



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-21-092

Date Received: 12/28/21 Receipt #: 228721 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) Chapman & Chapman Investments, LLC; Daryn Chapman, Managing Member
Mailing address: 31206 NE 23rd St., Washougal WA 98671
Phone: 360-609-1120 Email: dc@chapmaninvestments.com

Table with 6 columns: Township, Range, Section, 1/4 Section, 1/16 Section, Tax lots. Values: 23S, 12W, 8, A, A, 401.

Tax Account Number(s): 14604 Zone: Select Zone Forest (F)
Tax Account Number(s) Please Select

B. Applicant(s) Chapman & Chapman Investments, LLC; Daryn Chapman, Managing Member
Mailing address: 31206 NE 23rd St., Washougal WA 98671
Phone: 360-609-1120 Email: dc@chapmaninvestments.com

C. Consultant or Agent: Wendie L. Kellington, Kellington Law Group PC
Mailing Address P.O. Box 159, Lake Oswego, OR 97034
Phone #: (503) 636-0069 Email: wk@klgpc.com

- Type of Application Requested
[] Comp Plan Amendment [] Text Amendment [] Map - Rezone
[x] Administrative Conditional Use Review - ACU [] Hearings Body Conditional Use Review - HBCU [] Variance - V
[] Land Division - P, SUB or PUD [] Family/Medical Hardship Dwelling [] Home Occupation/Cottage Industry

Special Districts and Services
Water Service Type: On-Site (Well or Spring) Sewage Disposal Type: On-Site Septic
School District: North Bend Fire District: Lakeside 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.

Digitized by:
Danya Chapman
D12F48F04A80401...

12/23/2021

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: No situs address; county assessor's map T23S R12 Sec.08AA TL 401

Type of Access: Boat only Name of Access: Boat only - Black's Arm Tenmile Lake

Is this property in the Urban Growth Boundary? No

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.

- Traffic Study completed by a registered traffic engineer.
- Access Analysis completed by a registered traffic engineer
- 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 APPLICATION INFORMATION

FILE NUMBER: AD-

ADDRESS OF DRIVEWAY #1 CLOSEST TO YOUR NEW DRIVEWAY: _____

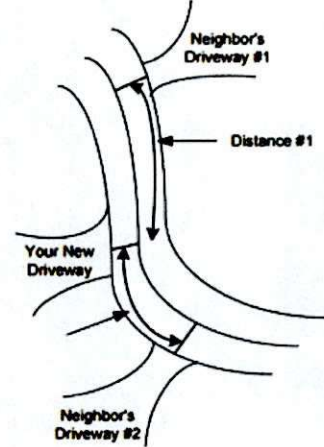
DISTANCE FROM DRIVEWAY #1 TO YOUR NEW DRIVEWAY: _____

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:

n/a boat access only via Black's Arm of Tenmile Lake

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: On-site Well

Sewage Disposal Type: On-site septic

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?
- Will food be offered as part of the an on-site business?
- Will overnight accommodations be offered as part of an on-site business?
- What will be the hours of operation of the business?

Please check if the request is for a land division.

Coos County Environmental Health Use Only:

Staff Reviewing Application: _____

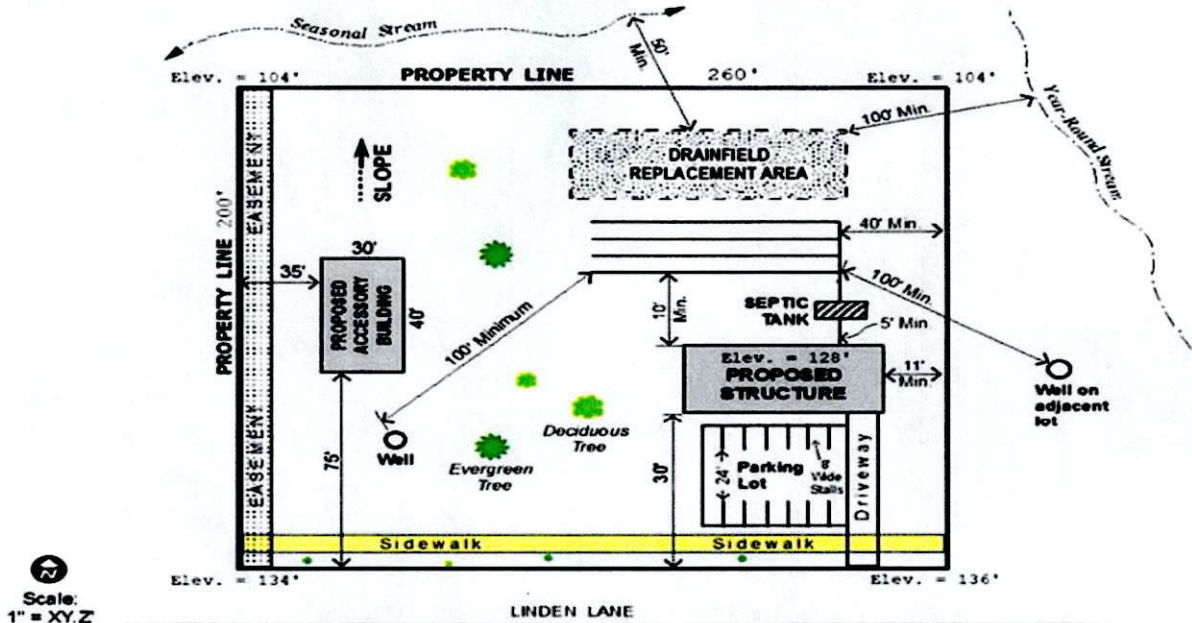
Staff Signature: _____

- 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:

Plot Plan
The grid for the plot plan is found on the next page

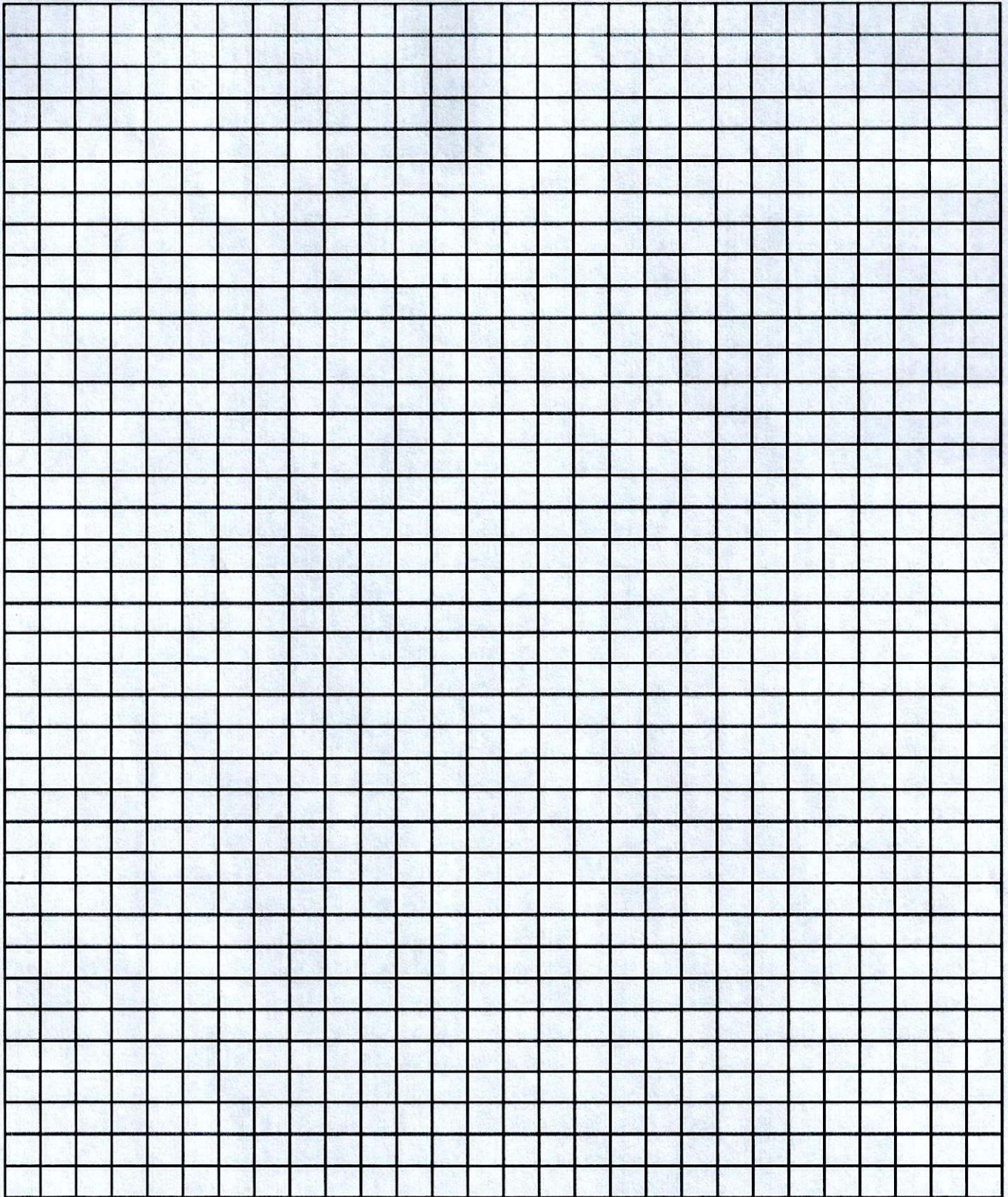
SAMPLE PLOT PLAN



ITEMS THAT MUST BE ON THE PLOT PLAN:

At a minimum, the site plan should provide information on the following items:

- Existing and proposed lot lines, lot or parcel numbers, and acreage/square footage of lots.
- Dimensions of all illustrated features (i.e. all structures, septic systems, driveways, roads, etc.)
- Significant natural features (slopes greater than 20%, geologic hazards, wetlands, drainage ways, rivers, streams, and the general location of existing trees, etc.).
- Existing easements (access, storm drainage, utility, etc.).
- Existing and proposed (structures, outbuildings, septic, etc.) on site and on adjoining properties.
- Existing and proposed road locations including widths, curbs, and sidewalks.
- Existing and proposed driveway approach locations on site, existing driveway approaches on adjoining properties on the same side of the street, and existing driveway approaches across the street from the site.
- Contiguous properties under the same ownership.
- General predevelopment topographical information (minimum 10' contour intervals).
- Location of utilities.
- If redevelopment is viable in the future, a redevelopment plan should be included.
- Preliminary site utility plan.
- Please add any additional Road or parking items from the parking form.



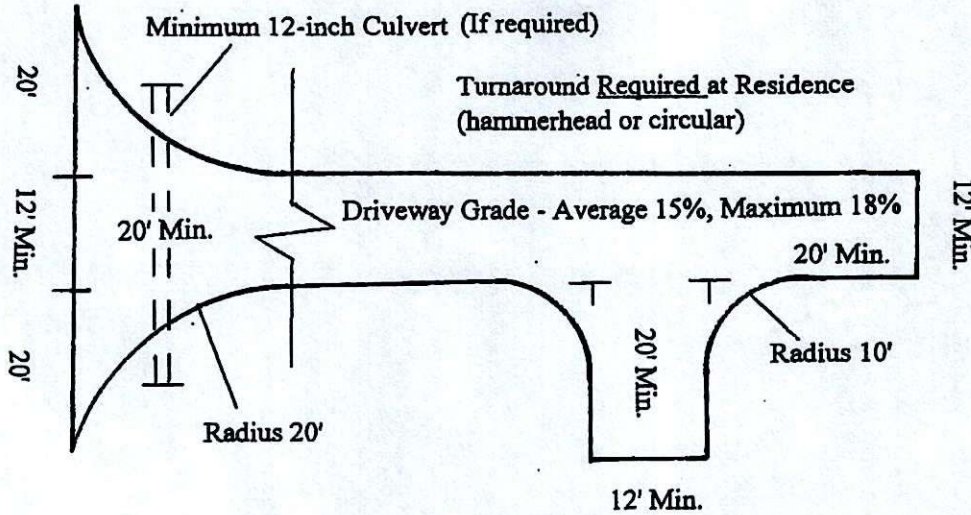
**ADDITIONAL DRIVEWAY, ROAD, PARKING STANDARDS
DRIVEWAY STANDARDS DRAWING – SINGLE RESIDENCE**

Sight Distance Requirements (at the approach entrance)

- Speed less than 35 mph – 100' both directions
- Speed greater than 35mph – 150' both directions

All Weather Surface – minimum 4 – inches aggregate base or as required by Roadmaster.

Figure 7.1.425



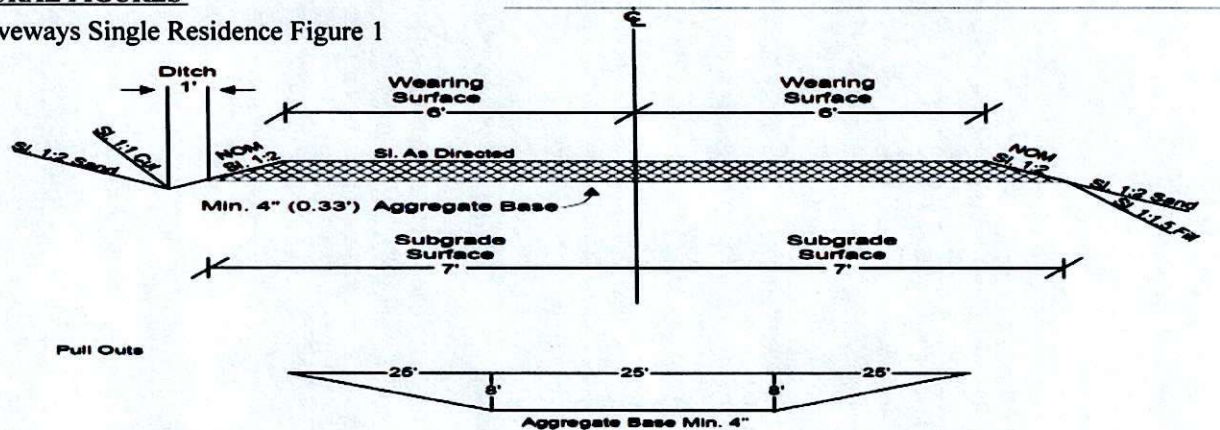
Construct appropriate ditches to prevent water runoff from discharging from the land onto a public road under county jurisdiction. Pursuant to ORS 368.256 the creation of a road hazard prohibited.

If driveway is over 1,000 ft., a pullout is required every 600 ft.

If a driveway cannot meet the maximum 18% grade then a legal agreement may be signed and recorded at the County Clerk's office releasing the County from any liability from such driveway development. This document must be referenced on the property deed to allow future purchasers know that the driveway does meet standard. A sign shall be placed at the bottom of the driveway to warn any users of the driveway that it is not built to standard. Proof must be filed with the Planning and Road Department that the documents have been filed and a sign has been placed. The form located on the following page must be completed, signed and recorded prior to any land use authorizations.

RURAL FIGURES

Driveways Single Residence Figure 1



FORESTRY, MINING OR AGRICULTURAL ACCESS:

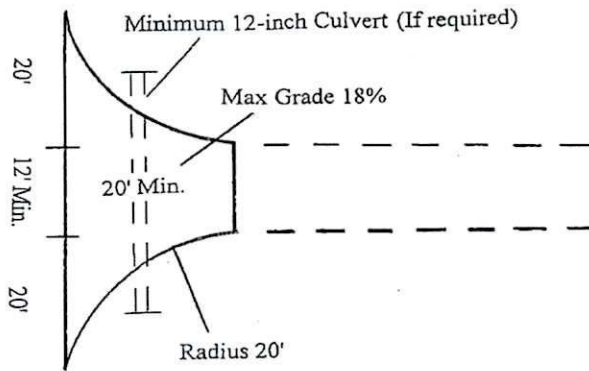
A private road which is created to provide ingress or egress in conjunction with the use of land for forestry, mining or agricultural purposes shall not be required to meet minimum road, bridge or driveway standards set forth in this ordinance, nor are such resource-related roads, bridges or driveways reviewable by the County. However, all new and re-opened forestry, mining or agricultural roads shall meet the access standards listed in this section.

Forestry, Mining or Agricultural Access Standard drawing
Sight Distance Requirements (at the approach entrance)

- Speed less than 35 mph – 100' both directions
- Speed greater than 35 mph – 150' both directions

All Weather Surfaces – minimum aggregate base as required by the Roadmaster
The access will be developed from the edge of the developed road.

Figure 7.1.450

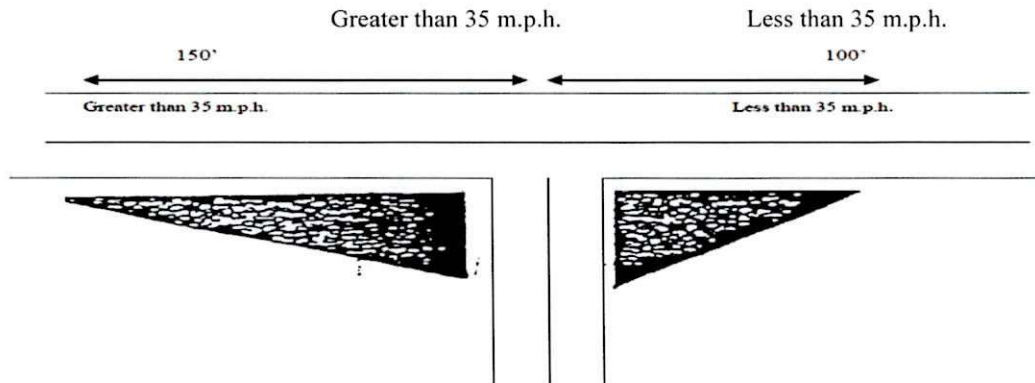


Construct appropriate ditches to prevent water runoff from discharging from the land onto a road under county jurisdiction. Pursuant to ORS 368.256 creation of a road hazard is prohibited.

VISION CLEARANCE TRIANGLE:

The following regulations shall apply to all intersections of streets and roads within all districts in order to provide adequate visibility for vehicular traffic. There shall be no visual obstructions over thirty-six (36) inches in height within the clear vision area established herein. In addition to street or road intersections, the provisions of this section shall also apply to mobile home park, recreational vehicle park, and campground accesses (entrances or exists).

The clear vision area shall extend along the right-of-way of the street for a minimum of 100 feet where the speed limit is less than 35 M.P.H.; and not less than 150 feet where the speed limit is greater than 35 m.p.h. The clear vision area shall be effective from a point in the center of the access not less than 25 feet back from the street right-of-way line.



PARKING STANDARDS

USE	STANDARD
Retail store and general commercial except as provided in subsection b. of this section.	1 space per 200 square feet of floor area, plus 1 space per employee. 1 Bicycle space
Retail store handling bulky merchandise (furniture, appliances, automobiles, machinery, etc.)	1 space per 600 square feet of floor area, plus 1 space per employee. 1 Bicycle space
Bank, general office, (except medical and dental).	1 space per 600 square feet of floor area, plus 1 space per employee. 1 Bicycle space
Medical or dental clinic or office.	1 ½ space per examination room plus 1 space per employee. 1 Bicycle space
Eating or drinking establishment.	1 space per 200 square feet of floor area, plus 1 space for every 4 seats. 1 Bicycle space
Bowling Alley	5 spaces per alley plus 1 space per 2 employees. 1 Bicycle space
Dance hall, skating rink, lodge hall.	1 space per 100 square feet of floor area plus 1 space per 2 employees. 1 Bicycle space
Stadium, arena, theater, race track	1 space per 4 seats or every 8 feet of bench length or equivalent capacity if no seating is provided. 1 Bicycle space
Storage warehouse, manufacturing establishment, or trucking freight terminal	1 space per employee. 1 Bicycle space
Wholesale establishment.	1 space per employee plus 1 space per 700 square feet of patron serving area. 1 Bicycle space
Welfare or correctional institution	1 space per 5 beds for patients or inmates, plus 1 space per employee. 1 Bicycle space
Convalescent hospital, nursing home, sanitarium, rest home, home for the aged.	1 space per 5 beds for patients or residents, plus 1 space per employee. 1 Bicycle space
Church, mortuary, sports arena, theater.	1 space for 4 seats or every 8 feet of bench length in the main auditorium. 1 Bicycle space
Library, reading room.	1 space per 400 square feet of floor area plus 1 space per employee. 1 Bicycle space
Preschool nursery, kindergarten.	2 spaces per teacher; plus off-street loading and unloading facility. 1 Bicycle space per 20 students
Elementary or junior high school.	1 space per classroom plus 1 space per administrative employee or 1 space per 4 seats or every 8 feet of bench length in the auditorium or assembly room whichever is greater. 1 Bicycle space per 10 students
High school	1 space per classroom plus 1 space per administrative employee plus 1 space for each 6 students or 1 space per 4 seats or 8 feet of bench length in the main Auditorium, whichever is greater. 1 Bicycle space per 20 students

Other auditorium, meeting room.	1 space per 4 seats or every 8 feet of bench length. 1 Bicycle space
Single-family dwelling.	2 spaces per dwelling unit.
Two-family or multi-family dwellings.	1 ½ spaces per dwelling unit. 1 bicycle space per unit for buildings with 4 or more units.
Motel, hotel, rooming or boarding house.	1 space per guest accommodation plus 1 space per employee.
Mobile home or RV park.	1 ½ spaces per mobile home or RV site.

Parking lot standards – Use the table above along with the area available to calculate the number of spaces required and determine the type of parking lot that needs to be created. The table below explains the spacing and dimensions to be used.

Minimum Horizontal Parking Widths for Standard Automobiles					
	One-way Parallel	30 deg	45 deg	60 deg	90 deg
Figures	A	B	C	D	E
Single row of Parking					
Parking Aisle	9'	20'	22'	23'	20'
Driving Aisle	12'	16'	17'	20'	24'
Minimum width of module (row and aisle)	21'	36'	39'	43'	44'
Figures #'s					
	F	G	H	I	J
Two Rows of Parking					
Parking Aisle	18'	40'	44'	46'	40'
Driving Aisle	12'	16'	17'	20'	24'
Minimum width of module (row and aisle)	30'	56'	61'	66'	64'

For figures please see Coos County Zoning and Land Development Ordinance (CCZLDO) § 7.5.175.

Please note: If you are developing in any wetlands or floodplain please contact Department of State Lands to ensure you are not required to obtain a state permit.

**Application for a Forest Template Dwelling
CCZLDO § 4.6.120(9)(B)(II)**

Landowner/

Applicant: Chapman & Chapman Investments, LLC; Daryn Chapman, Managing Member
Address: 31206 NE 23rd St.
Washougal, WA 98671
Phone: (360) 609-1120
E-mail: dc@chapmaninvestments.com

Property: Tax Lot 401, Assessor's Map T23S, R12W, Section 8AA, W.M.
Address: No situs
Location: Black's Arm of North Tenmile Lake
Acreage: 0.33 acre

Agent: Wendie L. Kellington
Address: Kellington Law Group PC
P.O. Box 159
Lake Oswego, OR 97034
Phone: (503) 636-0069
E-mail: wk@klgpc.com

I. INTRODUCTION

A. Summary of Applicant's Request and Property Description

This is an application for Planning Director approval to site a Forest Template Dwelling on Tax Lot 401 of Assessor's Map T23S, R12W, Section 8AA, W.M., which is 0.33 acres and located on Black's Arm of North Tenmile Lake in Coos County and within the Forest (F) zone. Exhibit 1 is the Assessor's Map. Exhibit 2 is the subject property's deed. Exhibit 3 is the Site Plan. The subject property is accessible by boat only. It has small existing dock, electricity and a septic system. The subject property received county approval for a forest template dwelling in 2007. Exhibit 4 is that approval (Local File No. ACU-06-078). Surrounding properties are also zoned Forest. Tax Lot 300, adjacent to the subject property, is developed with an existing dwelling. Tax Lot 400, also adjacent to the subject property, is developed with an existing dwelling and a dock with a boathouse/apartment. This application demonstrates that the proposed forest template dwelling on Tax Lot 401 is permitted and should be approved.

II. APPROVAL CRITERIA

This application for a forest template dwelling is submitted for review under the current, acknowledged Coos County Zoning and Land Development Ordinance (CCZLDO).

On November 17, 2021, the applicant received a Measure 56 notice regarding *county amendments* to the *county code* that was dated November 10, 2021, that notified the applicant

that the county would be conducting public hearings on proposed legislative amendments to the CCZLDO that may affect the permissible uses of the applicant's property. That county notice was required under a part of Measure 56 (ORS 215.503(4)) that requires *local governments* to give notice to landowners whose rights may be affected by *proposed local code amendments* at least 20 days before the date of the first hearing on the proposed *local code amendments*. In that regard, the proposed county code amendments will amend the CCZLDO's forest template dwelling criteria to implement statutory changes adopted by HB 2225 (2019).

However, that is not the only required Measure 56 notice. The most important Measure 56 notice, was never given to the applicant and, until that critically important notice is given, HB 2225 cannot be applied to the applicant or indeed to any affected property owners.

In this regard, there is a parallel Measure 56 requirement specified in ORS 197.047(6), (8), (9) and (10) that requires DLCD to give a specific notice to local governments about *state statutory changes* like those in HB 2225 "[a]t least 90 days prior to the effective date of a new or amended statute ***" (ORS 197.047(6)) and, in turn, local governments are required to give owners of property "that will be rezoned *as a result of adoption of the *** statute*" a particular type of notice "at least 45 days prior to the effective date of the statute ***." ORS 197.047(8). Presumably DLCD did not give the county the notice required by ORS 197.047(6) and (7). Regardless, the *county* did not give the applicant -a property owner whose property will be "rezoned" by HB 2225 - notice of that *new state statute* (HB 2225), as required 45 days *before it was effective for Coos County* (November 1, 2021). See Exhibit 11 (Applicant property owner declaration that no notice was given by the county that HB 2225 had been adopted before the November 1, 2021 date that HB 2225 was effective for Coos County).

In any case, the county has not yet adopted the proposed local code amendments and so cannot yet apply them, or the legislative changes made by HB 2225, to this application. This is because ORS 215.416(8)(a) (the co-called "codification rule"), requires counties to approve or deny an application for a permit based upon standards and criteria that are set forth in the zoning ordinance or other appropriate ordinance or regulation of the county. This truism is also evident under ORS 197.175(2)(d) which requires local governments to make land use decisions in compliance with their acknowledged plan and land use regulations. Together, these statutes command that the county must base its decision on this application for a forest template dwelling only on the standards and criteria that are in its current acknowledged plan and code.

Accordingly, the current CCZLDO, applies to this application and HB 2225 does not yet apply to county decisions on the subject application. As a result, the approval standards applicable to this application are the following sections of the current CCZLDO:

- CCZLDO § 4.6.120(9)(B)(II) Template Dwelling
- CCZLDO § 4.6.120(9)(C) Additional Criteria for All Dwellings Allowed in the Forest and Forest Mixed Use Zones
- CCZLDO § 4.6.130 Additional Criteria for All New and Replacement Dwellings and Structures in Forest
- CCZLDO § 4.6.140 Development and Siting Criteria

III. ANALYSIS

CCZLDO § 4.6.100 Table 1 identifies Template Dwellings as permitted uses in the Forest (F) and Forest/Mixed Use (FMU) zones:

<i>Use</i>	<i>TR</i>	<i>Subject to</i>
<i>Dwellings authorized by ORS 215.705 to 215.755; and (e) Other dwellings under prescribed conditions.</i>		
63.	<i>Template Dwelling (Alternative forestland dwellings ORS 215.750)</i>	<i>ACU (9)(B)(II), (9)(C)</i>

(9)(B) DWELLING ON FOREST AND FOREST MIXED MUSE ZONES -

(II) TEMPLATE DWELLING - 215.750 Alternative forestland dwellings; criteria.

(1) In western Oregon, a governing body of a county or its designate may allow the establishment of a single-family dwelling on a lot or parcel located within a forest zone if the lot or parcel is predominantly composed of soils that are:

(a) Capable of producing 0 to 49 cubic feet per acre per year of wood fiber if:

(A) All or part of at least three other lots or parcels that existed on January 1, 1993, are within a 160-acre square centered on the center of the subject tract; and

(B) At least three dwellings existed on January 1, 1993, on the other lots or parcels continue to exist on the other lots or parcels;

(b) Capable of producing 50 to 85 cubic feet per acre per year of wood fiber if:

(A) All or part of at least seven other lots or parcels that existed on January 1, 1993, are within a 160-acre square centered on the center of the subject tract; and

(B) At least three dwellings existed on January 1, 1993, on the other lots or parcels;
or

(c) Capable of producing more than 85 cubic feet per acre per year of wood fiber if:

(A) All or part of at least 11 other lots or parcels that existed on January 1, 1993, are within a 160-acre square centered on the center of the subject tract; and

(B) At least three dwellings existed on January 1, 1993, on the other lots or parcels.

(2) (Reserved)

(3) Lots or parcels within urban growth boundaries shall not be used to satisfy the eligibility requirements under subsection (1) or (2) of this section.

