



1510 - B Third Street
Tillamook, Oregon 97141
www.tillamookcounty.gov

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 #851-23-000554-PLNG: LONG

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

April 4, 2024

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 April 4, 2024. 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.tillamookcounty.gov/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 April 16, 2024**. This decision will become final on April 4, 2024, unless an appeal is filed in accordance with Tillamook County Land Use Ordinance Article 10.

Request: Non-Conforming Minor Review request to allow for the *alteration and* expansion of an existing non-conforming single-family dwelling, to remove *and replace a portion of the southerly* (front) portion of the single-family dwelling and add an addition of living space, garage and a second story deck to the *southernly, westerly, and northernly* (front, side, and rear) portion of the subject property.

Location: The subject property is within a subdivision known as Tierra Del Mar Beach, Unincorporated Tillamook County, north of Pacific City / Woods, located at 5710 Holly Avenue, a County Road, and designated as Tax Lot 6700 in Section 6BC of Township 4 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon.

Zone: Rural Residential 2 Acre (RR-2)

Applicant: Matt Long, PO Box 117, Pacific City, OR 97135

Property Owner: Matthew and Anne Long, PO Box 117, Pacific City, OR 97135

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 and demolition permits, as applicable.
2. All applicable permits, including a consolidated Building/Zoning Permit from the Tillamook County Department of Community Development shall be obtained prior to construction of the proposed alteration and expansion.
3. The applicant/property owner shall submit a site plan drawn to scale. The site plan shall be submitted to the Department of Community Development at the time of consolidated Building/Zoning Permit application submittal.
4. Development shall maintain a 5-foot 3 ½ inch front yard setback as shown on the submitted site plan included in "Exhibit B" of this report.
5. Applicant/property owner shall comply with the applicable standards of TCLUO Section 3.010: Rural Residential 2 Acres (RR-2) Zone for development of the property.
6. If bedrooms are proposed, shall obtain applicable sanitation permits from the Tillamook County On-site Sanitation Department prior to consolidated Building/Zoning Permit.
7. Applicant/property owner shall comply with the relevant standards of TCLUO Section 3.530: Beach and Dune Hazard (BD) Overlay Zone. A Dune Area Development Permit is required for development.
8. 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



Sheila Shoemaker, Land Use Planner



Sarah Absher, Director, CFM

Enc.: Vicinity, Assessor's and Zoning maps



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

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Tillamook, Oregon 97141
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NON-CONFORMING MINOR REVIEW #851-23-000554-PLNG: LONG

ADMINISTRATIVE DECISION AND STAFF REPORT

DECISION: Approved with Conditions

DECISION DATE: April 4, 2024

REPORT PREPARED BY: Sheila Shoemaker, Land Use Planner

I. GENERAL INFORMATION:

- Request:** Non-Conforming Minor Review request to allow for the *alteration and* expansion of an existing non-conforming single-family dwelling, to remove *and replace a portion of the southerly* (front) portion of the single-family dwelling and add an addition of living space, garage and a second story deck to the *southernly, westerly, and northernly* (front, side, and rear) portion of the subject property 'Exhibit B'.
- Location:** The subject property is within a subdivision known as Tierra Del Mar Beach, Unincorporated Tillamook County, north of Pacific City / Woods, located at 5710 Holly Avenue, a County Road, and designated as Tax Lot 6700 in Section 6BC of Township 4 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon 'Exhibit A'.
- Zone:** Rural Residential 2 Acre (RR-2)
- Applicant:** Matt Long, PO Box 117, Pacific City, OR 97135
- Property Owners:** Matthew and Anne Long, PO Box 117, Pacific City, OR 97135

II. PROPERTY DESCRIPTION:

According to Tillamook County Assessor's records, the subject property is approximately 0.12 acres and is developed with an existing single-story 655 square foot single-family dwelling 'Exhibit A'. Tillamook County Assessor's records indicated that the existing house was built in 1960 'Exhibit A'.

The surrounding area is also zoned Rural Residential 2 Acre (RR-2) and is developed with residential and accessory structures 'Exhibit A'. The subject property contains no mapped wetlands according to the National Wetlands Inventory Map and is in FEMA Flood Zone 'X', an area of minimal flood hazard. As depicted on FEMA FIRM 41057C0715F dated September 28, 2018 'Exhibit A'.

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 3.010: Rural Residential 2 Acre (RR-2) Zone
- B. Section 3.530: Beach and Dune Overlay (BD) Zone
- C. Article VII: Nonconforming Uses and Structures

IV. ANALYSIS:

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

(1) *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.*

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

(a) *Single-family dwelling*

Findings: Staff finds that the residential use of a single-family dwelling is a use permitted outright in the underlying zone.

(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.*

...

Findings: The lot is considered a standard lot per the Tierra Del Mar Beach subdivision map 'Exhibit A'. The existing dwelling is considered non-conforming as it does not meet the required 20-foot front yard setback from the southerly property line and the required 5-foot side yard setback to the easterly property line 'Exhibit B'. The applicant is proposing to alter the southerly (front) portion of the single-family dwelling that maintains a 4-foot setback and replace it with living space and a roof overhang, increasing the setback to 5-feet 3 ½ inches. The

proposed expansion to the westerly (side) and northern (rear) is for the addition of living space, attached garage and a second story deck 'Exhibit B'.

Because the dwelling does not maintain the required 20-foot front yard setback as outlined in Subsection 4: Development Standards of TCLUO Section 3.010: Rural Residential 2-acre (RR-2) Zone, the proposed expansions are subject to the provisions of TCLUO Article 7: Non-conforming uses and structures.

