



NOTICE OF LAND USE DECISION

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

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

This decision notice is required to be sent to the property owner(s), applicant(s), adjacent property owners (distance of notice is determined by zone area – Urban 100 feet, Rural 250 feet, and Resource 750 feet), special taxing districts, agencies with interest, or person that has requested notice. (See attached vicinity map for the location of the subject property).

Date of Notice: **Friday, July 15, 2022**
File No(s): ACU-22-026

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

Applicant(s): Robert and Pamela Romanko

Staff Planner: **Chris MacWhorter, Planning Staff**

Decision: **Approved with Conditions.** All decisions are based on the record. This decision is final and effective at close of the appeal period unless a complete application with the fee is submitted by the Planning Department at 12 p.m. on **Monday, August 01, 2022**. Appeals are based on the applicable land use criteria found in the Coos County Zoning and Land Development Ordinance (CCZLDO) General Compliance with *Sections 1.1.300 Compliance with Comprehensive Plan and Ordinance Provisions and 6.1.125 Lawfully Created Lots or Parcels*. Vacation Rental reviews are subject to CCZLDO Use Table found in *Section 4.3.200(64) Vacation Rentals (in an existing dwelling) subject to an Administrative Conditional Use (ACU) subject to Section 4.3.210(87) Categories and Review Standards – Vacation Rental/short term rental and Section 4.3.220 Additional Conditional Use Review (2)(a) Rural Residential*. *Siting standards do not apply to this type of review because there are no new structures proposed with this review. Civil matters including property disputes outside of the criteria listed in this notice will not be considered. For more information please contact the staff planner listed in this notice.*

Property Information

Account Numbers	762014
Map Numbers	27S1417D0-01400
Property Owners	PETREY, TODD 88681 TOKYO LN BANDON, OR 97411-6301
Situs Addresses	88681 TOKYO LN BANDON, OR 97411
Acreages	5.00 Acres
Zoning(s)	RURAL RESIDENTIAL - 5 (RR-5)
Special Development Considerations and Overlays	ARCHAEOLOGICAL AREAS OF INTEREST (ARC)

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

This notice shall be posted from July 15, 2022 to August 1, 2022

Coquille OR 97423. Mailing of this notice to you precludes an appeal directly to the Land Use Board of Appeals.

Mailed notices to owners of real property required by ORS 215 shall be deemed given to those owners named in an affidavit of mailing executed by the person designated by the governing body of a county to mail the notices. The failure of the governing body of a county to cause a notice to be mailed to an owner of a lot or parcel of property created or that has changed ownership since the last complete tax assessment roll was prepared shall not invalidate an ordinance. **NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: ORS CHAPTER 215 (ORS 215.513) REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST PROMPTLY BE FORWARDED TO THE PURCHASER.**

Staff tries to post all applications on the website at the following link:

<https://www.co.coos.or.us/planning/page/applications-2022>

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

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

Reviewed by: Chris MacWhorter **Date:** Friday, July 15, 2022 .
Chris MacWhorter, Planning Staff

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

EXHIBITS

Exhibit A: Conditions of Approval

Exhibit B: Vicinity Map

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

Exhibit C: Staff Report -Findings of Fact and Conclusions

Exhibit D: Comments

Exhibit E: Application

EXHIBIT "A"

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

CONDITIONS OF APPROVAL

1. All applicable federal, state, and local permits shall be obtained prior to the commencement of any development activity.
2. Pursuant to CCZLDO § 5.9.100, a Zoning Compliance Letter (ZCL) shall be required prior to the use of the dwelling as a *Vacation Rental* on the property; however, the following conditions need to be submitted with a request for your ZCL:
 - a. The applicant shall complete the following to ensure compatibility:
 - i. Submit a plan to cover nuisance issues to ensure the use is compatible with the neighborhood. The plan shall consist of contacts for the property manager to report problems to, noise restriction and emergency contact information. The advertisement for the rental shall include a property manager name and contact information.
 - ii. A contract that will be used for the rental shall contain all this information and shall be filed with the Planning Department.
 - iii. If the property is receiving public services for water or sewer a letter from those utility companies is required that there is no limitation on service.
 - iv. The number of overnight occupants is limited by the number of bedrooms. The Dwelling contains four (4) bedrooms and maximum capacity should be limited to eight (8) overnight guests.
 - v. Vendors shall be limited to cleaning and maintenance on a regular basis. If a special event is planned by a guest, it shall occur during the day and there may be vendors to serve that specific event.
 - b. A deed restriction shall be recorded with the Coos County Clerk's Office acknowledging that this is an accessory use to the approved residential use. If located within Urban Growth Boundary further restrictions may be required based on comments from the City.
 - c. The parking and access shall be reviewed and signed off by the Coos County Road Department prior to receiving a Zoning Clearance Letter from staff. There will be a limit on how many vehicles can park onsite per to two (2) vehicles for guests and one (1) vehicle for employees.
3. Pursuant to CCZLDO § 4.3.110.10(a) the applicant shall obtain a license from the Coos County Health Department in accordance with ORS 446.310-350. Renewals of your license shall be provided to the Planning Department to show the use remains in compliance.
4. Shall provide a legal document for the water use or an exemption. Staff cannot confirm that the current water source meets the required health requirements for this type of use.
5. The applicant shall provide of proof that commercial use of the private easement is allowed prior to requesting a zoning compliance letter.
6. The applicant shall acquire after-the-fact planning clearances for the unpermitted accessory structures and carport prior to requesting a zoning compliance letter for the vacation rental use.

EXHIBIT "B"
VICINITY MAP



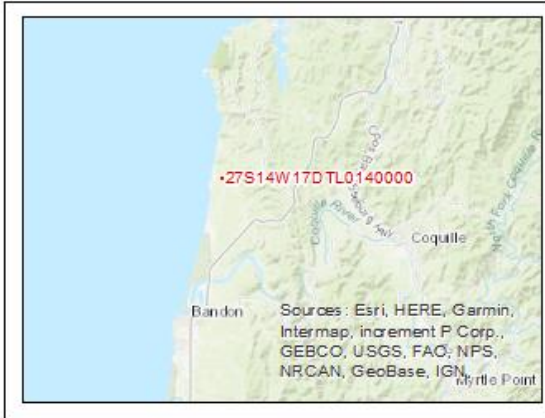
COOS COUNTY PLANNING DEPARTMENT

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

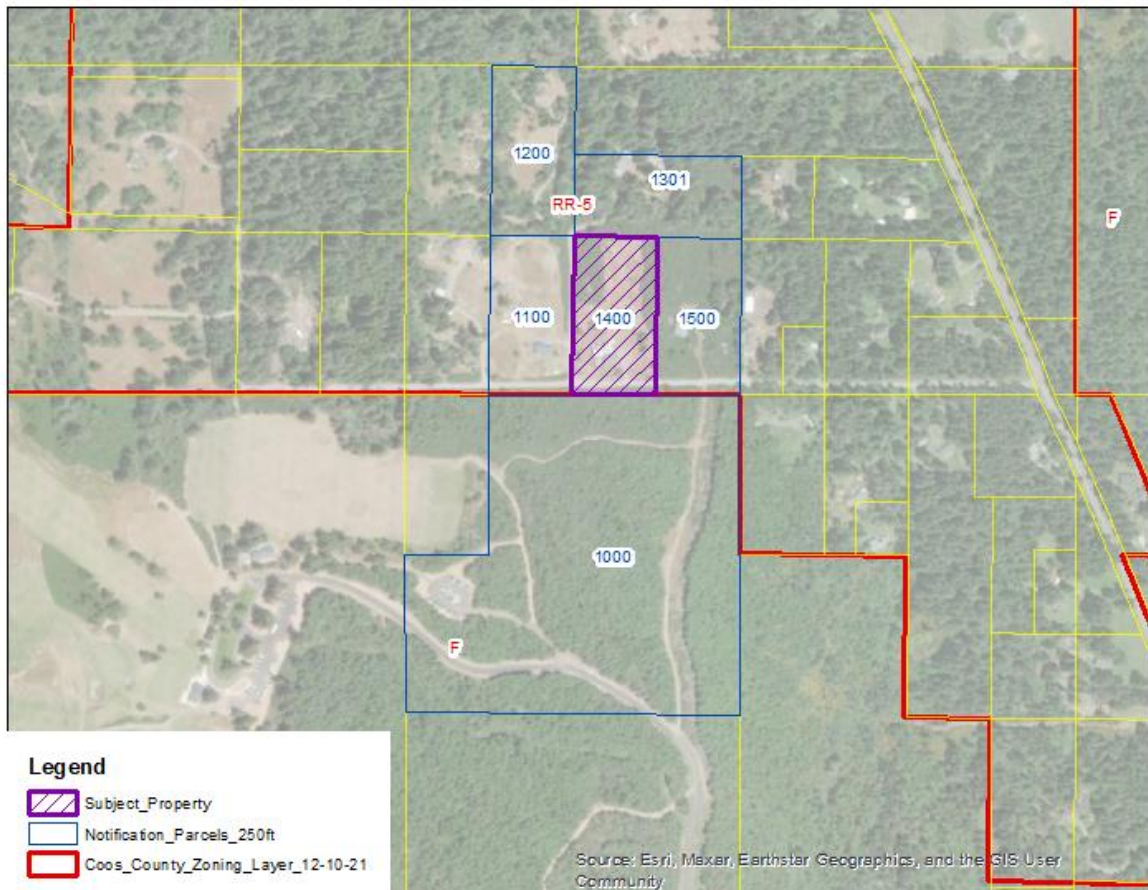
Physical Address: 60 E. Second, Coquille Oregon

