



1510 – B Third Street
Tillamook, Oregon 97141
www.tillamook.or.us
Building (503) 842-3407
Planning (503) 842-3408
Sanitation (503) 842-3409
FAX (503) 842-1819
Toll Free 1(800) 488-8280

Land of Cheese, Trees and Ocean Breeze

RESOURCE ZONE EXCEPTION #851-22-000049-PLNG: PERRINE

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

NOTICE OF ADMINISTRATIVE REVIEW

Date of Notice: August 22, 2022

Notice is hereby given that the Tillamook County Department of Community Development is considering the following:

#851-22-000049-PLNG: An exception request to reduce the required 100-foot resource zone setback from the Forest (F) zone boundary and establish a 20-foot front yard setback to allow for the placement of a residential structure (single-family dwelling).

The subject property is accessed via Kilchis Forest Road, a private forest road, is located east of the City of Bay City, is zoned Rural Residential 2-Acre and is designated as Tax Lot 602 in Section 32 of Township 1 North, Range 9 West of the Willamette Meridian, Tillamook County, Oregon. The applicant and property owner is Michael Perrine.

Written comments received by the Department of Community Development prior to 4:00p.m. on September 6, 2022, will be considered in rendering a decision. Comments should address the criteria upon which the Department must base its decision. A decision will be rendered no sooner than September 7, 2022.

Notice of the application, a map of the subject area, and the applicable criteria are being mailed to all property owners within 250 feet of the exterior boundaries of the subject parcel for which an application has been made and other appropriate agencies at least 14 days prior to this Department rendering a decision on the request.

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.co.tillamook.or.us/commdev/landuseapps> and is also available for inspection at the Department of Community Development office located at 1510-B Third Street, Tillamook, Oregon 97141.

If you have any questions about this application, please call the Department of Community Development at 503-842-3408 Ext. 3412 or sabsher@co.tillamook.or.us.

Sincerely,

Sarah Absher, CFM, Director

Enc. Applicable Ordinance Criteria, Maps

REVIEW CRITERIA

SECTION 3.010: RURAL RESIDENTIAL 2 ACRE AND 10 ACRE ZONE (RR-2) (RR-10) (4) STANDARDS: Land divisions and development in the RR-2 and RR-10 zone shall conform to the following standards, unless more restrictive supplemental regulations apply:

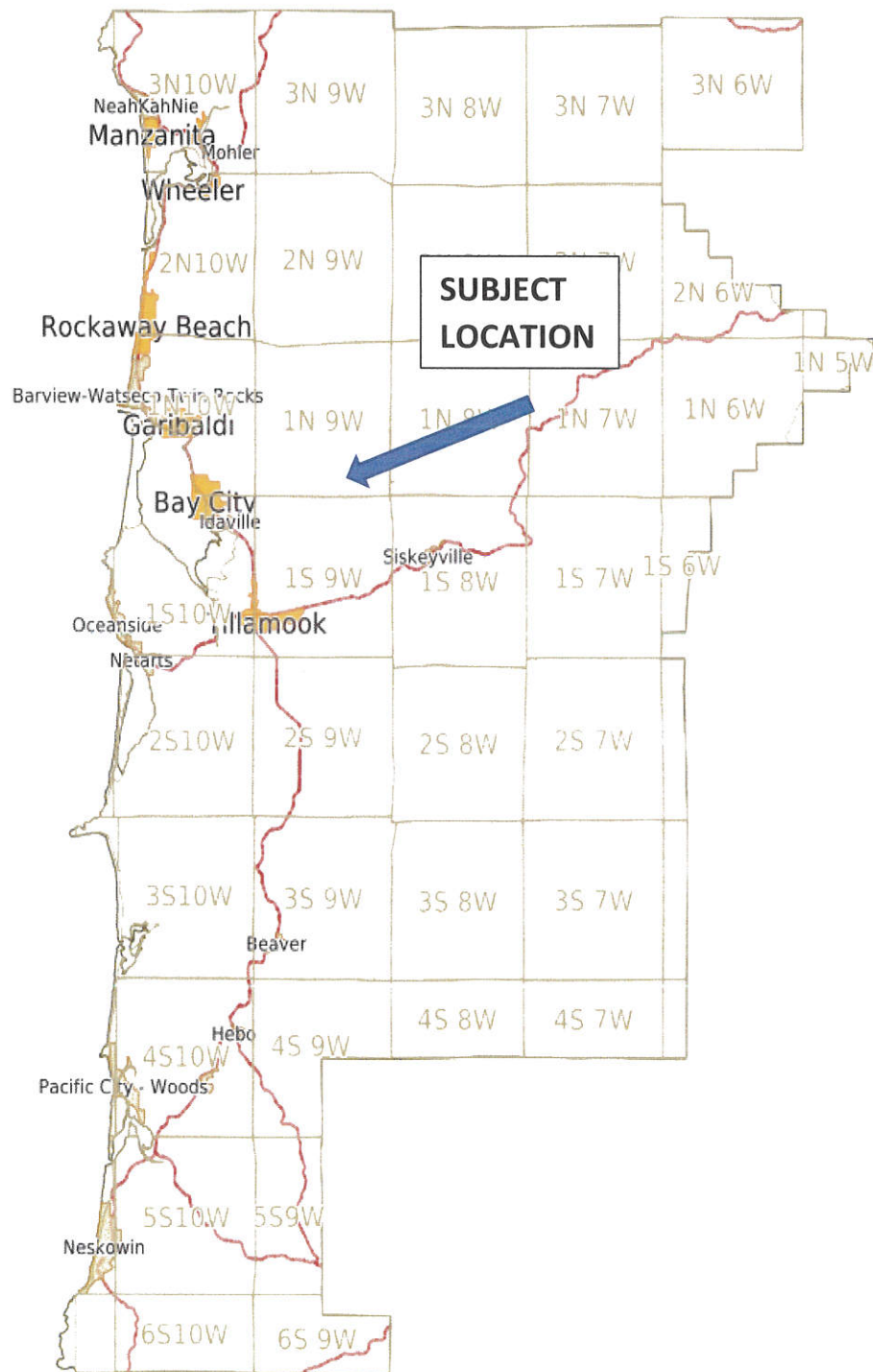
...

- (f) The minimum front yard shall be 20 feet.
- (g) The minimum side yard shall be 5 feet; on the street side of a corner lot, it shall be no less than 15 feet.
- (h) The minimum rear yard shall be 20 feet; on a corner lot, it shall be no less than 5 feet.
- (i) The maximum building height shall be 35 feet, except on ocean or bay frontage lots, where it shall be 24 feet. Higher structures may be permitted only according to the provisions of Article 8.

...

