Tillamook County

Land of Cheese, Trees and Ocean Breeze

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

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

NOTICE OF ADMINISTRATIVE REVIEW PARTITION REQUEST #851-23-000055-PLNG: ARNOLD

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

Date of Notice: March 27, 2023

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

#851-23-000055-PLNG: A partition request to create two (2) residential parcels, located east of the Incorporated City of Tillamook, down Trask River Road, accessed via Skyline Lane, a local access road. The subject property is designated as Tax Lot 900 of Section 35B, Township 1 South, Range 09 West of the Willamette Meridian, Tillamook County Oregon. The subject property is zoned Rural Residential 2-Acre (RR-2). The property owner/applicant is Lisa & Earl Arnold.

Written comments received by the Department of Community Development **prior to 4:00p.m. on April 10, 2023**, will be considered in rendering a decision. Comments should address the attached criteria upon which the Department must base its decision. Notice of the application, a map of the subject area, and the applicable criteria are being mailed to all property owners within <u>250 feet</u> of the exterior boundaries of the subject property 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. The decision will be rendered no sooner than April 11, 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: 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 x 3412 or email arimoldi@co.tillamook.or.us.

Sincerely,

Angela Rimoldi, Planning Permit Technician

Sarah Absher, CFM, Director

Enc. Applicable Ordinance Criteria Vicinity, Assessor and Zoning Maps

REVIEW CRITERIA

TILLAMOOK COUNTY LAND DEVELOPMENT ORDINANCE

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:

- (a) The minimum lot size is two acres for parcels zoned before October 4, 2000.
- (e) The minimum lot width and depth shall both be 100 feet.
- (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.

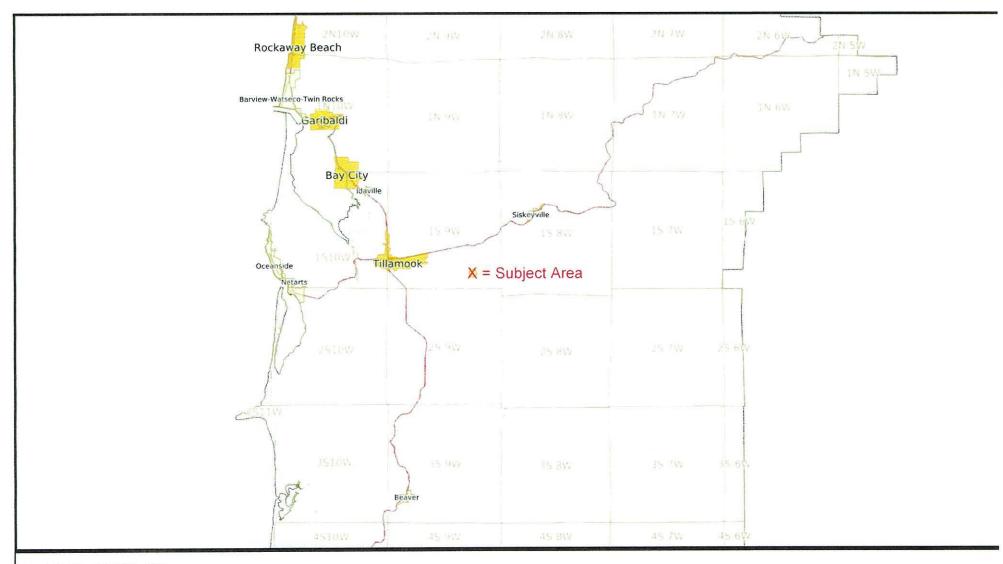
TILLAMOOK COUNTY LAND DIVISION ORDINANCE

SECTION 070: PRELIMINARY PLAT APPROVAL CRITERIA

(1) Approval Criteria. The Approval Authority (Director for partitions and Planning Commission for subdivisions) may approve, approve with conditions or deny a preliminary plat. The Approval Authority decision shall be based on findings of compliance with all of the following approval criteria:

