



1510 - B Third Street
Tillamook, Oregon 97141
www.tillamook.or.us

Building (503) 842-3407
Planning (503) 842-3408
On-Site Sanitation (503) 842-3409
FAX (503) 842-1819
Toll Free 1 (800) 488-8280

Land of Cheese, Trees and Ocean Breeze

**NON-CONFORMING MINOR REVIEW #851-22-000338-PLNG: PEDERSEN/GREEN
TOASTER LLC**

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

January 27, 2023

Dear Property Owner:

This is to confirm that the Tillamook County Department of Community Development **APPROVED WITH CONDITIONS** the above-cited Non-Conforming Minor Review on January 27, 2023. 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.

Appeal of this decision. This decision may be appealed to the Director of Tillamook County Community Development. Forms and fees must be filed in the office of this Department before **4:00pm on February 8, 2023**. This decision will become final on February 8, 2023, at 4:00pm unless an appeal is filed in accordance with Tillamook County Land Use Ordinance Article 10.

Request: A Non-Conforming Minor Review request to allow the expansion of an existing non-conforming single-family dwelling, with the addition of second story and decks. *The existing dwelling is a nonconforming use in the Recreation Management (RM) zone.*

Location: The subject property is located at 27500 Hwy 101 North, a State highway, north of the City of Rockaway Beach and is designated as Tax Lot 104 in Section 17 of Township 2 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon.

Zone: Recreation Management (RM)

Applicant: Alan Pedersen, 32415 SW Unger Road, Cornelius, OR 97113

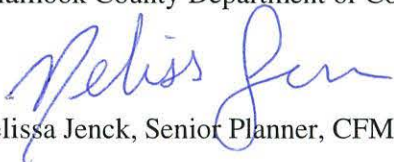
Property Owner: Green Toaster LLC, PO Box 275, Nehalem, OR 97131

CONDITIONS OF APPROVAL:

Failure to comply with the Conditions of Approval and Tillamook County Land Use Ordinance provisions may result in nullification of this approval or citations.

1. The applicant/property owner shall obtain all required Federal, State, and Local permits, including demolition permits and on-site sanitation permits, as applicable.
2. All applicable permits, including a consolidated Zoning/ Building Permit from the Tillamook County Department of Community Development shall be obtained prior to construction of the proposed expansion.
3. The applicant/property owner shall submit a site plan drawn to scale that confirms all required setbacks are met. The site plan shall be submitted to the Department of Community Development at the time of consolidated Zoning and Building Permit application submittal.
4. Applicant/property owner shall comply with the relevant standards of TCLUO Section 3.040: Recreation Management (RM) Zone and TCLUO Section 3.110: Estuary Development (ED) Zone.
5. A minimum 50-foot riparian setback from the estuary, and a 25-foot riparian setback from Jetty Creek, determined by the Oregon Department of Fish and Wildlife (ODFW) and measured in accordance with TCLUO Section 4.140, shall be maintained on the subject property for the proposed improvement. Future development on the subject property shall also maintain the required riparian setback and comply with the requirements of TCLUO 4.140: Development Requirements for Water Quality and Streambank Stabilization.
6. Development shall be limited to the expansion of the existing dwelling as indicated on the submitted site plan included in "Exhibit B" of this report.
7. This approval expires if a Building Permit is not applied for within two (2) years of issuance of this approval, or an extension is requested from, and approved by this Department prior to its expiration.

Sincerely,
Tillamook County Department of Community Development


Melissa Jenck, Senior Planner, CFM

Sarah Absher, Director, CFM

Enc.: Vicinity, Assessor's and Zoning maps



DEPARTMENT OF COMMUNITY DEVELOPMENT
BUILDING, PLANNING & ON-SITE SANITATION SECTIONS

1510 – B Third Street
Tillamook, Oregon 97141
www.tillamook.or.us

Building (503) 842-3407
Planning (503) 842-3408
On-Site Sanitation (503) 842-3409
FAX (503) 842-1819
Toll Free 1 (800) 488-8280

Land of Cheese, Trees and Ocean Breeze

NON-CONFORMING MINOR REVIEW #851-22-000338-PLNG: PEDERSEN/GREEN TOASTER LLC

ADMINISTRATIVE DECISION AND STAFF REPORT

DECISION: Approved with Conditions

DECISION DATE: January 27, 2023

REPORT PREPARED BY: Melissa Jenck, CFM, Senior Planner

I. GENERAL INFORMATION:

- Request:** A Non-Conforming Minor Review request to allow the expansion of an existing non-conforming single-family dwelling, with the addition of second story and decks. *The existing dwelling is a nonconforming use in the Recreation Management (RM) zone.*
- Location:** The subject property is located at 27500 Hwy 101 North, a State highway, north of the City of Rockaway Beach and is designated as Tax Lot 104 in Section 17 of Township 2 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon.
- Zone:** Recreation Management (RM)
- Applicant:** Alan Pedersen, 32415 SW Unger Road, Cornelius, OR 97113
- Property Owner:** Green Toaster LLC, PO Box 275, Nehalem, OR 97131

II. PROPERTY DESCRIPTION:

According to Tillamook County Assessor's records, the subject property is approximately 1.35-acres and is developed with an existing 1,256-square foot single-family dwelling (Exhibit A). Tillamook County Assessor's records indicated that the existing house was built in 1935 (Exhibit A).

The surrounding area is also zoned Recreation Management (RM) and is developed with residential uses (Exhibit A). The subject property is adjacent to the Forest (F) zone (Exhibit A). The subject property is located in FEMA Flood Zone 'AE', with the area of the dwelling and its expansion entirely outside the SFHA, as depicted on FEMA FIRM 41057C1005F dated September 28, 2018 (Exhibit A). Wetlands and natural features are located on the subject property, with wetlands westerly of the dwelling and Jetty Creek located to the North.

Applicant is proposing an addition to the existing single-family dwelling (Exhibit B). The dwelling is considered to be non-conforming because the use is not allowed outright in the Recreation Management (RM) zone.

III. 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 IV of this report:

- A. Section 3.040: Recreation Management Zone (RM)
- B. Section 3.110: Estuary Development (ED) Zone
- C. Section 4.140: Requirements for Protection of Water Quality and Streambank Stabilization
- D. Article VII: Nonconforming Uses and Structures

IV. ANALYSIS:

A. Section 3.040: Recreation Management (RM) Zone

(1) *PURPOSE: The purpose of the RM zone is to designate areas for public and private parks and day-use facilities, including such areas that contain significant natural or scenic values. The RM zone is intended to accommodate the type of recreational developments that preserve an area's natural values; it is not intended for intensive recreational developments that do not retain substantial open space on the property.*

...
(2) *USES PERMITTED OUTRIGHT: In the RM zone, the following uses and their accessory uses are permitted outright, subject to all applicable supplementary regulations contained in this Ordinance:*

(a) Maintenance and operation of existing structures and facilities.

Findings: Staff finds that the existing structure maintains a residential use of a single-family dwelling. The proposed development is an expansion of the existing single-family dwelling. The single-family dwelling is a non-conforming use involving a structure. The proposed expansion of a non-conforming use is subject to the provisions of TCLUO Article 7: Non-conforming uses and structures.

B. Section 3.110: Estuary Development (ED) Zone

The estuary boundary and zones are defined in TCLUO Section 3.100 as "*ESTUARY ZONES shall be applied to all estuarine waters, intertidal areas, submerged and submersible lands and tidal wetlands up to the line of non-aquatic vegetation or the Mean Higher High Water (MHHW) line, whichever is most landward.*"

Findings: Applicant is proposing to construct an addition to an existing single-family dwelling (Exhibit B). A site plan was included in 'Exhibit B', which demonstrates the approximate location of 'top of bank' with the dwelling and expansion area siting a 22-foot setback (Exhibit B). Comments were received by Oregon Department of Fish and Wildlife (ODFW) that confirms that the existing dwelling was located outside the 50-foot required estuary setback area (Exhibit C). The site plan prepared by the Applicant, and the details provided by ODFW, would propose the location of the dwelling expansion is landward of the Mean Higher High water (MHHW) and the line of non-aquatic vegetation, along with exceeding the 50-foot setback from the estuary boundary.

Staff finds that the proposed development is located outside the Estuary Development (ED) zone, as it is located landward of the estuary boundary. Staff find the Applicant will be required to demonstrate compliance with such standards for any future development on the site subject to the ED boundary at time of consolidated zoning/building permit approval.

C. Section 4.140: Requirements for Protection of Water Quality and Streambank Stabilization

(1) The following areas of riparian vegetation are defined:

- (a) Fifty (50) feet from lakes and reservoirs of one acre or more, estuaries, and the main stems of the following rivers where the river channel is more than 15 feet in width; Nestucca, Little Nestucca, Three Rivers, Tillamook, Trask, Wilson, Kilchis, Miami, Nehalem and North and South Fork Nehalem River.*
- (b) Twenty-five (25) feet from all other rivers and streams where the river or stream channel is greater than 15 feet in width.*

...

For estuaries, all measurements are horizontal and perpendicular from the mean high water line or the line of non-aquatic vegetation, whichever is most landward. Setbacks for rivers, streams, and coastal lakes shall be measured horizontal and perpendicular from the ordinary high water line.

