

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

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: 51620 Old Broadbent Road, Myrtle Point, OR 97458

Type of Access: County Road Name of Access: Old Broadbent 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: 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: On-site Well

Sewage Disposal Type: On-site septic

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

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

Please check if the request is for a land division.

Coos County Environmental Health Use Only:

Staff Reviewing Application: _____

Staff Signature: _____

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

Additional Comments:

RECORDING COVER SHEET (Please Print or Type)

This cover sheet was prepared by the person presenting the instrument for recording. The information on this sheet is a reflection of the attached instrument and was added for the purpose of meeting first page recording requirements in the State of Oregon, ORS 205.234, and does NOT affect the instrument.

Coos County, Oregon **2022-03346**
\$106.00 Pgs=5 04/11/2022 02:59 PM
eRecorded by: TICOR TITLE COOS BAY
Diris D. Murphy, Coos County Clerk

AFTER RECORDING RETURN TO:

Nicole Graham
P.O. Box 486
Myrtle Point, OR 97458

1. TITLE(S) OF THE TRANSACTION(S) ORS 205.234(a)

Statutory Warranty Deed

2. DIRECT PARTY / GRANTOR(S) ORS 205.125(1)(b) and 205.160

Kathleen Ann Haley

3. INDIRECT PARTY / GRANTEE(S) ORS 205.125(1)(a) and 205.160

Nicole Graham

4. TRUE AND ACTUAL CONSIDERATION

ORS 93.030(5) - Amount in dollars or other

\$190,000.00 Other

5. SEND TAX STATEMENTS TO:

Nichole Graham
PO Box 486
Myrtle Point, OR 97458

6. SATISFACTION of ORDER or WARRANT
ORS 204.125(1)(e)

CHECK ONE: Full
(If applicable) Partial

7. The amount of the monetary obligation imposed by the order or warrant. ORS 205.125 (1)(c)

\$ 0.00

8. If this instrument is being Re-Recorded, complete the following statement, in accordance with ORS 205.244: "RERECORDED AT THE REQUEST OF TICOR TITLE COMPANY OF OREGON TO CORRECT LEGAL DESCRIPTION AS SET FORTH ON ATTACHED EXHIBIT A - LEGAL DESCRIPTION PREVIOUSLY AS FEE NUMBER 2022-02625."

RECORDING REQUESTED BY:



201 Central Avenue
Coos Bay, OR 97420

Coos County, Oregon 2022-02625
\$91.00 Pgs=2 03/22/2022 11:55 AM
Recorded by: TICOR TITLE COOS BAY
Diris D. Murphy, Coos County Clerk

AFTER RECORDING RETURN TO:

Order No.: 360622038991-DM
Nicole Graham
P.O. Box 486
Myrtle Point, OR 97458

SEND TAX STATEMENTS TO:

Nicole Graham
P.O. Box 486
Myrtle Point, OR 97458

APN: 1169800

Map: 29S123200 00600

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Kathleen Ann Haley, Grantor, conveys and warrants to Nicole Graham, 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 the corner of Section 29, 30, 31 and 32, Township 29 South, Range 42 West of the Willamette Meridian; running thence East along the South line of said Section 29, 420 feet; thence South to the County Road; thence along the North side of said County Road to a place due South of the place of beginning; thence North to the place of beginning.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS ONE HUNDRED NINETY THOUSAND AND NO/100 DOLLARS (\$190,000.00). (See ORS 93.030).

Subject to:

A manufactured home situated on the subject land is classified as personal property, as disclosed by the ownership records of the Building Codes Division. Unless a manufactured home is reclassified from personal to real property, a manufactured housing endorsement (ALTA End. 7-06, 7.1-06 or 7.2-06) is not available until reclassification is completed and an appropriate approval is recorded. NOTE: Depending on circumstances, a manufactured home may be classified as personal property but assessed as real property under ORS 308.875.

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

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Evelyn Northup
Purpose: Access, et al
Recording Date: August 5, 1970
Recording No: 70-8-50710 Microfilm

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Coos-Curry Electric Cooperative, Inc., a cooperative corporation
Purpose: Utilities
Recording Date: February 17, 2000
Recording No: 2000-1484

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 856, 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 856, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

RECORDING REQUESTED BY:



201 Central Avenue
Coos Bay, OR 97420

AFTER RECORDING RETURN TO:

Order No.: 360622038991-DM
Nicole Graham
P.O. Box 486
Myrtle Point, OR 97458

SEND TAX STATEMENTS TO:

Nicole Graham
P.O. Box 486
Myrtle Point, OR 97458

APN: 1169800
Map: 29S123200 00600

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Kathleen Ann Haley, Grantor, conveys and warrants to Nicole Graham, 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 the corner of Section 29, 30, 31 and 32, Township 29 South, Range 12 West of the Willamette Meridian; running thence East along the South line of said Section 29, 420 feet; thence South to the County Road; thence along the North side of said County Road to a place due South of the place of beginning; thence North to the place of beginning.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS ONE HUNDRED NINETY THOUSAND AND NO/100 DOLLARS (\$190,000.00). (See ORS 93.030).

Subject to:

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Granted to: Evelyn Northup
Purpose: Access, et al
Recording Date: August 5, 1970
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Purpose: Utilities
Recording Date: February 17, 2000
Recording No: 2000-1484

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.

STATUTORY WARRANTY DEED

(continued)

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

Dated: 3-17-2022

Kathleen Ann Haley

Kathleen Ann Haley

State of Oregon

County of Coos

This instrument was acknowledged before me on March 17th, 2022 by Kathleen Ann Haley.

Seth Terry
Notary Public - State of Oregon

My Commission Expires: 05/06/2024



Unofficial Copy

EXHIBIT A - LEGAL DESCRIPTION

Order No.: 360622038991

Beginning at the corner of Section 29, 30, 31 and 32, Township 29 South, Range 12 West of the Willamette Meridian; running thence East along the South line of said Section 29, 420 feet; thence South to the County Road; thence along the North side of said County Road to a place due South of the place of beginning; thence North to the place of beginning.

EXCEPTING THEREFROM that portion conveyed in Decree recorded December 15, 1995 as Instrument No. 95-12-0423, Coos County Records, being more particularly described as follows:

Beginning at the Northwest corner of Section 32, Township 29 South, Range 12 West as established in Coos county Survey Record 37B39; thence South $00^{\circ} 12' 31''$ West, 148.40 feet along the Section line as established in Coos County Survey Record 37B39 to a point North $73^{\circ} 14' 36''$ East, 2.80 feet from the $5/8''$ iron rod established in Coos county Survey Record Book 20, Page 239; thence North $73^{\circ} 14' 36''$ East, 158.06 feet; thence North $16^{\circ} 38' 02''$ East, 107.82 feet to the North boundary of Section 32 as established in Coos county Survey Record 37B39; thence South $89^{\circ} 50' 52''$ West, 181.67 feet to the point of beginning.

Unofficial
Copy

January 8, 2024

To: Coos County

From: Nicole Graham

Re: Driveway variance

We are applying for a driveway variance for our property at 51620 Old Broadbent Road in Myrtle Point due to the fact that, although we've already spent over \$35,000 on the driveway, we are unable to meet the grade, width and emergency turnaround requirements. In some spots of the driveway, the grade is 21% instead of 18% so we were advised to apply for a variance as changing the grade would be cost prohibitive.

Thank you,

A handwritten signature in black ink that reads "Nicole Graham". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Nicole Graham
541-973-8901