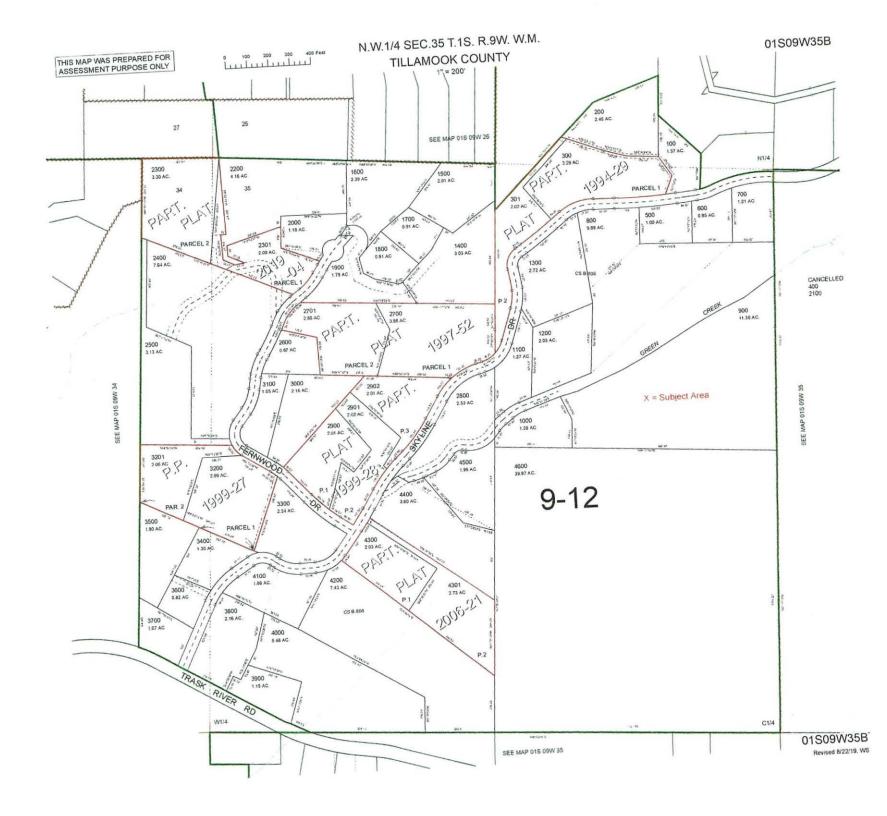
- (a) The land division application shall conform to the requirements of this ordinance;
- (b) All proposed lots, blocks, and proposed land uses shall conform to the applicable provisions of the Land Use Ordinance Article 3 Zone Regulations and the standards in Section 150 of this ordinance;
- (c) Access to individual lots, and public improvements necessary to serve the development, including but not limited to water, sewer and streets, shall conform to the standards in Sections 150 and 160 of this ordinance;
- (d) The proposed plat name is not already recorded for another subdivision, does not bear a name similar to or pronounced the same as the name of any other subdivision within the County, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the party files and records the consent of the party that platted the contiguous subdivision bearing that name;
- (e) The proposed streets, utilities, and surface water drainage facilities conform to Tillamook County's adopted master plans and applicable engineering standards and, within Unincorporated Community Boundaries, allow for transitions to existing and potential future development on adjacent lands. The preliminary plat shall identify all proposed public improvements and dedications;
- (f) All proposed private common areas and improvements, if any, are identified on the preliminary plat and maintenance of such areas is assured through appropriate legal instrument;
- (g) Provisions for access to and maintenance of off-right-of-way drainage, if any;
- (h) Evidence that any required State and Federal permits, as applicable, have been obtained or can reasonably be obtained prior to development; and
- (i) Evidence that improvements or conditions required by the road authority, Tillamook County, special districts, utilities, and/or other service providers, as applicable to the project, have been or can be met, including but not limited to:
 - (i) Water Department/Utility District Letter which states that the partition or subdivision is either entirely excluded from the district or is included within the district for purposes of receiving services and subjecting the partition or subdivision to the fees and other charges of the district.
 - (ii) Subsurface sewage permit(s) or site evaluation approval(s) from the appropriate agency.



