



Becky Crockett
Planning Director

Phone (541) 247-3228
FAX (541) 247-4579

File # AD-2124 Fee \$ N/A Receipt # Accepted by NCO

LAND USE DECISION APPLICATION FORM

Application Type (Check One)

- xxxComp Plan/Zone Conditional Use Variance Partition Subdivision Development Permit

Application Date: Hearing / Decision Date:

APPLICANT: Please complete all parts of this form. The attached application checklist will be marked by staff to reflect the information and supporting items required for this request.

1. PROPERTY OWNER OF RECORD

Name: Samuel Wilder
Mailing Address:
City, State, ZIP:
Telephone #: E-Mail

2. APPLICANT

Name: Samuel Wilder:
Mailing Address:
City, State, ZIP:
Telephone #: E-Mail

3. AGENT (If Any)

Name: John Bischoff
Mailing Address: 96333 Wildwood Rd.
City, State, ZIP: Brookings, OR 97415
Telephone # 541 412 0351 E-Mail wildwood1@charter.com

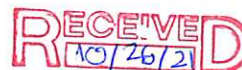
4. BASIC PROPOSAL (Briefly describe your proposed land use)

To pace a dwelling on a 160+ acre parcel.

5. PROPERTY INFORMATION

Assessor Map # 36-14-00 Tax Lot (s) 1020

Zoning: Forest Grazing Total Acreage Pursuant to GIS 184.01 acres



6. **PROPERTY LOCATION**

Address (if property has a situs address) 23261 Libby Creek Rd. Gold beach, OR 97444

Description of how to locate the property. Adjacent to North Bank Rogue River Rd. and Libby Creek Rd. _____

7. **EXISTING LAND USE** (briefly describe the present land use of the property)

XXVacant Developed; Describe existing development

Formally a Rod and Gun club but not used now. One building remaining
Application approved in 2007 for a dwelling but never built and since expired.

8. **SURROUNDING LAND USES** (Briefly describe the land uses on adjacent property)

Forest Grazing

9. **SERVICE AND FACILITIES AVAILABLE TO THE PROPERTY**

Please indicate what services and facilities are available to the property. If on-site sewage disposal and/or water source is proposed, a copy of the approved site evaluation or septic system permit and a copy of any water rights or well construction permit must be submitted with this application.

Water Source: Well

Sewage Disposal Septic System oite

Electrical Power Coo/c\Curry Electric

Telephone Service Frontier

Fire Department/District _____

School District Gold Beach

10. **ROAD INFORMATION**

Nearest Public Road: Libby Creek Rd.

Private Roads Serving the Property yes

Road Condition Gravel

Legal Status Private

Ownership: I own the roa Easement on others property Joint Owner

Please submit record of ownership (i.e. deeds, easement, plat dedication, etc)

Proposed New Roads/Driveways (Briefly describe any new road construction related to this application)
None,

11. PHYSICAL DESCRIPTION OF THE SUBJECT PROPERTY

Topography (Briefly describe the general slope and terrain of the property)

The property slopes up to the north and east from North Bank Rogue River Rd. The property has a high spot in the center. (see report)

Vegetation (Briefly describe the vegetation on the property)

Pines. Firs and Brush.

12. FINDINGS OF FACT

Oregon Statute and the zoning ordinance requires that land use decisions be supported by factual findings. The burden of proof is on the proponent therefore it is required that the application provide findings to support the request in this application. The standards and criteria that are relevant to this application will be provided by the staff and are considered to be a part of this application form. Please read the standards and criteria carefully and provide factual responses and evidence to address each standard. These findings must be sufficiently specific to allow the decision maker to determine whether your request meets the relevant standard. Please attach your written findings and supporting evidence to this application.

FAILURE TO PROVIDE THE REQUIRED FINDINGS WILL PREVENT THE APPLICATION FROM BEING PROCESSED AND IT WILL BE RETURNED AS BEING INCOMPLETE.

13. APPLICANT'S SIGNATURE AND STATEMENT OF UNDERSTANDING

(Please read the statement below *before* signing the signature blank)

I (We) Samuel D. Wilder _____;
Ann M. Wilder _____;

_____ ; have filed this application for

With the Curry County Department of Community Development-Planning Division to be reviewed and processed according to State of Oregon and county ordinance requirements. My (our) signature (s) below affirms that I (we) have discussed the application with the staff, and that I (we) acknowledge the following disclosures:

- (a) I (we are stating all information and documentation submitted with this application is true and correct to the best of my (our) knowledge.
- (b) I (we) understand that if false information and documentation has been submitted and the decision is based on that evidence, the decision may be nullified and the county may seek all legal means to have the action reversed.
- (c) I (We) understand any representations, conclusions or opinions expressed by the staff in pre-application review of this request do not constitute final authority or approval, and I (we) am (are) not entitled to rely on such expressions in lieu of formal approval of my (our) request.
- (d) I (We) understand that I (we) may ask questions and receive input from staff, but acknowledge that I (we) am (are) ultimately responsible for all information or documentation submitted with

this application. (We) further understand staff cannot legally bind the county to any fact or circumstance which conflicts with State of Oregon or local ordinance, and in event a conflict occurs, the statement or agreement is null and void.

- (e) I (We) understand that I (we) have the burden of proving that this request meets statutory and Ordinance requirements, and I (we) must address all of the criteria that may apply to the decision being made. The criteria for approving or denying this request have been provided to me (us) as a part of the application form.
- (f) I (We) understand the staff is entitled to request additional information or documentation any time after the submission of this application if it is determined as such information is needed for review and approval.
- (g) I (We) understand this application will be reviewed by the Oregon Department of Land Conservation & Development (DLCD) and possibly other state agencies as part of the statewide land use coordination process. I (We) understand that agencies that participate in the review process have the legal right to appeal the approval of the request.
- (h) I (We) understand that it is my (our) responsibility, and not the county's, to respond to any appeal and to prepare the legal defense of the county's approval of my (our) request. I (We) further realize it is not the county's function to argue the case at any appeal hearing.
- (i) I (We) understand that I (we) am (are) entitled to have a lawyer or land use consultant represent me (us) regarding my application and to appear with me (or for me) at any appointment, conference or hearing relating to it. In light of the complexity and technical nature of most land use decisions, I (we) understand that it may be in my best interests to seek professional assistance in preparation of this application.
- (j) The undersigned are the owner (s) of record for the property described as:

Assessor Map(s): 36-14-00 _____
and Tax Lot(s) 1020 _____
in the records of Curry County.

This application MUST BE SIGNED BY ALL PROPERTY OWNERS OF RECORD, or you must submit a notarized document signed by each owner of record who has not signed the application form, stating that the owner has authorized this application.

- (1) Signature Samuel D Wilder
Print Name Samuel D Wilder
- (2) Signature Lisa M Wilder
Print Name LISA M WILDER
- (3) Signature _____
Print Name _____
- (4) Signature _____
Print Name _____



THIS SPACE RESERVED FOR RECORDER'S USE


After recording return to:
Samuel David Wilder III and Lisa Marie Wilder

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

Samuel David Wilder III and Lisa Marie Wilder

File No. 420666AM

CURRY COUNTY, OREGON	2020-04692
LAND	11/13/2020 03:51:00 PM
Cnt=1 Pgs=3	\$106.00
I Renee' Kolen, County Clerk, certify that the within document was received and duly recorded in the official records of Curry County.	
Renee' Kolen - Curry County Clerk	



STATUTORY WARRANTY DEED

**Oregon Acres, LLC,
an Texas Limited Liability Company,**

Grantor(s), hereby convey and warrant to

Samuel David Wilder III and Lisa Marie Wilder, as Tenants by the Entirety,

Grantee(s), the following described real property in the County of Curry and State of Oregon free of encumbrances except as specifically set forth herein:

See Attached Exhibit 'A'

FOR INFORMATION PURPOSES ONLY, THE MAP/TAX ACCT #(S) ARE REFERENCED HERE:

3614-00-01020-00

The true and actual consideration for this conveyance is \$705,000.00.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

Return To: 

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.

