



NOTICE OF LAND USE DECISION

Coos County Planning
60 E. Second
Coquille, OR 97423
<http://www.co.coos.or.us/>
Phone: 541-396-7770
Fax: 541-396-1022

This decision notice is required to be sent to the property owner(s), applicant(s), adjacent property owners (distance of notice is determined by zone area – Urban 100 feet, Rural 250 feet, and Resource 750 feet), special taxing districts, agencies with interest, or person that has requested notice. The development is contained within the identified property owners' land. Notice is required to be provided pursuant to ORS 215.416. Please read all information carefully as this decision. (See attached vicinity map for the location of the subject property).

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: ORS CHAPTER 215 (ORS 215.513) REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST PROMPTLY BE FORWARDED TO THE PURCHASER.

Date of Notice: **Thursday, August 19, 2021**

File No(s): ACU-21-011

Proposal: Request for approval to change the residential use to a vacation rental.

Applicant(s): Andrea Chaves
54135 Gould Rd.
Bandon, OR 97411

Staff Planner: Amy Dibble, Planner II

Decision: **Approved with Conditions.** All decisions are based on the record. This decision is final and effective at close of the appeal period unless a complete application with the fee is submitted by the Planning Department at 5 p.m. on **Friday, September 03, 2021**. Appeals are based on the applicable land use criteria Vacation Rental reviews are subject to Coos County Zoning and Land Development Ordinance (CCZLDO) Sections 4.3.210.87 *Categories and Review Standards – Vacation Rentals*. **Civil matters including property disputes outside of the criteria listed in this notice will not be considered. For more information please contact the staff planner listed in this notice.**

Property Information

| | |
|---|--|
| Account Numbers | 2952700 |
| Map Numbers | 29S1501CC-05000 |
| Property Owners | CHAVES, ANDREA ET AL 2587 RIVERWALK LOOP EUGENE, OR 97401-1540 |
| Situs Address | 54135 GOULD RD BANDON, OR 97411 |
| Acreages | 0.25 Acres |
| Zoning(s) | CONTROLLED DEVELOPMENT-10 (CD-10) |
| Special Development Considerations and Overlays | ARCHAEOLOGICAL AREAS OF INTEREST (ARC) BANDON AIRPORT CONICAL ZONE (ABC) BANDON URBAN GROWTH BOUNDARY (BGB) NATIONAL WETLAND INVENTORY SITE (NWI) NATURAL HAZARD - TSUNAMI (NHTHO) NATURAL HAZARD - WILDFIRE (NHWF) |

This notice shall be posted from August 19, 2021 to September 3, 2021

The purpose of this notice is to inform you about the proposal and decision, where you may receive more information, and the requirements if you wish to appeal the decision by the Director to the Coos County Hearings Body. Any person who is adversely affected or aggrieved or who is entitled to written notice may appeal the decision by filing a written appeal in the manner and within the time period as provided below pursuant to Coos County Zoning and Land Development Ordinance (CCZLDO) Article 5.8. If you are mailing any documents to the Coos County Planning Department the address is 250 N. Baxter, Coquille OR 97423. Mailing of this notice to you precludes an appeal directly to the Land Use Board of Appeals.

Mailed notices to owners of real property required by ORS 215 shall be deemed given to those owners named in an affidavit of mailing executed by the person designated by the governing body of a county to mail the notices. The failure of the governing body of a county to cause a notice to be mailed to an owner of a lot or parcel of property created or that has changed ownership since the last complete tax assessment roll was prepared shall not invalidate an ordinance.

Staff tries to post all applications on the website at the following link:
<https://www.co.coos.or.us/planning/page/applications-2021>

The application and all documents and evidence contained in the record, including the staff report and the applicable criteria, are available for inspection, at no cost, in the Planning Department located at 225 North Adams Street, Coquille, Oregon. Copies may be purchased at a cost of 50 cents per page. If you would like to view the record in this matter, please make an appointment. The decision is based on the application submittal and information on record. The name of the Coos County Planning Department representative to contact is Crystal Orr, Planner I and the telephone number where more information can be obtained is **(541) 396-7770**.

Failure of an issue to be raised in a hearing, in person or in writing, or failure to provide statements of evidence sufficient to afford the Approval Authority an opportunity to respond to the issue precludes raising the issue in an appeal to the Land Use Board of Appeals.

Reviewed by: Amy Dibble Date: Thursday, August 19, 2021 .
Amy Dibble, Planner II

This decision is authorized by the Coos County Planning Director, Jill Rolfe based on the staff's analysis of the Findings of Fact, Conclusions, Conditions of approval, Application and all evidence associated as listed in the exhibits.

EXHIBITS

Exhibit A: Conditions of Approval

Exhibit B: Vicinity Map

The following exhibits are on file at the Coos County Planning Department and may be accessed by contacting the department. All noticeable decisions are posted on the website for viewing when possible.

Exhibit C: Staff Report -Findings of Fact and Conclusions

Exhibit D: Application

EXHIBIT "A"

The applicant shall comply with the following conditions of approval with the understanding that all costs associated with complying with the conditions are the responsibility of the applicants and that the applicants are not acting as an agent of the county. If the applicant fails to comply or maintain compliance with the conditions of approval the permit may be revoked as allowed by the Coos County Zoning and Land Development Ordinance. Please read the following conditions of approval and if you have any questions contact planning staff.

