

**PORT ORFORD PLANNING COMMISSION
CITY COUNCIL CHAMBERS, PORT ORFORD CITY HALL
HYBRID MEETING
Wednesday, September 07, 2022
3:30 PM**

How to Participate:

Planning September 07, 2022
Tue, September 7, 2022 3:30 PM

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/679696685>

You can also dial in using your phone.

United States (Toll Free): [1 877 309 2073](tel:18773092073)

United States: [+1 \(646\) 749-3129](tel:+16467493129)

Access Code: 679-696-685

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<https://global.gotomeeting.com/install/6979696685>

1. Call to Order
2. Additions to the Agenda
3. Approval of Minutes: August 02 Meeting (Pg. 3-6)
4. Announcements and Communications
 - A. Chairperson/Assistant City Planner
5. Comments from the Public (Agenda Items only)
6. Public Hearing- None
7. Planning Matters-
 - A. Approval of Michael Malone for Planning Commission (Pg. 7-8)
 - B. Approval of Jennifer Head for Planning Commission (Pg 9-10)
 - C. Approval of Variance for Cemertary Loop Road- No Through Street to Hwy 101 (Pg.11-20)
 - D. Approval of Variance for Cemerary Loop Road- Sidewalk Varaiance (Pg. 21-30)
 - E. Approval of Variance for Cemetary Loop Road- 20 Foot road width Requirement (Pg.31-40)
 - F. Approval of RV Park on 510 Madrona (Pg. 41-
8. Other Business
 - A. Announcements and Communications:
 - i. City Planner Comments
 - ii. Planning Commission Comments
9. Public Considerations
10. Adjourn

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CITY OF PORT ORFORD PLANNING COMMISSION
MINUTES OF MEETING
August 2, 2022, 3:30 p.m.
Regular Meeting, hybrid
555 W. 20th Street
Port Orford, Oregon

The minutes were prepared to the best of our ability considering the challenging quality of the audio associated with the meeting video.

1. Call to Order.

The regular meeting of the City of Port Orford Planning Commission was called to order Tuesday, August 2, 2022, at 3:30 p.m. by Chair Nieraeth.

Those members present were: Chair Nieraeth, Vice Chair Berndt, Comm. Rossi, Comm. Thelen and Comm. Schofield.

City staff present were: CA Ginsburg, Legal Council Kudlac.

Others present: Representative David Brock Smith, Sara Lovendahl, Bret Cecil.

2. Additions to the Agenda: None.

3. Approval of Minutes July 12, 2022: Not available.

4. Announcements and Communications:

- a. Chair Nieraeth: A workshop is scheduled August 8, 2022 at 4:30 p.m. for discussion regarding the urban growth boundary. Chair Nieraeth announced that Planner Shoji is retiring at the end of August, 2022. Comm. Berndt stated on the record that there are two positions open on the Planning Commission.
- b. CA Ginsburg: None.

5. Comments from the public:

Bret Cecil, local resident, speaks regarding the lack of agenda availability. He is concerned that this leaves the public out of the meeting.

Commissioner Brock Smith expressed his appreciation to the Planning Commissioners for the effort and time. He commented on item 7, Planning Matters, in regard to STRs. He recommended commissioners review the county regulations in last month's meeting and seriously consider adopting all or part of that ordinance rather than Hood Rivers. He also

suggested the city contract the county for code enforcement, applications, inspections and permits.

6. Public Hearing: None.

7. Planning Matters:

- a. PUDs: Reviewed by commissioners. No amendments or questions.
- b. Definitions draft: Commissioner Berndt asked for clarification on definition of ADU that does not include a motor vehicle or recreational vehicle. Commissioner Berndt suggested a non-moveable structure in the definition. The State ORS definition is reviewed by Legal Counsel Kudlac. She advised caution against conflict. The location of residential structure definition is discussed. Legal Counsel Kudlac provided the definition of residential structure. Commissioner Thelen addressed a scrivener's error.
- c. ADU Questions for discussion: Reviewed by commissioners. No amendments or questions.
- d. Vacation Rentals Updates: CA Ginsburg addressed the fees. She needs more specific regulations such as "good neighbor guidelines, etc." Commissioner Thelen suggested physical inspections be organized. CA Ginsburg will work with county regarding a contract. Commissioner Berndt asked about annual physical inspections, such as the county conducts. Comm. Thelen agrees with the county ordinance and prefers the ordinance being compatible with counties ordinance with the exception of transferability. It is suggested that after the STR sells, the new owners will have to reapply. He would also like to hire a company that will take care of all violations versus hiring staff. CA Ginsburg will suggest this at the next council meeting. Commissioners agree that the STR agreement in Port Orford should not include accessory dwellings such as recreational vehicles, trailers and motor vehicles. Legal Counsel Kudlac will research the legality with Oregon ORS. Comm. Thelen proposed a cap on short term rentals in residential zones. CA Ginsburg advised the current cap is 75 licensed STRs in residential zones. Comm. Berndt moved to make a cap in the ordinance for the STRs in residential zones with a number to be determined with Comm. Thelen as second. ***Motion carried 4-0.***

Discussion: The motion is clarified. Discussion as above.

Comm. Thelen	<u>Yes</u>	Comm. Nieraeth	<u>Yes</u>	Comm. Berndt	<u>Yes</u>
Comm. Rossi	<u>Yes</u>				

CA Ginsburg will return to the next meeting with a draft. Comm. Thelen will research fees other communities' use.

8. Other Business:

- a. Announcements and Communications:
City Planner Comments: Planner Shoji is not in attendance.

- b. Planning Commission Comments: Commissioner Thelen expressed his concern that the agenda is not online. Comm. Thelen would like to see the minutes prior to the meeting. Comm. Berndt suggested it be noted online that hard copies are available to the public. CA Ginsburg advised it is posted at the Post Office. Comm. Berndt suggested it be posted on the website that hard copies are available. Comm. Thelen commented on the poor audio quality that virtual attendees have to deal with. He suggested the city research a professional system.

9. Public Considerations:

Sara Lovendahl: Ms. Lovendahl expressed her appreciation for the commissioners' work. She addressed the sound quality and expressed it is the posture of the speaker that affects it. She appreciates the discussion regarding the STR caps.

Linda Tarr: Had a question about the variance granted to Ms. Lee who has 1.2 acres in the watershed. She has decided to develop the property. Ms. Tarr is concerned about the roads that have been created on the property were likely not done properly and might be a threat to the watershed. The issues have been identified by the Forest Management group. The Watershed Council is requesting commissioners and council to notify the Watershed Council prior to granting such variances in the watershed.

Brett Cecil expressed appreciation for the commissioners for their volunteer time. He agrees with the cap on STRS in residential zones based on a percentage of residential buildings in the zone. Fee schedule should be in accordance with the income level in Port Orford. Mr. Cecil would like an introduction session at the beginning of the meeting.

David Brock Smith complimented Comm. Thelen for his concern on caps and regulations regarding STRs. He commented on businesses that rely on tourism such as restaurants and housekeepers. He commented on the fact that there have been some discussions not on the agenda, which eliminates the ability of the concerned businesses and citizens to attend the meetings. He appreciates the amount of work going into the ordinance.

Adjourn: Chair Nieraeth adjourned the August 2, 2022 meeting at 4:52 p.m.

Future meeting is September 6, 2022, at 3:30 p.m.

Attest:

Chair Nieraeth

City Recorder, Jessica Ginsburg

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7
APPLICATION FOR APPOINTMENT TO COMMISSION, COMMITTEE OR TASK FORCE

If you do not wish to have any specific information in this form given out to the general public, please let us know, in writing, and tell us the reason why. We will try to honor your request within the constraints of the applicable public records law

I am interested in serving as a member of the Cahill Planning

Name: Michael Malone

Mailing Address: 521 19TH #422 Port Orford

Home Address: Same

Home Phone: 503-660-6796 Work Phone: _____ Fax: _____

E-mail: michael@back9.golf

Current Employment: Bandon Dunes

Area of Interest: Golf Performance

Area of expertise: Restaurant Development

Why do you want to serve? a general interest in city planning. To become more involved in my community.

