

D. **ATTACHED WRITTEN STATEMENT.** With all land use applications, the “burden of proof” is on the applicant. It is important that you provide information that clearly describes the nature of the request and indicates how the proposal complies with all of the applicable criteria within the Coos County Zoning and Land Development Ordinance (CCZLDO). You must address each of the Ordinance criteria on a point-by-point basis in order for this application to be deemed complete. A planner will explain which sections of the Ordinance pertain to your specific request. The information described below is required at the time you submit your application. The processing of your application does not begin until the application is determined to be complete. An incomplete application will postpone the decision, or may result in denial of the request. Please mark the items below to ensure your submittal is complete.

Application Check List: Please make off all steps as you complete them.

- I. A written statement of intent, attached to this application, with necessary supporting evidence which fully and factually describes the following:
 - 1. A complete explanation of how the request complies with the applicable provisions and criteria in the Zoning Ordinance. A planner will explain which sections of the Ordinance pertain to your specific request. You must address each of the Ordinance criteria on a point-by-point basis in order for this application to be deemed complete.
 - 2. A description of the property in question, including, but not limited to the following: size, vegetation, crops grown, access, existing buildings, topography, etc.
 - 3. A complete description of the request, including any new structures proposed.
 - 4. If applicable, documentation from sewer and water district showing availability for connection.
- II. A plot plan (map) of the property. Please indicate the following on your plot plan:
 - 1. Location of all existing and proposed buildings and structures
 - 2. Existing County Road, public right-of-way or other means of legal access
 - 3. Location of any existing septic systems and designated repair areas
 - 4. Limits of 100-year floodplain elevation (if applicable)
 - 5. Vegetation on the property
 - 6. Location of any outstanding physical features
 - 7. Location and description (paved, gravel, etc.) of vehicular access to the dwelling location
- III. A copy of the current deed, including the legal description, of the subject property. Copies may be obtained at the Coos County Clerk's Office.

I certify that this application and its related documents are accurate to the best of my knowledge. I am aware that there is an appeal period following the date of the Planning Director's decision on this land use action. I understand that the signature on this application authorizes representatives of the Coos County Planning Department to enter upon the subject property to gather information pertinent to this request. If the application is signed by an agent, the owner's written authorization must be attached.

If this application is refereed directly to a hearings officer or hearings body I understand that I am obligated to pay the additional fees incurred as part of the conditions of approval. I understand that I/we are not acting on the county's behalf and any fee that is a result of complying with any conditions of approval is the applicants/property owner responsibility. I understand that conditions of approval are required to be complied with at all time and an violation of such conditions may result in a revocation of this permit. Signatures required below for application processing.

ACCESS INFORMATION

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

Property Address: 59505 Seven Devils Road, Bandon, OR 97411

Type of Access: County Road Name of Access: Seven Devils Road

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-

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 Health Division to make an appointment.

Additional Comments:

Supplemental Application requirements for vacation/short term rentals.

Below are the criteria for a Vacation Rental/Short Term Rentals. This type of use may be allowed in Urban and Rural Residential Zones through an Administrative Conditional Use (ACU) process.

In summary, an Administrative Conditional Use is a use or activity with similar compatibility or special conservation problems within a zoning district. A Conditional Use may be initiated by filing an application with the Planning Department using forms prescribed by the Department.

An application for an Administrative Conditional use requires review by the Planning Director to insure compliance with approval criteria. This type of review is considered a "Discretionary" review that contains approval criteria. Approval criteria are listed with a specific review and findings must be made to address such criteria. The criteria are a set of rules that a proposal shall comply with in order to receive approval. A proposal that can comply with the criteria with mitigation measures or limitations will be approved with conditions. A proposal that cannot comply with the criteria outright or cannot comply with mitigation measures will be denied. An application for a conditional use or an Administrative Conditional Use shall be approved only if it is found to comply with this Article and the applicable review criteria, development standards and special development consideration and/or overlays set forth in the zoning regulations and any other applicable requirements of this Ordinance. Once the process has started for review refunds will not be processed. The burden of proof rest on the applicant to show that the request meets all criteria.

Address: 59505 Seven Devils Rd, Bandon, OR 97411

To Whom It May Concern,

We are asking to be able to use the above named property as a short-term rental. This home has 3 bedrooms and 2 bathrooms and 2250 sq ft. built in 1990, and was recently remodeled in 21/22 ahead of our purchase in April 2022. The house is one story. The property also consists of a detached garage / workshop, long driveway with multiple parking spaces, handicap-accessible ramp, and many large forest trees and greenery. The home will have 1 king bed, 3 queen beds, and 1 full bed, and we will be advertising it as occupancy for a maximum of 10 people.