Response: Exhibit 5 is a soil survey from USDA Natural Resources Conservation Service showing that the subject property is comprised of 39F Millicoma-Templeton complex, 50 to 75 percent slopes. The volume of wood fiber per year for Millicoma is 172 cubic feet per acre per year for Douglas-fir, Sitka spruce and Western hemlock,

and for Templeton is 186 cubic feet per acre per year for Douglas-fir, Sitka spruce and Western hemlock. Accordingly, subsection (c) applies.

This application requires that a template test be used to determine whether all or part of at least 11 other lots or parcels with at least three dwellings existed on January 1, 1993, within a 160-acre square centered on the center of the subject tract. The subject tract is Tax Lot 401 which is 0.33 acres in size. In the 2007 approval (Local File No. ACU-06-078), the county found that the subject property qualified for a forest template dwelling because there were 28 parcels and 11 dwellings established prior to January 1, 1993, within the 160-acre template. The result should be the same here. None of the lots or parcels used to satisfy the eligibility requirements under subsections (1) or (2) are within an urban growth boundary. The proposal complies with the requirements of these sections.

(4) A proposed dwelling under this section is not allowed:

(a) If it is prohibited by or will not comply with the requirements of an acknowledged comprehensive plan and acknowledged land use regulations or other provisions of law.

Response: A dwelling on the subject property is not prohibited by the comprehensive plan or acknowledged land use regulations or other provisions of applicable law codified in the county code. ORS 215.416(8)(a). This standard is met.

(b) Unless it complies with the requirements of ORS 215.730.

Response: The requirements of ORS 215.730 are duplicated at CCZLDO § 4.6.120(9)(C). The responses to CCZLDO § 4.6.120(9)(C) below demonstrate that the proposal complies all requirements, and are incorporated herein. This standard is met.

(c) Unless no dwellings are allowed on other lots or parcels that make up the tract and deed restrictions established under ORS 215.740 (3) for the other lots or parcels that make up the tract are met.

Response: No other lots or parcels make up the subject “tract”. A “tract” is defined in CCZLDO § 2.1.200 as “A unit of land that has not been partitioned or subdivided that is listed on the same deed of record or multiple contiguous (touching by more than one point) units of land within the same ownership.” Tax Lot 401 is not a unit of land that has been partitioned or subdivided that is listed on the same deeds of record as another unit of land. Tax Lot 401 is contiguous to tax lots 300 and 400 of Assessor’s Map T23S, R12W, Section 8AA. Tax Lot 401 is under different ownership than tax lots 300 and 400. Tax Lot 401 is owned by Chapman & Chapman Investments, LLC. Exhibit 2. Tax lot 300 is owned by Lake Cabin LLC. Exhibit 6, p. 1. Tax lot 400 is owned by Lake Villa LLC. Exhibit 6, p. 3. Accordingly, no other lots or parcels make up the subject “tract”. This standard does not apply.

(d) If the tract on which the dwelling will be sited includes a dwelling.

Response: The tract on which the dwelling will be sited does not include a dwelling. This standard is met.

(5) Except as described in subsection (6) of this section, if the tract under subsection (1) or (2) of this section abuts a road that existed on January 1, 1993, the measurement may be made by creating a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center of the subject tract and that is to the maximum extent possible, aligned with the road.

Response: The tract does not abut a road that existed on January 1, 1993. This standard does not apply.

(6) (a) If a tract 60 acres or larger described under subsection (1) or (2) of this section abuts a road or perennial stream, the measurement shall be made in accordance with subsection (5) of this section. However, one of the three required dwellings shall be on the same side of the road or stream as the tract and:

(A) Be located within a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center of the subject tract and that is, to the maximum extent possible, aligned with the road or stream; or

(B) Be within one-quarter mile from the edge of the subject tract but not outside the length of the 160-acre rectangle, and on the same side of the road or stream as the tract.

(b) If a road crosses the tract on which the dwelling will be located, at least one of the three required dwellings shall be on the same side of the road as the proposed dwelling.

Response: The tract is less than 60 acres and does not abut a road or perennial stream. These standards do not apply.

(7) Notwithstanding subsection (4)(a) of this section, if the acknowledged comprehensive plan and land use regulations of a county require that a dwelling be located in a 160-acre square or rectangle described in subsection (1), (2), (5) or (6) of this section, a dwelling is in the 160-acre square or rectangle if any part of the dwelling is in the 160-acre square or rectangle. [1993 c.792 §4(6),(7),(8); 1999 c.59 §58; 2005 c.289 §1]

Response: CCZLDO § 4.6.120(9)(B)(II)(1)(c) requires that at least three dwellings that existed on January 1, 1993 be located in a 160-acre square centered on the center of the subject tract. CCZLDO § 4.6.120(9)(B)(II)(7) provides that where any part of a dwelling is in the 160-acre square, it is counted toward the number of dwellings. As stated above in the response to CCZLDO § 4.6.120(9)(B)(II)(1) and (3), in the 2007 approval (Local File No. ACU-06-078), the county found that the subject property qualified for a forest template dwelling because there were 28 parcels and 11 dwellings established prior to January 1, 1993, within the 160-acre template. Nothing has

changed since the time of that analysis. Accordingly, the result is the same here. This standard is met.

(9)(C) ADDITIONAL CRITERIA FOR ALL DWELLINGS ALLOWED IN THE FOREST AND FOREST MIXED USE ZONES.

(1) A local government shall require as a condition of approval of a single-family dwelling allowed on lands zoned forestland:

(a) If the lot or parcel is more than 10 acres in western Oregon as defined in ORS 321.257, the property owner submits a stocking survey report to the assessor and the assessor verifies that the minimum stocking requirements adopted under ORS 527.610 to 527.770 have been met.

Response: Tax Lot 401 is less than 10 acres. Accordingly, a stocking survey report is not required. This standard does not apply.

(b) The dwelling meets the following requirements:

(A) The dwelling has a fire retardant roof.

Response: The dwelling will have a fire retardant roof. The applicant is willing to accept a condition of approval that the building plans will show the type of fire retardant roofing material to be used. This standard can be met.

(B) The dwelling will not be sited on a slope of greater than 40 percent.

Response: The dwelling will be sited on a slope not greater than 40 percent. The dwelling is proposed to be sited on a relatively flat portion of the subject property. Exhibit 7 are images of the subject property taken from the Oregon DOGAMI LiDAR Viewer Web Application. The LiDAR images show that the area of the property in which the dwelling will be sited has a slope of approximately 24 percent. The property depth is approximately 126 feet. The elevation at the southern property line is approximately 15.5 ft. The elevation at the northern property line is approximately 50.4 ft. This calculates to an average slope of 28 percent over the entire property. The applicant is willing to accept a condition of approval that the dwelling will not be located on a slope that is greater than 40 percent. This standard can be met.

(C) Evidence is provided that the domestic water supply is from a source authorized by the Water Resources Department and not from a Class II stream as designated by the State Board of Forestry.

Response: Exhibit 8 is the county's form for verification of water right for Tax Lot 401 signed by OWRD staff and a Certificate of Water Right issued by the State of Oregon demonstrating that the proposed dwelling's domestic water supply is from a source authorized by OWRD. The property's water supply is

not from a Class II stream as designated by the State Board of Forestry. This standard is met.

(D) The dwelling is located upon a parcel within a fire protection district or is provided with residential fire protection by contract.

(E) If the dwelling is not within a fire protection district, the applicant provides evidence that the applicant has asked to be included in the nearest such district.

Response: Tax Lot 401 on which the dwelling is proposed is within the Lakeside Rural Fire Protection District. The owner has been paying taxes to be included within the fire protection district. Exhibit 9 is the Coos County Assessor's Report for the subject property showing the taxes assessed in 2021 for fire patrol. This standard is met.

(F) If the dwelling has a chimney or chimneys, each chimney has a spark arrester.

Response: The applicant is willing to accept a condition of approval that if the proposed dwelling includes a chimney or chimneys, then a spark arrester will be installed in each chimney. This standard can be met.

(G) The owner provides and maintains primary fuel-free break and secondary break areas on land surrounding the dwelling that is owned or controlled by the owner.

Response: The owner will provide and maintain a primary and secondary firebreak on land surrounding the dwelling that is owned or controlled by the owner, consistent with the requirements of CCZLDO § 4.6.140(9) Fire Siting Standards for New Dwellings and § 4.6.140(10) Firebreak. The primary and secondary fuel-free breaks are addressed below in response to CCZLDO §§ 4.6.140(9) and (10). Those responses are herein incorporated. The applicant is willing to accept a condition of approval that the owner will provide and maintain primary fuel-free break and secondary break areas on land surrounding the dwelling that is owned or controlled by the owner. This standard can be met.

(2) (a) If a governing body determines that meeting the requirement of subsection (1)(b)(D) of this section would be impracticable, the governing body may provide an alternative means for protecting the dwelling from fire hazards. The means selected may include a fire sprinkling system, on-site equipment and water storage or other methods that are reasonable, given the site conditions. The applicant shall request and provide alternatives to be considered.

(b) If a water supply is required under this subsection, it shall be a swimming pool, pond, lake or similar body of water that at all times contains at least 4,000 gallons or a stream that has a minimum flow of at least one cubic foot per second. Road access shall be provided to within 15 feet of the water's edge for fire-fighting pumping units, and the road access shall accommodate a turnaround for fire-fighting equipment. [1993 c.792 §5; 1995 c.812 §6; 1997 c.293 §1; 2003 c.621 §103]

Response: The applicant meets the requirement of subsection (1)(b)(D) that the dwelling is located upon a parcel within a fire protection district. The subject property is within the Lakeside Rural Fire Protection District. Therefore, an alternative means for protecting the dwelling from fire hazards is unnecessary. This standard is inapplicable.

SECTION 4.6.130 ADDITIONAL CRITERIA FOR ALL NEW AND REPLACEMENT DWELLINGS AND STRUCTURES IN FOREST

The following siting criteria or their equivalent shall apply to all new dwellings and structures in forest and agriculture/forest zones. These criteria are designed to make such uses compatible with forest operations and agriculture, to minimize wildfire hazards and risks and to conserve values found on forest lands. A governing body shall consider the criteria in this rule together with the requirements OAR 660-0060-0035 to identify the building site:

- (1) Dwellings and structures shall be sited on the parcel so that:
 - (a) They have the least impact on nearby³ or adjoining forest or agricultural lands;*
 - (b) The siting ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized;*
 - (c) The amount of forest lands used to site access roads, service corridors, the dwelling and structures is minimized; and*
 - (d) The risks associated with wildfire are minimized.**
- (2) Siting criteria satisfying section (1) of this section may include setbacks from adjoining properties, clustering near or among existing structures, siting close to existing roads and siting on that portion of the parcel least suited for growing trees.*

³ For the purpose of this section "Nearby" is defined as within the decision notification area as defined in Section 5.0.900(2) for farm zoned property.

Response: The proposed dwelling on Tax Lot 401 will be located approximately 30 feet from eastern and western property lines and 70 feet from the southern property line which is the lake. Exhibit 3 is the Site Plan. The immediately adjacent properties are smaller parcels (0.35 acres and 5.19 acres in size) that are developed with dwellings and are not suitable for commercial forest practices. The property is accessed by boat only from the Black's Arm of Tenmile Lake, so there will be no access road which might impact nearby or adjoining forest lands. Accordingly, adverse impacts on forest operations are minimized or are nonexistent. The dwelling will be sited to comply with the fire safety standards as much as possible due to the size, shape and topography of the subject property. Further, the dwelling will be sited approximately 70 feet from the lake, which provides a natural fire break and an additional source of water for protecting the dwelling from fire hazards. Accordingly, the risks associated with wildfires will be minimized. This standard can be met.

(3) The applicant shall provide evidence to the governing body that the domestic water supply is from a source authorized in accordance with the Water Resources Department's administrative rules for the appropriation of ground water or surface water and not from a Class II stream as defined in the Forest Practices rules (OAR chapter 629). For purposes of this section, evidence of a domestic water supply means:

(a) Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's rights to appropriate water;

(b) A water use permit issued by the Water Resources Department for the use described in the application; or

(c) Verification from the Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements under ORS 537.545, the applicant shall submit the well constructor's report to the county upon completion of the well.

Response: As explained above in the response to CCZLDO § 4.6.120(9)(C)(1)(b)(C), Exhibit 8 is verification from OWRD staff of a water right for Tax Lot 401 and a Certificate of Water Right issued by the State of Oregon demonstrating that the proposed dwelling's domestic water supply is from a source authorized by OWRD. This standard is met.

(4) As a condition of approval, if road access to the dwelling is by a road owned and maintained by a private party or by the Oregon Department of Forestry, the U.S. Bureau of Land Management, or the U.S. Forest Service, then the applicant shall provide proof of a long-term road access use permit or agreement. The road use permit may require the applicant to agree to accept responsibility for road maintenance.

Response: The property is accessed by boat only. There is no road access. This standard is inapplicable.

(5) Approval of a dwelling shall be subject to the following requirements:

(a) Approval of a dwelling requires the owner of the tract to plant a sufficient number of trees on the tract to demonstrate that the tract is reasonably expected to meet Department of Forestry stocking requirements at the time specified in department of Forestry administrative rules;

(b) The planning department shall notify the county assessor of the above condition at the time the dwelling is approved;

Response: The applicant is willing to accept a condition of approval that the owner of the tract plant a sufficient number of trees on the tract to demonstrate that the tract is reasonably expected to meet Department of Forestry stocking requirements at the time specified in Department of Forestry administrative rules. This standard can be met.

(c) If the lot or parcel is more than 10 acres in western Oregon or more than 30 acres in eastern Oregon, the property owner shall submit a stocking survey report to the county assessor and the assessor will verify that the minimum stocking requirements have been met by the time required by Department of Forestry rules;

(d) Upon notification by the assessor the Department of Forestry will determine whether the tract meets minimum stocking requirements of the Forest Practices Act. If that department determines that the tract does not meet those requirements, that department will notify the owner and the assessor that the land is not being managed as forest land. The assessor will then remove the forest land designation pursuant to ORS 321.359 and impose the additional tax; and

Response: The subject tract is less than 10 acres. Accordingly, a stocking survey report is not required. This standard does not apply.

(e) The county governing body or its designate shall require as a condition of approval of a single-family dwelling under ORS 215.213, 215.383 or 215.284 or otherwise in a farm or forest zone, that the landowner for the dwelling sign and record in the deed records for the county a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.

Response: The applicant is willing to accept as a condition of approval that the property owner shall sign and record in the deed records for the county a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937. This standard can be met.

Section 4.6.140 Development and Siting Criteria:

This section contain all of the development standards for uses (unless otherwise accepted out by a use review) and all of the siting standards for development.

1. Minimum Lot Size for the creation of new parcels shall be at least 80 acres. Minimum lot size will not affect approval for development unless specified in use. The size of the parcel will not prohibit development as long as it was lawfully created or otherwise required to be a certain size in order to qualify for a use.

Response: This proposal does not include the creation of a new parcel. The current size of the subject property does not affect approval for development because the parcel was lawfully created. In August 2006, a discrete parcel determination was submitted that showed the subject property had been a discrete parcel prior to January 1, 1986. The Planning Department concurred with the submitted findings. Exhibit 10 is the Planning Department's concurrence. Therefore, the subject property is a legal lot of record pursuant to CCZLDO § 6.1.125(1). This standard is met.

2. Setbacks: All Development with the exception of fences shall be set back a minimum of thirty-five (35) feet from any road right-of-way centerline, or five (5) feet from any right-of-way line, whichever is greater.

Response: There is no road right-of-way on or adjacent to the subject property. This standard does not apply.

3. Fences, Hedges and Walls: No requirement, except for vision clearance provisions in Section 7.1.525.

Response: This proposal does not include and fences, hedges or walls. This standard does not apply.

4. Off-Street Parking and Loading: See Chapter VII.

Response: The subject property is accessible only by boat. This standard and the standards in Chapter VII do not apply.

5. Minimizing Impacts: In order to minimize the impact of dwellings in forest lands, all applicants requesting a single family dwelling shall acknowledge and file in the deed record of Coos County, a Forest Management Covenant. The Forest Management Covenant shall be filed prior to any final County approval for a single family dwelling.

Response: This requirement is addressed above in the response to CCZLDO § 4.6.130(5)(e). That response is herein incorporated. This standard is met.

6. Riparian Vegetation Protection. Riparian vegetation within 50 feet of a wetland, stream, lake or river, as identified on the Coastal Shoreland and Fish and Wildlife habitat inventory maps shall be maintained except that:

a. Trees certified as posing an erosion or safety hazard. Property owner is responsible for ensuring compliance with all local, state and federal agencies for the removal of the tree.

b. Riparian vegetation may be removed to provide direct access for a water-dependent use if it is a listed permitted within the zoning district;

c. Riparian vegetation may be removed in order to allow establishment of authorized structural shoreline stabilization measures;

d. Riparian vegetation may be removed to facilitate stream or stream bank clearance projects under a port district, ODFW, BLM, Soil & Water Conservation District, or USFS stream enhancement plan;

e. Riparian vegetation may be removed in order to site or properly maintain public utilities and road right-of-ways;

f. Riparian vegetation may be removed in conjunction with existing agricultural operations (e.g., to site or maintain irrigation pumps, to limit encroaching brush, to allow harvesting farm crops customarily grown within riparian corridors, etc.) provided

that such vegetation removal does not encroach further into the vegetation buffer except as needed to provide an access to the water to site or maintain irrigation pumps; or

g. The 50 foot riparian vegetation setback shall not apply in any instance where an existing structure was lawfully established and an addition or alteration to said structure is to be sited not closer to the estuarine wetland, stream, lake, or river than the existing structure and said addition or alteration represents not more than 100% of the size of the existing structure's "footprint".

h. Riparian removal within the Coastal Shoreland Boundary will require a conditional use. See Special Development Considerations Coastal Shoreland Boundary.

i. The 50' measurement shall be taken from the closest point of the ordinary high water mark to the structure using a right angle from the ordinary high water mark.

Response: The dwelling is proposed to be set back 70 feet from the ordinary high water mark of the lake. The applicant will maintain the riparian vegetation within 50 feet of the ordinary high water mark except to the extent that one or more of the exceptions to this requirement in subsections (a) through (f) applies. The applicant is willing to accept a condition of approval to this effect. This standard can be met.

7. All new dwellings and permanent structures and replacement dwellings and structures shall, at a minimum, meet the following standards. The dwelling shall be located within a fire protection district or shall be provided with residential fire protection by contract. If the dwelling is not within a fire protection district, the applicant shall provide evidence that the applicant has asked to be included within the nearest such district. If the applicant is outside the rural fire protection district, the applicant shall provide evidence that they have contacted the Coos Forest Protective Association of the proposed development.

Response: As explained above in the response to CCZLDO § 4.6.120(9)(C)(1)(b)(D) and (E), the proposed dwelling is within the Lakeside Rural Fire Protection District. This standard is met.

8. The Planning Director may authorize alternative forms of fire protection when it is determined that these standards are impractical that shall comply with the following:

a. The means selected may include a fire sprinkling system, onsite equipment and water storage or other methods that are reasonable, given the site conditions;

b. If a water supply is required for fire protection, it shall be a swimming pool, pond, lake, or similar body of water that at all times contains at least 4,000 gallons or a stream that has a continuous year round flow of at least one cubic foot per second;

c. The applicant shall provide verification from the Water Resources Department that any permits or registrations required for water diversion or storage have been obtained or that permits or registrations are not required for the use; and

d. Road access shall be provided to within 15 feet of the water's edge for firefighting pumping units. The road access shall accommodate the turnaround of firefighting equipment during fire season. Permanent signs shall be posted along the access route to indicate the location of the emergency water source.

Response: The subject property is within the Lakeside Rural Fire Protection District and the applicant has demonstrated that they will meet the standards for fire protection in CCZLDO §§ 4.6.120(9)(C)(1)(b)(D) through (G) and §§ 4.6.140(9) and (10). Those responses are herein incorporated. The applicant does not request that the Planning Director authorize alternative forms of fire protection. This standard does not apply.

9. Fire Siting Standards for New Dwellings:

a. The property owner shall provide and maintain a water supply of at least 500 gallons with an operating water pressure of at least 50 PSI and sufficient ¾ inch garden hose to reach the perimeter of the primary fuel-free building setback.

b. If another water supply (such as a swimming pool, pond, stream, or lake) is nearby, available, and suitable for fire protection, then road access to within 15 feet of the water's edge shall be provided for pumping units. The road access shall accommodate the turnaround of firefighting equipment during the fire season. Permanent signs shall be posted along the access route to indicate the location of the emergency water source.

Response: The property owner will accept a condition of approval that they provide and maintain a water supply of at least 500 gallons with an operating water pressure of at least 50 PSI and sufficient ¾ inch garden hose to reach the perimeter of the primary fuel-free building setback. This standard can be met.

10. Firebreak:

a. This firebreak will be a primary safety zone around all structures. Vegetation within this primary safety zone may include mowed grasses, low shrubs (less than ground floor window height), and trees that are spaced with more than 15 feet between the crowns and pruned to remove dead and low (less than 8 feet from the ground) branches. Accumulated needles, limbs and other dead vegetation should be removed from beneath trees.

b. Sufficient garden hose to reach the perimeter of the primary safety zone shall be available at all times.

c. The owners of the dwelling shall maintain a primary fuel-free break area surrounding all structures and clear and maintain a secondary fuel-free break on land surrounding all structures and clear and maintain a secondary fuel-free break area on land surrounding the dwelling that is owned or controlled by the owner in accordance with the provisions in "Recommended Fire Siting Standards for Dwellings and Structures and Fire Safety Design Standards for Roads" dated March 1, 1991, and published by Oregon Department of Forestry and shall demonstrate compliance with Table 1.

Table 1 – Minimum Primary Safety Zone

Slope	Feet of Primary Safety Zone	Feet of Additional Primary Safety Zone Down Slope
0%	30	0
10%	30	50
20%	30	75
25%	30	100
40%	30	150

Response: The owner will maintain a 30-foot primary fuel-free break around the dwelling and all structures and keep available at all times a sufficient garden hose to reach the perimeter of the primary safety zone. The owner will also maintain an additional primary safety zone of 70 feet down slope from the dwelling to the lake. The applicant is willing to accept a condition of approval to this effect. Because of the dimensions of the subject property and its adjacency to the lake, it is not possible to maintain the full 150 feet of additional safety zone down slope required for slopes between 25 and 40 percent. However, the purpose of the additional safety zone down slope is nevertheless achieved because the down slope area beyond 70 feet of the dwelling is the lake, which does not contain any vegetative fuel. The county should find that this standard can be met.

11. All new and replacement structures shall use non-combustible or fire resistant roofing materials, as may be approved by the certified official responsible for the building permit.

Response: The dwelling will use non-combustible or fire retardant roofing materials, as may be approved by the certified official responsible for the building permit. The applicant is willing to accept a condition of approval to this effect. This standard can be met.

12. If a water supply exceeding 4,000 gallons is suitable and available (within 100 feet of the driveway or road) for fire suppression, then road access and turning space shall be provided for fire protection pumping units to the source during fire season. This includes water supplies such as a swimming pool, tank or natural water supply (e.g. pond).

Response: The subject property does not have a water supply exceeding 4,000 gallons available within 100 feet of any driveway or road. This standard does not apply.

13. The dwelling shall not be sited on a slope of greater than 40 percent.

Response: This standard is addressed above in the response to CCZLDO § 4.6.120(9)(C)(1)(b)(B). That response is incorporated herein. The dwelling will be not be sited on a slope of greater than 40 percent. Exhibit 7. The applicant is willing to accept a condition of approval to this effect. This standard can be met.

14. If the dwelling has a chimney or chimneys, each chimney shall have a spark arrester.

Response: As explained above in the response to CCZLDO § 4.6.120(9)(C)(1)(b)(F), the applicant is willing to accept a condition of approval that if the proposed dwelling includes a chimney or chimneys, then a spark arrester will be installed in each chimney. This standard can be met.

15. The dwelling shall be located upon a parcel within a fire protection district or shall be provided with residential fire protection by contract. If the dwelling is not within a fire protection district, the applicant shall provide evidence that the applicant has asked to be included within the nearest such district.

Response: As explained above in the responses to CCZLDO § 4.6.120(9)(C)(1)(b)(D) and (E) and § 4.6.140(7), the proposed dwelling is within the Lakeside Rural Fire Protection District. This standard is met.

16. Except for private roads and bridges accessing only commercial forest uses, public roads, bridges, private roads and driveways shall be constructed so as to provide adequate access for firefighting equipment.

Response: The subject property is accessible only by boat. There are no existing or proposed public or private roads, bridges or driveways. This standard does not apply.

17. Access to new dwellings shall meet road and driveway standards in Chapter VII.

Response: The subject property is accessible only by boat. This standard and the standards in Chapter VII do not apply.

IV. CONCLUSION

The application, written narrative and supporting evidence demonstrate that the proposal complies with all CCZLDO requirements for a forest template dwelling. The Planning Director should approve the application as proposed.

Exhibits

- Exhibit 1 – Assessor’s Map
- Exhibit 2 – Tax Lot 401 Deed
- Exhibit 3 – Site Plan
- Exhibit 4 – 2007 Forest Template Dwelling Approval for Tax Lot 401 (ACU-06-078)
- Exhibit 5 – USDA NRCS Soil Survey
- Exhibit 6 – Tax Lots 300 and 400 Deeds
- Exhibit 7 – DOGAMI Lidar Viewer Maps
- Exhibit 8 – Water Right Certificate
- Exhibit 9 – Coos County Assessor’s Summary Report
- Exhibit 10 – 2006 Planning Department Legal Lot Concurrence
- Exhibit 11 - Property Owner Declaration

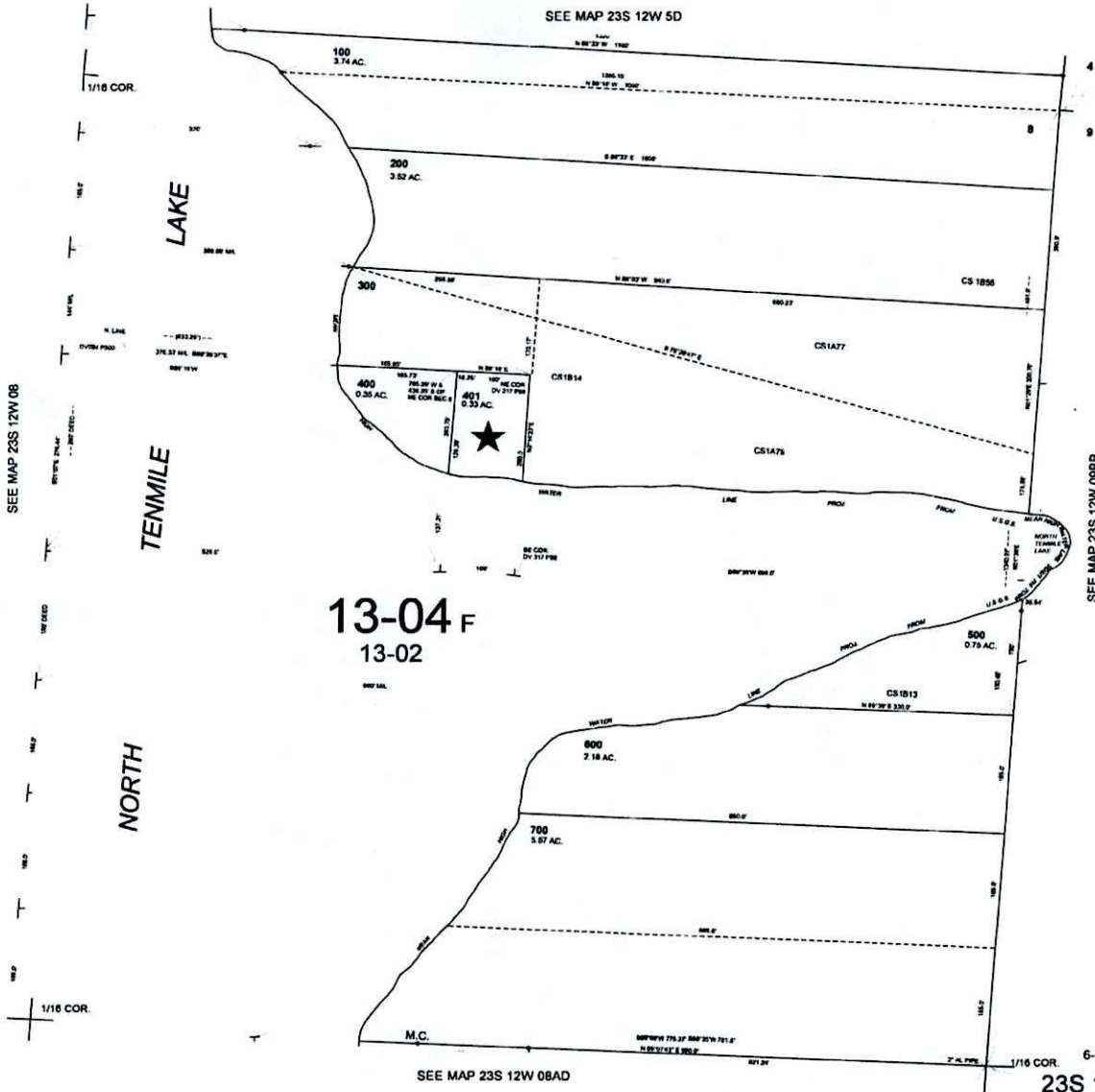
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

NE 1/4 NE 1/4 SEC. 8 T23S R12W W.M.
COOS COUNTY

23S 12W 08AA
CANCELLED NO.

