



Mailing Date:
Thursday, February 29, 2024

Coos County Community Development

ITEM Number: Agenda Item A

FILE NUMBER: AP-24-001 of VR-23-001

HEARING DATE: Thursday, March 7, 2024

HEARING LOCATION: 201 N. Adams Street, Coquille Oregon 97423
This meeting can be attended virtually at:
<https://meet.goto.com/940158709>
You can also dial in using your phone.
Access Code: 940-158-709
United States: +1 (224) 501-3412

APPLICANT(S): Shane Crimson & Rhonda Conrad

APPELANT(S): Kathleen Collier

STAFF CONTACT: Jill Rolfe, Planning Director
Phone: 541-396-7770
Email: planning@co.coos.or.us

HEARINGS BODY: Planning Commission

RECORD: Record items can be viewed online at:
[AP-24-002 – Appeal File](#)
[ACU-23-046 – Application File](#)

SUMMARY/REQUEST: This is an appeal of a request for a conditional use to allow a Vested Right determination for a Single Family Dwelling.

SUBJECT PROPERTY DETAILS:

ACCOUNT NUMBER: 99920113

MAP NUMBER: 28S1420BB-01801

PROPERTY OWNER(S) CHRISMON, SHANE J & CONRAD, RHONDA L
55953 FERRY RD
BANDON, OR 97411-8863


SITUS ADDRESS 55953 FERRY RD BANDON, OR 97411

ACREAGE: 1.00 Acres

ZONING(S): EXCLUSIVE FARM USE (EFU)

SPECIAL DEVELOPMENT CONSIDERATIONS AND OVERLAYS: BANDON AREA OF MUTUAL INTEREST (BMI)
NATIONAL WETLAND INVENTORY (NWI)
NH TSUNAMI (NHTHO)

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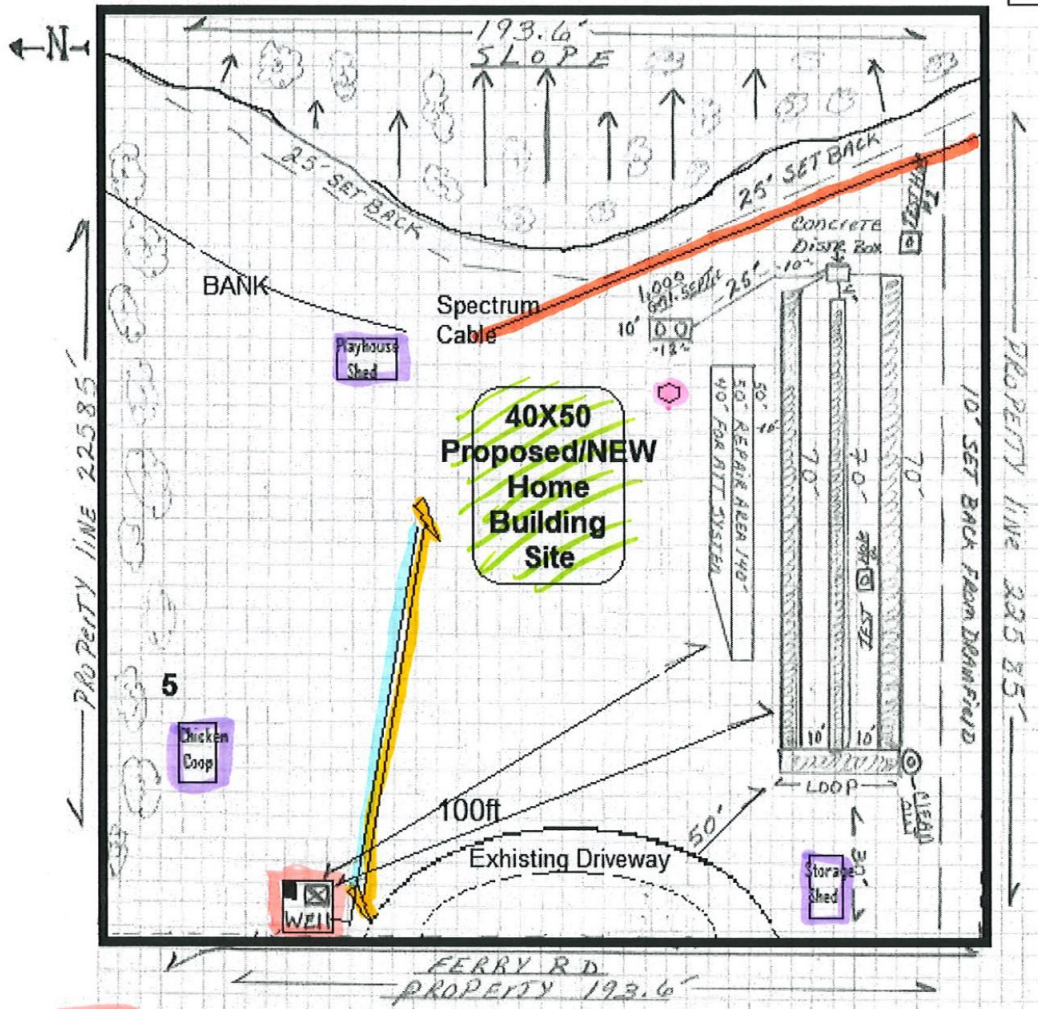
<https://www.co.coos.or.us/community-dev>

Plot Plan and Subject Property Map
(Not to scale)

55953 Ferry Road
Bandon, OR 97411

Rhonda Conrad (541) 961-3348
Shane Chrismon (541) 297-7410
28, 14, 20 BB-1800
LOT 88

1" = 25 ft
not to scale



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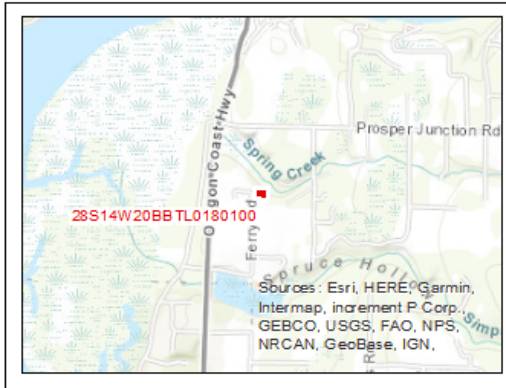


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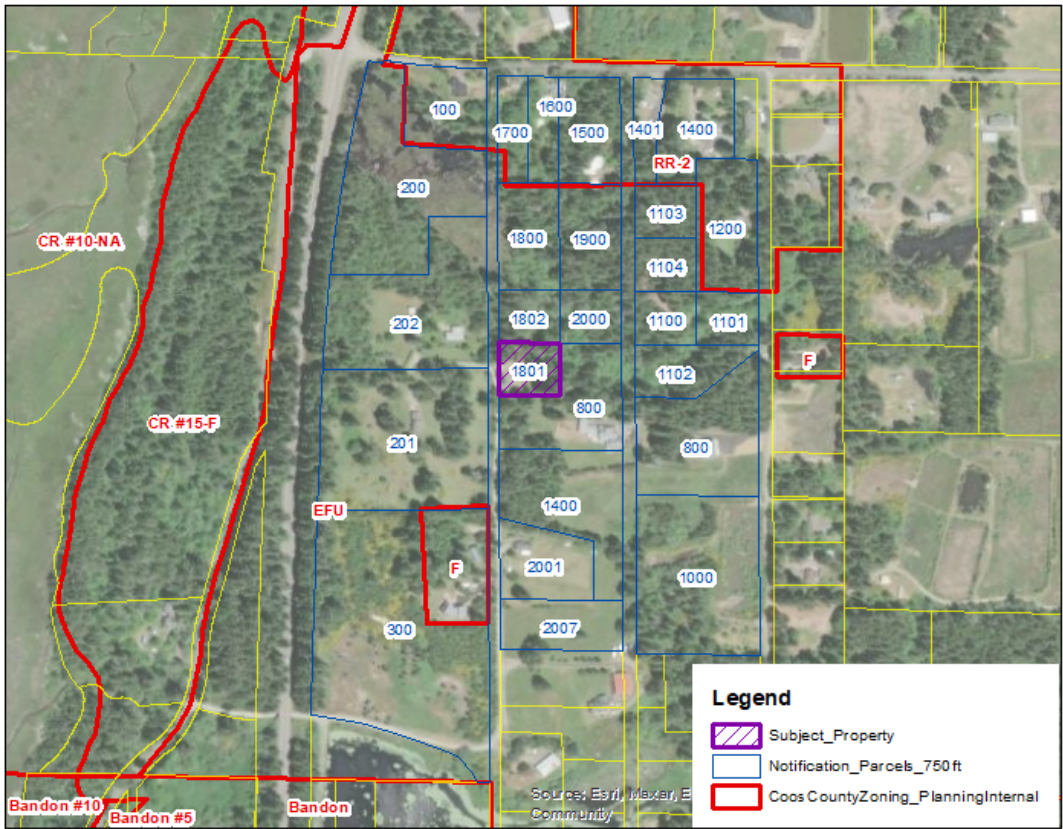


COOS COUNTY PLANNING DEPARTMENT

Mailing Address: 250 N. Baxter, Coquille, Oregon 97423
Physical Address: 60 E. Second, Coquille Oregon
Phone: (541) 396-7770
TDD (800) 735-2900



File: VR-23-001
Applicant/
Owner: Shane Chrismon & Rhonda Conrad
Date: December 21, 2023
Location: Township 28S Range 14W
Section 20BB TL 1801
Proposal: Vested Right



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I. APPLICABLE CRITERIA

COOS COUNTY ZONING AND LAND DEVELOPMENT ORDINANCE (CCZLDO)

CHAPTER IV - BALANCE OF COUNTY ZONES, OVERLAYS & SPECIAL CONSIDERATION

SECTIONS

- 4.6.210 – Development and Use Standards for the Exclusive Farm Use Zone

CHAPTER V – Administration

ARTICLE 5.4 VESTED RIGHT

ARTICLE 5.8 APPEAL REQUIREMENTS

SECTIONS

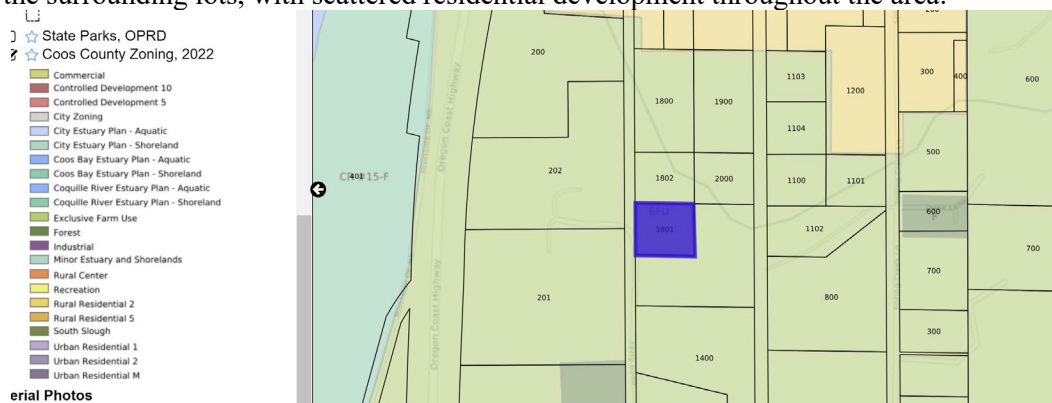
- 5.8.100 Appeals General
- 5.8.150 Standing to Appeal a Planning Director’s Decision
- 5.8.170 Appeal Procedures
- 5.8.300 Record Presented to Hearings Body or Board of Commissioners

II. BASIC FINDINGS

LEGALLY CREATED UNITS OF LAND STATUS: The Coos County Zoning and Land Development Ordinances requires that properties are legally created pursuant to Article 6.1 Lawfully Created Lots and Parcels ORS 92. Staff found that this unit of land was lawfully created through (a), through a pre ordinance plat. The parcel is identified as lot 87 within the Wheeler Subdivision, which was established in 1907.

SITE DESCRIPTION AND LAND USE HISTORY: The subject property is approximately one acre and zoned Exclusive Farm Use (EFU). It is situated off Ferry Road, north of the City of Bandon. Ferry Road is a publicly platted privately maintained road connected to Prosper Junction Road, which is a publicly maintained road by Coos County. Ferry Road is not accessed via Prosper Junction Road, as the topography does not allow it. Access to Ferry Road is through an easement off of Oregon State Highway 101.

The subject property is part of the Wheeler Subdivision, a pre-ordinance subdivision consisting of lots of approximately one (1) acre in size. The subject property is densely wooded (other than the southwest portion), as are most of the surrounding lots, with scattered residential development throughout the area.



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APPEAL: The decision to allow the subject property approval through the Vested Right process was appealed by a neighboring property owner, Ms. Kathleen Collier, whose property is within the notification area, and received a Notice of Decision. Ms. Collier has the following concerns:

- **Natural Hazards:** She commented that the permit results are incomplete and fail to show high risk landslide and liquefaction areas on most off the property. She is also concerned that the leach field is close to a very significant ravine, and should the leach field fail there is a high possibility of human waste flowing down the ravine into a wetland area.
- **Zoning:** Ms. Collier claims that the parcel does not meet the EFU zone standards as most EFU zones are significantly larger than one acre, the few chickens and ducks on the property appear to be more like pets rather than farm animals.
- **Vested Rights:** Ms. Collier questions whether there was an omission or act by the government that delayed the build. She further questioned whether the permit was abandoned, interrupted or discontinued due to the government actions or by simple oversight of the property owners.
- **Actual Investments:** Ms. Collier claims that there are discrepancies in the items selected as proof of investments to calculate the Holmes Factor Ratio.

PUBLIC AGENCY COMMENTS: The subject property is subject to the following Overlays and Special Development Considerations: National Wetland Inventory and Natural Hazard Tsunami Special Development Considerations. County Staff forwarded a request for comments to the Oregon Department of State Lands (DSL), and they responded:

A state permit will not be required for the proposed project because, based on the submitted site plan, the project avoids impacts to jurisdictional wetlands, waterways, or other waters.

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The proposed home is shown on the site plan as being at the top of the slope down to the creek to the northwest. Please assure that the homesite and all ground disturbance is fully at the top of slope. There is a wetland mapped by the National Wetlands Inventory that is very close to the proposed home but below the top of slope. Best management practices should be used during construction to avoid sedimentation into the creek or potential wetlands below.

The applicant is obligated to adhere to any recommendations or comments provided by DSL.

It's important to note that residential development does not trigger any additional requirements under the Natural Hazard Tsunami regulations. As a result, no further review is needed.

PUBLIC COMMENTS: The Planning Department mailed notice of the conditional use approval to all property owners within 750 feet of the subject property on December 27, 2023. The applicant also complied with the posted notice requirements of Section 5.0.900. Public comments were received and can be found in Attachment A.

III. FINDINGS & CONCLUSIONS

Vested Right pursuant to Coos County Zoning and Land Development (CCZLDO) Article 5.4 Vested Right and §4.6.210 Development and Siting Criteria within the Exclusive Farm Use Zone


ARTICLE 5.4 VESTED RIGHT

A parcel shall be considered vested for completion of the construction of a nonconforming use when an administrative conditional use is granted, based on findings establishing:

- 1. The good faith of the property owner in making expenditures to lawfully develop his property in a given manner;*
- 2. The amount of reliance on any prior zoning classification in purchasing the property and making expenditures to develop the property;*
- 3. The extent to which the expenditures relate principally to the use of an applicant claims is vested, rather than to ancillary improvements, such as but not limited to roads, driveways, which could support other uses allowed as of right;*
- 4. The extent of the purported vested use as compared to the uses allowed in the subsequent zoning ordinances;*
- 5. Whether the expenditures made prior to existing zoning regulations show that the property owner has gone beyond mere contemplated use and has committed the property to the purported vested use which would in fact have been made on the subject property but for the passage of the existing zoning regulation; and*
- 6. The ratio of the prior expenditures to the total cost of the proposed use.*

FINDING: The current property owners, Shane Chrismon and Rhonda Conrad, acquired the property in November 2021. At the time of purchase, they were aware that the property had received approval for a Single-Family Dwelling through a Measure 49 claim. However, they did not understand that the claim was close to expiring, and the approval for the dwelling could not be extended. The purchase took place during the COVID-19 pandemic, and the applicants mentioned that timelines for some permitting agencies were longer than normal. Additionally, finding an accountable contractor proved to be challenging.

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Since Mr. Chrismon and Ms. Conrad purchased the property, they have invested approximately \$97,000 in it. They installed a septic system, and a certificate of satisfactory completion was issued by the Oregon Department of Environmental Quality on July 22, 2022. Additionally, a well was constructed and completed by A1 Pump. To upgrade the electrical system, they installed 2,000 feet of new electrical conduit, securing permits from the Coos County Road Department, as the existing electrical infrastructure could not support another dwelling.


The property owners chose this parcel for development with the aim of creating a “small rural farm,” featuring chickens, ducks, and other farm animals. Although residential uses are allowed within the current zoning of the property, it's important to note that the primary objective of the Exclusive Farm Use Zone is not residential development. Instead, residential uses are contingent upon the property's capacity to be farmed for profit. Given the property's size and other constraints, meeting the income requirements for a commercial farming operation to be profitable poses a significant to impossible challenge.

The applicants assert that the investment and effort they have dedicated to the property underscore their significant commitment to its development and improvement. The staff concurs with this statement. They acquired the property for \$149,000, introduced improvements totaling over \$97,000, and anticipate investing an additional \$150,000 to \$200,000 to complete the enhancements.

In analyze how the property owner, who has acquired the property for \$149,000, introduced improvements totaling over \$97,000, and anticipates investing an additional \$150,000 to \$200,000 to complete the enhancements, meets the specified criteria:

- 1. Good Faith Expenditures:** The property owner's significant financial investments, including the acquisition cost and substantial improvements, demonstrate a clear commitment and good faith effort toward lawful development. The improvements include a full septic system, well, electrical system to support the residential and farm use, driveway to support the residential use and parking.
- 2. Reliance on Prior Zoning:** The amount spent on the property, especially the substantial investment in improvements, indicates a reliance on the existing zoning classification at the time of purchase. This demonstrates a significant commitment based on the prior zoning. The Measure 49 claim waived certain zoning requirements for a certain amount of time. During this time the improvements were listed in subsection one were made to facilitate a single-family dwelling.
- 3. Expenditures Principally for Vested Use:** The expenditures primarily focus on improvements related to the claimed vested use (e.g., the development of a small rural farm). While ancillary improvements like roads and driveways are essential, the majority of the investments directly contribute to the intended use. The intended use is residential and the improvements for an onsite septic, well, electrical, driveway, address and parking all support the residential use.
- 4. Comparison with Subsequent Zoning:** An analysis of the purported vested use against subsequent zoning ordinances is crucial. If the property owner's intended use aligns with the subsequent zoning, it strengthens the argument for vested rights. The property owners chose this parcel for development with the aim of creating a 'small rural farm,' featuring chickens, ducks, and other farm animals. Although residential uses are allowed within the current zoning of the property, it's important to note that the primary objective of the Exclusive Farm Use Zone is not residential development. Instead, residential uses are contingent upon the property's capacity to be farmed for profit. Given the property's size and other constraints, meeting the income requirements for farming profitability poses a significant to impossible challenge.

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5. **Expenditures Preceding Zoning Regulations:** The substantial expenditures made prior to the implementation of existing zoning regulations highlight a commitment beyond mere contemplation. This suggests a genuine intention to develop the property as it would have been done in the absence of the current zoning regulations. The Measure 49 claim waived certain zoning requirements for a certain amount of time. During this time the improvements were listed in subsection one were made to facilitate a single-family dwelling.
6. **Evaluating the ratio of prior expenditures (the \$149,000 purchase price plus \$97,000 of investment, totaling \$246,900) to the total projected cost of the proposed use (anticipated additional \$150,000 to \$200,000) provides insight into the proportion of commitment. With the current total investment exceeding 50% of the total anticipated cost, this high ratio significantly strengthens the argument for vested rights. The substantial financial commitment demonstrates a substantial dedication to the proposed use, further supporting the claim for vested rights.**

In summary, the property owner's actions align with the criteria, demonstrating a substantial and committed effort toward the development of the property in accordance with their claimed vested use.

Section 4.6.210 development and siting criteria:

Development Standards All dwellings and structures approved shall be sited in accordance with this section.

1. *Minimum Lot Size: The minimum parcel size shall be at least 80 acres. Land divisions involving a house that existed prior to June 1, 1995 see § 4.6.210(5)(a). For land divisions where all resulting parcels are at least 80 acres, a conditional use is not required. However, the applicable standards in Chapter VI must be met. [OR96-06-007PL 9/4/96]*

New lots or parcels for dwellings not in conjunction with farm use may be allowed when the requirements of §4.6.210(3), §4.6.210(4)(a or b) and § 4.6.210(5) are met. In addition, the creation of new parcels for nonfarm uses may be allowed only when such new parcel is the minimum size needed to accommodate the use in a manner consistent with other provisions of the Ordinance.

The size of the parcel will not prohibit development as long as it was lawfully created or otherwise required to be a certain size in order to qualify for a use.


FINDING: There is no new lots or lots created through this request; therefore, this criterion is not applicable.

1. Setbacks

- a. *Road: All buildings or structures with the exception of fences shall be setback a minimum of thirty-five (35) feet from any road right-of-way centerline or five (5) feet from any right-of-way line, whichever is greater.*
- b. *Firebreak: New or replacement dwellings on lots, parcels, or tracts abutting the “Forest” zone shall establish and maintain a firebreak for a distance of at least 30 in all directions. Vegetation within this firebreak may include mowed grasses, low shrubs (less than ground floor window height), and trees that are spaced with more than 15 feet between the crowns and pruned to remove dead and low (less than 8 feet from the ground) branches. Accumulated needles, limbs, and other dead vegetation should be removed from beneath trees.*

FINDING: The submitted plot plan does not contain all necessary information to determine that setbacks have been met. As a condition of approval, a new plot plan meeting requirements must be submitted.

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Therefore, this criterion has been addressed.

3. *Structure Height: Farm-related structures are exempt from height limits unless subject to Airport Overlay zone or Urban Growth Boundary requirements.*

4. *Lot Coverage: No requirements.*

FINDING: There are no structure or lot coverage requirements that pertain to this request.

5. *Fences, Hedges and Walls: No requirement except for vision clearance provisions of §7.1.525 apply.*

FINDING: There is no indication that the applicant is proposing any fences, hedges or walls. As a condition of approval if any of the above is proposed at a later date they shall meet the requirements for the vision clearance in Section 7.1.525.

Therefore, this criterion has been addressed.

6. *Off-street parking and Loading: See Chapter VII.*

FINDING: A Road/ Driveway Access application was not submitted. As a condition of approval, a Road/Driveway Access application must be submitted and signed off prior to receiving a Zoning Compliance Letter.

Therefore, this criterion has been addressed.

7. *Minimum Road Frontage/Lot Width unless waived by the Planning Director in consultation with the County Surveyor due to creating an unsafe or irregular configuration:*

a. *Within UGB's – 50 feet*

b. *Outside UGB's – 20 feet*

8. *Access: Access to new dwellings shall meet road design standards in Chapter VII.*

FINDING: A Road/ Driveway Access application was not submitted. As a condition of approval, a Road/Driveway Access application must be submitted and signed off prior to receiving a Zoning Compliance Letter.


Therefore, this criterion has been addressed.

9. *Minimizing Impacts: in order to minimize the impacts of dwellings in agricultural lands, all applicants requesting a nonfarm dwelling shall acknowledge and file in the deed records of Coos County, a Farm Practices Management Easement. The Farm Practices Easement shall be recorded in the deed records of the county prior to any final county approval for a single family dwelling. [OR96-06-007PL 9/4/96]*

FINDING: This requirement has been made a condition of approval.

10. *Riparian Vegetation Protection within 50 feet of a wetland, stream, lake or river, as identified on the Coastal Shoreland and Fish and Wildlife Habitat Inventory maps shall be maintained except that:*

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- a. *Trees certified as posing an erosion or safety hazard. Property owner is responsible for ensuring compliance with all local, state and federal agencies for the removal of the tree.*
- b. *Riparian vegetation may be removed to provide direct access for a water-dependent use if it is a listed permitted within the zoning district;*
- c. *Riparian vegetation may be removed in order to allow establishment of authorized structural shoreline stabilization measures;*
- d. *Riparian vegetation may be removed to facilitate stream or stream bank clearance projects under a port district, ODFW, BLM, Soil & Water Conservation District, or USFS stream enhancement plan;*
- e. *Riparian vegetation may be removed in order to site or properly maintain public utilities and road right-of-ways;*
- f. *Riparian vegetation may be removed in conjunction with existing agricultural operations (e.g., to site or maintain irrigation pumps, to limit encroaching brush, to allow harvesting farm crops customarily grown within riparian corridors, etc.) provided that such vegetation removal does not encroach further into the vegetation buffer except as needed to provide an access to the water to site or maintain irrigation pumps; or*
- g. *The 50 foot riparian vegetation setback shall not apply in any instance where an existing structure was lawfully established and an addition or alteration to said structure is to be sited not closer to the estuarine wetland, stream, lake, or river than the existing structure and said addition or alteration represents not more than 100% of the size of the existing structure’s “footprint”.*
- h. *Riparian removal within the Coastal Shoreland Boundary will require a conditional use. See Special Development Considerations Coastal Shoreland Boundary.*
- i. *The 50’ measurement shall be taken from the closest point of the ordinary high water mark to the structure using a right angle from the ordinary high water mark.*

FINDING: **The dwelling will need be located at least 50 feet from any identified wetland, stream, lake or river.**

Therefore, this criterion has been met.

ARTICLE 5.8 APPEAL REQUIREMENTS


SECTION 5.8.100 APPEALS GENERAL

Coos County has established an appeal period of fifteen (15) days from the date written notice of administrative or Planning Commission decision is mailed with the exception of Property Line Adjustments and lawfully created parcel determinations, which are subject to a twelve (12) day appeal period.

The Board of Commissioners or Hearings Body shall dismiss an appeal for failure to follow the requirements of this article. [OR 04 12 013PL 2/09/05]

SECTION 5.8.150 STANDING TO APPEAL A PLANNING DIRECTOR’S DECISION:

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A decision by the Planning Director to approve or deny an application shall be appealed as identified in the Sections below. The appeal must be filed within the appeal period and meet one of the following criteria:

1. In the case of a decision by the Planning Director, the appellant was entitled to notice of the decision; or
2. The person is aggrieved or has interests adversely affected by the decision.

FINDING: The appellant submitted the appeal within the allowed timeframe. The appellant was entitled to, and received a notice of decision.


SECTION 5.8.170 APPEAL PROCEDURES:

An appellant shall file the appeal for review on the appropriate county form and the form shall be completely filled out as required by this section. If an appellant fails to correctly fill out the form, and there has already been a public hearing on the matter, the Board of Commissioners may deny the appeal based on failure to comply with this section. In the event the appeal is denied based on a failure to comply with this section, a refund of unexpended fees shall be returned to the appellant.

The appeal form shall contain the following:

1. The name of the applicant and the County application file number;
2. The name and signature of each petitioner and a statement of the interest of each petitioner to determine party status. Multiple parties shall join in filing a single petition for review, but each petitioner shall designate a single Contact Representative for all contact with the Planning Department. All communications regarding the petition, including correspondence, shall be with the Contact Representative;
3. The appellant must explain how they have achieved party status pursuant to the applicable sections of 5.8.150 or 5.8.160;
4. The date that the notice of the decision was mailed as written in the notice of decision;
5. The nature of the decision and the specific grounds for appeal citing specific criteria from the Coos County Zoning and Land Development Ordinance, Comprehensive Plan, Statute or Rule.
6. The appellant must explain in detail, on the appeal form or attached to the appeal form, how the application did not meet the criteria in the case of an approval or why the criteria should or should not apply; or, in the case of a denial the appellant shall explain why the application did meet the criteria or why certain criteria did not apply to the application.
7. Appeals of Planning Director's decision will be de novo;
8. Appeals of Planning Commission's or appointed Hearings Officer(s) decision shall be reviewed by the Board of Commissioners or Hearings Officer if the Board of Commissioners so chooses. The Board of Commissioners shall, provided there has been an initial evidentiary hearing:
 - a. Decline to hear the matter and enter an order affirming the lower decision; or
 - b. Accept the appeal and:

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- i. *Make a decision on the record without argument;*
 - ii. *Make a decision on the record with argument;*
 - iii. *Conduct a hearing de novo; or*
 - iv. *Conduct a hearing limited to specific issues.*
- c. *In the decision, the Board shall affirm, modify, or reverse the lower decision, and accept any or all of the findings and conditions in the Hearings Body decision, or modify or adopt new findings and conditions on a permit.*
 - d. *If the Board allows argument only on the record, no new evidence shall be submitted.*
 - e. *Any legal issues not specifically raised are considered waived for purposes of appeal to the Land Use Board of Appeals (LUBA).*
 - f. *Where a hearing is limited to specific issues, any evidence or argument submitted must be relevant to the specific issue.*
 - g. *All items to be submitted to the County must actually be received by the County Planning Department no later than 5:00 p.m. on the on the last day of the appeal period. If the last day of the appeal period falls on a weekend or County holiday, then the item must actually be received by the County Planning Department no later than 12:00 p.m. on the next County business day following the deadline date. All items to be mailed to another party must be postmarked no later than the end of the appeal period.*
 - h. *The decision of the Board of Commissioners shall not be final for the purpose of appeal until reduced to writing and signed by the Board.*

FINDING: The appeal application contained the necessary information listed within Section 5.8.170. This is an appeal of a Planning Director’s decision and will be processed as a de novo hearing.


SECTION 5.8.300 RECORD PRESENTED TO HEARINGS BODY OR BOARD OF COMMISSIONERS

After notice of intent to appeal has been filed pursuant to Section 5.8.200, then: [OR 96-06-007PL 9/4/96]

1. *For appeals of administrative decisions, the Planning Director shall forward to the Hearings Body a copy of:*
 - a. *the application for the subject administrative permit; and*
 - b. *the written findings establishing the basis for his decision; and*
 - c. *the notice of intent to appeal.*
2. *For appeals of Hearings Body decisions, the Planning Director shall forward to the Board of Commissioners a copy of:*
 - a. *the application for the requested action; and*
 - b. *the staff report on the request; and*
 - c. *the public hearing record of the Hearings Body’s decision; and,*
 - d. *the notice of intent to appeal.*

FINDING: The Hearings Body in this case is the Planning Commission. The Planning Commission was provided a copy of the application (VR-23-001), the Staff Report, as well as the Appeal Application (AP-24-001).

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The appellant party, Kathleen Collier submitted an appeal based on four (4) factors:

- **Natural Hazards:** The approval failed to show the high risk of landslide and liquefaction on the subject property, the leach field is very close to a significant ravine.

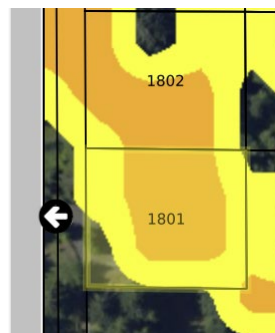
Staff Response: The relevant criteria within Section 4.11.132 Natural Hazards b. Landslides and Earthquakes states that “potential landslide areas subject to geological assessment review shall include all lands partially or completely within “very high” landslide susceptibility areas, this property does not have any very high landslide, and contains moderate and high. Earthquakes within the section require “new development or substantial improvements in mapped areas identified as potentially subject to a geologic assessment shall include lands subject to very high and high liquefaction, this property does not have high nor very high liquefaction potential. The property does have moderate & high landslide, as well as moderate liquefaction, neither of which require review pursuant to the Coos County Zoning and Land Development Ordinance. Therefore, the applicant is not subject to this review and the issued raised is not valid.

See below maps:

▼ **Landslide**

☆ Landslide Susceptibility, DOGAMI, 2016

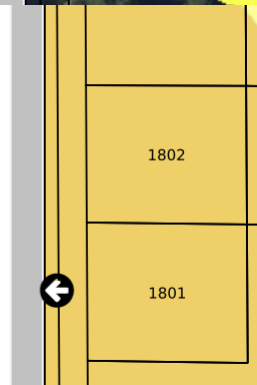
- ●
- Low - Landsliding Unlikely
- Moderate - Landsliding Possible
- High - Landsliding Likely
- Very High - Existing Landslide



▼ **Liquefaction**

☆ Liquefaction Susceptibility, DOGAMI, 2013

- ●
- None
- Very Low
- Low
- Moderate
- High
- Very High



▶ **Active Earthquake Faults**

- **Zoning:** The parcel does not appear to meet EFU zone standards. Most EFU parcels are significantly larger than one (1) acre. There is an allowance for a size variance for intensive farming, this level of farming is not mentioned in the zoning compliance and land use decisions. The few chickens and ducks on the property appear to be more like pets rather than farm animals.

Staff Response: This is not applicable as there is nothing within the criteria that requires any level of farming. The applicant misconstrues the laws regarding zoning and minimum lot standards. Section 4.6.210(1) states specifically that the size of the parcel will not prohibit development as long as it was lawfully created or otherwise required to

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be a certain size in order to qualify for a use. A vested right does not require a specific size for development and the lot was lawfully created. Therefore, this is not a valid objection.

- **Vested Rights:** Vested Rights do not exempt a builder from other laws and regulations related to their project. The vested rights discussion includes two different conditions: omission or act by the government that kept the holder from completing the build and proof of appropriate investment. Appellant does not find a statement within the Staff Report that described an omission or act by the government that may have delayed the build. I did note blaming delays on COVID; however, no details were offered as to illustrate any specific delays. Did the property owners just miss the expiration date, having paperwork expire might perhaps be considered a government act? The compliance letter was approved 1/25/2021 and clearly identified the expiration date of 1/24/2023.

Response: The appellant's stated that "[i]n Oregon, the concept of 'vested rights' for development refers to the legal protection granted to property owners or developers when they have obtained a valid land use approval or permit for a development project. Vested rights ensure that once a property owner has obtained approval for a project, they have the legal right to proceed with the development in accordance with the terms and conditions of that approval, even if zoning or land use regulations change after the approval is granted.


To qualify for vested rights in Oregon, property owners typically need to demonstrate that they have met all the requirements and conditions necessary to obtain land use approval or permits. This often includes obtaining necessary permits, completing required studies or assessments, and meeting any other criteria specified by the local jurisdiction's land use regulations.

Once vested rights are established, they protect property owners from subsequent changes in zoning or land use regulations that would otherwise prevent or restrict approved development from proceeding. Vested rights do not exempt builders from other laws and regulations related to their projects. While this is true, it's important to note that the threshold for vested rights is whether they have met the "land use" regulations, not the building regulations, which are a separate phase. In this case, the appellant failed to understand this distinction. The applicant obtained a planning permit and proceeded to install the driveway, parking area, septic system, well and utilities. However, when they attempted to submit for building plans, they were unable to obtain them without a valid Zoning Compliance Letter. The law that allowed them to obtain the Zoning Compliance Letter was no longer valid. However, due to the proportion of development completed, they have the option to request that their development be considered vested or that the county ruled that they have met the planning requirements and do not need to reapply.

- **Actual Investments:** There are discrepancies in the items selected as proof of investments to calculate the Holmes Factor Ratio. There is a bill in the investment records from me (\$673.56) for easement and road repair costs. It was a routine road maintenance. Not directly related to their project, on roads that were passable. There is a \$7,000 bill for internet service which seems to be an unreasonable cost, the appellant does not believe this should be included within the expenditure ratio.

Staff Response: For a use, structure, or other physical improvements to be considered a lawfully established vested right, the applicant must submit evidence to prove there was a good faith commitment to complete the use, structure, or other physical improvements before the relevant change in law went into effect. Factors to be considered when determining a vested right have been established over time through court cases and include factors in the information, records, and documentation requested in this application form. A determination will only be made after a complete application is received and reviewed. The County approves an application only if it finds that the proposal meets the standards.

