

Melissa Jenck

From: Lori Parks <loriparks42@gmail.com>
Sent: Thursday, August 20, 2026 10:56 PM
To: Melissa Jenck
Cc: Sarah Thompson; Sarah Absher
Subject: EXTERNAL: Re: 851-25-000533-PLNG-01: Appeal of Variance

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Hi Melissa,

I have a few follow-up questions.

1) The Breakers HOA president said that if Lot 11 was split off into its own lot it would no longer be an oceanfront property and subject to a 35-ft height limit. The County's land use ordinance, section 4.130(2)e, states that lots fronting beach accesses (as well as roads, parks and other minimal improvements) are also considered oceanfront. Can you confirm that if a separate lot was created, that it would still be considered oceanfront?

2) He also said that it is not possible to adjust the lot lines. From the County's perspective, what would be the process to change the plat lines for a condo map? Is splitting off unit 11 into its own lot an option, from a technical process standpoint? I want the record to clarify what is legally and technically possible, versus undesirable from the HOA's perspective.

3) What can go under the rebuilt, elevated house under the new standards? Can a carport be located there?

4) Out of curiosity, when was the first notice about this variance request sent to nearby property owners (outside the Breakers)? Was it the notice about the Planning Commission hearing in June?

5) During the appeal hearing, staff addressed the precedent setting concern by saying that the unit is uniquely constrained by a small lot size and there is not space to build out. But each Breakers unit faces that same constraint, reinforcing the concern. How is approval of this variance not setting a precedent for other Breakers units that have to rebuild in the future? Won't they all be able to make the same justification?

6) Please address the inconsistency related to variance criterion #1. The applicant is making the case that they need to have the same square footage as the other units in the condo, but the criterion is based on the enjoyment of property rights held by nearby landowners, *if all applicable standards were to be met*. In this case, the other Breakers units would be subject to the same height limit and flood plain standards, which would constrain floor area if the lot sizes had to stay constant.

I was hoping the August 19th staff report would address the questions and concerns raised at the PC and appeal hearings. However, staff's findings in that memo narrowly focused on the presence of ocean views from street level throughout Neskowin. While this touches on variance criterion #3, it does not fully

address impacted views from surrounding properties, and the memo lacked clarifying information related to #1 and #4.

Please provide a response to these questions for the record.

Thanks,
Lori

On Wed, Aug 12, 2026, 8:29 AM Lori Parks <loriparks42@gmail.com> wrote:
Good morning Melissa,

Attached is additional written testimony on "851-25-000533-PLNG-01 Appeal of Variance" for transmission to the Board of County Commissioners this morning.

Please let me know if you have any questions about my comments.

Thanks!
Lori

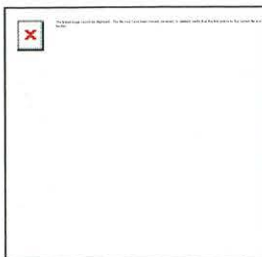
On Tue, Jul 28, 2026 at 5:43 PM Melissa Jenck <Melissa.Jenck@tillamookcounty.gov> wrote:

Good afternoon,

Please see the link below to review the #851-25-000533-PLNG-01: Notice of Public Hearing, for the Appeal to the Planning Commission's decision to approve Variance request #851-25-000533-PLNG.

<https://www.tillamookcounty.gov/commdev/project/851-25-000533-plng-01>

Sincerely,



Melissa Jenck (she/her) | Senior Planner

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