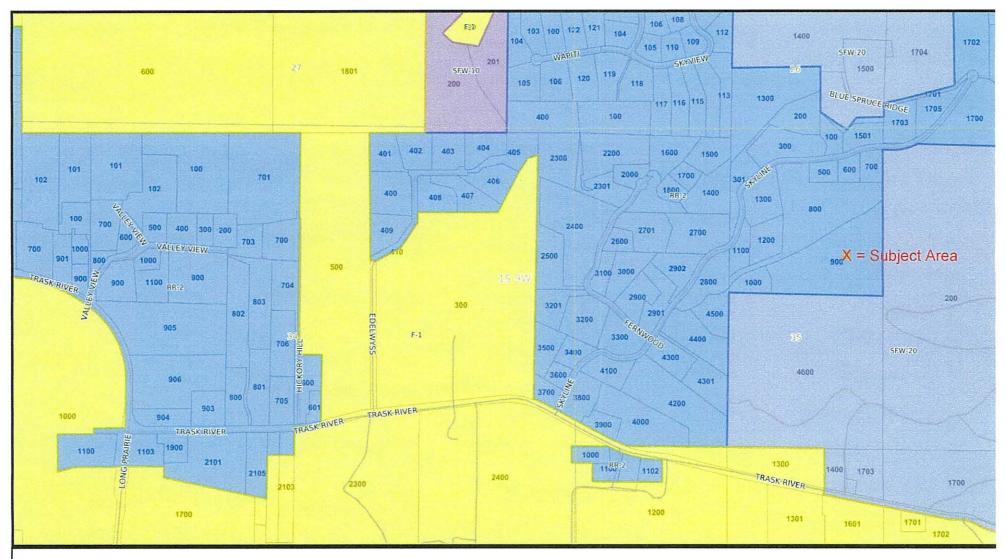


Created: Wed Mar 22 2023-14:33:16

Active Layers: County_Boundary, Fed_state_highways, citylimit, community_polygon, TaxlotOwner, Township_Range_Section, Road_Centerline Extent:-13830292.390107, 5659512.5133309, -13711203.500055, 5722573.0616573







Created: Wed Mar 22 2023-14:25:29 Active Layers:County_Boundary, Fed_state_highways, citylimit, community_polygon, TaxlotOwner, Tillamook_County_Zoning, Township_Range_Section, Road_Centerline Extent:-13779232.446853, 5690877.9617849, -13775510.919039, 5692848.6039201



Tillamook County Department of Community Development1510-B Third Street. Tillamook, OR 97141Tel: 503-842-3408www.co.tillamook.or.us

Fax: 503-842-1819

Date Stamp

OFFICE USE ONLY

LAND DIVISION APPLICATION

		RECEIVED
Applicant 🔳 (Check Box if Same as F	Property Owner)	FE3 2 1 7023
Name: Ph	one:	5 5 6 M
Address:		Approved Denied
City: Sta	ite: Zip:	Received by:
Email:		Receipt #:
		Fees: 1100.
Property Owner		Permit No:
	one: 208-861-0698	851-23-000055PLNG
Address: 1821 East Porter Street		
	te:Idaho Zip:83634	
Email: elcarnold@proton.me		
Location:		
Site Address: 1700 SKYLINE LANE		
Map Number: 1 SOUTH, RANGE		tion Tax Lot(s)
0.0 0.0		
Land Division Type: 🛛 🖺 Partition (Tw	o or Three Lots, Type II)	(Four or More Lots, Type III)
Preliminary F		
,.		-8,
PRELIMINARY PLAT (LDO 060(1)(B))		
	General Information	
□ For subdivisions, the proposed name.	Parcel zoning and overlays	Fifteen (15) legible "to
Date, north arrow, scale of drawing.	Title Block	scale" hard copies
Location of the development	Clear identification of the drawing as	One digital copy
sufficient to development sufficient to	"Preliminary Plat" and date of prepar	ation
define its location, boundaries, and a	 Name and addresses of owner(s), 	
legal description of the site.	developer, and engineer or surveyor	
	Existing Conditions	
Existing streets with names, right-of-	Ground elevations shown by	Other information:
way, pavement widths, access points.	contour lines at 2-foot vertical	
Width, location and purpose of	interval. Such ground elevations shall be related to some established	
existing easements	benchmark or other datum	
The location and present use of all structures, and indication of any that	approved by the County Surveyor	-
will remain after platting.	□ The location and elevation of the	
Location and identity of all utilities on	closest benchmark(s) within or	
and abutting the site. If water mains	adjacent to the site	
and sewers are not on site, show	Natural features such as drainage	
distance to the nearest one and how	ways, rock outcroppings, aquifer	
they will be brought to standards	recharge areas, wetlands, marshes,	
□ Location of all existing subsurface	beaches, dunes and tide flats	
sewerage systems, including	\Box For any plat that is 5 acres or larger,	
drainfields and associated easements	the Base Flood Elevation, per FEMA	
	Flood Insurance Rate Maps	

