



NOTICE OF LAND USE DECISION

You may have received this because you are an adjacent property owner, and this notice is required to be provided pursuant to ORS 215.416. The proposal is identified in this decision and will be located on the subject property.

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

This decision notice is required to be sent to the property owner(s), applicant(s), adjacent property owners (distance of notice is determined by zone area – Urban 100 feet, Rural 250 feet, and Resource 750 feet), special taxing districts, agencies with interest, or person that has requested notice. Please read all information carefully as this decision. (See attached vicinity map for the location of the subject property).

Date of Notice: Thursday, March 14, 2024
File No: ACU-23-056
Proposal: Verification of a Non-Conforming Use
Applicant(s): MARQUESS LIVING TRUST
Staff Planner: Crystal Orr, Associate Planner

Decision: **Approved with Conditions.** All decisions are based on the record. This decision is final and effective at close of the appeal period unless a complete application with the fee is submitted by the Planning Department at 5 p.m. on **Friday, March 29, 2024**. Appeals are based on the applicable land use criteria. The proposal is subject to the following criteria: Verification of a Non-Conforming use in the Exclusive Farm Use (EFU) Zone pursuant to Coos County Zoning and Land Development Ordinance (CCZLDO) Article 5.6 Nonconforming and Article 4.11 Special Development Considerations and Overlays. This proposal is not subject to review under Natural Hazards. **Civil matters including property or road disputes are outside of the criteria listed in this notice will not be considered. For more information, please contact the staff planner listed in this notice.**

Subject Property Information

Account Number: 1203000/1203100
Map Number: 29S140500-00200/ 29S140500-00100
Property Owner: MARQUESS LIVING TRUST
MARQUESS, DAN W TTEE ET AL
PO BOX 1967
BANDON, OR 97411-1967
Situs Address: 88541 WINDHURST LN BANDON, OR 97411
Acreage: 5.18 Acres
Zoning: EXCLUSIVE FARM USE (EFU)
Special Development Considerations and overlays: BANDON AREA OF MUTUAL INTEREST (BMI)
BANDON CONICAL ZONE (ABC)
MUNICIPAL WATERSHED (WTR)
NATIONAL WETLAND INVENTORY (NWI)
WETLAND IN CRANBERRY BOGS (WC)

The purpose of this notice is to inform you about the proposal and decision, where you may receive more information, and the requirements if you wish to appeal the decision by the Director to the Coos County

This notice shall be posted from March 14, 2024 to March 29, 2024

Hearings Body. Any person who is adversely affected or aggrieved or who is entitled to written notice may appeal the decision by filing a written appeal in the manner and within the time period as provided below pursuant to Coos County Zoning and Land Development Ordinance (CCZLDO) Article 5.8. If you are mailing any documents to the Coos County Planning Department the address is 250 N. Baxter, Coquille OR 97423. Mailing of this notice to you precludes an appeal directly to the Land Use Board of Appeals.

Mailed notices to owners of real property required by ORS 215 shall be deemed given to those owners named in an affidavit of mailing executed by the person designated by the governing body of a county to mail the notices. The failure of the governing body of a county to cause a notice to be mailed to an owner of a lot or parcel of property created or that has changed ownership since the last complete tax assessment roll was prepared shall not invalidate an ordinance. **NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: ORS CHAPTER 215 (ORS 215.513) REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST PROMPTLY BE FORWARDED TO THE PURCHASER.**

Staff tries to post all applications on the website at the following link:
<https://www.co.coos.or.us/community-dev/page/planning-department>

The application and all documents and evidence contained in the record, including the staff report and the applicable criteria, are available for inspection, at no cost, in the Planning Department located at 225 North Adams Street, Coquille, Oregon. Copies may be purchased at a cost of 50 cents per page. If you would like to view the record in this matter, please make an appointment. The decision is based on the application submittal and information on record. The name of the Coos County Planning Department representative to contact is Crystal Orr, Associate Planner, and the telephone number where more information can be obtained is (541) 396-7770.

Failure of an issue to be raised in a hearing, in person or in writing, or failure to provide statements of evidence sufficient to afford the Approval Authority an opportunity to respond to the issue precludes raising the issue in an appeal to the Land Use Board of Appeals.

Reviewed by: **Date: Thursday, March 14, 2024**
Crystal Orr, Associate Planner

This decision is authorized by the Coos County Planning Director, Jill Rolfe, based on staff's analysis of the Findings of Fact, Conclusions, Conditions of approval, application and all evidence associated as listed in the exhibits.

