



Land of Cheese, Trees and Ocean Breeze

**VARIANCE #851-26-000146-PLNG
CHRISTIE/BERNHARD**

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

August 27, 2026

Dear Property Owner:

This is to confirm that the Tillamook County Department of Community Development **APPROVED** the above-cited Variance Request on August 27, 2026. This Variance has been approved to reduce the required 20-foot front yard setback to 7-feet, and the 20-foot rear yard setback to 6-feet, for the replacement of a single-family dwelling.

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 **4:00 PM on September 8, 2026.**

Request: A Variance request to reduce the required 20-foot front (west) yard setback to seven (7) feet, and the 20-foot rear (east) yard setback to six (6) feet to allow for the placement of a single-family dwelling.

Location: The subject property is located within the Unincorporated Community of Neskowin, accessed via a private easement off Grandview Street, a County road, zoned Neskowin Low Density Residential (NeskR-1) Zone and designated as Tax Lot 6100 of Section 25AB, Township 5 South, Range 11 West, Willamette Meridian, Tillamook County, Oregon.

Zone: Neskowin Low Density Residential (NeskR-1) Zone

Applicant: Lisa Christie, 9532 SW 18th Place, Portland, OR 97219

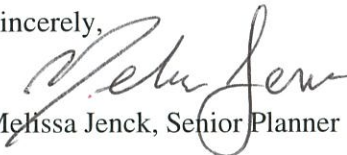
Property Owner: Eva Bernhard, 3535 NE Tillamook, Portland, OR 97212

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. Variance approval is for a seven (7) foot front yard setback and a six (6) foot rear yard setback; all other applicable setbacks shall adhere to the development standards in TCLUO Section 3.322: Neskowin Low Density Residential Zone (NesR-1).
3. The applicant/property owner shall provide a fire service letter from the Nestucca Rural Fire Protection District at time of Consolidated Zoning/Building Permit.
4. The applicant/property owner shall obtain an approved consolidated Zoning/Building Permit from the Tillamook County Department of Community Development.
5. The applicant/property owner shall submit a site plan, drawn to scale and confirming all required yard setbacks, except that approved through this Variance request, are met at the time of Consolidated Building and Zoning Permit application submittal.
6. Development of the property shall be done in accordance with the development standards of TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas. A Geologic Hazard Assessment is required for development, if slopes are equal to or greater than 19 percent as measured from the highest to lowest point of the property. The slopes must be demonstrated at time of Consolidated Zoning/Building Permit submittal.
7. This approval shall be void on August 27, 2028, unless construction of approved plans has begun, or an extension is requested from, and approved by this Department.

Sincerely,



Melissa Jenck, Senior Planner

Sarah Absher, CFM, Director

Enc.: Vicinity, Assessor & Zoning Maps



Land of Cheese, Trees and Ocean Breeze

VARIANCE #851-26-000146-PLNG: CHRISTIE/BERNHARD

ADMINISTRATIVE DECISION AND STAFF REPORT

DECISION: Approved with Conditions

Decision Date: August 27, 2026

REPORT PREPARED BY: Melissa Jenck, CFM, Senior Planner

I. GENERAL INFORMATION:

Request: A Variance request to reduce the required 20-foot front (west) yard setback to seven (7) feet, and the 20-foot rear (east) yard setback to six (6) feet to allow for the placement of a single-family dwelling.

Location: The subject property is located within the Unincorporated Community of Neskowin, accessed via a private easement off Grandview Street, a County road, zoned Neskowin Low Density Residential (NeskR-1) Zone and designated as Tax Lot 6100 of Section 25AB, Township 5 South, Range 11 West, Willamette Meridian, Tillamook County, Oregon.

Zone: Neskowin Low Density Residential (NeskR-1) Zone

Applicant: Lisa Christie, 9532 SW 18th Place, Portland, OR 97219

Property Owner: Eva Bernhard, 3535 NE Tillamook, Portland, OR 97212

Description of Site and Vicinity: The subject property contains 0.13-acres (~5,662 sq. ft.), rectangular in shape, and currently improved with a residence (Exhibit A). The property mapped with Deep and Shallow Landslide Susceptibility as indicated in DOGAMI Open File Report O-20-13. The subject property is accessed via Grandview Street, a County road, through a private easement (Exhibit A).

The surrounding properties are zoned Neskowin Low Density Residential (NeskR-1) and generally improved with single-family residential development. Property to the west is zoned Neskowin Recreation

Management (NeskRM) and is federally owned. Properties east and south of the vicinity are zoned Neskowin Rural Residential (NeskRR) and generally improved with single-family dwellings (Exhibit A).

No riparian features or wetlands are mapped on the subject property. The subject property is in Flood Zone "X", areas of minimal flooding, according to FEMA FIRM 41057C1005F dated September 28, 2018, and is not in a Special Flood Hazard Area (Exhibit A).

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 3.322: Neskowin Low Density Residential Zone (NeskR-1)
- B. TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas
- C. TCLUO Article VIII: Variance Procedures and Criteria
- D. TCLUO Section 4.005: Residential and Commercial Zone Standards

III. ANALYSIS:

A. TCLUO Section 3.322: Neskowin Low Density Residential Zone (NeskR-1)

Section 3.322(1), PURPOSE: *The purpose of the NeskR-1 zone is to designate areas for low- density residential development and other compatible uses. Suitability of land for low density uses is determined by the availability of public sewer service, and such limitations to density such as geologic and flood hazards, shoreline erosion, and the aesthetic or resource values of nearby natural features.*

Findings: Staff find the proposed single-family dwelling is a use permitted outright in the underlying zone. Section 3.322(2)(a), 'Uses Permitted Outright' lists single-family dwellings as a use permitted outright. The applicant is requesting to reduce the required 20-foot front yard setback to seven (7) feet, and the required 20-ft rear yard setback to six (6) feet, to allow for the construction of a new single-family dwelling, replacing the existing single-family residential structure (Exhibit B).

Section 3.322 (4), STANDARDS: *Land divisions and development in the NeskR-1 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 public sewers are not available, the County Sanitarian may require lot sizes greater than the minimum if necessary for the installation of adequate onsite subsurface sewage disposal systems, or for adequate protection of public health or sensitive water bodies.*

Findings: The subject property is smaller than the minimum lot size of the zone. Per TCLUO Section 4.100, "a lot or parcel . . . 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 single-family dwelling if the lot or parcel meets all other applicable Ordinance requirements, . . ."

...
(h) *The minimum front yard shall be 20 feet.*

(i) *The minimum side yard shall be 5 feet; on the street side of a corner lot, it shall be 10 feet.*

(j) *The minimum rear yard shall be 20 feet; on a corner lot, it shall be 5 feet.*

Findings: County records indicate the subject property is approximately 5,662-sqaure feet in size, 0.13-acres (Exhibit A). Due to the current orientation of the subject property, the parcel is accessed via a private

easement which bisects the westerly property boundary for driveway access (Exhibit B). Therefore, the westerly boundary acts as the front property line as defined in TCLUO Article 10. The result would identify the rear property line as the east property boundary, and the north and south boundaries as sides (Exhibit B).

The applicant has proposed a front yard setback of seven (7) feet, and a rear yard setback of six (6) feet (Exhibit B). The proposed side yard setbacks are approximately 31 feet from the north property line and 32 feet from the southerly property line (Exhibit B). Staff find that the requested Variance may be permitted only by finding that the requirements of TCLUO Article 8 have been satisfied. The requirements of TCLUO Article 8, 'Variance Procedures and Criteria' are addressed below.

(k) Structures shall meet the following standards. Applicants shall demonstrate compliance with these standards on submitted plans. For purposes of these standards, building depth is defined as the dimension of the building footprint measured between the front and rear setbacks, and building width is defined as the dimension of the building footprint measured between side property lines.

(1) The building depth at all points shall not exceed 70% of the distance between front and rear lot lines (measured as close to perpendicular to those lines as possible).

(2) Building width at all points shall not exceed 70% of the distance between opposite side lot lines (measured as close to perpendicular to those lines as possible), except that townhouses shall not be subject to this standard.

(3) Structural elements which are exempted from setback requirements by other sections of the Land Use Ordinance shall be exempt from this standard. This standard shall not apply on lots smaller than 3000 sq ft; Section 5.100 shall apply to these lots.

Findings: The site plan provided by the Applicant demonstrates a proposed structure which does not exceed 70% of the building depth or width at any point. Staff utilized the map scale on Applicants submittal to confirm structure depth and width did not exceed over 70% at any point (Exhibit B). Staff find this standard is met.

(l) The maximum building height shall be 35 feet, except on ocean or bay frontage lots, where it shall be 25 feet. Higher structures may be permitted only according to the provisions of Article 8. Within the Neskowin Community Growth Boundary, building height shall be measured as the vertical distance from existing grade at a given point to the highest surface of any building element or projection above that same point. The building height shall not exceed the maximum building height at any point. Existing grade is defined as the grade prior to land disturbing activities or fill placement. The department may require a topographic survey for any building permit application. Prior to approval of a building permit for any structure that appears to be within 3 feet of the maximum building height, the applicant shall sign a legally binding statement holding Tillamook County harmless should construction of approved plans result in a structure exceeding the height limit and needing to be removed or altered.

Findings: Applicant provided a site plan and elevation profiles in their submittal, including the existing grade location for the proposed construction (Exhibit B). Staff find the subject property is not considered an oceanfront property, and is subject to the 35-foot building height.

Staff find the proposed development demonstrates compliance with proposed building heights. Staff find this standard is met.

B. TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas

(2) The following areas are considered potentially geologically hazardous and are therefore subject to the requirements of Section 4.130:

a) All lands partially or completely within categories of “high” and “moderate” susceptibility to shallow landslides as mapped in Oregon Department of Geology and Mineral Industries (DOGAMI) Open File Report O-20-13, Landslide hazard and risk study of Tillamook County, Oregon;

b) All lands partially or completely within categories of “high” and “moderate” susceptibility to deep landslides as mapped in DOGAMI Open File Report O-20- 13, Landslide hazard and risk study of Tillamook County, Oregon;

...

Findings: The subject properties contain areas with susceptibility to shallow and deep landslides, as identified by DOGAMI Open File report O-20-13 (Exhibit A). Staff find the subject property is located within a Geologic Hazard Area and that development within that area is subject to the standards of TCLUO 4.130(2).

Staff will require a condition of approval for future development of the site within geologic hazard areas to demonstrate compliance with TCLUO 4.130. Staff find these standards can be met through compliance with Conditions of Approval.

C. TCLUO Article VIII: Variance Procedure and Criteria

The purpose of a VARIANCE is to provide relief when a strict application of the dimensional requirements for lots or structures would cause an undue or unnecessary hardship by rendering the parcel incapable of reasonable economic use. No VARIANCE shall be granted to allow a use of property not authorized by this Ordinance.

Article VIII of the Tillamook County Land Use Ordinance governs the applications of Variances within the County. Article IV, Section 4.005 lists the purposes of the land use standards in each of the residential and commercial zones.

Section 8.020 requires notification of the request be mailed to landowners within 250-feet of the subject property, to allow at least 14 days for written comment and requires Staff to consider comments received in making the decision.

Findings: A notice of the request was mailed to property owners within 250 feet of the subject property and other agencies on May 22, 2026. Comments were received from neighboring properties with concerns of proposed development, summarized as follows and contained in ‘Exhibit C’:

- Concerns over availability of open space.
- Concerns of adequate separation of structures for emergency access.
- Concerns that all private land uses are expected to occur entirely on private lands.
- Concerns of property value reduction.
- Concerns of the location and proximity of proposed development relative to property lines.

Section 8.030 states that a Variance may be authorized if the applicants/property owners adequately demonstrate that the proposed use satisfies all relevant requirements, including all four review criteria in Section 8.030. These criteria, including Section 4.005 Residential and Commercial Zone Standards, along with Staff’s findings and conclusions, are indicated below.

- (1) Circumstances attributable either to the dimensional, topographical, or hazardous characteristics of legally existing lot, or to the placement of structures thereupon, would effectively preclude the enjoyment of a substantial property right enjoyed by the majority of landowners in the vicinity, if all applicable standards were to be met. Such circumstances may not be self-created.*

Findings: Applicant identifies in their submittal the subject property is an interior lot accessed through a private easement. The site currently maintains a dwelling and the applicant is proposing to replace the dwelling with a smaller structure, which is limited by the constraints of the lot configuration and current zoning standards (Exhibit B). Applicant identifies that with the current lot arrangement and the west property line acting as the front property line, utilization of the required 20-foot front yard setback and 20-foot rear yard setback, would result in a buildable depth of 10-feet for the 50-ft deep property (Exhibit B).

The subject property contains 0.13-acres (~5,662 sq. ft.), rectangular in shape, and currently improved with a residence (Exhibit A). The parcel is approximately 117-feet by 50-feet (Exhibit A). The proposal is the replacement of the dwelling with a new residential structure (Exhibit A & B).

Due to the current orientation of the subject property, the parcel is accessed via a private easement which bisects the westerly property boundary for driveway access (Exhibit B). Therefore, the westerly boundary acts as the front property line as defined in TCLUO Article 10. The result would identify the rear property line as the east property boundary, and the north and south boundaries as sides (Exhibit B).