B. Article III, Section 3.530: Beach and Dune Hazard Overlay (BD) Zone

Findings: The subject property is located in a Beach and Dune Overlay Zone, an area of Stabilized Fore-dune and Stabilized Younger Fore-dune as mapped in the Department of Oregon Geology and Mineral Industries (DOGAMI) Open File report 0-20-13 'Exhibit A'.

A Dune Area Development Permit will be required for the proposed alteration and expansion.

A Condition of Approval can be made to require demonstration of compliance with the provisions of TCLUO Section 3.530: Beach and Dune Hazard (BD) Overlay Zone at the time of consolidated Building/Zoning Permit application submittal.

C. 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 adoption of land use regulations in Tillamook County 'Exhibit A'. Staff finds the structure is considered non-conforming 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 alteration and 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 January 29, 2024. No comments were received. A re-notice of the request amending the scope of work to reflect the submitted site plan and narrative was to property owners within 250 feet of the subject property and impacted agencies March 19, 2024. No comments were received.

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 *current use of the property is residential and will continue to be used as residential and will not have any additional impacts on neighboring residences* and they propose to *create two enclosed parking areas on property 'Exhibit B'*.

Staff finds that the proposed expansion of the dwelling 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;*
- (6) Effect on existing vegetation;*
- (7) Effect on water drainage and water quality;*

Findings: Applicant states the site will remain residential. The proposed expansion is not a change in use and therefore no hours of operation compared to those typical for residential uses are expected to change as a result of the proposed development.

Applicant is proposing an alteration and expansion of the existing dwelling and plans to remove some trees and states will *revegetate with beach grass and splash guards will be used to mitigate effects of storm water*. The applicant states *water drainage will conform to residential codes that apply to the site and conform as dictated by the Beach and Dune Report 'Exhibit B'*.

As stated above, the property is in a Beach and Dune Overlay Zone and development is subject to a Dune Area Development Permit. Recommendations for vegetation and water drainage management are part of the Geologic Hazard Report required for review of a Dune Development Permit. A Condition of Approval can be made to require demonstration of compliance with the provisions of TCLUO Section 3.530: Beach and Dune Hazard (BD) Overlay Zone at the time of consolidated zoning and building permit application submittal.

Staff finds criteria are met or can be met through the Conditions of Approval.

- (8) Service or other benefit to the use or structure provides to the area; and*
- (9) Other factors relating to conflicts or incompatibility with the character or needs of the area.*

Findings: Applicant states *the dwelling will continue to be residential while improving the livability of the current structure for the current residence who are permanent full-time residents 'Exhibit B'*.

Staff finds that the use of the single-family dwelling will remain residential in nature. Any services or benefits that could be provided remain unchanged. Staff finds these criteria are met.

- ii. The character and history of the use and of development in the surrounding area.*

Findings: County records indicate the single-family dwelling has existed on the subject property since 1960, is located in an area predominantly consisting of residential uses and the dwelling will remain devoted to residential use 'Exhibits A and B'. Staff finds that the subject property is served by existing County roads in a developed area consistent with the Applicant's property. Surrounding and adjacent properties are similar in nature and are

consistent with the character and history of the use and development in the surrounding area. Staff finds this criterion met.

(b) The request shall maintain a minimum separation of six feet between structures, and comply with the clear vision area of Section 4.010. The Department may require the applicant to submit a site survey or similar information to assist in making these determinations.

Findings: The subject property is not a corner lot and the requirements of TCLUO Section 4.010 are not applicable 'Exhibit A and Exhibit B'. The proposed site plan does not indicate detached structures 'Exhibit A and Exhibit B'.

Staff finds that the proposed development will have no greater adverse impact on neighboring areas than the existing structures particularly given the structure will continue to be devoted to single-family residential use 'Exhibit B'. Staff find these criteria are met.

IV. DECISION: APPROVED WITH CONDITIONS

Staff concludes that the applicant has satisfied the review criteria, and can meet all applicable requirements at the time of application. Therefore, Staff approves this request. No further development shall occur on the subject property without prior land use approval. This approval does not address any additional development of the subject property.

By accepting this approval, the applicant and property owner agrees to indemnify, defend, save, and hold harmless Tillamook County, and its officers, agents, and employees from any claim, suit, action, or activity undertaken under this approval, including construction under a Building Permit approved subject to this approval. The applicant and property owner shall obtain all of the necessary local, state, and federal permits and comply with all applicable regulations for the proposed construction.

Appeal of this decision. This decision may be appealed to the Tillamook County Planning Commission, who will hold a public hearing. In such case, forms and fees must be filed in the office of this Department before **4:00 PM on April 16, 2024.**

