



Land of Cheese, Trees and Ocean Breeze

**FLOODPLAIN DEVELOPMENT PERMIT - VARIANCE
#851-24-000551-PLNG: ROCHA/SHERER**

*NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER:
ORS 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE,
IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER*

May 9, 2025

Dear Property Owner:

This is to confirm that the Tillamook County Department of Community Development **APPROVED WITH CONDITIONS** the above-cited request on May 9, 2025. A copy of the application, along with a map of the request area and the applicable criteria for review are available for inspection on the Tillamook County Department of Community Development website:

<https://www.tillamookcounty.gov/commdev/landuseapps> and is also available for inspection at the Department of Community Development office located at 1510-B Third Street, Tillamook, Oregon 97141.

Appeal of this decision. This decision may be appealed to the Tillamook County Planning Commission, who will hold a public hearing. Forms and fees must be filed in the office of this Department before **4:00pm on May 21, 2025**. This decision will become final on May 21, 2025 after 4:00pm unless an appeal is filed in accordance with Tillamook County Land Use Ordinance Article X.

Request: A Floodplain Development Permit Variance request for the construction of an agricultural building for storage located in the Rural Residential 2-Acre (RR-2) zone.

Location: The subject property is located off Tomlinson Road, a County road, and is designated as Tax Lot 1600 in Section 26 of Township 1 South, Range 10 West, W.M., Tillamook County, Oregon.

Zone: Rural Residential 2-Acre (RR-2) Zone

Applicant: Grant Rocha, 505 Tomlinson Road, Tillamook, OR 97141

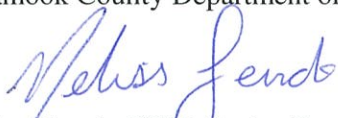
Property Owner: Brett & Kristi Sherer, 505 Tomlinson Road, Tillamook, OR 97141

CONDITIONS OF APPROVAL

1. The applicant/property owner shall obtain all Federal, State, and Local permits, as applicable.
2. The applicant/property owner shall comply with submitted plans and descriptions of the property.
3. In accepting this approval, the applicant/property owner hereby acknowledges that the structure will be permitted to be built with a lowest floor elevation below the elevation required by TCLUO Section 3.510(6) and will be permitted to be wet floodproofed rather than dry floodproofed as required by TCLUO Section 3.510(6) and further acknowledges that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation and flood mitigation measures implemented.
4. All development shall otherwise comply with the applicable standards and requirements of the Tillamook County Land Use Ordinance including the General Standards for development in Areas of Special Flood Hazard contained in TCLUO 3.510(5).
5. The structure shall comply with all of the Building Code requirements for Anchoring, Construction Materials and Methods, and Utilities for construction in the AE flood zone.
6. Applicant/property owner shall file a non-conversion agreement on the deed of the subject property and will provide our Department with a copy prior to Final Building Inspection for the Consolidated Zoning/Building Permit. The agreement will not allow the conversion or modification of the structure in any manner that is inconsistent with the permit to uses other than the agricultural building for a milking parlor as described in this approval. See 'Exhibit C'.
7. Applicant/property owner shall submit a Flood Post-Elevation Certificate completed by a registered surveyor and provided on the current FEMA form during the construction process, to confirm the height of the bottom/lowest floor of the structure, prior to Final Building Inspection.
8. This approval shall be void on May 9, 2027, unless all conditions are met and construction of approved plans has begun, or an extension is requested from, and approved by this Department.

Sincerely,

Tillamook County Department of Community Development



Melissa Jenck, CFM, Senior Planner
503-842-3408 x 3301 or melissa.jenck@tillamookcounty.gov

Sarah Absher, CFM, Director

Enc.: Vicinity, Assessor's and Zoning maps



Land of Cheese, Trees and Ocean Breeze

**FLOODPLAIN DEVELOPMENT PERMIT - VARIANCE
851-24-000551-PLNG: ROCHA/SHERER**

**ADMINISTRATIVE DECISION AND STAFF REPORT
DECISION: Approved with Conditions**

Decision Date: May 9, 2025

REPORT PREPARED BY: Melissa Jenck, CFM, Senior Planner

I. GENERAL INFORMATION:

Request: A Floodplain Development Permit Variance request for the construction of an agricultural building for storage located in the Rural Residential 2-Acre (RR-2) zone.

Location: The subject property is located off Tomlinson Road, a County road, and is designated as Tax Lot 1600 in Section 26 of Township 1 South, Range 10 West, W.M., Tillamook County, Oregon.

Zone: Rural Residential 2-Acre (RR-2) Zone

Applicant: Grant Rocha, 505 Tomlinson Road, Tillamook, OR 97141

Property Owner: Brett & Kristi Sherer, 505 Tomlinson Road, Tillamook, OR 97141

Description of Site and Vicinity: The subject property encompasses 5-acres and is developed with a single-family dwelling and agricultural buildings (Exhibit A). The subject property is zoned Rural Residential 2-Acre (RR-2) and maintains active agricultural uses established in 2007 according to Tillamook County Assessor's Records (Exhibit A and B). Applicant is proposing to build a new barn for the storage of agricultural equipment (Exhibit B).

The subject property maintains an area contained in 'Zone AE' as depicted on FEMA Flood Insurance Rate Map (FIRM) Panel #41057C0560F dated September 28, 2018 located on the flat, lower lying area of the property contained in the northwest corner (Exhibit A). The proposed location of the agricultural building is located in the 'AE' zone (Exhibit A & B).

The subject property maintains various steep terrain throughout the majority of the property, except for a level area located adjacent to the access/driveway into the property in the northeast portion of the parcel (Exhibit A & B). Upland level areas are already improved with a residence and an agricultural building (Exhibit A & B).

Applicant is requesting to allow an agricultural building for storage to be built with a lowest floor elevation below the elevation required by TCLUO Section 3.510(6) and to be wet floodproofed rather than dry floodproofed as required by TCLUO Section 3.510(6).

II. APPLICABLE ORDINANCE AND COMPREHENSIVE PLAN PROVISIONS:

The request is governed through the following Sections of the Tillamook County Land Use Ordinance (TCLUO). The suitability of the proposed use, in light of these criteria, is discussed in Section III of this report:

A. TCLUO Section 3.510, 'Flood Hazard Overlay Zone'

III. ANALYSIS:

(5) GENERAL STANDARDS: In all areas of special flood hazards the following standards are required:

...

ANCHORING

(a) All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.

...

CONSTRUCTION MATERIALS AND METHODS

(e) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

(f) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

(g) Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be elevated to prevent water from entering or accumulating within the components during conditions of flooding. In Flood Zones A, A1-A30, AE, V, V1- V30 or VE, such facilities shall be elevated three feet above base flood elevation. In Flood Zone AO, such facilities shall be elevated above the highest grade adjacent to the building, a minimum of one foot above the depth number specified on the FIRM (at least two feet above the highest adjacent grade if no depth number is specified).

UTILITIES

(h) Electrical, heating, ventilating, air-conditioning, plumbing, duct systems, and other equipment and service facilities shall be elevated at or above the base flood level or shall be designed and installed to prevent water from entering or accumulating within the components and to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during conditions of flooding. In addition, electrical, heating, ventilating, air-conditioning, plumbing, duct systems, and other equipment and service facilities shall:

(1) If replaced as part of a substantial improvement meet all the requirements of this section.

(2) Not be mounted on or penetrate through breakaway walls.

Findings: Applicant provides that plans addressing anchoring plans for the proposed agricultural building (Exhibit B). Plans provided for the building identify materials to be used for the construction of the building,

to include materials made of flood resistant materials including concrete and steel (Exhibit B). The proposed building does not maintain any utilities, such as electrical equipment (Exhibit B).

Staff find these standards are met as demonstrated by the Applicants submittal.

(6) SPECIFIC STANDARDS FOR A ZONES (A, AE or A1-A30): In all areas of special flood hazards where base flood data has been provided as set forth in Section 3.510(2) or other base flood data are utilized, the following provisions are required:

...

NON-RESIDENTIAL

(c) New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall have either the lowest floor including basement elevated to three feet above the level of the base flood elevation or higher; or, together with attendant utility and sanitary facilities, shall:

(1) Be floodproofed so that the portion of the structure that lies below the portion that is three feet or more above the base flood level is watertight with walls substantially impermeable to the passage of water.

(2) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

(3) Be certified by a registered professional engineer or architect that the design and methods of construction are in compliance with accepted standards of practice for meeting provisions of this Subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the Community Development Director.

(4) Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described for residential construction in Section 3.510(6)(a) and (b).

(5) Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g. a building constructed to the base flood level will be rated as one foot below that level).

Findings: The proposed area of development is located in an 'AE' Area of Special Flood Hazard as indicated on FEMA FIRM 41057C0560FA dated September 28, 2018 (Exhibit A). Applicants are proposing the placement of an agricultural building, which is a non-residential structure (Exhibit B).

Base Flood Elevation (BFE) for the subject property is 13.5 feet NAVD88 (Exhibit A & B). The top of the bottom floor of the proposed agricultural building is proposed at 14.2-feet NAVD88, which only elevates the building less than one (1) foot above BFE (Exhibit B). Staff find that the proposed development does not comply with the standards of TCLUO 3.510(6) and can only be approved through a Variance.

TCLUO Section (15)(c)(8) states that '*Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of floodproofing than watertight or dry-floodproofing, where it can be determined that such action will have low damage potential, complies with all other variance criteria except subsection (15)(c)(1), and otherwise complies with general standards in Section 3.510(5).*'

Findings: Applicant is proposing to develop a nonresidential building for agricultural purposes, with the lowest floor less than one (1) foot above Base Flood Elevation (Exhibit B). Staff find that the proposed wet floodproofing, rather than the dry floodproofing required by TCLUO 3.510(6), can be allowed subject to compliance with all other applicable standards contained in Ordinance and subject to satisfaction of the Variance criteria contained in TCLUO 3.510(15)(c)(1-9) which are addressed below.

(c) Variances to the standards contained in Section 3.510 shall be issued only in accordance with the following criteria:

(1) Generally, the only condition under which a variance from the elevation standard may be issued is for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the items in subsection (15)(c)(2) have been fully considered. As the lot size increases the technical justification required for issuing the variance increases.

(2) The following items shall be considered in review of variance applications:

- (i) The danger that materials may be swept onto other lands to the injury of others;*
- (ii) The danger to life and property due to flooding or erosion damage;*
- (iii) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;*

Findings: The subject property is approximately 5-acres in size, and is improved with a single-family dwelling and agricultural buildings (Exhibit A & B). The subject property maintains variable steep topography, with low-lying level areas maintained in the northeast portion of the property, and the remaining area with steep topography with a residence in the middle of the parcel on an existing leveled surface (Exhibit B). The purpose of the proposed construction is for the placement of an agricultural building for storage in the low-lying level area in the northeast of the parcel, for agricultural use which has been active since at least 2006 according to the Tillamook County Assessor's Records (Exhibit A & B).

Applicant details that the proposed facilities maintain an anchoring plan and engineered plans are generated to ensure the building is fastened to the proposed concrete pad foundation (Exhibit B). Plans indicate a low damage risk for the proposed agricultural building as there are no neighboring buildings within the floodplain, and the proposed use of the building will be for storage of agricultural equipment (Exhibit B). Staff finds that the applicant proposes to maintain anchoring and utilize materials and construction standards which will minimize or eliminate damage to the owner and neighboring properties.

- (iv) The importance of the services provided by the proposed facility to the community;*
- (v) The necessity to the facility of a waterfront location, where applicable;*
- (vi) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;*
- (vii) The compatibility of the proposed use with existing and anticipated development;*
- (viii) The relationship of the proposed use to the comprehensive plan and flood plain management program for that area;*

Findings: Applicant affirms that the building is needed for the continuation of agricultural uses upon the subject property (Exhibit B). Construction of the facility will allow for continuing operation of the business, which is not a waterfront operation (Exhibit B). Upland areas outside the Special Flood Hazard Area (SFHA) are present on the subject property, but are located on steep terrain, with existing level upland locations already improved with a residence and accessory building (Exhibit B). The applicant identifies that due to the terrain, the siting of the agricultural building in the uplands will not be feasible for the equipment to service the agricultural uses and is not accessible for such equipment (Exhibit B). The subject property is improved with existing agricultural uses and the proposed construction is consistent to the continuation of such agricultural uses (Exhibit A & B). Staff find that the property is zoned Rural Residential 2-acre (RR-2) and allows farm uses outright.

(ix) The safety of access to the property in times of flood for ordinary and emergency vehicles;

Findings: Applicant states that access to the property will not be affected by the proposed development and that the building and property is accessible given the existing improved driveway onto the property from Tomlinson Road (Exhibit B). Staff find that existing access will remain unobstructed post development.

(x) The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and,

Findings: Applicant states that the main floor elevation will be at 14.3-feet (Exhibit B). Staff find this is below the Base Flood Elevation of 13.5-feet. Applicants plan identifies openings in the building which will allow for the free entry and exit of floodwaters (Exhibit B). There is no expected wave action at the subject property (Exhibit B). Staff find that the wet floodproofing methods to allow for automatic entry and existing of waters will be maintained and compliance can be met through Conditions of Approval.

(xi) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

Findings: Applicant states the building will maintain no utilities to service it (Exhibit B). The building is proposed to be used for agricultural purposes for storage of equipment (Exhibit B). The subject property does not abut Tomlinson Road, a County road, and is not accessed via any bridge systems (Exhibit A & B). Applicant states no governmental services will be needed for the building (Exhibit B).

