



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: _____ Receipt #: _____ Amount: _____ Received by: _____

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)

Mailing address:

Phone:

Email:

Township: _____ Range: _____ Section: _____ ¼ Section: _____ 1/16 Section: _____ Tax lots: _____

Tax Account Number(s):

Zone: Select Zone

Tax Account Number(s)

B. Special Districts and Services

Water

Sewage Disposal

School

Fire District

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

Administrative Conditional Use for

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 [Account Information](#)

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

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

I. **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 timelines.
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

Alicia R. Helms

David Stone

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: _____

Type of Access: _____ Name of Access: _____

Is this property in the Urban Growth Boundary? _____

Is a new road created as part of this request? _____

Required parking spaces are based on the use of the property. If this is for a residential use two spaces are required. Any other use will require a separate parking plan submitted that is required to have the following items:

- Current utilities and proposed utilities;
- Roadmaster may require drawings and specs from the Oregon Standards Specification Manual (OSSC) (current edition).
- The location and design of bicycle and pedestrian facilities shall be indicated on the site plan if this is a parking plan;
- Location of existing and proposed access point(s) on both sides of the road where applicable;
- Pedestrian access and circulation will be required if applicable. Internal pedestrian circulation shall be provided in new commercial, office, and multi-family residential developments through the clustering of buildings, construction of walkways, landscaping, accessways, or similar techniques;
- All plans (industrial and commercial) shall clearly show how the internal pedestrian and bicycle facilities of the site connect with external existing or planned facilities or systems;
- Distances to neighboring constructed access points, median openings (where applicable), traffic signals (where applicable), intersections, and other transportation features on both sides of the property;
- Number and direction of lanes to be constructed on the road plus striping plans;
- All planned transportation features (such as sidewalks, bikeways, auxiliary lanes, signals, etc.); and
- Parking and internal circulation plans including walkways and bikeways, in UGB's and UUC's.

Additional requirements that may apply depending on size of proposed development.

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

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

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

Coos County Road Department Use Only

Roadmaster or designee: _____

Driveway

Parking

Access

Bonded

Date:

Receipt #

File Number: DR-

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: Choose a Service-Type.

Sewage Disposal Type: Choose a Type.

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? 4 guests maximum
- Will food be offered as part of the an on-site business? No
- Will overnight accommodations be offered as part of an on-site business? Yes, 2 bedrooms
- What will be the hours of operation of the business? 4 pm check in and 11 am check out with quiet hour ordinance from 10 pm to 6 am, 5 nights maximum from May - October, annually

Please check if the request is for a land division.

Coos County Environmental Health Use Only:

Staff Reviewing Application: _____

Staff Signature: _____

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

Additional Comments:

December 3, 2024

PROPOSAL: Short Term Vacation Rental (seasonal) in an existing dwelling
91551 Cape Arago Hwy
Coos Bay, OR 97420
25S 14W 36 CA 05800
Tax Account 402407

PROPERTY OWNERS and APPLICANT

Alicia Helms and David Slone
91551 Cape Arago Hwy
Coos Bay, OR 97420

PROJECT NARRATIVE

The subject property is located in Coos Bay, Barview neighborhood, Coos County, Oregon. The property is known as Tax Lot 5800 on the Coos County Tax Assessor's Map 25S14W36CA is located in the Urban Residential-1 zoning district. The property is 1.00 acre in size, and the situs address is 91551 Cape Arago Hwy Coos Bay, OR 97420.

The existing home includes two stories (four bedrooms, two bath, second kitchen), two car garage and attached carport, and detached one car garage (boat storage). There is public water and sewer. Vegetation consists of a variety of trees (Spruce, Cedar, Alder) and woody plants (Rhododendron, Azalea, Twinberry, Thimbleberry) along the North and South sides of the property with the Coos Bay estuary at the West side of the property and Cape Arago Highway/driveway at the East side. The property looks over the Coos Bay bar, North Spit, and jetty as the view. This is an ideal location for a vacation rental and primary home.