Findings: Staff finds the subject property is adjacent to Jetty Creek located to the north of the dwelling (Exhibit A & B). A 25-foot riparian setback is required from Jetty Creek. Staff finds the subject property abuts an estuary along the westerly portion of the property. A 50-ft riparian setback is required from the estuary boundary.

(2) All development shall be located outside of areas listed in (1) above, unless:

- (a) For a bridge crossing; or*
- (b) Direct water access is required in conjunction with a water dependent use; or*
- (c) Because of natural features such as topography, a narrower riparian area protects equivalent habitat values; or*
- (d) A minimal amount of riparian vegetation is present and dense development in the general vicinity significantly degrades riparian habitat values.*

Setbacks may be reduced under the provisions of (c) and (d) above only if the threat of erosion will not increase and a minimum 20-foot setback is maintained. Determinations of habitat values will be made by the Oregon Department of Fish and Wildlife.

Findings: The subject property maintains an estuary along the westerly portion of the property, which defines the riparian area as 50-feet. Comments were received by Oregon Department of Fish and Wildlife (ODFW) which confirmed that the existing dwelling was located outside the 50-ft required estuary setback area (Exhibit C). ODFW confirmed in their comments that the location of the existing dwelling exceeds the 25-foot setback from Jetty Creek (Exhibit C). Applicants site plan indicates that the existing dwelling along with the addition will not expand the footprint towards the estuary boundary of the boundary from Jetty Creek (Exhibit B).

Staff finds that these requirements can be met through compliance with Conditions of Approval.

D. Article VII, Section 7.020 Nonconforming Uses and Structures

The purpose of the NONCONFORMING USES AND STRUCTURES provisions are to establish standards and procedures regulating the continuation, improvement and replacement of structures and uses which pre-date, and which do not comply with, this Ordinance. The intent is to allow changes to nonconforming uses and structures in a manner that does not increase the level of adverse impact to surrounding areas. These provisions are intended to be consistent with ORS 215.130.

TCLUO Section 7.020(1) 'Definitions': A nonconforming structure is defined in the Tillamook County Land Use Ordinance (TCLUO) Section 7.020 as "A structure that does not conform to current requirements of this Ordinance but which legally existed at the time the applicable section(s) of the Ordinance took effect."

Findings: County records indicate the subject property was developed prior to the County's establishment of an applicable land use ordinance at time of construction in 1935 (Exhibit A). Staff finds the single-family dwelling is considered non-conforming use as defined above (Exhibits A and B).

TCLUO Section 7.020(4) 'Alteration or Expansion' indicates that the expansion of a nonconforming structure shall be subject to satisfaction of the Nonconforming Minor Review criteria.

Findings: Staff finds that Applicant's request constitutes an expansion of a nonconforming structure and is therefore subject to the Minor Nonconforming Review process which is addressed below.

TCLUO Article X requires notice of Non-Conforming Minor Review applications to be mailed to landowners within 250 feet of the subject property and applicable agencies. Staff must allow at least 14 days for written comment and must consider received comments in making the decision.

Findings: A notice of the request was mailed to property owners within 250 feet of the subject property and impacted agencies December 14, 2022. Comments were received from Oregon Department of Fish and Wildlife (ODFW) and are included in 'Exhibit C'.

1. Article VII, Section 11 Minor Review

Application is made under the fee and procedures for a Type II Administrative Review and is reviewed using the following review criteria. A request may be permitted if:

(a) The request will have no greater adverse impact on neighboring areas than the existing use or structure when the current zoning went into effect, considering:

i. A comparison of existing use or structure with the proposed change using the following factors:

- (1) Noise, vibration, dust, odor, fumes, glare, or smoke detectable at the property line or off-site;*
- (2) Number and kinds of vehicular trips to the site;*

Findings: Applicant states the proposal is to maintain as a single-family residence and that vehicular trips will remain for the property owners and their guests (Exhibit B).

Staff finds that the proposed use and location of improvements will not affect the listed items. Staff find these criteria are met.

- (3) Amount and nature of outside storage, loading and parking;*
- (4) Visual impact;*
- (5) Hours of operation;*

Findings: Applicant's site plan indicates continued areas for loading and parking will remain as is with no expansion of outside storage loading or parking areas (Exhibit B). Applicant states that the roofline will be within the height requirement of the zone and will not result in impeded views. Applicant provides that the existing parking will remain with the existing dedicated garage (Exhibit B). The proposed expansion/alteration is not a change in use and therefore no hours of operation than those typical for residential uses are expected to change as a result of the proposed development.

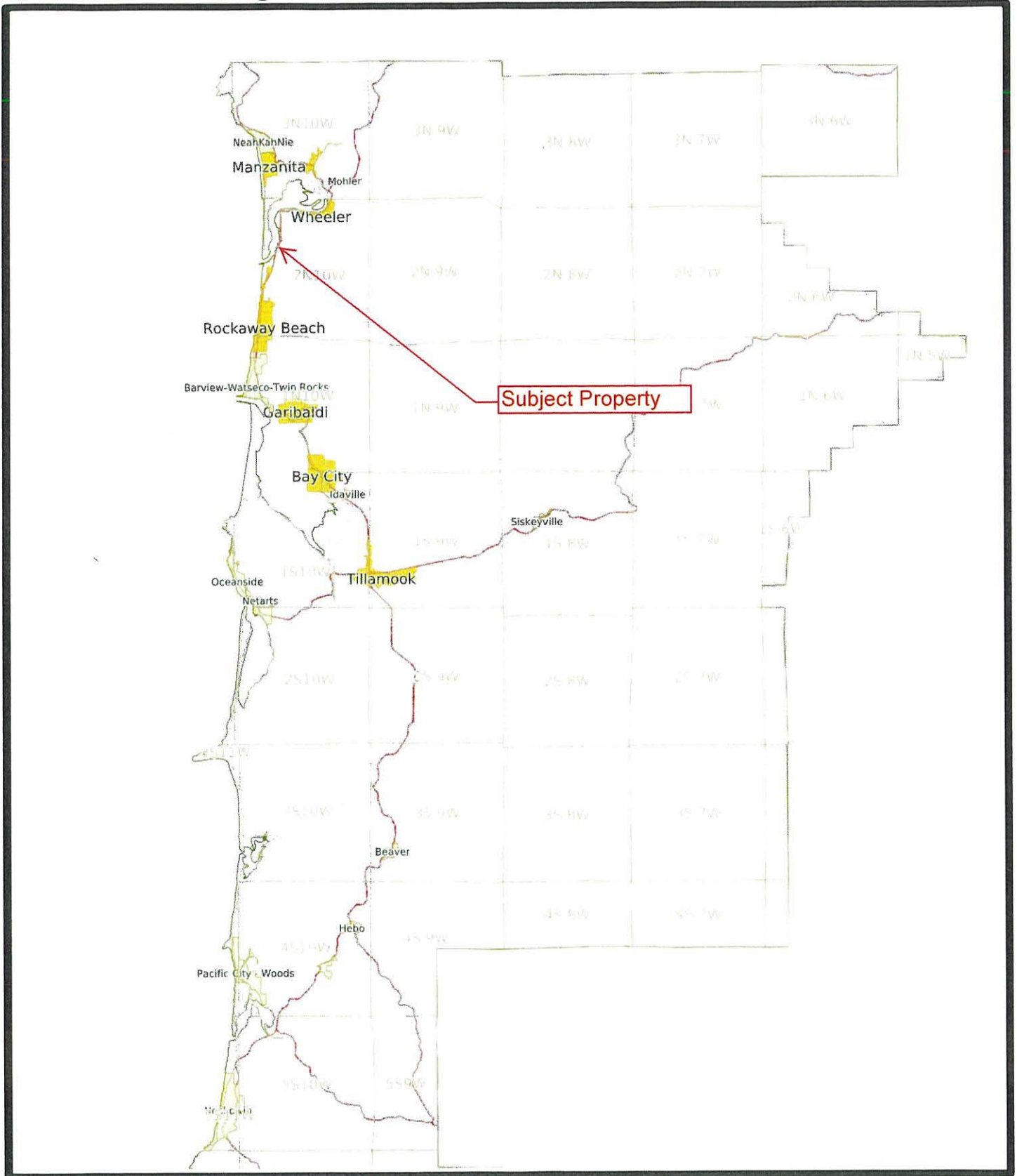
Staff finds that these criteria are met.