Dated this 12 day of November, 2020

Oregon Acres, LLC an Texas limited liability company

By: David S Ellis
David S Ellis, Managing Member and sole member

State of Texas} ss
County of }
Dallas

On this 12 day of November, , before me, Gage Barlowe a Notary Public in and for said state, personally appeared David S Ellis known or identified to me to be the Managing Member and sole member in the Limited Liability Company known as Oregon Acres, LLC, an Texas limited liability company who executed the foregoing instrument, and acknowledged to me that he/she executed the same in said LLC name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Gage Barlowe
Notary Public for the State of Texas
Residing at: 7865 Fittsfall way Dallas, Tx 75230
Commission Expires: 09/01/2024

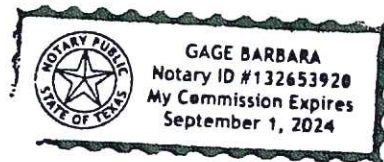


EXHIBIT 'A'

File No. 420666AM

A parcel of land located in Section 2, Township 36 South, Range 14 West of the Willamette Meridian, Curry County, Oregon and being the Reconfiguration of Discrete Parcels per Curry County Deed Volume 50, Page 354, through various adjustments as shown and noted on Record of Survey Map CS 36-729, Survey Records of said Curry County and more specifically described as follows:

Beginning at a Railroad Spike Monument in the centerline of the existing Libby Creek Road, from which the 1995 BLM Brass Capped Iron Pipe at the West One-Quarter Corner of said Section 2 bears North 66° 16' 34" West 952.46 feet; thence from said Railroad Spike North 0° 00' 00" East 1636.53 feet to the North line of the Southwest Quarter of the Northwest Quarter of said Section 2; Thence South 89° 32' 53" East 440.18 feet along said North line to the Northeast Corner of the Southwest One-Quarter of the Northwest One-Quarter; thence continuing South 89° 32' 53" East 591.54 feet along the North line of the Southeast One-Quarter of the Northwest One-Quarter of said Section 2 to a 5/8" iron rod; thence South 7° 40' 41" East 334.95 feet to a 5/8" iron rod; thence South 82° 30' 47" East 499.51 feet to a 5/8" iron rod; thence South 48° 33' 43" East 206.49 feet to a 5/8" iron rod; thence South 40° 13' 06" East 269.47 feet to a 5/8" iron rod; thence South 81° 47' 00" East 105.30 feet to a 5/8" iron rod; thence South 36° 58' 53" East 232.26 feet to a 5/8" iron rod; thence South 30° 57' 48" East 352.84 feet to a 5/8" iron rod on the North line of the Northwest One-Quarter of the Southeast One-Quarter of said Section 2; thence North 89° 57' 17" East 688.79 feet along said North line to a 3/4" iron rod at its Northeast Corner; thence South 0° 28' 48" West 297.59 feet along its East line; thence South 13° 20' 28" East 334.88 feet; thence due West 40.00 feet to a 5/8" iron rod; thence continuing due West 40.00 feet to a 5/8" iron rod on said East line; thence South 0° 28' 48" West 602.80 feet, continuing along said East line to a 5/8" iron rod at the Northeast Corner of Government Lot 6, said Section 2; thence continuing South 0° 28' 48" West 621.62 feet, along its East line to a 5/8" iron rod; thence continuing South 0° 28' 48" West 35.0 feet, more or less, to the Northerly right of way of the North Bank Rogue River County Road #545; thence Southwesterly 1950 feet, more or less, along said right of way to it's intersection with the centerline of the private Libby Creek Access Road Easement, as described in Deed Book of Records 51, Page 273 and as shown on Curry County Record Survey Map #36-238; thence Northwesterly 2500 feet, more or less, along said centerline to the Point of Beginning.

REQUEST

The applicant is requesting to establish a dwelling on a parcel of land in the Forest Grazing Zone and identified as Assessor's Map 36-14-00 Tax Lot 1020. The lot is stated as being 184.01 acres in size on the County GIS System and 160.7 acres in a previous application. This parcel was the subject of an approved application for a home in 2007, but the house was never built and has since expired. Section 3.052, Conditional Uses Subject to Administrative Approval by the Director, Subsection 16, *Dwellings subject to Section 3.053. (1,16)* (I am told that it should be 1 & 17) The previous application was submitted using Section 3.053, 2, b), non-contiguous parcels, in the same or adjacent counties. The applicant is requesting to establish a dwelling on the subject property under Section 3.053, 2, a), which reads: "*it will be located on a tract of land of at least 160 contiguous acres;*"

Since the parcel is at least 160 acres in size Subsection 2, a) is appropriate.

The Numbers in parenthesis following the uses indicate the standards described in Section 7.040 that must be met to approve the use, in this case, 1 and 16.

PROPERTY DISCRPTION

The subject property is an irregular shaped parcel located on the north side of North Bank Rogue River Rd. approximately 8 river miles from the mouth of the Rogue River and adjacent to the north side of the North Bank Rd, and the west side of Libby Creek Rd, The subject parcel is irregular shaped and it is difficult to describe the boundaries. An internal road intersects Libby Creek Rd, just south of the southwesterly corner on Libby Creek Rd. and is about 5000 feet long. At one time there had been a Rod and Gun Club on the property and there is still an old building on the site. Topographically the highest point on the property is in the northwesterly corner at 675.57 feet and the lowest point is at the intersection of Libby Creek Rd, and North Bank Rd. at 49.15 feet. The subject parcel slopes from the river northerly and easterly. The end of the internal road is at 603.36 feet, so there appears to be a hill in the south center of the site.

FINDINGS AND CONCLUSIONS

Since the parcel is more than 160 acers in size Section 3.053 subsection 2 has been discussed above.

Section 3.053 subsection 4 reads: *The approval of a dwelling under subsections 1, 2, or 3 above shall be subject to the following additional requirements.*

a) Dwellings and structures shall be sited on the parcel so that:

- (1) they have the least impact on nearby or adjoining forest or agricultural lands;
- (2) ii) the siting ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized;
- (3) iii) the amount of forest lands used to site access roads, service corridors, the dwelling and structures is minimized; and
- (4) iv) the risks associated with wildfire are minimized.

Findings

1. The siting of the requested residence is well away from property lines and will not impact logging or farming practices on neighboring properties.
2. The access road already exists into the property and was access to a former Rod and Gun Club that existed on the property in the past.
3. The applicant is aware that conditions of approval can be placed on the approval of this application and is willing to abide by reasonable conditions.
4. Subsections of 3.054 b thru i can be applied as conditions of approval as required.

Discussion

Sections 3.055 and 3.056 are discussed to some extent below in the discussion of Section 7.040 and can be applied as conditions of approval.

Section 7.040 1. Conditional and Permitted Uses Generally

Discussion

Subsection 1 has seven items that range from the additional requirements that the County can require to make the request compatible with development in the vicinity and dealing with a Community Water District.

Findings

1. The applicant is aware that the county may add additional requirements.
2. The subject property is not within or will not create a Community Water District.

Conclusions

The proposed application is consistent with the provisions of Section 7.040 1.

Section 7.040 17. Uses on resource land and reads as follows:

- a) The proposed use will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agricultural or forest land.

Discussion

Placing one house on a parcel that is at least 160 acres in size will not significantly change or increase the cost of farming or forest activities. This parcel has had a Rod and Gun Club on it for many years and has had an approval for a house in 2007 that was never built.