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In Oregon, when determining vested rights for a property, certain expenditures related to the development process can be calculated into the vesting determination. These expenditures typically include costs incurred by the property owner that are directly related to the development project and are considered reasonable and necessary for the project to proceed. Some examples of expenditures that may be calculated into vesting include:


- **Permit and Application Fees:** Costs associated with obtaining land use approvals, building permits, environmental permits, or other necessary permits for the development project.
- **Design and Engineering Costs:** Expenses related to architectural design, engineering studies, site planning, and other design work necessary for the project.
- **Land Acquisition Costs:** The purchase price of the property or any costs associated with acquiring land for the development project.
- **Infrastructure Costs:** Expenses related to installing or improving infrastructure such as roads, utilities, drainage systems, or other necessary infrastructure for the project.
- **Planning and Consulting Fees:** Costs associated with hiring consultants, attorneys, or other professionals to assist with the development process, including planning, legal, environmental, or other consulting services.
- **Construction Costs:** Expenses related to actual construction work, including labor, materials, equipment rental, and other construction-related costs.

When staff calculated the expenditures, all expenditures were used. The appellant is asking to not calculate all of the expenditures provides under the assumption they were not directly related to a single-family dwelling. Even if we deducted the two expenditures as requested staff believes the investment is substantial. The acquired the property for \$149,000, introduced improvements totaling over \$89,000 (\$238,300.00) and anticipate investing an additional \$150,000 to \$200,000 to complete the enhancements which would be bring the total price between \$388,300 to \$438,300. The amount that they have spent on purchase, permitting, installation of road improvements, installation of septic, installation of utilities, and installation of well.

SECTION 5.7.300 QUASI-JUDICIAL LAND USE HEARINGS PROCEDURES

1. *The presiding officer shall provide an opportunity for members to announce conflicts or abstain from participating and allow challenge to any member participating as a decision maker in a quasi-judicial hearing.*
2. *At the beginning of a hearing under the Comprehensive Plan or land use regulations of Coos County, a statement shall be made to those in attendance that:*
 - a. *Lists the applicable substantive criteria;*
 - b. *States that testimony and evidence must be directed toward the criteria listed or other criteria in the Plan or implementing ordinances which the person believes to apply to the decision; and*
 - c. *States that failure to raise an issue with statements and evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals.*
3. *Presentation of Testimony (for hearings other than appeals on the record):*
 - a. *For First Evidentiary Hearing including an appeal of a Planning Director's decision:*
 - i. *Staff Report;*
 - ii. *Applicant;*

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- iii. *Additional testimony by other parties in support of the application;*
- iv. *Testimony by opponents;*
- v. *Neutral parties;*
- vi. *Applicant's rebuttal arguments;*
- vii. *Upon completion of evidence and testimony, if there has been no request to continue the hearing or leave the record open, the Chair will close the public hearing. A request for continuance or an opportunity to submit additional evidence is subject to provisions of Section 5.7.400;*
- viii. *After closing the record, the Hearings Body will deliberate and reach a decision. The final decision will be reduced to writing and will include the findings upon which the decision is based. Notice of the decision will be mailed to all parties; and*
- ix. *Appeals of Planning Director's decision will be de novo and processed in accordance with § 5.7.300.*

b. *For Appeals of a Hearings Body decision (testimony may be limited to parties only):*


- i. *Staff Report;*
- ii. *Applicant or, in the case of an appeal of a prior decision, appellant;*
- iii. *Additional testimony by other parties in support of the application or appeal;*
- iv. *Testimony by opponents or, in the case of an appeal, the applicant and others in support of the application;*
- v. *Neutral parties;*
- vi. *Applicant's rebuttal arguments, or in the case of an appeal of a prior decision, appellant's rebuttal arguments;*
- vii. *Upon completion of evidence and testimony, if there has been no request to continue the hearing or leave the record open, the Chair will close the public hearing. A request for continuance or an opportunity to submit additional evidence is subject to provisions of Section 5.7.400; and*
- viii. *After closing the record, the Hearings Body will deliberate and reach a decision. The final decision will be reduced to writing and will include the findings upon which the decision is based. Notice of the decision will be mailed to all parties.*

4. *Representatives*

- a. *A party may represent themselves or be represented by an attorney. Consultants and other non-attorney professionals may appear as fact witnesses for any party, but may not appear as a legal representative.*
 - i. *Any person presenting written testimony on behalf of a group, company or any other organization, except an attorney, consultant, owner, officer, or employee of that group, company, or organization must enter written evidence into the record establishing that the person is authorized to appear on behalf of the organization. Such written authorization must:*
 - ii. *Be written on the group, company, or organization's official letterhead;*
 - iii. *Name the person authorized to appear on behalf of the group, company, or organization;*
 - iv. *Specify the scope of the authorization; and*
 - v. *Contain the signature of a person with authority to grant the authorization.*

Failure of a person to submit such written authorization shall cause the group, company, or organization to not achieve party status for the purposes of the proceeding and shall preclude the group, company, or organization from having standing to file an appeal.

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- b. *Any person presenting oral testimony on behalf of a group, company or any other organization, with the exception of an attorney, shall present a letter of authorization at that time to show that the person testifying does in fact represent that group, company or organization. If the letter is not presented at the time the hearings body or designee shall in its discretion, allow the person to submit that authorization prior to the close of the record.*

Failure to provide written proof of authorization to represent a group, company or organization shall result in the group, company or organization not having standing in the event of an appeal. The person who provided the testimony shall be the only one to achieve party status in the event of an appeal. The hearings body or designee has discretion to not consider the testimony as part of the record if a person presenting testimony on behalf of a group, company, or organization fails to comply with the rules of Section 4. If this is the decision of the hearings body or designee then it will be made part of the final order and decision. If the determination is made that testimony was disqualified under this subsection then standing has not been achieved. That party may not appeal the matter unless other forms of testimony accepted forms of testimony was received and granted them standing under CCZLDO Section 5.8.160.

5. *Submission of Written Evidence*

- a. *Petitions: Any party may submit a petition into the record as evidence. The petition shall be considered as written testimony of the party who submitted the petition. A petition shall not be considered to be written testimony of any individual signer. To have standing, a person must participate orally at the hearing or submit other individual written comments. Anonymous petitions or petitions that do not otherwise identify the party submitting the petition shall not be accepted as evidence.*
- b. *Required Number of Copies: Submission of written materials for consideration shall be provided in the form one original hard copy and one exact copy or one original hard copy and one electronic copy.*


The County may, at its sole discretion, reject any materials that do not contain the requisite number of copies. It may be requested that the County make the requisite number of copies subject to the submitter paying the applicable copy charges.

- c. *E-mail testimony may be submitted; however, it is the responsibility of the person submitting the testimony to verify it has been received by Planning Staff by the applicable Deadline.*
- d. *All written testimony must contain the name of the person(s) submitting it and current mailing address for mailing of notice.*
- e. *The applicant bears the burden of proof that all of the applicable criteria have been met; however, in the case of an appeal, the appellant bears the burden of proving the basis for the appeal, such as procedural error or that applicable criteria have not in fact been met. [Amended OR 08-09-009PL 5/13/09]*

6. *Definitions: As used in this Article the following definitions shall apply:*

- a. *“Party” means any person, organization or agency who has established standing under the provisions of this Article 5.8.*
- b. *“Witness” means any person who appears and is heard at a hearing and is not a “party”. A witness shall not be considered a “party” unless the Board of Commissioners determines that the person is a party in accordance with Article 5.8.*

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IV. STAFF RECOMMENDATIONS – Staff recommends the Planning Commission uphold the approval of the Vested Right with the conditions of approval listed within Decision and Staff Report of VR-23-001 and deny the appeal. The decision should be based on the relevant criteria only.

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

CONDITIONS OF APPROVAL

1. All applicable federal, state, and local permits shall be obtained prior to the commencement of any development activity. If there were comments from any other agency were provided as part of this review, it is the responsibility of the property owner to comply.
2. Pursuant to CCZLDO § 5.9.100, a Zoning Compliance Letter shall be required prior to the commencement of construction of the proposed dwelling. This will be issued after all the following conditions have been satisfied.
 - a. Shall acknowledge and file in the deed records of Coos County, a Farm Practices Management Easement.
 - b. The property owner is responsible for ensuring compliance, and land use authorization shall remain recorded in the chain of title. The statement needs to include language that the purchaser of the property has been provided a copy of the land use approval containing all conditions or restrictions understands the obligation and agrees to fulfill the conditions, unless a modification is approved as provided in this ordinance. The property owner is responsible for ensuring compliance, and land use authorization.
 - c. A new plot plan meeting requirements within “plot plan instructions” shall be submitted.
 - d. A Road/Driveway Access application must be submitted and signed off.

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COOS COUNTY CONDITIONAL USE LAND USE APPLICATION

SUBMIT TO COOS COUNTY PLANNING DEPT. AT 60 E. SECOND STREET OR MAIL TO: COOS COUNTY PLANNING 250 N. BAXTER, COQUILLE OR 97423. EMAIL: PLANNING@CO.COOS.OR.US PHONE: 541-396-7770

If the fee is not included the application will not be processed

(If payment is received on line a file number is required prior to submittal)

Date Received: 6/15/23 Receipt #: 239971 Amount: 1600⁰⁰ Received by: MB

This application shall be filled out electronically. If you need assistance please contact staff.

Applications shall be submitted by the property owner or a purchaser under a recorded land sale contract. "Property owner" means the owner of record, including a contract purchaser.

The application shall include the signature of all owners of the property.

A legal representative may sign on behalf of an owner upon providing evidence of formal legal authority to sign.

LAND INFORMATION

A. Property Owner(s) CHRISMON, SHANE & CONRAD, RHONDA

Mailing address: 55953 FERRY RD.; BANDON, OR 97411

Phone: 541-961-3348 or 541-297-7410

Email: RLSJDS@GMAIL.COM or SHANEJAY45@

Township: 28S Range: 14W Section: 20 1/4 Section: B 1/16 Section: B Tax lots: 1801

Select Select Select Select Select

Tax Account Number(s): ~~711403~~ 99920113 Zone: Select Zone Exclusive Farm Use (EFU)
Please Select

B. Special Districts and Services

Water On-Site (Well or Spring) Sewage Disposal On-Site Septic
School Bandon Fire District Bandon RFPD

C. Type of Application (s) please consult with staff to determine prior to submittal

- Administrative Conditional Use for FINISHING HOME BUILD #ZCL-21-013 (KENT)
- Hearings Body Conditional Use for _____
- Historical, Cultural and Archaeological Resources, Natural Areas of Wilderness
- Beaches and Dunes
- Non-Estuarine Shoreland Boundary
- Significant Wildlife Habitat
- Natural Hazards Flood Landslide Liquefaction Erosion Wildfires
- Airport Surfaces Overlay
- Variance to which standard _____

Include the supplemental application with all criteria addressed. If you require assistance with the criteria please contact a land use attorney or professional consultant. Property information may be obtained from a tax statement or can be found on the County Assessor's web page at the following links:

Map Information Or Assessment Information OR | Mailing Address: 250 N. Baxter, Coquille, Oregon 97423
541-396-7770 @ planning@co.coos.or.us https://www.co.coos.or.us/community-dev
Coos County Land Use Application - Page 1

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. PROPOSAL AND CRITERIA: A written statement of intent, attached to this application, with necessary supporting evidence which fully and factually describes the following:

1. Project summary and details including time limes.
2. 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. This shall be addressed on the supplemental criteria page (see staff for criteria).

II. PLOT PLAN OR SKETCH PLAN: A detailed drawing delineating the following:

- Owner's name, address, and phone number, map and Tax lot number
- North Arrow and Scale - using standard engineering scale.
- Accurate shape and dimensions of parcel, development site, including the lengths of the all property lines.
- Any adjacent public or private roads, all easements and/or driveway locations. Include road names. Driveway location and parking areas, including the distance from at least one property line to the intersection of the driveway and the road (apron area);
- All natural features, which may include, but are not limited to water features, wetlands, ravines, slope and distances from features to structures.
- Existing and proposed structures, water sources, sewage disposal system and distances from these items to each other and the property boundaries.

III. DEED: A copy of the current deed, including the legal description, of the subject property.

IV. CERTIFICATION: 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 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. If the property owner would like staff to contact a legal representative or consultant please provide the contact information using a consent form.

PROPERTY OWNER SIGNATURES REQUIRED FOR PROCESSING

Shondal Conrad 6-14-23
[Signature] 6-14-23

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541-396-7770 @ planning@co.coos.or.us <https://www.co.coos.or.us/community-dev>

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: 55953 Ferry Road, Bandon, Coos, Oregon 97411

Type of Access: County Road Name of Access: Ferry 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: DR3-396-7770 60 E. Second St., Coquille OR | Mailing Address: 250 N. Baxter, Coquille, Oregon 97423
@ planning@co.coos.or.us https://www.co.coos.or.us/community-dev

SANITATION INFORMATION

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

Water Service Type: On-site Well



Sewage Disposal Type: On-site septic



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

- How many employees/vendors/patrons, total, will be on site?
- Will food be offered as part of the an on-site business?
- Will overnight accommodations be offered as part of an on-site business?
- What will be the hours of operation of the business?

Please check if the request is for a land division.

Coos County Environmental Health Use Only:

Staff Reviewing Application: _____

Staff Signature: _____

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

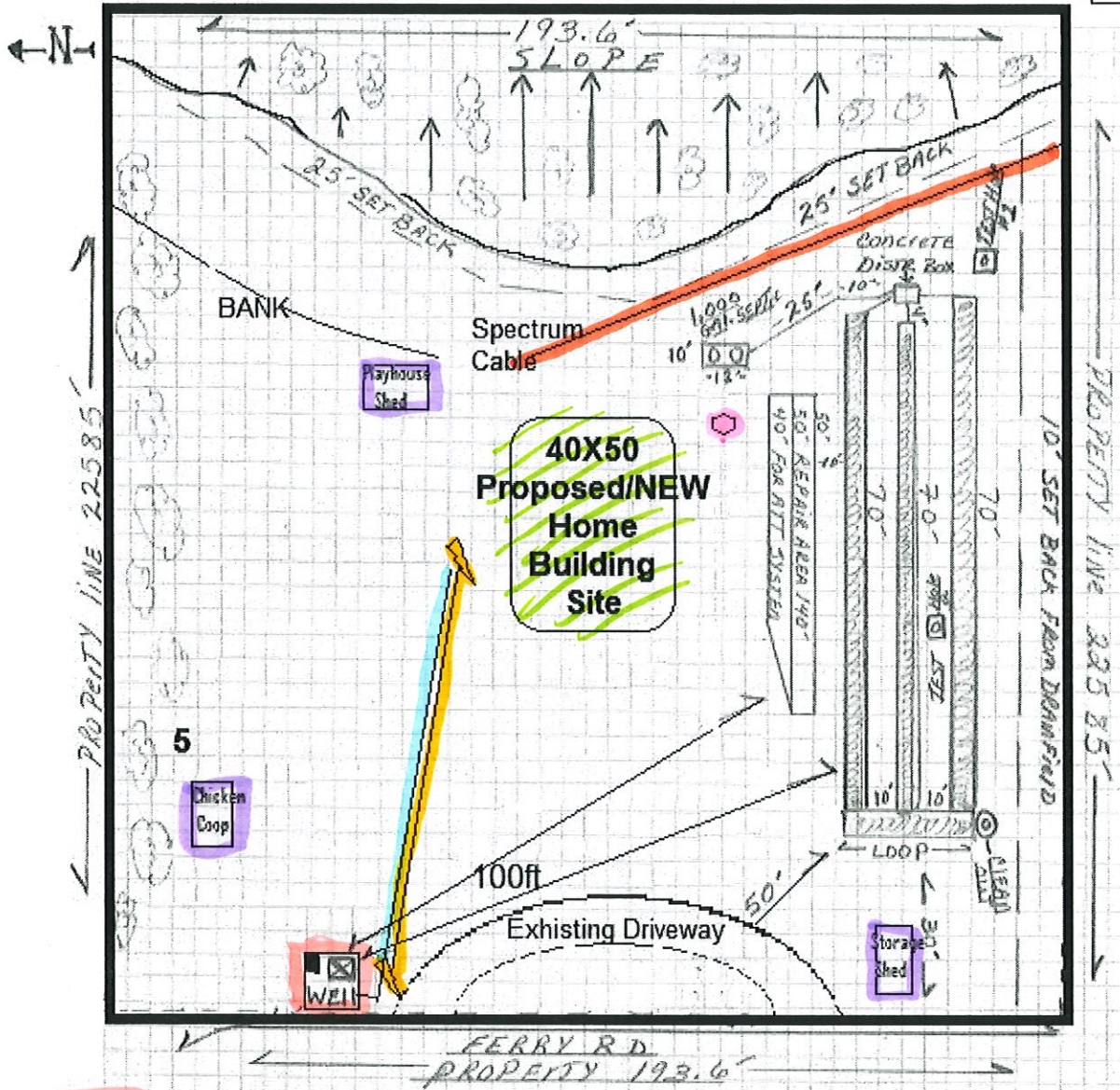
Additional Comments:

55953 Ferry Road
Bandon, OR 97411

Rhonda Conrad
Shane Chrismon
28, 14, 20 BB-1800
LOT 88





(541) 961-3348
(541) 297-7410

1" = 25 ft
not to scale



Well area includes the 8x8 Pumphouse. It is 10ft from Property Line.

All currently placed structures are where we intend to keep them. and have been labeled on this map to their use.

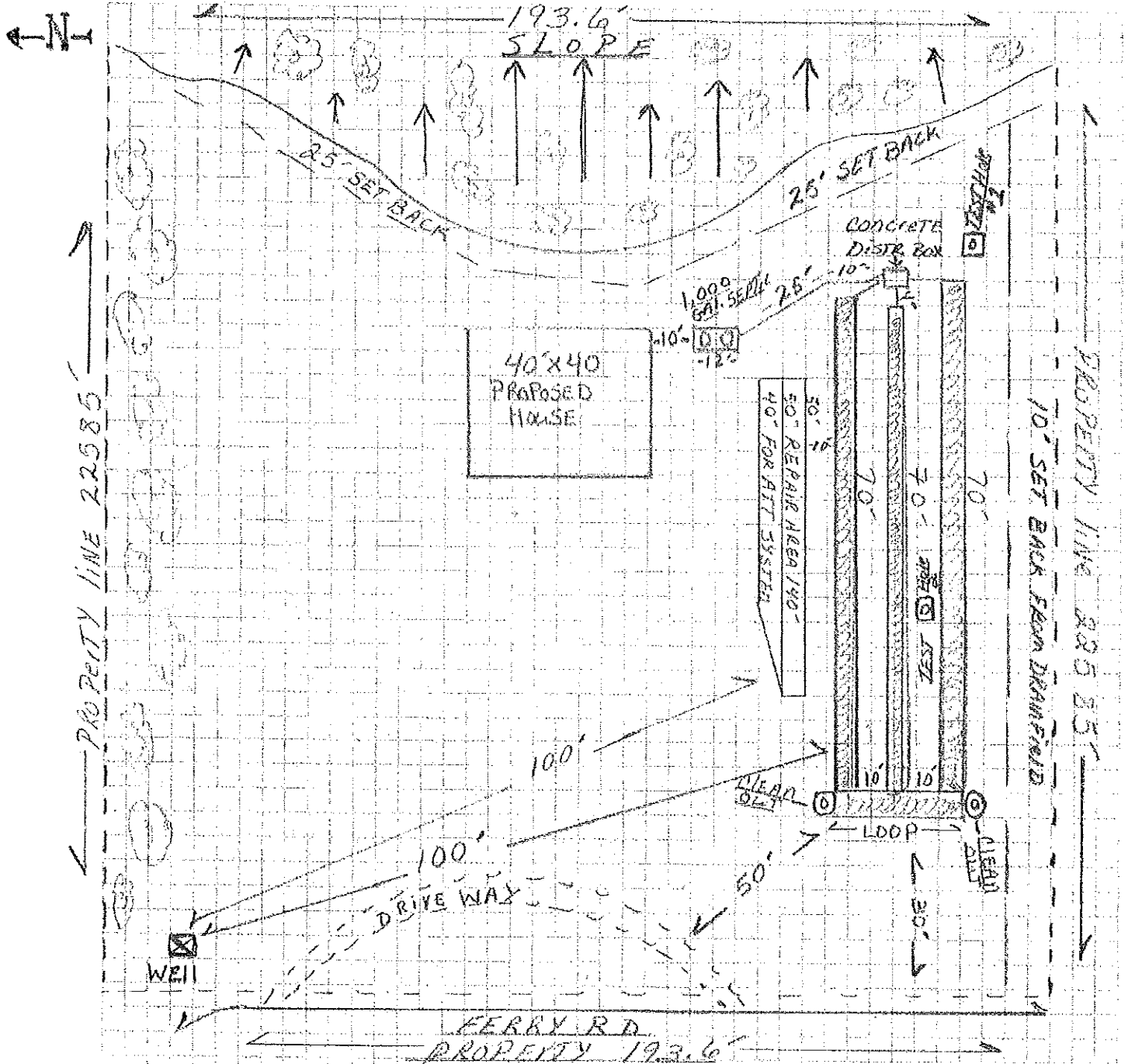
-  **Spectrum Easement/Line (Current/Existing)**
-  **Electrical Panels/Line (Current/Existing)**
-  **Temporary (eventually Permanent) Propane Tank**
-  **Current/Existing Water Line**

Oregon Department of Environmental Quality

Rhonda Conrad
55953 FERRY RD

28, 14, 20 BB-1800
107-88

Provide a Site Plan in the space below: Show the actual or best estimate measurements of components that were confirmed during this evaluation; septic tank, soil absorption system, property lines (if known), easements (if known), existing structures, driveways, and water supply (water lines and wells). Draw to scale and indicate the direction north.



Ch. P. Salmon
Jay Williams land mgmt. 5/27/2022
DEC # 39342

- 2.30" 1201 P. E2 FLOW
- 1000 IM. TRITACOR TANK
- 4" EFFLUENT FILTER

ARTICLE 5.4 Vested right A parcel shall be considered vested for completion of the construction of a nonconforming use when an administrative conditional use is granted, based on findings establishing:

1. The good faith of the property owner in making expenditures to lawfully develop his property in a given manner; RESPONSE

When we purchased the EFU property in NOVEMBER of 2021, we immediately started the building process; getting the well installed and fulfilling all the steps/permits required by DEQ to install the septic based on the (ZCL19-019). Coos County renewed the ZCL (ZCL 21-013) in October of 2021, at that time we had submitted an (accepted) offer on the property.

2. The amount of reliance on any prior zoning classification in purchasing the property and making expenditures to develop the property; RESPONSE

When we purchased the property we firmly believed that the Measure 49 claim would be beneficial and shaped our expectations in utilizing the property and building up on it. When we purchased the property it was in the middle of Covid, and trying to get all the things we needed, as well as getting Contractors who were accountable proved difficult in our rural area. We have done a lot of learning through this property, and I'm sure we have more to learn through this process.

When we purchased it we knew it was EFU and that it had a Measure 49 claim. We didn't know much beyond that. It was learned while trying to obtain all the necessary infrastructure (Well, Septic, Power) that the previous owner had done some footwork for us, by obtaining a Zoning Compliance letter.

The current Zoning Compliance Letter was requested from the County Planning Office. The issuance and obtainment of this letter was crucial and marked the initial steps toward realizing our dream.

However, often is the case with endeavors of this nature, the path forward did not unfold without its challenges. Although obtained with the best of intentions, the Zoning Compliance letter (ZCL) encountered an untimely expiration before all the required permits could be obtained. This setback led to unforeseen delays and complications, proving stressful.

During the phase when we tried to initiate the application process for the subsequent set of permits, an unexpected obstacle emerged in the form of an expired Zoning Compliance Letter. This unanticipated development posed a challenge that required us to seek clarity. One key factor that contributed to this situation was the assumption that the clock on the Measure 49 claim had not started. The Measure 49 claim approval initially granted us the authorization to proceed with the planned dwelling.

However, in hindsight, it has become evident that there was a lack of clarity regarding the limitations, scope and timeline of events revolving around the Measure 49 claim and its provisions. While Measure 49 provided the opportunity for development, its application was subject to a time restraint that local government could not extend, nor waive. Because of this, it required us to reevaluate our strategy as our project was in the middle of completion. Therefore, we relied on the zoning with the Measure 49 waiver and the Zoning Compliance Approval without the understanding that it was a temporary allowance for a dwelling and asked to move forward with our project. We even reached out to the previous owners, who were unaware that they (unintentionally) had started the 10-year clock, and that the Measure 49 Clock had been ticking and on the verge of expiring upon the sale.

3. The extent to which the expenditures relate principally to the use of an applicant claims is vested, rather than to ancillary improvements, such as but not limited to roads, driveways, which could support other uses allowed as of right; RESPONSE

The land is 1-acre in size and does not contain any type of water rights to support an agricultural use. The water is for domestic use only. The driveway was installed to meet residential standards. When we purchased the property the driveway (with culvert) was the only existing improvement to the property. Post closing, we trenched and installed electrical conduit over 2000 feet to install electricity to the property (required by the Electric Company). The existing electric was a direct buried high voltage line and incapable of handling the load of another dwelling. We also obtained the proper permit from the Coos County Roadmaster. After successfully upgrading the Electrical line for our neighborhood, we added gravel to the road and smoothed it where we had trenched; making the necessary repairs and improvements to the county road so our neighbors could come and go without fear of damage to their vehicles. Everything we have done was and is in anticipation of being able to build on the property.

4. The extent of the purported vested use as compared to the uses allowed in the subsequent zoning ordinances; RESPONSE

The reason we chose this property was because it provided for a small rural farming experience with chickens, ducks and other animals that may cause a conflict within primary residential zoning districts. Residential uses may be allowed under the current zoning district but they require a person to meet certain income and lot size requirements that this location of the property would not be able to fulfill. We have ensured during our planning process that all setbacks and development standards have and will be complied with allowing the proposed use to be compatible with current listed uses.

5. Whether the expenditures made prior to existing zoning regulations show that the property owner has gone beyond mere contemplated use and has committed the property to the purported vested use which would in fact have been made on the subject property but for the passage of the existing zoning regulation; RESPONSE

Our investment and efforts in the property demonstrate a significant commitment to its development and improvement. The financial investment of over \$100,000, combined with the additional sweat equity we have contributed, showcases the dedication and hard work we have poured into bringing the property to its current state of development. This level of commitment reflects a strong desire to create a functional and valuable asset.

The improvements we've outlined in the orange folder's index reflect a comprehensive approach to enhancing the property. Here are some key highlights of the infrastructure and features we've introduced:

*1. ****Electricity Infrastructure****: The installation of electricity not only benefits the property, but also extends its positive impact to our neighbors by improving their access to electricity. This investment in utility infrastructure not only enhances the functionality of the land but also contributes to the overall community.*

*2. ****Water Infrastructure****: The installation of a well is a significant accomplishment given the challenging layout of the land. It provides a reliable water source for irrigation, animal care, and even drinking purposes. This sustainable water supply has the potential to support various agricultural and residential activities.*

3. **Septic System**: The installation of a permitted and approved standard septic system demonstrates our commitment to adhering to regulatory requirements while ensuring proper waste management on the property. This is essential for maintaining a healthy and sanitary environment.

4. **Poultry Facilities**: The construction of pens, outbuildings (sheds), and other structures for poultry highlights our dedication to animal husbandry and responsible management. These facilities serve multiple purposes, from protecting poultry from predators to storing the essential items for their care.

5. **Completion Timeline**: The fact that all these improvements were completed by July of 2022 indicates efficient planning and execution, showcasing our ability to carry out a comprehensive development plan within a defined timeframe. Given the fact that all of this happened during Covid times, we may have been able to complete the process, but finding reliable contractors was difficult.

Our endeavors have extended beyond a financial investment and include thoughtful consideration for sustainable practices, animal welfare, and the overall functionality of the property. Our efforts reflect a deep appreciation for rural living, agriculture, and responsible land management. These accomplishments provide a solid foundation for demonstrating our commitment to responsible stewardship and the enhancement of the property's value and utility.

6. The ratio of the prior expenditures to the total cost of the proposed use; RESPONSE

We purchased the Property for \$149,000, we added improvements totalling over \$97,000, and we expect to have to invest another \$150,000-\$200,000 to complete what we would like to do on the property; one of those things would be to also build a small barn.

RECORDING REQUESTED BY:



105 E 2nd Street
Coquille, OR 97423

Coos County, Oregon **2021-12833**
\$91.00 Pgs=2 11/16/2021 01:06 PM
eRecorded by: TICOR TITLE COQUILLE - 105 E. 2ND ST. OR 97423
Debbie Heller, CCC, Coos County Clerk

GRANTOR'S NAME:
Kevin R. Kent and Therese M. Kent

GRANTEE'S NAME:
Shane J. Chrismon and Rhonda L. Conrad

AFTER RECORDING RETURN TO:
Order No.: 360821038013-TT
Shane J. Chrismon and Rhonda L. Conrad
58446 Jackie Rd
Bandon, OR 97411

SEND TAX STATEMENTS TO:
Shane J. Chrismon and Rhonda L. Conrad
58446 Jackie Rd
Bandon, OR 97411

APN: 99920113
3130300
Map: 28-14-20BB TL 1801
28-14-20BB TL 1800
55953 Ferry Road, Bandon, OR 97411

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Kevin R. Kent and Therese M. Kent, as their interest may appear as to Parcel 1 and Kevin R. Kent and Therese M. Kent, as tenants by the entirety, as to Parcel 2, Grantor, conveys and warrants to Shane J. Chrismon and Rhonda L. Conrad, as tenants by the entirety, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Coos, State of Oregon:

PARCEL 1:

Lot 88, PLAT OF WHEELER SUBDIVISION, Coos County, Oregon.

PARCEL 2:

Lot 87, PLAT OF WHEELER SUBDIVISION, Coos County, Oregon.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS ONE HUNDRED FORTY-NINE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$149,500.00). (See ORS 93.030).

Subject to:

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.

Account No.: 99920113 and 3130300

Any adverse claim based on the assertion that any portion of the subject land has been removed from or brought within the subject land's boundaries by the process of accretion or reliction or any change in the location of unnamed creeks, streams and tributaries.

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

Any adverse claim based on the assertion that any portion of the subject land is now or at any time has been below the ordinary high water line of unnamed creeks, streams and tributaries.

Rights of fishing, navigation, commerce, flood control, propagation of anadromous fish, and recreation, and other rights of the public, Indian tribes or governmental bodies in and to the waters of unnamed creeks, streams and tributaries.

Affects Parcels 2

STATUTORY WARRANTY DEED
(continued)

Final Order including the terms and provisions thereof,

Recording Date: November 6, 2006
Recording No: 2006-14912
Between: Coos County
And: Paul Kent and Rossetta Kent

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.

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

Dated: 13 Nov 2021

[Signature]
Kevin R. Kent

[Signature]
Therese M. Kent

State of Oregon ~~Arizona~~
County of Coos ~~Maricopa~~

This instrument was acknowledged before me on 11-13-2021 by Kevin R. Kent and Therese M. Kent.

[Signature]
Notary Public - State of Oregon Arizona

My Commission Expires: 2-6-2024



JUSTIN A. STIFFWORTH
Notary Public - Arizona
Maricopa Co. / #574593
Expires 02/06/2024



Attachment A - Record
COOS COUNTY PLANNING DEPARTMENT
 225 N. Adams, Coquille, Oregon 97423
 Mailing Address: 250 N. Baxter, Coquille, Oregon 97423
 (541) 396-7770/ TDD (800) 735-2900
 FAX: (541) 396-1022

ZCL-21-013
 Approval Date: 1/25/21
 Expiration Date: 1/24/23

**COOS COUNTY ZONING COMPLIANCE LETTER
 FOR DEVELOPMENT IN THE FOREST/MIXED USE ZONES**

APPLICANT :	Therese Kent
APPLICANT ADDRESS:	12222 N Paradise Village Pkwy #301
CITY/STATE/ZIP:	Phoenix, AZ 85032
PHONE NUMBER OF APPLICANT:	480-650-3162
EMAIL:	Kevin737320@gmail.com
REQUESTED DEVELOPMENT APPROVED: Single Family Dwelling and Septic. This is a Measure 49 Claim.	
ACCOUNT #'S	99920113
MAP DESCRIPTION:	28S1420BB-01801
TOWNSHIP RANGE SECTION TAX LOT	
PROPERTY OWNER(S)	KENT, KEVIN R ET AL 12222 N PARADISE VILLAGE PKWY S #301 PHOENIX, AZ 85032-7677
SITUS ADDRESS	55953 FERRY RD BANDON, OR 97411
ACREAGE	1.00 Acres
PROPERTY ZONING	EXCLUSIVE FARM USE (EFU)
SPECIAL CONSIDERATIONS	BANDON AREA OF MUTUAL INTEREST (BMI) FLOODPLAIN (FP) NATIONAL WETLAND INVENTORY SITE (NWI) NATURAL HAZARD - TSUNAMI (NHTHO)

**SET BACK AND SPECIAL SITING REQUIREMENTS
 MANDATORY SETBACK REQUIREMENTS**

50 FT RIPARIAN VEGETATION – All structures and development shall maintain a 50 FT. Minimum setback from all estuarine wetlands, streams, lakes or rivers.

35 FT Road Setback – All structures shall be set back a minimum of 35 ft. from any road right-of-way centerline or a minimum of 5 FT from any road-right-of-way line whichever is the greater distance.

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

Fire Siting Standards for New Dwellings: The property owner shall provide and maintain a water supply of at least 500 gallons with an operating water pressure of at least 50 PSI and sufficient ¾ inch garden hose to reach the perimeter of the primary fuel-free building setback. If another water supply (such as a swimming pool, pond, stream, or lake) is nearby, available, and suitable for fire protection, then road access to within 15 feet of the water's edge shall be provided for pumping units. The road access shall accommodate the turnaround of firefighting equipment during the fire season. Permanent signs shall be posted along the access route to indicate the location of the emergency water source.

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

Table 1 – Minimum Primary Safety Zone

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

60 E. Second St., Coquille OR | Mailing Address: 250 N. Baxter, Coquille, Oregon 97423
 396-7770 @ planning@co.coos.or.us https://www.co.coos.or.us/community-dev

All new and replacement structures shall use non-combustible or fire resistant roofing materials, as may be approved by the certified official responsible for the building permit. If the dwelling has a chimney or chimneys, each chimney shall have a spark arrester. The dwelling shall not be sited on a slope of greater than 40 percent.

SPECIAL SITING REQUIRMENTS THAT APPLY TO YOUR PROEPRTY

- RESIDENTIAL NEW OR REPLACEMENT DWELLINGS ON LOTS, PARCELS OR TRACTS ABUTTING THE "FOREST" ZONE Shall establish and maintain a firebreak, for a distance of at least 30 feet in all directions. Vegetation within the firebreak may include mowed grasses, low shrubs (Less than ground floor window height), and trees that are spaced with more than 15 feet between the crowns and pruned to remove dead and low (Less than 8 feet from the ground) branches. Accumulated needles, limbs and other dead vegetation should be removed from beneath trees.
- 35 FT Height Restrictions SLOPE (shall not exceed 40%)
- Natural Hazards - See Attached Conditions
- Landslide Liquefaction/Earthquake Beaches and Dunes Flood Hazard
- Other:

COOS COUNTY HAS REVIEWED THE REQUESTED USE AND DETERMINED THAT ALL APPLICATIONS AND/OR REQUIREMENTS HAVE BEEN COMPLETED FOR THE SPECIFIC REQUESTED USE. THEREFORE, THE USE IS CONSISTENT WITH THE COOS COUNTY COMPREHENSIVE PLAN AND IMPLEMENTING ORDINANCE. THIS COMPLIANCE LETTER AUTHORIZES CLEARANCE FOR THE USE AND ALLOWS THE PROPERTY OWNER/APPLICANT TO OBTAIN THE FOLLOWING AGENCY PERMITS. THIS LETTER MUST BE PRESENTED TO STATE AGENCIES AT THE TIME YOU ARE REQUESTING AN AUTHORIZATIONS OR PERMITS FOR DEVELOPMENT. THERE MAY BE ADDITIONAL CONDITIONS THAT THE APPLICANT IS REQUIRED TO COMPLETE. IF THE APPLICANT FAILS TO COMPLY ENFORCEMENT ACTION MAY BE TAKEN. COOS COUNTY MAY PROVIDE CLEARANCE TO OBTAIN PERMITS FROM OTHER AGENCIES BUT THAT DOES NOT GUARANTBE THAT AGENCY WILL APPROVE YOUR PERMIT.

DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) OR SANITATION DISTRICTS

- SITE EVALUATION ONLY INSTALL NEW /REPLACE /REPAIR SEPTIC
- CONNECT TO CHARLESTON SANITATION CONNECT TO BUNKER HILL SANITATION
- AS NEEDED FOR MEDICAL HARDSHIP * OTHER:

STATE BUILDING CODES AGENCY PERMITS TO ALLOW

- SINGLE FAMILY DWELLING with attached garage or MULTI FAMILY DWELLING New Repair Alter
- MANUFACTURE DWELLING/ MOBILE (NOT MANUFACTURE STRUCTURE)
- HARDSHIP - TEMPORARY - RV, MOBILE, MANUFACTURE, PARK MODEL *
- FARM/AG BUILDING ACCESSORY STRUCTURE OTHER AS DEFINED IN NOTES

OTHER AGENCY REQUIREMENTS:

All applicable federal, state, and local permits shall be obtained prior to the commencement of any development activity. If comments were provided they are attached. There may be additional permits required this section only provides guidance to applicants.

- Wetland delineation or additional requirements - Department of State Lands
- Coos County Environmental Health Permit
- Oregon Department of Aviation (FAA Form 7460-1)
- DEQ Permits for Stormwater discharge or 1200-C applications for projects that disturb 5 acres or more of land
- State of Oregon Historical Preservation Office
- Measure 49 comments attached
- Oregon Department of Transportation Permits is required for access off of a state highway.

ACKNOWLEDGEMENT STATEMENT: THE APPLICANT ALREADY AGREED TO THE CONDITIONS IN WHICH THIS COMPLIANCE LETTER AUTHORIZES BY SIGNING THE APPLCIATION THAT REQUESTED THE DEVELOPMENT. THE AUTHORIZATION WAS BASED ON THE INFORMATION ON FILE AT THE TIME OF APPLICATION AND THE INFORMATION PROVIDED BY THE APPLICANT. IF CONDITIONS ARE NOT FOLLOWED THEN THIS ZONING COMPLIANCE LETTER CAN BE REVOKED. IF YOU HAVE QUESTIONS ABOUT ANY OF THE REGULATIONS PLEASE CONTACT STAFF.

COOS COUNTY COMPLIANCE

The Coos County Planning Department finds that the proposed uses comply with applicable provisions of the Coos County Zoning and Land Development Ordinance. The information contained on this form reflects the status of the subject property and land use regulations that exist at the time of issue based on the information available.

AUTHORIZED SIGNATURE: _____

Crystal Orr
Date: 1/25/2021

Title: Planner I

Crystal Orr

From: Marvin, Sarah [sarah.marvin@state.or.us]
Sent: Sunday, December 09, 2018 11:08 PM
To: Crystal Orr
Subject: RE: Measure 49 claim

Follow Up Flag: Follow up
Flag Status: Flagged

Dwelling appears to be in compliance with the final order for claim E130619A.



Sarah Marvln, Plc
Senior Planner | Measures 37/49
Direct: 503-934-0001 | Cell: 503-559-1380
email.address@state.or.us | www.oregon.gov/LCD

From: Crystal Orr [mailto:corr@co.coos.or.us]
Sent: Tuesday, November 27, 2018 11:07 AM
To: Marvin, Sarah <smarvin@dlcd.state.or.us>
Subject: Measure 49 claim



Hello,

We received a Compliance Determination for a Measure 49 claim. I have attached the application and was wondering if you have any comments on it.

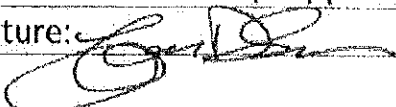
Thank you,

Crystal Orr

Crystal Orr, Planning Specialist
Coos County Planning Department
225 N. Adams (physical address)
250 N. Baxter (mailing address)
Coquille, OR 97423

	<p>Notice of Sanitarian Approval Department of Environmental Quality 381 N Second Street, Coos Bay, OR 97420 Phone: (541) 269-2721 Fax: (541) 269-7984</p>	
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This form must be presented to the local Building Codes Division Office at the time of application for a building permit. Failure to do so will cause a delay in your building permit application.

Project Information	
Owner:	Shane Chrisman, Rhonda Conrad
Job Site Address:	55953 Ferry Rd.
City, State, Zip:	Bandon, OR 97411
Nature of Project:	New Single Family Dwelling DEQ Approval
DEQ Representative:	Corby Eden
Type of Structure:	Single Family Dwelling
Number of Bedrooms (if applicable):	4
Signature:	 Date: 6/2/2022

<input type="checkbox"/>	Okay for Concurrent File Review, See Attached Hold-Harmless Form
<input checked="" type="checkbox"/>	DEQ Approval for Building Placement Only; Building Npt to be Occupied
<input type="checkbox"/>	DEQ Approval to Receive Building Permit

Department of Consumer and Business Services; Building Codes Division; Coos Bay Field Office
 1155 S 5th St, Coos Bay OR 97420
 Telephone: (541) 266-1098; Fax: (541) 266-1146

RECORDING REQUESTED BY:



105 E 2nd Street
Coquille, OR 97423

Coos County, Oregon **2021-12833**
\$91.00 Pgs=2 11/16/2021 01:06 PM
eRecorded by: TICOR TITLE COQUILLE - 105 E. 2ND
ST. OR 97423
Debbie Heller, CCC, Coos County Clerk

GRANTOR'S NAME:
Kevin R. Kent and Therese M. Kent

GRANTEE'S NAME:
Shane J. Chrismon and Rhonda L. Conrad

AFTER RECORDING RETURN TO:
Order No.: 360821038013-TT
Shane J. Chrismon and Rhonda L. Conrad
58446 Jackle Rd
Bandon, OR 97411

SEND TAX STATEMENTS TO:
Shane J. Chrismon and Rhonda L. Conrad
58446 Jackle Rd
Bandon, OR 97411

APN: 99920113
3130300
Map: 28-14-20BB TL 1801
28-14-20BB TL 1800
55953 Ferry Road, Bandon, OR 97411

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Kevin R. Kent and Therese M. Kent, as their interest may appear as to Parcel 1 and Kevin R. Kent and Therese M. Kent, as tenants by the entirety, as to Parcel 2, Grantor, conveys and warrants to Shane J. Chrismon and Rhonda L. Conrad, as tenants by the entirety, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Coos, State of Oregon:

PARCEL 1:

Lot 88, PLAT OF WHEELER SUBDIVISION, Coos County, Oregon.

PARCEL 2:

Lot 87, PLAT OF WHEELER SUBDIVISION, Coos County, Oregon

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS ONE HUNDRED FORTY-NINE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$149,500.00). (See ORS 93.030).

Subject to:

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.

Account No.: 99920113 and 3130300

Any adverse claim based on the assertion that any portion of the subject land has been removed from or brought within the subject land's boundaries by the process of accretion or reliction or any change in the location of unnamed creeks, streams and tributaries.

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

Any adverse claim based on the assertion that any portion of the subject land is now or at any time has been below the ordinary high water line of unnamed creeks, streams and tributaries.

Rights of fishing, navigation, commerce, flood control, propagation of anadromous fish, and recreation, and other rights of the public, Indian tribes or governmental bodies in and to the waters of unnamed creeks, streams and tributaries.

Affects Parcels 2

STATUTORY WARRANTY DEED

(continued)

Final Order including the terms and provisions thereof,

Recording Date: November 6, 2006
Recording No: 2006-14912
Between: Coos County
And: Paul Kent and Rossetta Kent

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.

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

Dated: 13 Nov 2021

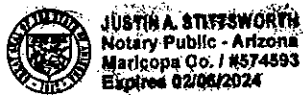
[Signature of Kevin R. Kent]

Kevin R. Kent
[Signature of Therese M. Kent]
Therese M. Kent

State of Oregon
County of Coos

This instrument was acknowledged before me on 11-13-2021 by Kevin R. Kent and Therese M. Kent.

[Signature of Notary Public]
Notary Public - State of Oregon



My Commission Expires: 2-6-2024

DEQ Coos Bay Office
 465 Elrod Ave
 Coos Bay, OR 97420
 541-269-2721
 Fax: 541-269-7984

Certificate of Satisfactory Completion
 Installation Permit - Residential - New

246-21-000613-PRMT

OnsiteCoosBay@deq.state.or.us
 Website: oregon.gov/deq

**Date Certificate Issued:** 07/22/2022**Work Description:** Installing a New Septic System. New Owners.

Rhonda Conrad
 Shane Chrismon

Applicant: RHONDA CONRAD
Address: 55953 Ferry Road
 BANDON OR 97411
Phone: 5419613348
Email: rlsjds@gmail.com

Owner: SHANE J. CHRISMON & RHONDA L. CONRAD
Property Address: 55953 Ferry Rd, Bandon, OR 97411
Address: 55953 FERRY RD
 BANDON OR 97411
Parcel: 28S14W20BB1801 - Primary

Lot Size: 1 **Water Supply:** Well
Zoning: N/A **City/County/UGB:** N/A
Land Use Approval: N/A
Directions to Property: 101 to Riverside Dr. Left on Ferry under 101 Up hill and to the left Property is on the right towards end of Ferry. 55953 Ferry Road.

Category of Construction: Residential

	Existing	Proposed
Use of Structure:	0	Single Family Dwelling
Number of Bedrooms:	0	4

System Specifications

Type: Standard
Max Peak Design Flow: 450 gpd. **Proposed Flow:** 450 gpd.
Min Septic Tank Volume: 1000 gal. **Min Dosing Tank Volume:** N/A

Drain Field Specifications

Drain Field Type: Standard **System Distribution Type:** Equal
Drainfield Sizing: 75 linear ft. **Distribution Method:** Loop
Media Type: EZ Flow 1201P-GEO **Media Depth:** 12 in.
Trench Length: 230 linear ft. **Rock Above Pipe:** N/A
Max Depth: 30 in. **Undisturbed Soil Between Trenches:** 8 ft.
Min Depth: 18 in. **Capping Fills-Min Depth of Fill Material:** N/A

Special Requirements

Groundwater Type: Temporary **Groundwater Depth:** N/A

Septic Permit 246-21-000613-PRMT**Date Certificate Issued:** 07/22/2022**Work Description:** Installing a New Septic System. New Owners,Rhonda Conrad
Shane Chrismon**Conditions of Approval**

Installation of this onsite wastewater treatment system has been determined to comply with the applicable requirements in Oregon Administrative Rules Chapter 340, Divisions 071 and 073 and the Conditions of Approval above.

1. In accordance with Oregon Revised Statute 454.665, this Certificate of Satisfactory Completion is issued as evidence of satisfactory completion of an onsite wastewater treatment system at the location identified above.
2. Issuance of this Certificate does not constitute a warranty or guarantee that this onsite wastewater treatment system will function indefinitely without failure. Conditions imposed as permit requirements continue for the life of the system.
3. The area of the initial and the identified replacement area must not be subjected to activity that is likely to adversely affect the soil or the functioning of the system. Such activities may include, but are not limited to, vehicular traffic, livestock, covering the area with asphalt or concrete, filling, cutting, or other soil modification activities.
4. This onsite wastewater treatment system that be connected to the facility referenced herein within 5 years of the issuance of this Certificate of Satisfactory Completion (CSC) or rules for authorization notices, alteration permits, or construction-installation permits as outlined in OAR 340-071-0160, 340-071-0205, or 340-071-0210 apply, including payment of an additional fee.
5. This system must operate in compliance with OAR Chapter 340, Division 071 and must not create a public health hazard or pollute public waters.
6. Unless otherwise required by the agent, the system installer must backfill (cover) this system within 10 days after the issuance of this Certificate of Satisfactory Completion.

Certificate of Satisfactory Completion

System Inspection: Yes **Operation of Law - 7 Days Notice:** No **Pre-Cover Inspection Waived Per 340-071:** No
Comments: N/A

Greg Alton

Regional Onsite Wastewater Specialist

CALL BEFORE YOU DIG...IT'S THE LAW

ATTENTION: Oregon law requires you to follow rules adopted by the Oregon Utility Notification Center. Those rules are set forth by Oregon Administration Rules. You may obtain copies of the rules by calling the center. (Note: The telephone number for the Oregon Utility Notification Center is 1-800-332-2344.)



SHANE J CHRISMON
55953 FERRY RD Attachment A - Record
BANDON OR 97411-8863

Account Number:
1 536 9980 3125
Statement Period:
Jun 28, 2022
through
Jul 27, 2022

Page 3 of 3

MAGES FOR YOUR U.S. BANK PLATINUM CHECKING ACCOUNT

Member FDIC

Account Number [REDACTED]

RHONDA L CONRAD		24-22/120	1008
SHANE J CHRISMON		DATE 7-6-22	
55953 FERRY RD.			
BANDON, OR 97411			
PAY TO THE ORDER OF Jay Williams land ment		\$ 11,736. ²⁷	
eleven thousand seven hundred thirty six			
USbank.			
MEMO # Rhonda - big holes			
Rhonda L Conrad			
⑆ 23000 220⑆ ⑆ 53699803 ⑆ 25 ⑆ 1008			

008 Jul 06 11,736.27



SHANE J CHRISMON
 55953 FERRY RD Attachment A - Record
 BANDON OR 97411-8863

Account Number:
 1 536 9980 3125
 Statement Period:
 Jun 28, 2022
 through
 Jul 27, 2022
 Page 2 of 3



J.S. BANK PLATINUM CHECKING

Member FDIC

J.S. Bank National Association

Account Number [REDACTED]

Account Summary

Beginning Balance on Jun 28	\$	20,676.20	Annual Percentage Yield Earned	0.004%
Deposits / Credits		0.04	Interest Earned this Period	\$ 0.04
Checks Paid		11,736.27	Interest Paid this Year	\$ 0.77
Ending Balance on Jul 27, 2022	\$	8,939.97	Number of Days in Statement Period	30
			Customer Segment	Military

Deposits / Credits

Date	Description of Transaction	Ref Number	Amount
Jul 27	Interest Paid	2700016136	\$ 0.04
Total Deposits / Credits			\$ 0.04

Checks Presented Conventionally

Check	Date	Ref Number	Amount
1008	Jul 6	8617093625	11,736.27
Conventional Checks Paid (1)			\$ 11,736.27

Balance Summary

Date	Ending Balance	Date	Ending Balance
Jul 6	8,939.93	Jul 27	8,939.97

Balances only appear for days reflecting change.

1008- Jay Williams Land Mgmt. - Septic Install

SAVINGS ACCOUNTS



Choose an account that best fits your needs - standard savings and money market accounts available.

[Learn more](#)

FIND YOUR NEXT CARD Love options? We've got the perks you'll want, from special welcome offers to cash back.



[View offers](#)

Checking ...7003

\$835.11

Search criteria

Description: Hennick's Home

Date range: 11/16/2021 to 1/22/2023

\$2031.03

Refine search

Close

COMPLETED

1/09/2023	Hennick's Home 01/07 Card 2273	\$36.45	\$2,583.74
1/04/2023	Hennick's Home 01/02 Card 2273	\$46.97	\$725.86
11/14/2022	Debit Purchase -visa 11/11 Card 2273 Hennick's Home C541-3479464 Or	\$18.37	\$2,061.82
11/14/2022	Debit Purchase -visa 11/09 Card 2273 Hennick's Home C541-3479464 Or	\$1.59	\$2,200.19
11/10/2022	Debit Purchase -visa 11/08 Card 2273 Hennick's Home C541-3479464 Or	\$15.99	\$2,265.75
11/04/2022	Debit Purchase -visa 11/02 Card 2273 Hennick's Home C541-3479464 Or	\$29.53	\$659.28
10/20/2022	Debit Purchase -visa 10/18 Card 2273 Hennick's Home C541-3479464 Or	\$35.16	\$2,594.12

60 E. Second St., Coquille OR | Mailing Address: 250 N. Baxter, Coquille, Oregon 97423

541-396-7770 | @planning@coocorp.org | https://www.coocorps.com/online/dev

184.06

Date	Description	Amount	Balance
4/25/2022	Debit Purchase -visa 04/22 Card 2273 Hennick's Home C541-3479464 Or	\$46.00	\$1,268.17
	Attachment A - Record		
4/25/2022	Debit Purchase Ret - Visa 04/22 Card 2273 Hennick's Home C541-3479464 Or	\$2.49	\$1,429.97
4/11/2022	Debit Purchase -visa 04/09 Card 2273 Hennick's Home C541-3479464 Or	\$20.14	\$2,126.30
3/09/2022	Debit Purchase 03/09 Card 2273 Hennick's Home Cbandon Or	\$22.78	\$677.53
2/24/2022	Debit Purchase 02/24 Card 2273 Hennick's Home Cbandon Or	\$64.77	\$1,902.69
2/14/2022	Debit Purchase -visa 02/12 Card 2273 Hennick's Home C541-3479464 Or	\$26.20	\$607.45
2/14/2022	Debit Purchase 02/12 Card 2273 Hennick's Home Cbandon Or	\$18.29	\$633.65
2/11/2022	Debit Purchase -visa 02/09 Card 2273 Hennick's Home C541-3479464 Or	\$26.08	\$131.06
2/07/2022	Debit Purchase 02/05 Card 2273 Hennick's Home Cbandon Or	\$27.44	\$767.80
1/31/2022	Debit Purchase 01/31 Card 2273 Hennick's Home Cbandon Or	\$34.63	\$440.36
1/31/2022	Debit Purchase -visa 01/27 Card 2273 Hennick's Home C541-3479464 Or	\$64.52	\$658.85
1/25/2022	Debit Purchase -visa 01/23 Card 2273 Hennick's Home C541-3479464 Or	\$72.98	\$406.49
1/12/2022	Debit Purchase -visa 01/10 Card 2273 Hennick's Home Cbandon Or	\$78.63	\$851.66
1/04/2022	Debit Purchase 01/04 Card 2273 Hennick's Home Cbandon Or	\$11.67	\$970.80
1/04/2022	Debit Purchase -visa 01/03 Card 2273 Hennick's Home Cbandon Or	\$35.88	\$985.97
1/04/2022	Debit Purchase -visa 01/03 Card 2273 Hennick's Home Cbandon Or	\$22.98	\$1,021.85
1/04/2022	Debit Purchase -visa 01/03 Card 2273 Hennick's Home Cbandon Or	\$45.56	\$1,044.83
12/31/2021	Debit Purchase -visa 12/30 Card 2273 Hennick's Home Cbandon Or	\$24.99	\$326.42
12/31/2021	Debit Purchase -visa 12/30 Card 2273 Hennick's Home Cbandon Or	\$46.09	\$351.41
12/30/2021	Debit Purchase -visa 12/29 Card 2273 Hennick's Home Cbandon Or	\$23.81	\$529.08
12/30/2021	Debit Purchase -visa 12/29 Card 2273 Hennick's Home Cbandon Or	\$63.92	\$552.89
12/30/2021	Debit Purchase -visa 12/29 Card 2273 Hennick's Home Cbandon Or	\$36.85	\$731.14
12/30/2021	Debit Purchase -visa 12/29 Card 2273 Hennick's Home Cbandon Or	\$86.63	\$767.99
12/13/2021	Debit Purchase -visa 12/11 Card 2273 Hennick's Home Cbandon Or	\$148.39	\$687.35
12/06/2021	Debit Purchase -visa 12/04 Card 2273 Hennick's Home Cbandon Or	\$176.94	\$1,621.69
12/02/2021	Debit Purchase -visa 12/01 Card 2273 Hennick's Home Cbandon Or	\$71.93	\$490.84

2021.26
 394.29
 679.55

Other Investments/Retirement accounts and U.S. Bank Beneficiary accounts are not included in asset total.

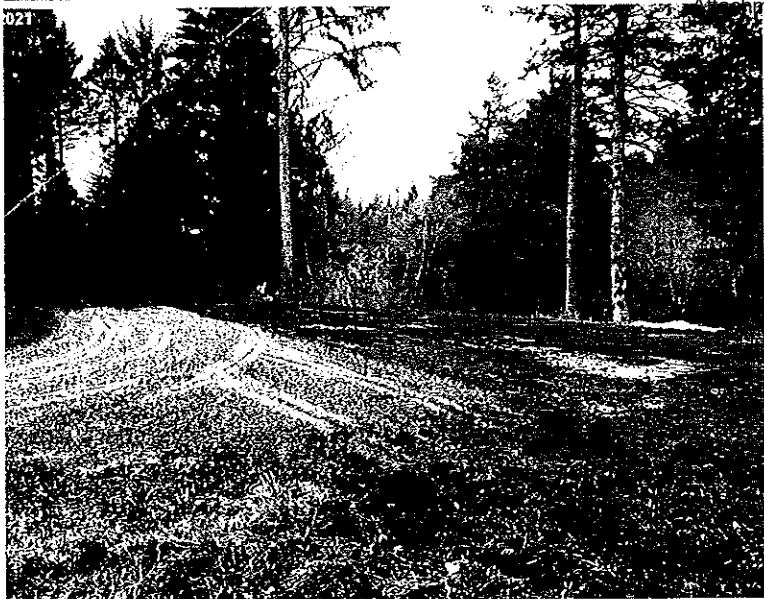
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Our account totals may include the value of assets held at U.S. Bancorp Investments and assets and/or insurance policies not held at U.S. Bancorp Investments. Held-away asset information is provided only for informational purposes only, has not been verified, and may not reflect current market values. We obtained it from sources believed reliable, but we do not guarantee its accuracy or completeness. Certain held-away assets and policies may reflect zero market value, while others may reflect value where no actual market value exists. Assets held-away may not be covered by SIPC.



Client Full

Lots and Land

10/15/2021

10:10AM

\$159,000 1-2.99AC

Status: Active

List Date: 6/3/2021

DOM: 134

Acres: 2

MLS#: 21460259

FERRY RD Bandon, OR 97411

Unit #:

XST/Dir: Ferry Rd east and north, east side

Property Details:

Property Type: Single Family

Residence

Additional Parcels: /

County: Coos

Subdivision:

Internet:

Lot Size: 1 to 2.99 Acres

Seller Disclosure: Disclosure

Open House:

Upcoming Open House:

Area: 260

Zoning: EFU-10

Tax ID: 3130300,,

Manufactured House Okay: Y

CC&Rs: N

Legal: 55953 Ferry Rd./ 2 Acre

Portion of 28-14-20BB, TL1800.

AKA Lots 87,88 of Wheeler

Subdivision

Lot Dimensions:

Availability: Sale

#Lots:

Road Surface: Gravel

Lot Desc: Private, Wooded

Land Desc: Level, Sloped

View: Trees/Woods

Waterfront: Y/Creek

Body Water:

Perc Test: Y/Approved

Road Frontage: Y

Soil Type/Class:

Soil Cond: Native

Current Use: Raw Land

ACRE FORESTED HOMESITE! Private Rural Setting Just North Bandon & East of Hwy 101. Country Lane Access from Riverside Drive, Septic Approval, Tall Timber! Great Location!

Schools:

Elementary: Ocean Crest

Middle: Harbor Lights

High: Bandon

Improvements:

Utilities: Septic Site Approved

Existing Structures: /

Financial:

Property Tax/Yr: \$27.34 / 2020 Dues:

IOA: N

Terms:

Association Amenities:

Other Dues:

Short Sale: N

Bank Owned/Real Estate

Owned: N

Comparable Information:

Original Price: \$127,500

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**BANDON POWER
COST & ESTIMATE WORKSHEET - UNDERGROUND**

Project: New Service
 Date: 10/27/2021
 Service address: 55953 Ferry Road

Name: Rhonda Conrad, Shane Chrismon
 Total cost: \$5,490.60
 Estimate prepared by: JW

MATERIALS					
Material	Quantity	Cost	Total	New	Repair/ Replace
4 Jaw	1	\$85.00	\$85.00		
400 Amp		\$105.00	\$0.00		
6 Jaw		\$353.54	\$0.00		
7 Jaw / 13 Jaw		\$445.00	\$0.00		
SUBTOTAL			\$85.00		

EQUIPMENT					
Equipment	Quantity	Cost	Total		
Backhoe		\$50.00	\$0.00		
Digger Derrick Truck (501)	2	\$60.00	\$120.00		
High Ranger Truck (502)		\$60.00	\$0.00		
Bucket Truck (506)	2	\$60.00	\$120.00		
Bucket Truck (508)	2	\$60.00	\$120.00		
Compressor/Mole		\$44.00	\$0.00		
Pick up Truck		\$40.00	\$0.00		
Vactor Truck		\$192.00	\$0.00		
SUBTOTAL			\$360.00		

FEES		
Type	Quantity	Amount
Service Fee (permanent)	1	\$235.00
Service Fee (temporary)		\$0.00
Account Opening Fee	1	\$25.00
Deposit	1	\$150.00
SUBTOTAL		\$410.00

Materials		\$3,435.60
Meters		\$85.00
Equipment		\$360.00
Fees		\$410.00
Labor 5men3hrs	15	\$80.00
PROJECT TOTAL		\$5,490.60

Estimate is good for 30 days unless otherwise specified. Customer is responsible for all trenches.

trench permit electric

No: 21-163

PERMIT

BEFORE THE ROADMASTER OF COOS COUNTY

This permit is issued to Shank Christman (shankjay45@gmail.com) for the placement and/or construction of the following facility INSTALLING UTILITY most the ELLY RD County Road No. 119 at the following location: APPROX 0.00051 BEFORE THE ROADMASTER OF COOS COUNTY To Address: ELLY RD All work shall be in strict conformity with all terms of this permit, with any exhibits attached hereto, and with Article Four, Division One of the Coos County Code and ORS 374.305 to 374.340.

TS 285 R 14W S 2083 N. 1801

GENERAL PROVISIONS

Permit Holder shall be solely responsible for any and all damages of or destruction to any road, road structure, utility, cable, pipe, waterline, ditch or culvert arising out of or incident to this permit. Permit Holder shall repair or reimburse the County or Utility for any and all costs of repair, restoring or replacing damaged or destroyed property. Permit Holder shall indemnify, hold harmless, and defend Coos County, its elected officials, officers and employees from any liability, claim, damage, loss and/or expense, including, but not limited to, reasonable attorneys' fees, arising out of or resulting from the performance of or failure to perform the obligations of this Permit by Permit Holder, its employees, agents and subcontractors. Permit Holder shall supply all materials and labor at own expense. Permit Holder shall provide adequate warning and traffic control in a manner to insure public safety and cause minimum inconvenience. A minimum of two-lane traffic will be maintained at all times and control of traffic will be in accordance with the current provisions in the Manual on Uniform Traffic Control Devices for Streets and Highways. This permit authorizes no work other than that specifically mentioned.

SPECIAL PROVISIONS

- // Permit Holder shall compact backfill material to 95% of original density and maintain finish conformations same as original for 90 days after completion of construction, including any rock and/or gravel to its original depth.
- // Permit Holder shall supply the county with a performance bond or cash in the amount of _____ to be returned 90 days after completion of the project, if at that time an inspection is made and all measured in this permit are found to have been completed with.
- // Permit Holder shall install a minimum of _____ culvert located as directed by county.
- // Permit Holder shall not fall trees within the traveled portion of the roadway and shall clear the right-of-way of any slash or debris caused from the falling of field trees.
- // This permit is issued pursuant to ORS 368.940 and is for the explicit purpose of allowing the construction and maintenance of a turnout sign within the county right-of-way. This sign shall in no way impede vision or cause an unsafe traffic condition. Permit is revocable for non-maintenance of signs or signs for which permit holder is responsible.
- // Permit Holder shall construct driveway to meet at right angles with county road and shall construct driveway to be at same level as county road for a distance of 20 feet more or less.
- // This permit is revocable at any time when work is determined to be needed for road purposes.
- // Permit Holder or his contractor shall notify the Coos County Road Dept., at 396-7660, forty-eight (48) hours prior to commencing work and after completing work covered by this permit.
- // All construction operations will be performed off limits of the highway travel way and shoulders.
- // Additional Special Provisions attached: SEE PREVIOUS PERMITS / TRAFFIC CONTROL

I accept and agree to the conditions herein: [Signature] Permittee Date 11/18/21

This permit shall be void unless the work herein contemplated shall have been completed before: 2/16/22 Date

ISSUED BY AGENT OF BOARD OF COMMISSIONERS

[Signature] Roadmaster Date 11/16/21

Permit 204194



all work done on this lot

REAL PROPERTY TAX STATEMENT
JULY 1, 2022 TO JUNE 30, 2023
COOS COUNTY, OREGON
250 NORTH BAXTER
COQUILLE, OREGON 97423

ACCOUNT NO:
99920113

PROPERTY DESCRIPTION

CODE: 5403
MAP: 28S1420-BB-01801
ACRES: 1.00
SITUS: 55953 FERRY RD BANDON

CHRISMON, SHANE J & CONRAD, RHONDA L
55953 FERRY RD
BANDON OR 97411-8863

SOUTH COAST ESD 14.58
BANDON SCHOOL #54 131.29
SW OREGON COMM COLLEGE 23.08
EDUCATION TOTAL: 168.95

COOS CO LOCAL OPTION LEVY 6.61
COOS COUNTY-4H/EXTENSION 2.92
COOS COUNTY-LIBRARY SERVICES 23.97
COOS COUNTY 35.52
BANDON RFPD 41.45
PORT OF BANDON 10.74
COOS COUNTY AIRPORT 7.89
SOUTHERN COOS HEALTH DISTRICT 29.41
COOS COUNTY URBAN RENEWAL 0.62
GENERAL GOVT TOTAL: 159.14

VALUES:	LAST YEAR	THIS YEAR
REAL MARKET (RMV)	457	67,300
LAND	0	0
STRUCTURES	457	67,300
TOTAL RMV		
TOTAL ASSESSED VALUE	287	33,070
EXEMPTIONS		
NET TAXABLE:	287	33,070
TOTAL PROPERTY TAX:	21.78	515.10

COOS COUNTY 7.21
BANDON SCHOOL BOND > 10/06/01 11.36
FIRE PATROL SURCHARGE 47.50
FIRE PATROL 18.75
FOREST DO 102.19
BONDS - OTHER TOTAL: 187.01

POTENTIAL ADDITIONAL TAX LIABILITY-

ASSESSMENT QUESTIONS (541) 396-7900
TAX QUESTIONS (541) 396-7725

2022 - 2023 TAX (Before Discount) 515.10

PAYMENT OPTIONS			
Date Due	3% Option	2% Option	Trimester Option
11/15/22	499.65	336.53	171.70
02/15/23			171.70
05/15/23		171.70	171.70
Total	499.65	508.23	515.10

TOTAL DUE (After Discount and Pre-payments) 499.65

REAL PROPERTY TAX STATEMENT
JULY 1, 2022 TO JUNE 30, 2023
COOS COUNTY, OREGON
250 NORTH BAXTER
COQUILLE, OREGON 97423

ACCOUNT NO:
99920735

PROPERTY DESCRIPTION

CODE: 5403
MAP: 28S1420-BB-01802
ACRES: 1.00
SITUS:

SOUTH COAST ESD 4.33
 BANDON SCHOOL #54 39.03
 SW OREGON COMM COLLEGE 6.86
EDUCATION TOTAL: 50.22

CHRISMON, SHANE J & CONRAD, RHONDA L
 55953 FERRY RD
 BANDON OR 97411-8863

VALUES:	LAST YEAR	THIS YEAR
REAL MARKET (RMV)		
LAND		20,000
STRUCTURES		0
TOTAL RMV	0	20,000
TOTAL ASSESSED VALUE	0	9,830
EXEMPTIONS		
NET TAXABLE:	0	9,830
TOTAL PROPERTY TAX:		103.06

ASSESSMENT QUESTIONS	(541) 396-7900
TAX QUESTIONS	(541) 396-7725

2022 - 2023 TAX (Before Discount) 103.06

PAYMENT OPTIONS			
Date Due	3% Option	2% Option	Trimester Option
11/15/22	99.97	67.34	34.36
02/15/23		34.35	34.35
05/15/23		34.35	34.35
Total	99.97	101.69	103.06

TOTAL DUE (After Discount and Pre-payments) 99.97



Bobcat Baca Invoice

Bill to: Shane Chrismon
55953 Ferry Rd.
Bandon, OR 97411

541-297-7410

Item	Total
Trench 2-3ft. and Backfill	\$710.00
Please make checks payable to:	Total Due \$710.00

Tony Baca
541-297-1682
57498 Randolph Rd.
Bandon, Oregon 97411

Thank you for your business!

*Specializing in Landscaping, Excavation and Dirt work, Deck work,
Power washing, maintenance, painting (interior/exterior)*

ROD JACKSON

SHANE & RHONDA

ROD	12/2/2021	.5 HRS
ROD	12/3/2021	6.5 HRS
ROD	12/5/2021	5.5 HRS
ROD	12/7/2021	5.5 HRS
ROD	12/9/2021	1.5 HRS
ROD	12/10/2021	4.25 HRS

TOTAL 23.75 HRS
 LABOR 831.25
 PARTS 407.39
 GRAND TOTAL 1,238.64

RON'S OIL COMPANY

WESTBROOK PIT
OFFICE: 541-396-5571

4703

DATE _____

BUYER Shane Chapman

PHONE _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

COMMODITY Oil

PRICE 4224.70

REMARKS 1/2 hr. E. Delivery

4224.70
~~90.00~~
~~20.00~~
~~344.70~~
 \$284.70

16.05

DRIVER ON OFF 541-396-7770 @ planning@co.coos.or.us https://www.co.coos.or.us/community-dev

WEIGHER _____

A1 Pump and Filter Corp CCB#227682

54644 Arago Fishtrap Rd
 Myrtle Point, OR 97458
 541-290-0977
 a1pumpandfilter@yahoo.com
 www.a1pumpandfiltercorp.com

INVOICE

BILL TO
 Shane Crissman
 55953 Ferry Road
 Bandon, Or 97411

INVOICE: 1502
 DATE: 05/11/2022
 TERMS: Due on receipt

DATE	DESCRIPTION	QTY	RATE	AMOUNT
	Ozone system	1	1,655.00	1,655.00
	Shipping	1	30.00	30.00
	Misc. Electrical small parts and fittings	1	30.00	30.00
	Misc. Pipe, Fittings, Glue/Primer	1	0.00	0.00
	Labor	1	160.00	160.00

PAYMENT 1,685.00
 BALANCE DUE **\$190.00**

60 E. Second St., Coquille OR | Mailing Address: 250 N. Baxter, Coquille, Oregon 97423
 541-396-7770 @ planning@co.coos.or.us <https://www.co.coos.or.us/community-dev>

As of 11/16/2020 Invoices are due upon receipt. A 10% late fee will be added after 10 days, unless written payment plan is prearranged.