(3) Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the Statewide Inventory of Historic Properties, without regard to the procedures set forth in this section.

Findings: Staff find the subject property and structure are not on the Historic Register.

(4) Variances shall not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.

Findings: Staff finds the proposed development is not within a floodway, as detailed on the FEMA FIRM 41057C0560F dated September 28, 2018 (Exhibit A).

(5) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(6) Variances shall be issued only upon:

(i) A showing of good and sufficient cause;

(ii) A determination that failure to grant the variance would result in exceptional hardship to the applicant;

(iii) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in subsection (15)(c)(2), or conflict with existing local laws or ordinances.

(7) Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or

financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from the flood elevations should be quite rare.

(8) Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of floodproofing than watertight or dry-floodproofing, where it can be determined that such action will have low damage potential, complies with all other variance criteria except subsection (15)(c)(1), and otherwise complies with general standards in Section 3.510(5).

(9) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

Findings: Staff finds that the potential for flood-related danger, nuisances, costs and damage associated with the proposed development are reduced due to the proposed utilization of flood resistant materials, and the bottom floor being located above Base Flood Elevation at 13.5-feet, with the bottom floor located at 14.3-feet (Exhibit B). Staff finds that the natural topography across the subject property includes steep terrain and limited availability of low-lying level areas to coincide with the Special Flood Hazard Area (SFHA) limit buildable area for the proposed agricultural building (Exhibit A & B). The proposed agricultural building will be used for storage of agricultural equipment used by the farm uses on the subject property (Exhibit B). The applicant states that there is low damage potential to the building as it will be constructed with flood resistant materials, and the materials and equipment stored within the building will have low damage potential (Exhibit B).

Staff finds that undue hardship would be incurred to the Applicant should the property elevate the building to the appropriate 3-feet above Base Flood Elevation standard, as the building will be increasingly less accessible for agricultural equipment (Exhibit B). Additional fill would be required to allow for access into the building for storage of farm equipment to manage the property for uses allowed outright and established on the parcel (Exhibit A & B). Staff find the applicants proposal to wet floodproof the structure will meet standards for the Flood Hazard Overlay.

Staff will require, as a condition of approval, a non-conversion agreement be placed upon the structure, to ensure such wet-floodproofed building is not converted into a different use which would conflict with the allowance of this variance.

Staff find that the criteria of TCLUO Section 3.510(15)(C) are met.

IV. DECISION: APPROVED WITH CONDITIONS

Staff concludes, based on the findings of fact and other relevant information in the record, that the applicant has satisfied/or is able to satisfy the applicable ordinance requirements through the Conditions of Approval, and therefore, approves the request subject to the provisions in Section V below.

By accepting this approval the applicants/property owners agree to indemnify, defend, save and hold harmless Tillamook County, and its officers, agents, and employees from any claim, suit, action or activity undertaken under this approval, including construction under a Building Permit approved subject to this approval. The applicants/property owners shall obtain all of the necessary local, state, and federal permits and comply with all applicable regulations for the proposed building site.

This decision may be appealed to the Tillamook County Planning Commission, who will hold a public hearing. Forms and fees must be filed in the office of this Department before **4:00 PM on May 21, 2025**.

V. CONDITIONS OF APPROVAL:

Section 8.060: COMPLIANCE WITH CONDITIONS, and 8.070: TIME LIMIT requires compliance with approved plans and Conditions of this decision, and all other ordinance provisions, and allows 24 months for compliance with Conditions and start of construction. Failure to comply with the Conditions of Approval and ordinance provisions could result in nullification of this approval.

1. The applicant/property owner shall obtain all Federal, State, and Local permits, as applicable.
2. The applicant/property owner shall comply with submitted plans and descriptions of the property.
3. In accepting this approval, the applicant/property owner hereby acknowledges that the structure will be permitted to be built with a lowest floor elevation below the elevation required by TCLUO Section 3.510(6) and will be permitted to be wet floodproofed rather than dry floodproofed as required by TCLUO Section 3.510(6) and further acknowledges that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation and flood mitigation measures implemented.
4. All development shall otherwise comply with the applicable standards and requirements of the Tillamook County Land Use Ordinance including the General Standards for development in Areas of Special Flood Hazard contained in TCLUO 3.510(5).
5. The structure shall comply with all of the Building Code requirements for Anchoring, Construction Materials and Methods, and Utilities for construction in the AE flood zone.
6. Applicant/property owner shall file a non-conversion agreement on the deed of the subject property and will provide our Department with a copy prior to Final Building Inspection for the Consolidated Zoning/Building Permit. The agreement will not allow the conversion or modification of the structure in any manner that is inconsistent with the permit to uses other than the agricultural building for a milking parlor as described in this approval. See 'Exhibit C'.
7. Applicant/property owner shall submit a Flood Post-Elevation Certificate completed by a registered surveyor and provided on the current FEMA form during the construction process, to confirm the height of the bottom/lowest floor of the structure, prior to Final Building Inspection.
8. This approval shall be void on May 9, 2027, unless all conditions are met and construction of approved plans has begun, or an extension is requested from, and approved by this Department.

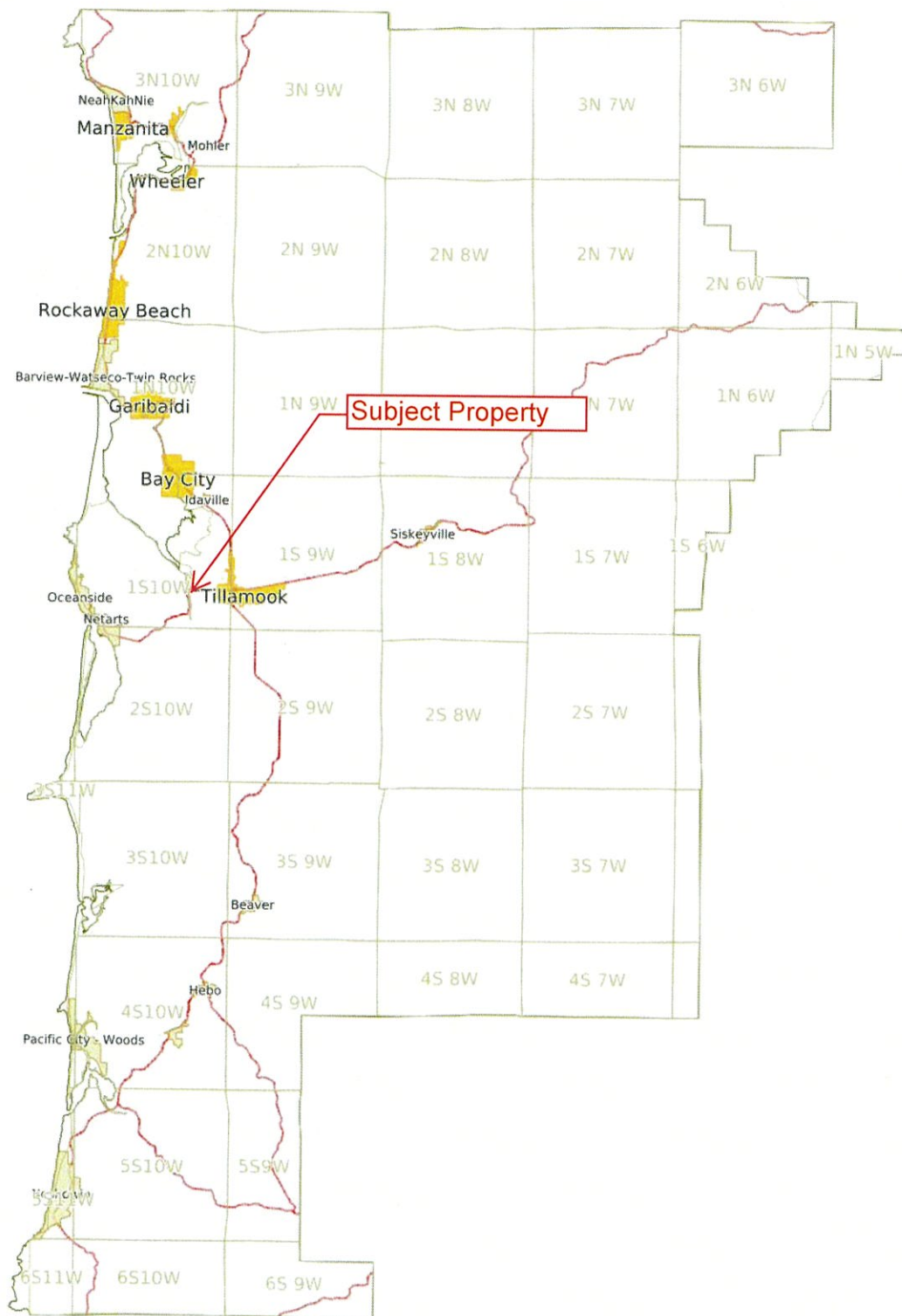
VI. EXHIBITS:

All Exhibits referenced herein are, by this reference, made a part hereof:

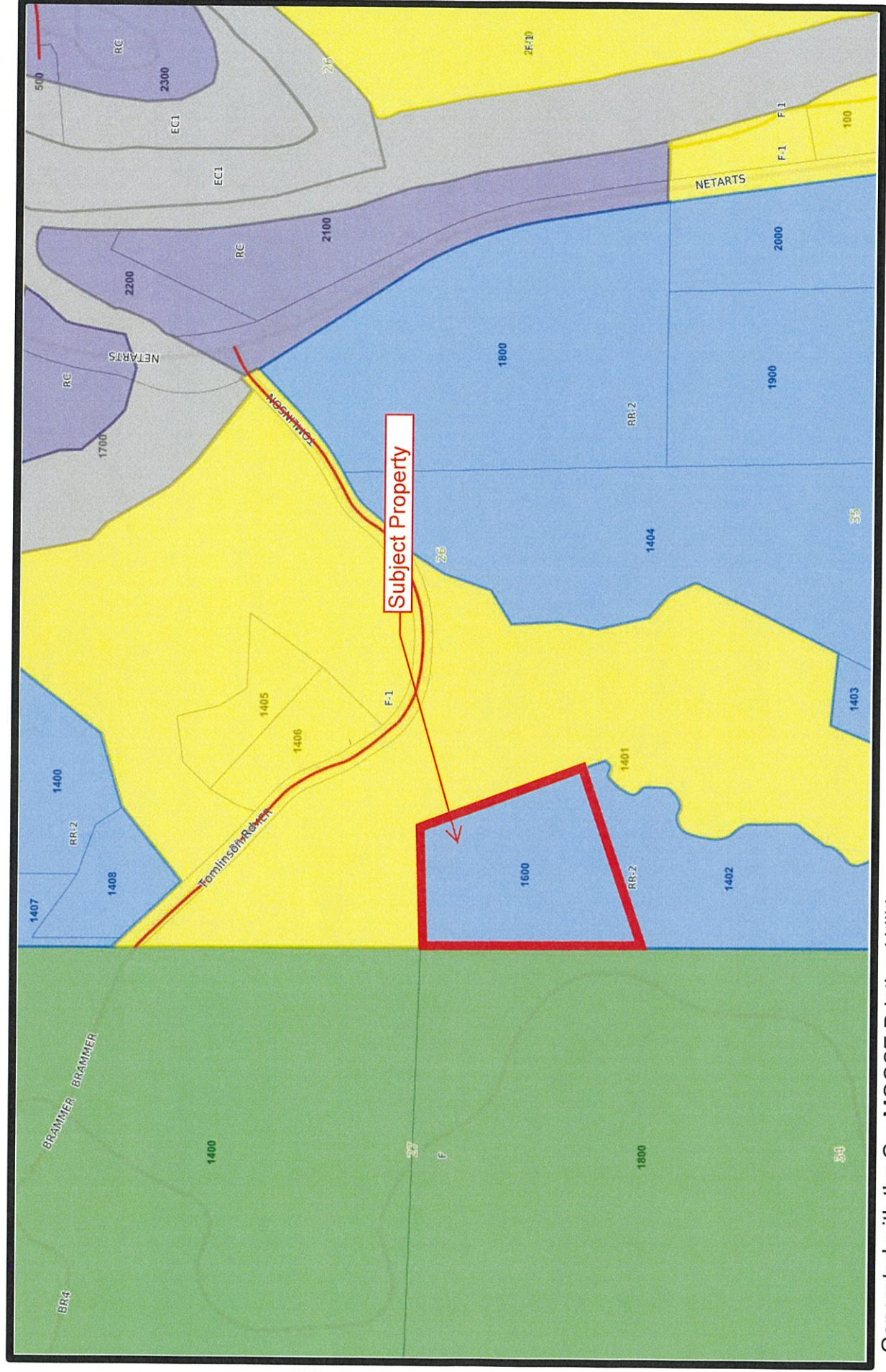
- A. Vicinity map, Assessor's map, Zoning map, Assessor's Summary Report
- B. Applicant/Property Owner's Submittal
- C. Non-conversion Agreement

