



Land of Cheese, Trees and Ocean Breeze

**NON-CONFORMING MINOR REVIEW #851-24-000423-PLNG
REPLACEMENT OF AN EXISTING FIRST AND SECOND STORY DECKS
TOBIN/CATTERALL**

*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 2, 2025

Dear Property Owner:

This is to confirm that the Tillamook County Department of Community Development **APPROVED WITH CONDITIONS** the above-cited Non-Conforming Minor Review on May 2, 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 14, 2025**. This decision will become final on May 14, 2025, unless an appeal is filed in accordance with Tillamook County Land Use Ordinance Article 10.

Request: Non-Conforming Minor Review request to allow for the replacement of existing non-conforming decks on the first and second story, attached to a single-family dwelling. The existing decks and dwelling do not conform to setbacks for the Residential Oceanside (ROS) Zone.

Location: The property is located within the Unincorporated Community of Oceanside at 5460 Aster Street, a County Road, and designated as Tax Lot 2100 in Section 30BC of Township 1 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon (Exhibit A).

Zone: Residential Oceanside (ROS) Zone

**Applicant/
Property Owner:** Regina Tobin & Shirely Catterall, 2020 SW Arnold Street, Portland, OR 97219

CONDITIONS OF APPROVAL

Failure to comply with the Conditions of Approval and Tillamook County Land Use Ordinance provisions may result in nullification of this approval or citations.

1. The applicant/property owner shall obtain all required Federal, State, and Local permits, including demolition permits, as applicable.
2. The development made part of this approval shall be limited to the replacement of the second-story deck. All applicable permits, including a consolidated Building/Zoning Permit Application from the Tillamook County Department of Community Development, shall be obtained prior to development activities.
3. Development shall adhere to the applicable standards of the Residential Oceanside (ROS) zone, TCLUO Section 3.310.
4. The applicant/property owner shall submit a site plan drawn to scale demonstrating compliance with the applicable standards of TCLUO Section 3.310: Residential Oceanside (ROS) zone, TCLUO Section 4.010: Clear-Vision Area, and TCLUO Section 4.100: General Exception to Lot Size Requirements. The site plan shall be submitted to the Department of Community Development at the time of consolidated Building/Zoning Permit Application submittal.
5. The applicant/property owner shall provide documentation demonstrating compliance with the Clear Vision Areas requirement, specifically that the to-be-replaced deck and stairs within the clear vision area does not exceed 30-inches in height as measured from the top of the highest curb in the clear-vision area, or, where no curb exists from the highest established street center line grade adjacent to the clear-vision area.
6. Any future alterations or expansion of the decks or stairs, including any additional coverage or enclosures, are subject to land use review and approval.
7. This approval expires if a Building Permit is not applied for within two (2) years of issuance of this approval, or an extension is requested from, and approved by this Department prior to its expiration.

Sincerely,
Tillamook County Department of Community Development

Melissa Jenck, CFM, Senior Planner

Sarah Absher, Director, CFM

Enc.: Vicinity, Assessor's and Zoning maps



Land of Cheese, Trees and Ocean Breeze

**NON-CONFORMING MINOR REVIEW #851-24-000423-PLNG:
REPLACEMENT OF AN EXISTING FIRST AND SECOND STORY DECKS
TOBIN/CATTERALL**

ADMINISTRATIVE DECISION AND STAFF REPORT

DECISION: Approved with Conditions

DECISION DATE: May 2, 2025

REPORT PREPARED BY: Melissa Jenck, Senior Planner, CFM

I. GENERAL INFORMATION:

- Request:** Non-Conforming Minor Review request to allow for the replacement of existing non-conforming decks on the first and second story, attached to a single-family dwelling. The existing decks and dwelling do not conform to setbacks for the Residential Oceanside (ROS) Zone.
- Location:** The property is located within the Unincorporated Community of Oceanside at 5460 Aster Street, a County Road, and designated as Tax Lot 2100 in Section 30BC of Township 1 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon (Exhibit A).
- Zone:** Residential Oceanside (ROS) Zone
- Applicant/
Property Owner:** Regina Tobin & Shirely Catterall, 2020 SW Arnold Street, Portland, OR 97219

II. PROPERTY DESCRIPTION:

Tillamook County Assessor’s records indicate the subject property is approximately 0.06 acres (approximately 2,600 sq. ft.) and is developed with a single-family dwelling (Exhibit A). Tillamook County Assessor’s records indicate the dwelling was built in 1927 (Exhibit A).

The subject property and surrounding area are zoned Residential Oceanside (ROS) Zone and properties within this area are developed with residential and accessory structures (Exhibit A).

The subject property is located within an area of Shallow Landslide Susceptibility within an area of Geologic Hazard as identified in DOGAMI Open File Report O-23-13. The subject property contains no mapped wetlands according to the Statewide Wetlands Inventory Map. The property is not located within an area of special flood hazard as depicted on FEMA FIRM 41057C0555F dated September 28, 2018 (Exhibit A).

The applicant is proposing to remove and replace an existing first and second story deck within a similar footprint (Exhibit B). The dwelling encroaches into the required front-yard setback, and the deck's encroachment into the street-side and rear setbacks, as established for development in the Residential Oceanside (ROS) Zone. Because the decks were lawfully constructed and do not adhere to the rear and street-side yard setback, Staff find the replacement deck is subject to non-conforming minor review and the provisions of TCLUO Article VII: Non-Conforming Uses.

III. APPLICABLE ORDINANCE AND COMPREHENSIVE PLAN PROVISIONS:

The desired use 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 IV of this report:

- A. TCLUO Section 3.310: Residential Oceanside (ROS) Zone
- B. TCLUO Section 4.100: General Exception to Lot Size Requirements
- C. TCLUO Article VII: Nonconforming Uses and Structures

IV. ANALYSIS:

A. **TCLUO Section 3.310: Residential Oceanside (ROS) Zone**

(1) *PURPOSE: The purpose of the ROS zone is to designate areas for low-density one and two-family residential development and other, compatible, uses. Suitability of land for low-density uses is determined by the availability of public sewer services, and limitations to density such as geologic and flood hazards, shoreline erosion, and the aesthetic or resource values of nearby natural features. Where any provision of the ROS zone imposes a restriction on the use of land greater than is provided by other ordinance provisions, then the ROS zone shall prevail.*

(2) *USES PERMITTED OUTRIGHT: In the ROS zone, the following uses and their accessory uses are permitted outright, subject to all applicable supplementary regulations contained in this ordinance.*

(a) Single-family dwelling.

Findings: Staff find that the residential use of a single-family dwelling and accessory structures (deck) is a use permitted outright in the underlying zone.

(4) *STANDARDS: Land divisions and development in the ROS zone shall conform to the following standards, unless more restrictive supplemental regulations apply:*

(a) The minimum lot size for permitted uses shall be 7,500 square feet where the slope averages less than 19 percent. Where the slope averages from 19 to 29 percent the minimum lot size shall be 10,000 square feet, and where the slope averages greater than 29 percent, the minimum lot size shall be 20,000 square feet, except that in both of these sloped areas and in unsewered or geologic hazard areas, a larger minimum may be required. [Refer to Article V Exceptions for existing legally platted lots and parcels]

...

(e) The minimum side yard setback shall be 5 feet; on the street side of a corner lot, it shall be 15 feet.

...

(i) Structures shall not occupy more than 50% of the lot area.

Findings: The subject property is approximately 2,600 square feet in size. Due to the size of the parcel, development is subject to the standards of TCLUO Section 4.100 for lots less than 3,000 square feet in size. Staff discuss the standards of Section 4.100 below in Subsection B of this report.

The existing dwelling with decks and stairs maintains a current lot coverage of 1,123 square feet. The subject property at approximately 2,600 square feet equals lot area coverage of approximately 43.2% (Exhibit A & B). Staff

find the existing development complied with the side yard setback from the westerly property line, along with compliance with lot area coverage.

The subject property currently maintains a 5.25-ft street side-yard setback abutting Sunset Avenue, a County Road, to the existing deck and stairs, and 5.3-ft side yard setback from the existing deck (Exhibit B). The existing deck on the easterly portion of the property does not comply with the street side-yard setback standards maintained in the ROS zone, and proposed alteration of the deck will require compliance with TCLUO Section 7.020, discussed in Subsection C below in this report.

B. TCLUO Section 4.100: General Exception to Lot Size Requirements

A lot or parcel, as recorded in the office of the County Clerk prior to the adoption of this Ordinance, which complies with the standards then in effect, but which does not now meet the dimensional lot standards of the zone in which the property is located, may nevertheless be occupied by a one-family dwelling if the lot or parcel meets all other applicable Ordinance requirements, including setbacks, provided that lots smaller than 3,000 square feet meet the following additional requirements.

...

(3) Not more than 50% of the lot area shall be covered with any structure of any height.

(4) Front and rear setbacks in combination must be at least 30 feet, with each minimum of 10 feet.

(5) No portion of a structure shall be located closer than six (6) feet to any structure on an adjacent lot.

(6) The permitted living space as determined by the Building Official shall be no more than 50% of the square footage of the lot or 1,200 square feet, whichever is larger. Additionally, up to 600 square feet is permitted for an enclosed garage or storage area. This garage or storage area may be enlarged if there is an equivalent reduction in living space.

...

Findings: The subject property is approximately 2,600 square feet in size. The dwelling with decks and stairs maintain a current lot coverage of 1,123 square feet, for a total lot area coverage of approximately 43.2%. The proposed development will maintain a lot coverage of 39.2% due to the reduced coverage for a portion of the first story decks (Exhibit B). Staff find the development shall comply with applicable lot coverage requirements.

