



1510 – B Third Street
Tillamook, Oregon 97141
www.tillamookcounty.gov
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 #851-23-000549-PLNG: GESIK ACCESSORY STRUCTURE

*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: January 30, 2024**

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

#851-23-000549-PLNG: Conditional Use request for the construction of an accessory structure without a primary structure on a property located in the Unincorporated Community of Neskowin, accessed off of Scherzinger Road, a private road and designated as Tax Lot 200 in Section 24AA of Township 5 South, Range 11 West of the Willamette Meridian, Tillamook County, Oregon. The property is zoned Neskowin Rural Residential (NeskRR). The applicant and property owner is Scott W Gesik.

Written comments received by the Department of Community Development prior to 4:00p.m. on February 13, 2024, 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, February 14, 2024.

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.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.

If you have any questions about this application, please call the Department of Community Development at 503-842-3408 x3412 or lynn.tone@tillamookcounty.gov.

Sincerely,

Sheila Shoemaker, Land use planner

Sarah Absher, Director, CFM

Enc. Applicable Ordinance Criteria, Maps

REVIEW CRITERIA

TCLUO ARTICLE VI:

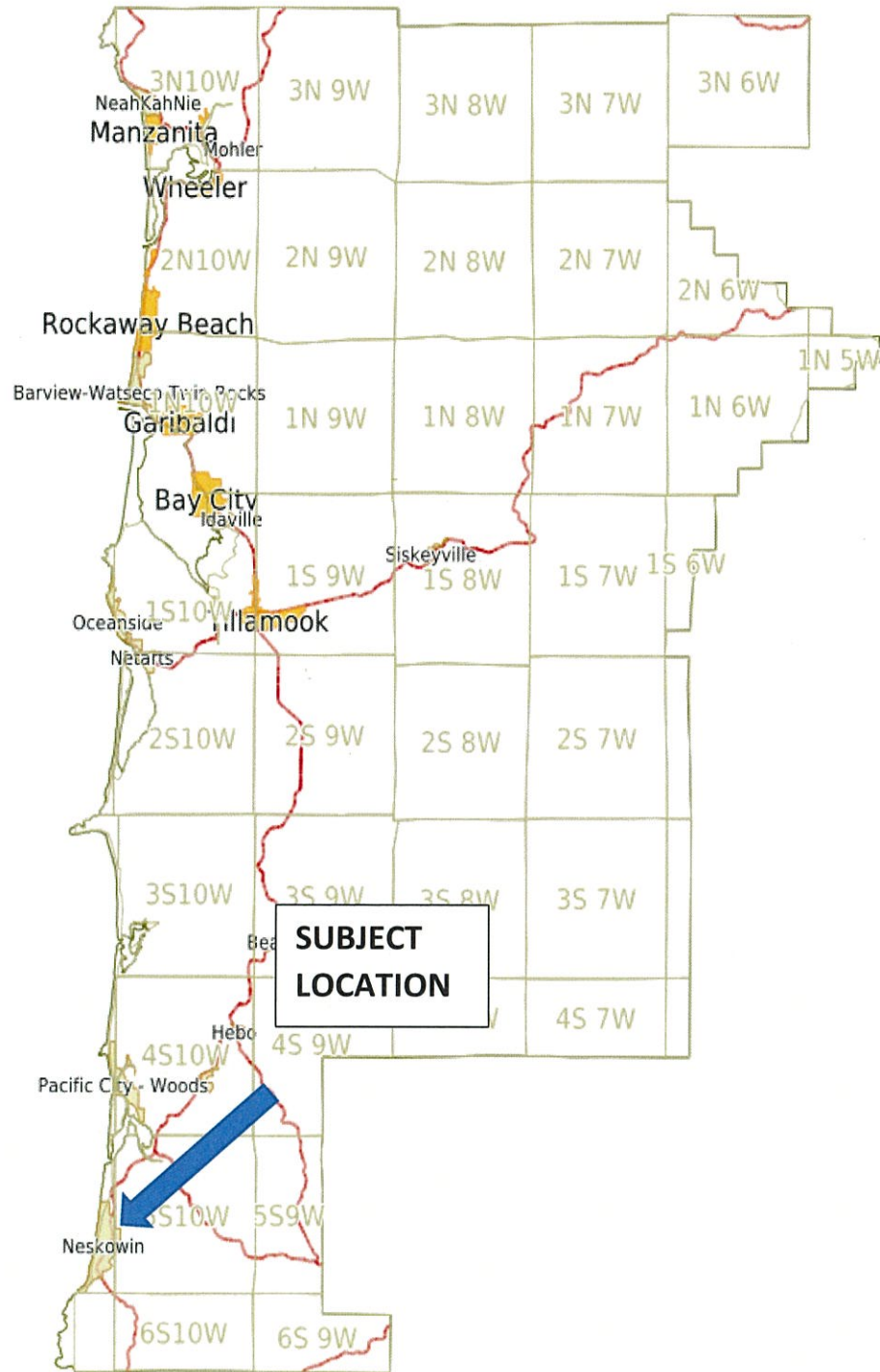