Previous service in this appointed position or similar position no

Other volunteer activities Little Brothers Big Brothers

Does your schedule allow you to attend;

Daytime Meetings ☒ yes ☐ no Evening meeting ☒ yes ☐ no

Does your schedule limit the day you could attend meetings? ☐ yes ☒ no

Have you ever been convicted of a crime? ☒ yes ☐ no If yes, please explain

Additional Comments DUI withheld judgement 2011

Date: 4/14/22 Signature: [Signature]

Please return application to:

City of Port Orford
P.O. Box 310
Port Orford, OR 97465

Phone: 541-366-4568

Fax: 1-877-281-5307

email: jginsburg@portorford.org

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APPLICATION FOR APPOINTMENT TO COMMISSION, COMMITTEE OR TASK FORCE

****If you do not wish to have any specific information in this form given out to the general public, please let us know, in writing, and tell us the reason why. We will try to honor your request within the constraints of the applicable public records law****

I am interested in serving as a member of the Planning Commission

Name: Jennifer Head

Mailing Address: PO Box 467, Port Orford, OR 97465

Home Address: 1437 Jackson St., Port Orford, OR 97465

Home Phone: N/A Work Phone: 541-655-0373 Fax: N/A

E-mail: dr.jackalope@gmail.com

Current Employment: Self-employed

Area of Interest: marine habitats/communities, teaching, grant writing,

Area of expertise: Grant writing, scientific research, plants outdoors ecology, teaching (K-12 through University), non-profits, etc

Why do you want to serve? I would like to take a more formal role in preserving the unique character of our town & all that it has to offer.

Previous service in this appointed position or similar position No prior city government experience, but I do have experience running & funding a non-profit.

Other volunteer activities community volunteer, former SMART volunteer, prior co-op volunteer, volunteer to create alternative education opportunities.

Does your schedule allow you to attend;

Daytime Meetings ☒ yes ☐ no Evening meeting ☒ yes ☐ no

Does your schedule limit the day you could attend meetings? ☐ yes ☒ no

Have you ever been convicted of a crime? ☐ yes ☒ no If yes, please explain

Additional Comments Looking forward to making up the PC, CC, Mayor, & city administration to preserve & improve Port Orford.

Date: 08/30/22

Signature: Jennifer Head

Please return application to:

City of Port Orford

P.O. Box 310

Port Orford, OR 97465

Phone: 541-366-4568

Fax: 1-877-281-5307

email: jginsburg@portorford.org

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File No. _____
 Fee _____
 Rcpt. No. _____

PORT ORFORD LAND USE DECISION
 APPLICATION FORM

APPLICATION INFORMATION:	FOR DEPARTMENT USE ONLY
Application Type _____	App. Date _____
Pre-App. Mtg with _____	P. A. Mtg. Date _____
File Number _____ Zone _____	Hearing/Dec. Date _____
Staff Planner _____	Staff Rept. Prf. Date _____

APPLICANT - PLEASE COMPLETE ITEMS 1 - 14 BEFORE REQUESTING A PRE-APPLICATION MEETING WITH A PLANNER. THE STAFF WILL NEED THIS INFORMATION TO DISCUSS THE PROPOSAL WITH YOU AND DETERMINE IF THE APPLICATION IS COMPLETE FOR THE DIRECTOR OR PLANNING COMMISSION TO REVIEW.

- PROPERTY OWNER OF RECORD.

Name: Port Orford 9023

Address: PO Box 5758 Bend OR 97708 Phone: 541-948-4035
- AGENT (if any)

Name: Patrick Tobl

Address: PO Box 5758 Bend OR 97708 Phone: 541-948-4035
- BASIC PROPOSAL (Briefly describe your proposed land use)

Seven lot, residential Subdivision.

Looking for road variances.
- PROPERTY LOCATION

Address (if assigned): Cemetery Loop

Description of how to locate the property

Cemetery Loop next to address

93180 Cemetery Loop
- PROPERTY DESCRIPTION

Assessor Map No. 33-15-04D Tax Lot No. 1601

Total Land Area: 8.60 acres Ac./Sq. Ft. Zoning: R2

6. EXISTING LAND USE (Briefly describe the present use of the property)

Bare land

7. SURROUNDING LAND USE (Briefly describe the land use of adjacent lands)

~~R2~~ R2 Residential

8. SERVICES AND FACILITIES AVAILABLE

Please indicate what services and facilities are available to the property. Please submit a site evaluation or permit for on-site sewage disposal and water rights of on-site water sources.

Water Source: Well

Sewage Disposal: Septic

Electrical Power: Coos County Electric

Telephone Service: Beacon

Fire District/Department: Port Orford Fire

School District: Port Orford

9. ROAD INFORMATION

Nearest Public Road Cemetery Loop

Private Road(s) Serving the Property:

None

Road Condition: gravel

Legal Status (Please indicate ownership of private road, submit easement records etc.)

New Roads or Driveways (Briefly describe any new road construction related to this application)

One road coming into the property off at Cemetery Loop. Serving 7 lots with a "T" turn-around at the end. (1)

10. PLOT OR PLAN MAP

Please submit the following:

- A standard size (18" X 20") Assessor Map of the subject property with your application (available from the Curry County Assessors Office)
- An accurate plot plan (please prepare a plot plan which is drawn to scale and shows the pertinent details of the proposed development as outlined on the attached information sheet)

11. PHYSICAL DESCRIPTION OF PROPERTY

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

mostly flat with a slight hill to the north

Vegetation (Briefly describe the nature of the vegetation on the property)

Bare - logged by previous owner

Special Features (Briefly describe any special features such as creeks, sea cliffs, rock outcrops, wetlands, etc.)

None

12. FINDINGS OF FACT

Oregon statute and the City of Port Orford Municipal Code requires that land use decisions be supported by factual findings. The burden of proof is on the proponent therefore it is required that the applicant provide the City with findings that support the request in this application. The standards and criteria that are relevant to this application are attached to this form. Please read the standards and criteria carefully and provide factual information with sufficient specificity to allow the City to determine whether your request meets these requirements.

13. All fees must be paid at the time you have completed the pre-application meeting with the planning staff and it has been determined that your application is complete. Fees are NON REFUNDABLE once they are paid and the City has begun review of your application.
14. 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. However, if the application is a "Corporation" Oregon Revised Statute (ORS) 9.320 requires that a corporation be represented by an attorney.

15. Applicant(s) Signature and Statement of Understanding:

Go through
Street to
HWY 101

I (we), Patrick Todd, have filed this application for variance for with the City of Port Orford to be reviewed and processed according to State and City requirements. My (our) signature(s) below affirms that I (we) have discussed the application with the planning staff, and that I (we) acknowledge the following disclosures:

- A. I (we) are stating that 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 that the decision may be nullified and the city may seek all legal means to have the decision reversed.
- C. I, (we) understand that any representations, conclusions or opinions expressed by the planning staff in the pre-application review of this request do not constitute final authority or approval, and that I (we) am (are) not entitled to rely on such expressions in lieu of formal approval or my (our) request.
- D. I (we) understand that I (we) may ask questions and receive input from planning staff, but acknowledge that I (we) am (are) ultimately responsible for all information or documentation submitted with this application. I (we) further understand that planning staff cannot legally bind the city to any fact or circumstance which conflicts with state or local laws, and in the 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 ordinance requirements, and that I (we) must address all of the standards that apply to the decision being made. The standards for approving or denying this request have been provided to me (us) as part of this application.
- F. I (we) understand that the planning staff is entitled to request additional information or documentation any time after the submission of this application if it is determined that such information is needed of review of the proposed land use action.
- G. I (we) understand that this application will be reviewed by the Oregon Department of Land Conservation and Development and possibly other state agencies as part of the statewide land use coordination process. I (we) also understand that state agencies that participate in the review process have a legal right to appeal the decision of the City in this matter.
- H. I (we) understand that it is my (our) responsibility, and not the City's, to respond to any appeal and to prepare the legal defense of the approval of my (our) request. I (we) further understand that it is not the City's function to argue the case at any appeal hearing.
- I. I (we) understand the I (we) am (are) entitled to have a lawyer or a land use consultant represent me (us) regarding my application and to appear with me (or for me) at any appointment, conference or hearing related 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 interest to seek professional assistance in the preparation of this application.