The existing development maintains a 3.5-ft front yard setback, and an 11-ft rear yard setback (Exhibit B). The existing development does not comply with the required 30-ft combination for the front and rear yard. The Applicant is proposing to expand the deck into the existing rear yard, for a result of a 10-ft rear yard setback. An expansion of a non-conforming review is subject to compliance with TCLUO Section 7.020 discussed below in Subsection C of this report.

The existing living space for the dwelling is 1,044, according to the Tillamook County Assessors records. The living space will not change as a result of the proposed development. Staff find the living space allowance complies with TCLUO Section 4.100.

C. Article VII, Section 7.020: Nonconforming Uses and Structures

The purpose of the NONCONFORMING USES AND STRUCTURES provisions are to establish standards and procedures regulating the continuation, improvement and replacement of structures and uses which pre-date, and which do not comply with, this Ordinance. The intent is to allow changes to nonconforming uses and structures in a manner that does not increase the level of adverse impact to surrounding areas. These provisions are intended to be consistent with ORS 215.130.

TCLUO Section 7.020(1): Definitions: A nonconforming structure is defined in the Tillamook County Land Use Ordinance (TCLUO) Section 7.020 as “A structure that does not conform to current requirements of this Ordinance but which legally existed at the time the applicable section(s) of the Ordinance took effect.”

...

(c) *ALTERATION of a NONCONFORMING STRUCTURE: A partial change to a structure, not involving enlargement of the external dimensions of the structure.*

...

(e) *EXPANSION: Any increase in any external dimension of a structure, or any increase in land area devoted to a use.*

Findings: County records indicate the single-family dwelling was built in 1927 (Exhibit A). The dwelling is considered non-conforming as it does not comply with the front and rear yard combination setback. The first story decks do not comply with the street-side yard setback. The existing and proposed development does not comply with the Clear Vision standards contained in TCLUO Section 4.010 (Exhibit B). Applicants propose to replace the existing decks, with an expansion of 1-foot into the rear setback for both the first and second story decks (Exhibit B). There is otherwise a reduction in footprint to the existing street-side deck on the first story, and the westerly deck on the first story (Exhibit B).

TCLUO Section 7.020(4): Alteration or Expansion: indicates that the expansion (deck replacement) of a nonconforming structure shall be subject to satisfaction with the Nonconforming Minor Review criteria.

Findings: Staff find that Applicant's request constitutes expansion of a nonconforming structure and is therefore subject to the Minor Nonconforming Review process which is addressed below.

TCLUO Article X requires notice of Non-Conforming Minor Review applications to be mailed to landowners within 250 feet of the subject property and applicable agencies. Staff must allow at least 14 days for written comment and must consider received comments in making the decision.

Findings: A notice of the request was mailed to property owners within 250 feet of the subject property and interested agencies on March 14, 2025. One comment was received from the Tillamook County Public Works Department stating that the Department has no comments or issues regarding this review (Exhibit C).

1. Article VII, Section 11 Minor Review

Application is made under the fee and procedures for a Type II Administrative Review and is reviewed using the following review criteria. A request may be permitted if:

(a) *The request will have no greater adverse impact on neighboring areas than the existing use or structure when the current zoning went into effect, considering:*

i. A comparison of existing use or structure with the proposed change using the following factors:

- (1) Noise, vibration, dust, odor, fumes, glare, or smoke detectable at the property line or off-site;*
- (2) Number and kinds of vehicular trips to the site;*

Findings: Applicant states the use of the property and structure will remain residential and no additional vehicle activity or noise, vibration, dust, odor, fumes, glare or smoke will be generated for this continued residential use (Exhibit B).

Staff find that the proposed alteration of the dwelling with replacement and expansion of the decks and location of improvements will not affect the listed items. Staff find these criteria are met.

- (3) Amount and nature of outside storage, loading and parking;*
- (4) Visual impact;*
- (5) Hours of operation;*
- (6) Effect on existing vegetation;*
- (7) Effect on water drainage and water quality;*

Findings: Applicant's proposal does not identify additional outside storage as part of the proposed development, and in review of the site plan, there are no impacts to existing parking areas (Exhibit B). The applicant adds that the

proposed reduction to decks in areas will result in an increase in vegetation including grass and a flower garden, and no changes in water quality or drainage will result with the proposed work (Exhibit B).

Applicant states the proposed development does not generate hours of operation as it remains a residential use. Plans have been provided to identify the development area, with the Applicant identifying they will prepare plans with Sticker Engineering (Exhibit B). The applicant identifies that 14-inches of view will be generated for the second story deck but will not exceed the maximum height of the existing building (Exhibit B).

In review of the Applicant's submittal, Staff find these criteria are met.

- (8) Service or other benefit to the use or structure provides to the area; and*
- (9) Other factors relating to conflicts or incompatibility with the character or needs of the area.*

Findings: Applicant details the property will remain a residential dwelling and is located in an area improved with other residential dwellings (Exhibit B).

Staff find that the use of the single-family dwelling will remain residential in nature. Any services or benefits that could be provided remain unchanged. Staff find these criteria are met.

- ii. The character and history of the use and of development in the surrounding area.*

Findings: County records state the single-family dwelling was permitted in 1927, according to County Assessors' records, is located in an area predominantly consisting of residential uses, and the dwelling will remain devoted to residential use (Exhibits A and B). Surrounding and adjacent properties are similar in nature and are consistent with the character and history of the use and development in the surrounding area. Staff find this criterion met.

(b) The request shall maintain a minimum separation of six feet between structures, and comply with the clear vision area of Section 4.010. The Department may require the applicant to submit a site survey or similar information to assist in making these determinations.

Findings: The subject property is a corner lot and the requirements of TCLUO Section 4.010 are applicable (Exhibit A and Exhibit B). The deck located on the street-side yard, to be replaced and reduced in footprint, does not demonstrate compliance with the requirements of the Clear-Vision Area, as those improvements must not exceed 30-inches above highest established street center line grade adjacent to the clear-vision area (Exhibit B). Applicant identifies the deck and associated stairs will not exceed 32-inches above grade, however information does not relate highest curb or highest established street center line grade (Exhibit B). Staff will require as a condition of approval, the Applicants' plans must demonstrate the height of proposed replaced improvements within the Clear-Vision Area to demonstrate compliance with TCLUO Section 4.010.

Staff find that the proposed development will have no greater adverse impact on neighboring areas than the existing structures particularly given the replacement of the decks will continue to be devoted to single-family residential use, and the proposed expansion is within the general footprint of the original deck, with areas reduced in footprint (Exhibit B). Staff find this criterion has been met.

IV. DECISION: APPROVED WITH CONDITIONS

Staff concludes that the applicant has satisfied the review criteria, and can meet all applicable requirements at the time of application. Therefore, Staff approves this request. No further development shall occur on the subject property without prior land use approval. This approval does not address any additional development of the subject property.

By accepting this approval, the applicant and property owner agrees 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 applicant and property owner shall obtain all of the necessary local, state, and federal permits and comply with all applicable regulations for the proposed construction.

Appeal of this decision. This decision may be appealed to the Tillamook County Planning Commission, who will hold a public hearing. In such case, forms and fees must be filed in the office of this Department before **4:00 PM on May 14, 2025**.

V. CONDITIONS OF APPROVAL:

Failure to comply with the Conditions of Approval and Tillamook County Land Use Ordinance provisions may result in nullification of this approval or citations.

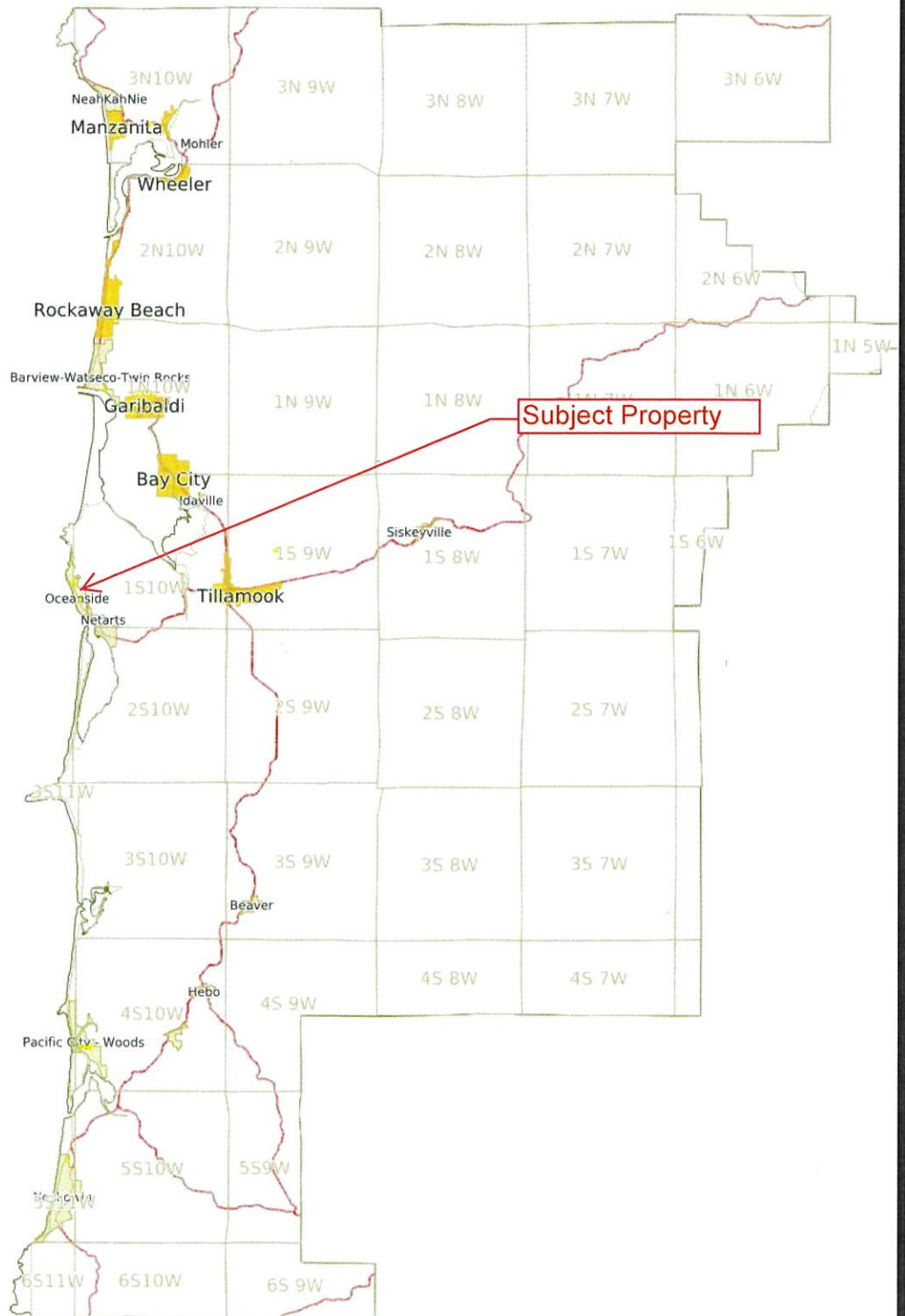
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7. This approval expires if a Building Permit is not applied for within two (2) years of issuance of this approval, or an extension is requested from, and approved by this Department prior to its expiration.

