



Coos County Land Use Permit 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

DR-22-051

FILE NUMBER: ACU-22-016

Date Received: 4/29/22 Receipt #: 231933 Received by: MB

This application shall be filled out electronically. If you need assistance please contact staff.
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)

LAND INFORMATION

A. Land Owner(s) Robert and Pamela Romanko

Mailing address: 89167 Lighthouse Way, Coos Bay, OR 97420

Phone: 541-888-2530 Email: promanko97420@gmail.com

Township: 26S Range: 14W Section: 4 1/4 Section: C 1/16 Section: D Tax lots: 1600
Select Select Select Select Select

Tax Account Number(s): 2188600 Zone: Select Zone Rural Residential-2 (RR-2)
Tax Account Number(s) Please Select

B. Applicant(s) same as above

Mailing address:

Phone:

C. Consultant or Agent: N/A

Mailing Address

Phone #: Email:

Type of Application Requested

- Comp Plan Amendment
- Text Amendment
- Map - Rezone
- Administrative Conditional Use Review - ACU
- Hearings Body Conditional Use Review - HBCU
- Variance - V
- Land Division - P, SUB or PUD
- Family/Medical Hardship Dwelling
- Home Occupation/Cottage Industry

Special Districts and Services

Water Service Type: Coos Bay - North Bend Water Board Sewage Disposal Type: On-Site Septic
School District: Coos Bay Fire District: Charleston RFPD

Please include the supplement application with request. If you need assistance with the application or supplemental application please contact staff. Staff is not able to provide legal advice. If you need help with findings please contact a land use attorney or contulant.

Any property information may be obtained from a tax statement or can be found on the County Assessor's webpage at the following links: [Map Information](#) Or [Account Information](#)

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. A written statement of intent, attached to this application, with necessary supporting evidence which fully and factually describes the following:
 - 1. 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.
 - 2. A description of the property in question, including, but not limited to the following: size, vegetation, crops grown, access, existing buildings, topography, etc.
 - 3. A complete description of the request, including any new structures proposed.
 - 4. If applicable, documentation from sewer and water district showing availability for connection.
- II. A plot plan (map) of the property. Please indicate the following on your plot plan:
 - 1. Location of all existing and proposed buildings and structures
 - 2. Existing County Road, public right-of-way or other means of legal access
 - 3. Location of any existing septic systems and designated repair areas
 - 4. Limits of 100-year floodplain elevation (if applicable) N/A
 - 5. Vegetation on the property
 - 6. Location of any outstanding physical features
 - 7. Location and description (paved, gravel, etc.) of vehicular access to the dwelling location
- III. A copy of the current deed, including the legal description, of the subject property. Copies may be obtained at the Coos County Clerk's Office.

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 the application is signed by an agent, the owner's written authorization must be attached.

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. Signatures required below for application processing.

Charles Brank

Robert Remick

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: 89167 Lighthouse Way, Coos Bay, OR 97420

Type of Access: County Road Name of Access: Lighthouse Way

Is this property in the Urban Growth Boundary? No

Is a new road created as part of this request? No

Required parking spaces are based on the use of the property. If this is for a residential use two spaces are required. Any other use will require a separate parking plan submitted that is required to have the following items:

- Current utilities and proposed utilities;
- Roadmaster may require drawings and specs from the Oregon Standards Specification Manual (OSSC) (current edition).
- The location and design of bicycle and pedestrian facilities shall be indicated on the site plan if this is a parking plan;
- Location of existing and proposed access point(s) on both sides of the road where applicable;
- Pedestrian access and circulation will be required if applicable. Internal pedestrian circulation shall be provided in new commercial, office, and multi-family residential developments through the clustering of buildings, construction of walkways, landscaping, accessways, or similar techniques;
- All plans (industrial and commercial) shall clearly show how the internal pedestrian and bicycle facilities of the site connect with external existing or planned facilities or systems;
- Distances to neighboring constructed access points, median openings (where applicable), traffic signals (where applicable), intersections, and other transportation features on both sides of the property;
- Number and direction of lanes to be constructed on the road plus striping plans;
- All planned transportation features (such as sidewalks, bikeways, auxiliary lanes, signals, etc.); and
- Parking and internal circulation plans including walkways and bikeways, in UGB's and UUC's.