This house sits on 5 acres, and is fenced in on all sides. The rear 60% of the property is forest. There is no direct line of sight to any neighbors from the house, and there are large trees blocking the house on all sides. We are not making any structural changes nor are we making any changes to the layout of the property or adding any buildings.

Please see additional information below.

- **Number of occupants at one time: Maximum 10**
- **Number of vehicles: Maximum 3**
- **Large gatherings: No, no additional guests outside those on listing**

- Property manager including contact details: **Shane Chrisma: +1 (541) 297-7410.**
- Security: **We will be installing a Ring security system (or equivalent)**
- The layout of the property, does the property have sight obscuring (from neighboring properties) fencing or landscaping: **This house sits on 5 acres, and is fenced in on all sides. The rear 60% of the property is forest. There is no direct line of sight to any neighbors from the house, and there are large trees blocking the house on all sides.**
- Services such as cleaning and property maintenance (parking should include a one space dedicated to service worker: **Our property managers, Shane & Rhonda, will manage cleaning and maintenance. There will be multiple parking spaces available for service workers.**

Required Criteria to be addressed to receive approval. Under the criteria staff has included some additional guidance to help applicants understand how or what is meant/required to be addressed. The guidance is not meant to provide legal advice but does provide components of other successful application requests. It is helpful if an applicant approaches criteria as a series of questions. For example, how will this use be compatible and then present evidence to back up the answer. This could be drawings, photos, contracts, maps or any other item that shows you understand and will follow the criteria.

Criteria and Responses:

Chapter IV – Coos County Zoning and Land Development Ordinance.

Section 4.3.210 Categories and Review Standards (87) Vacation rental/short term rental:

- a. Shall be found to be compatible with the surrounding area.

COMPATIBILITY: Means that the proposed use is capable of existing together with the surrounding uses without discord or disharmony. The test is where the proposed use is compatible with the existing surrounding uses, and not potential or future uses in the surround area. The surrounding area consists of the notification area for the project as set out in § 5.0.900.

In summary, the criteria are asking how the use of a vacation rental which is considered a commercial use will be compatible with the existing surrounding uses. For Rural Residential the study area is 250 feet from the boundary of the subject tract (contiguous properties within one ownership) and in Urban Residential the study area is 100 feet from the boundary of the subject tract.

There are many ways to provide evidence but one example would be to identify the properties within the study area on a map and explain what use is occurring on each of them and how the proposal will not interfere with such uses. The surrounding zoning would be another way to explain how the use is compatible. How will you control the vacation rental so that it is similar to a residential use through quiet times, parking, limitation on guest and etc.

Applicants Response:

Current zone of RR-5 allows for Vacation / Short-Term Rentals.

The house sits on a 5 acre lot, and the home is secluded with no neighbors that can be seen from the house. There is easy access to the house with a long driveway and large off street parking area within the property. There are a lot of trees that act as a sound barrier.

We will supply all neighbors with our cell phone numbers for any complaints or concerns, and we will have a local property manager that can respond to any issues immediately. We will instill rules for guests to follow - This will include parking procedures, noise curfews for the morning and night, and respect for the environment and neighbors.

Finally, our neighbor to the north is an active short term rental ('Merchant Beach Ranch House').

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

Please contact CHW to understand the licensing requirements. If the current dwelling is using surface water it may not qualify under the health standards.

Applicants Response:

We will submit the paperwork to Coos Health & Wellness for the license once this application is approved. The vacation rental will be in full compliance with CHW inspections.

- a. Shall meet parking access, driveway and parking standards as identified in Chapter VII;

The Coos County Road Department will evaluate your parking and access. This requires that an applicant submitted a traffic plan that addresses the access, driveway and parking.

The driveway and access shall meet the minimum standards. The parking standards shall be drawn to show 1 space per guest accommodation plus, 1 space per employee. The guest accommodations are viewed by the number of bedrooms in the dwelling.

Applicants Response:

Seven Devils Road is a paved road maintained by the county. There is one large gravel base parking area in front of the garage that is approximately 30' by 40', and another area at the back of the house that is approximately 15' x 120'.