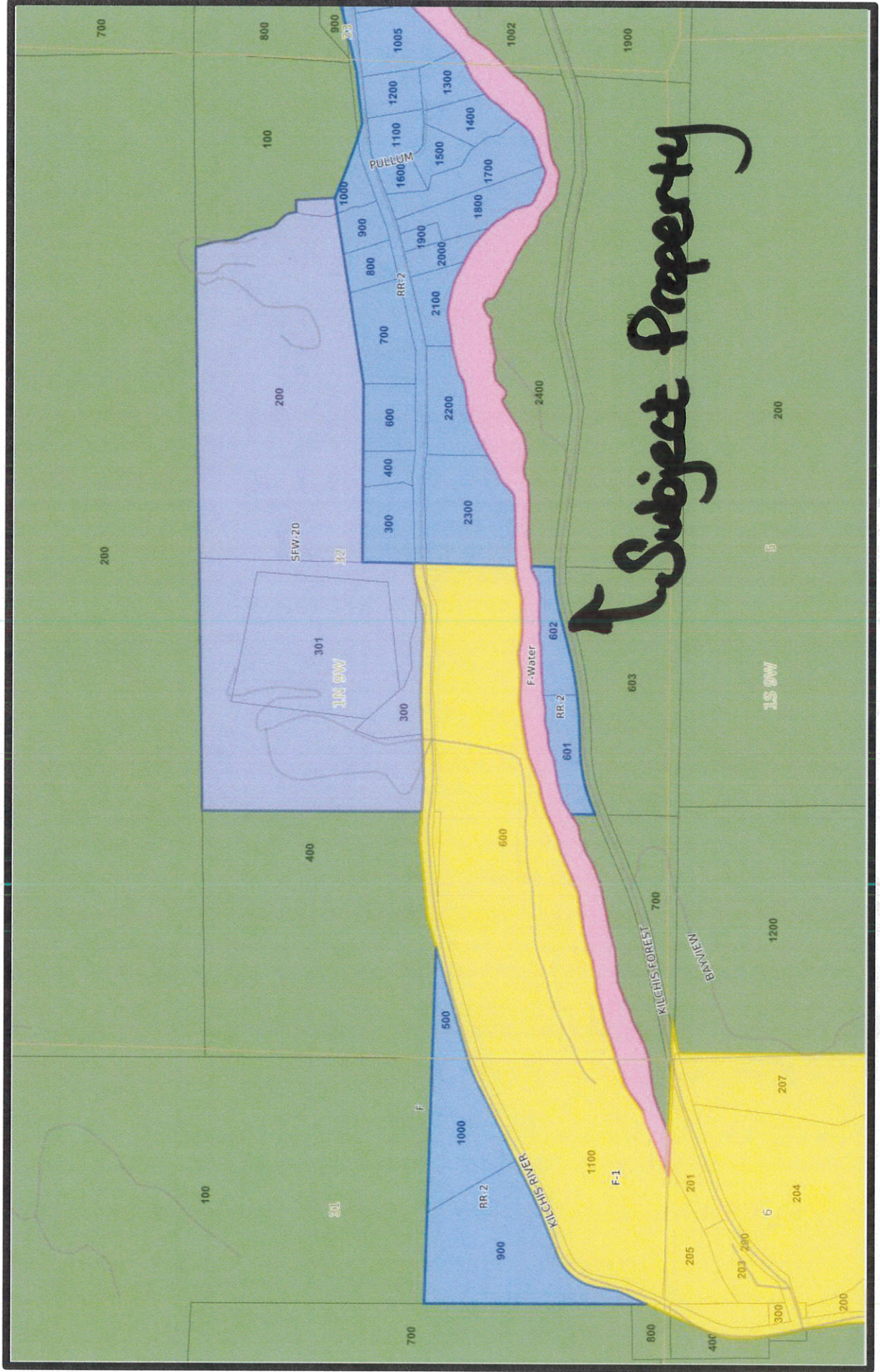
- (k) *No residential structure shall be located within 100 feet of an F-1, F, or SFW-20 zone boundary, unless it can be demonstrated that natural or man-made features will act as an equally effective barrier to conflicts between resource and residential used; or that a residential structure could not otherwise be placed on the property without requiring a variance to the 100-foot requirement. In either case, all yard requirements in this zone shall still apply.*

VICINITY MAP



#851-22-000049-PLNG: PERRINE

Map





PLANNING APPLICATION

OFFICE USE ONLY
Date Stamp FEB 08 2022
<input type="checkbox"/> Approved <input type="checkbox"/> Denied
Received by:
Receipt #: 124293
Fees: 1089.5
Permit No: 851-22-000049-PLNG

Applicant (Check Box if Same as Property Owner)

Name: Michael Perrine Phone: 503-459-1998

Address: 620 N 8th st.

City: Carlton State: OR Zip: 97111

Email: pfenzer@hotmail.com

Property Owner

Name: _____ Phone: _____

Address: _____

City: _____ State: _____ Zip: _____

Email: _____

Request: To change the 100' setback requirement to a 50' setback from the forest land (privately owned rock quarry #603) to the south in the prospect of building a small, single-family residence and garage on lot 602.

