



Land of Cheese, Trees and Ocean Breeze

CONDITIONAL USE PERMIT #851-21-000225-PLNG: STELZIG
ADMINISTRATIVE DECISION & STAFF REPORT

Decision Date: November 10, 2021

Decision: APPROVED WITH CONDITIONS

Report Prepared by: Christopher S. Laws, Land Use Planner II

I. GENERAL INFORMATION:

Request: A Conditional Use request for the operation of Cottage Industry consisting of a commercial kitchen that supports an off-site food truck to be located within a new shop/garage (Exhibit B).

Location: The subject property is located at 4740 Brickyard Road, a County road, and is designated as Tax Lot 408 in Section 10B of Township 2 South, Range 9 West of the Willamette Meridian, Tillamook County, Oregon.

Zone: Rural Residential 2-Acre zone (RR-2)

**Applicant/
Property Owner:** Steven and Joanna Stelzig 4740 Brickyard Road, Tillamook, OR 97141

Property Description: The subject property encompasses 1.03 acres of mostly flat and modestly vegetated area (Exhibit A). The subject property is accessed via an existing easement over and across adjoining properties owned by others off of Brickyard Road that abuts the subject property to the north (Exhibit A). Tillamook County Assessor's records indicate that the subject property is developed with an existing 1861 square foot, two story, single-family dwelling (Exhibit A).

There are no mapped wetlands or riparian features on the subject property (Exhibit A). The property is located in Flood Zone X, 'Areas of minimal flood hazard' as depicted on FEMA FIRM 41057C0595F dated September 28, 2018 (Exhibit A). The subject property is zoned Rural Residential 2-Acre (RR-2) as is the surrounding area to the south, east, and west. The area to the north is zoned Farm (F-1) (Exhibit A).

II. APPLICABLE ORDINANCE AND COMPREHENSIVE PLAN PROVISIONS:

The desired use is governed through the following Sections of the Tillamook County Land Use Ordinance (TCLUO). The suitability of the proposed use, in light of these criteria, is discussed in Section III of this report:

- A. Article III Section 3.010 Rural Residential 2-Acre Zone (RR-2)
- B. Article VI: Conditional Use Procedures and Criteria

III. ANALYSIS:

A. Section 3.010 Rural Residential 2-Acre Zone (RR-2)

PURPOSE: The purpose of the RR zone is to provide for the creation and use of small acreage residential homesites. Land that is suitable for Rural Residential use has limited value for farm or forest use; it is physically capable of having homesites on parcels of five acres or less; and it can be utilized for residential purposes without constraining the use of surrounding resource-zoned properties for resource-production purposes.

...

USES PERMITTED CONDITIONALLY: In the RR zone, the following uses and their accessory uses are permitted subject to the provisions of Article 6 and the requirements of all other applicable supplementary regulations contained in this Ordinance.

...

(c) Cottage industries.

Findings: Applicant is proposing a Cottage Industry to facilitate a commercial kitchen that supports an off-site commercial food truck and is to be contained within a new shop/garage structure on the subject property (Exhibit B).

Pursuant to Article XI a "Cottage Industry" is defined as: *A business or business-related activity that is carried on within either a dwelling or a building accessory to that dwelling, which employs no more than two non-family members, and which has limited impacts on the surrounding properties. Deliveries and customer visitations are limited to the hours between 8:00 a.m. and 6:00 p.m. Outdoor storage is allowed if it is similar to what legally occurs in the neighborhood, and accessory structures conform to the character of the neighborhood."*

Staff finds that the proposed cottage industry use is allowed in the Rural Residential 2-Acre zone subject to satisfaction of the Conditional Use Review Criteria which are discussed below, and all other applicable standards.

B. Article VI Conditional Use Procedures and Criteria

Article VI of the Tillamook County Land Use Ordinance contains the procedures and review criteria for processing a Conditional Use request. These criteria, along with Staff's findings and conclusions, are indicated below.

Section 6.020 Procedure requires public notice in accordance with TCLUO Section 10.070 which requires notification of the request to 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: Notice of the request was mailed to property owners and agencies on August 10, 2021. Comments received are included here in 'Exhibit C'

Section 6.040 Review Criteria

1. The use is listed as a conditional use in the underlying zone, or in an applicable overlying zone.

Findings: As discussed above, staff finds that the proposed cottage industry is an allowable Conditional Use in the Rural Residential 2-Acre (RR-2) zone. Staff concludes that this criterion has been met.

2. The use is consistent with the applicable goals and policies of the comprehensive plan.

Findings: Staff finds that the proposed use is permitted conditionally in the Tillamook County Land Use Ordinance. The TCLUO is an implementing document of the Comprehensive Plan. In the absence of evidence to the contrary, uses allowed conditionally in the Land Use Ordinance are presumed to be consistent with the Comprehensive Plan. Staff concludes that this criterion has been met.

3. The parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements and natural features.

Findings: The subject property is long-rectangular in shape and encompasses approximately 1.03 acres (Exhibit A). The subject property is modestly vegetated and is improved with a single-family dwelling accessed via an existing easement over and across adjoining properties owned by others (Exhibit A). Applicant states the shop/garage is at least ten feet from property lines and eighty feet from the residence. There is existing septic, water, electricity, and ample parking for the residence and the kitchen (shop/garage). Additionally, the site plan illustrates the addition of two parking spaces which satisfies the requirements of Section 4.030(13)(n) (Exhibit B).