Phone: (541) 396-7770

TDD (800) 735-2900



File: ACU-22-026
Applicant/
Owner: Todd Petrey
Date: July 8, 2022
Location: Township 27S Range 14W
Section 17D TL 1400
Proposal: Administrative Conditional Use



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

I. PROPOSAL AND BACKGROUND/PROPERTY HISTORY INFORMATION:

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

B. BACKGROUND/PROPERTY HISTORY:

This property contains a Single-Family Dwelling that was built in 1981 authorized by Coos County Planning Verification Letter dated Feb. 16, 1979. The property also contains a detached accessory structure that was built in 1981 and attached carport built in 1997. Staff could not locate Planning authorization for either the 1981 accessory structure nor 1997 carport. These documents may be found in Coos County Planning Department records.

C. LOCATION: The subject property is located north of the City of Bandon. The property is accessed off from Seven Devils Road, which is county designated a major collector. Seven Devils Road directly connects to Highway 101. Recreational opportunities within a mile of the subject property include Seven Devils State Recreation Site with public beach access and an 18-hole golf course opened to the public. Within a two-mile radius from the subject property public includes the Bandon Dunes Golf Resort and more importantly the Whiskey Run Bike Trails, which is on the Coos County Forest.

D. ZONING: The subject property is zoned Rural Residential-5 (RR-5).

ARTICLE 4.2 – ZONING PURPOSE AND INTENT

SECTION 4.2.100 RESIDENTIAL

Rural Residential (RR)

There are two RR zonings: Rural Residential-5 (RR-5) and Rural Residential-2 (RR-2). The intent of the Rural Residential Districts includes justified sites plus "committed" areas. The County's plan prescribes and allocates a finite number of rural dwelling/units/acreage. The zoning ordinance will specify permitted uses and minimum lot sizes.

The purpose of the “RR-2” and “RR-5” districts are to provide for small to medium acreage dwelling sites outside of Urban Growth Boundaries, where a moderate intensity of land development is appropriate, but where urban services and facilities may not be available or necessary.

The “RR-2” district provides for continued existence of rural family life and to provide a transition of densities between urban development and exclusive agricultural and forestry uses.

The “RR-5” district provides for the orderly development of rural land so as to encourage the continued existence of rural family life and to provide a transition of densities between urban development and exclusive agricultural or forestry uses.

E. SITE DESCRIPTION AND SURROUNDING USES SITE DESCRIPTION AND

SURROUNDING USES: The subject property is located north of the City of Bandon. The property is accessed off from Tokyo Lane. Tokyo Lane is privately maintained easement that connects to Seven Devils County Road. Seven Devils is county designated a major collector road. Seven Devils Road directly connects to Highway 101. Recreational opportunities within a mile of the subject property include Seven Devils State Recreation Site with public beach

access and an 18-hole golf course opened to the public. Within a two-mile radius from the subject property public includes the Bandon Dunes Golf Resort and more importantly the Whiskey Run Bike Trails, which is on the Coos County Forest.

This property contains a Single-Family Dwelling that was built in 1981 authorized by Coos County Planning Verification Letter dated Feb. 16, 1979. The property also contains a detached accessory structure that was built in 1981 and attached carport built in 1997. Staff could not locate Planning authorization for either the 1981 accessory structure nor 1997 carport. These documents may be found in Coos County Planning Department records.



F. COMMENTS: Comments were not required for this use as there is no development occurring.

II. PROPERTY COMPLIANCE:

A. COMPLIANCE PURSUANT TO SECTION 1.1.300:

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

FINDING: Staff has reviewed the property history and the county files to determine at the time of this report this property is not compliant. There are accessory structures that has insufficient information to prove the Planning Department authorized the construction.

Therefore, staff cannot make a determination of compliance, and this shall be resolved prior to receiving a Zoning Compliance Letter.

B. SECTION 6.1.125 LAWFULLY CREATED LOTS OR PARCELS:

“Lawfully established unit of land” means: 1. The unit of land was created:

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

FINDING: This tax lot was lawfully created thru (e) by deed or land sales contract, if there were no applicable planning, zoning or subdivision or partition ordinances or regulations that prohibited the creation (72-76968). Therefore, it is a lawfully created unit of land.

III. STAFF FINDINGS AND CONCLUSIONS:

A. SUMMARY OF PROPOSAL AND APPLICABLE REVIEW CRITERIA:

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

B. Key definitions:

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

C. Criteria and standards for Vacation Rentals

I. Vacation Rentals

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

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

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

- “P” Permitted and requires no review from the Planning Department. No review is required but other agencies may have requirements.*
- “CD” Compliance Determination review (permitted with standards) with clear and objective standards (Staff review usually referred to as Type I process or ministerial action). These uses are subject to development standards in sections 4.3.22, 4.3.230 and notices requesting comments may be provided to other agencies as result. The process takes a minimum of 30 days to complete. Industrial zones may require additional review. All structures and uses shall meet the applicable Development and Siting Criteria or Special Development Considerations and Overlays for the zoning district in which the structure will be sited.*

- “ACU” Administrative Conditional Use (Planning Director’s Decision usually referred to as a Type II Process)
- “HBCU” Hearing Body Conditional Use (Planning Commission, Board of Commissioner or Hearings Officer Decision usually referred to as a Type III Process)
- “PLA” Property Line Adjustments subject to standards found in Chapter 6.
- “P”, “SUB”, “PUD” = Partition, Subdivision, Planned Unit Development that require Land Division Applications subject to standards found in Chapter 6.
- The “Subject To” column identifies any specific provisions of Section 4.3.210 to which the use is subject.
- “N” means the use is not allowed.

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

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

FINDING: Vacation Rental reviews are subject to CCZLDO Use Table found in Section 4.3.200(64) Vacation Rentals (in an existing dwelling) subject to an Administrative Conditional Use (ACU) subject to Section 4.3.210(87) Categories and Review Standards – Vacation Rental/short term rental and Section 4.3.220 Additional Conditional Use Review (2) Rural Residential. Siting standards with the exception of parking do not apply to this type of review because there are no new structures proposed with this review.

B. Section 4.3.210 – CATEGORIES AND REVIEW STANDARDS

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

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

- Shall be found to be compatible with the surrounding area.
- Shall be licensed by the Coos Health & Wellness (CHW) in accordance with ORS 446.310-350;
- Shall meet parking access, driveway and parking standards as identified in Chapter VII;
- Shall not be conveyed or otherwise transferred to a subsequent landowner without a the new property owner submitting a Compliance Determination Application showing compliance with this section; and
- A deed restriction shall be recorded with the Coos County Clerk’s Office acknowledging that this is an accessory use to the approved residential use. If located within Urban Growth Boundary further restrictions may be required based on comments from the City.

