



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: 5/16/23 Receipt #: 239945 Amount: 1876.⁰⁰ Received by: MB

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) Weiss Property Investements LLC

Mailing address: 3646 Jamaica Blvd S, Lake Havasu City, AZ 86406

Phone: c/o Sheri McGrath P.O. Box 1548, Bandon, OR Email: 541-982-9531 cooscurry@gmail.com

Township: 28S Range: 14W Section: 5 1/4 Section: Select 1/16 Section: Select Tax lots: 1300

Tax Account Number(s): 942301 Zone: Select Zone Rural Residential-2 (RR-2) Please Select

B. Special Districts and Services

Water On-Site (Well or Spring) Sewage Disposal On-Site Septic School Bandon Fire District Bandon RFPD

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

- Administrative Conditional Use for Vacation Rental Dwelling
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

ARC, Bird, Wet

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 time limes.
 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

Mark Weiss

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: 88627 Weiss Estates Lane

Type of Access: Private Easement - Provide Easement Name of Access: Weiss Estates Lane

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.

- 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: 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? 2
- 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
- What will be the hours of operation of the business? By reservation only

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:

Sheri McGrath, Inc
Coos Curry Consulting
P.O. Box 1548 * Bandon, Oregon 97411
cooscurry@gmail.com
541-982-9531

CONSENT FOR REPRESENTATION

I, Mark Weiss of 3646 Jamaica Blvd S, Lake Havasu City, AZ 86406 give permission to Coos Curry Consulting to represent me on all design, permit and consulting matters concerning the property located on Coos County Tax Assessor's Map 28-14-05 TL 1300. The tax account for this property is 942301. The site address is 88627 Weiss Estates Ln, Bandon, OR 97411.

Sheri McGrath is the direct contact for all permit application questions, plan review comments, concerns or questions, and any other information related to the above property.

Contact information for Sheri McGrath is:

Cell: 541-982-9531
E-mail: cooscurry@gmail.com
Mailing address: P.O. Box 1548, Bandon, OR 97411

This consent automatically expires eighteen months from the date below, without requirement of notice.

DATED: APRIL 23, 2023

COOS CURRY CONSULTING


By: SHERI MCGRATH

CLIENT


By: MARK WEISS

RECORDING REQUESTED BY:



201 Central Avenue, PO Box 1075
Coos Bay, OR 97420

GRANTOR'S NAME:
Carl W. Carmichael and Karen D. Carmichael

GRANTEE'S NAME:
Weiss Property Investments, LLC, an Arizona limited liability company

AFTER RECORDING RETURN TO:
Order No.: 360622039698-TT
Weiss Property Investments, LLC, an Arizona limited liability company
3646 Jamaica Boulevard S
Lake Havasu City, AZ 86406

SEND TAX STATEMENTS TO:
Weiss Property Investments, LLC, an Arizona limited liability company
3646 Jamaica Boulevard S
Lake Havasu City, AZ 86406

APN: 942301
Map: 28-14-05-00-01300
88627 Weiss Estates Lane, Bandon, OR 97411

Coos County, Oregon	2022-03926
\$96.00 Pgs=3	04/28/2022 10:29 AM
eRecorded by: TICOR TITLE COQUILLE - 105 E. 2ND ST. OR 97423	
Diris D. Murphy, Coos County Clerk	

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Carl W. Carmichael and Karen D. Carmichael, as tenants by the entirety, Grantor, conveys and warrants to Weiss Property Investments, LLC, an Arizona limited liability company, 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 Southwest corner of the East half of the Northwest quarter of the Southeast quarter of Section 5, Township 28 South, Range 14 West of the Willamette Meridian, Coos County, Oregon; thence East 626.10 feet; thence North 208.7 feet; thence West 626.10 feet; thence South 208.7 feet, to the point of beginning.

EXCEPTING THEREFROM the following described parcel: Beginning at a point South 89° 26' 14" East 10 feet from a 5/8 inch iron bar marking the Northeast corner of Lot 11, Block 1, WEISS ESTATES, Coos County, Oregon, said point of beginning being on the North line of Lot 12 of said Block 1; thence North 30° 30' West to the center of Fahy Lake; thence Westerly on the center line of Fahy Lake to the point where the said center line intersects an extension North of the West line of Lot 11; thence South 01° 3' 45" East along said extended West line to the Northwest corner of Lot 11; thence South 89° 26' 14" East along the North lines of Lot 11 and 12, 121.99 feet, more or less, to the point of beginning.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS FOUR HUNDRED THIRTY-FIVE THOUSAND AND NO/100 DOLLARS (\$435,000.00). (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 30.930, 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: 4-28-2022

Carl W. Carmichael
Carl W. Carmichael

Karen D. Carmichael
Karen D. Carmichael

State of Oregon
County of Washington

This Instrument was acknowledged before me on 4/28/22 by Carl W. Carmichael and Karen D. Carmichael.

Jessica Mills
Notary Public - State of Oregon

My Commission Expires: 10/2/22



Unofficial
Copy

EXHIBIT "A"
Exceptions

Subject to:

1. 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 Fahy Lake.

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 Fahy Lake.

2. 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 Fahy Lake.
Rights of the public to any portion of the Land lying within the area commonly known as roads and highways.