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

Location:

Site Address: No assigned address

Map Number: Tillamook 01N09W32 602

Township

Range

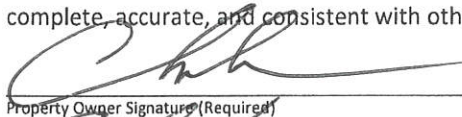
Section

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.

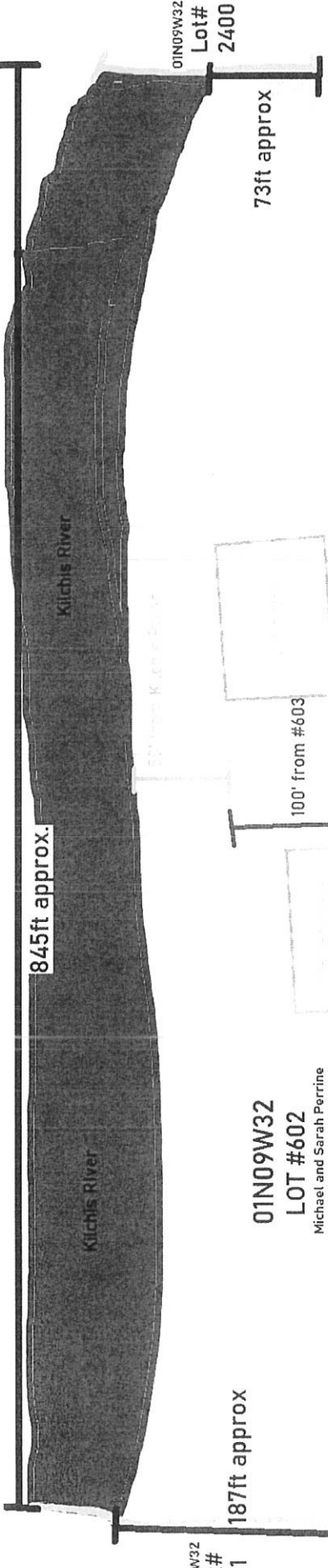

 Property Owner Signature (Required)

2-4-22
Date


 Applicant Signature

2-4-22
Date

01N09W32
LOT #600



845ft approx.

Kilchis River

Kilchis River

01N09W32
Lot#
601

187ft approx

01N09W32
LOT #602

Michael and Sarah Perrine
620 N 8th Street, Carlton, OR 97111
503-459-1998

100' from #603

50' from #603 REQUESTED

13f wide

Kilchis Forest Road



01N09W32
LOT #603 Forest Land/Rock Quarry

01N09W32
Lot#
2400

73ft approx

SECTION 8.030: REVIEW CRITERIA

A VARIANCE shall be granted, according to the procedures set forth in Section 8.020, if the applicant adequately demonstrates that the proposed VARIANCE satisfies all of the following 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.

No other land owners will be affected by this variance in regards to their rights or enjoyment of their own property. The owner of lot#603 will not be able to see any structures placed due to a large hill the already obstructs the view. The owner of #600 will not be affected as the variance doesn't adjust any distance in regards to their 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.

In order for a small, single-family dwelling to be constructed, the variance is required. Without it, setbacks from the north and south prevent any structure from being constructed.

- (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.

No hindrance of land use or enjoyment of land will be applied with this variance request. The land to the south (Lot#603) is deemed Forest land, however it is privately owned and used for commercial purposes. Heavy foliage surrounding the property (Lot #602) provide adequate shielding from other properties seeing into the area where a home may be constructed.

- (4) There are no reasonable alternatives requiring either a lesser or no VARIANCE.

Without the variance, no home, or structure for that matter, would be allowed to be placed on the property. Moving a future structure to the west would place it in the same zone as the entirety of the property is long and narrow. Placing the home in the requested space would be the most prudent choice as it is the highest point above the flood plain and therefor presents minimal risk of flooding.