CONDITIONS OF APPROVAL

The applicant has met the criteria for a Vacation Rental, with the following conditions:

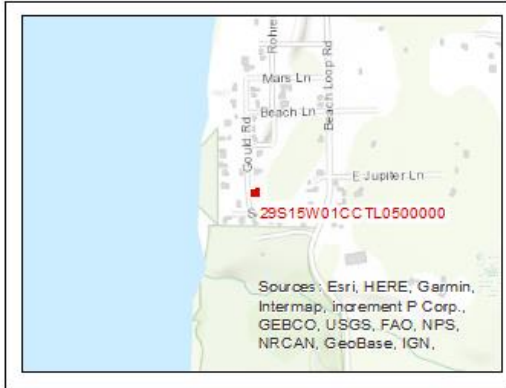
1. The applicant shall submit a plan to cover nuisance issues to ensure the use is compatible with the neighborhood. The plan shall consist of **contacts for the property manager to report problems to, noise restriction and emergency contact information. The advertisement for the rental shall include a property manager name and contact information. A contract that will be used for the rental shall contain all of this information and shall be filed with the Planning Department.**
2. 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.
3. The Parking Plan shall be reviewed and signed off by the Road Department prior to issuance of a Zoning Compliance Letter.
4. Pursuant to CCZLDO § 5.9.100, a Zoning Compliance Letter shall be required prior to the use of the dwelling as a vacation rental on the property.
5. All applicable federal, state, and local permits shall be obtained prior to the commencement of any development activity.
6. Pursuant to CCZLDO § 4.3.110.10(a) the applicant shall obtain a license from the Coos County Health Department in accordance with ORS 446.310-350.

EXHIBIT "B"
VICINITY MAP

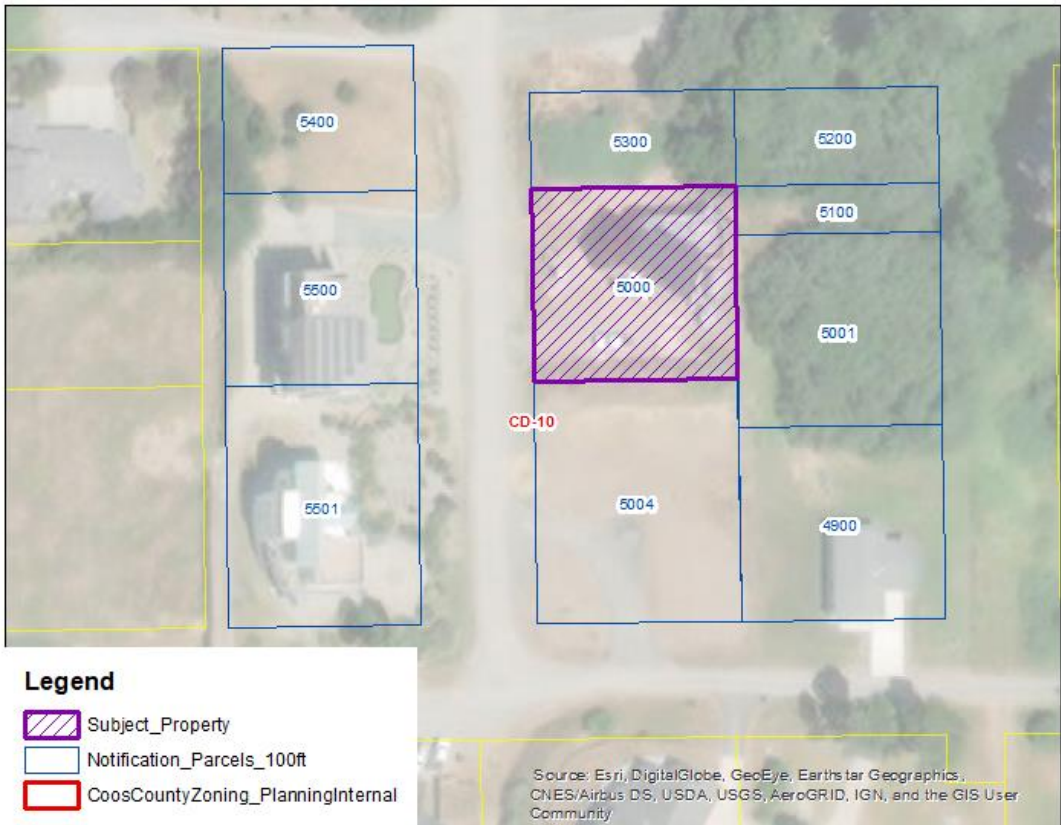


COOS COUNTY PLANNING DEPARTMENT

Mailing Address: 225 N. Adams, Coquille, Oregon 97423
Physical Address: 60 E. Second, Coquille Oregon
Phone: (541) 396-7770
TDD (800) 735-2900



| | |
|----------------------|---|
| File: | ACU-21-011 |
| Applicant/ Owner: | Andrea Chaves/ Andrea Chaves & Timothy Cloninger |
| Date: | August 12, 2021 |
| Location: | Township 29S Range 15W Section 01CC TL 5000 |
| Proposal: | Administrative Conditional Use |



