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RECEIVED
 1/6/2020

File # AD-2001 Fee \$ 2000 Receipt # _____ Accepted by NCO

LAND USE DECISION APPLICATION FORM

Application Type (Check One)

☐ Comp Plan/Zone Change ☒ Conditional Use ☐ Variance ☐ Partition ☐ Subdivision ☐ Development Permit

Application Date: 1/6/2020 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. Please return this prepared checklist, the completed application form and required fee at the time of submission. Please note that your application cannot be reviewed or processed until all the required items have been provided.

1. PROPERTY OWNER OF RECORD

Name Palm Industries Inc.
 Mailing Address: _____
 City, State, ZIP: BROOKINGS OR 97415
 Telephone #: _____

2. APPLICANT

Name Andrew Myer / Palm Industries Inc.
 Mailing Address: _____
 City, State, ZIP: BROOKINGS OR 97415
 Telephone #: _____ E-Mail CAME AS ABOVE

3. AGENT (If Any)

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

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

Commercial Building to be used for
ADMINISTRATIVE PURPOSE w/ A SIDE YARD
THAT WILL BE FENCED FOR ADDITIONAL PARKING
INSTALL NEW LANDSCAPE AROUND BUILDING
NEUTRAL PAINT COLORS WILL BE USED FOR EXTERIOR - CLEAN CRAFTSMAN
STYLE INTERIOR REMODEL. REGRADING SIDE YARD AND ALSO INSTALL NEW DRAINAGE
TO PROPERLY DRAIN NE SIDE W/IN FENCE DETAIL.

5. PROPERTY INFORMATION

Assessor Map # 41513W15B Tax Lot (s) 5500, 5600
 Zoning: RC Total Acreage 0.69 ACRES

6. **PROPERTY LOCATION**

Address (if property has a situs address) 15540 Museum Rd.

Description of how to locate the property OFF OF Hwy 101 S.
ON EAST SIDE AFTER PELICAN BAY
DR. IN HARBOR OREGON

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

☐ Vacant ☒ Developed; Describe existing development

PRESNT USE IS ADMINSTRATIVE FOR
PALM INDUSTRIES WITH OPERATIONS BEING
USED INSIDE A 2580 sq/ft BUILDING.

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

RURAL RESIDENTIAL AND Hwy 101 DR. ADJACENT TO
THE WEST. ALSO AG ZONE ACROSS HIGHWAY

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 CITY

Sewage Disposal SEPTIC

Electrical Power CITY

Telephone Service CARRIER

Fire Department/District HARBOR FIRE

School District BROOKING HARBOR SCHOOL DISTRICT 17-C

10. **ROAD INFORMATION**

Nearest Public Road MUSEUM RD.

Private Roads Serving the Property -

Road Condition PAVED - GRAD

Legal Status -

Ownership: I own the road ☐ 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)

11. **PHYSICAL DESCRIPTION OF THE SUBJECT PROPERTY**

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

MAINLY FLAT WITH SLIGHT SLOPE
GOING DOWNWARDS ON WEST SIDE OF PROPERTY. TOWARDS

Vegetation (Briefly describe the vegetation on the property)

VIAHORN SOD, GRASS AND FORZON OF PROPERTY
GRAVELED BUT OVERGROWN W/ GRASS & WEEDS

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) Palm Investments Inc. ;
Andrew Myer ;
Melissa Myer ;
_____ ; 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. I (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) 41513W15B
and Tax Lot(s) 5500 ; 5600
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 [Signature]
Print Name Farm Investors Inc.
- (2) Signature [Signature]
Print Name Andrew Myer
- (3) Signature Melissa Myer
Print Name MELISSA Myer
- (4) Signature _____
Print Name _____

ADDITIONAL NOTES:

All fees must be paid at the time your application is filed. Staff will examine the application when filed to check for completeness and will not accept it if required items are missing. A final completeness check will be made prior to doing public notice regarding the pending decision. If it is determined to be incomplete or the findings are insufficient you will be notified and you must provide the required information in a timely manner to avoid denial of the request.

ORS 215.427 required the county to take final action on a land use application (except for plan/zone changes) including all local appeals within 120 days if inside an Urban Growth Boundary (UGB) or 150 days if outside a UGB once the application is deemed complete.

PLOT PLANS:

All applications require that a plot plan of the subject property be included with the application form. The plot plan is an understandable map of your property and its relationship to adjacent properties. The plot plan must show certain essential information that is needed for the staff and the decision makers in the evaluation of your request. The plot plan is also incorporated into the public notice sent to adjacent property owners and affected agencies. The plot plan should be prepared on a single sheet of paper (preferable 8 ½ x 11") so copies can easily be reproduced for review.