- (6) Effect on existing vegetation;*
- (7) Effect on water drainage and water quality;*

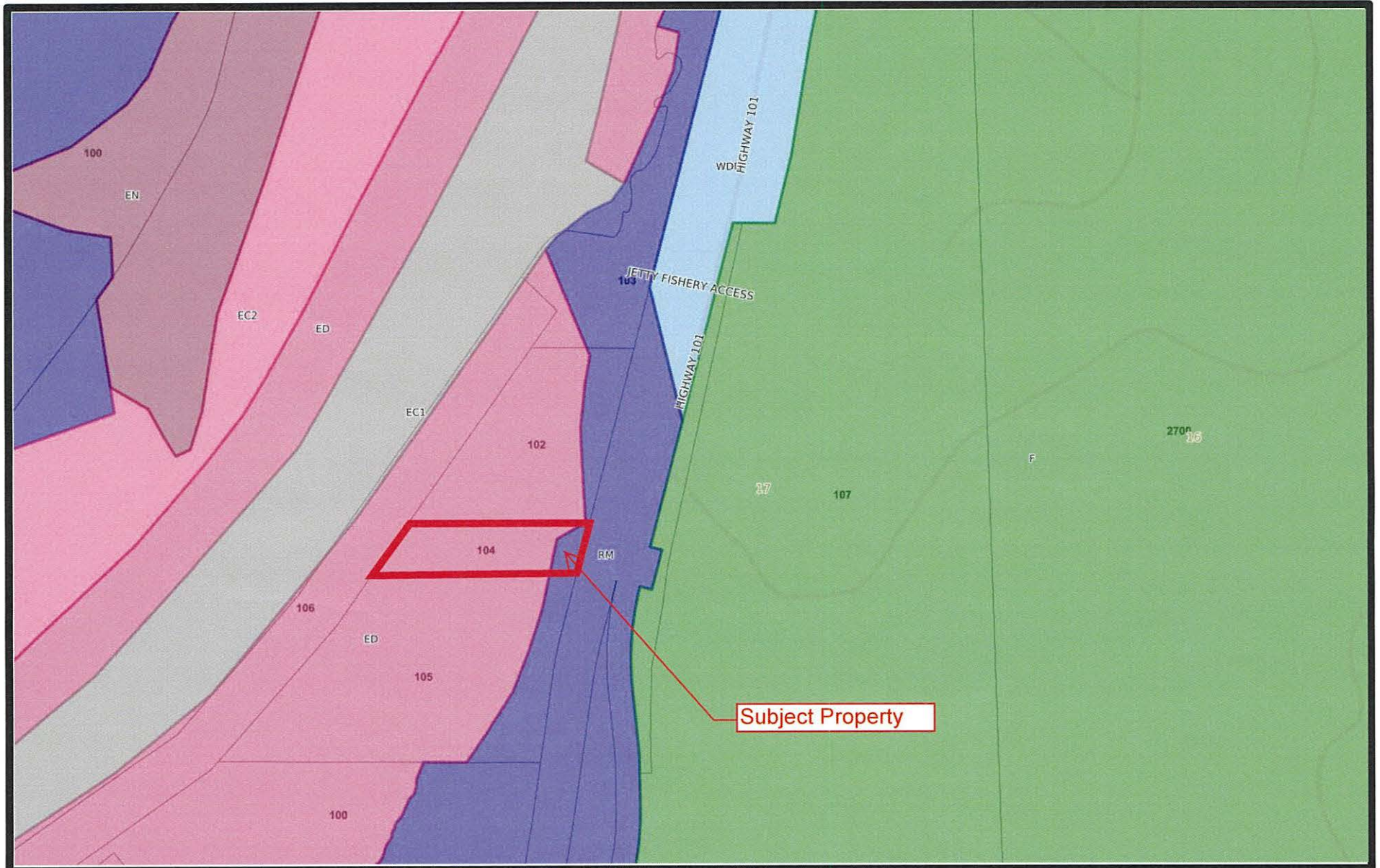
Findings: Applicant is proposing an expansion to the dwelling and states they plan to remove only invasive weed species for the expansion (Exhibit B). Applicant provides that minimal site disturbance will occur due to the areas

EXHIBIT A

Vicinity Map



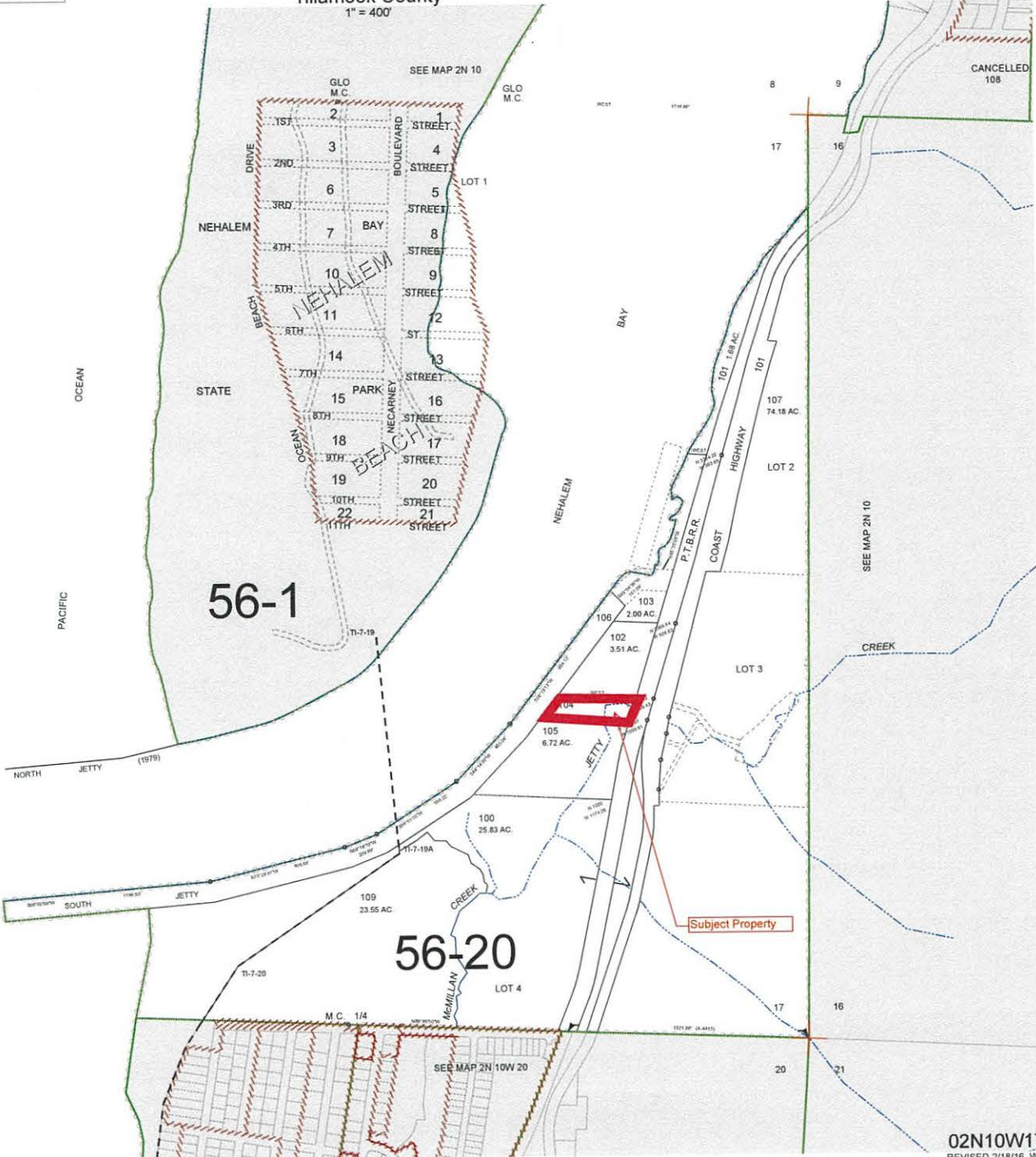
Zoning Map



FOR ASSESSMENT AND TAXATION ONLY, NOT SUITABLE FOR LEGAL, ENGINEERING, OR SURVEY PURPOSES

SECTION 17 T.2N. R.10W. W.M.
Tillamook County
1" = 400'

02N10W17



02N10W17
REVISED 2/18/16, WS

**TILLAMOOK COUNTY ASSESSOR
REAL PROPERTY ACCOUNT NAMES**

12/14/2022 3:38:06 PM

Account # 58387
Map 2N1017-00-00104
Owner GREEN TOASTER, LLC
PO BOX 275
NEHALEM OR 97131

Name Type	Name	Ownership Type	Own Pct
OWNER	GREEN TOASTER, LLC	OWNER	100.00
OWNER (100%)	GREEN TOASTER, LLC		

National Flood Hazard Layer FIRMette



123°56'7"W 45°39'42"N



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT




















- | | | |
|------------------------------------|------------------|---|
| SPECIAL FLOOD HAZARD AREAS | | Without Base Flood Elevation (BFE)
<i>Zone A, V, A99</i> |
| | | With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i> |
| | | 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 <i>Zone X</i> |
| | | Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i> |
| | | Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i> |
| | | Area with Flood Risk due to Levee <i>Zone D</i> |
| OTHER AREAS | | NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i> |
| | | Effective LOMRs |
| | | Area of Undetermined Flood Hazard <i>Zone</i> |
| GENERAL STRUCTURES | | Channel, Culvert, or Storm Sewer |
| | | Levee, Dike, or Floodwall |
| OTHER FEATURES | | 20.2 Cross Sections with 1% Annual Chance Water Surface Elevation |
| | | 17.5 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 | |
| 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. |