Finding

1. The applicant is applying for a Conditional Use Permit to place a house on the subject parcel which is over 160 acres in size.
2. A dwelling was approved on the parcel in 2007, under a different owner, but was not built and thus has expired.

Conclusion

Since there was a previous approval for a house on the subject property in 2007 under a Conditional Use, it indicates that placing a single family dwelling on the property will not significantly increase the cost of farming or forest activities in the area.

- b) The proposed use will not significantly increase fire suppression costs or significantly increase the risks to fire suppression personnel.

Discussion

It is possible that placing a house on the subject parcel may incrementally increase the cost of fire suppression but certainly not significantly. The risk to fire fighters would be essentially the same as it would be to fight a fire at any other house.

- c) Uses listed authorized in Section 3.041 or Section 3.051 are also subject to this section, A written statement be recorded with the deed or written contract with the County or its equivalent shall be obtained from the land owner which recognizes the rights of adjacent and nearby land owners to conduct forest operations consistent with the Oregon Forest Practices Act and related Oregon Administrative Rules.

Finding

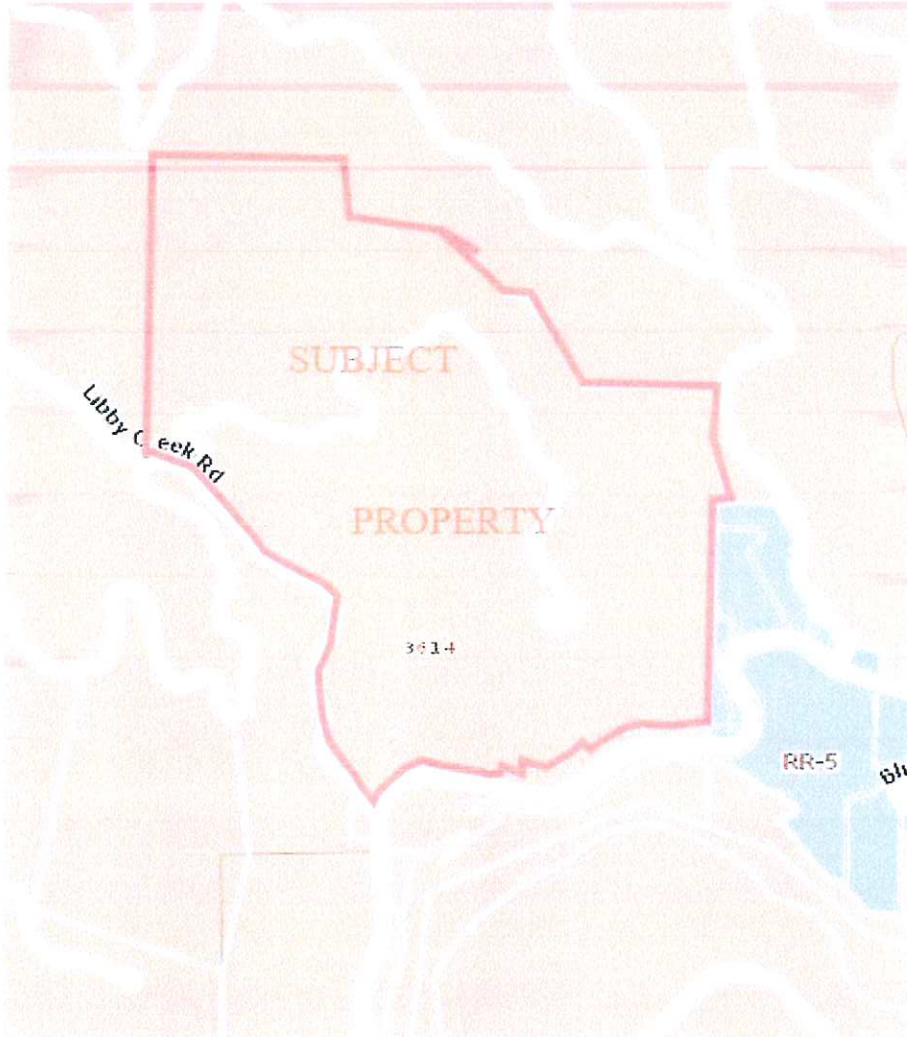
1. The applicant will comply with this requirement.

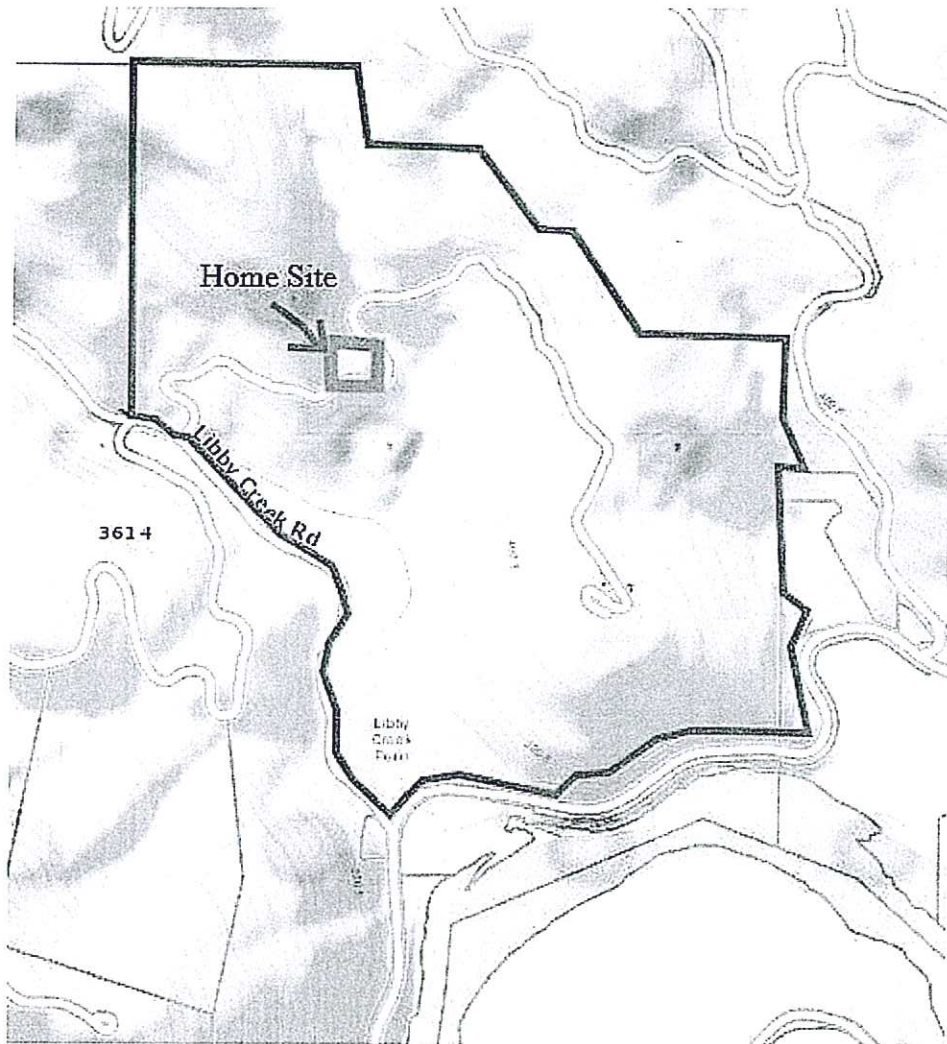
Conclusion

The proposed application is consistent with Section 7.040 17.

Overall Conclusion

The requested application is consistent with the provisions of the Curry County Zoning Ordinance Sections 3.053 and 7.040 (1, 17).