The subject property, as originally platted and indicated on the Subdivision map for Neskowin Crest contained in 'Exhibit B', identifies that the lot arrangement was intended to have the front and rear yard setbacks, which are prescribed with larger setbacks, on the south and north property lines, respectively. This would have caused the front and rear yard setbacks across the 100-foot depth of the property at the time it was platted. A vacation of North View Street and North Crest Avenue occurred within the Neskowin Crest subdivision (Exhibit A). Due to this vacation, which was not completed at the request of the current owner, and the location of the private access easement, the subject property resulted in an adjusted designation of the property lines. This designation for the front and rear property lines resulted in an adjustment from the north and south boundaries to the east and west boundaries, as compliant with the definitions for lot lines contained in the Tillamook County Land Use Ordinance (Exhibit B).

Based upon the findings outlined above and the evidence contained within this report, staff find circumstances attributable to dimensional characteristics of the subject property effectively preclude the owner replacement of a single-family dwelling and that these circumstances are not self-created. This criterion is met.

- (2) A variance is necessary to accommodate a use or accessory use on the lot which can be reasonably expected to occur within the zone or vicinity.*

Findings: Applicant states the proposed development is consistent with the NeskR-1 zone, where single-family dwellings are permitted outright.

Staff find single-family dwellings are an outright use allowed in the Neskowin Low Density Residential Zone (NeskR-1); this use is consistent with surrounding properties. This criterion is met.

- (3) The proposed variance will comply with the purposes of relevant development standards as enumerated in Section 4.005 and will preserve the right of adjoining property owners to use and enjoy their land for legal purposes.*

Findings: Analysis of TCLUO Section 4.005 follows in the subsequent Section D, below, in this report.

(4) *There are no reasonable alternatives requiring either a lesser or no variance.*

Findings: Applicant states there is no reasonable alternative for a proposed dwelling, due to the strict application of the 20-foot front and rear yard setbacks, which reduce the building depth to 10-feet (Exhibit B). The applicant states they are proposing a new dwelling with maintains a substantially smaller footprint than the existing dwelling, with compliance to the maximum building height (Exhibit B).

Applicant reiterates that due to the configuration and dimensional layout of the property, there was no alternative for relief of a variance which would allow for the reasonable siting of a residence that was not limited to 10-feet in depth (Exhibit B).

Staff find that the original lot configuration of the subject property, prior to the vacation of the rights-of-way contained in Neskowin Crest subdivision, intended for the lot configuration to provide front and rear yard setbacks to be prescribed against the depth which ran north-south on the lot. Due to the vacation process performed in Neskowin Crest subdivision, and the arrangement of the private access easement through the westerly property boundary, the parcel resulted in a lot configuration which re-designated the associated property boundaries for front and rear yard to run east-west (Exhibit A & B).

Staff find that review of properties in the vicinity with similar dimensional standards maintain building depths greater than 10-feet, which would be the application as a result of compliance with the minimum 20-ft front and rear yard setbacks to this property (Exhibit A & B). Applicants proposal results in a reduction of the previous footprint of the dwelling from approximately 40-feet by 60-feet, to 29-feet by 52-feet (Exhibit B). The setbacks for the current dwelling maintain approximate setbacks of a 3-foot front yard, 4.5-foot rear yard, 45-foot side yard from the north, and 10-foot side yard from the south (Exhibit B). The proposed dwelling is to maintain a 7-foot front yard, a 6-foot rear yard, and approximately 31-foot side yard from the north, and 28-foot side yard from the south (Exhibit B). Applicants site plan demonstrates location of all proposed improvements, including roof overhang, stairs, decks, and minimum parking requirements (Exhibit B).

Staff find the proposed development for the replacement of the dwelling results in a reduced building footprint, increased front and rear yard setbacks, and an increase in the south side yard setback (Exhibit B).

Staff find considering the size, shape, and access to the subject property a 7-foot front yard setback and a 6-foot rear yard setback are reasonable alternatives and allows for building on the subject property consistent with the development patterns of properties in the vicinity. Staff find this criterion has been met.

D. TCLUO Section 4.005: Residential and Commercial Zone Standards

Section 4.005: *Residential and Commercial Zone Standards of the Tillamook County Land Use Ordinance lists the purposes of the land use standards in each of the residential and commercial zones as follows:*

- (1) *To ensure the availability of private open spaces;*
- (2) *To ensure that adequate light and air are available to residential and commercial structures;*
- (3) *To adequately separate structures for emergency access;*
- (4) *To enhance privacy for occupants or residences;*

Findings: Applicant states the proposal is for a reduction in building footprint from 1,560-square feet to 960-square feet, which results in an increase to usable outdoor areas on the subject property, and improves available open space to neighboring properties. Applicant further describes the increase in access to light and air for adjacent properties as a result of the increased front and rear yard setback. A site plan provided

details separation of structures and parking area adequate for emergency access, as it increased the available area from the southern property line. Applicant indicates the increased setback from adjacent existing buildings, and the privacy of reduced windows on the east side to avoid potential privacy impacts (Exhibit B).

Staff find the setbacks for the current dwelling maintain approximate setbacks of a 3-foot front yard, 4.5-foot rear yard, 45-foot side yard from the north, and 10-foot side yard from the south (Exhibit B). The proposed dwelling is to maintain a 7-foot front yard, a 6-foot rear yard, and approximately 31-foot side yard from the north, and 28-foot side yard from the south (Exhibit B). Applicants site plan demonstrates location of all proposed improvements, including roof overhang, stairs, decks, and minimum parking requirements (Exhibit B).

Staff find access to the property is off Grandview Street, a County road, via a private easement. The subject property is an interior parcel and does not maintain frontage to the existing public right-of-way. The parcel obtains access via an existing access easement (Exhibit B). The Department noticed the local fire department and the County Public Works for comments – none were received at time of publication of this staff report. Staff find a letter from the servicing fire district, as typically required at time of Consolidated Zoning/Building permit submittal, shall be made as a condition of approval, to ensure adequate emergency access is maintained.

Staff find allowing the proposed development with a 7-foot front yard and 6-foot rear yard will maintain privacy and adequate access to air, light and open space for the subject property, the surrounding properties and provide for adequate separation of structures for emergency access, consistent with the availability already experienced by the property. Staff find that these standards have been met and can be met through compliance with conditions of approval.

- (5) To ensure that all private land uses that can be reasonably expected to occur on private land can be entirely accommodated on private land, including but not limited to dwellings, shops, garages, driveway, parking, areas for maneuvering vehicles for safe access to common roads, alternative energy facilities, and private open spaces;*

Findings: Applicant finds the proposal enables the property to support normal residential use, and includes space for off-street parking, circulation as well as replacement area of their septic (Exhibit B). Applicant's submittal documents and site plan indicate that all private land uses will occur on the subject property including off-street parking (Exhibit B).

Staff find applicants maintain adequate area on the subject parcel to ensure parking and maneuvering, as identified by the increase in available parking area adjacent to the driveway access (Exhibit B). The proposal maintains all of the proposed building footprint, including the dwelling, decks, roof overhangs, and decks (Exhibit B). All proposed uses and structures are proposed to be maintained entirely within the subject property boundaries, including area for parking and maneuvering. Staff find a letter from the servicing fire district, as typically required at time of Consolidated Zoning/Building permit submittal, shall be made as a condition of approval, to ensure adequate emergency access is maintained. Staff find this standard has been met and can be met through compliance with conditions of approval.

- (6) To ensure that driver visibility on adjacent roads will not be obstructed;*
(7) To ensure safe access to and from common roads;

Findings: Applicants' submittal includes a site plan that demonstrates that no changes to access will occur as a result of the proposal (Exhibit B). Grandview Street, a County road, is located south of the proposed development, which is accessed via an existing private easement (Exhibit B). Staff find that these standards

are met and can be met through conditions of approval requiring a letter from the Nestucca Rural Fire District.

(8) To ensure that pleasing view are neither unreasonably obstructed nor obtained;

Findings: The County regulates views through compliance with building height requirements. Applicants provided renderings of the proposed development, which appears to be approximately 29-feet above existing grade (Exhibit B). The Neskr-1 zone requires a maximum building height of 35 feet. Staff find the proposed development complies with the maximum building height.

Staff find compliance with building height requirements can be demonstrated at the time of consolidated Zoning/Building Permit application submittal. Staff find this standard can be met through compliance with the Conditions of Approval.

(9) To separate potentially incompatible land uses;

Findings: The applicant proposes to develop a single-family dwelling which is a use permitted outright in the Neskr-1 zone and is a use consistent with the use of surrounding properties. Staff find this standard has been met.

(10) To ensure access to solar radiation for the purpose of alternative energy production.

Findings: County records do not indicate any such facilities in the vicinity of the subject property (Exhibit A). Staff find the proposed development does not unreasonably shadow or otherwise inhibit access to solar radiation on adjacent properties and finds that the standards of Section 4.005(10) have been met.

Staff conclude the standards outlined in TCLUO Section 4.005 are met or can be met through the Conditions of Approval outlined below. Variance criterion #3 is met and can be met through the Conditions of Approval outlined below.

IV. DECISION: APPROVED WITH CONDITIONS

Staff concludes, based on the findings of fact and other relevant information in the record, that applicant has satisfied/or is able to satisfy through the Conditions of Approval the applicable ordinance requirements related to applicant's request to reduce the required front yard setback to seven (7) feet and rear yard setback to six (6) feet and therefore, approves the request to reduce the front yard setback to 7-feet and rear yard setback to 6-feet, 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 September 8, 2026.**

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. Variance approval is for a seven (7) foot front yard setback and a six (6) foot rear yard setback; all other applicable setbacks shall adhere to the development standards in TCLUO Section 3.322: Neskowin Low Density Residential Zone (NesR-1).
3. The applicant/property owner shall provide a fire service letter from the Nestucca Rural Fire Protection District at time of Consolidated Zoning/Building Permit.
4. The applicant/property owner shall obtain an approved consolidated Zoning/Building Permit from the Tillamook County Department of Community Development.
5. The applicant/property owner shall submit a site plan, drawn to scale and confirming all required yard setbacks, except that approved through this Variance request, are met at the time of Consolidated Building and Zoning Permit application submittal.
6. Development of the property shall be done in accordance with the development standards of TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas. A Geologic Hazard Assessment is required for development, if slopes are equal to or greater than 19 percent as measured from the highest to lowest point of the property. The slopes must be demonstrated at time of Consolidated Zoning/Building Permit submittal.
7. This approval shall be void on August 27, 2028, unless construction of approved plans has begun, or an extension is requested from, and approved by this Department.

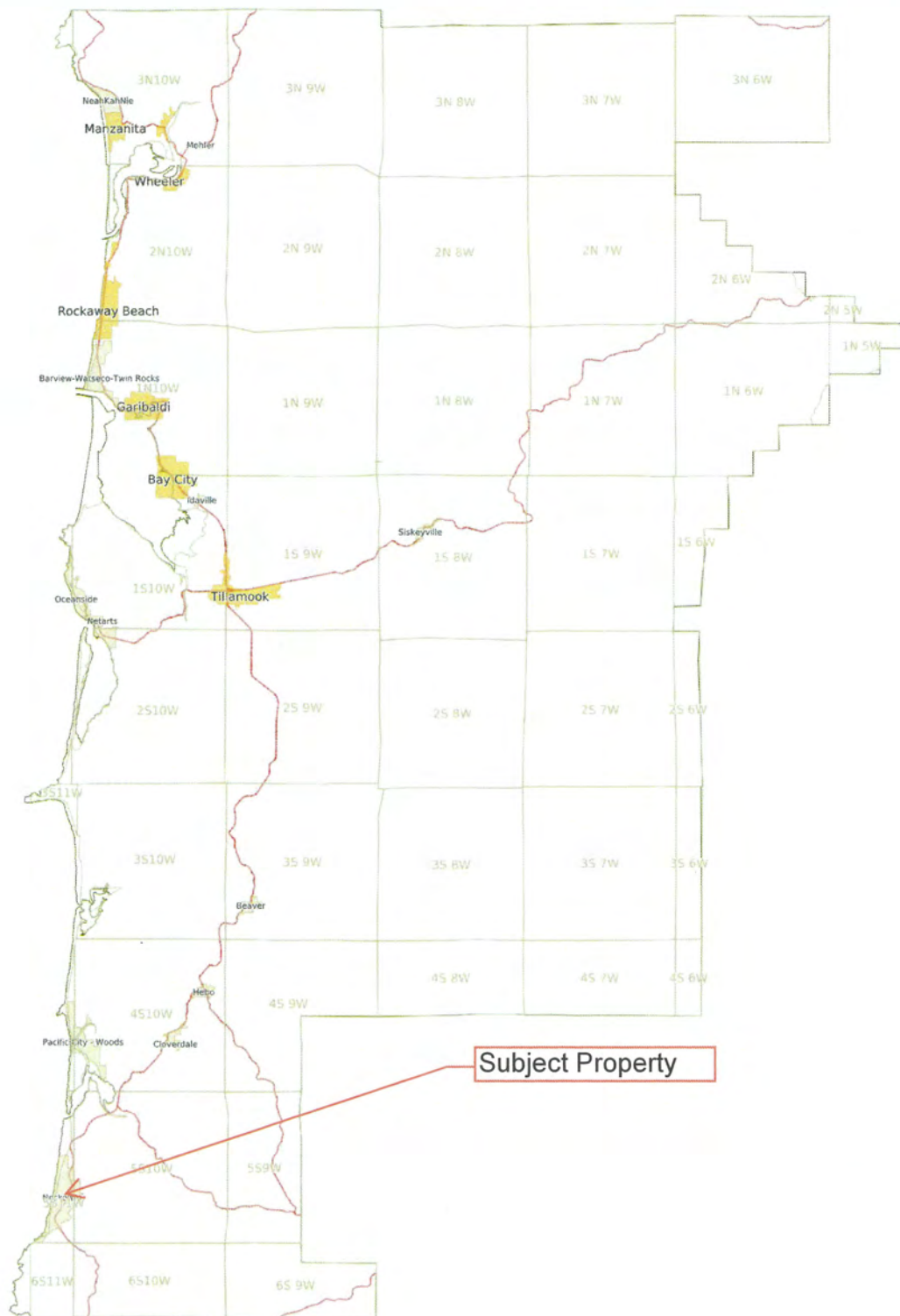
VI. EXHIBITS:

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

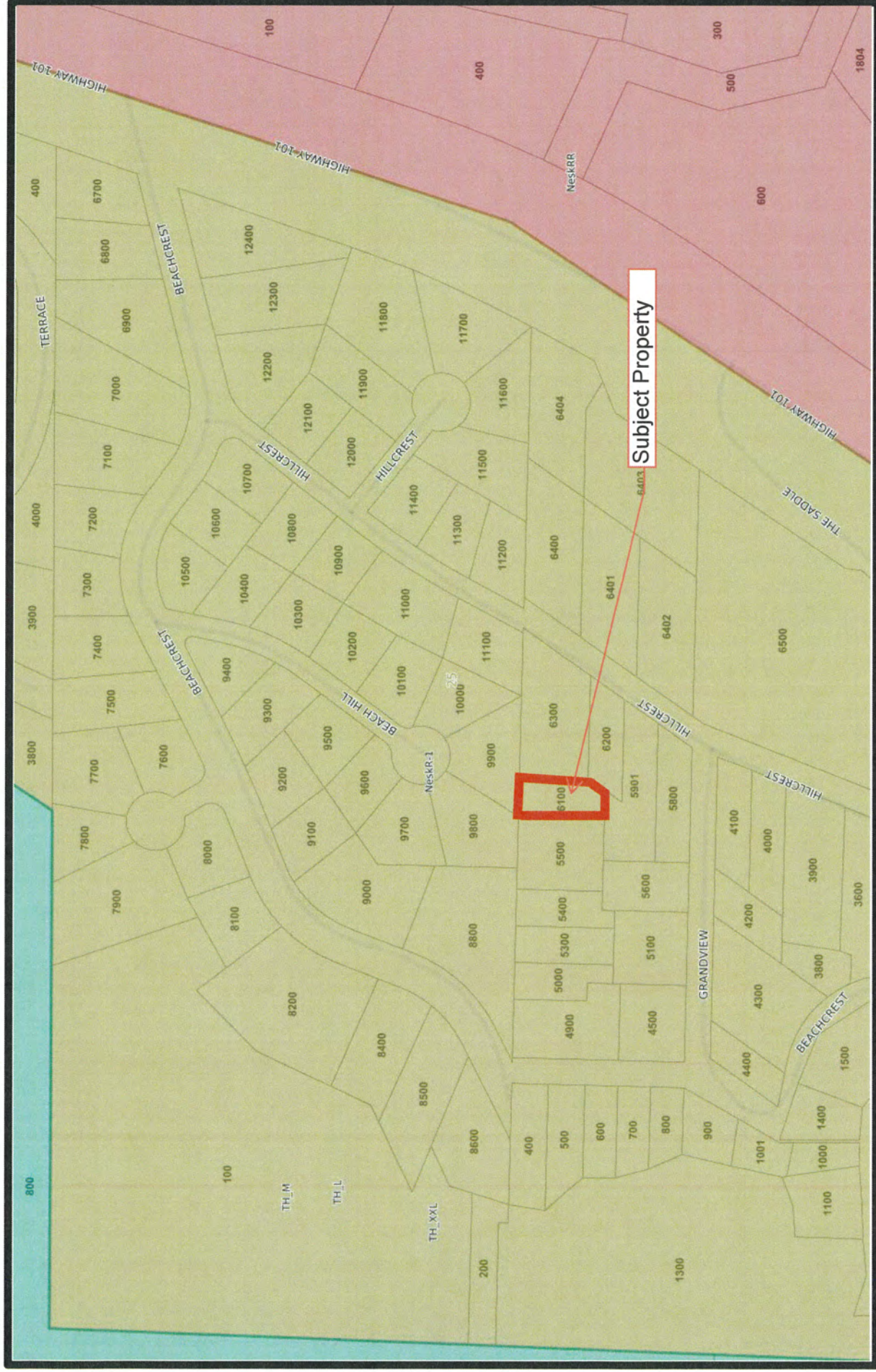
- A. Vicinity map, Assessor's map, Zoning map, Assessor's Summary Report, County Records
- B. Applicant/Property Owner's Submittal
- C. Public Comments

EXHIBIT A

Vicinity Map

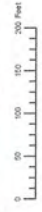


Zoning Map



100
6.35 AC.
N.W.1/4 N.E.1/4 SEC.25 T.5S. R.11W. WM.
TILLAMOOK COUNTY
1" = 100'

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY



22-7

22-10

22-7

Subject Property



CANCELLED
1200
1600
3200
3700
4600
4700
5200
5700
6000
8300
8700
8900
1900
2201

SEE MAP 55 11W 25A

SEE MAP 55 11W 25A

05S11W25AB
NESKOWIN CREST
Revised 4/01/24, WS

Tillamook County
2025 Real Property Assessment Report
Account 251300

Map 5S1125AB06100
Code - Tax ID 2210 - 251300

Tax Status Assessable
Account Status Active
Subtype NORMAL

Legal Descr NESKOWIN CREST ADD
Block - 1 Lot - 8

Mailing BERNHARD, EVA MARIANNA
3535 NE TILLAMOOK ST
PORTLAND OR 97212

Deed Reference # 2025-1651
Sales Date/Price 04-25-2025 / \$619,000
Appraiser EVA FLETCHER

Property Class 101 MA SA NH
RMV Class 101 09 OV 975

Site	Situs Address	City
1	5258 GRANDVIEW ST	COUNTY

		Value Summary			
Code Area		RMV	MAV	AV	RMV Exception CPR %
2210	Land	216,180		Land	0
	Impr	388,240		Impr	0
Code Area Total		604,420	361,220	361,220	0
Grand Total		604,420	361,220	361,220	0

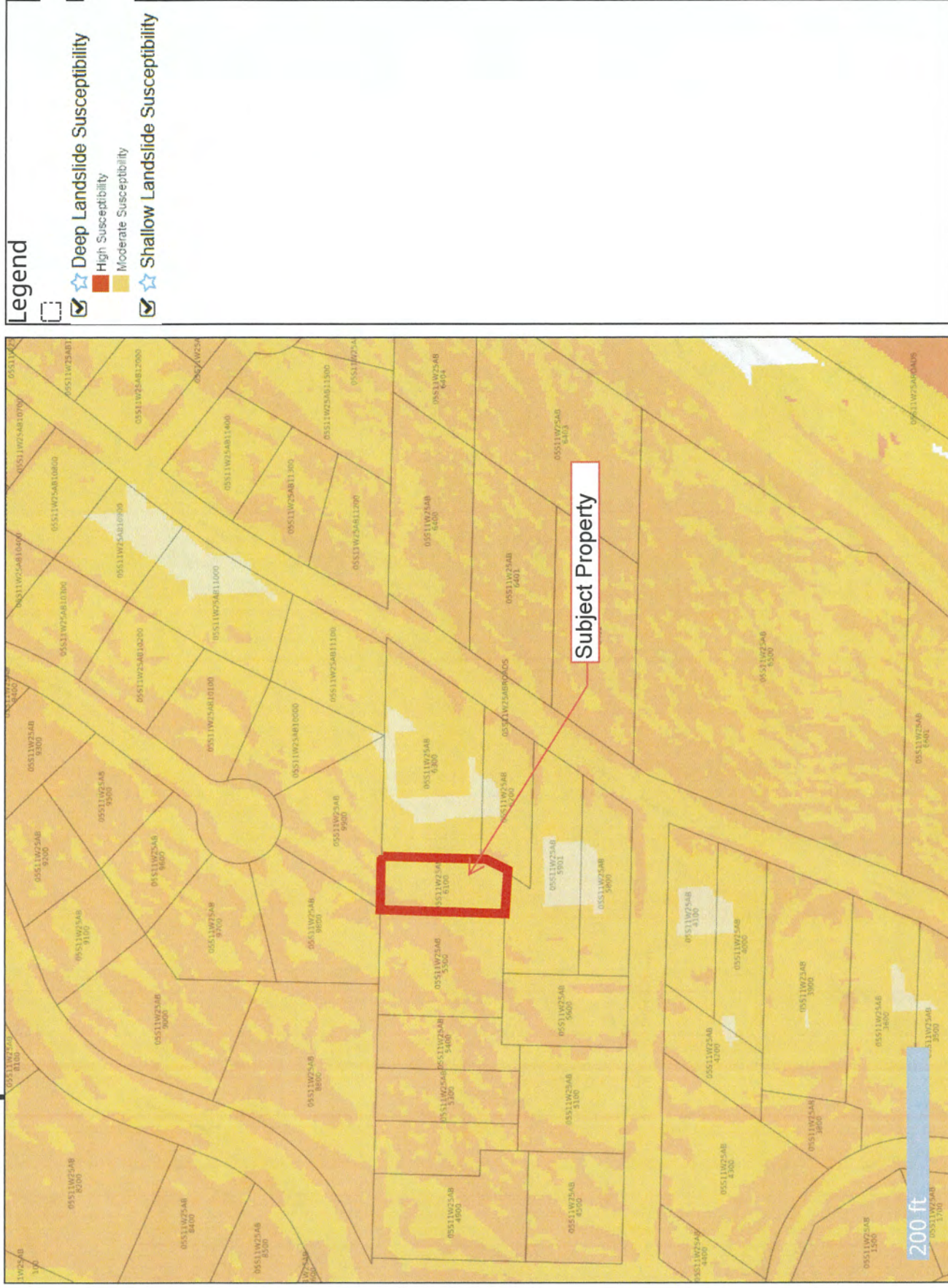
Land Breakdown									
Code Area	ID #	RFPD	Ex	Plan Zone	Value Source	Trend %	Size	Land Class	Trended RMV
2210					LANDSCAPE - FAIR	100			500
	1	☒		NESKR-1	Market	103	0.13 AC		189,750
					OSD TYPE B - AVERAGE	100			25,930
Code Area Total							0.13 AC		216,180

Improvement Breakdown									
Code Area	ID #	Year Built	Stat Class	Description	Trend %	Total Sqft	Ex%	MS Acct	Trended RMV
2210	1	1980	149	Basement First Floor	117	1,618			388,240
Code Area Total						1,618			388,240

Exemptions / Special Assessments / Notations									
Code Area 2210									
Special Assessments						Amount	Year Used		
■ SOLID WASTE						12.00	2025		

Comments 12/28/08 Updated inventory after phase one mapping, changed stat class to 149.ef 03/28/14 Reappraised land, tabled values.ef

Hazard Map



National Flood Hazard Layer FIRMette

123°58'43"W 45°7'2"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 LOMRS
- 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

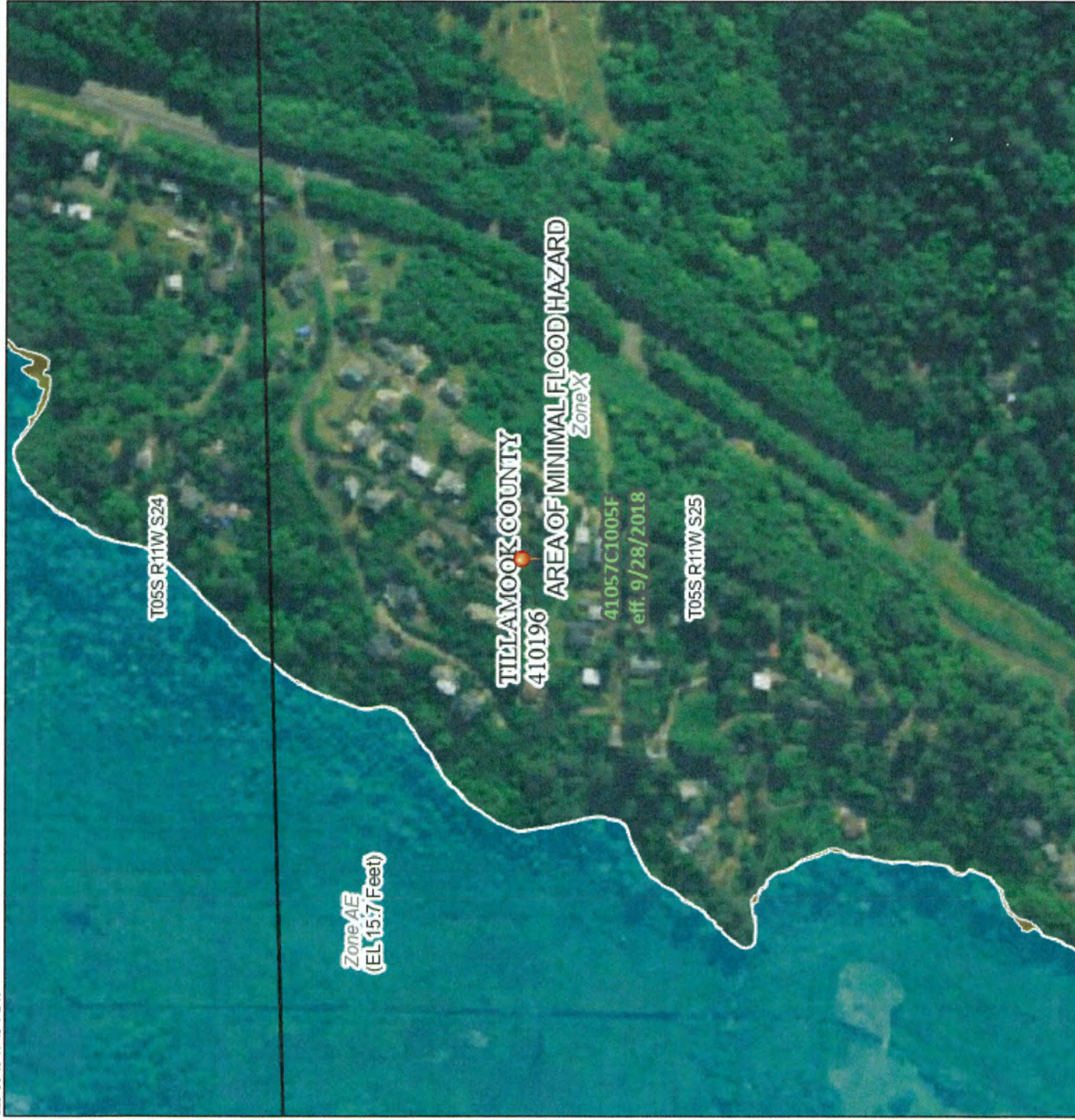
- Digital Data Available
- No Digital Data Available
- Unmapped

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 **5/22/2026 at 4:37 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.

