



NOTICE OF PUBLIC HEARING CITY OF BANDON PLANNING COMMISSION

JUN 28 2022

Notice is hereby given that a Public Hearing has been set before the Planning Commission of the City of Bandon, regarding application #22-060, request for a conditional use permit to operate a Vacation Rental Dwelling on property zoned CD-1 in the City of Bandon. You have received this notice because your property is located within 250 feet of the subject property.

Property Owner:	Rylie Hancock
Applicant(s):	Rylie Hancock
Property Location:	28S-15W-36CC/ TL 03313; 1137 Three Wood Drive
Lead Staff:	Henry O. Hearley, Associate Planner, Lane Council of Governments
Meeting Date:	Thursday, July 21st, 2022, at 7:00 PM
Proposal:	Conditional use permit to operate a Vacation Rental Dwelling in the CD-1, Controlled Development Zone
Applicable Criteria List: (Bandon Municipal Code)	16.04 Administration and Enforcement 16.12 Conditional Uses 17.20 Controlled Development 1 Zone

The hearing has been set for **Thursday, July 21 at 7:00 p.m.** and will be conducted through a Zoom Webinar.

All meetings will begin at 7:00 PM at the City of Bandon Council Chambers, located at 555 HWY 101, Bandon, Oregon, 97411. These meetings are open to the public and will follow requirements of the Oregon Health Authority. You may also access the meeting online using the following information:

Meeting Link: <https://us02web.zoom.us/j/2157059460>
Meeting ID: 215 705 9460

Time will be allowed for your verbal testimony at the hearing. It is recommended that testimony also be presented in written form. Testimony may be submitted in person, by mail, or may be electronically submitted to planning@cityofbandon.org. Please note the deadlines below for submitting testimony:

- **5:00 pm, July 13, 2022: Deadline for inclusion of testimony in meeting packet.**
- **5:00 pm, July 20, 2022: Deadline for receipt of hand delivered, mailed and/or electronic testimony.**
- **After 5:00 pm on July 20, 2022: Testimony must be presented verbally at the public hearing.**

Dear Planning Commission,

July 8th, 2022

In response to application # 22-060,

Hello we are the owners of Lot # 6 (#3312) in the 3 Woods Sub-division, and would like to thank you for the opportunity to express our concerns and opinion. We oppose the request for the conditional use permit to operate a Vacation Rental Dwelling in 3 Woods sub-division at 1137 Three Wood Drive. We have vacationed in Bandon, Or. since the early 90's and so much enjoy the community, surroundings and Old Town. Our search for the perfect piece of property finally lead us to the 3 Woods Sub-division, where we found the lot for our future retirement home. In 2012 we purchased our lot #6 in 3 Woods, quaint, quiet, and small cul-de-sac street to access a handful of mindfully built homes. We were disappointed to receive a request for a VRD next to us, we don't want to lose the tranquility this neighborhood relishes.

I spoke with a representative of the Bandon Planning Department July 6th, via phone and inquired about some of my concerns. The 1st being that up to 30% saturation of VRD's are allowed for our neighborhood which equates to approx. 5 homes in a 15 lot sub-division, and will approving this application encourage more VRD's? I have highlighted items in Rylie's Narrative that was submitted to the Bandon Planning Commission, and would like to address these from my perspective. Rylie Hancock stated in her application letter that she travels for work to the northern part of the state, but she also states she will be at this home quite often. I have included Google map of travel from Roseburg, Or. to Bandon, Or., so what is the definition of often? My 2nd question to the planning representative with whom I spoke was what actions will the city of Bandon take to rectify complaints. The planner said that it would be important to document any ordinance violations with the City of Bandon compliance officer, is this something that can be achieved on a 24/7 basis and how long of a process is this?

It appears the neither Rylie or her manager Peggy Reimer live in 3 Woods, so if any, how will after hour concerns be addressed? It places the burden of monitoring on the neighbors, and once approved by commission how much work will be required to overturn this decision?

Stated in this application letter is that Rylie is asking for maximum occupancy of 9 people, does this coincide with her statement to preserve everything she love's about this neighborhood? I feel that this is not a good faith effort to protect a quiet neighborhood, In Rylie's own words she states that she

wants to be good neighbors. Is asking for the maximum being respectful of surrounding home owners?
This home is in a private location at the end of a quiet cul-de-sac.