EXHIBITS

Exhibit A: Conditions of Approval
Exhibit B: Vicinity Map & Plot Plan

The Exhibits below are mailed/emailed to the Applicant, Board of Commissioners and Planning Commission only. Copies are available upon request or at the following website:
<https://www.co.coos.or.us/community-dev/page/planning-department> **or by contacting the Planning Department at (541) 396-7770.**

Exhibit C: Staff Report -**Findings of Fact and Conclusions**

EXHIBIT "A"

The applicant shall comply with the following conditions of approval with the understanding that all costs associated with complying with the conditions are the responsibility of the applicants and that the applicants are not acting as an agent of the county. If the applicant fails to comply or maintain compliance with the conditions of approval the permit may be revoked as allowed by the Coos County Zoning and Land Development Ordinance. Please read the following conditions of approval and if you have any questions contact planning staff.

CONDITIONS OF APPROVAL

1. All applicable federal, state, and local permits shall be obtained prior to the commencement of any development activity. If comments from any other agency were provided as part of this review, it is the responsibility of the property owner to comply.

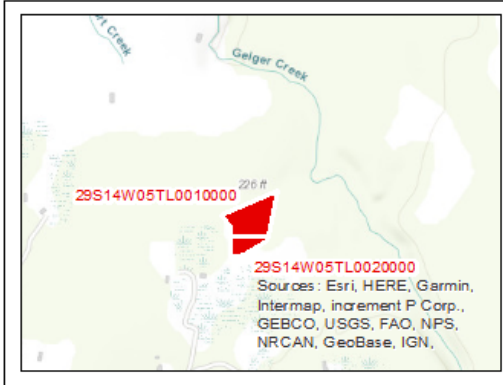
2. Pursuant to CCZLDO § 5.9.100, a Zoning Compliance Letter shall be required prior to the commencement of alteration of the proposed dwelling. This authorization is based on conditions of approval and the conditions that are required to be completed prior obtaining the ZCL are defined in this section. To show compliance with this section the applicant shall submit a letter with the following items to request that staff find the following conditions have been satisfied:
 - a. The property owner is responsible for ensuring compliance, and land use authorization shall remain recorded in the chain of title. The statement needs to include language that the purchaser of the property has been provided a copy of the land use approval containing all conditions or restrictions understands the obligation and agrees to fulfill the conditions unless a modification is approved as provided in this ordinance. The property owner is responsible for ensuring compliance, and land use authorization. The recorded deed convent shall be recorded with the County Clerk and copy provided to the Planning Department.
 - b. Section 5.2.700 Development Transferability - Unless otherwise provided in the approval, a land use approval that was obtained through a conditional use process shall be transferable provided the transferor files a statement with the Planning Director signed by the transferee. This document shall be recorded in the chain of title of the property, indicating that the transferee has been provided a copy of the land use approval containing all conditions or restrictions understands the obligation and agrees to fulfill the conditions, unless a modification is approved as provided in this ordinance. The property owner is responsible for ensuring compliance, and land use authorization shall remain recorded in the chain of title to alert a purchaser that development was approved subject to conditions and possible restrictions.
 - c. These tax lots are one (1) lawful parcel and need to be consolidated.

