



Land of Cheese, Trees and Ocean Breeze

NOTICE OF DECISION

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

July 2, 2025

#851-25-000031-PLNG: A Variance request to reduce the required 60-foot width requirement to 55.02-feet for a Neskowin Low Density Residential (Nesk R-1) zoned property, together with **#851-25-000030-PLNG**, a Property Line Adjustment to adjust a portion of Tax Lot 220 into Tax Lot 231 in the Nesk R-1 zone. Located in the Unincorporated Community of Neskowin, the subject properties are accessed via South Beach Road, a private road, and designated as Tax Lot 220 and 231 of Section 36BC, Township 5 South, Range 11 West of the Willamette Meridian, Tillamook County, Oregon. The subject properties are zoned Neskowin Low Density Residential (NeskR-1) and Small Farm and Woodlot (SFW-20). The applicant is Robert B. Fultz. The property owners are Jay Julien 2012 Irrevocable Trust, Sherry Kalish Irrevocable Trust, Seabreeze Associates Limited Partnership, Heather Gobet-Pomeroy, and Thomas Bates.

Dear Interested Parties:

A public hearing on the above-entitled matter was held before the Tillamook County Planning Commission on May 22, 2025, where a decision was made on this date.

The Tillamook County Planning Commission considered the Variance request on the basis of the criteria listed in Section 8.030: Variance Review Criteria of the Tillamook County Land Use Ordinance (TCLUO) and relevant development standards contained within the TCLUO and Tillamook County Comprehensive Plan. The Planning Commission also considered this request on the basis of the findings of fact and conclusions contained within the staff report, written testimony received during the public comment period, and the Applicant's presentation.

After consideration of all available evidence described above, the Planning Commission then voted in favor to approve Variance request #851-25-000031-PLNG, the vote carrying 5 to approve, 1 abstention, 0 opposed, subject to the amended Conditions of Approval contained in "Exhibit A" of this order.

The Tillamook County Planning Commission considered the Property Line Adjustment request on the basis of the criteria listed in Section 130: Property Line Adjustments of the Tillamook County Land Division Ordinance (TCLDO) and relevant development standards contained within the TCLUO, TCLDO and Tillamook County Comprehensive Plan. The Planning Commission also considered this request on the basis of the findings of fact and conclusions contained within the staff report, written testimony received during the public comment period, and the Applicant's presentation.

After consideration of all available evidence described above, the Planning Commission then voted unanimously in favor to approve Property Line Adjustment request #851-25-000030-PLNG, the vote carrying 6 to approve and 0 opposed, subject to the amended Conditions of Approval contained in "Exhibit A" of this order.

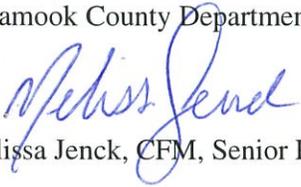
The Planning Commission Order and other documents associated with the request (#851-25-000030-PLNG and 851-25-000031-PLNG) are available for review and inspection on the Tillamook County Land Use Application page here: <https://www.co.tillamook.or.us/commdev/landuseapps> and at the Tillamook County Department of Community Development office located at: 1510-B Third Street, Tillamook, Oregon 97141.

Please contact the Department of Community Development at 503-842-3408 if you have any questions or would like to review the record for this Conditional Use request.

Any party with standing to appeal as described in TCLUO Section 10.110 may appeal the decision to the Board of County Commissioners, by filing an application for an appeal, submitting written justification supporting the appeal, and submitting the required filing fee of \$250 with the Tillamook County Board of Commissioners within twelve (12) days of the date of this Notice. The deadline for filing an appeal with the Board of County Commissioners is July 14, 2025, at 4:00pm.

If you have any questions about this notice, you may contact this office at (503) 842-3408.

