



# CONDITIONAL USE FORM

Supplemental to Land Use Application

**OFFICIAL USE ONLY**

DATE RECEIVED: \_\_\_\_\_

PLANNING FILE #: \_\_\_\_\_

APPLICATION COMPLETE: \_\_\_\_\_

**I. Findings of Fact:** Conditional Use Permits may be approved if the Planning Commission finds that the applicant has shown that approval standards A through H of the Bandon Municipal Code (BMC), listed below, have been met. The burden of proof is on the applicant to show how the request meets the approval standards and code provisions. **A written response to all applicable approval standards and provisions must be part of your application. If a standard or provision is not applicable to your request, explain why. Attach as many sheets of paper as necessary; be sure to address each standard and provision.**

*Approval standards for conditional uses (BMC 16.12.040)*

The approval of all conditional uses shall be consistent with:

- A. The Comprehensive Plan;
- B. The purpose and dimensional standards of the zone except as those dimensional standards have been modified in authorizing the conditional use permit.
- C. That the site size and dimensions provide adequate area for the needs of the proposed use;
- D. That the site size and dimensions provide adequate area for aesthetic design treatment to mitigate possible adverse effect from the use of surrounding properties and uses;
- E. The characteristics of the site are suitable for the proposed use considering size, shape, location, topography and natural features;
- F. All required public facilities and services have adequate capacity to serve the proposal, and are available or can be made available by the applicant;
- G. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the permitted uses listed in the underlying zoning district;
- H. All other requirements of this title that apply.

**II. Project Description:** New SFR Modular placed onto New Foundation

**Physical Address:** 531 Madison Ave, Bandon, OR 97411

(Please check all that apply)

- Change of Use
- New Construction
- Alterations
- Other:

Additions to Building:

- Rear
- Front
- Height
- Side Yard

**Present Use:** Undeveloped Property

**Proposed Use:** SFR 1 Bedroom Residence

**In addition to this completed form, the applicant must provide the following:**

- A completed Land Use Application: Conditional Use Permit.
- Written Findings of Fact addressing all approval standards and provisions.
- Other information deemed necessary by the Planning Director to allow review of the applicant's proposal.
- Payment of applicable review fees, which can be found on the City's web page.

*I hereby certify that the statements contained herein are in all respects true and correct to the best of my knowledge and belief.*

<b>X</b>	
Property Owner/Applicant Signature	Date
<b>X</b>	
Applicant's Representative Signature	Date



# RESIDENTIAL ZONING COMPLIANCE APPLICATION

**OFFICIAL USE ONLY**

DATE RECEIVED: \_\_\_\_\_  
 PLANNING FILE #: \_\_\_\_\_  
 APPLICATION COMPLETE: \_\_\_\_\_

<b>I. SITE INFORMATION</b>			
Property Address or Map and Tax Lot: 531 Madison Ave, Bandon, OR 97411			
Zone: <input type="checkbox"/> R-1 <input type="checkbox"/> R-2 <input type="checkbox"/> CD-1 <input checked="" type="checkbox"/> CD-2 <input type="checkbox"/> CD-3 <input type="checkbox"/> CD-R1 <input type="checkbox"/> CD-R2 <input type="checkbox"/> Other	Check if in the Floodplain: <input checked="" type="checkbox"/>	Check if Wetlands are present: <input type="checkbox"/>	Check if in the Hazard Overlay: <input checked="" type="checkbox"/>

<b>II. APPROVAL CRITERIA</b>			
<u>Setbacks</u>  Front: 20'-0"      Side: 15'-0"  Rear: 10'-0"      Side: 5'-0"  Side:	<u>Height:</u>	13'-2"	
	<u>Lot Size:</u>	3764.21 SF	
	<u>Lot Coverage (%):</u>	18.3% (bldg footprint)	
	<u>Impermeable (%):</u>	22.07% (Roof Area)	
<u>Design Features:</u> <input type="checkbox"/> Garage constructed with exterior finish materials matching the residence <input type="checkbox"/> Cupolas <input type="checkbox"/> Roof pitch at or greater than 3/12 <input type="checkbox"/> Covered porch - (minimum of 25 square feet) <input type="checkbox"/> Hip Roof <input checked="" type="checkbox"/> Recessed entry area (minimum depth of three feet) <input type="checkbox"/> Gables <input checked="" type="checkbox"/> Pillars or posts <input checked="" type="checkbox"/> Mullioned windows <input type="checkbox"/> Bay Windows <input checked="" type="checkbox"/> Eaves with a minimum projection of six (6) inches <input type="checkbox"/> Window Shutters <input type="checkbox"/> Tile or Architectural grade shingles (not composition shingles) <input type="checkbox"/> Clerestory windows <input type="checkbox"/> Dormers <input type="checkbox"/> Combination of cedar shake and shingle siding or lap siding with stone <input checked="" type="checkbox"/> Offsets of the building face or roof (at least one foot) <input checked="" type="checkbox"/> Horizontal lap siding, cedar shake or shingle on 100% of the exterior			

