



**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: 07/30/24 Receipt #: 248162 Amount: 1956.00 Received by: C. Carr

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) Mike L CORNUTT

Mailing address: 58680 Jackie Rd

Phone: 541-378-7408

Email: MCORNUTT670@GMAIL.COM

Township: Range: Section: 1/4 Section: 1/16 Section: Tax lots:  
Select Select Select Select Select

Select 275 Select 14W Select 28 Select Select 1200

Tax Account Number(s): 7574200

Zone: Select Zone Please Select

Tax Account Number(s) Please Select

**B. Special Districts and Services**

Water Select type of Water Service

Sewage Disposal Select type of Sewage System

School Coos Bay

Fire District Select Fire District

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

Administrative Conditional Use for Vacation Rental

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

**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: 58680 Jackie Rd

Type of Access: <sup>?</sup>Select Public Name of Access: <sup>?</sup>Jackie Rd.

Is this property in the Urban Growth Boundary? <sup>?</sup>Select NO  
Is a new road created as part of this request? <sup>?</sup>Select 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: Select *well*

Sewage Disposal Type: Select *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?

*Check in At 3PM Check out 11 Am*

Please check  if the request is for a land division.

### Coos County Environmental Health Use Only:

Staff Reviewing Application: \_\_\_\_\_

Staff Signature: \_\_\_\_\_

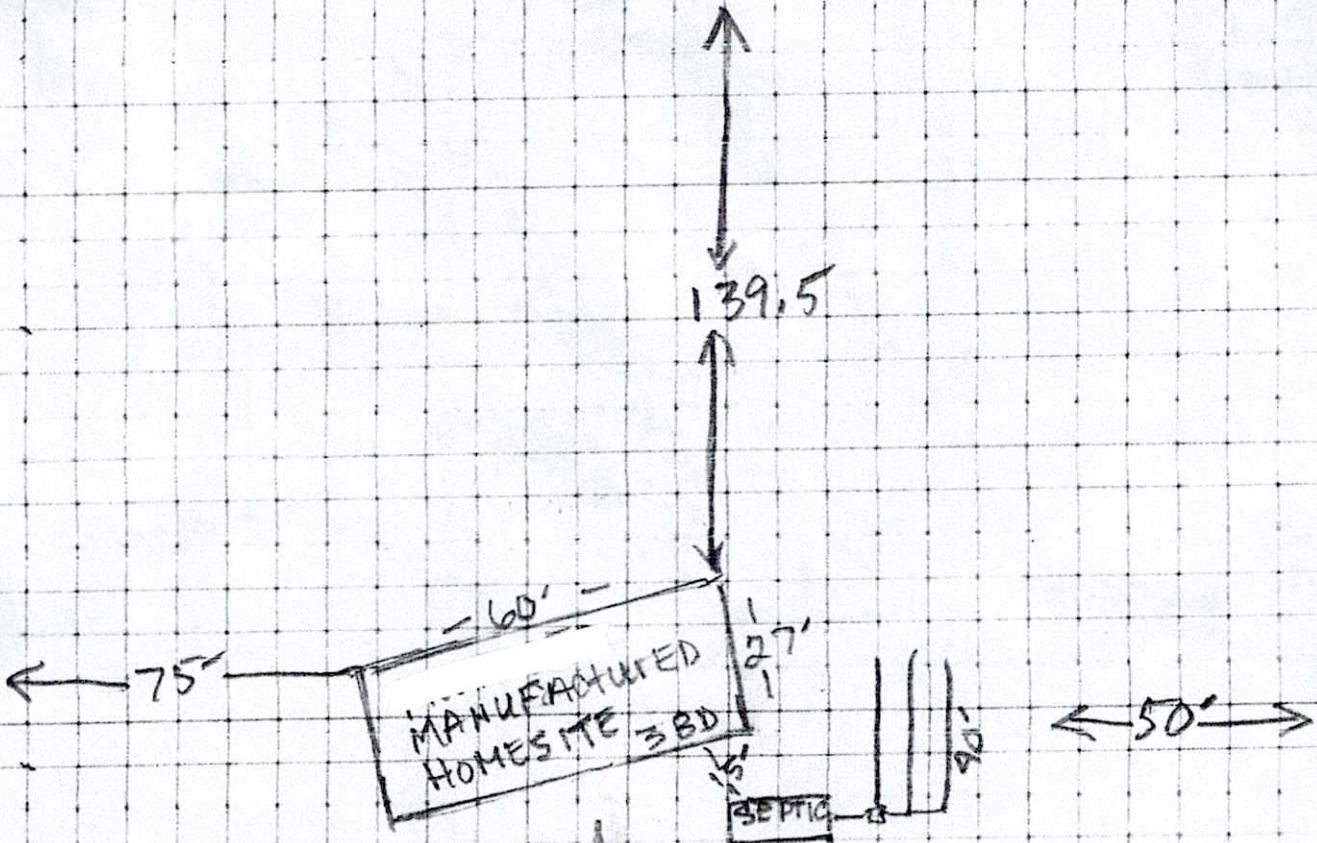
- This application is found to be in compliance and will require no additional inspections
- This application is found to be in compliance but will require future inspections
- This application will require inspection prior to determining initial compliance. The applicant shall contact Coos Health and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