FINDING: A vacation rental can only be established in an existing dwelling. The subject property contains an existing Single-Family Dwelling that was sited in 1981. According to assessment records the dwelling is a four-bedroom Dwelling. The primary criterion for this application is compatibility. As explained above; compatibility means that the proposed use is capable of existing together with the surrounding uses without discord or disharmony.

The purpose of this zoning district is to provide for residential use. Vacation rentals are not considered a residential use so they must show they can be compatible with the residential uses occurring within the surrounding area without discord or disharmony.

The notification area included a mixture of dwellings that are approximately equal for the number of primary and secondary dwellings in the nearby vicinity.

Map No	Parcel No	Structure	Use
27S14W17D	1100	Dwelling	Primary
27S14W17D	1200	Dwelling	Secondary
27S14W17D	1301	Dwelling	Secondary
27S14W17D	1400	Dwelling	Primary
27S14W17D	1500	Dwelling	Secondary
27S14W20A	1000	Golf Course	Recreation

Recreational opportunities within a mile of the subject property includes Seven Devils State Recreation Site with public beach access. The subject property is located close to the Whiskey Run Bike Trails and the Sheep Ranch golf course. The Whiskey Run Bike Trails offer public biking and hiking trails. The Sheep Ranch golf course is located on the north side of Whiskey Run Road and appears to be operated by Bandon Dunes Golf Resort under a private arrangement. Bandon Dunes Golf Resort is located on the south side of Whiskey Run Road.

The applicant indicated there was another vacation rental in the nearby area of the subject property. Staff was unable to confirm the exact location of this vacation rental.

A Single-Family Dwelling unit providing complete independent living facilities for one or more persons, including permanent provision for living, sleeping, eating, cooking and sanitation. A request to use the dwelling for transient occupancy for vacation purposes does increase traffic, parking and related nuisance issues. Therefore, to make the use compatible limitations on occupancy based on the number of bedrooms that are located within the dwelling, limiting traffic and parking volumes to the same level as a Single-Family Dwelling and limiting nuisances will insure the use is compatible.

In determining how many people can be accommodated overnight the calculation is made based on bedrooms within the Single Family Dwelling. A bedroom (ORS 90.262) has a minimum average of two occupants per bedroom. This dwelling is a four-bedroom dwelling; therefore, staff will condition this approval that only eight (8) overnight guests shall be onsite. Vehicles on site for the guest shall be no more than two vehicles. This does not account for cleaning service and other related maintenance service or when the property owner is using the dwelling. There shall be quiet times and a clear sign posted with the contact information so neighbors that have complaints may contact the rental service that is managing the vacation rental.

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

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

The Vacation Rental approval will not transfer to a subsequent owner without a Compliance Determination.

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

C. SPECIAL DEVELOPMENT CONSIDERATIONS AND OVERALYS:

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

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

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

IV. DECISION:

The proposed Vacation Rental/Short-Term Rental in the Rural Residential-5 (RR-5) Zoning District meets the requirements of the Coos County Zoning and Land Development Ordinance, with conditions listed in Exhibit "A" of this report.

V. NOTICE REQUIREMENTS:

A notice of decision will be provided to property owners within 250 feet of the subject properties and the following agencies, special districts, or parties: Bandon RFPD & Southern Coos General Health District.

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

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

EXHIBIT "D"
Comments

Crystal Orr

From: Richard Hallmark
Sent: Wednesday, June 15, 2022 3:16 PM
To: Planning Department
Subject: Re: ACU-22-026 Petrey

The Coos County Land Use Application (ACU-22-026) for consideration of a short term/vacation rental at or about 88681 Tokyo Lane, Bandon, OR has been reviewed.

Pursuant to the proposed use upon the request of a property owner/applicant Coos Health & Wellness will provide:

1. The license application for a vacation rental
2. The fee amount due with a license application; and
3. A list of materials to submit for evaluation of a small business water system intended for use with a facility to be licensed by the health department. *For purposes of safety review criteria is virtually the same as for a public water system (professional design, well construction standards, appropriate setbacks, water quality, safe equipment, safe treatment, etc.) and there is on-going system maintenance.*

rh

From: Planning Department
Sent: Monday, June 13, 2022 8:34 AM
To: Richard Hallmark; ALTON Greg * DEQ
Cc: Planning Department
Subject: ACU-22-026 Petrey

Hello,

Attached please find an application that was submitted proposing to operate a vacation rental with the existing dwelling located at 88681 Tokyo Lane in Bandon.

Please let me know if you have any questions.

Thank you,
Amy Dibble

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: 88681 Tokyo Lane, Bandon OR 97411

Type of Access: County Road Name of Access: _____

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.

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

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

By signing the application I am authorizing Coos County Roadmaster or designee to enter the property to determine compliance with Access, Parking, driveway and Road Standards. Inspections should be made by calling the Road Department at 541-396-7660

Coos County Road Department Use Only

Roadmaster or designee: _____

Driveway Parking Access Bonded Date: _____ Receipt # _____

File Number: DR-21-

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

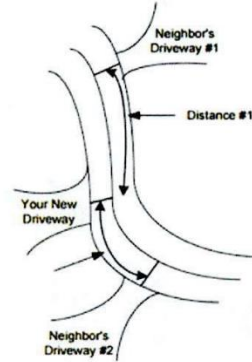
DISTANCE FROM DRIVEWAY #1 TO YOUR NEW DRIVEWAY: _____

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

ADDRESS OF DRIVEWAY #2 CLOSEST TO YOUR NEW DRIVEWAY: _____

DISTANCE FROM DRIVEWAY #2 TO YOUR NEW DRIVEWAY: _____

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



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

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

Additional Notes or directions:

This application is not required.

SANITATION INFORMATION

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

Water Service Type: 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:

This application is submitted to acquire a permit to operate a vacation rental dwelling from an existing single-family residence.

No employee to be onsite except in emergencies or as part of maintenance/cleaning when vacant.

No food will be offered.

Hours of operation are as reserved by guests. Maintenance and cleaning to be as-needed after check-out and during vacancies.

Coos County Land Use Permit Application
Vacation Rental Dwelling
Written Statement

Property Owner/Applicant
Todd Petrey
88681 Tokyo Lane, Bandon OR 97411

Existing Development and Conditions

The subject property at 88681 Tokyo Lane is located in Coos County, Oregon. The five acre property is zoned RR-5 and is known on the Assessor's map as 27-17-14 Tax Lot 1400. There are no limitations on development of this property as a vacation rental. The property complies with ordinance for the RR5 zone and qualifies for a vacation rental through the Administrative Conditional Use process.

Existing development at the property includes a 2448sf home, septic system, and well. The property is fully fenced with ingress and egress off Tokyo Lane, and additional emergency access to the west off Frog Pond Road. A driveway ample for residents and guests as well as fire vehicles exists and is in good condition. The home is surrounded by trees, grasses, and bushes throughout the property. Sight-obscuring vegetation and fencing exists between the residence and both neighbors. The property is used as a residence at this time.

The property sits north of Bandon Dunes Golf Resort development, and more specifically just north of the undeveloped portion of Bally Bandon Sheep Ranch. The owner is relocating into the city limits of Bandon, and wishes to continue ownership of the property.

The owner understands that a Vacation Rental Dwelling permit does not convey with the property when sold, does not run with the land, and adheres only to the owner.

Proposed Development and Conditions

As the owner of 88681 Tokyo Lane, Todd Petrey would like to use his property as a Vacation Rental Dwelling. The property will sleep eight overnight guests easily. Large gatherings of guests are not anticipated. Parking spaces exist for nine vehicles, including one dedicated for maintenance/cleaning staff. The rental expects on average no more than three vehicles at the property at one time.

Todd Petrey and Rushel Reed will manage all aspects of the vacation rental, including maintenance, cleaning, and booking. Both managers live locally, and are available to be on site within an hour in emergencies via phone or email.