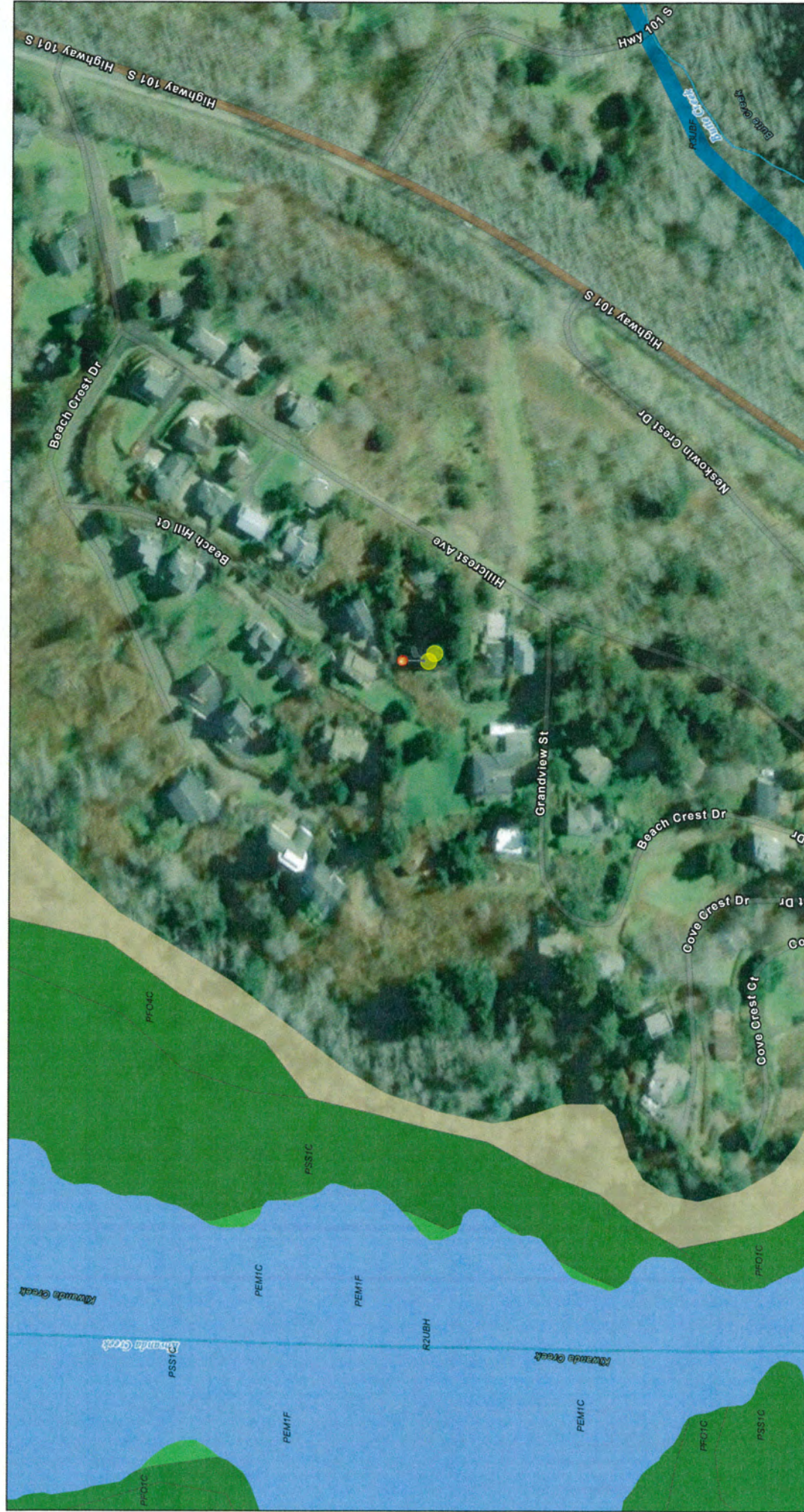
This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory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



123°58'5"W 45°6'37"N

0 250 500 1,000 1,500 2,000 Feet 1:6,000

Statewide Wetlands Inventory



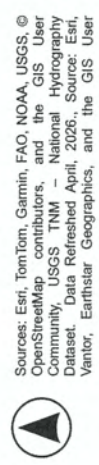
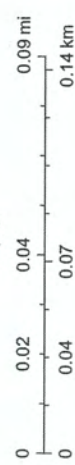
5/22/2026, 9:46:53 AM

- Oregon Address
- ArcGIS World Geocoding Service
- Sections

- Large Scale
- Perennial
- NHD Waterbody
- USFWS National Wetlands Inventory NWI
- Freshwater Emergent Wetland

- Freshwater Forested/Shrub Wetland
- Riverine
- SWI Predominantly Hydric Map Units

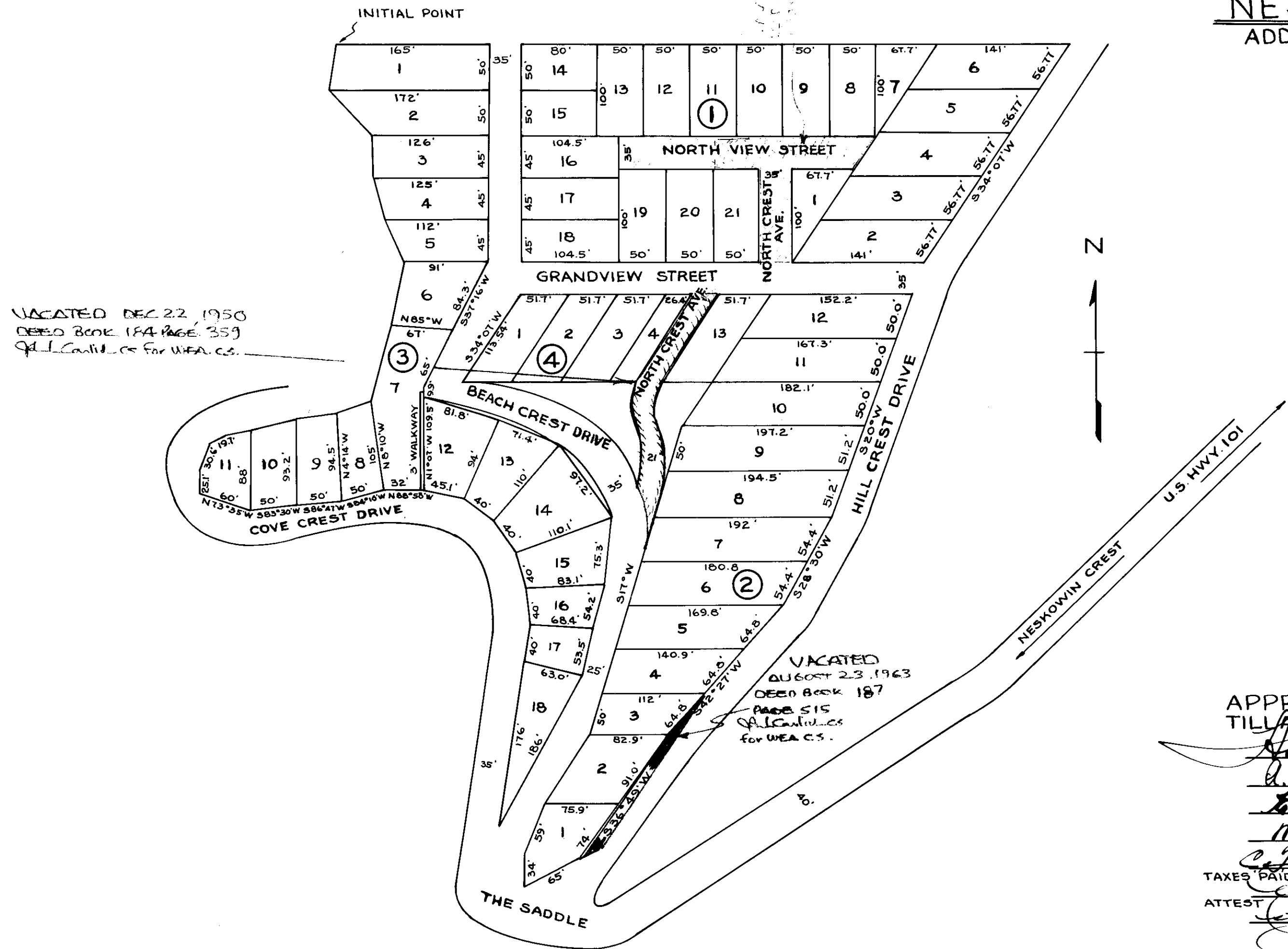
1:2,597



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, USGS TMM - National Hydrography Dataset, Data Refreshed April, 2026. Source: Esri, Vantor, Earthstar Geographics, and the GIS User

NESKOWIN CREST ADDITION TO NESKOWIN

SCALE: 1" = 100'



ENGINEER'S CERTIFICATE

THIS TRACT OF LAND HAS BEEN SURVEYED AND MARKED AS MAPPED IN ACCORDANCE WITH THE FOLLOWING DESCRIPTION.

BEGINNING AT A POINT WHICH IS 570.7' SOUTH & 205.6' EAST OF THE NORTH QUARTER CORNER OF SEC. 25, T5 S, R11 W, W.M. FROM INITIAL POINT RUNNING EAST 788.7', THENCE S34°07'W 284', S20°W 289.7', S28°30'W 108.8', S42°27'W 194.4', S36°W 91.0', S36°49'W 74', S55°47'W 65' TO THE SW. COR. OF LOT 1, BLOCK 2, THENCE NORTHWESTERLY ACROSS BEACH CREST DRIVE TO THE SW. COR. OF LOT 18, BLOCK 3, THENCE N9°17'E 176', N8°55'E 40.0', N1°26'E 40', N16°54'W 40', N29°01'W 40', N51°41'W 40', N85°56'W 45.1', N88°58'W 35', S84°16'W 50', S86°47'W 50', S83°30'W 50', N73°35'W 60' TO THE SW. COR. OF LOT 11, BLOCK 3, THENCE N25.1', N30°40'E 30.6', N42°50'E 19.7', N78°47'E 28.8', N77°49'E 51.2', N85°15'E 42.2', N70°27'E 44.8', N7°32'E 81', N11°30'E 71.3', N25°02'W 49.7', N16°07'W 46.8', N1°16'W 45', N42°37'W 67.9', N7°58'E 50.5' TO THE POINT OF BEGINNING.

ALSO THE BORDER ROADS COVE CREST & HILL CREST DRIVES OF 35' WIDTH, AND THE 40' ACCESS ROAD TO U.S. HWY. 101.

JAMES W. COOMBS & Co, ENGINEERS
James W. Coombs SEAL
Lloyd Lillie SEAL

DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, MANLEY F. ROBISON & JOSEPHINE S. ROBISON, HUSBAND & WIFE, ARE THE OWNERS IN FEE SIMPLE OF THE TRACT OF LAND DESCRIBED IN THE ENGINEER'S CERTIFICATE. WE HEREBY MAKE, ESTABLISH, AND DECLARE THE ABOVE MAP TO BE THE TRUE AND OFFICIAL MAP OF THE NESKOWIN CREST ADDITION TO NESKOWIN, & HEREWITH DEDICATE TO THE PUBLIC FOREVER, WITHOUT RESERVATION, ALL ROADS & STREETS SHOWN HEREON AS SUCH.

IN WITNESS WHEREOF, WE HERE UNTO SET OUR HANDS & SEAL THIS 13 DAY OF AUG. 1945.