As noted above no wetlands or riparian features are mapped on the subject property and the subject property is not located in an Area of Special Flood Hazard (Exhibit A).

Staff finds that the subject property is suitable for the proposed cottage industry. Pursuant to Tillamook County Public Works the property is accessed over and through an easement on an adjoining property (Exhibit B) and will need to provide evidence that this access may be utilized for commercial purposes (Exhibit C). Staff concludes that this criterion can be met through compliance with Conditions of Approval.

4. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zone.

Findings: As illustrated in ‘Exhibit A’, the subject property is located in a residentially zoned area generally developed with residential uses, including farm activities to the north (Exhibit A). All properties adjacent to the subject property are improved with a single-family dwelling and agricultural uses established on farm properties across Brickyard Road to the north (Exhibit A).

The proposed cottage industry will be utilized within the proposed shop/garage on the subject property (Exhibit B). Mitigation of noise and traffic concerns can be mitigated through the following Conditions of Approval:

- Operating hours of the cottage industry are limited between 8:00 am and 6:00 pm
- Employees are limited to no more than two (2) non-family members
- Proposed operation occurs within enclosed structures

The purpose of requirements for off-street parking and loading areas is to relieve traffic congestion; to ensure customer convenience and safety; to provide safe access to parked vehicles; and to help ensure safe and timely response of emergency vehicles.

Staff finds that a review of the site plan submitted illustrates there is adequate area available for the required off-street parking spaces for both the residential use, and the cottage industry through the addition of two parking spaces in front of the garage/shop pursuant to the requirement of Section 4.030(13)(n).

Additionally staff concludes there is adequate space for loading areas and other requirements noted however, the site plan provided is lacking details therefore as a Condition of Approval, Applicant/Owner shall provide an updated site plan at the time of applying for a Zoning permit approval that clearly identifies two parking spaces for employees, a loading area for deliveries, and how the proposed parking spaces will be connected to the existing drive with adequate areas for maneuvering vehicles for safe access to common roads.

Staff finds that, limited operating hours for the cottage industry, and the provision of sufficient parking, the request will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zone. Staff concludes that this criterion can be met through compliance with the Conditions of Approval.

5. *The proposed use will not have a detrimental effect on existing solar energy systems, wind energy conversion systems or wind mills.*

Findings: Staff does not find any record of such facilities in the area. Applicant states that the proposed cottage industry will not have a detrimental effect on any such facilities and do not propose any such facilities (Exhibit B). Staff concludes this criterion met.

6. *The proposed use is timely, considering the adequacy of public facilities and services existing or planned for the area affected by the use.*

Findings: Applicant states that the subject property has existing water, septic, fire patrol, electricity, and county sheriff patrol (Exhibit B). Staff finds this criterion met.

IV. DECISION: APPROVED WITH CONDITIONS

Based on the findings shown above, Staff concludes that the applicant has satisfied the review criteria, and can meet all applicable ordinance requirements at the time of application. Therefore, the Department approves this request subject to the Conditions of Approval in section V of this report.

Appeal of this decision. This decision may be appealed to the Tillamook County Planning Commission, who will hold a public hearing. The forms and fees must be filed in the office of this Department before **4:00 PM on November 22, 2021.**

Unless appealed, the **Effective Date of Decision shall be no sooner than November 23, 2021.**

V. CONDITIONS OF APPROVAL:

Sections 6.070: COMPLIANCE WITH CONDITIONS, and 6.080: TIME LIMIT requires compliance with approved plans and conditions of this decision, and all other ordinance provisions. 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, including licensing from Tillamook County Community Health, and others as applicable.
2. The applicant/property owner shall obtain an approved Zoning Permit from the Tillamook County Department of Community Development.
3. A site plan, drawn to scale, illustrating the proposed development, required setbacks and compliance with the requirements of TCLUO 4.030, 'Off-Street Parking & Off-Street Loading Requirements' provided at the time of Zoning Permit submittal that clearly identifies two parking spaces for employees, a loading area for deliveries, and how the proposed parking spaces will be connected to the existing drive with adequate areas for maneuvering vehicles for safe access to common roads.
4. The applicant/property owner shall employ no more than two (2) non-family members for the cottage industry use.
5. The applicant/property owner is limited to allowing visitors and deliveries for the cottage industry use of kitchen preparation supporting an off-site food truck business between 8:00am to 6:00pm.
6. Applicant/Owner will provide an approved Authorization Notice from the Tillamook County Sanitation Department at time of Zoning Permit application.
7. Signage shall comply with the standards of Tillamook County Land Use Ordinance Section 4.020: Signs.
8. Applicant/Owner shall submit an affidavit that that the existing easement can be used for commercial purposes.

9. This approval shall be void on November 23, 2023, unless construction of approved plans has begun, or an extension is requested from, and approved by this Department.