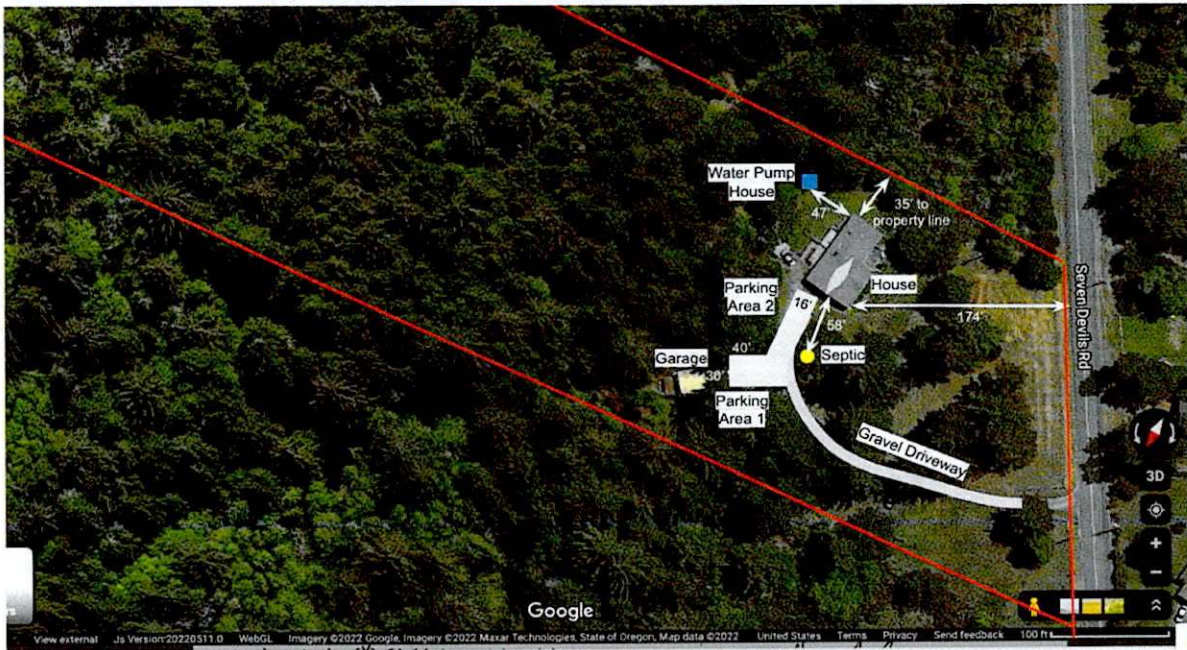
- a. Shall not be conveyed or otherwise transferred to a subsequent landowner without a the new property owner submitting a Compliance Determination Application showing compliance with this section; and
- b. A deed restriction shall be recorded with the Coos County Clerk's Office acknowledging that this is an accessory use to the approved residential use. If located within Urban Growth Boundary further restrictions may be required based on comments from the City.

This criterion just required acknowledgment that an applicant/property that in the event of sale of the property a review is required to continue the approved short term/vacation real use. A deed restriction will be required to be recorded as a condition of approval.

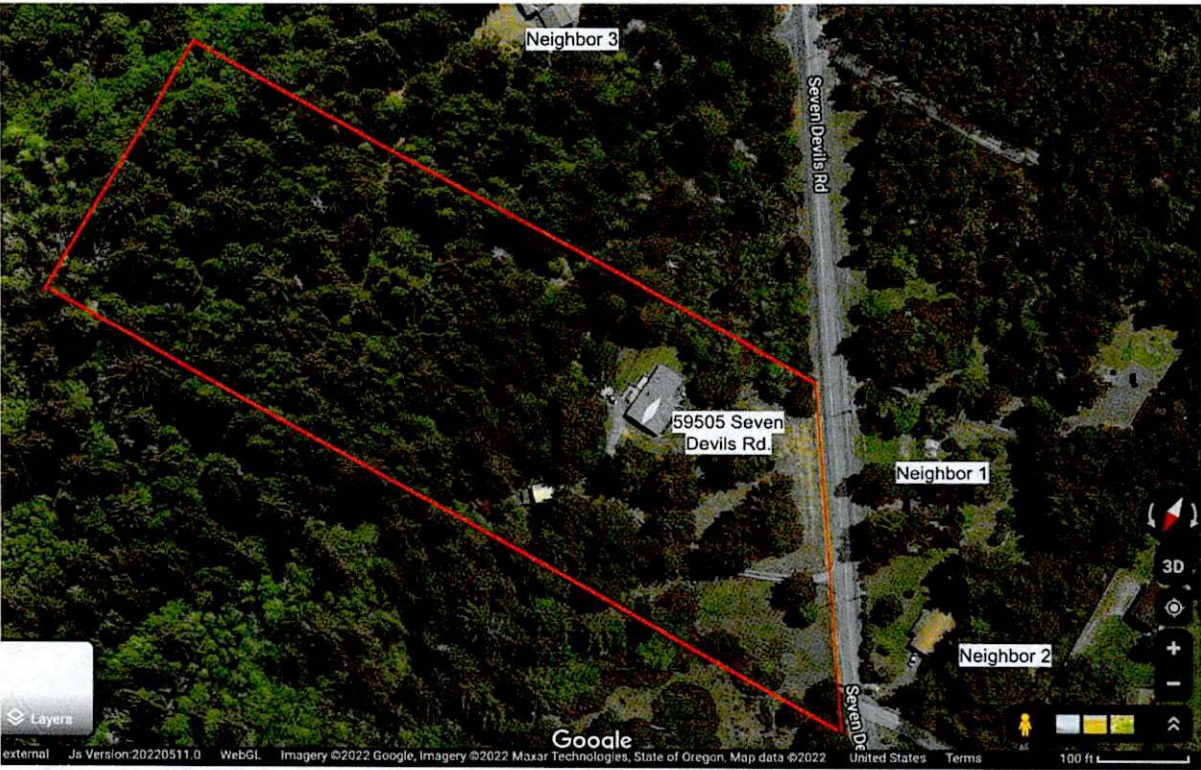
Applicants Response:

We acknowledge that this cannot be transferred without the new property submitting a Compliance Determination Application and the deed restriction. We do not have any plans to sell the house at this time.

Plot Plan of 59505 Seven Devils Rd, Bandon, OR 97411



Plot Plan with Neighbors



RECORDING REQUESTED BY:



201 Central Avenue, PO Box 1075
Coos Bay, OR 97420

GRANTOR'S NAME:

Dave T. Young and Bonnie M. Young

GRANTEE'S NAME:

Giles Andreas Ochs and Tiffany Jiating Hu

AFTER RECORDING RETURN TO:

Order No.: 360622039652-TT
Giles Andreas Ochs and Tiffany Jiating Hu, not as tenants in
common, but with the rights of survivorship
718 Brewster Avenue
Redwood City, CA 94063

SEND TAX STATEMENTS TO:

Giles Andreas Ochs and Tiffany Jiating Hu
718 Brewster Avenue
Redwood City, CA 94063

APN: 1000762031
Map: 27S-14-17D TL 301
59505 Seven Devils Road, Bandon, OR 97411

| | | |
|---|-------------------|----------------------------|
| Coos County, Oregon | 2022-04228 | |
| \$96.00 | Pgs=3 | 05/06/2022 01:12 PM |
| eRecorded by: TICOR TITLE COQUILLE - 105 E. 2ND ST. OR 97423 | | |
| Diris D. Murphy, Coos County Clerk | | |

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Dave T. Young and Bonnie M. Young, as tenants by the entirety, Grantor, conveys and warrants to Giles Andreas Ochs and Tiffany Jiating Hu, not as tenants in common, but with the rights of survivorship, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Coos, State of Oregon:

Beginning at a point on the East-West line through the center of Section 17, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon, said point being on the east right of way edge of Seven Devils Road; thence South 89° 22' 23" East along said center section line a distance of 772.31 feet to the Northwest corner of the NE 1/4 of the NE 1/4 of the SE 1/4 of said Section 17; thence continuing along said center section line South 89° 22' 23" East a distance of 71 feet; thence South 00° 34' 56" West a distance of 272.40 feet; thence West a distance of 660.28 feet to the east right of way edge of said Seven Devils Road; thence Northwesterly along said right of way to the point of beginning.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS FIVE HUNDRED SEVENTY-FIVE THOUSAND AND NO/100 DOLLARS (\$575,000.00). (See ORS 93.030).

Subject to:

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

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

STATUTORY WARRANTY DEED

(continued)

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

Dated: 5/3/22

Dave T. Young
Dave T. Young

Bonnie M. Young
Bonnie M. Young

State of Oregon
County of Cook

This instrument was acknowledged before me on May 3, 22 by Dave T. Young and Bonnie M. Young

Ann Banks Parker
Notary Public - State of Oregon

My Commission Expires: April 13, 2024



EXHIBIT "A"
Exceptions

Subject to:

1. The Land has been classified as Forest land, as disclosed by the tax roll. If the Land becomes disqualified, said Land may be subject to additional taxes and/or penalties.
2. Rights of the public to any portion of the Land lying within the area commonly known as streets, roads and highways.
3. Any interest in any oil, gas and/or minerals, as disclosed by document
Recording Date: June 4, 1945
Recording No: Book 156, Page 220
The present ownership or any other matters affecting said oil, gas and/or minerals are not shown herein. Any rights incidental to the ownership and development of the mineral interest excepted or reserved in the document
4. Easement(s) and rights incidental thereto, as granted in a document
Recording Date: June 4, 1945
Recording No: Book 156, Page 220
5. Easement(s) and rights incidental thereto, as granted in a document:
Granted to: Coos-Curry Electric Cooperative
Recording Date: April 29, 1985
Recording No: 85-02-5508
6. Easement(s) and rights incidental thereto, as granted in a document:
Granted to: Coos-Curry Electric Cooperative
Recording Date: May 2, 2990
Recording No: 90-05-0122
7. An application for de-titling the manufactured home from personal property to real property has been approved, as disclosed by application:
Recording Date: February 15, 2019
Recording No: 2019-01261