



NOTICE OF COMPLETENESS

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

Friday, July 02, 2021

Rick & Anne-Marie Paras
47251 Highway 101
Bandon, OR 97411

RE: Completeness Review for ACU-21-042

Dear Applicant(s):

Thank you for submitting your Administrative Conditional Use. The first step in the application process is a completeness review. The following items were required to be included in your application or determined prior to the acceptance of the application:

1. The correct and completed application form was filed. If the proposed use/activity will occur in an identified hazard area the correct reports or certifications have been included.
2. 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; a consent form may be accepted
3. One original and one exact unbound copy of the application or an electronic copy shall be provided at the time of submittal for all applications;
4. A detailed Project Proposal was provided;
5. A detailed parcel map of the subject property illustrating the size and location of existing and proposed uses, structures and roads on an 8½" x 11" paper to scale. Applicable distances must be noted on the parcel map along with slopes. (See example plot map);
6. Covenants or deed restrictions on the property were provided or were found not to exist.
7. All of the lots or parcels that are currently within the applicant's ownership, co-ownership or is purchasing which have a common boundary with the subject property on an assessment map were listed on the application;
8. A copy of the current deed of record has been provided;
9. All the applicable criteria have been addressed;
10. The property was created legally;
11. All development was cited in compliance with the Coos County Zoning and Land Development Ordinance or this application will bring a use or activity into compliance; and
12. All road, driveway, access, parking plan or traffic impact analysis has been submitted as required by the Coos County Zoning and Land Development Ordinance.

This application has been:

- Deemed complete as of the date this letter was sent and the application has been forwarded to all applicable agencies or departments for comment; or
- Deemed incomplete due to missing information as shown by the unchecked boxes above. As the applicant for a permit or limited land use it is your responsibility to submit one of the following within 180 days to the Planning Department:
 - a. All of the missing information;

- b. Some of the missing information and written notice from the applicant that no other information will be provided; or
- c. Written notice from the applicant that none of the missing information will be provided.

If the application is found to be incomplete and steps a, b or c are not completed within the required timeframe (180 days), then on the 181st day the application will be deemed void. If you submit material by email you are responsible to follow up with staff to ensure that information was received. On the day the department receives one of the options (a. through c.) above is the date your application will be considered complete.

Once your application has been deemed complete staff will continue with the review process. Your application will go through the following steps (checked steps apply to your application):

<input type="checkbox"/>	1.	The first step is requesting comments from any applicable agency or department. Most agencies have 30 days to respond to comments.
<input type="checkbox"/>	2.	If this is a land division Technical Review Committee (TRC) will be scheduled once all comments have been received. Once the TRC has been completed a tentative decision is mailed out approximately six (6) weeks after. The notice of tentative decision will provide for a fifteen (15) day opportunity to appeal. If appealed it will be scheduled for hearing. The decision only becomes final after the final partition plat has been filed.
<input type="checkbox"/>	3.	If this is application requires a hearing, a notice of hearing will be provided 20 days prior to the hearing. Once the hearing is concluded a notice of decision will be mailed out within five to seven days. If this is a Planning Commission decision the notice will provide for an opportunity to appeal (15) fifteen days to the Board of Commissioners. If this is a Board of Commissioners decision there is a twenty-one (21) day appeal period to the Land Use Board of Appeals.
<input type="checkbox"/>	4.	If this is an administrative review (Administrative Conditional Use, Extension, or Variance) a notice of decision with an opportunity to appeal will be mailed out once the review has been completed. Approximately, six weeks after the application has been deemed complete. The notice of decision will provide for a fifteen (15) day opportunity to appeal. If not appealed the decision becomes final. Property line adjustment discrete parcel 12 day opportunity to appeal.
<input type="checkbox"/>	5.	If this is a limited land use notice then a notice requesting comments will be mailed as soon as the application has been deemed complete and then a review and decision will be issued. Approximately, four weeks after the comments time has expired. The notice of decision will provide for a fifteen (15) day opportunity to appeal. If not appealed the decision becomes final.

Except when an applicant requests an extension of the timelines, the governing body of the county or its designee shall take final action on an application for a permit or limited land use decision within 120 (urban zone) days or 150 (rural) days as applicable.

If you have questions about the land use process please contact planning staff for assistance.

Thank you,

Amy Dibble

Amy Dibble, Planner II

C: File

Criteria for a Guest House

Guest House - An auxiliary residence shall be constructed on property when the following conditions are met:

- (i) The parcel on which the guest house is placed contains two (2) acres;
- (ii) Only one guest house per lawfully created unit of land;
- (iii) The guest house shall not exceed either 500 square feet in size or 75% of the total square footage of the primary dwelling, whichever is less, on properties that contains at least two (2) acres in size;
- (iv) The guest house shall not exceed either 800 square feet in size or 75% of the total square footage of the primary dwelling, whichever is less, on properties that are served by water and sewer or contains a minimum of (5) acres;
- (v) The guest house can be a manufactured structure (park model) or conventional built. Manufactured structures are prohibited in an Urban Residential-1 (UR-1) zone;
- (vi) Cannot be used as a rental unit;
- (vii) Is attached to or within 100 feet of the main residence but no closer than seven (7) feet;
- (viii) Is served by the same domestic water system, sewage system and utility meters as the main residence, unless it is located in an area served by a public sewer system;
- (ix) Guest houses that existed prior to July 1, 2018 may be converted to an accessory dwelling unit if they comply with the standards. This will require a Compliance Determination review.
- (x) A deed covenant recorded with the county stating that this is a guest house that is not to be rented. If converted to another use the covenant will be removed.

COMPATIBILITY: The proposed USE, ACTIVITY OR DEVELOPMENT is required to demonstrate compatibility with the surrounding properties or compatibility may be made through the imposition of conditions. Compatibility means that the proposed use is capable of existing together with the surrounding uses without discord or disharmony. The test is where the proposed use is compatible with the existing surrounding uses and not potential or future uses in the surround area.

ARTICLE 5.3. VARIANCES

• SECTION 5.3.100 GENERAL:

Practical difficulty and unnecessary physical hardship may result from the size, shape, or dimensions of a site or the location of existing structures thereon, geographic, topographic or other physical conditions on the site or in the immediate vicinity, or, from population density, street location, or traffic conditions in the immediate vicinity. Variances may be granted to overcome unnecessary physical hardships or practical difficulties. The authority to grant variances does not extend to use regulations, minimum lot sizes or riparian areas within the Coastal Shoreland Boundary.

• SECTION 5.3.150 SELF-INFLICTED HARDSHIPS:

A variance shall not be granted when the special circumstances upon which the applicant relies are a result of the actions of the applicant, current owner(s) or previous owner(s) willful violation.

This does not mean that a variance cannot be granted for other reasons.

- **SECTION 5.3.200 VARIANCE:**

The Planning Director shall consider all formal requests for variances for zoning and land development variances.

- **SECTION 5.3.350 CRITERIA FOR APPROVAL OF VARIANCES:**

No variance may be granted by the Planning Director unless, on the basis of the application, investigation, and evidence submitted;

1. Both findings “a” and “b” below are made:
 - a. One of the following circumstances shall apply:
 - i. That a strict or literal interpretation and enforcement of the specified requirement would result in unnecessary physical hardship and would be inconsistent with the objectives of this Ordinance;
 - ii. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply to other properties in the same zoning district; or
 - iii. That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges legally enjoyed by the owners of other properties or classified in the same zoning district;
 - b. That the granting of the variance will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the near vicinity.
2. That the granting of the variance will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the near vicinity.
3. In addition to the criteria in (1) above, no application for a variance to the Airport Surfaces Floating Zone may be granted by the Planning Director unless the following additional finding is made: “the variance will not create a hazard to air navigation”.
4. In lieu of the criteria in (1) above, an application for a variance to the /FP zone requirements shall comply with Section 4.6.227.
5. Variance regulations in CCZLDO Article 5.3 shall not apply to Sections 4.11.400 through 4.11.460, Chapter VII and Chapter VIII.