Todd Petrey: (541) 297-8655 toddpetrey@yahoo.com

Rushel Reed: (541) 297-5806

rushelreed@yahoo.com

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.

Applicants Response:

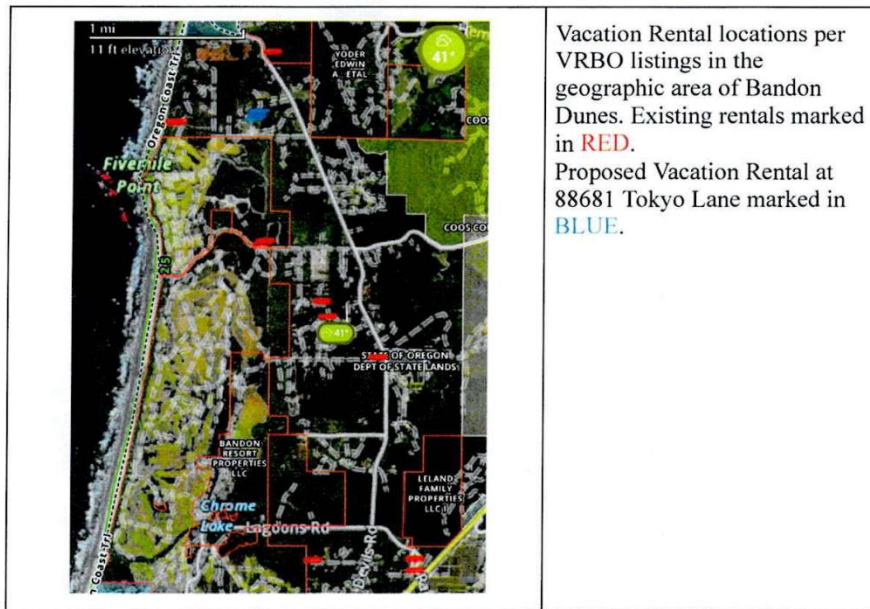
As a vacation rental, 88681 Tokyo Lane would be compatible with the regional area. Zoned RR-5, it is compatible with an Administrative Conditional Use permit approval. It will exist in harmony with the surrounding neighborhood, without discord. In the surrounding region, short-term vacation rental homes already exist as a direct response to a rise in visitor traffic. There are two vacation rental dwellings within ¼ mile of the residence. The home sits on a five (5) acre parcel of land, and has an adequate buffer of space between itself and the neighbors.

Within 250' of 88681 Tokyo Lane are two existing residences. The nearest neighbor to the west is buffered by Frog Pond Road, large vegetation, fencing, yard, and garage of the home. To the north is a second residence, 500+ feet from the home, and buffered by vegetation, fencing, and trees. The remaining two sides of the property, to the east and south, are currently vacant land, including the 5-acre Phil Friedman parcel and the much larger undeveloped portion of Bally Bandon Sheep Ranch respectively.

Quiet hours will be prominently posted. These hours will be for the direct benefit of the two nearest neighbors, as well as any more distant neighbors. Before booking, guests will be informed of quiet hours, parking requirements, and expectations of driving speed on both Tokyo Lane and Seven Devils Road. This notification will serve as proactive notification of behavior expectations, and will be repeated upon booking and check-in both.

Bordering Bandon Dunes newest course on the south side, and close to Whiskey Run bike trails and beaches, the house location is perfectly suited for overnight guests who wish to visit the area.

Compatibility of use as a vacation rental includes the existence of several like homes in the area being used as vacation rental:



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

Applicants Response:

As the owner of 88681 Tokyo Lane, Todd Petrey is familiar with the requirements of Coos County Health, and has been in contact with that department already. He is prepared to comply with all rules and regulations, and will work with that agency in good faith to acquire a license to operate a vacation rental. He is also aware of the follow up inspections and testing required to maintain that license.

(c) Shall meet parking access, driveway and parking standards as identified in Chapter VII;

Applicants Response:

Parking at 88681 Tokyo Lane meets the minimum standards to accommodate the requirements of the Road Department. A map of the parking area is attached to this application for review.


(d) Shall not be conveyed or otherwise transferred to a subsequent landowner without a the new property owner submitting a Compliance Determination Application showing compliance with this section; and

(e) A deed restriction shall be recorded with the Coos County Clerk's Office acknowledging that this is an accessory use to the approved residential use. If located within Urban Growth Boundary further restrictions may be required based on comments from the City.

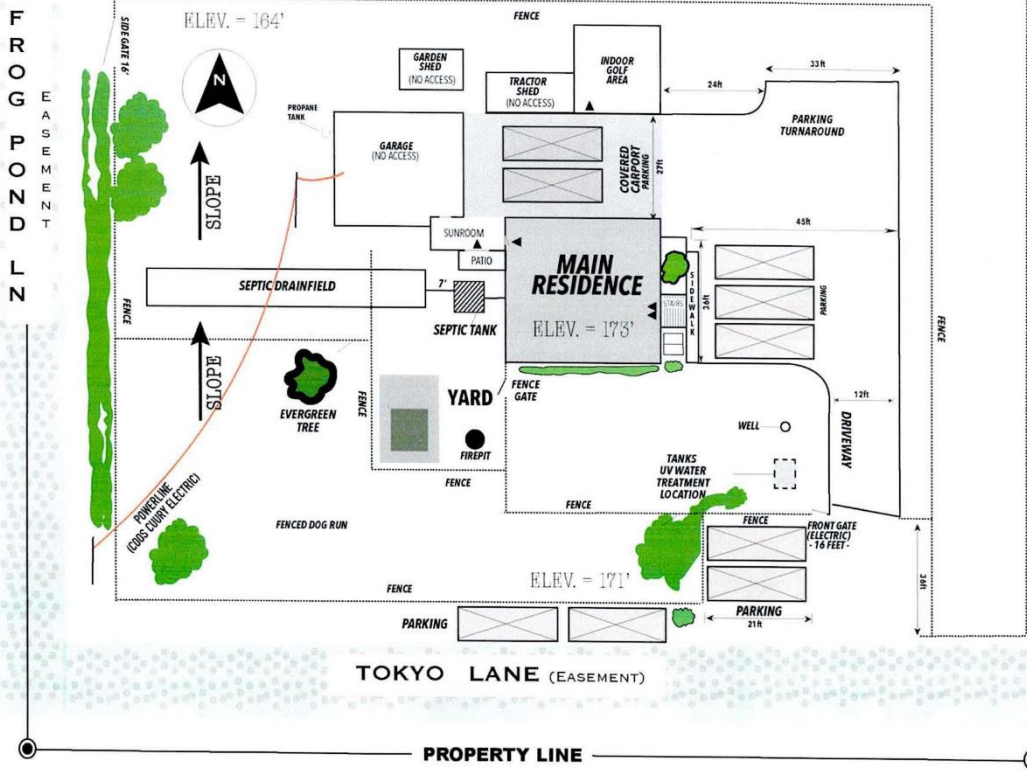
Applicants Response:

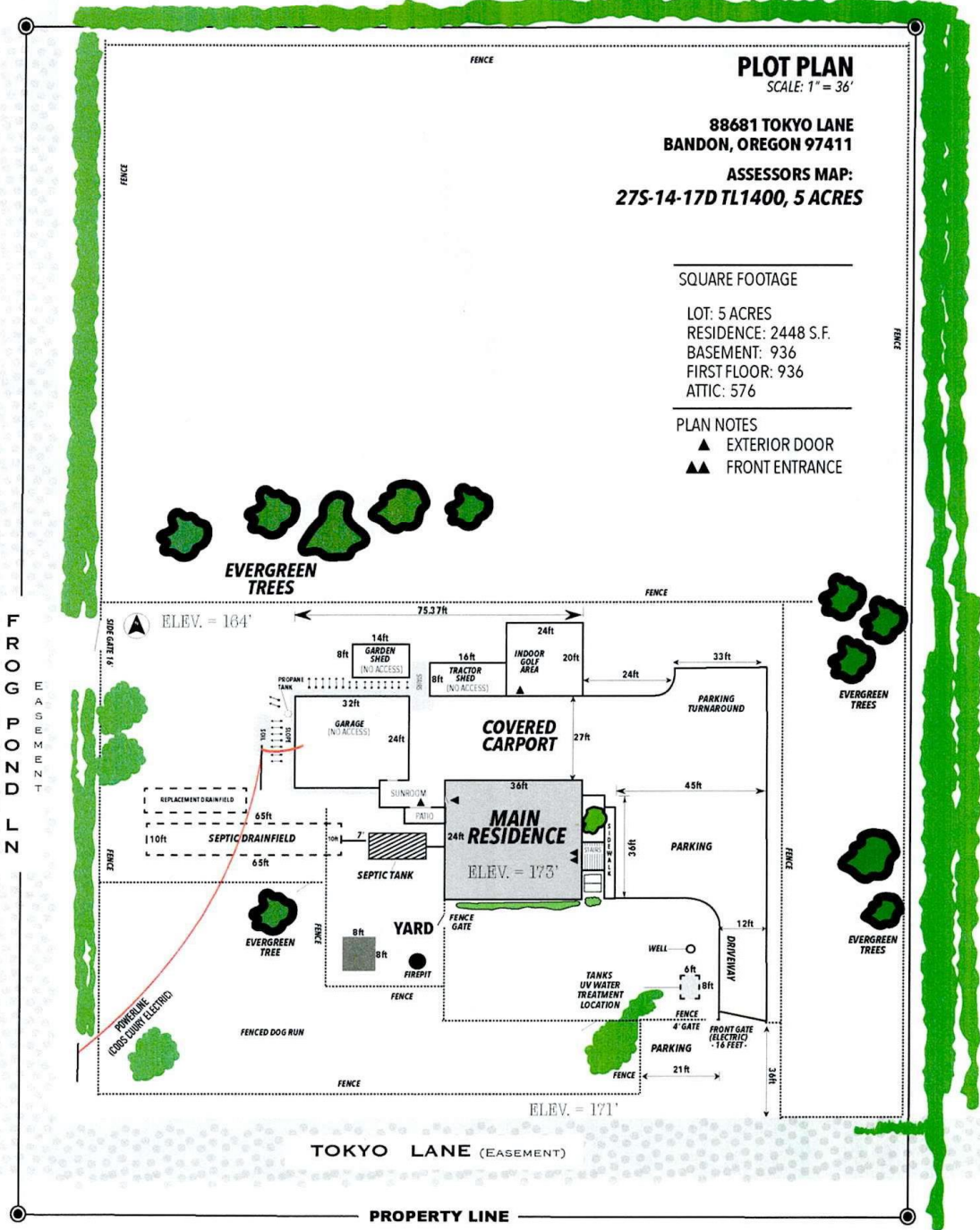
The owner is aware of the deed restriction to be recorded with the Coos County Clerk's Office. He understands that this license to operate a vacation rental property in Coos County will not convey to any subsequent owner without proper compliance by the new owner.

**88681 TOKYO LANE
PARKING MAP**

LEGEND:  = Denotes a parking space 9 x 20'

SCALE: 1" = 26.16ft





PLOT PLAN

SCALE: 1" = 36'

**88681 TOKYO LANE
BANDON, OREGON 97411**

**ASSESSORS MAP:
27S-14-17D TL1400, 5 ACRES**

SQUARE FOOTAGE

LOT: 5 ACRES
RESIDENCE: 2448 S.F.
BASEMENT: 936
FIRST FLOOR: 936
ATTIC: 576

PLAN NOTES

- ▲ EXTERIOR DOOR
- ▲▲ FRONT ENTRANCE

FRONT
EASEMENT
ZONING

EVERGREEN
TREES

EVERGREEN
TREES

EVERGREEN
TREES

EVERGREEN
TREES

TOKYO LANE (EASEMENT)

PROPERTY LINE

Land Use Documentation & Licensing Questionnaire for Travelers' Accommodations

Complete a separate document for each property used for vacation rental purposes.

I. To VERIFY THE ZONING DISTRICT this section must be completed by your local County or City Planning Department. If you are located outside of an unincorporated city then please have Coos County Planning complete this form. There may be a fee required by the Planning Department.

Township _____ Range _____ Section _____ Tax Lot _____
 Account # _____ Jurisdiction: _____

- The vacation rental is permitted in the zoning district.
- This requires a land use review permit to be completed.
- This is not an allowed use for the property.

 Planning Official Signature and Title

 Phone or email contact

 Applicants/Owners Signature

 Applicants/Owners Signature

II. REFERENCE TO APPLICATION

Owner Todd Petrey Name of facility _____

Address of facility 88081 Tokyo Ln Bandon OR 97411

Who would you like public health to coordinate an inspection with? Rushel Reed
 Provide at least 1 phone number for this person & best time to call. (541) 297-5806 8:30p

III. It is common for a Travelers' Accommodation to obtain ADDITIONAL LICENSES contingent upon guests' services provided.

- | | | |
|---|--------------------------|-------------------------------------|
| | Yes or No | |
| 1. Do you provide lodging on more than one property lot? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Do you provide any food that is not commercially sealed? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3. Do you provide guests access to a pool or spa? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4. Do you provide water, sewer or electrical service for an RV? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

IV. What best describes the WATER SUPPLY to the lodging:

- | | | |
|--|-------------------------------------|-------------------------------------|
| | Yes or No | |
| 1. Water is from a municipal water system? | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Water is from a private well or spring? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If the lodging does not have a physical water connection to a municipal system, be advised to call Coos County Public Health now to initiate the process to have the potable water system reviewed at (541)751-2431. Per OAR 333-029-0075(3) surface water use may preclude license from being issued.

V. What best describes SEWAGE DISPOSAL for the lodging:

- | | | |
|---|-------------------------------------|-------------------------------------|
| | Yes or No | |
| 1. The lodging is connected to a municipal sewer? | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. There is an on-site septic system? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

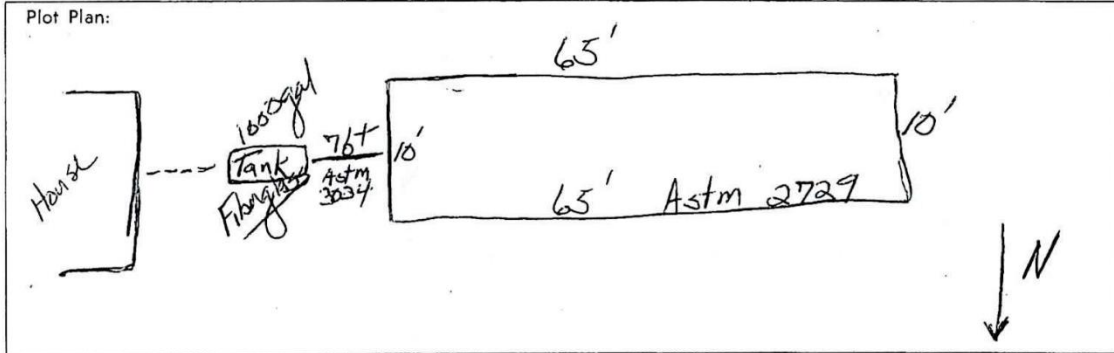
If the vacation rental uses an on-site system, be prepared to provide a copy of the DEQ approval paperwork along with an as-built drawing of the system.

For your reference, Traveler's Accommodations Laws regulated by Coos County Public Health include: Oregon Revised Statutes 446.310 – 425 and Oregon Administrative Rules Chapter 333, Division 029.

