



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

**CONDITIONAL USE REVIEW REQUEST #851-23-000211-PLNG:
BRUNS - RECREATIONAL VEHICLE**

*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: July 28, 2023

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

#851-23-000211-PLNG: Conditional Use Request for the placement of a recreational vehicle without a primary structure. Located northeast of Mohler, accessed off of a private easement abutting State Highway 53 and designated as Tax Lot 1704 in Section 25 of Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon, the property is zoned Rural Residential 2-Acre (RR-2). The applicant is Jacob Bruns and the property owners are Jacob and Kayleen Bruns.

Written comments received by the Department of Community Development prior to 4:00p.m. on August 11, 2023, 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 the next business day, August 14, 2023.

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 x3412 or ltone@co.tillamook.or.us.

Sincerely,

Sheila Shoemaker, Land use planner



Sarah Absher, Director, CFM

Enc. Applicable Ordinance Criteria, Maps

REVIEW CRITERIA

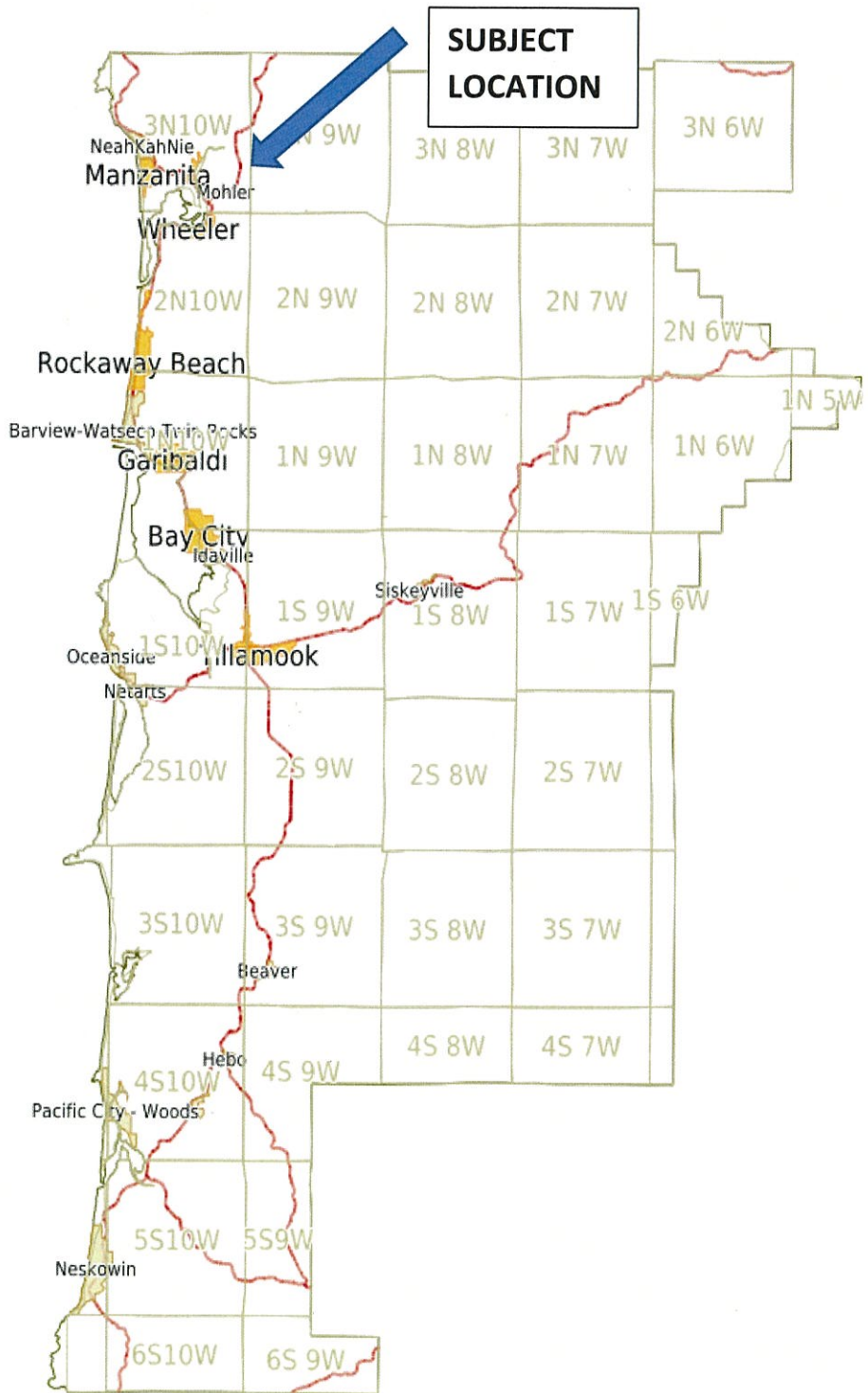
TCLUO ARTICLE VI:

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

VICINITY MAP



#851-23-000211-PLNG:
Bruns



PLANNING APPLICATION

OFFICE USE ONLY	
Date Stamp	
RECEIVED	
JUL 11 2023	
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by:	
Receipt #: 132925	
Fees: 1300.00	
Permit No:	
85123-000211-PLNG	

Applicant (Check Box if Same as Property Owner)

Name: Jacob Bruns Phone: 503-812-4331
 Address: 27150 Elk Trail Dr.
 City: Nehalem State: OR Zip: 97131
 Email: topgradeexcavation@yahoo.com

Property Owner

Name: Jacob & Kayleen Bruns Phone: 503-812-4331
 Address: 27150 Elk Trail Dr.
 City: Nehalem State: OR Zip: 97131
 Email: topgradeexcavation@yahoo.com

Request: RV placement

- | 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: Highway 53
 Map Number: 3N 10 25 1704
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

Applicant Signature

Date

Tillamook County, Oregon
 09/15/2022 10:47:01 AM **2022-05828**
 DEED-DWARR
 \$5.00 \$11.00 \$10.00 \$61.00 - Total = \$87.00
 I hereby certify that the within instrument was received
 for record and recorded in the County of Tillamook,
 State of Oregon.
 Tassl O'Neil, Tillamook County Clerk

After recording, return to:
 Campbell & Popkin, LLC
 1580 N. Roosevelt Drive
 Seaside, OR 97138

Send Future Tax Statements to:
 Jacob Allen Bruns
 Kayleen Rose Bruns
 27150 Elk Trail Drive
 Nehalem, OR 97131

WARRANTY DEED

Lawrence J. Popkin and Tanya Popkin, husband and wife, Grantors, convey and warrant to **Jacob Allen Bruns and Kayleen Rose Bruns**, husband and wife, Grantees, the following described real property situated in Tillamook County, State of Oregon, free of encumbrances, except as specifically set forth herein:

Parcel 1, PARTITION PLAT 2005-24A, in Tillamook County, Oregon, according to the official plat thereof, recorded November 28, 2005 in Plat Cabinet B-901-0, Partition Plat Records.
 TOGETHER WITH a non-exclusive easement for access as disclosed in Bargain and Sale Deed recorded November 24, 1969 in Book 217, Page 726 Tillamook County Deed Records.

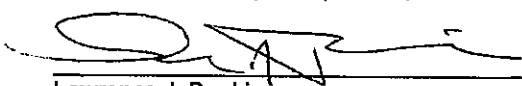
Situs Address: Vacant Land
 Account ID: 410952 Map and Tax Lot: 3N1025-00-01704

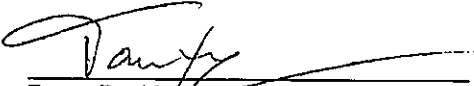
and covenants that Grantor is seized of the estate in the property and has good right to convey the same, that the property is free from encumbrances except as specifically set forth above and that Grantor warrants and will defend the title to the property against all persons who may lawfully claim the same.

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, TO DETERMINE ANY LIMITS ON LAWSUITS 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 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.

Dollar consideration for this transfer: \$130,000.00.

DATED this 15th day of September, 2022.


 Lawrence J. Popkin


 Tanya Popkin

STATE OF OREGON)
) ss.
 County of Clatsop)

The foregoing instrument was acknowledged before me this 15th day of September, 2022, by **Lawrence J. Popkin and Tanya Popkin**, husband and wife as their voluntary act and deed. Before me:


 Notary Public for Oregon



#1 The use is listed as a conditional use in the underlying zone. Section 3.010(3)(d) states a recreational vehicle where not allowed outright by Section 5.130.

#2 Yes, the recreational vehicle will be sited meeting any special requirements for flood zone compliance and will meet riparian setback requirements.

#3 Yes, the property is suitable for a recreational vehicle. The recreational vehicle will be able to meet setback requirements and flood zone requirements and will meet the setback from the Nehalem River. A septic system will be installed for use of the recreational vehicle and future construction of a house. The recreational vehicle will be placed in an area outside of any wetlands that might be on the property. The driveway is already on the property and access is from a shared easement by multiple land owners that accesses Highway 53.

#4 Yes, the recreational vehicle will not interfere with use of adjacent properties and landowners. Everything will take place on the subject property. Use of the recreational vehicle is in preparation for construction of a new house.

#5 There are none of these devices in the area.

#6 Yes, the request is timely. The property has water and will have sanitation. The property is also in the Nehalem Bay Fire District. Utilities will be brought in by Tillamook PUD.