A1 Pump and Filter Corp CCB#227682

54644 Arago Fishtrap Rd
 Myrtle Point, OR 97458
 541-290-0977
 a1pumpandfilter@yahoo.com
 www.a1pumpandfiltercorp.com

INVOICE

BILL TO
 Shane Crissman
 55953 Ferry Road
 Bandon, Or 97411

INVOICE 1488
 DATE 03/16/2022
 TERMS Due on receipt

DATE	DESCRIPTION	QTY	RATE	AMOUNT
	*****TANK SYSTEM*****	0		0.00
	Drop pipe, cable guards, sub pump cable, heat shrink kits, and insert fittings misc. small parts and fittings	1	480.00	480.00
	6" Well Seal	1	40.00	40.00
	1/2hp 115v Submersible Pump	2	599.00	1,198.00
	30gal Pressure Tank	1	280.00	280.00
	PC 111 No Load Sensor	1	280.00	280.00
	Brass Tank Tee Assembly	1	175.00	175.00
	Pump up and Pump down	1	135.00	135.00
	Pura UV 20 - 2	1	825.00	825.00
	Misc. Pipe, Fittings, Glue/Primer	1	275.00	275.00
	Misc. Electrical small parts and fittings	1	185.00	185.00
	Labor	1	1,400.00	1,400.00
	CAT Tax	1	158.19	158.19
	Extra Labor for electrical	1	380.00	380.00
	Misc. Electrical small parts and fittings	1	68.00	68.00
PAYMENT				3,500.00
BALANCE DUE				\$2,379.19

60 E. Second St., Coquille OR | Mailing Address: 250 N. Baxter, Coquille, Oregon 97423
 541-396-7770 @ planning@co.coos.or.us <https://www.co.coos.or.us/community-dev>

As of 11/16/2020 Invoices are due upon receipt. A 10% late fee will be added after 10 days, unless written payment plan is prearranged.

JayWilliams Land Mgt.

Septic Install, Repairs & Excavation

87026 Lower Four Mile Ln.
 Bandon, Or. 97411
 Phone 541-551-5154 |
 Jwilliamslandmanagement@gmail.com

INVOICE

INVOICE # 2263
 DATE 7/5/22

TO
 Rhonda Conrad
 Ferry Rd.
 Bandon, Or. 97411

FOR New Septic Install
 P.O. # Rhonda

Description	Amount
1,060-gallon septic tank, 12" risers, 4" Orenco effluent filter, Stainless Screw kit	\$2,816.15
Concrete Distribution Box	\$174.00
230' EZ-Flow 120P Drain Bags	\$1,386.90
Internal Bag Couplers	\$206.25
4" clean out cap, clean out hubs, couplers, sanitation Tee's, 90° fittings PVC & ADS, 18-gauge tracer wire, Marking paint, Glue, ADS Fittings for bags to PVC.	\$799.97
100' gasketed 3034 sewer pipe	\$383.00
Labor.	
6/17/22 5 hours Tank set	\$1,100.00
6/27/22 5 hours Drain Field	\$1,100.00
6/28/22 3.5 hours Drain Field	\$770.00
6/29/22 7.5 hours Drain field, Back fill, Tank fill, RV Drop Inlet line & Hub	\$1,850.00
Office Fee 3 hours @ \$150/hour	\$450.00
Tank Pickup & delivery fee	\$250.00
Drain Field & Effluent pipe Pick up & delivery fee	\$250.00
DEQ- Phone Time & As-Built Photo completion	\$200.00
Total	\$11,736.27
Total	\$11,736.27

Make all checks payable to JayWilliams Land Mgt.

Payment Due Upon Receipt.

If you have any questions concerning this invoice, contact Chip | 541-551-5154 |

THANK YOU FOR YOUR BUSINESS!

INVOICE

Collier Nursery

DATE
May 4, 2023

INVOICE NO
0504-003

Collier's Nursery
55904 Ferry Road
Bandon, Oregon
503-819-9987
Email:
dkcollier@frontier.com

INVOICE TO
Rhonda and Shane

SALESPERSON	JOB	PAYMENT TERMS	DUE DATE
-------------	-----	---------------	----------

Due on Receipt

QUANTITY	DESCRIPTION	UNIT PRICE	LINE TOTAL
----------	-------------	------------	------------

Maintenance	Gravel, delivery, spreading, rolling, labor	18% of total	\$673.56
-------------	---	--------------	----------

RHONDA L CONRAD
SHANE J CHRISMON
55953 FERRY RD.
BANDON, OR 97411

24-22/1230

1013

DATE 5/11/23 MP

total	\$673.56
Tax	
Total	\$673.56

PAY TO THE ORDER OF KAT COLLIER \$ 534.57

FIVE HUNDRED AND THIRTY FOUR DOLLAR 57/100 DOLLARS ← Heat Reactive Ink



60 E. Second St., Coquille OR | Mailing Address: 250 N. Baxter, Coquille, Oregon 97423

541-396-7770

@planning@co.coos.or.us

https://www.co.coos.or.us/community-dev

MEMO FERRY ROAD EASEMENT MAINTENANCE
PAID IN FULL 5/11/23

[Signature]
Page - STAFF REPORT 57

330002201

Estimated Road Cost Calculators - Portionate and Average
Ferry Road 2023 Maintenance

3742

Household	Vehicle weight est.	No of trips/ week	No of drivers @ a time	Typical speed	Weighted total (as a %)	proportional equation	basic use Subtotal	Plus road damage (X gravel)	Minus prepaids	Notes/Scales:	
Collier group	5	3	3	3	0.14		523.88		275 repair; \$100 tip	Bid 3742; cost of truckload of gravel (delivery, spreading, rolling); \$ Vehicle weight: 1-small sedan to 5 large 4WD or light commercial 1- low; 3 - average; 5 - high 1 compact (1) 1 sm CRV(1), 1 4WD (3); repaired driveway where R/S trenched (paid for not included); number of drivers is typically 1, higher w/guests extra gravel will be needed to complete water repairs/mini-trench; not ready at initial delivery; more can be added if budget allows	
Schultz	5	3	3	3	0.14		523.88	350		drives fast enough to spray gravel/dust, filmed, trespass/vandalism (digging up old repairs to get at the gravel, pulling down road signs, some filmed, and damaging grass (private property), filmed, mustang cookies in road (witnessed); + tip split w/KC	
Doris/renter	3	4	3	5	0.15	Bid \$ estimate * weighted total as a % = basic use subtotal	561.3	700		Approx. 50 commute trips/work week (sig). Includes School bus; filmed; does not include all trips; 2+ large 4WD trucks; extra delivery trucks; trespassing and vandalism, threats, harassment	
Rhonda/ Shane	7	5	2	4	0.18		673.56			drivers and trips are care providers and house keeper	
Leah/Nora	3	3	3	3	0.12		449.04				
Jo	1	1	1	1	0.04		149.68				
Tina/Oli	2	1	1	1	0.05		187.1				
Petr	1	1	1	0.25	0.03		121.62			Suggest only \$100 since space is so minimal.	
Redmond	0	0	0	0	0		0			doesn't use the road	
John	0	0	0	0	0		0			does not include repairs on N-S area; some of damage monies are being put into totat as some repairs could not be done by contractor, but are scheduled once damage monies are received	
Total							3190.055	1050			
Total w/damages included							4240.055				

Averaging the cost

Household	Vehicle weight est.	No of trips/ week	No of drivers @ a time	Typical Speed	% (total weight)	Everyone pays the same: Even split by 7 suggested*	More & Less difference from above	Plus road damage (X gravel)	Notes:	
Collier	5	3	3	3	0.14	\$ 534.57	\$ 10.69		Notes: Comment above apply here as well	
Schultz	5	3	3	3	0.14	\$ 534.57	\$ 10.69	350		
Doris/renter	3	4	3	5	0.15	\$ 534.57	\$ (26.73)	700	Uses road more; pays less; someone else picks up the \$138.99	
Rhonda/ Shane	7	5	2	4	0.18	\$ 534.57	\$ (138.99)		Uses road less; pays more; pays for a small portion of repairs	
Leah/Nora	3	3	3	3	0.12	\$ 534.57	\$ 85.53		What's not equal: Number of drivers, number of trips, number of vehicles, average speeds distances; and road damage.	
Jo	1	1	1	1	0.04	\$ 534.57	\$ 384.89		*Peter's is less because the space is so minimal.	
Tina/Oli	2	1	1	1	0.05	\$ 534.57	\$ 347.47			
Petr	1	1	1	0.025	0.03	\$ 100.00				
Redmond	0	0	0	0	0					
John	0	0	0	0	0					
Total basic use							\$ 3,842.00	1050		road damage is only partially covered; more work is needed damage dollars are estimated on gravel
Total w/damages							\$ 4,892.00			

60 E. Second St., Coquille OR | Mailing Address: 250 N. Dexter, Coquille, Oregon 97423

@planning@co.coos.or.us | https://www.co.coos.or.us/community-dev

Proportionate

Holders of an interest in an easement who are responsible for damage Shall repair the damage at their sole expense [1989 c.660 SS2,3,4; 1991 c.49 S2] ...a private right of way, embodying the right to pass across another's land. Note: "passing across" does not include damaging, digging, scraping, rearranging, removal. (ORS 105.170 to 105.185) The cost of maintaining the easement...shall be shared by each holder of an interest in the easement in proportion to the use made of the easement by each holder... 105.175 (3) Measures can include... (a) frequency of use, ...size...and weight... distance and more 105.175(4)(a)

NOTICE OF LAND USE DECISION

Attachment A - Record

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. The development is contained within the identified property owners land. Notice is required to be provided pursuant to ORS 215.416. Please read all information carefully as this decision. (See attached vicinity map for the location of the subject property).

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

Date of Notice: Wednesday, December 27, 2023
File No: VR-23-001
Proposal: Request for a Vested Right determination for a Single-Family Dwelling
Applicant(s): Shane Chrismon & Rhonda Conrad
Staff Planner: Crystal Orr, Associate Planner

Decision: **Approved with Conditions.** All decisions are based on the record. This decision is final and effective at close of the appeal period unless a complete application with the fee is submitted by the Planning Department at 5 p.m. on **Thursday, January 11, 2024**. Appeals are based on the applicable land use criteria. The proposal is subject to the following criteria: Vested Right pursuant to Coos County Zoning and Land Development Ordinance (CCZLDO) Article 5.4 Vested Right and §4.6.210 Development and Siting Criteria within the Exclusive Farm Use Zone. **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.**

Subject Property Information

Account Number: 99920113
Map Number: 28S1420BB-01801
Property Owner: CHRISMON, SHANE J & CONRAD, RHONDA L
55953 FERRY RD
BANDON, OR 97411-8863
Situs Address: 55953 FERRY RD BANDON, OR 97411
Acreage: 1.00 Acres
Zoning: EXCLUSIVE FARM USE (EFU)
Special Development Considerations and overlays: BANDON AREA OF MUTUAL INTEREST (BMI)
NATIONAL WETLAND INVENTORY (NWI)
NH TSUNAMI (NHTHO)

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 60 E. Second St, 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.

The application, staff report and any conditions may be found at the following link: <https://www.co.coos.or.us/community-dev/page/planning-department>. 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 60 E. Second Street, Coquille, Oregon. Copies may be purchased at a cost of 50 cents per page; however, if you need to view the record, please contact the department to make arrangements. The decision is based on the application submittal and information on record. The name of the Coos County Planning Department representative to contact is Crystal Orr, Associate Planner 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: _____ **Date: Wednesday, December 27, 2023**
Crystal Orr, Associate Planner

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 Exhibits below are mailed/emailed to the Applicant, Board of Commissioners and Planning Commission only. Copies are available upon request or at the following website:

<https://www.co.coos.or.us/community-dev/page/planning-department> or by contacting the Planning Department at (541) 396-7770.

Exhibit C: Staff Report -**Findings of Fact and Conclusions**

Exhibit D: Comments Received

EXHIBIT "A"

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

CONDITIONS OF APPROVAL

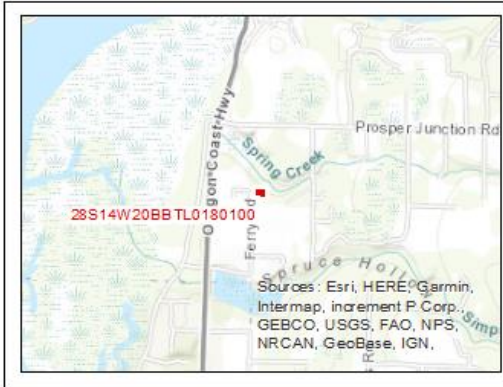
1. All applicable federal, state, and local permits shall be obtained prior to the commencement of any development activity. If there were comments from any other agency were provided as part of this review, it is the responsibility of the property owner to comply.
2. Pursuant to CCZLDO § 5.9.100, a Zoning Compliance Letter shall be required prior to the commencement of construction of the proposed dwelling. This will be issued after all the following conditions have been satisfied.
 - a. Shall acknowledge and file in the deed records of Coos County, a Farm Practices Management Easement.
 - b. The property owner is responsible for ensuring compliance, and land use authorization shall remain recorded in the chain of title. The statement needs to include language that the purchaser of the property has been provided a copy of the land use approval containing all conditions or restrictions understands the obligation and agrees to fulfill the conditions, unless a modification is approved as provided in this ordinance. The property owner is responsible for ensuring compliance, and land use authorization.
 - c. A new plot plan meeting requirements within “plot plan instructions” shall be submitted.
 - d. A Road/Driveway Access application must be submitted and signed off.

EXHIBIT "B" Vicinity Map & Plot Plan



COOS COUNTY PLANNING DEPARTMENT

Mailing Address: 250 N. Baxter, Coquille, Oregon 97423
Physical Address: 60 E. Second, Coquille Oregon
Phone: (541) 396-7770
TDD (800) 735-2900



File: VR-23-001
Applicant/
Owner: Shane Chrismon & Rhonda Conrad
Date: December 21, 2023
Location: Township 28S Range 14W
Section 20BB TL 1801
Proposal: Vested Right

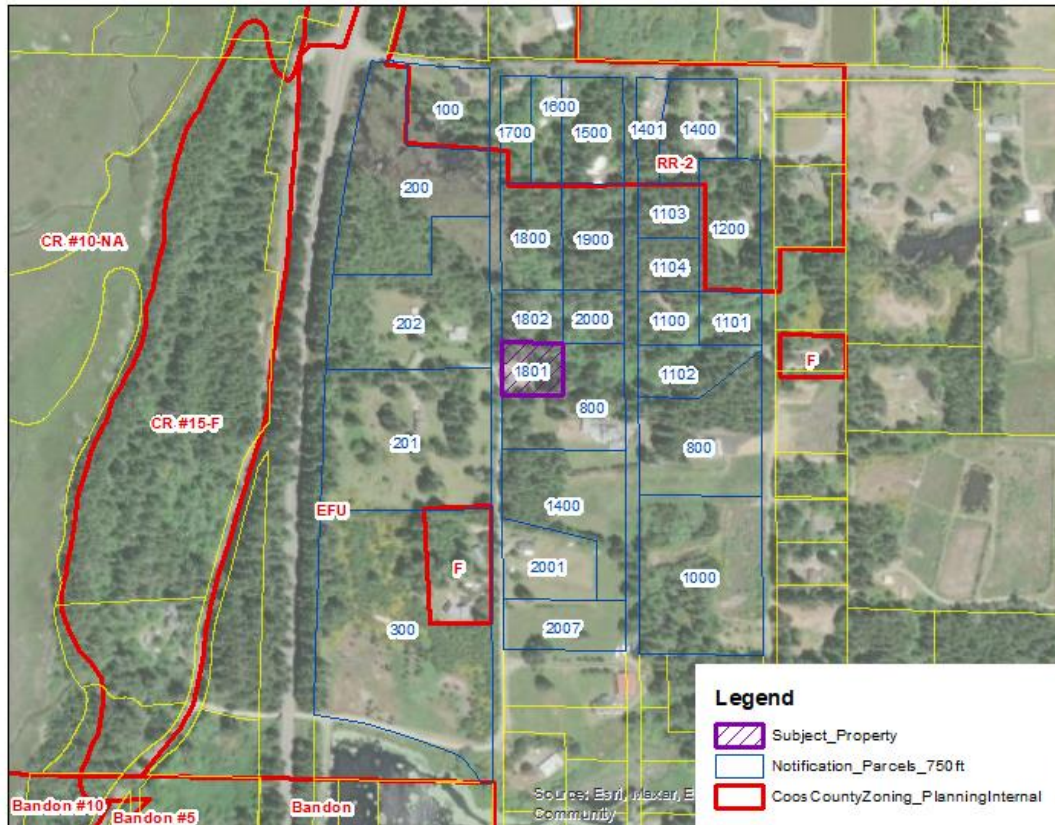


EXHIBIT "C"
STAFF REPORT
FINDINGS OF FACT AND CONCLUSIONS

I. PROPOSAL AND BACKGROUND/PROPERTY HISTORY INFORMATION:

A. PROPOSAL: The applicants propose to site a Single-Family Dwelling in the Exclusive Farm Use through the Vested Right process.

B. BACKGROUND/PROEPRTY HISTORY:

On January 19, 2010 a Measure 49 claim was approved by the State of Oregon. Under a Measure 49, there is no time limit for the actual claimant to carry out the development of the property. However, if the claimant sells or transfers title of the property, the claim will transfer but the purchaser only has ten (10) years to complete the development. The division of the property, and any dwellings, approved under Measure 49 are treated as permitted uses even if they would not otherwise be allowed under the zoning for the property. This property was in the ownership of Paul & Rosetta Kent since at least 1967 and then in the deed ownership was modified 2011 Rosetta was removed and replaced with Kevin Then a subsequent deed was recorded that removing Kent from the property. His name was added back but the removal for the short period of time did start the 10-year clock for the purpose of a Measure 49 claim.

On October 4, 2018 the previous property owner applied to site the dwelling. Upon completing all the requirements including driveway installation, the approval was issued on January 24, 2019 (updated in January 2021) in the form of a Zoning Compliance Letter to allow a Single-Family Dwelling to be sited, this was an approval was based on a Measure 49 claim that waived the provisions to site a dwelling in the Exclusive Farm Use Zone. However, the approval was not implemented, and the Measure 49 Claim expired, so the approval could not be extended. Upon reviewing options with planning Staff, the applicants chose to apply for a Vested Right Determination.

II. BASIC FINDINGS:

A. LOCATION: The subject property is situated northeast of the City of Bandon off of a partially private, partially public road, Ferry Road. Ferry Road is accessed via Oregon State Highway 101.

B. ZONING: - This property is zoned Exclusive Farm Use.

ARTICLE 4.2 – ZONING PURPOSE AND INTENT

SECTION 4.2.500 RESOURCE ZONES

Exclusive Farm Use (EFU)

These include all inventoried "agricultural lands" not otherwise found to be needed (excepted) for other uses.

The purpose of the EFU district is to preserve the integrity and encourage the conservation of agricultural lands within Coos County and thereby comply with the provisions of ORS 215 and OAR 660. Division 33 to minimize conflicts between agricultural practices and non-farm uses by limiting any development to uses distinguished as dependent upon or accessory to supporting agricultural or forestry production and which qualify such farm lands for special tax relief pursuant to the

provisions of Oregon Revised Statutes. This zone is also for the cultivation and marketing of specialty crops, horticultural crops and other intensive farm uses.

According to the Coos County Comprehensive Plan Exclusive Farm Use lands are inventoried as Agricultural Lands. The Main criterion for establishing the "Agricultural Lands Inventory" was land identified on the agricultural lands based on soils, Class I-IV soils or "other lands" suitable for agricultural use, with the following exceptions:

Committed rural residential areas and urban growth areas.

Proposed rural residential areas as per the Exception to Goals #3 and #4.

Proposed industrial/commercial sites.

Existing recreation areas (e.g., golf courses) [Recreation designation]

Isolated parcels of Class I-IV soils in upland areas, which are under, forest cover. (Forestlands designation).

Narrow valley bottomlands where no agricultural activity is occurring anywhere in the vicinity [Forestlands designation].

The secondary criterion for establishing the "Agricultural Lands Inventory" was the use of aerial photos used to identify additional areas without Class I-IV soils in current agricultural use which were not initially identified in the agricultural lands inventory from Assessor's Data. This situation typically occurs on benches, immediately above agricultural valleys, where grazing often takes place on non-class I-IV soils. However, if lands were zoned predominately forest it may have resulted in a Mixed Use Overlay.

C. SPECIAL DEVELOPMENT CONSIDERATIONS AND OVERLAYS:

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.

RESPONSE: The subject property is subject to the following Overlays and Special Development Considerations: National Wetland Inventory and Natural Hazard Tsunami Special Development Considerations. County Staff forwarded a request for comments to the Oregon Department of State Lands (DSL), and we have received a response. The applicant is obligated to adhere to any recommendations or comments provided by DSL.

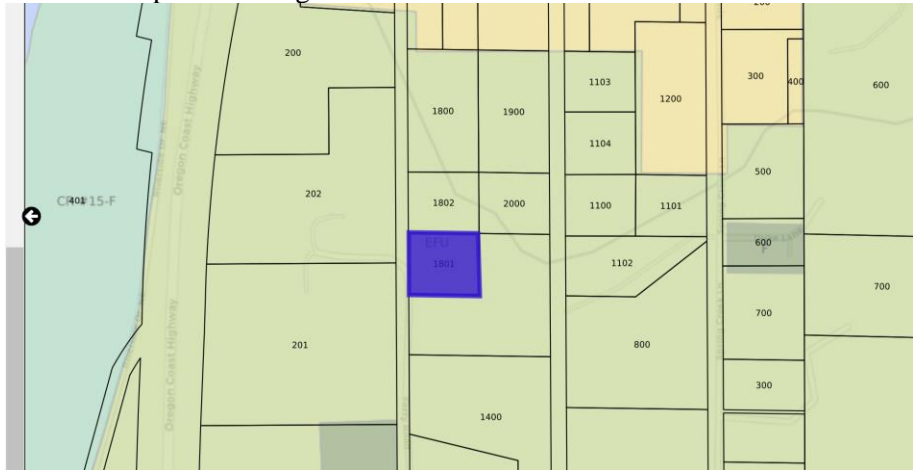
It's important to note that residential development does not trigger any additional requirements under the Natural Hazard Tsunami regulations. As a result, no further review is needed.

D. SITE DESCRIPTION AND SURROUNDING USES: The subject property is approximately one acre and zoned Exclusive Farm Use (EFU). It is situated off Ferry

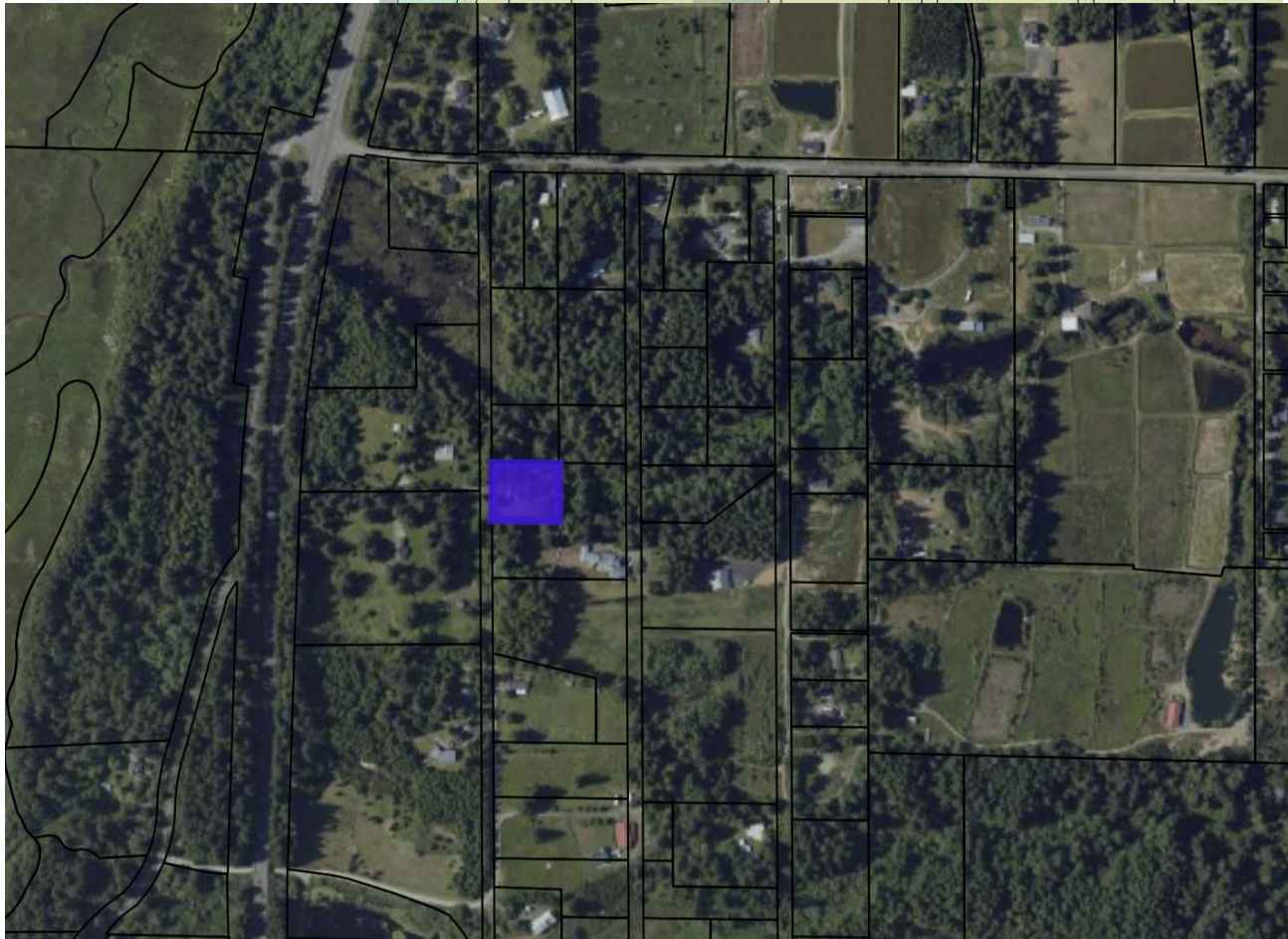
Road, north of the City of Bandon. Ferry Road is a publicly platted privately maintained road connected to Prosper Junction Road, which is a publicly maintained road by Coos County. Ferry Road is not accessed via Prosper Junction Road, as the topography does not allow it. Access to Ferry Road is through an easement off of Oregon State Highway 101.

The subject property is part of the Wheeler Subdivision, a pre-ordinance subdivision consisting of lots of approximately one (1) acre in size. The subject property is densely wooded (other than the southwest portion), as are most of the surrounding lots, with scattered residential development throughout the area.

- State Parks, OPRD
- Coos County Zoning, 2022
 - Commercial
 - Controlled Development 10
 - Controlled Development 5
 - City Zoning
 - City Estuary Plan - Aquatic
 - City Estuary Plan - Shoreland
 - Coos Bay Estuary Plan - Aquatic
 - Coos Bay Estuary Plan - Shoreland
 - Coquille River Estuary Plan - Aquatic
 - Coquille River Estuary Plan - Shoreland
 - Exclusive Farm Use
 - Forest
 - Industrial
 - Minor Estuary and Shorelands
 - Rural Center
 - Recreation
 - Rural Residential 2
 - Rural Residential 5
 - South Slough
 - Urban Residential 1
 - Urban Residential 2
 - Urban Residential M



erial Photos



E. COMMENTS:

- a. **PUBLIC AGENCY:** This property required a request for comments from the Oregon Department of State Lands before the decision was released. DSL responded on June 29, 2023, stating that, based on available information, there do not appear to be wetlands on the property.
- b. **PUBLIC COMMENTS:** This property did not require a request for public comments prior to the release of the decision.
- c. **LOCAL TRIBE COMMENTS:** The subject property did not require comments from the Tribes prior to the release of the decision.

E. LAWFULLY CREATED UNIT OF LAND: The unit of land was established in accordance with 6.1.125.1.a, specifically 'through a pre-ordinance plat.' The parcels are identified as Lot 87 within the Wheeler Subdivision, which was established in 1907.

III. STAFF FINDINGS AND CONCLUSIONS:

a. **SUMMARY OF PROPOSAL AND APPLICABLE REVIEW CRITERIA:**

Vested Right pursuant to Coos County Zoning and Land Development (CCZLDO) Article 5.4 Vested Right and §4.6.210 Development and Siting Criteria within the Exclusive Farm Use Zone

KEY DEFINITIONS:

ACTIVITY: Any action taken either in conjunction with a use or to make a use possible. Activities do not in and of themselves result in a specific use. Several activities such as dredging, piling and fill may be undertaken for a single use such as a port facility. Most activities may take place in conjunction with a variety of uses.

DEVELOP: To bring about growth or availability; to construct or alter a structure, to conduct a mining operation, to make a physical change in the use or appearance of land, to divide land into parcels, or to create or terminate rights to access.

DEVELOPMENT: The act, process or result of developing.

USE: The end to which a land or water area is ultimately employed. A use often involves the placement of structures or facilities for industry, commerce, habitation, or recreation.

ZONING DISTRICT: A zoning designation in this Ordinance text and delineated on the zoning maps, in which requirements for the use of land or buildings and development standards are prescribed.

DWELLING: Any building that contains one or more dwelling units used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or that are occupied for living purposes.

ARTICLE 5.4 VESTED RIGHT

A parcel shall be considered vested for completion of the construction of a nonconforming use when an administrative conditional use is granted, based on findings establishing:

1. *The good faith of the property owner in making expenditures to lawfully develop his property in a given manner;*

2. *The amount of reliance on any prior zoning classification in purchasing the property and making expenditures to develop the property;*
3. *The extent to which the expenditures relate principally to the use of an applicant claims is vested, rather than to ancillary improvements, such as but not limited to roads, driveways, which could support other uses allowed as of right;*
4. *The extent of the purported vested use as compared to the uses allowed in the subsequent zoning ordinances;*
5. *Whether the expenditures made prior to existing zoning regulations show that the property owner has gone beyond mere contemplated use and has committed the property to the purported vested use which would in fact have been made on the subject property but for the passage of the existing zoning regulation; and*
6. *The ratio of the prior expenditures to the total cost of the proposed use.*

FINDING: The current property owners, Shane Chrismon and Rhonda Conrad, acquired the property in November 2021. At the time of purchase, they were aware that the property had received approval for a Single-Family Dwelling through a Measure 49 claim. However, they did not understand that the claim was close to expiring, and the approval for the dwelling could not be extended. The purchase took place during the COVID-19 pandemic, and the applicants mentioned that timelines for some permitting agencies were longer than normal. Additionally, finding an accountable contractor proved to be challenging.

Since Mr. Chrismon and Ms. Conrad purchased the property, they have invested approximately \$97,000 in it. They installed a septic system, and a certificate of satisfactory completion was issued by the Oregon Department of Environmental Quality on July 22, 2022. Additionally, a well was constructed and completed by A1 Pump. To upgrade the electrical system, they installed 2,000 feet of new electrical conduit, securing permits from the Coos County Road Department, as the existing electrical infrastructure could not support another dwelling.

The property owners chose this parcel for development with the aim of creating a 'small rural farm,' featuring chickens, ducks, and other farm animals. Although residential uses are allowed within the current zoning of the property, it's important to note that the primary objective of the Exclusive Farm Use Zone is not residential development. Instead, residential uses are contingent upon the property's capacity to be farmed for profit. Given the property's size and other constraints, meeting the income requirements for farming profitability poses a significant to impossible challenge.

The applicants assert that the investment and effort they have dedicated to the property underscore their significant commitment to its development and improvement. The staff concurs with this statement. They acquired the property for \$149,000, introduced improvements totaling over \$97,000, and anticipate investing an additional \$150,000 to \$200,000 to complete the enhancements.

In analyze how the property owner, who has acquired the property for \$149,000, introduced improvements totaling over \$97,000, and anticipates investing an additional \$150,000 to \$200,000 to complete the enhancements, meets the specified criteria:

1. **Good Faith Expenditures:** The property owner's significant financial investments, including the acquisition cost and substantial improvements, demonstrate a clear commitment and

good faith effort toward lawful development. The improvements include a full septic system, well, electrical system to support the residential and farm use, driveway to support the residential use and parking.

2. **Reliance on Prior Zoning:** The amount spent on the property, especially the substantial investment in improvements, indicates a reliance on the existing zoning classification at the time of purchase. This demonstrates a significant commitment based on the prior zoning. The Measure 49 claim waived certain zoning requirements for a certain amount of time. During this time the improvements were listed in subsection one were made to facilitate a single-family dwelling.
3. **Expenditures Principally for Vested Use:** The expenditures primarily focus on improvements related to the claimed vested use (e.g., the development of a small rural farm). While ancillary improvements like roads and driveways are essential, the majority of the investments directly contribute to the intended use. The intended use is residential and the improvements for an onsite septic, well, electrical, driveway, address and parking all support the residential use.
4. **Comparison with Subsequent Zoning:** An analysis of the purported vested use against subsequent zoning ordinances is crucial. If the property owner's intended use aligns with the subsequent zoning, it strengthens the argument for vested rights. The property owners chose this parcel for development with the aim of creating a 'small rural farm,' featuring chickens, ducks, and other farm animals. Although residential uses are allowed within the current zoning of the property, it's important to note that the primary objective of the Exclusive Farm Use Zone is not residential development. Instead, residential uses are contingent upon the property's capacity to be farmed for profit. Given the property's size and other constraints, meeting the income requirements for farming profitability poses a significant to impossible challenge.
5. **Expenditures Preceding Zoning Regulations:** The substantial expenditures made prior to the implementation of existing zoning regulations highlight a commitment beyond mere contemplation. This suggests a genuine intention to develop the property as it would have been done in the absence of the current zoning regulations. The Measure 49 claim waived certain zoning requirements for a certain amount of time. During this time the improvements were listed in subsection one were made to facilitate a single-family dwelling.
6. **Evaluating the ratio of prior expenditures (the \$149,000 purchase price plus \$97,000 of investment, totaling \$246,900) to the total projected cost of the proposed use (anticipated additional \$150,000 to \$200,000) provides insight into the proportion of commitment. With the current total investment exceeding 50% of the total anticipated cost, this high ratio significantly strengthens the argument for vested rights. The substantial financial commitment demonstrates a substantial dedication to the proposed use, further supporting the claim for vested rights.**

In summary, the property owner's actions align with the criteria, demonstrating a substantial and committed effort toward the development of the property in accordance with their claimed vested use.

Section 4.6.210 development and siting criteria:

Development Standards All dwellings and structures approved shall be sited in accordance with this section.

1. *Minimum Lot Size: The minimum parcel size shall be at least 80 acres. Land divisions involving a house that existed prior to June 1, 1995 see § 4.6.210(5)(a). For land divisions where all resulting parcels are at least 80 acres, a conditional use is not required. However, the applicable standards in Chapter VI must be met. [OR96-06-007PL 9/4/96]*

New lots or parcels for dwellings not in conjunction with farm use may be allowed when the requirements of §4.6.210(3), §4.6.210(4)(a or b) and § 4.6.210(5) are met. In addition, the creation of new parcels for nonfarm uses may be allowed only when such new parcel is the minimum size needed to accommodate the use in a manner consistent with other provisions of the Ordinance.

The size of the parcel will not prohibit development as long as it was lawfully created or otherwise required to be a certain size in order to qualify for a use.

FINDING: There is no new lots or lots created through this request; therefore, this criterion is not applicable.

1. *Setbacks*

- a. *Road: All buildings or structures with the exception of fences shall be setback a minimum of thirty-five (35) feet from any road right-of-way centerline or five (5) feet from any right-of-way line, whichever is greater.*
- b. *Firebreak: New or replacement dwellings on lots, parcels, or tracts abutting the “Forest” zone shall establish and maintain a firebreak for a distance of at least 30 in all directions. Vegetation within this firebreak may include mowed grasses, low shrubs (less than ground floor window height), and trees that are spaced with more than 15 feet between the crowns and pruned to remove dead and low (less than 8 feet from the ground) branches. Accumulated needles, limbs, and other dead vegetation should be removed from beneath trees.*

FINDING: The submitted plot plan does not contain all necessary information to determine that setbacks have been met. As a condition of approval, a new plot plan meeting requirements must be submitted.

Therefore, this criterion has been addressed.