1" = 100'

SEE MAP 23S 12W 5D



13-04 F
13-02

6-11-2013
23S 12W 08AA

After recording return to:

American Exchange Services, Inc.
15 Oregon Avenue, Suite B
Bend, OR 97701

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

CHAPMAN & CHAPMAN INVESTMENTS, LLC
240 Stengar Lane
Roseburg, OR 97470

*This deed is being re-recorded to correct the vesting and legal description previously recorded as Instrument No. 2007-1193

This space reserved for recorder's use

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

**STATUTORY
BARGAIN AND SALE DEED**

*SAGE TENMILE

~~SAGE/MILE~~, LLC, an Oregon Limited Liability Company, Grantor, conveys to CHAPMAN & CHAPMAN INVESTMENTS, LLC, an Oregon Limited Liability Company, Grantee, the following described real property situated in Coos County, Oregon, to-wit:

See attached Exhibit "A" attached hereto and made part hereof. *

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES, 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 CHAPTER 1, UNDER ORS 197.352.

The true consideration for this conveyance is \$PURSUANT TO AN IRC SECTION 1031 EXCHANGE. (Here comply with the requirements of ORS 93.030)

Dated Jan. 23, 2007.

SAGE MILE, LLC

Cindi Poling

By American Exchange Services, Inc.
Sole and Managing Member,
Cindi Poling, Assistant Secretary



STATE OF OREGON }
County of Jackson } ss

This instrument was acknowledged before me on January 23, 2007

by CINDI POLING

as ASSISTANT SECRETARY

of AMERICAN EXCHANGE SERVICES, INC. Sole member of Sage Mile LLC

Shelly Knokey
Notary Public for Oregon

My commission expires Jan. 19, 2010

COOS COUNTY CLERK, OREGON TOTAL \$31.00
TERRI L. TURI, CCC, COUNTY CLERK

RE-RECORD

02/15/2007 #2007-2098
01:24PM 1 OF 2

COOS COUNTY CLERK, OREGON TOTAL \$31.00
TERRI L. TURI, CCC, COUNTY CLERK

01/29/2007 #2007-1193
01:30PM 1 OF 2

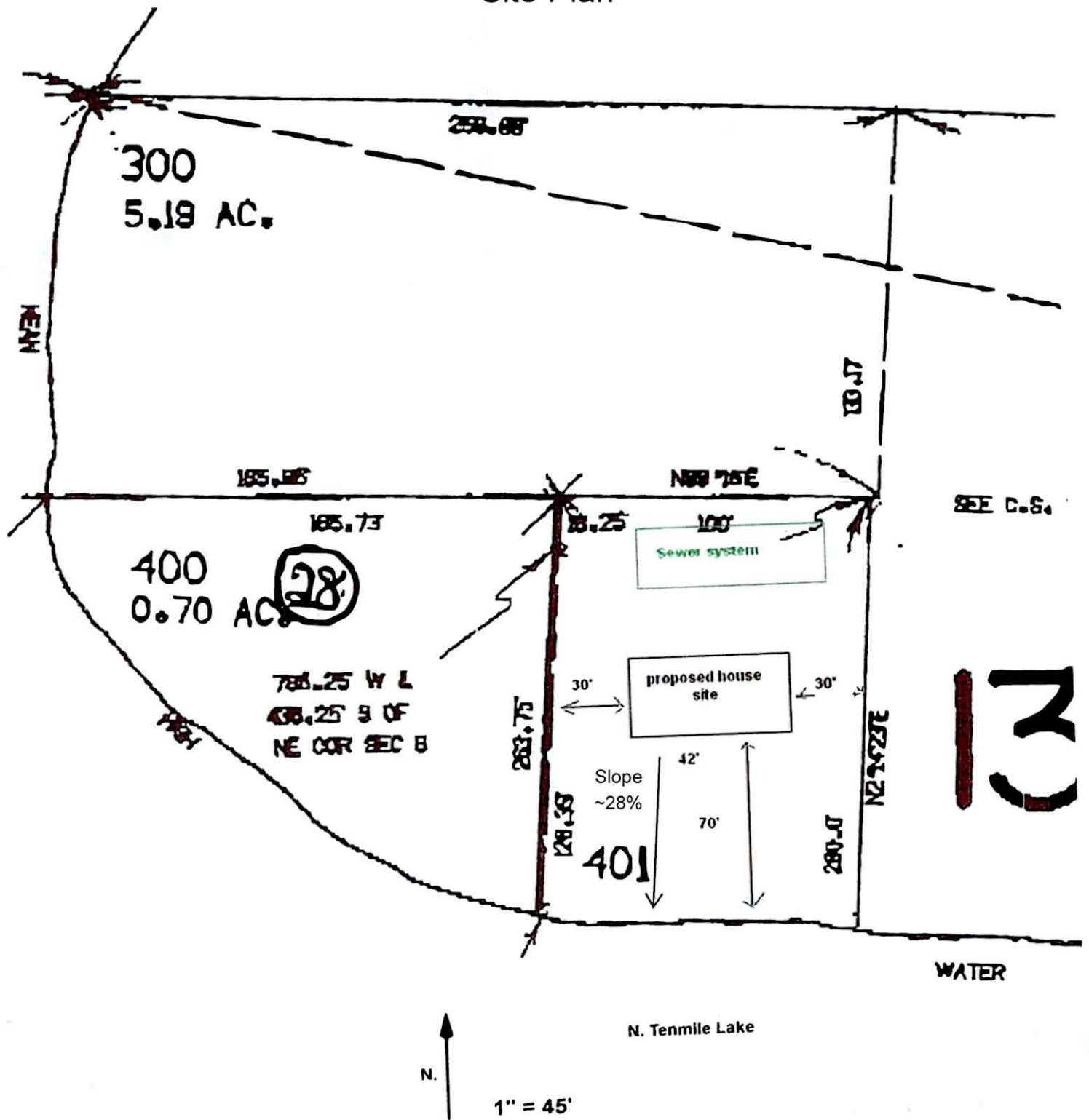
Exhibit "A" *

~~Beginning at a point located 785.25 feet West and 436.25 feet South of the Northeast corner of Section 8, Township 23 South, Range 12 West of the Willamette, Coos County, Oregon; thence North 1° 07' East a distance of 16.25 feet; thence North 09° 16' East a distance of 100.00 feet; thence South 1° 07' West a distance of 280 feet; thence South 89° 16' West a distance of 100 feet; thence North 1° 07' East a distance of 263.75 feet to the place of beginning. Containing 0.64 acres, more or less and 0.37 of those acres being on dry land and being a portion of Section 8, Township 23 South, Range 12 West of the Willamette, Coos County, Oregon.~~

*Beginning at a point located 785.25 feet West and 436.25 feet South of the Northeast corner of Section 8, Township 23 South, Range 12 West of the Willamette, Coos County, Oregon; thence North 1° 07' East a distance of 16.25 feet; thence North 89° 16' East a distance of 100.00 feet; thence South 1° 07' West a distance of 280 feet; thence South 89° 16' West a distance of 100 feet; thence North 1° 07' East a distance of 263.75 feet to the place of beginning. Containing 0.64 acres, more or less and 0.37 of those acres being on dry land and being a portion of Section 8, Township 23 South, Range 12 West of the Willamette, Coos County, Oregon.

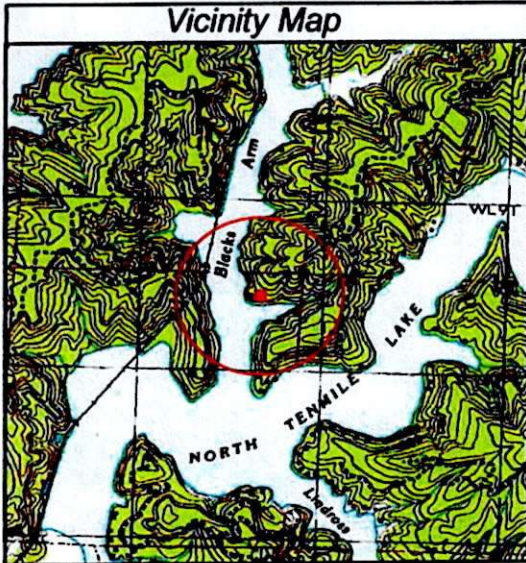
COOS COUNTY CLERK, OREGON	TOTAL \$31.00	RE-RECORD	02/15/2007	#2007-2098
TERRI L. TURI, CCC, COUNTY CLERK			01:24PM	2 OF 2
COOS COUNTY CLERK, OREGON	TOTAL \$31.00		01/29/2007	#2007-1193
TERRI L. TURI, CCC, COUNTY CLERK			01:30PM	2 OF 2

Site Plan



COOS COUNTY PLANNING DEPARTMENT EXHIBIT 4

Coos County Courthouse Annex, 290 N. Central
Coquille, Oregon 97423
(541) 396-3121 Ext. 210 Fax (541) 396-2690

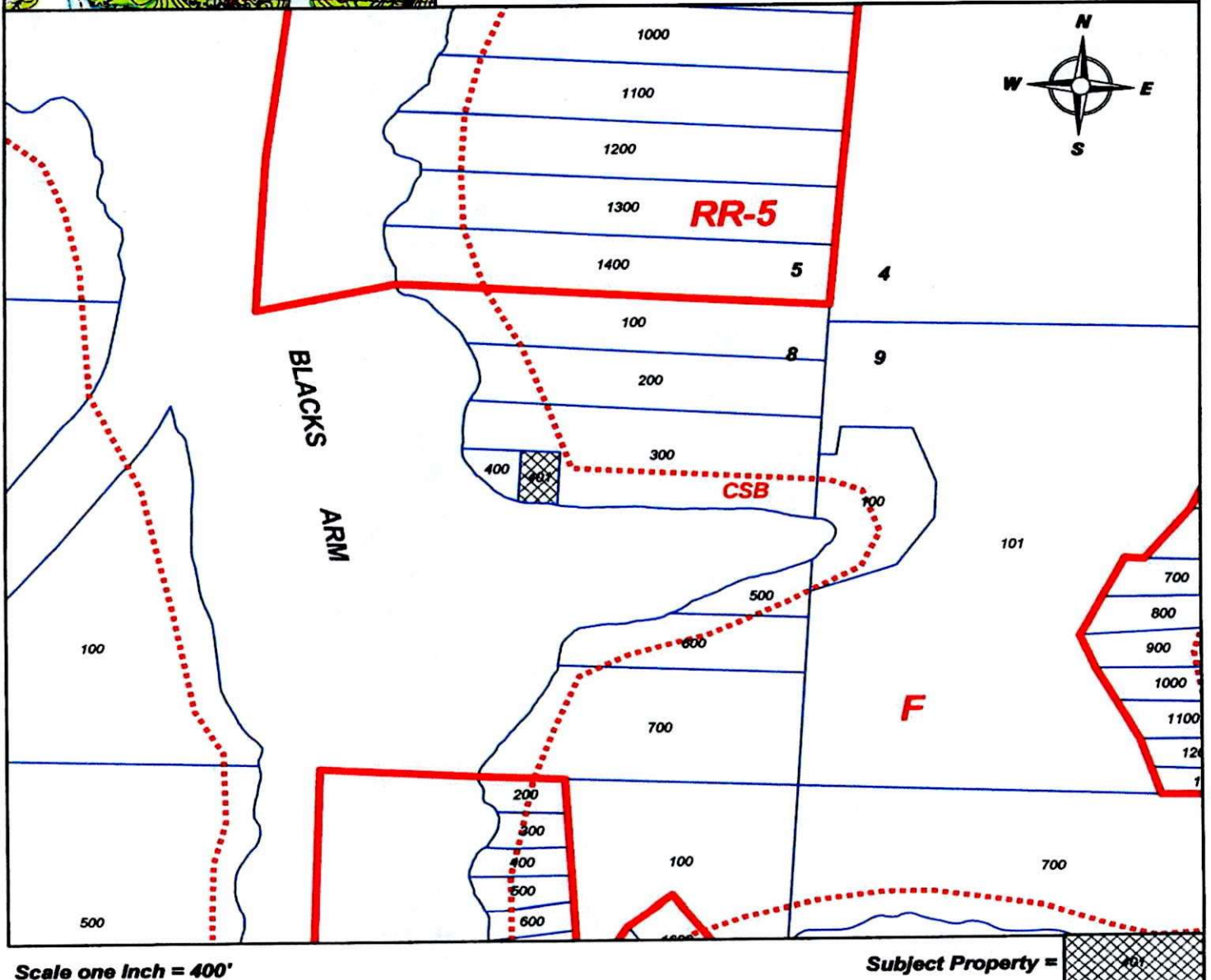


File Number: ACU-06-78

Applicant: Daryn Chapman
Owner: Sage Tenmile, LLC
2214 NW Iris CT
Camas, WA 98607

Location: T23 R12 Sec.08AA TL 401

Proposal: Template Dwelling





2005 Ortho 1" = 400'

Water Supply Requirements

Siting Dwellings for Structures in the Forest Zone to satisfy OAR 660-06-029(3)

Items 1 and 2 are to be completed by the applicant.

1. Pursuant to OAR 660-06-029 (Siting standards for dwellings and other structures in Forest zones) applicants shall provide evidence to the Planning Department that the domestic water supply is from a source authorized in accordance with the Oregon Water Resources Department's applicable Oregon Revised Statutes and administrative rules for the appropriation of ground water or surface water and Practices Rules (OAR Chapter 629).

To comply with OAR 660-06-029(3) check the appropriate statement below and attach evidence as required.

Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's right to appropriate water; or

A water use permit or water right issued by the Oregon Water Resources Department for the use described in the application; or

Verification from the Oregon Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements under ORS 537.545, the applicant shall submit the well constructor's report to the county upon completion of the well.

2. This application pertains to Township 23 South, Range 12 West, Section 08A1, Tax Lot 401, of the Willamette Meridian.

Item 3 to be filled out by OWRD Staff.

3. I, MITCH LEWIS, have reviewed the information attached and will provide input to the Coos County Planning Department, as appropriate, regarding the proposed or existing water source(s).

Mitch Lewis
Signature of OWRD Staff

WATERMASTER DIST. 19
Title

02.08.07
Date

Permit A-4M-3-41

SP-1297-113

STATE OF OREGON
COUNTY OF COOS
CERTIFICATE OF WATER RIGHT

This Is to Certify, That CARL A. SANDINE

of 1788 Virginia, North Bend, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of a spring

a tributary of Ten Mile Lake for the purpose of domestic use of one family

under Permit No. 29030 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from October 25, 1963

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.005 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE 1/4 NE 1/4, Section 8, T. 23 S., R. 12 W., W. M. Diversion point located 180 feet South and 420 feet West from the NE Corner, Section 8.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to - - - - - of one cubic foot per second per acre,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

NE 1/4 NE 1/4
Section 8
T. 23 S., R. 12 W., W. M.

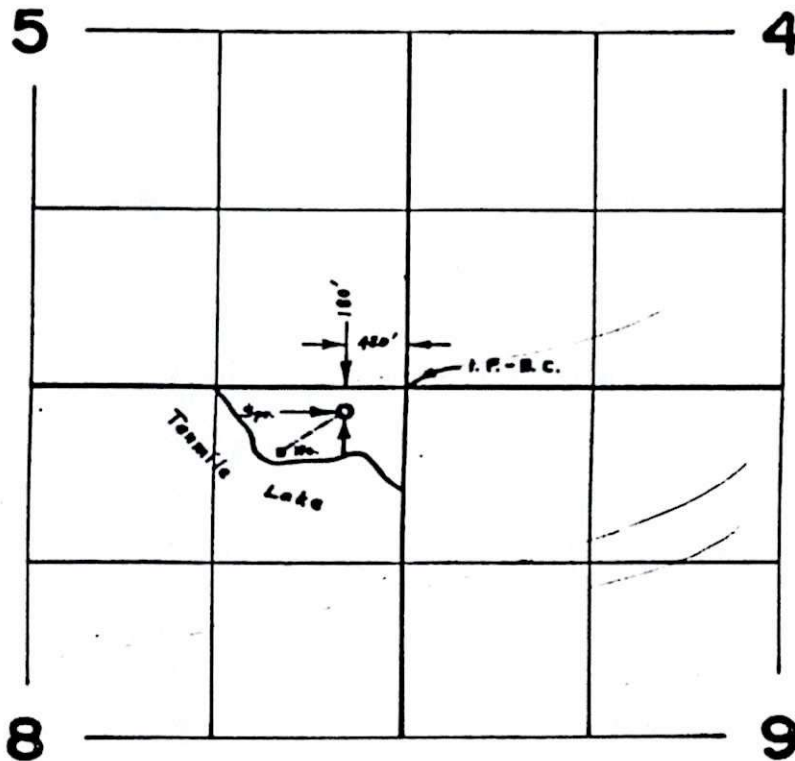
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. March 13, 1967

CHRIS L. WHEELER
State Engineer

T.23S.R.12W.W.M.



FINAL PROOF SURVEY UNDER

Application No. 38937. Permit No. 29030.
IN NAME OF

CARL A. SANDINE

Surveyed Sept. 17, 1966, by L. E. Gould

Cert. # 33707

HP Officejet 7210
Personal Printer/Fax/Copier/Scanner

Log for
Coos County Planning Dept
(541)396-2690
Jan 30 2007 3:34PM

Last Transaction

<u>Date</u>	<u>Time</u>	<u>Type</u>	<u>Identification</u>	<u>Duration</u>	<u>Pages</u>	<u>Result</u>
Jan 30	3:32PM	Fax Sent	7565466	1:48	4	OK



COOS COUNTY PLANNING DEPARTMENT

Coos County Courthouse Annex, 290 N. Central, Coquille, Oregon 97423
Mailing address: Planning Department, Coos County Courthouse, Coquille, Oregon 97423

(541) 396-3121 Ext.210

FAX (541) 396-2690 / TDD (800) 735-2900

PATTY EVERNDEN, PLANNING DIRECTOR

DATE : January 30, 2007
TO : Lisa @ Health Dept
FAX # : 1-541-756-5466
FROM : Coos County Planning Department
Jan Mollé, Planning Secretary
of PAGES : 3, including cover letter
RE : Public Notice

Any questions please contact the Coos County Planning
Department at 396-3121 ext 210.

Please post this on Thursday, February 1, 2007 until February 16, 2007. Thank you



Coos County Planning Department
Coos County Courthouse Annex, Coquille, Oregon 97423
(541) 396-3121 Ext.210
FAX (541) 396-2690 / TDD (800) 735-2900

PATTY EVERNDEN

PLANNING DIRECTOR

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Coos County Planning Director rendered the following decisions on February 1, 2007:

ITEM 1: **Approved**, an administrative conditional use request (ACU-06-78) to site a template dwelling within the Forest Mixed Use (FMU) zone. The subject property is identified as Township 23, Range 12, Section 08AA, Tax Lot 401. The applicant is Daryn Chapman, and the owner is Sage Tenmile, LLC (c/o American Exchange Services, Inc.). The application is subject to criteria set forth in the Coos County Zoning and Land Development Ordinance (CCZLDO) Section 4.8.525(B) – Forest Dwellings (Template dwelling); Section 4.8.600, Mandatory Siting Standards Required for Dwellings and Structures in the Forest Zone; Section 4.8.700, Fire Siting and Safety Standards; and Section 4.8.750 (B) & (I), Development Standards (setbacks). The property is located on Blacks Arm of North Tenmile Lake, and is accessed by boat only. The property is zoned Forest Mixed Use (FMU) and contains 0.33 of an acre.

ITEM 2: **Approved**, an administrative conditional use request (ACU-06-79) to site a template dwelling within the Forest Mixed Use (FMU) zone. The subject property is identified as Township 24, Range 12, Section 05, Tax Lot 800. The applicant is Randy Nelson and the owners are Lyle & Ruth Nelson. The application is subject to criteria set forth in the Coos County Zoning and Land Development Ordinance (CCZLDO) Section 4.8.525(B) – Forest Dwellings (Template dwelling); Section 4.8.600, Mandatory Siting Standards Required for Dwellings and Structures in the Forest Zone; Section 4.8.700, Fire Siting and Safety Standards; and Section 4.8.750 (B) & (I), Development Standards (setbacks). The property is located northeast of the City of North Bend, and is accessed off of North Way Lane. The property is zoned Forest Mixed Use (FMU), and contains 11.43 acres.

ITEM 3: **Approved**, an administrative conditional use request (ACU-06-80) to site a template dwelling within the Forest Mixed Use (FMU) zone. The subject property is identified as Township 26, Range 14, Section 33C, Tax Lot 1100 & 1200. The applicants and owners are Tom & Diane Stone. The application is subject to criteria set forth in the Coos County Zoning and Land Development Ordinance (CCZLDO) Section 4.8.525(B) – Forest Dwellings (Template dwelling); Section 4.8.600, Mandatory Siting Standards Required for Dwellings and Structures in the Forest Zone; Section 4.8.700, Fire Siting and Safety Standards; and Section 4.8.750 (B) & (I), Development Standards (setbacks). The property is located between the City of Bandon and the City of Coos Bay within the Sansaria Subdivision, and is accessed off of Colony Drive via Pacific Surf Lane and Seven Devils Road. The property is zoned Forest Mixed Use (FMU), and contains 0.45 of an acre.

ITEM 4: **Approved**, a two- (2) parcel land division (tentative partition) (P-06-29) within the Urban Residential-2 (UR-2) zone. The subject property is identified as Township 25, Range 14, Section 36DC tax Lot 2000. The applicants/owners are Harold & Margie Schultz. The application is subject to criteria set forth in the Coos County Zoning and Land Development Ordinance (CCZLDO) Section 3.3.400 Vision Clearance Triangle; Section 4.4.500 General Development Standards; Chapter VI Land Divisions, Article 6.1, Article 6.2, Article 6.4 and Article 6.5; Chapter VII Streets and Roads, Article 7.1 and Article 7.3; and Chapter VIII Surveying Standards. The property is located within the Urban Unincorporated Community of Barview off of

Travis Lane via Cape Arago Highway. The property is zoned Urban Residential-2 (UR-2) and contains 2.07 acres.

ITEM 5: **Approved**, a two- (2) parcel land division (tentative partition) (P-06-32) within the Commercial (C-1) zone. The subject property is identified as Township 24, Range 13, Section 11C, Tax Lot 609. The applicant/owner is Susan Gardner. The application is subject to criteria set forth in the Coos County Zoning and Land Development Ordinance (CCZLDO) Section 3.3.400 Vision Clearance Triangle; Section 4.4.600 General Development Standards; Chapter VI Land Divisions, Article 6.1, Article 6.2, Article 6.4 and Article 6.5; Chapter VII Streets and Roads, Article 7.1 and Article 7.3; and Chapter VIII Surveying Standards. The subject property is located within the Rural Unincorporated Community of Hauser off of Hauser Road via Highway 101. The property is zoned Commercial (C-1) and contains 1.89 acres.

Additional information concerning these items may be obtained by contacting **Jill Barzee, Administrative Aide** (Items 1 and 2) or **Staci Leep, Planner II** (Items 3 through 5) at (541) 396-3121 or 756-2020 extension 210. A copy of the application(s), all documents and evidence relied upon by the applicant(s), the applicable criteria, and staff report(s) are available for inspection at the Planning Department and copies will be provided for a reasonable fee of \$.25 per page.

These decisions may be appealed to the Coos County Hearings Body by filing a written "NOTICE OF INTENT TO APPEAL" and the required filing fee with the Planning Director pursuant to Section 5.8.200 of the Coos County Zoning & Land Development Ordinance by **February 16, 2007**. These decisions will not become final until the period for filing an appeal has expired. These decisions cannot be appealed directly to the Land Use Board of Appeals pursuant to ORS.197.830.

JILL BARZEE, ADMINISTRATIVE AIDE

POSTING DATE:

COOS COUNTY PLANNING DEPARTMENT

February 1, 2007

PLEASE LEAVE POSTED THROUGH

February 16, 2007

ACU-06-78, Chapman
Planning Director's Decision Letter
February 1, 2007
Page 1 of 2

With attachments:

Sage Tenmile, LLC
c/o American Exchange Services, Inc.
PO Box 752
Bend, Oregon 97701

Daryn Chapman
2214 NW Iris Ct.
Camas, Washington 98607

Patty Evernden, Planning Director

David Perry
Oregon Coastal Management Program
PO Box 451
Waldport OR 97394

Larry Van Elsberg, Roadmaster

Coos County Assessor's Office

Mitch Lewis, Watermaster

Del Cline
DEQ
381 N 2nd
Coos Bay, OR 97420

Ruben Kretschmar, DEQ
381 N 2nd
Coos Bay, Oregon 97420

Lakeside RFPD
PO Box 243
Lakeside OR 97449

Bill Kinyoun
ODF&W
PO Box 5430
Charleston OR 97420

File

Without attachments:

Judith Rae Van Duzer Trust
c/o Judith R. Van Duzer Trustee
62385 Old Sawmill Road
Coos Bay, Oregon 97420

Tammy A.T. Anderson et al
PO Box 80877
Simpsonville, SC 29680

Kim & Susan Babcock et al
6049 Hillcrest Road
Medford, Oregon 97504

Michael Gardner
96830 Highway 42
Coquille, Oregon 97420

Chapman Tenmile Lane Exchange
c/o BX060801 LLC
240 Stengar Lane
Roseburg, Oregon 97470

Eric Morrell & Martha McGuire
724 Cardley Avenue
Medford, Oregon 97504

Blaine & Renee Deming
1443 N Tenmile
Lakeside, Oregon 97449

C. Vernon Irion Family Living Trust
c/o C. Vernon Irion Trustee
59929 Tamarack Drive
Saint Helens, Oregon 97051

Andrew Combs
15182 Sitkum Lane
Myrtle Point OR 97458

George Gant
PO Box 488
Myrtle Point OR 97458

Charlie Waterman
87518 Davis Crk Ln
Bandon OR 97411

REC-00-70, Chairman
Planning Director's Decision Letter
February 1, 2007
Page 1 of 2

EXHIBIT 4
Page 11 of 82

Jerry Phillips
1777 Kingwood
Coos Bay, OR 97420

Dennis Schad
67680 North Bay Rd
North Bend, OR 97459

Blair Holman
61223 Diamond DR
Coos Bay OR 97420

David Smith
62937 Ross Inlet Rd
Coos Bay OR 97420

Fred Taylor
90029 Cape Arago Hwy
Coos Bay OR 97420

AFFIDAVIT OF MAILING:

This is to certify that I caused to be mailed, e-mailed or delivered to the persons or agencies listed hereon, copies of the Notice of Planning Director's Decision dated February 1, 2007, by placing them in the mailroom of the Coos County Courthouse or e-mailing them for the Coos County Planning Department's electronic mail.


Jean Seidel, Coos County Planning Dept

Joann Hansen
3420 Ash Street
North Bend, OR 97459



Coos County Planning Department

Coos County Courthouse Annex, Coquille, Oregon 97423

Mailing Address: Planning Department, Coos County Courthouse, Coquille, Oregon 97423

(541) 396-3121 Ext.210

FAX (541) 396-2690 / TDD (800) 735-2900

PATTY EVERNDEN

PLANNING DIRECTOR

NOTICE OF PLANNING DIRECTOR'S DECISION

February 1, 2007

Sage Tenmile, LLC
c/o American Exchange Services, Inc.
PO Box 752
Bend, Oregon 97701

Daryn Chapman
2214 NW Iris Ct.
Camas, Washington 98607

REQUEST(S) : To site a template dwelling within the Forest Mixed Use (FMU) zone

FILE# : ACU-06-78

APPLICANT(S) : Daryn Chapman

OWNER(S) : Sage Tenmile, LLC
c/o American Exchange Services, Inc.

LEGAL DESCRIPTION(S) : Township 23, Range 12, Section 08AA, Tax Lot 401

LOCATION : The property is located on the Blacks Arm of North Tenmile Lake and is accessed by boat only.

ZONE(S) : Forest Mixed Use (FMU)

ACREAGE : 0.33 of an acre

Notice is hereby given that the Planning Director has **APPROVED** the above-referenced application request, subject to requirements and conditions stated in the attached staff report*.

REVIEW CRITERIA: The subject application must meet criteria set forth in the Coos County Zoning and Land Development Ordinance (CCZLDO) Sections 4.8.525(B) - Forest Dwellings (Template dwellings), 4.8.600 - Mandatory Siting Standards for Dwellings and Structures within the F zone, 4.8.700 - Mandatory Fire Siting and Safety Standards & 4.8.750 (B) & (I) - Development Standards (setbacks) .

