



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: 4/9/2024

Fee Received \$250.00

FILE # AP- 24-003

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: ANTHONY COLSIS

Mailing address: P.O. BOX 304 LAKESIDE OR 97449

Phone: 541-404-2480 Email: INFO@NordLoch.com

Signature: _____

Appellant's Representative: I AM ACTING AS SPOKES PERSON FOR OUR COMMUNITY
SEE ATTACHMENT A

Mailing address: _____

Phone: _____ Email: _____

Signature: _____

The name of the applicant: Fritz & Sarah Hoffman

County application file number being appealed: ACU-23-058

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:

All appellant's have properties adjacent or nearby 71982 Potlatch Road. Additional appellants that share the access road that will be used use for accessing the Air BNB have grievances or have interests adversely affected by this decision. Many of the residents own the land the access road sits on and all appellants or collectively responsible financially and other wise for maintaining the road.

The appeal deadline, as stated in the Director's Decision: _____

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".)

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".)

Attachment "A"

Appellant List for Application File # ACU-23-058 / DR-23-106

Shireda Mckay
PO Box X
Lakeside Oregon, 97449
541-404-6818
cpmshree@gmail.com

Keith Roberts
PO Box 275
Lakeside Oregon, 97449
541-759-1066
keithroberts2020@gmail.com

Renee Towan
105 N. Tenmile Lake
Lakeside Oregon, 97449
916-257-2434
renee_towan@yahoo.com

Erik D. Klipfel
109 N. Tenmile Lake
Lakeside Oregon, 97449
949-910-8250
eikk@cedsc.com

Margo Thomason
112 N Tenmile Lake
PO Box 433
Winchester Oregon, 97495
541-530-7913
gregmargo@charter.net

Anthony Culjis
PO Box 304
Lakeside Oregon, 97449
541-404-2480
infor@nordloch.com

John & Linda Buday
95352 Nordloch Lane
83 North Tenmile Lake
Lakeside, Oregon, 97449
510-406-2532
lindabuday@sbcglobal.net

Zane Thomas
117 N. Tenmile Lake
Lakeside Oregon, 97449
408-761-4344
ztwaterproofing@gmail.com

Candice Dickstien
72304 Potlatch Road
PO Box 238
Lakeside, Oregon 97449
541-759-3319
ccdpnw@gmail.com

Liani Reeves
95368 Nordloch Lane
430 SW 13th Avenue
Portland Oregon, 97205
liani.reeves@gmail.com
503-884-5607

Richard Montgomery
95372 Nordloch Lane
Lakeside Oregon, 97449
541-602-1773
cm50crew@yahoo.com

Hayden & Nadja Jones
72550 Potlatch
2644 Meadowview Lane
Anaheim CA, 92804
714-831-4918
nadja1956@yahoo.com

Beverly Bare
Po Box 337
Lakeside Oregon, 97449
71671Sandhill willy
541-759-2200
Bev.bare@frontier.com

Attention: Coos County Planning Attachment "B"

Re: Conditions of Approval for Notice of Land Use Decision. For Application File # ACU-23-058 / DR-23-106

1. Operating the property at 71982 as a commercial Air BNB / Short Term Rental is "Not Compatible With the Neighborhood".

The property is located in a residential community along the lake front with small lots that have "ZERO" buffer zones. This makes it impossible to mitigate the "Nuisance" level. **See further clarifications in section 2.**

The adjacent and surrounding properties on the lake front are full time residents, this is their home, where many residents have lived for decades. Allowing this application to be approved deprives them of the ability to continue to utilize their properties in the manner that was intended when they originally purchased their properties. It's also creates and increases the potential for accidents and liability issues.

2. All Property Management efforts to "Mitigate the nuisance issues were unsuccessful".

The property at 71982 started operating as an Air BNB **without** a permit from Coos County in early 2022 and continued to operate until a "STOP WORK ORDER" was issued on 9/28/23.

During this time period our community suffered greatly from having a commercial operation running in a residential neighborhood.

During this period our community experienced a myriad of nuisance **(sometimes dangerous with liability issues)** activities that we were powerless to stop or intervene in.

Residents through their own research, found contact information for a Property Manager named Jim with ITRIPS <http://www6.itrips.net> 541-404-2668 , he was often non responsive and had little impact on mitigating the nuisance activity, even though he claimed that all Guests signed a contract before arrival, in which they would obey all rules, or be forced to leave. **See additional document of Nuisance Activity and Grievances.**

Guests using the property had absolutely no awareness, concern, compassion or common courtesy, that they were in a residential neighborhood where people lived, and that their actions were negatively impacting our lives on a daily basis.

I would imagine from the "Guests" prospective, (Regardless of any rules they agreed to in their contract) they paid for the right to do whatever they wanted to, as was witnessed, by their actions.

During the period the property at 71982 was operating, we had all become very disheartened and frustrated by the "Negative Element" that had invaded our once peaceful community.

Appellant's Name Anthony Cutilic
Appellant's Signature [Signature] Date: 4/5/24

Nuisance Activity and Grievances: Attachment "C"

Below is a list of **just some** of the incidents that occurred **while the property at 71982 Potlatch (Marketed as the Lakeside Lodge)** was operating as an Air BNB. These activities during peak seasons occurred almost daily for long stretches, with very little break in between arrival of new guests. Also keep in mind the extremely close proximity of the water front properties and their docks. And the fact that sounds travels very easily over water, making the situation untenable.