Residential Septic Site Evaluation Approval

221-21-000091-EVAL

Curry County Onsite Department
94235 Moore Street
Suite 113
Gold Beach, OR 97444
541-247-3304
Fax: 541-247-4579
septicpermits@co.curry.or.us
Website: co.curry.or.us

Date issued: 08/04/2021
Application status: Site Evaluation Approved
Work description: SITE EVALUATION

Applicant: WILDER, SAMUEL D III & LISA
Address:

Phone:
Email:

Owner: WILDER, SAMUEL D III & LISA
Address: 32261 Libby Creek Rd, Gold Beac, OR 97444

Parcel: 361400 0102000 - Primary

Lot size: 184
Zoning: N/A
Directions to Property: FROM GOLD BEACH TURN RIGHT ONTO N BANK ROGUE RIVER RD. IN 3.7 MILES TURN RIGHT ONTO NA BANK ROGUE RIVER RD AND IN 3.7 MILES TURN LEFT ONTO LIBBY CREEK ROAD. LOCKED GATE: CONTACT IN ADVANCE - SUSAN (541) 373-1933

Proposed use of structure: N/A
Category of construction: Single Family Dwelling

	Existing	Proposed
Number of bedrooms:	0	3

General Specifications

Max peak design flow: 450 gpd. **Proposed gallons per day:** 375 gpd.
Min septic tank volume: 1000 gal. **Min dosing tank volume:** N/A

Comments: Pit 3 located upslope of pits 1&2, depending on area where drainfield is installed system may either be equal or serial distribution.

System Specifications

	<i>Initial System</i>	<i>Replacement Area</i>
System type:	Standard	Standard
System distribution type:	Equal	Serial
Distribution method:	Equal	Serial

Trench Specifications

	<i>Initial System</i>	<i>Replacement Area</i>
Trench linear feet:	300 linear ft.	300 linear ft.
Max depth:	30 in.	30 in.
Min depth:	24 in.	24 in.

CALL BEFORE YOU DIG...IT'S THE LAW

ATTENTION: Oregon law requires you to follow rules adopted by the Oregon Utility Notification Center. Those rules are set forth by Oregon Administration Rules. You may obtain copies of the rules by calling the center. (Note: The telephone number for the Oregon Utility Notification Center is 1-800-332-2344.)

<p>Date issued: 08/04/2021</p> <p>Application status: Site Evaluation Approved</p> <p>Work description: SITE EVALUATION</p>
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Special Requirements	Initial System	Replacement Area
Drainfield type:	Standard	Standard

THIS IS NOT YOUR PERMIT. A Construction/Installation permit is required before you construct your system. Please contact this office when you are ready to apply for a construction/installation permit. We cannot sign off on any Building Codes forms until we issue your permit.

This site approval runs with the land and will automatically benefit subsequent owners. This site approval is valid until the approved system is constructed under a construction permit or unless the site is altered without approval from this office. Alterations/excavations/lot line adjustments made to the site, or placement of wells or utilities, etc., may invalidate this approval. If you disagree with the decision of this report, you may apply for a site evaluation report review. The application for a site evaluation report review must be submitted to DEQ in writing within 60 days after the site evaluation report issue date and must include the site evaluation review fee in OAR 340-071-0140 Table 9A. A senior DEQ staff person will be assigned the site evaluation report review application.

You may apply for a variance to the onsite wastewater treatment system rules. The variance application must include a copy of the site evaluation report, plans and specifications for the proposed system, specify the rule(s) to which a variance is being requested, demonstrate the variance is warranted, and include the variance fee in OAR 340-071-140 Table 9C. A variance may only be granted if the variance officer determines that strict compliance with a rule is inappropriate or special physical conditions render strict compliance unreasonable, burdensome or impractical. A senior DEQ variance officer will be assigned the variance application.

Danielle Morvan

8/4/21

CALL BEFORE YOU DIG...IT'S THE LAW

ATTENTION: Oregon law requires you to follow rules adopted by the Oregon Utility Notification Center. Those rules are set forth by Oregon Administration Rules. You may obtain copies of the rules by calling the center. (Note: The telephone number for the Oregon Utility Notification Center is 1-800-332-2344.)



Application for Onsite Sewage Treatment System

Send this application to:
Curry County Community Development
94235 Moore Ste, Suite 113
Gold Beach, OR 97444
or
septicpermits@co.curry.or.us

For Curry County Use Only:		Date Stamp
Date received	5/28/21	
Fee paid		
Receipt number		
Application number	221-21-000091-EVAL	
Date of 1 st response		
Date of 2 nd response		
Date of final response		
Date of completion		
Scanned	Data Entry	

A. Property Owner Information

Samuel Wilder 818) 687-4861
 Name Mailing Address (Street or PO Box, City, State, Zip Code) Phone Number

B. Legal Property Description

36 S 14 W 20 1020 R22184 184
 Township Range Section Tax Lot Tax Account Number Acreage or Lot Size
 Curry Subdivision Name Lot Block
 County Property Address: 32261 Libby Creek Rd. Gold Beach OR 97444
Address City State Zip Code

Directions to Property: From Gold Beach turn right onto N Bank Rogue River Rd, in 3.7 miles turn right onto N Bank Rogue River Rd, and in 3.7 miles turn left onto Libby Creek Road. Locked Gate: contact in advance - Susan

C. Existing Facility / Proposed Facility / Water Information

Existing Facility:	Proposed Facility:	Water Supply:
<input type="checkbox"/> Single Family Residence	<input checked="" type="checkbox"/> Single Family Residence	<input type="checkbox"/> Public _____ Name
_____	3	<input checked="" type="checkbox"/> Private Well _____ Well, Spring, Shared
Number of Bedrooms	Number of Bedrooms	
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other 44720 15th St East, Lancaster, CA 93535	