V. 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 and demolition permits, as applicable.
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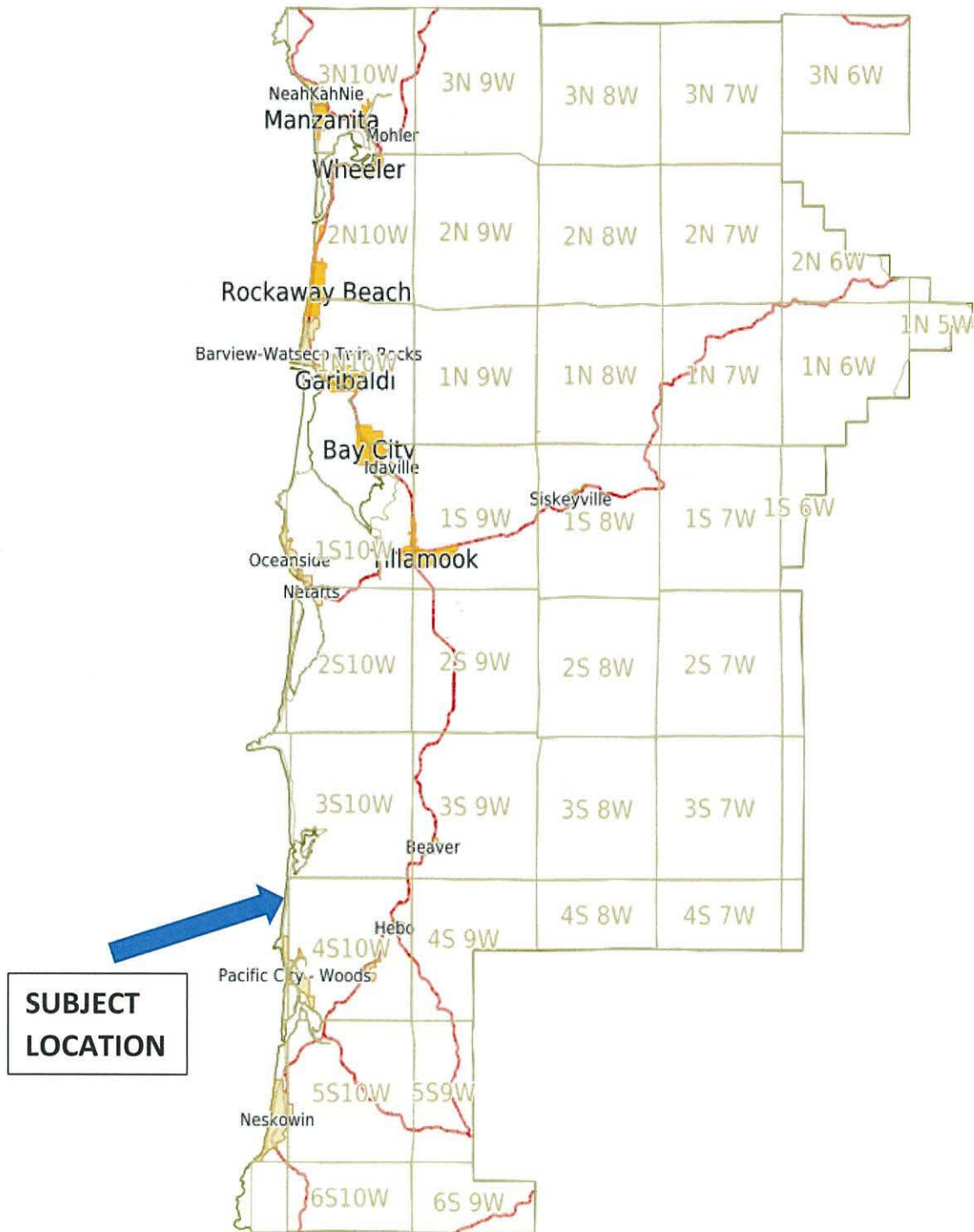
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8. This approval expires if a Building Permit is not applied for within two (2) years of issuance of this approval, or an extension is requested from, and approved by this Department prior to its expiration.

VI. EXHIBITS

- A. Vicinity map, Assessor's map, Zoning map, Tax Assessor's Summary Report, Wetlands and FEMA DFIR, Beach and Dune Overlay map and Geologic Hazard Area map, Tierra Del Mar Beach Subdivision map
- B. Applicant's Submittal