J. The undersigned are the owner(s) of record for property described as:

Assessor Map(s) 33-15-04D Tax Lot(s) 1401

- (1) Print Name Patrick Todd
Signature _____
- (2) Print Name _____
Signature _____
- (3) Print Name _____
Signature _____
- (4) Print Name _____
Signature _____

From: BROOKS Aaron G <Aaron.G.BROOKS@odot.oregon.gov>
Sent: Wednesday, August 3, 2022 12:47 PM
To: RUBLE Juliana <Juliana.RUBLE@odot.oregon.gov>; HOROWITZ Micah
<Micah.HOROWITZ@odot.oregon.gov>
Cc: WELLS David <David.WELLS@odot.oregon.gov>
Subject: RE: Port Orford Development

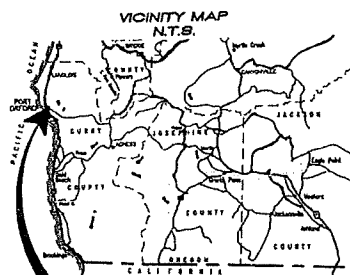
TL1601 borders US-101 Oregon Coast Highway between approx. MP 302.03 and 302.06, and also Cemetery Loop Rd, a non-ODOT facility. It is ODOT's understanding that the subject parcel is currently accessed via a driveway on Cemetery Loop Rd. Access rights have not been confirmed between this parcel and US-101. If access rights exist, an application for access to US-101 may be made, subject to standards in OAR 734-51. This section of US-101 is comprised of both horizontal and vertical curvature, it appears that sight distance would not meet ODOT standards, and may be substandard for a deviation to the standards. Spacing standards between accesses would not meet ODOT minimums for a new approach at this location, a deviation would be required.

An initial review of the location indicates that improvements necessary for a safe access at this location may be extremely costly and difficult. ODOT recommends that an access to US-101 not be a requirement of the local land use decision.

Thanks,

Aaron Brooks, PE
Region 3 Access Management Engineer
541-315-5557

TENTATIVE BATTLE ROCK ESTATES SUBDIVISION
PROPOSED SUBDIVISION LAYOUT
LOCATED SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 4,
AND IN A PORTION OF GOVERNMENT LOT 1, SECTION 9,
ALL IN T.33S., R.15W., W.M.,
CURRY COUNTY, OREGON



PROJECT LOCATION

NOTES:
NO EXISTING SEWERS OR WATER MAINS.
NO EXISTING SEPTIC DRAINFIELD AREAS.
THERE ARE TWO EXISTING WELLS ON THE PROPERTY AS SHOWN.
NO EXISTING STRUCTURES.
NO KNOWN SLOPE OR GEOLOGIC HAZARDS.

CURRY COUNTY ZONE: R-2
SETBACKS: FRONT 10', SIDE/REAR 5'

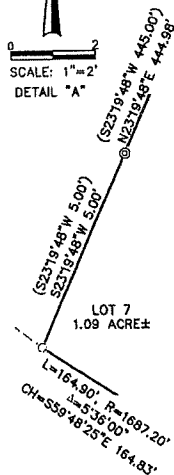
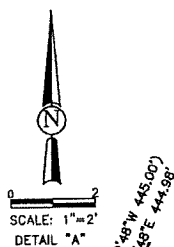
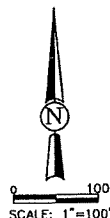
LEGEND

<u>SYMBOL</u>	<u>INDICATES</u>
⊙	INITIAL POINT
⊗	FOUND MONUMENT AS NOTED
⊙	MONUMENT TO BE SET
•	CALCULATED POSITION, NOTHING FOUND OR SET

_____ SURVEYED LINES
 - - - RIGHT-OF-WAY LINES
 LOT SETBACK LINES

()R1 RECORD PER CS 33-396
W/YPC WITH YELLOW PLASTIC CAP

W/IPC WITH YELLOW PLASTIC CAP
e Existing Well



NARRATIVE
THE PURPOSE OF THIS SURVEY WAS TO PREPARE A SUBDIVISION APPLICATION. THE BASIS OF BEARING FOR IS APPARENTLY ASSUMED PURSUANT TO CURRY COUNTY SURVEY 33-396(RAMBO). I FOUND AND HELD ALL MONUMENTS SHOWN FROM 33-396(RAMBO) AND 33-53. LOTS AS SHOWN HEREON WERE CALCULATED PURSUANT TO MY CLIENTS REQUEST AND NEW MONUMENTS SET AS SHOWN HEREON.
A TRIMBLE R10 RECEIVERS AND S7 ROBOTIC TOTAL STATION WITH TSC5 DATA COLLECTOR WERE USED FOR THIS SURVEY.

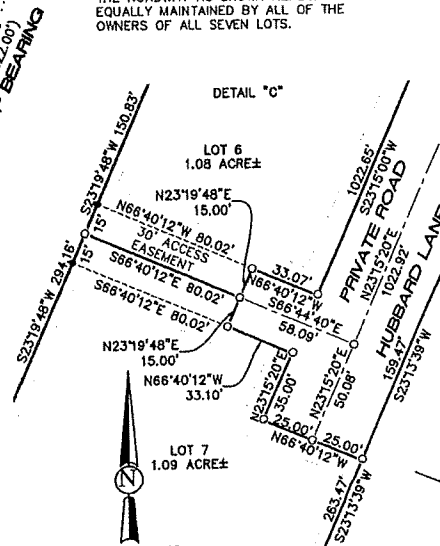
SYMBOL LEGEND

<u>SYMBOL</u>	<u>INDICATES</u>
AC	ASPHALT SURFACE
- ³	GUY ANCHOR
⊙	FOUND MONUMENT AS NOTED
○	MONUMENT TO SET
	CONTROL POINT
PP	POWER POLE
⊗	DECIDUOUS TREE
⊙	CONIFEROUS TREE
⊗	STUMP

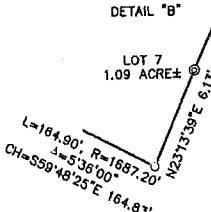
LINE LEGEND

_____	MINOR CONTOUR
_____	MAJOR CONTOUR
_____	OH ELECTRIC LINE
_____	PROPERTY LINES/LOT LINES
_____	LOT LINES
_____	RIGHT-OF-WAY LINE
_____	EASEMENT LINES
_____	PROPOSED ELECTRIC UG

PRIVATE ROAD STATEMENT:
THE ROADWAY AS SHOWN HEREON WILL BE
EQUALLY MAINTAINED BY ALL OF THE
OWNERS OF ALL SEVEN LOTS.



DETAIL "B"



~~DRAFT~~

OREGON
JUL 09, 2002
Waller E. Whila

EXPIRES 6/30/22 Date: Jan. 26, 2022 Scale: Varies



275 MARKET AVENUE
COOS BAY, OR. 97420
WWW.SHN-ENGR.COM
503-266-2222

Project: 821131

Sheet 2 of 3

0 100 200 400 Feet

33S15W04D

312
1/4 COR 1800D

33S15W04D

City of Port Orford

File No. _____
 Fee _____
 Rcpt.No. _____

PORT ORFORD LAND USE DECISION
 APPLICATION FORM

APPLICATION INFORMATION:	FOR DEPARTMENT USE ONLY
Application Type _____	App. Date _____
Pre-App. Mtg with _____	P. A. Mtg. Date _____
File Number _____ Zone _____	Hearing/Dec. Date _____
Staff Planner _____	Staff Rept. Prf. Date _____

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1. PROPERTY OWNER OF RECORD.

