



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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June 28, 2021

Deborah and Chip Shepherd

RE: Notice of Decision
Application A-2101 (Appeal)
Map 31-15-08DB, Tls 1700 & 1800

Following a duly noticed public hearing on June 17, 2021 the Curry County Planning Commission **APPROVED** your appeal to the Planning Director's decision (PC-21-000034) of authorization for a pickleball court in an RV garage/storage building. Enclosed is the Planning Commission's Order with the findings supporting the decision. If you have any questions regarding this document, please contact the Curry County Planning Department.

REQUIRED STATUTORY NOTICE:

Any person who is adversely affected or aggrieved by this decision or who is entitled to written notice under ORS 215.416 (11) (a) (C) of it, may appeal it to the Curry County Board of Commissioners. The appeal can only be initiated by filing a written appeal application together with a fee of **\$1500.00** with the Curry County Community Development Department – Planning Division within fifteen (15) business days of the mailing (postmarked date) of this notice. **Appeals cannot be filed by fax or email correspondence.** A person who is mailed written notice of this decision cannot appeal the decision directly to the Land Use Board of Appeals (LUBA) under ORS 197.830. The decision described above will not become final until the period for filing a local appeal has expired, which is **5:00 pm, Thursday, July 20, 2021.**

Any appeal hearing before the Board of Commissioners will be a de novo or entirely new hearing and not on the record of the Planning Commission's Decision.

Additional information can be obtained as outlined below:

Curry County Community Development Department
Planning Division
94235 Moore Street, Suite 113
Gold Beach, OR 97444

Nancy O'Dwyer, Planner ODwyerN@co.curry.or.us (541) 247-3284
Becky Crockett, Planning Director CrockettB@co.curry.or.us (541) 247-3228

A copy of the application, documents and evidence submitted by the applicant, applicable decision criteria, and the decision order are available for inspection at the Curry County Community Development office. Copies of these documents are available upon payment (\$0.25 per page).

Sincerely,



Becky Crockett
Curry County Planning Director

Enclosure
Copy to file A-2101

BEFORE THE PLANNING COMMISSION
CURRY COUNTY, OREGON

In the matter of Planning Commission File A-2101/PC-21-000034)
An appeal of the Planning Director’s Decision of a Planning) **FINAL ORDER**
Clearance approval to construct an RV Garage/Storage Building) **and Findings of Fact**
In the Rural Residential (RR-5) Zoning District for a Pickleball)
Court, Located on Assessor’s Map 31-15-08DB, Tax Lots 1700&1800)

ORDER in the **APPROVAL** to **UPHOLD** the Appellant’s challenge (A-2101) to the Planning Director’s decision (PC-21-000034). The appeal was filed by Deborah and Chip Shepherd. The Planning Clearance, subject of the appeal, was filed by John Little and Alberta Rose. The subject property is located in the Rural Residential (RR-5) zone and is designated as Assessor Map Number: 31-15-08DB, Tax Lots #1700 & 1800 in Curry County, Oregon. Said appeal was filed as provided for in the Curry County Zoning Ordinance (CCZO) on February 22, 2021.

WHEREAS:

The application (A-2101) is an appeal of an RV garage/storage building to be used as a pickleball court on property identified as Curry County Assessors Map No. 31-15-08DB, Tax Lots 1700 & 1800 within the Rural Residential (RR) zone. The subject property of the appeal is in the Floras Lake residential neighborhood approximately 1.0 block east of Boice Cope Park on Leeward Street.

This matter came before the Curry County Planning Commission as an appeal (A-2101) on May 20, 2021. A public hearing was held before the Planning Commission as a matter duly set upon the agenda of a regular meeting on May 20, 2021, after giving public notice to affected property owners and publication in the local newspapers as set forth in Section 2.070 of the CCZO.

At the public hearing on said appeal, evidence and testimony was presented by the Planning Director in the form of Findings of Fact, Conclusions, and Exhibits. The hearing was conducted according to the rules of procedure and conduct of hearings on land use matters as set forth in Section 2.140 of the CCZO. The Planning Commission received oral and written evidence concerning this appeal. A decision was made by the Planning Commission to close the public hearing and the record at that time.

At the conclusion of review and consideration of the evidence in the record and upon a motion duly made and seconded, the Planning Commission voted to **GRANT STANDING** to the appellant in accordance with Sections 2.065 and 2.120 of the Curry County Zoning Ordinance; and

Further, At the conclusion of review and consideration of the evidence in the record and upon a motion duly made and seconded, the Planning Commission voted to **APPROVE** the appellant’s challenge to the Planning Director’s decision of approval of an RV garage/storage building for a pickleball court (PC-21-000034) based on findings of fact and conclusions of law as set forth in this order and in Exhibit 1 attached hereto and included herein by this reference.

FINDINGS OF FACT:

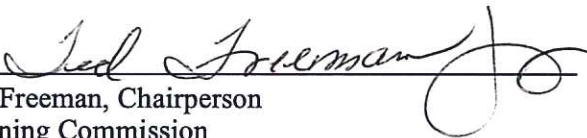
The Planning Commission hereby adopts the findings in the Staff Report dated April 1, 2021 (Exhibit 1) and the written and oral testimony submitted into the public hearing record as the basis for this decision.

CONCLUSIONS OF LAW

NOW THEREFORE LET IT HEREBY BE ORDERED that A-2101, the appeal filed by Deborah and Chip Shepherd, of the Planning Director's decision (PC-21-000034) of an RV garage/storage building to be used as a pickleball court on property located in the Rural Residential (RR) zone, be **APPROVED and therefore UPHELD** and the Little/Roses' be required to fully disclose their pickleball court plans and apply for a conditional use permit to be heard before the Planning Commission so that the neighborhood compatibility issues can be fully disclosed and addressed.


This order in the **APPROVAL** of A-2101 was reviewed and approved by the Planning Commission on this 17th day of June, 2021.

CURRY COUNTY PLANNING COMMISSION



Ted Freeman, Chairperson
Planning Commission

6-17-2021
Date



Becky Crockett
Planning Director

June 17, 2021
Date