3. Easement(s) and rights incidental thereto, as granted in a document:

Granted to: Coos Curry Electric Cooperative, Inc.
Recording Date: May 14, 1979
Recording No: 79-02-7175

4. Terms, provisions and conditions, including, but not limited to, maintenance provisions, and a covenant to share the costs of maintenance, contained in Easement

Recording Date: October 5, 1982
Recording No.: 82-04-0891 and 82-04-0893

5. Terms, provisions and conditions, including, but not limited to, maintenance provisions, and a covenant to share the costs of maintenance, contained in Warranty Deed

Recording Date: November 8, 1982
Recording No.: 82-04-002541

Unofficial
Copy

82 4 0893

GRANT OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That ROGER L. WEISS, subdivider of Weiss Estates, Coos County, Oregon, does hereby grant and confirm unto CHARLES BLACK and LOIS BLACK as an appurtenance to the Black property, hereinafter described, an easement for ingress and egress over and across Weiss Way as shown by the map and plat of Block 1 Weiss Estates on file in the records of Coos County, Oregon.

This easement shall also apply to any extension of Weiss Way by further subdivision or through other property of the Grantor.

This easement is for domestic use.

This easement is appurtenant to the following described parcel, to-wit:

Begin at the Southwest corner of the East half (E 1/2) of the East half (E 1/2) of the Northwest quarter (NW 1/4) of the Southeast quarter (SE 1/4) of Section Five (5), Township Twenty-eight (28) South, Range Fourteen (14) West of the Willamette Meridian, Coos County, Oregon; thence East 626.10 feet; thence North 208.7 feet; thence West 626.10 feet; thence South 208.7 feet, to the point of beginning.

Property to which this easement attaches is assessable for maintenance of the roadway at such times as the Grantee shall sell, lease, or rent the parcel to which the easement is appurtenant. The road assessment shall be one-half (1/2) of the amount assessable to owners under Weiss Estate Home Owners Association, to which Grantees shall be members for such purpose.

The Grantees herein, Charles Black and Lois Black, have executed this easement agreement for the purpose of binding their described property to a road maintenance assessment as herein provided.

This easement agreement is binding on heirs, successors and assigns of all parties hereto.

GRANT OF EASEMENT - 1.

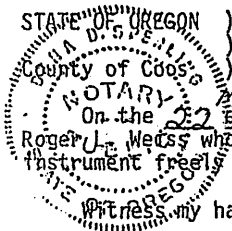
82 4 0694

DATED this 27th day of September, 1982.

Roger L. Weiss
Roger L. Weiss

Charles Black
Charles Black

Lois Black
Lois Black



On the 27th day of September, 1982, there appeared before me the aforementioned Roger L. Weiss who personally acknowledged to me that he executed the foregoing instrument freely and voluntarily for the uses and purposes therein set forth.

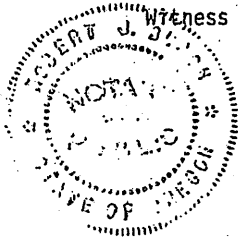
Witness my hand and official seal the day and year first above written.

Robert J. Spurling
Notary Public for Oregon
My Commission expires: 7-22-83

STATE OF Oregon }
County of Coos }

On the 27th day of September, 1982, there appeared before me the aforementioned Charles Black and Lois Black who personally acknowledged to me that she executed the foregoing instrument freely and voluntarily for the uses and purposes therein set forth.

Witness my hand and official seal the day and year first above written.



Robert J. Spurling
Notary Public for Oregon
My Commission expires: 8/7/85

RECORDED OCT 5 1982 AT 11:26
MARY ANN WILSON, COUNTY CLERK
6164 240

GRANT OF EASEMENT - 2. (end)

Coos County
2023 Real Property Assessment Report
 Account 942301
 NOT OFFICIAL VALUE