Submit this questionnaire with your tourist facility application and the correct fee as per the enclosed schedule to: Coos County Environmental Health, 1975 McPherson #1, North Bend, OR 97459

STATE OF OREGON
 DEPARTMENT OF ENVIRONMENTAL QUALITY
 SUBSURFACE SEWAGE SYSTEM
 CERTIFICATE OF SATISFACTORY COMPLETION

Property Owner COLLIER, PAUL D Permit Number 2779-22
 T. 27 R. 14 Sec. 17 Tax Lot/Acct. No. 7620.14 Date of Final Insp. 4-12-79
 Loc./Road Tokyo Road Approved By [Signature]
 Installer Ohlsen's Excavating - Jim Newton Title Sanitarian
 Disposal Trenches: _____ Square Ft. 150 Lineal Ft. _____
 Tank Size: 1000 Gallons. System Designed to Serve 2 Bedrooms



DEQ/WQ-402 1/78

STATE OF OREGON
 DEPARTMENT OF ENVIRONMENTAL QUALITY
 SUBSURFACE SEWAGE SYSTEM INSTALLATION
CORRECTION NOTICE

The Inspection of this Subsurface Sewage System has Produced the Following Violations: _____

Under the provisions of the OREGON ADMINISTRATIVE RULES, all violations listed above must be corrected and a **CERTIFICATE OF SATISFACTORY COMPLETION** must be issued prior to use of this system. When corrections have been completed, call for inspection.

PERMIT NO. _____

CONTACT: _____

INSPECTION:

TIME _____

DATE _____

BY _____

(SIGNATURE)

DO NOT REMOVE THIS NOTICE FROM SITE

DEQ/WQ-402A 1/78

SP*54380-340

STATE OF OREGON
DEPARTMENT OF ENVIRONMENTAL QUALITY

Property Owner COLLIER, PAUL D.
T. 27 R. 14 Sec. 17 Tax Lot/Acct. No. 7620.14
Loc./Road Tokyo Road

Permit Number 2779-22
Expiration Date 2-20-80
Issued By Steven D. Scheer, R.S.

PERMIT

[NOT TRANSFERABLE]

New Construction of Repair of Connection of Alteration of

A SUBSURFACE SEWAGE SYSTEM

All work to conform to Oregon Administrative Rules Chapter 340 71-030. Work shall be done by property owner or by Licensed Sewage Disposal Service.

[MAKE NO CHANGES IN LOCATION OR SPECIFICATIONS WITHOUT WRITTEN APPROVAL]

SPECIFICATIONS

Tank size 1,000 gallons. Disposal trenches 300 Square ft. 150 Lineal ft.
Maximum trench depth 20" Minimum trench depth 18"

Loop Equal. OR Serial Distance between lines on center _____
Total rock depth _____ Below pipe _____ Above pipe _____ Rake sidewalls

Special Conditions. [Follow Attached Plot Plan] Install loop or serial system in area approved by DEQ on 5-2-75. (Applicants plot map shows possible encroachment on approved area). Keep disposal trenches on level grade and contoured to natural topographic features of site. Keep drainfield and approved repair area vacant, free of all development, traffic, compaction, soil modification
PRE-COVER INSPECTION REQUIRED - CONTACT: DEQ - fenced from all livestock and heavy cultivation.

POST ON SITE

269-2721

Owner: COLLIER, PAUL Twp 27 Range 14 Sec. 17 Lot/S.N. 76 20.14

DIRECTIONS TO SITE OR ADDRESS OF PROPERTY: TORNO Road

Acreage: 5 AC Use of Property Home No. of Bedrooms 2 Zoning Cleared Yes
Property (is)(is not) affected by yearly flooding.

Site Evaluation (\$75.00 per site) I CERTIFY THAT the information given is correct to the best of my knowledge.

New Construction Permit (\$25.00)

Connection Permit (\$25.00)

Alteration Permit (\$25.00)

Repair Permit (\$25.00)

Paul B Collier 2-16-79
Signature of Owner or Agent Date

9652 Receipt No. dated 2-16-79 Rt 2 Box 2299
Beardon OR 97411
Address Phone

COMMENTS: _____

Date/Test Pits Ready for Inspection: _____ Tank & D-Box Ready for Inspection _____
*****DO NOT WRITE BELOW THIS LINE - FOR DEQ USE ONLY*****

SITE EVALUATION:

Date: _____ Sanitarian: _____

Site Plan Ck'd. _____ Date: _____ Sanitarian: _____ Comment: _____

PERMIT SPECIFICATIONS: 1000 gallon septic tank, 300sq. ft. OR 150 linear feet of drainfield installed at 18 inches MINIMUM trench depth, 20 inches MAXIMUM trench depth.

Install loop or serial system in area approved by DEQ on 5/2/75
applicant's plot map shows possible encroachment on approved area
keep disposal trenches on level grade and conform to natural
topographic features of site. keep drainfield and approved
repair area vacant, free of development, traffic, compaction,

PERMIT APPROVED yes PERMIT NOT APPROVED _____ ISSUED: 2/20/79 EXPIRES: 2/20/80

Sanitarian: Steve Schum ***** PERMIT NUMBER 2779-22

11-9-78 soil modification, fence for all livestock
ad heavy cultivation.

Power Co. Easement

DOWN
SLOPE

SEPTIC SYSTEM TANK

DRIVEWAY

AREA
FOR WELL

↑
60'
↓

TOKYO ROAD

DEPARTMENT OF ENVIRONMENTAL QUALITY, 1800 Virginia, Room 4, ^{Bandon} Bend, Oregon 97459
Telephone: 756-4244 or 756-6401

SEWAGE PERMIT NO. _____ Twp 275 Range 14W Section 17

OWNER Olson, Raymond R & A Tax Lot _____ Code 54.0 Serial No. 7620.14 Acreage 3.92

DIRECTIONS TO SITE OR MAILING ADDRESS OF PROPERTY: Take 7-South Rd
to 1 mi N Whiskey Run Road - NW road
called Takys Road. (Carl & Corbie + Inoves) #

Use of property Dwelling Number of bedrooms 2

Zoning Restrictions _____

Property (is) (is not) affected by yearly flooding. _____

Site Evaluation Filing Fee
\$25.00 per site: ADR 28 REC'D

I certify that the information given is
correct to the best of my knowledge.

Sewage Disposal Application Fee
\$25.00 per system _____

Raymond R. Olson 4-28-75
Signature of Owner/Agent Date

Connection, Alteration and
Repair Permit Fee \$15.00 _____

Rt 4 Box 112 679-7634
Address Roseburg, Ore Phone Number

Site Evaluation: 5-2-75 Found proposed site located on high ground in the southwest
corner of the parcel to conform to current minimum standards for installation of a
septic system to serve a 2 bedroom home, 125-150 sq. ft drainfield area per bedroom
loamy sand - Submit \$25 fee and a scale drawn site plan showing house location, dimensions
distance to property lines, water supply location, driveway etc. and a septic tank construction
permit will be issued. John L. Smith R.S.

