

Nancy Batchelder

From: dave@kohooregon.com
Sent: Tuesday, August 18, 2015 8:52 AM
To: Nancy Batchelder
Subject: [FWD: Bed & Breakfast]
Attachments: new B&B.JPG

Goodmorning All,

Can you please review this thread and forward to the Hearing Committee and/or provide me your opinions as to what seems correct here?

Apologies for the late note.

This property is asking for a Conditional Use Permit to run a commercially advertised Bed and Breakfast. This is in an R-1 Zone, not commercial. Unfortunately there is apparently not enough obvious criteria so it goes to a public hearing, meaning the neighbors have to create a fuss to bring attention to the issues. Sadly, I'm in no disposition to have the time to rant (yet, I'm writing this note) and wanted to avoid crossing my neighbor's new business plan.

The staff analysis never mentions or seems to review actual King Street access, just the site itself. Vehicle approaches to-and-from the property are the concern.

There are several items that add context and you may help with:

1. The property is on the dead-end portion of King Street, south of 7th, no physical improved cull-de-sec or hammer-head so trash, UPS and general residents are required to turn-around in the current private driveways. Is the City planning to build a turn-a-round?
2. In the past 2-years 4 new warning signs have been placed by Works and Streets to compliment the existing 2 signs. As a full-time resident I've never experienced the danger. Though apparently it is critical enough to yet *not apparent enough* to add a sign warning of: curves, speed, dead-end (twice), and narrow. If we needed to invest in calming these traffic problems, is it appropriate to introduce additional traffic?
3. The property owner has added a permanently installed 6x8 trash receptacle in the City's ROW and in the R-1 Zone set-back. See attached photo. (See also "excerpts" from a *year-old* thread below). Has this property already received an initial Variance or Conditional Use Permit?
4. Is the City at risk or vulnerable if a fire marshal determines we neglected to care for this structure and limited access during an emergency?
5. This street is on our long-term Storm Management Plan for some additional work for ditches and culverts. At this location, there is the local water main and the south-of-the-bridge mains running down Prospect ROW, the current 12' wide street section (having 1-to-1 slopes either side), does it seem like a problem or burden or limiting adequate Public Works access for maintenance to our storm or water systems?
6. Doesn't the proponent's garage parking plan (as described by Code Enforcement below) change requirements

for number of rooms rented?

Thanks

Dave

(and you thought Joel had retired.)

Begin forwarded message:

From: Donald Niskanen <dwn@peak.org>

Date: January 14, 2015 at 2:42:57 PM PST

To: <dave@kohooregon.com> <dave@kohooregon.com>

Subject: Re: Outbuilding - King Street

Hi Dave,

I checked the platt map today. King Street has a 50 foot Right of Way right at Prospect (what would have been Prospect) just to the east of your house.

I know of at least three other garbage containers that are on City Right of Way, two on Ocean View Drive and one on Reeves Circle, south. All three are vacation rentals.

I would like to wait until the Mayor returns (Sunday or Monday) and see how he wants to handle this. All of these properties have space to move the container and be on their property.

I think it is a bad precedent to allow City Right of Way to be used without permission, variance or easement.

See you tomorrow,

Don

On Jan 14, 2015, at 12:43 PM, <dave@kohooregon.com> <dave@kohooregon.com> wrote:

Thanks for getting back to me.

Just for context,

I don't *really*, really want to get sideways with my new neighbor and what they or any other non-compliant property has done.

Personally, it is sad there is no external "community" vision tied to in-home decisions, just what makes sense in the garage removal scheme and the rest is pushed for the neighborhood to absorb, (hence a reason for codes) but I'm a visual-leaning advocate.

In general, it seems there are several important factors below for maintaining a ROW or

building's Set-back from Roads:

For Context:

This is a Dead-end Street with single lane---12' wide, one-car width total,
This is a Dead-end with no improved or city maintained cul-de-sec or hammer-head, meaning current traffic all cars and trucks (including garbage and UPS) turn around using private driveways.

Importance:

1. car/ambulance-passing in the even of emergency or storm,
2. road and storm water (ditch/culvert) maintenance and,
3. fire hydrant access.

I don't want to open the worms for you-----this one just happens to be new-construction.

Actually, I just wanted some just clarification so I can advise my other new neighbor, now wanting to build a similar structure. He's gratefully ask about the guidelines, code and requirements *prior* to construction.

I'm advising/helping him to design a bin that can be placed slightly tucked into the hillside. I'm suggesting keeping the bin outside the storm/trench line, yet it will still be in the ROW. I'm asking him to submit a plan for you, Larry & Larry for approval.

Dave

----- Original Message -----

Subject: Outbuilding - King Street

From: Donald Niskanen <dwn@peak.org>

Date: Tue, January 13, 2015 7:40 pm

To: Rieseck Dave <dave@kohooregon.com>

Cc: Larry Blanchard <LarryB@ci.yachats.or.us>, Lewis Larry <larry@ci.yachats.or.us>, Brean Ron <rbrean@peak.org>, Svendsgaard Lauralee <lsven@peak.org>, Orchard Wally <worchard@peak.org>, "Joanne <jnkittel@peak.org> Kittel" <jnkittel@peak.org>

Hi Dave,

I watched this structure being built and we discussed it It was a big question mark for me. I had just inspected the residence for a new vacation rental permit. I specifically asked where the garbage containers were going to be housed. The two car garage was being turned into a "play room" and the new owners didn't want the garbage to be in the garage. The told me they would build a structure for it, but it wasn't clear, where it would be located.

I didn't expect it to be right on the edge of King Street and clearly visible for all residents. There are several violations here. The garbage decorative container is on City Right of Way. I'll check King Street Right of Way, but it is at least 40' or 50 '. It is a narrow

lane up there.

Parking up there is also compromised, since the garage is being used for something other than parking. They are arguing that two vehicles parked facing the residence and one vehicle, basically blocking those vehicles parallel to King Street allows them three parking spaces.

I have alerted the Mayor to this issue. It has come up before. If we go by the strict boundaries of the City Right of Ways and set-backs, almost none of our private residences or vacation rentals would qualify., at least in our flatlands and the smaller properties on the hillside.

That is a huge can of worms. I have been dealing with it, in that if the vehicles are not blocking traffic on City Streets and are mainly on private property, even if the actual City Right of Way is being abused, I just leave it alone. Calling a hard line on this is going to affect private residents and vacation rental homes.

The Garbage outbuilding can be moved back on to private property. Dahl's has a private service, where they will get out of their trucks and move the garbage containers. There are several other properties that have made such containers. If I have to move on the King Street property, It is only fair that I also give notice to these other properties. It is within our Ordinances and only a minimal expense to the property owners

Don

----- Original Message -----

Subject: Bed & Breakfast

From: <dave@kohooregon.com>

Date: Tue, August 18, 2015 8:40 am

To: "Keith Perkins" <khsp Perkins@casco.net>, "Walt"

<waltandmaryann@casco.net>, "Bob Bennett" <rmbenn@casco.net>, "Greg

Scott" <Greg@MailYachatsOregon.org>, "Ken Aebi" <kenaebi@earthlink.net> ,

"Tom Lauritzen" <thomas.lauritzen@yahoo.com>

Cc: "Niskanen Donald" <DWN@peak.org>, "Larry Lewis"

<Larry@ci.yachats.or.us>, "Nancy" <Nancy@ci.yachats.or.us>

Goodmorning All,