Land Division Permit Application

Rev. 9/11/15

- Proposed lots, streets, tracts, open space and park land (if any); location, names, right-of-way dimensions, approximate radius of street curves; and approximate finished street center line grades. All streets and tracts that are being held for private use and all reservations and restrictions relating to private tracts identified
- □ Location, width and purpose of all proposed easements
- □ Proposed deed restrictions, if any, in outline form
- Approximate dimensions, area calculation (in square feet), and identification numbers for all proposed lots and tracts

Proposed Development

- Proposed uses of the property, including all areas proposed to be dedicated as public right-of-way or reserved as open space
- On slopes exceeding an average grade of 10%, as shown on a submitted topographic survey, the preliminary location of development on lots demonstrating that future development can meet minimum required setbacks and applicable engineering design standards
- Preliminary utility plans for sewer, water and storm drainage when these utilities are to be provided

- The approximate location and identity of other utilities, including the locations of street lighting fixtures, as applicable
- Evidence of compliance with applicable overlay zones, including but not limited to the Flood Hazard Overlay (FH) zone
- Evidence of contact with the applicable road authority for proposed new street connections
- Certificates or letters from utility companies or districts stating that they are capable of providing service to the proposed development

Additional Information Required for Subdivisions

- Preliminary street layout of undivided portion of lot
- □ Special studies of areas which appear to be hazardous due to local geologic conditions
- Where the plat includes natural features subject to the conditions or requirements contained in the County's Land Use Ordinance, materials shall be provided to demonstrate that those conditions and/or requirements can be met
- Approximate center line profiles of streets, including extensions for a reasonable distance beyond the limits of the proposed Subdivision, showing the proposed finished grades and the nature and extent of construction

- □ Profiles of proposed drainage ways
- In areas subject to flooding, materials shall be submitted to demonstrate that the requirements of the Flood Hazard Overlay (FHO) zone of the County's Land Use Ordinance will be met
- If lot areas are to be graded, a plan showing the nature of cuts and fills, and information on the character of the soil
- Proposed method of financing the construction of common improvements such as street, drainage ways, sewer lines and water supply lines

□ FINAL PLAT (LDO 090(1))

- Date, scale, north arrow, legend, highways, and railroads contiguous to the plat perimeter
- Description of the plat perimeter
- The names and signatures of all interest holders in the land being platted, and the surveyor
- Monuments of existing surveys identified, related to the plat by distances and bearings, and referenced to a document of record
- □ Exact location and width of all streets, pedestrian ways, easements, and any other rights-of-way
- Easements shall be denoted by fine dotted lines, and clearly identified as to their purpose
- Provisions for access to and maintenance of offright-of-way drainage
- Block and lot boundary lines, their bearings and lengths
- □ Block numbers
- □ Lot numbers
- □ The area, to the nearest hundredth of an acre, of each lot which is larger than one acre
- Identification of land parcels to be dedicated for any purpose, public or private, so as to be distinguishable from lots intended for sale

Certificates:

□ Title interest & consent

Dedication for public use

□ Engineering/Survey

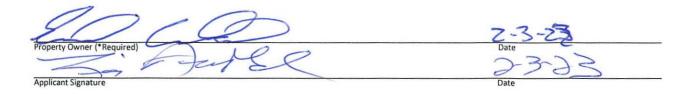
□ Additional Information:

□ Water

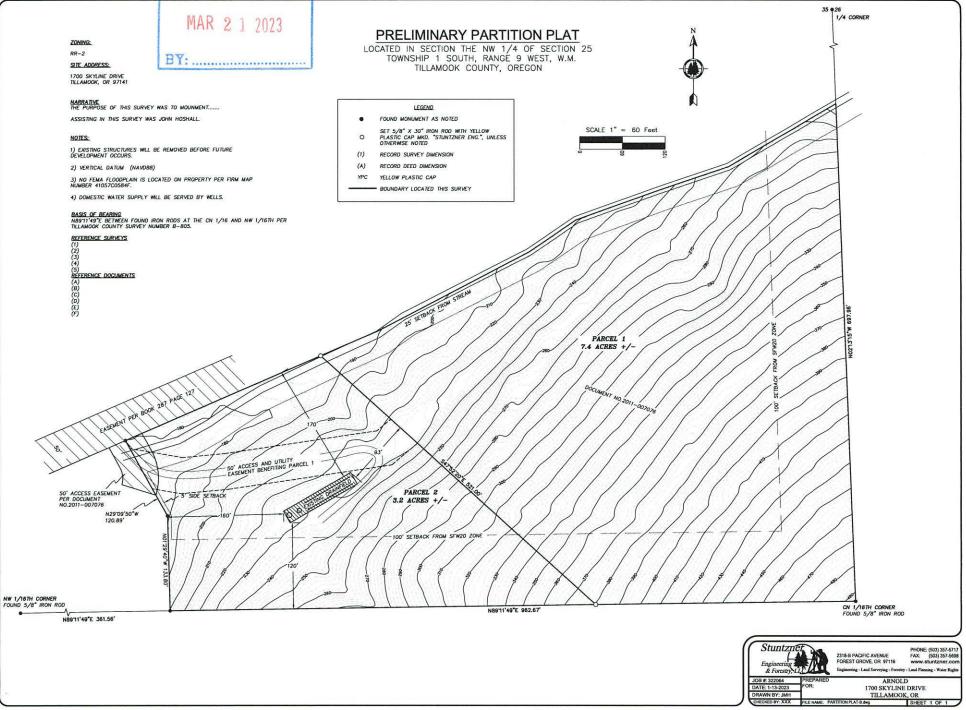
Public Works

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. Within two (2) years of final review and approval, all final plats for land divisions shall be filed and recorded with the County Clerk, except as required otherwise for the filing of a plat to lawfully establish an unlawfully created unit of land. The applicant verifies that the information submitted is complete, accurate, and consistent with other information submitted with this application.



RECEIVED



Lisa Arnold

From: Sent: To: Subject: Lisa Arnold Tuesday, January 31, 2023 3:04 PM Lisa Arnold FW: 1700 Skyline Drive

HENDRICKS Nikki M * WRD <<u>Nikki.M.HENDRICKS@water.oregon.gov</u>>

Date: September 12, 2022 at 6:08:30 PM MDT To: Sheila Shoemaker <<u>sshoemak@co.tillamook.or.us</u>>, Lisa Arnold <<u>elcarnold@q.com</u>> Subject: RE: EXTERNAL: Re: Partition - <u>1700 SKYLINE DR</u> - 1S0935B000900

A well is a legal source of water. You can go ahead with this as approval of the partition but I will need an actual registered well for a building permit. It appears that most the wells in that area are producing a decent amount of water. I apologize for any confusion.

Cheers,

Nikki Hendricks

District 1 Watermaster <u>4000 Blimp Blvd Ste 400</u> <u>Tillamook, OR 97141</u> Office: <u>503-815-1967</u> **Cell: <u>503-457-8989</u>** <u>Nikki.M.Hendricks@water.oregon.gov</u>

Sent from my iPhone

John Hoshall

From:	elcarnold <elcarnold@proton.me></elcarnold@proton.me>
Sent:	Thursday, January 26, 2023 2:47 PM
То:	John Hoshall
Subject:	FW: Important communication regarding record # 851-22-000190-EVAL at (No Address on Record)

See below for pre approval from county regarding septic

Sent from Proton Mail for iOS

----- Forwarded message ------

From: Lisa Arnold<LArnold@clapp-legal.com>

Date: On Tue, Jan 10, 2023 at 11:01 AM

Subject: FW: Important communication regarding record # 851-22-000190-EVAL at (No Address on Record)

To: elcarnold@proton.me <<u>elcarnold@proton.me</u>> Cc:

From: Tillamook County <TillamookCountyNoReply@Accela.com>
Sent: Tuesday, January 10, 2023 10:59 AM
To: Lisa Arnold <LArnold@clapp-legal.com>; akhuddleston@yahoo.com
Subject: Important communication regarding record # 851-22-000190-EVAL at (No Address on Record)

This is important communication regarding record **# 851-22-000190-EVAL** at job site address (**No Address on Record**).

Record Type: Onsite Site Evaluation Record Status: Site Evaluation Approved Description of Work: SITE EVALUATION - PARTITIONING LOT TO ACCOMODATE A NEW S.F.D. Workflow Task and Status: Site Visit / Site Evaluation Approved Comment: (No comment provided)

If you have questions, please contact **Chris Chiola** at 503-842-3409 or <u>cchiola@co.tillamook.or.us</u>.