Map 28S1405-00-01300
Code - Tax ID 5403 - 942301

Tax Status Assessable
Account Status Active
Subtype NORMAL

Legal Descr See Record

Mailing WEISS PROPERTY INVESTMENTS LLC
 3646 JAMAICA BLVD S
 LAKE HAVASU CITY AZ 86406-4136

Deed Reference # 2022-3926
Sales Date/Price 04-25-2022 / \$435,000
Appraiser

Property Class 101 MA SA NH
RMV Class 101 06 27 RRL

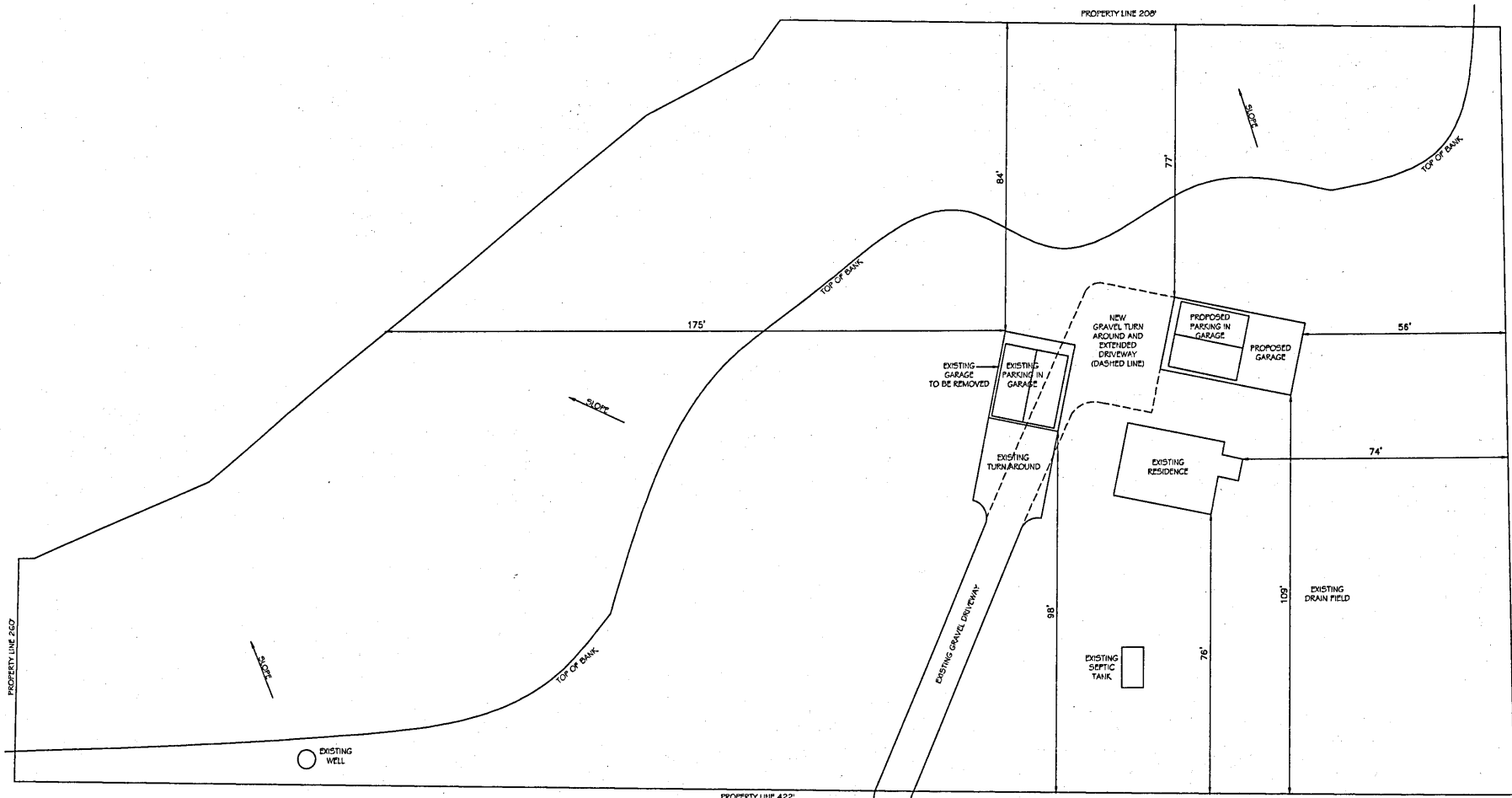
Site	Situs Address	City
10	88627 WEISS ESTATES LN	BANDON

Value Summary						
Code Area		RMV	MAV	AV	RMV Exception	CPR %
5403	Land	373,360		Land	0	
	Impr	85,900		Impr	0	
Code Area Total		459,260	218,790	218,790	0	
Grand Total		459,260	218,790	218,790	0	

Land Breakdown										
Code Area	ID #	RFPD	Ex	Plan Zone	Value Source	Trend %	Size	Land Class	LUC	Trended RMV
5403	10	<input checked="" type="checkbox"/>		RR-2	Market	100	1.00 AC	HS	001	177,920
	30	<input checked="" type="checkbox"/>		RR-2	Market	100	1.83 AC	MV	002	195,440
Code Area Total							2.83			373,360

Improvement Breakdown									
Code Area	ID #	Year Built	Stat Class	Description	Trend %	Total Sqft	Ex%	MS Acct	Trended RMV
5403	1	1978	121	One story-Class 2	100	560			85,900
Code Area Total						560			85,900

Exemptions / Special Assessments / Notations						
Code Area				Amount	Acres	Year
5403	Fire Patrol					
	■ FIRE PATROL SRCHG			47.50		2023
	■ FIRE PATROL TIMBER			18.75	1.83	2023



PLOT PLAN
 SCALED TO FIT LETTER SIZE



OWNER INFORMATION:
 WEISS PROPERTY INVESTMENT LLC
 3646 JAMAICA BLVD S
 LAKE HAVASU CITY, AZ 86406

SITE INFORMATION:
 28627 WEISS ESTATES LANE
 BASTON, OR 97411
 28-14-05 TL 1300
 TAX ACCT #942301
 RR-2 ZONE AND 2.63 ACRES

