

From: [Bierce, Jenny](#)
To: [Sarah Thompson](#); [Melissa Jenck](#)
Subject: EXTERNAL: Additional Testimony Re: 851-25-000548-PLNG and 851-25-000549-PLNG for a Subdivision Replat and Conditional Use review of Sahhali South
Date: Thursday, January 15, 2026 6:27:43 AM

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Hi Sarah and Melissa,

Thank you again for your diligence in compiling community feedback on 851-25-000548-PLNG and 851-25-000549-PLNG for a Subdivision Replat and Conditional Use review of Sahhali South.

With the continuance issued, I did want to submit a summary of my opposition below, which also includes some additional considerations regarding concerns on the FMV of my home/property.

Can you please confirm if additional community members may be allowed to submit their testimony up until January 28th or if the 15th at 4pm is the deadline for any new community members to voice concern?

Lastly, I am traveling currently and don't have exact access to documentation re our CCR View protections and community setback requirements - I can input that information below next week, if needed. Assume this would not be considered "new evidence"?

Thanks again for the help and commitment to maintaining our community,
Jennifer Bierce

Summary of Concerns/Opposition for Documentation: 851-25-000548-PLNG and 851-25-000549-PLNG

Tract A Replat Proposal — Converting current Open Space land into two buildable lots goes against a 20 year+ precedence defined in 2005: Planned Development Subdivision (PD 05-13) F stating, "All areas designated as open space, common area, wetlands, or the areas designated for development shall not be further subdivided for development purposes". This designation of Tract A was one of the primary reasons I bought my property, with the understanding that the land would not be further subdivided for development purposes and open landscapes would be maintained. The addition of two new homes/buildable lots in the current open space would vastly change our

community landscape and impede the views and enjoyment of many of the Sahhali community neighbors (across Sahhali South, Sahhali Shores and Sahhali North). It would also impede view protections that I understood would be upheld as a part of our Sahhali community CCRs. The Open Space was dedicated under the PUD for the subdivision benefit, not developer convenience. Lastly, the re-designation of Tract A land into buildable lots would greatly, and negatively, effect the fair market value of my property (and other Sahhali South/Shores/North lots), greatly reducing the value as views to the south coastal point and the east beautiful rolling hills of Neskowin would be eliminated. This would require reassessments of multiple lots and likely significantly diminished tax receipts for Tillamook county.

- 1. Tax concerns regarding potential Tract A replat:** There are now 4 existing single family, Sahhali Shores homes built on the perimeter demarcation property line of Tract A (tax lots 3300, 3400, 3500, and 5600) whose purchases relied on the in perpetuity, promised Open Space that was agreed upon by both the developer and Tillamook County. The 12 lots identified in my previous Exhibit D submission were purchased on the premise of Tract A permanency. They have an aggregate Fair Market Value between \$5,000,000 and \$10,000,000. According to The Tax court case, TC-MD 090541C, with the magistrate order Dec 30, 2010, the judgement issued in tax court determined views are worth money on a sliding scale. Depending on the view the County had to write down the FMV for some of Sahhali South properties somewhere between 10-35% to reflect the value deterioration due to diminished views. If this proposal were to be approved, it will cost the Tillamook County tax payers a substantial amount: maybe ranging between \$500,000 and \$3,500,000 in reduced FMV taxable assessed valuation to reflect the substantial negative degradation.
2. Additionally, since Tract A has been designated as Open Space/Common Ground, it appears that no (\$0) property taxes have been paid on Tract A property since it was originally designated as a subdivided lot in 2005. To allow the developer to avoid property tax payments on this Open Space/Common Ground for the past 21 years and then allow it to be turned into 2 lots for development and profit would also be unfair to all property taxpayers in the county.

Proposed “new” Open space in Lot 13a & 13b — this is a bramble filled cliffside that Robert Wogrin astutely shared in the public hearing on January 8th 2026, is used by the Fire Department to practice repelling, so it is not an appropriate “swap” of open space from the current Tract A. We do not have a community of mountaineers that enjoys repelling into community spaces and therefore this land would be unusable for the community as open space. Alternatively, as evidenced by recent sales and home

approvals of Partition 2 (10/2020) and Lot 80 (09/2025), beautiful homes can be developed on these steeper grade lots and serve the developers purpose of having sellable lots and making a profit.

Additionally, 13a/13b have currently been taxable lots that help fund Tillamook county, by re-designating these lots as “Open space” the developer is able to avoid paying taxes on this property, in addition to the 20+ years of taxes avoided on Tract A as it has been defined as open space, reducing Tillamook county incomes and negatively impacting our community.

Proposed replat/rezoning of Lot 46 — developer is requesting a 5 ft setback variance so that this can become an additional buildable lot, on land previously only designated for driveways that would drop down into lower lots. Please reference the photos and documentation Robert Wogrin submitted in his written testimony, of which I am in full agreement. The lot in question has a steep, uneven gradient that would make any building in this space incongruous with the townhouses directly to its South as well as the single family homes to the North and east of this lot. The 5' setback is a drastic change from our community standards across Sahhali Shores and Sahhali South and the addition of a home in this location would impede the views and conditions of adjoining/adjacent Sahhali Shores (and Sahhali South) lots. We all bought properties in Sahhali Shores, and Sahhali South, with the assumption that the area defined in the proposed new Lot 46 would never be built upon beyond for use of driveways, and under the assumption that community setback requirements (to be inserted here at later date) would be upheld. If this proposal is approved, it would be in direct contradiction of view protection laws and community building standards/requirements outlined in our CCRs and would also drastically, negatively impact the fair market value of my home/property as well as those in adjacent/adjoining lots, again diminishing current tax incomes for Tillamook county.