REVIEW OF APPLICATION MATERIALS/STAFF REPORT: A copy of the application, all documents and evidence relied upon by the applicant(s), staff report and the applicable criteria are available for review at the Planning Department. You may purchase these documents for a fee of \$.25 per page.

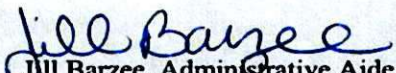
Daryn Chapman
ACU-06-78
Page 2

The decision may be appealed to the Coos County Hearings Body pursuant to Article 5.8 of the Ordinance within 15 days of the date notice of decision is mailed by filing a written "NOTICE OF INTENT TO APPEAL" and the required filing fee with the Planning Director. Therefore, appeals filed after **February 16, 2007**, are not timely and will not be considered. This decision will not be final until the period for filing an appeal has expired. This decision cannot be appealed directly to the Land Use Board of Appeals under ORS.197.830.

Detailed information about the appeal process, filing fees and additional information may be obtained by contacting Jill Barzee, Administrative Aide at (541) 396-3121 or 756-2020, Extension 210.

Sincerely,

COOS COUNTY PLANNING DEPARTMENT


Jill Barzee, Administrative Aide
JB/mos

*Attachment-Staff Report

c: *Dave Perry, DLCD
 *Larry Van Elsberg, Roadmaster
 *Mitch Lewis, Watermaster
 *Del Cline, DEQ
 *Ruben Kretzschmar, DEQ
 *Lakeside RFPD
 *ODF&W
 Adjacent property owners within 500' required notification
 Planning Commission
 File



Coos County Planning Department
Coos County Courthouse Annex, Coquille, Oregon 97423
Mailing Address: Planning Department, Coos County Courthouse,
Coquille, Oregon 97423
(541) 396-3121 Ext.210
FAX (541) 396-2690 / TDD (800) 735-2900

Staff Report

File #: ACU-06-78

Date: February 1, 2007

Owner/ Sage Tenmile, LLC
C/O American Exchange Services, Inc.
PO Box 752
Bend OR 97701

Applicant: Daryn Chapman
2214 NW Iris Ct.
Camas WA 98607

Request: Template dwelling within the Forest zone and within the Coastal Shorelands Boundary.

Staff Contact: Jill Barzee, Administrative Aide

I. APPLICABLE REVIEW CRITERIA: COOS COUNTY ZONING AND LAND DEVELOPMENT ORDINANCE (CCZLDO)

- i. Section 4.8.525(B) - Forest Dwellings (Template dwelling)
- ii. Section 4.8.600 - Mandatory siting standards for dwellings and structures within the Forest zone
- iii. Section 4.8.700 - Mandatory Fire Siting and Safety Standards
- iv. Section 4.8.750 (B) & (I) - Development Standards (setbacks)

v. **Appendix 1, Policy 5.10(7)(f) – Dunes, Ocean, and Coastal Lakes Shorelands**

II. **BASIC FINDINGS:**

- A. **Location:** The property is located on the Blacks Arm of North Tenmile Lake and is accessed by boat only. The subject property is identified on the Coos County Assessor's map Township 23, Range 12, Section 08AA, as Tax Lot 401.
- B. **Lot of Record:** Pursuant to the CCZLDO Section 3.3.800 (1), Lawfully Created Lots and Parcels, "The following lots or parcels shall remain discrete lots or parcels, unless individual lot or parcel lines are changed or vacated or the individual lot or parcel is further divided as provided by this Ordinance:...Lots or parcels created prior to January 1, 1986;.."

In August 2006, a discrete parcel determination was submitted that showed the subject property had been a discrete parcel prior to January 1, 1986. The Planning Department concurred with the submitted findings. Therefore, the subject property is a legal lot of record pursuant to Section 3.3.800(1).

- C. **Background:** As noted above, in August 2006 a discrete parcel determination was submitted to the Planning Department. On November 20, 2006, a pre-eligibility determination was submitted and was approved on December 18, 2006.

On December 18, 2006, an Oregon Department of State Lands Waterway permit was signed by the Planning Department and a zoning compliance letter (ZCL-06-686) was issued to site a dock.

The current application was submitted and deemed complete on December 29, 2006.

- D. **Zoning:** The subject property is zoned Forest (F). The purpose of the "F" zone is: "... to designate forest lands and protect them for forest uses, except where findings establish that certain limited non-forest uses may be allowed. Some of the areas covered by the "F" zone are exclusive forest lands, while other areas include a combination of mixed farm and forest uses."
- E. **Site Description:** The subject property is 0.33 acres. Pursuant to the 2007

Coos County assessment records, there is no development on the subject property

The subject property is heavily forested with no development.

The soils consist of Millicoma-Templeton complex (39F) which is found on slopes of 50% - 75%.

- F. **Special Considerations:** The acknowledged 100-year floodplain as noted on the Federal Emergency Management Agency's (FEMA) Federal Insurance Rate Map (FIRM) #410042 0015B) runs along the southern edge of the property.

The subject property lies within an acknowledged bird site protected by Statewide Planning goal 5 "C". On January 4, 2007, Oregon Department of Fish & Wildlife (ODF&W) was notified of the proposed development. Pursuant to the Coos County Comprehensive Plan, ODF&W has ten (10) days in which to respond to notification with their concerns. ODF&W did not respond and therefore has no objections to the proposed development.

The entire property lies within the Coastal Shorelands Boundary (CSB).

- G. **Surrounding Land Uses:** The subject property is surrounded by forest zoned properties on the north, east and west. The southern boundary is Blacks Arm of North Tenmile Lake. The surrounding properties are heavily forested.

The parcels within the 500 foot notification area of the subject property range in size from a .35 acre parcel to a 5.57 acre parcel, all in private ownership.

III. DECISION:

The submitted application to is hereby **approved** subject to requirements and conditions of approval set forth below.

IV. CCZLDO Review Criteria

- ii. **Section 4.8.525(B) "Template Dwelling"**
 - B. **Template dwelling.** A single family dwelling on a lot or parcel located within a forest zone may be allowed as a conditional use if:
 - 1. **There are no other dwellings on the tract on which the dwelling will be sited.**

Daryn Chapman
ACU-06-78
Page 4

FINDING: Pursuant to the 2007 assessment records, the subject tract consists of .33 acres. 2007 Assessment records and 2005 aerial photographs confirm there are no dwellings on the subject tract.

2. There are no deed restrictions established on the lots or parcels that make up the tract which do not allow a dwelling.

FINDING: The deed for the subject property, recorded in 2006 (2006-15542) does not reference any deed restrictions limiting development on the subject property.

3. The lot or parcel on which the dwelling is to be located is predominately composed of soils that are capable of producing the following cubic feet per acre per year:

	Cf/Ac/Yr of Growth		
	0-49	50-85	+85
Required minimum number of lots or parcels or portions thereof existing on January 1, 1993, with a 160-acre square centered on the subject tract.	3	7	11
Required minimum number of dwellings existing on January 1, 1993 on the lots or parcels	3	3	3

NOTE: Lots or parcels within urban growth boundaries shall not be used to satisfy the above requirements.

FINDING: The Oregon Department of Forestry and the Planning Department estimated the cubic foot per acre per year growth to be greater than 85. Based upon the above criteria the template option requires 11 parcels and 3 dwellings, established prior to January 1, 1993, within a 160-acre square centered on the subject property. The subject property qualifies for a forest template dwelling because there are 28 parcels and 11 dwellings within the 160-acre template established prior to January 1, 1993.

6. The proposed dwelling is not prohibited by, and will comply with, the requirements of the acknowledged Comprehensive Plan and its implementing measures.

FINDING: The proposal meets the criteria in Section 4.8.525(B) "Template Dwelling" and the acknowledged Comprehensive Plan.

- iii. **Section 4.8.600 - Mandatory Siting Standards Required for Dwellings and Structures in the Forest Zone.** The following siting criteria shall apply to all dwellings, including replacement dwellings, and structures in the Forest and Forest Mixed Use zones... These criteria are designed to make such uses compatible with forest operations and agriculture, to minimize wildfire hazards and risks and to conserve values found on forest lands.
- A. **Dwellings and structures shall be sited on the parcel so that:**
1. They have the least impact on nearby or adjoining forest or agricultural lands; and
 2. The siting ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized; and
 3. The amount of forest lands used to site access roads, service corridors, the dwelling and structures is minimized; and
 4. The risks associated with wildfires are minimized.

FINDING: The property is accessed by boat only from the Blacks Arm of North Tenmile Lake. The dwelling will be sited to comply with the fire safety standards as much as is possible due to the size, shape, and topography of the subject property. This will minimize adverse impacts on forest operations, as well as have the least impact on agricultural and forest operations. By maintaining the fire safety corridor, risks associated with wildfires will be minimized.

- B. **The applicant shall provide evidence that the domestic water supply is from a source authorized in accordance with the Water Resources Department's administrative rules for the appropriation of ground water or surface water and not from a Class II stream as defined in the Forest Practices Rules. For the purposed of this Section, evidence of a domestic water supply means:**
2. A water use permit issued by the Water Resources Department for the use described in the application; or
 3. Verification from the Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements under ORS 537.545, the applicant shall submit the well constructor's report to the County upon completion of the well.

Daryn Chapman
ACU-06-78
Page 6

FINDING: There is no evidence of verification from the Water Resources Department. As a condition of approval, verification of a water permit must be provided to the Planning Department.

- C. As a condition of approval, if road access to the dwelling is by a road owned and maintained by a private party or by the Oregon Department of Forestry, the United States Bureau of Land Management, or the United States Forest Service, then the applicant shall provide proof of a long-term road access use permit or agreement. The road use permit may require the applicant to agree to accept responsibility for road maintenance.**

FINDING: The current proposal does not include road access to the property. If road access is proposed in the future, then this criterion will apply.

iv. Section 4.8.700 - Fire Siting and Safety Standards

The dwelling shall be located within a fire protection district or shall be provided with residential fire protection by contract. If the dwelling is not within a fire protection district, the applicant shall provide evidence that the applicant has asked to be included within the nearest such district.

FINDING: Evidence has been submitted that the applicant has requested to be included in the Lakeside Rural Fire Protection District.

Section 4.8.700(A)(Firebreak) - identifies fire siting and safety standards that are applicable to dwellings approved in the Forest zone. The Ordinance requires a 30-foot primary setback and a 100-foot secondary setback be maintained. A variance application will not be required if the parcel's configuration (shape and/or size) does not allow the primary or secondary fire break to be met.

FINDING: The primary 30-foot fire safety setback can and will be met. The property is of such size and shape that the 100-foot secondary firebreak cannot be met in its entirety. However, it will be met as much as is feasible. Because of the configuration of the subject property, a variance is not required.

Section 4.8.700(D) of the CCZLDO identifies that dwellings shall not be sited on a slope greater than 40 percent.

FINDING: There was no indication of the slopes on the submitted site plan. The property consists of a mixture of Millicoma and Templeton soils, which are found on

mountainous slopes of 50% - 75%. The proposal will be conditioned on the basis that the dwelling must be sited on a slope not greater than 40%.

v. **Section 4.8.750 – Development Standards**

(B) Setbacks: All buildings or structures with the exception of fences shall be set back a minimum of thirty-five (35) feet from any road right-of-way centerline, or five (5) feet from any right-of-way line, whichever is greater.

FINDING: There are no roadways that abut this property; therefore, this criterion does not apply. Any new proposed roadway will have to comply with these setbacks.

(I) Riparian Vegetation Protection - Riparian vegetation within 50 feet of a wetland, stream, lake or river, as identified on the Coastal Shoreland and Fish and Wildlife habitat inventory maps shall be maintained...

FINDING: The subject property abuts the Blacks Arm of North Tenmile Lake. Pursuant to the submitted plot plan, the riparian setbacks will be met.

Appendix 1, Policy 5.10(7)(f) – Dunes, Ocean, and Coastal Lakes Shorelands

7. Coos County shall manage its rural areas within the "Coastal Shorelands Boundary" of the ocean, coastal lakes and minor estuaries through implementing ordinance measures that allow the following uses:

f. single family residences on existing lots, parcels, or units of land when compatible with the objectives and implementation standards of the Coastal Shorelands goal, and as otherwise permitted by the underlying zone;

In addition, the above uses shall only be permitted upon a finding that such uses do not otherwise conflict with the resource preservation and protection policies established elsewhere in this plan.

FINDING: With the approval of this conditional use permit, a single family residence will be conditionally allowed on the subject parcel and therefore, conditionally permitted by the underlying zone (F). The applicant has shown that he plans to protect the forest resources by siting the dwelling so that it makes the least impact on surround forest uses and so that it will meet the fire safety standards, as much as is possible due to the configuration of the property. The applicant has shown that he plans to protect the resources of the coastal lake (North Tenmile Lake) by siting the dwelling well beyond the fifty foot riparian vegetation protection area. In addition, the

proposal will not affect the protected birdsite in the vicinity as demonstrated by ODF&W. Therefore, the applicant has met the criteria in Appendix 1, Policy 5.10.

V. ANALYSIS:

The proposed dwelling meets the applicable review criteria of the CCZLDO subject to requirements and conditions of approval. Currently there are no roads or driveways proposed for the property. If roads or driveways are proposed for the property at a later date, they must comply with Chapter 7 and Section 4.8.600(C).

Please note, all applications are subject to review of all applicable review criteria in the Coos County Comprehensive Plan (CCCP), the Coos County Zoning and Land Development Ordinance (CCZLDO), and all land use regulations.

Please be aware the burden of proof rests with the applicant. Pursuant to Section 5.2.900 all conditional uses, except for land divisions, remain valid for the period set forth in ORS 215.417. Any conditional use not initiated within said time frame may be granted one extension pursuant to ORS 215.417.

VI. NOTICE OF APPEAL RIGHTS:

This decision may be appealed to the Coos County Hearings Body pursuant to Article 5.8 of the Coos County Zoning and Land Development Ordinance within 15 days from the date of written notice. This means that appeals filed after **February 16, 2007** are not timely and will not be considered. This decision will not be final until the period for filing an appeal has expired. Detailed information about the appeal process, filing fees and additional information may be provided by the Planning Department upon request.

VII. Requirements and Conditions of approval:

1. The applicant shall provide evidence that the dwelling's domestic water supply is from a source authorized by the Water Resources Department and not from a Class II stream as designated by the State Forestry.
2. Evidence must be provided that a "Forest Management Covenant" which recognizes the right of adjacent and nearby property owners to conduct forest operations consistent with the Forest Practices Act and Rules has been recorded in the Deed Records of Coos County.

3. If a new driveway is proposed, a road access permit and a road/driveway confirmation form must be signed by the Coos County Roadmaster that the road/driveway has been improved in accordance with Chapter VII of the CCZLDO.

All driveways are considered new if a dwelling does not currently exist on the subject property or a second dwelling requires the creation of a new driveway.

4. Pursuant to Table 7.2 of the CCZLDO there is a maximum allowed grade of 12% for any newly created road. The applicant must provide evidence from the County Roadmaster stating the road providing access to the subject property is in compliance with these requirements. If the property owner is unable to bring the existing forest road into compliance with these requirements a variance application will be required addressing Section 7.1.550 (Section 14).
5. Once the applicant has complied with items 1 through 4 above, a Zoning Compliance Letter (ZCL) can be obtained from the Planning Department in order to continue with any required development permits from the Department of Environmental Quality (DEQ) or State Building Codes Agency.
6. The permit shall run with the land and may be transferred to a new landowner when the property is conveyed. However, the "seller" or "grantor" shall by acting upon this permit agree to notify the "buyer" or "grantee" of the terms and conditions of the permit.
7. The proposed dwelling must be located as shown on the applicant's submitted plot plan; however the dwelling must not be located on slopes greater than 40%.
8. Pursuant to the CCZLDO, Section 4.8.700 requires the following:
 - a. All dwellings to maintain a 130-foot fuel free firebreak setback,
 - b. New structures shall use a non-combustible or fire resistant roofing material,
 - c. A water supply exceeding 4,000 gallons available for fire suppression,
 - d. The dwelling shall not be sited on a slope of greater than 40 percent,
 - e. If a chimney is proposed it shall have a spark arrester,
 - f. Adequate road access for fire personnel
9. Construction activities that disturb one or more acres of land are subject to Department of Environmental Quality (DEQ) review. Less than one acre may be subject to review if part of a larger common plan. Please direct all questions to DEQ.

Daryn Chapman
ACU-06-78
Page 10

Attachments: **To the applicants only**
 Template Map
 "Waiver of Right to Object Forest and Farm Practices
 Management Covenant"
 Water rights form

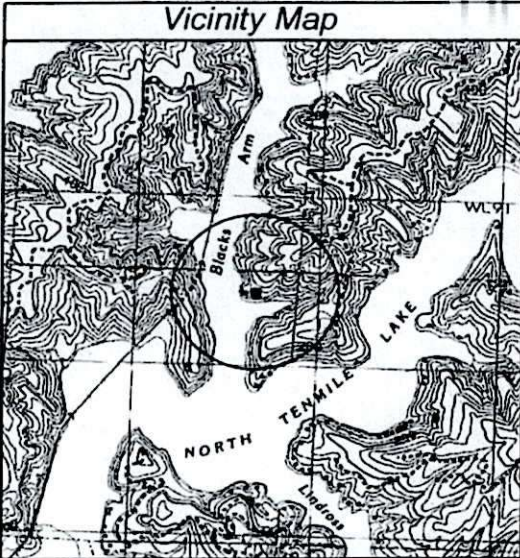
C:
David Perry, DLCD
Larry Van Elsberg, Coos County Roadmaster
Mitch Lewis, Watermaster Office
Del Cline, DEQ
Ruben Kretzschmar, DEQ
Lakeside RFPD
OD&W
File

2005 Ortho 1" = 400'



COOS COUNTY PLANNING DEPARTMENT EXHIBIT 4

Coos County Courthouse Annex, 290 N. Central
Coquille, Oregon 97423
(541) 396-3121 Ext. 210 Fax (541) 396-2690

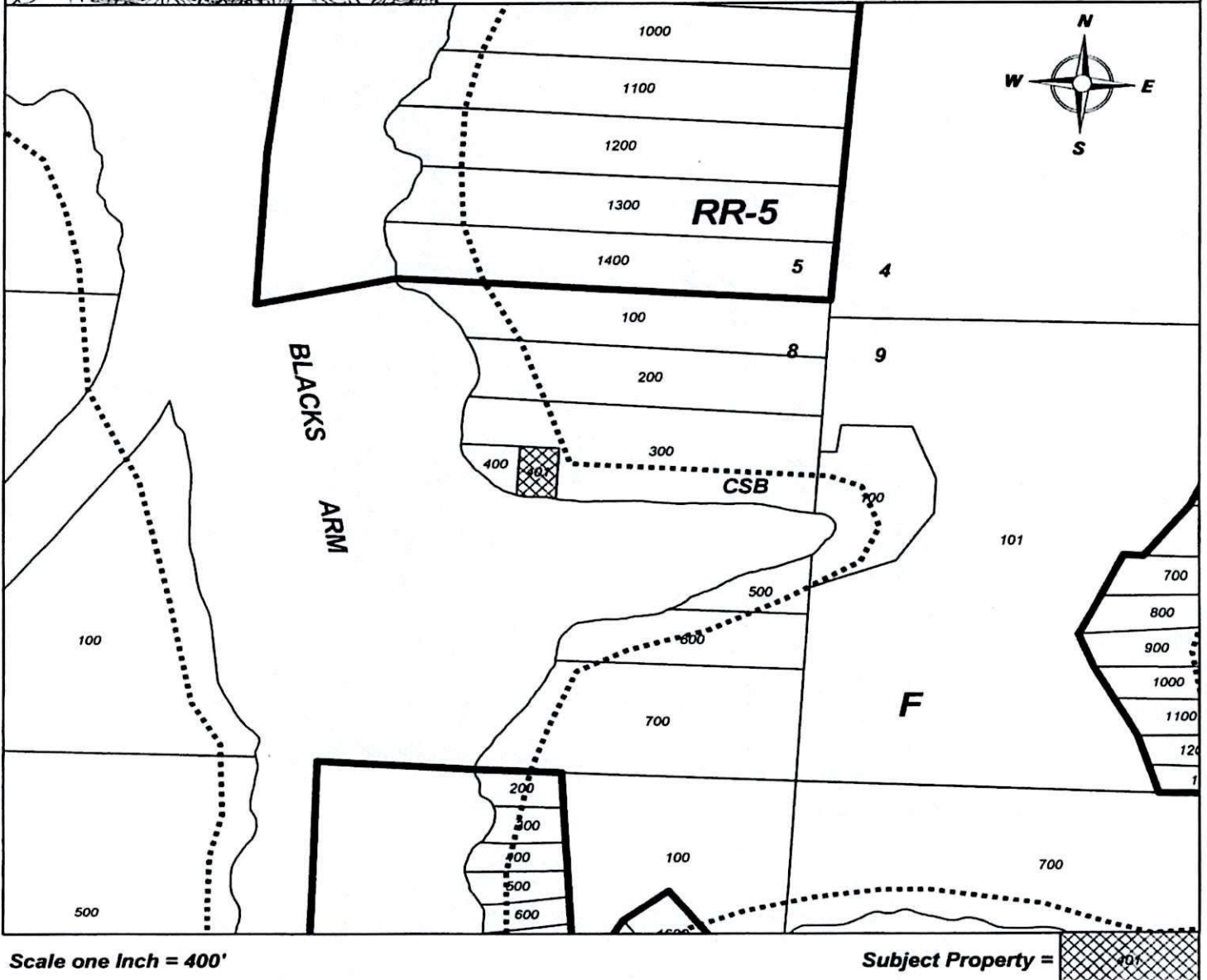


File Number: ACU-06-78

Applicant: Daryn Chapman
Owner: Sage Tenmile, LLC
2214 NW Iris CT
Camas, WA 98607

Location: T23 R12 Sec.08AA TL 401

Proposal: Template Dwelling



Scale one Inch = 400'

Subject Property =



Map_No	Parcel_No
23S12W05D	1400
23S12W08AA	100
23S12W08AA	200
23S12W08AA	300
23S12W08AA	400
23S12W08AA	401
23S12W08AA	500
23S12W08AA	600
23S12W08AA	700

Subject Prop

ASACD1R7 PLANDAN
ACCOUNT # 146.04 2007

DISPLAY REAL ACCOUNTS DISPLAY 1/09/07

EXHIBIT 4
Page 27 of 82

MAP # 23 S 12 W 8 AA 401
CODE AREA 13.02 ZONING F
MA 1 VALUE AREA LKF CLASS 801
SUB/BL/LT SPLIT
G.I.S. x SD# 0 CON/SEG 146.01 JV # 0
SITUS # ZIP
DOC # 2006-11997 ACRES .330 FP ACRES .000 SPLIT CODE

23S12W08AATL0040100	RMV	MAV	SAV	MSAV/M50	TAXABLE AV
LAND VALUE	47,909				
IMPROVEMENTS					
MFG STRUCTURE					
SUB TOTAL/BASE	47,909	23,763			
EXCEPTIONS					
SUB TOTAL	47,909	23,763			23,763
EXEMPTIONS					
2007 TOTALS	47,909	23,763			23,763

M/H X-NUMBER
F1=LN 2=IM 3=EN 4=OW 5=SA 6=EX 7=OH 8=ET 10=LG 11=FL 12=CM
13=MS 14=SI 15=XC 16=DT 17=TX 18=SL 19=QP 20=PR 21=NX 22=AP 24=DL

Subject Prop.

↓ Adj. Prop. 500' ↓

ASACD1R7 PLANDAN
 ACCOUNT # 119.08 2007
 COMMENTS

DISPLAY REAL ACCOUNTS DISPLAY 1/09/07

MAP # 23 S 12 W 5 D 1400
 CODE AREA 13.02 ZONING RR-5
 MA 1 VALUE AREA LKF CLASS 840
 SUB/BL/LT SPLIT
 G.I.S. x SD# 0 CON/SEG 97420 JV # 0
 SITUS # ZIP
 DOC # 89-03-0274 ACRES 4.500 FP ACRES 4.500 SPLIT CODE
 POTTAXLIAB FOREST NO ADD CHG OC
 23S12W05DTL0140000 RMV MAV SAV MSAV/M50 TAXABLE AV
 LAND VALUE 2,394 2,394
 IMPROVEMENTS
 MFG STRUCTURE
 SUB TOTAL/BASE 2,394 2,394 1,803
 EXCEPTIONS
 SUB TOTAL 2,394 2,394 1,803 1,803
 EXEMPTIONS
 2007 TOTALS 2,394 2,394 1,803 1,803

M/H X-NUMBER

F1=LN 2=IM 3=EN 4=OW 5=SA 6=EX 7=OH 8=ET 10=LG 11=FL 12=CM
 13=MS 14=SI 15=XC 16=DT 17=TX 18=SL 19=QP 20=PR 21=NX 22=AP 24=DL

Adi. Prop.

ASACD1R7 PLANDAN DISPLAY REAL ACCOUNTS DISPLAY 1/09/07

ACCOUNT # 146.00 2007 OWNER ANDERSON, TAMMY A.T. TAL

MAP # 23 S 12 W 8 AA 100	COMMENTS OTHER OWN	C/O	NAME	ADDRESS PO BOX 80877			
CODE AREA 13.02	ZONING F		ADDRESS	ADDRESS			
MA 1 VALUE AREA LKF CLASS 840			ADDRESS SIMPSONVILLE SC		29680		
SUB/BL/LT	SPLIT					JV #	0
G.I.S.	x	SD#	0	CON/SEG			
SITUS #				ZIP			
DOC # 80-33860	ACRES	3.740	FP ACRES	3.740	SPLIT CODE		
POTTAXLIAB FOREST OC							
23S12W08AATL0010000	RMV		MAV	SAV	MSAV/M50	TAXABLE AV	
LAND VALUE	1,990			1,990			
IMPROVEMENTS							
MFG STRUCTURE							
SUB TOTAL/BASE	1,990			1,990	1,496		
EXCEPTIONS							
SUB TOTAL	1,990			1,990	1,496	1,496	
EXEMPTIONS							
2007 TOTALS	1,990			1,990	1,496	1,496	

M/H X-NUMBER

F1=LN	2=IM	3=EN	4=OW	5=SA	6=EX	7=OH	8=ET	10=LG	11=FL	12=CM
13=MS	14=SI	15=XC	16=DT	17=TX	18=SL	19=QP	20=PR	21=NX	22=AP	24=DL

ASACD1R7 PLANDAN
ACCOUNT # 146.07 2007

DISPLAY REAL ACCOUNTS
OWNER GARDNER, MICHAEL

DISPLAY 1/09/07

OTHER FLAGS COMMENTS

C/O

MAP # 23 S 12 W 8 AA 300

NAME

CODE AREA 13.02 ZONING F

ADDRESS 96830 HIGHWAY 42

MA 1 VALUE AREA LKF CLASS 841

ADDRESS

SUB/BL/LT SPLIT

ADDRESS COQUILLE OR 97423

G.I.S. x SD#

0 CON/SEG JV # 0

SITUS 1478 # N TEN MILE LAKE

ZIP 97449 LAKESIDE

DOC # 95-12-0026 ACRES

5.190 FP ACRES 5.190 SPLIT CODE

POTTAXLIAB FOREST OC

23S12W08AATL0030000

RMV

MAV

SAV

MSAV/M50

TAXABLE AV

LAND VALUE 45,783

45,783

IMPROVEMENTS 165,820

165,820

MFG STRUCTURE

SUB TOTAL/BASE 211,603

211,603

91,486

EXCEPTIONS

SUB TOTAL 211,603

211,603

91,486

91,486

EXEMPTIONS

2007 TOTALS 211,603

211,603

91,486

91,486

MULTIPLE SITUS M/H X-NUMBER

F1=LN 2=IM 3=EN 4=OW 5=SA 6=EX 7=OH 8=ET 10=LG 11=FL 12=CM
13=MS 14=SI 15=XC 16=DT 17=TX 18=SL 19=QP 20=PR 21=NX 22=AP 24=DL

ASACD1R7 PLANDAN
ACCOUNT # 146.01 2007

DISPLAY REAL ACCOUNTS

DISPLAY 1/09/07

OTHER FLAGS COMMENTS

OWNER CHAPMAN TENMILE LAKE CHANGE
C/O BX060801 LLC

MAP # 23 S 12 W 8 AA 400

NAME

CODE AREA 13.02 ZONING F

ADDRESS 240 STENGAR LN

MA 1 VALUE AREA LKF CLASS 801

ADDRESS

SUB/BL/LT

SPLIT

ADDRESS ROSEBURG OR 97470

G.I.S. x SD#

0 CON/SEG 146.04 JV # 0

SITUS 1467 # N TEN MILE LAKE

ZIP 97449 LAKESIDE

DOC # 2006-11997 ACRES .350 FP ACRES

.700 SPLIT CODE

OC RECHECK 07

23S12W08AATL0040000

RMV

MAV

SAV

MSAV/M50

TAXABLE AV

LAND VALUE 53,717

IMPROVEMENTS 75,185

MFG STRUCTURE

SUB TOTAL/BASE 128,902 63,930

EXCEPTIONS

SUB TOTAL 128,902 63,930

63,930

EXEMPTIONS

2007 TOTALS 128,902 63,930

63,930

MULTIPLE SITUS M/H X-NUMBER

F1=LN 2=IM 3=EN 4=OW 5=SA 6=EX 7=OH 8=ET 10=LG 11=FL 12=CM
13=MS 14=SI 15=XC 16=DT 17=TX 18=SL 19=QP 20=PR 21=NX 22=AP 24=DL

ASACD1R7 PLANDAN
ACCOUNT # 146.06 2007
OTHER FLAGS COMMENTS

DISPLAY REAL ACCOUNTS
OWNER MORRELL, ERIC M. &
C/O MCGUIRE, MARTHA M.