3. *Structure Height: Farm-related structures are exempt from height limits unless subject to Airport Overlay zone or Urban Growth Boundary requirements.*

4. *Lot Coverage: No requirements.*

FINDING: There are no structure or lot coverage requirements that pertain to this request.

5. *Fences, Hedges and Walls: No requirement except for vision clearance provisions of §7.1.525 apply.*

FINDING: There is no indication that the applicant is proposing any fences, hedges or walls. As a condition of approval if any of the above is proposed at a later date they shall meet the requirements for the vision clearance in Section 7.1.525.

Therefore, this criterion has been addressed.

6. *Off-street parking and Loading: See Chapter VII.*

FINDING: A Road/ Driveway Access application was not submitted. As a condition of approval, a Road/Driveway Access application must be submitted and signed off prior to receiving a Zoning Compliance Letter.

Therefore, this criterion has been addressed.

7. *Minimum Road Frontage/Lot Width unless waived by the Planning Director in consultation with the County Surveyor due to creating an unsafe or irregular configuration:*
 - a. *Within UGB's – 50 feet*
 - b. *Outside UGB's – 20 feet*
8. *Access: Access to new dwellings shall meet road design standards in Chapter VII.*

FINDING: A Road/ Driveway Access application was not submitted. As a condition of approval, a Road/Driveway Access application must be submitted and signed off prior to receiving a Zoning Compliance Letter.

Therefore, this criterion has been addressed.

9. *Minimizing Impacts: in order to minimize the impacts of dwellings in agricultural lands, all applicants requesting a nonfarm dwelling shall acknowledge and file in the deed records of Coos County, a Farm Practices Management Easement. The Farm Practices Easement shall be recorded in the deed records of the county prior to any final county approval for a single family dwelling. [OR96-06-007PL 9/4/96]*

FINDING: This requirement has been made a condition of approval.

10. *Riparian Vegetation Protection within 50 feet of a wetland, stream, lake or river, as identified on the Coastal Shoreland and Fish and Wildlife Habitat Inventory maps shall be maintained except that:*
 - a. *Trees certified as posing an erosion or safety hazard. Property owner is responsible for ensuring compliance with all local, state and federal agencies for the removal of the tree.*
 - b. *Riparian vegetation may be removed to provide direct access for a water-dependent use if it is a listed permitted within the zoning district;*
 - c. *Riparian vegetation may be removed in order to allow establishment of authorized structural shoreline stabilization measures;*
 - d. *Riparian vegetation may be removed to facilitate stream or stream bank clearance projects under a port district, ODFW, BLM, Soil & Water Conservation District, or USFS stream enhancement plan;*
 - e. *Riparian vegetation may be removed in order to site or properly maintain public utilities and road right-of-ways;*
 - f. *Riparian vegetation may be removed in conjunction with existing agricultural operations (e.g., to site or maintain irrigation pumps, to limit encroaching brush, to allow harvesting farm crops customarily grown within riparian corridors, etc.) provided that such vegetation removal does*

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

- g. The 50 foot riparian vegetation setback shall not apply in any instance where an existing structure was lawfully established and an addition or alteration to said structure is to be sited not closer to the estuarine wetland, stream, lake, or river than the existing structure and said addition or alteration represents not more than 100% of the size of the existing structure's "footprint".*
- h. Riparian removal within the Coastal Shoreland Boundary will require a conditional use. See Special Development Considerations Coastal Shoreland Boundary.*
- i. The 50' measurement shall be taken from the closest point of the ordinary high water mark to the structure using a right angle from the ordinary high water mark.*

FINDING: The dwelling will need be located at least 50 feet from any identified wetland, stream, lake or river.

Therefore, this criterion has been met.

VI. DECISION:

Evidence has been presented that sufficiently addresses the criteria for a Vested Right; consequently, this request has been approved. Conditions applicable to this use can be found at Exhibit "A".

VII. EXPIRATION AND EXTENSION OF CONDITIONAL USES: ***

This conditional use approval does not expire.

VIII. NOTICE REQUIREMENTS:

A notice of decision and staff report will be provided to property owners within 750 feet of the subject properties and the following agencies, special district or parties:

Bandon RFPD
Southern Coos General Health District

A notice of decision and staff report will be provided to:

Department of Land Conservation and Development
Planning Commission
Board of Commissioner



APPEAL OF A LAND USE DECISION

SUBMIT TO COOS COUNTY PLANNING DEPT. AT 60 SECOND STREET OR
MAIL TO: COOS COUNTY PLANNING 250 N. BAXTER, COQUILLE OR 97423.
EMAIL PLANNING@CO.COOS.OR.US PHONE: 541-396-7770

Planning Director Appeal Fee \$250.00 / Hearings Body or Officer Appeal Fee \$2560.00

Date Received: 1/10/2024 Fee Received: \$250 FILE # AP- 24-001

If the correct fee is not with the appeal it will not be processed. Application shall be filed electronically.

List the names and signatures of each petitioner and a statement of the interest of each petitioner to determine party status. Multiple parties shall join in filing a single petition for review, but each petitioner shall designate a single Contact Representative for all contact with the Planning Department. All communications regarding the petition, including correspondence, shall be with the Contact Representative. This can be attached to this form marked as Attachment "A".

Appellant: Kathleen Collier

Mailing address: PO Box 1199, Bandon, Oregon 97411

Phone: 503-819-9987 Email: dkcollier@frontier.com

Signature: *Kathleen Collier*

Appellant's Representative: _____

Mailing address: _____

Phone: _____ Email: _____

Signature: _____

The name of the applicant: Shane Chrismon & Rh

County application file number being appealed: VR-23-001

Planning Director's Decision (Fee \$250) Hearings Body or Hearings Officer Decision (Fee \$2560)

The appellant must explain how they have achieved party status pursuant to the applicable sections of 5.8.150 or 5.8.160:

I received a Notice of Land Use Decision dated 12/27/23 regarding this case because we are an adjacent property owner.

The appeal deadline, as stated in the Director's Decision: January 11, 2024

The nature of the decision and the specific grounds for appeal, citing specific criteria from the Coos County Zoning and Land Development Ordinance, Comprehensive Plan, Statute or Rule. (This can be attached to this form marked as Attachment "B".)

Approved with Condition. ...Vested Right pursuant to Coos County ZLDO 5.4 and 4.6.210. There are several concerns with this proposal as detailed in Attachment C.

The appellant must explain in detail, on the appeal form or attached to the appeal form, how the application did not meet the criteria in the case of an approval or why the criteria should or should not apply; or, in the case of a denial the appellant shall explain why the application did meet the criteria or why certain criteria did not apply to the application. (This can be attached to this form marked as Attachment "C".)

See Attachment C.

ARTICLE 5.8 APPEAL REQUIREMENTS**SECTION 5.8.100 APPEALS GENERAL**

Coos County has established an appeal period of fifteen (15) days from the date written notice of administrative or Planning Commission decision is mailed with the exception of Property Line Adjustments and lawfully created parcel determinations, which are subject to a twelve (12) day appeal period. The Board of Commissioners or Hearings Body shall dismiss an appeal for failure to follow the requirements of this article.

SECTION 5.8.150 STANDING TO APPEAL A PLANNING DIRECTOR'S DECISION: A decision by the Planning Director to approve or deny an application shall be appealed as identified in the Sections below. The appeal must be filed within the appeal period and meet one of the following criteria:

1. In the case of a decision by the Planning Director, the appellant was entitled to notice of the decision;
- or 2. The person is aggrieved or has interests adversely affected by the decision.

SECTION 5.8.160 STANDING TO APPEAL A HEARINGS BODY, APPOINTED HEARINGS OFFICER(S) OR BOARD OF COMMISSIONER DECISION: A decision by the Hearings Body, Appointed Hearings Officer(s) or Board of Commissioners to approve or deny an application shall be appealed as identified in the Sections below. The appeal must be filed within the appeal period. In the case of an appeal of a Hearings Body decision to the Board of Commissioners, the appellant must have appeared before the Hearings Body or appointed Hearings Officer(s) orally or in writing. [OR 04 12 013PL 2/09/05]

SECTION 5.8.170 APPEAL PROCEDURES: An appellant shall file the appeal for review on the appropriate county form and the form shall be completely filled out as required by this section. If an appellant fails to correctly fill out the form, and there has already been a public hearing on the matter, the Board of Commissioners may deny the appeal based on failure to comply with this section. In the event the appeal is denied based on a failure to comply with this section, a refund of unexpended fees shall be returned to the appellant.

The appeal form shall contain the following:

1. The name of the applicant and the County application file number (this form can only be used to appeal one application);
2. The name and signature of each petitioner and a statement of the interest of each petitioner to determine party status. Multiple parties shall join in filing a single petition for review, but each petitioner shall designate a single Contact Representative for all contact with the Planning Department. All communications regarding the petition, including correspondence, shall be with the Contact Representative;
3. The appellant must explain how they have achieved party status pursuant to the applicable sections of 5.8.150 or 5.8.160;
4. The date that the notice of the decision was mailed as written in the notice of decision;
5. The nature of the decision and the specific grounds for appeal citing specific criteria from the Coos County Zoning and Land Development Ordinance, Comprehensive Plan, Statute or Rule.
6. The appellant must explain in detail, on the appeal form or attached to the appeal form, how the application did not meet the criteria in the case of an approval or why the criteria should or should not apply; or, in the case of a denial the appellant shall explain why the application did meet the criteria or why certain criteria did not apply to the application.
7. Appeals of Planning Director's decision will be de novo;
8. Appeals of Planning Commission's or appointed Hearings Officer(s) decision shall be reviewed by the Board of Commissioners or Hearings Officer if the Board of Commissioners so chooses. The Board of Commissioners shall, provided there has been an initial evidentiary hearing:
 - a. Decline to hear the matter and enter an order affirming the lower decision; or

- b. Accept the appeal and: i. Make a decision on the record without argument; ii. Make a decision on the record with argument; iii. Conduct a hearing de novo; or iv. Conduct a hearing limited to specific issues.
- c. In the decision, the Board shall affirm, modify, or reverse the lower decision, and accept any or all of the findings and conditions in the Hearings Body decision, or modify or adopt new findings and conditions on a permit.
- d. If the Board allows argument only on the record, no new evidence shall be submitted.
- e. Any legal issues not specifically raised are considered waived for purposes of appeal to the Land Use Board of Appeals (LUBA).
- f. Where a hearing is limited to specific issues, any evidence or argument submitted must be relevant to the specific issue.
- g. All items to be submitted to the County must actually be received by the County Planning Department no later than 5:00 p.m. on the on the last day of the appeal period. If the last day of the appeal period falls on a weekend or County holiday, then the item must actually be received by the County Planning Department no later than 12:00 p.m. on the next County business day following the deadline date. All items to be mailed to another party must be postmarked no later than the end of the appeal period.
- h. The decision of the Board of Commissioners shall not be final for the purpose of appeal until reduced to writing and signed by the Board.

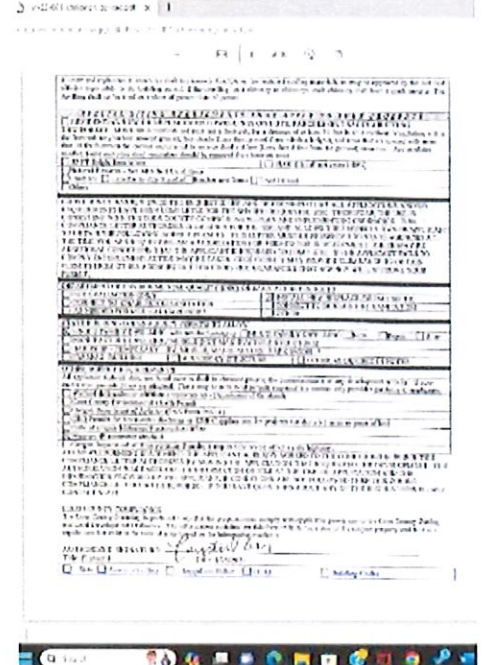
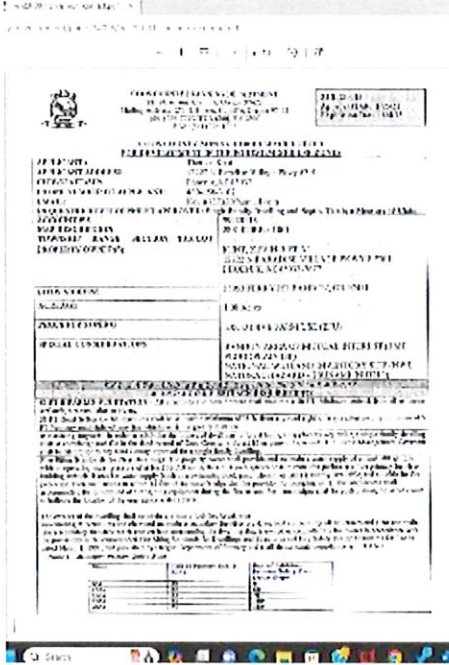
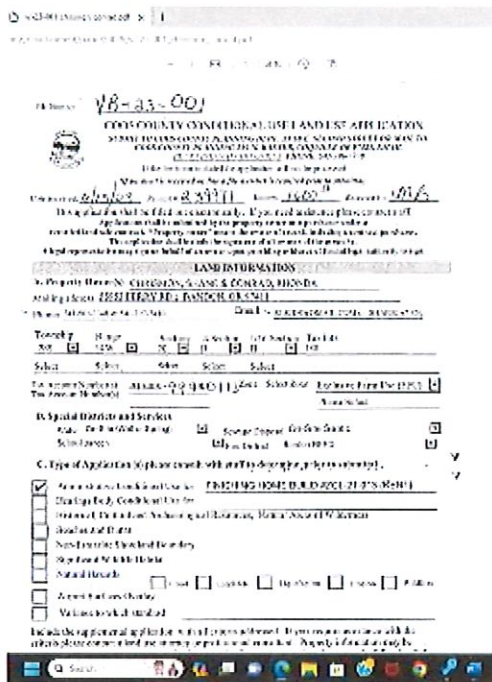
SECTION 5.8.400 Multiple Appeals

Multiple appeals of the same land use decision shall be consolidated into one hearing, at the discretion of the Planning Director, Planning Commission or Board of Commissioners, provided the appeals involve the same or substantially similar issues and/or a common question of law or fact. The consolidation process must not work to deprive any appellant of his or her right to a full and fair hearing on the merits of their case. Such consolidation of the appeals into one hearing will avoid unnecessary costs or delay and will assist in the proper resolution of the matter in question. If consolidation is granted by then a reduction of fee may be due to the parties when the final decision is rendered.

Attachment C:

RE: Comments related to File No. VR-23-001, Request for Vested Right Determination, Chrismon and Conrad

- 1. **Natural hazards:** The Permit requests are incomplete and fail to show high risk landslide and liquefaction areas on most of the property. This error repeats throughout the zoning compliance and conditional use application.



Without those natural hazard boxes checked it may be possible that these risk and potential mitigation and safeguards could be overlooked. It also appears that these risks require additional analysis.

REFERENCE: Earthquakes: Coos County shall promote protection of life and property in areas potentially subject to earthquake hazards. New development or substantial improvements in mapped areas identified as potentially subject to earthquake induced liquefaction shall be subject to a geologic assessment review as set out in this section. Such areas shall include lands subject to "very high" and "high" liquefaction identified in DOGAMI Open File Report O-13-06, "Ground motion, ground deformation, tsunami inundation, co-seismic Ireland Large Tract Dwelling 26-14-32 TL 101 13 /21 subsidence, and damage potential maps for the 2012 Oregon Resilience Plan for Cascadia Subduction Zone Earthquakes." Coos County shall continue to support Oregon State Building Codes to enforce any structural requirements related to landslide and earthquakes. Staff will notify Oregon State Building Codes by providing a copy of the geologic assessment report with the Zoning



Compliance Letter.

- (a) **Risks.** Not only does this parcel have two risks (Landslides at high or likely occurrence, and liquefaction at a high level) identified but the general topography includes steep and difficult to traverse ravines (typically created through erosion). The slope behind the dwelling site is steep enough to retard basic maintenance and or reduction of fuels loading without safety gear.
 - (b) **Potential risk.** The leach field (as shown on the following map) is close to a very significant ravine. The soil in the leach field could be destabilized with natural causes and also from the additional water exiting from the septic system. Should the leach field fail (for any reason) there is a high possibility of human waste flowing down the ravine and into a wetland area.
 - (c) **Past Practices.** Heavy rains, normal to our area, will further destabilize the soil, and create opportunities for erosion and slippage. The ground around the dwelling site was significantly disturbed right before the Chrismon/Conrad purchase. I witnessed approximately eight to ten full log-truck loads traveling out of that property.
2. **Zoning.** The parcel does not appear to meet the EFU zone standards.
- (a) Most EFU zones are significantly larger than one acre. There is an allowance for a size variance for intensive farming (as defined on [www.co.coos.or.us/sites/default/files/fileattachments/planning/page121496/chapter_2 .pdf](http://www.co.coos.or.us/sites/default/files/fileattachments/planning/page121496/chapter_2.pdf)). This level of farming was not mentioned in the zoning compliance and Land Use decisions. The few chickens and ducks on the property appear to be more like pets rather than farm animals. The approximately 10 or less animals reside in a small chicken house (about 6x6' with a small enclosed yard).
 - (b) Intensive farming typically requires support structures, such as a barn (for processing and storage) and parking (perhaps for delivery). No such structure has been identified on the site map and there is no off-street parking. This makes it appear that intensive farming was not planned. Intensive farming would be very hard on the county and private roadway and potentially create extensive damage and maintenance costs.
 - (c) I believe that when the parcel was part of a larger tract (prior to Chrismon/Conrad purchase), the EFU zone was correct. Now that the parcel is under separate ownership it may no longer meet the EFU requirements.
3. **Vested Rights?** Based on the Coos County website, "Vested Rights" do not exempt a builder from other laws and regulations related to their project. A great deal of information about "Vested Rights" can be found at: <https://www.oregon.gov/LUBA/docs/headnotes/37.pdf> and [acu-23-064 application.pdf \(coos.or.us\)](http://acu-23-064.application.pdf(coos.or.us)). The "Vested Rights" discussion includes two different conditions: Omission or act by the government that kept the holder from completing the build and proof of appropriate Investment².
- (a) I do not find a statement describing an omission or act by the government that may have delayed the build. I did note blaming delays on COVID, however no details were offered as to illustrate any specific delays. The problem might be more that the competition for local craftworkers is very keen in our area. Is not unusual to have to wait months or years to get a builder, cement mason, plumber, etc. This was true prior to COVID and is still true today.
 - (b) Did they just miss their expiration date? Having the paperwork expire might perhaps be considered a government act. Their compliance letter was approved 1/25/21 and clearly identified the expiration date of 1/24/23. Was the permit abandoned, interrupted, or discontinued due to the government actions or by simple oversight by Chrismon/Conrad? OR has the holder failed to diligently exercise the permit?
4. **Actual Investments.** There are some discrepancies in the items selected as proof of investments used to calculate the Holmes factor ratio.
- (a) There is a bill in the investment records from me (page 39 of their investment documentation at [vr-23-001 application updated.pdf \(coos.or.us\)](http://vr-23-001.application.updated.pdf(coos.or.us)) related to a reimburse Chrisom /Conrad made to

me for easement road repair costs. This routine repair was made nearly two blocks away at the south end of my property. It was a routine maintenance, not directly-related to their project, on roads that were passable. Note: The copy of the paperwork used for the justification illustrates that they did not pay their fair share. A copy of that billing and their check has been attached at the end of this document in the Additional Figures.

- (b) There is also a \$7,000 bill for Internet service which seems to be an unreasonable cost. At the time, many neighbors were interested in getting better service but were unwilling or unable to pay that. In the end, Chrismon/Conrad reported to us that a relative got the \$7,000 price tag slashed significantly; it appears that the discounted actual cost was omitted from the vested rights paperwork. Further, was the Internet connection needed for the RV, the two cottage businesses they run from the RV, their business, access for son's homework, or for the new dwelling that does not exist? Are all investments qualified, reasonable, and lawful? Or was that work routine maintenance elsewhere? Were these investments needed quickly for the temporary residence?
- (c) There are two other considerations here related to what expenditures were "directly related" to the proposed use for the property and is there evidence of "substantial construction" showing what the expenses were used for. There has been work related in infrastructure (underground), but no actual start of construction related to permanent framing or foundation. There is no foundation or framing work being done on the project as yet. Shouldn't we, after a couple of years and nearly \$100,000 be able to see some substantial construction? Were monies, claimed as investments, used for non-construction expenses such as accessory buildings, trailers to store materials for their three businesses, or fuel and gravel to put on other neighbor's driveways?

REFERENCE NOTES from www.co.coos.or.us website: "Distinguishing those expenditures properly considered in a determination of the "ratio of expenditures" under Holmes factor (7) requires (1) identification of the time at which the expenditures were made, (2) an analysis of whether the expenditures were made in good faith and lawful when made, and (3) a determination regarding whether the expenditures are **directly related** to the proposed use of the property. DLCD v. Curry County, 19 Or LUBA 249 (1990). [my added bold]

SECTION 4.11.132 NATURAL HAZARDS (BALANCE OF COUNTY POLICY 5.11) Purpose Statements: Coos County **shall regulate development** in known areas potentially subject to natural disasters and hazards, so as to minimize possible risks to life and property. Coos County considers natural disasters and hazards to include river and coastal flooding, **landslides, liquefaction** potential due to earthquakes, fault lines, tsunamis, river bank erosion, coastal erosion along shorelines and headlands, coastal erosion due to wind, and wildfires, including those areas affected by gorse. This strategy shall be implemented by enacting **special protective measures through zoning and other implementing devices**, designed to minimize risks to life and property associated with new development and substantial improvements... [my added bold]

Thank you for this opportunity. We have had other friends lose their home to a landslide and my hope is that applicant and Coos County can use these observations to create a safer and healthier home.

Sincerely yours,



Kathleen Collier, neighbor and community supporter
55904 Ferry Road

Figures 1-4 showing Landslide and Liquefaction risks in more detail, and copy of road maintenance bill and check that was part of the "investments" claimed for the project.

Additional Figures

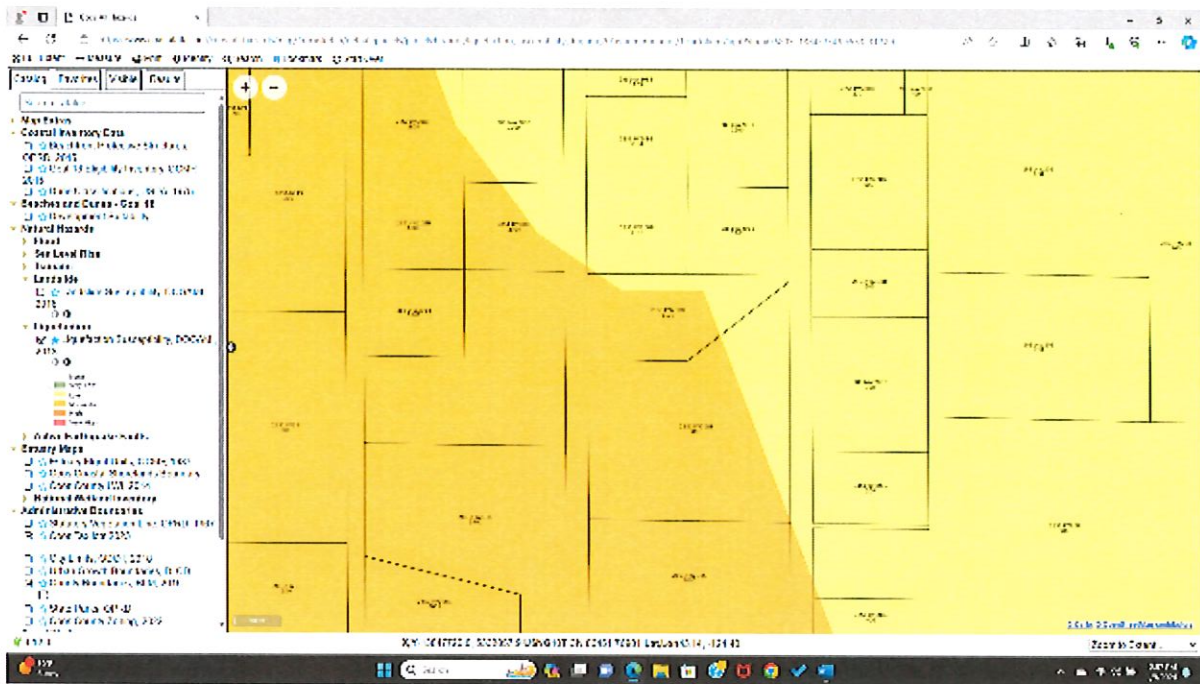


Figure 1. High landslide zones for lot 1801 and 1802.

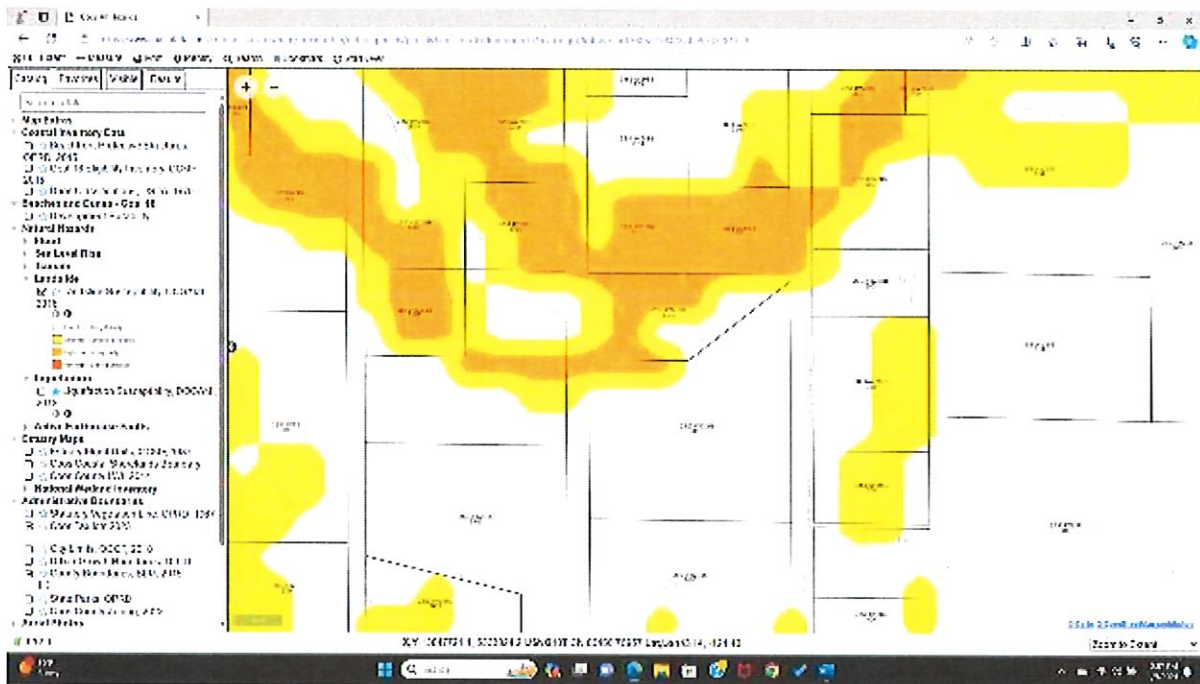


Figure 2. Larger image of the landslide risks and how it travels through the area, and specifically 1801.

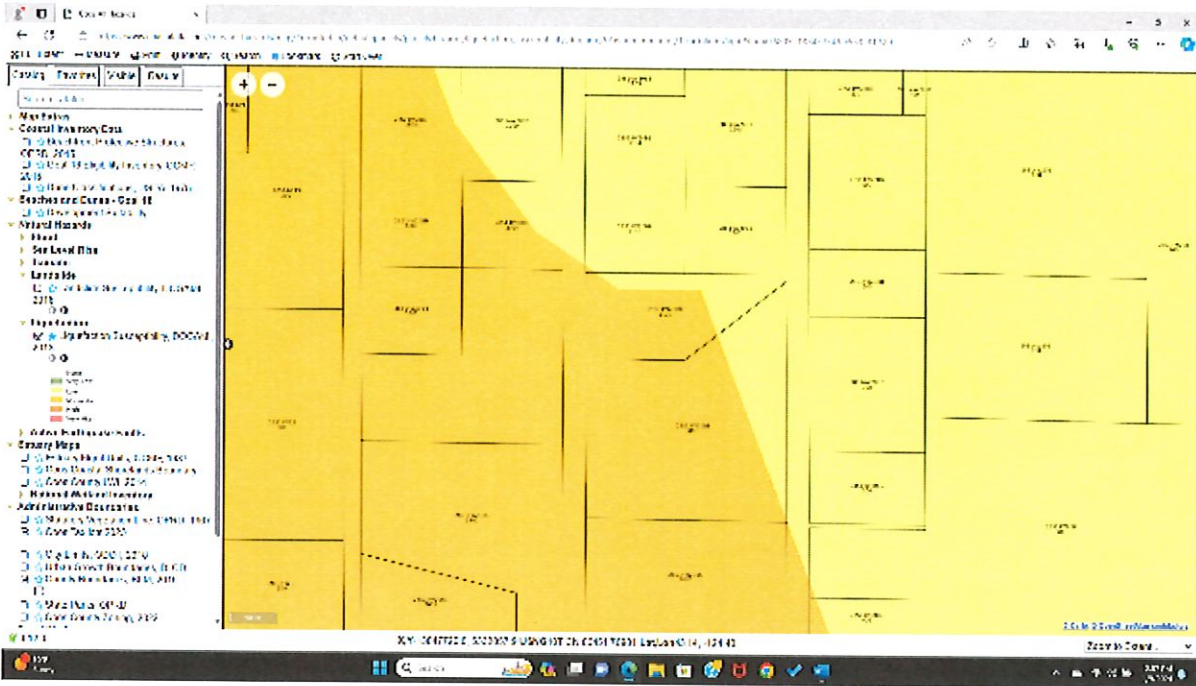


Figure 3. Liquefaction risk areas showing 1801 in a high risk area. [Coos All Hazards \(coastalatlus.net\)](http://CoosAllHazards.coastalatlus.net)

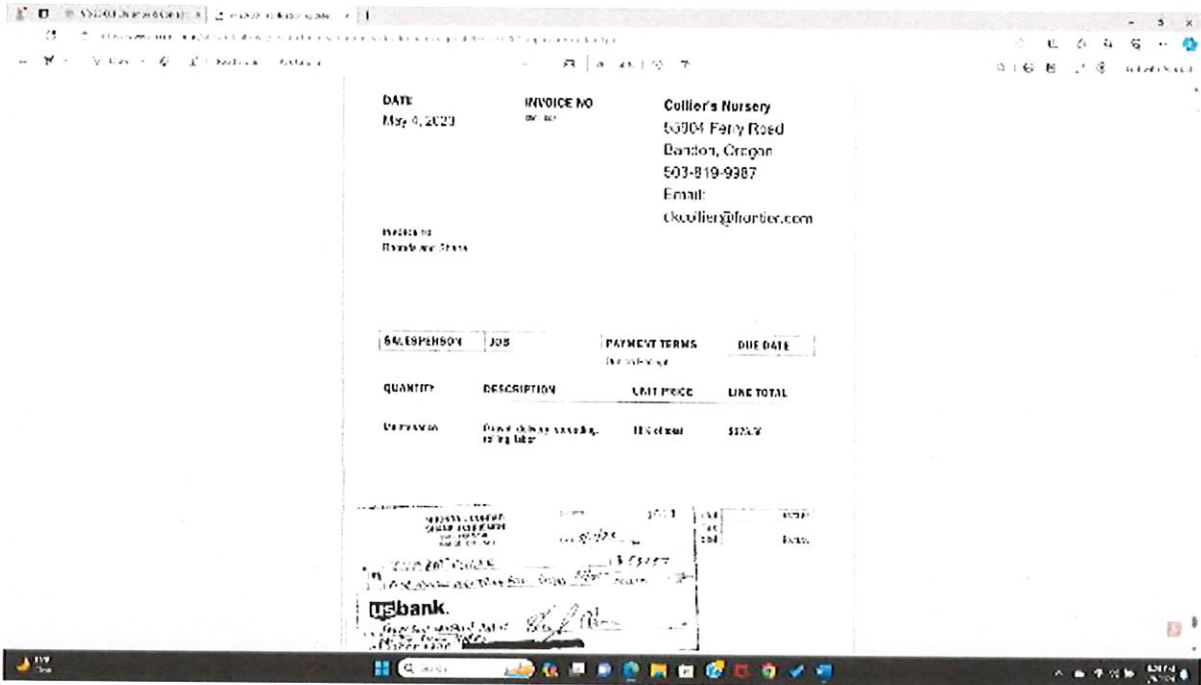
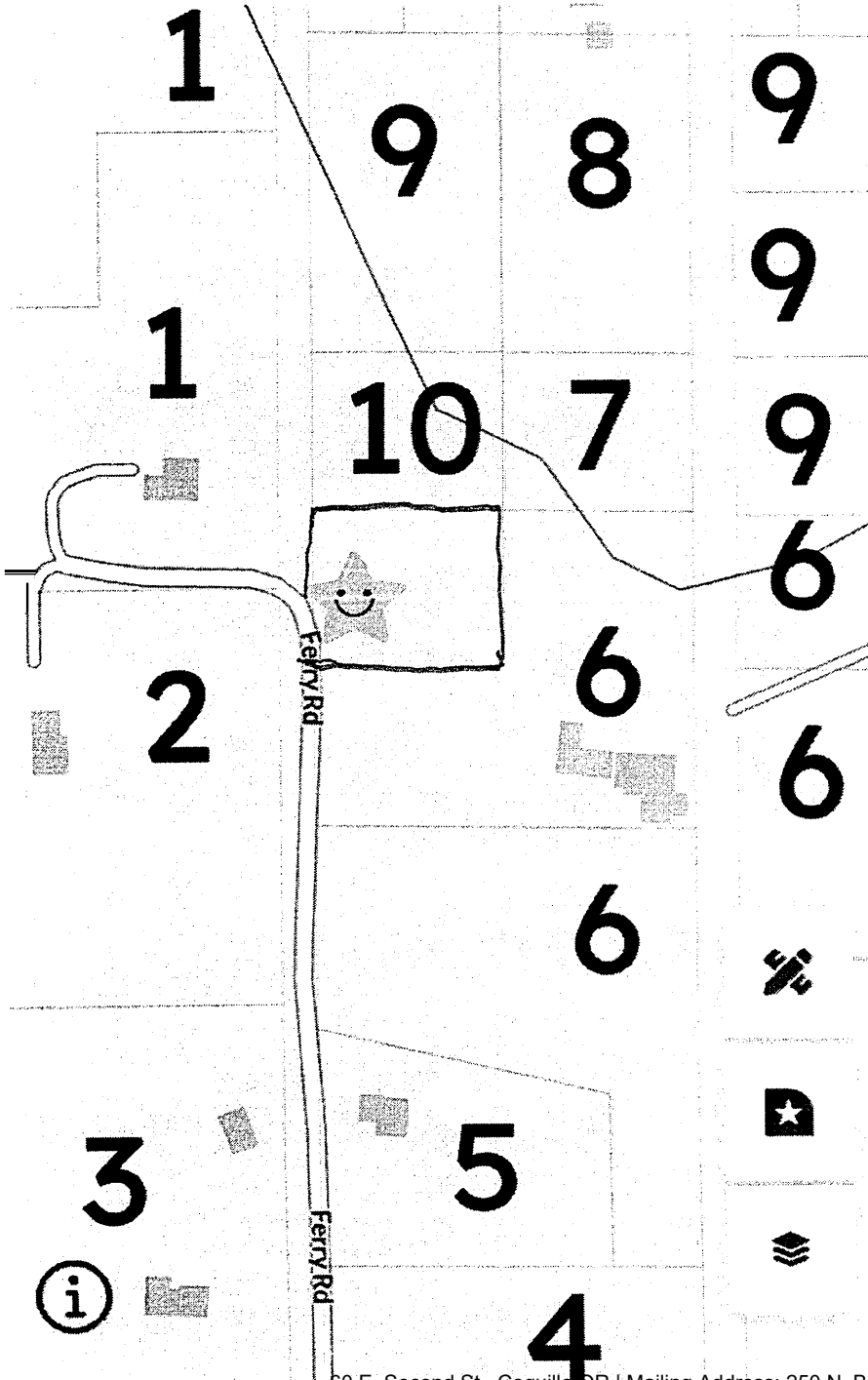


Figure 4. Bill to Chrismon/Conrad from me for easement road repair with their check. Even with verbal agreement to pay their fair share based on their use, they decided not to.