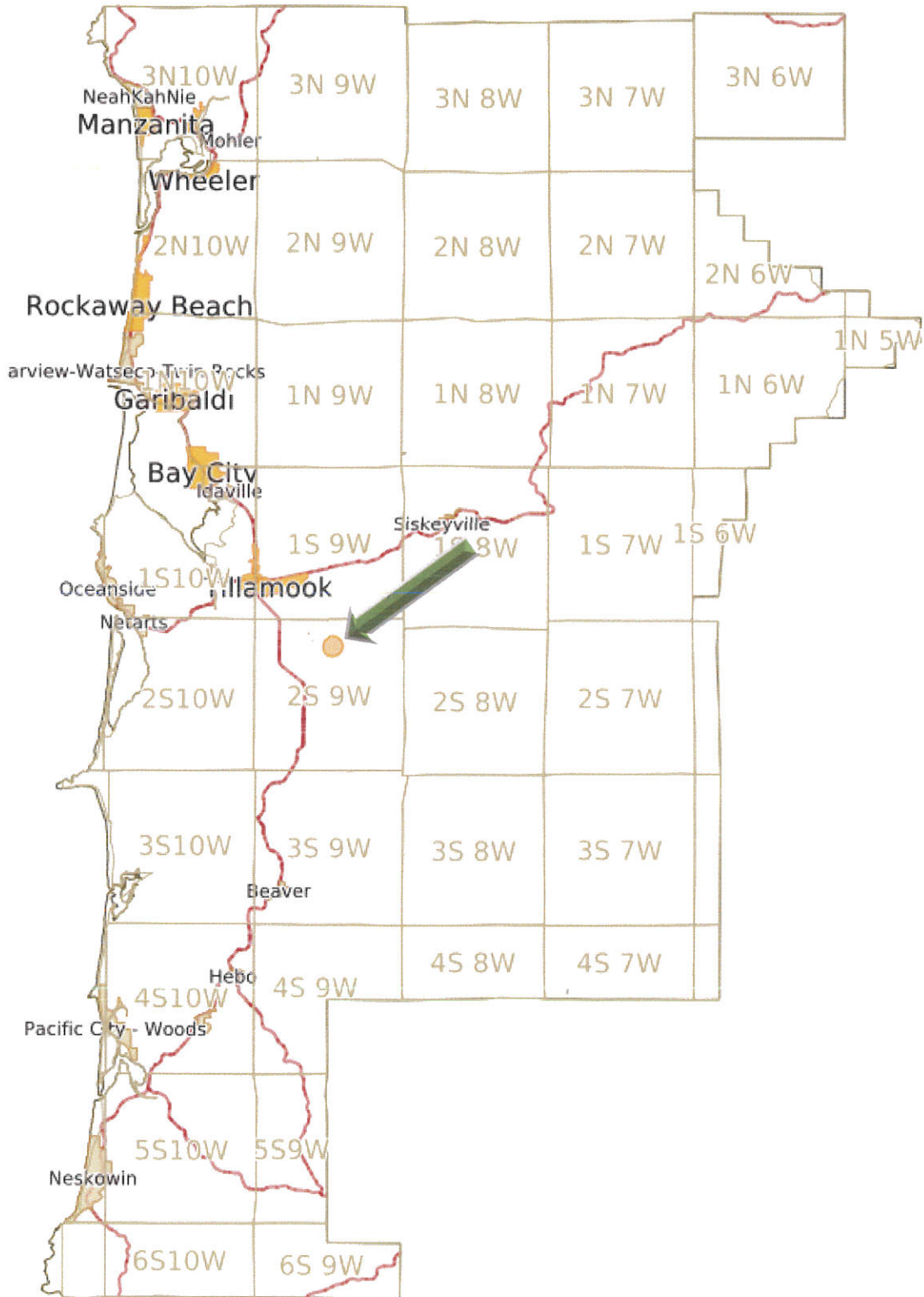
VI. EXHIBITS

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

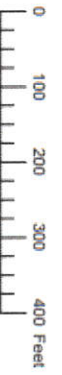
- A. Location map, Assessor map, Zoning map, Assessor's Summary Report
- B. Applicant's submittal
- C. Agency comments