EXHIBIT A

Vicinity Map

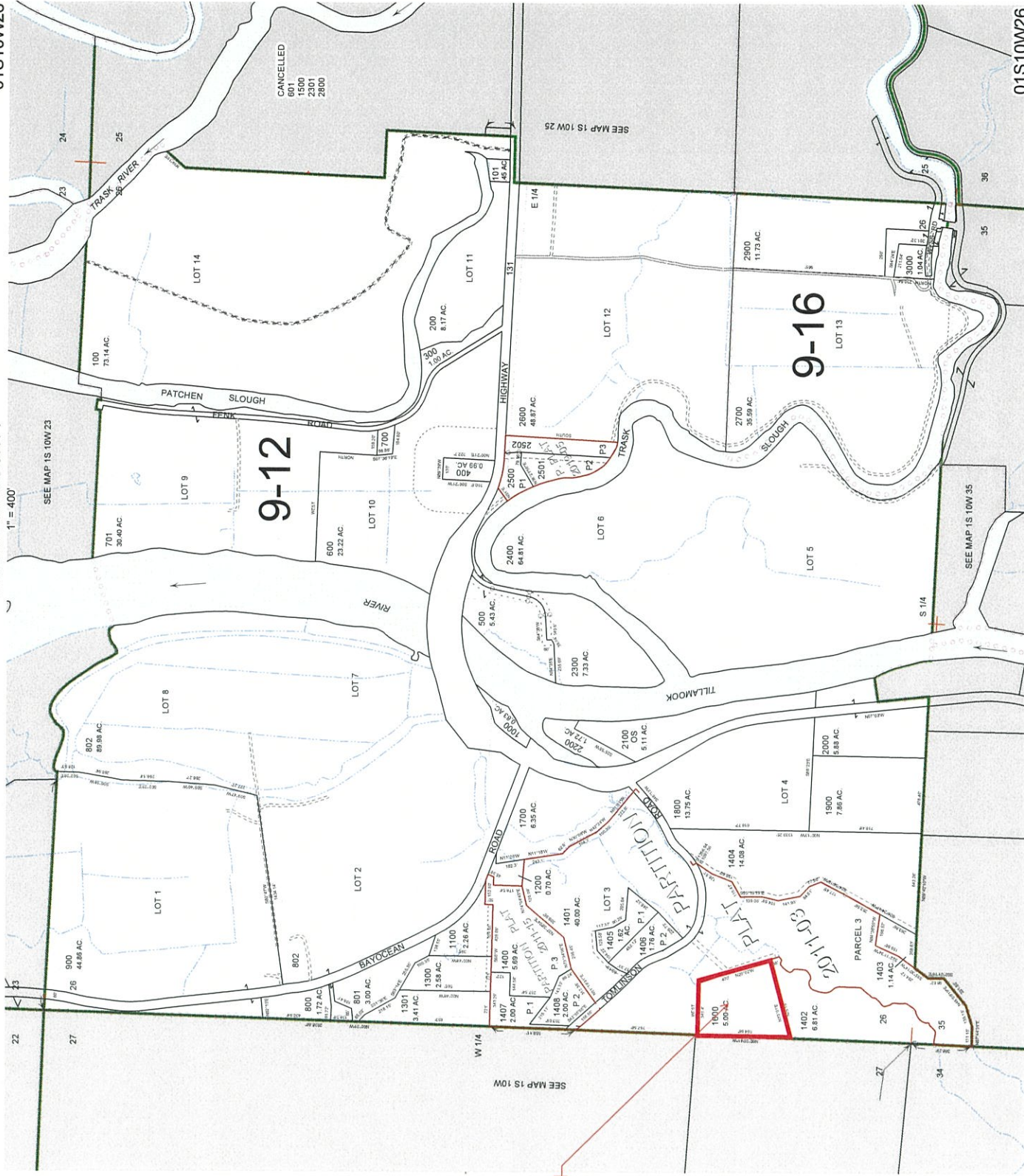


Zoning Map



SECTION 26 T.1S. R.10W. W.M.
TILLAMOOK COUNTY

1" = 400'



01S,10W26
Revised 4/01/24, WS

National Flood Hazard Layer FIRMette

123°53'25"W 45°27'18"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE)
Zone A, V, A99
- With BFE or Depth
Zone AE, AO, AH, VE, AR
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard. Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*
- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*
- Area with Flood Risk due to Levee *Zone D*

OTHER AREAS

- NO SCREEN
- Area of Minimal Flood Hazard *Zone X*
- Effective LOMFRs
- Area of Undetermined Flood Hazard *Zone*

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES

- Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS

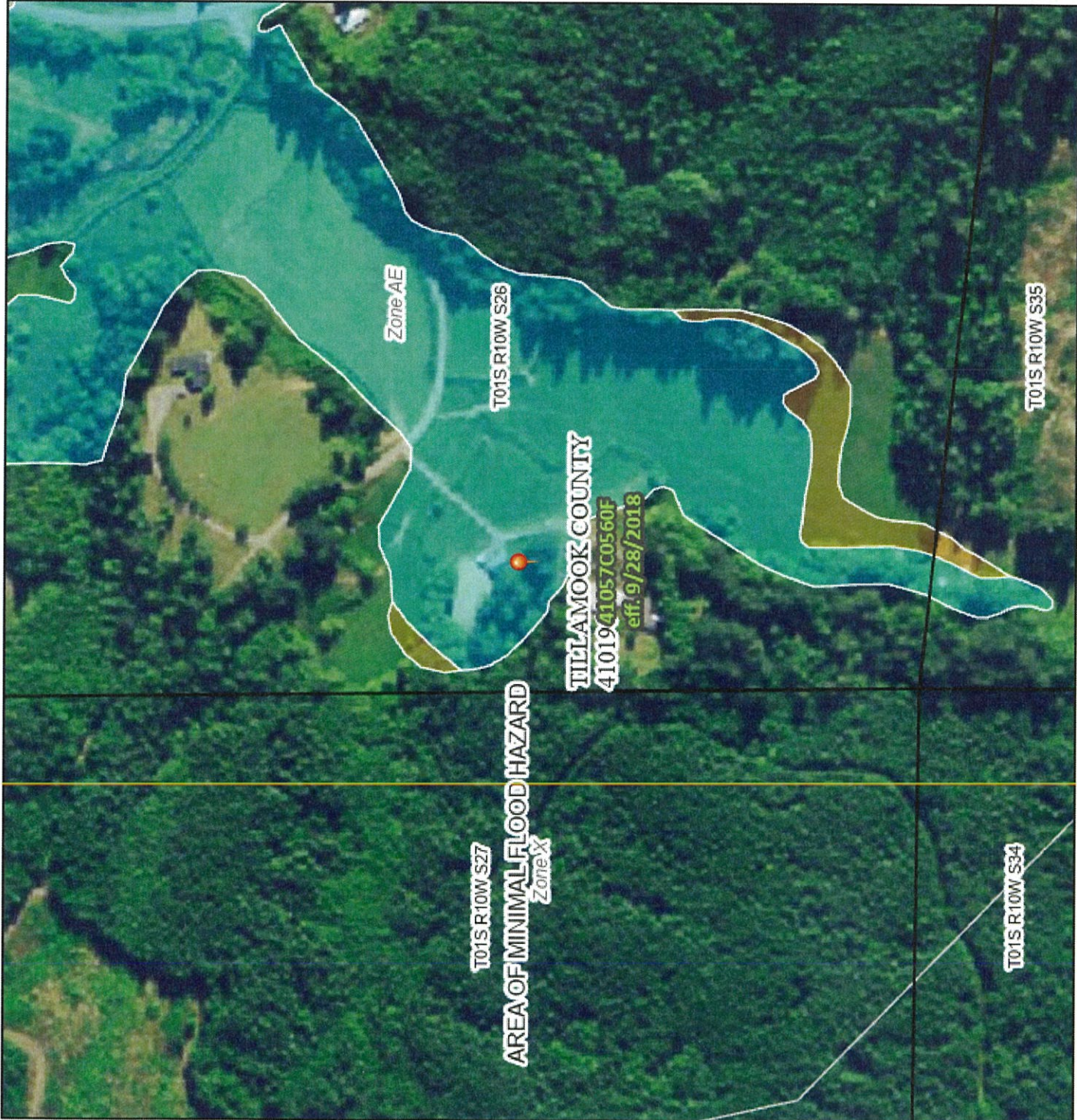
- Digital Data Available
- No Digital Data Available
- Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **3/14/2025 at 8:40 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



123°52'47"W 45°26'53"N

1:6,000

Feet

0

250

500

1,000

1,500

2,000

Statewide Wetlands Inventory



R. Souther, Mavari, Mironoff, State of Oregon, State of Oregon GEO, Esri, HERE, Garmin, IPC, Department of State Lands, R. Souther 2018

- Oregon Scenic Waterway - Water Courses
- Townships
- LWI Study Area
- BASEDAT.DBO.NHDWaterbody
- BASEDAT.DBO.NHDArea
- BASEDAT.DBO.NHDFlowline
- Perennial
- Intermittent
- Ephemeral
- Unknown
- Canal/Ditch
- Canal/Ditch
- Canal/Ditch
- BASEDAT.DBO.NHDPont
- Wetlands
- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Riverine
- SWI Agate-Wino Soils
- SWI Predominantly Hydric Soil Map Units



The Statewide Wetlands Inventory (SWI) represents the best data available at the time this map was published and is updated as new data becomes available. In all cases, actual field conditions determine the presence, absence and boundaries of wetlands and waters (such as creeks and ponds). An onsite investigation by a wetland professional can verify actual field conditions.

Date: 3/14/2025



State of Oregon
Department of State Lands
775 Summer Street, NE, Ste 100
Salem, OR 97301-1279



Hazard Map

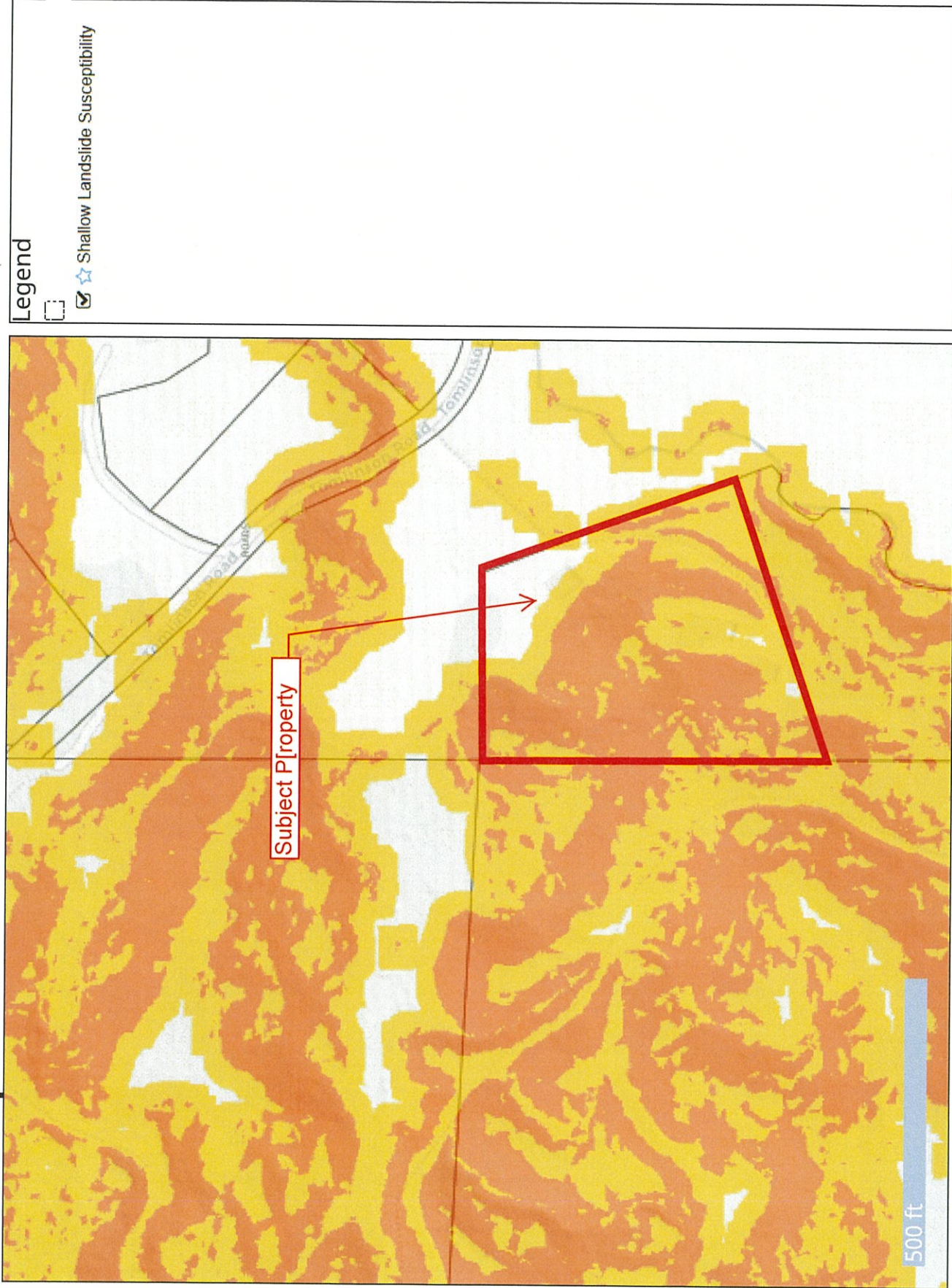


EXHIBIT B



Tillamook County Department of Community Development
1510-B Third Street. Tillamook, OR 97141 | Tel: 503-842-3408 Fax: 503-842-1819
www.co.tillamook.or.us

PLANNING APPLICATION

★ **Applicant** ☐ (Check Box if Same as Property Owner)

Name: Grant Rocha Phone: _____
Address: 505 Tomlinson Rd
City: Tillamook State: OR Zip: 97141
Email: _____

★ **Property Owner**

Name: Brett Shaver Phone: 503 812 0714
Address: 505 Tomlinson Rd
City: Tillamook State: OR Zip: 97141
Email: shaver505@gmail.com

★ **Request:** Barn

OFFICE USE ONLY	
Date Stamp	RECEIVED
	OCT 31 2011
	BY: <u>Counte</u>
<input type="checkbox"/> Approved <input type="checkbox"/> Denied	
Received by: <u>MT</u>	
Receipt #: <u>79902</u>	
Fees: <u>1300 + 51.</u>	
Permit No: <u>851-24-00551</u> -PLNG	

Type II

- ☐ Farm/Forest Review
- ☐ Conditional Use Review
- ☒ Variance
- ☐ Exception to Resource or Riparian Setback
- ☐ Nonconforming Review (Major or Minor)
- ☐ Development Permit Review for Estuary Development
- ☐ Non-farm dwelling in Farm Zone
- ☐ Fore-dune Grading Permit Review
- ☐ Neskowin Coastal Hazards Area

Type III

- ☐ Detailed Hazard Report
- ☐ Conditional Use (As deemed by Director)
- ☐ Ordinance Amendment
- ☐ Map Amendment
- ☐ Goal Exception
- ☐ Nonconforming Review (As deemed by Director)
- ☐ Variance (As deemed by Director)

Type IV

- ☐ Ordinance Amendment
- ☐ Large-Scale Zoning Map Amendment
- ☐ Plan and/or Code Text Amendment

Location:

Site Address: 505 Tomlinson Road Tillamook, OR 97141

Map Number: _____

Township

Range

Section

Tax Lot(s)

Clerk's Instrument #: _____

Authorization

This permit application does not assure permit approval. The applicant and/or property owner shall be responsible for obtaining any other necessary federal, state, and local permits. The applicant verifies that the information submitted is complete, accurate, and consistent with other information submitted with this application.

