<input type="checkbox"/> HEARINGS BODY
Receipt No.: <u>212975 +</u>	<input type="checkbox"/> ADMINISTRATIVE
<u>212976</u>	<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: ROBERT MURRAY

Mailing Address: 9085 NW LOVEJOY ST.

City PORTLAND State OR Zip 97229

Daytime Phone (503)869-0085

Email: rmurr04@gmail.com

II. OWNER(S)

Name: ROBERT & LESLIE MURRAY

Mailing Address: 9085 NW LOVEJOY ST.

City PORTLAND State OR Zip 97229

Daytime Phone (503)869-0085

Email: rmurr04@gmail.com

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

Location or Address: 90031 CAPE ARAGO HWY.

No. Acreage 0.78

Tax Acct. 568808

Township: Range: Section: ¼ Section: 1/16 Section: Tax lot:

26S 14W 4 SW

2500

Zone: RR2

Water Service Type: PUBLIC

Sewage Disposal Type: SEPTIC

School District: COOS BAY

Fire District: CHARLESTON

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

CONDITIONAL USE PERMIT FOR SHORT TERM VACATION RENTAL.

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

IV. Request Summary:

I am requesting a short term vacation rental permit for 90031 Cape Arago Hwy Coos Bay, OR 97420.

V. Written Statement:

- **Compatibility:** I, Robert Murray, am requesting a conditional use permit for a short term vacation rental for 90031 Cape Arago Hwy. The property located at 90031 Cape Arago Hwy contains an existing single-family dwelling accessed via a shared gravel driveway with the property located next door which currently operates as a short term vacation rental. The home is compatible because there are multiple other vacation rentals in the area. There are five short term vacation rentals listed on VRBO on Lighthouse Beach. The property adjacent to the west side of our property currently operates as a short term vacation rental. There are three other units WSW within .5 miles located on the bluff on Lighthouse beach that currently operate as short term vacation rentals. The home was purchased as a second home to bring my family back to visit our grandparents, extended family, and enjoy the beauty of the Oregon Coast. Most of the time the home will be unoccupied. The property was fully renovated by the previous owners which upgraded all major systems, interior floors, walls and windows. The property is in incredible shape and would be a great spot for vacationers to enjoy our beautiful southern Oregon coast.

Renters will have to sign and comply with a set of strict rental terms that coincide with other vacation rentals and the community as a whole. Please see "Summary of Rental Terms" for more detail. A few key points are: no smoking, no parties, and quiet hours from 10pm to 8am.

The property consists of 0.78 acres on a flat rectangular lot. There is plentiful room for parking directly in front of the house. Recently we had 8 cars there with room for many more. There is a two car garage which we will leave empty to accommodate more parking and space for renters. The property has a large grass backyard and a similar sized grass yard in between the parking area in front of the house and Cape Arago hwy. There is a three-four feet high natural shrub fence that outlines the backyard of the property. There are a few planters in front of the house with various plants and flowers which we have hired a landscaper to maintain.

I understand if this permit is approved that it cannot be conveyed or otherwise transferred to a subsequent landowner without the new property owner submitting a Compliance Determination Application showing compliance with this section.

- **Coos health & Wellness License:** We will get a license through Coos Health and Wellness after receiving approval through the Coos County planning department.

- **Parking:** The attached map shows available parking which meets the standards as identified in Chapter VII. There are two available parking spots in the garage. Eight to ten available parking spots directly in front of the house and two more spots available outside of the garage.

- **Fences, Hedges & Walls:** The vision clearance to the property is uninhibited with a clear line of site to the property from over 150 feet away off Cape Arago Hwy.

Summary of Rental Terms:

The agreement is between: (1) Robert Murray ("We" or "Us") and the person who is the responsible renter of the property (collectively "Renter" or "You").