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

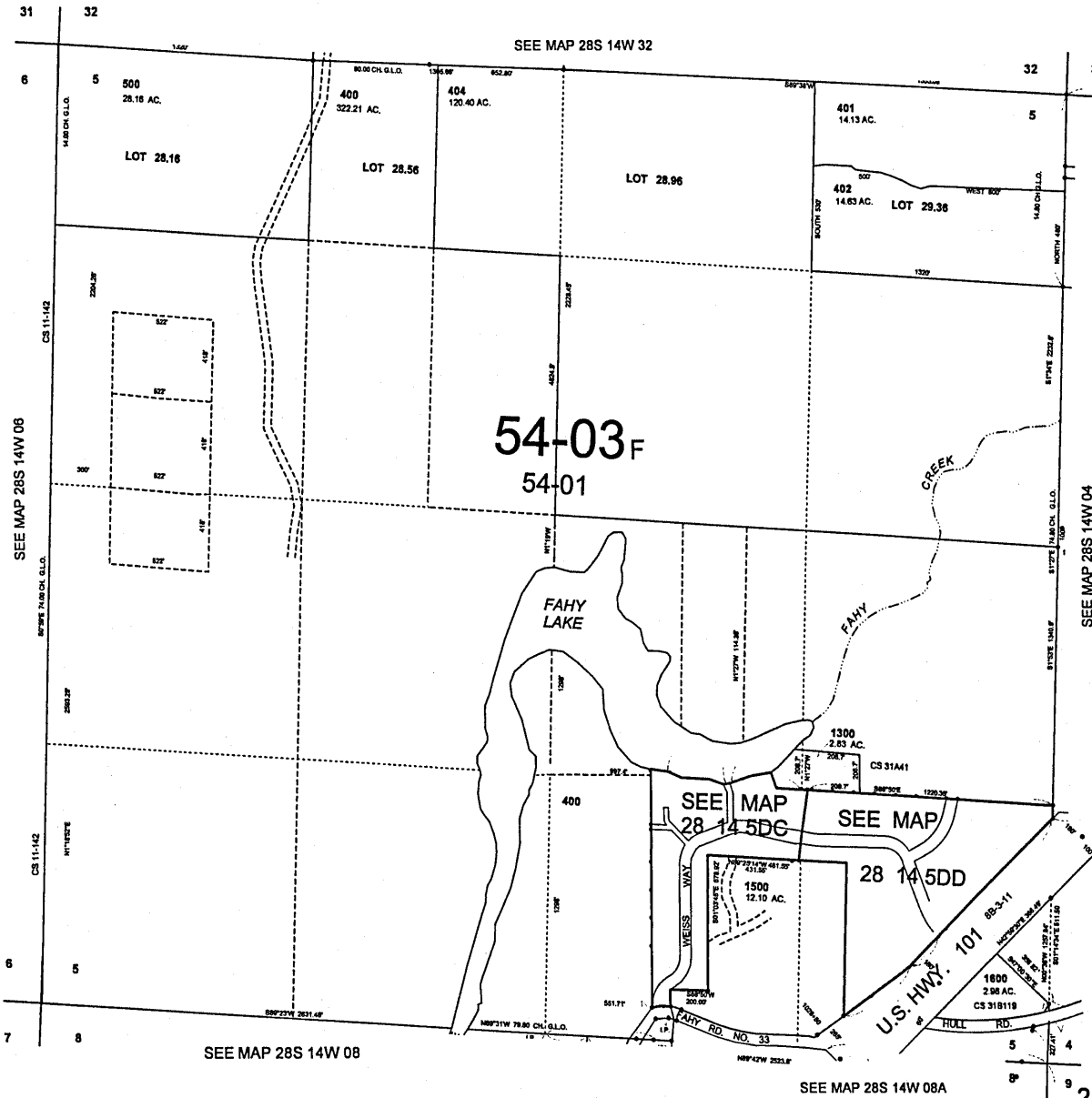
SECTION 5 T28S R14W W.M.
COOS COUNTY

1" = 400'

28S 14W 05
& INDEX

CANCELLED NO.

- 1400
- 1501
- 1302
- 1301
- 1502
- 1601
- 100
- 200
- 300
- 600
- 700
- 800
- 900
- 1000
- 1100
- 1200
- 403



4-07-2010

28S 14W 05
& INDEX

May 13, 2023
VACATION RENTAL DWELLING
88627 Weiss Estates Lane
Bandon, OR 97411
28-14-05 TL 1300
Tax Account 942301

PROPERTY OWNER
Weiss Property Investment LLC
Mark Weiss
3646 Jamaica Blvd S
Lake Havasu City, AZ 86406

APPLICANT
Sheri McGrath
Coos Curry Consulting
P.O. Box 1548
Bandon, OR 97411
541-982-9531
cooscurry@gmail.com