Property Owner Signature (Required)

Applicant Signature

8/11/24

Date

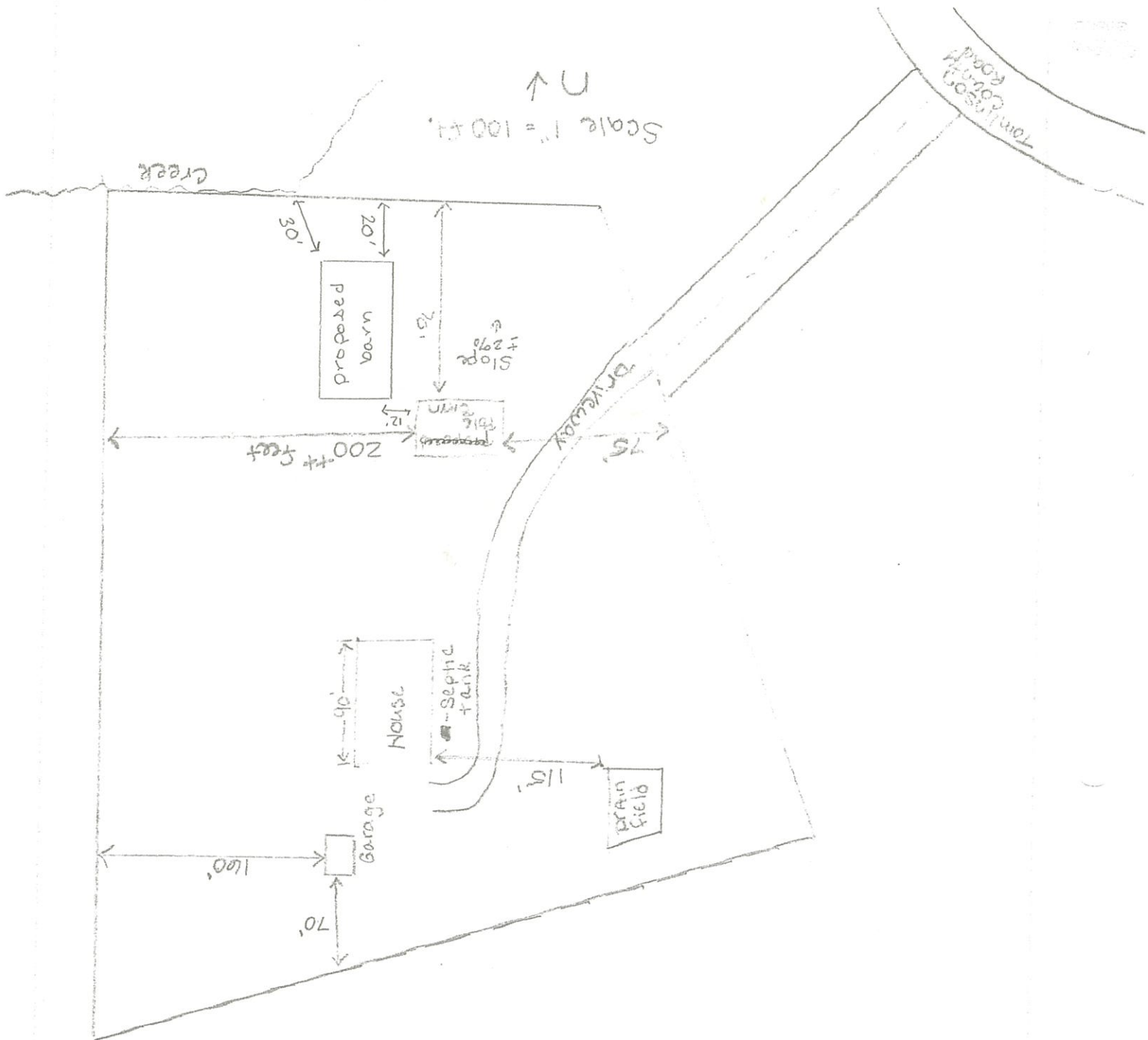
8/11/24

Date

Great + artist! Share

Section 26 Range 10 West Township 1 South

1 S10 26 01600



3.510(15)(c): Variances to the standards contained in Section 3.510 shall be issued only in accordance with the following criteria:

(1) Generally, the only condition under which a variance from the elevation standard may be issued is for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the items in subsection (15)(c)(2) have been fully considered. As the lot size increases the technical justification required for issuing the variance increases.

(2) The following items shall be considered in review of variance applications:

(i) The danger that materials may be swept onto other lands to the injury of others;

Finding: Engineered plans to fasten building to foundation.

(ii) The danger to life and property due to flooding or erosion damage;

Finding: Low damage risk as to being used as an ag-use building only, no other neighboring buildings in flood zone

(iii) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

Finding: Any items to be stored with value, will be easily able to be moved as needed.

(iv) The importance of the services provided by the proposed facility to the community;

Finding: Facility is needed for continued use of ag operations

(v) The necessity to the facility of a waterfront location, where applicable;

Finding: Not a water front facility

(vi) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;

Finding: While there is an upland location, the locations are not accessible due to terrain for what will be stored in the buildings

(vii) The compatibility of the proposed use with existing and anticipated development; Land is currently used for ag use and the building will also be used for ag.

Finding:

(viii) The relationship of the proposed use to the comprehensive plan and flood plain management program for that area;

Finding: The property is zoned for ag and this building will help to ~~continued~~ ~~the~~ use of ag

(ix) The safety of access to the property in times of flood for ordinary and emergency vehicles;

Finding: Building will be easily accessible from the existing improved driveway

(x) The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and,

Finding: No wave action

(xi) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

Finding: Building will not need governmental services as there will not be utilities. USED for storage primarily

(3) Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the Statewide Inventory of Historic Properties, without regard to the procedures set forth in this section.

(4) Variances shall not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.

(5) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

Finding:

(6) Variances shall be issued only upon:

(i) A showing of good and sufficient cause;

Finding: Buildings will be used to support ~~ag~~ agricultural uses on the property. It is the best location for building as the upland location is not accessible for the items being stored.

(ii) A determination that failure to grant the variance would result in exceptional hardship to the applicant;

Finding: In order to continue ^{As} operations, we have to be able to have a dry, secure building to protect all of the things we need for everyday use as an ag operation.

(iii) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in subsection (15)(c)(2), or conflict with existing local laws or ordinances.

Finding: See prior responses to (15)(c)(2)

(7) Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from the flood elevations should be quite rare.

(8) Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of floodproofing than watertight or dry-floodproofing, where it can be determined that such action will have low damage potential, complies with all other variance criteria except subsection (15)(c)(1), and otherwise complies with general standards in Section 3.510(5).

Finding: As buildings and its contents will have a low damage potential.

(9) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

BUILDING SPECIFICATIONS

The manufacturer is not responsible for the concrete foundation design. The structure under this contract has been designed and detailed for the loads and conditions stipulated in the contract and shown on these drawings. Any alterations to the structural system or removal of any component parts, or the addition of other construction materials or loads must be done under the advice and direction of a registered architect, civil or structural engineer. The manufacturer will assume no responsibility for any loads not indicated.

This manufactured building is designed with the manufacturer's standard design practices which are based on pertinent procedures and recommendations of the following organizations and codes:

- American Institute of Steel Construction "Specification for the design fabrication and erection of structural steel for buildings."
- American Iron and Steel Institute "Specification for the design of cold formed steel structural members".

-Metal Building Manufacturers Association "Specification for the design fabrication and erection of the structural system" most current edition. Material properties of steel plate and sheet used in fabrication of primary rigid frames and all primary structural framing members (other than cold-formed sections) conform to ASTM A-529 or A-572 all with a minimum yield point of 55 KSI.

Material properties of cold formed light gage steel members conform to the requirements of ASTM A-653, with a minimum yield point of 55 KSI. High strength bolts and their installation shall conform to ASTM specification A-325 and are designed as bearing type connections with threads included in the shear plane. All high strength bolts are to be installed to the "Snug-Tight" condition as defined by the RCSC Specification for Structural Joints Using A325 or A490 Bolts, Latest Edition, section 8.1, unless noted otherwise. Bolts in standard holes do not require washers per section 6.

Shop and field inspections and associated fees are the responsibility of the contractor, unless stipulated otherwise.

CONTRACTOR RESPONSIBILITIES

The contractor must secure all required approvals and permits from the appropriate agency as required.

Approval of the manufacturer's drawings and calculations indicate that the manufacturer has correctly interpreted and applied the requirements of the contract drawings and specifications. (AISC 303-05 Code of Standard Practice)

Where discrepancies exist between the manufacturer's structural steel plans and the plans for other trades, the structural steel plans shall govern. (Section 3.3 AISC 303-05 Code of Standard Practice)

Design considerations of any materials in the structure which are not furnished by the manufacturer, are the responsibility of the contractor and engineers other than the manufacturer's engineering, unless specifically indicated. The contractor is responsible for all erection of steel and associated work in compliance with the manufacturer's "For Construction" drawings.

Temporary supports, such as guys, braces, flashwork or other elements required for the erection will be determined and furnished and installed by the erector. (Section 7 AISC 303-05 Code of Standard Practice)

It is the contractors responsibility to apply or observe all pertinent safety rules and regulations, as per OSHA standards as applicable. The Contractor is responsible for the verification of all shipments received. Any "external" damage or shortages must be noted on all copies of the bill of lading and one copy is to be retained for your records. Failure to do so will make it impossible for the factory to honor any claim. NO EXCEPTIONS!!!

OLYMPIA STEEL BUILDINGS

DESIGN LOADING

This structure is designed utilizing the loads indicated and applied by the: DSSC 2022 (IBC 21)

It is the contractor's responsibility to confirm that these loads comply with the requirements of the local building department.

Specific loads: (See structural calculations and foundation reactions.)