Scale Drawn Site Plan Checked: _____ Date _____ Sanitarian _____

Comments: _____

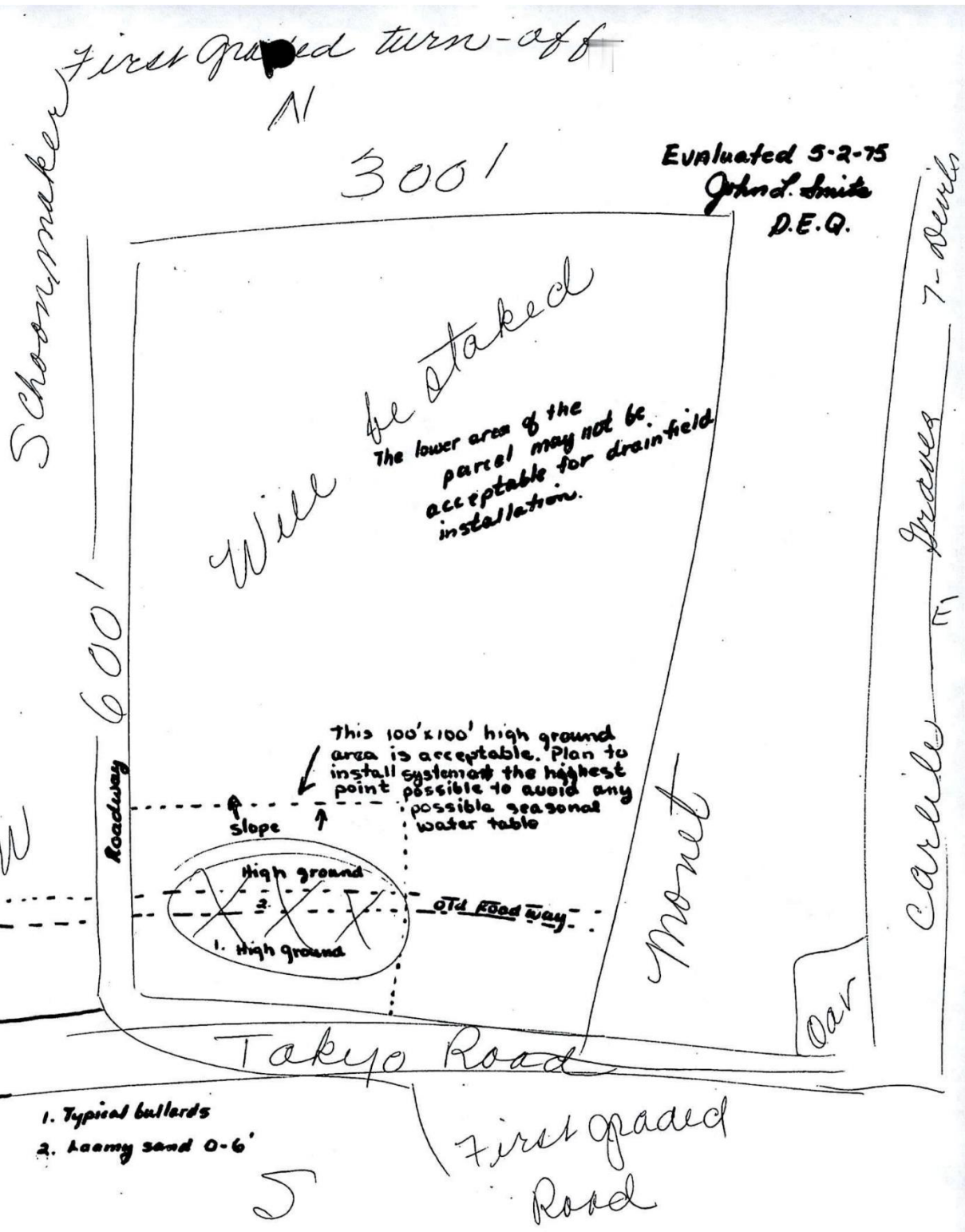
SEWAGE PERMIT: Installation Specifications: _____ Gallon septic tank.

Square Feet of drainfield _____ Comments: _____

PERMIT: Approved _____ Not Approved _____ Sanitarian _____

(Date) _____ (Expires) _____

Interim Form #1



- 1. Typical ballards
- 2. Loamy sand 0-6'

COOS COUNTY PLANNING DEPARTMENT VERIFICATION LETTER

NAME Paul Collier DATE 2/16/79
(owner)
ADDRESS Rte. 2 Box 2299, Bandon, OR 97411 PHONE -----

PROPERTY IDENTIFICATION:

SEC. 17 TWP. 27 RANGE 14 TAX LOT # 7620.14
APPROVED SUBDIVISION NAME NA
DATE APPROVED NA LOT NA BLOCK NA
EXISTING STRUCTURES OR OTHER IMPROVEMENTS: None
PUBLIC WATER None PUBLIC SEWER None
ZONING IRR-5 ACREAGE 5 ac. PARCEL PREEXISTS ORDINANCE yes
SUFFICIENT ACREAGE yes FIRE ZONE -----

APPLICANT HAS RECEIVED COUNTY CLEARANCE FOR THE FOLLOWING:

1. DEQ SITE EVALUATION ONLY No
2. DEQ SITE EVALUATION & PERMIT Yes
3. BUILDING PERMIT PURPOSES:
 - a. Residential Structure Yes
 - b. Accessory Bldgs/Res. Structure No
 - c. Mobile Home Siting No
 - d. Other (explain) No

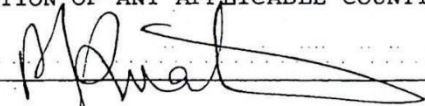
*EXPLANATORY NOTES: Applicant wishes to build single family home and put in septic tank.

ZONING REQUIREMENTS: Min lot size 5 ac no bldg. or structure shall exceed 35' in height. Min lot width na
SETBACK REQUIREMENTS:

- a. yes Any building or structure shall be located a minimum of 80 ft from the centerline or 20 ft from the boundary of an existing or proposed public road r/w, whichever is greater.
- b. no Front yard shall be a minimum of _____. Rear yard shall be a minimum of _____. Side yards shall be a total of at least _____, neither of which is less than _____.
- c. no Site plan review is required.

FLOOD PLAIN OR GEOLOGIC HAZARD COMMENT: None apparent

THE EVALUATION OF THE LAND PARCELS OUTLINED ABOVE IS BASED ON THE INFORMATION PRESENTED AT THIS TIME AND AS SHOWN ON THE INTERIM ZONING MAPS. THE USE AND BUILDING PROPOSED AND LAND DIVISION, IF ANY, ARE NOT NOW IN VIOLATION OF ANY APPLICABLE COUNTY ORDINANCE.


COOS COUNTY PLANNING DEPT. COOS COUNTY COURTHOUSE, COQUILLE, OR
TELEPHONE: 396-3121 Ext. 252 or 267-7009, Ext. 252



Fidelity National Title
Company

After Recording Return To:
Todd Petrey
89010 Hwy 42 S
Bandon OR 97411

Send Tax Statements To:
Todd Petrey
89010 Hwy 42 S
Bandon OR 97411

**AFTER RECORDING RETURN TO
FIDELITY NATIONAL TITLE COMPANY**

Title Order No. 24-90156
Escrow No. 24-90156
Tax Account No. T27R14S17D
1400 A#7620.14

WARRANTY DEED
(ORS 93.850)

Nancy J. Wagoner, an estate in fee simple, Grantor, conveys and warrants to Todd Petrey, an estate in fee simple, Grantee, the following described real property free of encumbrances except as specifically set forth herein:

See Exhibit 'A' attached hereto and by reference made a part hereof.

THIS INSTRUMENT WILL 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.

The true consideration for this conveyance is \$255,000.00.

Dated this 26th day of January, 2004.

Nancy J. Wagoner
Nancy J. Wagoner

State of California County of Riverside)ss.

This instrument was acknowledged before me on January 26, 2004
by Nancy J. Wagoner.

Mitra Conroy
Notary Public

My commission expires: March 11, 2007
M-C



EXHIBIT 'A'Legal Description:

The West 1/2 of the SE 1/4 of the SW 1/4 of the SE 1/4 of Section 17, Township 27 South, Range 14 West of the Willamette Meridian, Coos County, Oregon. Together with a non-exclusive easement for roadway purposes to Seven Devils Road as set forth in instrument recorded October 2, 1972 in Microfilm No. 72-10-76968, Records of Coos County, Oregon. Excepting all gas and oil rights as reserved in instrument recorded June 4, 1945 in Book 156, Page 220, Deed Records of Coos County, Oregon.

Subject to:

The assessment and tax rolls disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for previous years in which the farm use assessment was in effect for the land. In addition thereto, a penalty may be levied if notice of disqualification is not timely given.

The rights of the public in and to that portion of the premises herein described lying within the limits of public roads, streets and highways.

Easement for ingress and egress above and below the surface of the land as implied by reservation of mineral rights in Deed,

From: Coos County
 To: P. O. King
 Dated: May 28, 1945
 Recorded: June 4, 1945
 Book: 156 Page: 220
 in Coos County, Oregon.

An Easement created by instrument, including the terms and provisions thereof,

In favor of: George J. Ikeda and Paulina B. Ikeda
 For: Ingress and egress
 Recorded: November 29, 1971
 Microfilm No.: 71-11-66033
 in Coos County, Oregon.

Easement as reserved in Warranty Deed,

For: Roadway purposes
 Reserved by: William R. Magness, Millard J. Magness and Marion A. Magness
 Recorded: October 2, 1972
 Microfilm No.: 72-10-76968
 in Coos County, Oregon.