Name: Port Orford 0023
 Address: PO Box 5758 Bend OR 97708
 Phone: 541-948-4035

2. AGENT (if any)

Name: Patrick Todd
 Address: PO Box 5758 Bend OR 97708
 Phone: 541-948-4035

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

Seven lot, residential Subdivision.
Looking for road variances.

4. PROPERTY LOCATION

Address (if assigned): Cemetery Loop

Description of how to locate the property

Cemetery Loop next to address
93180 Cemetery Loop

5. PROPERTY DESCRIPTION

Assessor Map No. 33-15-04D Tax Lot No. 1601
 Total Land Area: 8.60 acres Ac./Sq. Ft. Zoning: R2

6. EXISTING LAND USE (Briefly describe the present use of the property)

Bare land

7. SURROUNDING LAND USE (Briefly describe the land use of adjacent lands)

~~R2~~ R2 Residential

8. SERVICES AND FACILITIES AVAILABLE

Please indicate what services and facilities are available to the property. Please submit a site evaluation or permit for on-site sewage disposal and water rights of on-site water sources.

Water Source: Well

Sewage Disposal: Septic

Electrical Power: Coos County Electric

Telephone Service: Beacon

Fire District/Department: Port Orford Fire

School District: Port Orford

9. ROAD INFORMATION

Nearest Public Road Cemetery Loop

Private Road(s) Serving the Property:

None

Road Condition: gravel

Legal Status (Please indicate ownership of private road, submit easement records etc.)

New Roads or Driveways (Briefly describe any new road construction related to this application)

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mostly flat with a slight hill to the north

Vegetation (Briefly describe the nature of the vegetation on the property)

Bare - logged by previous owner

Special Features (Briefly describe any special features such as creeks, sea cliffs, rock outcrops, wetlands, etc.)

None

12. FINDINGS OF FACT

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15. Applicant(s) Signature and Statement of Understanding:

I (we), Patrick Todd, have filed this application for Sidewalk Variance with the City of Port Orford to be reviewed and processed according to State and City requirements. My (our) signature(s) below affirms that I (we) have discussed the application with the planning staff, and that I (we) acknowledge the following disclosures:

- A. I (we) are stating that all information and documentation submitted with this application is true and correct to the best of my (our) knowledge.
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- E. I (we) understand that I (we) have the burden of proving that this request meets ordinance requirements, and that I (we) must address all of the standards that apply to the decision being made. The standards for approving or denying this request have been provided to me (us) as part of this application.
- F. I (we) understand that the planning staff is entitled to request additional information or documentation any time after the submission of this application is it is determined that such information is needed of review of the proposed land use action.
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J. The undersigned are the owner(s) of record for property described as:

Assessor Map(s) 33-10-04D Tax Lot(s) 1401

- (1) Print Name Patrick Todd
Signature _____
- (2) Print Name _____
Signature _____
- (3) Print Name _____
Signature _____
- (4) Print Name _____
Signature _____

I am asking for a road variance of a 20' wide road without a sidewalk. There are many like kind roadways in the surrounding streets in the near proximity of our property that are non-through streets, no sidewalks and have a 20' or under roadway.

Here are a few examples...

Road size and lot count.

End of Old Mill road 9 lots and 20 feet wide

Humbug Way 18 lots and 20 feet wide

Park Ave 15 lots and 20 feet wide

Blanchard Rd 7 lots and 20 feet wide

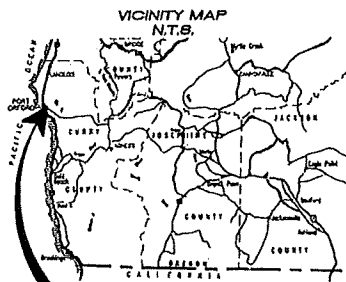
Cedar Hollow 10 lots and 20 feet wide

Green Dolphin way 12 lots and 20 feet wide not paved

North fork Hubbard creek 17 lots and 16 feet wide not paved

The connecting street to our property on Cemetery Loop is 20' wide and has no sidewalks.

**TENTATIVE BATTLE ROCK ESTATES SUBDIVISION
PROPOSED SUBDIVISION LAYOUT
LOCATED SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 4,
AND IN A PORTION OF GOVERNMENT LOT 1, SECTION 9,
ALL IN T.33S., R.15W., W.M.,
CURRY COUNTY, OREGON**



**PROJECT
LOCATION**

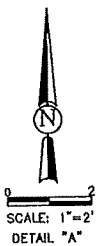
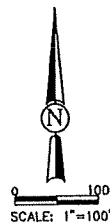
NOTES:
NO EXISTING SEWERS OR WATER MAINS.
NO EXISTING SEPTIC DRAINFIELD AREAS.
THERE ARE TWO EXISTING WELLS ON THE PROPERTY AS SHOWN.
NO EXISTING STRUCTURES.
NO KNOWN SLOPE OR GEOLOGIC HAZARDS.

CURRY COUNTY ZONE: R-2
SETBACKS: FRONT 10', SIDE/REAR 5'

LEGEND

SYMBOL	INDICATES
⊙	INITIAL POINT
⊙	FOUND MONUMENT AS NOTED
○	MONUMENT TO BE SET
•	CALCULATED POSITION, NOTHING FOUND OR SET

— SURVEYED LINES
- - - RIGHT-OF-WAY LINES
- - - LOT SETBACK LINES
() R1 RECORD PER CS 33-396
W/YPC WITH YELLOW PLASTIC CAP



SCALE: 1"=2'
DETAIL "A"

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DETAIL "A"

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NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO PREPARE A SUBDIVISION APPLICATION. THE BASIS OF BEARING FOR IS APPARENTLY ASSUMED PURSUANT TO CURRY COUNTY SURVEY 33-396(RAMBO). I FOUND AND HELED ALL MONUMENTS SHOWN FROM 33-396(RAMBO) AND 33-53. LOTS AS SHOWN HEREON WERE CALCULATED PURSUANT TO MY CLIENTS REQUEST AND NEW MONUMENTS SET AS SHOWN HEREON. A TRIMBLE R10 RECEIVERS AND S7 ROBOTIC TOTAL STATION WITH TSC5 DATA COLLECTOR WERE USED FOR THIS SURVEY.

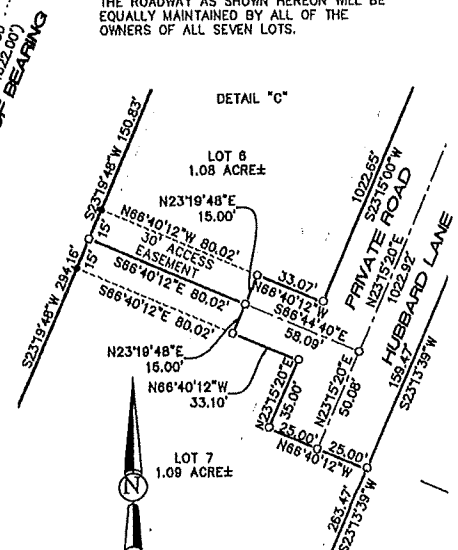
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---	MINOR CONTOUR
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---	PROPOSED ELECTRIC UG

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THE ROADWAY AS SHOWN HEREON WILL BE EQUALLY MAINTAINED BY ALL OF THE OWNERS OF ALL SEVEN LOTS.