Additional requirements that may apply depending on size of proposed development.

- Traffic Study completed by a registered traffic engineer.
- Access Analysis completed by a registered traffic engineer
- Sight Distance Certification from a registered traffic engineer.

Regulations regarding roads, driveways, access and parking standards can be found in Coos County Zoning and Land Development Ordinance (CCZLDO) Article 7.

By signing the application I am authorizing Coos County Roadmaster or designee to enter the property to determine compliance with Access, Parking, driveway and Road Standards. Inspections should be made by calling the Road Department at 541-396-7660

Coos County Road Department Use Only

Roadmaster or designee: _____

Driveway Parking Access Bonded Date: Receipt # _____

File Number: DR-21-

ADDRESS OF DRIVEWAY #1 CLOSEST TO YOUR NEW DRIVEWAY: _____

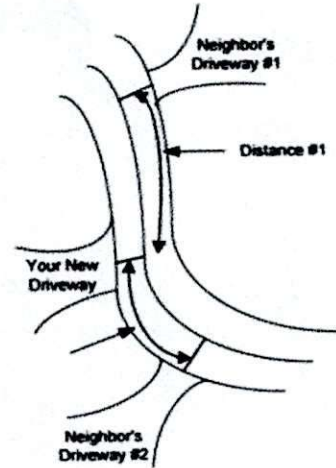
DISTANCE FROM DRIVEWAY #1 TO YOUR NEW DRIVEWAY: _____

Is this driveway on the same side of the road as your Driveway: Select

ADDRESS OF DRIVEWAY #2 CLOSEST TO YOUR NEW DRIVEWAY: _____

DISTANCE FROM DRIVEWAY #2 TO YOUR NEW DRIVEWAY: _____

Is this driveway on the same side of the road as your Driveway: Select



The distance information is important from your new driveway to the closest driveways on either side of you (doesn't matter which side of the road) and what the addresses are to those two driveways. This information is important to include in the formula used to calculate the correct address.

Staff from the County Road Department will place the stake and once the driveway stake has been placed, it must not be moved. If your stake is removed or damaged you may purchase replacements.

Additional Notes or directions:

This application is not required.

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: Coos Bay-North Bend Water Box Sewage Disposal Type: On-site septic

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

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

Please check if the request is for a land division.

Coos County Environmental Health Use Only:

Staff Reviewing Application: _____

Staff Signature: _____

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

Additional Comments:

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;
 - Number of vehicles;
 - Large gatherings;
 - Property manager including contact details;
 - Security;
 - The layout of the property, does the property have sight obscuring (from neighboring properties) fencing or landscaping;
 - Services such as cleaning and property maintenance (parking should include a one space dedicated to service worker); and
 - 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.

- **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:

We have owned the house at 89167 Lighthouse Way for 20 years. Our intent at this time is to retain ownership while allowing others to enjoy the beauty of the South Coast. We still plan on living in the house for extended periods of time.

Our house is located at the end of the street on the ocean side next to property administered by the Confederated Tribes. There is one home across the street to the south. To the east, there is a vacant lot. We have a six-foot privacy fence to the east.

We will allow no more than 6 adults in the house at a time and will require a five-night minimum stay in order to minimize people coming and going. Late night check-ins will be discouraged by assessing an additional fee. No large groups will be allowed. The description of the vacation rental will emphasize that this is a quiet residential area and that guests should respect the neighbors. In reality, we believe that most traffic in our home's area will be due to tribal members and vacationers attempting to see the Cape Arago lighthouse.

The house is equipped with two security cameras, one focused on the driveway and one which is focused on the back door. After guests check in, we will "snooze" the cameras in order to provide them privacy. In addition, Officer Olson (who works for the Confederated Tribes) makes regular rounds to check on the tribal property and keeps an eye on our house as well.

We will be listing our home through Evolve Vacation Rentals (866-210-8437). This company will be responsible for vetting possible guests as well as checking guests in and out. We will be

responsible for cleaning and maintenance of the house as well as trash service. We will be hiring a cleaning service as well as someone to take care of the lawn, which is minimal.