Sincerely,
Tillamook County Department of Community Development



Melissa Jenck, CFM, Senior Planner

Sarah Absher, CFM, Director

Encl: Maps

“EXHIBIT A”

ADOPTED CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL FOR PROPERTY LINE ADJUSTMENT:

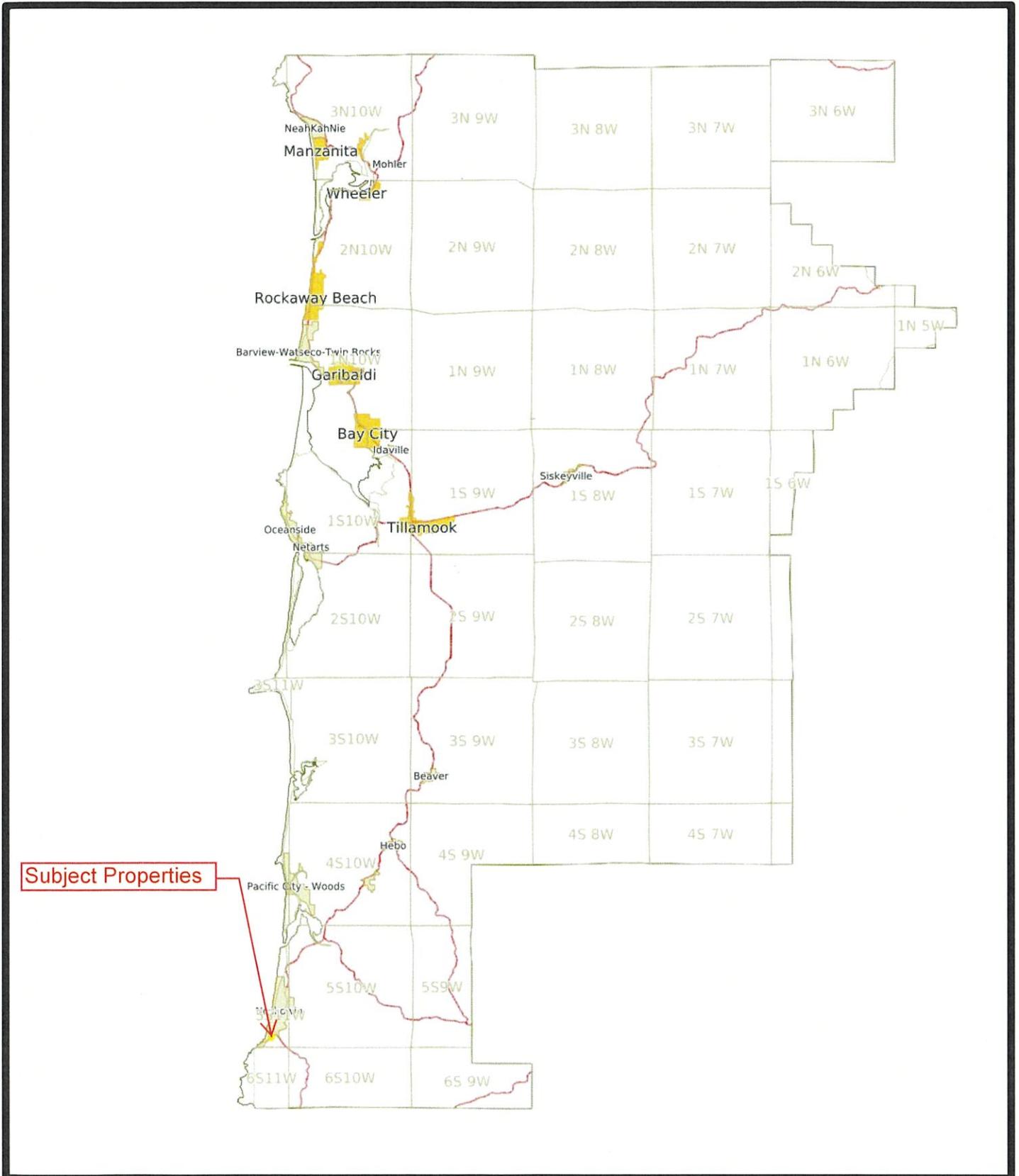
1. The existing zoning designations for all Units, Tax Lot 220 and Tax Lot 231, shall remain the same and the standards for each zone will continue to apply, following the proposed adjustment.
2. If the adjusted units of land are less than ten acres in size, a survey to monument the new common boundary is required and shall be filed with the Tillamook County Surveyor’s Department.
3. The property owner(s) shall record all proper documents, including descriptions of all access and utility easements necessary to serve the properties, in the Tillamook County Clerk’s Office. Copies of the recorded documents shall be submitted to this Department.
4. A copy of the filed survey identifying all easements for access and utilities shall be submitted to this Department.
5. The property owner(s) shall fulfill the requirements for recording and filing above and shall submit any required map and documents within two years of the date of this approval. An extension of tentative approval may be available.