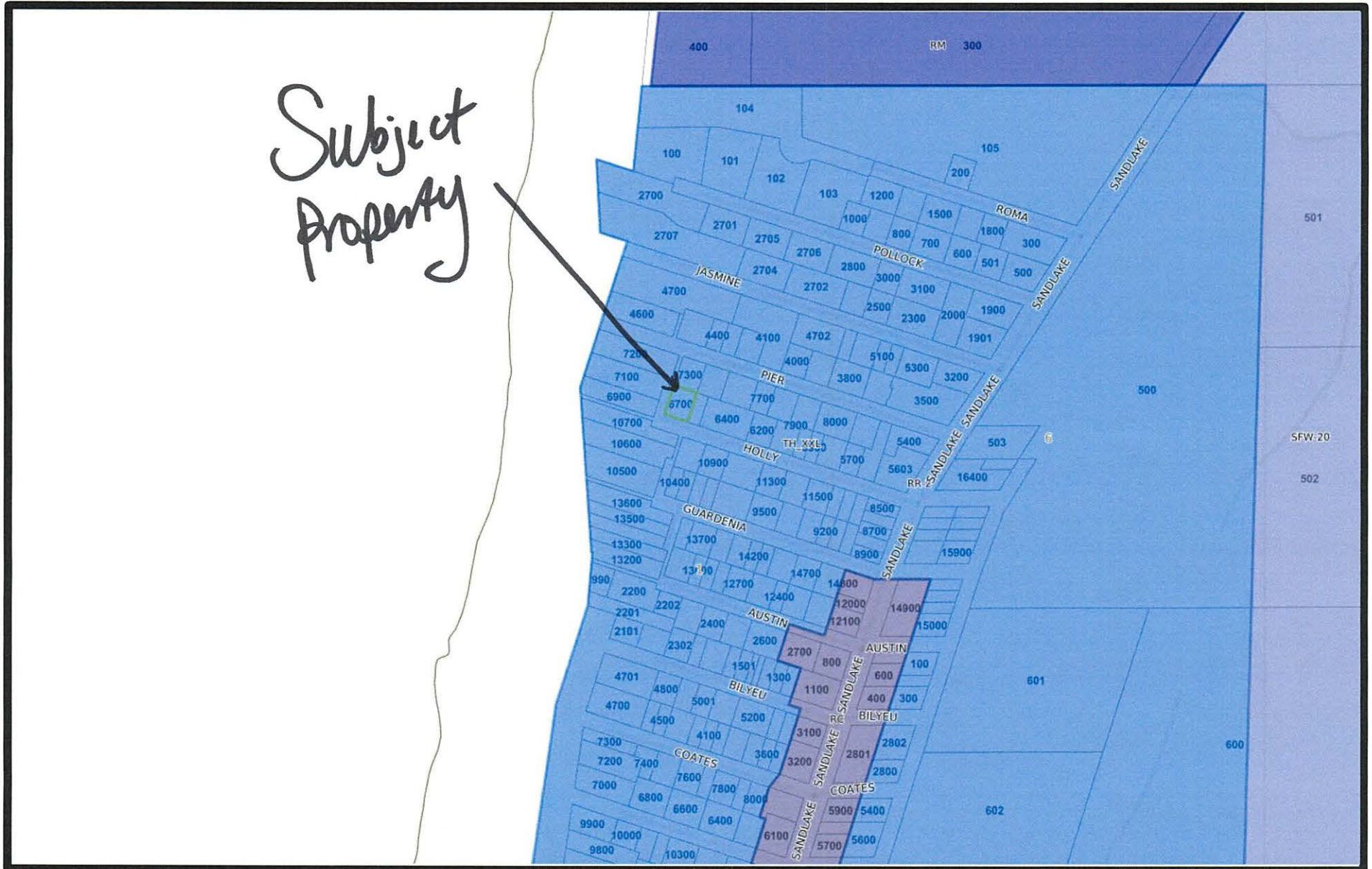
EXHIBIT A

VICINITY MAP

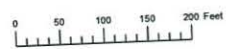


#851-23-000554-PLNG:
Long

Map



THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY



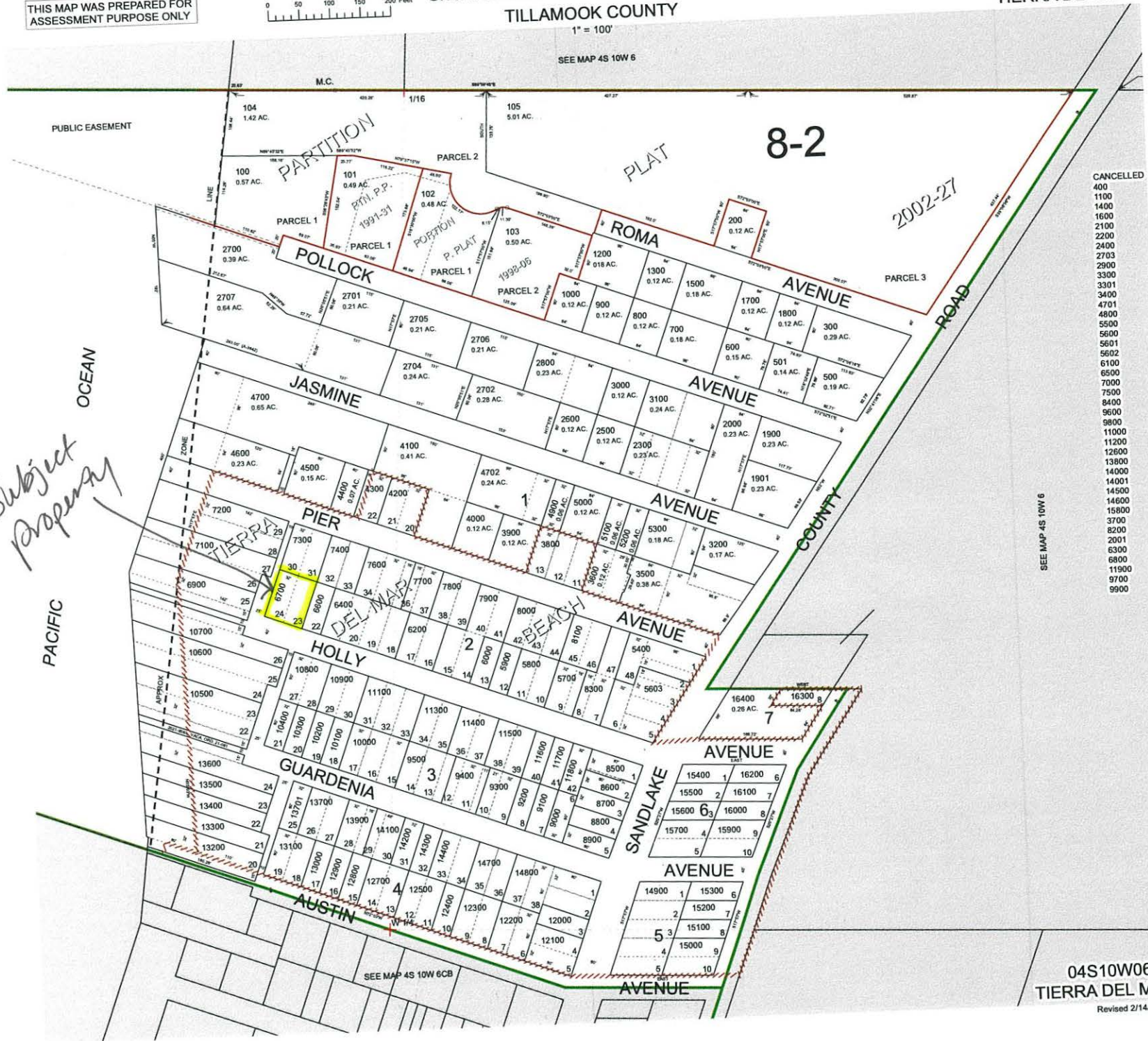
S.W.1/4 N.W.1/4 SEC.6 T.4S. R.10W. W.M.