Testimony from the Applicants

Neighboring Properties



- 1. Lea Lyman
- 2. Doris Sparks
- 3. Kathleen Collier
- 4. Michael Schultz
- 5. Jo Ann Lafferty
- 6. Jeanne Redmon
- 7. Rhonda Gradt
- 8. Edminister Trust
- 9. Kevin Kent
- 10. Conrad/Chrismon



February 13, 2024

RE: File #AP-24-001, an appeal of the Vested Rights Application of Shane Chrismon and Rhonda Conrad

Dear Coos County Planning Commission:

I am the power of attorney for Lea Lyman, a 91-year old woman with dementia whose property at 56017 Ferry Road is adjacent to the property which is the subject of this application. As her immediate neighbors, I have spoken with Shane and Rhonda on numerous occasions. They have always been very diligent in notifying me of any changes on their property that might affect Lea Lyman, and have graciously assisted me in keeping an eye on her since I live at a separate address. They have also generously filled in potholes on Ferry Road using their own equipment, materials, and labor.

I have looked at the application for an appeal of Shane and Rhonda's application to put a house on their property, and I am puzzled by its contents. The neighbor who has filed this appeal lives on the opposite side of Ferry Road and does not appear to be affected by any changes to the property in question. She states that Shane and Rhonda's application fails to show high risk liquefaction areas. I am wondering what authority she has to cite an issue that presumably should have been reviewed by whoever is processing this application. She further cites zoning issues and a number of issues related to vested rights. Again, by what authority is she citing these regulations? Were they not considered as part of the application process? Is she implying that the Planning Commission's review was incompetent or incomplete?

Of all the residents on Ferry Road, Lea Lyman should be the most affected by any issues with the property adjacent to her, so I have tried to observe her new neighbors. I have always found Shane and Rhonda to be very conscientious in my dealings with them. Additionally, they have invested considerable money and time into their property, and if there were as many issues as are outlined in this appeal, I can only question why they would have made these investments – they seem to be people who would conduct a good deal of research before undertaking the considerable effort and expense of putting a house on this property.

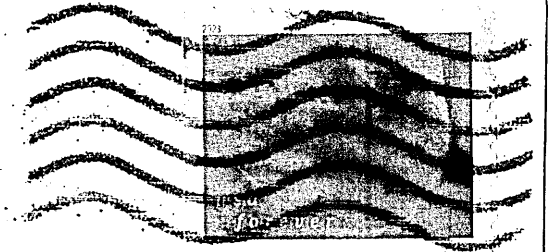
Very truly yours,



Nora Lyman

Power of Attorney for Lea Lyman

Romantic Oregon Coast - Bandon Beach at sunset
Photograph by Patrick Reed
PORTLAND, OR 972



As required on ~~the~~ ^{15 FEB 2019} PM 5 L
Hearing notice, I am sending
you notice that I entered
testimony into the record
regarding your retention
of the EFL Zone class
and conditional use building
permit. I hope you take
a moment to read those
comments and suggestions.

Chrismon & Conrad
55953 Jerry Rd
Bandon OR
97411

37411-886374

Ruth Collier

February 20, 2024

To: Coos County Planning Commission:

From: Michael and Jennifer Schulz

Re: Shane Chrismon and Rhonda Conrad

Dear Coos County Planning Commission: cc

We have lived on Ferry Road for over twelve years now and have been neighbors of Shane and Rhonda on Ferry Road for over three years. The neighbors who are appealing this building moved onto Ferry Road a few years after us. Our communication with the Chrismon/Conrad has always been easy-going and positive. Since the moment they purchased their property on Ferry Road, we have always found them to be great and helpful neighbors. There are eight established properties on Ferry Road, which is gravel and has many easements.

The neighbors, Kath and Dave Collier, who have filed an appeal to Conrad/Chrismon building isn't an adjacent neighbor to them. Just like us, they are distant neighbors, and would not be affected by their building. In fact, we feel that she is most likely retaliating against them over a disagreement, that happened a few months ago, with a few of the neighbors over the cost of repairing their easement. We believe their relationship before the easement disagreement, was good.

We first met the Conrad/Chrismon folks when they notified us that the road would be torn up to trench, pipe and lay a new electrical line. Rhonda came around with a notice and a neighborly greeting, and explained what was going to happen, how long it would take, and when it will be completed. We really appreciated Rhonda taking her time to explain this to us. The Chrismon/Conrad's have graciously filled and repaired any potholes on the county right of way at their own time and expense. They have also assisted us with filling potholes, and trimming trees at the very entrance of Ferry Road, near Riverside for another neighbor who has an easement. They didn't have to do any of this, but did so out of being neighborly. Before Kat and Dave moved in, everyone on the affected road would take care of the section of the road that became her easement when they purchased the property. Making the necessary road repairs never became an issue until recently.

As to landslides and the liquefaction factor, it appears that all the majority of the homes are built on or near a hillside, including the folks that are appealing this request. If anything were to slide it would have done so by now considering an actual adjacent neighbor is built on the same ridge, about 1,000 feet away (estimate). As to their vested rights, who are we to say that something is or isn't directly related to their property. They are fully vested as good neighbors. They are good people. We fully support Conrad/Chrismon in their endeavors to build and live on their property. They have been valuable to our community and are good neighbors.

Sincerely,



Michael and Jennifer Schulz

55883 Ferry Road Bandm, OR. 97411

January 27, 2024

RE: Response to Appeal: Request for Vested Right Determination, Chrismon and Conrad

My husband Kevin and I are the previous owners of the property in question, as well as neighboring property owners. When we sold the property to the current owners, a ZCL that we obtained was in effect. We support their Request for Vested Right Determination and their ability to build on that property. At the current owners' request, I'd like to address a few of the issues raised by Kathleen Collier in her appeal.


At one point when the property was on the market, a potential buyer was concerned with the natural hazards of the lot. We hired a wetlands specialist, Michael (migs) Scalici, to provide an opinion on the stability of the proposed building site. Mr. Scalici is an experienced Natural Resources Consultant with a demonstrated history of working in environmental services, watershed management, wetland restoration and mitigation. He is skilled in sustainable development of land and water, environmental compliance, and Environmental Impact Assessment. He concluded that the proposed building site is suitable. His letter is attached.

In her appeal, 1c, Ms. Collier states that she witnessed approximately 8-10 full log truck loads traveling out of that property. My husband oversaw the removal of five large trees and stumps from the potential building site. The logs, limbs, and stumps were removed in a 10-yard dump truck; a logging truck was not used at all. Most of the dump truck loads contained materials from cleaning up the site after dropping the trees. The stumps were large enough that only one or two could be carried at a time.

In terms of item 4a, the upkeep/maintenance of Ferry Road, the Chrismon/Conrad property is at the north end of the road; all maintenance of the road would be pertinent to access to their property, even if the work done isn't adjacent to their property. As an aside, when we were working to develop that property to come in to zoning compliance and to make it more attractive to potential buyers, my husband filled the potholes on the road (there were many and had not been maintained) with ¾ minus rock at our expense; no neighbors contributed.

We support Chrismon/Conrad in their request for a ZCL so that they are able to build on their property.

Sincerely,



Therese M. Kent
12222 N Paradise Village Pkwy S
#301
Phoenix, AZ 85032
541.981.1150

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. PROPOSAL AND CRITERIA: A written statement of intent, attached to this application, with necessary supporting evidence which fully and factually describes the following:

1. Project summary and details including time limes.
2. 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. This shall be addressed on the supplemental criteria page (see staff for criteria).

II. PLOT PLAN OR SKETCH PLAN: A detailed drawing delineating the following:

- Owner's name, address, and phone number, map and Tax lot number
- North Arrow and Scale - using standard engineering scale.
- Accurate shape and dimensions of parcel, development site, including the lengths of the all property lines.
- Any adjacent public or private roads, all easements and/or driveway locations. Include road names. Driveway location and parking areas, including the distance from at least one property line to the intersection of the driveway and the road (apron area);
- All natural features, which may include, but are not limited to water features, wetlands, ravines, slope and distances from features to structures.
- Existing and proposed structures, water sources, sewage disposal system and distances from these items to each other and the property boundaries.

III. DEED: A copy of the current deed, including the legal description, of the subject property.

IV. CERTIFICATION: 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 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. If the property owner would like staff to contact a legal representative or consultant please provide the contact information using a consent form.

PROPERTY OWNER SIGNATURES REQUIRED FOR PROCESSING

Shonda Conrad 6-14-23
[Signature] 6-14-23

60 E. Second St., Coquille OR | Mailing Address: 250 N. Baxter, Coquille, Oregon 97423
 541-396-7770 @planning@co.coos.or.us <https://www.co.coos.or.us/community-dev>

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: 55953 Ferry Road, Bandon, Coos, Oregon 97411

Type of Access: County Road Name of Access: Ferry 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 # _____

60 E. Second St., Coquille OR | Mailing Address: 250 N. Baxter, Coquille, Oregon 97423
File Number: DR-541-396-7770 @ planning@co.coos.or.us https://www.co.coos.or.us/community-dev

SANITATION INFORMATION

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

Water Service Type: On-site Well



Sewage Disposal Type: On-site septic



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

- How many employees/vendors/patrons, total, will be on site?
- Will food be offered as part of the an on-site business?
- Will overnight accommodations be offered as part of an on-site business?
- What will be the hours of operation of the business?

Please check if the request is for a land division.

Coos County Environmental Health Use Only:

Staff Reviewing Application: _____

Staff Signature: _____

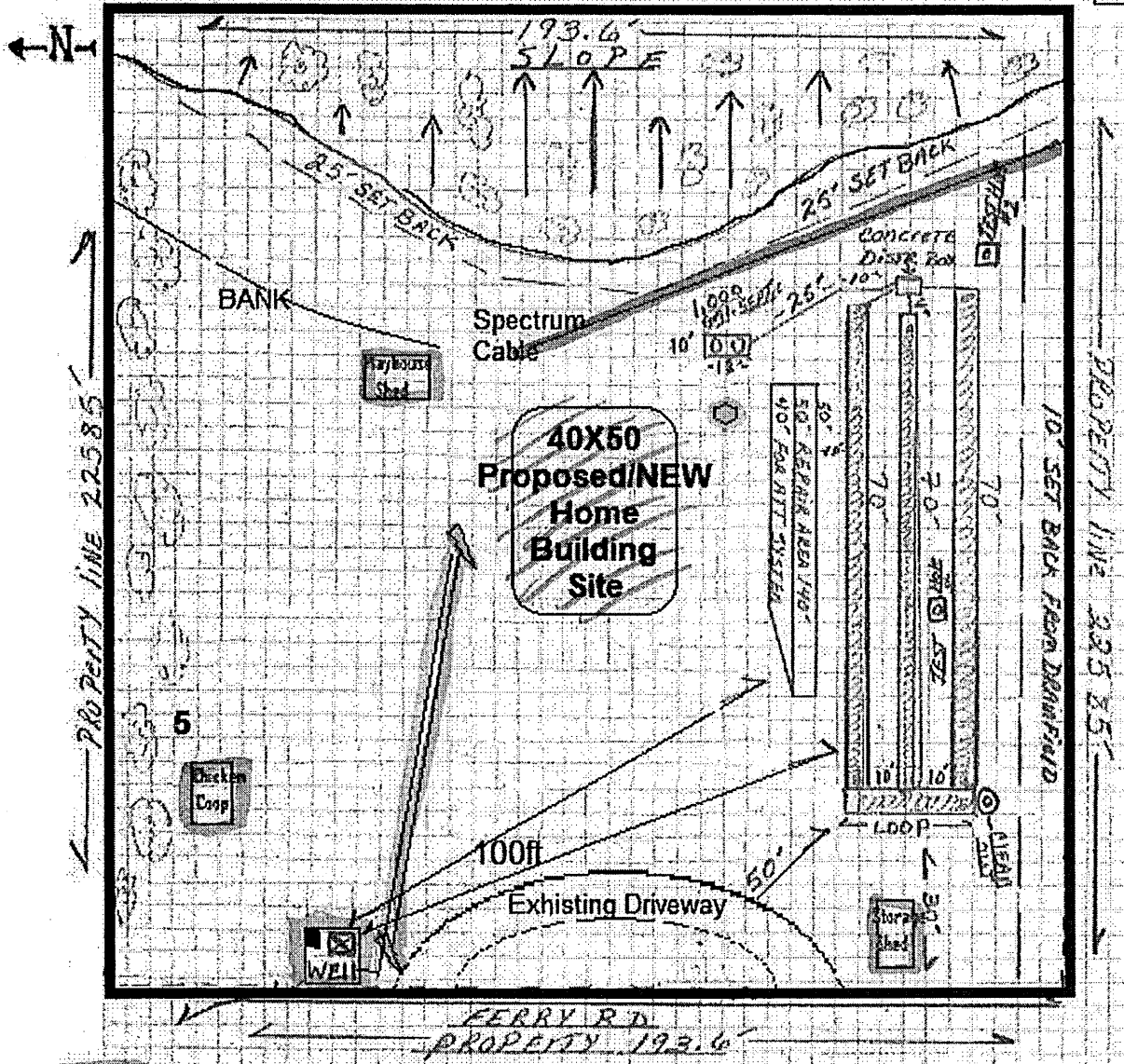
- This application is found to be in compliance and will require no additional inspections
- This application is found to be in compliance but will require future inspections
- This application will require inspection prior to determining initial compliance. The applicant shall contact Coos Health and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

Additional Comments:

55953 Ferry Road
Bandon, OR 97411





Rhonda Conrad (541) 961-3348
Shane Chrismon (541) 297-7410
28, 14, 20 BB-1800
LOT 88

1" = 25 ft
not to scale



Well area includes the 8x8 Pumphouse. It is 10ft from Property Line.

All currently placed structures are where we intend to keep them. and have been labeled on this map to their use.

-  **Spectrum Easement/Line (Current/Existing)**
-  **Electrical Panels/Line (Current/Existing)**
-  **Temporary (eventually Permanent) Propane Tank**
-  **Current/Existing Water Line**

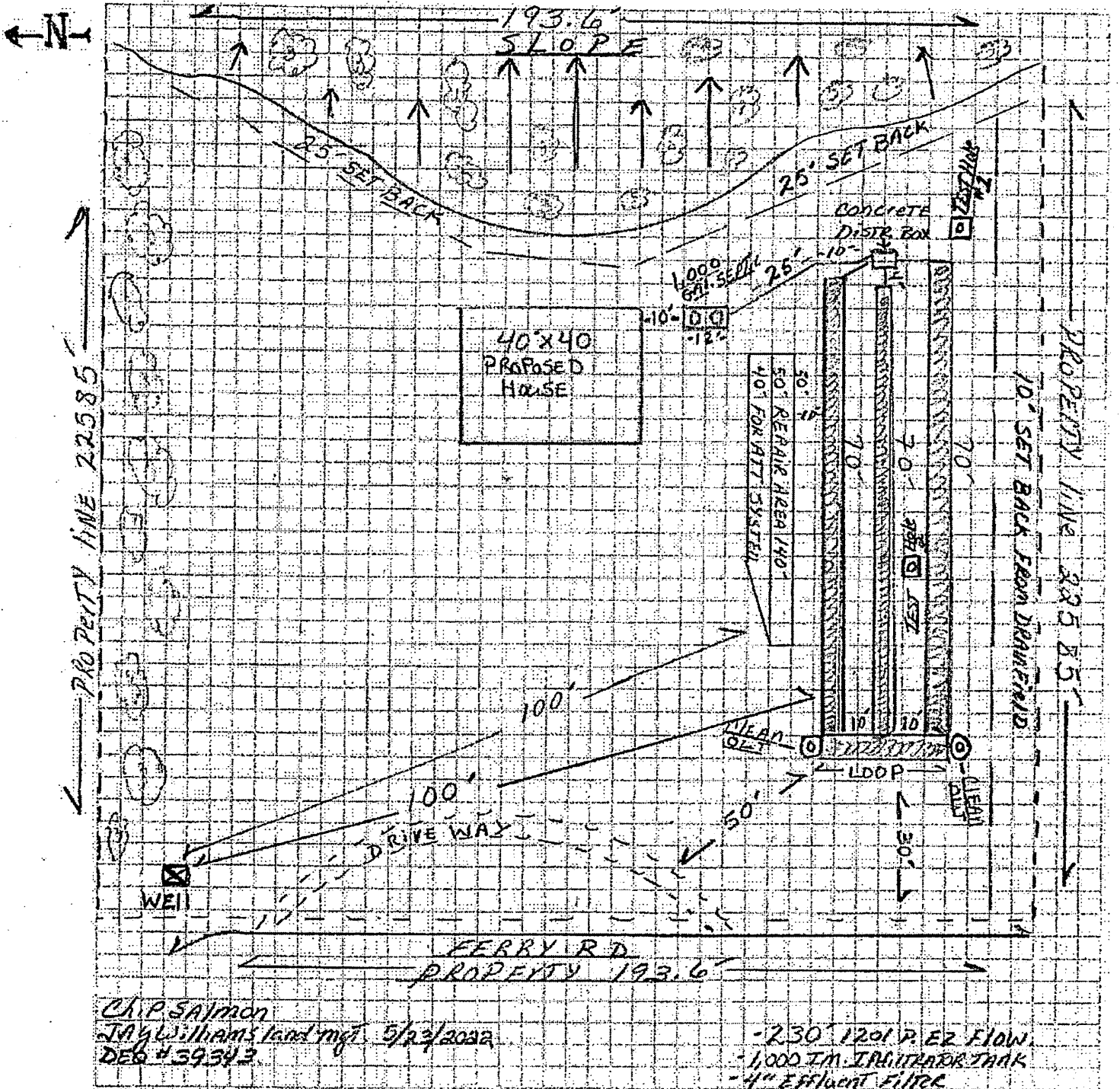
Address: 250 N. Baxter, Coquille, Oregon 97423
541-396-7770 @ planning@co.coos.or.us https://www.co.coos.or.us/community-dev

Oregon Department of Environmental Quality

Rhonda Conrad
58953 FERRY RD

28,14, 20BB-1800
 107-88

Provide a Site Plan in the space below: Show the actual or best estimate measurements of components that were confirmed during this evaluation; septic tank, soil absorption system, property lines (if known), easements (if known), existing structures, driveways, and water supply (water lines and wells). Draw to scale and indicate the direction north.



Ch. P. Salmon
 Jay Williams land mgmt. 5/23/2022
 DEB # 39343

- 2.30 1201 P. EZ FLOW
 - 1000 IM. TRENCH TANK
 - 4" EFFLUENT FILTER

ARTICLE 5.4 Vested right A parcel shall be considered vested for completion of the construction of a nonconforming use when an administrative conditional use is granted, based on findings establishing:

1. The good faith of the property owner in making expenditures to lawfully develop his property in a given manner; RESPONSE

When we purchased the EFU property in NOVEMBER of 2021, we immediately started the building process; getting the well installed and fulfilling all the steps/permits required by DEQ to install the septic based on the (ZCL19-019). Coos County renewed the ZCL (ZCL 21-013) in October of 2021, at that time we had submitted an (accepted) offer on the property.

2. The amount of reliance on any prior zoning classification in purchasing the property and making expenditures to develop the property; RESPONSE

When we purchased the property we firmly believed that the Measure 49 claim would be beneficial and shaped our expectations in utilizing the property and building up on it. When we purchased the property it was in the middle of Covid, and trying to get all the things we needed, as well as getting Contractors who were accountable proved difficult in our rural area. We have done a lot of learning through this property, and I'm sure we have more to learn through this process.

When we purchased it we knew it was EFU and that it had a Measure 49 claim. We didn't know much beyond that. It was learned while trying to obtain all the necessary infrastructure (Well, Septic, Power) that the previous owner had done some footwork for us, by obtaining a Zoning Compliance letter.

The current Zoning Compliance Letter was requested from the County Planning Office. The issuance and obtainment of this letter was crucial and marked the initial steps toward realizing our dream.

However, often is the case with endeavors of this nature, the path forward did not unfold without its challenges. Although obtained with the best of intentions, the Zoning Compliance letter (ZCL) encountered an untimely expiration before all the required permits could be obtained. This setback led to unforeseen delays and complications, proving stressful.

During the phase when we tried to initiate the application process for the subsequent set of permits, an unexpected obstacle emerged in the form of an expired Zoning Compliance Letter. This unanticipated development posed a challenge that required us to seek clarity. One key factor that contributed to this situation was the assumption that the clock on the Measure 49 claim had not started. The Measure 49 claim approval initially granted us the authorization to proceed with the planned dwelling.

However, in hindsight, it has become evident that there was a lack of clarity regarding the limitations, scope and timeline of events revolving around the Measure 49 claim and its provisions. While Measure 49 provided the opportunity for development, its application was subject to a time restraint that local government could not extend, nor waive. Because of this, it required us to reevaluate our strategy as our project was in the middle of completion. Therefore, we relied on the zoning with the Measure 49 waiver and the Zoning Compliance Approval without the understanding that it was a temporary allowance for a dwelling and asked to move forward with our project. We even reached out to the previous owners, who were unaware that they (unintentionally) had started the 10-year clock, and that the Measure 49 Clock had been ticking and on the verge of expiring upon the sale.

3. The extent to which the expenditures relate principally to the use of an applicant claims is vested, rather than to ancillary improvements, such as but not limited to roads, driveways, which could support other uses allowed as of right; RESPONSE

The land is 1-acre in size and does not contain any type of water rights to support an agricultural use. The water is for domestic use only. The driveway was installed to meet residential standards. When we purchased the property the driveway (with culvert) was the only existing improvement to the property. Post closing, we trenched and installed electrical conduit over 2000 feet to install electricity to the property (required by the Electric Company). The existing electric was a direct buried high voltage line and incapable of handling the load of another dwelling. We also obtained the proper permit from the Coos County Roadmaster. After successfully upgrading the Electrical line for our neighborhood, we added gravel to the road and smoothed it where we had trenched; making the necessary repairs and improvements to the county road so our neighbors could come and go without fear of damage to their vehicles. Everything we have done was and is in anticipation of being able to build on the property.

4. The extent of the purported vested use as compared to the uses allowed in the subsequent zoning ordinances; RESPONSE

The reason we chose this property was because it provided for a small rural farming experience with chickens, ducks and other animals that may cause a conflict within primary residential zoning districts. Residential uses may be allowed under the current zoning district but they require a person to meet certain income and lot size requirements that this location of the property would not be able to fulfill. We have ensured during our planning process that all setbacks and development standards have and will be complied with allowing the proposed use to be compatible with current listed uses.

5. Whether the expenditures made prior to existing zoning regulations show that the property owner has gone beyond mere contemplated use and has committed the property to the purported vested use which would in fact have been made on the subject property but for the passage of the existing zoning regulation; RESPONSE

Our investment and efforts in the property demonstrate a significant commitment to its development and improvement. The financial investment of over \$100,000, combined with the additional sweat equity we have contributed, showcases the dedication and hard work we have poured into bringing the property to its current state of development. This level of commitment reflects a strong desire to create a functional and valuable asset.

The improvements we've outlined in the orange folder's index reflect a comprehensive approach to enhancing the property. Here are some key highlights of the infrastructure and features we've introduced:

*1. ****Electricity Infrastructure****: The installation of electricity not only benefits the property, but also extends its positive impact to our neighbors by improving their access to electricity. This investment in utility infrastructure not only enhances the functionality of the land but also contributes to the overall community.*

*2. ****Water Infrastructure****: The installation of a well is a significant accomplishment given the challenging layout of the land. It provides a reliable water source for irrigation, animal care, and even drinking purposes. This sustainable water supply has the potential to support various agricultural and residential activities.*

3. **Septic System**: The installation of a permitted and approved standard septic system demonstrates our commitment to adhering to regulatory requirements while ensuring proper waste management on the property. This is essential for maintaining a healthy and sanitary environment.

4. **Poultry Facilities**: The construction of pens, outbuildings (sheds), and other structures for poultry highlights our dedication to animal husbandry and responsible management. These facilities serve multiple purposes, from protecting poultry from predators to storing the essential items for their care.

5. **Completion Timeline**: The fact that all these improvements were completed by July of 2022 indicates efficient planning and execution, showcasing our ability to carry out a comprehensive development plan within a defined timeframe. Given the fact that all of this happened during Covid times, we may have been able to complete the process, but finding reliable contractors was difficult.

Our endeavors have extended beyond a financial investment and include thoughtful consideration for sustainable practices, animal welfare, and the overall functionality of the property. Our efforts reflect a deep appreciation for rural living, agriculture, and responsible land management. These accomplishments provide a solid foundation for demonstrating our commitment to responsible stewardship and the enhancement of the property's value and utility.

6. The ratio of the prior expenditures to the total cost of the proposed use; RESPONSE

We purchased the Property for \$149,000, we added improvements totalling over \$97,000, and we expect to have to invest another \$150,000-\$200,000 to complete what we would like to do on the property; one of those things would be to also build a small barn.

RECORDING REQUESTED BY:



105 E 2nd Street
Coquille, OR 97423

GRANTOR'S NAME:
Kevin R. Kent and Therese M. Kent

GRANTEE'S NAME:
Shane J. Chrismon and Rhonda L. Conrad

AFTER RECORDING RETURN TO:
Order No.: 360821038013-TT
Shane J. Chrismon and Rhonda L. Conrad
58446 Jackie Rd
Bandon, OR 97411

SEND TAX STATEMENTS TO:
Shane J. Chrismon and Rhonda L. Conrad
58446 Jackie Rd
Bandon, OR 97411

APN: 99920113
3130300
Map: 28-14-208B TL 1801
28-14-208B TL 1800
55953 Ferry Road, Bandon, OR 97411

Coos County, Oregon	2021-12833
\$91.00	Pgs=2
11/16/2021 01:06 PM	
eRecorded by: TICOR TITLE COQUILLE - 105 E. 2ND ST. OR 97423	
Debbie Heller, CCC, Coos County Clerk	

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Kevin R. Kent and Therese M. Kent, as their interest may appear as to Parcel 1 and Kevin R. Kent and Therese M. Kent, as tenants by the entirety, as to Parcel 2, Grantor conveys and warrants to Shane J. Chrismon and Rhonda L. Conrad, as tenants by the entirety, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Coos, State of Oregon:

PARCEL 1:

Lot 88, PLAT OF WHEELER SUBDIVISION, Coos County, Oregon.

PARCEL 2:

Lot 87, PLAT OF WHEELER SUBDIVISION, Coos County, Oregon.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS ONE HUNDRED FORTY-NINE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$149,500.00). (See ORS 93.030).

Subject to:

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.

Account No.: 99920113 and 3130300

Any adverse claim based on the assertion that any portion of the subject land has been removed from or brought within the subject land's boundaries by the process of accretion or reliction or any change in the location of unnamed creeks, streams and tributaries.

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

Any adverse claim based on the assertion that any portion of the subject land is now or at any time has been below the ordinary high water line of unnamed creeks, streams and tributaries.

Rights of fishing, navigation, commerce, flood control, propagation of anadromous fish, and recreation, and other rights of the public, Indian tribes or governmental bodies in and to the waters of unnamed creeks, streams and tributaries.

Affects Parcels 2

STATUTORY WARRANTY DEED
(continued)

Final Order including the terms and provisions thereof,

Recording Date: November 6, 2006
Recording No: 2006-14912
Between: Coos County
And: Paul Kent and Rossetta Kent

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.

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

Dated: 13 Nov 2021

Kevin R. Kent
Kevin R. Kent

Therese M. Kent
Therese M. Kent

State of Arizona
County of Coconino

This instrument was acknowledged before me on 11/13/2021 by Kevin R. Kent and Therese M. Kent.

Justin A. Stiffenworth
Notary Public - State of Arizona

My Commission Expires: 2/6/2024

Unofficial Copy

JUSTIN A. STIFFENWORTH
Notary Public - Arizona
Maricopa Co. / #574593
Expires 02/06/2024



COOS COUNTY PLANNING DEPARTMENT
 225 N. Adams, Coquille, Oregon 97423
 Mailing Address: 250 N. Baxter, Coquille, Oregon 97423
 (541) 396-7770/ TDD (800) 735-2900
 FAX: (541) 396-1022

ZCL-21-013
 Approval Date: 1/25/21
 Expiration Date: 1/24/23

**COOS COUNTY ZONING COMPLIANCE LETTER
 FOR DEVELOPMENT IN THE FOREST/MIXED USE ZONES**

APPLICANT :	Therese Kent
APPLICANT ADDRESS:	12222 N Paradise Village Pkwy #301
CITY/STATE/ZIP:	Phoenix, AZ 85032
PHONE NUMBER OF APPLICANT:	480-650-3162
EMAIL:	Kevin737320@gmail.com
REQUESTED DEVELOPMENT APPROVED: Single Family Dwelling and Septic. This is a Measure 49 Claim.	
ACCOUNT #'S	99920113
MAP DESCRIPTION:	28S1420BB-01801
TOWNSHIP RANGE SECTION TAX LOT	
PROPERTY OWNER(S)	KENT, KEVIN R ET AL 12222 N PARADISE VILLAGE PKWY S #301 PHOENIX, AZ 85032-7677
SITUS ADDRESS	55953 FERRY RD BANDON, OR 97411
ACREAGE	1.00 Acres
PROPERTY ZONING	EXCLUSIVE FARM USE (BFU)
SPECIAL CONSIDERATIONS	BANDON AREA OF MUTUAL INTEREST (BMI) FLOODPLAIN (FP) NATIONAL WETLAND INVENTORY SITE (NWD) NATURAL HAZARD - TSUNAMI (NHTHO)
SETBACK AND SPECIAL SITING REQUIREMENTS	
MANDATORY SETBACK REQUIREMENTS	
50 FT RIPARIAN VEGETATION – All structures and development shall maintain a 50 FT. Minimum setback from all estuarine wetlands, streams, lakes or rivers.	
35 FT Road Setback – All structures shall be set back a minimum of 35 ft. from any road right-of-way centerline or a minimum of 5 FT from any road-right-of-way line whichever is the greater distance.	
Minimizing Impacts: In order to minimize the impact of dwellings in forest lands, all applicants requesting a single family dwelling shall acknowledge and file in the deed record of Coos County, a Forest Management Covenant. The Forest Management Covenant shall be filed prior to any final County approval for a single family dwelling.	
Fire Siting Standards for New Dwellings: The property owner shall provide and maintain a water supply of at least 500 gallons with an operating water pressure of at least 50 PSI and sufficient ¾ inch garden hose to reach the perimeter of the primary fuel-free building setback. If another water supply (such as a swimming pool, pond, stream, or lake) is nearby, available, and suitable for fire protection, then road access to within 15 feet of the water's edge shall be provided for pumping units. The road access shall accommodate the turnaround of firefighting equipment during the fire season. Permanent signs shall be posted along the access route to indicate the location of the emergency water source.	
The owners of the dwelling shall maintain a primary fuel-free break area surrounding all structures and clear and maintain a secondary fuel-free break on land surrounding all structures and clear and maintain a secondary fuel-free break area on land surrounding the dwelling that is owned or controlled by the owner in accordance with the provisions in "Recommended Fire Siting Standards for Dwellings and Structures and Fire Safety Design Standards for Roads" dated March 1, 1991, and published by Oregon Department of Forestry and shall demonstrate compliance with Table 1.	
<i>Table 1 – Minimum Primary Safety Zone</i>	
Slope	Feet of Primary Safety Zone
0%	30
10%	30
20%	30
25%	30
40%	30
	Feet of Additional Primary Safety Zone Down Slope
	0
	50
	75
	100
	150

60 E. Second St., Coquille OR | Mailing Address: 250 N. Baxter, Coquille, Oregon 97423
 1-396-7770 @ planning@co.coos.or.us 250 N. Baxter, Coquille, Oregon 97423
<https://www.co.coos.or.us/community-dev>

All new and replacement structures shall use non-combustible or fire resistant roofing materials, as may be approved by the certified official responsible for the building permit. If the dwelling has a chimney or chimneys, each chimney shall have a spark arrester. The dwelling shall not be sited on a slope of greater than 40 percent.

SPECIAL SITING REQUIREMENTS THAT APPLY TO YOUR PROPERTY

RESIDENTIAL NEW OR REPLACEMENT DWELLINGS ON LOTS, PARCELS OR TRACTS ABUTTING THE "FOREST" ZONE Shall establish and maintain a firebreak, for a distance of at least 30 feet in all directions. Vegetation within the firebreak may include mowed grasses, low shrubs (Less than ground floor window height), and trees that are spaced with more than 15 feet between the crowns and pruned to remove dead and low (Less than 8 feet from the ground) branches. Accumulated needles, limbs and other dead vegetation should be removed from beneath trees.

35 FT Height Restrictions SLOPE (shall not exceed 40%)

Natural Hazards - See Attached Conditions

Landslide Liquefaction/Earthquake Beaches and Dunes Flood Hazard

Other:

COOS COUNTY HAS REVIEWED THE REQUESTED USE AND DETERMINED THAT ALL APPLICATIONS AND/OR REQUIREMENTS HAVE BEEN COMPLETED FOR THE SPECIFIC REQUESTED USE. THEREFORE, THE USE IS CONSISTENT WITH THE COOS COUNTY COMPREHENSIVE PLAN AND IMPLEMENTING ORDINANCE. THIS COMPLIANCE LETTER AUTHORIZES CLEARANCE FOR THE USE AND ALLOWS THE PROPERTY OWNER/APPLICANT TO OBTAIN THE FOLLOWING AGENCY PERMITS. THIS LETTER MUST BE PRESENTED TO STATE AGENCIES AT THE TIME YOU ARE REQUESTING AN AUTHORIZATIONS OR PERMITS FOR DEVELOPMENT. THERE MAY BE ADDITIONAL CONDITIONS THAT THE APPLICANT IS REQUIRED TO COMPLETE. IF THE APPLICANT FAILS TO COMPLY ENFORCEMENT ACTION MAY BE TAKEN. COOS COUNTY MAY PROVIDE CLEARANCE TO OBTAIN PERMITS FROM OTHER AGENCIES BUT THAT DOES NOT GUARANTEE THAT AGENCY WILL APPROVE YOUR PERMIT.

DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) OR SANITATION DISTRICTS

SITE EVALUATION ONLY INSTALL NEW/REPLACE/REPAIR SEPTIC

CONNECT TO CHARLESTON SANITATION CONNECT TO BUNKER HILL SANITATION

AS NEEDED FOR MEDICAL HARDSHIP * OTHER:

STATE BUILDING CODES AGENCY PERMITS TO ALLOW

SINGLE FAMILY DWELLING with attached garage or MULTI FAMILY DWELLING New Repair Alter

MANUFACTURE DWELLING/MOBILE (NOT MANUFACTURE STRUCTURE)

HARDSHIP - TEMPORARY - RV, MOBILE, MANUFACTURE, PARK MODEL *

FARM/AG. BUILDING ACCESSORY STRUCTURE OTHER AS DEFINED IN NOTES

OTHER AGENCY REQUIREMENTS:

All applicable federal, state, and local permits shall be obtained prior to the commencement of any development activity. If comments were provided they are attached. There may be additional permits required this section only provides guidance to applicants.