EXHIBIT A

VICINITY MAP

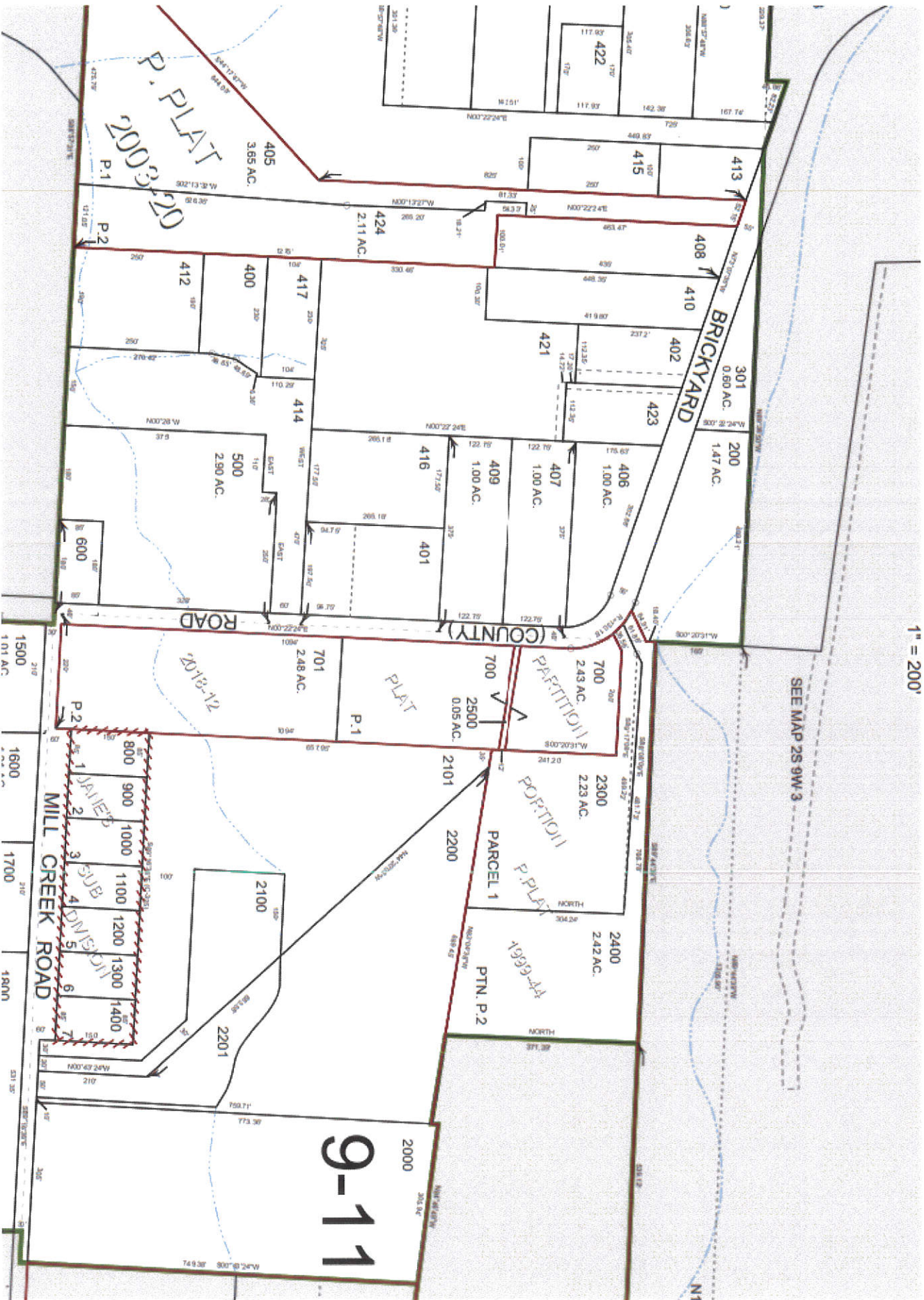


851-21-00225-PLNG STELZIG

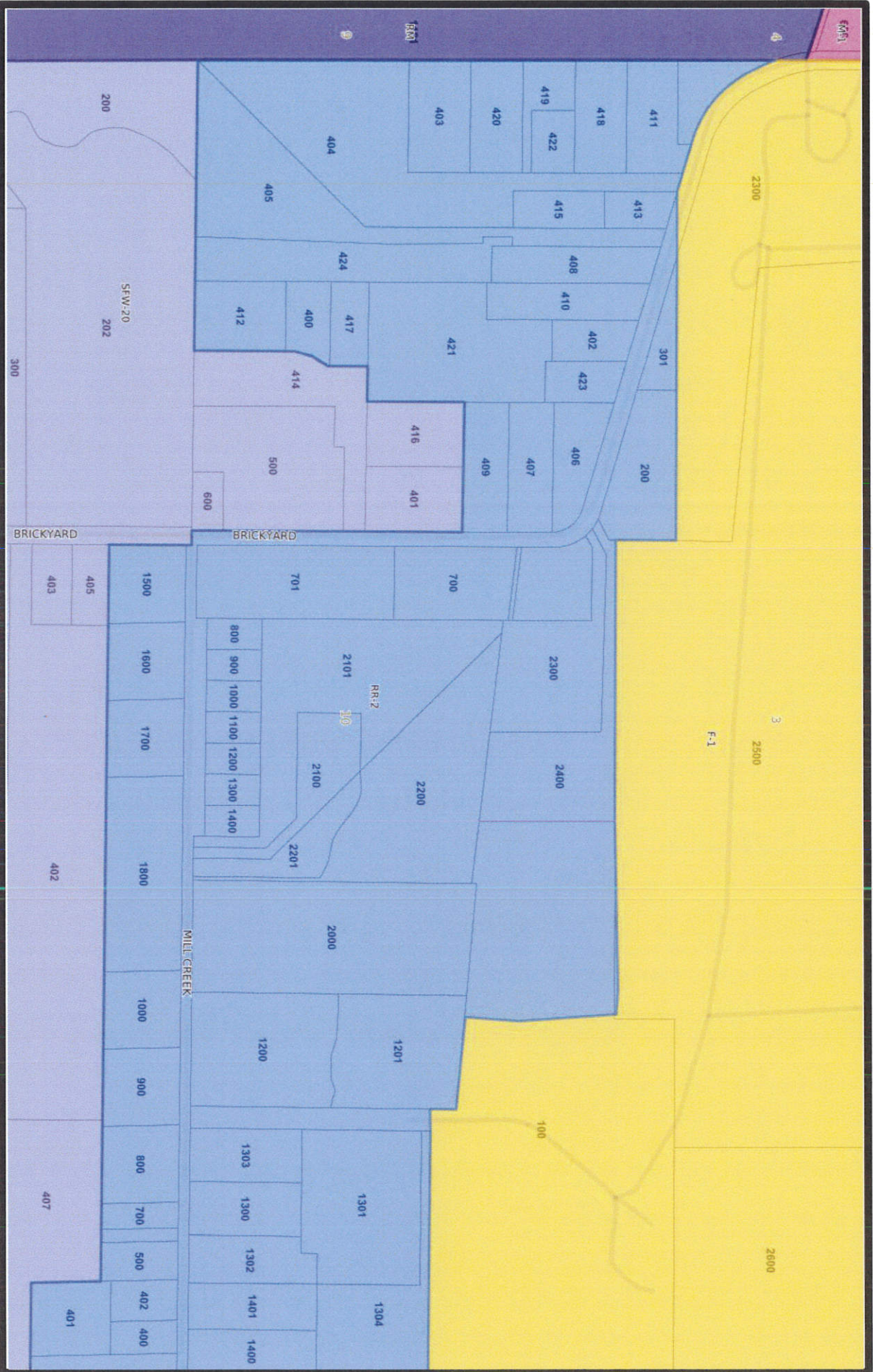


N.W. 1/4 SEC. 10 T.2S. R.9W. W.M.
TILLAMOOK COUNTY

1" = 200'



Map



TILLAMOOK County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2021

October 29, 2021 2:40:20 pm

Account # 166304 Map # 2S0910B000408 Code - Tax # 0911-166304 Legal Descr See Record Mailing Name STELZIG, STEVE R & JOANNA B Agent In Care Of Mailing Address 4740 BRICKYARD RD TILLAMOOK, OR 97141 Prop Class 401 MA SA NH Unit RMV Class 401 01 AC 102 22092-1	Tax Status ASSESSABLE Acct Status ACTIVE Subtype NORMAL Deed Reference # 2007-4736 Sales Date/Price 06-04-2007 / \$0.00 Appraiser JUSTIN BARNES
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Situs Address(s)	Situs City
ID# 1 4740 BRICKYARD RD	COUNTY

Value Summary					
Code Area	RMV	MAV	AV	RMV Exception	CPR %
0911 Land	74,830			Land	0
Impr.	344,030			Impr.	0
Code Area Total	418,860	210,560	210,560		0
Grand Total	418,860	210,560	210,560		0

Land Breakdown										
Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	Trended RMV
0911				RR-2	LANDSCAPE - GOOD	100				2,500