SCALE: 1"=40'
REGISTERED
PROFESSIONAL
LAND SURVEYOR

DRAFT

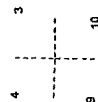
FOR
PTC CONSTRUCTION
PO BOX 5758
BEND, OREGON 97708
55547
EXPIRES 6/30/22 Date: Jan. 28, 2022 Scale: Varies



275 MARKET AVENUE
COOS BAY, OR 97420
WWW.SHW-ENGR.COM
541-266-9890

$1^{\circ} = 200'$

Cancelled
101
202
203
300
3113
1806

Revised: RAA
12/21/2017

33S15W04D

City of Port Orford

File No. _____
 Fee _____
 Rcpt.No. _____

**PORT ORFORD LAND USE DECISION
 APPLICATION FORM**

APPLICATION INFORMATION:	FOR DEPARTMENT USE ONLY
Application Type _____	App. Date _____
Pre-App. Mtg with _____	P. A. Mtg. Date _____
File Number _____ Zone _____	Hearing/Dec. Date _____
Staff Planner _____	Staff Rept. Prf. Date _____

APPLICANT - PLEASE COMPLETE ITEMS 1 - 14 BEFORE REQUESTING A PRE-APPLICATION MEETING WITH A PLANNER. THE STAFF WILL NEED THIS INFORMATION TO DISCUSS THE PROPOSAL WITH YOU AND DETERMINE IF THE APPLICATION IS COMPLETE FOR THE DIRECTOR OR PLANNING COMMISSION TO REVIEW.

1. PROPERTY OWNER OF RECORD.
 Name: Port Orford 9023
 Address: PO Box 5758 Bend OR 97708
 Phone: 541-948-4035
2. AGENT (if any)
 Name: Patrick Todd
 Address: PO Box 5758 Bend OR 97708
 Phone: 541-948-4035
3. BASIC PROPOSAL (Briefly describe your proposed land use)
Seven lot, residential Subdivision.
Looking for road variances
4. PROPERTY LOCATION
 Address (if assigned): Cemetery Loop
 Description of how to locate the property
Cemetery Loop next to address
93180 Cemetery Loop
5. PROPERTY DESCRIPTION
 Assessor Map No. 33-15-04D Tax Lot No. 1601
 Total Land Area: 8.60 acres Ac./Sq. Ft. Zoning: R2

6. EXISTING LAND USE (Briefly describe the present use of the property)

Bare land

7. SURROUNDING LAND USE (Briefly describe the land use of adjacent lands)

R2 Residential

8. SERVICES AND FACILITIES AVAILABLE

Please indicate what services and facilities are available to the property. Please submit a site evaluation

or permit for on-site sewage disposal and water rights of on-site water sources.

Water Source: Well

Sewage Disposal: Septic

Electrical Power: Coos Curry Electric

Telephone Service: Beacon

Fire District/Department: Port Orford Fire

School District: Port Orford

9. ROAD INFORMATION

Nearest Public Road Cemetery Loop

Private Road(s) Serving the Property:

None

Road Condition: gravel

Legal Status (Please indicate ownership of private road, submit easement records etc.)

New Roads or Driveways (Briefly describe any new road construction related to this application)

one road coming into the property off of Cemetery Loop. Serving 7 lots with a "T" turn-around at the end.

10. PLOT OR PLAN MAP

Please submit the following:

- A standard size (18" X 20") Assessor Map of the subject property with your application (available from the Curry County Assessors Office)
- An accurate plot plan (please prepare a plot plan which is drawn to scale and shows the pertinent details of the proposed development as outlined on the attached information sheet)

11. PHYSICAL DESCRIPTION OF PROPERTY

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

mostly flat with a slight hill to the north

Vegetation (Briefly describe the nature of the vegetation on the property)

Bare - logged by private owner

Special Features (Briefly describe any special features such as creeks, sea cliffs, rock outcrops, wetlands, etc.)

None

12. FINDINGS OF FACT

Oregon statute and the City of Port Orford Municipal Code requires that land use decisions be supported by factual findings. The burden of proof is on the proponent therefore it is required that the applicant provide the City with findings that support the request in this application. The standards and criteria that are relevant to this application are attached to this form. Please read the standards and criteria carefully and provide factual information with sufficient specificity to allow the City to determine whether your request meets these requirements.

13. All fees must be paid at the time you have completed the pre-application meeting with the planning staff and it has been determined that your application is complete. Fees are NON REFUNDABLE once they are paid and the City has begun review of your application.

14. 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. However, if the application is a "Corporation" Oregon Revised Statute (ORS) 9.320 requires that a corporation be represented by an attorney.

15. Applicant(s) Signature and Statement of Understanding:

20 A road width I (we), Patrick Todd, have filed this application for a variance of a with the City of Port Orford to be reviewed and processed according to State and City requirements. My (our) signature(s) below affirms that I (we) have discussed the application with the planning staff, and that I (we) acknowledge the following disclosures:

- A. I (we) are stating that 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 that the decision may be nullified and the city may seek all legal means to have the decision reversed.
- C. I, (we) understand that any representations, conclusions or opinions expressed by the planning staff in the pre-application review of this request do not constitute final authority or approval, and that I (we) am (are) not entitled to rely on such expressions in lieu of formal approval or my (our) request.
- D. I (we) understand that I (we) may ask questions and receive input from planning staff, but acknowledge that I (we) am (are) ultimately responsible for all information or documentation submitted with this application. I (we) further understand that planning staff cannot legally bind the city to any fact or circumstance which conflicts with state or local laws, and in the 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 ordinance requirements, and that I (we) must address all of the standards that apply to the decision being made. The standards for approving or denying this request have been provided to me (us) as part of this application.
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STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765 & OAR 690-205-0210)

CURR 52810

4/6/2018

WELL I.D. LABEL# U 127987
START CARD # 1038229
ORIGINAL LOG #

(1) LAND OWNER

Owner Well I.D. _____
First Name _____ Last Name _____
Company MCKENZIE LAND AND TIMBER
Address PO BOX 817
City PLEASANT HILL State OR Zip 97455

(2) TYPE OF WORK

☒ New Well ☐ Deepening ☐ Conversion
☐ Alteration (complete 2a & 10) ☐ Abandonment (complete 5a)

(2a) PRE-ALTERATION

Casing: Dia + From To Gauge Std Plstc Wld Thrd
Material From To Amt sacks/lbs
Seal: _____

(3) DRILL METHOD

☒ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger ☐ Cable Mud
☐ Reverse Rotary ☐ Other _____

(4) PROPOSED USE

☒ Domestic ☐ Irrigation ☐ Community
☐ Industrial/ Commercial ☐ Livestock ☐ Dewatering
☐ Thermal ☐ Injection ☐ Other _____

(5) BORE HOLE CONSTRUCTION

Special Standard ☐ (Attach copy)

Depth of Completed Well 50.00 ft.