Wetland delineation or additional requirements - Department of State Lands

Coos County Environmental Health Permit

Oregon Department of Aviation (FAA Form 7460-1)

DEQ Permits for Stormwater discharge or 1200-C applications for projects that disturb 5 acres or more of land

State of Oregon Historical Preservation Office

Measure 49 comments attached

Oregon Department of Transportation Permits is required for access off of a state highway.

ACKNOWLEDGEMENT STATEMENT: THE APPLICANT ALREADY AGREED TO THE CONDITIONS IN WHICH THIS COMPLIANCE LETTER AUTHORIZES BY SIGNING THE APPLCIATION THAT REQUESTED THE DEVELOPMENT. THE AUTHORIZATION WAS BASED ON THE INFORMATION ON FILE AT THE TIME OF APPLICATION AND THE INFORMATION PROVIDED BY THE APPLICANT. IF CONDITIONS ARE NOT FOLLOWED THEN THIS ZONING COMPLIANCE LETTER CAN BE REVOKED. IF YOU HAVE QUESTIONS ABOUT ANY OF THE REGULATIONS PLEASE CONTACT STAFF.

COOS COUNTY COMPLIANCE

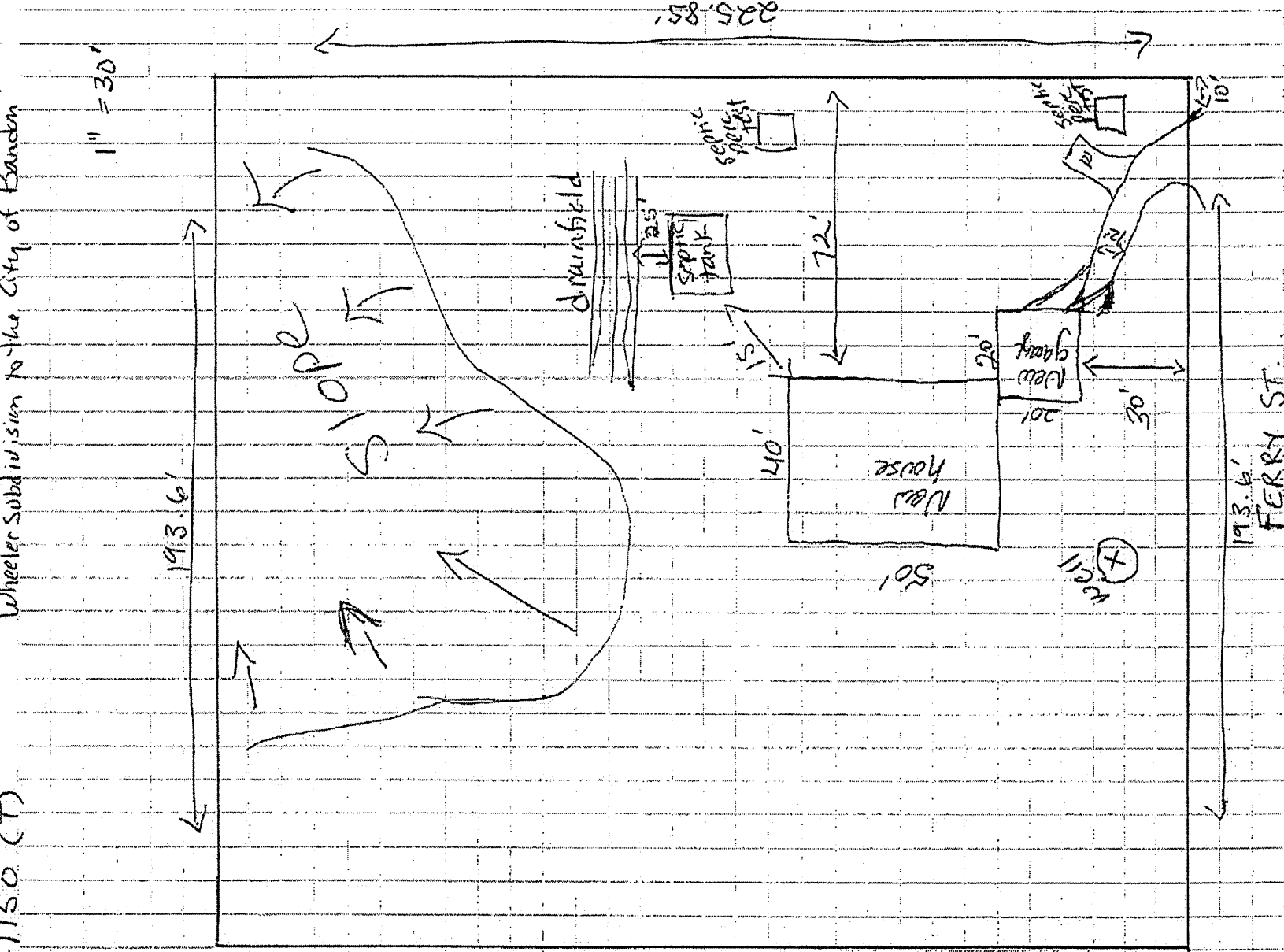
The Coos County Planning Department finds that the proposed uses comply with applicable provisions of the Coos County Zoning and Land Development Ordinance. The information contained on this form reflects the status of the subject property and land use regulations that exist at the time of issue based on the information available.

AUTHORIZED SIGNATURE: *Crystal Orr*
 Title: Planner I Date: 1/25/2021

Scan Assessor's office logged on Helion DEQ Building Codes

Kevin + Therese Kent
1222 N Paradise Village Pkwy S #301
Phoenix, AZ 85032
480-650-3162 (K)
1-981-1150 (T)

31303
2814205B
1800
LOT 88
Wheeler Subdivision to the City of Bendon
1" = 30'



60 E. Second St., Coquille OR | Mailing Address: 230 N. Baxter, Coquille, Oregon 97423
541-396-7770 | @planning@co.coos.or.us | https://www.co.coos.or.us/community-dev



Coos County
Community Development

Coos County Community Development

Mailing Address: 250 N. Baxter, Coquille, Oregon
60 E. Second St., Coquille OR 97423
Planning, Building and Enforcement
Phone: 541-396-7770
Fax: 541-266-1146

www.co.coos.or.us

TDD (800) 735-2900

January 22, 2024

CHRISMON, SHANE J & CONRAD, RHONDA L
55953 FERRY RD
BANDON, OR 97411-8863

Subject: Notification of Appeal of VR-23-001.

Dear Applicant,

The Community Development has received an appeal of your land use approval. The appeal will be reviewed by the Planning Commission in a public hearing.

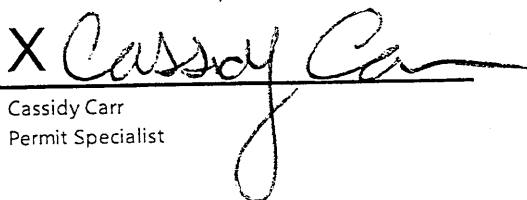
The Planning Commission will thoroughly assess your application and take into consideration any testimony based on the criteria. You will be notified of the date and time of the Planning Commission meeting through a public hearing notice 21 days prior to the hearing. Planning Commission hearings are held on the first Thursday of every month at 7:00 p.m. in the Coos County Annex, Owen Building Large Conference Room, 201 N. Adams St., Coquille, OR.

Your attendance is necessary at the Planning Commission meeting to present any relevant information or address any questions that may arise during the review. The hearing is de novo, which means, as the applicant, you have the burden of proof to show that all criteria related to your request can be met.

If you have any additional documents or evidence that you would like the Planning Commission to consider, please submit them to our office ten (10) days prior to the hearing. Please find attached the appeal that was filed and some information to help you prepare for the hearing.

If you have any questions or concerns, please feel free to contact a planner at 541-396-7770, by email at planning@co.coos.or.us, or come by the office. Office hours are Monday through Thursday 7:30 am to 12:00 p.m. and 1:00 pm to 5:00 p.m., or by appointment.

Thank you,

X 
Cassidy Carr
Permit Specialist



APPEAL OF A LAND USE DECISION

MAIL TO: COOS COUNTY PLANNING DEPT. AT 60 SECOND STREET OR
MAIL TO: COOS COUNTY PLANNING 250 N. BAXTER, COQUILLE OR 97423.
EMAIL: PLANNING@CO.COOS.OR.US PHONE: 541-396-7770

Planning Director Appeal Fee \$250.00 / Hearings Body or Officer Appeal Fee \$2560.00

Date Received: 1/10/2024 Fee Received: \$250 FILE # AP- 24-001

If the correct fee is not with the appeal it will not be processed. Application shall be filed electronically.

List the names and signatures of each petitioner and a statement of the interest of each petitioner to determine party status. Multiple parties shall join in filing a single petition for review, but each petitioner shall designate a single Contact Representative for all contact with the Planning Department. All communications regarding the petition, including correspondence, shall be with the Contact Representative. This can be attached to this form marked as Attachment "A".

Appellant: Kathleen Collier

Mailing address: PO Box 1199, Bandon, Oregon 97411

Phone: 503-819-9987 Email: dkcollier@frontier.com

Signature: *Kathleen Collier*

Appellant's Representative: _____

Mailing address: _____

Phone: _____ Email: _____

Signature: _____

The name of the applicant: Shane Chrismon & Rh

County application file number being appealed: VR-23-001

Planning Director's Decision (Fee \$250) Hearings Body or Hearings Officer Decision (Fee \$2560)

The appellant must explain how they have achieved party status pursuant to the applicable sections of 5.8.150 or 5.8.160:

I received a Notice of Land Use Decision dated 12/27/23 regarding this case because we are an adjacent property owner.

The appeal deadline, as stated in the Director's Decision: January 11, 2024

The nature of the decision and the specific grounds for appeal, citing specific criteria from the Coos County Zoning and Land Development Ordinance, Comprehensive Plan, Statute or Rule. (This can be attached to this form marked as Attachment "B".)

Approved with Condition. ...Vested Right pursuant to Coos County ZLDO 5.4 and 4.6.210. There are several concerns with this proposal as detailed in Attachment C.

The appellant must explain in detail, on the appeal form or attached to the appeal form, how the application did not meet the criteria in the case of an approval or why the criteria should or should not apply; or, in the case of a denial the appellant shall explain why the application did meet the criteria or why certain criteria did not apply to the application. (This can be attached to this form marked as Attachment "C".)

See Attachment C.

ARTICLE 5.8 APPEAL REQUIREMENTS

SECTION 5.8.100 APPEALS GENERAL

Coos County has established an appeal period of fifteen (15) days from the date written notice of administrative or Planning Commission decision is mailed with the exception of Property Line Adjustments and lawfully created parcel determinations, which are subject to a twelve (12) day appeal period. The Board of Commissioners or Hearings Body shall dismiss an appeal for failure to follow the requirements of this article.

SECTION 5.8.150 STANDING TO APPEAL A PLANNING DIRECTOR'S DECISION: A decision by the Planning Director to approve or deny an application shall be appealed as identified in the Sections below. The appeal must be filed within the appeal period and meet one of the following criteria:

1. In the case of a decision by the Planning Director, the appellant was entitled to notice of the decision;
- or 2. The person is aggrieved or has interests adversely affected by the decision.

SECTION 5.8.160 STANDING TO APPEAL A HEARINGS BODY, APPOINTED HEARINGS OFFICER(S) OR BOARD OF COMMISSIONER DECISION: A decision by the Hearings Body, Appointed Hearings Officer(s) or Board of Commissioners to approve or deny an application shall be appealed as identified in the Sections below. The appeal must be filed within the appeal period. In the case of an appeal of a Hearings Body decision to the Board of Commissioners, the appellant must have appeared before the Hearings Body or appointed Hearings Officer(s) orally or in writing. [OR 04 12 013PL 2/09/05]

SECTION 5.8.170 APPEAL PROCEDURES: An appellant shall file the appeal for review on the appropriate county form and the form shall be completely filled out as required by this section. If an appellant fails to correctly fill out the form, and there has already been a public hearing on the matter, the Board of Commissioners may deny the appeal based on failure to comply with this section. In the event the appeal is denied based on a failure to comply with this section, a refund of unexpended fees shall be returned to the appellant.

The appeal form shall contain the following:

1. The name of the applicant and the County application file number (this form can only be used to appeal one application);
2. The name and signature of each petitioner and a statement of the interest of each petitioner to determine party status. Multiple parties shall join in filing a single petition for review, but each petitioner shall designate a single Contact Representative for all contact with the Planning Department. All communications regarding the petition, including correspondence, shall be with the Contact Representative;
3. The appellant must explain how they have achieved party status pursuant to the applicable sections of 5.8.150 or 5.8.160;
4. The date that the notice of the decision was mailed as written in the notice of decision;
5. The nature of the decision and the specific grounds for appeal citing specific criteria from the Coos County Zoning and Land Development Ordinance, Comprehensive Plan, Statute or Rule.
6. The appellant must explain in detail, on the appeal form or attached to the appeal form, how the application did not meet the criteria in the case of an approval or why the criteria should or should not apply; or, in the case of a denial the appellant shall explain why the application did meet the criteria or why certain criteria did not apply to the application.
7. Appeals of Planning Director's decision will be de novo;
8. Appeals of Planning Commission's or appointed Hearings Officer(s) decision shall be reviewed by the Board of Commissioners or Hearings Officer if the Board of Commissioners so chooses. The Board of Commissioners shall, provided there has been an initial evidentiary hearing:
 - a. Decline to hear the matter and enter an order affirming the lower decision; or

- b. Accept the appeal and: i. Make a decision on the record without argument; ii. Make a decision on the record with argument; iii. Conduct a hearing de novo; or iv. Conduct a hearing limited to specific issues.
- c. In the decision, the Board shall affirm, modify, or reverse the lower decision, and accept any or all of the findings and conditions in the Hearings Body decision, or modify or adopt new findings and conditions on a permit.
- d. If the Board allows argument only on the record, no new evidence shall be submitted.
- e. Any legal issues not specifically raised are considered waived for purposes of appeal to the Land Use Board of Appeals (LUBA).
- f. Where a hearing is limited to specific issues, any evidence or argument submitted must be relevant to the specific issue.
- g. All items to be submitted to the County must actually be received by the County Planning Department no later than 5:00 p.m. on the on the last day of the appeal period. If the last day of the appeal period falls on a weekend or County holiday, then the item must actually be received by the County Planning Department no later than 12:00 p.m. on the next County business day following the deadline date. All items to be mailed to another party must be postmarked no later than the end of the appeal period.
- h. The decision of the Board of Commissioners shall not be final for the purpose of appeal until reduced to writing and signed by the Board.

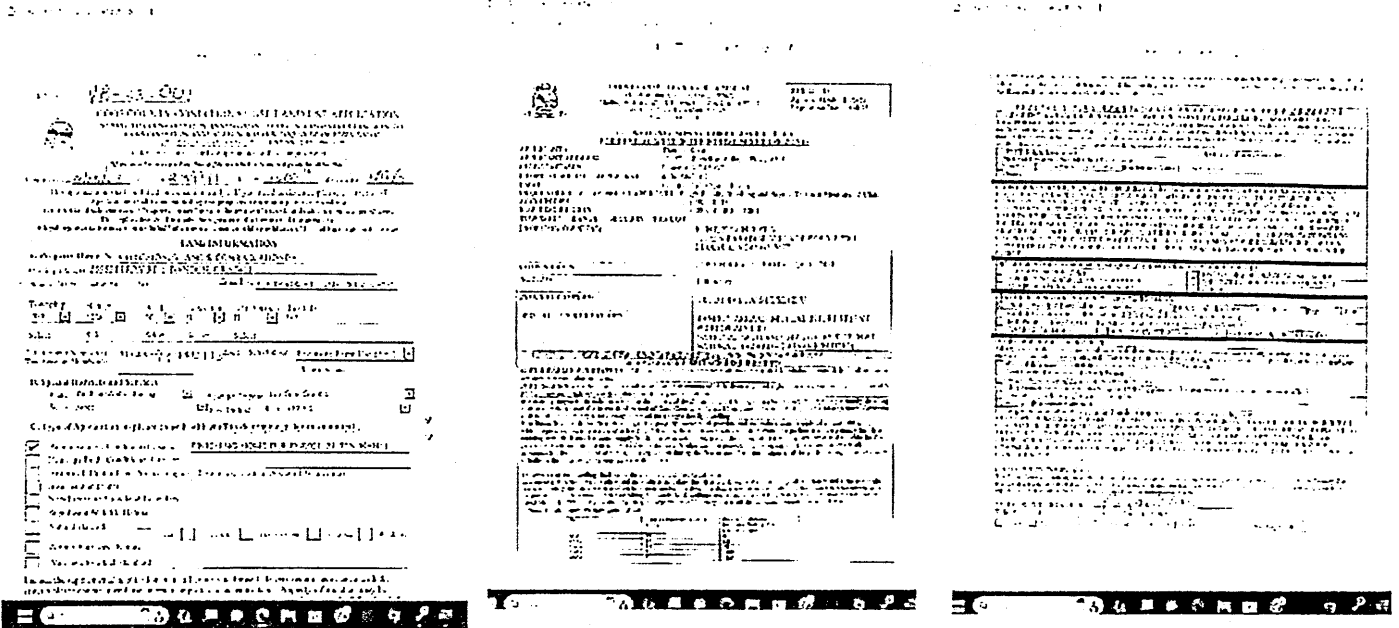
SECTION 5.8.400 Multiple Appeals

Multiple appeals of the same land use decision shall be consolidated into one hearing, at the discretion of the Planning Director, Planning Commission or Board of Commissioners, provided the appeals involve the same or substantially similar issues and/or a common question of law or fact. The consolidation process must not work to deprive any appellant of his or her right to a full and fair hearing on the merits of their case. Such consolidation of the appeals into one hearing will avoid unnecessary costs or delay and will assist in the proper resolution of the matter in question. If consolidation is granted by then a reduction of fee may be due to the parties when the final decision is rendered.

Attachment C:

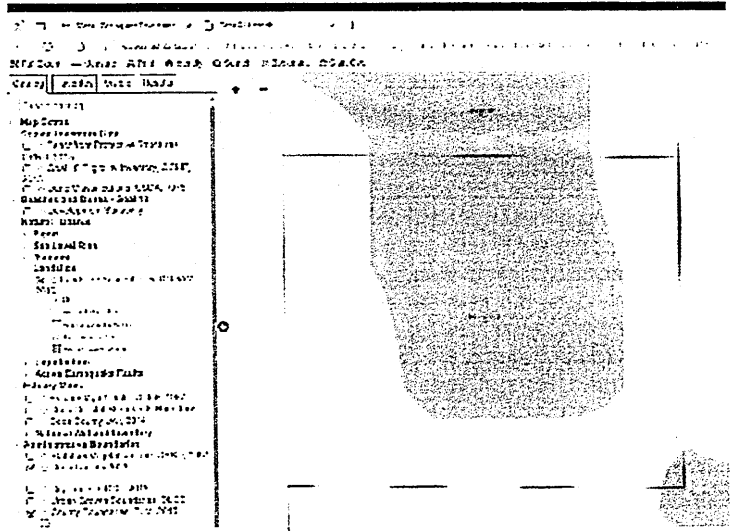
RE: Comments related to File No. VR-23-001, Request for Vested Right Determination, Chrismon and Conrad

- 1. Natural hazards: The Permit requests are incomplete and fail to show high risk landslide and liquefaction areas on most of the property. This error repeats throughout the zoning compliance and conditional use application.



Without those natural hazard boxes checked it may be possible that these risk and potential mitigation and safeguards could be overlooked. It also appears that these risks require additional analysis.

REFERENCE: Earthquakes: Coos County shall promote protection of life and property in areas potentially subject to earthquake hazards. New development or substantial improvements in mapped areas identified as potentially subject to earthquake induced liquefaction shall be subject to a geologic assessment review as set out in this section. Such areas shall include lands subject to "very high" and "high" liquefaction identified in DOGAMI Open File Report O-13-06, "Ground motion, ground deformation, tsunami inundation, co-seismic Ireland Large Tract Dwelling 26-14-32 TL 101 13 /21 subsidence, and damage potential maps for the 2012 Oregon Resilience Plan for Cascadia Subduction Zone Earthquakes." Coos County shall continue to support Oregon State Building Codes to enforce any structural requirements related to landslide and earthquakes. Staff will notify Oregon State Building Codes by providing a copy of the geologic assessment report with the Zoning



Compliance Letter.

- (a) **Risks.** Not only does this parcel have two risks (Landslides at high or likely occurrence, and liquefaction at a high level) identified but the general topography includes steep and difficult to traverse ravines (typically created through erosion). The slope behind the dwelling site is steep enough to retard basic maintenance and or reduction of fuels loading without safety gear.
 - (b) **Potential risk.** The leach field (as shown on the following map) is close to a very significant ravine. The soil in the leach field could be destabilized with natural causes and also from the additional water exiting from the septic system. Should the leach field fail (for any reason) there is a high possibility of human waste flowing down the ravine and into a wetland area.
 - (c) **Past Practices.** Heavy rains, normal to our area, will further destabilize the soil, and create opportunities for erosion and slippage. The ground around the dwelling site was significantly disturbed right before the Chrismon/Conrad purchase. I witnessed approximately eight to ten full log-truck loads traveling out of that property.
2. **Zoning.** The parcel does not appear to meet the EFU zone standards.
- (a) Most EFU zones are significantly larger than one acre. There is an allowance for a size variance for intensive farming (as defined on www.co.coos.or.us/sites/default/files/fileattachments/planning/page121496/chaeter_2_.pdf). This level of farming was not mentioned in the zoning compliance and Land Use decisions. The few chickens and ducks on the property appear to be more like pets rather than farm animals. The approximately 10 or less animals reside in a small chicken house (about 6x6' with a small enclosed yard).
 - (b) Intensive farming typically requires support structures, such as a barn (for processing and storage) and parking (perhaps for delivery). No such structure has been identified on the site map and there is no off-street parking. This makes it appear that intensive farming was not planned. Intensive farming would be very hard on the county and private roadway and potentially create extensive damage and maintenance costs.
 - (c) I believe that when the parcel was part of a larger tract (prior to Chrismon/Conrad purchase), the EFU zone was correct. Now that the parcel is under separate ownership it may no longer meet the EFU requirements.
3. **Vested Rights?** Based on the Coos County website, "Vested Rights" do not exempt a builder from other laws and regulations related to their project. A great deal of information about "Vested Rights" can be found at: <https://www.oregon.gov/LUBA/docs/headnotes/37.pdf> and acu-23-064.application.pdf/coos.or.us. The "Vested Rights" discussion includes two different conditions: Omission or act by the government that kept the holder from completing the build and proof of appropriate Investment².
- (a) I do not find a statement describing an omission or act by the government that may have delayed the build. I did note blaming delays on COVID, however no details were offered as to illustrate any specific delays. The problem might be more that the competition for local craftworkers is very keen in our area. Is not unusual to have to wait months or years to get a builder, cement mason, plumber, etc. This was true prior to COVID and is still true today.
 - (b) Did they just miss their expiration date? Having the paperwork expire might perhaps be considered a government act. Their compliance letter was approved 1/25/21 and clearly identified the expiration date of 1/24/23. Was the permit abandoned, interrupted, or discontinued due to the government actions or by simple oversight by Chrismon/Conrad? OR has the holder failed to diligently exercise the permit?
4. **Actual Investments.** There are some discrepancies in the items selected as proof of investments used to calculate the Holmes factor ratio.
- (a) There is a bill in the investment records from me (page 39 of their investment documentation at acu-23-001.application.updated.pdf/coos.or.us) related to a reimburse Chrisom /Conrad made to

me for easement road repair costs. This routine repair was made nearly two blocks away at the south end of my property. It was a routine maintenance, not directly-related to their project, on roads that were passable. Note: The copy of the paperwork used for the justification illustrates that they did not pay their fair share. A copy of that billing and their check has been attached at the end of this document in the Additional Figures.

- (b) There is also a \$7,000 bill for Internet service which seems to be an unreasonable cost. At the time, many neighbors were interested in getting better service but were unwilling or unable to pay that. In the end, Chrismon/Conrad reported to us that a relative got the \$7,000 price tag slashed significantly; it appears that the discounted actual cost was omitted from the vested rights paperwork. Further, was the Internet connection needed for the RV, the two cottage businesses they run from the RV, their business, access for son's homework, or for the new dwelling that does not exist? Are all investments qualified, reasonable, and lawful? Or was that work routine maintenance elsewhere? Were these investments needed quickly for the temporary residence?
- (c) There are two other considerations here related to what expenditures were "directly related" to the proposed use for the property and is there evidence of "substantial construction" showing what the expenses were used for. There has been work related in infrastructure (underground), but no actual start of construction related to permanent framing or foundation. There is no foundation or framing work being done on the project as yet. Shouldn't we, after a couple of years and nearly \$100,000 be able to see some substantial construction? Were monies, claimed as investments, used for non-construction expenses such as accessory buildings, trailers to store materials for their three businesses, or fuel and gravel to put on other neighbor's driveways?

REFERENCE NOTES from www.co.coos.or.us website: "Distinguishing those expenditures properly considered in a determination of the "ratio of expenditures" under Holmes factor (7) requires (1) identification of the time at which the expenditures were made, (2) an analysis of whether the expenditures were made in good faith and lawful when made, and (3) a determination regarding whether the expenditures are directly related to the proposed use of the property. DLCD v. Curry County, 19 Or LUBA 249 (1990). [my added bold]

SECTION 4.11.132 NATURAL HAZARDS (BALANCE OF COUNTY POLICY 5.11) Purpose Statements: Coos County shall regulate development in known areas potentially subject to natural disasters and hazards, so as to minimize possible risks to life and property. Coos County considers natural disasters and hazards to include river and coastal flooding, landslides, liquefaction potential due to earthquakes, fault lines, tsunamis, river bank erosion, coastal erosion along shorelines and headlands, coastal erosion due to wind, and wildfires, including those areas affected by gorse. This strategy shall be implemented by enacting special protective measures through zoning and other implementing devices, designed to minimize risks to life and property associated with new development and substantial improvements... [my added bold]

Thank you for this opportunity. We have had other friends lose their home to a landslide and my hope is that applicant and Coos County can use these observations to create a safer and healthier home.

Sincerely yours,



Kathleen Collier, neighbor and community supporter
55904 Ferry Road

Figures 1-4 showing Landslide and Liquefaction risks in more detail, and copy of road maintenance bill and check that was part of the "investments" claimed for the project.

Additional Figures

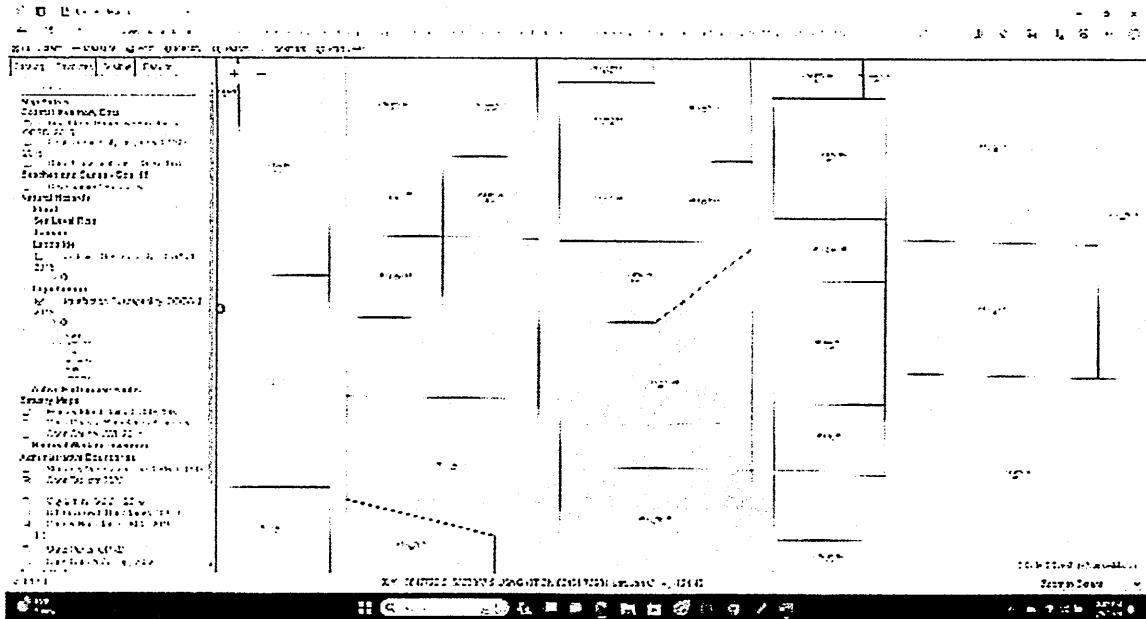


Figure 1. High landslide zones for lot 1801 and 1802.

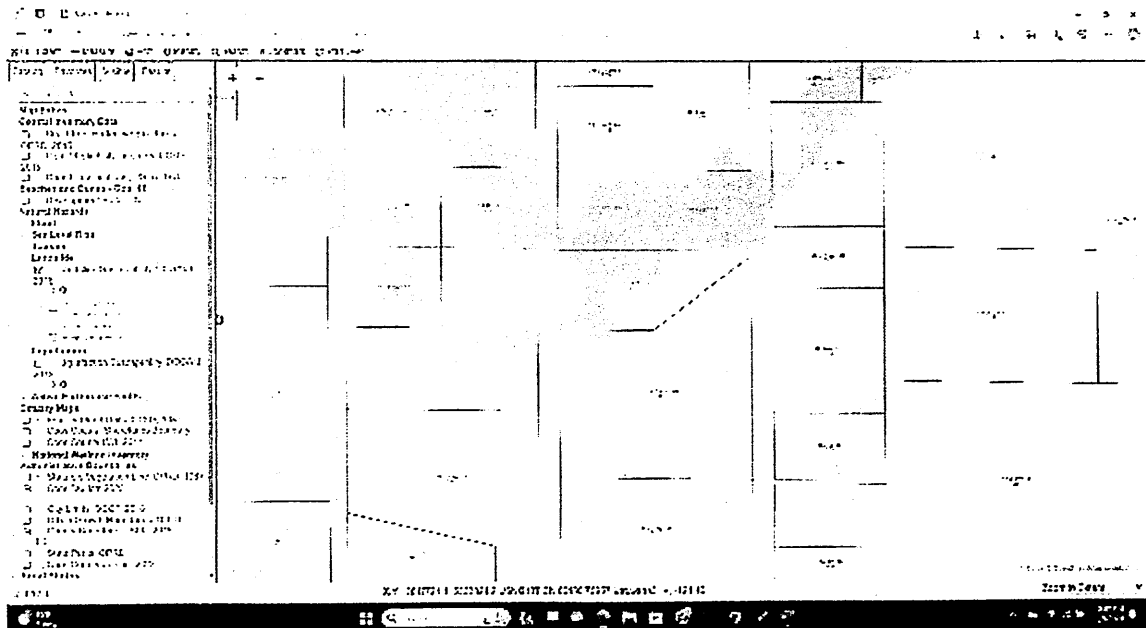


Figure 2. Larger image of the landslide risks and how it travels through the area, and specifically 1801.

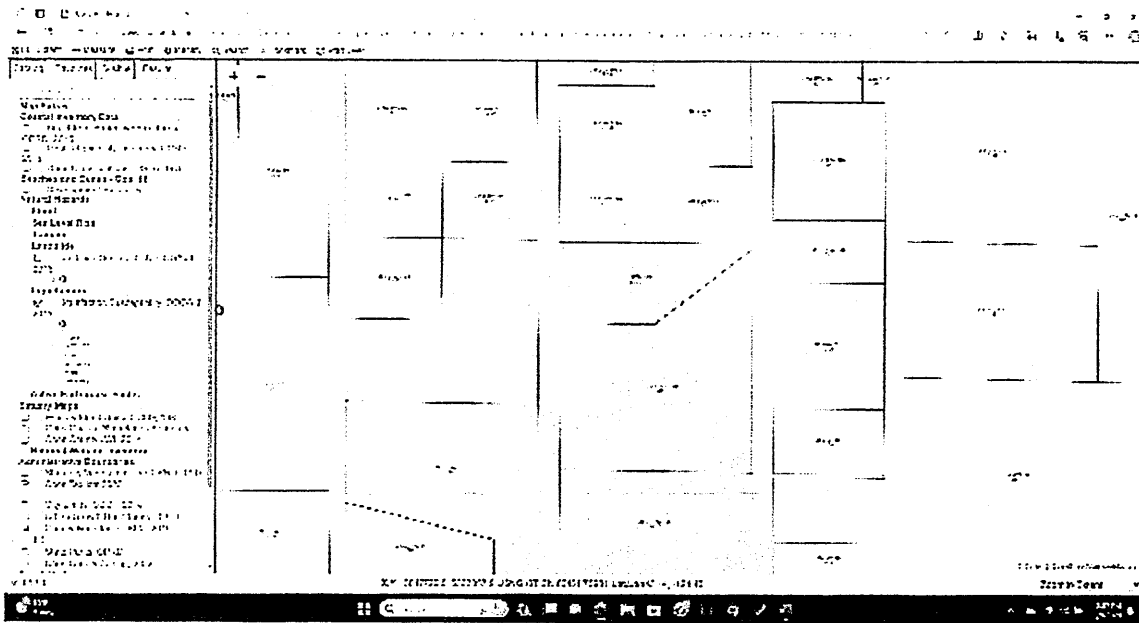


Figure 3. Liquefaction risk areas showing 1801 in a high risk area. Coos All Hazards (coastalatlant.net)

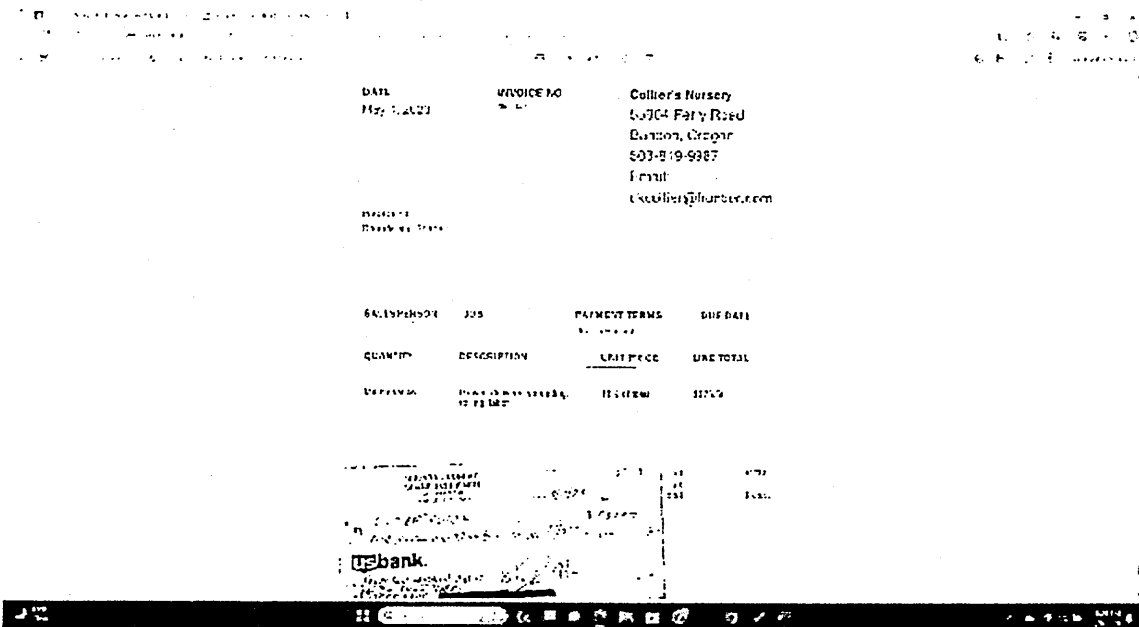


Figure 4. Bill to Chrismon/Conrad from me for easement road repair with their check. Even with verbal agreement to pay their fair share based on their use, they decided not to.