- A. The property shall not be used by more than the number of adults and children listed in your reservation.
- B. All guests shall abide by our Good Neighbor policy and shall not engage in illegal activity. Quiet hours are from 10pm to 8am.
- C. The responsible renter must be at least 21 years of age. Guests under 21 years of age are welcome, but must be accompanied by a parent or legal guardian.
- D. No smoking is permitted anywhere on the premises.
- E. No commercial photography or filming is permitted on the property. Tents or other structures may not be erected.
- F. Renter is liable for any damage to the property and agrees to accept charges to the card on file should damage occur during occupancy.

Cancellation Policy:

- G. Rental payments (less booking fee) are fully refundable up until 30 days prior to the reservation.
- H. Purchase Trip Protection to receive a full refund for any nights of your reservation canceled due to the documented death or serious illness of any guest or immediate family member, flight delays or cancellations, or access closures due to natural disasters or inclement weather. Trip Protection is not insurance and does not replace travel insurance.

A breach of any of the above terms may result in a forfeiture of your rights regarding this rental property, including eviction from the premises without refund.

CAPE ARAGO HWY.

SHRUBS

GRASS

GRAVEL
DRIVEWAY

PARKING
(8-10 CARS)

PARKING

PLASTER

HOUSE

GARAGE

DECK

SEPTIC
TANK

GRASS

SHRUBS

LIGHTHOUSE BEACH

90029
CAPE ARAGO
(CURRENT
VACATION
RENTAL)

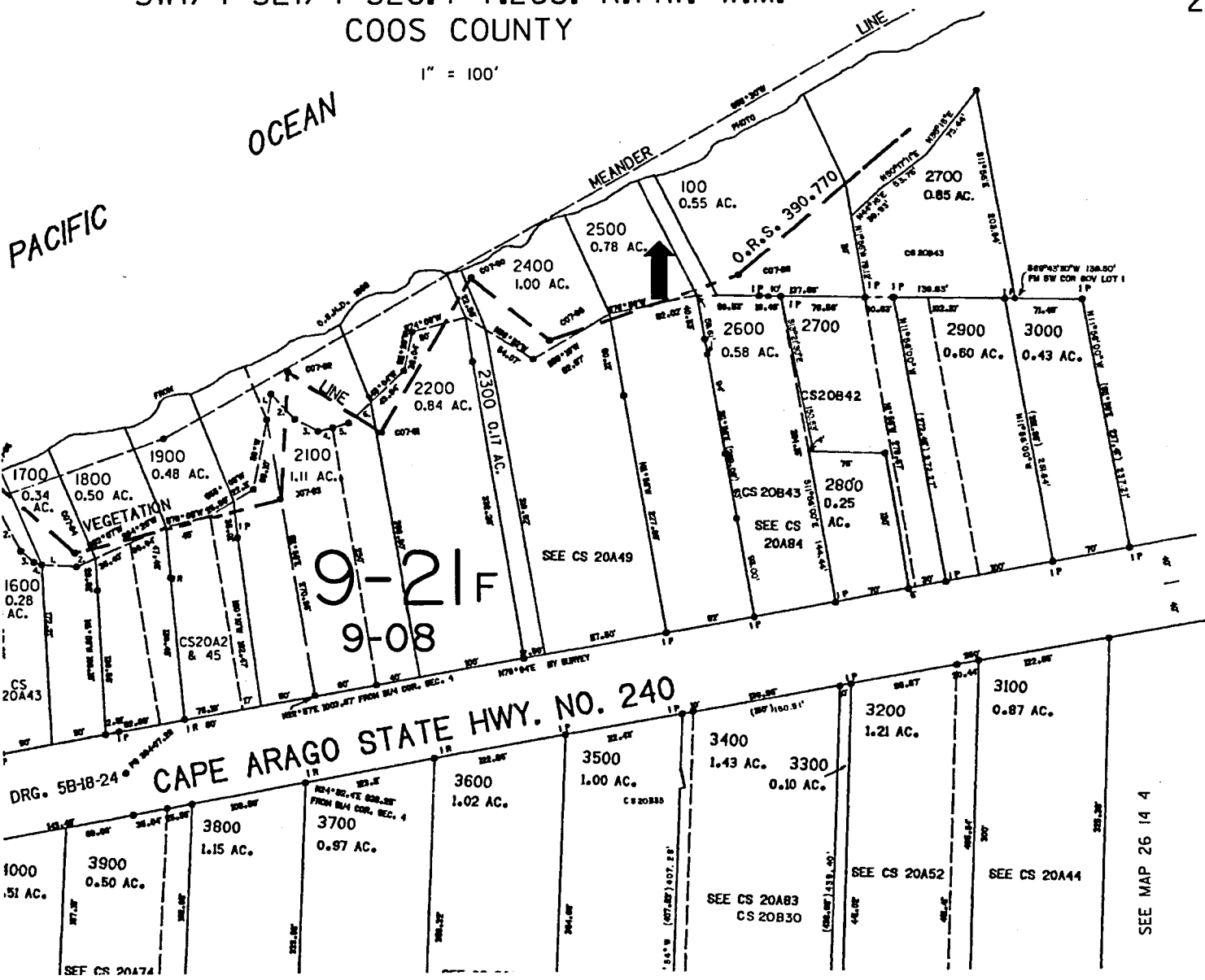


This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, in any, the Company does not insure dimensions, distances, locations of easements, acreage or other matters shown thereon.

SW1/4 SE1/4 SEC.4 T.26S. R.14W. W.M.
COOS COUNTY

1" = 100'

26 14



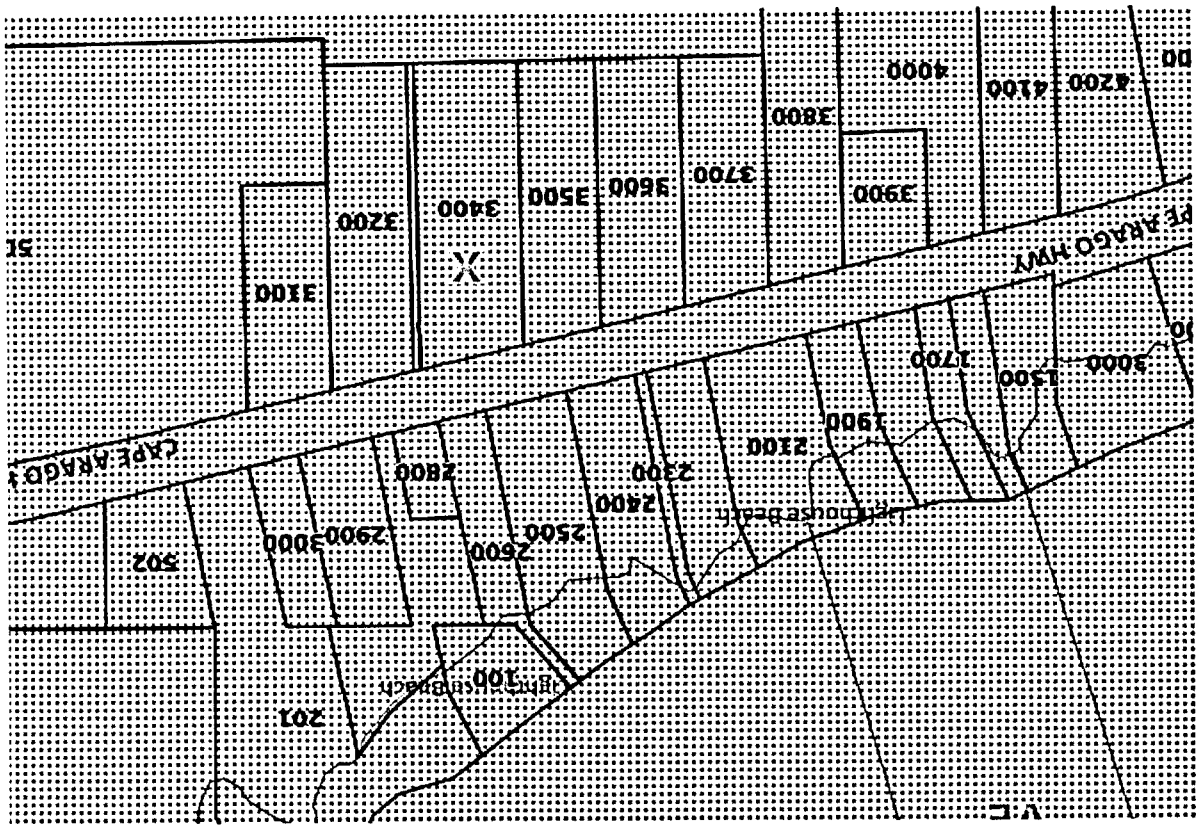
- CANCEL
- 200
- 800
- 400
- 120
- 130
- 110
- 900
- 500
- 300
- 700
- 140
- 100
- 1/16 COI
- 600
- 200
- 340
- 270
- 101
- 150
- 160
- 170
- 180
- 190
- 210
- 220
- 230
- 240
- 250
- 260