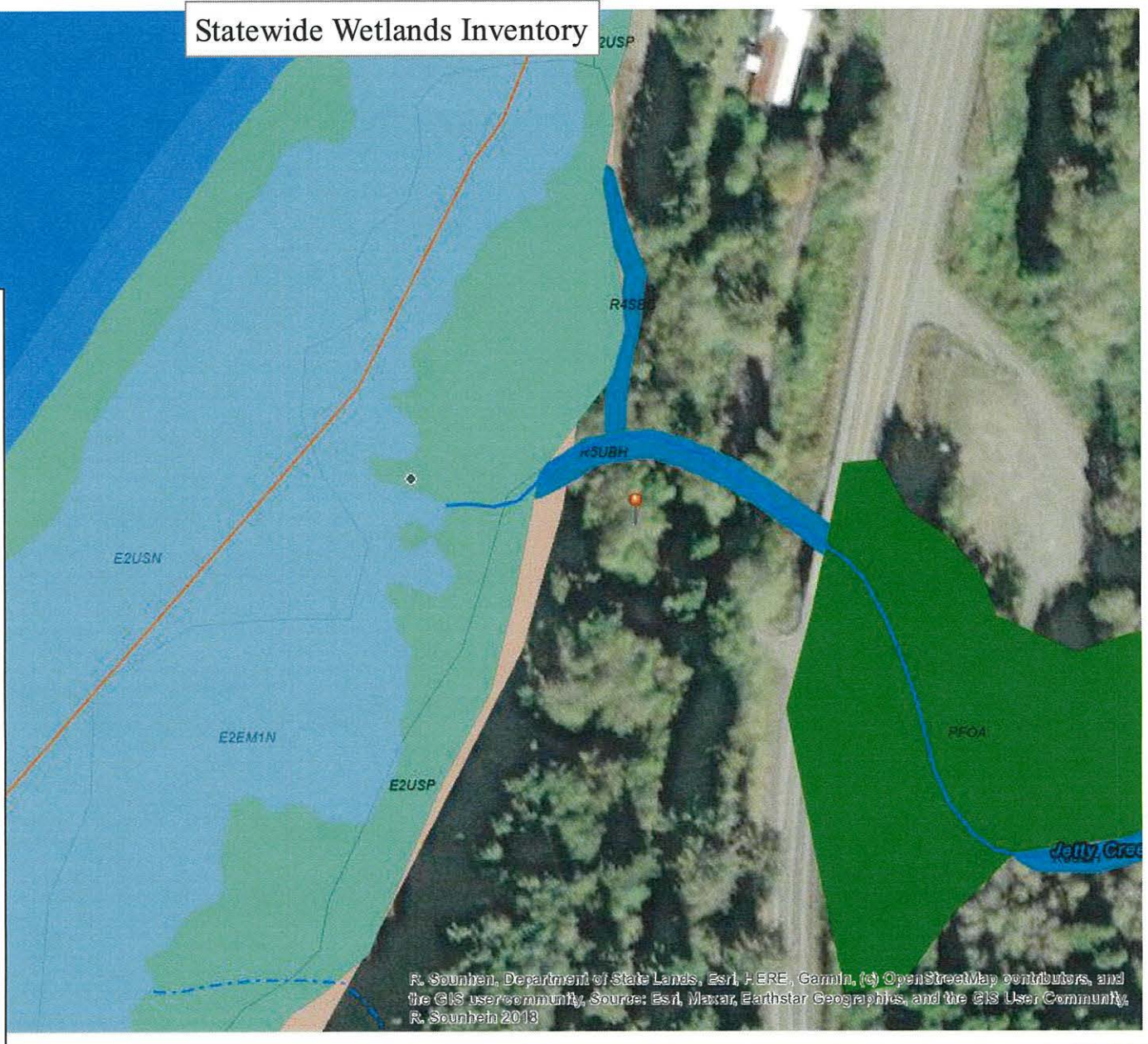
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **12/14/2022 at 6:48 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.

Statewide Wetlands Inventory

-  Sections
-  LWI Study Area
-  NHD Springs/Seeps
- NHD Streams and Rivers**
-  Perennial
-  Intermittent
-  Ephemeral
-  Unknown
-  Canal/Ditch
-  NHD Area
-  NHD Waterbody
- Wetlands**
-  Estuarine and Marine Deepwater
-  Estuarine and Marine Wetland
-  Freshwater Emergent Wetland
-  Freshwater Forested/Shrub Wetland
-  Freshwater Pond
-  Lake
-  Riverine
-  SWIPredominantlyHydricSoilMU
-  SWIAGateWinlo



R. Sounhein, Department of State Lands, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community, R. Sounhein 2013



EXHIBIT B



PLANNING APPLICATION

OFFICE USE ONLY	
Date Stamp	RECEIVED AUG 26 2022 BY: Counter
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by: MT	
Receipt #: 128175	
Fees: 1,500	
Permit No: 851-22-00338-PLNG	

Applicant (Check Box if Same as Property Owner)

Name: Alan Pedersen Phone: 503-780-1620
 Address: 32415 SW Unger rd
 City: Cornelius State: OR Zip: 97113
 Email: Alanpedersen58@gmail.com

Property Owner

Name: Kelly & Janice Phone: 503-812-0896
 Address: P.O. Box ^{Louisette} 275 14955 Old Mohler Rd
 City: Nehalem State: OR Zip: 97131
 Email: nbcrabgirl@live.com

Request: Rehab Existing Residence for personal use.
 @ 380,000 value

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: _____

Map Number: 2N 10 17 104
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.

Kelly Gault
 Property Owner Signature (Required)
Alan Pedersen
 Applicant Signature

8/26/22
 Date
8-26-22
 Date

BASIS OF BEARING
 THE LINE BETWEEN FOUND MONUMENTS (203) AND (205) BEARS SOUTH
 40°25'44" WEST, THE CALCULATED RECORD VALUE FROM MAP A-4006,
 TILLAMOOK COUNTY SURVEY RECORDS.

NOTES

THIS MAP DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE SUBJECT
 PROPERTY. THE PURPOSE OF THIS MAP IS TO SHOW THE LOCATION OF THE
 EXISTING BUILDINGS RELATIVE TO THE CALCULATED EXTERIOR BOUNDARIES
 AND RAILROAD RIGHT-OF-WAY.
 THE NORTH AND SOUTH BOUNDARIES WERE DETERMINED BY HOLDING THE
 LINES BETWEEN FOUND MONUMENTS (205) - (202) AND (204) - (203).
 THE RAILROAD RIGHT-OF-WAY WAS DETERMINED BY OFFSETTING THE
 EXISTING RAILROAD TRACKS 50' WESTERLY.

MONUMENT NOTES

- (202) FOUND 600 NAIL IN NORTHWEST CORNER OF WOOD RAILROAD
 BRIDGE. SEE MAP A-4006, TILLAMOOK COUNTY SURVEY RECORDS.
 HELD FOR LINE.
- (203) FOUND 5/8" REBAR WITH PLASTIC CAP STAMPED "C WAYNE COOK
 LS 1098" 0.1' ABOVE GROUND. SEE MAP A-4006, TILLAMOOK
 COUNTY SURVEY RECORDS. HELD FOR LINE.
- (204) FOUND 5/8" REBAR WITH RED PLASTIC CAP STAMPED "0001" 0.3'
 BELOW GROUND. SEE MAP B-3298, TILLAMOOK COUNTY SURVEY
 RECORDS. HELD FOR CONTROL.
- (205) FOUND 5/8" REBAR WITH PLASTIC CAP STAMPED "C WAYNE COOK
 LS 1098" 0.5' BELOW GROUND. SEE MAP A-4006, TILLAMOOK
 COUNTY SURVEY RECORDS. HELD FOR CONTROL.

LEGEND

- INDICATES MONUMENT FOUND AS NOTED HEREON, HELD FOR
 CONTROL.
- INDICATES MONUMENT SEARCHED FOR, NOT FOUND.
- ⊕ INDICATES YELLOW FLAG.
- ⊗ INDICATES WATER METER.
- ⊗ INDICATES WATER VALVE.
- () INDICATES RECORD VALUE PER MAP A-4006, TILLAMOOK
 COUNTY SURVEY RECORDS.
- < > INDICATES CALCULATED VALUE PER MAP A-4006, TILLAMOOK
 COUNTY SURVEY RECORDS.
- NO () OR < > INDICATES MEASURED VALUE.