EXHIBIT "B"
Vicinity Map & Plot Plan

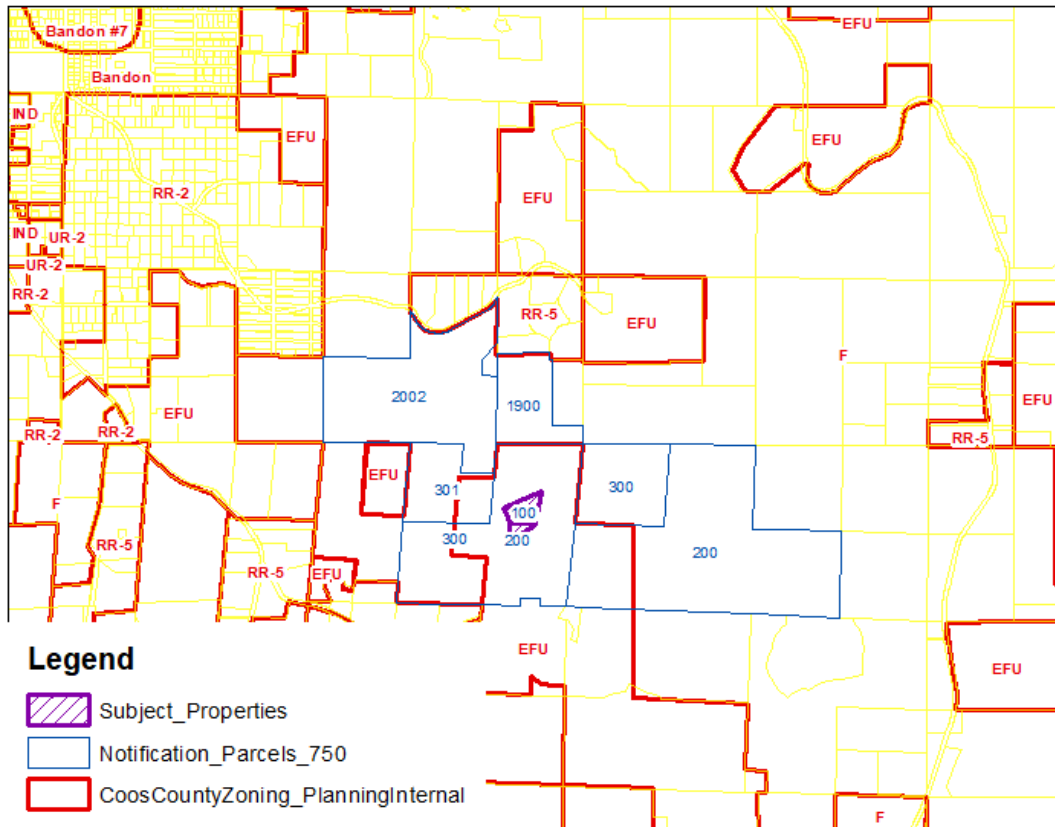


COOS COUNTY PLANNING DEPARTMENT

Mailing Address: 250 N. Baxter, Coquille, Oregon 97423
Physical Address: 60 E. Second, Coquille Oregon
Phone: (541) 396-7770
TDD (800) 735-2900



File:	ACU-23-056
Applicant/ Owner:	MARQUESS LIVING TRUST
Date:	3/13/2024
Location:	Township 29S Range 14W Section 05 TL 100/200
Proposal:	Nonconforming Use



MARQUESS LIVING TRUST PLOT PLAN
LOCATED IN THE E1/2 OF THE NE1/4
OF SECTION 5, T.29S., R.14W., W.M.
COOS COUNTY, OREGON
(TAX LOTS 100 & 200 - 29S-15W-5)

LANDOWNER:
MARQUESS LIVING TRUST
88541 WINDHURST LANE
BANDON, OR 97411

N00°05'31"E
843.58



SCALE 1" = 60'
PREPARED BY:
TROY RAMBO, LS 2865

TREES & BRUSH

N 91° 5' 21" E
819.15

← TO WINDHURST LANE

WELL
SHED

PARKING AREA

TREES & BRUSH

27'

HOME

DRAIN FIELD

POND

N 67° 00' 00" W
44.295

S80°05'28"W
276.17

POND

S77°20'58"W
150.87

**EXHIBIT “C”
STAFF REPORT
FINDINGS OF FACT AND CONCLUSIONS**

I. PROPOSAL AND BACKGROUND/PROPERTY HISTORY INFORMATION:

A. PROPOSAL: The applicant’s request is for verification of a Nonconforming Use. The nonconforming use in this case is a dwelling not associated with farm use that has been in existence since 1947.

B. COMPLIANCE PURSUANT TO SECTION 1.1.300: *It shall be unlawful for any person, firm, or corporation to cause, develop, permit, erect, construct, alter or use any building, structure or parcel of land contrary to the provisions of the district in which it is located. No permit for construction or alteration of any structure shall be issued unless the plans, specifications, and intended use of any structure or land conform in all respects with the provisions of this Ordinance, unless approval has been granted by the Hearings Body.*

Staff has reviewed the property history and the County files to determine at the time of this report this property is not compliant. This property was supposed to remain in tract ownership per the zoning compliance letter issued on July 7, 1998 (98-299).

II. BASIC FINDINGS:

A. LOCATION: The subject property is located southeast of the City of Bandon and is accessed via Windhurst Road. Windhurst Road is off of Rosa Road.



B. ZONING: This property is zoned Exclusive Farm Use (EFU).

SECTION 4.2.500 RESOURCE LANDS

Exclusive Farm Use (EFU)

These include all inventoried "agricultural lands" not otherwise found to be needed (excepted) for other uses.

The purpose of the EFU district is to preserve the integrity and encourage the conservation of agricultural lands within Coos County and thereby comply with the provisions of ORS 215 and OAR 660.

Division 33 to minimize conflicts between agricultural practices and non-farm uses by limiting any development to uses distinguished as dependent upon or accessory to supporting agricultural or forestry production and which qualify such farm lands for special tax relief pursuant to the provisions of Oregon Revised Statutes. This zone is also for the cultivation and marketing of specialty crops, horticultural crops and other intensive farm uses.