SECTION 6.040: REVIEW CRITERIA

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

EXHIBIT A

VICINITY MAP



#851-23-000549-PLNG:
Gesik

Map

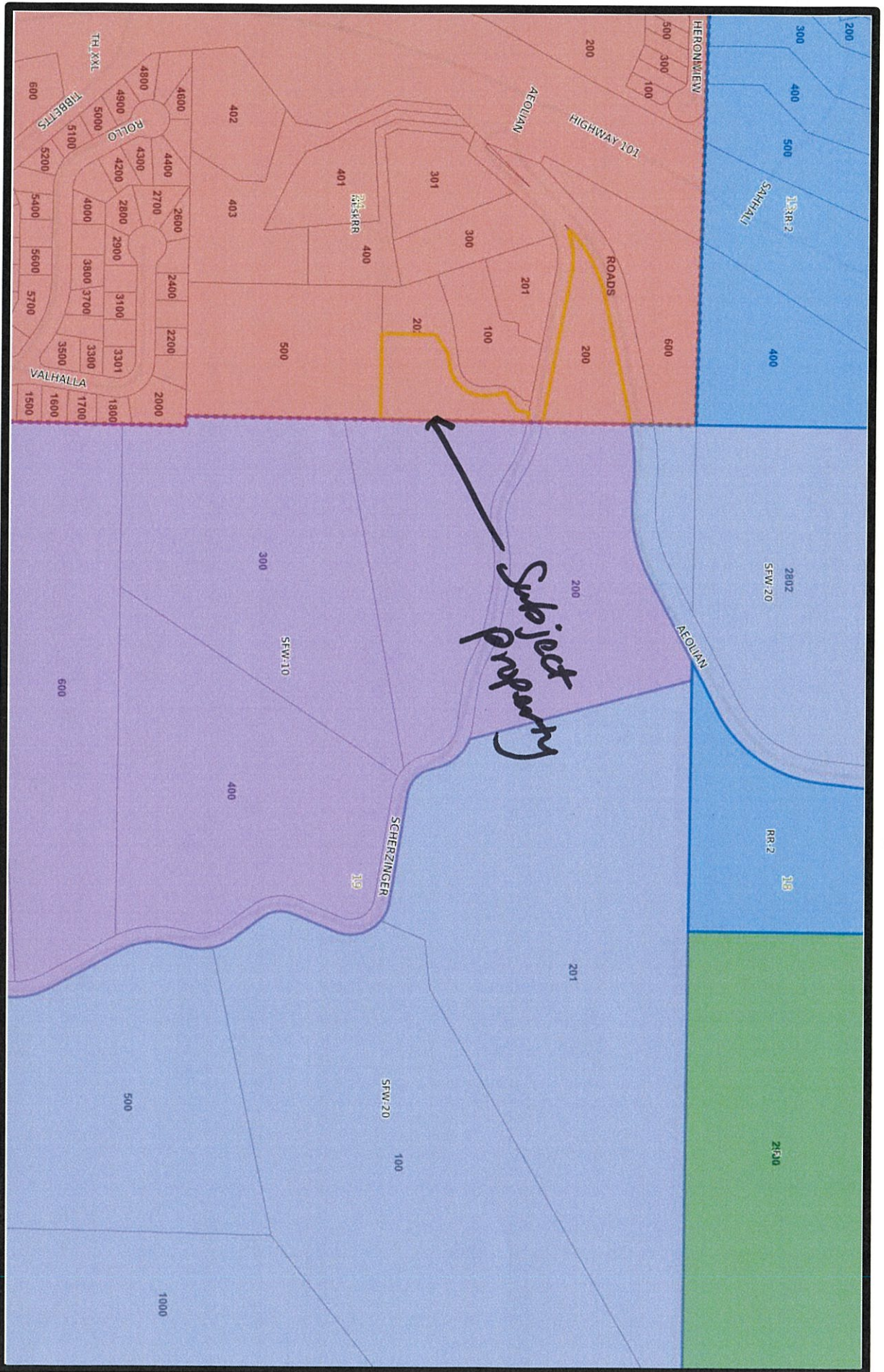


EXHIBIT B



PLANNING APPLICATION

OFFICE USE ONLY	
Date Stamp	
RECEIVED	
DEC 04 2023	
BY:.....	
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by:	
Receipt #: 134933	
Fees: 13105-	
Permit No: 851-23-000549-PLNG	

Applicant (Check Box if Same as Property Owner)

Name: Scott W Gesik Phone: 541-992-2563
 Address: 5870 Scherzinger Rd
 City: Neskowin State: OR Zip: 97149
 Email: scott.gesik@gorge.net

Property Owner

Name: Scott Gesik Phone: 541-992-2563
 Address: 5870 Scherzinger Rd
 City: Neskowin State: OR Zip: 97149
 Email: scott.gesik@gorge.net

Request: Property divided off - Has auxiliary building
 do not want build at this time -
 selling to family members and they would rather not
 build at this time.

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

Location:

Site Address: PLAT 2008-10
 Map Number: 55 - 11 24-AA 200
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.

Scott W Gesik 11-30-23
 Property Owner Signature (Required) Date
Scott W Gesik 11-30-23
 Applicant Signature Date

Hi Shields

Here is the CUD app

Terry Jones - Has PLT
Should be in your hands
any days. Then they both
will be here

Thank - Best regards
Scott

Sheila Shoemaker

From: scottgesik at gorge.net <scottgesik@gorge.net>