Also, there are conflicting sentence's about how many vehicles can be on property at one time, It's either 6 or 8 and states that this will not create any more additional traffic than a normal dwelling. My observation is that no household in the development we reside in at this time supports 6 vehicles coming and going on a regular basis. This application states that there is no beach access so the majority of vacationers will probably drive rather than walk to the beach. We can agree that generally most people travel and vacation to the beautiful state of Oregon during the summer months. There is a possibility that this home could have full occupancy during summer months which I feel would be taxing on all of us as these vacationers make trips throughout their stay.

Surely Rylie Hancock has good intentions, is there a point that rules will get abused by guests and there will be needs for reminders and who really suffers in the moment that this occurs?

As my wife and I are now preparing for retirement in the near future, we hope that we can preserve our dreams to build our resident's at 3 Woods Sub-division, in a quiet, laid back neighborhood. We feel there are other pockets of Bandon that are more well suited for VRD's, and the guests of those VRD's can have more freedom and not so many rules to abide by. Obviously times change and so do needs but it still nice to protect both sides of the fence and be cognizance of quiet little neighborhood's.

Thank You

Mark & Angela Huot

A handwritten signature in blue ink, appearing to read "Angela Huot". The signature is written in a cursive style with a large, sweeping flourish at the end.

VRD Narrative for 1137 Three Wood Dr, Bandon OR, 97411

Dear Planning Commission,

Please allow me to introduce myself, my name is Rylie Hancock, and I am the new owner of 1137 Three Wood Drive. I grew up in Roseburg, Oregon and the closest beach town to Roseburg is Bandon. I have been visiting Bandon with my family since I was ten years old. We have enjoyed trips to the West Coast Game Park petting the baby tigers, days exploring the downtown part of Bandon indulging in fudge, cheese, and ice cream, and many hours playing on the beach (no matter how cold the water was). For years I have told anyone visiting Oregon that Bandon is my favorite place in the whole state. It is a dream come true to own a home in Bandon and have the perfect backdrop to make more beach memories with my eleven-year-old son. I am fortunate enough to work remotely for a technology centered HR company and have the entire state as a territory. Due to covering the whole state, it is my intention to offer my Bandon home as a vacation rental when my job requires me to work in the Northern part of the state. I am excited to be a part of this community and will make sure that the home is well cared for, and the tenants are held to high standards to preserve everything I love so much about Bandon and about this neighborhood.

Thank you for your time and consideration of my application.

Sincerely,

Rylie Hancock

Detailed approval standards and provisions below:

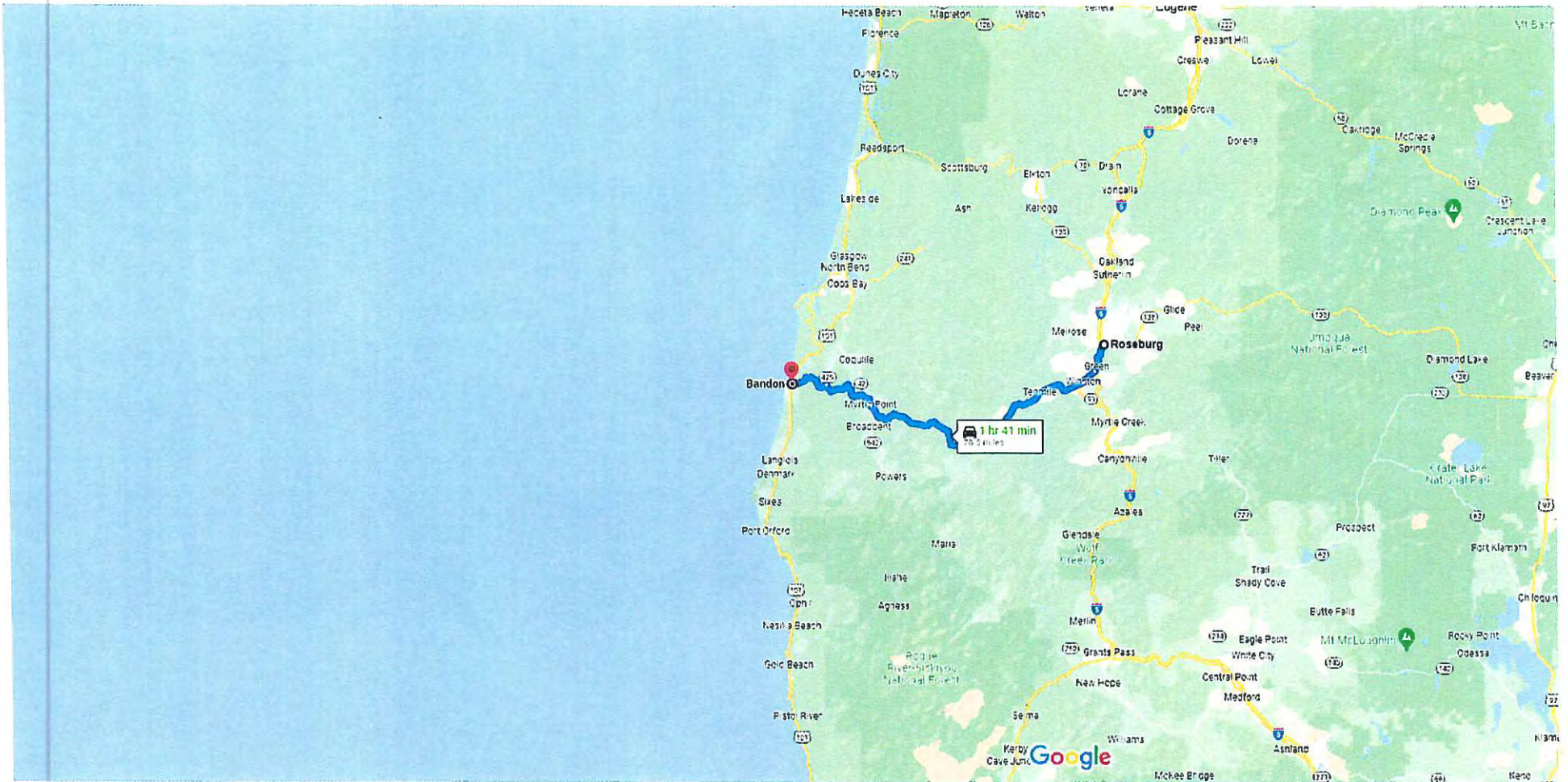
Approval standards for conditional uses (BMC 16.12.040)

- A. Upon our review, I believe this home and this site is consistent with the comprehensive plan.
- B. This home is located within the CD-1 zone and conforms with the dimensional standards without needing any modifications to the home or grounds.
- C. The lot size is .25 acres, with a large driveway that can accommodate 6 cars if needed, plus a two-car garage. This home is 1152 square feet with 3 bedrooms, 2.5 baths, kitchen, dining area, living room, and laundry room. Maximum occupancy as a VRD would be 9 guests. Pets will not be permitted.
- D. The home has adequate space between neighboring properties. No parties or pets will be allowed. It is very important to us that we are good neighbors, and I will ensure that our renters are held to the same standard.
- E. This house is in a private location at the end of a cul-de-sac that has lots of space for parking which will make for a great place to vacation for families.
- F. The public facilities and services have adequate capacity to serve the needs of this added VRD to the community and will be available to VRD guests.
- G. I will not be altering the characteristics of the home or landscaping. The home as a VRD should have no effect or impairment, of the permitted use of the surrounding properties.


H. I believe that all other requirements of this title will apply.

All vacation rental dwelling shall comply with the following provisions. (BMC 16.12.090)