0911	1	<input checked="" type="checkbox"/>		RR-2	Market	104	A	1.05		59,830
0911					OSD - AVERAGE	100				12,500
Grand Total								1.05		74,830

Improvement Breakdown									
Code Area	ID#	Yr Built	Stat Class	Description	TD%	Total Sq. Ft.	Ex%	MS Acct #	Trended RMV
0911	4	2007	145	Two story or more	129	1,861			344,030
Grand Total						1,861			344,030

Exemptions/Special Assessments/Potential Liability									
Code Area	Type								
0911	SPECIAL ASSESSMENT:								
	■ SOLID WASTE	Amount	12.00	Acres	0	Year	2021		
	NOTATION(S):								
	■ DEMOLISHED PROPERTY RMV & MAV ADJUSTED 308.146 ADDED 2008								

Comments: 7/16/2008 Farm building & accessory structures removed - adjusted RMV & MAV. PF. 7/16/2008 New house 37% complete - applied exception. MS disconnected from services & no long in use - reduced to storage. PF. 9/3/08 Added square feet for garage - missing from previous voucher. dv. 11/17/2008 House complete - applied exception. MS still on property. PF 1/22/2010 MS #267240 (M0484) was removed from the property. Updated OSD. PF 06/16/11 - Changed PCA to from 109 to 101 and removed MS from floor plan, KL 12/15/15 Reappraised land; tabled values. WH 3/19/19 Added HP. JB