According to the Coos County Comprehensive Plan Exclusive Farm Use lands are inventoried as Agricultural Lands. The Main criterion for establishing the “Agricultural Lands Inventory” was land identified on the agricultural lands based on soils, Class I-IV soils or "other lands" suitable for agricultural use, with the following exceptions:

- 1. Committed rural residential areas and urban growth areas.*
- 2. Proposed rural residential areas as per the Exception to Goals #3 and #4.*
- 3. Proposed industrial/commercial sites.*
- 4. Existing recreation areas (e.g., golf courses) [Recreation designation]*
- 5. Isolated parcels of Class I-IV soils in upland areas, which are under, forest cover. (Forestlands designation).*
- 6. Narrow valley bottomlands where no agricultural activity is occurring anywhere in the vicinity [Forestlands designation].*

The secondary criterion for establishing the “Agricultural Lands Inventory” was the use of aerial photos used to identify additional areas without Class I-IV soils in current agricultural use which were not initially identified in the agricultural lands inventory from Assessor's Data. This situation typically occurs on benches, immediately above agricultural valleys, where grazing often takes place on non-class I-IV soils. However, if lands were zoned predominately forest it may have resulted in a Mixed Use Overlay.

C. SPECIAL DEVELOPMENT CONSIDERATIONS AND OVERLAYS:

SECTION 4.11.125 Special Development Considerations: The considerations are map overlays that show areas of concern such as hazards or protected sites. Each development consideration may further restrict a use. Development considerations play a very important role in determining where development should be allowed In the Balance of County zoning. The adopted plan maps and overlay maps have to be examined in order to determine how the inventory applies to the specific site

SECTION 4.11.200 Purpose: Overlay zones may be super-imposed over the primary zoning district and will either add further requirements or replace certain requirements of the underlying zoning district. The requirements of an overlay zone are fully described in the text of the overlay zone designations. An overlay zone is applicable to all Balance of County Zoning Districts and any zoning districts located within the Coos Bay Estuary Management Plans when the Estuary Policies directly reference this section.

This property also has National Wetland Inventory Site as an overlay, Staff sent a request for comments to the Department of State Lands, they responded:

A state permit will not be required for the proposed project because, based on the submitted site plan, the project avoids impacts to jurisdictional wetlands, waterways, or other waters.

A request for comments was sent to Oregon Department of Aviation as the property is identified as being within the Bandon Airport Conical Zone, they have not responded, but this development was sited and approved in 1998. There is no proposed structural development.

D. SITE DESCRIPTION AND SURROUNDING USES:

The property is currently developed with a Single Family Dwelling and a shed, situated on 5.18 acres within an Exclusive Farm Use (EFU) zone. The land is primarily utilized for residential purposes.

Surrounding properties encompass a variety of zoning designations, including Exclusive Farm Use (EFU), Forest (F), and Rural Residential-5 (RR-5). These parcels engage in a mix of forest, farm, and residential uses, with sizes ranging from 1 acre to over 100 acres.

A Zoning Verification Letter (VL-98-299) was issued on July 07, 1998, permitting the construction of a Single Family Dwelling. This authorization specifically allowed for the replacement of the existing dwelling on Tax Lot 300 with a new dwelling on Tax Lot 100. Notably, Tax Lots 100, 200, and 300 were consolidated for planning purposes due to the replacement occurring on a separate tax lot.

The authorization explicitly states that only one dwelling is permitted on these tax lots. Therefore, upon completion of the new dwelling, the existing dwelling was required to be either declared uninhabitable or demolished to comply with the restriction of one dwelling per tract.

On April 16, 2007, the Planning Department received a final decision on a Measure 37 claim (State No. M130335, Local No. M 37-07-71).

Additionally, a series of property line adjustments occurred in 2007 and 2008:

1. August 15, 2007: A discrete parcel determination request (file number D-07-20) was submitted to establish two discrete parcels, with Tax Lot 300 separated from combined Tax Lots 100 and 200. Tax Lots 100 and 200 were deemed one lawfully created unit of land.
2. August 21, 2007: Approval was granted for a property line adjustment (file number PLA-07-67), involving a single line adjustment between Tax Lots 100/200 and Tax Lot 300.
3. August 29, 2008: Another property line adjustment (file number PLA-08-49) was initiated, impacting Tax Lots 100, 200, and 300 in Township 29, Range 14, Section 5. Authorization for this adjustment was granted on September 29, 2008.

On February 1, 2023, a request for a pre-application (file number PA-23-001) was submitted by Hailey Sheldon on behalf of John Roth. Based on the information discussed at the meeting, it appeared that the replacement dwelling that consolidated the units of land into one needs to be addressed as part of the application to allow a new primary farm dwelling to be sited.