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Erick M White
 OREGON
 APRIL 29, 2014
 ERICK M. WHITE
 78572
 REGENS 8/30/2022

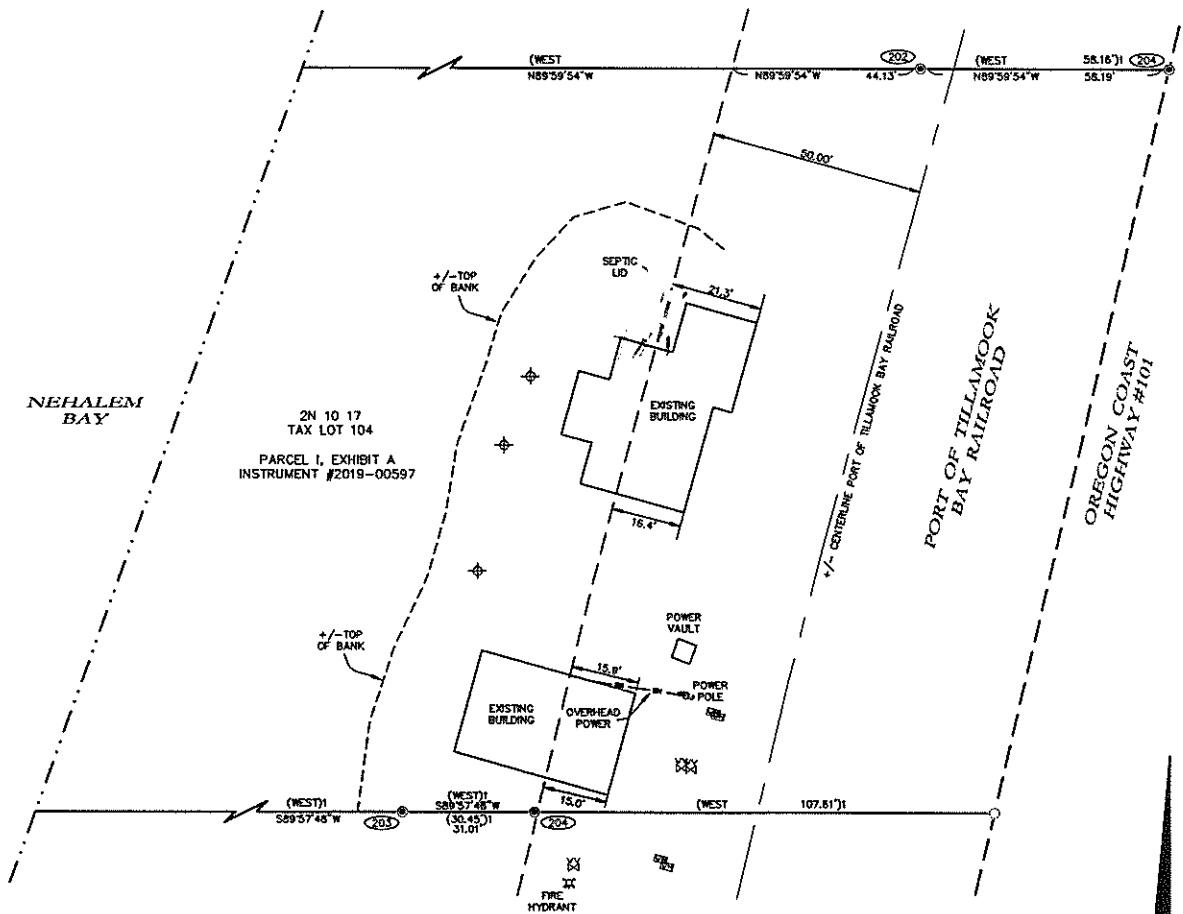
**ONION PEAK
 DESIGN**
 11460 EVERGREEN WAY
 NEHALEM, OR 97131
 (503) 440-4403

2700 Hwy

EXHIBIT MAP FOR:

**GREEN
 TOASTER, LLC**
 A TRACT OF LAND AS DESCRIBED IN PARCEL I,
 EXHIBIT A, INSTRUMENT #2019-00597,
 TILLAMOOK COUNTY SURVEY RECORDS.
 SE 1/4, SECTION 17, T2N, R10W, W.M.
 TILLAMOOK COUNTY
 JUNE 21, 2022

*2ND 17
 Parcel 104*





£ 4.005

Narrative for remodel/rehab located at 27500 HWY 101 N Rockaway Oregon Map 2N1017 TL 104.

The proposed remodel is to restore a single family residence to livable state that it can be used by the property owners as their residence. A portion of the property is a marine estuary which has been delineated and is well below the remodel site so there will be no disturbance to same. There will be very little disturbance to vegetation and or wildlife as we will be doing work only on the existing footprint and using as much of the existing structure as possible including the foundation and walls per current building codes. The only addition to the footprint will be 2 small porches on the west (front) side and a second story. The structure shall still remain as a 2 bedroom home and there is no commercial use proposed. The Property has city water, power and a functional septic system, and a gravel access so there will be very little ground disturbance. The access off HWY101 has good site distance and will not change. There are no properties close that this will have any effects on or hinder any views or uses of them. The roofline will be within the Height requirement and is conducive to solar energy production. The roof line will not impede any views as the only things to the east are hwy 101 and the railroad which are obscured by vegetation. There is an existing garage building to remain and ample parking and maneuvering space already established for a single-family home.

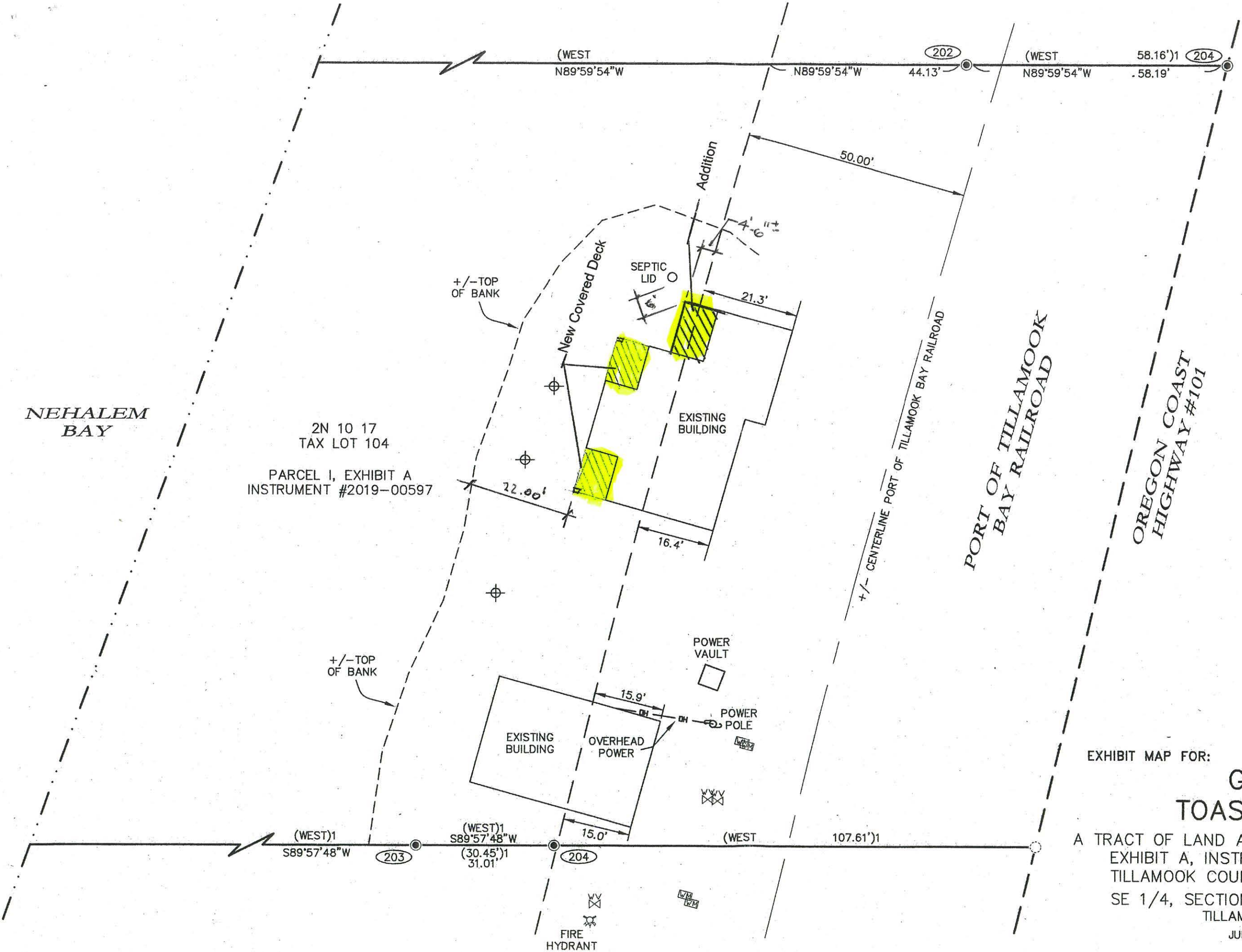
It is our hope that this narrative covers all the bases and will help with planning approval so we can move forward with an application for a building permit. Please feel free to contact me with any question or additional Information you might need.

Thank you,

Alan Pedersen General Contractor CCB.88101 Ph 503-780-1620

a) i.