1. This home was built in 2002
2. Currently there is an 11.11% saturation rate around the subject property (see included saturation survey).
3. The home is in the CD-1 zone.
4. I, Rylie Hancock, am the applicant and owner of this home and understand that the conditional use permit is non-transferable.
5. The Tsunami Evacuation Route map will be posted in the home in a conspicuous location.
6. The home offers plenty of off-street parking and will not create any additional traffic, noise, smoke, litter, light, or odor from the VRD than a normal neighborhood dwelling.
7. We do not have private beach access.
8. This home does not have a joint driveway. The concrete driveway is solely on the parcel I own.
9. I will be using a local landscaping company to maintain our yard every week. Also, I will be at the house often and will make sure signage, the exterior, and interior of the house are well maintained.
10. This property can easily accommodate 6 cars with off-street parking (4 in the driveway and 2 in the garage).
11. Garbage removal by Peggy's House Cleaning Services, LLC team will be done after each guests' departure and as needed. Additionally, this home is serviced by Les's Sanitary/ garbage services.
12. Peggy Reimer will be our 24 hour/ 7 day a week manager. She will be available on a 24-hour basis and will handle all issues needed.
13. We will comply with all reporting and accounting requirements of the transient occupancy tax ordinance. All will be done in accordance with the City of Bandon requirements.
14. We understand that if the VRD fails to be rented more than 10 nights within a calendar evidenced by our transient occupancy receipts that the VRD will become null and void.
15. We are seeking to accommodate a maximum 9 guests.
16. Included and addressed in the application. Should further materials be required, I will provide any additional item needed as requested.
17. I, Rylie Hancock, will provide the annual report to the City of Bandon as required.
18. Smoke detectors are installed in each bedroom/ living room and will be maintained and replaced when needed.



Map data ©2022 Google 10 mi


via OR-42 W **1 hr 41 min**
 Fastest route now due to traffic **78.5 miles**
 conditions

Explore Bandon

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SEE MAP 28 15 36CB

LOT 3
LOT 4

8

CO-7-209

G.L.O.