Terms and provisions, including, but not limited to mutual obligations, including rights of lien, for maintenance pursuant to the provisions of ORS 105.170 et seq., of that certain access easement which is set forth in instrument

Recorded: October 2, 1972
 Microfilm No.: 71-10-76968
 in Coos County, Oregon.

An Easement created by instrument, including the terms and provisions thereof,

In favor of: Donald E. Bolduc and Shirle A. Bolduc
 For: Roadway purposes
 Recorded: February 10, 1994
 Microfilm No.: 94-02-0478
 in Coos County, Oregon.

Page 2

COOS COUNTY CLERK, OREGON TOTAL \$36.00
 TERRI L. TURI, CCC, COUNTY CLERK

01/30/2004 #2004-1312
 02:52 PM 2 OF 3

Title No. 24-90156 Escrow No. 24-90156
An Easement created by instrument, including the terms and provisions thereof,
In favor of: Coos-Curry Electric Cooperative, Inc.
For: Electric transmission or distribution line or system
Dated: June 2, 1994
Recorded: January 8, 1996
Microfilm No.: 96-01-0224
In Coos County, Oregon.

Page 3

COOS COUNTY CLERK, OREGON TOTAL \$36.00
TERRI L. TURI, CCC, COUNTY CLERK

01/30/2004 #2004-1312
02:52 PM 3 OF 3



COOS COUNTY PLANNING DEPARTMENT
 60 E. SECOND ST. COQUILLE, OR 97423 (LOCATION)
 225 N. ADAMS ST. (MAILING ADDRESS)
 PHONE: 541-396-7770 / EMAIL: PLANNING@CO.COOS.OR.US

COMPLIANCE DETERMINATION

Accessory Use, Expansion of Use or Replacement Use

**THIS APPLICATION WILL TAKE AT LEAST 30 DAYS TO
 PROCESS ONCE IT IS FOUND TO BE COMPLETE**

Date Received: 6/10/22 Receipt #: 231983 Received by: UMB

FILE NUMBERS: CD-22- _____ DR - 22- _____

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

LAND INFORMATION

Land Owner(s) (print name): Todd Petrey
 Mailing address: 88681 Tokyo Lane, Bandon OR 97411
 Phone: (541) 297-8655 Email: toddpetrey@yahoo.com

Applicant(s) (print name): Todd Petrey
 Mailing address: 88681 Tokyo Lane, Bandon OR 97411
 Phone: (541) 297-8655 Email: toddpetrey@yahoo.com

Type of Ownership: Single Ownership - Signed Application
 Type of Use Requested: Vacation Rental

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

Township:	Range:	Section:	¼ Section:	1/16 Section:	Tax lot:
<u>27S</u> <input checked="" type="checkbox"/>	<u>14W</u> <input checked="" type="checkbox"/>	<u>17</u> <input checked="" type="checkbox"/>	<u>D</u> <input checked="" type="checkbox"/>	<u>Select</u>	<u>1400</u>
Township:	Range:	Section:	¼ Section:	1/16 Section:	Tax lot:
<u>Select</u>	<u>Select</u>	<u>Select</u>	<u>Select</u>	<u>Select</u>	_____

Tax Account Number(s): 162014 Site Address: 88681 Tokyo Lane, Bandon OR 97411

Zone: Rural Residential-5 (RR-5) Acreage: 5

Have you completed a site evaluation with Oregon Department of Environmental Quality (DEQ) Yes
 It is important for you to consult with DEQ prior to siting any type of structure if the property has on-site septic to understand where all associated improvements are located. Your plot plan will require to indicate where the septic and drain field are located.

Any account information may be found on the Coos County Assessor's Web page, by contacting staff or on your tax statement. Any incomplete application will not be processed.

PROJECT DESCRIPTION:

Application for Vacation Rental Dwelling at 88681 Tokyo Lane. The intention is to make this property a vacation rental and serve the vacationer to Bandon. Lodging will be provided to those who wish to visit the coastal areas of Coos County. Guests will have a full range of services available at the vacation rental, including a full kitchen, fenced yard, and overnight accommodations. Overnight stay lengths at 88681 Tokyo Lane are anticipated to be between two and six nights. All required county ordinance and health regulations will be adhered to.


An application for Compliance Determination (CD) is required to be submitted to the Planning Department with the elements described in §5.10.200. Once the application is received the Planning Staff will review the CD against the applicable zoning district to determine if additional reviews or notifications are required. If enforcement issues are discovered they shall be addressed prior to completion of review.

ACKNOWLEDGEMENT STATEMENT: PERTAINING TO THE SUBJECT PROPERTY DESCRIBED ABOVE, I HEREBY DECLARE THAT I AM THE LEGAL OWNER OF RECORD OR AN AGENT HAVING CONSENT OF THE LEGAL OWNER OF RECORD AND I AM AUTHORIZED TO OBTAIN THIS ZONING COMPLIANCE LETTER SO AS TO OBTAIN NECESSARY PERMITS FOR DEVELOPMENT FROM THE DEPARTMENT OF ENVIRONMENTAL QUALITY AND/OR THE BUILDING CODES AGENCY. THE STATEMENTS WITHIN THIS FORM ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY PERMITS AND/OR AUTHORIZATION FOR DEVELOPMENT ISSUED BY THE PLANNING DEPARTMENT MAY BE REVOKED IF IT IS DETERMINED THAT IT WAS ISSUED BASED ON FALSE STATEMENTS, MISREPRESENTATIONS OR IN ERROR. AS A CONDITION FOR THE ISSUANCE OF THIS ZONING COMPLIANCE LETTER THE UNDERSIGNED HEREBY AGREES TO HOLD COOS COUNTY HARMLESS FROM AND INDEMNIFY THE COUNTY FOR ANY LIABILITY FOR DAMAGE WHICH MAY OCCUR AS A RESULT OF THE FAILURE TO BUILD, IMPROVE OR MAINTAIN ROADS WHICH SERVE AS ACCESS TO THE SUBJECT PROPERTY.

RURAL RESIDENTIAL COMPATIBILITY WITH FARM/FOREST MANAGEMENT PRACTICES: I HEREBY ACKNOWLEDGE THAT THE NORMAL INTENSIVE MANAGEMENT PRACTICES OCCURRING ON ADJACENT RESOURCE LAND WILL NOT CONFLICT WITH THE RURAL RESIDENTIAL USE OR ENJOYMENT OF THE ABOVE DESCRIBED PROPERTY.

BY SIGNING THIS APPLICATION I AM ACKNOWLEDGING THAT I CAN ONLY DEVELOP MY PROPERTY AS ALLOWED PURSUANT TO THE AUTHORIZATIONS GRANTED IN THE ZONING COMPLIANCE LETTER THAT WILL BE ISSUED. IF ADDITIONAL REVIEW IS REQUIRED I UNDERSTAND THAT IT IS MY RESPONSIBILITY TO COMPLETE THE REVIEW. ALL APPLICABLE FEDERAL, STATE, AND LOCAL PERMITS SHALL BE OBTAINED PRIOR TO THE COMMENCEMENT OF ANY DEVELOPMENT ACTIVITY. ALL COSTS ASSOCIATED WITH COMPLYING WITH THE CONDITIONS ARE THE RESPONSIBILITY OF THE APPLICANT AND THAT THE APPLICANT IS NOT ACTING AS AN AGENT OF THE COUNTY.

APPLICANTS SIGNATURE: _____



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. Please fill out this portion of the application for all development proposals.

Property Address: 88681 Tokyo Lane, Bandon OR 97411

Type of Access: County Road

Name of Access: _____

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.

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

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

Through applying for this application I authorize the Coos County Roadmaster or designee to enter upon the property subject of the application to conduct a site visit necessary for processing the requested application. The applicant shall contact the Coos County Road Department to arrange for the site visit once the access, driveway, road and/or parking requirements have been met. If you would like to schedule a visit or inquire further about requirements including bonding please contact 541-396-7660. This signed form must be returned to the Planning Department prior to the issuance of a zoning compliance letter.

Coos County Road Department Use Only

Roadmaster or designee: _____

Driveway Parking Access Bonded Date: _____ Receipt # _____

File Number: DR- -