**EXHIBIT “C”
STAFF REPORT
FINDINGS OF FACT AND CONCLUSIONS**

I. PROPOSAL AND BACKGROUND/PROPERTY HISTORY INFORMATION:

A. PROPOSAL: The applicant has requested a change of use from a Single Family Dwelling to a Vacation Rental.

B. PROPERTY INFORMATION, BACKGROUND AND HISTORY:

The property is developed with a Single Family Dwelling constructed in 2020. The lot is located south of the City of Bandon within the Urban Growth Boundary of Bandon. The dwelling is located to the northeastern portion of the property. The zone is Controlled Development which is a mixed residential and commercial zone although the area is residential.

On February 1, 2006, Zoning Compliance Letter (ZCL-06-055) was issued providing land use authorization to have a septic site evaluation only performed (for lots 16-19).

On October 31, 2016 Zoning Compliance Letter (ZCL-16-363) was issued providing land use authorization to have a septic site evaluation performed.

On July 2, 2019 Compliance Determination (CD-19-114), Driveway Confirmation (DR-19-071), and Address Application (AD-19-054) were submitted. The proposal was to site a single family dwelling. In connection with siting the Single Family Dwelling an address of 54135 Gould Road was assigned. Also, the County Road Department signed Driveway Confirmation DR-19-071 stating that the driveway had been bonded.

August 27, 2019 Zoning Compliance Letter ZCL-19-283 was issued providing land use authorization to site a Single Family Dwelling and install a septic system. On April 3, 2020 Zoning Compliance Letter ZCL-20-091 was issued providing authorization to site a Single Family Dwelling and installation of a septic. This Zoning Compliance Letter was an update to ZCL-19-283 to allow for the addition of the portion named “guest room suite”. This room cannot be separate living quarters and must share the kitchen with the main dwelling. This added portion be just another bedroom for the dwelling.

The current application was received on February 17, 2021 and deemed incomplete within the 30-day time frame explained in the Coos County Zoning and Land Development Ordinance Section 5.0.200 (ORS 215.427) and 5.0.250. The additional information listed in the deemed incomplete letter was submitted and staff deemed the application complete for the purpose of review on March 31, 2021. The deemed complete process is a review that all the materials have been submitted as explained in the applications. This is not full review of the criteria as the burden of proof rest with the applicant and the details of the application are reviewed during the review period.

- C. **COMPLIANCE PURSUANT TO SECTION 1.1.300:** *It shall be unlawful for any person, firm, or corporation to cause, develop, permit, erect, construct, alter or use any building, structure or parcel of land contrary to the provisions of the district in which it is located. No permit for construction or alteration of any structure shall be issued unless the plans, specifications, and intended use of any structure or land conform in all respects with the provisions of this Ordinance, unless approval has been granted by the Hearings Body.*

Staff has reviewed the property history and the county files to determine at the time of this report these properties are compliant. This does not mean that there is not additional information that was unavailable during this review that would make the properties non-complaint.

II. **BASIC FINDINGS:**

- A. **LOCATION:** The subject property is located south of the City of Bandon within Bandon's Urban Growth Boundary at 54135 Gould Road.
- B. **ZONING:** The subject property is zoned Controlled Development-10 (CD-10).

ARTICLE 4.2 – ZONING PURPOSE AND INTENT
SECTION 4.2.200 MIXED COMMERCIAL-RESIDENTIAL
CONTROLLED DEVELOPMENT (CD)

The intent of the Controlled Development is to reserve areas that are experiencing or are projected to experience limited conversion of residential areas to commercial uses. Urban Growth Areas include Urban Growth Boundaries (UGB) and Urban Unincorporated Communities (UUC) that were developed to urban levels of development and could be included in an Urban Growth Boundary expansion in the future. This designation is applied to specific portions of the following Urban Growth Areas: Bandon, Charleston, Barview and Bunker Hill.

There are two different controlled development zoning districts: Controlled Development-5 (CD-5) and Controlled Development-10 (CD-10).

The purpose of the "CD-5" and "CD-10" district is to recognize the scenic and unique quality of selected areas within Urban Growth Boundaries, to enhance and protect the unique "village atmosphere," to permit a mix of residential, commercial, and recreational uses and to exclude those uses which would be inconsistent with the purpose of this district, recognizing tourism as a major component of the County's economy.

C. **SPECIAL DEVELOPMENT CONSIDERATIONS AND OVERALYS:**

SECTION 4.11.125 Special Development Considerations: The considerations are map overlays that show areas of concern such as hazards or protected sites. Each development consideration may further restrict a use. Development considerations play a very important role in determining where development should be allowed In the Balance of County zoning. The adopted plan maps and overlay maps have to be examined in order to determine how the inventory applies to the specific site

SECTION 4.11.200 Purpose: Overlay zones may be super-imposed over the primary zoning district and will either add further requirements or replace certain requirements of the underlying zoning district. The requirements of an overlay zone are fully described in the text of the overlay zone designations. An overlay zone is applicable to all Balance of County Zoning Districts and any zoning districts located within the Coos Bay Estuary Management Plans when the Estuary Policies directly reference this section.