20.00 PSF Live Load

No LL Reduction Allowed

25 PSF Ground Snow Load

1.00 Thermal Factor (Ct)

1 Snow Exposure Factor (Ce)

120 MPH Wind Load Exposure C

2.00 PSF Dead Load (Metal Bldg. Weight - Purlins, Panels, Etc.)

1.00 PSF Collateral Load (Ceilings, Sprinklers, Etc.)

II - Normal Occupancy Category (Iv= 1.00 I_s= 1.0000 I_e= 1.00)

SEISMIC DATA:

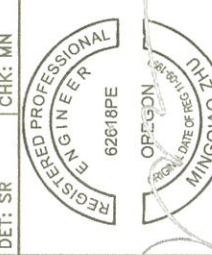
- 1) Mapped Spectral Acceleration for Short Period, Ss 1.18
- 2) Site Coefficient, Fa 1.2000
- 3) Seismic Design Category = D
- 4) Seismic Coefficient = 0.95
- 5) Site Class = D
- 6) Basic Structural System and Seismic Resisting System
Ordinary Moment Frame of Steel
- 7) Frames: R = 2.5000
- 8) Analysis Procedure = Equivalent Lateral Force

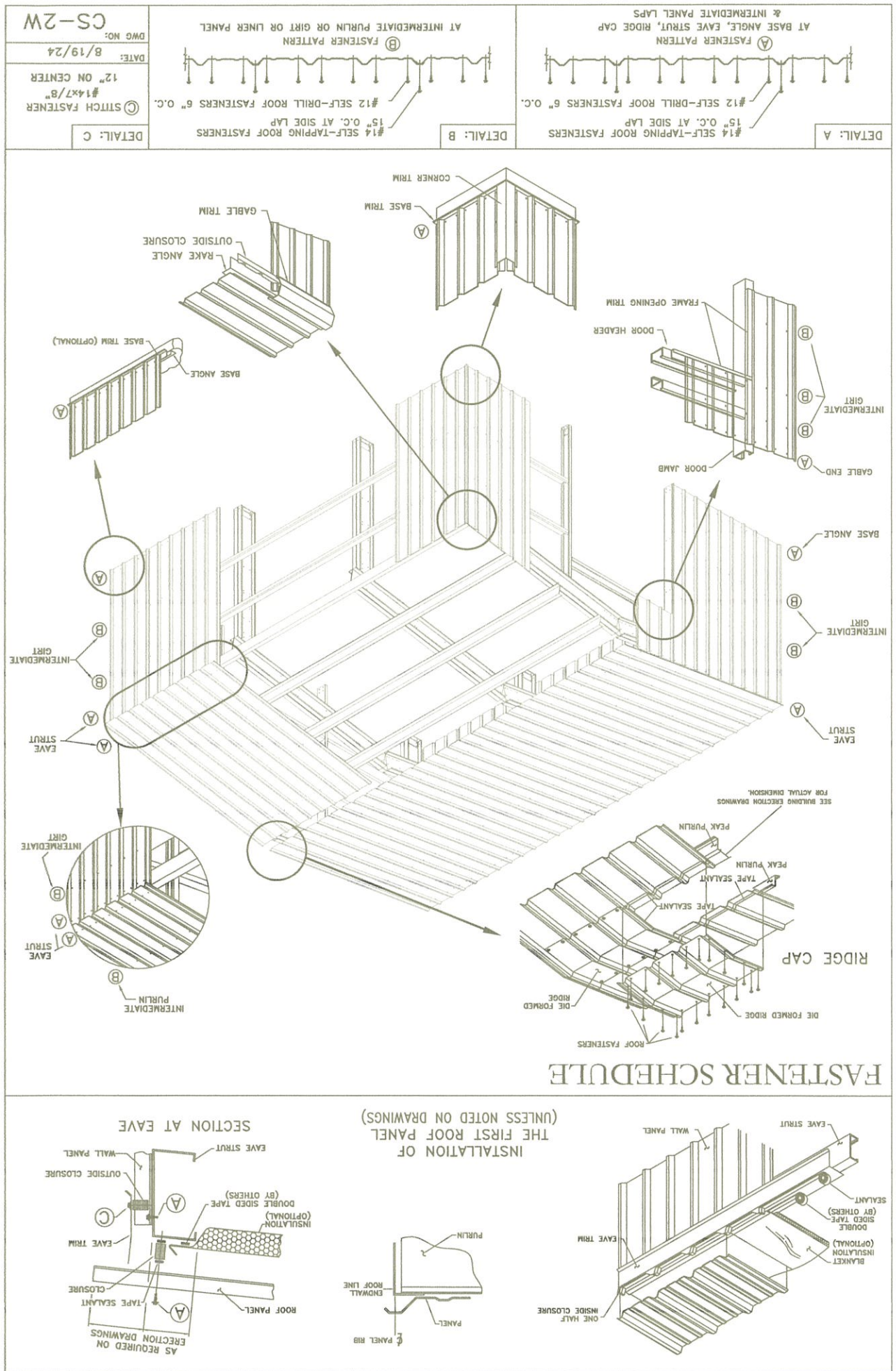
These Drawings are for:

- ☒ Construction ☐ Approval *
- ☐ Permit ☐ Anchor Bolts & Reactions

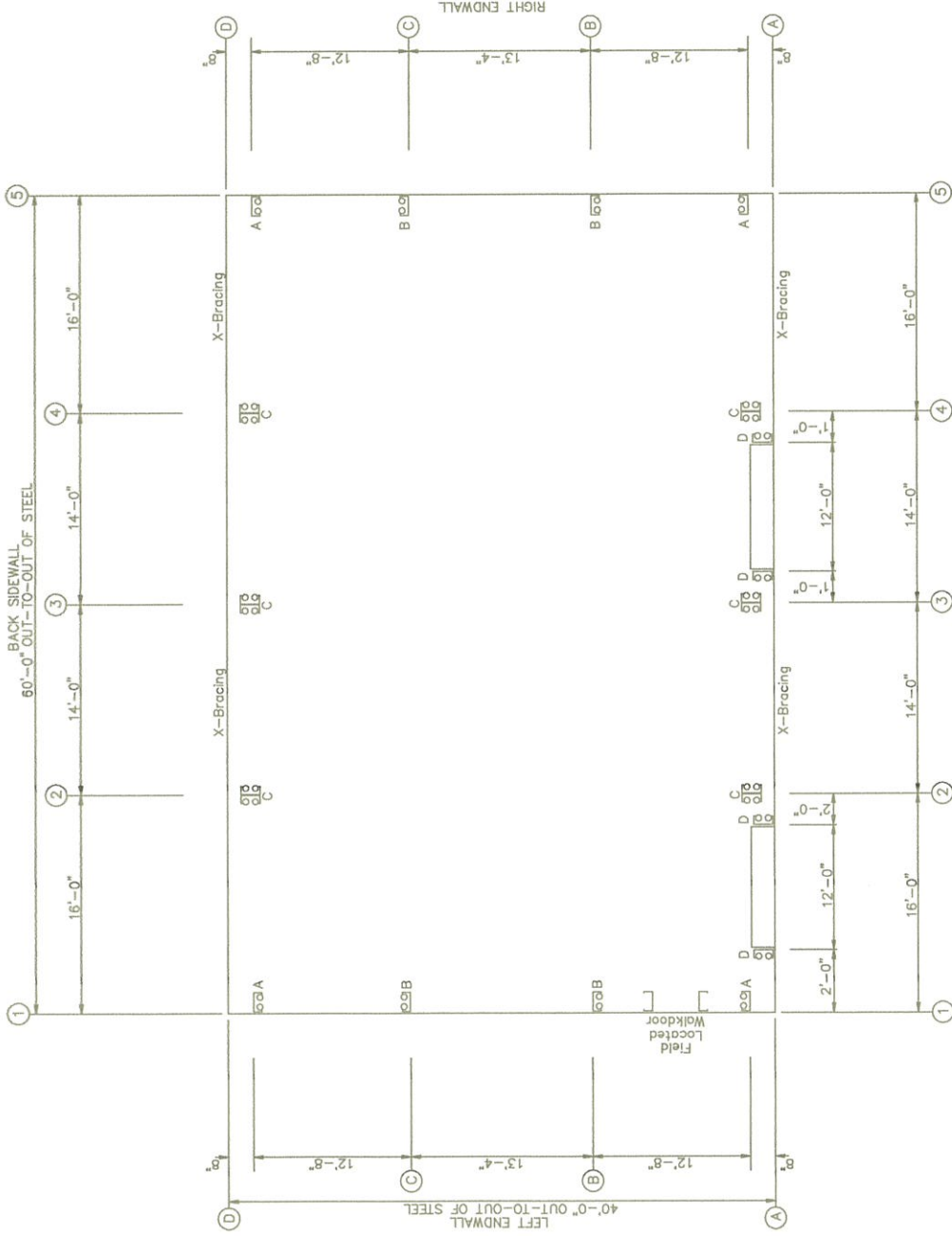
* Approval orders must be released for fabrication within thirty (30) calendar days after the submittal drawings are issued or they will be subject to any current price increases. Special attention should be given in approving dimensions and/or details. Please verify requested dimensions by indicating "OK".

FBC product approval numbers: FL19604 & FL19606

DSN: MOZ	DWN: MO	REV:	DRAWINGS COVER SHEET
DET: SR	CHK: MN	NO. DATE	CUSTOMER: GRANT ROCHA
			505 TOMLINSON RD, TILLAMOOK/OR/97141
			COUNTY: TILLAMOOK COUNTY
			OLYMPIA STEEL BUILDINGS
			400 ISLAND AVE
EXP: 06/30/2026			MCKEES ROCKS PA 15136
Mingqiao Zhu, PE / P.Eng			
1428 N Shewin Court			
Sewickley, PA 15143			
SCALE: NOT TO SCALE			DATE: 8/19/24
			JOB NO: 012068
			SHT. NO: CS-1



o Dia= 1/2"



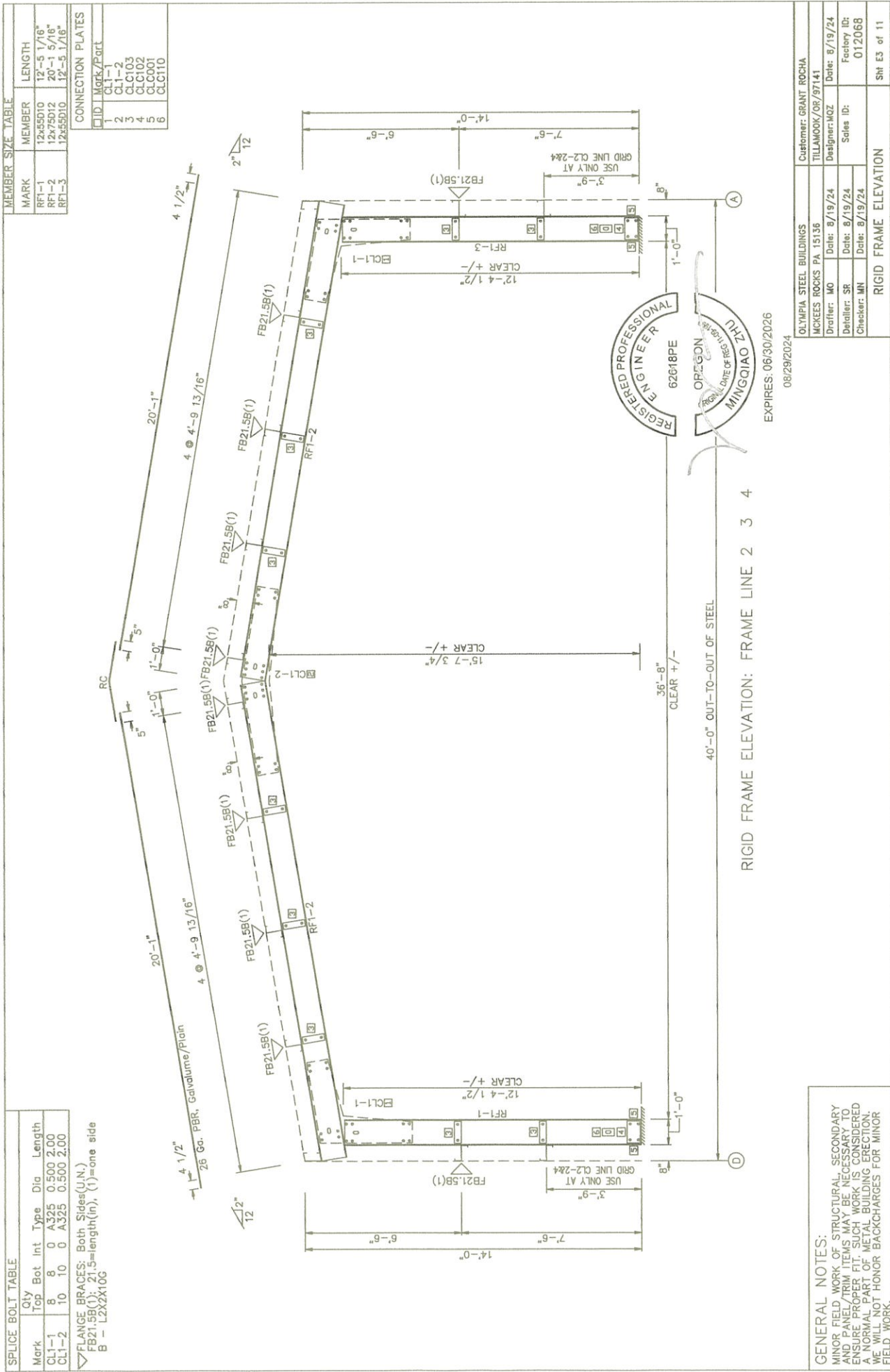
ANCHOR BOLT PLAN
NOTE: All Base Plates 100'-0" (U.N.)



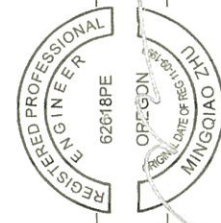
EXPIRES: 06/30/2026

08/29/2024

OLYMPIA STEEL BUILDINGS	Customer: GRANT ROCHA
MCKEES ROCKS PA 15136	TILLAMOOK/OR/97141
Drafter: MO	Date: 8/19/24
Designer: MOZ	Date: 8/19/24
Detailer: SR	Date: 8/19/24
Checker: MN	Date: 8/19/24
Sales ID: 012068	Factory ID:
ANCHOR BOLT PLAN	
Sht E1 of 11	



GENERAL NOTES:
 MINOR FIELD WORK OF STRUCTURAL, SECONDARY AND PANEL/TRIM ITEMS MAY BE NECESSARY TO ENSURE PROPER FIT. SUCH WORK IS CONSIDERED A NORMAL PART OF METAL BUILDING ERECTION. WE WILL NOT HONOR BACKCHARGES FOR MINOR FIELD WORK.



