



# NOTICE OF LAND USE DECISION

You may have received this because you are an adjacent property owner, and this notice is required to be provided pursuant to ORS 215.416. The proposal is identified in this decision and will be located on the subject property.

Coos County Planning  
60 E Second St.  
Coquille, OR 97423  
<http://www.co.coos.or.us/>  
Phone: 541-396-7770  
[planning@co.coos.or.us](mailto:planning@co.coos.or.us)

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. (See attached vicinity map for the location of the subject property).

Date of Notice: **Tuesday, April 12, 2022**  
File No(s): ACU-21-061

Proposal: Request for a Land Use Approval through an Administrative Conditional Use to change the use of a Single Family Dwelling to a Vacation/Short Term Rental.

Applicant(s): 87048 Vesta Lane LLC

Staff Planner: Chris MacWhorter, Planning Staff

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 **Wednesday, April 27, 2022**. Appeals are based on the applicable land use criteria found in the Coos County Zoning and Land Development Ordinance (CCZLDO) General Compliance with *Sections 1.1.300 Compliance with Comprehensive Plan and Ordinance Provisions and 6.1.125 Lawfully Created Lots or Parcels*. Vacation Rental reviews are subject to CCZLDO Use Table found in *Section 4.3.200(64) Vacation Rentals (in an existing dwelling) subject to an Administrative Conditional Use (ACU) subject to Section 4.3.210(87) Categories and Review Standards – Vacation Rental/short term rental and Section 4.3.220 Additional Conditional Use Review (3)(a) Controlled Development*. *Siting standards do not apply to this type of review because there are no new structures proposed with this review.* **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	2899500
Map Numbers	29S1501CB-01500
Property Owners	87048 VESTA LANE LLC 87048 VESTA LN BANDON, OR 97411-9491
Situs Addresses	87048 VESTA LN BANDON, OR 97411
Acreages	0.64 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) BEACHES/DUNES - LIMITED (BDL) COASTAL SHORELAND BOUNDARY (CSB) FLOODPLAIN (FP) NATURAL HAZARD - EROSION - COASTAL EROSION (NHERC)

This notice shall be posted from April 12, 2022 to April 27, 2022

NATURAL HAZARD - TSUNAMI (NHTHO)  
NATURAL HAZARD - WILDFIRE (NHWF)

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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. **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.**

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 Chris MacWhorter, Planning Staff 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: Chris MacWhorter Date: Tuesday, April 12, 2022 .

Chris MacWhorter, Planning Staff

**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 (applicant includes property owner and any successor) 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**

1. All applicable federal, state, and local permits shall be obtained prior to the commencement of any development activity.
2. Pursuant to CCZLDO § 5.9.100, a Zoning Compliance Letter (ZCL) shall be required prior to the use of the dwelling as a *Vacation Rental* on the property; however, the following conditions need to be submitted with a request for your ZCL:
  - a. The applicant shall complete the following to ensure compatibility:
    - i. 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.
    - ii. A contract that will be used for the rental shall contain all this information and shall be filed with the Planning Department.
    - iii. If the property is receiving public services for water or sewer a letter from those utility companies is required that there is no limitation on service.
    - iv. The number of overnight occupants are limited by the number of bedrooms. The Dwelling contains two (2) bedrooms and maximum capacity should be limited to four (4) overnight guests.
    - v. Vendors shall be limited to cleaning and maintenance on a regular basis. If a special event is planned by a guest, it shall occur during the day and there may be vendors to serve that specific event.
  - b. 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.
  - c. The parking and access shall be reviewed and signed off by the Coos County Road Department prior to receiving a Zoning Clearance Letter from staff. There will be a limit on how many vehicles can park onsite to two (2) vehicles and one (1) vehicle for employees.
3. 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. Renewals of your license shall be provided to the Planning Department to show the use remains in compliance.
4. Shall provide a legal document for the water use or an exemption. Staff cannot confirm that the current water source meets the required health requirements for this type of use.