VI. EXHIBITS

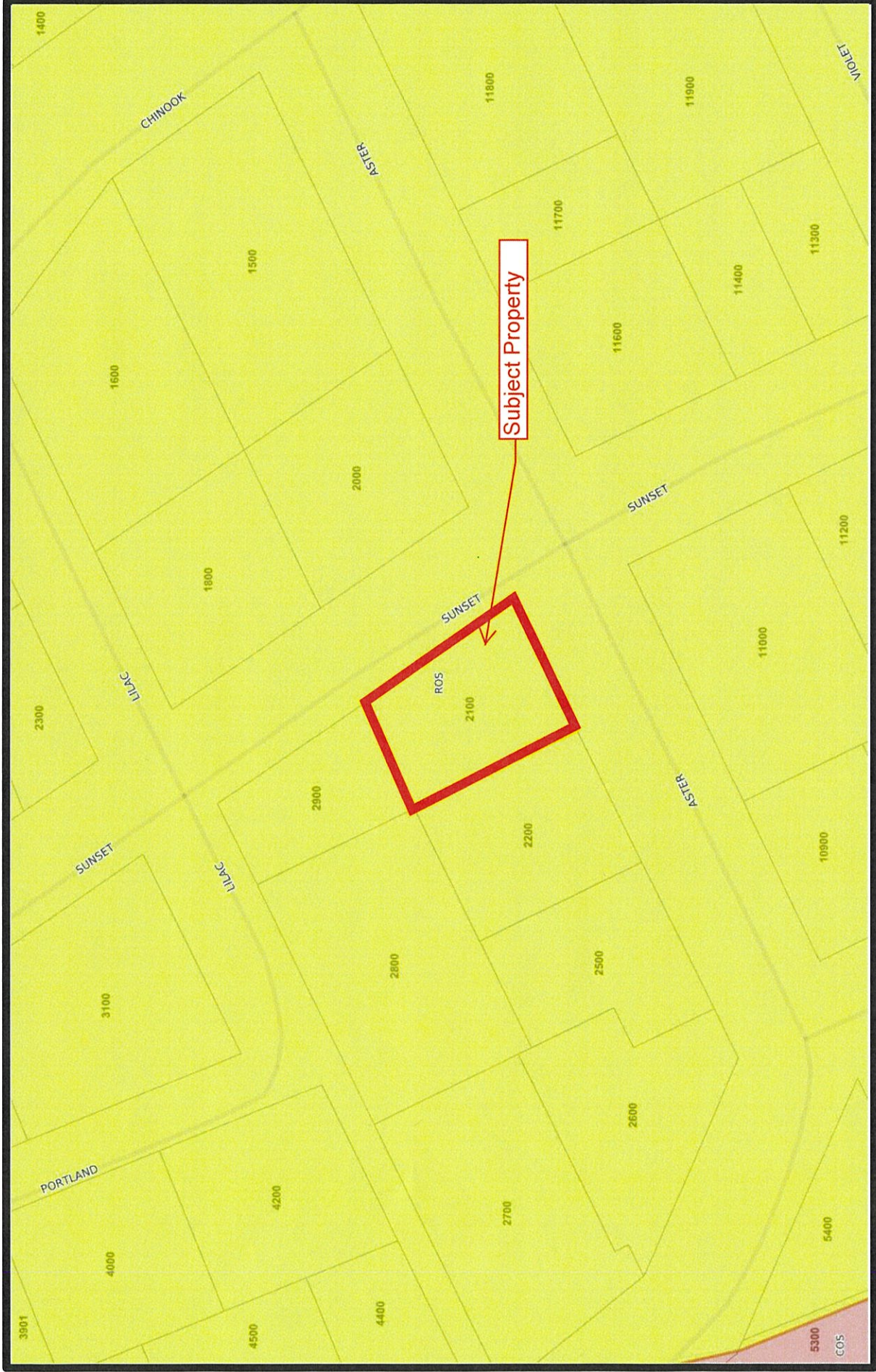
- A. Vicinity, Assessor's and Zoning maps, Neahkahnie Community Plan
- B. Applicant's Submittal
- C. Public Comment

EXHIBIT A

Vicinity Map



Zoning Map



THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

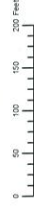
S.W. 1/4 N.W. 1/4 SEC. 30 T. 1S. R. 10W. W.M.

TILLAMOOK COUNTY

01S10W30BC
OCEANSIDE

01S10W30BC
OCEANSIDE

Revised 4/01/24 - WS



- CANCELLED
- 100
 - 400
 - 1700
 - 1900
 - 2300
 - 2400
 - 3000
 - 3500
 - 3800
 - 4100
 - 4300
 - 4700
 - 5000
 - 5500
 - 5800
 - 6800
 - 7200
 - 8300
 - 8900
 - 9301
 - 10200
 - 11500
 - 12100
 - 12300
 - 12701
 - 12900
 - 14500
 - 14800
 - 15600
 - 11100
 - 12401

9-21

SEE MAP IS 10W 30

SEE MAPS 10W 30BB

SEE MAP IS 10W 30BC

Subject Property

APPROX

ZONE

OCEAN

PACIFIC

OCEANSIDE

1" = 100'

SEE MAP IS 10W 30BB

SEE MAP IS 10W 30BC

SEE MAP IS 10W 30BB

SEE MAP IS 10W 30BC

SEE MAP IS 10W 30BB

SEE MAP IS 10W 30BC

SEE MAP IS 10W 30BB

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SEE MAP IS 10W 30BC

SEE MAP IS 10W 30BB

SEE MAP IS 10W 30BC

Tillamook County
2024 Real Property Assessment Report
 Account 192311

Map 1S1030BC02100
 Code - Tax ID 0921 - 192311

Tax Status Assessable
 Account Status Active
 Subtype NORMAL

Legal Descr OCEANSIDE 2ND ADD
 Block - 9 Lot - 7

Mailing TOBIN, REGINA L TRUSTEE &
 CATTERALL, SHIRLEY TRUSTEE
 2020 SW ARNOLD ST
 PORTLAND OR 97219

Deed Reference # 2009-8749
 Sales Date/Price 12-18-2009 / \$0
 Appraiser ELIZABETH LOFTIS

Property Class 101 MA SA NH
 RMV Class 101 08 OV 805

Site	Situs Address	City
1	5460 ASTER ST	COUNTY

Value Summary						
Code Area		RMV	MAV	AV	RMV Exception	CPR %
0921	Land	314,660		Land	0	
	Impr	180,730		Impr	0	
Code Area Total		495,390	274,140	274,140	0	
Grand Total		495,390	274,140	274,140	0	

Land Breakdown									
Code Area	ID #	RFPD	Ex	Plan Zone	Value Source	Trend %	Size	Land Class	Trended RMV
0921					LANDSCAPE - AVERAGE	100			1,500
	1	<input checked="" type="checkbox"/>		ROS	Market	123	0.06 AC		288,360
					OSD - AVERAGE	100			24,800
Code Area Total							0.06 AC		314,660

Improvement Breakdown									
Code Area	ID #	Year Built	Stat Class	Description	Trend %	Total Sqft	Ex%	MS Acct	Trended RMV
0921	1	1927	136	Two story or more, with basement	101	1,044			180,730
Code Area Total						1,044			180,730

Exemptions / Special Assessments / Notations			
Code Area	Special Assessments	Amount	Year Used
0921	■ SOLID WASTE	12.00	2024

Comments 4/7/08 Sales review - updated inventory, E.J.
 1/12/12 Land re-appraisal, tabled land. E.J.