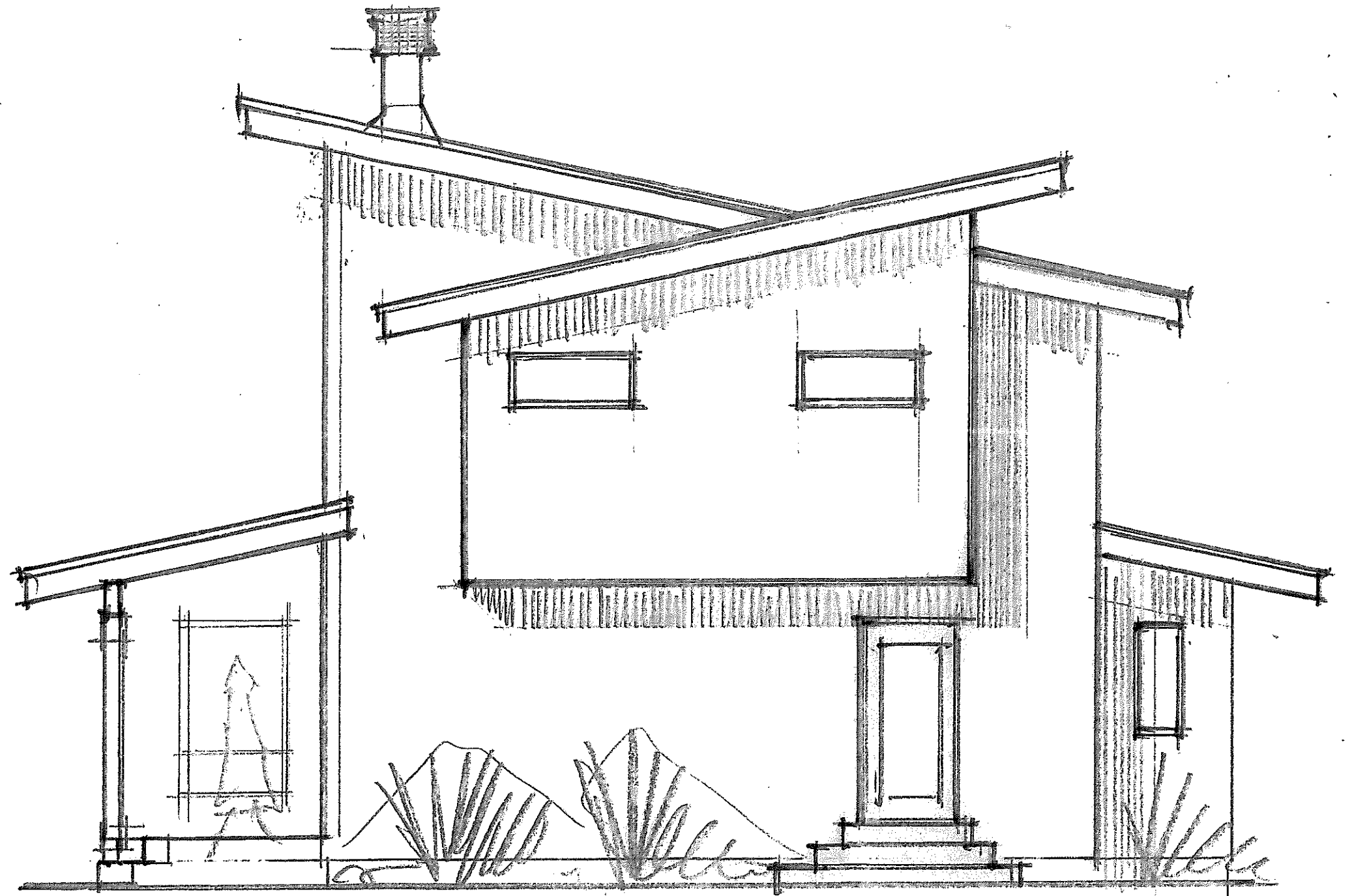
1. Residential use only (No change)
 2. Only property owners & guests
 3. No Reduction of parking or increased storage
 4. See Narrative
 5. Remains Residential
 6. See Narrative
 7. Landscape as required & removal of invasive species
 7. Rain & Storm Water shall Remain the same & will go ~~to~~ into permeable ground
 8. Continues AS a single Family Residence
 9. Compatible with established use. No change
- ii See Narrative
- b) See site plan (no change)



2N 10 17
TAX LOT 104
PARCEL I, EXHIBIT A
INSTRUMENT #2019-00597

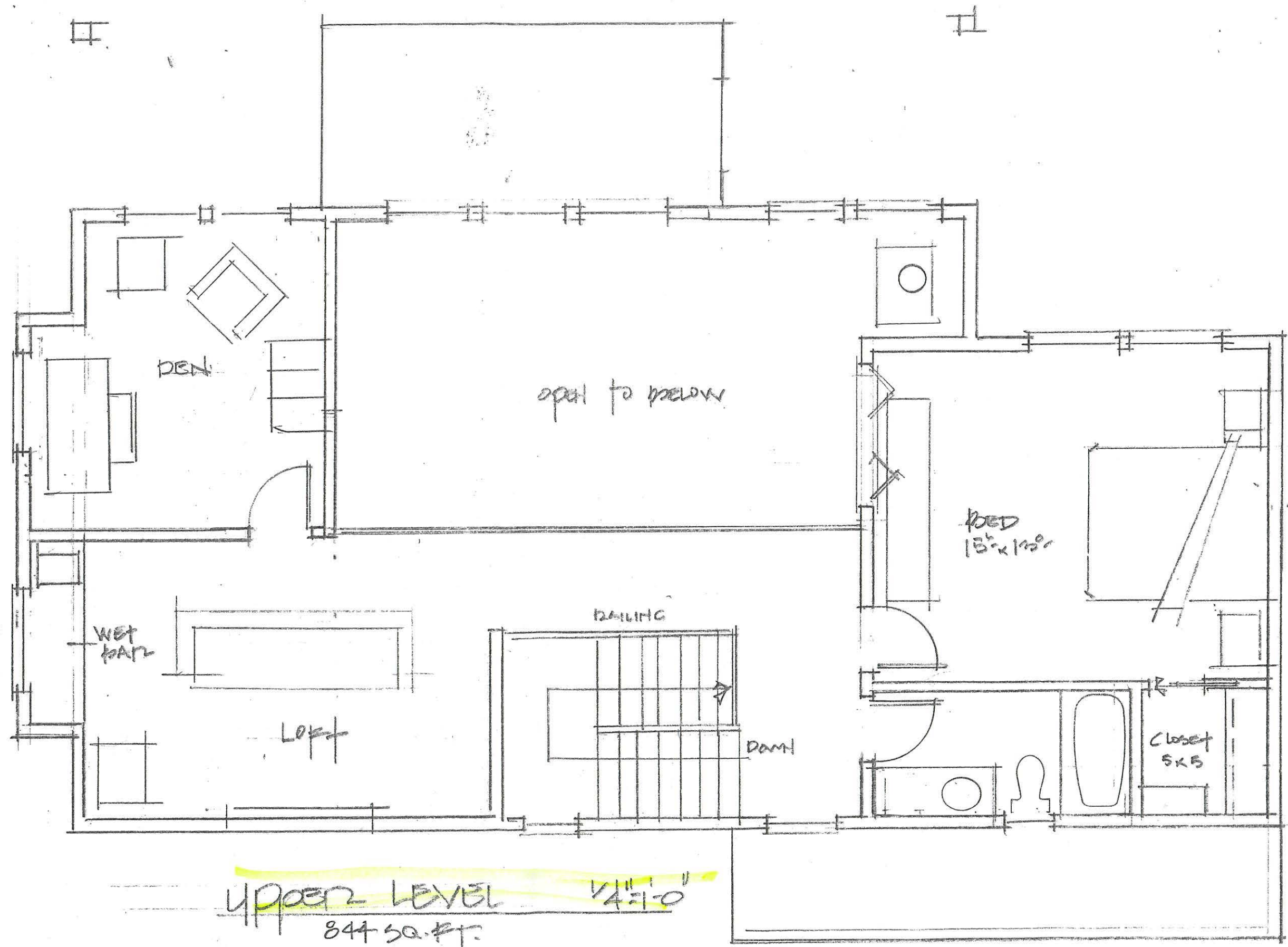
SCALE:
1" = 20'

EXHIBIT MAP FOR:
**GREEN
TOASTER, LLC**
A TRACT OF LAND AS DESCRIBED IN PARCEL I,
EXHIBIT A, INSTRUMENT #2019-00597,
TILLAMOOK COUNTY SURVEY RECORDS.
SE 1/4, SECTION 17, T2N, R10W, W.M.
TILLAMOOK COUNTY
JUNE 21, 2022