PROJECT NARRATIVE

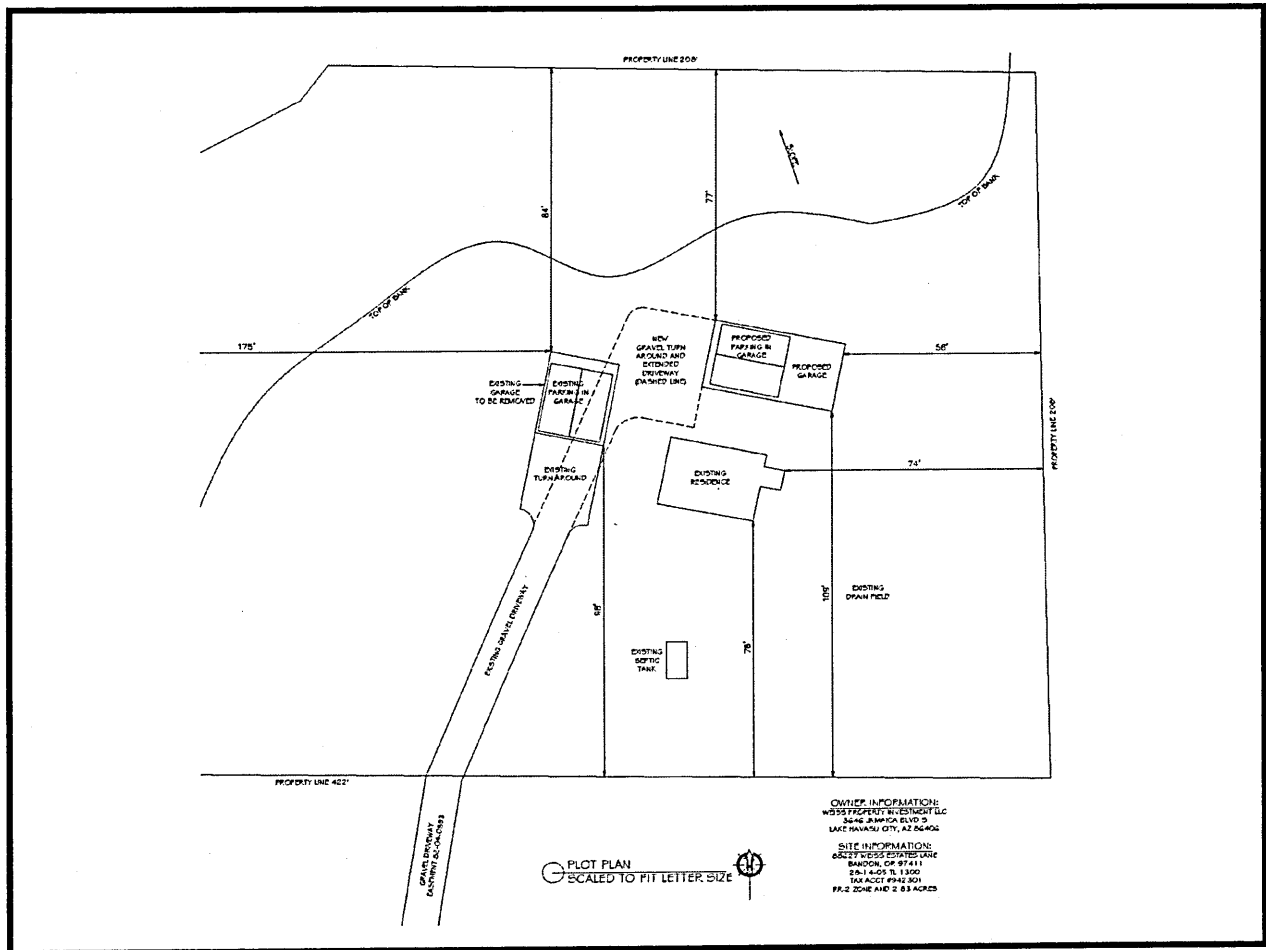
The subject property is located north of the city limits of Bandon, found in Coos County, Oregon. The property is known as Tax Lot 1300 on the Coos County Tax Assessor's Map 28-14-05 and is located in the Rural Residential 2 (RR-2) zone. The property is 2.83 acres in size, and the situs address is 88627 Weiss Estates Lane.

Existing development includes a septic system, well, detached garage, a one bedroom stick built home that was built in 1982. The property at one time had a medical hardship dwelling and a shop which have both been removed. The plot plan from CU-82-18 is attached and shows the existing home, garage, well and septic. The property is not used for farming or forest practices and is not suitable for these uses due to the size of the site. Vegetation consists of a variety of tree types, scrubs and grasses. The property is within 1 mile of the Pacific Ocean beaches, the Lighthouse and Bandon Dunes Golf Resort.