National Flood Hazard Layer FIRMette

123°58'23"W 45°27'48"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, A199
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

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 OF FLOOD HAZARD

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

OTHER AREAS

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

GENERAL STRUCTURES

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

OTHER FEATURES

- Digital Data Available
- No Digital Data Available
- Unmapped

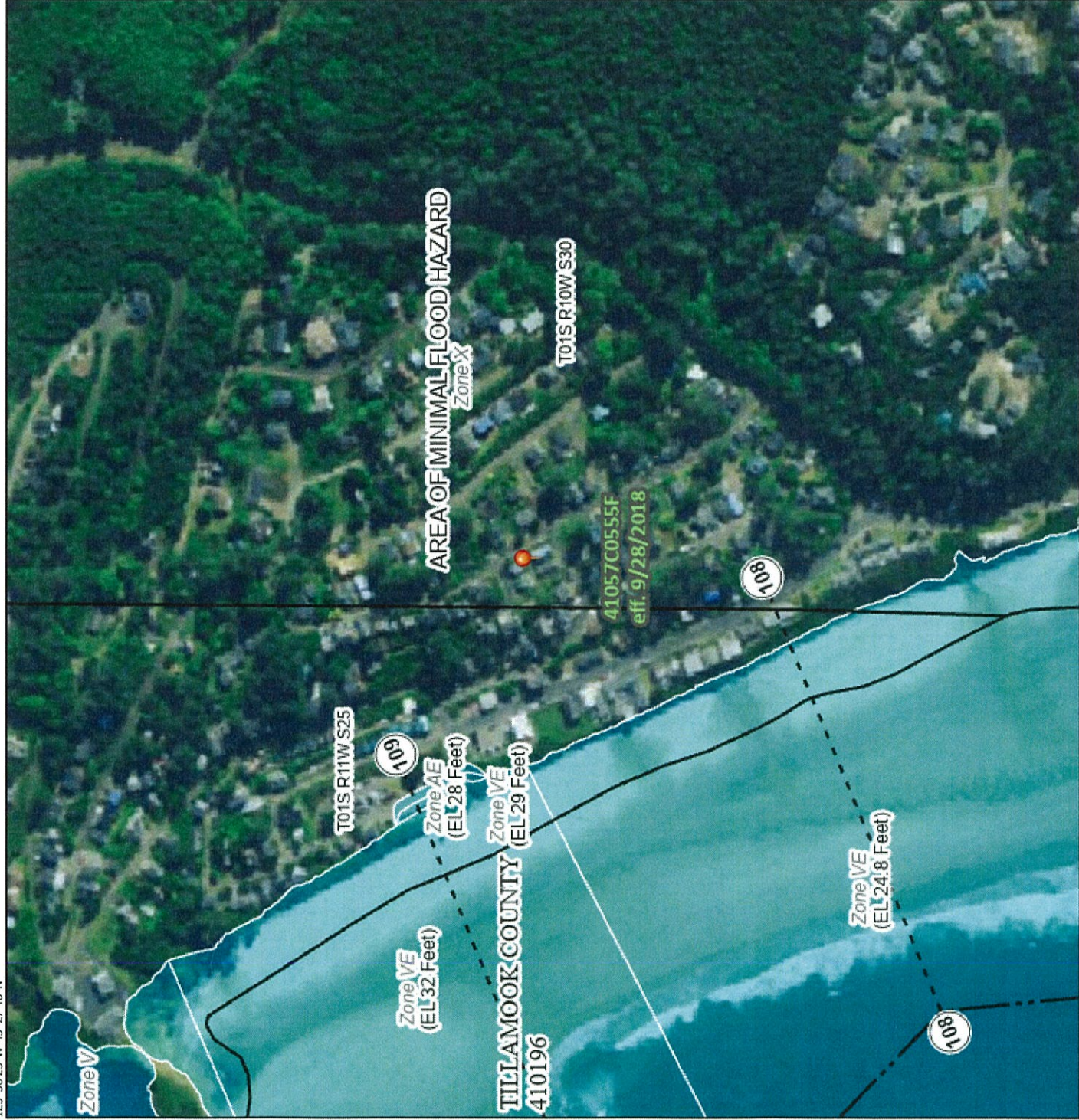
MAP PANELS

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 9:32 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°57'46"W 45°27'23"N

1:6,000

Feet

2,000

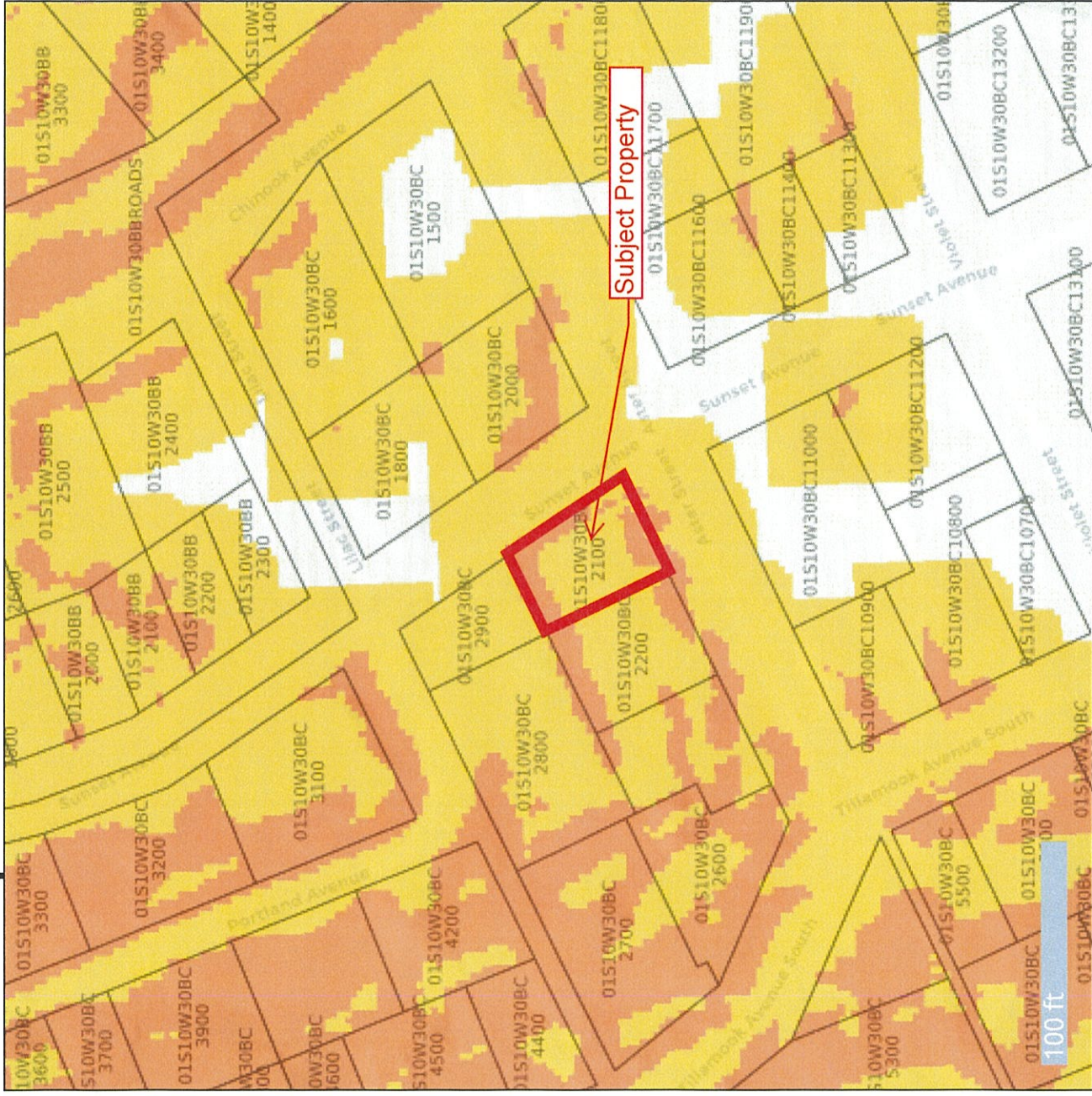
1,500

1,000

500

0

Hazard Map



Legend

- Shallow Landslide Susceptibility

Statewide Wetlands Inventory



- 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-Winko 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 more data becomes available. It does not represent the presence, absence, or location of wetlands, streams, and rivers (such as creeks and ponds). An update investigation by a wetland professional can verify actual field conditions.

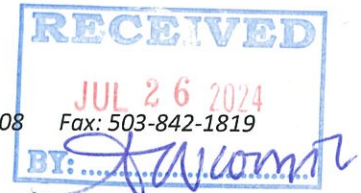
1:2,257

0 0.01 0.03 0.05 0.08 0.1

EXHIBIT B



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



PLANNING APPLICATION

Applicant (Check Box if Same as Property Owner)

Name: REGINA TOBIN Phone: 503-310-0290
 Address: ~~5460 ASTER ST~~ 2020 SW ARNOLD ST
 City: PORTLAND State: OR Zip: 97219
 Email: reginatobin@comcast.net

Property Owner

Name: _____ Phone: _____
 Address: _____
 City: _____ State: _____ Zip: _____
 Email: _____

OFFICE USE ONLY	
Date Stamp	
<input type="checkbox"/> Approved <input type="checkbox"/> Denied	
Received by:	
Receipt #:	
Fees: 1265	
Permit No:	851-21-00023 PLNG

Request: MINOR NONCONFORMING REVIEW

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

- Appeal of Director's Decision
- Extension of Time
- Detailed Hazard Report
- Conditional Use (As deemed by Director)
- Ordinance Amendment
- Map Amendment
- Goal Exception

Type IV

- Appeal of Planning Commission Decision
- Ordinance Amendment
- Large-Scale Zoning Map Amendment
- Plan and/or Code Text Amendment

Location:

Site Address: 5460 ASTER ST, OCEANSIDE, OR 97134

Map Number: 15 10 30 BC 02100
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.

Regina Tobin
 Property Owner Signature (Required)

7/15/24

Regina Tobin
 Applicant Signature

7/15/24

Date

Date

APPLICATION FOR A NONCONFORMING REVIEW

Regina Tobin & Shirley Catterall

5460 Aster St
Oceanside, Oregon 97134
July 26, 2024

We are submitting for a minor nonconforming review to replace the deck on our home. The current deck was built more than twenty five years ago. Despite our attempts to maintain it, our current deck is no longer safe. Unfortunately, our lot size does not conform to current requirements; we therefore need to submit for a review despite the fact our proposed deck will be smaller than the previously permitted deck.