**EXHIBIT "B"**  
**VICINITY MAP**



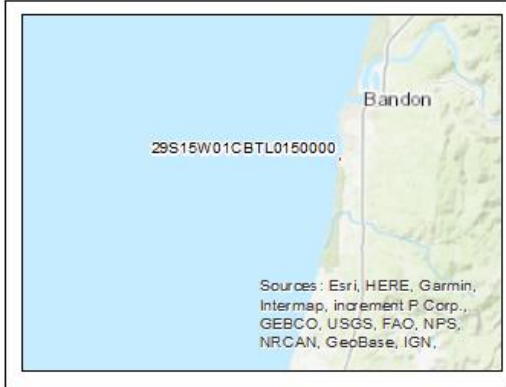
**COOS COUNTY PLANNING DEPARTMENT**

Mailing Address: 225 N. Adams, Coquille, Oregon 97423

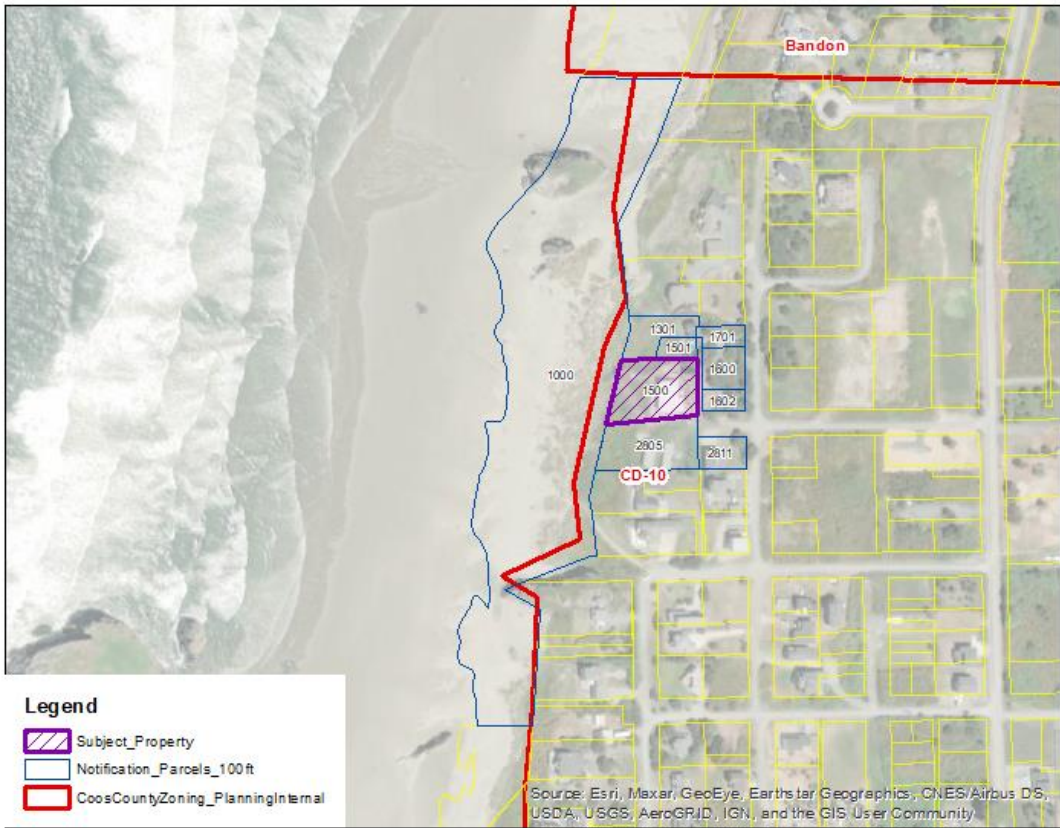
Physical Address: 60 E. Second, Coquille Oregon

Phone: (541) 396-7770

TDD (800) 735-2900



File:	ACU-21-061
Applicant/Owner:	87048 Vesta Lane LLC
Date:	March 24, 2022
Location:	Township 29S Range 15W Section 1CB TL 1500
Proposal:	Administrative Conditional Use



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

**I. PROPOSAL AND BACKGROUND/PROPERTY HISTORY INFORMATION:**

- A. PROPOSAL:** Request for a Land Use Approval through an Administrative Conditional Use to change the use of a Single Family Dwelling to a Vacation/Short Term Rental.
- B. BACKGROUND/PROPERTY HISTORY:**