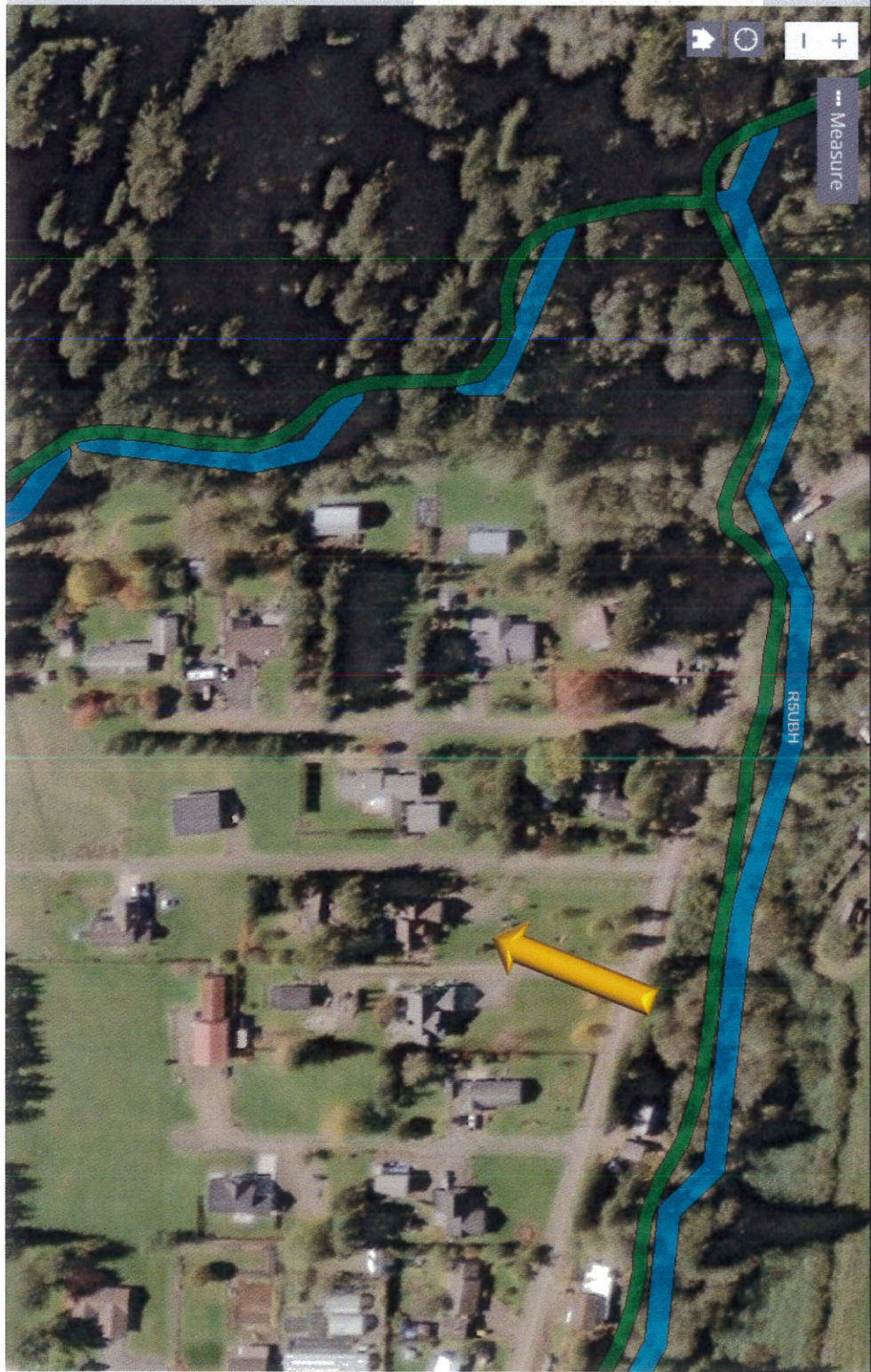
Map



BASEMAPS >

MAP LAYERS >

- Wetlands 1 2
- Riparian 1 2
- Riparian Mapping Areas 1 2
- Data Source 1 2
 - Source Type
 - Image Scale
 - Image Year
- Areas of Interest 2
- FWS Managed Lands 1 2
- Historic Wetland Data 1 2



National Flood Hazard Layer FIRMette

123°47'9"W 45°25'20"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, AE9
- With BFE or Depth Zone AE, AO, AH, VE, AR
Regulatory Floodway

0.2% Annual Chance Flood Hazard. Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X

Future Conditions 1% Annual Chance Flood Hazard Zone X

Area with Reduced Flood Risk due to Levee. See Notes, Zone X

Area with Flood Risk due to Levee Zone D

OTHER AREAS OF FLOOD HAZARD

NO SCREEN Area of Minimal Flood Hazard Zone X

Effective LOMIRs

OTHER AREAS

Area of Undetermined Flood Hazard Zone D

GENERAL STRUCTURES

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

20.2 Cross Sections with 1% Annual Chance
17.5 Water Surface Elevation

Coastal Transsect
Base Flood Elevation Line (BFE)

Limit of Study

Jurisdiction Boundary

Coastal Transsect Baseline

Profile Baseline

Hydrographic Feature

OTHER FEATURES

- 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 10/29/2021 at 4:31 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, FIRN panel number, and FIRN effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



123°46'32"W 45°24'55"N

TILLAMOOK COUNTY
410196

AREA OF MINIMAL FLOOD HAZARD
Zone X

41057C0595F
eff. 9/28/2018

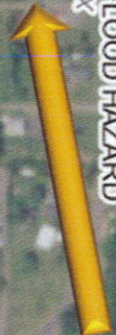


EXHIBIT B



PLANNING APPLICATION

Applicant (Check Box if Same as Property Owner)

Name: Steven Stelzig Phone: 503-812-6376
 Address: 4740 Brickyard Rd
 City: Tillamook State: OR Zip: 97141
 Email: srstelzig@gmail.com

Property Owner

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

OFFICE USE ONLY	
Date Stamp	RECEIVED JUN 10 2021 BY: <u>drop off</u>
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by:	<u>SS</u>
Receipt #:	<u>120828</u>
Fees:	<u>\$1,089.</u>
Permit No:	<u>851-21-000225</u> -PLNG

Request: _____

- | Type II | Type III | Type IV |
|--|--|---|
| <input type="checkbox"/> Farm/Forest Review | <input type="checkbox"/> Appeal of Director's Decision | <input type="checkbox"/> Appeal of Planning Commission Decision |
| <input checked="" type="checkbox"/> Conditional Use Review | <input type="checkbox"/> Extension of Time | <input type="checkbox"/> Ordinance Amendment |
| <input type="checkbox"/> Variance | <input type="checkbox"/> Detailed Hazard Report | <input type="checkbox"/> Large-Scale Zoning Map Amendment |
| <input type="checkbox"/> Exception to Resource or Riparian Setback | <input type="checkbox"/> Conditional Use (As deemed by Director) | <input type="checkbox"/> Plan and/or Code Text Amendment |
| <input type="checkbox"/> Nonconforming Review (Major or Minor) | <input type="checkbox"/> Ordinance Amendment | |
| <input type="checkbox"/> Development Permit Review for Estuary Development | <input type="checkbox"/> Map Amendment | |
| <input type="checkbox"/> Non-farm dwelling in Farm Zone | <input type="checkbox"/> Goal Exception | |
| <input type="checkbox"/> Fore-dune Grading Permit Review | | |
| <input type="checkbox"/> Neskowin Coastal Hazards Area | | |

Location:

Site Address: 4740 Brickyard Rd, Tillamook, OR
 Map Number: 25 09 10B 408
Township Range Section Tax Lot(s)

Clerk's Instrument #: _____

Authorization

This permit application does not assure permit approval. The applicant and/or property owner shall be responsible for obtaining any other necessary federal, state, and local permits. The applicant verifies that the information submitted is complete, accurate, and consistent with other information submitted with this application.