DISPLAY 1/09/07

EXHIBIT 4
Page 33 of 82

MAP # 23 S 12 W 8 AA 500

NAME

CODE AREA 13.02 ZONING F

ADDRESS 724 CARDLEY AVE

MA 1 VALUE AREA LKF CLASS 801

ADDRESS

SUB/BL/LT SPLIT

ADDRESS MEDFORD OR 97504

G.I.S. x SD#

0 CON/SEG JV # 0

SITUS 1450 # N TEN MILE LAKE

ZIP 97449 LAKESIDE

DOC # 2001-5809 ACRES .750 FP ACRES .750 SPLIT CODE

OC

23S12W08AATL0050000 RMV MAV SAV MSAV/M50 TAXABLE AV

LAND VALUE 87,108

IMPROVEMENTS 187,500

MFG STRUCTURE

SUB TOTAL/BASE 274,608 114,062

EXCEPTIONS

SUB TOTAL 274,608 114,062 114,062

EXEMPTIONS

2007 TOTALS 274,608 114,062 114,062

MULTIPLE SITUS M/H X-NUMBER

F1=LN 2=IM 3=EN 4=OW 5=SA 6=EX 7=OH 8=ET 10=LG 11=FL 12=CM
13=MS 14=SI 15=XC 16=DT 17=TX 18=SL 19=QP 20=PR 21=NX 22=AP 24=DL

ASACD1R7 PLANDAN
ACCOUNT # 146.02 2007

DISPLAY REAL ACCOUNTS
OWNER DEMING, BLAINE & RENN

DISPLAY 1/09/07

OTHER FLAGS COMMENTS

MAP # 23 S 12 W 8 AA 600

CODE AREA 13.02 ZONING F

MA 1 VALUE AREA LKF CLASS 801

SUB/BL/LT SPLIT

G.I.S. x SD#

SITUS 1443 # N TEN MILE LAKE

DOC # 2003-10853 ACRES 2.180 FP ACRES 2.180 SPLIT CODE

OC DCLS AD TX RECHECK 07

23S12W08AATL0060000 RMV MAV SAV MSAV/M50 TAXABLE AV

LAND VALUE 94,367

IMPROVEMENTS 339,297

MFG STRUCTURE

SUB TOTAL/BASE 433,664 204,089

EXCEPTIONS

SUB TOTAL 433,664 204,089 204,089

EXEMPTIONS

2007 TOTALS 433,664 204,089 204,089

MULTIPLE SITUS M/H X-NUMBER

F1=LN 2=IM 3=EN 4=OW 5=SA 6=EX 7=OH 8=ET 10=LG 11=FL 12=CM
13=MS 14=SI 15=XC 16=DT 17=TX 18=SL 19=QP 20=PR 21=NX 22=AP 24=DL

ASACD1R7 PLANDAN
 ACCOUNT # 146.03 2007
 COMMENTS

DISPLAY REAL ACCOUNTS DISPLAY 1/09/07
 OWNER C. VERNON IRION FAMILY LIVING TRUST
 C/O % IRION, C. VERNON, TRUSTEE

MAP # 23 S 12 W 8 AA 700

CODE AREA 13.02 ZONING F
 MA 1 VALUE AREA LKF CLASS 800

SUB/BL/LT SPLIT

G.I.S. x SD#

SITUS #
 DOC # 2006-2978 ACRES

5.570 FP ACRES 5.570 SPLIT CODE

OC 23S12W08AATL0070000 RMV MAV SAV MSAV/M50 TAXABLE AV

LAND VALUE 108,885

IMPROVEMENTS

MFG STRUCTURE

SUB TOTAL/BASE 108,885 60,766

EXCEPTIONS

SUB TOTAL 108,885 60,766 60,766

EXEMPTIONS

2007 TOTALS 108,885 60,766 60,766

M/H X-NUMBER

F1=LN 2=IM 3=EN 4=OW 5=SA 6=EX 7=OH 8=ET 10=LG 11=FL 12=CM
 13=MS 14=SI 15=XC 16=DT 17=TX 18=SL 19=QP 20=PR 21=NX 22=AP 24=DL

January 22, 2007

RE: 23-12-08AA-401

Dear Mr. Chapman:

During the review process it was discovered that while the property was conveyed from Chapman Ten Mile Lake Exchange, LLC to Sage Tenmile, LLC, there is nothing in the file that indicates you are able to make this application.

The deed indicated Sage Tenmile, LLC is managed by American Exchange Services, Inc. with Glenda D. Sibbald as the sole and managing member. This means that you must prove that you are able to make the application yourself, or Ms. Sibbald must give written consent for you to do so. This can be done with a copy of the LLC papers indicating you are the president or other officer of the LLC or by Ms. Sibbald writing a letter to the Planning Department indicating you may make the application on behalf of Sage Tenmile, LLC. Her letter must be an original copy. No fax or electronic consents are acceptable by the Planning Department.

You may have ten days in which to supply this information to the Planning Department, no later than February 1, 2007. If we have not heard from you by that date, the Planning Department will have no choice but to deny your application on the basis that you have not proven you are the property owner or have consent of the property owner to make application.

Sincerely,
Coos County Planning Department
Debby Darling, Planning Tech

**American
Exchange
Services, Inc.** *Part Of The JELD-WEN Family*

January 23, 2007

Coos County Planning Dept.
Coos County Courthouse
Attn: Debby Darling, Planning Tech
290 N. Central
Coquille, OR 97423

RECORDED
JAN 24 2007

Re: Sage Ten Mile, LLC
Conditional Use Application

Dear Ms. Darling:

American Exchange Services, Inc., as the managing member for Sage Ten Mile, LLC, hereby authorizes Daryn Chapman to file a Conditional Use Application on behalf of Sage Ten Mile, LLC for the following described real property:

Beginning at a point located 785.25 feet West and 436.25 feet South of the Northeast corner of Section 8, Township 23 South, Range 12 West of the Willamette, Coos County, Oregon,; thence North 1° 07' East a distance of 16.25 feet; thence North 09° 16' East a distance of 100.00 feet; thence South 1° 07' West a distance of 280 feet; thence South 89° 16' West a distance of 100 feet; thence North 1° 07' East a distance of 263.75 feet to the place of beginning. Containing 0.64 acres, more or less and 0.37 of those acres being on dry land and being a portion of Section 8, Township 23 South, Range 12 West of the Willamette, Coos County, Oregon.

Please feel free to contact our Bend office 541-749-4375 if you have any questions or require any additional information.

Sincerely,

Sage Ten mile, LLC

Cindi Poling, Assistant Secretary, member
By American Exchange Services, Inc.
Sole and Managing Member,
Cindi Poling, Assistant Secretary

ASDLETR PLANJEAN

EDIT PLANNING COMMENTS

CHANGE

1/04/07

8:46:24

ACCOUNT #: 146.01

OWNER CHAPMAN TENMILE LAKE EXCHANGE

MAP: 23S 12W 8AA 400

BX060801 LLC

CLASS: 801 CODE: 13.02 ACRES: .70 SITUS: 1467 N TEN MILE LAKE 97470

ZONE CODES F PLAN CODES CON/SEG ACT

OPTIONS: D=Delete I=Insert Line Before FLAGS EXIST

? PLANNING COMMENT

ZCL-00-408 8/29/00 SEPTIC EVALUATION AND REPAIR/REPLACE OR RECONNECT
TO THE 1960 DWELLING

3/1/01 dock/boathouse permit

3/16/06 Dock renewal for RG-23729 js confirmed renewal is 2/28/11 js

8/23/06 discrete parcel determination ascertains that 2 discrete
parcels exist in this lot cf

9/6/06 sent notice to ODFW adl 9/16/06 js

9/18/06 no response from ODFW-no objections js

ZCL-06-558 09/21/06 septic site evaluation jk

ZCL-06-572 09/29/06 replace existing dwelling with a new sfd;reconnect
to existing septic; all development will be out of the floodplain +

F1=Prt Rcpt F3=End F5=Flags F6=Zone Cds F10=Toggle F12=Asmt Inq F15=Menu
F20=Previous F21=Next F22=Zoning Compliance Letter

ASDLETR PLANJEAN

EDIT PLANNING COMMENTS

CHANGE

1/04/07

8:46:24

ACCOUNT #: 146.01

OWNER CHAPMAN TENMILE LAKE EXCHANGE

MAP: 23S 12W 8AA 400

BX060801 LLC

CLASS: 801 CODE: 13.02 ACRES: .70 SITUS: 1467 N TEN MILE LAKE 97470

ZONE CODES F PLAN CODES CON/SEG ACT

OPTIONS: D=Delete I=Insert Line Before FLAGS EXIST

? PLANNING COMMENT

and the coastal shoreland boundary jk

11/20/06 forest site info js

PE-06-16 a/c 12/18/06 pre eligibility for template dwelling js

11/29/06 Boat House and Dock registration app RG-23729 confirmed

expires 2/28/11 js

ACU-06-78 pending 12/29/06 template dwelling js (TL# 401 hasn't been

mapped yet but when it is then info will be transferred over)js

F1=Prt Rcpt F3=End F5=Flags F6=Zone Cds F10=Toggle F12=Asmt Inq F15=Menu
F20=Previous F21=Next F22=Zoning Compliance Letter

ASDLETR2 PLANJEAN

IT ACCOUNT ZONING CODES NGE

1/04/07

8:46:45

ACCOUNT #: 146.01

OWNER CHAPMAN TENMILE LAKE EXCHANGE
BX060801 LLC

OPTIONS: D=Delete

? ZONE CODE

- F

F3=End F15=Menu F20=Prv F21=Nxt

ASACD1R7	PLANJEAN	DISPLAY REAL ACCOUNTS	SPLAY	1/04/07						
ACCOUNT #	146.01	2007	OWNER	CHAPMAN TENMILE	EXCHANGE					
OTHER FLAGS	COMMENTS	C/O	BX060801 LLC							
MAP #	23 S 12 W 8 AA	400	NAME							
CODE AREA	13.02	ZONING F	ADDRESS	240 STENGAR LN						
MA 1	VALUE AREA LKF	CLASS 801	ADDRESS							
SUB/BL/LT		SPLIT	ADDRESS	ROSEBURG OR	97470					
G.I.S.	x	SD#	0	CON/SEG	JV # 0					
SITUS	1467 #	N TEN MILE LAKE	ZIP	97449	LAKESIDE					
DOC #	2006-11997	ACRES .700	FP ACRES	.700	SPLIT CODE					
OC RECHECK	07									
23S12W08AATL0040000	RMV	MAV	SAV	MSAV/M50	TAXABLE AV					
LAND VALUE	101,626									
IMPROVEMENTS	75,185									
MFG STRUCTURE										
SUB TOTAL/BASE	176,811	87,693								
EXCEPTIONS										
SUB TOTAL	176,811	87,693			87,693					
EXEMPTIONS										
2007 TOTALS	176,811	87,693			87,693					
MULTIPLE SITUS M/H X-NUMBER										
F1=LN	2=IM	3=EN	4=OW	5=SA	6=EX	7=OH	8=ET	10=LG	11=FL	12=CM
13=MS	14=SI	15=XC	16=DT	17=TX	18=SL	19=QP	20=PR	21=NX	22=AP	24=DL

ASACDTR PLANJEAN

DISPLAY ACCOUNT COMMENTS

DISPLAY

1/04/07

8:46:53

EXHIBIT 4
Page 43 of 82

ACCOUNT # 146.01

OWNER CHAPMAN TENMILE LAKE EXCHANGE
BX060801 LLC

DATE COMMENTS
6/14/91 FIRE PAT ACRES

.70*

F1=LN 2=IM 3=EN 4=OW 5=SA 6=EX 7=OH 8=ET 10=LG 11=FL 12=CM Bottom
13=MS 14=SI 15=XC 16=DT 17=TX 18=SL 19=QP 20=PR 21=NX 22=AP 24=DL

ASACD1R PLANJEAN

DISPLAY REAL ACCOUNTS

DISPLAY 1/04/07
8:47:04

ACCOUNT # 146.01 1990

OWNER SANDINE, CARL A.

COMMENTS

C/O

MAP # 23 S 12 W 8 AA 400

NAME

CODE AREA 13.02 ZONING SW

ADDRESS 206 E BAY DR

MA 1 VALUE AREA 01 CLASS 801

ADDRESS

SUB/BL/LT SPLIT

ADDRESS NORTH BEND OR 97459

G.I.S. x SD# 0

CON/SEG JV # 0

SITUS #

ZIP

DOC # 294/300 ACRES .700 FP ACRES .700 SPLIT CODE

TOTAL VALUES 1990 ASSESS 1990 MARKET 1989 ASSESS 1989 MARKET

LAND VALUE : 27,300 27,300

IMPROVEMENTS 14,700 14,700

MOBILE HOME..:

EXEMPTIONS :

NET ASSESSED 42,000 42,000

SPECIAL ASSESS 35.00

M/H X-NUMBER

F1=LN 2=IM 3=EN 4=OW 5=SA 6=EX 7=OH 8=ET 10=LG 11=FL 12=CM
13=MS 14=SI 15=XC 16=DT 17=TX 18=SL 19=QP 20=PR 21=NX 22=AP 24=DL

ASACDTR PLANJEAN

DISPLAY ACCOUNT COMMENTS

DISPLAY 1/04/07
 8:47:11

ACCOUNT # 146.01

OWNER SANDINE, CARL A.

DATE COMMENTS
6/14/91 FIRE PAT ACRES

.70*

F1=LN 2=IM 3=EN 4=OW 5=SA 6=EX 7=OH 8=ET 10=LG 11=FL 12=CM Bottom
13=MS 14=SI 15=XE 16=DT 17=TX 18=SL 19=QP 20=PR 21=NX 22=AP 24=DL

ASARDTR3 PLANJEAN SPLAY ACCOUNT APPRAISAL SPLAY 1/04/07
 ACCOUNT # 146.01 2004 OWNER CHAPMAN TENMILE LAKE CHANGE
 MAP 23S 12W 8AA 400 SITUS 1467 N TEN MILE LAKE 97449
 APPR/DATE/YEAR DB / 10/13/2004 / 2004 INSPECT N AREA % 1.00 BASE YEAR 2004
 EXEMPT N ASMT YEAR 2004 PROP CLASS 801 VA LKF MAINT AREA 1 ZONING F
 OPTIONS X=Select,Z=Ex LAND MARKET IMPROV TOTAL 32,931

		TOTAL EXCEPTIONS		= LAND EXC.					+				
? DESCRIPTION	GP#	PHYS	FUNC	MISC	QTY	AREA	%CMP	LCM	CL	TOTAL	D	C	X
- RESIDENCE	1	.80	1.00	1.00	1.00	1.00	1.00	1.33	2	27347			
- DECKS TRTD/CDR	1	.50	1.00	1.00	1.00	1.00	1.00	1.00		1836			
- WD RAMP	1	.60	1.00	1.00	1.00	1.00	1.00	1.00		300			
- RAMP STEEL	1	1.00	1.00	1.00	1.00	1.00	1.00	1.00		1000			
- DECKS DOCK	1	.50	1.00	1.00	1.00	1.00	1.00	1.00		2448			

F2=Lnd 3=End
 F16=Commercial Appraisal

13=Com 14=Prt Bottom

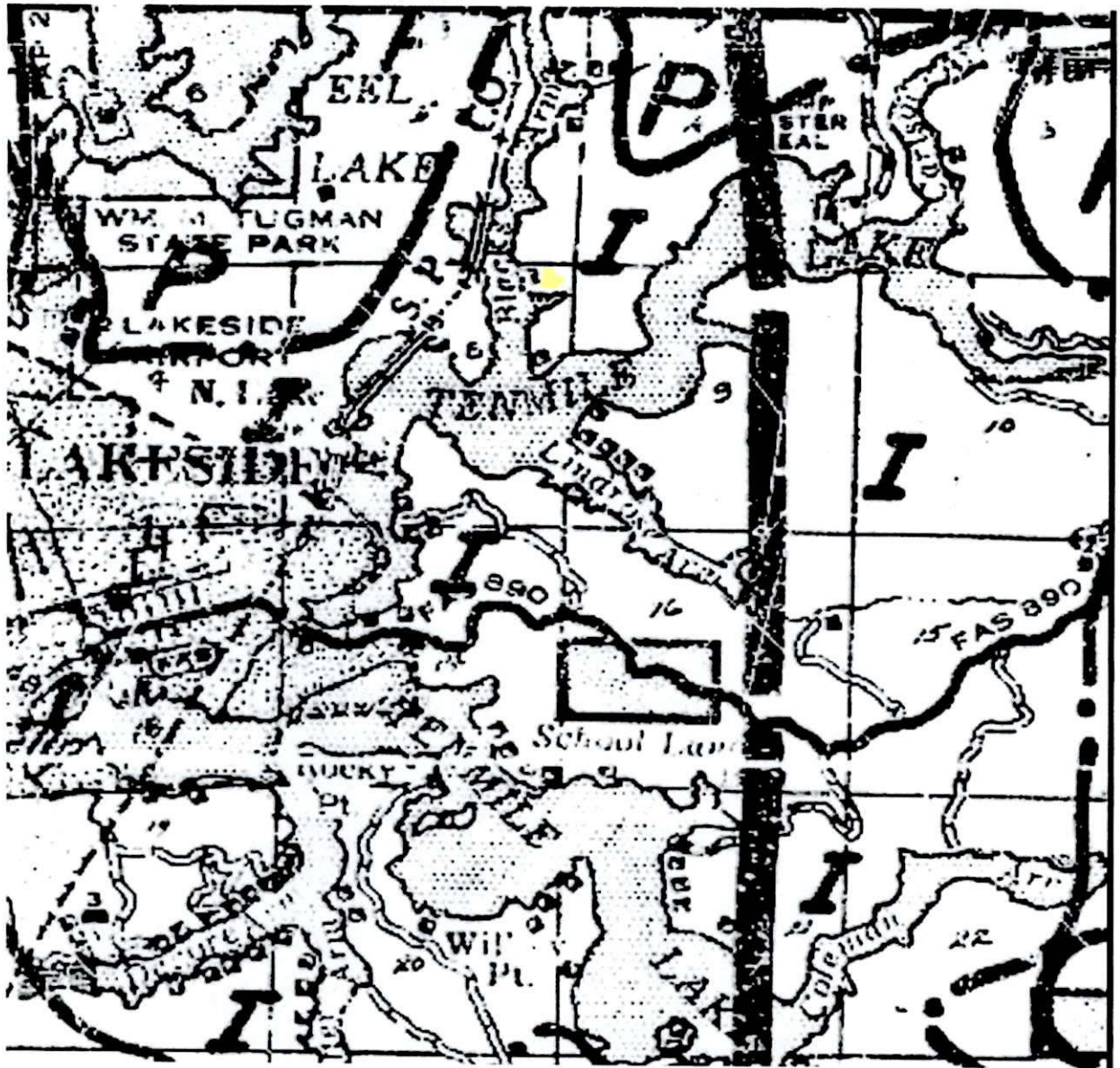
ASARDTR3 PLANJEAN SPLAY ACCOUNT APPRAISAL PLAY 1/04/07
 ACCOUNT # 146.01 2004 OWNER CHAPMAN TENMILE LAKE HANGE
 MAP 23S 12W 8AA 400 SITUS 1467 N TEN MILE LAKE 97449
 APPR/DATE/YEAR DB / 10/13/2004 / 2004 INSPECT N AREA % 1.00 BASE YEAR 2004
 EXEMPT N ASMT YEAR 2004 PROP CLASS 801 VA LKF MAINT AREA 1 ZONING F
 OPTIONS X=Select,Z=Ex LAND MARKET IMPROV TOTAL 32,931
 LAND ASSESSED TOTAL APPRAISAL 32,931

TOTAL EXCEPTIONS		= LAND EXC.								+			
? DESCRIPTION	GP#	PHYS	FUNC	MISC	QTY	AREA	%CMP	LCM	CL	TOTAL	D	C	X
- RESIDENCE	1	.80	1.00	1.00	1.00	1.00	1.00	1.33	2	27347			
- DECKS TRTD/CDR	1	.50	1.00	1.00	1.00	1.00	1.00	1.00		1836			
- WD RAMP	1	.60	1.00	1.00	1.00	1.00	1.00	1.00		300			
- RAMP STEEL	1	1.00	1.00	1.00	1.00	1.00	1.00	1.00		1000			
- DECKS DOCK	1	.50	1.00	1.00	1.00	1.00	1.00	1.00		2448			

F2=Lnd 3=End
F16=Commercial Appraisal

13=Com 14=Prt Bottom

FISH & WILDLIFE MAP II



Approximate Subject Property =



Coos County Planning Department
Coos County Courthouse Annex, Coquille, Oregon 97423
Mailing Address: Planning Department, Coos County Courthouse, Coquille, Oregon 97423

(541) 396-3121 Ext.210
FAX (541) 396-2690 / TDD (800) 735-2900
e-mail plansec@co.coos.or.us

PATTY EVERNDEN

PLANNING DIRECTOR

January 4, 2007

Daryn Chapman
2214 NW Iris Ct.
Camas WA 98607

RE: Submitted application

Dear Mr. Chapman:

Your application for a template dwelling located on Township 23, Range 12, Section 08AA, Tax Lot(s) 401 was received on December 21, 2006. After reviewing the application and all submitted documentation the Planning Department has determined the following:

- Your application has been deemed complete as of the date of this letter and will be processed. The application has been given file number **ACU-06-78**. You will receive a letter in the mail after the Planner has completed the review of your request.
- Your application has been deemed complete as of the date of this letter and it will be processed. The application has been given file number _____. A decision will be made to review your application administratively or to send it to the Hearings Body.
- Your application has been deemed complete as of the date of this letter and it will be processed. The application has been given file number _____. Your application will be scheduled for hearing(s) and you will receive notice twenty days prior to the scheduled date(s).
- Your application is incomplete and will be held until the additional information has been submitted, as noted below:

Pursuant to state law and the Coos County Zoning and Land Development Ordinance, the County must take final action within 150 days after the application has been deemed complete; however, if the subject property is located within the Urban Growth Boundary or if the request is for aggregate mining final action must be taken within a 120 days. A waiver to the 150/120 day timeline may be obtained from the applicant.

The Planning Department is open from 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m. Monday through Friday. If you have any questions or concerns please contact the department.

Sincerely,
Coos County Planning Department
Debby Darling, Planning Tech

C: Patty Evernden, Planning Director
file



Coos County Planning Department
Coos County Courthouse Annex, Coquille, Oregon 97423
Mailing Address: Planning Department, Coos County Courthouse, Coquille, Oregon 97423

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e-mail plansec@co.coos.or.us

PATTY EVERNDEN

PLANNING DIRECTOR

December 22, 2006

Daryn Chapman
2214 NW Iris Ct.
Camas WA 98607

RE: Submitted application

Dear Mr. Chapman:

Your application for a change in a grandfathered use located on Township 23, Range 12, Section 08AA, Tax Lot(s) 401 was received on December 21, 2006. After reviewing the application and all submitted documentation the Planning Department has determined the following:

- Your application has been deemed complete as of the date of this letter and will be processed. The application has been given file number _____. You will receive a letter in the mail after the Planner has completed the review of your request.
- Your application has been deemed complete as of the date of this letter and it will be processed. The application has been given file number _____. A decision will be made to review your application administratively or to send it to the Hearings Body.
- Your application has been deemed complete as of the date of this letter and it will be processed. The application has been given file number _____. Your application will be scheduled for hearing(s) and you will receive notice twenty days prior to the scheduled date(s).
- Your application is incomplete and will be held until the additional information has been submitted, as noted below:

There were no deeds submitted. Pursuant to Section 5.2.200(2) the most current deed must be submitted in order to offer evidence in support of your statement that you are the property owner. Section H on page 2 of the conditional use application form details this under required supplemental information to submit with the application. You may have 7 days in which to submit this additional information, no later than December 28, 2006. If we have not heard from you by that date, your application and check will be returned to you.

Pursuant to state law and the Coos County Zoning and Land Development Ordinance, the County must take final action within 150 days after the application has been deemed complete; however, if the subject property is located within the Urban Growth Boundary or if the request is for aggregate mining final action must be taken within a 120 days. A waiver to the 150/120 day timeline may be obtained from the applicant.

The Planning Department is open from 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m. Monday through Friday. If you have any questions or concerns please contact the department.

Sincerely,
Coos County Planning Department
Debby Darling, Planning Tech

C: Patty Evernden, Planning Director
file



COOS COUNTY PLANNING DEPARTMENT

Coos County Courthouse Annex, 290 N. Central, Coquille, Oregon 97423
 Mailing address: Planning Department, Coos County Courthouse, Coquille, Oregon 97423

(541) 396-3121 Ext.210

FAX (541) 396-2690 / TDD (800) 735-2900

PATTY EVERNDEN, PLANNING DIRECTOR

ccu 06-78

DATE : **January 4, 2007**

TO : **Bill Kinyoun
ODF&W**

FAX # : **888-6860**

E-MAIL : **Bill.R.Kinyoun@state.or.us**

FROM : **Coos County Planning Department
Jean Seidel, Office Specialist II
jseidel@co.coos.or.us**

PAGES : **2, including map**

RE : **Protected Bird Site**

Contact/Applicant	Property Owner/situs address	Location/situs	Development request
Daryn Chapman 2214 NW Iris CT Camas WA 98607 1360-834-9030	Sage Tenmile LLC PO Box 752 Bend OR 97709 1-541-389-7711	T.23, R.12, S.08AA, TL# 401	Template dwelling

There is a bird site noted in or near Section 21DC. Per the Coos County Zoning and Land Development Ordinance Appendix I, 5.6(1) (Fish & Wildlife Habitats), we are requesting you review the above-referenced property and send written notice whether or not ODF&W has objections to the proposed land use development. ODF&W has 10 days in which to respond to this notice. I am enclosing a map with the subject property noted for your convenience.

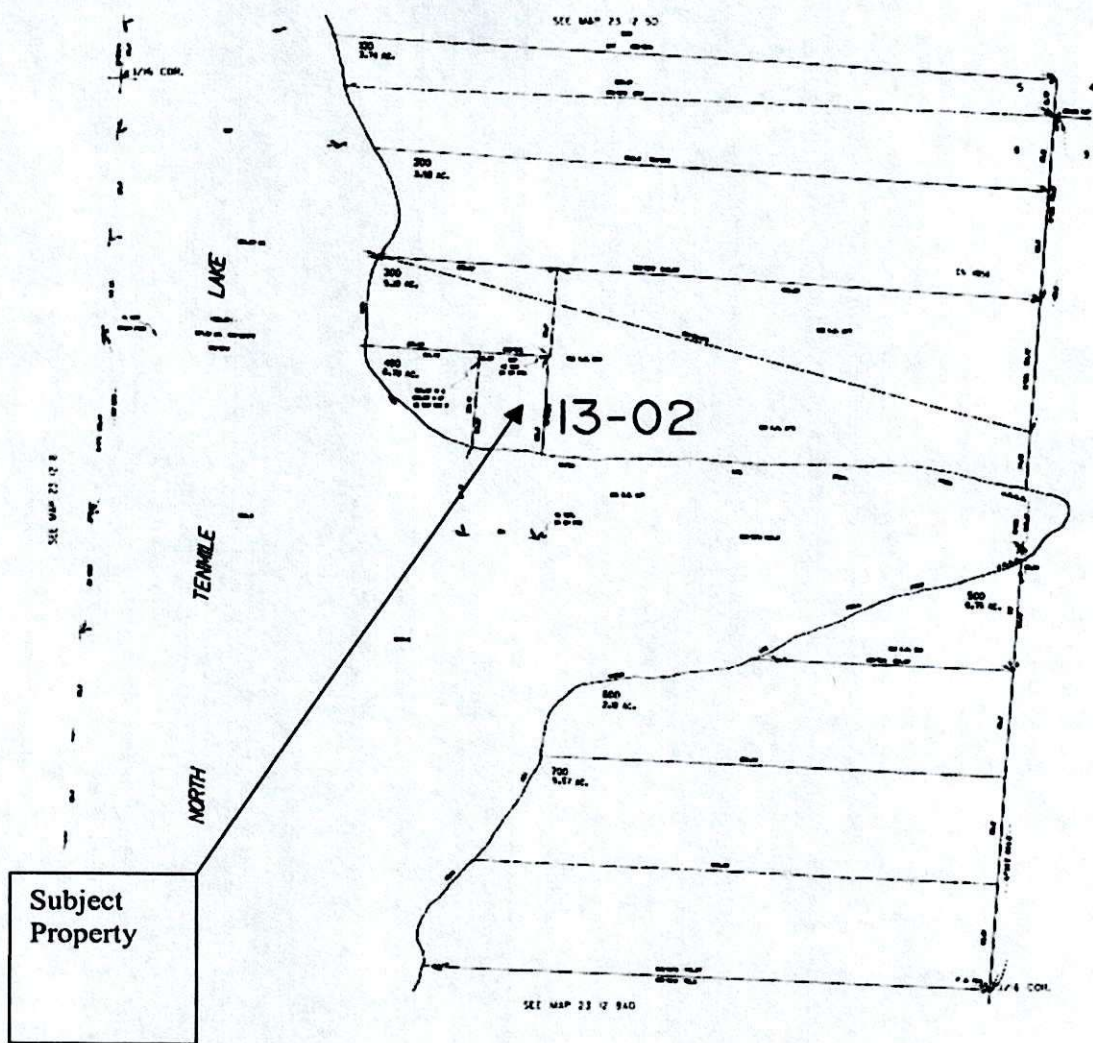
If Coos County Planning Department does not receive a response within the allowed 10 days, a zoning compliance letter will be issued to the requesting applicant. The deadline is January 14, 2007

If you have any other questions or need further help, please do not hesitate to contact the Planning Department at 541-396-3121, extension 210 or by email at jseidel@co.coos.or.us .