This property contains a Single-Family Dwelling that was built in 2020 through zoning approval. The Zoning Clearance Letter (ZCL-19-065) was issued March 11, 2019 to site a single family dwelling pursuant to ACU-19-047/048.
- C. LOCATION:** The subject property is located southwest of the City of Bandon. The property is accessed from Vesta Lane.
- D. ZONING:** The subject property is zoned Controlled Development (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.*

**E. SITE DESCRIPTION AND SURROUNDING USES**

**SITE DESCRIPTION AND SURROUNDING USES:** The subject property is located in Sunset City. Sunset City is a pre-ordinance platted subdivision within the City of Bandon Urban Growth Boundary. This area has been historically serviced with City of Bandon water and onsite septic treatment systems.

This area is zoned Controlled Development-10. Sunset City consists of a mixture of single-family primary dwellings, single family secondary dwellings or investment properties, short-term vacation rentals, and undeveloped lots. While commercial use is plausible in CD-10, there, historically, has not been much interest in developing commercial uses in this area. The City of Bandon lies directly north of Sunset City, while Devils Kitchen State Park is located south of





- c. In compliance with all applicable planning, zoning and subdivision or partition ordinances and regulations at the time it was created.
- d. By a public dedicated road that was held in fee simple creating an interviewing ownership prior to January 1, 1986;
- e. By deed or land sales contract, if there were no applicable planning, zoning or subdivision or partition ordinances or regulations that prohibited the creation.
- f. By the claim of intervening state or federal ownership of navigable streams, meandered lakes or tidewaters. "Navigable-for-title" or "title-navigable" means that ownership of the waterway, including its bed, was passed from the federal government to the state at statehood. If a waterway is navigable-for-title, then it also is generally open to public use for navigation, commerce, recreation, and fisheries.

**FINDING: This tax lot was lawfully created by through a prior land use decision (ACU-18-047/48). Therefore, it is a lawfully created unit of land.**

### **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**

#### **A. 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)

**FINDING:** Vacation Rental reviews are subject to CCZLDO Use Table found in Section 4.3.200(64) Vacation Rentals (in an existing dwelling) subject to an Administrative Conditional Use (ACU) subject to Section 4.3.210(87) Categories and Review Standards – Vacation Rental/short term rental and Section 4.3.220 Additional Conditional Use Review (3)(a) Controlled Development. Siting standards with the exception of parking do not apply to this type of review because there are no new structures proposed with this review.

**B. 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:

- Shall be found to be compatible with the surrounding area.
- Shall be licensed by the Coos Health & Wellness (CHW) in accordance with ORS 446.310-350;
- Shall meet parking access, driveway and parking standards as identified in Chapter VII;
- 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 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 Single-Family Dwelling that was sited in 2020. According to assessment records the dwelling is a two-bedroom 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 purpose of this zoning district is to provide for residential use. Vacation rentals are not considered a residential use so they must show they can be compatible with the residential uses occurring in the surrounding area without discord or disharmony. A Single Family Dwelling unit providing complete independent living facilities for one or more persons, including permanent provision for living, sleeping, eating, cooking and sanitation. A request to use the dwelling for transient occupancy for vacation purposes does increase traffic, parking and related nuisance issues. Therefore, to make the use compatible limitations placed on occupancy depending on the



number of bedrooms that are located within the dwelling, limiting traffic and parking volumes to the same level as a Single-Family Dwelling and limiting nuisances will insure the use is compatible.

In determining how many people can be accommodated overnight the calculation is made based on bedrooms within the Single Family Dwelling. A bedroom (ORS 90.262) has a minimum average of two occupants per bedroom. This dwelling is only a two-bedroom dwelling and as the applicant has not provided any additional information staff will condition this approval that only four (4) overnight guest shall be onsite. Vehicles on site for the guests shall be no more than two vehicles. This does not account for cleaning service and other related maintenance service or when the property owner is using the dwelling. There shall be quiet times and a clear sign posted with the contact information so neighbors that have complaints may contact the rental service that is managing the vacation rental.