It was suggested by the staff that the existing dwelling be requalified as a non-conforming dwelling. This means that the dwelling was sited prior to the implementation of any relevant ordinances and is not actually associated with farm activity and there would be no requirement to consolidate the tract ownership. This would allow the property owner to do a new dwelling if desired.

An Administrative Conditional Use application will need to comply with the Coos County Zoning and Land Development Ordinance Section 5.6 for non-conforming acknowledgment.

E. COMMENTS:

a. PUBLIC AGENCY: This property did require a request for comments from the Oregon Department of State Lands prior to the release of the decision.

b. PUBLIC COMMENTS: These properties did not require any request for comments prior to the release of the decision and none were received.

c. **LOCAL TRIBE COMMENTS:** These properties did not require a request for comments from the Tribes.

F. **LAWFULLY CREATED UNIT OF LAND:** The unit of land was lawfully created through a prior land use decision.

III. **STAFF FINDINGS AND CONCLUSIONS:**

a. **SUMMARY OF PROPOSAL AND APPLICABLE REVIEW CRITERIA:**

The applicant is requesting to verify a nonconforming use pursuant to Coos County Zoning and Land Development Ordinance (CCZLDO) Article 5.6 Nonconforming, Section 4.11 Special Development Considerations and Overlays.

b. **KEY DEFINITIONS:**

ACTIVITY: Any action taken either in conjunction with a use or to make a use possible. Activities do not in and of themselves result in a specific use. Several activities such as dredging, piling and fill may be undertaken for a single use such as a port facility. Most activities may take place in conjunction with a variety of uses.

DEVELOP: To bring about growth or availability; to construct or alter a structure, to conduct a mining operation, to make a physical change in the use or appearance of land, to divide land into parcels, or to create or terminate rights to access.

DEVELOPMENT: The act, process or result of developing.

USE: The end to which a land or water area is ultimately employed. A use often involves the placement of structures or facilities for industry, commerce, habitation, or recreation.

ZONING DISTRICT: A zoning designation in this Ordinance text and delineated on the zoning maps, in which requirements for the use of land or buildings and development standards are prescribed.

DWELLING: Any building that contains one or more dwelling units used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied, or that are occupied for living purposes.

c. **CRITERIA AND STANDARDS**

• **ARTICLE 5.6 NONCONFORMING**

○ **SECTION 5.6.100 NONCONFORMING USES:**

The lawful use of any building, structure or land at the time of the enactment or amendment of this zoning ordinance may be continued. Alteration of any such use may be permitted subject to Sections 5.6.120 and 5.6.125. Alteration of any such use shall be permitted when necessary to comply with any lawful requirement for alteration in the use. Except as provided in ORS 215.215 (Reestablishment of nonfarm use), a county shall not place conditions upon the continuation or alteration of a use described under this Section when necessary to comply with state or local health or safety requirements, or to maintain in good repair the existing structures associated with the use. A change of ownership or occupancy shall be permitted.

As used in this Section, alteration of a nonconforming use includes:

1. *A change in the use of no greater adverse impact to the neighborhood; and*

2. *A change in the structure or physical improvements of no greater adverse impact to the neighborhood.*

FINDING: This request is to verify that the dwelling in existence since 1947 could have been replaced through a non conforming use, which means that the applicant would have needed to provide evidence that the change in the use would have no greater impact to the neighborhood. The dwelling has been in existence in its current location since 1998 without any impacts reported.

○ **SECTION 5.6.110 INTERRUPTION OR ABANDONMENT OF NONCONFORMING USES:**

A non-conforming use or activity may not be resumed if it was subject to interruption or abandonment for more than one (1) year unless the resumed use conforms to the requirements of zoning ordinances or regulations applicable at the time of the proposed resumption.

FINDING: The use has not been abandoned. The dwelling had been in existence since 1947 and was granted clearance to be replaced in 1998 through Zoning Compliance Letter ZCL-98-299. Under a non-conforming replacement the dwelling can be replaced in different location as long as the impacts are considered. Therefore, this criterion has been addressed.

○ **SECTION 5.6.120 ALTERATIONS, REPAIRS OR VERIFICATION:**

Alterations, repairs or verification of a nonconforming use requires filing an application for a conditional use (See CCZLDO Article 5.2). All such applications shall be subject to the provisions of Section 5.6.125 of this ordinance and consistent with the intent of ORS 215.130(5)- (8). Alteration of any nonconforming use shall be permitted when necessary to comply with any lawful requirement for alteration in the use. The County shall not condition an approval of a land use application when the alteration is necessary to comply with State or local health or safety requirements, or to maintain in good repair the existing structures associated with the use.