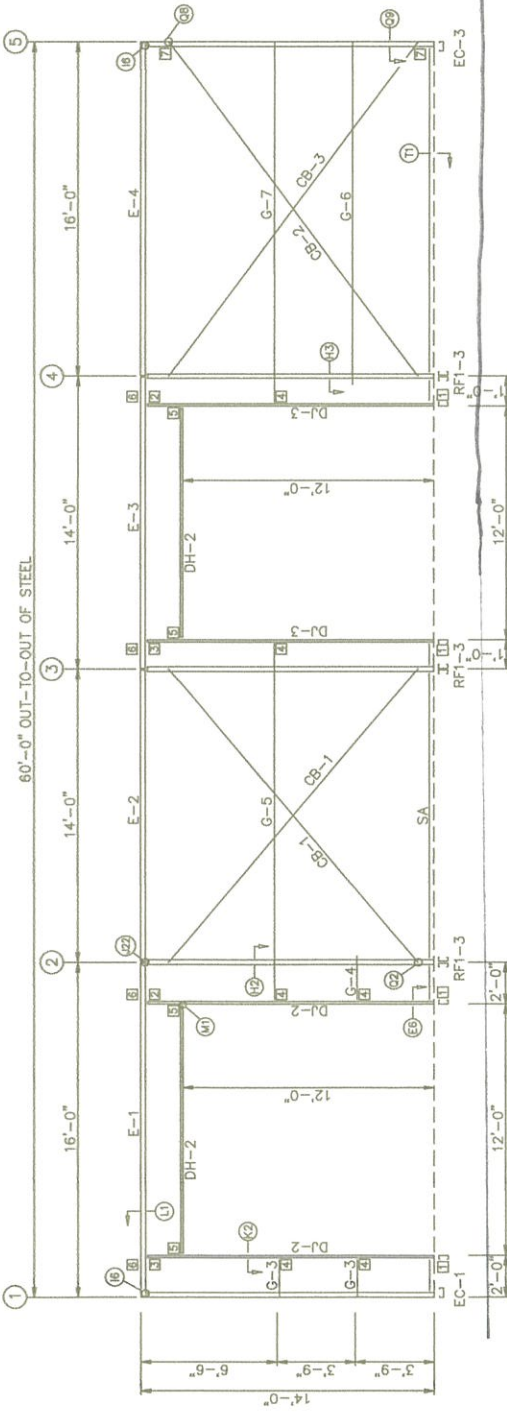
EXPIRES: 06/30/2026
 08/29/2024

OLYMPIA STEEL BUILDINGS		Customer: GRANT ROCHA	
MCKEES ROCKS PA 15136		TILLAMOOK/OR 97141	
Drafter: MO	Date: 8/19/24	Designer: HQZ	Date: 8/19/24
Detailer: SR	Date: 8/19/24	Sales ID:	Factory ID: 012068
Checker: MN	Date: 8/19/24		

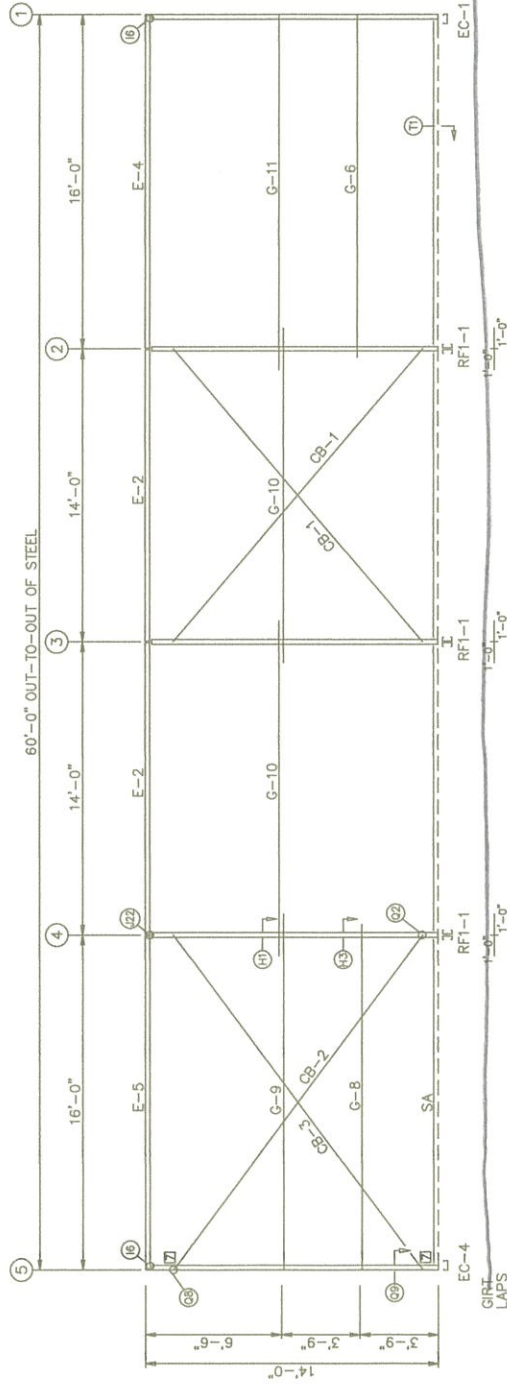
RIGID FRAME ELEVATION

MEMBER TABLE			FRAME LINE A & D	
MARK	PART	LENGTH	MARK	PART
DJ-2	8x275C16	3'-3 3/8"		
DJ-3	8x275C16	13'-3 3/8"		
DH-2	8x275E16	11'-11 1/2"		
E-1	8x275E16	15'-11 1/2"		
E-2	8x275E16	13'-11 1/2"		
E-3	8x275E16	13'-11 1/2"		
E-4	8x275E16	15'-11 1/2"		
E-5	8x275E16	15'-11 1/2"		
G-3	8x25Z16	1'-7"		
G-4	8x25Z16	1'-11"		
G-5	8x25Z16	16'-3"		
G-6	8x25Z16	16'-3"		
G-7	8x25Z16	16'-3"		
G-8	8x25Z16	16'-3"		
G-9	8x25Z16	16'-3"		
G-10	8x25Z16	16'-0"		
G-11	8x25Z16	16'-0"		
CB-1	0.25 CBL	16'-0"		
CB-2	0.25 CBL	17'-0"		
CB-3	0.25 CBL	17'-1"		

CONNECTION PLATES	
FRAME LINE A	FRAME LINE D
1 CLC008	1 CLC008
2 CLC212	2 CLC212
3 CLC062	3 CLC062
4 CLC025	4 CLC025
5 SA	5 SA
6 CLC253	6 CLC253
7 CLC253	7 CLC253



SIDEWALL FRAMING: FRAME LINE A



SIDEWALL FRAMING: FRAME LINE D

GENERAL NOTES:
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EXP. 06/30/2026

08/29/2024

OLYMPIA STEEL BUILDINGS		Customer: GRANT ROCHA	
MCKEES ROCKS PA 15136		TILLAMOOK/OR/97141	
Drafter: MO	Date: 8/19/24	Designer: MGZ	Date: 8/19/24
Detailer: SR	Date: 8/19/24	Checker: MN	Date: 8/19/24
Factory ID: 012068		Sht E4 of 11	

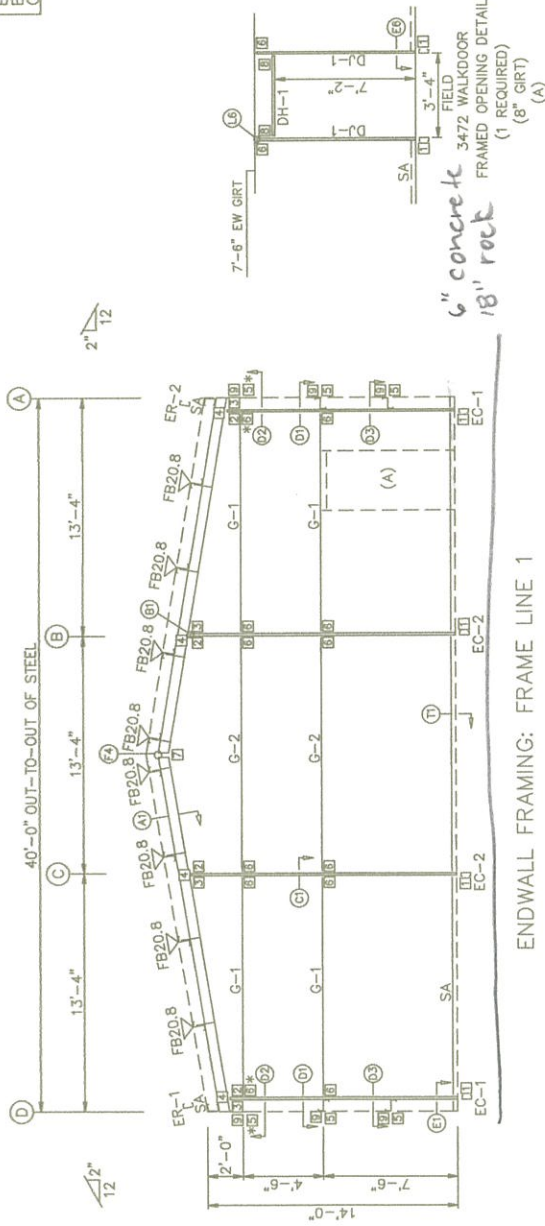
BOLT TABLE			
FRAME LINE	QUAN	TYPE	DIA
LOCATION	4	A325	1/2"
ER-1/ER-2	4	A325	1/2"
ER-3/ER-4	4	A325	1/2"
Columns/Raft	8	A325	1/2"

MEMBER TABLE			
MARK	PART	LENGTH	
EC-1	8x275C16	12'-6 1/16"	
EC-2	8x375C14	14'-7 7/16"	
EC-3	8x275C16	12'-6 1/16"	
EC-4	8x275C16	12'-6 1/16"	
ER-1	10x28C14	20'-1 1/2"	
ER-2	10x28C14	20'-1 1/2"	
ER-3	10x28C14	20'-1 1/2"	
ER-4	10x28C14	20'-1 1/2"	
DJ-1	8x275C16	7'-1 1/2"	
DJ-2	8x275C16	7'-1 1/2"	
G-1	8x25Z16	13'-3"	
G-2	8x25Z16	13'-3"	

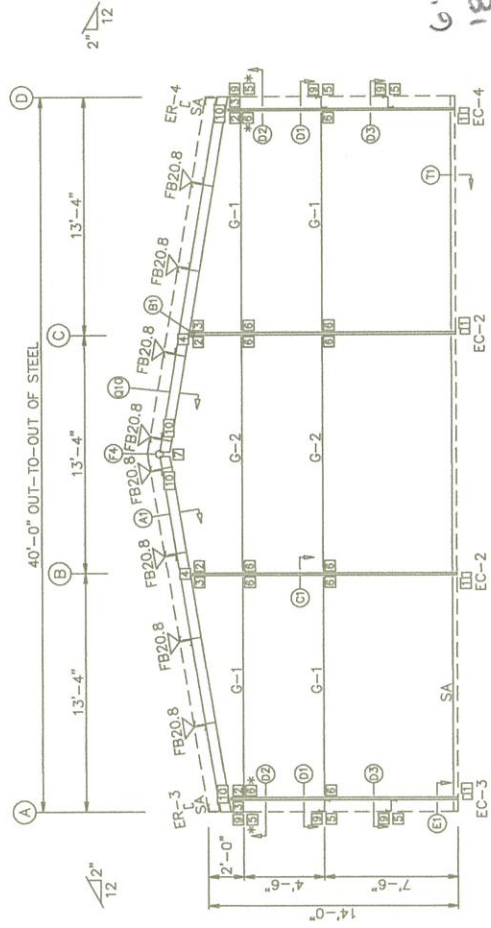
FLANGE BRACE TABLE			
FRAME LINE	MARK	LENGTH	
VID	QUAN	MARK	
1	16	FB20.8	1'-8 3/4"

CONNECTION PLANES			
FRAME LINE	MARK	LENGTH	
1	16	FB20.8	1'-8 3/4"
2	1	CLC008	
3	2	CLC081	
4	3	CLC083	
5	4	CLC089	
6	5	CLC054	
7	6	CLC062	
8	7	CLC122	
9	8	CLC025	
10	9	CLC053	
11	10	SCL-2	

* REVERSE CLIP



ENDWALL FRAMING: FRAME LINE 1



ENDWALL FRAMING: FRAME LINE 5

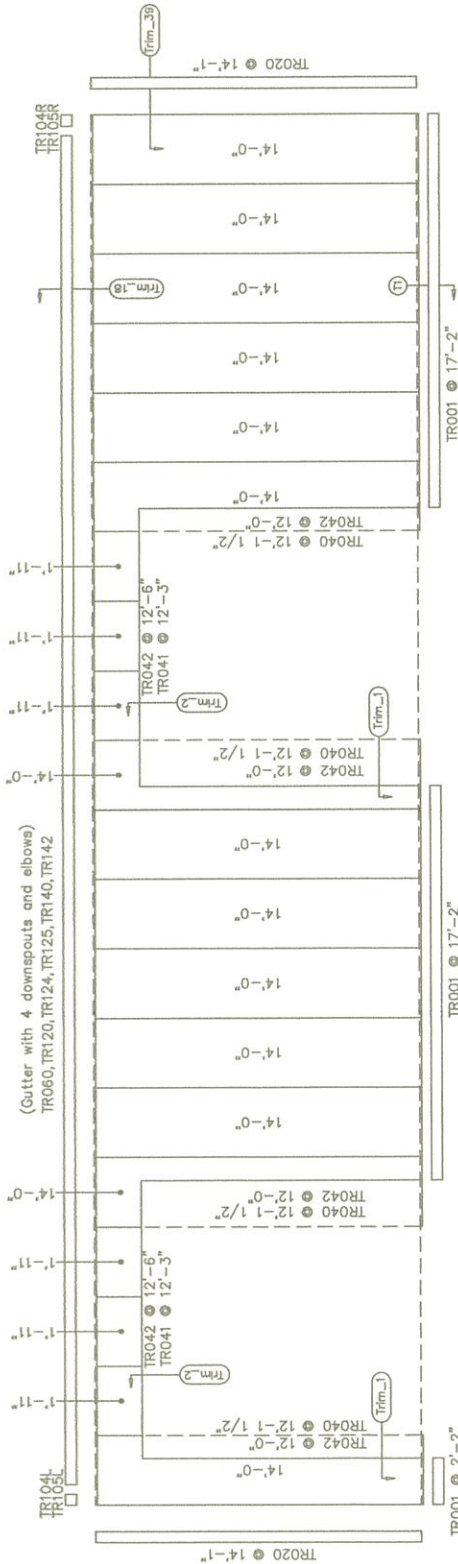
GENERAL NOTES:
MINOR FIELD WORK OF STRUCTURAL SECONDARY AND PANEL/TRIM ITEMS MAY BE NECESSARY TO ENSURE PROPER FIT. SUCH WORK IS CONSIDERED A NORMAL PART OF METAL BUILDING ERECTION. WE WILL NOT HONOR BACKCHARGES FOR MINOR FIELD WORK.