Typically, traffic counts are conducted for a Single-Family Dwelling based on two (2) vehicles so at this time the Vacation Rental will be limited to two vehicles on site when the Dwelling is used as a Vacation Rental. If the property is receiving public services for water or sewer a letter from those utility companies is required stating that there is no limitation on service. Vendors shall be limited to cleaning and maintenance. If a special event is planned by a guest, it shall occur during the day and there may be vendors to serve that specific event. The applicant has stated that Vacation Rental will be maintained regularly, and all restrictions will be enforced.

The applicant has acknowledged that a license will be obtained 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.

**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.*

**FINDING: No structural or earth moving development is part of this request; therefore, additional review was not required.**

**IV. DECISION:**

The proposed Vacation Rental/Short-Term Rental in the Controlled Development-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. 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 RFPD.

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, Assessor's Office, 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 60 E. SECOND 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-21-061

Date Received: 10/19/21 Receipt #: 102104447 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)** 87048 Vesta Lane LLC  
 Mailing address: 4601 Peralta Ln, Austin TX 78735  
 Phone: 9144825224 Email: Matt@Wander.com

Township: Range: Section: ¼ Section: 1/16 Section: Tax lots:  
 Select Select Select Select Select Parcel #: 2899500

Select Select Select Select Select

Tax Account Number(s): EIN: 87-2179168 Zone: Select Zone Controlled Development (CD)  
 Tax Account Number(s) \_\_\_\_\_ Please Select

**B. Applicant(s)** 87048 Vesta Lane LLC  
 Mailing address: 4601 Peralta Ln, Austin TX 78735  
 Phone: 9144825224 Matt@Wander.Com

**C. Consultant or Agent:** \_\_\_\_\_  
 Mailing Address \_\_\_\_\_  
 Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

**Type of Application Requested**

Comp Plan Amendment  Administrative Conditional Use Review - ACU  Land Division - P, SUB or PUD  
 Text Amendment  Hearings Body Conditional Use Review - HBCU  Family/Medical Hardship Dwelling  
 Map - Rezone  Variance - V  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.

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. Signatures required below for application processing.

  
\_\_\_\_\_



**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: 87048 Vesta Lane, Bandon Oregon

Type of Access: Public Road Name of Access: \_\_\_\_\_

Is this property in the Urban Growth Boundary? Select

Is a new road created as part of this request? Select

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 designee to enter the property to determine compliance with Access, Parking, driveway and Road Standards. Inspections should be made by calling the Road Department at 541-396-7660

**Coos County Road Department Use Only**

Roadmaster or designee: \_\_\_\_\_

Driveway     Parking     Access     Bonded    Date:    Receipt # \_\_\_\_\_

File Number: DR-21-



ADDRESS OF DRIVEWAY #1 CLOSEST TO YOUR NEW DRIVEWAY: \_\_\_\_\_

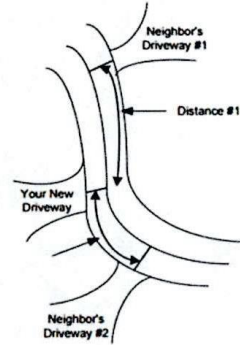
DISTANCE FROM DRIVEWAY #1 TO YOUR NEW DRIVEWAY: \_\_\_\_\_

Is this driveway on the same side of the road as your Driveway: Select

ADDRESS OF DRIVEWAY #2 CLOSEST TO YOUR NEW DRIVEWAY: \_\_\_\_\_

DISTANCE FROM DRIVEWAY #2 TO YOUR NEW DRIVEWAY: \_\_\_\_\_

Is this driveway on the same side of the road as your Driveway: Select



The distance information is important from your new driveway to the closest driveways on either side of you (doesn't matter which side of the road) and what the addresses are to those two driveways. This information is important to include in the formula used to calculate the correct address.

Staff from the County Road Department will place the stake and once the driveway stake has been placed, it must not be moved. If your stake is removed or damaged you may purchase replacements.

Additional Notes or directions:

This application is not required.