D. Type of Application

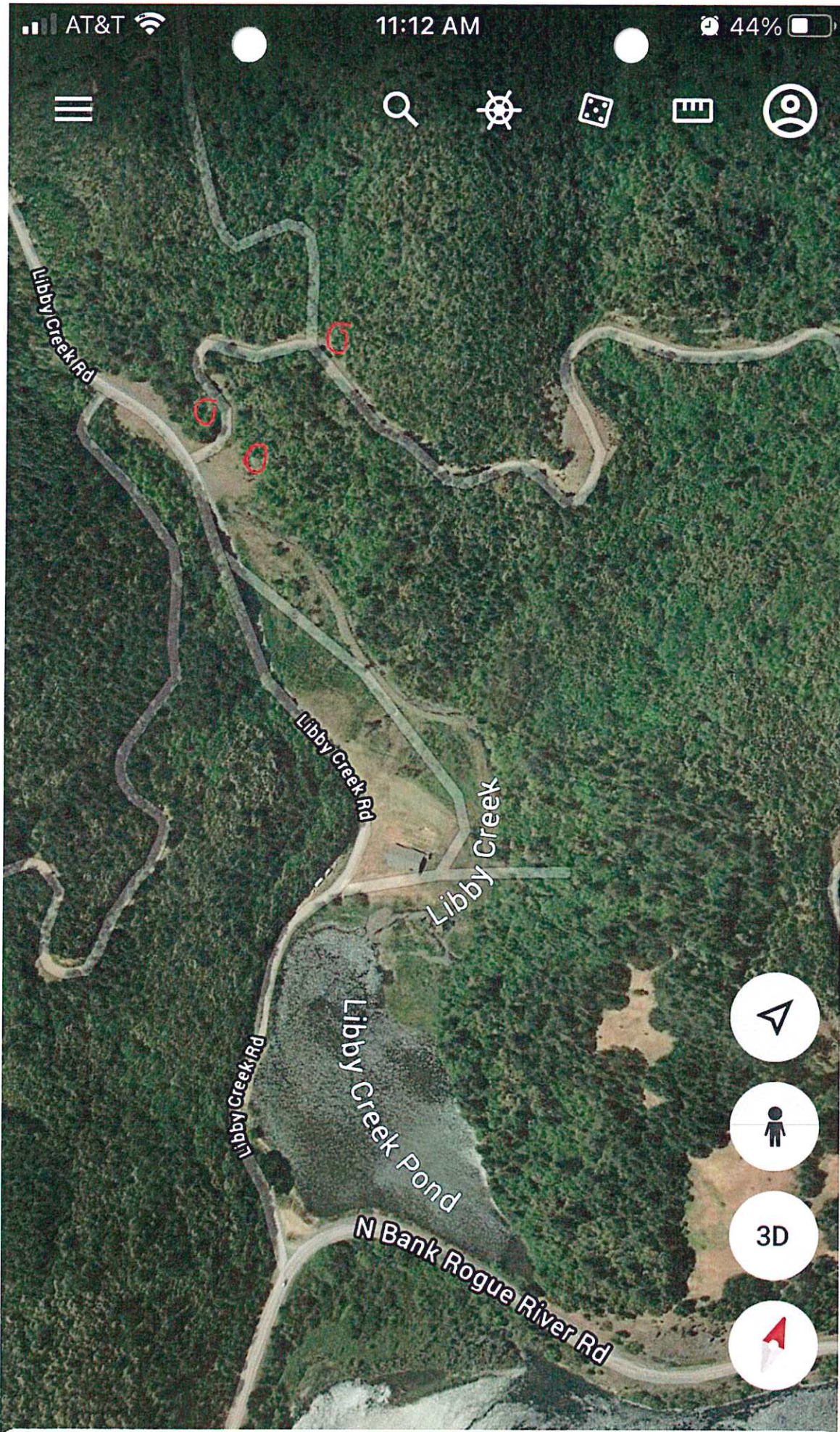
<input checked="" type="checkbox"/> Site Evaluation	<input type="checkbox"/> Renewal Permit	<input type="checkbox"/> Authorization Notice for: <input type="checkbox"/> Connecting to an Existing System Not in Use <input type="checkbox"/> Replacing a Mobile Home or House with Another Mobile Home or House <input type="checkbox"/> The Addition of One or More Bedrooms <input type="checkbox"/> Personal Hardship <input type="checkbox"/> Temporary Housing <input type="checkbox"/> Other-please specify _____
<input type="checkbox"/> Construction	<input type="checkbox"/> Existing System Evaluation	
<input type="checkbox"/> Permit Repair <input type="checkbox"/> Major <input type="checkbox"/> Minor	<input type="checkbox"/> Permit Transfer	
<input type="checkbox"/> Alteration Permit <input type="checkbox"/> Major <input type="checkbox"/> Minor	<input type="checkbox"/> Permit Reinstatement	

If the required fee and attachments are not included with this application, it will be returned to you as incomplete. Post a flag or sign with your name and address at the entrance to the property. Flag and number the test holes.

By my signature, I certify that the information I have furnished is correct, and hereby grant Curry County and their authorized agents' permission to enter onto the above described property for the sole purpose of this application.

Samuel P Wilder 5/17/2021
 Signature Date
 Samuel Wilder Applicant's Phone Number Applicant's E-mail Address
 Applicant's Name - Please Print Legibly

Applicant's Mailing Address _____
 Applicant is the Owner Authorized Representative Licensed Septic Installer
 Authorization Attached Installer's Name _____





Google

(42°29'17"N 124°20'01"W) 2,238 ft



BUSCH GEOTECHNICAL CONSULTANTS

February 17, 2021

Skip Wilder

Email: wilderskip@gmail.com

Short-Form Geotechnical Report for the Wilder Building Area, 32261 Libby Creek Road, Gold Beach, Oregon (APM 36-14-00, TL 01020).

Introduction

I am delivering this limited-scope report under the terms of Busch Geotechnical Consultants (BGC) Work Agreement #20-048. My job records are in the BGC files of that number. The Wilder project address is 322261 Libby Creek Road, Gold Beach, Oregon (APM 36-14-00, TL 01020). The building site is a large cutpad below what once was an active quarry face (see **Figures 1 and 2**). The report is limited-scope because I did no subsurface investigation, lab testing, or other tasks I often do for a "full-scope" geotechnical report. My choice to do a limited-scope report is appropriate because of the favorable site conditions.

Mr. and Mrs. Wilder plan to construct a two-story wood-frame home and detached garage with a second-story habitable space on the west side of the pad. The designs for the home and garage are incomplete. The Wilders prefer to build on a slab foundation, but they have not ruled out a perimeter foundation and they also are considering a partial basement.

The property plots within an ancient landslide and near others (DOGAMI, 2020), which is the main reason that the County requires a report.

I visited the property on February 4, 2021, spending about 3 hours onsite inspecting and photographing the pad and hillslopes above and below it.

97832 S. Bank Chetco River Road, Brookings, OR 97415 • 541-469-7300 • 541-469-2903 FAX
Geotechnical and Geologic Studies for Land Development and Resource Management
Please see our website: www.buschgeotech.com



Figure 1. Google earth photo of the Wilder building site and driveway relative to Libby Creek pond. The < points to the site. **Figure 2** is a highest hit lidar photograph of about the same area. **Photo 0** (p. 13) is a lower elevation Google earth aerial showing from where specific photos were taken (the photos are in the **Captioned Photographs** section of this report). North is up; no scale; photo date, 2/2/2016.

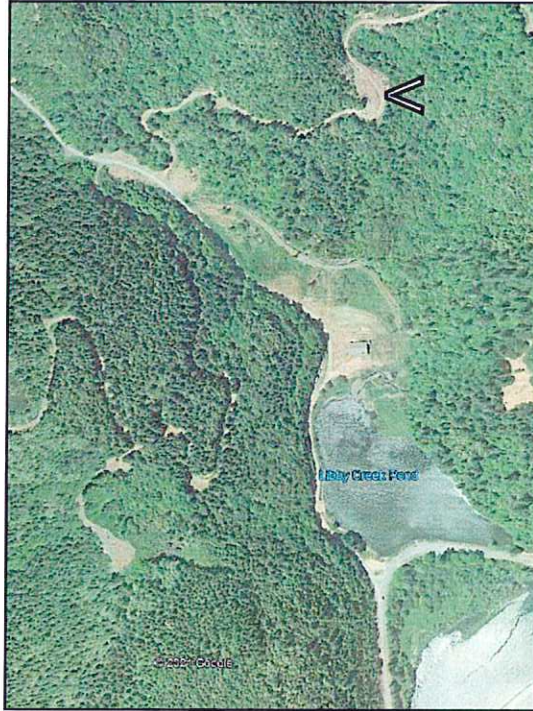


Figure 2. Highest hit lidar image of about the same area as Figure 1. Again, the < points to the site.





Engineering Geology

Site Description and Geomorphology: The building pad is a large (~0.25 acre) cutpad below an abandoned quarry face that was cut into an east-aspect hillslope above an unnamed tributary of Libby Creek (acreage west of road only). The pad could reasonably be enlarged to ~0.35 acre by excavating into and removing talus and argillite bedrock at the base of the quarry face (see **Photo 6**). Based on historic Google earth photos, the quarry apparently was active at least during 2004 and 2005. But because the trees above it were harvested earlier, it may have been used as a rock source since ~2000 or so. (Researching the development and usage history of the quarry was out of my scope-of-work.)

The slopes below the pad are steep to precipitous creek valleywall slopes that likely have a veneer of loose rock debris laying on top of the native colluvial soils. (Colluvium is soil that has moved to its present location from upslope via such processes as soil creep, raveling, landsliding, bioturbation, bulldozing, and others.) The slopes above the top of the quarry face support young (ca. 20-yr-old) brush and trees including some conifers. The trunk of many of the conifers is deformed slightly. Although all of the pad west of the existing road appears to be a cut surface, there is an obvious berm of fill soils on the outside of part of the pad (see **Photo 4**).