Additional Comments:

163'

~~334.5~~

~~441.3~~



Jackie Dr. 161'

**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

**2021-03723**

**\$111.00 Pgs=6 04/02/2021 09:13 AM**

eRecorded by: TICOR TITLE COOS BAY

Debbie Heller, CCC, Coos County Clerk

**AFTER RECORDING RETURN TO:**

Ticor Title Company of Oregon  
1010 1st Street, Ste 215  
Bandon, OR 97411

**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**

Donald G. Levenson

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

Mike L. Cornutt and Jacque L. Cornutt, as tenants by the entirety

**4. TRUE AND ACTUAL CONSIDERATION**

ORS 93.030(5) - Amount in dollars or other

\$115,000.00  Other

**5. SEND TAX STATEMENTS TO:**

Mike L. Cornutt and Jacque L. Cornutt  
670 Redd Dr  
Winston, OR 97496

**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 TO CORRECT GRANTEE BY CLARIFYING NAME WHICH IS ILLEGIBLE ON ORIGINAL RECORDING PREVIOUSLY RECORDED AS FEE NUMBER 2020-02806."**

RECORDING REQUESTED BY:



1010 1st Street, Ste 215  
Bandon, OR 97411

GRANTOR'S NAME:  
Donald G. Levenson

GRANTEE'S NAME:  
Mike L. Comutt and Jacque L. Comutt

AFTER RECORDING RETURN TO:  
Order No.: 380620030207-KD  
Mike L. Comutt and Jacque L. Comutt, as tenants by the entirety  
670 Redd Dr  
Winston, OR 97496

SEND TAX STATEMENTS TO:  
Mike L. Comutt and Jacque L. Comutt  
670 Redd Dr  
Winston, OR 97496

APN: 7574200  
Map: 27S1428BB01200  
0 Jackie Drive, 27S1428BB01200, Bandon, OR 97411

Coos County, Oregon

2020-02806

\$101.00 Pgs=4 03/17/2020 01:13 PM

eRecorded by: TICOR TITLE BANDON

Debbie Heller, CCC, Coos County Clerk

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Donald G. Levenson, Grantor, conveys and warrants to Mike L. Comutt and Jacque L. Comutt, 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:

Lot 14, Block 1, Pacific Rivera No. 3, Coos County, Oregon.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS ONE HUNDRED FIFTEEN THOUSAND AND NO/100 DOLLARS (\$115,000.00). (See ORS 93.030).

Subject to:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

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 30.830, 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.



Deed (Statutory Warranty) Legal  
ORCR388.doc / Update: 04.28.19

STATUTORY WARRANTY DEED  
(continued)

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

Dated: 3/16/2020  
DONALD G. LEVENSON

By: [Signature] AS ATTORNEY IN FACT  
Faith Yachuki Pai as attorney in fact for Donald G. Levenson

State of California  
County of Los Angeles

On this 3/16/2020, before me personally appeared

Faith Yachuki Pai

(proved to me on the basis of satisfactory evidence) (personally known to me) to be the person whose

name is subscribed to the within instrument (Type of Document:  
Driver license).

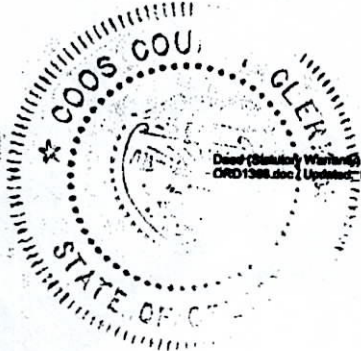
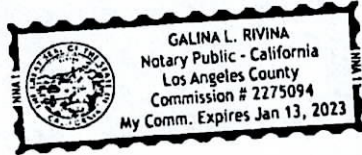
as the attorney in fact of: Donald G. Levenson

and acknowledged that (he) (she) subscribed the name of \_\_\_\_\_

thereto as principal, and (his) (her) own name as attorney in fact.