As compared to the current deck, our proposed deck will not effect:

1. The noise, vibration, dust, odor, fumes, glare or smoke detectable at the property line or off site
2. The number and kinds of vehicular trips to the site
3. The amount and nature of outside storage, loading & parking
4. The visual impact
5. The hours of operation
6. Existing vegetation
7. Water drainage or water quality
8. Service or other benefit to the use or structure provides to the area

Although the lot sizes are small in our area of Oceanside, most of the properties in this area have decks, patios or even tree houses. These structures are used to enjoy the outdoor space and to obtain views of the ocean.

Our proposed deck will not interfere with any of our neighbors' ocean views. The 14" of increased elevation that we propose for one portion of our second floor deck will not impact our neighbors' view, since the unfinished portion of our second floor is much higher than the deck height will be.

We have created a site plan to illustrate our proposed deck. This plan illustrates a minimum of six feet between structures.

If our nonconforming use is approved, we plan to have detailed structural plans made by Erica Iverson from Stricker Engineering. JLT Construction will be building the deck.

Please don't hesitate to reach out if you have any questions or concerns.

Sincerely,

Regina Tobin & Shirley Catterall

(503)310-0290 Regina
(503)310-0590 Shirley
reginatobin@comcast.net
shirleycatt@comcast.net



5460 ASTER STREET, OCEANSIDE, OR. 97134.
REVIEW CRITERIA

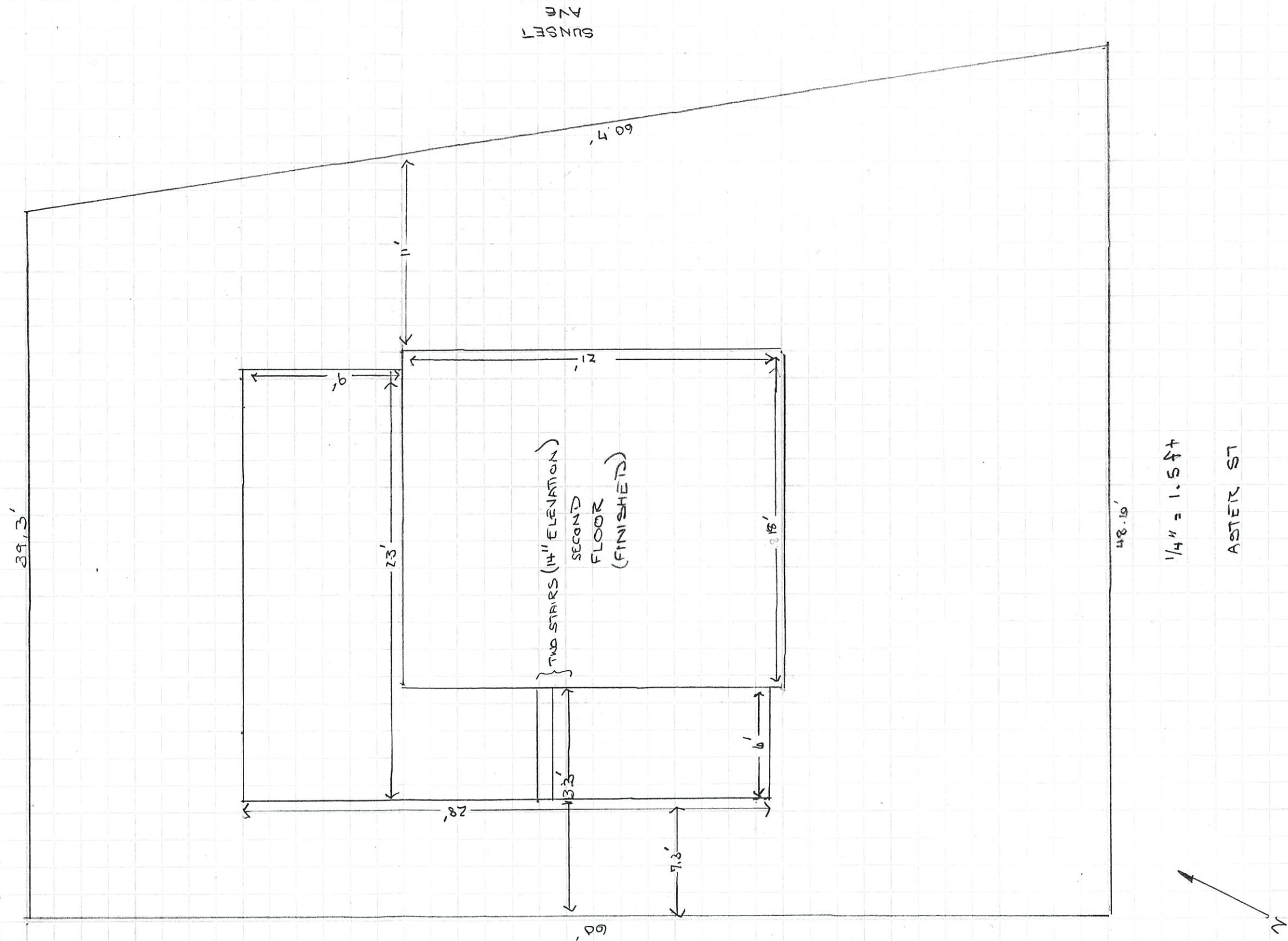
- (a) The proposed deck will have no greater adverse impact on neighboring areas than the existing deck considering:
 - i. A comparison of existing use or structure with the proposed change using the following factors:
 - 1. Noise, vibration, dust, odor, fumes, glare or smoke detectable at the property line or off-site; THERE WILL BE NO NOISE, VIBRATION, DUST, ODOR, FUMES, GLARE OR SMOKE DETECTABLE AT THE PROPERTY LINE OR OFF-SITE.
 - 2. Numbers and kinds of vehicular trips to the site; THERE WILL BE NO CHANGE IN NUMBERS AND KINDS OF VEHICULAR TRIPS TO THE SITE.
 - 3. Amount and nature of outdoor storage, loading and parking; THERE WILL BE NO CHANGE IN THE AMOUNT AND NATURE OF OUTDOOR STORAGE, LOADING AND PARKING.
 - 4. Visual impact; THE PROPOSED DECK REPLACEMENT WILL IMPROVE THE EXTERIOR ASPECT OF THE EXISTING STRUCTURE. THE PROPOSED LOWER DECK IS SIGNIFICANTLY SMALLER THAN THE EXISTING DECK. THE PROPOSED UPPER DECK IS 1' LONGER ON THE NORTH SIDE OF THE STRUCTURE BUT WILL HAVE NO IMPACT ON OUR NEIGHBORS VIEW OF THE OCEAN.
 - 5. Hours of operation; NOT APPLICABLE.
 - 6. Effect on existing vegetation; SINCE WE ARE REMOVING A SIGNIFICANT PORTION OF THE LOWER DECK WE WILL BE ABLE TO PLANT GRASS AND A FLOWER GARDEN.
 - 7. Effect on water drainage and water quality; THERE WILL BE NO CHANGE IN WATER DRAINAGE AND WATER QUALITY.
 - 8. Service or other benefit to the use or structure provides to the area; NOT APPLICABLE ALTHOUGH THE PROPOSED DECK WILL BE MORE VISUALLY APPEALING.
 - 9. Other factors relating to conflicts or incompatibility with the character and needs of the area; THE PROPOSED DECK REPLACEMENT IS AN IMPROVEMENT AND THIS UPGRADE WILL IMPROVE THE EXISTING QUALITY OF THE HOUSE AND THE AREA.
 - ii. The character and history of the use and development in the surrounding area; THE PROPOSED DECK IS IN LINE WITH THE CHARACTER AND HISTORY OF THE USE AND DEVELOPMENT IN THE SURROUNDING AREA.

(b) THE PROPOSED DECK SHALL MAINTAIN A MINIMUM SEPARATION OF SIX FEET BETWEEN STRUCTURES AND COMPLY WITH THE CLEAR VISION AREA OF SECTION 4.010.

SEE ATTACHED PLAN. ONCE APPROVED, WE INTEND TO HAVE ERICA IVERSON OF STRICKER ENGINEERING DETERMINE ENGINEERING PLANS.