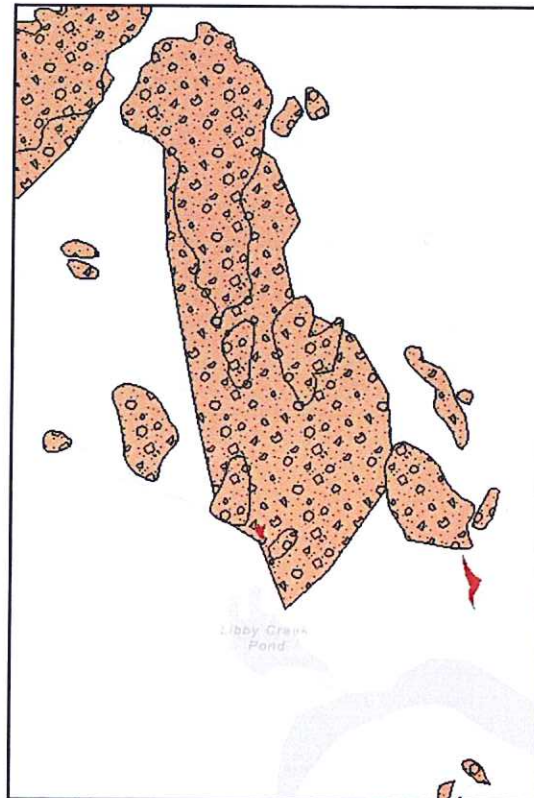
Site Geology: The bedrock at the site is the late Jurassic Otter Point Formation (based on mapping by Beaulieu, 1976). Two types of rock are visible in the quarry face: thick bedded siltstone and sheared argillite (**Photo 1**). Where measured, the siltstone strikes N12°E and dips 49° to the SE, which is an adverse dip relative to the pad. Soil and rocks that ravel down the face and don't stay on the talus wind up on the pad below (**Photo 2**). The siltstone beds are gently folded, so the attitude (strike and dip) changes across the face of the rock. The argillite is stratigraphically above the siltstone, which means that although most of the hill behind the pad exposes argillite, massive bedded siltstone is under it. (However, the Otter Point Formation contains many relict intraformational faults, so a different lithology could be present under at least part of the argillite.

There are no mapped landslides directly above or below the pad, but the pad and much of the property plot within a large prehistoric (>150-year-old) landslide mapped by Beaulieu (1976) (see **Figure 3**). The State's landslide database (SLIDO) shows this enormous slide, but because the quarry face exposes bedrock, not landslide debris, the slide is not mapped correctly. That is, if the quarry hillslope was



once part of a large landslide, either debris moved over it and long ago was eroded away, or the landslide debris moved around the quarried hill. This slide was mapped at a regional scale so no details are provided and the mapping is approximate at best.

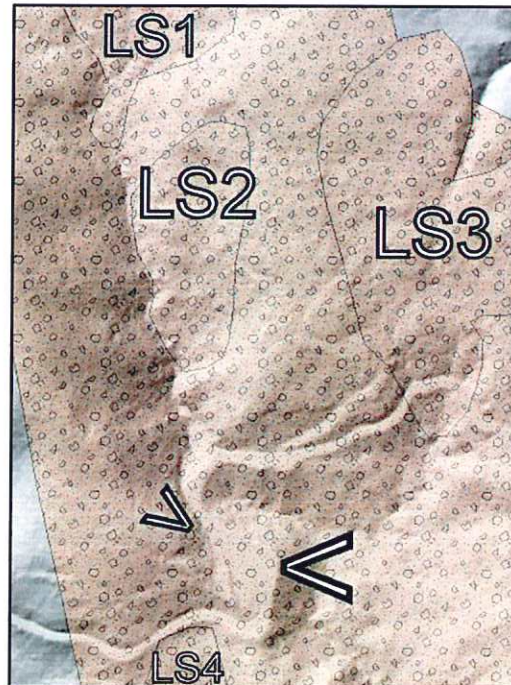
Figure 3. SLIDO mapping of landslides in the general vicinity of the Wilder building area (DOGAMI, 2020). I include this figure to show the size of the largest landslide, which might not exist. See discussion in text. Compare this figure with **Figure 4**.



Other similar but smaller slides are mapped nearby (DOGAMI, 2020), primarily in drainages, and I labeled four of them on **Figure 4**. Many if not most of the mapped landslides are ancient dormant or currently inactive slides that were active during the late Pleistocene (Ice Age) or the first part of the Holocene (the last 10,000 years of earth history). Large slides such as these often are rotational-translational slides (RTSs) or slump-earthflows (SEFs). These slides move episodically and slowly (at rates of mm, cm, and m/yr), although they can surge in response to especially adverse conditions. How these ancient landslides might respond during a great (>8 M_w) Cascadia subduction zone earthquake is uncertain. Some might reactivate, but regardless, they do not fail as the kind of catastrophic mudslides we see on television after a hurricane hits Puerto Rico or a monsoon hits the Philippines.



Figure 4. Lower elevation view of part of Figure 3 showing specific landslides (as mapped by DOGAMI, 2020). See following discussion.



If the four slides labeled on **Figure 4** are mapped generally correctly and were to be reactivated in the most catastrophic scenario imaginable, none would directly threaten the Wilder building area. Debris from LS1 and LS2 would enter the drainage well upstream of the pad, but debris conceivably could overwhelm the crossing just upgrade from the pad, particularly if it arrived as a slurry (technically it would be a debris torrent). But it is highly unlikely that debris would strike the pad. Debris from LS3 would enter the same tributary drainage, but below the pad. Finally, the road crossing LS4 conceivably could fail if the landslide grew headward into the road prism.

Figure 5 illustrates DOGAMI's assessment of the risk of future landsliding in the area, but it is based on regional mapping again, not site-specific work, and there is no timeframe associated with the risk assessment. That is, over a 500- or 1000-year-period or longer, during which a Csz earthquake likely will occur, the assigned level of risk might be generally correct, but over a 30-year period, a typical mortgage length, the risk at the pad is Negligible under static or "everyday" conditions.

In summary, although DOGAMI's landslide and risk mapping (per the preceding figures) indicates that the building area is exposed to a Very High level of risk of landsliding or landslide impact, based on my site-specific observations this level is grossly overstated. That is, during "everyday" conditions, the risk at the site



is Negligible. The risk of landsliding (or landslide impact) during a great Csz earthquake cannot be evaluated without extensive upslope (offsite) work, but it likely is no higher than Low.

Figure 5. DOGAMI's risk mapping. Red is Very High risk, gold is High Risk, yellow is Low risk, and gray is No Risk. The black dot is the site. In my opinion the risk at the site is Negligible during static conditions and no higher than Low during a Csz earthquake. Refer to the preceding text for details.



General Comments about Geologic Hazards and Risks

Seismic Shaking. Curry County lies within an active tectonic environment. Although earthquakes over about 4 M are infrequent, larger ones do occur. The earthquake of greatest concern is a great ($M_w = 8.0 - 9.1+$) Cascadia subduction zone earthquake. The following text in a box is boilerplate information that I often put in a report for an out-of-area client who might not be familiar with the county's tectonic and seismic setting. A vast amount of more in-depth information is available on the www for those interested. For example, the Gold Beach tsunami hazard map has excellent graphical information about aspects of various magnitude Csz earthquakes (DOGAMI, 2012).