<b>III. REQUIRED ATTACHMENTS – must be drawn to-scale</b>	
<input checked="" type="checkbox"/> <b>Site Plan</b> <ul style="list-style-type: none"> <li>Property dimensions &amp; easements</li> <li>Footprint of all structures and dimensions</li> <li>Setback measurements</li> <li>Driveway location and dimensions</li> <li>Utility locations (including meter base)</li> <li>Direction of roof drainage</li> <li>Grading &amp; Drainage features</li> </ul>	<input checked="" type="checkbox"/> <b>Elevation Drawings</b> <ul style="list-style-type: none"> <li>Must show all sides of proposed construction</li> <li>Must show all proposed design features</li> <li>Must indicate proposed building height (including foundation)</li> <li>Depth of any projections, including eaves and gutters</li> </ul> <input checked="" type="checkbox"/> <b>Floor Plan</b> <ul style="list-style-type: none"> <li>Must show include accurate dimensions</li> <li>Must show all exterior doors and projections</li> </ul>

\_\_\_\_\_  
**Signature of Approval (Staff)**

\_\_\_\_\_  
**Date**

**A. Comprehensive Plan:**

Applicant's Response:

The Comprehensive Plan designation for this property is Controlled Development 2 (CD-2) zone where residential use is permitted outright. The purpose of this zoning type is “to protect and enhance the unique character, natural resources and habitat characteristic of the Bandon Jetty and it’s bluff area, to provide for the development of a coastal village atmosphere, and to exclude those uses which would be inconsistent with the area’s character.” A variety of uses are permitted outright within this zone provided the use represents the purpose of the zone while meeting its title requirements. These uses include single-family dwellings, residential and adult-foster care homes, and public utilities including service structures.

The proposed use is for a Single-Family Dwelling, outright permitted within this zone, constructed at the southeast corner of Madison & 5<sup>th</sup> Street planned per Bandon Municipal Code Chapter 17.24.

**B. The Purpose and Dimensional Standards of the Zone except as those dimensional standards that have been modified in authorizing the conditional use permit:**

Applicant's Response:

The property is located in the CD-2 Zone in an area where the primary use is residential, specifically single-family residences. The minimum lot size in the CD-2 zone for residential use is 5400sf, with 40'-0" minimum accessible street frontage required and a minimum required Lot Depth of 90'-0". The property size is 0.086 acres with street frontage of 47'-0" facing Madison Ave., a lot depth of 80'-0" containing 3,760 total square feet. The property exceeds the CD-2 zoning requirement for accessible street frontage, however this property does not meet the depth or square footage requirement. Therefore, per Title 17, Chapter 17.104.050, the General Exception to the Lot Size Requirement states:

*“1. A parcel or lot which does not meet the current lot size requirements of the zone in which the property is located may be developed, provided that all other requirements of the zone are met.”*

Further, Title 17, Chapter 17.108.040 regarding Non-Conforming Lots states:

*“A. A legally created parcel or lot which does not meet the current lot size requirements of the zone in which the property is located may be developed, provided that all other requirements of the zone are met.”*

**C. That the Lot Size and Dimensions provided adequate area for the needs of the proposed use:**

Applicant's Response:

The parcel measures roughly 47'-0" x 80'-0" for a total of 3760sf. The parcel can accommodate the residence, 2-parking spaces provided, mechanical equipment and landscaping desires of the owner. The total square footage of the residence is 689sf, which results in 18.32% Total Lot Coverage, well below the 50% lot coverage threshold set forth within this zone per Bandon Municipal Code.

**D. That the site size and dimensions provide adequate area for aesthetic design treatment to mitigate possible adverse effects from the use of surrounding properties and uses:**

Applicant's Response:

The City of Bandon requires that eight (8) architectural features be incorporated into the aesthetic design of the proposed residence per BMC 17.24.040. The proposed residence contains eight(8) such features on the front facing elevation: mullioned windows, clerestory windows, offsets on the building face or roof of at least twelve(12) inches, eaves with a minimum projection of six(6) inches, a covered porch with a minimum of 25 square feet, architectural grade shingles, a pillar or post, and a combination of horizontal lap siding in conjunction with shingle siding that completes the exterior envelope.