1. Guests partying, obviously intoxicated, outdoors and indoors with very loud music, yelling, screaming, well into late night, sometimes into early morning hours, out on the dock as well. The primary function for most of the guests that arrived was to party, it was like living near a **"Frat House"**.

2. While outdoors partying, guests would be yelling profanities, making it impossible for residents to enjoy their properties while outside, especially when children were present. Imagine having to go inside on a beautiful summer evening because you can longer sit quietly, comfortably, in your own yard or out on your dock.

3. Guest bringing dogs, allowed their pets to roam freely, often times ending up on resident's properties, where we encountered animals barking at us on our own properties.

4. Guests allowed unattended minors and adults, to walk on large breakwater logs, weighing thousands of pounds, while they were rocking in the waves. This occurred in front of other residential properties, not part of the Air BNB.

*If a child or an adult were to fall in between the logs it could cause serious injury or death from drowning. This was a serious liability issue, however since guests were mostly intoxicated they showed no concern.

5. Guests bringing very large "Wake Boats" in, sometimes 3 or 4 at a time, tying up at the very small dock and boat house which is not intended for this purpose. Where guests and their visitors would sit and party on their boats, music blasting away, as if the boathouse was a public dock.

*The Guests with Wake Boats would then cruise slowly back and forth directly in front of all the resident's properties in the area creating massive wakes and blasting their music. This constant activity caused great damage to the docks and to the breakwater infrastructure. Leaving the residents to foot the bill for repairs to docks and the replacement of pilings.

*At least one resident's boat dock was damaged by the impact of a wave boat whose owner was one of the guests staying at the Air BNB. Unfortunately for the resident whose dock was impacted, they had no recourse and were told to call the Sheriff to complain.

* For the 2022 and 2023 seasons most residents no longer felt comfortable sitting on their docks. With all the noise and trash, beer cans, paper plates that ended up in the lake it was a sad time, and we were left to clean up the mess.

6. Guests firing off illegal fireworks, many that what sounded like M80s, or gunshots, in the middle of the night. Imagine being awaked form sleep from the sounds of explosions.

7. Guests trespassing on neighboring properties either on foot or in their vehicles. This was one the most intrusive, negative impacts on our community. During these incursions sometimes damage was done to our drive ways and yards.

*Often times these guests were coming in caravans of 2-3 vehicles at a time and sometimes towing very large Toy Haulers and Boat Trailers. Residents would have to go outside and help the guests figure out how to turn around, just to get them off their property and many times this was at night when residents were already in their homes

and not prepared, or comfortable to meet strangers in the dark. We have no idea who these people are, coming into our community.

8. After a short period the smell of raw sewage began emanating from the property, again making it uncomfortable and unhealthy, for the residents that were closest to the ongoing operation to enjoy their properties. This is when guests started posting and complaining online about the sewage issues and when Coos County investigators got involved.

9. Guests accessing the property at 71982 Potlatch use our community access road, NordLoch Lane, and Potlatch Road.

The roads are not maintained by Coos County. The road bed itself sits on property that is owned by many residents in our community. Collectively, all residents who own property on NordLoch Lane, Potlatch Road, Sandhill Willy Way and Dragon Fly Road, voluntarily pay into a yearly fund (NordLoch Road Fund) which is used to make repairs and maintain the road. Along with the fund, residents volunteer to do work on the road. There is an annual meeting of residents where we discuss issues regarding the road and our priorities on how the funds should be spent for improvements and maintenance.

During the period the property at 71982 Potlatch was operating as an Air BNB from early 2022 and continued to operate until 9/28/23, we experienced many issues and negative impacts on our road.

*Garbage and trash being dumped on the side of the road.

*Damage to the road especially on the shoulders of the roads, as guests would regularly bring in large Toy Haulers and Boat Trailers. Our road is a very narrow, mostly single lane road, with little room for this type of continuous traffic.

*Damage to the driveways and yards of residents who had the unfortunate experience of having this unwanted traffic on their property, guests who were lost or using a resident's property as a place to turn around.

*Unattended cars parked on the side of the road above the Air BNB property, some residents experienced encounters with guests/strangers that were volatile or intoxicated or both.

*Use of very large ATV/UTV vehicles on road at high speed headed towards the dunes driving illegally on North Lake road into lakeside. This is a major liability issue, and there were more than a few close encounters with vehicles and residents trying to enjoy walking down the road.

* Guests driving to and from the Air BNB at high speeds and not used to or familiar with driving on these types of country roads, not looking out for others coming around corners on a single lane road, resulted in many residents experiencing close encounters. We were fortunate that we had no accidents.

Summary:

During the period the Air BNB was in Operation, residents were forced to simply take the abuse. Many of our residents still work full time or simply don't have the resources to police the activities of a commercial operation. However, considering the Air BNB was shut down in September of 2023, imagine the amount of issues we would have over the years if this were a permanent situation. No one in our community feels we should have to.

We just want to live peacefully and enjoy our quiet community.

Appellant Name ANTHONY CULJIS

Appellant Signature _____

Date: 11/19/24