**SANITATION INFORMATION**

If this is a request for a recreational, commercial, industrial, vacation rental, manufactured home park, mass or small gathering Coos Health and Wellness, Environmental Health Staff will be reviewing the proposal to ensure the use meets environmental health standards for sanitation and water requirements to serve the facility. If the proposal indicates that you are using a community water system a review may be required. A fee is charged for this service and shall be submitted with the application \$83.00. If you have questions about regulations regarding environmental health services please call 541-266-6720. This form is required to be signed off for any type of subdivision, recreational, commercial, industrial, vacation rental, manufactured home park, mass or small gathering.

Water Service Type: Select

Sewage Disposal Type: Select

Please check  if this request is for industrial, commercial, recreational or home base business use and complete the following questions:

- How many employees/vendors/patrons, total, will be on site? **Up to 6 Guests visiting per night only. No employees/ vendors.**
- Will food be offered as part of the an on-site business? **No**
- Will overnight accommodations be offered as part of an on-site business? **YES**
- What will be the hours of operation of the business? **Vacation rental, no hours of operation.**

Please check  if the request is for a land division.

**Coos County Environmental Health Use Only:**

Staff Reviewing Application: \_\_\_\_\_

Staff Signature: \_\_\_\_\_

- This application is found to be in compliance and will require no additional inspections
- This application is found to be in compliance but will require future inspections
- This application will require inspection prior to determining initial compliance. The applicant shall contact Coos Health and Wellness, Environmental Heath Division to make an appointment.

Additional Comments:



Matt Kowalewski  
matt@wander.com  
(914) 482-5224

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### Applicant's Response

19 October 2021

Outlined below is the official applicant response for the short-term rental property located at 87048 Vesta Lane, Bandon, Oregon 97411. The aforementioned property adheres to all short-term rental criteria and abides by all county regulations:

- **Number of occupants at one time:**

The residence shall occupy six guests at a maximum; Two guests per each of the two bedrooms, and up to 2 guests for our pullout couch / pullout bed located in the living room.

- **Number of vehicles:**

Although the property has ample space for parking, guests shall be limited to three vehicles during their stay. The covered garage can accommodate parking for 2 vehicles on the property. In addition, there is a separate designated parking space available for cleaning crew or maintenance should they need to use it at a time that coincides with a renter's stay.

- **Large gatherings:**

Large gatherings at the residence are strictly prohibited. Any large gatherings will be shut down by the property owner, guests to be fined and removed from the property- as well as the Wander platform- immediately. Wander manages the residence's security features virtually and can control the entrances, sound systems, and lights from a distance.

- **Property manager including contact details:**

Property manager and point of contact for the residence is Matthew Kowalewski; Cell. 914-482-5224; Email: matt@wander.com. In case of immediate emergencies, Letty and George for assistance ( 20 minutes away); Cell. 541-297-5220

- **Security:**

Property includes an ADT alarm system, smoke and carbon monoxide detectors in every room, and a RING camera for the door to verify occupants. The property manager has remote access to all of these systems, and can control the alarm system and camera from a distance.

- **Property Layout:**

The property does not have a fencing setup to completely obscure it from neighboring properties. However, there are several trees in the backyard that help provide privacy from neighbors.



• **Cleaning Service and Property Maintenance:**

The property will use the following maintenance crews and cleaning services for routine upkeep;

Weekly cleaning crew: Letty's Cleaners 541-297-5220

Weekly landscaping maintenance: Angles Landscaping 541-404-8339

Bi-Weekly window cleaning: The Helpful Herring 509-334-2334

Plumber on stand by: Averys Plumbing 541-347-3733

Contractor on stand by: Doug Backmans Construction 541-297-3916

• **Additional Details:**

Our vacation rental is not a standard Airbnb/ VRBO. We have developed our own booking platform that caters to the silicon valley remote workers. We have a vetting process that each applicant goes through prior to receiving permission to stay at one of our properties. Although our platform will be available to everyone, we will be personally insuring our home has safe and respectful guests checking in.

• **Coos County Zoning and Land Development Ordinance, Section 4.3.210 Categories and Review Standards (87) Vacation rental/short term rental:**

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

The closest neighboring property within 250 ft ( Owner: Jack Mueller, 87046 Vesta Ln ) was notified on 10/05/21 that 87048 Vesta Lane property will be a vacation rental curated for remote executives.