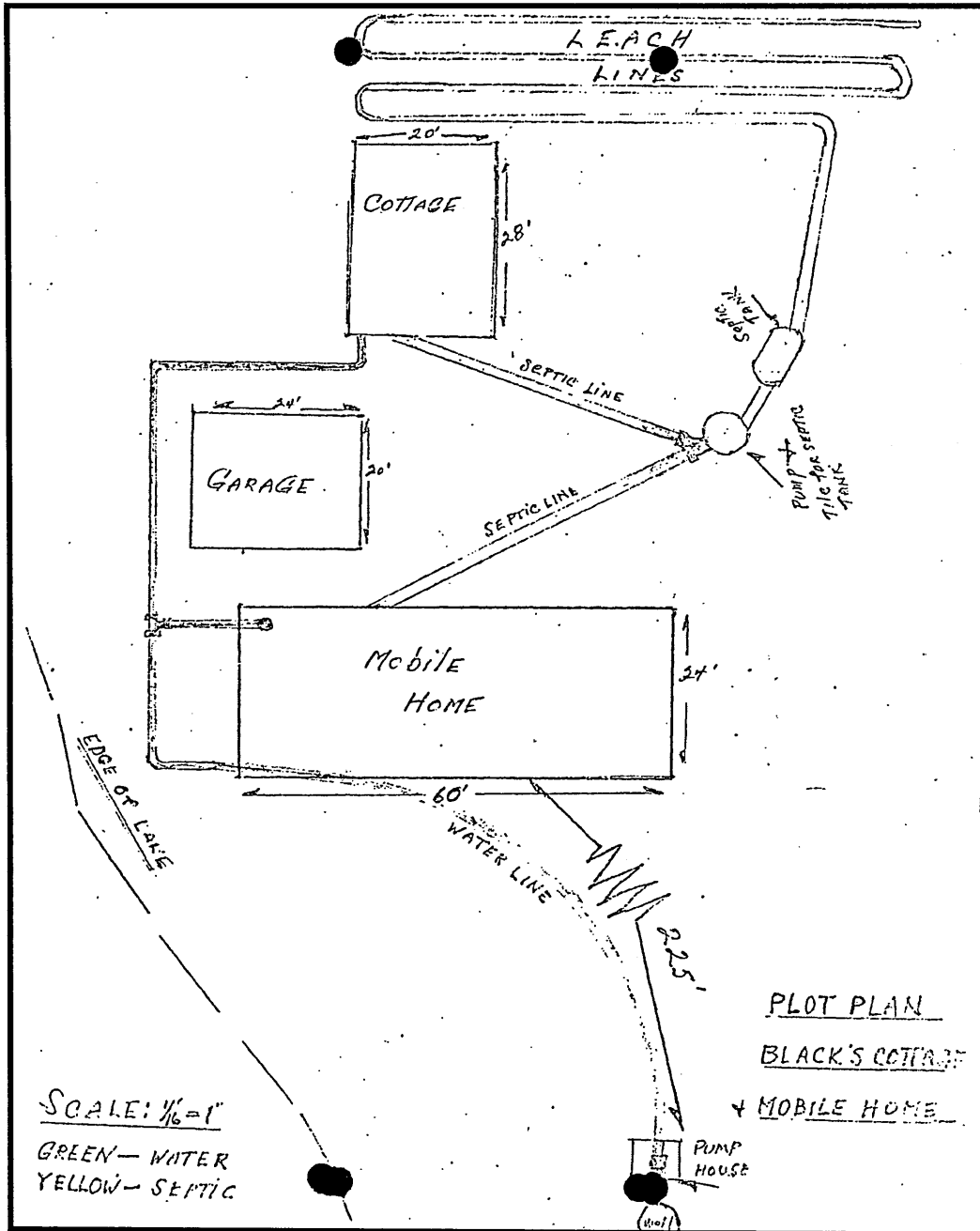
The property owner is requesting clearance to operate their one bedroom home as a furnished vacation rental dwelling. The maximum number of vehicles that will park on site is limited to 2. The owner has a secondary application submitted to replace the existing garage with a new garage as shown on the attached plot plan. The existing and proposed driveway has an adequate turn around area and parking.

The property manager will be located in Bandon. They have agreed to be available 24 hours per day 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 house is vacant, so a dedicated parking space is not needed although provided.



ENLARGED PLOT PLAN



ORIGINAL PLOT PLAN- MOBILE HOME HAS BEEN REMOVED

GENERAL SCOPE OF PROPOSAL

Number of Occupants at One Time: 2 figured at 2 occupants per bedroom.

Number of Parking Spaces: 2 total are provided; 1 for room rental count and 1 for employee.

Large Gatherings: Gatherings will not be allowed.

Property Manager Details: The property manager information will be provided as a condition of approval.

Security: There is a gate at the driveway.

Landscaping/Screening: There is a vegetation buffer ranging from 50'-200' around all structures.

Cleaning Services: Cleaning and maintenance will be conducted only when the rental is vacant.

Compatibility: The subject property is located north of the City of Bandon. The property is accessed from Weiss Estates Lane off of Hwy 101. Road Recreational opportunities within a short drive of the subject property include all of the beach accesses on Seven Devils Road and Beach Loop Road and includes Bullards Beach State Park and the Bandon Marsh National Wildlife Refuge. Bandon Dunes Golf Resort is a short 3 minute drive and is within walking distance. Whiskey Run Bike Trails area approximately 3 miles from the property. The property has a north property line that is bordered by Fahy Lake. There is ramp and dock access to the lake for light boating, swimming and fishing. The Bandon Dunes Golf Resort has a series of trails which can be accessed from Fahy Lake or by car or foot on the main roadway.

COOS COUNTY ZONING AND LAND DEVELOPMENT ORDINANCE (CCZLDO) FINDINGS OF FACT

1.1.300 Compliance with Comprehensive Plan and Ordinance Provisions.

Applicant's Response: Existing development was originally permitted in 1978. There was a conditional use permit for a hardship dwelling in 1982. The mobile home was removed by a previous owner, and existing development consists of a detached garage and one bedroom stick framed home. The septic system and well are in good working order. Single family development with accessory structures and uses are permitted outright in the RR-2 zone.

2.1.200 Single Family Dwelling is defined as, "a single household unit of which construction is characterized by no common wall or ceiling with another unit, including a mobile home unless otherwise prohibited."

Applicant's Response: The existing dwelling is a one bedroom stick framed home.

Conditional Use is "applied to a use which may be permitted by the issuance of a conditional use permit."

Applicant's Response: The proposed use is considered permitted as an Administrative Conditional Use.

Evidence is defined as, "Facts, documents, data or other information offered to demonstrate compliance or noncompliance with the standards believed by the proponent to be relevant to the decision.

Applicant's Response: The enclosed information and findings are provided as evidence that compliance with the county, state and licensing offices can be met and upheld. Evidence includes a parking and plot plan, proof of an onsite septic system and other information deemed relevant for this review.