- (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:

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

The Coos County Road Department will evaluate you parking and access. This requires that an applicant submitted 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:

The property has space for four cars in the driveway, as well as one off-street parking space in the front of the house for the housecleaners or maintenance personnel. The majority of housecleaning and maintenance will be performed when guests are not in the house. There is a rope and wood gate which can be closed to block off the driveway. There are two separate garages on the property. One is locked as our personal property will be stored there. The other may be used by guests, although it is mainly used to store crab rings.

- (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:

So acknowledged.

L I G H T H O U S E
B E A C H

(Slope down to beach)

Septic Tank
(Assume drainfield is toward the street)

Deck

Garage 1

Garage 2

Vacant Lot

Driveway

89167

Parking

Yard

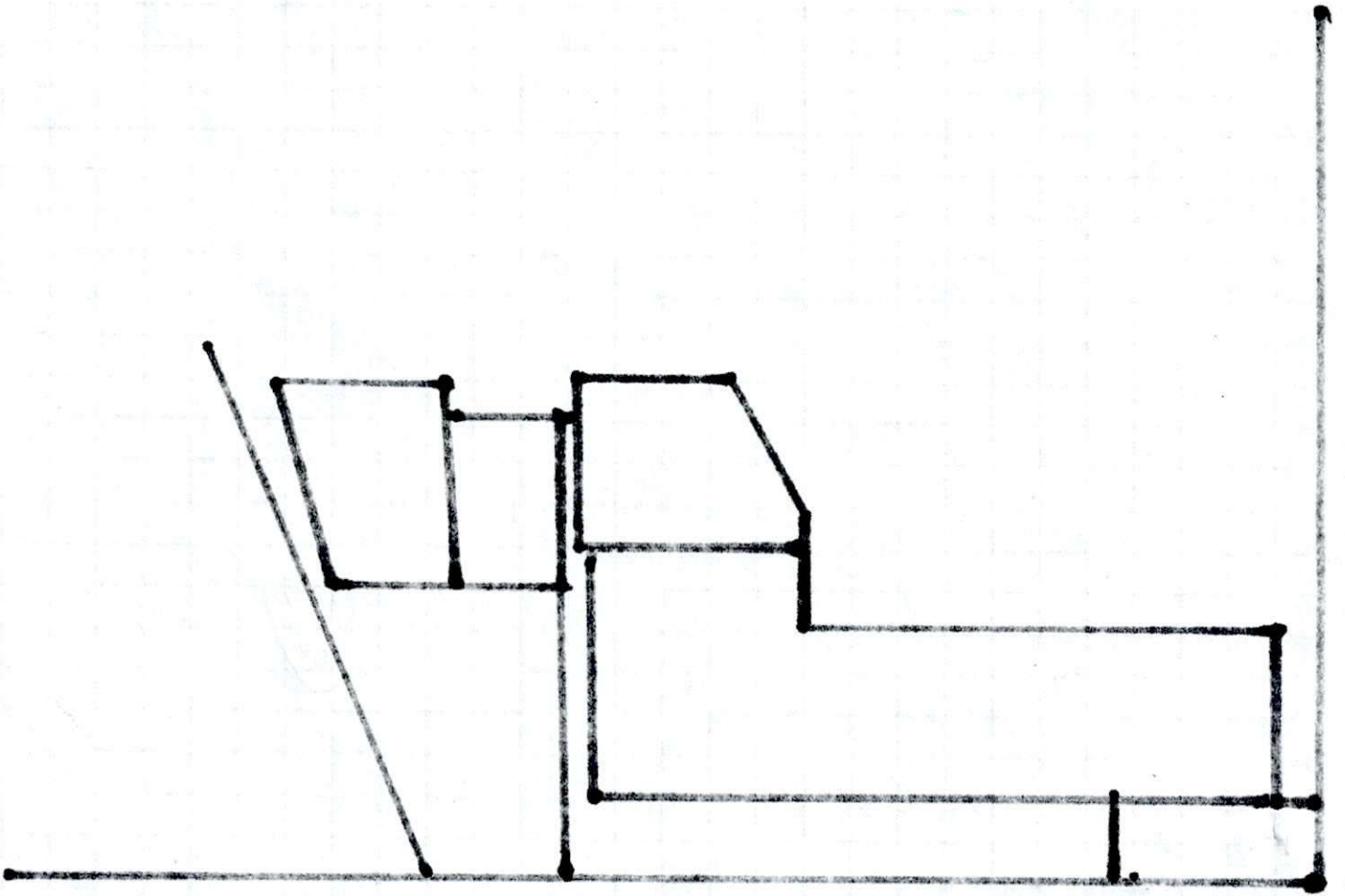
L I G H T H O U S E W A Y

1 sq = 5 ft

0.56 acres total

Fence
Tribal Property

gate

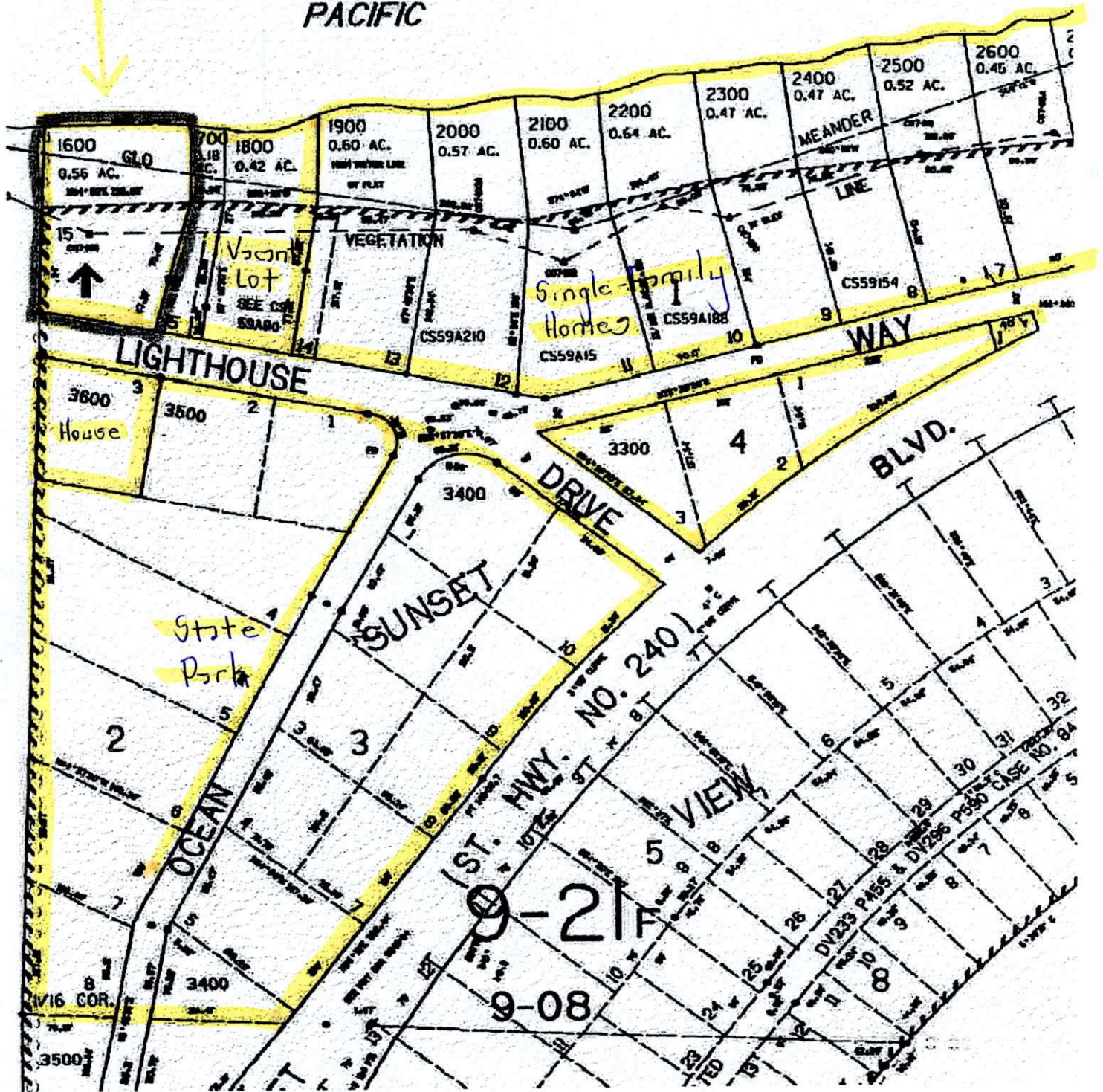


13 x 20
13 x 24

Subject Property

OCEAN

PACIFIC





After recording return to:

Robert J. Romanko
89167 Lighthouse Way
Coos Bay, OR 97420

Until a change is requested all tax statements shall be sent to the following address:

Robert J. Romanko
89167 Lighthouse Way
Coos Bay, OR 97420

Escrow No. 293535TA
Title No. 293535

RETURN TO: P...T.CO.