FINDING: This review is a conditional use request and is consistent with ORS 215.130. This is for an addition (alteration) to an existing dwelling. The conditional use was submitted to request a determination. Therefore, the criterion has been addressed.

○ **SECTION 5.6.125 CRITERIA FOR DECISION:**

When evaluating a conditional use application for alteration or repair of a nonconforming use, the following criteria shall apply:

1. *The change in the use will be of no greater adverse impact to the neighborhood;*
2. *The change in a structure or physical improvements will cause no greater adverse impact to the neighborhood; and*
3. *Other provisions of this ordinance, such as property development standards, are met.*

For the purpose of verifying a nonconforming use, an applicant shall provide evidence establishing the existence, continuity, nature and extent of the nonconforming use for the 10-year period immediately preceding the date of the application, and that the nonconforming use was lawful at the time the zoning ordinance or regulation went into effect. Such evidence shall create a rebuttable presumption that the nonconforming use lawfully existed at the time the applicable zoning ordinance or regulation was adopted and has continued uninterrupted until the date of the application.

FINDING: See below criteria submitted by the applicant that properly addresses this section:

In May 1998, Guy and Noni Scherer owned TLs 100, 200, and 300, as depicted on the June 1998 Assessor's map (right). At the time, no discrete parcel determination had been made. When the Scherers made a land use application in 1998, the Planning Department noted "Tax Lots 100 and 200 [...] are also described under the same deed as Tax Lot 300; therefore, the Planning Department considers Tax Lots 100, 200 and 300 one parcel, even though they have different tax lot numbers. The Department requires a title company, attorney or surveyor provide a letter referencing the deeds (prior to 1986) with an attached plat map outlining what each deed describes and a copy of said deed be submitted to provide documentation that the three tax lots are discrete."



Instead of commissioning a discrete parcel determination, the Scherers applied to replace the existing dwelling on TL 300 with a new dwelling on TL 100. That application was approved (ZCL 98-299, July 7, 1998) and contained this language: "Applicant is obtaining clearance to replace the existing dwelling on TL 300 with a new dwelling TL 100. Tax Lots 100, 200 and 300 are tied together for planning purposes. Only one dwelling is permitted on these tax lots. After the new dwelling is completed, the existing dwelling must be declared uninhabitable or destroyed. Only one dwelling is permitted on the tract."

Then in 2007, a discrete parcel determination was made (D-07-20) certifying the then-tract did in fact contain two discrete parcels (tax lots 100+200 and tax lot 300).

The applicant therefore desires to re-qualify the 1947 dwelling on TL 300 as a non-conforming dwelling and its replacement (on TL 100) as a replacement of that non-conforming dwelling, in order to remedy the consolidation of these discrete parcels for planning purposes.

See Attachment 2 establishing the existence, continuity, nature and extent of the dwelling on TL 300. These records prove:

- (1) The dwelling was constructed in 1947 and exists today.
- (2) The dwelling had/has (a) intact exterior walls and roof structure, (b) indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system, (c) interior wiring for interior lights, and (d) a heating system.

The dwelling on TL 300 was lawfully established; its establishment pre-dates the Coos County Zoning and Land Development Ordinance.

See Attachment 3 establishing the existence, continuity, nature and extent of the dwelling on TL 100/200. These records prove:

- (1) The dwelling was constructed in 1999 and exists today.
- (2) The dwelling had/has (a) intact exterior walls and roof structure, (b) indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system, (c) interior wiring for interior lights, and (d) a heating system.

The dwelling on TL 100/200 was lawfully established; it was established as a replacement of the dwelling on TL 300 (ZCL 98-299).

The dwelling on TL 300 therefore qualified in 1998/99 as a non-conforming dwelling. And the dwelling on TL 100/200 therefore qualified in 1998/99 as a replacement of that non-conforming dwelling.

Note: the dwelling on TL 300 exists today. It was required to be removed in 1998; it is currently in violation. The owner of TL 300 (Roth) understands that the dwelling on TL 300 is required to be removed and will continue to require to be removed.