	<p>Notice of Sanitarian Approval Department of Environmental Quality 381 N Second Street, Coos Bay, OR 97420 Phone: (541) 269-2721 Fax: (541) 269-7984</p>	
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This form must be presented to the local Building Codes Division Office at the time of application for a building permit. Failure to do so will cause a delay in your building permit application.

Project Information	
Owner: <i>Shane Chrisman, Rhonda Conrad</i>	
Job Site Address: <i>55953 Ferry Rd.</i>	
City, State, Zip: <i>Bandon, OR 97411</i>	
Nature of Project: <i>New Single Family Dwelling</i>	
DEQ Approval	
DEQ Representative: <i>Corby Eden</i>	
Type of Structure: <i>Single Family Dwelling</i>	
Number of Bedrooms (if applicable) <i>4</i>	
Signature: <i>[Signature]</i>	Date: <i>6/2/2022</i>

<input type="checkbox"/> Okay for Concurrent File Review, See Attached Hold-Harmless Form
<input checked="" type="checkbox"/> DEQ Approval for Building Placement Only; Building Not to be Occupied
<input type="checkbox"/> DEQ Approval to Receive Building Permit

Department of Consumer and Business Services; Building Codes Division; Coos Bay Field Office
 1155 S 5th St, Coos Bay OR 97420
 Telephone: (541) 266-1098; Fax: (541) 266-1146

PERMIT

No: 24-020

1/30/24

BEFORE THE ROADMASTER OF COOS COUNTY

This permit is issued to Shane Chrisman & Bonda Conrad Phone 297-7410 / 961-3348
for the placement and/or construction of the following facility Fill patches upon the Ferry Rd
County Road No. N/A, at the following location: Ferry Rd on
County Right of Way only

All work shall be in strict conformity with all terms of this permit, with any exhibits attached hereto, and with Article Four, Division One of the Coos County Code and ORS 374.305 to 374.340.

TS 255 R 14W S 19

TL: N/A

GENERAL PROVISIONS

Permit Holder shall be solely responsible for any and all damages of or destruction to any road, road structure, utility, cable, pipe, waterline, ditch or culvert arising out of or incident to this permit. Permit Holder shall repair or reimburse the County or Utility for any and all costs of repair, restoring or replacing damaged or destroyed property.

Permit Holder shall indemnify, hold harmless, and defend Coos County, its elected officials, officers and employees from any liability, claim, damage, loss and/or expense, including, but not limited to, reasonable attorneys fees, arising out of or resulting from the performance of or failure to perform the obligations of this Permit by Permit Holder, its employees, agents and subcontractors.

Permit Holder shall supply all materials and labor at own expense.

Permit Holder shall provide adequate warning and traffic control in a manner to insure public safety and cause minimum inconvenience.

A minimum of two-lane traffic will be maintained at all times and control of traffic will be in accordance with the current provisions in the Manual on Uniform Traffic Control Devices for Streets and Highways.

This permit authorizes no work other than that specifically mentioned.

SPECIAL PROVISIONS

- // Permit Holder shall compact backfill material to 95% of original density and maintain finish conformation same as original for ~~90~~ 1 year days after completion of construction replacing any rock and/or asphalt to its original depth.
- // Permit Holder shall supply the county with a performance bond or cash in the amount of _____ to be refunded 90 days after completion of the project if at that time an inspection is made and all measures in this permit are found to have been complied with.
- // Permit Holder shall install a minimum of _____ culvert located as directed by county.
- // Permit Holder shall not fell trees within the traveled portion of the roadway and shall clear the right-of-way of any slash or debris caused from the felling of said trees.
- // This permit is issued pursuant to ORS 368.942 and is for the explicit purpose of allowing the construction and maintenance of a tourism sign within the county right-of-way. This sign shall in no way impede vision or cause an unsafe traffic condition Permit is revocable for non-maintenance of sign or signs for which permit holder is responsible.
- // Permit Holder shall construct driveway to meet at right angles with county road and shall construct driveway to be at same level as county road for a distance of 20 feet more or less.
- // This permit is revocable at any time when area is determined to be needed for road purposes.
- // Permit Holder or his contractor shall notify the Coos County Road Dept., at 396-7660, forty-eight (48) hours prior to commencing work and after completing work covered by this permit.
- // All construction operations will be performed off limits of the highway travel way and shoulders.
- // Additional Special Provisions attached. Traffic control must meet MUTCD spec. This permit is valid for County Right of way only. Patches to be filled with gravel only

I accept and agree to the conditions herein:

Shane Chrisman Committee

1/30/24 Date

This permit shall be void unless the work herein contemplated shall have been completed before: 1/30/25

ISSUED BY AGENT OF BOARD OF COMMISSIONERS

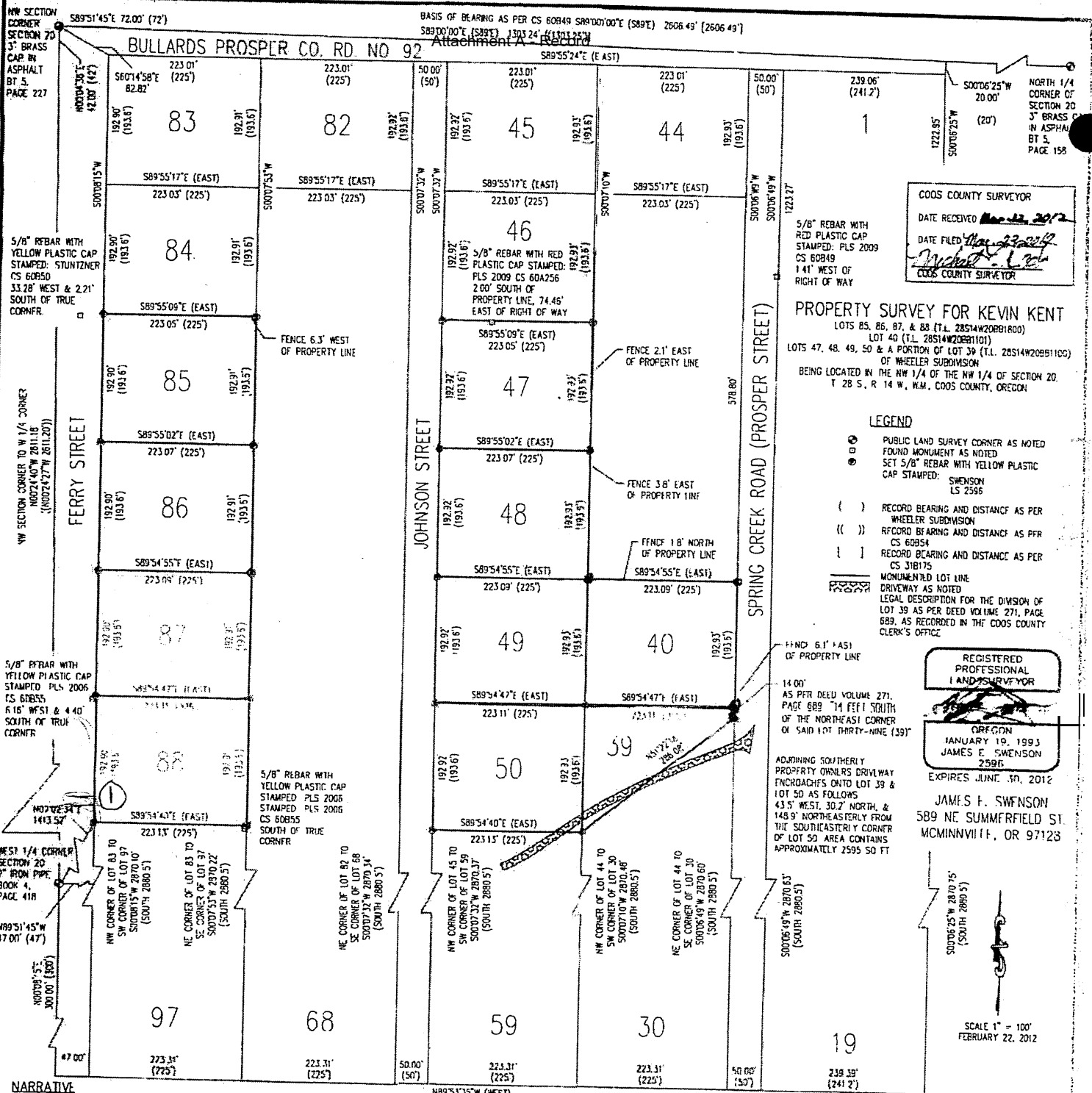
[Signature]

60 E. Second St. Coquille, OR | Mailing Address: 250 N. Baxter, Coquille, Oregon 97423

Access Foreman 541-396-7770

1/30/24
@Planning@co.coos.or.us

https://www.co.coos.or.us/community



COOS COUNTY SURVEYOR
 DATE RECEIVED *March 22, 2012*
 DATE FILED *March 22, 2012*
Michael L. Cochran
 COOS COUNTY SURVEYOR

PROPERTY SURVEY FOR KEVIN KENT
 LOTS 85, 86, 87, & 88 (T.L. 28514W20891R00)
 LOT 40 (T.L. 28514W20891I01)
 LOTS 47, 48, 49, 50 & A PORTION OF LOT 39 (T.L. 28514W20891I02)
 OF WHEELER SUBDIVISION
 BEING LOCATED IN THE NW 1/4 OF THE SECTION 20,
 T 28 S., R 14 W., W.M., COOS COUNTY, OREGON

LEGEND
 ○ PUBLIC LAND SURVEY CORNER AS NOTED
 □ FOUND MONUMENT AS NOTED
 □ SET 5/8" REBAR WITH YELLOW PLASTIC CAP STAMPED: SWENSON LS 2595
 () RECORD BEARING AND DISTANCE AS PER WHEELER SUBDIVISION
 (()) RECORD BEARING AND DISTANCE AS PER CS 60854
 | | RECORD BEARING AND DISTANCE AS PER CS 318175
 --- MONUMENTED LOT LINE
 --- DRIVEWAY AS NOTED
 --- LEGAL DESCRIPTION FOR THE DIVISION OF LOT 39 AS PER DEED VOLUME 271, PAGE 689, AS RECORDED IN THE COOS COUNTY CLERK'S OFFICE

REGISTERED PROFESSIONAL LAND SURVEYOR
 OREGON
 JANUARY 19, 1993
 JAMES E. SWENSON
 2595
 EXPIRES JUNE 30, 2012

JAMES E. SWENSON
 589 NE SUMMERFIELD ST.
 McMinnville, OR 97123

SCALE 1" = 100'
 FEBRUARY 22, 2012

NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO MONUMENT LOTS 40, 47, 48, 49, 50, 85, 86, 87, & 88 OF THE WHEELER SUBDIVISION, ALSO MONUMENTING THE NORTHERLY PORTION OF LOT 39 OF WHEELER SUBDIVISION AS EXCEPTED FROM THE LEGAL DESCRIPTION AS PER DEED VOLUME 271, PAGE 689, AS FILED WITH THE COOS COUNTY CLERK'S OFFICE.

THE ORIGINAL SURVEY OF SECTION 20, TOWNSHIP 72 SOUTH, RANGE 14 WEST, WAS SURVEYED BY D. MURPHY DURING 1857. THE SURVEY NOTES THAT THE WEST ONE-QUARTER AND NORTHWEST SECTION CORNER WERE SET. A TEMPORARY NORTH ONE-QUARTER WAS SET AND THE POSITION WAS CORRECTED WHEN THE NORTHEAST SECTION CORNER WAS TIED. THE NOTES SHOW THE NORTH SECTION LINE OF SECTION 20 TO BEAR NORTH 88 WEST, 79.85 CHAINS IN LENGTH.

C. S. MCCULLOCH CREATED THE WHEELER SUBDIVISION IN 1907, DATING THE SURVEYOR'S CERTIFICATE SEPTEMBER 2, 1907. THE WHEELER'S AND SMITH'S WERE THE OWNERS OF THE PARCEL, DESCRIBED AS AN ALIQUOT PART OF SECTIONS 19 & 20, 241.2 FEET. FERRY STREET IS DRAWN 40 FEET WIDE USING THE SCALED 280 FEET AND THE SUMMATION OF THE NORTHERN SUBDIVISION LINE. THE DISTANCE EQUALS EXACTLY ONE QUARTER MILE (1320 FEET).

MCCULLOCH'S FIELD SURVEY REVEALED THAT THE NORTH LINE OF THE SUBDIVISION WAS NOT 1320 FEET, THAT THE WEST SECTION LINE WAS NOT TRUE NORTH, THAT THE DISTANCE ALONG THE WEST SECTION LINE FROM THE WEST ONE-QUARTER TO THE NORTHWEST SECTION CORNER WAS NOT 2840 FEET. MCCULLOCH REALIZED THERE WOULD BE DIFFERENCES FROM THE DRAFTED PLAT, THUS HE LEFT CERTAIN DIMENSIONS BLANK UNTIL AFTER THE FIELD SURVEY.

MCCULLOCH PROVIDES KEY INFORMATION IN THE SURVEYORS CERTIFICATE TO RECREATE HOW THE SURVEY WAS PERFORMED. THE CERTIFICATE STATES: "THAT ALL LINES ARE RUN DUE NORTH AND SOUTH AND EAST AND WEST WITH THE VARIATION AS AS FOLLOWS: A) NORTHEAST SECTION CORNER AND WEST ONE-QUARTER CORNER - VARIANCE SHOWN; B) WEST ONE-SIXTEENTH CORNER OF SECTION 20 OR THE NORTH ONE-QUARTER OF SECTION 20 - 20 FOOT OFFSET; C) EAST ONE-SIXTEENTH CORNER OF SECTION 19 - THE MEASURED DISTANCE ALONG THE NORTH LINE TO THE ONE-SIXTEENTH CORNER.

I BELIEVE THAT THE WHEELER SUBDIVISION WAS ORIGINALLY SURVEYED IN THREE PARTS, THE FIRST PART SURVEYED ARE CONTINGENT ON THE INFORMATION FROM LOTS 1 THROUGH 19 ON THE EAST TIER AND THE 300 FOOT DIMENSION SOUTH FROM THE WEST ONE-QUARTER CORNER.

MCCULLOCH KNEW THAT THE NORTH SUBDIVISION LINE WAS NOT 1320 FEET IN LENGTH, HE ALSO KNEW THE EAST BEAR LOS SCALE 280 FEET, BUT THE DISTANCE IS WRITTEN AS 241.2 FEET. THIS DISTANCE WAS DERIVED AFTER HE SURVEYED THE WEST LINE FROM THE WEST ONE-QUARTER TO THE NORTHWEST SECTION CORNER. SHOWN BY THE VARIANCE; HE ALSO KNEW THAT THE NORTH SECTION LINE WAS ONE DEGREE OFF FROM EAST AND WEST AND HE WROTE THE VARIANCE AFTER HE SURVEYED THE NORTH LINE TO THE NORTHWEST SECTION CORNER.

THE 20 FOOT OFFSET TO THE NORTHEAST CORNER OF THE SUBDIVISION LINE CAME FROM THE 1898 AMENDMENT TO THE COUNTY ROAD LAW. THE AMENDMENT REQUIRED THAT ALL ROADS WERE TO BE 80 FEET IN WIDTH, UNLESS THE COUNTY COURT UPON THE PRAYER OF PETITIONERS, DETERMINED A DIFFERENT WIDTH WHICH WAS NOT TO BE LESS THAN 40 FEET NOR MORE THAN 80 FEET. HE THEN SURVEYED SOUTH ALONG THE EAST TIER OF LOTS AND SETS A TEMPORARY POINT AT THE SOUTHWEST CORNER OF LOT 19. THE SURVEY CONTINUES WEST TO THE SOUTHWEST CORNER OF LOT 97. THE SURVEY GOES NORTH ALONG THE EAST RIGHT OF WAY OF FERRY STREET AND TIES INTO THE WEST ONE-QUARTER AND HE NOTES HIS VARIANCE. I BELIEVE HE MEASURED SOUTH FROM THE ONE-QUARTER CORNER 300 FEET AND ESTABLISHED THE TRUE SOUTHERN LINE OF LOTS SHARING THE LINE FROM LOT 19 TO LOT 97. THE SURVEY CONTINUES NORTH AT THE OFFSET FROM THE SOUTHWEST CORNER OF LOT 19 TO THE 20 FOOT OFFSET AT THE WEST ONE-SIXTEENTH AND NOTES HIS VARIANCE TO THE NORTHWEST SECTION CORNER. HE THEN ESTABLISHES THE WIDTH OF HIS EASTERN TIER LOTS. HE ALSO KNOWS THE DIMENSION FROM THE SOUTHWEST CORNER OF LOT 19 TO THE 20 FOOT OFFSET AT THE WEST ONE-SIXTEENTH AND ESTABLISHES THE NORTH TO SOUTH DIMENSION OF LOTS 17, 31, 58, 69, AND 95.

I MEASURED THE SAME CONTROL POINTS THAT MCCULLOCH MEASURED. I TIED THE 300 FEET SOUTH FROM THE WEST ONE-QUARTER CORNER TO ESTABLISH THE SOUTHERN LINE BETWEEN LOT 19 AND LOT 97. I ESTABLISHED THE BEARING OF THE EAST LINE OF LOTS 1, 39, 19 AND THE SOUTHERN LINE OF LOTS 19 TO 87 FROM THE AVERAGE BEARING OF MCCULLOCH'S TWO MEASURED LINES WITH VARIANCES NOTED. THE BASIS OF BEARING IS THE NORTH SECTION LINE, THEREFORE MCCULLOCH'S TWO MEASURED BEARINGS ARE NOT SHOWN AS TRUE NORTH AND SOUTH AND EAST AND WEST. THE ANGLE CREATED BY THE INTERSECTION OF THE TWO MEASURED BEARINGS ARE WITHIN 3 MINUTES OF 90 DEGREES. EACH LOT SHARES EQUALLY THE DIFFERENCE BETWEEN MY REESTABLISHED PERIMETER OF PLATTED LOTS AND THE ORIGINAL WHEELER SUBDIVISION. THE PLATTED RIGHT OF WAYS AND VARIANCES ARE UNCHANGED. I USED A TRIANGLE ROBOTIC 56 INSTRUMENT TO PERFORM THIS SURVEY. CONTROL BACKSIGHTS AND FORESIGHTS WERE A TRIPOD, TRIBRACH AND PRISM. A MINIMUM OF 2 DIRECT AND REVERSE SIGHTS WERE TAKEN FOR EACH CONTROL POINT. A 5/8" INCH X 30 INCH REBAR WITH YELLOW PLASTIC CAP, AS STAMPED PER LEGEND, WERE SET AT EACH LOT CORNER AS SHOWN ON THIS PLAT, ALONG WITH A 1" FENCE POST.

Business Registry Business Name Search

New Search

Business Entity Data

02-26-2024

09:54

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
1466667-97	DLIC	ACT	OREGON	08-10-2018	08-10-2024	
Entity Name CHRISMON CLEANING SERVICES LLC						
Foreign Name						

New Search

Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS			
Addr 1	363 SOUTH RD ST				
Addr 2					
CSZ	LEBANON	OR	97355	Country	UNITED STATES OF AMERICA

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT	Start Date	02-14-2020	Resign Date
Name	SHANE	JAY	CHRISMON	SEBREE	
Addr 1	55953 FERRY RD				
Addr 2					
CSZ	BANDON	OR	97411	Country	UNITED STATES OF AMERICA

Type	MAL	MAILING ADDRESS			
Addr 1	1130 BALTIMORE AVE SE				
Addr 2	SUITE A #90				
CSZ	BANDON	OR	97411	Country	UNITED STATES OF AMERICA

Type	MEM	MEMBER			Resign Date
Name	SHANE	JAY	CHRISMON	SEBREE	
Addr 1	55953 FERRY RD				
Addr 2					
CSZ	BANDON	OR	97411	Country	UNITED STATES OF AMERICA

New Search

Name History

Business Entity Name	Name Type	Name Status	Start Date	End Date
CHRISMON CLEANING SERVICES LLC <small>541-396-7770 @planning@co.coos.or.us</small>	DLIC	ACT	08-10-2018	

Michael J. Scalici

525 Bluff Ave SW. Bandon, OR 97411
Bus. 541-290-1520 migs97411@frontier.com

***New Millennium: Natural Resources Consulting & Management
Oregon Coast Wild Harvest***

September 28, 2021

Kevin & Therese Kent
2222 N. Paradise Village Pkwy S. # 301
Phoenix, AZ 85032

RE: Preliminary assessment of wetland on TL1800, T28S R14W, Section 20 BB, Coos County.

Dear Kevin & Therese,

I reviewed the National Wetland Inventory map, the USDA Soil Survey map, satellite imagery, Lidar imagery of the site. I also conducted a site visit.

All your proposed development is on the upland terrace consisting of non-hydric soils with no hydrophytic vegetation. It is outside the PFO1C (Forested Palustrine wetland) shown on the NWI map, which was inaccurately identified starting at the top of the steep slope that descends to the Spring Creek bottomland. The boundary of the PFO1C wetland actually occurs at the edge of the bottomland, which barely touches the northeast corner of the lot.

I have included images of your development plans on the Tax Assessor Map, NWI map, USDA Soils map, a GoogleEarth topographic cross section and a Lidar image. They all clearly show that the construction proposed are confined to the upland terrace.

Based on my best professional judgement, your proposed residential development plans will not impact any wetland.

The fee for this preliminary assessment is \$340.

Please let me know if you have any questions or want additional information.

Sincerely,



Michael (Migs) Scalici

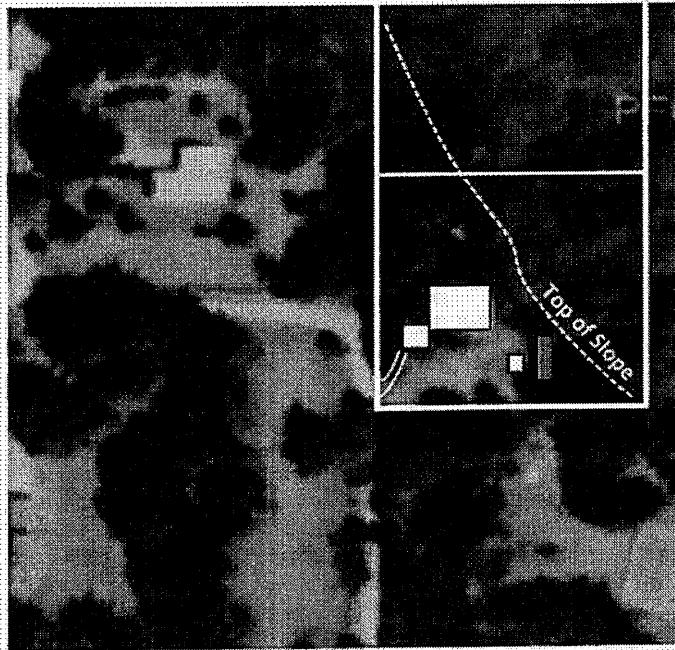
Kevin & Therese Kent's Lot 88

Development Plan overlaid on the Tax Assessor's Map



Kevin & Therese Kent's Lot 88

Development Plan overlaid on the National Wetland Inventory Map



Kevin & Therese Kent's Lot 88

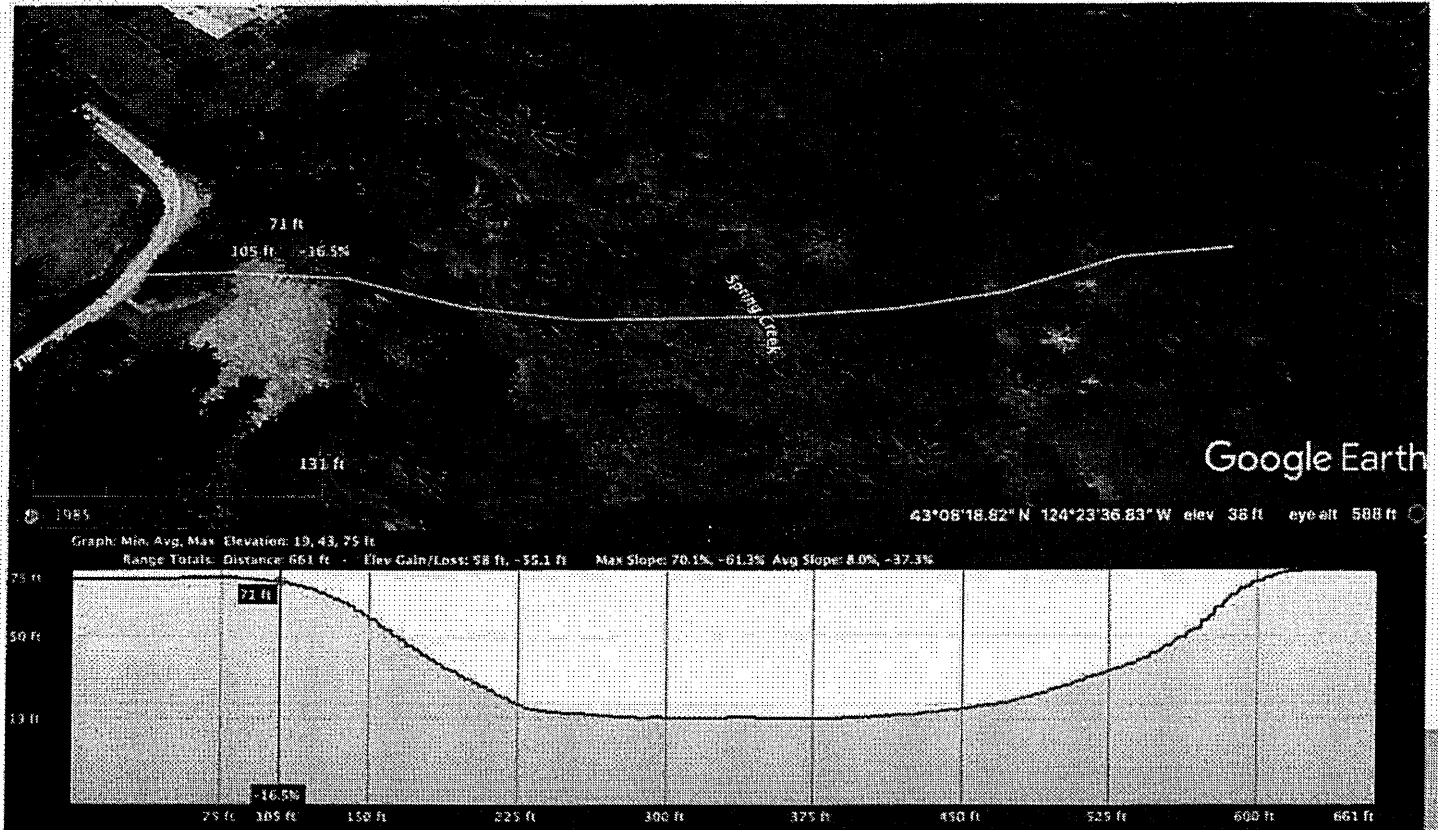
Development Plan overlaid on the USDA Soils Map



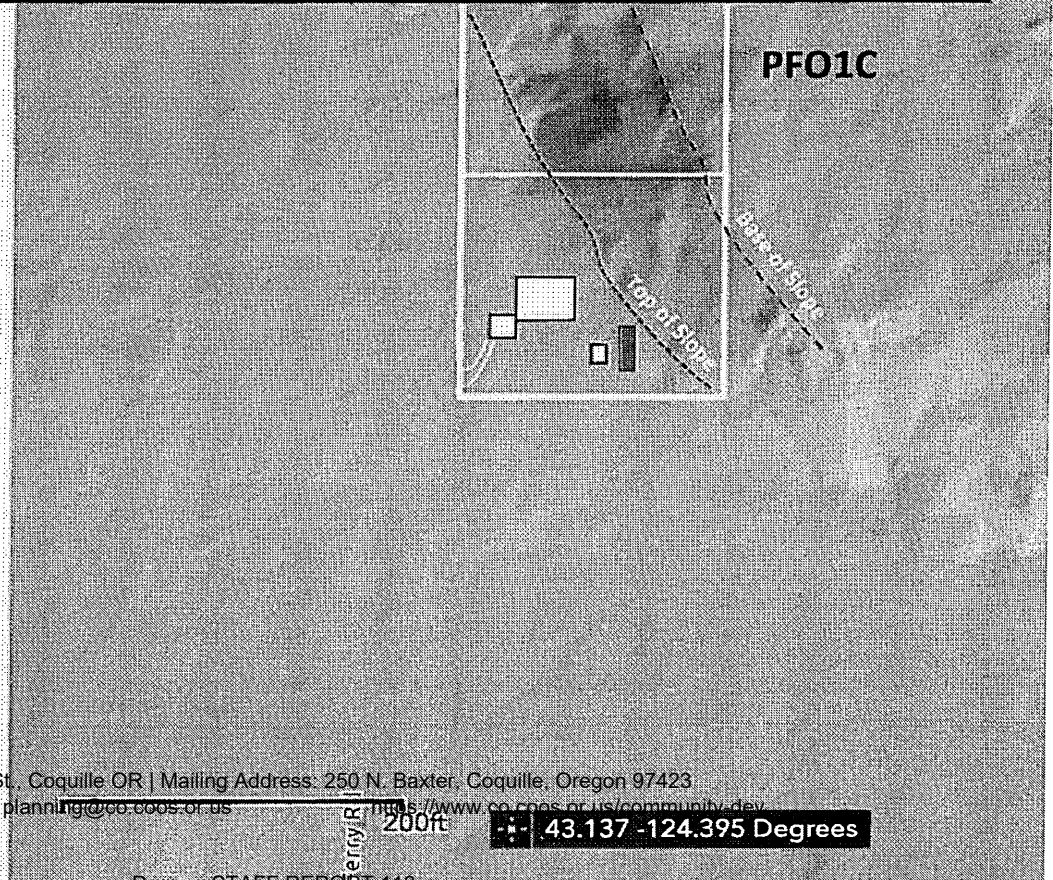
Map Unit Symbol	Map Unit Name
8B	Bullards sandy loam, 0 to 7 percent slopes
8C	Bullards sandy loam, 7 to 12 percent slopes
8E	Bullards sandy loam, 30 to 50 percent slopes
28	Heceta fine sand (Hydric)

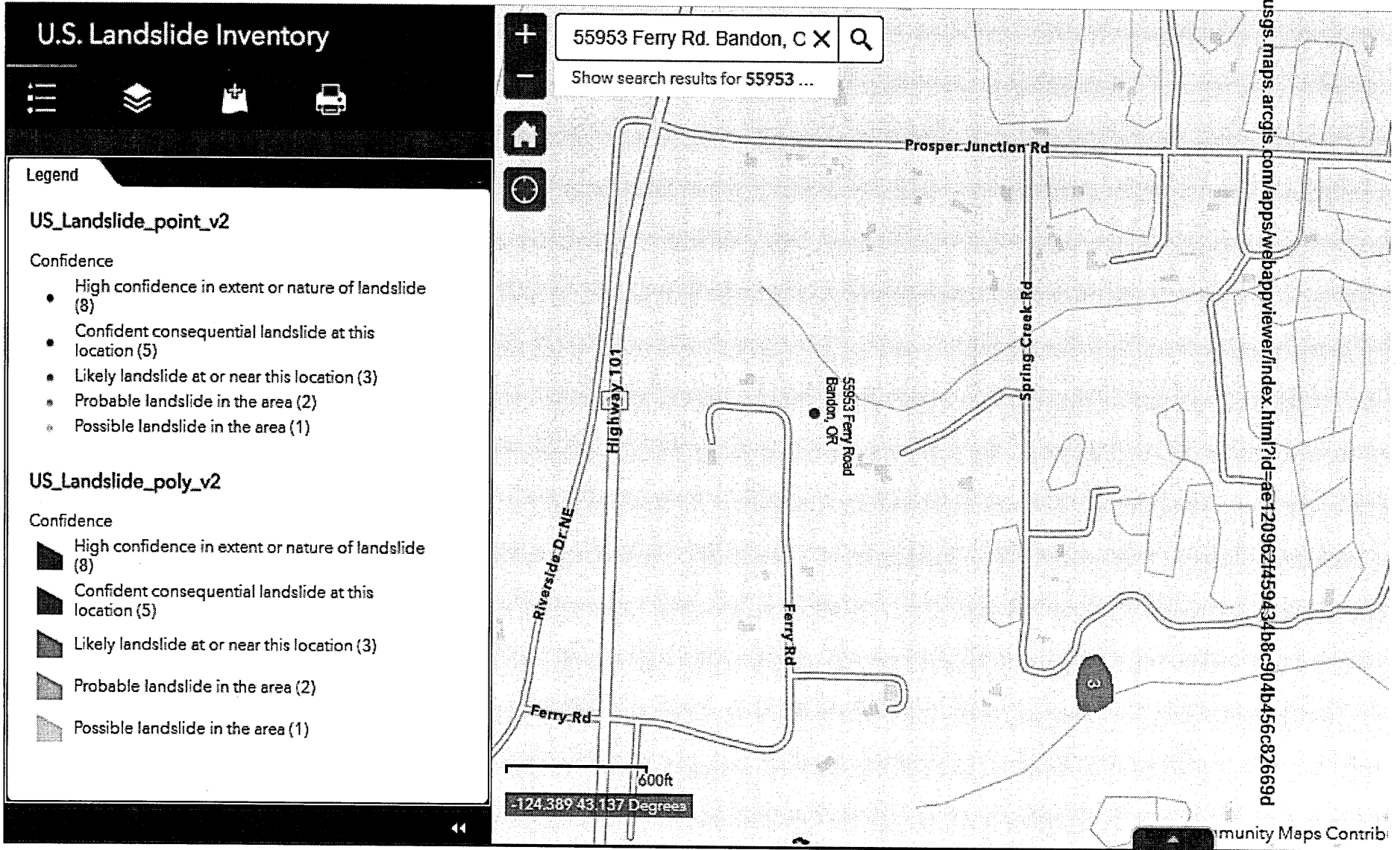
Kevin & Therese Kent's Lot 88

SW-NE Section through the property and down through the Spring Ck bottomland



Development Plan overlaid on the DOGAMI Lidar Image





60 E. Second St., Coquille OR | Mailing Address: 250 N. Baxter, Coquille, Oregon 97423
 541-396-7770 @ planning@co.coos.or.us <https://www.co.coos.or.us/community-dev>

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Record No	Entity Type	Entity Status	Assoc Type	Registry Number	Name Status	Name
1	DBC	ACT	SEC	316826-85	CUR	CBS INVESTMENT CORPORATION
2	DLLC	INA	MEM	053946-97	CUR	COLLIER WOODWORKING, LLC
3	DLLC	INA	MGR	925474-97	CUR	NO HASSLE GLUTEN-FREE LLC
4	ABN	INA	REG	718502-84	CUR	VINTAGE INVESTORS

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Associated Business Search

Business Entity Names that have
 Associated Individual Name: **DAVID COLLIER**
 As an associated name of any type,
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 12:37

Record No	Entity Type	Entity Status	Assoc Type	Registry Number	Name Status	Name
1	DNP	ACT	SEC	1339952-90	CUR	ASSOCIATION OF UNIT OWNERS OF AGATE BEACH GOLF VILLAS CONDOMINIUM
2	DBC	INA	AGT	126215-12	CUR	COLLIER PRODUCTS, INC.
3	DLLC	INA	IDK	1415131-92	CUR	DOMESTIC CONCIERGE LLC
4	DLLC	INA	AGT	1415131-92	CUR	DOMESTIC CONCIERGE LLC
5	DLLC	INA	MGR	1415131-92	CUR	DOMESTIC CONCIERGE LLC
6	DBC	INA	PRE	315986-83	CUR	PACIFIC SURVEYING TECHNOLOGY, INC.
7	DNP	INA	SEC	055345-99	CUR	THE COMMUNITY PARKS FOUNDATION, INC.
8	ABN	INA	REG	718502-84	CUR	VINTAGE INVESTORS

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