Timeline and Details for Vacation Rental: The property owners would like to use the lower level of their single family dwelling as a Vacation Rental (in the existing dwelling), seasonally from end of May through end of October. The dwelling contains four bedrooms in total. The lower level, proposed for the Vacation Rental, contains two bedrooms, one bathroom, kitchen, and living room with private access and views of the bay. The lower level is a self contained apartment with a full kitchen and private entrance. It contains a full size free standing electric range/oven with vent hood, refrigerator, sink, microwave, coffee pot, and cabinet/cupboards. The owner will provide an outdoor barbeque for guests to use. The maximum number of vehicles that can park on site is five, and we anticipate no more than one to two on average for the vacation apartment.

The property managers are the owners, Alicia Helms and David Slone. They reside on site and will be available 24 hours per day for communication when not physically on site. They will be the manager as well as the direct contact for emergencies, cleaning and other items deemed relevant to the operations of the Vacation Rental Dwelling. House cleaning and maintenance services will be provided when the apartment is vacant and by the owner.

Parking for the guests is located in the large, paved driveway with residents parking in the two car garage.

GENERAL SCOPE OF PROPOSAL

Number of Occupants at One Time: 4 maximum

Number of Parking Spaces: 2 total are provided for vacation rental, (owners park in the 2 car garage)

Large Gatherings: Gatherings will not be allowed.

Property Manager Details: The property managers are the owners and their contact information is provided above and on the application itself.

Security: There are exterior security cameras, and the owners reside on site.

Layout of the property, Landscaping/Fencing: There are neighboring homes to the North and South of the property. There is a fence and vegetation on the South side of the property and there is thick vegetation and cedar fence on the North side. The bay is on the west side and the east side is Cape Arago Hwy.

Cleaning Services: Cleaning and maintenance will be conducted by the owners and only when the rental is vacant. The owner resides on site, so a dedicated parking space is not required for cleaning services but large driveway and paved area next to garage are suitable for any larger, contracted maintenance that the owners would be unable to complete.

Compatibility: The property is located in Barview/Charleston, designated as Oregon's adventure coast with nearby recreational destinations, including Charleston that serves as a home port to a large commercial fishing fleet, provides charter boat operations, sport fishing, crabbing, and recreational boating. In addition, several parks and beaches are within a few miles including Bastendorff Beach, Sunset Bay, Shore Acres, and Cape Arago (Lighthouse). The proposed use of a Vacation Rental in the neighboring Barview community would be considered compatible.

COOS COUNTY ZONING AND LAND DEVELOPMENT ORDINANCE (CCZLDO) CRITERIA

4.3.210(87) Vacation Rental/short term rental - Subject to the following criteria:

A. Shall be found to be compatible with the surrounding area.

Zoning of the Urban Residential 1 allows a vacation rental (in an existing dwelling) with an administrative condition use approval. The location is in the neighborhood of Barview, on the Bay side with 2 neighbors on each side of the property. There is a fence (maintained by us/owners) and full vegetation along the South and North sides of the property (vegetation maintained by all respective neighbors). The rental

customers targeted are small families or individuals, with a maximum of 4 guests allowed, and rental rules would include no parties, and quiet hours implemented from 10 pm to 6 am. Any guests violating the rules will be required to leave the vacation rental. Our relationship with our neighbors is respectful and friendly and we will continue this relationship. The rental is located in the neighborhood of Barview nearby to Charleston, designated as Oregon's adventure coast with nearby recreational destinations, including Charleston that serves as a home port to a large commercial fishing fleet, provides charter boat operations, sport fishing, crabbing, and recreational boating. In addition, several parks and beaches are within a few miles including Bastendorff Beach, Sunset Bay, Shore Acres, and Cape Arago (Lighthouse).

(b) Shall be licensed by Coos Health and Wellness (CHW) in accordance with ORS 446.310-350.

Applicant's Response: The proposed use will be licensed by CHW in accordance with ORS 446.310-350. The owners confirmed the following Steps to license a premise as a vacation rental/traveler's accommodation: 1. Zoning Urban Residential 1, 2. Public Water Source, 3. Septic is Municipal Sewer, 4. Download and Preparation of Tourist Accommodation Application (TAA), Licensing Questionnaire, and fee for Vacation Rental 1 unit (\$190), and 5. Compliance with inspection scheduled for OAR 333-029.