BORE HOLE			SEAL			Amt	sacks/
Dia	From	To	Material	From	To		
10	0	18	Bentonite	0	18	13	5
8	18	50			Calculated	8.22	
					Calculated		

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E☒ Other POURED AND TAMPED

Backfill placed from _____ ft. to _____ ft. Material _____

Filter pack from _____ ft. to _____ ft. Material _____ Size _____

Explosives used: ☐ Yes Type _____ Amount _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE

Proposed Amount

Actual Amount

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Std	Plstc	Wld	Thrd
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	6	<input checked="" type="checkbox"/>	2.5	30	.250	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	4	<input type="checkbox"/>	3	50	sdr26	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____Temp casing ☐ Yes Dia _____ From + _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____

Screens Type factory

Material PVC

Perf/	Casing/	Screen	Dia	From	To	Sern/slot	Slot	# of	Tele/
Screen	Liner					width	length	slots	pipe size
			4	30	50	.01	1	1000	

(8) WELL TESTS: Minimum testing time is 1 hour

☐ Pump ☐ Bailor ☒ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
5		50	1

Temperature 56 °F Lab analysis ☐ Yes By _____Water quality concerns? ☐ Yes (describe below) TDS amount 65 ppm

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County CURRY Twp 33.00 S N/S Range 15.00 W E/W WM
Sec 4 SW 1/4 of the SE 1/4 Tax Lot 1601 WELL #3
Tax Map Number _____ Lot _____
Lat _____ " or _____ DMS or DD
Long _____ " or _____ DMS or DD
☐ Street address of well ☒ Nearest address

BEHIND 41627 HWY 101 PORT ORFORD

(10) STATIC WATER LEVEL

	Date	SWL (psi)	+	SWL (ft)
Existing Well / Pre-Alteration				
Completed Well	3/29/2018			26
Flowing Artesian?	<input type="checkbox"/>			
Dry Hole?	<input type="checkbox"/>			

WATER BEARING ZONES

Depth water was first found 29.00

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
3/29/2018	29	50	5			26

(11) WELL LOG

Ground Elevation

Material	From	To
Sandy Loam	0	1
Sandy Clay	1	29
Sand	29	34
Sand and Gravel	34	49
Brown Clay	49	50

Date Started 3/29/2018 Completed 3/29/2018

(unbonded) Water Well Constructor Certification

I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

License Number 1839 Date 4/5/2018

Signed MICHAEL HOLLEY (E-filed)

(bonded) Water Well Constructor Certification

I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 1541 Date 4/6/2018

Signed CASEY JONES JR (E-filed)

Contact Info (optional) Casey Jones Well Drilling Co., Inc.

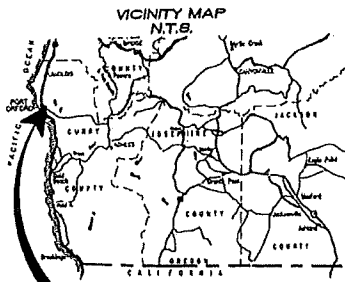
ORIGINAL - WATER RESOURCES DEPARTMENT

THIS REPORT MUST BE SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK Form Version:

WELL I.D. LABEL#	127986
START CARD #	1038220
ORIGINAL LOG #	

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PROPOSED SUBDIVISION LAYOUT
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ALL IN T.33S., R.15W., W.M.,
CURRY COUNTY, OREGON**



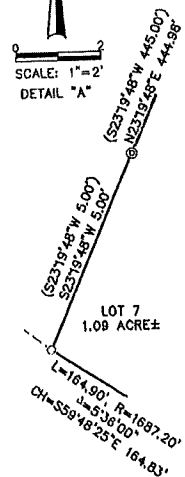
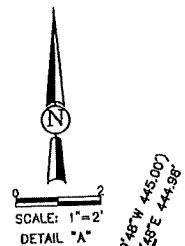
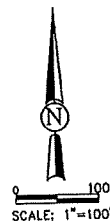
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THERE ARE TWO EXISTING WELLS ON THE PROPERTY AS SHOWN.
NO EXISTING STRUCTURES.
NO KNOWN SLOPE OR GEOLOGIC HAZARDS.

CURRY COUNTY ZONE: R-2
SETBACKS: FRONT 10', SIDE/REAR 5'

LEGEND

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() R1	RECORD PER CS 33-396
W/YPC	WITH YELLOW PLASTIC CAP



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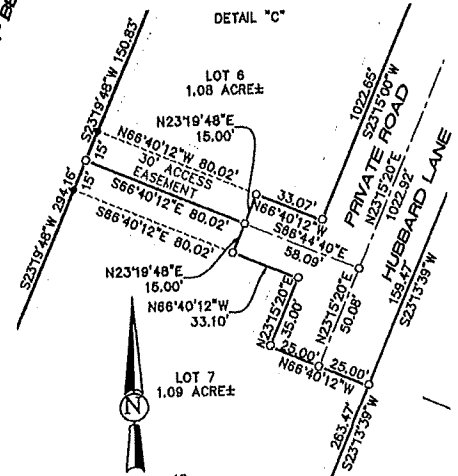
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DRAFT

REGISTERED
PROFESSIONAL
LAND SURVEYOR
OREGON
Walter E. White
55547

EXPIRES 6/30/22 Date: Jan. 28, 2022 Scale: Varies

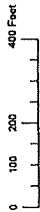


FOR
PTC CONSTRUCTION
PO BOX 5758
BEND, OREGON 97708
275 MARKET AVENUE
COOS BAY, OR. 97420
WWW.SHN-ENGR.COM
541-286-9890

Project: 621131

Sheet 2 of 3

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY



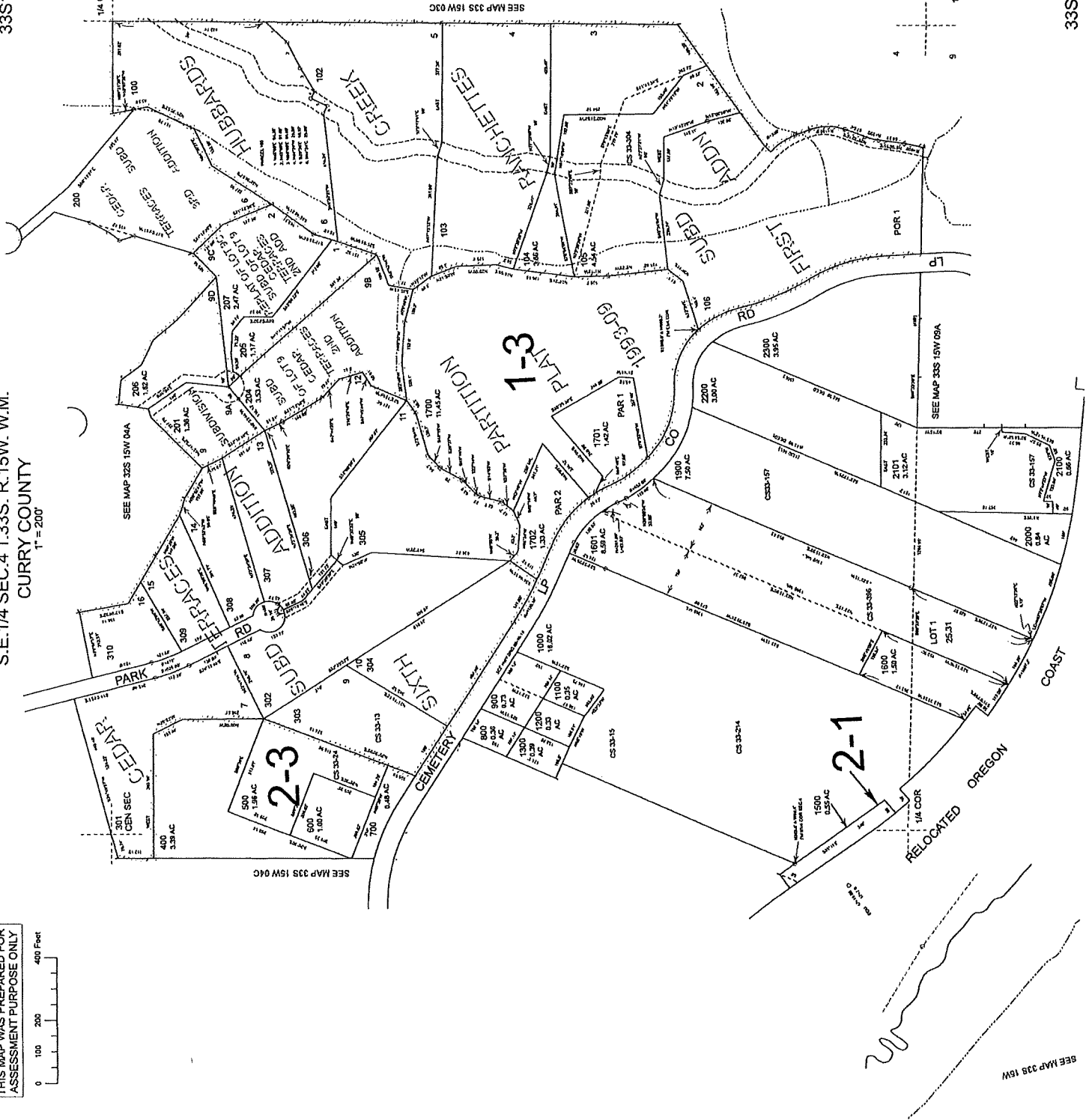
S.E. 1/4 SEC. 4 T.33S. R.15W. W.M.
CURRY COUNTY
1" = 200'