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

NE1/4 NE1/4 SEC. 8 T.23S. R.12W. W.M.
COOS COUNTY

23 12 8AA
CANCELLED





Coos County Planning Department
Coos County Courthouse Annex, Coquille, Oregon 97423

(541) 396-3121 Ext.210
FAX (541) 396-2690 / TDD (800) 735-2900

PATTY EVERNDEN

PLANNING DIRECTOR

NOTICE OF APPLICATION

January 4, 2007

David Perry, DLCD
Oregon Coastal Management Program
P O Box 451
Walport, OR 97394

Dear Mr. Perry;

Notice is hereby given that on December 29, 2006, the Planning Department received an application as described below (ACU-06- 78). We would appreciate any comments by January 19, 2007.

Daryn Chapman has submitted an application for a Template Dwelling in a Forest Mixed Use zone, located on property owned by Sage Tenmile, LLC and describe as T.23, R.12, S.08AA, TL# 401. The subject property contains .34 of an acre. The property is located northeast of Lakeside.

The applicable review criterion is identified as Article 4.8 of the Coos County Zoning and Land Development Ordinance (CCZLDO).

Additional information pertaining to this application may be obtained by contacting the Planning Department at (541) 396-3121, Extension 210.

Sincerely,
COOS COUNTY PLANNING DEPARTMENT

Jean Seidel
Office Specialist II

c: Daryn Chapman
Sage Tenmile, LLC
File

fee \$780

\$680 w/ pre-eligibility termination



Coos County Planning Department
Conditional Use Application

File No. ACU 06-78

Receipt No. 075793
Check No. 1606
Date 12/29/06
Received By DD

- Hearings Body
- Farm Relative
- Site Plan
- Seasonal Farm
- 160 Acre Farm
- Administrative Conditional Use
- Floodplain Application
- Template
- Forest 160/200
- 40,000 Income Test
- Family Hardship
- Lot of Record
- Variance
- 80,000 Income Test
- Variance to Road Regs.

An **incomplete** application **will not** be processed. Applicant is responsible for completing the form. Attach additional sheets to answer questions if needed.

The County will use these answers in its analysis of the merits of the application.

A. Applicant:

Name: DARIN CHAPMAN Telephone: 360-834-9030
Address: 2214 NW IRIS CT
City: CHAMAS State: WA Zip Code: 98607

B. Owner:

Name: Sage Townsite, LLC Telephone: 541-389-7711
Address: PO Box 752
City: Bend State: OR Zip Code: 97709

C. As applicant, I am (check one):

- The owner of the property;
- The purchaser of the property under a duly executed written contract who has the written consent of the vendor to make such application (consent form attached).
- A lessee in possession of the property who has written consent of the owner to make such application (consent form attached).
- The agent of any of the foregoing who states on the application that he/she is the duly authorized agent and who submits evidence of being duly authorized in writing by his principal (consent form attached).

D. Description of Property:

Township 23 s Range 12 w Section 08 AA Tax Lot 401
Tax Account 146.08 Lot Size 0.34 acre Zoning District Forest

E. Supplemental Information

1. Existing Use Vacant Parcel
2. Site Address 7 Tenmile - TL401 Access (Name of Road) Lake Access
3. Is the Property on Farm/Forest Tax Deferral NO
4. Current Land Use (timber, farming, residential, etc.) Residential
5. Major Topography Features (streams, ditches, slopes, etc.) Lake Front - typical
6. Letter from Oregon Department of Forestry (for Forest dwellings only)
7. Letter from Natural Resource Conservation Service (for Forest/Farm dwellings only).
8. Is there a dwelling on the subject property or tract? NO
9. List all lots or parcels that the current owner owns or is purchasing which have a common boundary with the subject property. _____

F. State Specific Use Requested

Construct a single family home.

G. Justification

Pursuant to the Zoning and Land Development Ordinance, this application may be approved only if it is found to comply with the "Review Standards and Special Considerations" applicable to the proposed use. Therefore, **please attach a page or pages with your findings (or reasons)** regarding how your application and proposed use comply with the following "Review Standards and Special Considerations" from Chapter IV of the Coos County Zoning and Land Development Ordinance.

4.8 525(b) 4.4 600, 4.6, 700 4.8 500(b)(1)
Appendix E Policy 5.10(1)(e)

H. Required Supplemental Information to Submit with Application

1. A copy of the current deed of record;
2. Covenants or deed restrictions on the property, if unknown contact title company;
3. A detailed parcel map of the property illustrating the size and location of existing and proposed uses, structures and roads on a 8 1/2" x 11" paper to scale. **Applicable distances must be noted on the parcel map;** (see attached)
4. If applicant is not the owner, documentation of consent of the owner including:
 - a. A description of the property;
 - b. Date of consent;
 - c. Original consent of property owner;
 - d. Party to whom consent is given.

I. Authorization:

All areas must be initialed by all applicant(s) prior to the Planning Department accepting any application.

DSC I hereby attest that I am authorized to make the application for a conditional use and the statements within this application are true and correct to the best of my knowledge and belief. I affirm that this is a legally created tract, lot or parcel of land. I understand that I have the right to an attorney for verification as to the creation of the subject property. I understand that any action authorized by Coos County may be revoked if it is determined that the action was issued based upon false statements or misrepresentation.

DSC Pursuant to ORS 215.416(1), the fee for the application(s) submittal represent the average cost of processing. If the actual cost of processing exceeds the amount of the fee by more than 20%, the applicant(s) shall be responsible for paying the full amount of the actual cost.

DSC I understand that approval is not guaranteed and that as applicant(s) I/we bear the burden of proof to demonstrate compliance with the applicable review criteria.

DSC As applicant(s) I/we acknowledge that it is in my/our desire to submit this application and staff has not encouraged or discouraged the submittal of this application.

Jam

Applicant(s) Original Signature

11-6-06

Date



Oregon

Theodore R. Kulongoski, Governor

Department of Forestry
Coos District
63612 Fifth Rd.
Coos Bay, OR 97420-3899
(541) 267-4136
Fax: (541) 269-2027

November 16, 2006

Sage Tenmile LLC
Attn Daryn Chapman
2214 NW Iris Ct.
Camas, WA 98607



STEWARDSHIP IN FORESTRY

Dear Mr. Chapman,

This letter contains the Forest Site Information that you requested for a Conditional Use Permit with the Coos County Planning Department.

The Oregon Department of Revenue has determined site conditions for much of Western Oregon's forestland. Field checking has proven their determinations to be generally accurate. For the 0.34-acre parcel, Tax Lot 401, located in Section 08aa Township 23 South, Range 12 West, W.M., the DOR has determined the Site Condition to be FB. This generally equates to a Forest Site Index of 170, which is the approximate height of a dominant tree at age 100 years on the parcel. Please refer to the map attached with this letter.

Using Site Class information from the USDA Technical Bulletin No. 201, an estimation of the site productivity for forestland can be made. Each acre of forestland on the Applicant's property can be expected to yield approximately 42,800 BF (FB) and at the end of a sixty-year rotation if proper stocking levels are maintained. Cubic foot growth estimates for the site are 148 cubic feet per acre per year.

Sincerely,

Jennifer Wright
Stewardship Forester, Coos and Curry Counties
Oregon Department of Forestry

cc: Patty Evernden, Coos County Planning Director



Coos Soil & Water Conservation District
382 North Central Boulevard
Coquille, Oregon 97423-1244
(541) 396-6879 Fax (541) 396-5106

SOILS REPORT REQUEST FORM

Date Requested: 11-13-06

Applicant Information:

Name: Daryn Chapman

Address: 2214 NW Iris Ct
Camas WA 98607

Phone: 360-834-9030

Property Description:

Township 23 S Range 12 W Section 08 Taxlot #(s) 401 (new) (East portion 400)

Township _____ Range _____ Section _____ Taxlot #(s) _____

Approximate Acres: 0.7

Type of Report Requested:

Standard County Planning Soils Report

Is Report for Dwelling within Exclusive Farm Use (requires Coos Co. Attachment "A")

yes no

Other Soil Data Report attachments: _____

Will pick-up in office

Mail

FAX(not recommended)



Coos Soil & Water Conservation District
382 North Central Boulevard
Coquille, Oregon 97423-1244
(541) 396-6879 -- Fax (541) 396-5106

SOIL INFORMATION REPORT

Date: November 13, 2006
Prepared by: Barbara Grant, Coos SWCD

APPLICANT INFORMATION				
NAME	Daryn Chapman			
ADDRESS				
CITY				
STATE, ZIP				
PHONE	360-834-9030			
PROPERTY INFORMATION				
TOWNSHIP	23 South			
RANGE	12 West			
SECTION	08			
TAX LOT	401 (New lot number, east portion of lot 400)			
MAP NUMBER	23 12 8AA			
SOIL INFORMATION				
SOIL SURVEY MAP SHEET NUMBER 01				
Soil Symbol	Soil Name	Capability Class	Forest Site Index	Percent of Parcel
39F	Millacoma Templeton complex, 50 to 75 percent slopes	7e	119DF	100%

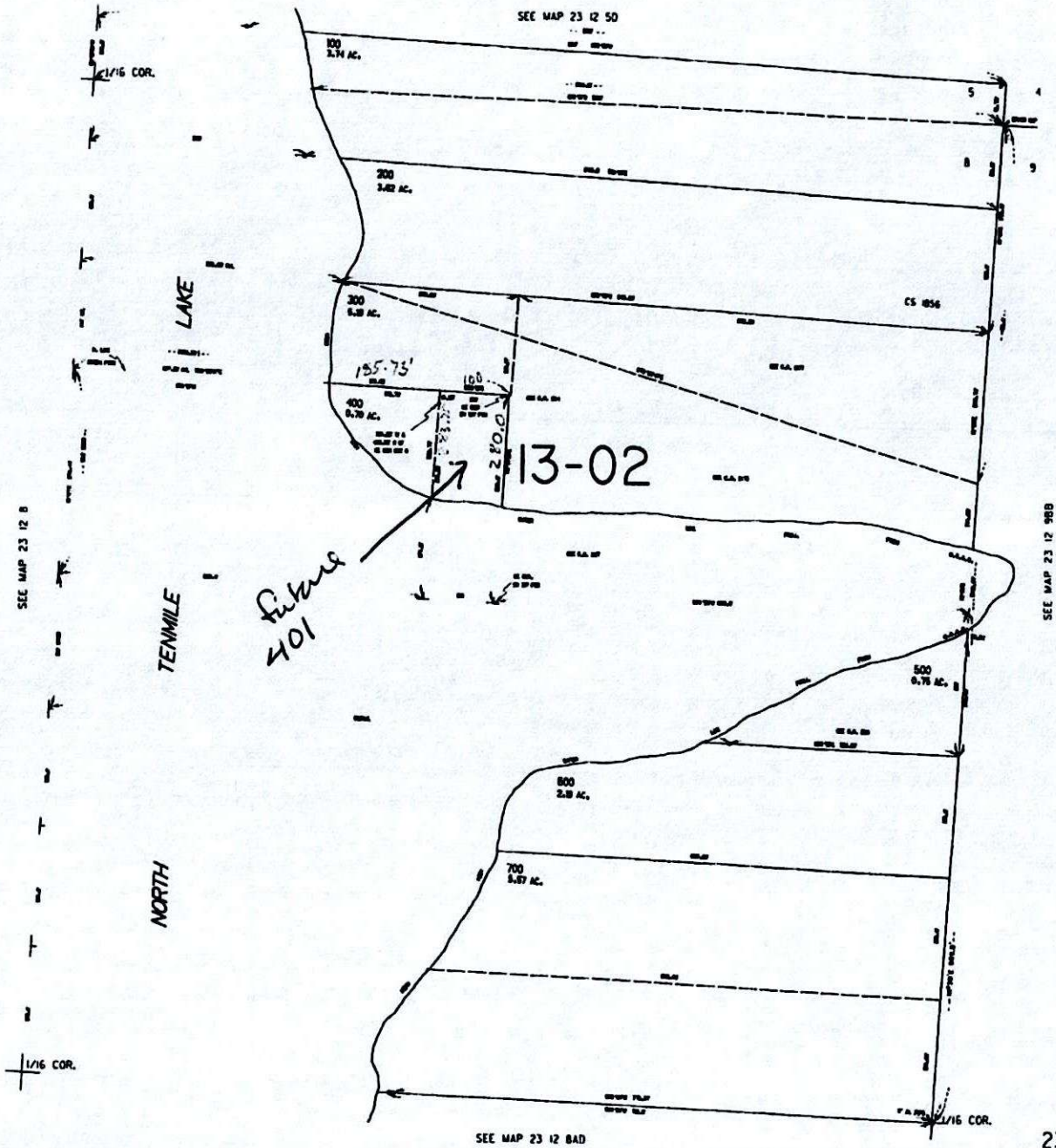
This report is based on the maps and information contained in the *Soil Survey Report of Coos County, Oregon*, issued July 1989. Coos SWCD has made every effort to make sure the information contained in this report is correct. However, in the event that any information is incorrect, Coos SWCD assumes no liability for damages incurred directly or indirectly as a result of incomplete, incorrect or omitted information. If you do find any information that is incorrect, please notify us immediately.

23 12 8AA
CANCELLED

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

NE1/4 NE1/4 SEC. 8 T.23S. R.12W. W.M.
COOS COUNTY

1" = 100'



DATE
23 12 8AA

SEE MAP 23 12 58D

SEE MAP 23 12 8

SEE MAP 23 12 58B

SEE MAP 23 12 50

Soils Inventory Report

Tue Nov 14 08:08:55 PST 2006

Map Unit Symbol	Map Unit Name	Acres	Percent
39F	Millicoma-Templeton complex, 50 to 75 percent slopes	0.7	100%
W	Water	0	0%
	Total:	0.7	

Forestland Productivity with Site Index Base Age (OR)

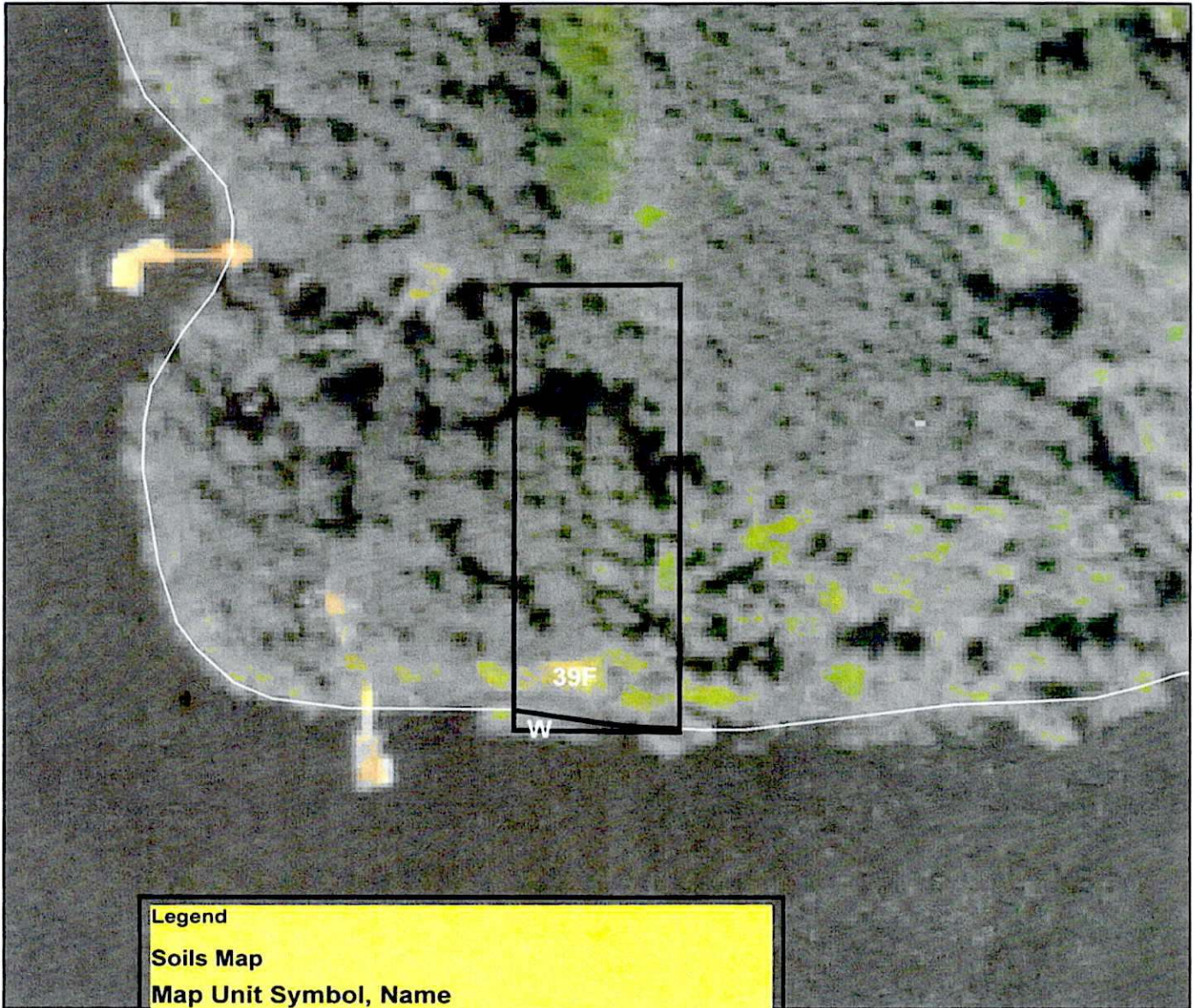
Coos County, Oregon

Map Symbol and Soil Name	Potential Productivity				Trees to Manage
	Common Trees	Site Index (ft)	Site Index Base Age (yrs)	Volume of Wood Fiber (CMAI)	
Cu Ft/Acre/Yr					
39F:					
Millicoma	Douglas-fir	119	50	172	Douglas-fir
	red alder	---	---	---	Sitka spruce
	Sitka spruce	---	---	---	western hemlock
	tanoak	---	---	---	
	western hemlock	---	---	---	
Templeton	Douglas-fir	125	50	186	Douglas-fir
	red alder	---	---	---	Sitka spruce
	Sitka spruce	169	100	257	western hemlock
	western hemlock	161	100	257	
	western redcedar	---	---	---	

Soils Inventory Report

District: COOS SOIL & WATER CONSERVATION DISTRICT
 Approximate Acres: 0.7
 Legal Description: Township 23 S Range 12 W Section 8
 Approximate taxlot 400 (future 401)

Field Office: COQUILLE SERVICE CENTER
 Agency: Natural Resources Conservation Service
 Assisted By: Barbara Grant
 State and County: OR, COOS



Legend

Soils Map

Map Unit Symbol, Name





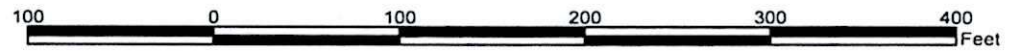
-  39F, Millicoma-Templeton complex, 50 to 75 percent slopes
-  W, Water
-  soilmunm_a_or011
-  Chapman (Polygon)

Image: ortho_1-1_1n_s_or011_2005_1.sid



Brief Map Unit Description

Coos County, Oregon

[Only those map units that have entries for the selected description categories are included in this report]

Map unit: 39F - Millicoma-Templeton complex, 50 to 75 percent slopes

Description category: SOI

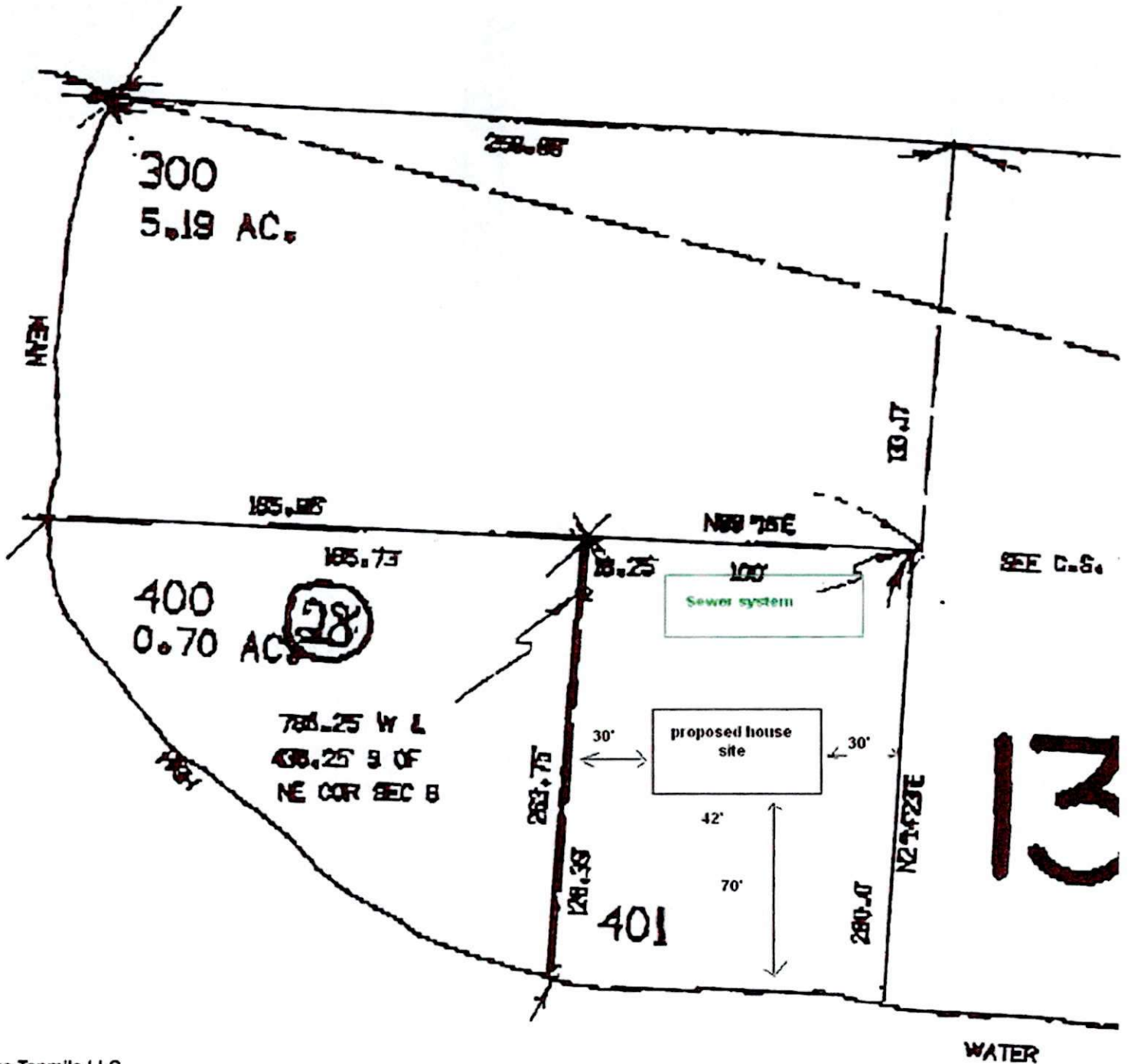
The Millicoma soil is 20 to 40 inches deep to bedrock. It is loamy, high in rock fragments, well drained and occurs on mountains. Water erosion is a potential hazard. The Templeton soil is 40 to 60 inches deep to bedrock. It is silty, well drained and occurs on mountains. Water erosion is a potential hazard.

Component Yields, Irrigated & Non-Irrigated (B)

Coos County, Oregon

[Yields in the "N" columns are for nonirrigated areas; those in the "I" column are for irrigated areas. Yields are those that can be expected under a high level of management. Absence of a yield indicates that the soil is not suited to the crop or the crop generally is not grown on the soil]

Map symbol and soil name	Land capability		Grass hay		Grass-legume hay		Pasture	
	N	I	N	I	N	I	N	I
			<i>Tons</i>	<i>Tons</i>	<i>Tons</i>	<i>Tons</i>	<i>AUM</i>	<i>AUM</i>
39F:								
Millicoma	7e	---	---	---	---	---	---	---
Templeton	7e	---	---	---	---	---	---	---



13

Sage Tenmile LLC

Prepared by Daryn Chapman

23s 12w 08AA TL401

November 13, 2006

0.34 acre



1" = 45'

N. Tenmile Lake

Sage Conditional Use Map

2006-11-14 11:05

MAKENA TAN

5416777284 >>

541 759 3306

P 2/5

Criteria for a Template Dwelling

1. If the dwelling is not within a residential fire protection district and has not contracted with a fire protection district, the applicant shall provide evidence that he/she has asked to be included in the nearest such district; and

Note: Alternative means for protecting the dwelling from fire hazards may include a fire sprinkling system, on-site equipment and water storage or other methods that are reasonable, given the site conditions.

Please have the following blanks completed by the fire chief:

The applicant has asked to be included in/ is contracting/with/is part of
Sakunde Rural Fire Protection District.

District Chief: Dale H. [Signature] Date: 11/23/06

2. The following information must also be submitted with your application:
 - a. A copy of the deed of record for the parcel on which you are proposing to establish a dwelling; a copy of the deed is also required for the tracts, lots or parcels in the same ownership which are contiguous to the subject property;
 - b. If you are not the owner, a letter of consent to apply for a dwelling must be completed from the current landowner(s);
 - c. Site plan to scale of where you propose to place the dwelling and any other existing or proposed structures; (see plot plan instructions)
 - d. A letter from the Oregon Department of Forestry (ODOF) indicating the "forest site index" and the "cubic feet per acre per year growth estimates" or its equivalent;
 - e. A soils report from the Natural Resources Conservation Service (NRCS) identifying the soil types and class or its equivalent. The NRCS office is located at 382 N. Central, Coquille, Oregon.
 - f. Detach and retain Attachment B. If an approval is granted, Attachment B will need to be completed and returned to the Department for your file.
 - g. Sign the application and return it with the required information and fee.

to be sited not closer to the wetland, stream, lake or river than the existing structure and said addition or alteration is established and an addition or alteration to said structure

The 50' riparian vegetation setback shall not apply in any instance where an existing structure was lawfully established and an addition or alteration to said structure

except as needed to provide an access to the water to site or maintain irrigation pumps.

does not encroach further into the vegetation buffer corridors, etc.) provided that such vegetation removal harvesting farm crops customarily grown within riparian irrigation pumps, to limit encroaching brush, to allow existing agricultural operations (e.g. to site or maintain Riparian vegetation may be removed in conjunction with

or property maintain public utilities and road right-of-way; Riparian vegetation may be removed in order to site or

USFS stream enhancement plan; or ODFW, BLM, Soil & Water Conservation District, or or streambank clearance project under a port district, Riparian vegetation may be removed to facilitate stream

stabilization measures; or establishment of authorized structural shoreline Riparian vegetation may be removed in order to allow

access for a water-dependent use; or Riparian vegetation may be removed to provide direct

minimize such hazard; or posting an erosion or safety hazard may be removed to District, a port district or U.S. Soil Conservation Service Trees certified by the Coos Soil and Water Conservation

Wildlife habitat inventory maps shall be maintained except that: Riparian vegetation within 50 feet of a wetland, stream, lake or river, as identified on the Coastal Shoreland and Fish and

1. Riparian Vegetation Protection.

greater. be set back a minimum of thirty-five (35) feet from any road right-of-way centerline, or five (5) feet from any right-of-way line, whichever is

B. Setbacks: All buildings or structures with the exception of fences shall

SECTION 4.8.750. Development Standards. All development and structures approved pursuant to Article 4.8 shall be sited in accordance with this Section.