No development is part of this request; therefore, additional review was not required.

D. SITE DESCRIPTION AND SURROUNDING USES:

The subject property contains 0.25 acres and is developed with a dwelling. Gould Road runs along the subject property's western property line. The adjacent property to the north is undeveloped, is cleared with the exception of along the eastern portion, and is zoned Controlled Development – 10 (CD-10). The adjacent properties to the east are undeveloped, covered with vegetation, and zoned CD-10. The adjacent parcel to the south is cleared, undeveloped but has received land use authorization to site a Single Family Dwelling with Accessory Structures and is zoned CD-10. The property to the west across Gould Road is developed with a Single Family Dwelling and is zoned CD-10.



E. COMMENTS:

- a. **PUBLIC AGENCY:** This application request did not require any request for comments prior to the release of the decision and none were received.
- b. **PUBLIC COMMENTS:** This application request did not require any request for public comments prior to the release of the decision and none were received.
- c. **LOCAL TRIBE COMMENTS:** This application request did not require any request for comments prior to the release of the decision and none were received.

F. LAWFULLY CREATED UNIT OF LAND: This tax lot was lawfully created pursuant to 6.1.125.1.a Through an approved or pre-ordinance plat as this property is made up of Lots 17-20 of Block 32 of the Sunset City Subdivision created in 1907. The current configuration was made pursuant to the approved vacation of an alleyway where the property gained six (6) feet along the eastern boundary.

III. STAFF FINDINGS AND CONCLUSIONS:

A. SUMMARY OF PROPOSAL AND APPLICABLE REVIEW CRITERIA:

The proposal is for Planning Director Approval to change the existing residential use to a vacation rental.

B. Key definitions:

Compatibility: 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. The surrounding area consists of the notification area for the project as set out in § 5.0.900.

C. Criteria and standards for Vacation Rentals

I. Vacation Rentals

- **Section 4.3.200 Zoning Tables for Urban and Rural Residential, mixed Commercial-Residential, Commercial, Industrial, Minor Estuary and South Slough**

The table indicates the type of review process that is required. Remember that CU is an conditional use review and the letter prior explain what level of conditional use is required (A = administrative and H=Hearing)

As used in the zoning tables the following abbreviations are defined as:

- “P” Permitted and requires no review from the Planning Department. No review is required but other agencies may have requirements.
- “CD” Compliance Determination review (permitted with standards) with clear and objective standards (Staff review usually referred to as Type I process or ministerial action). These uses are subject to development standards in sections 4.3.22, 4.3.230 and notices requesting comments may be provided to other agencies as result. The process takes a minimum of 30 days to complete. Industrial zones may require additional review. All structures and uses shall meet the applicable Development and Siting Criteria or Special Development Considerations and Overlays for the zoning district in which the structure will be sited.
- “ACU” Administrative Conditional Use (Planning Director’s Decision usually referred to as a Type II Process)
- “HBCU” Hearing Body Conditional Use (Planning Commission, Board of Commissioner or Hearings Officer Decision usually referred to as a Type III Process)
- “PLA” Property Line Adjustments subject to standards found in Chapter 6.
- “P”, “SUB”, “PUD” = Partition, Subdivision, Planned Unit Development that require Land Division Applications subject to standards found in Chapter 6.
- The “Subject To” column identifies any specific provisions of Section 4.3.210 to which the use is subject.
- “N” means the use is not allowed.

The zoning table sets out Uses, Developments and Activities that may be listed in a zone and the type of review that is required within that zone. If there is a conflict between uses the more restrictive shall apply. Section 4.3.210 provides an explanation of the use category and the specific criteria that shall apply and if the use is identified as requiring a conditional use. Section 4.3.225 General Siting Standards apply to all regulated Uses, Developments, or Activities, but these are clear and objective standards that do not, in themselves, require a land use notice. Section 4.3.230 Specific Standards list specific siting standards by zones and 4.2.220 Additional Conditional Use Review and Standards for table 4.3.200 contains any additional criteria that applied to a Use, Development or Activity that has been identified by the following table as requiring.

| # | Use | Zones | | | | | | | | | | | | | Subject To |
|-----|--|---|------|------|------|------|-----|------|-----|-----|-----|------|----|-----|------------|
| | | Section 4.3.210 CATEGORIES & Review Standards - 4.3.220 Additional Conditional Use Review - Section 4.3.225 General Siting Standards - Section 4.3.230 Specific Standards | | | | | | | | | | | | | |
| | | UR-1 | UR-2 | UR-M | RR-2 | RR-5 | CD | RC | C-1 | IND | AO | REC | SS | MES | |
| 63. | Retail Business | N | N | N | N | N | ACU | HBCU | CD | N | N | HBCU | N | N | (75) |
| 64. | Vacation Rentals (in an existing dwelling) | ACU | ACU | ACU | ACU | ACU | ACU | ACU | ACU | ACU | ACU | ACU | N | N | (87) |

- **Section 4.3.210 – CATEGORIES and review standards**

The following categories provide a definition and specific standards that will regulate the Development, Use or Activity identified in the table above.