Southern coastal Oregon is located within an active tectonic region. Multiple earthquake sources are capable of generating moderate to strong earthquakes that could affect the region. Consequently, seismic design is necessary for structures (see **REC 3**). The design-basis earthquake (DBE) is the earthquake that has a 10% chance of exceedance in 50 years. For the Gold Beach area, this earthquake is about moment magnitude (M_{max}) 9.1 M_w . The DBE could produce a peak horizontal ground acceleration of >1 g at the site. Modified Mercalli Intensities during the DBE could reach MMI X at the property.

The trace (map position of the intersection of the Csz with the ocean floor—effectively the base of the continental slope) is ~40 mi west of the site (based on ocean floor mapping by Peterson et al., 1986; Personius et al., 2003; see Google earth imagery for a graphic view of the Csz intersection with the ocean bottom). Assuming a 10° dip of the fault zone to the east (Personius et al., *ibid.*), the top of the Csz fault zone is about 7 miles below the property.

The latest, exhaustive study of past Csz events documents 41 earthquakes over the past ~10,000 years. Of these, 22 probably were 8+ M_w “southern Csz segment” events and 19 were 9 M_w (+/-) “full length Csz events” (Goldfinger et al., 2012). The recurrence interval of the southern events is ~240 years and that of the full-length ruptures is ~500-530 years. The January 26, 1700, event apparently was a “full length” event. The focus of an 8.4 M_w earthquake event would be somewhere between about Cape Mendocino, Humboldt County, California, and Cape Blanco, Curry County, Oregon, in the interface between the down-going Gorda plate and the North America plate. The 9 M_w event could begin anywhere along the entire subduction zone, which extends from Cape Mendocino to northern Vancouver Island, British Columbia. An earthquake of either magnitude will occur as a long-duration (~3 to 5 minutes), high acceleration (>1 g) event that will devastate the PNW coast and cause damage over a hundred miles inland.

Goldfinger et al. (*ibid.*), cites the probability of an 8.4 M_w earthquake within the next 50 years (beginning in 2012) as 38% and the risk of a 9+ M_w earthquake as 10% during that period. The 50-yr window has already begun, so the earthquake could occur now, within decades, or even centuries from now. (This high level of uncertainty greatly affects nearly everyone’s ability to plan realistically; most citizens of the Pacific Northwest simply live in denial and are not prepared.)

*For lay information about the January 26, 1700, Csz earthquake and the history of work on the Csz and its likely implications for the PNW, see Atwater, 2005 (The Orphan Tsunami), and Thompson, 2012, respectively.

In conclusion, considered over the coming 50-yr period, the risk of a potentially damaging crustal earthquake (one of ~5M) is Low. Based on Goldfinger et al., 2012, the risk of an 8.0 - 8.4 +/- M_w Csz earthquake is ~37% and the risk of a 9 M_w earthquake is ~10%.



Slope Instability. Although I have concluded that the building area is not at risk from a mapped landslide, it is above a creek and some areas are below a steep to precipitous quarry face (see **Captioned Photos**). Were a creekside failure to occur, it most likely would be a comparatively small, shallow, debris slide on the valleywall slope. If an “eyebrow” of fill mantles the outside edge of the pad, which is likely based on the trunk deformation of conifers growing on the slope below, part of the fill above the head of the hypothesized slide might fail. However, the home will be set back far enough from the creekside edge of the pad that the risk of landsliding from any possible creekside slide is Negligible (see **REC 1**).

A bigger concern, at least during a strong seismic event, is the quarry face and soil on the native slope above it. When soil and rock grains and clasts are freed by freeze-thaw cycles, wind and rain, animal traffic, etc., ravel occurs. At this site, a loosened rock conceivably could strike the home. However, the type of rock that is directly upslope of the home will have a direct bearing on the risk of damage (see **Photos**). Whereas a siltstone cobble or boulder could do at least cosmetic damage, argillite ravel as small fragments that are not particularly hazardous.

Many of the ca. two-decades-old conifers above the quarry (which normally have a plumb trunk) have a gently swept lower trunk. When a tree is growing on moving soil, it leans in the direction of movement: downslope if the soil is creeping, upslope if the ground is slumping. However, if the top of the tree is plumb, the roots have grown through the moving soil and have anchored into stable soil or rock. The trees above the quarry that are useful as indicators in general have plumb upper trunks. This suggests that the soil mass above the quarry now is “stable.”

INTERESTING

In summary, although a strong seismic event might cause a larger than expected mass of rock or capping soil to fall off the face, particularly the top of the face, that is not certain to occur. Perhaps more importantly, under static or “everyday” conditions, the risk of damage is Low. Because less hazardous argillite crops out south of the siltstone layers, the farther the home is to the south, and the farther it is east of the base of the talus, the lower the risk will be (see **REC 1**). However, it is possible to “tuck” the home into the base of the hill (see **REC 6**).

Pad Soil Concerns. The shallow soils hazards of greatest concern on almost every site typically are possible low bearing capacity and consolidation potential of topsoils and uncontrolled fill soils. Although I did not do a subsurface investigation of the Wilder pad, I am confident that most of it is either a bedrock surface (primarily



argillite) or that it has a thin veneer of gravel over bedrock. The chance that there is an uncontrolled fill seems remote given the former usage of the site and the probable topography of the hill prior to quarrying (assumed from the shape of the pad today). The only other possibility is that soils similar to those exposed at the top of the face (primarily red-brown clays or rocky clays) are present beginning somewhere east of the base of the quarry face and extending to the top of the valley wall or to an eyebrow of fill burying it. This latter case is possible because before the site was quarried it was a soil-mantled hillslope. I address both of these possibilities in the recommendations (see **REC 5**).

Consolidation is the densification of soils over time as voids collapse and grains pack closer together. As the volume of the soil mass decreases, the surface of the mass settles. Damage to fixed improvements is a typical consequence of settlement. Soils that can consolidate have a low bearing potential. Fortunately, on Lot 5 the topsoils generally are <12" to ~18" deep so typical code embedment depths will mitigate the associated hazard. Failing to extend all load-bearing foundation elements through the topsoil will result in a MODERATE to HIGH risk of consolidation of the topsoils with consequent cracking of the foundation or flatworks.

To summarize, the pad surface almost certainly is an adequate bearing material with a better-than-typical presumptive allowable bearing capacity. My recommendations address the possibility that it is not (see RECs 2 and 5).

Key Recommendations

Because of the overall suitability of the site from a geologic hazards and risks perspective, I am providing only key recommendations. So, for example, I do not include my standard recommendations for a slab underlayment, structural fill, grading around a home, guideline erosion- and drainage-control, etc. These are well known to competent contractors.

It is essential that the building contractor follow all applicable current codes (OSSC, 2019), use high quality materials, follow good construction practices, and if there is any question, have me verify the type(s) of foundation soils (per **REC 5**).

REC 1. Setbacks and Home Location. Because the driveway will be between the home and top of the creek valleywall, a **setback from the top of the valleywall is unnecessary**. Rather than specify a minimum distance to set back from the base of



the quarry face (or loose argillite fragments at the toe of the face), largely because I cannot predict how far ravel might extend out from the base of the face, I **recommend that you set the home as far out from the base of the quarry face (base of the talus cone) as practical.** The risk of damaging impact from a falling clast is greater below the siltstone beds, of course, so it makes the most sense to **site the home and detached garage as far west as practical.** However, see REC 6 for an alternative option.

REC 2. Presumptive Allowable Bearing Value. If the soil is competent (not uncontrolled fill or organic topsoil, for example) and on a stable surface, it is always safe to design assuming 1500 psf (per the Oregon Structural Specialty Code, 2019). If there is clay under any part of the home footprint, this is an appropriate design bearing value. However, if the surface is gravel over bedrock, or bedrock, you could safely design for 2000 psf (or even higher if your engineer or designer calls me to discuss the issue and you have me collect some subsurface data within the footprints).