COOS COUNTY RESIDENTIAL CAAP CARD

OWNER NAME Scherer, Bonnie, et al SITUS Woodhurst Road, Bend, OR APPRAISER ADH

MAP NO. 29-14-5 TL 300 ACCOUNT NO. 12032.90 DATE INSP. 7/19/96 INSPECTED H

BASE APPR. YR. 1996 FACTOR BOOK 993 YR. BLT. 1947 REMODL YR. _____ EFF. AGE _____ CONDITION P

	50. FT	CLASS	LIV	BED	BATH	KIT	DIN	UTIL	OTH	FRP
1ST FL.	<u>1088</u>	<u>2</u>	<u>1</u>	<u>2</u>	<u>1</u>	<u>1</u>				
2ND FL.										
ATTIC										
BASEMENT										

FOUNDATION 10 Conc/Blk 01 Frame 02 Pier/Piling 03 Other 99

EXT. DBL 22 Vert T-111 01 Vert Wd 02 Bev Wd 03 Bev Vinyl 04 Bev Al 05 Bev Lp 06 Diag 07
SSL 21 Rustic 08 Pan/Sheet 09 Shngl/Comp/Wd 10 Wd Shk 11 Asb Shk 12 Conc Blk 13 Brick 14
 Stone 15 Stucco 16 Masonry 17 1sty Brick Veneer 18 2sty Brick Veneer 19 Other 99

ROOF Gable 31 Hip 32 Shed 33 Flat 34 Gambrel 35 Mansard 36 Gable/Hip 37 Clerestly 38 Other 39
 Lt. Comp 01 Med Comp 02 Hvy Comp 03 Cedar Shgl 04 Med Shk 05 Hvy Shk 06 Roll 07
 Fbrgl 08 Bltup 09 Conc Tile 10 Al/Steel V Crimp bkd enam 11 Shk Panl 12 Other 99
 Skylight 2' 13 Skylight 3' 14 Skylight 4' 15

1ST FLOOR Carpet/Vinyl 01 Hrdwd 02 Fir 03 Lino/Vinyl 04 Ply 05 Conc 06 Ceramic Tile 07 Other 99

PARTITIONS 50 Dwall 01 Plaa 02 Comp 03 Cl/Papt 04 T&G 05 Ply 06 Panl 07 MatWd 08 FirTrim 09 HrdTrim 10 Oth 99

Built-ins: Min 01 Fair 02 Ave 03 Good 04 Custom 05
 INTERIOR 60 Counter tops: Lino 06 Plastic 07 Ceramic Tile 08
 COMPONENTS Appliances: Basic Set 09 Single Oven 10 Dbl Oven 11 Drop-In Range 12 Cook-top 13 Jennaire 14
 Dix Range 15 Bi Micro 16 Garbage Comp 17 DW 18 Wet Bar 19 GDisp 20 Other 99

SPECIALTY 70 Security system 01 Intercom 02 Central Vac 03 Other 99

PLUMBING 80 Full Bath 01 1/2 Bath 02 Tub/shwr 03 Lav 04 Shwr 05 Toilet 06
Garden Tub 07 Jet Tub 08 Bidet 09 Shwrdoor 10 Kit Sink 11 Wtr Htr 12
 Aux Wtr Htr 13 Bar Sink 14 Laundry Tub 15 Laundry Hookup 16 Hot Tub 17 Sauna 18 Other 99

HEATING 90 Ebb/wall/ceil 01 Fa wall gas 02 Fa 03 Fa heat/cool 04 Heat pump 05 Hot water bb 06
 Hot water rad 07 Wood stove lc 08 Wood stove cl 09 Pellet stove 10 Gas stove cl 11
 Oil stove 12 Super good cents 13 Total Area heated _____ Other 99

FIREPLACE 91 Dir vent gas 01 Prefab Mtl 02 Mason Sgl 03 Mason See-thru 04 Mason backed 05 Mason stacked 06
 Raised hearth 07 1sty brick 08 2sty brick 09 Insert 10 Other 99

BASEMENT 11 Fin [/] _____ LC fin [/] _____ Unfin [/] _____
 Wall fin _____ Ceiling fin _____ Floor fin _____ Heat _____ Bath _____
 Garage 01 Basement apt. 02 Dirt floor 03 Other 99

ATTIC 92 Fin [/] _____ LC fin [/] _____ Unfin [/] _____
 UPPER STY Wall fin _____ Ceiling fin _____ Floor fin _____ Heat _____ Bath _____
 3'Dorm 16 4'Dorm 17 6'Dorm 18 12'Dorm 19 16'Dorm 20 Dorm w/[/] 21 Other 99

SPECIAL 93 Cov porch 01 Open porch no roof 02 Enc porch 03 Sun porch pre fab 04 Sun porch stick 05
 Not in class porch 06 Wd rail plain 07 Wd rail ornam 08 Mtl plain 09 Mtl ornam 10 Oth 99
 Size: _____ x _____ Type: _____