The residence will host guests who are pre-vetted by Wander manually and given access to the platform's booking features post-screening. Our property is specifically curated for the work-from-home executive; our target audience. We provide full work-from-home stations in every bedroom that consist of; 38" monitors, comfy office chairs, speakers, microphone, and a standing desk. In addition, each property has 1GB of internet speed provided by Spectrum to adequately support the work-from-home environment.

The residence will require a minimum of 1 week stays per booking. We are looking to build the infrastructure to explore the world and work from anywhere, anytime. This Bandon property is the first of several Wander properties, which will expand to an interconnected nation-wide network of remote work homes.

When the residence is booked, a full itinerary will be shared with those staying at the property. This will enable Wander to have oversight on who is staying at the residence and ensure that they are made aware of policies and guidelines, as well as control the amount of people at the residence.

Nearly everything in the property will be controlled through our online application, to include the sound systems. When guests check in, they use the app to access the driveway, unlock the front door, and turn on the lights. Leveraging the application settings allows the property owner

to have full control over those who have access to the home. Only guests who receive Wander permissions will be allowed to use the app.

If a guest disobeys any of the rules, Wander can retract permissions and rescind access at any point in the guest's stay. This means that they will no longer be in control of the music, internet, TV..etc in the home)

Furthermore, there are pre-set volume limits on everything inside the property, restricting guests from exceeding those limits. The Sonos speakers & the TV are both limited to a certain volume during the day, and further restricted after 8PM to ensure no loud music (or TV) is ever being played or causing noise disruptions at the property.

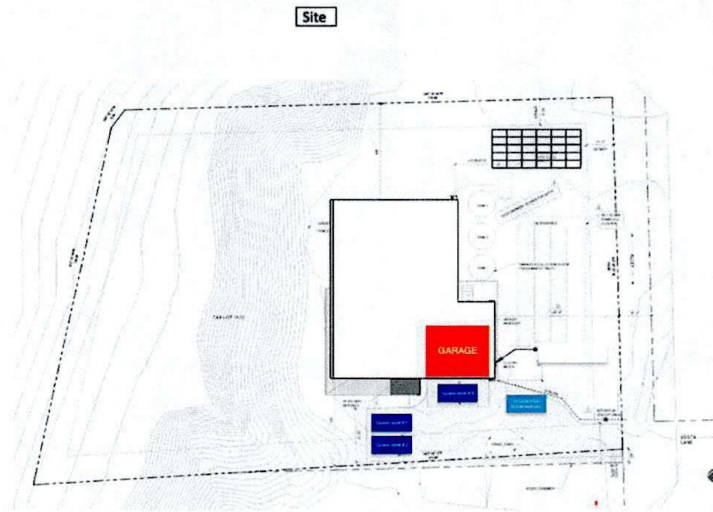
**(b) Shall be licensed by the Coos Health & Wellness (CHW) in accordance with ORS 446.310-350;**

87048 Vesta Lane is connected to City Water. Our city & power account number is: 61891002

**(c) Shall meet parking access, driveway and parking standards**

Although the property has ample space for parking, guests shall be limited to three vehicles during their stay. The covered garage can accommodate parking for 2 vehicles on the property. In addition, there is a separate designated parking space available for cleaning crew or maintenance should they need to use it at a time that coincides with a renter's stay.





- a. 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
- b. 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.

I am fully acknowledging that the compliance determination application & permit is non transferable with any sale of the property. Additionally, I understand a deed restriction will be recorded with the Coos County Clerk's office stating this is an accessory use to the approved residential use.

Please contact me by phone or email should you have any further questions or concerns.

Sincerely,

*Matt Kowalewski*

**Matt Kowalewski**  
**Wander Head of Operations**  
**914-482-5224**  
**matt@wander.com**

# ARTICLES OF ORGANIZATION



Corporation Division  
[www.filinginoregon.com](http://www.filinginoregon.com)

**E-FILED**  
Aug 13, 2021  
OREGON SECRETARY OF STATE

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**REGISTRY NUMBER**

185824696

**TYPE**

DOMESTIC LIMITED LIABILITY COMPANY

**1. ENTITY NAME**

87048 VESTA LANE, LLC

**2. MAILING ADDRESS**

4601 PERALTA LANE  
AUSTIN TX 78735 USA

**3. PRINCIPAL PLACE OF BUSINESS**

4601 PERALTA LANE  
AUSTIN TX 78735 USA

**4. NAME & ADDRESS OF REGISTERED AGENT**

00878298 - PACIFIC REGISTERED AGENTS, INC.