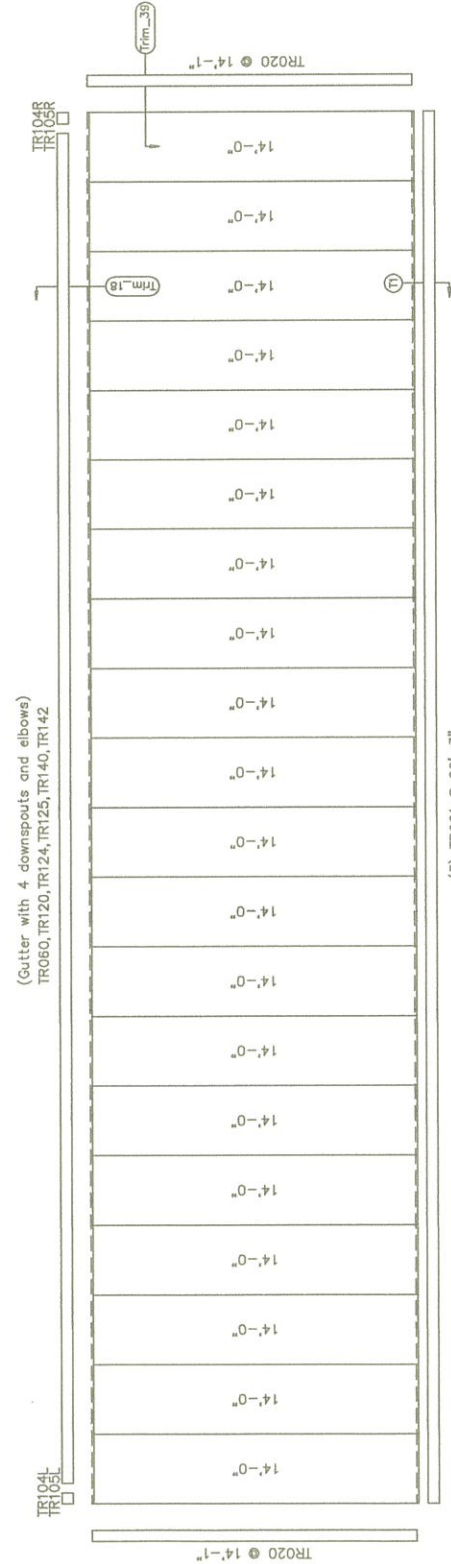
EXPIRES: 06/30/2026

08/29/2024

OLYMPIA STEEL BUILDINGS		Customer: GRANT ROCHA	
MCKEES ROCKS PA 15136		TILLAMOOK/OR/97141	
Drafter: MO	Date: 8/19/24	Designer: MQZ	Date: 8/19/24
Detailer: SR	Date: 8/19/24	Sales ID:	Factory ID:
Checker: MN	Date: 8/19/24		012068
ENDWALL FRAMING		SHEET 11 of 11	

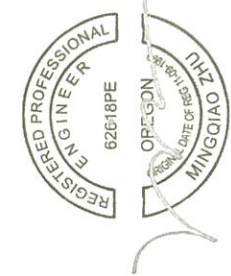


SIDEWALL SHEETING & TRIM: FRAME LINE A
PANELS: 26 Ga. PBR - Light Stone



SIDEWALL SHEETING & TRIM: FRAME LINE D
PANELS: 26 Ga. PBR - Light Stone

GENERAL NOTES:
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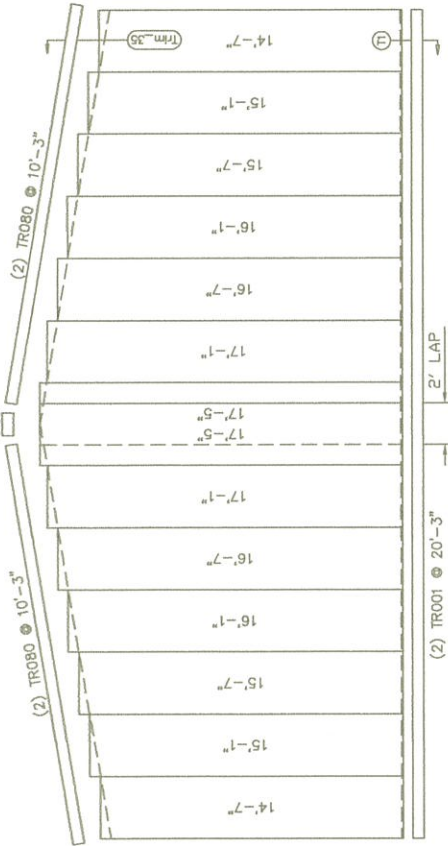
EXPIRES: 06/30/2026
08/29/2024

OLYMPIA STEEL BUILDINGS			
Customer: GRANT ROCHA			
MCKEES ROCKS PA 15136	TILLAMOOK/OR 97141		
Drafter: MO	Date: 8/19/24	Designer: HQZ	Date: 8/19/24
Detailer: SR	Date: 8/19/24	Sales ID:	Factory ID:
Checker: MN	Date: 8/19/24	012068	012068

2" 12

DECAL
TR101

2" 12



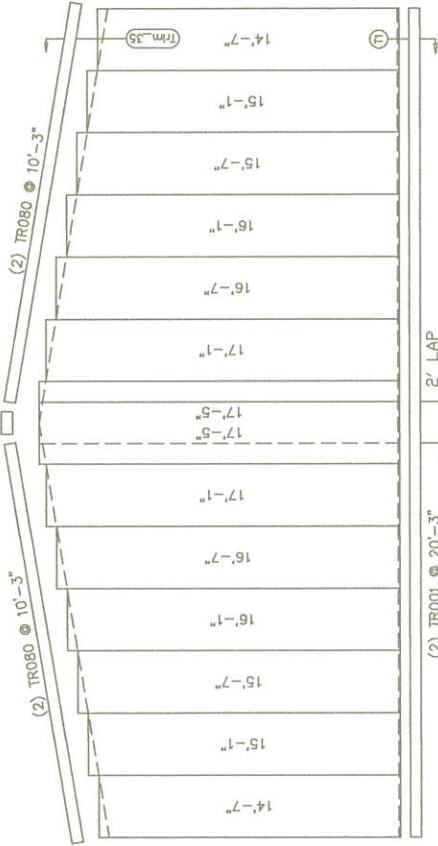
ENDWALL SHEETING & TRIM: FRAME LINE 1

PANELS: 26 Ga. PBR - Light Stone

2" 12

DECAL
TR101

2" 12

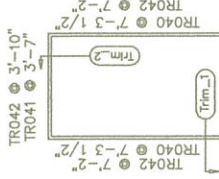


ENDWALL SHEETING & TRIM: FRAME LINE 5

PANELS: 26 Ga. PBR - Light Stone

GENERAL NOTES:

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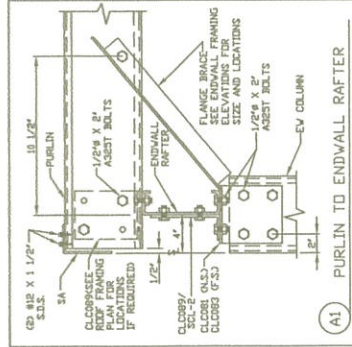
TRIM DETAIL LAYOUT
FOR 3'-4" x 7'-2" WALKDOOR
(2 REQ'D)



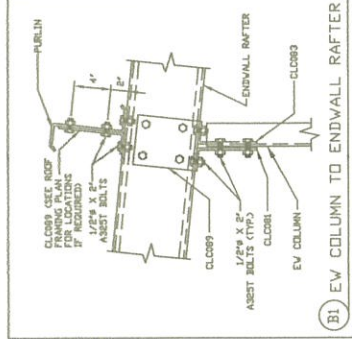
EXPIRES: 06/30/2026

08/29/2024

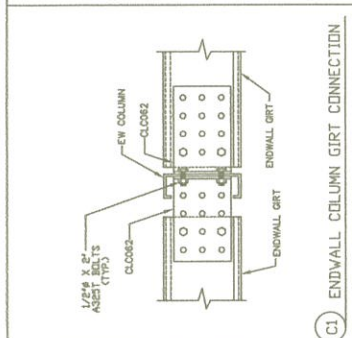
OLYMPIA STEEL BUILDINGS		Customer: GRANT ROCHA	
MCKEES ROCKS PA 15136		TILLAMOOK/OR/97141	
Drafter: MO	Date: 8/19/24	Designer: MQZ	Date: 8/19/24
Detailer: SR	Date: 8/19/24	Sales ID:	Factory ID:
Checker: MN	Date: 8/19/24		012068
ENDWALL SHEETING		Sht E8 of 11	