5460 ASTER ST
OCEANSIDE, OREGON 97134

REGINA TOBIN & SHIRLEY CATTERALL

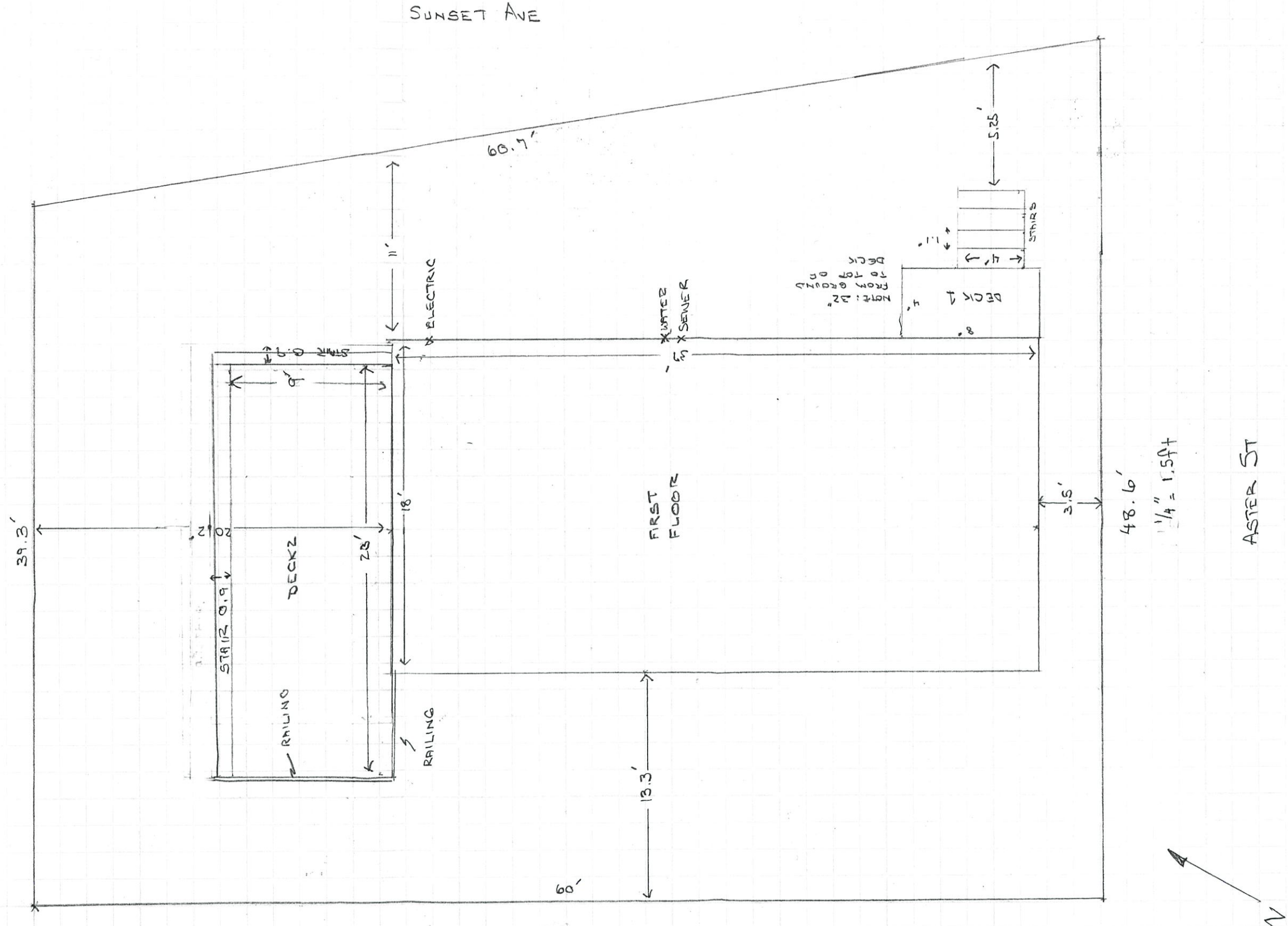


1/4" = 1.5ft

ASTER ST

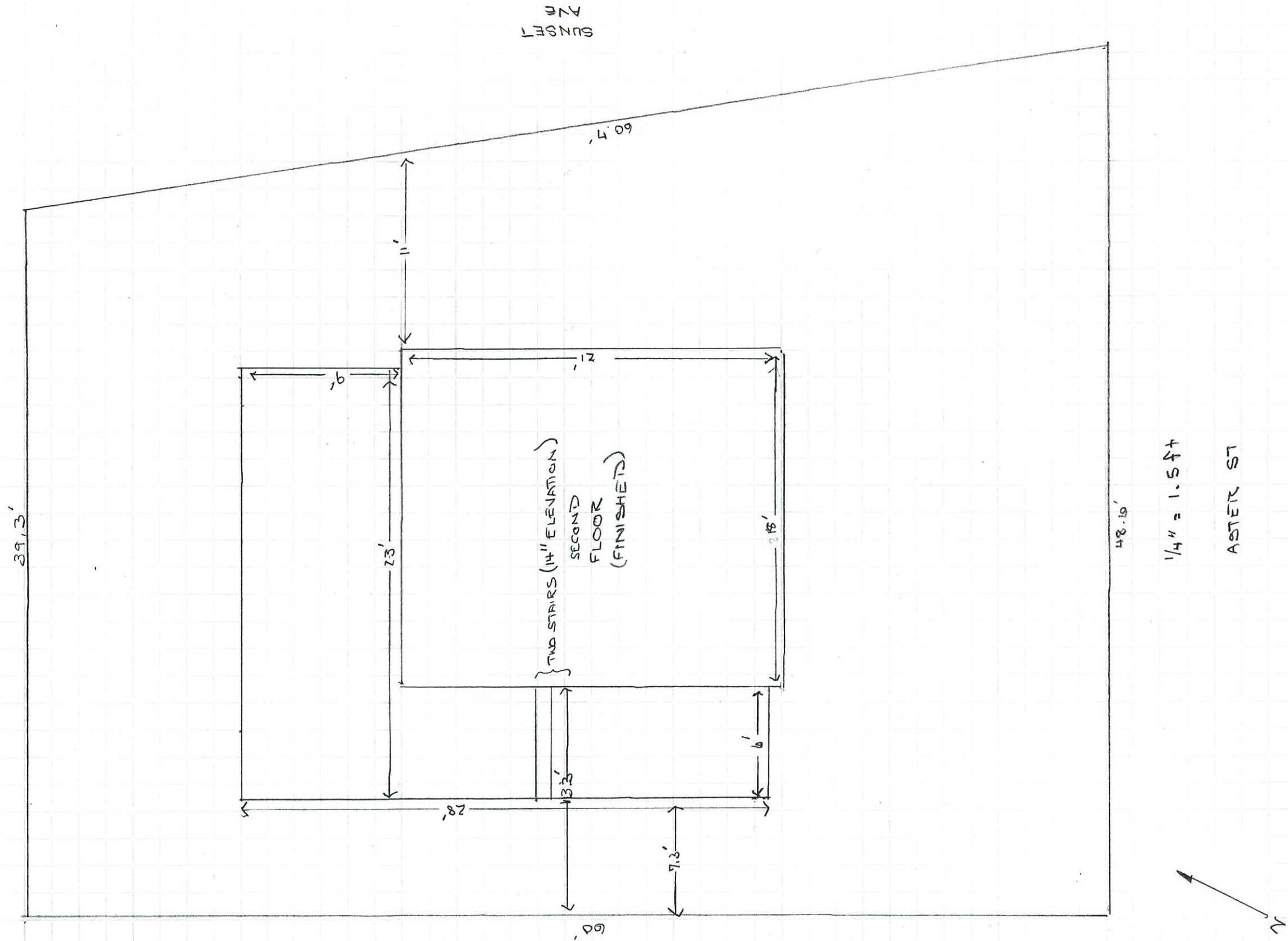
5460 ASTER ST
OCEANSIDE, OREGON 97134

REGINA TOBIN & SHIRLEY CATTERALL



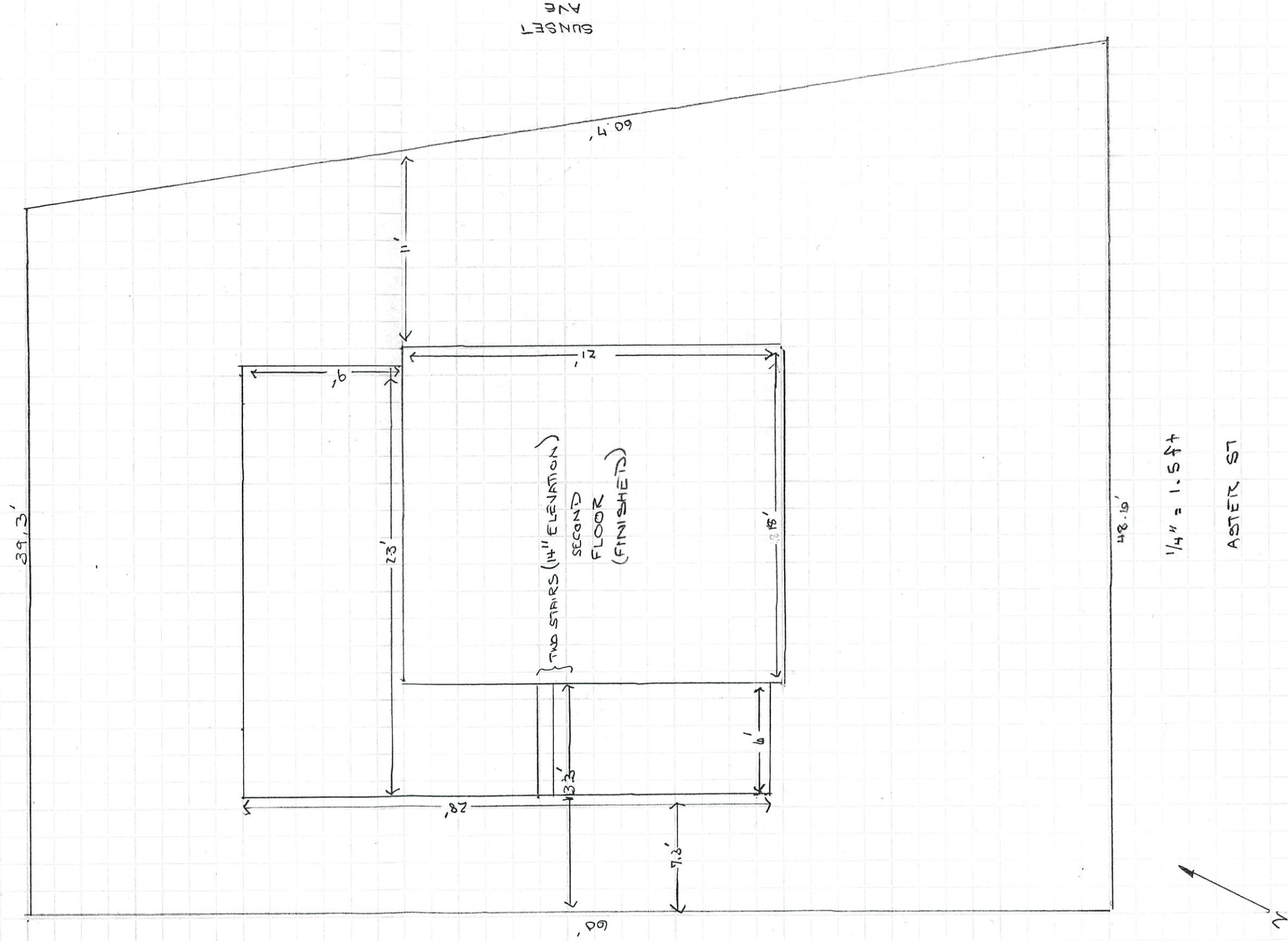
5460 ASTER ST