CONDITIONS OF APPROVAL FOR VARIANCE:

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/division. 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. Development of each lot shall otherwise conform to the development standards outlined in TCLUO Section 3.006: Small Farm and Woodlot (SFW-20) zone, and TCLUO Section 3.322 Neskowin Low Density Residential (NeskR-1) zone, as applicable.
3. Lot width of Tax Lot 231 shall not be less than 55.02-feet, as measured in accordance with Tillamook County Land Use Ordinance for Lot Width in the NeskR-1 zone. Documentation providing evidence of lot width calculation shall be provided at time of recording proper documents for the Property Line Adjustment.
4. This approval shall be void two years from the date of approval, unless the Property Line Adjustment has been recorded, or an extension is requested from, and approved by this Department.

Vicinity Map



THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

S.W.1/4 N.W.1/4 SEC.36 T.5S. R.11W. W.M.
TILLAMOOK COUNTY

05S11W36BC

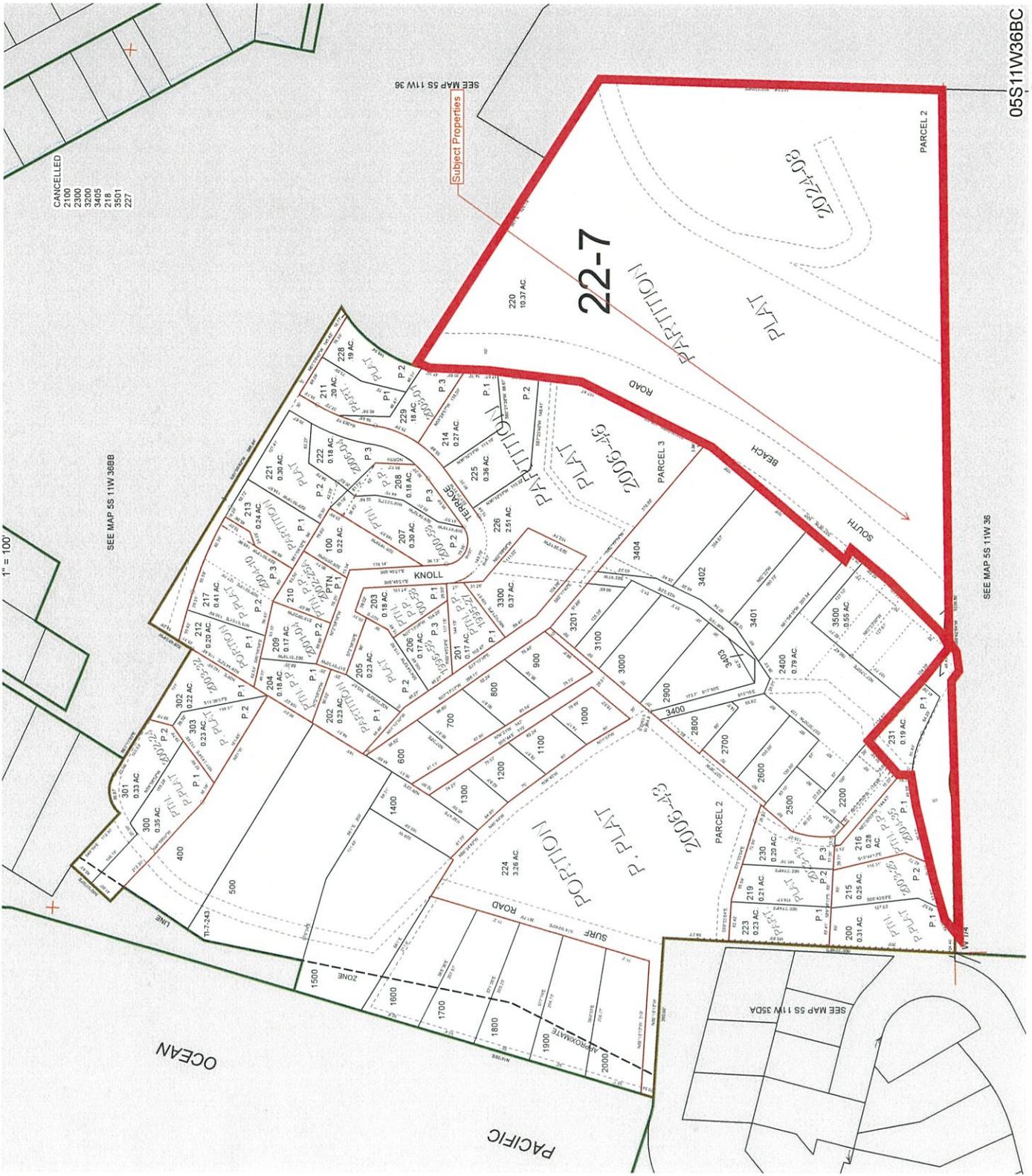


1" = 100'

CANCELLED
2100
2300
2500
2700
2900
3100
3300
3501
227

SEE MAP 5S 11W 36BB

Subject Properties
SEE MAP 5S 11W 36



SEE MAP 5S 11W 36

05S11W36BC

Revised 5/2024, WS

After consideration of all available evidence described above, the Planning Commission then voted in favor to approve Variance request #851-25-000031-PLNG, the vote carrying 5 to approve, 1 abstention, 0 opposed, subject to the amended Conditions of Approval contained in “Exhibit A” of this order.

The Tillamook County Planning Commission considered the Property Line Adjustment request on the basis of the criteria listed in Section 130: Property Line Adjustments of the Tillamook County Land Division Ordinance (TCLDO) and relevant development standards contained within the TCLUO, TCLDO and Tillamook County Comprehensive Plan. The Planning Commission also considered this request on the basis of the findings of fact and conclusions contained within the staff report, written testimony received during the public comment period, and the Applicant’s presentation.