**STATE OF OREGON
DEPARTMENT OF ENVIRONMENTAL QUALITY
SUBSURFACE SEWAGE SYSTEM
CERTIFICATE OF SATISFACTORY COMPLETION**

Property Owner BLACK, CHARLES & LOIS Permit Number 2778-266
T. 28 R. 14 Sec. 05 Tax Lot/Acct. No. 9423-1 Date of Final Insp. 5-7-79
Loc./Road Seven Devils Rd Approved By Steven D. Scheer, R.S.
Installer Ohlsen's Excavating - Jim Newton Title Charles M. Harkness
Senior Field Sanitarian
Disposal Trenches: 2x534 Square Ft. 227 Lineal Ft.
Tank Size: 1000 Gallons. System Designed to Serve 460 gallon sewage flow

Plot Plan:

Serial syst =
18-30 inches
in depth.

pump inspected 5-7-79

DEQ/WQ-402 1/78

PROOF OF AN ON SITE SEPTIC SYSTEM

Vacation Rental is defined as, "A furnished apartment or house rented out on a temporary basis to tourists or guests as an alternative to a hotel/motel or group cottage. The definition includes dwelling(s) or dwelling unit(s) for the purpose of being rented or occupied on a daily or weekly basis, or is available for use, rent, or occupancy on a daily or weekly basis, or is advertised, or listed by an agent, as available for use, rent, or occupancy on a daily or weekly basis and are predominately rented out less than 30 days."

Applicant's Response: The existing dwelling contains one bedroom and is fully furnished and self contained. The goal is to rent the space for 30 days or less once approval is granted.

Zoning District is defined as, "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."

Applicant's Response: The property is zoned RR-2 and the proposed use is consistent with the purpose of the zone for residential uses including short term rentals.

4.2.100 The "RR-2" district provides for continued existence of rural family life and to provide a transition of densities between urban development and exclusive agricultural and forestry uses.

Applicant's Response: The existing dwelling has the potential to boost our local economy by renting to tourists and golfers traveling alone or with a partner. The location of the home is outstanding in regard to a short drive distance to the public beaches both on Seven Devils Road and Beach Loop Road. Bandon Beach Riding Stables, the Crossings Golf Course, Bandon Dunes Golf Resort, Whiskey Run Trails and Shore Acres. Additionally, the demand for rentals in Bandon is high. The proposed use provides much needed accommodations without the intensive development that a motel/hotel provides. There are very few one bedroom rentals available. The property is screened from the rural residential neighbors, and it is surrounded on three sides by forest and lake.

4.3.200 The Table of Uses reads that Vacation Rental/Short Term Rental is permitted as an Administrative Conditional Use in the RR-2 zoning district subject to review criteria 87 and that the use takes place within an existing single family dwelling.

4.3.210(87) Vacation Rentals are subject to the following criteria:
A. Use shall be compatible with the surrounding area.

Applicant's Response: The property is located north of Bandon city limits and is in close proximity to the beaches, Shore Acres, Whiskey Run trails and Bandon Dunes Golf Resort. The surrounding uses are primarily residential, but the Bandon Dunes Golf Resort is the neighboring parcel to the east and north.

As part of a Nuisance Plan, occupants will be informed that objectionable traffic, noise, smoke, and litter will not be permitted, and would subject them to immediate eviction. The local manager lives in Bandon, and their contact information will be on file with the planning department and police department as needed or required by the conditions of approval for this permit application.

The purpose of this zoning district is to provide for residential use. Vacation rentals are not considered a residential use but a limited commercial use within a Single-Family Dwelling; therefore, the use must show compatibility with the residential uses occurring within the surrounding area without discord or disharmony. There are seven properties within the noticing area. Five of the parcels are developed with single family residences. The parcel directly south is vacant, and the property on the east and north property line consists of one large forested parcel owned by Bandon Golf Courses, LLC.

With respect to traffic impacts, a review of available on-line information from the Institute of Transportation Engineers (ITE) publication "Trip Generation, 7th Edition" shows that a Recreational/Vacation Home generates a daily average of 3.16 trips per unit. Based on this data, the proposed use appears to be more compatible in regard to traffic than a full time residential property.

Land Use	Units	Average Trip Generation Rate (Trips/unit)
Single Family Housing	Dwelling	9.57
Apartment, Low Rise	Dwelling	6.59
Apartment, High Rise	Dwelling	4.20
Condominium/Townhouse, General	Dwelling	5.86
Condominium/Townhouse, High Rise	Dwelling	4.18
Mobile Home Park	Dwelling	4.99
Senior Adult Housing – Detached	Dwelling	3.71
Senior Adult Housing – Attached	Dwelling	3.48
Congregate Care Facility	Dwelling	2.02
Recreational/Vacation Homes	Dwelling	3.16

ITE PUBLICATION "TRIP GENERATION, 7TH EDITION"

B. Shall be licensed by Coos Health and Wellness.

Applicant's Response: The proposed use will be licensed by CHW in accordance with ORS 446.310-350. The owner will provide a copy of the annual license renewal to the planning department as evidence of continual use as a vacation rental dwelling.