Ed Gooding WITNESS Manley F. Robison SEAL
Mary A. Goodell WITNESS Josephine S. Robison SEAL

STATE OF OREGON, COUNTY OF TILLAMOOK

BE IT KNOWN THAT ON THE 13 DAY OF August, 1945 BEFORE ME THE UNDERSIGNED A NOTARY PUBLIC IN & FOR SAID COUNTY & STATE, PERSONALLY APPEARED MANLEY F. ROBISON & JOSEPHINE S. ROBISON WELL KNOWN BY ME TO BE THE IDENTICAL PERSONS DESCRIBED IN & WHO EXECUTED THE WITHIN INSTRUMENT & ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

Alfred Christensen
NOTARY PUBLIC FOR OREGON

June 12 - 1949
COMMISSION EXPIRES

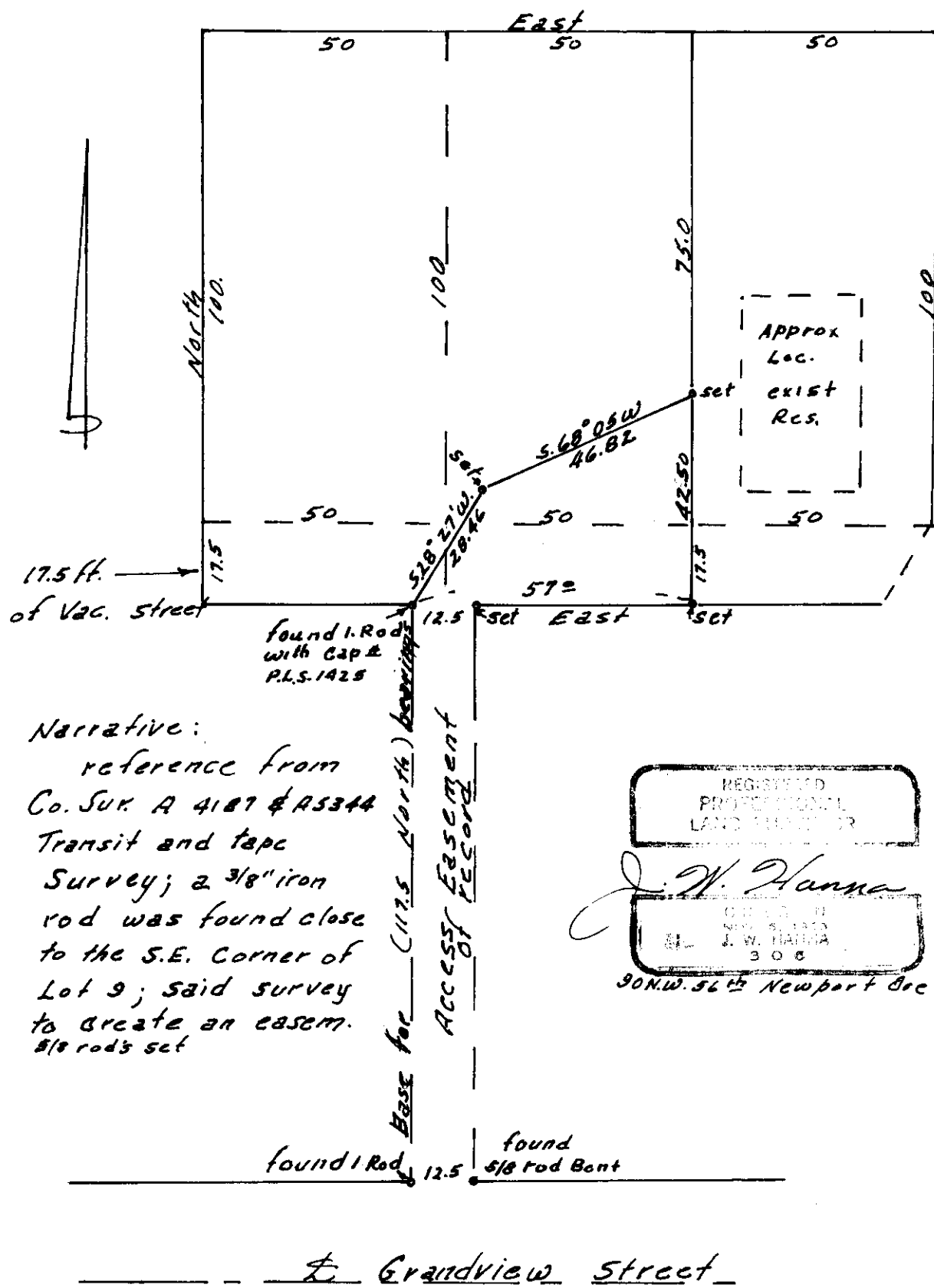
APPROVED BY THE COUNTY COURT OF TILLAMOOK ON AUG. 22, 1945.

Samuel McWade COUNTY JUDGE
A. H. Thompson COUNTY COMMISSIONER
E. G. Anderson COUNTY COMMISSIONER
H. Stanton Cordes COUNTY SURVEYOR
C. J. Hester COUNTY ASSESSOR
Allen E. Garrah COUNTY SHERIFF
Arthur Locks COUNTY CLERK

TAXES PAID IN FULL
ATTEST

4-5853

Survey Aug 1989



A - 5853

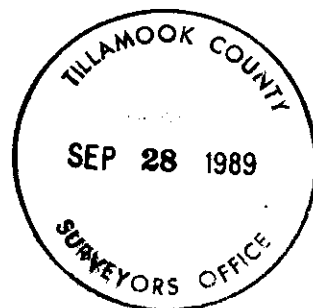


EXHIBIT B



PLANNING APPLICATION

Applicant ☐ (Check Box if Same as Property Owner)

Name: Lisa Christie Phone: 503-490-5472

Address: 9532 SW 18th Place

City: Portland State: OR Zip: 97219

Email: lisa@christiearchitecture.com

Property Owner

Name: Eva Bernhard Phone: 503-833-2636

Address: 3535 NE Tillamook

City: Portland State: OR Zip: 97212

Email: evamb@eb-co.com

OFFICE USE ONLY	
Date Stamp	
RECEIVED	
MAR 31 2026	
BY: _____	
☐ Approved	☐ Denied
Received by: _____	
Receipt #: 148270	
Fees: \$1,400 + 5% Tech	
Permit No:	
851-26-00146 -PLNG	

Request: Request for a variance to the setback standards (Type 2 Land Use Review) for the property identified below.

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

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

Type IV

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

Location:

Site Address: 5258 Grandview Street, Neskowin, OR 97149

Map Number: Lot 8, Block 1, Neskowin Crest Add
NW 1/4 NE 1/4 Section 25, T5S, R11W, W.M.

5S1125AB 06100
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)

3/23/26
Date


Applicant Signature

3-23-2026
Date

CHRISTIE

ARCHITECTURE

March 27, 2026

Melissa Jenck
Tillamook County Community Development Department
1510-B Third Street
Tillamook, OR 97141

Re: Type II Land Use Application - 5258 Grandview Street, Neskowin, OR

Dear Melissa

Please find enclosed a Type II Land Use application for the property located at 5258 Grandview Street in Neskowin, Oregon.

This submittal includes the following materials:

- One (1) completed application form
- One (1) written narrative
- One (1) set of drawings (18" x 24", two sheets)
- One (1) 8.5" x 11" color rendering

Per our meeting, I will also send a digital copy of the drawings and rendering via email for your reference.

I understand that fees will be collected following the County's completeness review, and I will submit payment promptly upon receiving instructions.

Please let me know if any additional information is needed to complete your review. I appreciate your time and look forward to working with you on this application.

Sincerely,
Lisa Christie
Christie Architecture

March 27, 2026

Applicant: Lisa Christie
Christie Architecture
9532 SW 18th Place
Portland, OR 97219

Property Address: 5258 Grandview Street
Neskowin, OR 97149

Application for Variance to 3.322: (4) h and j

Project Description

The subject property is a legally created interior lot located in Neskowin, Oregon, and is zoned Neskowin Low Density Residential (NeskR-1). The lot is developed with an existing single-family dwelling constructed in approximately 1980. Access to the property is provided by a driveway easement extending from Grandview Drive along the west property line.

The existing dwelling is in poor condition and does not meet current structural or energy standards. Its size and configuration also do not align with the needs of the new owner. The proposal is to remove the existing structure and construct a new, smaller single-family dwelling on the property. The proposed residence has an approximate 960-square-foot footprint and is two stories in height, remaining below the maximum building height permitted in the zone. The property is served by an existing septic system located on the adjacent property to the west and accessed via a legal easement, which will continue to serve the proposed residence. A designated septic replacement area will be maintained on the subject property.

The subject property is constrained by its interior lot configuration and limited dimensions, measuring approximately 50 feet in depth and 116 feet in width. Under current zoning standards, the required front and rear yard setbacks are both 20 feet. Because the west property line functions as the front yard and the east property line as the rear yard, application of these standards results in a buildable area of approximately 10 feet in depth, which does not allow for the construction of a functional residence.

To allow for reasonable residential development of the property, the applicant is requesting a variance to the front and rear yard setbacks. The proposed setbacks are 7 feet along the west (front) property line and 6 feet along the east (rear) property line. These modifications provide a functional building area while maintaining appropriate separation from adjacent properties.

Land use reviews requested

The applicant requests a variance pursuant to Section 8.030 to the following standards of Section 3.322(4):

<u>Standard</u>	<u>Required</u>	<u>Proposed</u>
Front Yard Setback (3.322(4)(g))	20 feet	7 feet
Rear Yard Setback (3.322(4)(i))	20 feet	6 feet

Review Criteria

- 1. Circumstances attributable either to the dimensional, topographic, or hazardous characteristics of a legally existing lot, or to the placement of structures thereupon, would effectively preclude the enjoyment of a substantial property right enjoyed by the majority of landowners in the vicinity, if all applicable standards were to be met. Such circumstances may not be self-created.***

The subject property is a legally created, long-established interior lot with a depth of approximately 50 feet and is developed with a single-family dwelling constructed in approximately 1980. The existing configuration of the parcel, including its interior access and reduced width, is not the result of actions by the current property owner.

The dimensional characteristics of the lot, in combination with the required setbacks, prevent reasonable development of a functional single-family dwelling if all standards are strictly applied. The Tillamook County Land Use Ordinance requires 20-foot front and rear yard setbacks. Due to the location of the driveway entry to the site, the west property line functions as the front yard and the east property line as the rear yard. Application of these standards reduces the buildable area to approximately 10 feet in depth, which does not allow for the construction of a habitable residence.

These circumstances are inherent to the property and are not self-created. While the lot has historically supported residential use, strict application of current standards would effectively preclude that use.

The inability to construct a functional single-family dwelling on a legally established residential lot would deny the property owner a substantial property right enjoyed by others in the vicinity. The requested variance is therefore necessary to allow reasonable residential use of the property.

2. A VARIANCE is necessary to accommodate a use or accessory use on the parcel which can be reasonably expected to occur within the zone or vicinity.

The subject property is zoned Neskowin Low Density Residential (NeskR-1), where single-family dwellings are permitted outright. The proposed development consists of a new single-family dwelling, a use that is typical within the zone and surrounding area.

The property is currently developed with a single-family dwelling, and the proposal continues that established residential use. The variance is not requested to introduce a new or different use, but to allow for reasonable redevelopment of the property.

Due to the dimensional constraints of the lot, including its interior configuration and limited width, strict application of current setback standards would prevent construction of a functional single-family dwelling. The requested variance is therefore necessary to accommodate a permitted and expected use.

3. ***The proposed VARIANCE will comply with the purposes of relevant development standards as enumerated in Section 4.005 and will preserve the right of adjoining property owners to use and enjoy their land for legal purposes.***

The proposed development has been designed to meet the purposes of the supplementary regulations in Section 4.005 while responding to the constraints of the site. The standards are addressed below.

1. Private Open Space - The proposed development provides adequate private open space for the use and enjoyment of the residents. The reduced building footprint, from approximately 1,560 square feet in the existing condition to approximately 960 square feet as proposed, allows for usable outdoor areas on the site. Compared to the existing condition, the proposal increases available open space and improves the overall function of the property.
2. Light and Air - The proposed development provides adequate access to light and air for both the subject property and adjacent properties. The building is set back substantially from both the north and south property lines, including increased separation along the south relative to the existing condition. The reduced building footprint and rotated siting further improve light and air compared to the existing condition.
3. Emergency Access and Separation - The proposed development provides adequate separation between structures to support emergency access and fire safety. While the existing building is set back approximately 12 feet from the south property line, the proposed building increases this separation to approximately 33 feet. Additionally, the building is set back approximately 30 feet from the north property line.

At the front and rear the proposed building is rotated on the site and not uniformly aligned with the proposed west and east setback lines. In comparison, the existing structure is located relatively close to the rear property line, with setbacks ranging from approximately 7 to 10 feet. The proposed building is set back approximately 9 to 20 feet from this line, improving separation and access along that edge of the site.

Access to the site will continue to be provided by the existing driveway easement, which maintains adequate access for emergency response.

4. Privacy - The proposed development maintains reasonable privacy for adjacent properties. Along the south property line, the building is set back approximately 33 feet, increasing

separation from the existing condition. Along the north property line, the building is set back approximately 30 feet, providing adequate distance to maintain privacy.

To the east, the adjacent residence is located at a higher elevation and at a greater distance, and is further buffered by mature vegetation. The proposed building includes smaller window openings on this side, limiting potential privacy impacts. The west side of the site functions as the primary access to the property and is not adjacent to an existing residence.

5. Accommodation of Expected Private Land Uses - The proposed development allows the property to accommodate typical residential uses expected within the zone. Under current zoning standards, application of the required front and rear setbacks results in a buildable area approximately 10 feet in depth, which does not allow for the construction of a functional single-family dwelling.

The proposed variance enables a site layout that supports normal residential use, including a single-family dwelling, on-site parking, circulation, and usable outdoor space. The proposal also accommodates a designated septic replacement area. Compared to the existing condition, the proposed layout improves the overall function of the site.

6. Driver Visibility - The proposed development does not alter the existing driveway access. The location and configuration of the access point remain unchanged and do not affect driver visibility.
7. Safe Access to and from Common Roads - Access to the site is provided by an existing driveway easement connecting to Grandview Drive. The proposal does not modify this access, which will continue to serve the property safely.
8. Views - The proposed development will not unreasonably obstruct or create intrusive views. The building is smaller in footprint than the existing structure and remains below the maximum permitted height, reducing its visual impact.