TILLAMOOK COUNTY

1" = 100'

SEE MAP 4S 10W 6

04S10W06BC
TIERRA DEL MAR



SEE MAP 4S 10W 6

- CANCELLED
- 400
- 1100
- 1400
- 1600
- 2100
- 2200
- 2400
- 2703
- 2900
- 3300
- 3400
- 3701
- 4701
- 4800
- 5500
- 5600
- 5601
- 5602
- 6100
- 6500
- 7000
- 7500
- 8400
- 9600
- 9800
- 9900
- 11000
- 11200
- 12600
- 13800
- 14000
- 14001
- 14500
- 14600
- 15800
- 3700
- 8200
- 2001
- 6300
- 6800
- 11900
- 6700
- 9900

SEE MAP 4S 10W 6CB

04S10W06BC
TIERRA DEL MAR

Revised 2/14/23, WS

Tillamook County
2023 Real Property Assessment Report
 Account 208439

Map	4S1006BC06700	Tax Status	Assessable
Code - Tax ID	0802 - 208439	Account Status	Active
		Subtype	NORMAL
Legal Descr	Multiple Lots - See legal report for full description		
Mailing	LONG, MATTHEW & ANNE PO BOX 117 PACIFIC CITY OR 97135	Deed Reference #	2022-3456
		Sales Date/Price	05-27-2022 / \$550,000
		Appraiser	RANDY WILSON
Property Class	101 MA SA NH		
RMV Class	101 09 ST 919		

Site	Situs Address	City
1	5710 HOLLY AVE	COUNTY

Value Summary					
Code Area	RMV	MAV	AV	RMV Exception	CPR %
0802	Land 113,250		Land	0	
	Impr 148,550		Impr	0	
Code Area Total	261,800	106,380	106,380	0	
Grand Total	261,800	106,380	106,380	0	

Land Breakdown									
Code Area	ID #	RFPD	Ex	Plan Zone	Value Source	Trend %	Size	Land Class	Trended RMV
0802					LANDSCAPE - FAIR	100			500
	1	<input checked="" type="checkbox"/>		RR-2	Market	114	0.12 AC		100,550
					OSD - AVERAGE	100			12,200
Code Area Total							0.12 AC		113,250

Improvement Breakdown								
Code Area	ID #	Year Built	Stat Class	Description	Trend %	Total Sqft	Ex% MS Acct	Trended RMV
0802	1	1960	138	Unique (Octagon, Dome, or A-frame)	127	655		148,550
Code Area Total						655		148,550

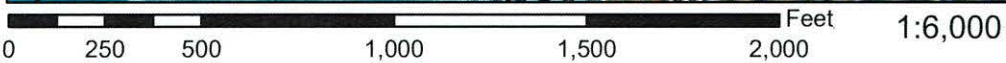
Exemptions / Special Assessments / Notations			
Code Area 0802			
Special Assessments	Amount	Year Used	
■ SOLID WASTE	12.00	2023	
Notations			
■ MULTI LOT-SINGLE LOT VALUE ADDED 2014			

Comments 4/6/09 Phase 1 Desk Review-Eff. age changed per notes, updated inv.LM 8/12 Combnd. w/TL #6800 of (.06)-Acge. & values reflect chge.-(RMV & MAV) RCW 1/2013 Replacement deck, chkd. inventory and added photo. RCW 03/04/14 Reappraised land, tabled values.ef 6/11/2014 New photo of imps. RCW

National Flood Hazard Layer FIRMette



123°58'17"W 45°15'28"N



123°57'39"W 45°15'3"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, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		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 (Zone J)
		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		NO SCREEN Area of Minimal Flood Hazard (Zone X)
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard (Zone J)
		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
		8 Coastal Transect
		53 Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
MAP PANELS		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		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 3/11/2024 at 12:58 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

Townships

LWI Study Area

BASEDAT.DBO.NHD Point

BASEDAT.DBO.NHDF lowline

- Perennial
- Intermittent
- Ephemeral
- Unknown
- Canal/Ditch

BASEDAT.DBO.NHD Area

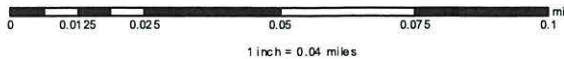
BASEDAT.DBO.NHD Waterbody

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Riverine
- SWI Predominantly Hydric Soil Map Units
- SWI Agate-Winko Soils