RATING PHYSICAL P F A G FUNCTIONAL P F A G APPEARANCE P F A G

REMARKS: def much corner of gas with window sill rotten

GARAGE (S) YR AT DT BSMT FIN LCF UFIN Class 2 14 X 22 = 308 X _____ X _____

CPORT (C) YR _____ AT DT BSMT FIN LCF UFIN Class _____ X _____ X _____ X _____

SHOP (S) YR _____ Class _____ X _____ X _____ X _____

FOUNDATION 10 Conc blk 01 Frame 02 Pier/Piling 03 Other 99

EXT. DBL 22 Vert T-111 01 Vert Wd 02 Bev Wd 03 Bev Vinyl 04 Bev Al 05 Bev Lp 06 Diag 07
SGL 23 Rustic 08 Pan/Sheet 09 Shngl/Comp/Wd 10 Wd Shk 11 Asb Shk 12 Conc Blk 13 Brick 14
 Stone 15 Stucco 16 Masonry 17 1sty Brick Veneer 18 2sty Brick Veneer 19 Other 99

ROOF Gable 33 Hip 32 Shed 33 Flat 34 Gambrel 35 Mansard 36 Gable/Hip 37 Clsty 38 Other 39
LT. Comp 01 Med Comp 02 Hvy Comp 03 Cedar Shgl 04 Med Shk 05 Hvy Shk 06 Roll 07
 Fbrgl 08 Bltup 09 Conc Tile 10 Al/Steel V Crisp bkd enam 11 Shk Panl 12 Other 99
 Skylight 2' 13 Skylight 3' 14 Skylight 4' 15

FLOOR 40 Concrete 01 Wood 02 Gravel 03 Dirt 04 Asphalt 05 Misc. 06 Other 99

ACCESSORY 50 Wd OHD 01 Metal OHD 02 Fbrgl OHD 03 Slider 04 Auto Opener 05 No Door 06 Tool Stor 07
 Attic 08 Wd Stove 09 110 Elec 10 220 Elec. 11 Other 99

DECKS 01 Uetrtd Fir 01 Trtd or Cedar 02 Redwd 03 Rail Plain 04 Rail Ornate 05 8'stairs 06
 3'stairs 07 Benches 08 Misc 99 Deck [/] Lin ft Rail Lin ft Bench
 SIZE: _____ X _____ X _____ X _____

PATIOS 02 Conc 01 Conc Ag 02 Brk/Stn w/grt 03 Brk/Stn w/sd 04 BBQ 05 BBQ av 06 BBQ elab 07 Other 99
 Total Square Feet _____

ROOF COVER 03 Alum 01 Fbrgl 02 Mt'l Awning w/frame 03 Roof ext 04 Other 99 Tot [/] _____

SPAS/SAUNA 04 7x6x2.5 Spa 01 7x7x3 Spa 02 8x8x3 Spa 03 4x5 Hot Tub 04 4x6 Hot Tub 05
 Sauna 3x5 06 4x6 Sauna 07 6x6 Sauna 08 6x8 Sauna 09

PAVING 05 Conc Drive 01 Conc Drive Exp Ag 02 Conc Drive Epoxied Gravel 03 Asphalt drive 04
 Drive [/] Sports Court [/] Lin ft other
 Curb 05 Curb & Gutter 06 Walks 07 Walks (Extra) 08 Sports Carpet 09 Other 99

OUTBLDGS 06 Shed Conv 01 Shed Prefab 02 LT 03 Paphse 04 Gazebo 05 Greenhse conv 06 Greenhse Hfg 07 Oth 99
 SIZE: _____ X _____ X _____ X _____

POOL 07 In-grnd 01 Abv grnd 02 Wading 03 Slide 04 Diving Bd 05 Pump w/filter 06 Heater elec 07
 Heater gas 08 Motorized Pool Cover 09 Deck-conc on grade 10 Other 99

SPRINKLER 08 In ground automatic 01 In ground manual 02 Other 99

FENCING 09 Wood () height _____ Chain link (3.5') 10 (5') 11 Conc blk () x Other 99

LIGHTING 10 Wall single 01 Wall dbl 02 Pole Mercury 03 Coach 7'plain 04 Coach 7'elab 05 Elec. eye 06

COMMENTS: _____

Staff concurs with the applicants' findings. The dwelling has been verified to be a Nonconforming Use with conditions of approval.

VI. DECISION:

There is evidence to adequately address the criteria to verify the nonconforming use, therefore, this request has been approved. There are conditions that apply to this use that can be found at Exhibit "A".

VII. NOTICE REQUIREMENTS:

A notice of decision will be provided to property owners within 750 feet of the subject properties and the following agencies, special district or parties:

DLCD

Planning Commission

Board of Commissioner

Bandon RFPD

Southern Coos General Health District