ARTICLE IV
SUPPLEMENTARY REGULATIONS
SECTION 4.005: RESIDENTIAL AND COMMERCIAL ZONE STANDARDS

PURPOSE: In all RESIDENTIAL AND COMMERCIAL ZONES, the purpose of land use standards are the following:

- (1) To ensure the availability of private open space;

No private open space is adjusted or changed.

- (2) To ensure that adequate light and air are available to residential and commercial structures;

No changes to adequate light and air are changed.

- (3) To adequately separate structures for emergency access;

No structures exist on the property requiring the variance.

- (4) To enhance privacy for occupants of residences;

No residences are affected by this variance.

- (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, driveways, parking, areas for maneuvering vehicles for safe access to common roads, alternative energy facilities, and private open spaces;

No homes, buildings, driveways, parking spaces or access to roads are affected.

- (6) To ensure that driver visibility on adjacent roads will not be obstructed;

The road bend closest to the variance request curves in such a way that no obstruction for passing vehicles will take place. No road changes are required.

- (7) To ensure safe access to and from common roads;

No common roads, ie: Kilchis Forest Road, are affected

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

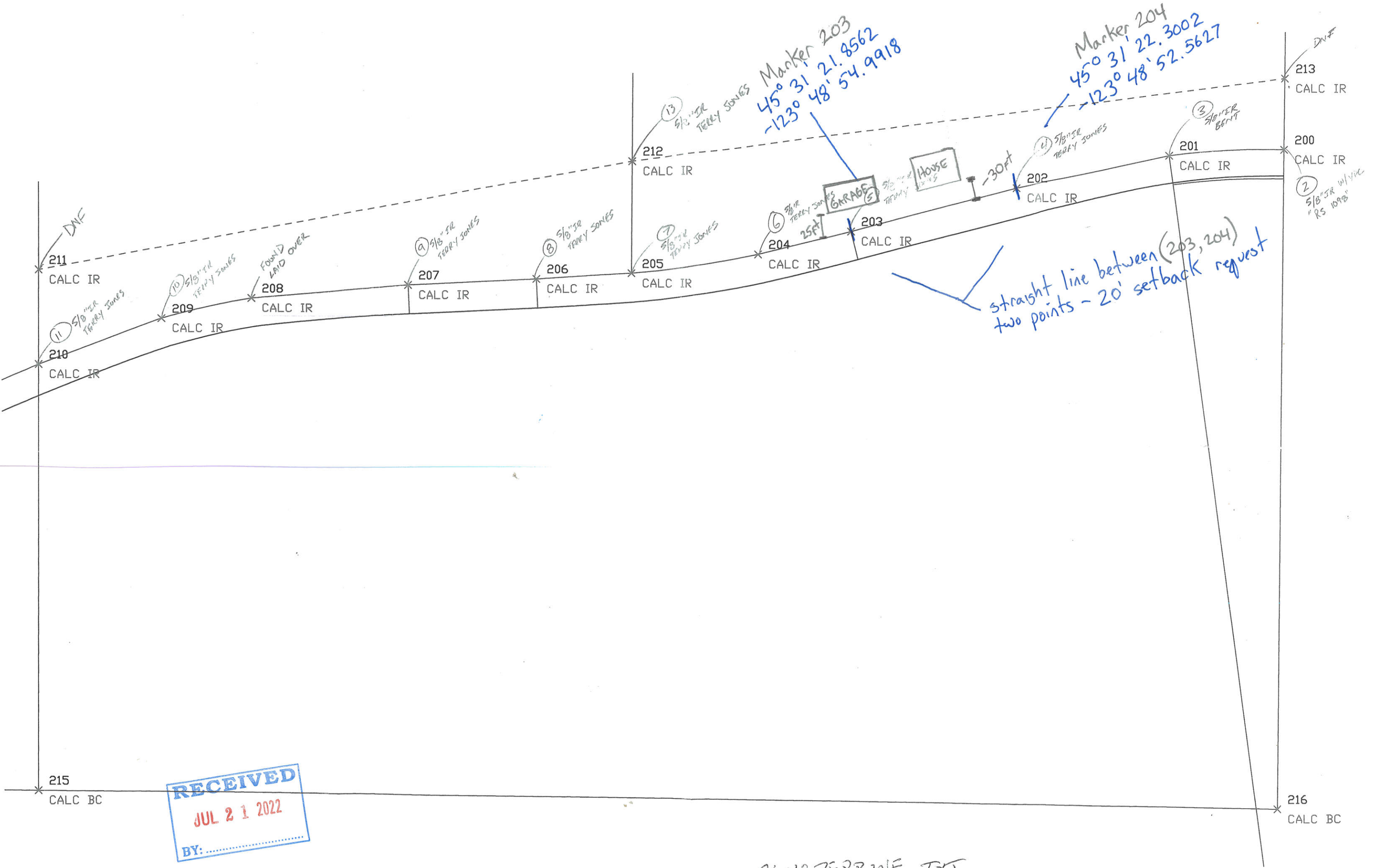
No pleasing views are obstructed or changed in any way by the variance.