Adjacent properties to the north and south are separated by substantial setbacks. To the east, the neighboring residence is located at a higher elevation and at a greater distance. To the west, the adjacent property is located at a lower elevation. These conditions limit potential view impacts.

9. Separation of Incompatible Uses - The proposed development does not introduce incompatible land uses. The project consists of a single-family dwelling within a residential zone and is consistent with the surrounding pattern of development.
10. Access to Solar Radiation - The proposed development will not unreasonably limit access to solar radiation on adjacent properties. The building remains below the maximum permitted height and is set back substantial distances from neighboring properties. The relative topography of the site further limits potential solar impacts.

4. *There are no reasonable alternatives requiring either a lesser or no VARIANCE.*

There are no reasonable alternatives that would allow development of the subject property for a single-family dwelling without the requested variance or with a lesser degree of variance.

Strict application of the required 20-foot front and 20-foot rear yard setbacks would reduce the buildable area of the lot to approximately 10 feet in depth due to the interior lot configuration, which does not allow for the construction of a functional single-family dwelling. A variance to the front and rear yard setbacks is therefore necessary to accommodate residential development on the property, and no lesser variance would provide sufficient buildable area.

The proposed design represents a balanced and constrained response to the physical limitations of the site. The footprint of the proposed residence is substantially smaller than that of the existing dwelling, and the building height remains well below the maximum allowed in the zone. The proposed siting increases setbacks along the north and south property lines and, through rotation of the building, improves conditions along the east and west property lines. The structure is positioned to respond to existing topography, maintain separation from adjacent properties, and avoid unnecessary encroachment into setback areas.

Given the dimensions and configuration of the lot, no alternative site layout would eliminate the need for variance relief while still allowing for reasonable residential use. The requested variance is therefore the minimum necessary to enable development consistent with the intended use of the zone.



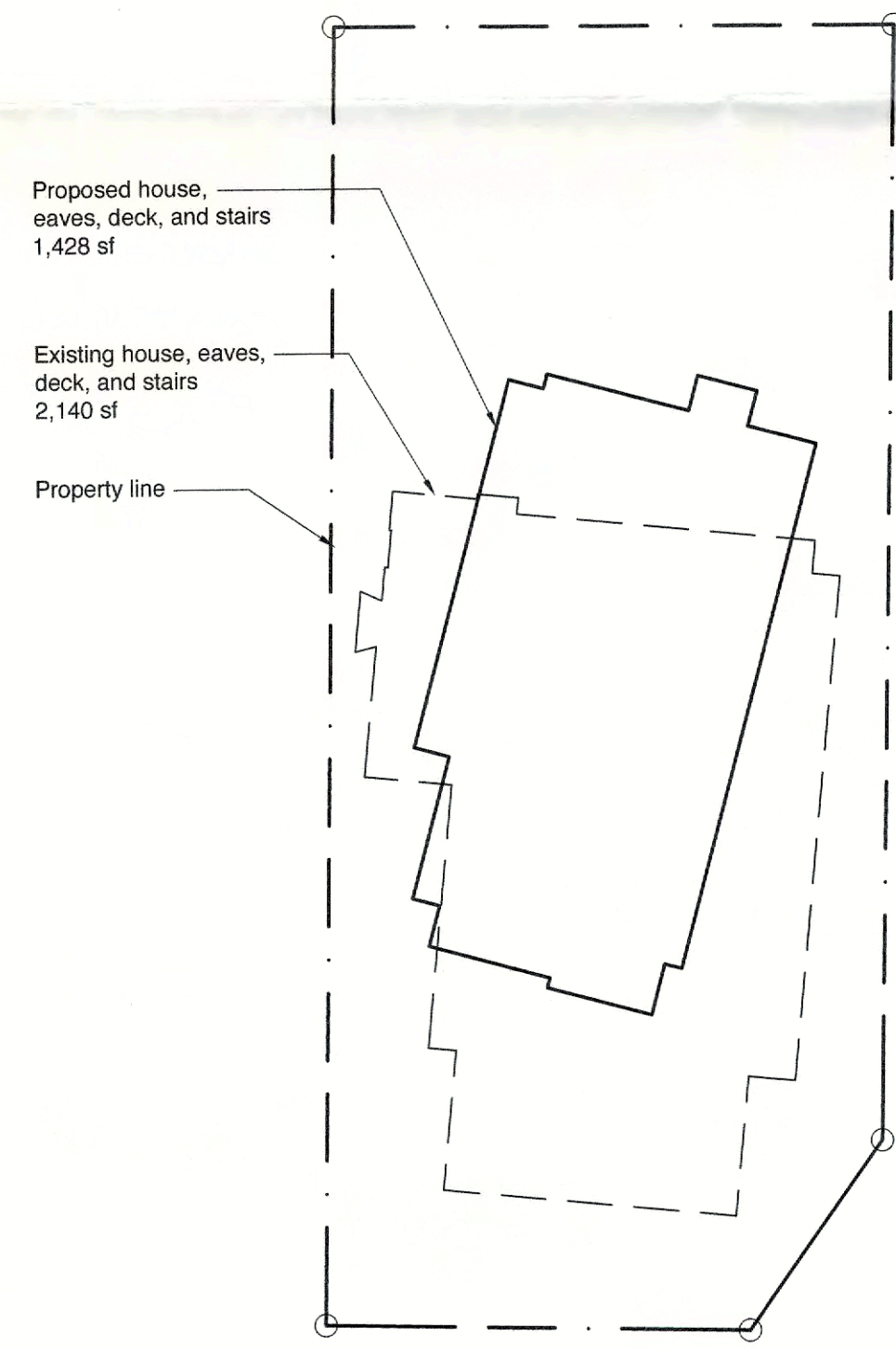
Rendering of proposed residence
5258 Grandview St, Neskowin, OR 97149

Christie Architecture LLC
March 27, 2026



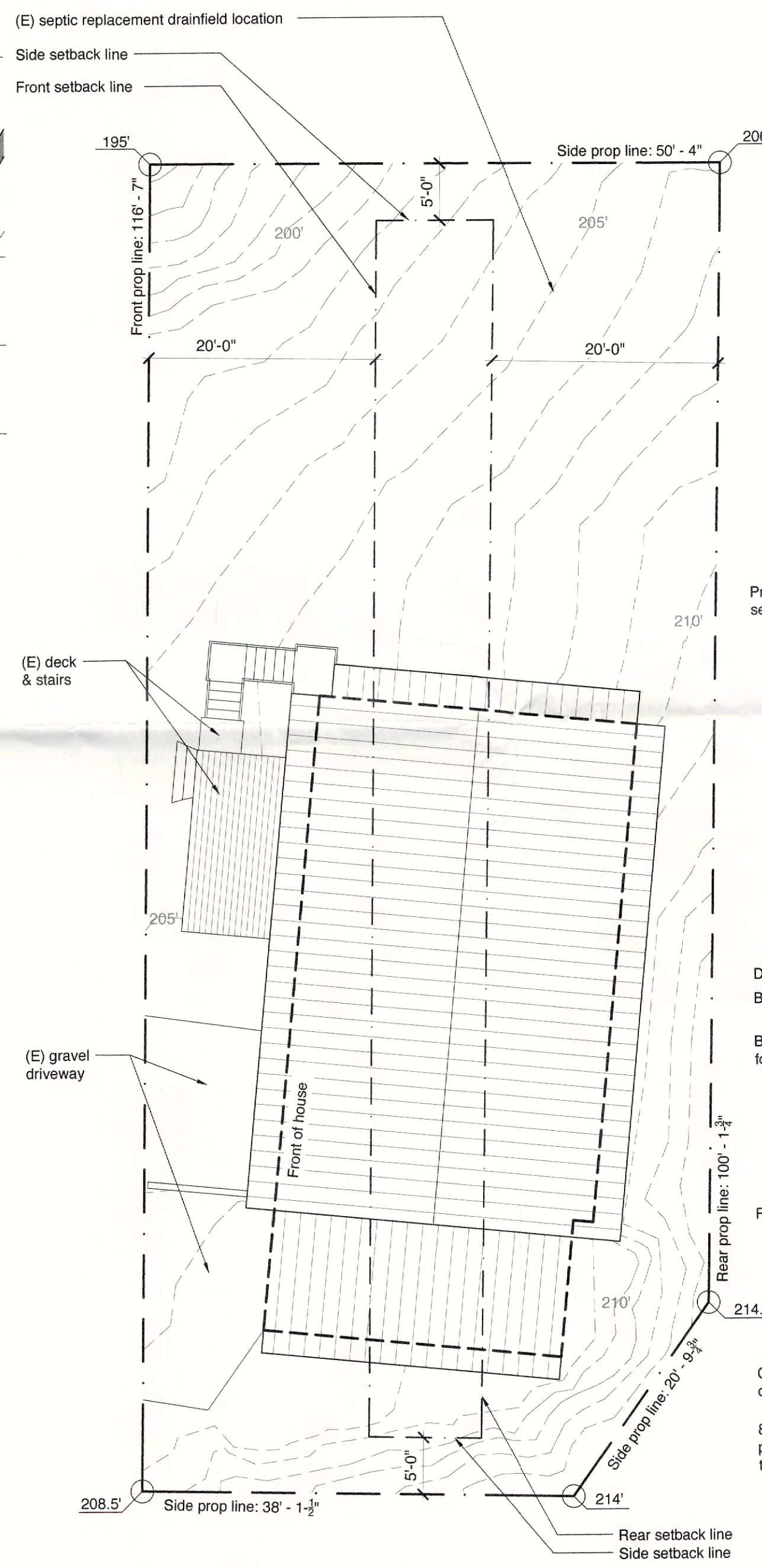
01 Vicinity Map

SCALE: 1/100" = 1'-0"



02 Proposed vs existing diagram

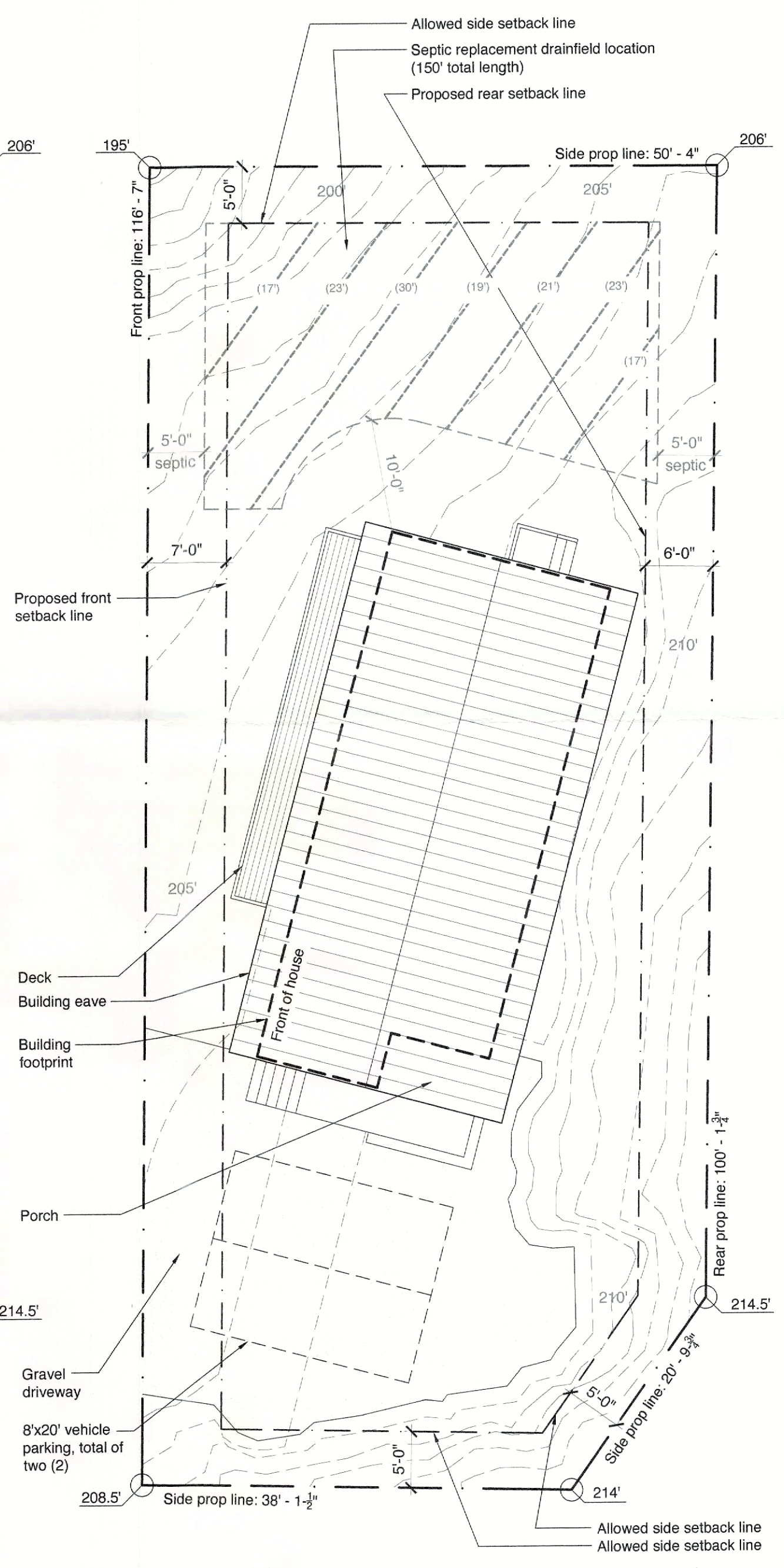
SCALE: 1/16" = 1'-0"



03 Existing Site Plan

SCALE: 1/10" = 1'-0"

Legal Description
Lot 8, Block 1, Neskowin Crest Add
Tillamook County Plat Records
Tax Lot 6100
NW 1/4 NE 1/4 Section 25, T5S, R11W, W.M.
Tillamook County, Oregon



04 Proposed Site Plan

SCALE: 1/10" = 1'-0"

CHRISTIE ARCHITECTURE

9532 SW 18th Place
Portland, OR 97219
503-498-5990
www.christiearchitecture.com
residential & commercial architecture

Project
Bernhard Beach House
5258 Grandview St
Neskowin, OR 97149
Stamp

The drawings and written material herein constitute original work of the architect, and as intellectual property and instruments of service, are subject to copyright and may not be reproduced, distributed, published or used in any way without the express written consent of the architect.