THIS SPACE RESERVED FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Dr. Paul Starkey, Trustee under the Dr. Paul Starkey Loving Trust dated July 25, 1994., Grantor, conveys and warrants to Robert Romanko and Pamela Romanko, husband and wife, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

The West 100 Feet of Lot 15, Block 1, Sunset View, Coos County, Oregon

This property is free of liens and encumbrances, EXCEPT:
See Exhibit "A"

THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true consideration for this conveyance is \$280,000.00 (Here comply with the requirements of ORS 93.030)

Dated this 13th day of June, 2002

Dr. Paul Starkey, Trustee
Dr. Paul Starkey, Trustee

Dr. Paul Starkey
Dr. Paul Starkey, Individually

STATE OF OREGON
County of Coos } ss.

This instrument was acknowledged before me on this 13th day of June, 2002
by Dr. Paul Starkey as Trustee and individually

Teresa K. Anderson

EXHIBIT "A"

1. Statutory powers and regulations, including levies, assessments, drainage rights and easements of Charleston Sanitary District.
2. Rights of the public in and to any portion of the herein described property lying within the boundaries of public roads and roadways, if any, and/or rights of private parties over any portion lying within existing roadways or driveways not disclosed by public records.
3. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of the Pacific Ocean and the ownership of the State of Oregon in and to that portion lying below the mean high water mark thereof.
4. Any adverse claim based upon the assertion that some portion of said land has been removed from or brought within the boundaries thereof by an avulsive movement of the Pacific Ocean or has been formed by the process of accretion or reliction or has been created by artificial means or has accreted to such portion so created.