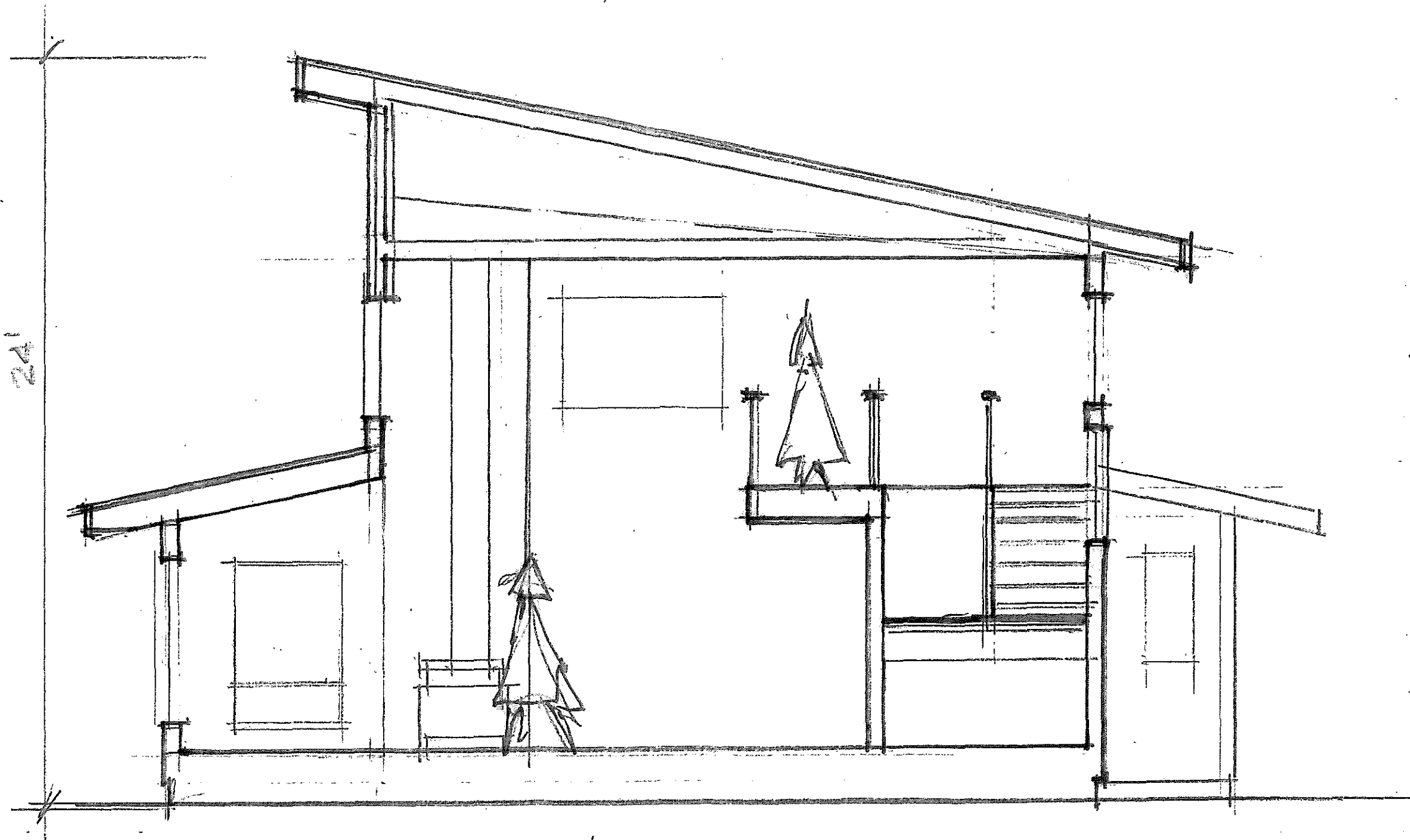


SOUTH ELEVATION



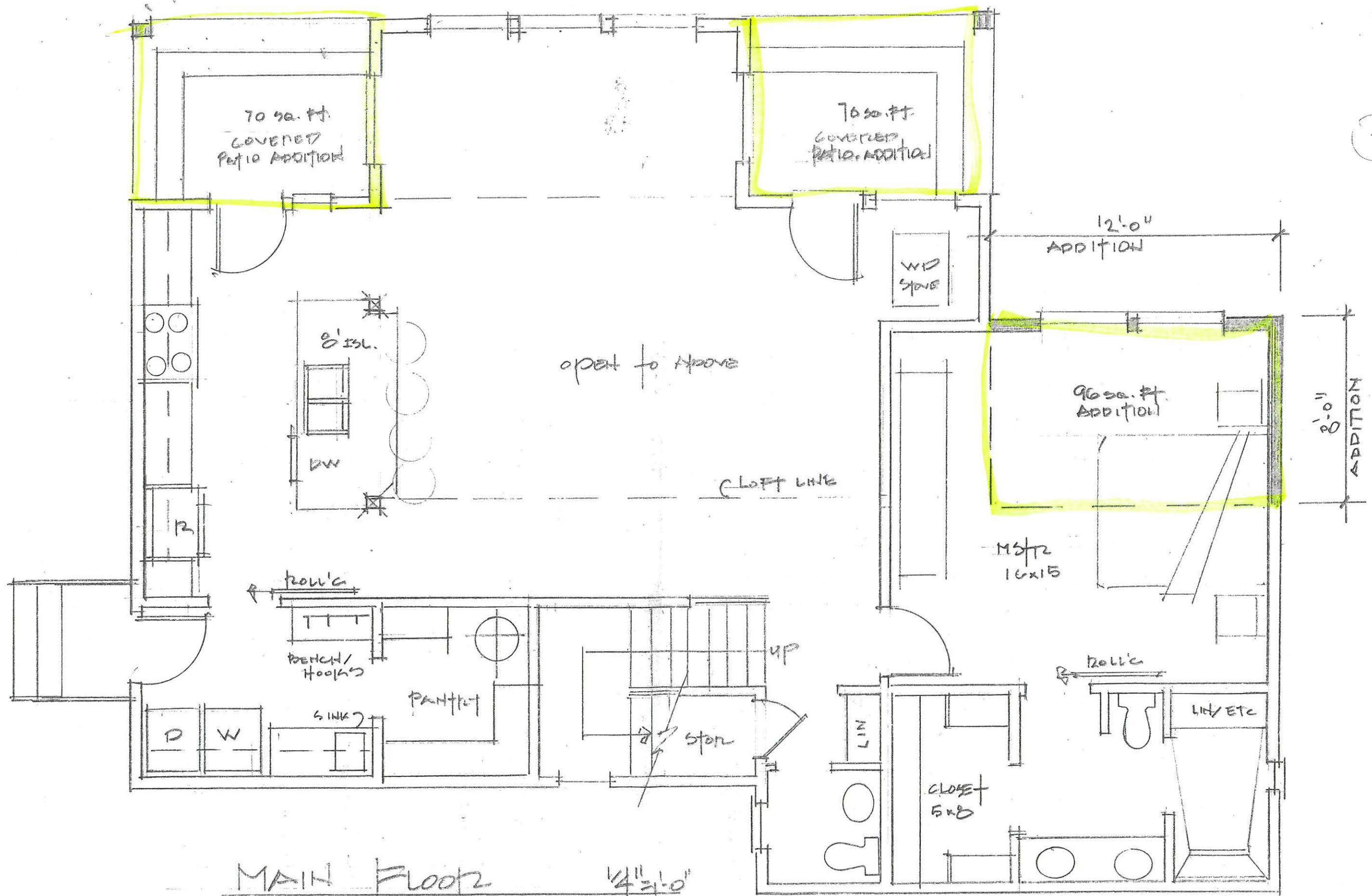


UPPER LEVEL 1/4" = 1'-0"
844 SQ. FT.



SECTION

1/4" = 1'-0"



MAIN FLOOR $\frac{1}{4}'' = 1'-0''$

1211 sq. ft. TOTAL
 NOTE: NEW sq. ft. = 96 sq. ft.

EXHIBIT C

Melissa Jenck

From: SINNOTT Michael * ODFW <Michael.SINNOTT@odfw.oregon.gov>
Sent: Thursday, April 28, 2022 2:07 PM
To: Melissa Jenck
Cc: nbcraggirl@live.com
Subject: EXTERNAL: 27500 Hwy 101 N set backs
Attachments: 27500 Hwy 101 N tax lot.PNG; Estuary set back_Laviolette.PNG; Estuary set back 2_Laviolette.PNG; Jetty Creek riparian set back.PNG; Jetty Creek riparian set back 2.PNG; Jetty Creek riparian set back 3.PNG

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

Good afternoon Melissa,

I was able to visit 27500 Hwy 101 N this morning and meet with Ms. Laviolette. I measured the 25 foot riparian set back off of Jetty Creek to the North of the property and the 50 foot estuary set back on the West side of the property. The estuary set back is marked on site with yellow flags and the riparian set back is marked with pink flagging. I have attached pictures, but it was difficult to get a good picture on the Jetty Creek side due to vegetation and an old shed. The existing structures with the exception of the end of the small shed are outside both of the set backs.

Please let me know if either of you have any questions,

Mike Sinnott
Assistant District Fish Biologist
Oregon Department of Fish and Wildlife
North Coast Watershed District
4907 Third St
Tillamook, OR 97141
503-842-2741 Ext. 18614

My email has recently changed to: Michael.SINNOTT@odfw.oregon.gov

Jump To:

Catalog Identify

[Back to Settings](#)

Detailed information for the area you clicked on the map...