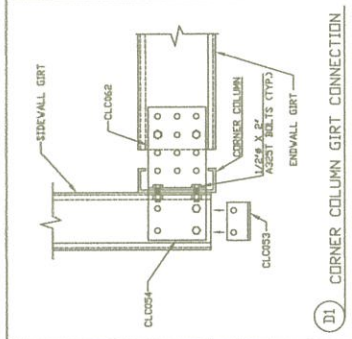
A1 PURLIN TO ENDWALL RAFTER



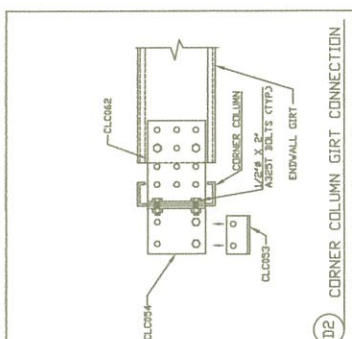
B1 EW COLUMN TO ENDWALL RAFTER



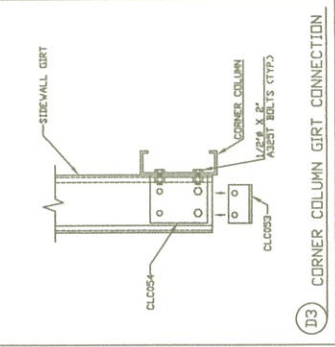
C1 ENDWALL COLUMN GIRT CONNECTION



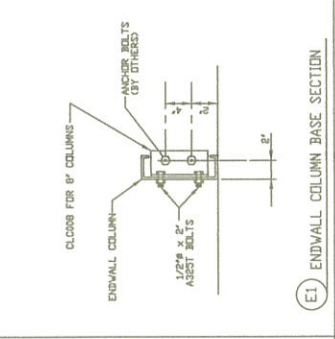
D1 CORNER COLUMN GIRT CONNECTION



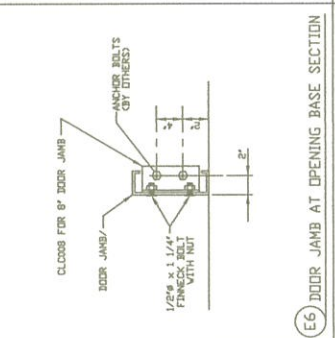
D2 CORNER COLUMN GIRT CONNECTION



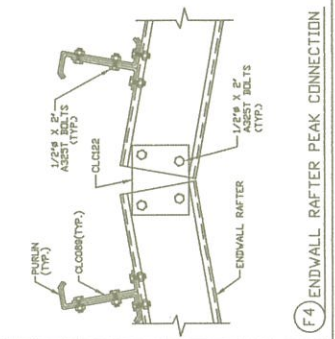
D3 CORNER COLUMN GIRT CONNECTION



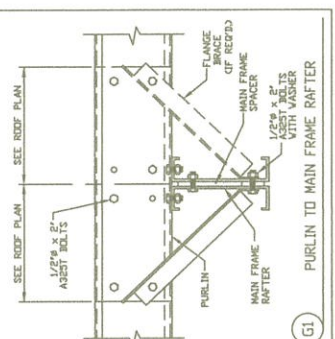
E1 ENDWALL COLUMN BASE SECTION



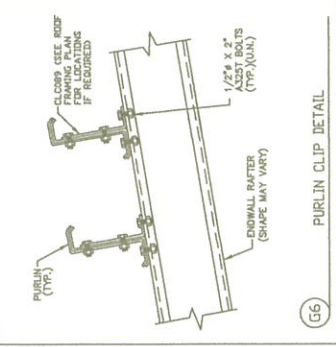
E6 DOOR JAMB AT OPENING BASE SECTION



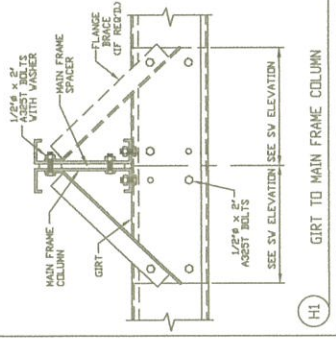
F4 ENDWALL RAFTER PEAK CONNECTION



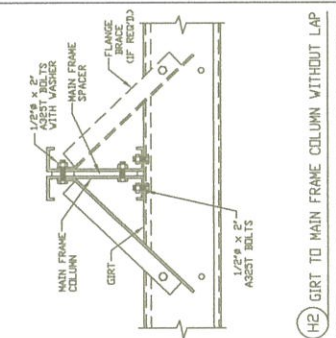
G1 PURLIN TO MAIN FRAME RAFTER



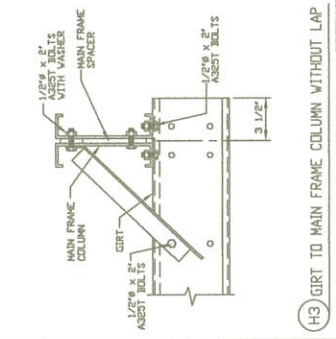
G6 PURLIN CLIP DETAIL



H1 GIRT TO MAIN FRAME COLUMN



H2 GIRT TO MAIN FRAME COLUMN WITHOUT LAP



H3 GIRT TO MAIN FRAME COLUMN WITHOUT LAP



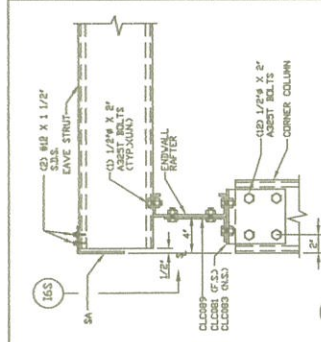
REGISTERED PROFESSIONAL ENGINEER
62618PE
MINGQIAO OUH
DATE OF EXPIRATION: 08/29/2024

EXPIRES: 06/30/2026
08/29/2024

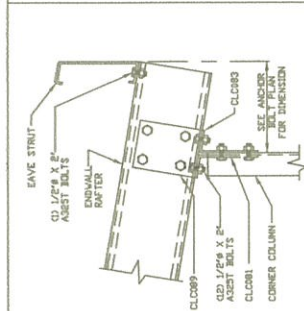
OLYMPIA STEEL BUILDINGS		Customer: GRANT ROCHA	
MCKEES ROCKS PA 15136		TILLAMOOK/OR 97141	
Drafter: MO	Date: 8/19/24	Designer: MQZ	Date: 8/19/24
Detailer: SR	Date: 8/19/24	Sales ID:	012068
Checker: MN	Date: 8/19/24		

DETAIL DRAWINGS

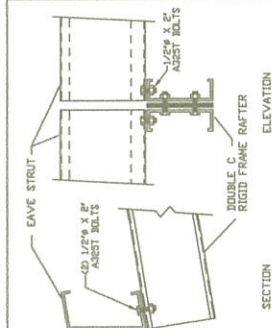
Sht E9 of 11



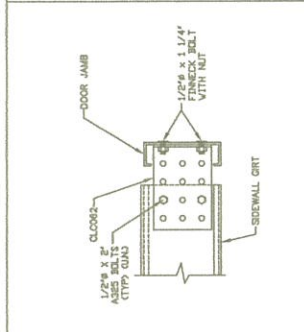
16 CORNER COLUMN TO ENDWALL RAFTER



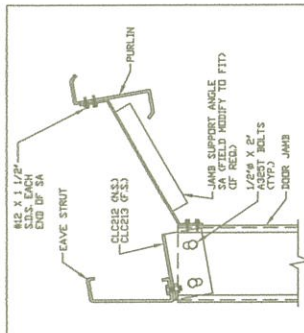
16S CORNER COLUMN TO ENDWALL RAFTER



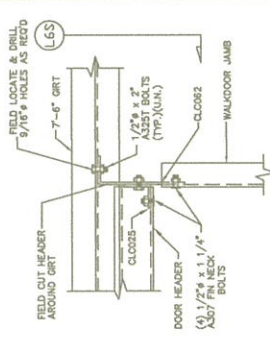
J22 EAVE STRUT TO MAIN FRAME



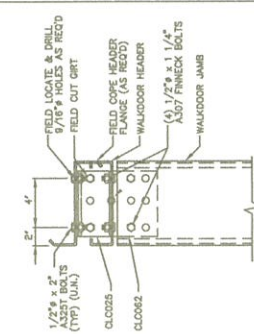
K2 DOOR JAMB TO GIRT CONNECTION



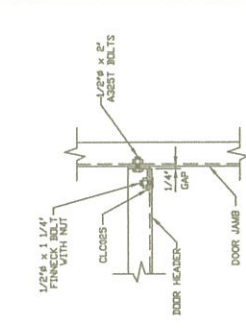
L1 DOOR JAMB TO EAVE STRUT



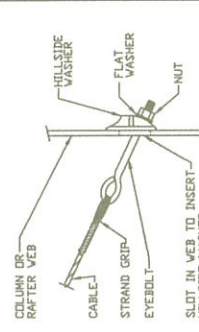
L6 DOOR JAMB & HEADER TO WALL GIRT



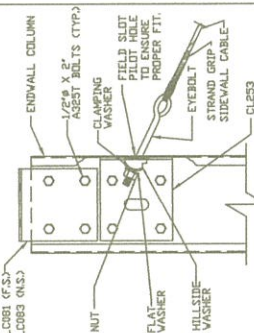
L6S DOOR JAMB & HEADER TO WALL GIRT



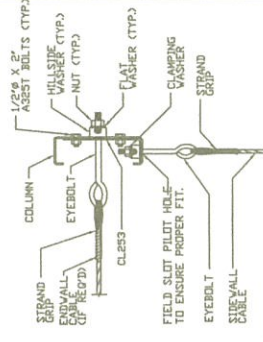
(M1) HEADER TO DOOR JAMB CONNECTION



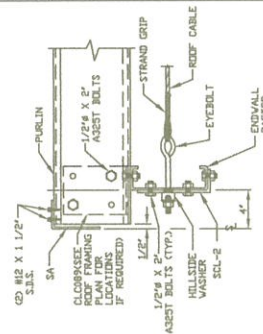
Q2 DIAGONAL CABLE BRACE CONNECTION



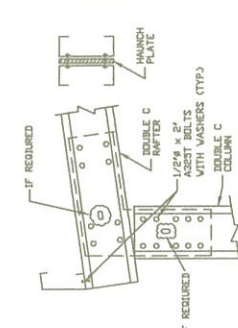
Q8 CABLE TO ENDWALL COLUMN



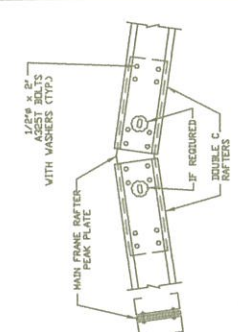
Q9 MATERNAL CABLE SPACE CONNECTION



Q10 CABLE TO END WALL RAFTER



J11 MAIN FRAME COLUMN TO MAIN FRAME RAFTER



U12 MAIN FRAME RAFTER PEAK CONNECTION



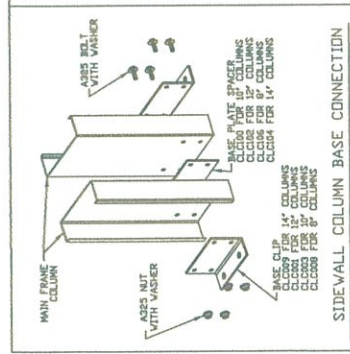
EXPIRES: 06/30/2026

08/29/2024

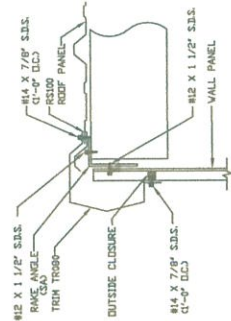
OLYMPIA STEEL BUILDINGS				Customer: GRANT ROCHA	
MCKEE'S ROCKS PA 15136				TILLAMOOK/OR 97141	
Drafter: MO	Date: 8/19/24	Designer:MOZ		Date: 8/19/24	
Dateller: SR	Date: 8/19/24	Sales ID:		Factory ID:	
Checker: MN	Date: 8/19/24			012068	
DETAIL DRAWINGS				Sht F10 of 11	

DETAIL DRAWINGS

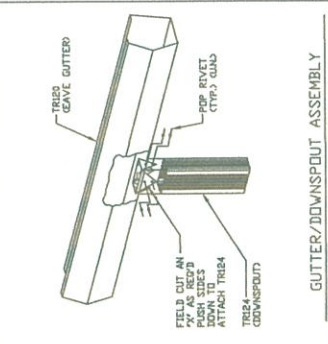
Sht E10 of 11



Trim_35 RAKE TRIM SECTION



Trim_39 CORNER TRIM SECTION



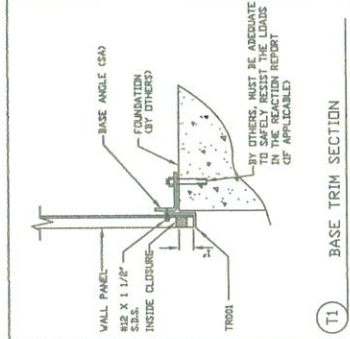
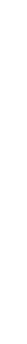
Trim_18 GUTTER TRIM SECTION



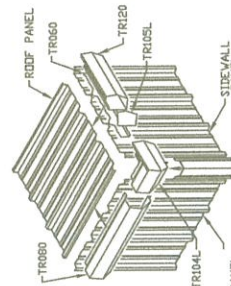
Trim_2 HEADER TRIM



Trim_1 DOOR JAMB TRIM



Trim_2 PEAK DETAIL



Trim_18 GUTTER TRIM SECTION



Trim_2 PEAK DETAIL



Trim_1 DOOR JAMB TRIM



Trim_18 GUTTER TRIM SECTION



REGISTERED PROFESSIONAL ENGINEER
62618PE
OREGON
DATE OF ISSUE: 08/29/2024
MINGQIAO

EXPIRES: 06/30/2026
08/29/2024

Customer: GRANT ROCHA
TILLAMOOK/OR/97141
Designer: MZ
Date: 8/19/24
Factory ID: 012068
Sales ID: 012068
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TRIM DRAWINGS

EXHIBIT C

**INSTRUCTIONS FOR FILING THE NON-CONVERSION AGREEMENT FOR
DEVELOPEMNT WITHIN THE FLOOD HAZARD OVERLAY**

1. This covenant is required for development of properties located within the Flood Hazard Overlay Zone as identified in TCLUO Section 3.510.
2. Obtain the legal description of the subject property as it's recorded in the Tillamook County Deed Records. This is what is referred to as Exhibit A and must accompany the affidavit/covenant.
3. The attached affidavit/covenant must be filled out (typewritten), showing the names of ALL current property owners who appear on the property deed or contract, and signed before a Notary Public. Community Development has Notaries that can provide the service for free.
4. Once the affidavit/covenant is signed and notarized with the attached legal description, bring these to the Tillamook County Clerk's office to be recorded. **The Clerk's will charge a recording fee.** Please contact the Clerk's office at (503)842-3402 for current fees.
5. **A copy of the recorded and notarized affidavit/covenant will be given to DCD to put on file.**
6. If you have any questions about the affidavit/covenant, or the recording procedure, please contact the DCD– Planning Staff at (503)842-3408.

After recorded return to:

NON-CONVERSION AGREEMENT FOR FLOODPLAIN DEVELOPMENT

_____, (GRANTORS) are the owners of real property described as follows:

PROPERTY LEGAL DESCRIPTION attached as Exhibit A hereto and incorporated by reference.

Whereas, Permit # _____ has been issued to construct the property at _____ [Map and Taxlot] in the Tillamook County, Oregon, and Whereas, the permitted building has a designated use as _____ [describe use of building] and the design and construction of the building meets current building code and flood damage prevention ordinance requirements, and Whereas, as a condition of a Certificate of Occupancy, the owner must agree to not alter the building at a later date so as to violate the building code or flood damage prevention ordinance requirements, Now, therefore, the undersigned owner of said property hereby agrees to the following:

1. That the building as described in Permit # _____, will remain as an agricultural use building and not converted to allow for human occupation or other residential/nonresidential uses.
2. That all mechanical, electrical, plumbing devices, interior walls, ceilings, and floors below the BFE shall be constructed of flood-resistant materials.
4. That the openings in the walls of the enclosed area below the lowest floor shall not be blocked, obstructed, or otherwise altered to reduce the size of the openings or restrict the automatic entry and exit of floodwater.
5. That any variation in construction beyond what is permitted shall constitute a violation of this agreement and Section 3.510 of the Tillamook County Land Use Ordinance.
7. That this Agreement shall be recorded with the deed to the above property so that subsequent owners are made aware of these restrictions.

The real property of Grantors subject to this agreement is situated in the County of Tillamook, State of Oregon, and described on attached EXHIBIT A.

IN WITNESS WHEREOF, the said Party has executed this instrument this _____ day of _____, 20____,

Signature

Print Names

State of _____, County of _____

Subscribed and sworn to before me this _____ day of _____, 20____

SEAL

Notary Public of Oregon
My Commission Expires: