



## NOTICE OF ADMINISTRATIVE DECISION

The City of Bandon has APPROVED a Planning Application for a Plan Review for an addition at 2770 Whale Watch Way, on property zoned CD-1 in the City of Bandon.

Property Owner:	Central Point Properties, LLC
Applicant(s):	Linda Cameron, Moore Architecture + Design, LLC
Application Number:	21-118
Lead Staff:	Dana Nichols, Planning Manager
Property Location:	2770 Whale Watch Way (28S-15W-36CB / TL 606)
Proposal:	Request for a 158 sq ft addition to enclose a sauna and shower
Date of review:	Tuesday, November 16 <sup>th</sup> , 2021
Applicable Criteria List:	17.20 Controlled Development 1 (CD-1) Zone 17.78 Hazards Overlay (HO) Zone

<b>Date of Review:</b>	Tuesday, November 16 <sup>th</sup> , 2021
<b>Date of Mailing:</b>	Wednesday, November 17 <sup>th</sup> , 2021
<b>Appeal Deadline:</b>	<b>Monday, November 29<sup>th</sup>, 2021</b>

On November 17<sup>th</sup>, 2021 the Bandon Planning Department approved a Plan Review request to construct a addition to enclose a sauna and shower at 2770 Whale Watch Way on property zoned CD-1 in the City of Bandon. Staff found that the proposal met the criteria listed in the Bandon Municipal Code (BMC), 17.20, CD-1 Zone and 17.78 Hazards Overlay.

Materials concerning this decision, including the Record of Decision dated November 17<sup>th</sup>, 2021, are available to review online through the Planning Department’s webpage at [www.cityofbandon.org](http://www.cityofbandon.org). Copies may be purchased from Bandon City Hall located at 555 Hwy 101, Bandon, Oregon.

This decision may be appealed to the Bandon Hearings Officer within 10 days from the date of this mailing. Appeals must be submitted in writing and all fees paid no later than **5 PM on Monday, November 29<sup>th</sup>, 2021**. The written notice of appeal shall include all matters specifically appealed, including a brief summary of the material submitted by the applicant upon which the decision, which is being appealed, was based. Further, specific statutory citations supporting the appeal shall also be included. Failure to raise an issue accompanied by statements or evidence sufficient to afford the Hearings Officer and relevant parties an opportunity to respond to the issues precludes appeal to the Land Use Board of Appeals (LUBA) based on that issue.

If you would like to appeal this decision, the following standards must be met and steps completed:

- 1) Who may appeal?** The following people have legal standing to appeal: the applicant; any person who was mailed written notice of the original decision; or any other person who participated in the proceeding by submitting written comments.
- 2) Notice of Appeal.** Any person with standing to appeal, as provided in Step 1, above, may appeal the decision by filing a Notice of Appeal according to the following requirements:

The Notice of Appeal shall contain:

- An identification of the decision sought to be reviewed, including the name, site, location information and the date of the decision;
- A statement of the interest of the person seeking the review and that the individual was a party to the initial proceedings;
- The specific grounds upon which the review and appeal are being based. The criteria against which the appeal and review are being requested were addressed during the original determination.
- Payment of \$250 deposit.

- 3) Time for filing.** A Notice of Appeal, in the form of a business letter and stating the reasoning for the appeal based on the applicable criteria, shall be filed with the City Recorder within 10 calendar days from the date of the Notice of Decision was mailed.

If you need additional information or have questions about the appeals process, please contact the Planning Department at (541) 347-7922 or via e-mail at [planning@cityofbandon.org](mailto:planning@cityofbandon.org).

**RECORD OF A TYPE II DECISION  
OF THE PLANNING DEPARTMENT  
FOR THE CITY OF BANDON, OREGON**



**FILE NUMBER:** 21-118

**LOCATION:** 2770 Whale Watch Way  
Map Number 28S-15W-36CB/TL 606

**APPLICANT:** Linda Cameron  
**PROPERTY OWNER:** Central Point Properties, LLC

**REQUEST:** Approval of a Plan Review (PR) to add a 158 square foot addition to enclose a sauna and a shower on property zoned Controlled Development 1 (CD-1) in the City of Bandon

**REVIEWING BODY:** Dana Nichols, Planning Manager

**NOTICE DATE:** October 27<sup>th</sup>, 2021

**RECORD CLOSED:** November 15<sup>th</sup>, 2021 at 5:00 PM

**APPLICABLE CRITERIA:** BMC (Bandon Municipal Code) Chapters:  
17.20, Controlled Development 1 (CD-1) Zone  
17.78 Hazards Overlay (HO) Zone

**FINAL ORDER:** **APPROVED WITH CONDITIONS**

**SIGNED:** This 17<sup>TH</sup> day of November 2021.

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Dana Nichols, Planning Manager

**EXPIRATION:**  
This Plan Review expires two (2) years from the date of signature.

**EFFECTIVE DATE OF DECISION:**  
An administrative decision becomes effective 12 days after the City mails Notice of Decision unless the decision is appealed.

**APPEAL:**  
*Appeal of this administrative decision by parties with standing, requires filing a letter of Intent to Appeal to the City Recorder and payment of the actual cost of the appeal, plus \$250 deposit within the 10-day*

*appeal period, beginning from the date of mailing of this action's Notice of Decision.*

The following findings and conclusions are based upon the application, plans and all written testimony for the above-referenced 2770 Whale Watch Way Plan Review submitted before the close of the record at 5:00 pm on October 15<sup>th</sup>, 2021.

The City provided timely Notice of the November 16<sup>th</sup>, 2021 Plan Review, which allowed for a 14-day comment period for submission of written testimony. As provided in the Notice, written testimony was accepted through 5:00 pm on November 15<sup>th</sup>, 2021. The City received no written testimony in response to the Notice.

The Plan Review Staff Report evaluates the Plan Review request against each of the applicable approval criteria in BMC Chapter 17.20 – Controlled Development 1 (CD-1) Zone and 17.78 – Hazards Overlay and recommends that the request be found to comply with all applicable criteria. The Planning Director's designee adopts and incorporates staff's analysis, and on that basis and concludes that the requested Plan Review complies with all applicable approval criteria.

Based on the analysis and findings in the staff report, the requested Plan Review is approved, including all conditions of approval listed in the staff report.