R. Souhnen, 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. Souhnen 2018



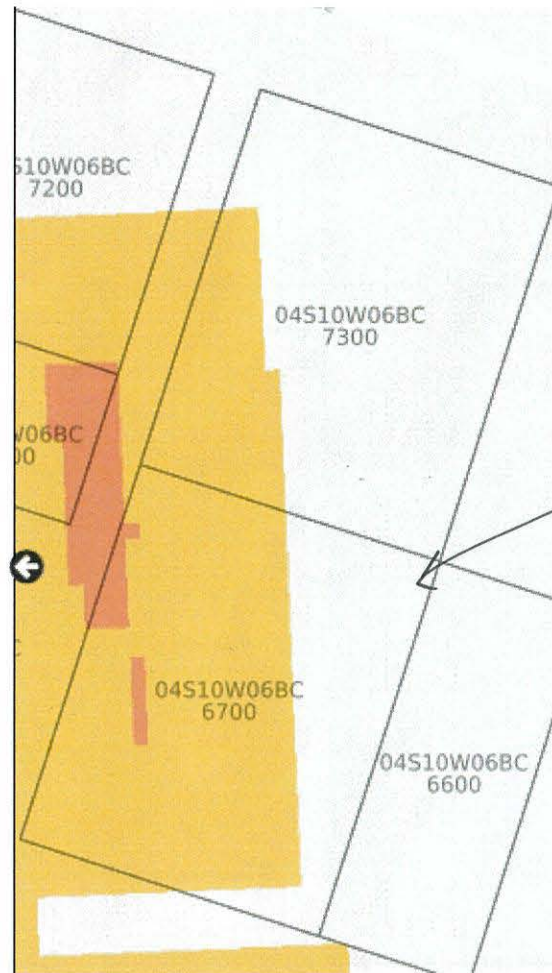
Date: 3/11/



N

Geologic Hazard Area

- ☆ County Boundaries
- []
- ▶ **Non-Regulatory Planning**
- ▼ **Physical**
 - ☆ Debris Flow fans
 - ☆ Deep Landslide Susceptibility
 - ☆ **Shallow Landslide Susceptibility**
 - ☆ Rapidly Moving Landslides
 - ☆ Beaches and Dunes Overlay Zone
- ▼ **Elevation**
 - ☆ Highest Hit, OLC, 2008-19 []
 - ☆ Bare Earth, OLC, 2008-19 []
- ▼ **Aerial Photos**
 - ▶ **State Imagery**
 - ▶ **World Imagery**
- ▼ **Basemaps**
 - ▼ **Carto**
 - ☆ Light []
 - ☆ Voyager []



Beach and Dune Overlay Zone

☆ County Boundaries



Non-Regulatory Planning

Physical

- ☆ Debris Flow fans
- ☆ Deep Landslide Susceptibility
- ☆ Shallow Landslide Susceptibility
- ☆ Rapidly Moving Landslides
- ☆ Beaches and Dunes Overlay Zone

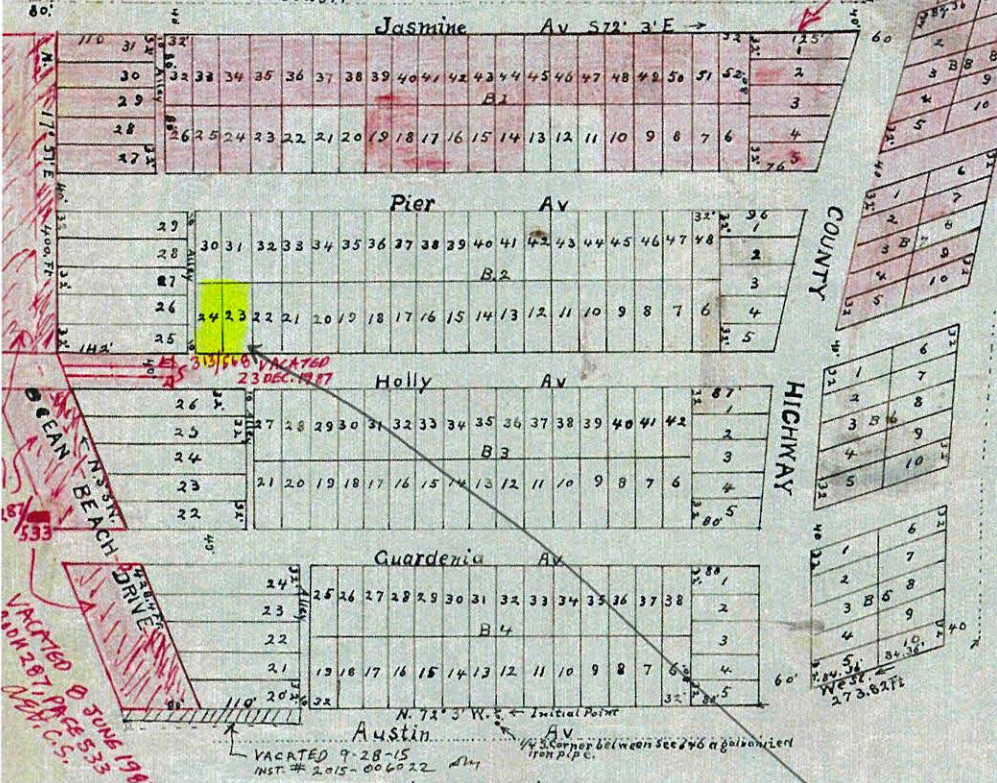
- B - Beach
- FDA - Active foredune
- AFDA - Artificial dune
- FD (W) - Reactivated, erosion/flooding
- H - Hummocks, active
- FD - Stabilized foredune
- IFD - Inland foredune
- DC - Dune complex
- DC (W) - wet
- DS - Dune, younger stabilized
- ODS - Dune, older stabilized
- OS - Open sand
- W - Interdune
- WMF - Wet mountain front
- WDP - Wet deflation plain
- WL - Wetland
- WSD - Wet surge plain



TIERRA DEL MAR BEACH

In Section 6 and 1 Tp. 4. S. R. 10 and 11 West Will. Mer. Ore

998.3 Ft. Tillamook County Oregon



VACATED
FEB 23, 1942
BOOK 82 PAGE 331, 332
Allen Duncan, C.S.

Surveyors Certificate
STATE OF OREGON } ss.
COUNTY OF TILLAMOOK } ss.

I AM, Austin Being first duly sworn depose and say that I have correctly surveyed and marked with proper monuments the tract of land shown on the within map to be known as TIERRA DEL MAR BEACH and bounded as follows. To wit. Beginning at a point N. 17° 57' E 20 feet from the 1/4 section corner on the west line of section 6. Tp. 4. S. R. 10. W. Will. Mer. Ore Thence N. 72° 3' W. 424.6 feet. Thence N. 33° W. 448 feet. Thence N. 17° 57' E. 400 feet. Thence S. 72° 3' E 998.3 feet. Thence East 275.1 feet. Thence S. 32° W. 440 feet. Thence S. 20° W. 360 feet. Thence west 273.32 feet. Thence N. 72° 3' W. 304 feet. to the place of beginning.