- (9) To separate potentially incompatible land uses;

No land use changes are requested.

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

Access to solar radiation is for any adjacent property is not affected by the variance.



RECEIVED
 JUL 21 2022
 BY:

9648PERRINE.TXT

NARRATIVE

THIS SURVEY WAS CONDUCTED AS A DEPENDENT RESURVEY OF THE COLBY TRACT AS RECORDED IN BOOK 379, PAGE 52, TILLAMOOK COUNTY DEED RECORDS. THE PURPOSE OF THIS SURVEY IS TO PARTITION THE SUBJECT TRACT INTO THREE PARCELS AS INDICATED HEREON, PARCEL 1 BEING UN-SURVEYED.

THE WEST 1/16 CORNER ON THE SOUTH LINE OF SECTION 32 WAS SET AT MID POINT BETWEEN MONUMENTS (31) AND (32). THE 1/4 CORNER COMMON TO SECTIONS 31 AND 32 WAS CALCULATED BY PROJECTING A LINE FROM MONUMENT (31) THROUGH (32) AND AT RECORD DISTANCE FROM MONUMENT (32).

THE CENTER 1/4 CORNER WAS CALCULATED BY PROJECTING A LINE FROM MONUMENT (31) THROUGH MONUMENT (32) AND INTERSECTING A RECORD BEARING LINE FROM THE WEST 1/4 CORNER. THE SW 1/4 OF SECTION 32 WAS SUBDIVIDED PER THE BLM MANUAL.

THE CENTERLINE OF THE KILCHIS FOREST ROAD WAS CALCULATED AT RECORD BEARINGS AND DISTANCES FROM MONUMENT (31), AND ROTATED TO FIT THE EXISTING CENTERLINE AT THE END.

MONUMENT NOTES

- (31) FOUND TILL CO. BRASS CAP IN CONCRETE, TOP 0.2' BELOW ROAD SURFACE. STAMPED "TIN R9W 531 532 56 55 T15 R9W 1990". SEE REMITTANCE RECORDED IN BOOK 6, PAGE 483, TILLAMOOK COUNTY SURVEY RECORDS, (BEARING TREES AS INDICATED IN REMITTANCE), HELD.
(32) FOUND BLM BRASS CAP ON 2" IRON PIPE, TOP 1.2' ABOVE GROUND, STAMPED "W1/16 55 1959". WITH 2"(21") SPRUCE TREE WITH HEALED FACE BEARS (523" W 31.5 L.S.), SEE REMITTANCE RECORDED IN BOOK 3, PAGE 108, TILLAMOOK COUNTY SURVEY RECORDS, SHOWN FOR REFERENCE ONLY.