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

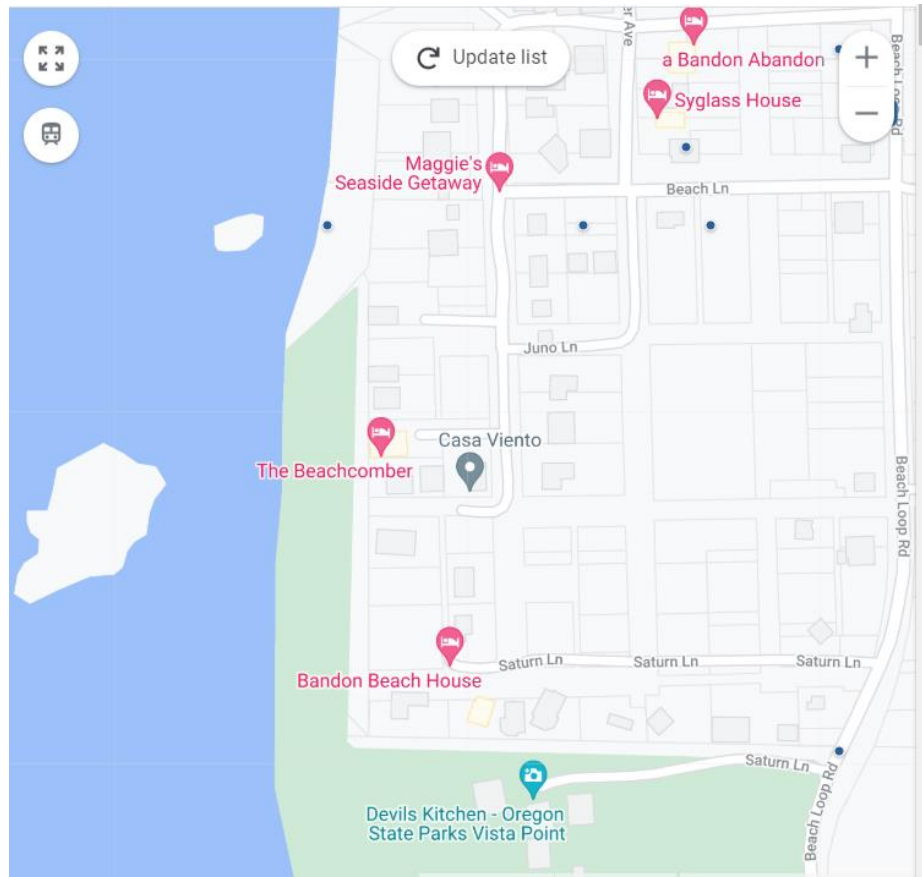
- (a) *Shall be found to be compatible with the surrounding area.*
- (b) *Shall be licensed by the Coos Health & Wellness (CHW) in accordance with ORS 446.310-350;*
- (c) *Shall meet parking access, driveway and parking standards as identified in Chapter VII;*
- (d) *Shall not be conveyed or otherwise 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.*

FINDING: A vacation rental can only be established in an existing dwelling. The subject property contains an existing dwelling. The primary criterion for this application is compatibility. As explained above; 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 surrounding area.

The properties that are within the notification area are shown below:

| Map_No | Parcel_No | Residence | Use |
|------------|-----------|-----------|---|
| 29S15W01CC | 4900 | Yes | Primary Dwelling |
| 29S15W01CC | 5000 | Yes | Subject Property |
| 29S15W01CC | 5001 | No | Undeveloped |
| 29S15W01CC | 5004 | No | 6/12/20 ZCL Issued to Site a Single Family Dwelling |
| 29S15W01CC | 5100 | No | Undeveloped |
| 29S15W01CC | 5200 | No | Undeveloped |
| 29S15W01CC | 5300 | No | Undeveloped |
| 29S15W01CC | 5400 | No | Undeveloped |
| 29S15W01CC | 5500 | Yes | Primary Dwelling |
| 29S15W01CC | 5501 | Yes | Secondary Dwelling |

The compatibility area for properties within an Urban Growth Boundary is 100 feet. The property development in the area is residential. While the compatibility list shows that there are no permitted Vacation rentals, one (1) Secondary Dwellings and two (2) Primary Dwellings within the notification area there are several approved vacation rentals within the vicinity as shown on the travel site map.



The applicants state that the neighborhood is mostly comprised of second homes. Additionally, the property is in close proximity to Devil's Kitchen State View Point.

The parking plan has been submitted to the Road Department, this will need to be signed off prior to issuance of the Zoning Compliance Letter.

The applicant has acknowledged that a license and inspections will be completed by Coos Health & Wellness in compliance with ORS 446.310 through 446.350.

The applicant has acknowledged that the Vacation Rental approval will not transfer to a subsequent owner without a Compliance Determination.

The applicant shall record a deed restriction with the Coos County Clerk's Office acknowledging that this is an accessory use to the approved residential use, this will be made a condition of approval. All conditions shall be complied with as final approval.

IV. DECISION:

The proposed Vacation Rental/Short-Term Rental in the Controlled Development – 10 (CD-10) Zoning District meets the requirements of the Coos County Zoning and Land Development Ordinance, with conditions listed in Exhibit “A” of this report.