Ground Coordinates
X: -13795939.602228 Y: 5695180.4460726

[Inside Local Tsunami Evacuation Zone](#)

[Inside Distant Tsunami Evacuation Zone](#)

Taxlot

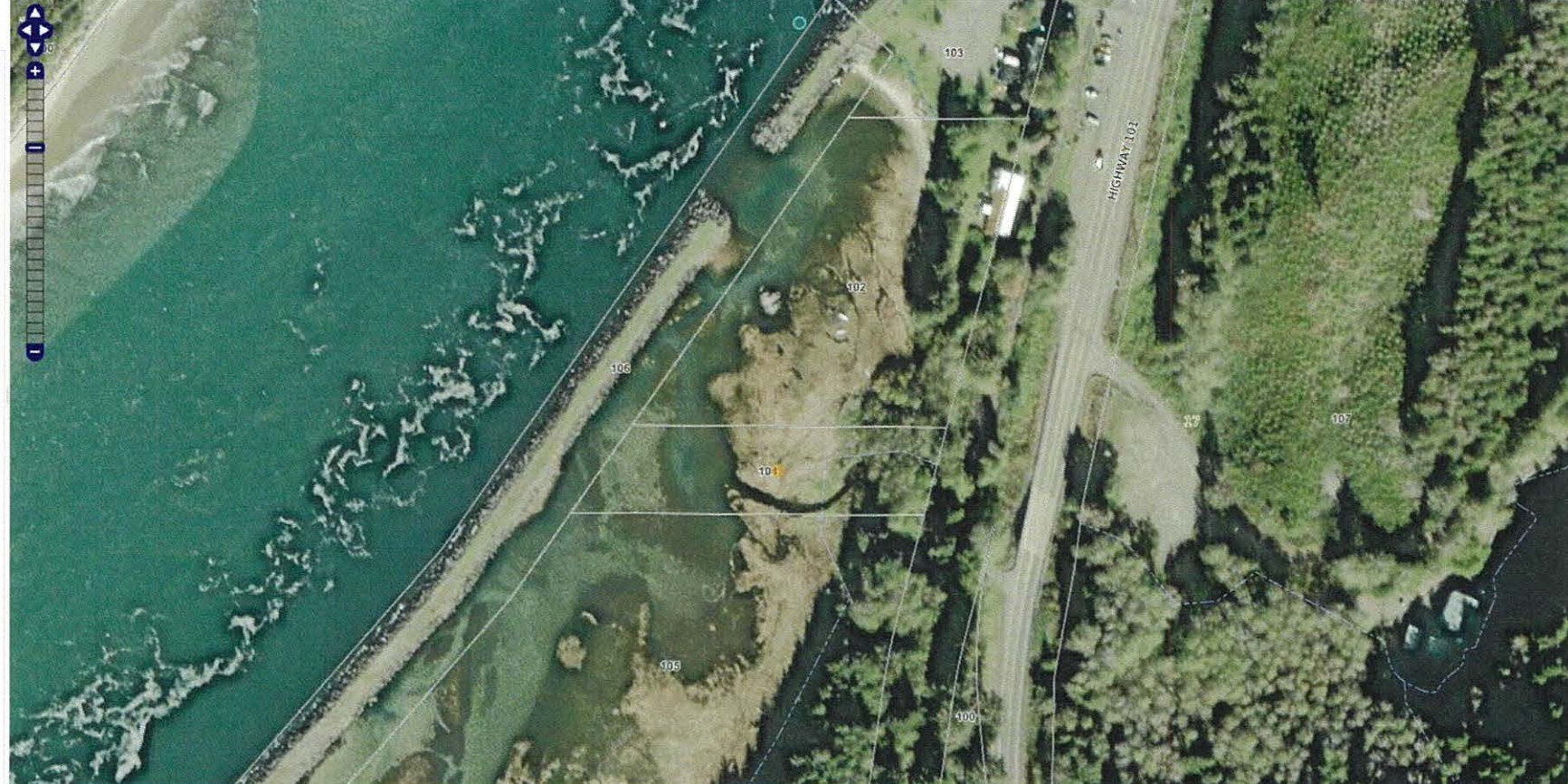
Tax year 2021

Site Address: 27500 HWY 101 N
MapTaxlot: 2N10170000104
Tax Account #: 58387
Map Number: 02N10W17
Taxlot: 104
OR Taxlot: 2902.00N10.00W1700-000000104
Acres: 1.35
Mail Address: PO BOX 275
Mail City: NEHALEM
Mail State: OR
Mail Zip: 97131
Acct Status: Active
Tax Status: Assessable
Deed: 2019-597
Property Class 401
Class Description: 401 [IMPROVED H&B USE TRACT ZONING](#)
Market: \$ 416,850
Assessed: \$ 209,960
Tax Account Information: [Account Query](#)

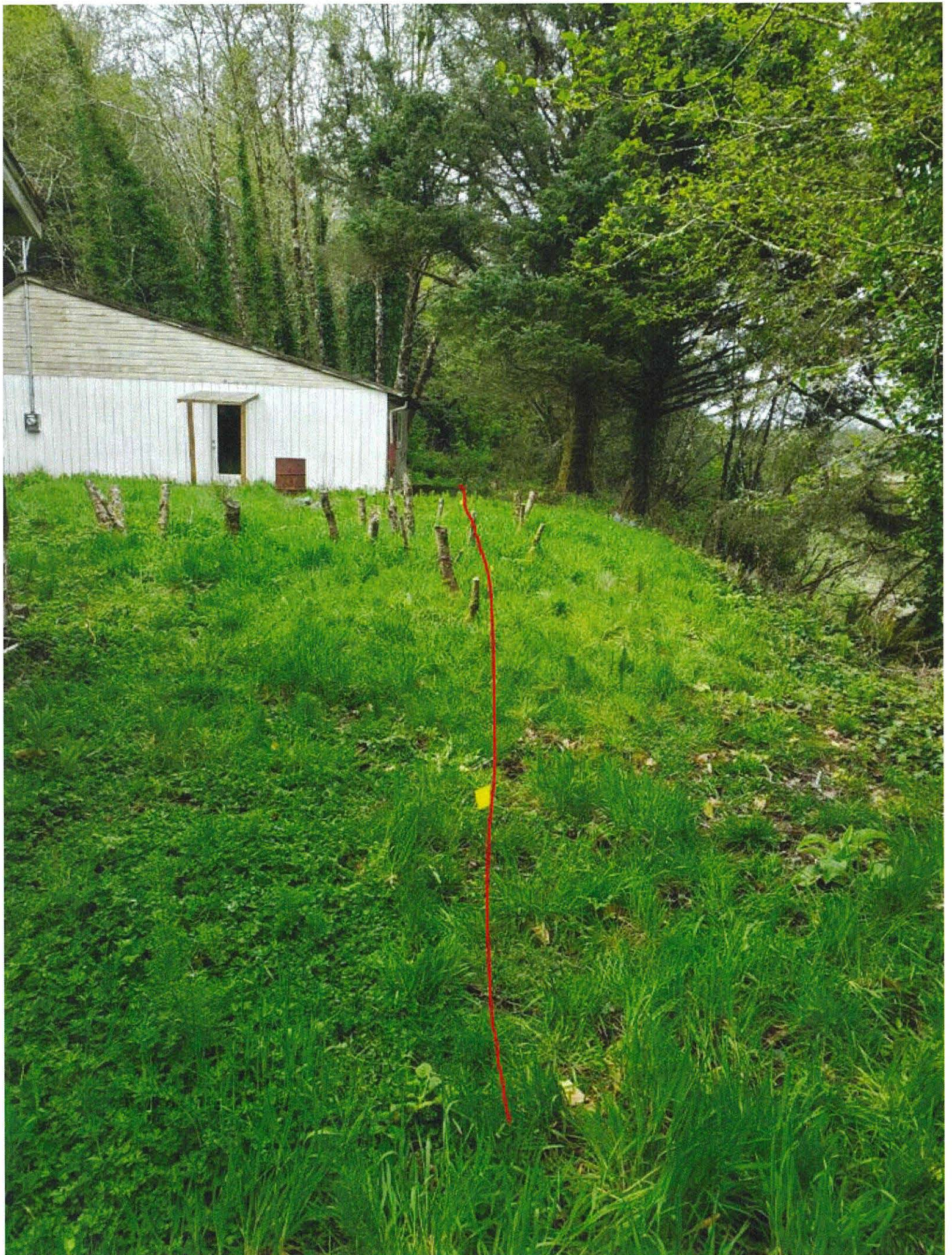
Voting Precinct: 033 WHEELER

TaxCode Area: 5620 ([Rates and Districts](#))

[For further information email the Tillamook County GIS Department](#)













Melissa Jenck

From: SINNOTT Michael * ODFW <Michael.SINNOTT@odfw.oregon.gov>
Sent: Thursday, April 28, 2022 2:07 PM
To: Melissa Jenck
Cc: nbcragirl@live.com
Subject: EXTERNAL: 27500 Hwy 101 N set backs
Attachments: 27500 Hwy 101 N tax lot.PNG; Estuary set back_Laviolette.PNG; Estuary set back 2_Laviolette.PNG; Jetty Creek riparian set back.PNG; Jetty Creek riparian set back 2.PNG; Jetty Creek riparian set back 3.PNG

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

Good afternoon Melissa,

I was able to visit 27500 Hwy 101 N this morning and meet with Ms. Laviolette. I measured the 25 foot riparian set back off of Jetty Creek to the North of the property and the 50 foot estuary set back on the West side of the property. The estuary set back is marked on site with yellow flags and the riparian set back is marked with pink flagging. I have attached pictures, but it was difficult to get a good picture on the Jetty Creek side due to vegetation and an old shed. The existing structures with the exception of the end of the small shed are outside both of the set backs.

Please let me know if either of you have any questions,

Mike Sinnott
Assistant District Fish Biologist
Oregon Department of Fish and Wildlife
North Coast Watershed District
4907 Third St
Tillamook, OR 97141
503-842-2741 Ext. 18614

My email has recently changed to: Michael.SINNOTT@odfw.oregon.gov