OCEANSIDE, OREGON 97134

REGINA TOBIN & SHIRLEY CATTERALL



5460 ASTER ST
OCEANSIDE, OREGON 97134

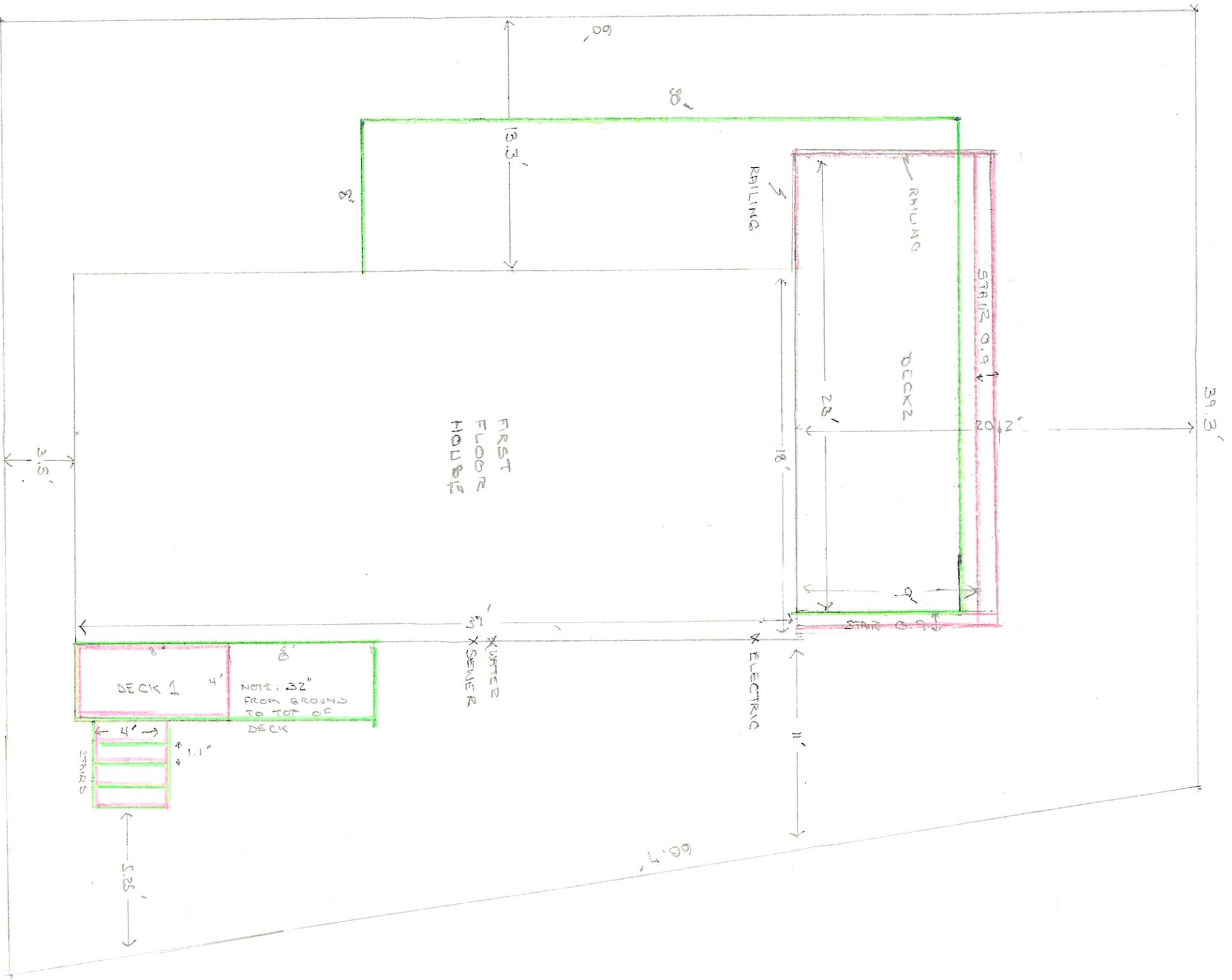
REGINA TOBID & SHIRLEY CATTERALL



5460 ASTER ST
 OCEANSIDE, OREGON 97134

REGINA TOBIN & SHIRLEY CATTERALL
 * FIRST FLOOR (GROUND FLOOR) *

RECEIVED
 JAN 10 2015
 BR.