REC 3. Seismic Design. Your architect or project engineer should determine the seismic design parameters using standard USGS methods provided by third-party graphical user interfaces (GUIs), e.g., the ASCE 7 Hazard Tool. For design he or she may assume Class 2 (B) soils and use GPS coordinates of Lat. 42.4886°, Long. -124.3319°.

REC 4. Hillslope above the Quarry Face. There are two basic options for reducing the possible (but not certain) risk of landslide impact. Although I believe the risk is Negligible to Low under static conditions, I cannot be certain what might happen if a strong earthquake or a Csz event were to occur. One option is to cut the trees and strip the soil off the top of the bedrock for 20-30 ft or so. But then you have to spoil the soil somewhere and use erosion-control to protect it from erosion. The other option is to do nothing other than “clean up” the quarry face. This is the option I favor because the conifers on top of the face are now anchored into stable soil or rock and therefore are adding to the stability of the soil mass above the quarry. If you choose this second option, you should not cut any trees directly above the quarry face, although you could select-cut some trees growing on the native hillslope south of the top of the quarry face.

REC 5. Inspection of Foundation Excavations. Although I do not require that I inspect a slab subgrade or footing trenches, if you or your contractor have any concern whatsoever once you begin earthworks, contact me to provide an inspection



of unformed foundation trenches to verify that the soils are as predicted. If you have designed for 1500 psf, I am unlikely to have to issue any as-built recommendations other than, possibly, remove an area of unsuitable soil and replace it with some type of engineered fill (which I can recommend at the time).

REC 6. Cutting into Talus. Talus, also called scree, is the debris at the base of a cutbank or rock face. If, rather than setting back from the base of the argillite (the toe of the talus cone) you wish to shift the home west into the talus, you may excavate into it, but the height and steepness of the excavation must be a function of the material encountered in the excavation. If the toe is in-place rock, you can make a near-vertical unretained cut up to roughly 4 feet high, but be aware that loose chips of argillite will ravel down into the backyard unless you have an earthworks contractor remove loose soil and argillite chips off the face of the slope. You could construct a low concrete, CMU, preformed block, or railroad tie retaining wall a foot or so higher than the cutbank to catch the ravel. It might be possible to excavate even farther into the slope, but to recommend the slope of the cutbank that would result from the excavation I will need to do a test pit before the start of construction. If the toe is loose chips of argillite (i.e., is talus) and I provide no additional information, slope the face of the cut at 1:1 and limit its slope distance to 10 feet or under. Again, expect ravel unless you have a contractor clean off the face.

REC 7. Driveway Steepness. Before beginning construction of the home, verify that the driveway complies with the applicable rural fire ordinances. If it does not, please contact me if you would like additional support.

Closure and Authentication

Because the homesite is located in a tectonically active area subject to prolonged high intensity storms, an “act of God” could occur and damage the home. Although the risk of landsliding and landslide impact appears to be Negligible to Low, nothing in this report should be construed to state or imply that the site is safe from geologic hazards and risks. The regional hazard of greatest concern is the high acceleration, long-duration shaking associated with a Cascadia subduction zone earthquake.

Thank you very much for hiring me, Skip. Please call if you have questions or would like me to assist you or your earthworks contractor in any way. If you do not



have a home designer or project engineer, I can refer you to several independent professionals who work in the area.

Busch Geotechnical Consultants



R. E. Busch Jr., Ph.D.
C.E.G. #989

Attachments: [Captioned Photographs](#)

Distribution: Emailed to Client for forwarding to the County
WIP/2020 Geotech/Wilder/Wilder SS-SE.docx

[References Cited](#)

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Captioned Photographs

Photo 0. Google earth photo of the pad in 2016 showing the approximate location of photos 1-6. The > opens toward the view. The point of the V is the location of the photographer.



Photo 1. Looking ~NW at the face of the outcrop at the northern end of the pad. The thick dipping beds are folded siltstone and the black rocks to the left are pervasively sheared argillite. The handle of the hammer points down-dip. The head of the hammer is approximately horizontal.





Photo 2. Another view of the same outcrop. Note the angular cobbles and boulders laying on the lawn. They came down the face of the outcrop. Also note the reddish soil capping the rock.



Photo 3. Looking ~NNW across the building area at the entire quarry face. Despite the late day glare, the siltstone beds are visible. I took this shot standing on a berm of fill (see Photo 4).





Photo 4. Looking ~SE at either a berm of fill or a part of the former nose of the hill that was not graded off during development of the quarry. This feature will have no bearing on the building plan.



Photo 5. Looking ~NW at the entire building pad and the quarry face behind it. There is adequate space to construct a home and detached garage exposed to a Negligible to Low level of risk. Panoramic photo by Skip Wilder.





Photo 6. Looking ~NNW across the west side of the pad. The yellow line outlines the approximate area of the argillite talus that likely could be removed without significantly increasing the risk of damage by landslide impact. The dashed red line is a possible alternate top of excavation in the southern part of the hillslope. See REC 6.





CURRY COUNTY COMMUNITY DEVELOPMENT

94235 MOORE STREET, SUITE 113
GOLD BEACH, OREGON 97444

Becky Crockett
Planning Director

Phone (541) 247-3228
FAX (541) 247-4579

SERVICE PROVIDER CONFIRMATION FORM

TO:

Name of Service Provider: COOS/CURRY ELECTRIC COMPANY
(Water, Sewer, Fire, Electric, etc)

The person(s) listed below are applying for the following type of land use approval from the Planning Division: _____

In order to process the application we need information from you on whether their proposal meets the requirements of your agency / department. If there are any conditions or restrictions that will be placed on your approval we need to be aware those so that we may include them in our final decision. Please provide the Planning Division any information you feel is relevant to this proposal in the space provided below:

power is in the planning stages

Zane Adams - Staking Engineer 10/21/20
Name / Title Date

Acting on behalf of the above referenced service provider

TO THE APPLICANT: In the space below describe your proposal with enough detail that the service provider listed above can make a determination regarding the project – if you need more room attach additional sheets:

PLACE A DWELLING ON A 160+ AC PARCEL

Applicant / Owner name: SAMUEL WILDER
Mailing Address: 44770 95th ST LANCASTER CA 93535

Assessor Map and Taxlot: 36-14-00 T/L 1020
Subject Property Address: 32261 LIBBY CREEK RD.
GOLD BEACH, OR 97444



CURRY COUNTY COMMUNITY DEVELOPMENT

94235 MOORE STREET, SUITE 113
GOLD BEACH, OREGON 97444

Becky Crockett
Planning Director

Phone (541) 247-3228
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SERVICE PROVIDER CONFIRMATION FORM

TO:

Name of Service Provider: CEDAR VALLEY FIRE DIST
(Water, Sewer, Fire, Electric, etc)

The person(s) listed below are applying for the following type of land use approval from the Planning Division: _____

In order to process the application we need information from you on whether their proposal meets the requirements of your agency / department. If there are any conditions or restrictions that will be placed on your approval we need to be aware those so that we may include them in our final decision. Please provide the Planning Division any information you feel is relevant to this proposal in the space provided below:

Yes this property meets Requirements for
the fire Dept.

Wade Hooy Chief
Name / Title

10-21-2020
Date

Acting on behalf of the above referenced service provider

TO THE APPLICANT: In the space below describe your proposal with enough detail that the service provider listed above can make a determination regarding the project – if you need more room attach additional sheets:

TO PLACE A DWELLING ON A 160+ AC
PARCEL

Applicant / Owner name: SAMUEL WILDER

Mailing Address: 44770 95th ST
LANCASTER CA 93525

Assessor Map and Taxlot: 36-14-00 T/L 1020

Subject Property Address: 32261 LIBBY CREEK RD
GOLD BEACH, OR 97444