(c) Shall meet parking access, driveway and parking standards as identified in Chapter V11.

The driveway and access to the vacation rental is via Cape Arago Highway, which is maintained by Coos County. Currently, there are 2 designated parking spaces for the guests (see plot diagram). The garage provides 2 parking spaces for the owners. There is an additional paved parking area alongside the east side of the garage.

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

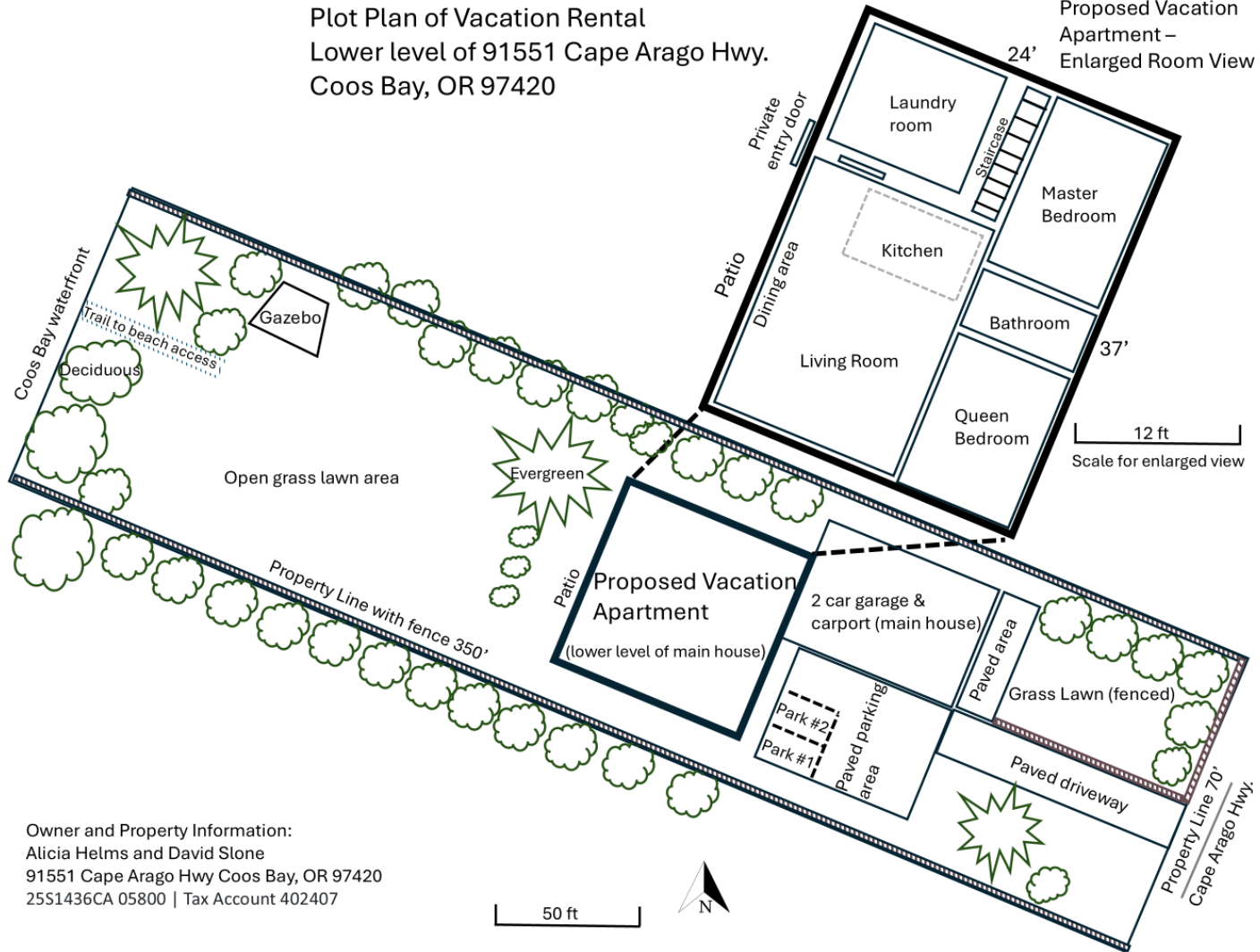
The owners are aware and acknowledge this accessory use cannot be transferred without the subsequent property owners submitting a Compliance Application. We currently do not have any plans to sell the home as it is our primary residence.