An example plot plan is attached to this form to give you an idea of what information should be included on your plan and how it should be drawn. The plot plan does not have to be prepared by a surveyor or engineer, and can generally be prepared by the applicant from the Assessor map of the property. The dimensional information included on the plot plan must be accurate and drawn to scale so that the plot plan reasonably represents the subject property and any development therein. If your application is for a land partition or subdivision Oregon Statute required that plat maps must be prepared by a surveyor licensed by the state.

UTILITY STATEMENT

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE AND (UNIC) OREGON UTILITY NOTIFICATION CENTER SURFACE PAINT. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

PLOT PLAN

EXISTING CONDITIONS

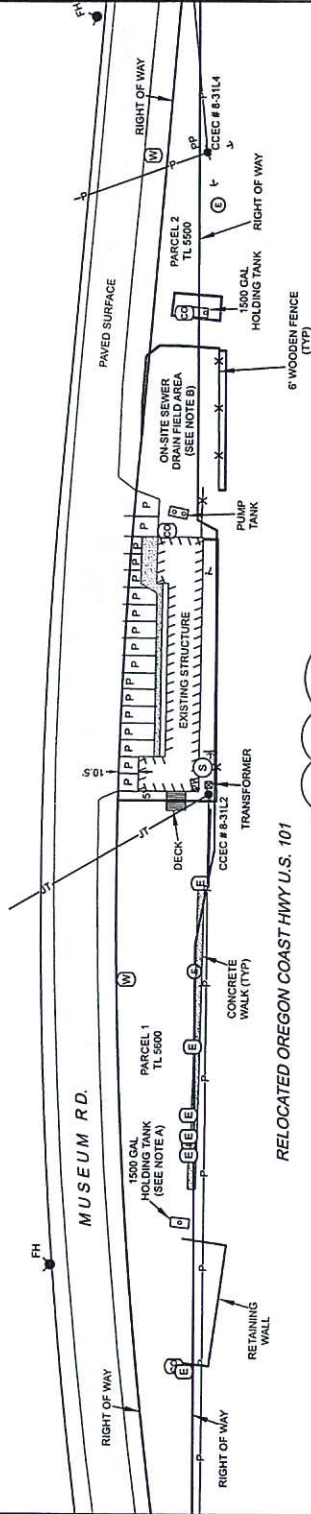
LOCATED IN
NW1/4, SECTION 15,
T41S, R13W, WILLAMETTE MERIDIAN,
CURRY COUNTY, OREGON

PREPARED FOR
PALM INDUSTRIES, INC

DEED REFERENCE - INST. No. 2018-4722
ADMIN. 41-13-15B TAX LOT 5500 & 5600
PARCEL 1 & 2, PARTITION PLAT No. 1992-64

NOTE A: 41-13-15B TAX LOT 5500
THE HOLDING TANK WAS LOCATED BY THE TANK LID
ON THE SURFACE. THE SIZE WAS TAKEN FROM DEED
HOLDING TANK PUMPING RECORD AS SHOWN ON
PERMIT No. 08-550-05.

NOTE B: 41-13-15B TAX LOT 5600
THE HOLDING TANK AND PUMP TANK WERE LOCATED BY
THE TANK LIDS ON THE SURFACE. THE SIZE OF THE HOLDING
TANK AND LOCATION OF THE DRAIN LINES ARE SHOWN ON
DEED PERMIT No. 08-550-08 SKETCH.



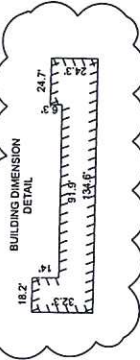
RELOCATED OREGON COAST HWY U.S. 101

LEGEND

- P— OVERHEAD ELECTRIC.
- JT- JOINT OVERHEAD UTILITIES.
- ⊗ SANITARY SEWER CLEAN OUT.
- ⊙ SUMP TANK.
- ⊕ WATER METER.
- ⊕ FIRE HYDRANT.
- ⊕ UTILITY POLE.
- ⊕ GUY.
- ⊕ ELECTRIC METER PEDESTAL.
- ⊕ ELECTRIC BOX.
- LANDSCAPE RAILROAD TIE



GRAPHIC SCALE



Roberts & Associates
LAND SURVEYING INC.
611 SPRUCE STREET
P.O. Box 1599
Brookings, OR 97415
Ph: 541-469-0162
Fax: 541-469-5456

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Richard P.
Roberts
Oregon License No. 2730
Expires 12/31/20

Drawn By: CEF
Checked By: RPR
Drawing Name: SITE
Project Folder: 20-012

DATE: 2/17/2020
JOB NO: 20-012
SHEET: 1 of 1