Your record is available online for tracking by clicking here:

<u>https://aca-</u> <u>oregon.accela.com/oregon/Cap/CapDetail.aspx?Module=Onsite&TabName=Onsite&c</u> <u>apID1=22CAP&capID2=00000&capID3=002LE&agencyCode=TILLAMOOK_CO</u> RECORDING REQUESTED BY:

802 Main Ave. Tillamook, OR 97141

GRANTOR'S NAME: Holly Mark Byrum

GRANTEE'S NAME: Earl L. Arnold and Lisa A. Arnold

AFTER RECORDING RETURN TO: Order No.: 360422003610-AG Earl L. Amold and Lisa A. Amold, as tenants by the entirety 1821 E Porter Street Kuna, ID 83634

SEND TAX STATEMENTS TO: Earl L. Arnold and Lisa A. Arnold 1821 E Porter Street Kuna, ID 83634

APN: 163352 Map: 1S0935B000900 1700 Skyline Drive, Tiliamook, OR 97141 Tillamook County, Oregon 08/08/2022 02:58:02 PM DEED-DWARR \$20.09 \$11.00 \$10.00 \$61.00 - Total =\$102.00 I hereby certly that the within instrument was received for record and recorded in the County of Tillamook, State of Oregon.

Tassi O'Neil, Tillamook County Clerk

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Holly Mark Byrum, Grantor, conveys and warrants to Earl L. Arnold and Lisa A. Arnold, as tenants by the entirety, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Tillamook, State of Oregon:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS TWO HUNDRED SEVENTY-FIVE THOUSAND AND NO/100 DOLLARS (\$275,000.00). (See ORS 93.030).

Subject to:

SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 2485017 S AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

STATUTORY WARRANTY DEED

(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

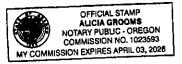
19115702,2022 Dated: Oyn Holly Mark Byrum

State of OREGON County of _____

This instrument was acknowledged before me on <u>AUAUST2.,2022</u> by Holly Mark Byrum.

Notary Public State of Oregon

My Commission Expires: abril 03, 2021



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EXHIBIT "A" Legal Description

A tract of land in the Northeast quarter of the Northwest quarter of Section 35, Township 1 South, Range 9 West of the Willamette Meridian in the County of Tillamook and State of Oregon, said tract being more particularly described as follows:

Beginning at the Southeast corner of the Northeast quarter of the Northwest quarter of said Section 35; thence South 89°11'49" West 962.67 feet along the South line of said Northeast quarter of the Northwest quarter to the Southeast corner of that tract of land described in Warranty Deed to Earl Stam recorded in Book 286, Page 155, Tillamook County Records; thence North 1°39'34" West 134.22 feet to the angle point on the Easterly line of said Stam tract; thence North 29°16'23" West 120.88 feet to the most Northerly corner of said Stam tract, said corner being on the Southerly right-of-way boundary of the Colson Easement; thence North 66°21'06" East to the center of Green Creek; thence Northeasterly along the center of Green Creek to the East line of the Northwest quarter of the Northwest quarter of said Section 35; thence South 2°13'15" East along the East line of said Northeast quarter of the Northwest quarter to the point of beginning.

TOGETHER WITH AND SUBJECT TO a non-exclusive easement for ingress and egress 50 feet in width, 25 feet on each side of the following described centerline: Beginning at the most Northerly corner of the aforesaid Stam tract; thence South 29°16'23" East 29.45 feet; thence along the arc of a 55.22 foot radius curve to the right, the sub-chord of which bears South 6°01'23" East 43.60 feet.

ALSO TOGETHER WITH a non-exclusive easement for ingress and egress over aforesaid Colson Easement from above described tract to Skyline Drive.

ALSO a non-exclusive easement for ingress and egress over Skyline Drive to the Trask River County Road.

NOTE: For basis of meridian and monument data see drawings A-4057 and B-805, Tillamook County Surveyor Records.

Subject to:

Rights of the public to any portion of the Land lying within the area commonly known as streets, roads and highways.

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to:	Tillamook Peoples' Utility District
Purpose:	Public utilities
Recording Date:	July 22, 1968
Recording No:	Book 212, Page 926
Affects:	Reference is hereby made to said document for full particulars

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to:	Tillamook Peoples' Utility District
Purpose:	Public utilities
Recording Date:	September 29, 1971
Recording No:	Book 224, Page 784
Affects:	Reference is hereby made to said document for full particulars

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

 Granted to:
 Ronald F. Schamp

 Purpose:
 Road

 Recording Date:
 May 20, 1988

 Recording No:
 Book 315, Page 636

 Affects:
 Reference is hereby made to said document for full particulars