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

The owners acknowledge a deed restriction will be filed with the county clerk's that this is an accessory use to the approved residential use.

Plot Plan of Vacation Rental
 Lower level of 91551 Cape Arago Hwy.
 Coos Bay, OR 97420

Proposed Vacation
 Apartment –
 Enlarged Room View



Owner and Property Information:
 Alicia Helms and David Stone
 91551 Cape Arago Hwy Coos Bay, OR 97420
 25S1436CA 05800 | Tax Account 402407

RECORDING REQUESTED BY:



201 Central Avenue
Coos Bay, OR 97420-2206

Coos County, Oregon **2022-06845**
\$91.00 Pgs=2 07/18/2022 02:18 PM
eRecorded by: TICOR TITLE COOS BAY
Diris D. Murphy, Coos County Clerk

GRANTOR'S NAME:
Thomas S. Vanderpool and Diane M. Vanderpool

GRANTEE'S NAME:
Alicia Helms and David Slone

AFTER RECORDING RETURN TO:
Order No.: 360622040227-VR
Alicia Helms and David Slone, not as tenants in common, but with
the rights of survivorship
91551 Cape Arago Highway
Coos Bay, OR 97420

SEND TAX STATEMENTS TO:
Alicia Helms and David Slone
91551 Cape Arago Highway
Coos Bay, OR 97420-6704

APN: 402407
402564
Map: 25S1436CA 05800

91551 Cape Arago Highway, Coos Bay, OR 97420-6704

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Thomas S. Vanderpool and Diane M. Vanderpool, as tenants by the entirety, Grantor, conveys and warrants to Alicia Helms and David Slone, not as tenants in common, but with the rights of survivorship, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Coos, State of Oregon:

Beginning at a point on the Westerly boundary of the right of way of the Cape Arago State Highway through Government Lot 3 of Section 36, Township 25 South, Range 14 West of the Willamette Meridian, Coos County, Oregon, from which point the iron pipe at the center of said Section 36 bears North 38°10'30" East 1480.9 feet; thence North 67°27' West 713.97 feet to the low water line of Coos Bay; thence South 6°05' West 78.20 feet along said low water line; thence South 67°27' East 687.70 feet to a point on said Westerly boundary of the highway; thence along said highway on a spiral curve to the right (the long chord of which bears North 25°38'30" East 75.10 feet) to the point of beginning.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS SIX HUNDRED SIXTY-NINE THOUSAND AND NO/100 DOLLARS (\$669,000.00). (See ORS 93.030).

Subject to:

Regulations, levies, liens, assessments, rights of way and easements of Charleston Sanitary District.

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 Coos Bay.

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 Coos Bay.

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 Coos Bay.

Rights of the public, riparian owners and governmental bodies in that portion of the subject land lying in wetlands.

Rights of the public to any portion of the Land lying within the area commonly known as streets, roads and highways.

Order, including the terms and provisions thereof.

Recording Date: February 1, 2022
Recording No.: 2022-01004

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

STATUTORY WARRANTY DEED
(continued)

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: 7/14/2022 7/15/22

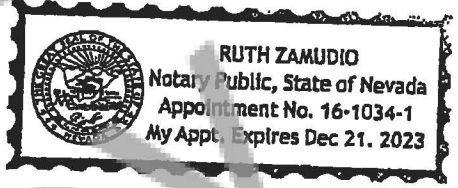
Thomas Vanderpool
Thomas A. Vanderpool
Diane M. Vanderpool
Diane M. Vanderpool

State of Nevada
County of Clark

7/15/22
7/14/22

This instrument was acknowledged before me on _____ by Thomas A. Vanderpool and Diane M. Vanderpool.

Ruth Zamudio
Notary Public - State of ~~Oregon~~ Nevada
My Commission Expires: Dec. 21, 2023



Unofficial Copy