Utilizing an ample, well thought out design we are able to optimize the sightlines and clear the property of visual obstructions for the local neighborhood set forth by the Bandon Municipal Code. The proposed building footprint size allows us a comfortable building placement within the setbacks of 10'-0" (5'-0" min. setback) from the South side lot line, 10'-0" from the rear East line (5'-0" minimum setback), the placement of (2) gravel parking stalls 20'-0" depth to the West, all eased away from 5<sup>th</sup> Street by 15'-0" setback introducing an open deck poised toward the views of the Pacific Ocean.

**E. The Characteristics of the Site are suitable for the proposed use considering size, shape, location, topography and natural features:**

Applicant's Response:

The proposed residence resides within the allowable setbacks which allows sufficient room for parking and landscaping. The site is relatively flat and will require minimal grading for water drainage & evacuation sloping away from the foundation. Additionally, to mitigate roof/rain water, a drywell will be placed adjacent to 5<sup>th</sup> Street per proposed Site Plan.

**F. All required public facilities and services have adequate capacity to serve the proposed buildout, and are available or can be made available by the applicant:**

Applicant's Response:

The property will be served by the City of Bandon for water, sewer and power. Excessive demands on the city infrastructure are not likely.

**G. The Proposed Use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the permitted uses listed in the underlying zoning district:**

Applicant's Response:

The proposed residence use is compatible with the surrounding residential area and would be considered low impact given other types of uses allowed in the CD-2 zone. The proposed use will not alter the character of the surrounding area, and no negative effects on surrounding properties are anticipated.

**H. All other requirements of this title that apply:**

Applicant's Response:

It is the understanding of the applicant that all design criteria listed in the BMC have been met or exceeded including providing a minimum of eight(8) architectural design features, lot coverage is less than the maximum allowed and required setbacks/yards have been met. Additional criteria are not known to the applicant at this time.



1. The developer shall be required to gain approval from the planning commission during a plan review in public session regarding the design and siting of the structure(s) and all other requirements of this title. The approval or denial of a proposed land use resulting from this review will occur as a limited land use decision and shall require notice to property owners in the notice area (see Section 17.120.070).
  2. The use or structure must conform to this chapter.
  3. The exterior of all structures will utilize natural wood material and be of a rustic appearance in accordance with the purpose of the zone (Section 17.24.010).
  4. Metal-sided buildings are prohibited.
- C. No structures shall be located on identified foredunes. Breaching of foredunes shall only be allowed on a temporary basis in a dire emergency and shall be followed immediately by replenishment of sand, structural or binding material and vegetation, to the height of the surrounding existing dune. It shall be the responsibility of the developer or the party responsible to rebuild any breach or reestablish any vegetation that is removed, displaced or damaged on any bluff, foredune, or in construction or site preparation. Such reestablishment shall begin as soon as possible after the aforementioned activity is complete. If the reestablishment is not started immediately, the city manager or designate shall require a bond in a sufficient amount to cover the costs of such rebuilding or reestablishment of vegetation.
- D. Minor modifications to existing structures, such as entryways, decks, porches, windows, fences and changes due to normal maintenance or emergency repairs, may be administratively approved provided the modifications do not occur in a hazard area, do not impact view from adjoining areas and are consistent with all other ordinance provisions.
- E. Recreational vehicles, trailer houses, boats eighteen (18) feet in length or greater, shall not be stored in a required front yard. For the purposes of this section, limitation on the storage of recreational vehicles shall apply only to recreational vehicles six feet six inches in height or greater.
- F. All homes in the CD-2 zone, including but not limited to conventionally constructed homes and manufactured homes, shall utilize at least eight of the following design features (at least 4 of the design features must be integrated on a face of the dwelling):
1. Garage constructed with finish materials matching the residence;
  2. Hip Roof
  3. Roof with a pitch at or greater than 3/12;
  4. Hip Roof;
  5. Gables;
  - ✓ 6. Mullioned Windows
  - ✓ 7. Eaves with a minimum projection of six inches;
  - ✓ 8. Tile or architectural grade shingles;
  9. Dormers;
  - ✓ 10. Offsets on the building face or roof of at least twelve (12) inches;
  11. Cupolas;
  - ✓ 12. Covered porch - a minimum of 25 square feet;
  - ✓ 13. Recessed entry area a minimum of three feet
  - ✓ 14. Pillars or posts;
  15. Bay windows;
  16. Window shutters;
  17. Clerestory windows;
  - ✓ 18. Horizontal lap siding on 100% of the exterior, cedar shake or shingle siding on 100% of the exterior, or combination of cedar shake or shingle siding or