A.M. Austin Surveyor.

Subscribed and sworn to before me this 10th day of September 1935
J. H. Boyner
NOTARY PUBLIC FOR OREGON
My commission expires May 19, 1937.

Deed of Dedication

KNOW ALL MEN BY THESE PRESENTS, That I M.F. Pollock a single person am the owner in fee simple of the tract of land described in the surveyors certificate above and that I do hereby establish and declare the within map to be the true and official Map of Tierra Del Mar Beach and I hereby dedicate to the public for ever with out reservation all roads, streets and alleys shown hereon as such
IN WITNESS WHERE OF I hereunto set my Hand and Seal This 10th day of September 1935
M. F. Pollock Seal.

Subject Location

STATE OF OREGON } ss.
COUNTY OF TILLAMOOK }

Be it known that on the 10th day of September 1935 before me the undersigned NOTARY PUBLIC in and for said County and State personally appeared the within named M.F. Pollock well known by me to be the identical person described in and who executed the within instrument and acknowledged to me that she executed the same
J. H. Boyner Notary Public for Oregon
My Commission expires May 19, 1937.

Approved *[Signature]* County Surveyor.

Approved by the County court of Tillamook County October 9, 1935
[Signature] County Judge
[Signature] County Commissioner
[Signature] County Commissioner

Taxes are paid in full *[Signature]* County Sheriff
[Signature] County Assessor
Attest *[Signature]* County Clerk

EXHIBIT B



PLANNING APPLICATION

Applicant (Check Box if Same as Property Owner)

Name: Matt Long Phone: 503-860-3620
 Address: P.O. BOX 117
 City: Pacific City State: OR Zip: 97135
 Email: long.pdx@gmail.com

Property Owner

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

OFFICE USE ONLY	
Date Stamp	RECEIVED DEC 08 2023 BY: <u>Counte</u>
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by:	<u>MJ</u>
Receipt #:	<u>134952</u>
Fees:	<u>1575.00</u>
Permit No:	<u>851-23-000554-PLNG</u>

Request: Addition to existing property

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

- Appeal of Director's Decision
- Extension of Time
- Detailed Hazard Report
- Conditional Use (As deemed by Director)
- Ordinance Amendment
- Map Amendment
- Goal Exception

Type IV

- Appeal of Planning Commission Decision
- Ordinance Amendment
- Large-Scale Zoning Map Amendment
- Plan and/or Code Text Amendment

Location:

Site Address: 5710 Holly Ave Cloverdale, OR 97112
 Map Number: 45 10 10 BC 0700
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.

Matt Long
 Property Owner Signature (Required)

12/8/23
 Date

Applicant Signature

Date

Home owners statement/proposal

Matt and Anne Long
5710 Holly Ave
Cloverdale, Oregon 97112
Tierra Del Mar Beach
PO Box 117
Pacific City, OR 97135

The existing A-frame structure does not conform to current setback codes. The structure faces south with zero setback on the east side of the structure to the property line. The setback to the south property line/Holly Ave currently sits at 4'. Proposed construction for building an addition to the current structure will remove a front entry way from the current building, moving the setback to main structure foundation at 7' 3 1/2", with a current overhang of roof eaves at an additional 2', leaving a proposed and improved set back of 5' 3 1/2" from the county property line/Holly Ave. The intent of this proposal is to be allowed to construct an addition to the existing residential building along the existing structures south facing setback as outlined above. See provided architectural drawings for clarification.

In regards to the properties west property line bordering once again Holly Ave, as this is a corner lot with Holly Ave wrapping around the south west corner. The proposal is to build the addition to within 16' of the west property line with a 6' deck running the length of the new building off the 2nd floor and a walkway at the ground level running the length of the building, leaving a set back from county line of 10'. Holly Ave in this location has been encroached on, giving it the look and feel of a driveway more than a residential road, servicing 4 houses and is a dead end road.

Planning Application Minor Review Criteria

Matt and Anne Long
5710 Holly Ave
Cloverdale, Oregon 97112
Tierra Del Mar Beach
PO Box 117
Pacific City, OR 97135

(11) Minor review

(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:

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;** Current use of property is residential and will continue to be used as residential. Factors listed in this section will not be altered from current use and will not have any additional impact on neighboring residences than a typical residential structure.
- 2. Numbers and kinds of vehicular trips to the site;** There will be no change to the type of vehicles or the number of trips to and from the site because the site is and will remain residential. *Will create two enclosed parking areas on property.*
- 3. Amount and nature of outside storage, loading and parking;** There will be no change to the amount of outside storage, loading and parking because the site is and will remain residential.
- 4. Visual impact;** Neighboring properties visual impact will be minimal. Neighboring properties with a beach view will be unchanged as the site is not beach front property. Building height will be within the permitted maximum height of residential properties for this location.
- 5. Hours of operation;** Hours of operation will not be changed because the site is and will remain residential.
- 6. Effect on existing vegetation;** Effects on existing vegetation will be minimal with removal of approximately 7 trees (1 @ 12" diameter, 3 @ 7" diameter, 3 @ 5.5" diameter) out of a stand of 19 trees. *Plan to revegetate with beach grass.*
- 7. Effects on water drainage and water quality;** Effects on water drainage and water quality will be unchanged as site is currently residential and will remain residential. Current

structure utilizes Tierra Del Mar Water Company and will continue to do so. Water drainage will conform to all residential codes that apply to the site and as dictated by the Beach and Dune Hazard Report. *Splash pads will be used to mitigate effects of storm water.*

8. **Service or other benefit the use of the structure provides to the area;** The site will continue to be residential while improving the livability of the current structure for the current residence who are permanent full-time residents.
9. **Other factors relating to conflicts or incompatibility with the character or needs of the area;** There are no foreseen conflicts or incompatibility with the character or needs of the area as site is currently residential and will remain residential.