SEE MAP 26 14 4

Limits of 100 Year Floodplain elevation

FEMA Flood Maps, FEMA

- Base Flood Elevation
- Floodway
- 500-year Floodplain
- 100-year Floodplain



RECORDING REQUESTED BY:



300 Anderson Ave
Coos Bay, OR 97420

Coos County, Oregon	2019-09020	
\$91.00	Pgs=2	10/04/2019 01:16 PM
eRecorded by: TICOR TITLE COOS BAY		
Debbie Heller, CCC, Coos County Clerk		

AFTER RECORDING RETURN TO:

Order No.: 360619028316-DM
Robert R Murray and Leslie Murray, husband and wife
2865 NW Thurman St.
Portland, OR 97210

SEND TAX STATEMENTS TO:

Robert R Murray and Leslie Murray
2865 NW Thurman St.
Portland, OR 97210

APN: 1000568808
Map: 26 S 14 W 04 DC 02500

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Prabhakar A. Patel and Anna Huang, Grantor, conveys and warrants to **Robert R Murray and Leslie Murray, husband and wife**, 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:

Beginning at an iron pipe on the Northerly boundary of the right of way of the Cape Arago Section of the Oregon State Highway, from which point the iron pipe at the quarter section corner at the Southwest corner of the said Government Lot 2, of Section 4, bears South 38° 37.9' West a distance of 1296.06 feet; and running thence North 11° 56' West for a distance of 269.09 feet to an iron pipe; thence continuing North 11° 56' West for a distance of 40.53 feet to the high water line of the Pacific Ocean; thence South 76° 56' West along the said high water line for a distance of 82.02 feet; thence South 11° 56' East for a distance of 80.28 feet to an iron pipe; thence continuing South 11° 56' East for a distance of 227.72 feet to an iron pipe on the said Northerly boundary of the State Highway right-of-way; thence North 78° 04' East along the said State Highway right-of-way boundary for a distance of 82 feet to the point of beginning, and being a portion of Government Lot 2, of Section 4, Township 26 South, Range 14 West of the Willamette Meridian, Coos County, Oregon.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS SEVEN HUNDRED SIXTY-NINE THOUSAND AND NO/100 DOLLARS (\$769,000.00). (See ORS 93.030).

Subject to:

- a. Rights of the public and the State of Oregon in the ocean shore and dry sand area as declared acquired under the provisions of ORS 390.605-.770 or west of the seaward edge of vegetation as defined in Thornton v. Hay, Oregon Supreme Court.
- b. Rights of the public and governmental bodies (including claims of ownership) to that portion of the premises lying below the high water mark of the Pacific Ocean.

Easement(s) for rights incidental thereto, as granted in a document:

Recording Date: July 7, 1947
Recording No: Book: 170 Page: 426 Deed Record of Coos County, Oregon

Any adverse claim based upon the assertion that some portion of said Land is tide or submerged lands, or has been created by artificial means or has accreted to such portion so created.