After consideration of all available evidence described above, the Planning Commission then voted unanimously in favor to approve Property Line Adjustment request #851-25-000030-PLNG, the vote carrying 6 to approve and 0 opposed, subject to the amended Conditions of Approval contained in “Exhibit A” of this order.

This decision may be appealed to the Board of County Commissioners by an affected party, by filing an application for an appeal, submitting written justification supporting the appeal, and submitting the required filing fees with the Tillamook County Board of Commissioners within twelve (12) days of the date of notice for this decision.

DATED this 26th of June, 2025.

TILLAMOOK COUNTY PLANNING COMMISSION



Kurt Heckerth, Chairperson

“EXHIBIT A”

ADOPTED CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL FOR PROPERTY LINE ADJUSTMENT:

1. The existing zoning designations for all Units, Tax Lot 220 and Tax Lot 231, shall remain the same and the standards for each zone will continue to apply, following the proposed adjustment.
2. If the adjusted units of land are less than ten acres in size, a survey to monument the new common boundary is required and shall be filed with the Tillamook County Surveyor’s Department.
3. The property owner(s) shall record all proper documents, including descriptions of all access and utility easements necessary to serve the properties, in the Tillamook County Clerk’s Office. Copies of the recorded documents shall be submitted to this Department.
4. A copy of the filed survey identifying all easements for access and utilities shall be submitted to this Department.
5. The property owner(s) shall fulfill the requirements for recording and filing above and shall submit any required map and documents within two years of the date of this approval. An extension of tentative approval may be available.

CONDITIONS OF APPROVAL FOR VARIANCE:

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/division. Failure to comply with the Conditions of Approval and ordinance provisions could result in nullification of this approval.

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