The character and history of the use and of development in the surrounding area.

The character and history of the use and of development in the surrounding area is predominately residential throughout the Tierra Del Mar Beach area.

(b) The request shall maintain a minimum separation of six feet between structures and comply with the clear vision area of section 4.010.

The proposed structure will have no detached permanent structures, thus complying with six feet of separation between structures. The proposed structure is located on a corner lot of the county road, Holly Ave. *Holly Ave* In this location the road has been encroached on, giving it the look and feel of a driveway more than a residential road, servicing 4 houses and is a dead end. In our opinion, the proposed structure will not create any unsafe driving or pedestrian conditions. For details of compliance with the clear vision area of section 4.010. see provided architectural drawings.

A B C D

1

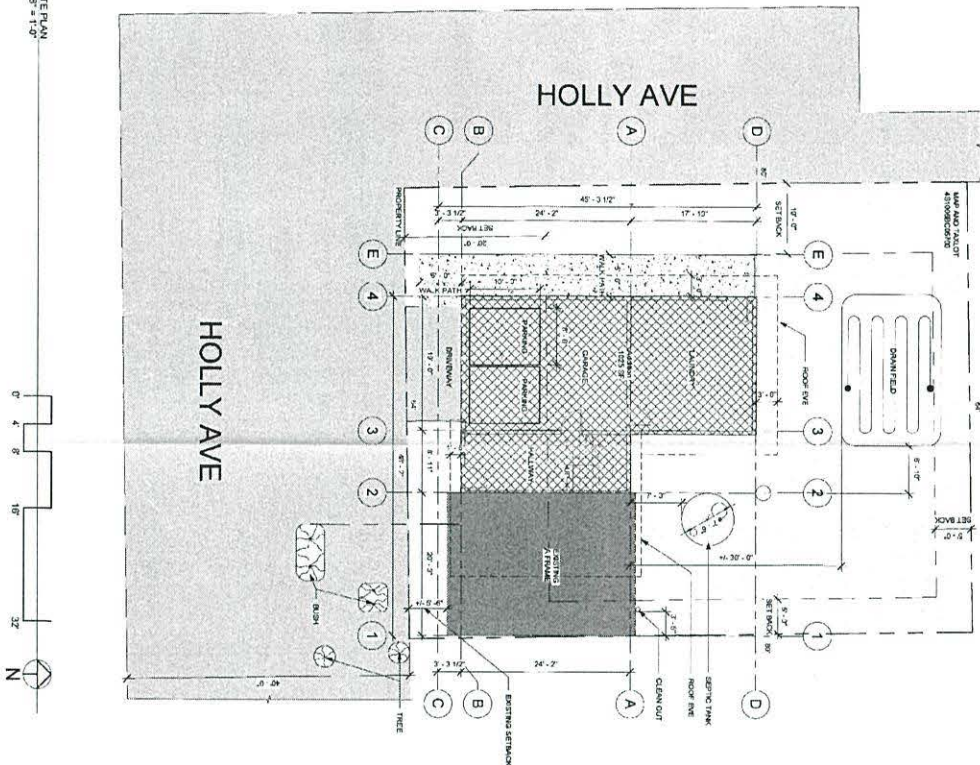
2

3

4

5

SITE PLAN
1/8" = 1'-0"



SITE PLAN - LEGEND

PROPERTY LINES	---
REQUIRED SET BACK	---
ROOF EAVE ABOVE	---
EXISTING BUILDING	[Cross-hatch pattern]
PROPOSED ADDITION	[Solid grey fill]

A2.0	Project Number	003	A FRAME ADDITION MATT AND ANNE LONG 5710 HOLLY AVE, CLOVERDALE, OREGON 97112
	Date	11.07.2023	
	Drawn By	Author	
	Checked By	Checker	
	Scale	As indicated	

Sheila Shoemaker

From: Matthew Long <long.pdx@gmail.com>
Sent: Monday, March 18, 2024 3:33 PM
To: Sheila Shoemaker
Subject: EXTERNAL: Re: Nonconforming Review - 851-23-000554-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.]

Per your request here is a legend for the numbers and letters on the drawings. Our architect explained these are grid lines indicating existing and proposed exterior foundation lines.

A to A = Existing building north wall foundation
B to B = Existing building south wall foundation
C to C = Existing concrete pad entryway and overhang
D to D = Proposed north wall foundation
E to E = Proposed west edge of outdoor walkway on ground level and west edge of deck on 2nd floor

1 to 1 = Existing east wall foundation
2 to 2 = Existing west wall foundation
3 to 3 = Proposed addition east wall foundation from grid line A to D
4 to 4 = Proposed addition west wall foundation

On Mon, Mar 18, 2024 at 12:58 PM Sheila Shoemaker <Sheila.Shoemaker@tillamookcounty.gov> wrote:

Good afternoon Matt,

Thank you for taking my call today. As discussed, I've been assigned the review and need additional information pertaining to the attached site plan. Please indicate what the letters and numbers are representing as the legend does not have these listed. Also, due to the original notification letter listing the orientation (north/east/south/west) incorrectly the request will need to be re-noticed allowing for public comment. To be transparent with time lines one the re-noticed is mailed, there is a 14 day appeal waiting period. A decision will not be rendered until the 15th day. Once the decision is rendered there is a 12 day decision waiting period.

Sincerely,