5. Rights of the public and of the State of Oregon in the ocean shore and dry sands area defined as declared acquired is under the provisions of ORS 390.605-770, or west of the seaward edge of vegetation where uplands supports vegetation as defined in Thornton V. Hay, Oregon Supreme Court.
6. Terms, provisions and conditions of the Trust Agreement of the Dr. Paul Starkey Loving Trust dated July 25, 1994, and any subsequent modifications, a copy of which should be submitted to this office for inspection.

ON LAWSUITS AGAINST FILING OR FOREST PRACTICES AS DEFINED IN ORS 30.930. PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS, THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS

This property is free of liens and encumbrances, EXCEPT: see Exhibit "A"

The West 100 feet of Lot 15, Block 1, Sunset View, Coos County, Oregon

Dr. Paul Starkey, Trustee under the Dr. Paul Starkey Loving Trust, hereby conveys and warrants to Robert Romanke, husband and wife, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

Dated this 15th day of June 2002

[Signature]
Dr. Paul Starkey, Trustee

[Signature]
Dr. Paul Starkey, Individually

STATE OF OREGON
County of Coos } ss.

This instrument was acknowledged before me on this 15th day of June 2002 by Dr. Paul Starkey as Trustee and individually

[Signature]

Pan Zoom In Zoom Out Analysis Tools Search Tools Print Bookmark

Jump To: [dropdown]

Catalog Search Print Map

Map Title Map

Output Template: Letter - Landscape

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Close

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Jump To: [dropdown]

Catalog Search Print Map

Map Title Map

Output Template: Letter - Landscape

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Close

Go!