LEGEND

- o INDICATES 5/8" X 40" REBAR SET WITH YELLOW PLASTIC CAP MARKED "TERRY JONES LS 2507"
(1) INDICATES RECORD VALUE MAP B-663
(2) INDICATES RECORD VALUE MAP B-952
(3) INDICATES RECORD VALUE MAP B-1784
(4) INDICATES RECORD VALUE MAP A-3712
(5) INDICATES RECORD VALUE MAP F-40-44
(6) INDICATES RECORD VALUE DEED BOOK 161, PAGE 244
< > INDICATES CALCULATED VALUE
NO () OR < > INDICATES MEASURED VALUE

DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT COLLEEN COLBY IS THE OWNER OF THE LAND REPRESENTED ON THE ANNEXED MAP AND MORE PARTICULARLY DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE AND HAVE CAUSED THE SAME TO BE PARTITIONED AND SURVEYED INTO THREE PARCELS AS SHOWN ON THE ANNEXED MAP, PARCEL 1 BEING UNSURVEYED.

RECEIVED JUL 21 2022 BY:

BASIS OF BEARING

THE LINE BETWEEN THE FOUND MONUMENTS (31) AND (32) AS SHOWN HEREON, BEARS NORTH 00° 05' 02" EAST, THE RECORD BEARING FROM MAPS B-663 AND B-952, TILLAMOOK COUNTY SURVEY RECORDS.

SURVEYOR'S CERTIFICATE

I, TERRY L. JONES, CERTIFY THAT: I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS PARCELS 2 AND 3, PARCEL 1 BEING UNSURVEYED, THE LAND REPRESENTED ON THE ATTACHED PARTITION MAP, THE BOUNDARY BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8" REBAR AT THE INTERSECTION OF THE NORTH-SOUTH CENTERLINE OF SECTION 32 AND THE NORTH LINE OF THE KILCHIS FOREST ROAD, AS DESCRIBED IN BOOK 161, PAGE 244, BEING NORTH 0°43'45" EAST 681.87 FEET FROM THE SOUTH 1/4 CORNER OF SAID SECTION 32; THENCE NORTHERLY ALONG THE NORTH-SOUTH CENTERLINE OF SECTION 32 TO THE CENTER-SOUTH 1/16 CORNER;

REGISTERED PROFESSIONAL LAND SURVEYOR Terry L. Jones JULY 25, 1991 TERRY L. JONES 2507 RENEWAL DATE: JUNE 30, 1997

SCALE: 1" = 200'