Lastly, this proposal represents a bad faith amendment to an existing comprehensive subdivision plan. The developer submitted a comprehensive plan in 2007 and it was granted. The developer submitted an application in 2022 for the same relief (swapping “Open Space” locations) and then withdrew it. In 2022, the developer likely realized that for the same developer to submit an application to amend its previously approved comprehensive plan constitutes bad faith and self-dealing to squeeze additional value for itself and destroy the bucolic and community spirit of the current location of the Open Space. The Planning Board should deny the application as improvident, in bad faith, inequitable, destructive and creating excessive concentration and density in a key location in the community. Because of such bad faith and self-

dealing, the developer should be deemed to be equitably estopped from filing now an application for amendment of its own previously approved comprehensive plan, to the detriment of the existing homeowners who all relied upon the current status in building and buying their residences in the existing comprehensive subdivision.

For these reasons, and the reasons provided in both written testimony and oral testimony on January 8th, I am in overwhelming opposition of this proposal and ask that these requests please be denied. I greatly appreciate your consideration and review of my testimony.

Thank you,
Jennifer Bierce
Owner Tax Lot 3500 – 5835 Tyee Loop (formerly 45015 Proposal Point Drive), Neskowin,
OR 97149

From: [Sarah Thompson](#)
To: [Melissa Jenck](#)
Subject: FW: EXTERNAL: Applications 851-25-000549-PLNG and 851-25-000548-PLNG — Replat of Sahhali South Subdivision
Date: Thursday, January 15, 2026 3:00:46 PM

See below.

Thanks,



Sarah Thompson (she/her) | Office Specialist 2
TILLAMOOK COUNTY | Surveyor Department
1510-B Third Street
Tillamook, OR 97141
Phone (503) 842-3408 x3423
Sarah.thompson@tillamookcounty.gov

From: Jon & Meri Kemp <jonandmeri@comcast.net>
Sent: Thursday, January 15, 2026 2:52 PM
To: Sarah Thompson <sarah.thompson@tillamookcounty.gov>
Subject: EXTERNAL: Applications 851-25-000549-PLNG and 851-25-000548-PLNG — Replat of Sahhali South Subdivision

You don't often get email from jonandmeri@comcast.net. [Learn why this is important](#)

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Ms. Sarah Thompson
Tillamook County Planning Commission
1510-B Third Street
Tillamook, OR 97141

January 15, 2026

Re: Applications 851-25-000549-PLNG and 851-25-000548-PLNG — Replat of Sahhali South Subdivision

Dear Members of the Planning Commission,

My name is Meri Kemp, and I own a home at 5100 Whale Point Drive in Neskowin. I am a

member of the Sahhali Shores at Neskowin Community Owners Association (COA). I am writing to oppose the proposed replat of the Sahhali South subdivision.

This is the developer's second attempt to replat this neighborhood, following the withdrawal of Application 851-22-000003 in May 2022. Sahhali Shores directly abuts Sahhali South, and the proposed changes would significantly and adversely affect the character of our established community.

The proposed reduction of setbacks to five feet is inconsistent with Tillamook Land Use Ordinance 3.320, which emphasizes maintaining the rural character of the Sahhali area. Allowing homes to be built as close as ten feet apart would substantially increase density and fundamentally alter the low-density, rural feel that was intentionally planned for both Sahhali Shores and Sahhali South. In addition, the increase in density would put homes at risk to potential damage of fire. Our greater community is no stranger to recent wildfire tragedy. At a time when our community development should be focused on building smarter, this proposal veers in the wrong direction.

Additionally, the proposal to replat Tract A from designated open space into two single-family lots is particularly troubling. Homeowners adjacent to this tract purchased their properties and designed their homes in reliance on the original recorded plat, which showed this area as open space. Converting this tract to residential lots would unfairly undermine those reasonable expectations.

I respectfully urge the Commission to deny the requested replat and to consider the objections submitted by multiple Sahhali Shores residents, including those of Jennifer Bierce, Jay Keck, Robert Wogrin, Maria Veltre, and Don Polednak.

Thank you for the opportunity to submit comments for the public record.

Sincerely,

Meri Kemp

From: [Sarah Thompson](#)
To: [Melissa Jenck](#)
Subject: FW: EXTERNAL: Sahhali Shores South
Date: Thursday, January 15, 2026 2:13:34 PM

See below.

Thanks,



Sarah Thompson (she/her) | Office Specialist 2
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From: John and Lisa <johnlisahome@gmail.com>
Sent: Thursday, January 15, 2026 2:11 PM
To: Sarah Thompson <sarah.thompson@tillamookcounty.gov>
Subject: EXTERNAL: Sahhali Shores South

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Hi Sarah,

I am writing as a homeowner in Sahhali Shores in Neskowin to object to the proposed replanting of several lots in South Sahhali Shores, including the conversion of common space Tract A and the reduction of setbacks to 5 feet.

These changes would financially benefit South Sahhali landowners at the expense of Sahhali Shores land owners. Of which the Sahhali Shores land owners have already invested in physical structures on their properties under existing platting rules.

Ethically it is not right to change these rules for the benefit of one and the expense of another.

Additionally this change would impact ALL property owners in the two divisions by increasing the density beyond the planned communities' original plans for a more open feel. These changes again are at the detriment of current property owners.

Thanks for the opportunity to voice my objections.

Regards

John Golightly

Lot 32 Sahhali Shores

44455 Sahhali Drive, Neskowin

503-374-3574