V. EXPIRATION:

The conditional use will not expire; however, if the property changes ownership the new owner will be required to submit an application to operate a Vacation Rental within the existing Single Family Dwelling.

VI. NOTICE REQUIREMENTS:

A notice of decision will be provided to property owners within 100 feet of the subject properties and the following agencies, special districts, or parties: Bandon Rural Fire Protection District & Southern Coos General Health District.

A Notice of Decision and Staff Report will be provided to the following:
Applicants/Owners, Department of Land Conservation and Development, Coos Health and Wellness, Planning Commission and Board of Commissioners.

Adjacent property owners will receive a Notice of Decision and maps, but all other attachments can be found by contacting the Planning Department or visiting the website. If not found on the website the public may contact the department to view the official record.

EXHIBIT "D"
Application



Coos County Land Use Permit Application
 SUBMIT TO COOS COUNTY PLANNING DEPT. AT 225 N. ADAMS STREET OR MAIL TO:
 COOS COUNTY PLANNING 250 N. BAXTER, COQUILLE OR 97423. EMAIL
PLANNING@CO.COOS.OR.US PHONE: 541-396-7770

FILE NUMBER: ACU-21-011

Date Received: 2/17/21 Receipt #: 224225 Received by: MB

This application shall be filled out electronically. If you need assistance please contact staff.
 If the fee is not included the application will not be processed.
 (If payment is received on line a file number is required prior to submittal)

LAND INFORMATION

A. Land Owner(s) Andrea Chaves and Timothy Cloninger
 Mailing address: 54135 Gould Rd Bandon, OR 97411
 Phone: 520-248-6616 Email: chaves.andrea@gmail.com

| | | | | | |
|------------|------------|----------|------------|---------------|------------------------|
| Township: | Range: | Section: | ¼ Section: | 1/16 Section: | Tax lots: |
| <u>29S</u> | <u>15W</u> | <u>1</u> | <u>C</u> | <u>C</u> | <u>5000 & 5001</u> |
| Select | Select | Select | Select | Select | |

Tax Account Number(s): 2952700 Zone: Select Zone Controlled Development (CD)
 Tax Account Number(s) _____ Please Select _____

B. Applicant(s) Andrea Chaves
 Mailing address: 2587 Riverwalk Loop
 Phone: _____

C. Consultant or Agent: _____
 Mailing Address _____
 Phone #: _____ Email: _____

Type of Application Requested

| | | |
|--|---|---|
| <input type="checkbox"/> Comp Plan Amendment | <input checked="" type="checkbox"/> Administrative Conditional Use Review - ACU | <input type="checkbox"/> Land Division - P, SUB or PUD |
| <input type="checkbox"/> Text Amendment | <input type="checkbox"/> Hearings Body Conditional Use Review - HBCU | <input type="checkbox"/> Family/Medical Hardship Dwelling |
| <input type="checkbox"/> Map - Rezone | <input type="checkbox"/> Variance - V | <input type="checkbox"/> Home Occupation/Cottage Industry |

Special Districts and Services

Water Service Type: City Water Sewage Disposal Type: On-Site Septic
 School District: Bandon Fire District: Bandon RFPD

Please include the supplement application with request. If you need assistance with the application or supplemental application please contact staff. Staff is not able to provide legal advice. If you need help with findings please contact a land use attorney or consultant. ARC, Airport, Wetland

Any property information may be obtained from a tax statement or can be found on the County Assessor's webpage at the following links: [Map Information](#) Or [Account Information](#)

- D. **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.

- I. 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.
- II. 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
- III. 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.

Andrea Chaves

Digitally signed by Andrea Chaves
Date: 2021.02.04 10:48:58 -08'00'

ACCESS INFORMATION

The Coos County Road Department will be reviewing your proposal for safe access, driveway, road, and parking standards. There is a fee for this service. If you have questions about these services please contact the Road Department at 541-396-7660.

Property Address: 54135 Gould Rd

Type of Access: County Road Name of Access: Driveway

Is this property in the Urban Growth Boundary? Yes

Is a new road created as part of this request? No

Required parking spaces are based on the use of the property. If this is for a residential use two spaces are required. Any other use will require a separate parking plan submitted that is required to have the following items:

- Current utilities and proposed utilities;
- Roadmaster may require drawings and specs from the Oregon Standards Specification Manual (OSSC) (current edition).
- The location and design of bicycle and pedestrian facilities shall be indicated on the site plan if this is a parking plan;
- Location of existing and proposed access point(s) on both sides of the road where applicable;
- Pedestrian access and circulation will be required if applicable. Internal pedestrian circulation shall be provided in new commercial, office, and multi-family residential developments through the clustering of buildings, construction of walkways, landscaping, accessways, or similar techniques;
- All plans (industrial and commercial) shall clearly show how the internal pedestrian and bicycle facilities of the site connect with external existing or planned facilities or systems;
- Distances to neighboring constructed access points, median openings (where applicable), traffic signals (where applicable), intersections, and other transportation features on both sides of the property;
- Number and direction of lanes to be constructed on the road plus striping plans;
- All planned transportation features (such as sidewalks, bikeways, auxiliary lanes, signals, etc.); and
- Parking and internal circulation plans including walkways and bikeways, in UGB's and UUC's.