Any adverse claim based upon the assertion that:

- a) Said Land or any part thereof is now or at any time has been below the highest of the high watermarks of Pacific Ocean & Tide Lands, in the event the boundary of said Pacific Ocean & Tide Lands has been artificially raised or is now or at any time has been below the high watermark, if said Pacific Ocean & Tide Lands is in its natural state.
- b) Some portion of said Land has been created by artificial means or has accreted to such portion so created.
- c) Some portion of said Land has been brought within the boundaries thereof by an avulsive movement of Pacific Ocean & Tide Lands, or has been formed by accretion to any such portion.

Rights and easements for navigation and fishery which may exist over that portion of said Land lying beneath the waters of Pacific Ocean & Tide Lands.

Any rights in favor of the public which may exist on said Land if said Land or portions thereof are or were at any time used by the public.

STATUTORY WARRANTY DEED

(continued)

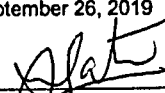
The rights of the public and governmental bodies for fishing, navigation and commerce in and to any portion of the Land herein described, lying below the high water line of the Pacific Ocean & Tide Lands.

The right, title and interest of the State of Oregon in and to any portion lying below the high water line of Pacific Ocean & Tide Lands.

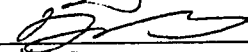
BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 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.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: September 26, 2019




Prabhakar A. Patel



Anna Huang

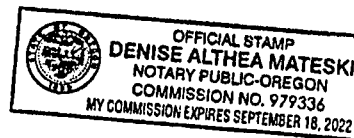
State of Oregon
County of Coos

This instrument was acknowledged before me on 9-27-19 by Prabhakar A. Patel and Anna Huang.



Notary Public - State of Oregon

My Commission Expires: 9-18-22



LESLIE SILVER
ROBERT R MURRAY
949 NW OVERTON ST UNIT 303
PORTLAND, OR 97209-3268

108
24-7038/3230 OR
20620

10/7/19
DATE

PAY TO THE ORDER OF COOS COUNTY PLANNING DEPT. \$ 1,479.00

ONE THOUSAND FOUR HUNDRED SEVENTY NINE ⁰⁰/₁₀₀ DOLLARS



Bank of America

ACH R/T 323070380

FOR CONDITIONAL USE PERMIT

Robert Murray MP

⑆323070380⑆ 485013146725⑈ 0108

Harland Clarke

CASUAL

LESLIE SILVER
ROBERT R MURRAY
949 NW OVERTON ST UNIT 303
PORTLAND, OR 97209-3268

110
24-7038/3230 OR
20620

10/7/19
DATE

PAY TO THE ORDER OF COOS COUNTY PLANNING DEPT. \$ 153.00

ONE HUNDRED FIFTY THREE ⁰⁰/₁₀₀ DOLLARS



Bank of America

ACH R/T 323070380

FOR PARKING & ACCESS APP.

Robert Murray MP

⑆323070380⑆ 485013146725⑈ 0110

Harland Clarke

CASUAL

Coos County, Oregon
250 No. Baxter St.
Coquille, OR 97423

CASH
RECEIPT

Date 10/10/19 212976

Received From Leslie Silver & Robert Murray
Address 949 NW Overton St Unit 303
Portland, OR 97209
For Conditional Use Permit Dollars \$ 1479.00

ACCOUNT		HOW PAID	
AMT. OF ACCOUNT		CASH	
AMT PAID		CHECK	1479.00
BALANCE DUE		MONEY ORDER	
		CREDIT CARD	
		By <u>JMB</u>	<u>04108</u>

Coos County, Oreg
250 No. Baxter St.
Coquille, OR 97423

ACCOUNT		HOW PAID	
AMT. OF ACCOUNT		CASH	
AMT PAID		CHECK	153.00
BALANCE DUE		MONEY ORDER	
		CREDIT CARD	
		By <u>JMB</u>	<u>04110</u>

Received From Leslie Silver & Robert Murray
Address 949 NW Overton St Unit 303
Portland, OR 97209
For Parking & Access Application Dollars \$ 153.00

#212976