C. Shall meet the parking, access and driveway criteria in Chapter 7 of the zoning ordinance.

Applicant's Response: The existing driveway is required to be inspected by the Coos County Road Department and will continue to conform with Chapter 7. Parking at the house consists of 2 dedicated parking spaces. The parking area is graveled and contains an adequate area for emergency vehicle turn around.

D. The use shall not be transferred to a subsequent landowner. Any new owners of the subject property will be required to submit a Compliance Determination Application showing compliance with this section of the zoning ordinance.

Applicant's Response: The owner is aware that the conditional use runs with the owner and not with the land. Future owners will be notified of this condition by both the selling agent for the property and then by the title report listing the required deed restriction.

E. A Deed Restriction shall be recorded with the Coos County Clerk's Office acknowledging that the Vacation Rental Status is an accessory use to the main residential use.

Applicant's Response: A deed restriction will be filed with the county clerk's office to ensure that future owners are aware of the condition to submit a Compliance Determination application with the county to transfer ownership of the conditional use to their name and gain clearance to update their license with Coos Health and Wellness.

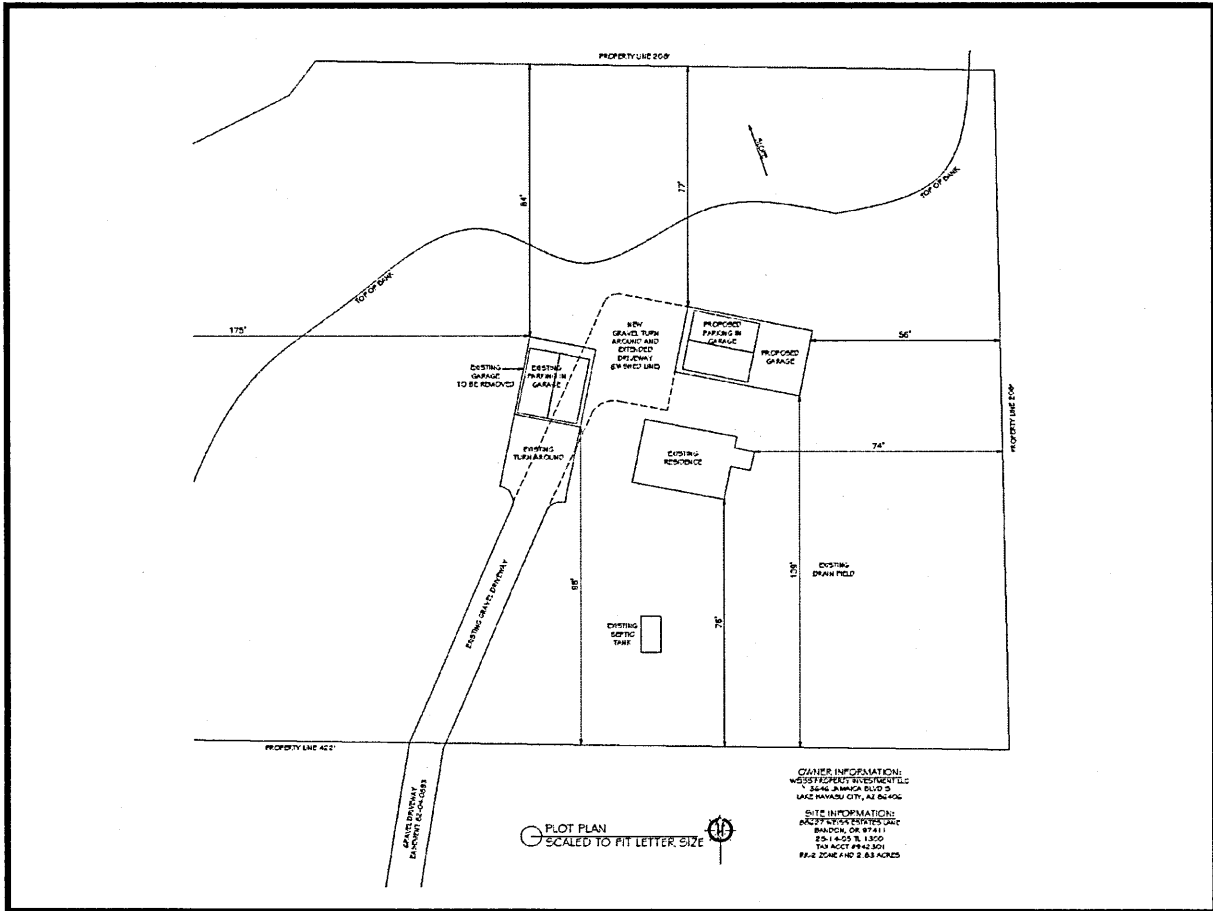
5.2.100 Conditional Uses are discretionary reviews that involve judgment or discretion in determining compliance with the ordinance.

Applicant's Response: The applicant has provided an application for an Administrative Conditional Use Permit for the Vacation Rental Dwelling. It is understood that discretion can be made when approving this use and that additional conditions may be placed on the permit.

7.5.175

Parking, driveway and access shall comply with Section 7.

Applicant's Response: The driveway and access are required to be inspected by the Coos County Road Department for the Vacation Rental Use. Currently, there are 2 dedicated parking spaces in the detached garage. Additional parking could be included, but it is the applicant's understanding that parking is limited to parking spaces.



PARKING PLAN