The primary fuel-free break and secondary break areas shall be provided and maintained on land surrounding the dwelling that is owned or controlled by the owner. A variance application will not be required if the parcel's configuration (shape and/or size) does not allow the primary or secondary fire break to be met. (OR-98-01-002PL)

B. All new and replacement structures shall use non-combustible or fire resistant roofing materials, as may be approved by the certified official responsible for the building permit.

3. A secondary fire break of at least 100 feet radius around the primary safety zone shall be established and maintained. Vegetation should be pruned (to at least 8 feet in height) and spaced so that fire will not spread between the crowns of trees. Accumulated needles, limbs and other dead vegetation should be removed from beneath trees.
2. Sufficient garden hose to reach the perimeter of the primary safety zone shall be available at all times.

1. A firebreak shall be established and maintained around all structures, including decks, for a distance of at least 30 feet in all directions. This firebreak will be a primary safety zone around all structures. Vegetation within this primary safety zone may include mowed grasses, low shrubs (less than 15 feet window height), and trees that are spaced with more than 15 feet between the crowns and pruned to remove dead and low (less than 8 feet from the ground) branches. Accumulated needles, limbs and other dead vegetation should be removed from beneath trees.

A. Firebreak:

The dwelling shall be located within a fire protection district or shall be provided with residential fire protection by contract. If the dwelling is not within a fire protection district, the applicant shall provide evidence that the applicant has asked to be included within the nearest such district. If the applicant is outside the rural fire protection district, the applicant shall provide evidence that he has contacted the Department of Forestry of the proposed development.

SECTION 4.8.700 Fire Siting and Safety Standards. All new dwellings and permanent structures and replacement dwellings and structures shall, at a minimum, meet the following standards. The Planning Director may authorize alternative forms of fire protection when it is determined that these standards are impracticable.

represents not more than 100% of the size of the existing structure's "footprint";

- 1. They have the least impact on nearby or adjoining forest or agricultural lands; and
 - 2. The siting ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized; and
 - 3. The amount of forest lands used to site access roads, service corridors, the dwelling and structures is minimized; and
 - 4. The risks associated with wildfires are minimized.
- A. Dwellings and structures shall be sited on the parcel so that:

These criteria may include setbacks from adjoining properties, clustering near or among existing structures, siting close to existing roads and siting on that portion of the parcel least suited for growing trees, and shall be considered together with the requirements in Section 4.8.700 to identify the building site.

These criteria may include setbacks from adjoining properties, clustering near or among existing structures, siting close to existing roads and siting on that portion of the parcel least suited for growing trees, and shall be considered together with the requirements in Section 4.8.700 to identify the building site.

These criteria may include setbacks from adjoining properties, clustering near or among existing structures, siting close to existing roads and siting on that portion of the parcel least suited for growing trees, and shall be considered together with the requirements in Section 4.8.700 to identify the building site.

These criteria may include setbacks from adjoining properties, clustering near or among existing structures, siting close to existing roads and siting on that portion of the parcel least suited for growing trees, and shall be considered together with the requirements in Section 4.8.700 to identify the building site.

- SECTION 4.8.600. Mandatory Siting Standards Required for Dwelling and Structures in the Forest Zone.** The following siting criteria shall apply to all dwellings, including replacement dwellings, and structures in the Forest and Forest Mixed Use zones. Replacement dwellings may be sited in close proximity to the existing developed homestead. These criteria are designed to make such uses compatible with forest operations and agriculture, to minimize wildfire hazards and risks and to conserve values found on forest lands.
- C. If a water supply exceeding 4,000 gallons is suitable and available (within 100 feet of the driveway or road) for fire suppression, then road access and turning space shall be provided for fire protection pumping units to the source during fire season. This includes water supplies such as a swimming pool, tank or natural water supply (e.g. pond).
 - D. The dwelling shall not be sited on a slope of greater than 40 percent.
 - E. If the dwelling has a chimney or chimneys, each chimney shall have a spark arrester.
 - F. The dwelling shall be located upon a parcel within a fire protection district or shall be provided with residential fire protection by contract. If the dwelling is not within a fire protection district, the applicant shall provide evidence that the applicant has asked to be included within the nearest such district.
 - G. Except for private roads and bridges accessing only commercial forest uses, public roads, bridges, private roads and driveways shall be constructed so as to provide adequate access for fire fighting equipment.
 - H. Access to new dwellings shall meet road and driveway standards in Chapter VII.

Coos County Planning Department
Mail: Coos County Courthouse, Coquille, Oregon 97423
Location: 290 N. Central, Coquille, Oregon 97423
Phone: (541) 396-3121 ext. 210
Fax: (541) 396-2690

File No. _____

**PRE-ELIGIBILITY REVIEW
FOR FIRST DWELLING IN THE FOREST ZONE**

The \$412.00 fee for this review is non-refundable. Should you decide to apply for a first dwelling in a forest zone \$100.00 will be credited toward the conditional use application fee, which is \$780.00.

NOTE: The following must be completed in full. Incomplete requests will not be accepted and will be returned.

A. PROPOSED DWELLING TYPE: (check one)
 X Lot-of-Record* _____ Template

B. LEGAL DESCRIPTION OF PROPERTY:
Township 23 S Range 12 W Section 08 AA Tax Lot 401
Tax Account 146.08 Acres 0.34 Acre

C. List all lots or parcels that the current owner owns or is purchasing which have a common boundary with the subject property. Attach additional pages if necessary.
 TL 300 Michael Gardner, TL 400 Chapman Tenmile Lake Exchange

D. ZONING: (X) Forest [] Forest/Mixed Use

E. INDIVIDUAL REQUESTING REVIEW:
Name: DARYN CHAPMAN Phone: 360-834-9030
Address: 2214 NW IRIS CT
City: CAMAS State: WA Zip Code: 98607

F. PROPERTY OWNER:
Name: Sage Tenmile, LLC Phone: 541-389-7711
Address: PO Box 752
City: Bend State: OR Zip Code: 97709

[Signature] 11-13-04
Signature Date

*NOTE: Evidence must be submitted in support of item #1 and item #2 of the first dwelling in the forest zone application (as quoted below) with this pre-application for Lot-of-Record only:

1. The parcel on which the dwelling will be sited was lawfully created before January 1, 1985;
 2. The parcel has been owned by the same person (or person's heir) since January 1, 1985;
- (For the purpose here, "owner" includes the wife, husband, son, daughter, mother, father, brother, brother-in-law, aunt, uncle, niece, nephew, stepparent, stepchild, grandparent or grandchild or the owner of a business entity owned by any one or combination of these family members.)"

OFFICE USE ONLY
Fee: \$412.00 Receipt No. _____ Check # _____
Received By: _____ Date: _____

GRANTS

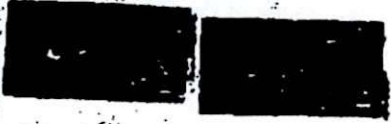
KNOW ALL MEN BY THESE PRESENTS, That **Grace Lillian Bourne**,
widow

In consideration of **Ten and no/100** Dollars
to greater paid by **Carl A. Sandine and Agnes T. Sandine**,
hereinafter called the grantors, than hereby grant, bargain, sell and convey unto the grantee, as trustee for
the entirety, the heirs of the survivor and their assigns, that certain real property, with the fixtures,
furnishings and appurtenances thereto belonging or appertaining, situated in the State of Oregon
and the County thereof named below, described as follows, to-wit:

Beginning at a point located 785.25 feet West and 436.75
feet South of the Northwest corner of Section 8, Township 23
South, Range 12 West of the Willamette, Coos County, Oregon;
thence North 1° 07' East a distance of 16.75 feet; thence North
89° 16' East a distance of 100.00 feet; thence South 1° 07'
West a distance of 280 feet; thence South 89° 16' East a dis-
tance of 100 feet; thence North 1° 07' East a distance of 263.75
feet to the place of beginning, containing 0.61 acres, more or
less and 0.57 of these acres being an dry land and being a
portion of Section 8, Township 23 South, Range 12 West of the
Willamette, Coos County, Oregon.

To Have and to Hold the above described and granted premises unto the said grantee, or to her
heirs, their heirs and assigns forever.
And the grantor hereby covenants to and with the grantee and the heirs of the survivor and their assigns,
that the grantor so lawfully entered in her name of the above granted premises, free from all encumbrances
except as to any portion lying below high water line of North Lake
and easements recorded in Book 293 page 390 and Book 304 page 316,
Deed Books of Coos County, Oregon, shall defend the above granted premises and every part and parcel
thereof against the lawful claims and demands of all persons whatsoever, except as stated
above.

In witnessing this deed and where the survivor so requires, the singular includes the plural
WITNESS grantor's hand and seal this 21st day of April 1965.



Grace Lillian Bourne (Seal)
(Seal)
(Seal)
(Seal)

CLERK OF COUNTY OF OREGON, County of Coos
Personally appeared the above named
Grace Lillian Bourne, widow
and acknowledged the foregoing instrument to be her
voluntary act and deed.

Notary Public for Oregon
Daryn Chapman
My commission expires 3/31/96

WARRANTY DEED

Grace Lillian Bourne
vs
Carl A. Sandine and
Agnes T. Sandine

APR 21 1965
30

RECORDED
INDEXED
APR 21 1965
317 50

FORM NO. 100 - WARRANTY DEED

204 300

KNOW ALL MEN BY THESE PRESENTS, That
I, Trace L. Bowron, unmarried,

in consideration of TEN Dollars,
and other valuable considerations,

do hereby grant, bargain, sell and convey unto the said Grantee B, their heirs and assigns, all
the following real property, with the tenements, fixtures and appurtenances, situated in the County
of COOS and State of Oregon, bounded and described as follows, to-wit:

Beginning at an iron pipe which is 785.25 feet East and
436.25 feet South from the Northeast corner of Section 3, Town-
ship 23 South, Range 12 West of the Willamette Meridian, Coos
County, Oregon; thence North 1° 07' East a distance of 11.75;
thence South 89° 16' West a distance of 524 feet to the 1/16
Section line; thence South 1° 07' West along the 1/16 Section line
a distance of 280 feet; thence North 89° 16' East a distance of
523 feet; thence North 1° 07' East and at 137.31 feet passing
through an iron pipe located on the bank of North Ten Mile Lake
50 feet from low water and continuing a total distance of 201.75
feet to the place of beginning, containing 2.60 acres, more or
less and located in Northeast quarter of the Northeast quarter
of said Section 3.

To Have and to Hold the above described and granted premises unto the said Grantee
heirs and assigns forever.

And I the Grantee do covenant that I am lawfully seized in fee simple of the above
granted premises free from all encumbrances,
except any rights or interests of the State of Oregon

and that I, my heirs, executors and administrators, shall warrant and forever
defend the above granted premises, and every part and parcel thereof, against the lawful claims and
demands of all persons whatsoever, except as to the State of Oregon

Witness my hand and seal the 31st day of January, 1960
Trace L. Bowron (Seal)

STATE OF OREGON,

County of COOS }
On the 31st day of January, 1960
before me, the undersigned, a Notary Public in and for said County and State, personally appeared the
within named TRACE L. BOWRON, UNMARRIED

known to me to be the identical individual described in and who executed the within
instrument, and acknowledged to me the said individual executed the same freely and voluntarily.
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official
seal the day and year last above written.

Harold G. Williams
Notary Public for Oregon
My commission expires 6-15-1960

WARRANTY DEED

STATE OF OREGON,

County of COOS

I certify that the within instru-
ment was received for record on the
day of JUL 10 1960
at 10:15 a.m. and recorded
in book 394 on page 210
Notary of Coos of said County.

Witness my hand and seal of
County of Coos

By _____
Notary

File by 530
1960



Coos County Planning Department
Coos County Courthouse Annex, Coquille, Oregon 97423
Mailing Address: Planning Department, Coos County Courthouse, Coquille, Oregon 97423

(541) 396-3121 Ext.210
FAX (541) 396-2690 / TDD (800) 735-2900

PATTY EVERNDEN PLANNING DIRECTOR

August 23, 2006

Attn: Carolyn Chapman
Ticor Title
240 Stergar Lane
Roseburg OR 97470

RE: Property located at Township 23, Range 12, Section(s) 8AA, Tax Lot(s) #400
 Property owned by Gloria Tate & Vicki Frederick
 Discrete Parcel Determination

Dear Ms. Chapman:

This letter is being written in response to information regarding a discrete parcel determination on the above referenced property, which was submitted and certified by you on August 18, 2006.

The Coos County Planning Department concurs with this certification and submitted findings and will file the evidence submitted, noting it in our records that the above noted tax lot consist of two discrete parcels.

If you have any questions or need further information, please do not hesitate to contact the Coos County Planning Department at (541) 396-3121, extension 210 during regular business hours. The Coos County Planning Department is opened to the public Monday - Thursday from 8:00 AM - 5:00 PM.

Sincerely,

COOS COUNTY PLANNING DEPARTMENT
Chris Francis, Planning Tech

C: Patty Evernden, Planning Director
 Carolyn Chapman, Title Co. Officer
 file



Coos County Planning Department
Coos County Courthouse Annex, Coquille, Oregon 97423
Mailing Address: Planning Department, Coos County Courthouse, Coquille, Oregon 97423

(541) 396-3121 Ext.210
FAX (541) 396-2690 / TDD (800) 735-2900
e-mail plansec@co.coos.or.us

PATTY EVERNDEN

PLANNING DIRECTOR

December 22, 2006

Daryn Chapman
2214 NW Iris Ct.
Camas WA 98607

RE: Submitted application

Dear Mr. Chapman:

Your application for a change in a grandfathered use located on Township 23, Range 12, Section 08AA, Tax Lot(s) 401 was received on December 21, 2006. After reviewing the application and all submitted documentation the Planning Department has determined the following:

- Your application has been deemed complete as of the date of this letter and will be processed. The application has been given file number _____. You will receive a letter in the mail after the Planner has completed the review of your request.
- Your application has been deemed complete as of the date of this letter and it will be processed. The application has been given file number _____. A decision will be made to review your application administratively or to send it to the Hearings Body.
- Your application has been deemed complete as of the date of this letter and it will be processed. The application has been given file number _____. Your application will be scheduled for hearing(s) and you will receive notice twenty days prior to the scheduled date(s).
- Your application is incomplete and will be held until the additional information has been submitted, as noted below:

There were no deeds submitted. Pursuant to Section 5.2.200(2) the most current deed must be submitted in order to offer evidence in support of your statement that you are the property owner. Section H on page 2 of the conditional use application form details this under required supplemental information to submit with the application. You may have 7 days in which to submit this additional information, no later than December 28, 2006. If we have not heard from you by that date, your application and check will be returned to you.

Pursuant to state law and the Coos County Zoning and Land Development Ordinance, the County must take final action within 150 days after the application has been deemed complete; however, if the subject property is located within the Urban Growth Boundary or if the request is for aggregate mining final action must be taken within a 120 days. A waiver to the 150/120 day timeline may be obtained from the applicant.

The Planning Department is open from 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m. Monday through Friday. If you have any questions or concerns please contact the department.

Sincerely,
Coos County Planning Department
Debby Darling, Planning Tech

C: Patty Evernden, Planning Director
file

Phone Log

Date: 12/29/06 Time: 7:40 am/pm (pm) Taken By: JAN

Name: Darlyn Chapman
Address: _____
Phone No.: _____

Township _____ Range _____ Section _____ Tax Lot _____
Account No.: _____ Owner: _____

Question: didn't receive Debbie's letter until today.
Copying deed.

Answer: _____

Call Returned By: _____

Date: _____ Time: _____

After recording return to:

American Exchange Services, Inc.
15 Oregon Avenue, Suite B
Bend, OR 97701

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

SAGE TENMILE, LLC
c/o American Exchange Services
PO Box 752
Bend, OR 97701

This space reserved for recorder's use

47-91133
AFTER RECORDING
RETURN TO
Ticor Title Insurance
300 West Anderson Ave - Box 1075
Coos Bay, OR 97420-0233

**STATUTORY
BARGAIN AND SALE DEED**

TENMILE LAKE EXCHANGE BX060801, LLC, an Oregon Limited Liability Company, Grantor, conveys to
SAGE TENMILE, LLC, an Oregon Limited Liability Company, Grantee,
the following described real property situated in Coos County, Oregon, to-wit:
See Exhibit "A" attached

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE
SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES, 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 CHAPTER 1, UNDER ORS 197.352.

The true consideration for this conveyance is \$PURSUANT TO AN IRC SECTION 1031 EXCHANGE. (Here comply with the
requirements of ORS 93.030)

Dated November 15, 2006.

TENMILE LAKE EXCHANGE BX060801, LLC

Glenda D. Sibbald
By American Exchange Services, Inc.
Sole and Managing Member,
Glenda D. Sibbald, Assistant Secretary

STATE OF OREGON } ss
County of Deschutes

This instrument was acknowledged before me on November 15, 2006
by GLEND A. SIBBALD
as ASSISTANT SECRETARY
of AMERICAN EXCHANGE SERVICES, INC.

Rachel Matthews
Notary Public for Oregon
My commission expires July 29, 2010



Exhibit "A"

Beginning at a point located 785.25 feet West and 436.25 feet South of the Northeast corner of Section 8, Township 23 South, Range 12 West of the Willamette, Coos County, Oregon; thence North 1° 07' East a distance of 16.25 feet; thence North 09° 16' East a distance of 100.00 feet; thence South 1° 07' West a distance of 280 feet; thence South 89° 16' West a distance of 100 feet; thence North 1° 07' East a distance of 263.75 feet to the place of beginning. Containing 0.64 acres, more or less and 0.37 of those acres being on dry land and being a portion of Section 8, Township 23 South, Range 12 West of the Willamette, Coos County, Oregon.

RE: 23-12-08aa-400 and 401

Dear Mr. Chapman:

The deeds you faxed and emailed to me are fairly unreadable, but appear to be the original deeds for the property. These are not the deeds that are required for your current application.

I have received a deed document from Laurie in the Assessor's office, but this is also not the correct deed. While this deed appears to describe both pieces of property as discrete parcels, it does not convey them separately to create separate ownerships.

As we have discussed in the past, this is necessary because the criteria in the Coos County Zoning and Land Development Ordinance (CCZLDO), Section 4.8.525(B) states that in order for a property to qualify for a dwelling within the forest zone, no other dwellings may be sited on the tract. A tract of land is defined as two or more contiguous properties which are within the same ownership. Unless one of the tax lots is conveyed to a separate ownership and this is recorded with the Coos County Clerk's office, this property will not qualify for a template dwelling and the application must be denied.

What you need to do is to draw up a deed that conveys one of the tax lots to the other ownership. Then this deed must be filed with the Clerk's office and recorded. Once this has been recorded, a copy of that recorded deed showing separate ownership must be submitted to the Planning Department in order to continue processing your application for the template dwelling. You may have another 30 days in which to accomplish this – no later than February 2, 2007.

At this time, your application is still deemed incomplete and will not be processed. If we have not heard from you with the correct deeds by February 2, 2007, then the Planning Department will have no choice but to process the application and deny your request.

Thank you for your co-operation.
Coos County Planning Department
Debby Darling, Planning Tech

From: Daryn Chapman [mailto:webmaster@chapmaninvestments.com]
Sent: Friday, December 29, 2006 3:08 PM
To: ddarling@co.coos.or.us
Subject: submitted application

Debby,

Attached is a copy of the deed for T/L 401. I also faxed copies but thought a scanned version might be more clear.

Thanks,
Daryn

After recording return to:



AmeriTitle, Inc.
P.O. Box 1609
1495 NW Garden Valley Blvd.
Roseburg, OR 97470 00067749

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

American Exchange Services, Inc.
PO Box 752
Bend, OR 97709

This space reserved for recorder's use

47-90522
AFTER RECORDING
RETURN TO
Ticor Title Insurance
300 West Anderson Ave - Box 1075
Coos Bay, OR 97420-0233

STATUTORY WARRANTY DEED

VICKI FREDERICK and GLORIA TATE, as tenants in common, Grantor, conveys and warrants to CHAPMAN TENMILE LAKE EXCHANGE BX060801 LLC., an Oregon Limited Liability Company, Grantee, the following described real property free of encumbrances, except as specifically set forth herein situated in COOS County, Oregon, to wit:

See exhibit A attached hereto and made a part hereof.

This property is free from encumbrances, EXCEPT: ALL THOSE ITEMS OF RECORD, IF ANY, AS OF THE DATE OF THIS DEED AND THOSE SHOWN BELOW, IF ANY:

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. 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 APPROVED USES AND 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 197.352.

The true consideration for this conveyance is \$315,000.00. (Here comply with the requirements of ORS 93.030)

** True Consideration for this conveyance is pursuant to an IRC 1031 Tax Deferred Exchange on behalf of the Grantee

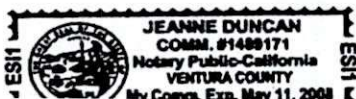
Dated 8/29, 2006.

Vicki L. Frederick
VICKI FREDERICK

Gloria Tate
GLORIA TATE

STATE OF California
COUNTY OF Ventura } ss:

This instrument was acknowledged before me on August 29, 2006
by VICKI FREDERICK



Jeanne Duncan
Notary Public for California

STATE OF Oregon
COUNTY OF COOS } ss:

This instrument was acknowledged before me on August 31, 2006
by GLORIA TATE

Janet M. Rubin
Notary Public for Oregon
My commission expires 11-17-2006

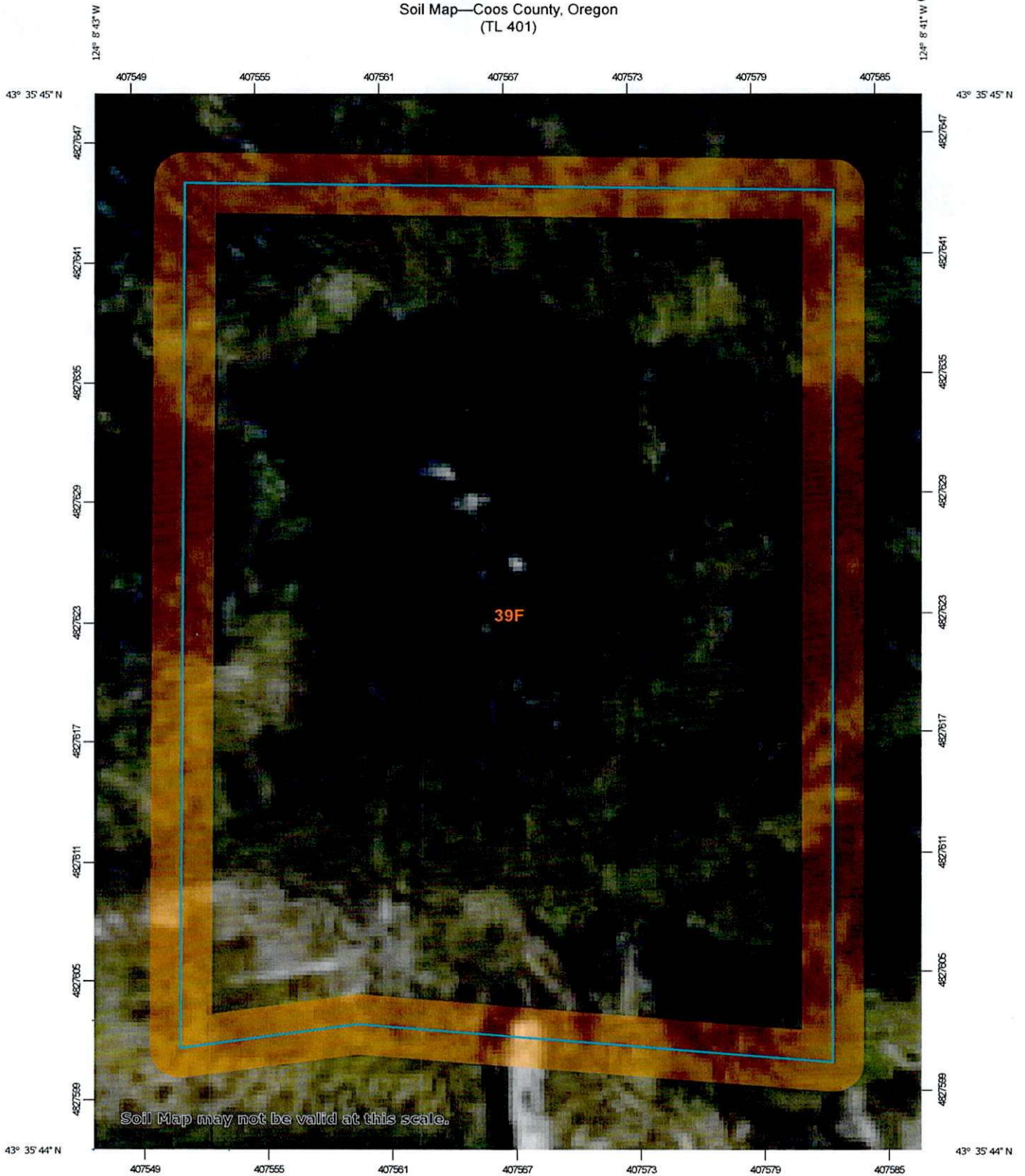


EXHIBIT A
LEGAL DESCRIPTION

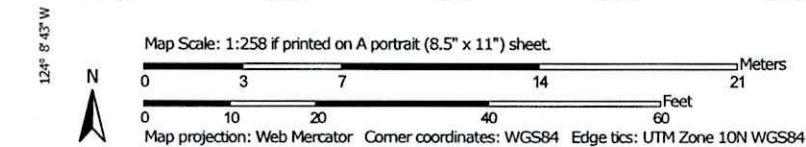
Beginning at an iron pipe which is 785.25 feet West and 436.25 feet South from the Northeast corner of Section 8, Townships 23 South, Range 12 West of the Willamette Meridian, Coos County, Oregon; thence North 1° 07' East 6.25 feet; thence South 89° 16' West 165.75 feet to an iron pipe on the bank of North Tenmile Lake located 39 feet from low water and continuing South 89° 16' West a total distance of 528 feet to the 1/16th Section line; thence South 1° 07' West along the 1/16th Section line 276.44 feet; thence North 89° 16' East 528 feet; thence North 1° 07' East and at 150 feet passing through an iron pipe located on the bank of North Tenmile Lake 50 feet from low water and continuing a total distance of 260.19 feet to the point of beginning.

Beginning at a point located 785.25 feet West and 436.25 feet South of the Northeast corner of Section 8, Township 23 South, Range 12 West of the Willamette Meridian, Coos County, Oregon; thence North 1° 07' East 16.25 feet; thence North 89° 16' East 100.00 feet; thence South 1° 07' West 280 feet; thence South 89° 16' West 100 feet; thence North 1° 07' East 263.75 feet to the point of beginning.

Soil Map—Coos County, Oregon
(TL 401)







































Soil Map may not be valid at this scale.



Soil Map—Coos County, Oregon
(TL 401)

MAP LEGEND

- | | | | | |
|-------------------------------|---|------------------------|---|-----------------------|
| Area of Interest (AOI) |  | Area of Interest (AOI) |  | Spoil Area |
| Soils |  | Soil Map Unit Polygons |  | Stony Spot |
| |  | Soil Map Unit Lines |  | Very Stony Spot |
| |  | Soil Map Unit Points |  | Wet Spot |
| Special Point Features |  | Blowout |  | Other |
| |  | Borrow Pit |  | Special Line Features |
| |  | Clay Spot | Water Features | |
| |  | Closed Depression |  | Streams and Canals |
| |  | Gravel Pit | Transportation | |
| |  | Gravelly Spot |  | Rails |
| |  | Landfill |  | Interstate Highways |
| |  | Lava Flow |  | US Routes |
| |  | Marsh or swamp |  | Major Roads |
| |  | Mine or Quarry |  | Local Roads |
| |  | Miscellaneous Water | Background | |
| |  | Perennial Water |  | Aerial Photography |
| |  | Rock Outcrop | | |
| |  | Saline Spot | | |
| |  | Sandy Spot | | |
| |  | Severely Eroded Spot | | |
| |  | Sinkhole | | |
| |  | Slide or Slip | | |
| |  | Sodic Spot | | |

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.
Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Coos County, Oregon
Survey Area Data: Version 17, Oct 27, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 5, 2019—Oct 10, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
39F	Millicoma-Templeton complex, 50 to 75 percent slopes	0.3	100.0%
Totals for Area of Interest		0.3	100.0%

Forestland Productivity

This table can help forestland owners or managers plan the use of soils for wood crops. It shows the potential productivity of the soils for wood crops.

Potential productivity of merchantable or common trees on a soil is expressed as a site index and as a volume number. The *site index* is the average height, in feet, that dominant and codominant trees of a given species attain in a specified number of years. The site index applies to fully stocked, even-aged, unmanaged stands. Commonly grown trees are those that forestland managers generally favor in intermediate or improvement cuttings. They are selected on the basis of growth rate, quality, value, and marketability. More detailed information regarding site index is available in the "National Forestry Manual," which is available in local offices of the Natural Resources Conservation Service or on the Internet.