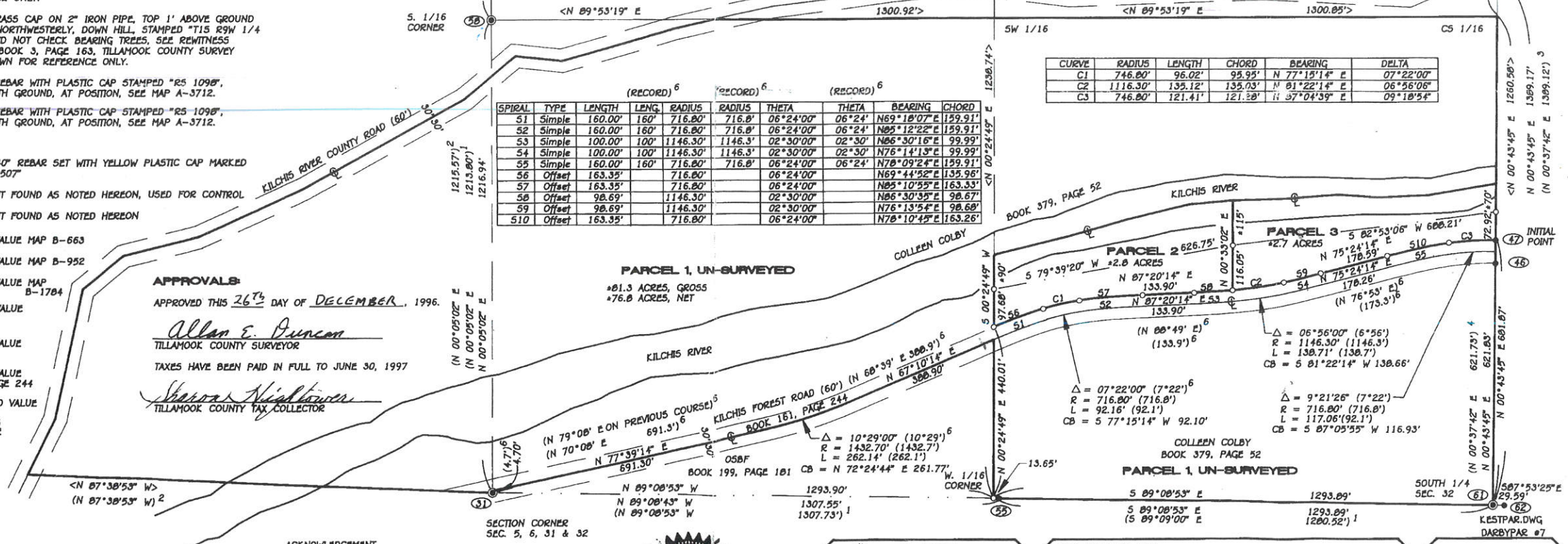
PARTITION PLAT 1996-66

CERTIFICATE OF COUNTY CLERK

STATE OF OREGON > 5.5. COUNTY OF TILLAMOOK > 5.5. I, JOSEPHINE VELTRI, DO HEREBY CERTIFY THAT I AM THE QUALIFIED CLERK OF TILLAMOOK COUNTY, OREGON AND THAT THIS COPY OF PARTITION PLAT NO. 1996-66 IS THE FULL, COMPLETE AND TRUE COPY OF THE ORIGINAL PLAT OF SAME, AS RECORDED IN PLAT CABINET B-508-2 OF PARTITION PLAT RECORDS OF TILLAMOOK COUNTY, OREGON RECORDED DECEMBER 30, 1996 AT 1:12 AM O'CLOCK, AS INSTRUMENT NO. 16356169. Josephine Veltri, by Susan Holmes, deputy JOSEPHINE VELTRI I, TERRY L. JONES, DO HEREBY CERTIFY THAT THIS IS A FULL, COMPLETE AND TRUE COPY OF THE ORIGINAL PLAT AS REFERENCED ABOVE. Terry L. Jones TERRY L. JONES PLS 2507

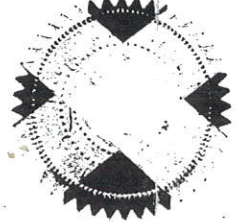
Table with columns: SPIRAL, TYPE, LENGTH, LENG, RADIUS, RADIUS, THETA, THETA, BEARING, CHORD. Contains data for spirals 51 through 510.

Table with columns: CURVE, RADIUS, LENGTH, CHORD, BEARING, DELTA. Contains data for curves C1, C2, C3.



APPROVALS: APPROVED THIS 26th DAY OF DECEMBER, 1996. Allan E. Duncan TILLAMOOK COUNTY SURVEYOR Taxes have been paid in full to June 30, 1997. Sharon Highland TILLAMOOK COUNTY TAX COLLECTOR

ACKNOWLEDGEMENT STATE OF OREGON > 5.5. COUNTY OF TILLAMOOK > 5.5. THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON DECEMBER 26, 1996, BY (COLLEEN COLBY). Notary Public My Commission Expires:



SURVEY BY: BAYSIDE SURVEYING 6205 SHORT ST. BAYCITY, OR. 97107 (503) 377-2242

PARTITION PLAT FOR: COLLEEN COLBY THAT PARCEL OF LAND AS DESCRIBED IN BOOK 379, PAGE 52 SE1/4 SE1/4 SEC 31 & SW1/4 SEC 32 T1N, R9W, W.M. TILLAMOOK COUNTY

TILLAMOOK COUNTY SURVEYORS OFFICE DEC 30 1996

Table with columns: DATE, EQUIPMENT, FIELD, DRAWN, CHECKED, JOB NO. Values: DEC. 3, 1996, TOPCON GTS-303 TDS 480, TLJ/CJH, T.L.C., TLJ, 723