Additional requirements that may apply depending on size of proposed development.

- a. Traffic Study completed by a registered traffic engineer.
- b. Access Analysis completed by a registered traffic engineer
- c. Sight Distance Certification from a registered traffic engineer.

Regulations regarding roads, driveways, access and parking standards can be found in Coos County Zoning and Land Development Ordinance (CCZLDO) Article 7.

By signing the application I am authorizing Coos County Roadmaster or his designee to enter the property to determine compliance with Access, Parking, driveway and Road Standards. I understand that I shall contact the Road Department to let them know when the improvements are ready to be inspected or Bonded. Contact by phone at 541-396-7600

Coos County Road Department Use Only

Roadmaster or designee: _____

Driveway Parking Access Bonded Date: _____ Receipt # _____

File Number: DR-20-

February 4th, 2020

Jill Rolfe, Director
Coos County Planning Department

RE: 54135 Gould Rd Bandon, OR Conditional Use as Vacation Rental

Dear Jill,

Attached is a Conditional Use Application for a Vacation Rental for the property located at 54135 Gould Rd.

The property at 54135 Gould Rd in Bandon, OR is a Single Family home. We are looking for an approval for use as a vacation rental. The property meets all the criteria for a Vacation Rental, is part of the CD-10 zone (which is zoned for vacation rentals) and is surrounded by similar properties, some of which are vacation rentals as well. It has access to city water and an on-site septic which is shown in the plot plan included below.

Below is a list of all the criteria that need to be met for Vacation Rental Use

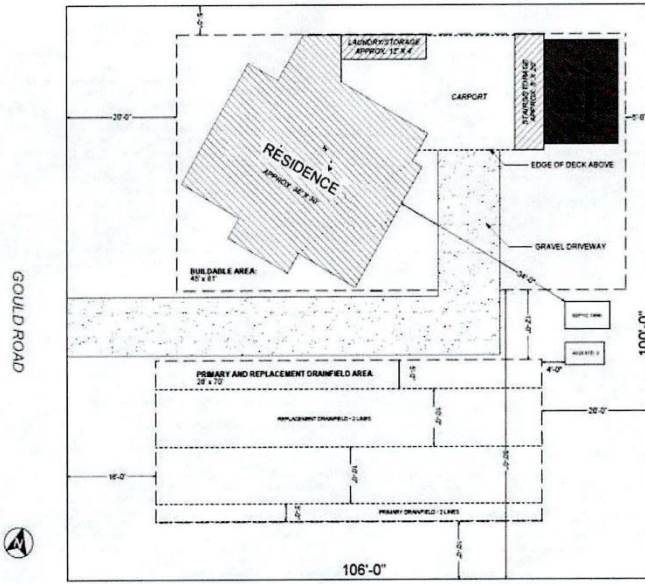
1. Shall be found to be compatible with the surrounding area.
 - a. **SUMMARY:** The property is a single family home in a neighborhood of other homes and vacant land zoned as CD-10, which allows Vacation Rentals. Several other houses nearby also operate as vacation rentals. The property has close access to the beach and Devil's Kitchen State Park which makes it a desirable location. Other houses within walking distance also operate as Vacation Rentals, therefore the use is compatible with the surrounding area which is mostly comprised of 2nd homes and vacation rentals
2. Shall be licensed by the Coos Health & Wellness (CHW) in accordance with ORS 446.310-350;
 - a. **SUMMARY:** Once the Conditional Use application is approved, we will obtain the required license from CHW
3. Shall meet parking access, driveway and parking standards as identified in Chapter VII;

- a. **SUMMARY:** The house meets all driveway and parking requirements based on Coos County standards. It has a carport that can fit 2 vehicles.
4. 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
 - a. **SUMMARY:** We understand that this conditional use application is for us, the current owners. It will not be transferred in the event of a sale
5. 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.
 - a. **SUMMARY:** We understand that this conditional use will be recorded.

If you have any questions, please do not hesitate to reach out to me via email at chaves.andrea@gmail.com or phone at (520) 248-6616. A plot plan is also included below

Thank you
Andrea Chaves

PLOT PLAN
SCALE: 1" = 15'



PROJECT DATA

1. SITE LOCATION:
M135 GOULD ROAD
SANDON, OREGON 97411
2. OWNER:
ANDREA CHAVES
2587 RIVERWALK LOOP
EUGENE, OR 97401
PHONE: 531-343-8818

COOS COUNTY, OREGON **2018-09105**
\$101.00 09/21/2018 04:22:00 PM
DEBBIE HELLER, CCC, COOS COUNTY CLERK Pgs=4

RECORDING REQUESTED BY:



300 W Anderson Avenue, PO Box 1075
Coos Bay, OR 97420

GRANTOR'S NAME:

Joanne Gorman Ross, Trustee of the Joanne Gorman Ross Trust,
Larry E. Ross, Trustee of the Larry E. Ross Trust dated July 20,
1994, and Joanne Gorman Ross and Richard E. Gorman

GRANTEE'S NAME:

Andrea Chaves and Timothy Cloninger

AFTER RECORDING RETURN TO:

Order No.: 360618024858-LS
Andrea Chaves and Timothy Cloninger
2587 Riverwalk Loop
Eugene, OR 97401

SEND TAX STATEMENTS TO:

Andrea Chaves and Timothy Cloninger
2587 Riverwalk Loop
Eugene, OR 97401

APN: 2952700

Portion of 2952600

Map: T29-15-01CC TL# 05000

Portion of T29-15-01CC TL

Vacant Land, Gould Avenue, T29-15-01CC TL# 05000 and Portion
of T29-15-01CC TL, Bandon, OR 97411

Ticor 36018024858

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Joanne Gorman Ross, Trustee of the Joanne Gorman Ross Trust and Larry E. Ross, Trustee of the Larry E. Ross Trust dated July 20, 1994 and Joanne Gorman Ross and Richard E. Gorman, Grantor, conveys and warrants to Andrea Chaves and Timothy Cloninger,

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.

PARCEL 1: Lots 17, 18 and 19, Block 32, Sunset City, Coos County, Oregon together with any portion of the vacated alley, vacated by Order 16-05-046-PL recorded June 2, 2016 bearing Instrument No. 2016-04379, Records Coos County, Oregon, which would inure thereto by reason of the vacation thereof.

PARCEL 2: Lot 20, Block 32, Sunset City, Coos County, Oregon together with any portion of the vacated alley, vacated by Order 16-05-046-PL recorded June 2, 2016 bearing Instrument No. 2016-04379, Records Coos County, Oregon, which would inure thereto by reason of the vacation thereof.

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

Subject to:

1. Property taxes in an undetermined amount, which are a lien but not yet payable, including any assessments collected with taxes to be levied for the fiscal year 2018/2019.
2. Rights of the public to any portion of the Land lying within the area commonly known as public streets, roads, alleys, highways..
3. Agreement

Executed by: John Dornath and Augusta Dornath, husband and wife and Albert E. Armstrong and Frances J. Armstrong, husband and wife
Recording Date: September 11, 1947
Recording No.: Book 173 Page 17 Deed Records
Affects: Only as to water system

NOTE: This Agreement appears to have been foreclosed in 1952, however, the Agreement also covered additional property besides the subject property, so the water system set forth in the agreement may still apply.

STATUTORY WARRANTY DEED

(continued)

4. Any claim based on the failure to comply with the provisions of Governmental Laws and Regulations regarding the division of land.
Affects: Tax Lot 5100

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.

Unofficial
Copy

STATUTORY WARRANTY DEED
(continued)

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

Dated: _____

Joanne Gorman Ross Trust

BY: _____
Joanne Gorman Ross
Trustee

Larry E. Ross Trust dated July 20, 1994

BY: _____
Larry E. Ross
Trustee

Joanne Gorman Ross
Richard E. Gorman
Richard E. Gorman

State of Oregon
County of _____

This instrument was acknowledged before me on _____ by Joanne Gorman Ross, Trustee of the Joanne Gorman Ross Trust.

Notary Public - State of Oregon

My Commission Expires: _____

State of Oregon
County of _____

This instrument was acknowledged before me on _____ by Larry E. Ross, Trustee of the Larry E. Ross Trust dated July 20, 1994.

Notary Public - State of Oregon

My Commission Expires: _____

State of Oregon
County of Clatsop

This instrument was acknowledged before me on September 21, 2018 by ~~Joanne Gorman Ross and~~ Richard E. Gorman.

Donna Sunny Houston
Notary Public - State of Oregon

My Commission Expires: 3/25/19



STATUTORY WARRANTY DEED
(continued)

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

Dated: 9/20/2018

Joanne Gorman Ross Trust

BY: Joanne Gorman Ross
Joanne Gorman Ross
Trustee

Larry E. Ross Trust dated July 20, 1994

BY: Larry E. Ross
Larry E. Ross
Trustee

Joanne Gorman Ross
Joanne Gorman Ross

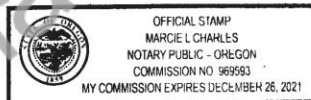
Richard E. Gorman

State of Oregon
County of Marion

9/20/18
9/20/2018

This instrument was acknowledged before me on 9/20/2018 by Joanne Gorman Ross, Trustee of the Joanne Gorman Ross Trust.

Marcie L. Charles
Notary Public - State of Oregon Marcie L. Charles
My Commission Expires: 12/26/2021

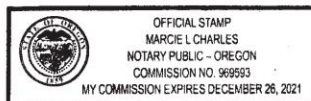


State of Oregon
County of Marion

9/20/2018

This instrument was acknowledged before me on 9/20/2018 by Larry E. Ross, Trustee of the Larry E. Ross Trust dated July 20, 1994.

Marcie L. Charles
Notary Public - State of Oregon Marcie L. Charles
My Commission Expires: 12-26-2021



State of Oregon
County of Marion

9/20/2018

This instrument was acknowledged before me on 9/20/2018 by Joanne Gorman Ross and Richard E. Gorman.

Marcie L. Charles
Notary Public - State of Oregon Marcie L. Charles
My Commission Expires: 12-26-2021