The *volume of wood fiber*, a number, is the yield likely to be produced by the most important tree species. This number, expressed as cubic feet per acre per year and calculated at the age of culmination of the mean annual increment (CMAI), indicates the amount of fiber produced in a fully stocked, even-aged, unmanaged stand.

Trees to manage are those that are preferred for planting, seeding, or natural regeneration and those that remain in the stand after thinning or partial harvest.

Reference:

United States Department of Agriculture, Natural Resources Conservation Service, National Forestry Manual.

Report—Forestland Productivity

Forestland Productivity—Coos County, Oregon				
Map unit symbol and soil name	Potential productivity			Trees to manage
	Common trees	Site Index	Volume of wood fiber	
			<i>Cu ft/ac/yr</i>	
39F—Millicoma-Templeton complex, 50 to 75 percent slopes				
Millicoma	Douglas-fir	119	172.00	Douglas-fir, Sitka spruce, Western hemlock
	Red alder	—	—	
	Sitka spruce	—	—	
	Tanoak	—	—	
	Western hemlock	—	—	
Templeton	Douglas-fir	125	186.00	Douglas-fir, Sitka spruce, Western hemlock
	Red alder	—	—	
	Sitka spruce	169	257.00	
	Western hemlock	161	257.00	
	Western redcedar	—	—	

Data Source Information

Soil Survey Area: Coos County, Oregon
Survey Area Data: Version 17, Oct 27, 2021

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

Lake Cabin LLC
31206 NE 23rd Street
Washougal, WA 98671

Coos County, Oregon	2021-14049	
\$91.00	Pgs=2	12/22/2021 09:30 AM
eRecorded by: VIAL FOTHERINGHAM LLP - OREGON		
Debbie Heller, CCC, Coos County Clerk		

After Recording Return To:
T. Beau Ellis
Vial Fotheringham LLP
17355 SW Boones Ferry Rd., Suite A
Lake Oswego, OR 97035

WARRANTY DEED

Chapman and Chapman Investments, LLC, an Oregon limited liability company, Grantor, conveys and warrants to **Lake Cabin LLC**, an Oregon limited liability company, Grantee, the following real property situated in Coos County, Oregon, to-wit:

SEE ATTACHED EXHIBIT A.

SUBJECT TO: All easements, rights-of-way, and restrictions of record.


The liability and obligations of the Grantors to Grantee and Grantee's heirs and assigns under the warranties and covenants contained herein or provided by law shall be limited to the extent of coverage that would be available to Grantors under a standard policy of title insurance. The limitations contained herein expressly do not relieve Grantors of any liability or obligations under this instrument, but merely define the scope, nature, and amount of such liability or obligations.

The true consideration for this conveyance stated in terms of dollars is \$0.00 (NONE).

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED December 22nd, 2021

Chapman and Chapman Investments, LLC



Daryn S. Chapman, as manager

Personally appeared before me the above named Daryn S. Chapman, as manager of Chapman and Chapman Investments, LLC and declared the same to be his voluntary act and deed.



[Handwritten Signature]

Notary Public for Oregon

[Faint, illegible text, likely bleed-through from the reverse side of the page]

EXHIBIT C

6/22/2020
K. Knoll

Coos County, Oregon	2021-14050
\$91.00 Pgs=2	12/22/2021 09:31 AM
eRecorded by: VIAL FOTHERINGHAM LLP - OREGON	
Debbie Heller, CCC, Coos County Clerk	

Until a change is requested,
all tax statements shall be
sent to the following address:
Lake Villa LLC
31206 NE 23rd Street
Washougal, WA 98671

After Recording Return To:
T. Beau Ellis
Vial Fotheringham LLP
17355 SW Boones Ferry Rd., Suite A
Lake Oswego, OR 97035

WARRANTY DEED

Chapman & Chapman Investments, LLC, an Oregon limited liability company, Grantor,
conveys and warrants to **Lake Villa LLC**, an Oregon limited liability company, Grantee, the following
real property situated in Coos County, Oregon, to-wit:

SEE ATTACHED EXHIBIT A.

SUBJECT TO: All easements, rights-of-way, and restrictions of record.

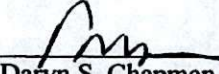
The liability and obligations of the Grantors to Grantee and Grantee's heirs and assigns under the
warranties and covenants contained herein or provided by law shall be limited to the extent of coverage
that would be available to Grantors under a standard policy of title insurance. The limitations contained
herein expressly do not relieve Grantors of any liability or obligations under this instrument, but merely
define the scope, nature, and amount of such liability or obligations.

The true consideration for this conveyance stated in terms of dollars is \$0.00 (NONE).

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING
FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300,
195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007,
SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7,
CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE
PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE
LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE
PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE
APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF
LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED
IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO
DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS
DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING
PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND
SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER
855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED December 22nd, 2021

Chapman & Chapman Investments, LLC



Daryn S. Chapman, as manager

STATE OF OREGON)
County of Clackamas) ss.

December 22nd, 2021

Personally appeared before me the above named Daryn S. Chapman, as manager of Chapman &
Chapman Investments, LLC and declared the same to be his voluntary act and deed.





Notary Public for Oregon

EXHIBIT A

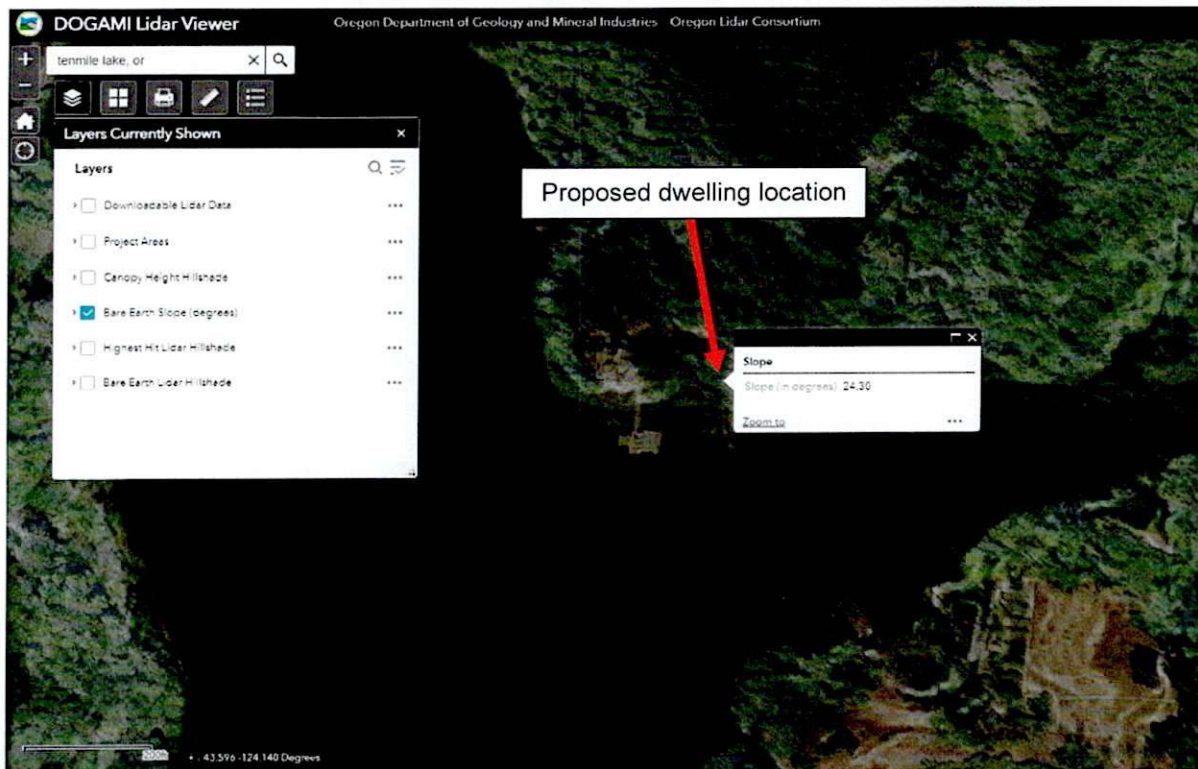
Beginning at an iron pipe which is 785.25 feet West and 436.25 feet South from the Northeast corner of Section 8, Townships 23 South, Range 12 West of the Willamette Meridian, Coos County, Oregon; thence North $1^{\circ} 07'$ East 16.25 feet; thence South $89^{\circ} 16'$ West 165.75 feet to an iron pipe on the bank of North Tenmile Lake located 39 feet from low water and continuing South $89^{\circ} 16'$ West a total distance of 528 feet to the $1/16^{\text{th}}$ Section line; thence South $1^{\circ} 07'$ West along the $1/16^{\text{th}}$ Section line 276.44 feet; thence North $89^{\circ} 16'$ East 528 feet; thence North $1^{\circ} 07'$ East and at 150 feet passing through an iron pipe located on the bank of North Tenmile Lake 50 feet from low water and continuing a total distance of 260.19 feet to the point of beginning.

Beginning at a point located 785.25 feet West and 436.25 feet South of the Northeast corner of Section 8, Township 23 South, Range 12 West of the Willamette Meridian, Coos County, Oregon; thence North $1^{\circ} 07'$ East 16.25 feet; thence North $89^{\circ} 16'$ East 100.00 feet; thence South $1^{\circ} 07'$ West 280 feet; thence South $89^{\circ} 16'$ West 100 feet; thence North $1^{\circ} 07'$ East 263.75 feet to the point of beginning.

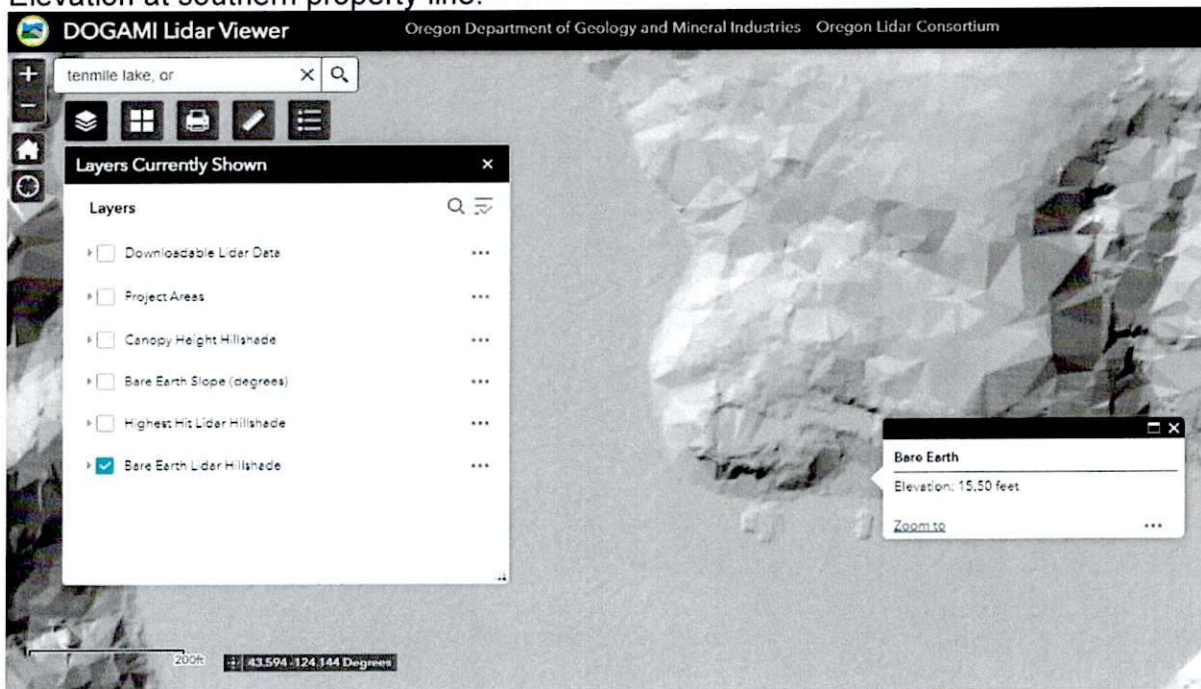
EXCEPTING there from that portion described as follows:

*Beginning at a point located 785.25 feet West and 436.25 feet South of the Northeast corner of Section 8, Township 23 South, Range 12 West of the Willamette, Coos County, Oregon; thence North $1^{\circ} 07'$ East a distance of 16.25 feet; thence North $89^{\circ} 16'$ East a distance of 100.00 feet; thence South $1^{\circ} 07'$ West a distance of 280 feet; thence South $89^{\circ} 16'$ West a distance of 100 feet; thence North $1^{\circ} 07'$ East a distance of 263.75 feet to the place of beginning. Containing 0.64 acres, more or less and 0.37 of those acres being on dry land and being a portion of Section 8, Township 23 South, Range 12 West of the Willamette, Coos County, Oregon.

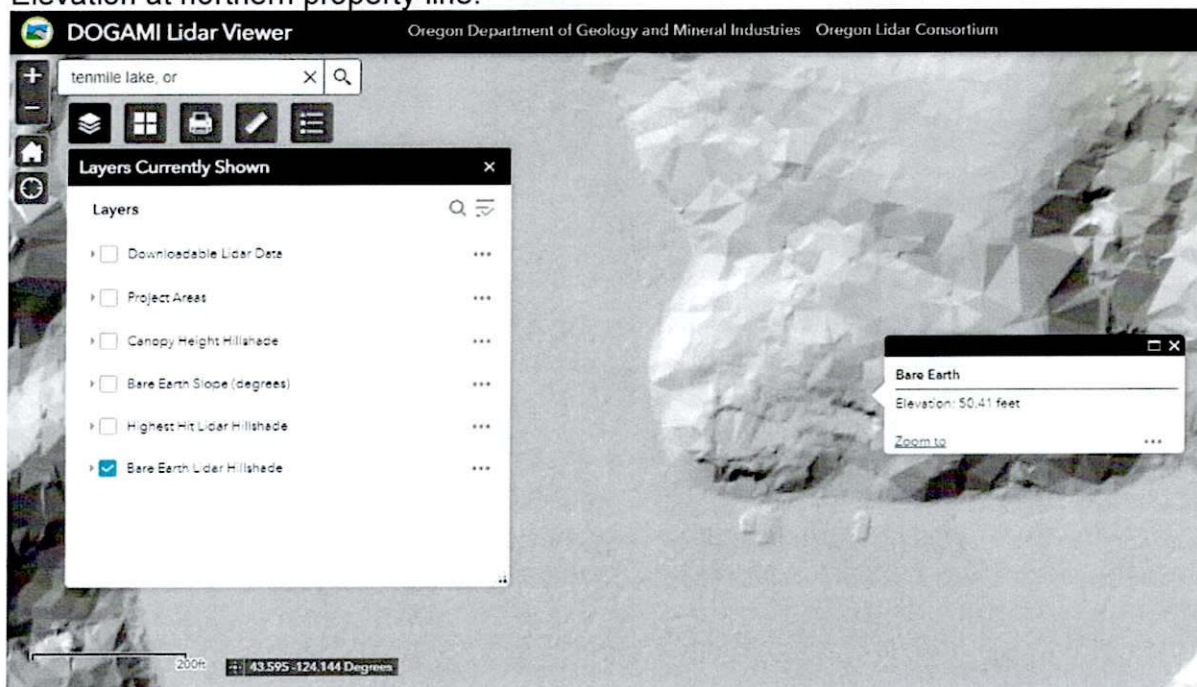
Property Slope Information



Elevation at southern property line:



Elevation at northern property line:



Slope calculation:

$$m = \frac{\text{rise}}{\text{run}} = \frac{\Delta y}{\Delta x}$$
$$m = \frac{y_2 - y_1}{x_2 - x_1}$$
$$m = \frac{50.4 - 15.5}{126 - 0}$$
$$m = \frac{34.9}{126}$$
$$m = 0.276984$$

Water Supply Requirements

Siting Dwellings for Structures in the Forest Zone to satisfy OAR 660-06-029(3)

Items 1 and 2 are to be completed by the applicant.

1. Pursuant to OAR 660-06-029 (Siting standards for dwellings and other structures in Forest zones) applicants shall provide evidence to the Planning Department that the domestic water supply is from a source authorized in accordance with the Oregon Water Resources Department's applicable Oregon Revised Statutes and administrative rules for the appropriation of ground water or surface water and Practices Rules (OAR Chapter 629).

To comply with OAR 660-06-029(3) check the appropriate statement below and attach evidence as required.

_____ Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's right to appropriate water; or

X A water use permit or water right issued by the Oregon Water Resources Department for the use described in the application; or

_____ Verification from the Oregon Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements under ORS 537.545, the applicant shall submit the well constructor's report to the county upon completion of the well.

2. This application pertains to Township 23 South, Range 12 West, Section 08AA, Tax Lot 401, of the Willamette Meridian.

Item 3 to be filled out by OWRD Staff.

3. I, Susan Douthit, have reviewed the information attached and will provide input to the Coos County Planning Department, as appropriate, regarding the proposed or existing water source(s).

Susan Douthit
Signature of OWRD Staff

Wastewater #15
Title

12/22/2021
Date

certificate 33707

STATE OF OREGON

COUNTY OF COOS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That CARL A. SARDINE

of 1788 Virginia, North Bend, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of a spring

a tributary of Ten Mile Lake for the purpose of domestic use of one family

under Permit No. 29030 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from October 25, 1963

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.005 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 8, T. 23 S., R. 12 W., W. M. Diversion point located 180 feet South and 120 feet West from the NE Corner, Section 8.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to - - - - - of one cubic foot per second per acre,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 8
T. 23 S., R. 12 W., W. M.

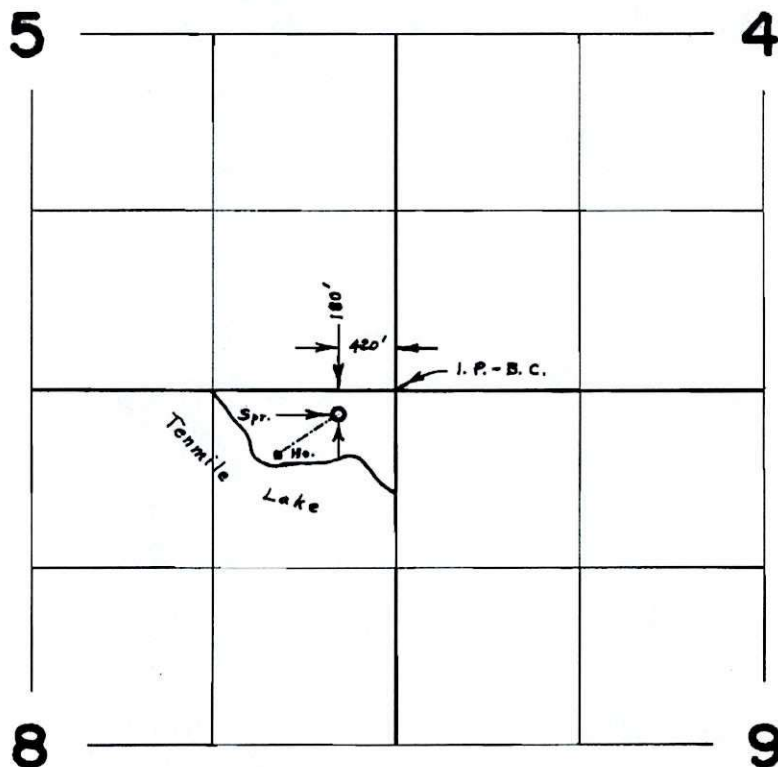
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. March 13, 1967

CHRIS L. WHEELER
State Engineer

T.23S.R.12W.W.M.



FINAL PROOF SURVEY UNDER

Application No. ~~38997~~ Permit No. 29030
IN NAME OF

CARL A. SANDINE

Surveyed Sept. 17, 1966, by L. E. Gould

RECEIVED
OCT 23 1963
STATE ENGINEER
SALEM, OREGON

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, Carl A. Sandine
(Name of applicant)
of Route 2, Box 530 North Bend
(Mailing address)
State of OREGON, do hereby make application for a permit to appropriate the following described public waters of the State of Oregon, **SUBJECT TO EXISTING RIGHTS:**

If the applicant is a corporation, give date and place of incorporation

1. The source of the proposed appropriation is A SPRING
(Name of stream)
a tributary of Ten Mile Lake

2. The amount of water which the applicant intends to apply to beneficial use is .01
cubic feet per second FROM SPRING
(If water is to be used from more than one source, give quantity from each)

3. The use to which the water is to be applied is domestic
(Irrigation, power, mining, manufacturing, domestic supply, etc.)

4. The point of diversion is located 185.3 ft. S and 120.2 ft. W from the NE
(N. or S.) (E. or W.)
corner of Section 8
(Section or subdivision)

(If preferable, give distance and bearing to section corner)

(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)

being within the NE1/4 NE1/4 of Sec. 8, Tp. 23S
(Give smallest legal subdivision) (N. or S.)

R. 12W, W. M., in the county of Coos
(E. or W.)

5. The pipe line to be 534 feet
(State ditch, canal or pipe line) (Ditch or feet)
in length, terminating in the NE1/4 NE1/4 of Sec. 8, Tp. 23S
(Smallest legal subdivision) (N. or S.)

R. 12W, W. M., the proposed location being shown throughout on the accompanying map.
(E. or W.)

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam 18 feet, length on top 12 feet, length at bottom 18 feet; material to be used and character of construction Earth
(Loose rock, concrete, masonry)

rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate none
(Timber, concrete, etc., number and size of openings)
But have spillway and drain to flush dam.

(c) If water is to be pumped give general description gravity
(Size and type of pump)

(Size and type of engine or motor to be used, total head water is to be lifted, etc.)

*A different form of application is provided where storage works are contemplated.
**Application for permits to appropriate water for the generation of electricity, with the exception of municipalities, must be made to the Hydroelectric Commission. Either of the above forms may be secured, without cost, together with instructions by addressing the State Engineer, Salem, Oregon.

10. (a) To supply the city of _____

_____ County, having a present population of _____
and an estimated population of _____ to 19_____

(b) If for domestic use state number of families to be supplied _____ one

(Answer questions 11, 12, 13, and 14 in all cases)

11. Estimated cost of proposed works, \$100.00 _____

12. Construction work will begin on or before _____ completed _____

13. Construction work will be completed on or before _____ completed _____

14. The water will be completely applied to the proposed use on or before _____ whenever
the application is approved. _____

Carl A. Sanderson
(Signature of applicant)

Remarks: PROPERTY DESCRIPTION—

BEGINNING AT AN IRON PIPE WHICH IS 785.25 FEET WEST + 436.25 FEET S. FROM
THE NORTHWEST CORNER OF SEC. 8, TOWNSHIP 23 S., RANGE 12 W. OF THE WYUMLAKE
MERIDIAN, COOS COUNTY, ORE; THENCE N. 1° 07' EAST A DISTANCE OF 16.25; THENCE S. 89°
N. W. A DISTANCE OF 528 FEET TO THE 1/4 SEC. LINE; THENCE S. 1° 07' W. ALONG
THE 1/4 SECTION LINE A DISTANCE OF 280 FT., THENCE N. 89° 16' EAST A
DISTANCE OF 525 FEET; THENCE N. 1° 07' EAST AND AT 137.31 FEET PASSING THRU
AN IRON PIPE LOCATED ON THE BANK OF NORTH TEN MILE LAKE 50 FEET
FROM LOW WATER AND CONTINUING A TOTAL DISTANCE OF 263.75 FEET
TO THE PLACE OF BEGINNING, CONTAINING 2.80 ACRES, MORE OR LESS
& LOCATED IN NORTHEAST QUARTER OF THE NORTHEAST QUARTER
OF SAID SECTION 8.

STATE OF OREGON, }
County of Marion, } ss.

This is to certify that I have examined the foregoing application, together with the accompanying
maps and data, and return the same for _____

In order to retain its priority, this application must be returned to the State Engineer, with correc-
tions on or before _____, 19_____

WITNESS my hand this _____ day of _____, 19_____

STATE ENGINEER

By _____ ASSISTANT

STATE OF OREGON, }
County of Marion, }

This is to certify that I have examined the foregoing application and do hereby grant the same, SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.005 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from a spring

The use to which this water is to be applied is domestic use of one family

If for irrigation, this appropriation shall be limited to - - of one cubic foot per second or its equivalent for each acre irrigated

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is October 25, 1963

Actual construction work shall begin on or before December 20, 1964 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1965

Complete application of the water to the proposed use shall be made on or before October 1, 1966

WITNESS my hand this 20th day of December, 1963

Chris L. Wheeler
STATE ENGINEER

Application No. 38237
Permit No. 29030

PERMIT
TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE
OF OREGON

This instrument was first received in the office of the State Engineer at Salem, Oregon, on the 25th day of October, 1963, at 1:00 o'clock P. M.

Returned to applicant:

Approved:

December 20, 1963
Recorded in book No. 80 of 29030
Permits on page

CHRIS L. WHEELER
STATE ENGINEER

Drainage Basin No. 17 page 4F
Fees \$20.00

COOS County Assessor's Summary Report
Real Property Assessment Report
FOR ASSESSMENT YEAR 2021

EXHIBIT 9

December 3, 2021 10:19:43 am

Account #	14604	Tax Status	ASSESSABLE		
Map #	23S1208AA00401	Acct Status	ACTIVE		
Code - Tax #	1302-14604	Subtype	NORMAL		
Legal Descr	See Record				
Mailing Name	CHAPMAN & CHAPMAN INVESTMENTS, LLC	Deed Reference #	See Record		
Agent		Sales Date/Price	See Record		
In Care Of		Appraiser			
Mailing Address	31206 NE 23RD ST WASHOUGAL, WA 98671-8503				
Prop Class	800	MA	SA	NH	Unit
RMV Class	800	01	06	LKF	327-1

Situs Address(s)	Situs City
------------------	------------

Code Area	RMV	MAV	Value Summary			RMV Exception	CPR %
			AV	SAV	MSAV		
1302	Land	70,980				Land	0
	Impr.	0				Impr.	0
Code Area Total		70,980	50,480	50,480	0	0	0
Grand Total		70,980	50,480	50,480	0	0	0

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown			LUC	Trended RMV	
						TD%	LS	Size			
1302	10	<input checked="" type="checkbox"/>		F	Market	110	A	0.33	MV	001	70,980
Grand Total								0.33			70,980

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown			Total Sq. Ft.	Ex% MS Acct #	Trended RMV
					TD%					
Grand Total									0	0

Code Area	Type	Exemptions/Special Assessments/Potential Liability								
1302	FIRE PATROL:									
	■ FIRE PATROL TIMBER	Amount	18.75	Acres	0.33	Year	2021			



Coos County Planning Department
Coos County Courthouse Annex, Coquille, Oregon 97423
Mailing Address: Planning Department, Coos County Courthouse, Coquille, Oregon 97423

(541) 396-3121 Ext.210
FAX (541) 396-2690 / TDD (800) 735-2900

PATTY EVERNDEN

PLANNING DIRECTOR

August 23, 2006

Attn: Carolyn Chapman
Ticor Title
240 Stergar Lane
Roseburg OR 97470

RE: Property located at Township 23, Range 12, Section(s) 8AA, Tax Lot(s) #400
Property owned by Gloria Tate & Vicki Frederick
Discrete Parcel Determination

Dear Ms. Chapman:

This letter is being written in response to information regarding a discrete parcel determination on the above referenced property, which was submitted and certified by you on August 18, 2006.

The Coos County Planning Department concurs with this certification and submitted findings and will file the evidence submitted, noting it in our records that the above noted tax lot consist of two discrete parcels.

If you have any questions or need further information, please do not hesitate to contact the Coos County Planning Department at (541) 396-3121, extension 210 during regular business hours. The Coos County Planning Department is opened to the public Monday - Thursday from 8:00 AM - 5:00 PM.

Sincerely,

COOS COUNTY PLANNING DEPARTMENT
Chris Francis, Planning Tech

C: Patty Evernden, Planning Director
Carolyn Chapman, Title Co. Officer
file

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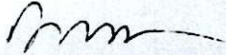
**BEFORE THE COOS COUNTY PLANNING DEPARTMENT
DEPARTMENT OF COMMUNITY DEVELOPMENT**

I, Daryn Chapman, am over the age of 18 and am competent to testify and make this declaration from my own personal knowledge. I hereby declare as follows:

- 1. I am the managing member of Chapman & Chapman Investments LLC.
- 2. Chapman & Chapman Investments LLC owns real property that is described as being located at 23S 12W 8AA TL 401.
- 3. I am the person who receives the mail for Chapman & Chapman Investments LLC.
- 4. I received no mailed or other notice from either Coos County or DLCD about the enactment of that state statute adopted in HB 2225 (2019) before November 1, 2021, the date I understand that state statute was effective for Coos County.
- 5. The only notice I have ever received from the county or DLCD related to HB 2225 was a county notice that was dated November 10, 2021 and that I received on November 17, 2021, that indicated that the county was considering the adoption of amendments to the county code in December to implement HB 2225.

I hereby declare that the above statements are true to the best of my knowledge and belief and I understand that the above statements are made for use as evidence in an administrative or judicial proceeding and are subject to penalty for perjury.

DATED this 27th day of December, 2020.



Daryn Chapman