33S15W04D

Cancelled
101
102
203
300
311
1800

40

1/4 COR 1800



Revised: RAA
12/21/2017

33S15W04D

File No. _____
 Fee _____
 Rcpt. No. _____

**PORT ORFORD LAND USE DECISION
 APPLICATION FORM**

APPLICATION INFORMATION:	FOR DEPARTMENT USE ONLY
Application Type _____	App. Date _____
Pre-App. Mtg with _____	P. A. Mtg. Date _____
File Number _____ Zone _____	Hearing/Dec. Date _____
Staff Planner _____	Staff Rept. Prf. Date _____

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1. PROPERTY OWNER OF RECORD

Name: David Clark
 Address: 3370 Riverbank Road
Grants Pass, OR 97527 Phone: 541-660-7570

2. AGENT (if any)

Name: Christopher Kinney w/ Civil West Engineering
 Address: 486 E. St
Coos Bay, OR 97420 Phone: 541-266-8601

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

RV Park

4. PROPERTY LOCATION

Address (if assigned): Tax Lot 200 510 Madrona Ave.

Description of how to locate the property

Heading South on Hwy 101, turn right onto Madrona Ave. Lot
is directly behind residence at Tax Lot 300 accessible by first driveway to
the right hand side

5. PROPERTY DESCRIPTION

Assessor Map No. 32S 15W 32DC Tax Lot No. 200
 Total Land Area: 0.2 AC Ac./Sq. Ft. Zoning: 2R

6. EXISTING LAND USE (Briefly describe the present use of the property)

Vacant

7. SURROUNDING LAND USE (Briefly describe the land use of adjacent lands)

All surrounding land uses are residential

8. SERVICES AND FACILITIES AVAILABLE

Please indicate what services and facilities are available to the property. Please submit a site evaluation

or permit for on-site sewage disposal and water rights of on-site water sources.

Water Source: Water well to be drilledSewage Disposal: City SewerElectrical Power: Connected to City Existing PowerTelephone Service: NoneFire District/Department: Port of Ford Fire DepartmentSchool District: Port of Ford Lynders School District

9. ROAD INFORMATION

Nearest Public Road Madrona Ave

Private Road(s) Serving the Property:

N/ARoad Condition: N/A

Legal Status (Please indicate ownership of private road, submit easement records etc.)

N/A

New Roads or Driveways (Briefly describe any new road construction related to this application)

New gravel accessway through David Clark's (Same owner) Taxlot 300 residential property

10. PLOT OR PLAN MAP

Please submit the following:

- A standard size (18" X 20") Assessor Map of the subject property with your application (available from the Curry County Assessors Office)
- An accurate plot plan (please prepare a plot plan which is drawn to scale and shows the pertinent details of the proposed development as outlined on the attached information sheet)

11. PHYSICAL DESCRIPTION OF PROPERTY

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

Moderately flat (~2% slope towards Madrona from North) + slope off to depression area on the east, west of Hwy 101 (~30% slope) + slope down on NW corner (~30% slope).

Vegetation (Briefly describe the nature of the vegetation on the property)

Cleared area. Burgeoning.

Special Features (Briefly describe any special features such as creeks, sea cliffs, rock outcrops, wetlands, etc.)

None.

12. FINDINGS OF FACT

Oregon statute and the City of Port Orford Municipal Code requires that land use decisions be supported by factual findings. The burden of proof is on the proponent therefore it is required that the applicant provide the City with findings that support the request in this application. The standards and criteria that are relevant to this application are attached to this form. Please read the standards and criteria carefully and provide factual information with sufficient specificity to allow the City to determine whether your request meets these requirements.

13. All fees must be paid at the time you have completed the pre-application meeting with the planning staff and it has been determined that your application is complete. Fees are NON REFUNDABLE once they are paid and the City has begun review of your application.
14. 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. However, if the application is a "Corporation" Oregon Revised Statute (ORS) 9.320 requires that a corporation be represented by an attorney.

15. Applicant(s) Signature and Statement of Understanding:

I (we), Civil West Engineering, have filed this application for David Clark with the City of Port Orford to be reviewed and processed according to State and City requirements. My (our) signature(s) below affirms that I (we) have discussed the application with the planning staff, and that I (we) acknowledge the following disclosures:

- A. I (we) are stating that 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 that the decision may be nullified and the city may seek all legal means to have the decision reversed.
- C. I, (we) understand that any representations, conclusions or opinions expressed by the planning staff in the pre-application review of this request do not constitute final authority or approval, and that I (we) am (are) not entitled to rely on such expressions in lieu of formal approval or my (our) request.
- D. I (we) understand that I (we) may ask questions and receive input from planning staff, but acknowledge that I (we) am (are) ultimately responsible for all information or documentation submitted with this application. I (we) further understand that planning staff cannot legally bind the city to any fact or circumstance which conflicts with state or local laws, and in the 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 ordinance requirements, and that I (we) must address all of the standards that apply to the decision being made. The standards for approving or denying this request have been provided to me (us) as part of this application.
- F. I (we) understand that the planning staff is entitled to request additional information or documentation any time after the submission of this application is it is determined that such information is needed of review of the proposed land use action.
- G. I (we) understand that this application will be reviewed by the Oregon Department of Land Conservation and Development and possibly other state agencies as part of the statewide land use coordination process. I (we) also understand that state agencies that participate in the review process have a legal right to appeal the decision of the City in this matter.
- H. I (we) understand that it is my (our) responsibility, and not the City's, to respond to any appeal and to prepare the legal defense of the approval of my (our) request. I (we) further understand that it is not the City's function to argue the case at any appeal hearing.
- I. I (we) understand the I (we) am (are) entitled to have a lawyer or a land use consultant represent me (us) regarding my application and to appear with me (or for me) at any appointment, conference or hearing related 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 interest to seek professional assistance in the preparation of this application.

J. The undersigned are the owner(s) of record for property described as:

Assessor Map(s) 325 15W 87DC Tax Lot(s) 200

(1) Print Name

DAVID CLARK

Signature

[Signature]

(2) Print Name

Signature

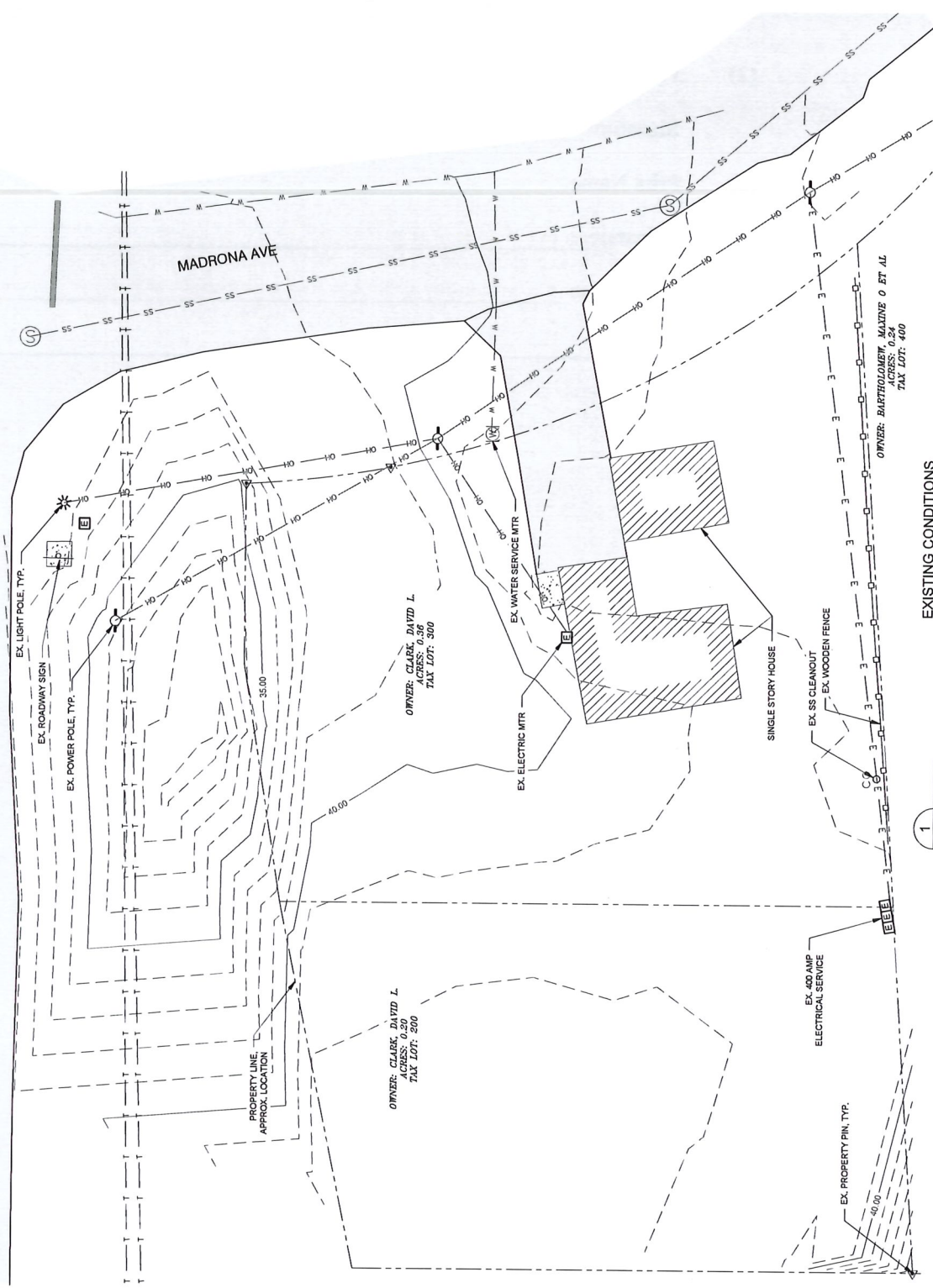
(3) Print Name

Signature

(4) Print Name

Signature

HIGHWAY 101



EXISTING CONDITIONS



1
C1

PRELIMINARY



Civil West
Engineering Services, Inc.
541-264-7040
www.civilwest.com

609 SW HURBERT ST.
NEWPORT OR 97365

REV.	DATE	DESCRIPTION
BY		
CSK		
DESIGNED BY:	CSK	
DRAWN BY:	CSK	
CHECKED BY:		
PROJECT NO.	2204-229	

DAVID CLARK 510 MADRONA AVE, PORT ORFORD, OR	PORT ORFORD RV PARK IMPROVEMENTS	EXISTING CONDITIONS
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Sheet No. **C1**
SEPTEMBER 2022

PRELIMINARY



Civil West
 Engineering Services, Inc.
 609 SW HURBERT ST.
 NEWPORT OR 97365
 541-264-7040
 www.civilwest.com

REV.	DATE	DESCRIPTION	BY

DESIGNED BY: CSK

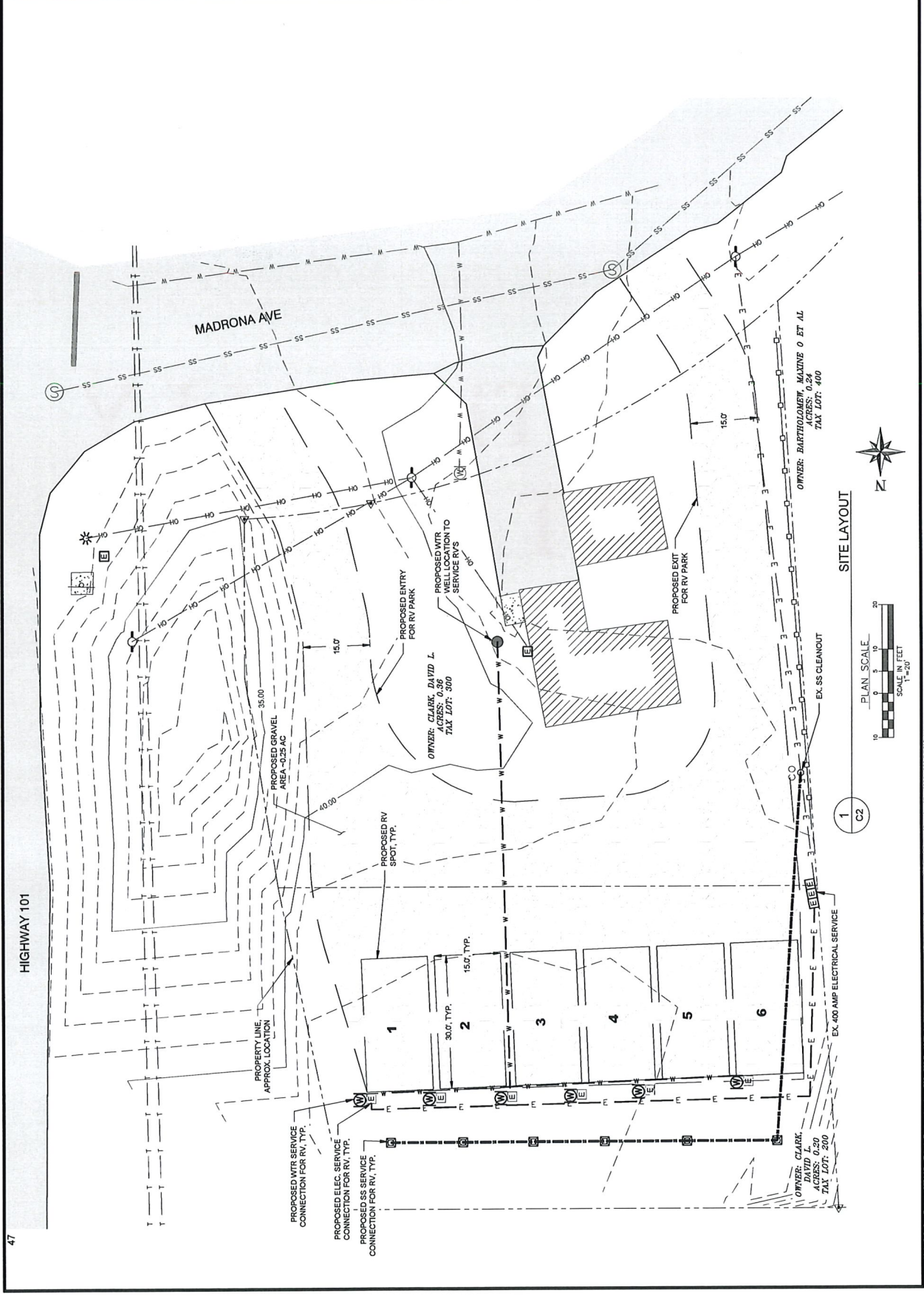
DRAWN BY: CSK

CHECKED BY: CSK

PROJECT NO: 2204-228

DAVID CLARK	SITE LAYOUT
510 MADRONA AVE, PORT ORFORD, OR	PORT ORFORD RV PARK IMPROVEMENTS

C2
 SEPTEMBER 2022



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