NOTE:
 FROM D.D.
 10/13/14
 10/14/14
 10/15/14
 DECK

— = PROPOSED DECK
 — = CURRENT DECK



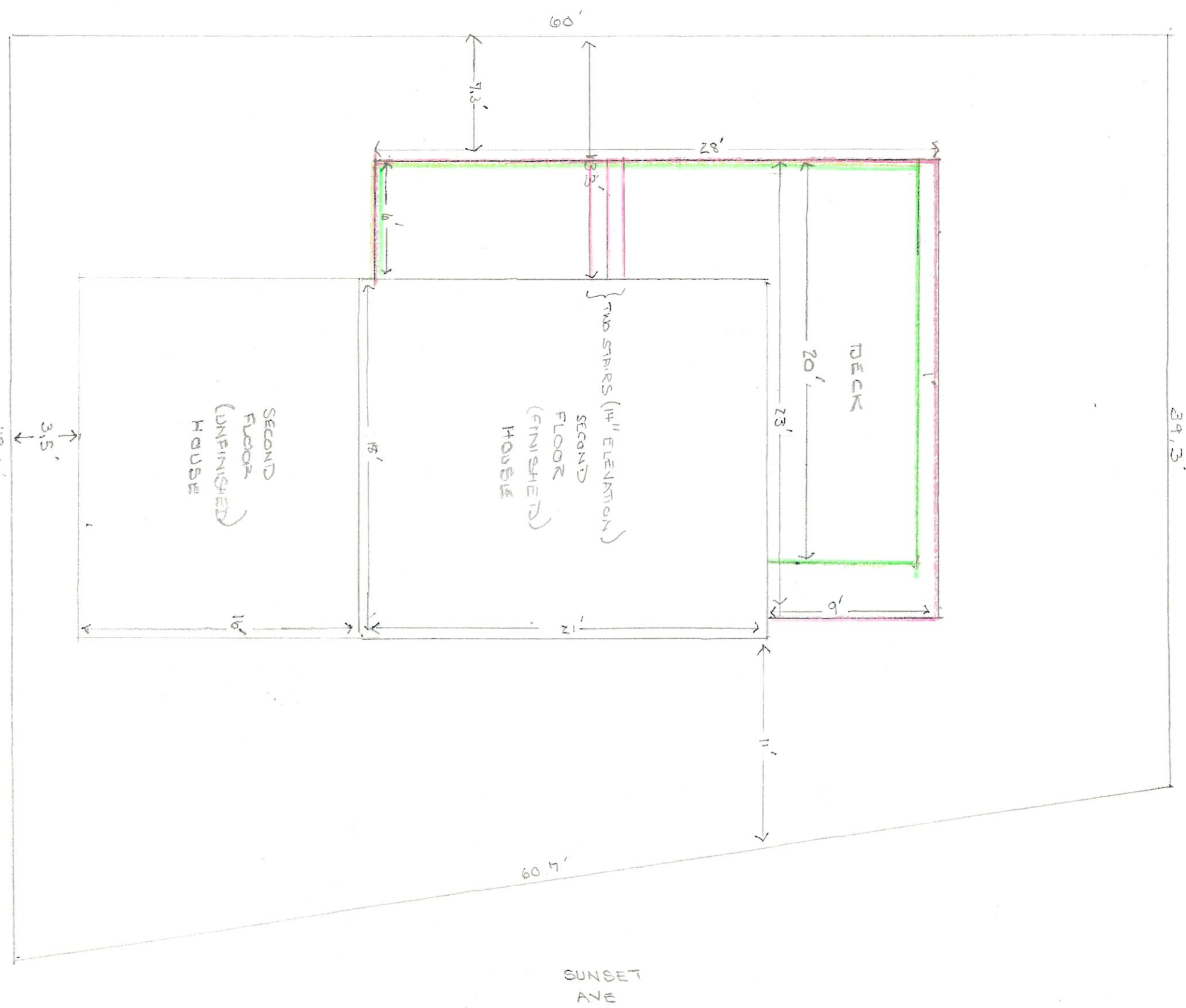
ASTER ST

SUNSET AVE

5460 ASTER ST
OCEANSIDE, OREGON 97134

REGINA TORIO & SHIRLEY CATTERALL

* SECOND FLOOR *

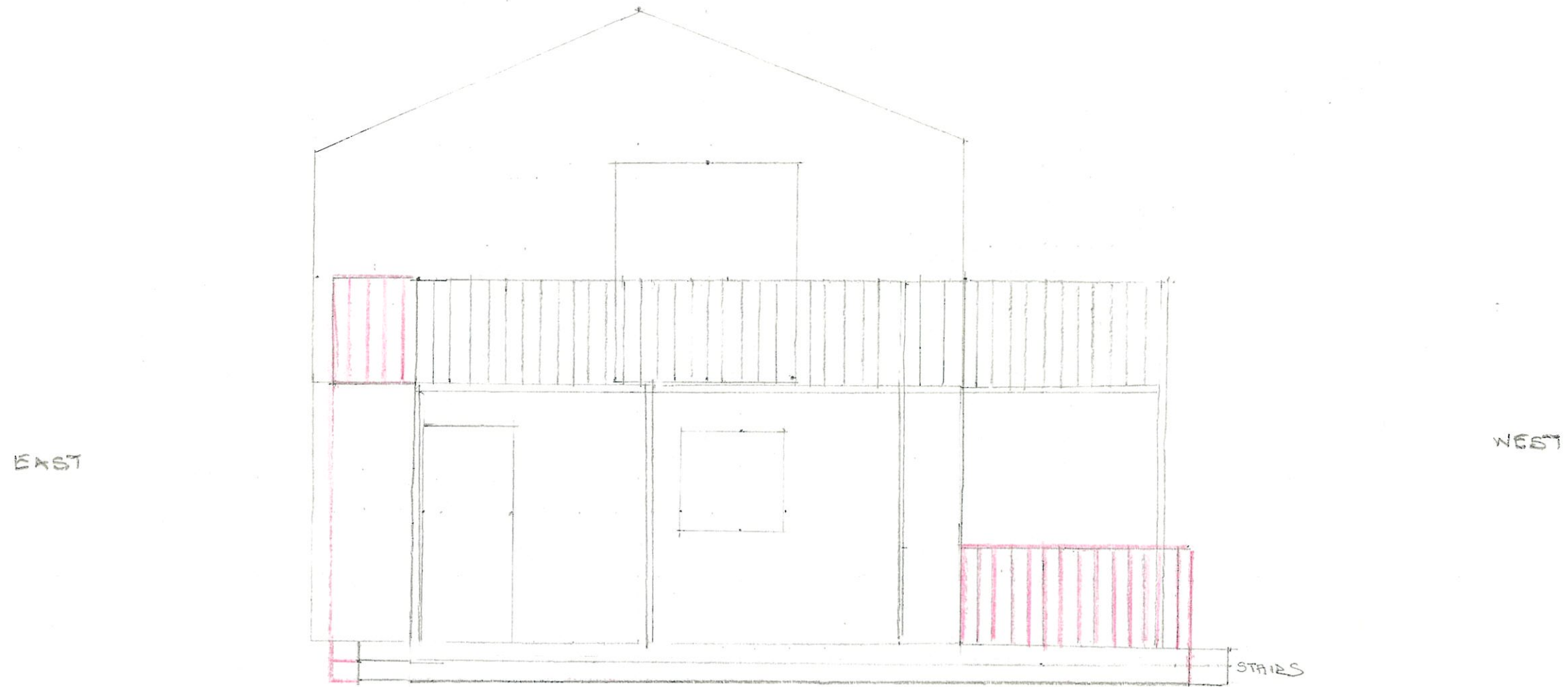


1/4" = 1.5 ft
ASTER ST

— = PROPOSED DECK
— = CURRENT DECK

SUNSET AVE

5460 ASTER ST
OCEANSIDE, OR 97134
REGINA TOBIN & SHIRLEY CATTERALL



NORTH ELEVATION

$\frac{1}{4}'' = 1 \text{ ft}$

— = CURRENT DECK

— = PROPOSED CHANGE

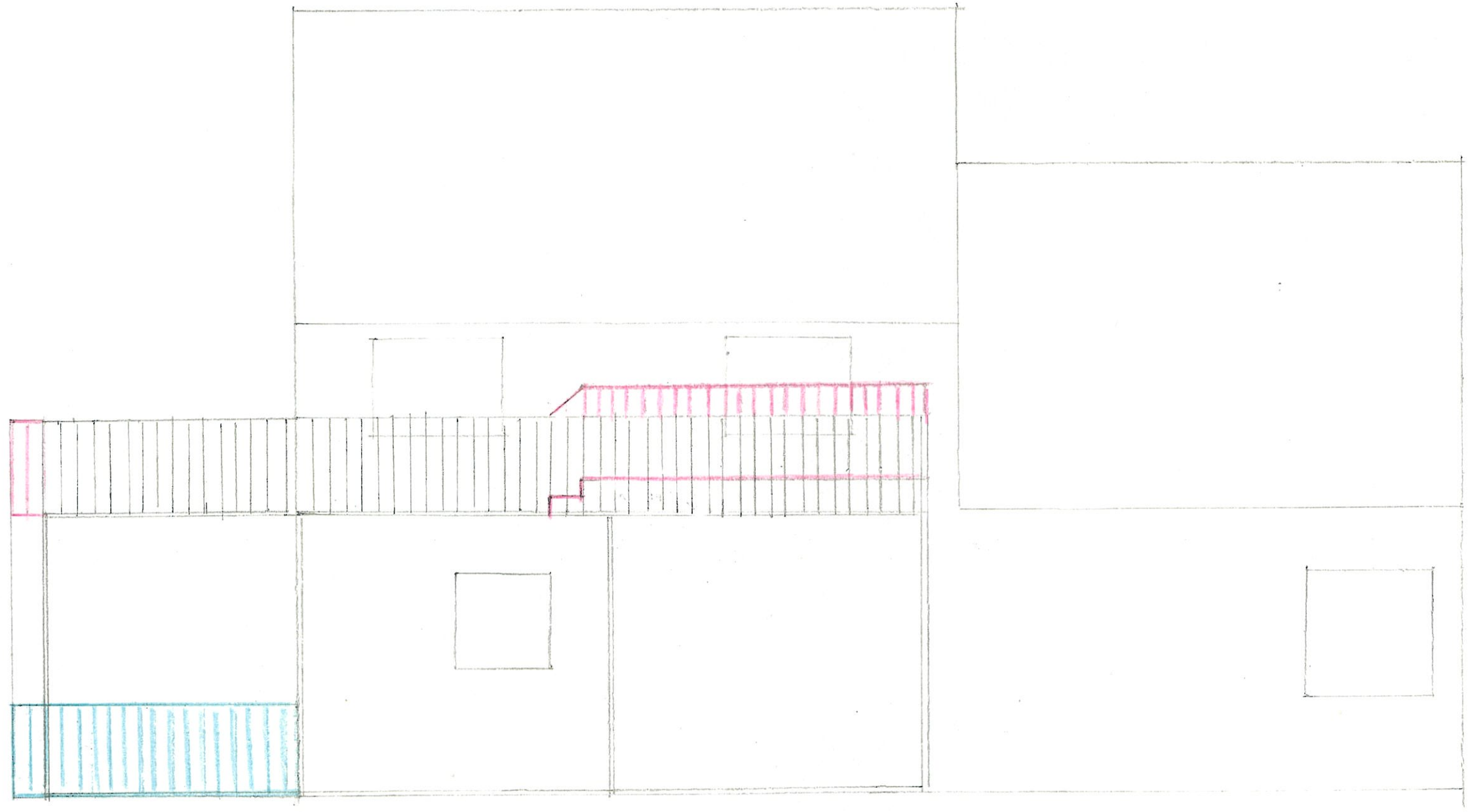
NEW DECK = CURRENT DECK ON UPPER LEVEL WITH PROPOSED CHANGE ON EAST
LOWER DECK IS CURRENT DECK WITH PROPOSED CHANGE ON WEST
WITH SMALL CHANGE ON EAST

5460 ASTER ST
OCEANSIDE, OR 97134

REGINA TOBIN & SHIRLEY CATTERALL

NORTH

SOUTH



WEST FACING VIEW $\frac{1}{4}'' = 1 \text{ FT}$

- = CURRENT DECK
- = PROPOSED CHANGES ON UPPER DECK (EXTEND NORTH SIDE ONE FOOT)
(ELEVATE A PORTION 4")
- = PROPOSED LOWER DECK (REMAINDER OF OLD DECK TO BE REMOVED FROM LOWER LEVEL)

EXHIBIT C

Melissa Jenck

From: Brian Olle
Sent: Monday, March 17, 2025 9:15 AM
To: Melissa Jenck
Cc: Sarah Thompson
Subject: RE: 851-24-000423-PLNG: Notice of Application

Melissa, Public Works has no comments on this one.

Thanks,
Brian Olle, P.E. | Engineering Project Manager
TILLAMOOK COUNTY | Public Works
Cell: (503)812-6569

From: Melissa Jenck <Melissa.Jenck@tillamookcounty.gov>
Sent: Friday, March 14, 2025 5:37 PM
To: Melissa Jenck <Melissa.Jenck@tillamookcounty.gov>
Cc: Sarah Thompson <sarah.thompson@tillamookcounty.gov>
Subject: 851-24-000423-PLNG: Notice of Application

Good afternoon,

Please see the link below for a Notice of Application for a Nonconforming Review request.

<https://www.tillamookcounty.gov/commdev/project/851-24-000423-plng>

Sincerely,

*** Please note that the Tillamook County domain has changed, and my email address is now Melissa.Jenck@tillamookcounty.gov Please update your contact information as needed. Thank you. ***



Melissa Jenck (she/her) | Senior Planner
TILLAMOOK COUNTY | Community Development
1510-B Third Street
Tillamook, OR 97141
Phone (503) 842-3408 x 3301
Melissa.Jenck@tillamookcounty.gov

My working hours are 7:00am to 5:30pm, Tuesday thru Friday.

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