ORS 390.170

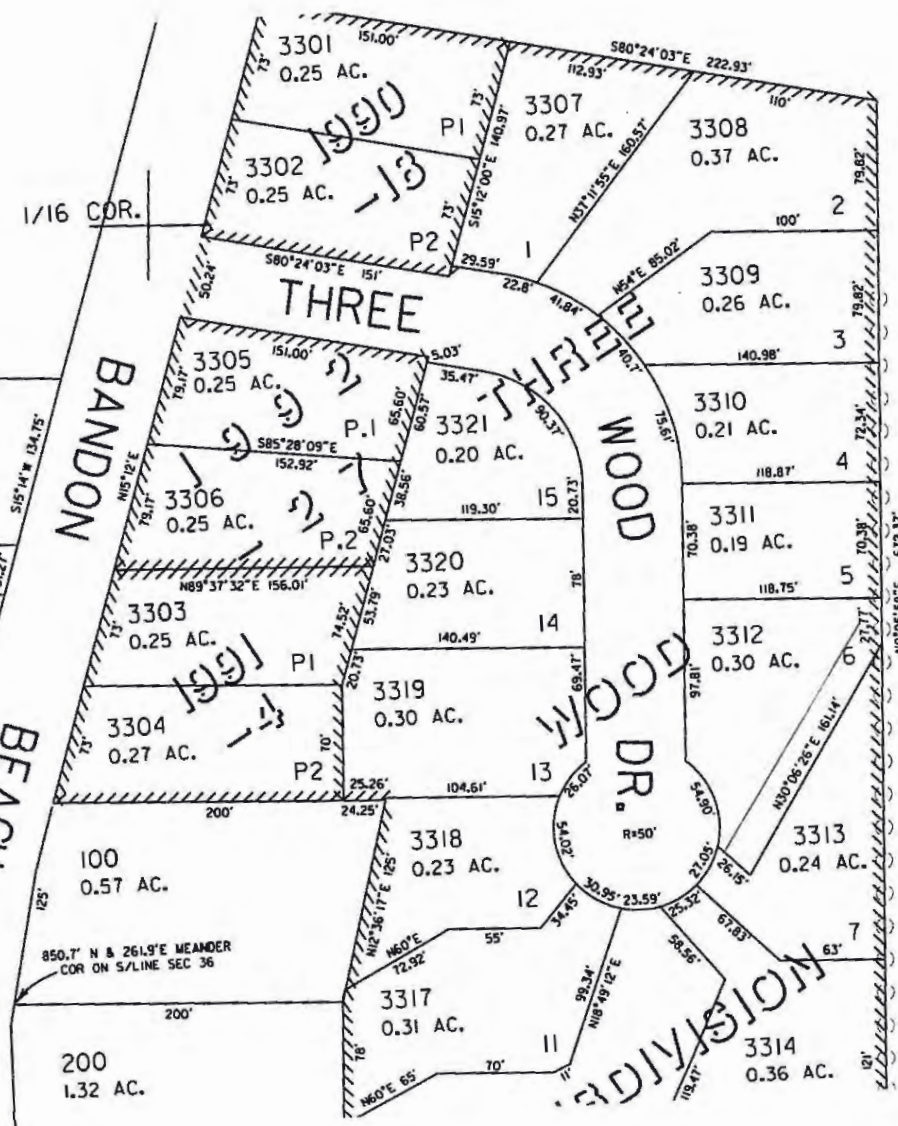
MEANDER

CS32A109
OWE DLC NO. 37

CS45A95
274' M/L
900
0.60 AC.
241.36'
901
0.16 AC.
CS32A127
(233.66') 233.55'
700
0.37 AC.
CS32A107
195' M/L
600
0.43 AC.
501
0.20 AC.
CS32A94
500
CS32A94

100'

BEACH



CANCELLED

- 1001
- 1000
- 1900MI
- 2200MI
- 1103
- 1101
- 1102
- 1200
- 1500
- 1600
- 1100
- 3300

SEE MAP 28 15 36C

C. In all cases, the Planning Commission shall determine whether the applicant has demonstrated that the proposal is seeking the minimum intrusion into the riparian corridor is unnecessary, the proposal may be modified or denied.

D. Setback Adjustment:

1. Qualifying Lots: Lots on which the riparian setback required by this Chapter exceeds any other setbacks in a particular yard, and which, when combined with other yard setbacks, results in a building depth area of 20 feet or less or a building envelope of 1600 square feet or less.
2. Setback Reduction Limitations: Reductions to the riparian setback shall be the minimum necessary to create a building depth of 50 feet or a building envelope of 1600 square feet, whichever requires a lesser reduction of the setback, provided the reduction shall not result in a structure being located closer than 25 feet from the center of the creek in a 100 ft. wide riparian corridor, or 12.5 feet from the center of the creek in a 50 ft. wide riparian corridor. Additional reductions of setbacks shall require a variance.

E. Variance

In cases where the provision for a setback adjustment is not sufficient to provide the necessary building area contained in 17.102.050.D, a property owner may request a variance to the riparian setback, which shall be filed and processed in accordance with the provisions of Chapter 17.112 of the Bandon Municipal Code. In addition to meeting those requirements, granting of a variance to the riparian setback requires that the property owner submit findings that:

1. the proposed development requires deviation from the riparian standards; and
2. strict adherence to the riparian setback and other applicable standards would effectively preclude a use of the parcel that could be reasonably expected to

17.103.030 Prohibited Activities within Riparian Corridors

The following activities are prohibited within a riparian corridor, except as may be allowed pursuant to 17.103.050:

- A. Placement of structures or impervious surfaces, including fences, decks, etc.
- B. Excavation, grading, fill, stream alteration or diversion, or removal of native vegetation, except for perimeter mowing for fire protection purposes.
- C. Expansion of pre-existing non-native ornamental vegetation such as lawn.
- D. The utilization of herbicides or pesticides, except as specifically approved by the City on an individual case-by-case basis. Approval for the use of herbicides or pesticides shall require that they be applied in full compliance with manufacturer's instructions and all applicable Federal, State, and local regulations.

17.103.040 Permitted Activities within Riparian Corridors

The following activities, and maintenance thereof, shall be permitted within a riparian corridor, provided they are designed to minimize impact on, and intrusion into, the riparian corridor, and provided all applicable City, State, and Federal permits have been obtained:

- A. Waterway restoration and rehabilitation activities such as channel widening, realignment to add meander, bank grading, terracing, reconstruction of road crossings, or water flow improvements.
- B. Restoration and enhancement of native vegetation, including the addition of canopy trees, cutting of trees which pose a hazard, and removal of non-native vegetation. Removal of trees and native vegetation shall be avoided during construction except as determined by the plan review approving authority to be absolutely necessary to