[Signature]  
Notary Public - State of California

My Commission Expires: 1/13/23



A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA }  
COUNTY OF LOS ANGELES }

On 3/16/2020, before me, Galina L. Rivina, a  
Notary Public, personally appeared \_\_\_\_\_

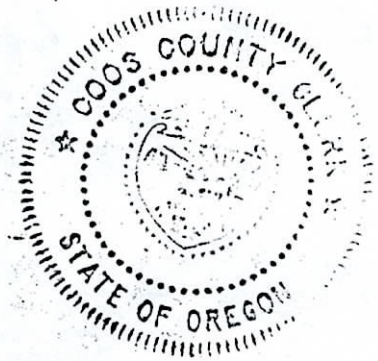
Faith Yiaohua. Rui, who  
proved to me on the basis of satisfactory evidence to be the person(s) whose name(s)  
is/are subscribed to the within instrument and acknowledged to me that he/she/they  
executed the same in his/her/their authorized capacity(ies), and that by his/her/their  
signature(s) on the instrument the person(s), or the entity upon behalf of which the  
person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that  
the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature:  (Seal)

GALINA L. RIVINA  
Notary Public - California  
Los Angeles County  
Commission # 2275094  
My Comm. Expires Jan 13, 2023



**EXHIBIT "A"**  
Exceptions

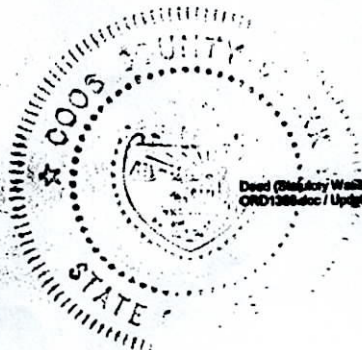
**Subject to:**

1. Restrictions, but omitting restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said restriction is permitted by applicable law, as shown on that certain plat

Name of Plat: Pacific Rivers No. 3  
Recording Date: May 23, 1973  
Recording No: Book 9 Page 32

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

Granted to: Coos Curry Electric Cooperative, Inc  
Recording Date: November 30, 1973  
Recording No: 73-11-93853




STATE OF OREGON  
COUNTY OF COOS

I hereby certify that instrument #2020-02806,  
recorded on 3/17/2020, consisting of 4 page(s), has  
been compared with the original, and is a correct  
and whole transcript as it appears on record at the  
County Clerk's office in Coos County, Oregon.

Debbie Heller, CCC, County Clerk

3/19/2021

  
Angela Pizzola - Deputy

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).

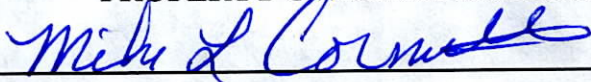
II. **PLOT PLAN OR SKETCH PLAN:** A detailed drawing delineating the following:

- 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**



**Criteria and Responses:**

Chapter IV – Coos County Zoning and Land Development Ordinance.

Section 4.3.210 Categories and Review Standards (87) Vacation rental/short term rental:

- (a) Shall be found to be compatible with the surrounding area.

**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. The surrounding area consists of the notification area for the project as set out in § 5.0.900.

In summary, the criteria are asking how the use of a vacation rental which is considered a commercial use will be compatible with the existing surrounding uses. For Rural Residential the study area is 250 feet from the boundary of the subject tract (contiguous properties within one ownership) and in Urban Residential the study area is 100 feet from the boundary of the subject tract.

There are many ways to provide evidence but one example would be to identify the properties within the study area on a map and explain what use is occurring on each of them and how the proposal will not interfere with such uses. The surrounding zoning would be another way to explain how the use is compatible. How will you control the vacation rental so that it is similar to a residential use through quiet times, parking, limitation on guest and etc.

**Applicants Response:**

Close to Whiskey Run Beach  
in the middle of Bandon Dunes Golf Resort

- (b) Shall be licensed by the Coos Health & Wellness (CHW) in accordance with ORS 446.310-350;

Please contact CHW to understand the licensing requirements. If the current dwelling is using surface water it may not qualify under the health standards.

**Applicants Response:** I will contact CHW

## SUPPLEMENTAL APPLICATION REQUIREMENTS FOR VACATION/SHORT TERM RENTALS.

Below are the criteria for a Vacation Rental/Short Term Rentals. This type of use may be allowed in Urban and Rural Residential Zones through an Administrative Conditional Use (ACU) process.

In summary, an Administrative Conditional Use is a use or activity with similar compatibility or special conservation problems within a zoning district. A Conditional Use may be initiated by filing an application with the Planning Department using forms prescribed by the Department. An application for an Administrative Conditional use requires review by the Planning Director to insure compliance with approval criteria. This type of review is considered a "Discretionary" review that contains approval criteria. Approval criteria are listed with a specific review and findings must be made to address such criteria. The criteria are a set of rules that a proposal shall comply with in order to receive approval. A proposal that can comply with the criteria with mitigation measures or limitations will be approved with conditions. A proposal that cannot comply with the criteria outright or cannot comply with mitigation measures will be denied. An application for a conditional use or an Administrative Conditional Use shall be approved only if it is found to comply with this Article and the applicable review criteria, development standards and special development consideration and/or overlays set forth in the zoning regulations and any other applicable requirements of this Ordinance. Once the process has started for review refunds will not be processed. The burden of proof rest on the applicant to show that the request meets all criteria.

- Proposals shall contain a general scope of work for the proposal. At the minimum the proposal for a short term/vacation rental shall include:
  - Number of occupants at one time; **6**
  - Number of vehicles; **3**
  - Large gatherings; **NO**
  - Property manager including contact details; **Yes**
  - Security; **NO**
  - The layout of the property, does the property have sight obscuring (from neighboring properties) fencing or landscaping; **Yes**
  - Services such as cleaning and property maintenance (parking should include a one space dedicated to service worker); and **Yes**
  - Any other details that may be important to this review process.
  
- Required Criteria to be addressed to receive approval. Under the criteria staff has included some additional guidance to help applicants understand how or what is meant/required to be addressed. The guidance is not meant to provide legal advice but does provide components of other successful application requests. It is helpful if an applicant approaches criteria as a series of questions. For example, how will this use be compatible and then present evidence to back up the answer. This could be drawings, photos, contracts, maps or any other item that shows you understand and will follow the criteria.

(c) Shall meet parking access, driveway and parking standards as identified in Chapter VII;

The Coos County Road Department will evaluate your parking and access. This requires that an applicant submit a traffic plan that addresses the access, driveway and parking.

The driveway and access shall meet the minimum standards. The parking standards shall be drawn to show 1 space per guest accommodation plus, 1 space per employee. The guest accommodations are viewed by the number of bedrooms in the dwelling.

**Applicants Response:**

MARKED ON PLOT PLAN

- (d) Shall not be conveyed or otherwise transferred to a subsequent landowner without a the new property owner submitting a Compliance Determination Application showing compliance with this section; and
- (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 Urban Growth Boundary further restrictions may be required based on comments from the City.

This criterion just required acknowledgment that an applicant/property that in the event of sale of the property a review is required to continue the approved short term/vacation real use. A deed restriction will be required to be recorded as a condition of approval.

**Applicants Response:** NOT PLANNING ON SELLING PROPERTY

I Acknowledge that I will have to do a deed restriction

Mike Cornott 58680 Jackie Rd

I'm writing this letter requesting a Permit to operate a Air B & B AS A VACATION Rental. I purchased the property AS A Lot FOR A Home.

It is located on JACKIE Rd OFF Whiskey Run beach Rd. Its a 27 x 60 manufactured home. It HAS 3 bdr two FULL BATHS. IT HAS ADEQUATE PARKING FOR AT LEAST 4 VEHICLES. Its on 1.33 ACRES WITH A LOT OF TIMBER AND RHODEDENDRINS WHICH ALLOWS PLENTY OF PRIVACY FOR CUSTOMERS.

IT IS SOURCED FOR WATER WITH A WELL THAT WAS RECENTLY REDRILLED BY BARRY WELL SO ITS GOT A GREAT WELL. IT IS EQUIPPED WITH A SEPTIC TANK I BELIEVE IS 900 GALLONS.

I have signed and executed the conditional Land Use Application FOR YOUR REVIEW.

Sincerely Mike Cornott  
Mike Cornott