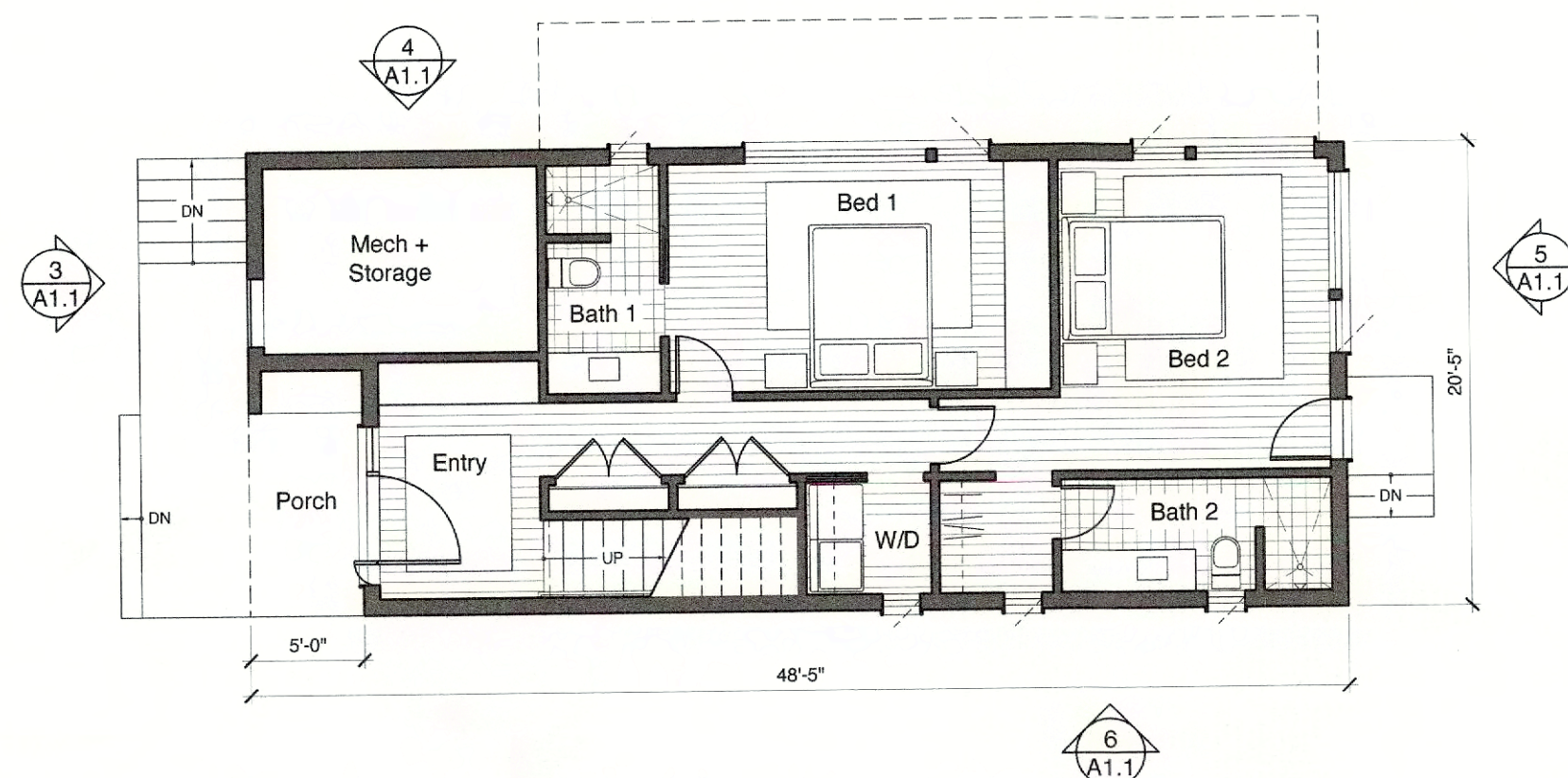
Issued for
Land Use Review - Not for Construction

Date
March 27, 2026

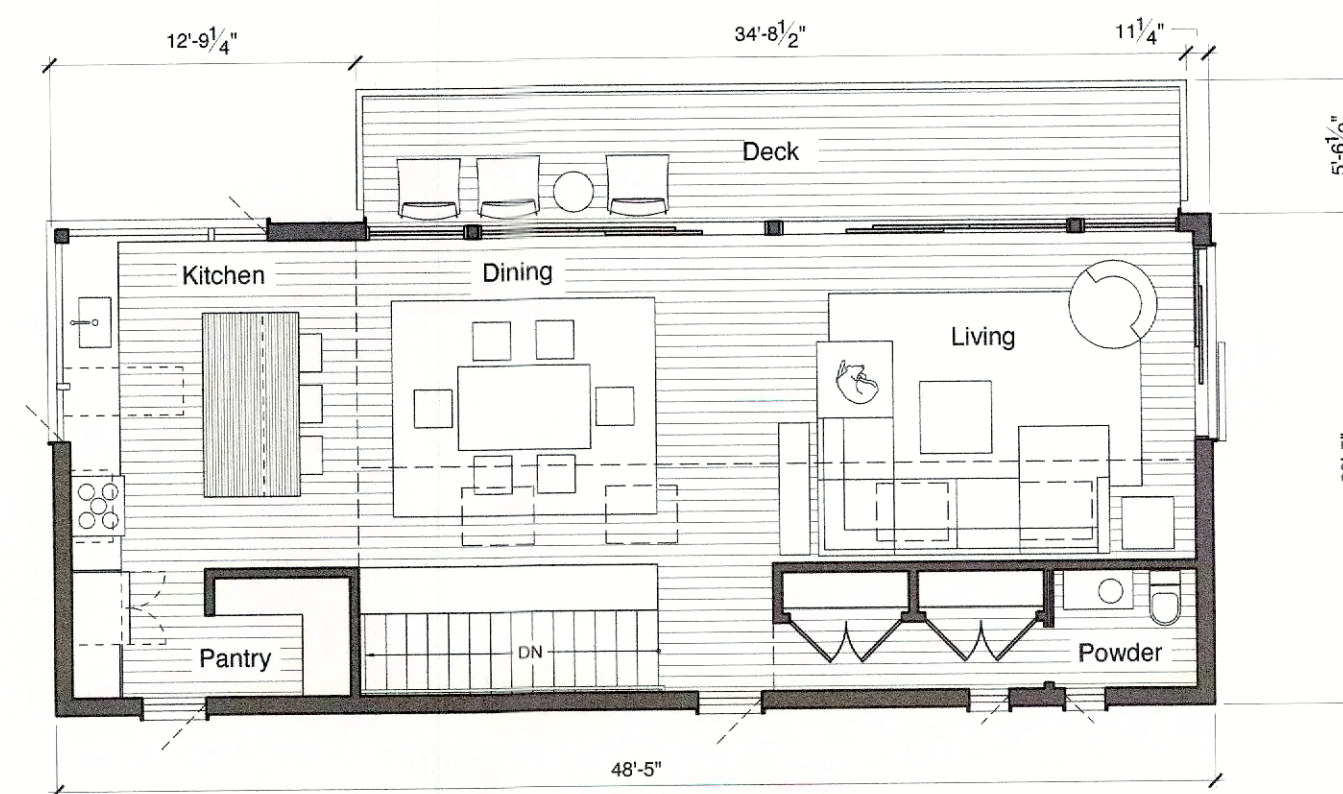
Title
Site Diagram, Vicinity, Existing & Proposed Site Plans

Sheet

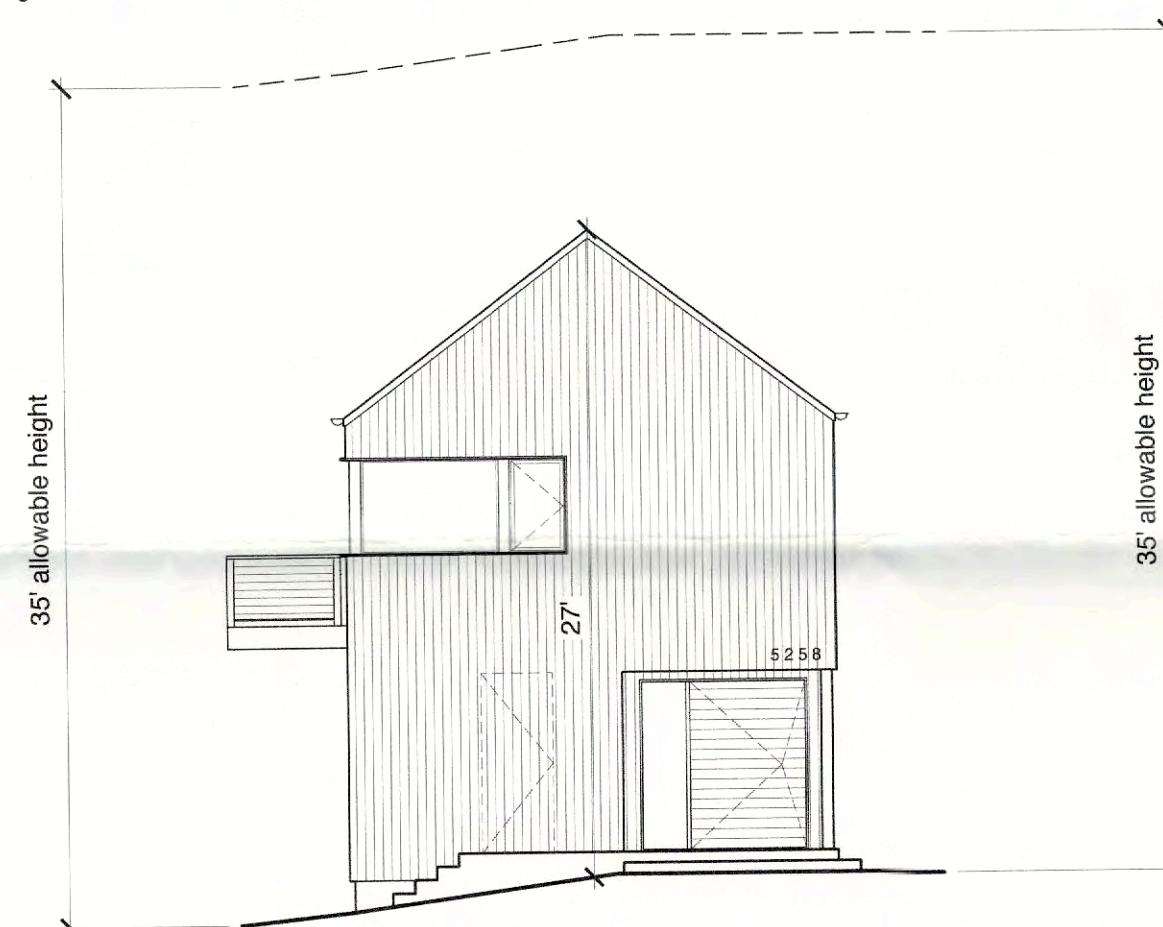
A01



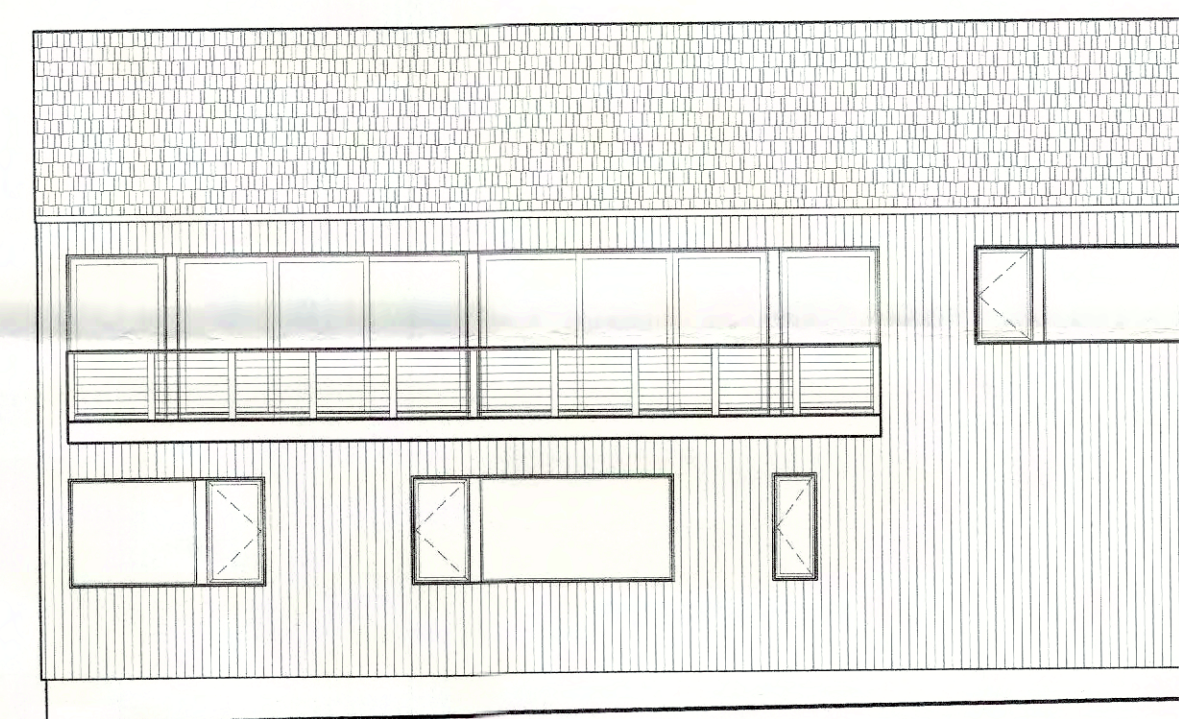
01 Conceptual Lower Level Plan - Land Use Review Only
SCALE: 1/8" = 1'-0"