Property Owner Signature (Required) _____ Date 6-14-2021
 Applicant Signature _____ Date 6-14-2021

463.47'



435'



166304 Tax Status ASSESSABLE
 2S0910B000408 Account Status ACTIVE
 0911-166304 Subtype NORMAL
 STELZIG, STEVE R & JOANNA B

4740 BRICKYARD RD
 TILLAMOOK, OR 97141

PH: 503-812-6376

Site Plan

Date: 09/26/2020

Shop/Garage for
 Steven & Joanna Stelzig

Address: 4740 Brickyard RD Tillamook, OR 97141

CONDITIONAL USE REVIEW CRITERIA

1. **The use is listed as a Conditional Use in the underlying zone, or in an applicable overlying zone.**

Yes, this is a Cottage Industry. TCLUO SECTION 3.010 (3) (C)

2. **The Use is consistent with the applicable goals and policies of the Comprehensive Plan.**

Yes, it is allowed and consistent, based on the zoning of the property

3. **The parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements and natural features.**

Yes, if you look at the site plan you can see that the proposed location of the building is off the property line at least 10' and is 80' from the residence on the property. There is an existing septic tank, water, electricity, ample parking for the residence and the kitchen. There are also two exiting driveways, one for the residence and one for the kitchen. There are also vegetation barriers, that make a physical barrier from the other properties.

4. **The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zone.**

No, I will be using an existing driveway on my property to reach the kitchen. I will not be adding any extra traffic to the area, because I will be bringing in my own supplies, with my own vehicle. Water, septic and electricity is already located on the property. This will be used to provide food to my existing business in town and will not be having customers on the property.

5. **The proposed use will not have detrimental effect on existing solar energy systems, wind energy conversion systems or windmills.**

No, there is no existing solar systems, wind energy conversion systems or windmills, on or near the property.

6. **The proposed use is timely, considering the adequacy of public facilities and services existing or planned for the area affected by the use.**

Yes, we have existing water, septic, fire patrol, electricity, and county sheriff patrol and none of the services will not be compromised by the proposed use.

REVIEW CRITERIA

ARTICLE VI - CONDITIONAL USE PROCEDURES AND CRITERIA

SECTION 6.040: REVIEW CRITERIA:

Any CONDITIONAL USE authorized according to this Article shall be subject to the following criteria, where applicable:

- (1) The use is listed as a CONDITIONAL USE in the underlying zone, or in an applicable overlying zone.
- (2) The use is consistent with the applicable goals and policies of the Comprehensive Plan.
- (3) The parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements and natural features.
- (4) The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zone.
- (5) The proposed use will not have detrimental effect on existing solar energy systems, wind energy conversion systems or wind mills.
- (6) The proposed use is timely, considering the adequacy of public facilities and services existing or planned for the area affected by the use.

EXHIBIT C

Allison Hinderer

From: Ron Newton
Sent: Monday, August 16, 2021 7:01 AM
To: Allison Hinderer
Cc: Jasper Lind
Subject: Re: Tillamook County: Administrative Review/ 851-21-000225-PLNG: Stelzig

Allison

Access to this property appears to be through an easement over and across property owned by others. The applicant should be required to provide written proof of agreement that the easement can be used for commercial purposes.

Ron Newton
Engineering Tech. III
Tillamook County Public Works
Working from Home
Until Further Notice
Cell - (503) 812-1441

From: Allison Hinderer <ahindere@co.tillamook.or.us>
Sent: Tuesday, August 10, 2021 10:50 AM
To: lisa.phipps@dlcd.oregon.gov <lisa.phipps@dlcd.oregon.gov>; BROWN Jevra * DSL <jevra.brown@dsl.state.or.us>; doryfreshfish@embarqmail.com <doryfreshfish@embarqmail.com>; Tiffany Miller <tmiller@tillamook911.com>; firechief@tillamookfire.com <firechief@tillamookfire.com>; rdescloux@tillamookfire.com <rdescloux@tillamookfire.com>; clyde@zwald.org <clyde@zwald.org>; Nonda Zwald <nonda@zwald.org>; Denise Vandecoevering <dvandeco@co.tillamook.or.us>; Jaime Craig <jcraig@co.tillamook.or.us>; Ron Newton <rnewton@co.tillamook.or.us>; Chris Chiola <cchiola@co.tillamook.or.us>
Cc: Sarah Absher <sabsher@co.tillamook.or.us>
Subject: Tillamook County: Administrative Review/ 851-21-000225-PLNG: Stelzig

Hello,

Please see link for Conditional Use Request:

[851-21-000225-PLNG | Tillamook County OR](#)

Thank you.



