20-000144

CURRY COUNTY COMMUNITY DEVELOPMENT
94235 MOORE STREET, SUITE 113
GOLD BEACH, OREGON 97444

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File #AD-2012 Fee $ 1450 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: June 1 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 PACIFIC COAST WAVES, INC.
Mailing Address: _____
City, State, ZIP: PORT ORFORD OR 97465
Telephone #: _____ E-Mail _____

2. **APPLICANT**

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

3. **AGENT** (If Any)

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

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

Fire safety set back from 130 ft. to 30 ft. to reuse existing "Grandfathered in" homesite.

5. **PROPERTY INFORMATION**

Assessor Map # 32-14-31 Tax Lot (s) 301
Zoning: T Total Acreage 4.24 AC.

RECEIVED 6/1/20

6. **PROPERTY LOCATION**

Address (if property has a situs address) _____

Description of how to locate the property

5.5 miles up Elk River rd.

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

☐ Vacant ☒ Developed; Describe existing development

Existing homesite replace manufactured home with stick built.

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

Residence.

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: Sandfilter Septic

Electrical Power: CCC Coop

Telephone Service: AT.

Fire Department/District: Port Orford Elk River

School District: ~~PRI~~ 2CJ

10. **ROAD INFORMATION**

Nearest Public Road: Elk River

Private Roads Serving the Property: Haiku lane

Road Condition: gravel

Legal Status: yes approved.

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

None

11. PHYSICAL DESCRIPTION OF THE SUBJECT PROPERTY

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

Sloped property with bench for home site all set backs comply but west line

Vegetation (Briefly describe the vegetation on the property) trees.

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) Sandra Anderson

_____;

_____;

_____; 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) 32-14-31

and Tax Lot(s) 301

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 Sandra Anderson

Print Name SANDRA ANDERSON

(2) Signature _____

Print Name _____

(3) Signature _____

Print Name _____

(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 may 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.

APPLICATION CHECKLIST

Please bring this form with your completed application

SPECIFIC TYPE OF APPLICATION: Fire Safety Set Back Variance

If the item is checked or circled on the left you are required to provide that information.
All applications require the following information:

- ☑ Completed application form and fee
- ☑ Current deed of the subject parcel(s)
- ☑ Vicinity map and detailed plot plan drawn to scale (see example) **if your plot plan is not adequate it will delay processing of your application**
- ☐ Service letter from agencies
  Please provide letters from the following agencies regarding your application:

☑ Fire District ☐ Water District (if located within a district)
☑ Electric Service ☐ Sewer District (if located within a district)
☐ OTHER: _____

- ☑ Proposed source of water if not in district: drilled well
- ☑ Sanitation coordination form (if not in a sewer district)
- ☐ Erosion prevention and sediment control plan
- ☐ Storm and surface water management plan

N/A

- ☐ Documentation of proposed or existing access to parcel (county, state, federal or private road, or easement)

☐ **MOST IMPORTANT: FINDINGS. Depending on your application you will be required to provide specific facts and findings to support your application. Please provide the following:** _____

FOR STRUCTURES IN NATURAL HAZARD AREAS:

- ☐ Geohazard report prepared by a licensed geologist
- ☐ Elevation certificate and/or other flood ordinance requirements

OTHER REQUIRED ITEMS: _____

FOR PARTITIONS AND SUBDIVISIONS:

You must provide a plat or map of survey prepared by a licensed surveyor with your application. Partitions and subdivisions require an erosion prevention and sediment control plan as well as a storm and surface water management plan.