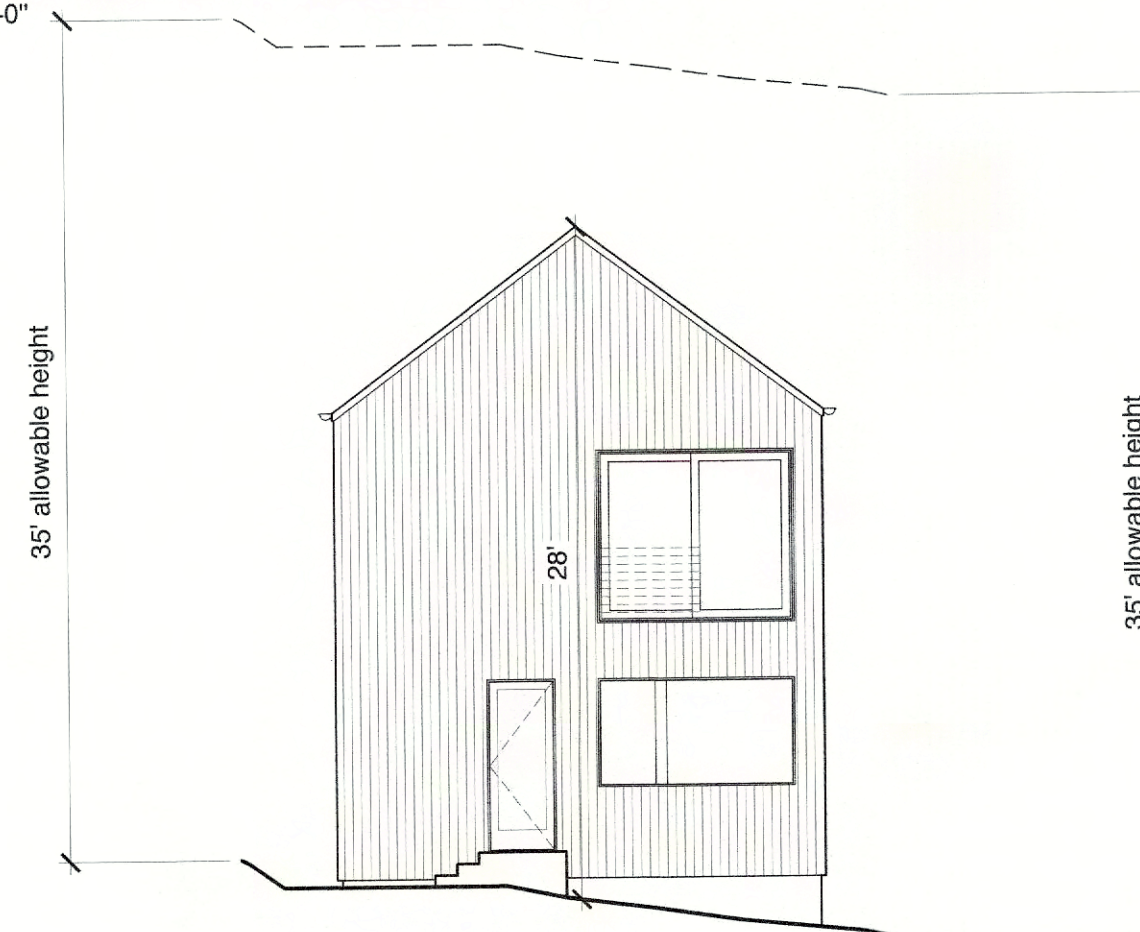
02 Conceptual Upper Level Plan - Land Use Review Only
SCALE: 1/8" = 1'-0"



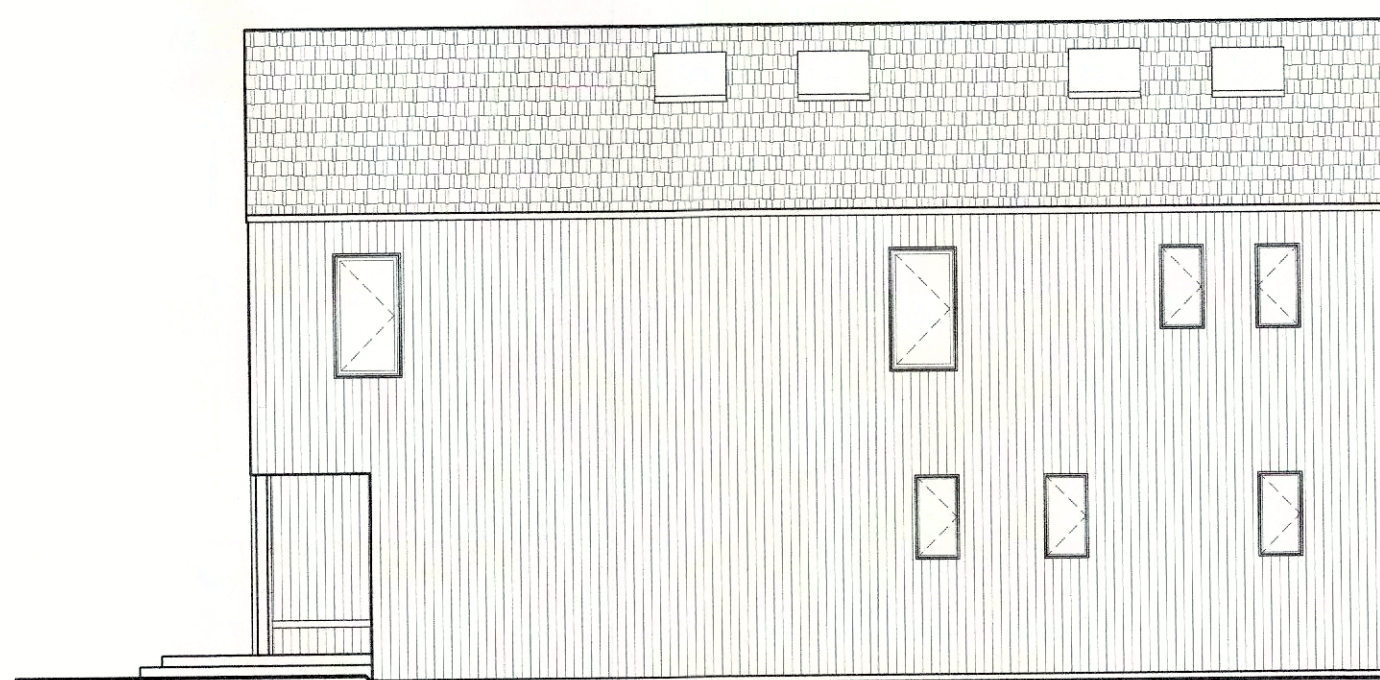
03 Conceptual South (side) Elevation - Land Use Review Only
SCALE: 1/8" = 1'-0"



04 Conceptual West (front) Elevation - Land use Review Only
SCALE: 1/8" = 1'-0"



05 Conceptual North (side) Elevation - Land Use Review Only
SCALE: 1/8" = 1'-0"



06 Conceptual East (rear) Elevation - Land Use Review Only
SCALE: 1/8" = 1'-0"

Project
**Bernhard
Beach House**
5258 Grandview St
Neskowin, OR 97149

Stamp

The drawings and written material herein constitute original work of the architect, and as intellectual property and instruments of service, are subject to copyright and may not be reproduced, distributed, published or used in any way without the express written consent of the architect.

Issued for
Land Use Review - Not
for Construction

Date
March 27, 2026

Title
**Floor Plans,
Building
Elevations**

Sheet

A02

EXHIBIT C

Melissa Jenck

From: John Leach <john.leach7@me.com>
Sent: Sunday, June 21, 2026 11:42 AM
To: Melissa Jenck
Cc: Leach Caryn
Subject: EXTERNAL: Re: Feedback for variance 851-26-000146-PLNG

[NOTICE: This message originated outside of Tillamook County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Hi Melissa,
Just checking if there was a decision on the variance request, if so can you provide details on what was approved.

thanks

John Leach
Email: john.leach7@me.com
Cell: 503-970-5499

On Jun 3, 2026, at 12:12 PM, John Leach <john.leach7@me.com> wrote:

Hi Melissa,
Thank you for your time today. In response to the request for variance number 851-26-000146-PLNG, here is our feedback.

We own two properties that border the variance property 5258 Grandview. As the new home relates to our lot 5500 which is a vacant lot west of the proposed home site. Currently, the lot is empty but it is a buildable lot and we want to continue to maintain both its value and it's ability to access and build a home there at some point in the future.

Given this when we reviewed the criteria, we find that criteria (1) to ensure the availability of private open space as well as criteria (3) to adequately separate structures for emergency access and criteria (5) to ensure that all private land uses can be reasonably expected to occur on private land can be entirely accommodated on private land, does not meet the criteria with the requested 7 foot setback.

We are suggesting that the 7 foot setback is not wide enough on the west front part of the property to create a sufficient buffer between their new house and our property. We want to make sure there is enough space that would allow construction vehicles and debris work not to impact our property or vegetation or trespass across our property line. We also want to make sure there is emergency access to both their home and our lot, which may have a home in the future. Finally, as discussed with Chris Chiola, we want to make sure that the new home has access to their backup drainfield location in the event that the

current drainfield fails. We are concerned that a 7 foot setback would not allow access to the north part of their property.

We appreciate the opportunity to submit our feedback. We trust that the county will take it into account and approve a front setback that addresses our concerns.

Thanks for your consideration.

John & Caryn Leach

Melissa Jenck

From: DonUtzinger KatheTillman <tillzinger@outlook.com>
Sent: Friday, June 5, 2026 3:50 PM
To: Melissa Jenck
Subject: EXTERNAL: Variance Request #851-26-000146-PLNG

You don't often get email from tillzinger@outlook.com. [Learn why this is important](#)

[NOTICE: This message originated outside of Tillamook County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

This variance application mostly affects adjacent landowners to the east and west. However, this also seems like a community issue. As stated in the application, the area is zoned Neskowin Low Density Residential. That would seem to be the intended character of the community. One would think that, in and of itself, the size of the lot in question does not fit that designation. The existing dwelling was presumably built prior to the current setback requirements and is allowed as being "grandfathered" in. The property owner was presumably aware of the limitations when the property was purchased.

Having such a small setback devalues adjacent properties to some extent. Allowing new construction with a similar footprint would continue that devaluation well beyond the life expectancy of the existing dwelling.

Perhaps the applicant should consider approaching neighboring property owners to the east and west to see if one or both might be willing to sell enough of a strip of land, through a property line adjustment, to satisfy the setback requirements. If they were willing this would come closer to satisfying the desired community character. It seems like this should have been explored as a reasonable alternative as addressed in Criteria (4).

Thank you for your consideration,

Don Utzinger

509-322-4137

Melissa Jenck

From: Leslie Gordon <leslie@oregoncoastleslie.com>
Sent: Monday, June 1, 2026 9:39 PM
To: Melissa Jenck
Subject: EXTERNAL: Re 85126-000146 – PLNG
Attachments: text.txt

You don't often get email from leslie@oregoncoastleslie.com. [Learn why this is important](#)

[NOTICE: This message originated outside of Tillamook County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Shared via Adobe Acrobat. Get the app to edit, sign, and share PDF files:
<https://adobeacrobat.app.link/getApp>

Sent by my iPhone

Dr. Leslie Gordon
Science and Math Education Specialist/ External Evaluator
Co PI GLOBE Seasons and Biomes Project, Retired

Feedback to Tillamook County related to variance in Neskowin

My name is Leslie Gordon and I live at 47420 Hillcrest Dr., Neskowin 97149. I did receive a mail out from you requesting feedback so here goes. I am very much opposed to allowing them to build right up to the property line. This hill is full of small houses and cottages with lots of green space in between and once the president is set to be allowed to build up to the property line, that's opening a can of worms in my opinion for lots of people to build three-story high McMansions like has happened on South Beach Road or they're just elbow to elbow with no gardens and no grace whatsoever. Half of the houses on South Beach Road are rented and have in many many bedrooms so it's become like a parking garage up there or used car lot. On top of that the size of house, they probably want to build, will block the view of multiple houses on Hillcrest behind them. I hope you will think better of this and deny it please. Thank you for your consideration., Leslie Gordon.