942 WINDEMERE DR NW  
SALEM OR 97304 USA

**5. ORGANIZERS**

CORPORATE CONSULTING LTD

605 GEDDES STREET  
WILMINGTON DE 19805 USA

**6. INDIVIDUALS WITH DIRECT KNOWLEDGE**

ANDREW J ENTWISTLE

4601 PERALTA LANE  
AUSTIN TX 78735 USA

**7. DURATION**

PERPETUAL

**8. MANAGEMENT**

This Limited Liability Company will be manager-managed by one or more managers



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I declare, under penalty of perjury, that this document does not fraudulently conceal, fraudulently obscure, fraudulently alter or otherwise misrepresent the identity of the person or any officers, managers, members or agents of the limited liability company on behalf of which the person signs. This filing has been examined by me and is, to the best of my knowledge and belief, true, correct, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment, or both.

By typing my name in the electronic signature field, I am agreeing to conduct business electronically with the State of Oregon. I understand that transactions and/or signatures in records may not be denied legal effect solely because they are conducted, executed, or prepared in electronic form and that if a law requires a record or signature to be in writing, an electronic record or signature satisfies that requirement.

**ELECTRONIC SIGNATURE**

**NAME**

ASHLEY KINTZ

**TITLE**

AUTHORIZED REPRESENTATIVE

**DATE SIGNED**

08-12-2021

## **87048 VESTA LANE LLC**

4601 Peralta Lane Austin, Texas 78735

**November 22, 2021**

Coos County

To whom it may concern:

This letter will confirm Matt Kowelewski is authorized to sign any and all documents for 87048 Vesta Lane LLC with respect to our short term rental application and/or any related filings for business licenses or other similar matters.

Sincerely,



**Andrew Entwistle**  
**Manager**

RECORDING REQUESTED BY:



201 Central Avenue  
Coos Bay, OR 97420

Coos County, Oregon **2021-10458**  
\$96.00 Pgs=3 09/16/2021 01:15 PM  
eRecorded by: TICOR TITLE COOS BAY  
Debbie Heller, CCC, Coos County Clerk

**GRANTOR'S NAME:**  
Douglas Lynn Willrett and Cynthia Jean Willrett, Trustees or their successors in interest of the Douglas and Cindy Willrett Joint Revocable Trust dated December 22, 1995, and any amendments thereto

**GRANTEE'S NAME:**  
87048 Vesta Lane, LLC

**AFTER RECORDING RETURN TO:**  
Order No.: 360621037006-LS  
87048 Vesta Lane, LLC  
87048 Vesta Ln  
Bandon, OR 97411

**SEND TAX STATEMENTS TO:**  
87048 Vesta Lane, LLC  
87048 Vesta Ln  
Bandon, OR 97411-9491

APN: 2899500  
Map: 29-15-01CV TL1500

87048 Vesta Ln, Bandon, OR 97411-9491

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**STATUTORY WARRANTY DEED**

Douglas Lynn Willrett and Cynthia Jean Willrett, Trustees or their successors in interest of the Douglas and Cindy Willrett Joint Revocable Trust dated December 22, 1995, and any amendments thereto, Grantor, conveys and warrants to 87048 Vesta Lane, LLC, 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:

Lots 12, 13, 14, 15 and 16, Block 5, Sunset City, Coos County, Oregon, together with vacated Gould Street abutting the West line of said Lots and vacated Vesta Street abutting thereon that would inure to said property by operation law.

**ALSO**

That portion of the following described property bounded on the North by the Southerly line extended Westerly of Lot 17, Block 5, Sunset City and bounded on the South by the Southerly line extended Westerly of Lot 12, Block 5, Sunset City; that portion of the Northwest quarter of the Southwest quarter of Section 1, Township 29 South, Range 15 West of the Willamette Meridian, Coos County, Oregon, lying between the Westerly boundary line of the Plat of Sunset City and the line of vegetation per O.R.S. 390-770.