Allison Hinderer | Office Specialist 2
TILLAMOOK COUNTY | Community Development | Surveyor's Office
1510-C Third Street
Tillamook, OR 97141
Phone (503)842-3423 ext. 3423
ahindere@co.tillamook.or.us

Christopher Laws

From: Sarah Absher
Sent: Friday, October 29, 2021 3:10 PM
To: Christopher Laws
Subject: FW: EXTERNAL: WN2021-0886 Response to Local Case File #851-21-000225-PLNG
Attachments: Wetland Land Use Notice.pdf; Wetland Land Use Notice Response.pdf

From: Daniel.Evans@dsl.state.or.us <Daniel.Evans@dsl.state.or.us>
Sent: Wednesday, September 8, 2021 10:51 AM
To: Sarah Absher <sabsher@co.tillamook.or.us>
Subject: EXTERNAL: WN2021-0886 Response to Local Case File #851-21-000225-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.]

We have completed our review of the Wetland Land Use Notification that was prepared for Steven Stelzig - Steven Stelzig The WLUN form was submitted to the Department for review/response and given the file number WN2021-0886

The results and conclusions from that review are explained in the attached pdf documents. If the attached documents are illegible or difficult to open, you may contact the Department and request paper copies. Otherwise, please review the attachments carefully and direct any questions or comments to Jurisdiction Coordinator, Daniel Evans at 503-986-5271 or Daniel.Evans@dsl.state.or.us. Thank you for your interest in the project.

Additional resources that may be helpful:
[DSL Coordinator List](#)

[R/F Fee Schedule](#)

Aquatic Resource Management Program
Oregon Department of State Lands
775 Summer St. NE, Ste. 100
Salem, OR 97301-1279
Fax: (503) 378-4844
www.oregon.gov/dsl



Wetland Land Use Notification

OREGON DEPARTMENT OF STATE LANDS

775 Summer Street NE, Suite 100, Salem, OR 97301-1279

Phone: (503) 986-5200

This form is to be completed by planning department staff for mapped wetlands and waterways.

Responsible Jurisdiction

*	Municipality*	Date*
<input type="radio"/> City of <input checked="" type="radio"/> County of	Tillamook	8/10/2021

Staff Contact

First Name*	Last Name*
Sarah	Absher
Phone*	Email*
15038423408	sabsher@co.tillamook.or.us

Applicant

First Name*	Last Name*
Steven	Stelzig
Mailing Address*	
Street Address	
4740 Brickyard Rd	
Address Line 2	
City	State
Tillamook	OR
Postal / Zip Code	Country
97141	US
Phone	Email (?)
5038126376	srstelzig@gmail.com

Is the Property Owner name and address the same as the Applicant?*

No Yes

Activity Location

Township* (?)	Range* (?)	Section* (?)
02S	09W	10

Quarter-quarter Section (?)

B

Tax Lot(s)*

408

You can enter multiple tax lot numbers within this field. i.e. 100, 200, 300, etc.

To add additional tax map and lot information, please click the "add" button below.

Address

Street Address

4740 Brickyard Rd

Address Line 2

City

State

Postal / Zip Code

Country

County*

Tillamook

Adjacent Waterbody

Proposed Activity



Local Case File #*

851-21-000225-PLNG

Zoning

Proposed

Building Permit (new structures)

Conditional use Permit

Grading Permit

Planned Unit Development

Site Plan Approval

Subdivision

Other (please describe)

Project*

Conditional Use request for a Cottage Industry for the operation of a commercial kitchen to support an off-site food cart on a property.

Required attachments with site marked: Tax map and site plan(s). (?)

Additional Attachments

851-21-000225-plng admin review.pdf

2.31MB

Date

8/10/2021



Wetland Land Use Notice Response

Response Page

Department of State Lands (DSL) WN#*

WN2021-0886

Responsible Jurisdiction

Staff Contact

Sarah Absher

Jurisdiction Type

County

Municipality

Tillamook

Local case file #

851-21-000225-PLNG

County

Tillamook

Activity Location

Township	Range	Section	QQ section	Tax Lot(s)
02S	09W	10	B	408

Street Address

4740 Brickyard Rd

Address Line 2

City

State / Province / Region

Postal / Zip Code

Country

Tillamook

Latitude

45.418684

Longitude

-123.780670

Wetland/Waterway/Other Water Features ^

It is unlikely that there are jurisdictional wetlands or waterways on the property based upon a review of wetland maps, the county soil survey and other available information.

Your Activity ^

A state permit will not be required for the proposed project because, based on the submitted site plan, the project avoids impacts to jurisdictional wetlands, waterways, or other waters.

Closing Information ^

Additional Comments

The Statewide Wetland Inventory does not contain mapped resources on this parcel, therefore a Wetland Land Use Notification to DSL isn't required per ORS 215.418 (1).

This is a preliminary jurisdictional determination and is advisory only.

This report is for the State Removal-Fill law only. City or County permits may be required for the proposed activity.

Contact Information

- For information on permitting, use of a state-owned water, wetland determination or delineation report requirements please contact the respective DSL Aquatic Resource, Proprietary or Jurisdiction Coordinator for the site county. The current list is found at: <http://www.oregon.gov/dsl/ww/pages/wwstaff.aspx>
- The current Removal-Fill permit and/or Wetland Delineation report fee schedule is found at: <https://www.oregon.gov/dsl/WW/Documents/Removal-FillFees.pdf>

Response Date

9/8/2021

Response by:

Daniel Evans

Response Phone:

503-986-5271