EXCEPTING THEREFROM that portion conveyed to John M. Mueller and Susan L. Mueller in Property Line Adjustmnet Deed recorded December 4, 2014 as microfilm no. 2014-09699, Records of Coos County, Oregon.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS TWO MILLION ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$2,100,000.00). (See ORS 93.030).

**Subject to:**

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

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.



**STATUTORY WARRANTY DEED**  
(continued)

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

Dated: 9-14-2021

Douglas Lynn Willrett and Cynthia Jean Willrett, Trustees or their successors in interest of the Douglas and Cindy Willrett Joint Revocable Trust dated December 22, 1995, and any amendments thereto

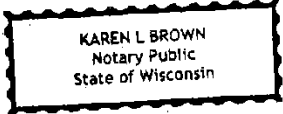
BY: [Signature]  
Douglas Lynn Willrett  
Trustee

BY: [Signature]  
Cynthia Jean Willrett  
Trustee

State of WISCONSIN  
County of DANE

This instrument was acknowledged before me on 14<sup>th</sup> of Sept 2021 by Douglas Lynn Willrett and Cynthia Jean Willrett, Trustees or their successors in interest of the Douglas and Cindy Willrett Joint Revocable Trust dated December 22, 1995, and any amendments thereto.

[Signature]  
Notary Public - State of Oregon WISCONSIN  
KLB  
My Commission Expires: 04-15-2025



**EXHIBIT "A"**  
Exceptions

**Subject to:**

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 2021-2022.

Rights of the public to any portion of the Land lying within the area commonly known as public roads, streets, alleys and highways.

Any easements or rights of way for existing utilities or other rights of way over those portions of said Land lying within the public right of way vacated by resolution or ordinance # 469.

Recording Date: May 16, 1991  
Recording No: 91-05-0575  
Affects: Gould Street abutting Block 5, lying North of Vesta Street

Any easements or rights of way for existing utilities or other rights of way over those portions of said Land lying within the public right of way vacated by resolution or ordinance #13-02-028PL.

Recording Date: March 17, 2014  
Recording No: 2014-01982  
Affects: Vesta Lane also referred to as Vesta Street

Any adverse claim based on the assertion that any portion of the subject land has been removed from or brought within the subject land's boundaries by the process of accretion or reliction or any change in the location of Pacific Ocean.

Any adverse claim based on the assertion that any portion of the subject land has been created by artificial means or has accreted to such portions so created, or based on the provisions of ORS 274.905 through 274.940.

Any adverse claim based on the assertion that any portion of the subject land is now or at any time has been below the ordinary high water line of Pacific Ocean.

Rights of public and of governmental bodies in that portion of the subject land lying below the mean high water line of the Pacific Ocean and lying within the ocean shore and the dry sand area as declared under the provisions of ORS 390.605 through 390.770 and as found in Thornton v. Hay, 254 Or 584, 462 P2d 671 (1969).

Septic Drain field Easement Agreement including the terms and provisions thereof,

Recording Date: October 3, 2001  
Recording No: 2001-11896  
Between: Royal W. Delany, M.D., a Professional Corporation  
And: Richard L. Cole and Edythe P. Cole, Trustees of the Cole Family Trust

Terms, provisions and conditions, including, but not limited to, maintenance provisions, and a covenant to share the costs of maintenance, contained in Easement

Recording Date: December 4, 2014  
Recording No.: 2014-09700

Covenants, conditions and restrictions but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording Date: February 28, 2019  
Recording No: 2019-01630

Matters contained in that certain Road Maintenance Agreement which document, among other things, may provide for liens and charges.

Executed by: Douglas Lynn Willrett and Cynthia Jean Willrett, Trustees of the Douglas and Cindy Willrett Joint Revocable Trust dated December 22, 1995 and John M. Mueller and Susan L. Mueller  
Recording Date: January 7, 2021  
Recording No: 2021-00225

Reference is hereby made to said document for full particulars.