Sent: Thursday, January 11, 2024 2:27 PM
To: Sheila Shoemaker
Subject: EXTERNAL: Fwd: EXTERNAL: RE: FW: Gesik - CU incomplete letter - 851-23-000549-PLNG
Attachments: Tillamook County CUP app.rtf

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

From: "scottgesik at gorge.net" <scottgesik@gorge.net>
To: "Sheila Shoemaker" <Sheila.Shoemaker@tillamookcounty.gov>
Sent: Thursday, January 11, 2024 2:09:02 PM
Subject: Re: EXTERNAL: RE: FW: Gesik - CU incomplete letter - 851-23-000549-PLNG

Conditional Use Review Criteria for Scott Gesik's December 2023 Conditional Use Permit Application

1. The use is listed as a Conditional Use in the underlying zone, or in an application overlying zone. YES.
2. The use is consistent with the applicable goals and policies of the Comprehensive Plan. YES.
3. The parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements and natural features. YES: the purpose of this Conditional Use Permit (CUP) application is to allow owner Scott Gesik to sell Unit B as described in the county's January 5, 2024 Property Line Adjustment approval (#851-23-000539-PLNG) to Neskowin residents Shawn and Richard Ramirez, without having to remove Unit B's accessory structure. As described in the PLA approval, Unit B is 1.96 acres with a 1,650 square foot accessory structure which had been used as a personal gym by Gesik since 2001. Shawn and Richard currently live with Shawn's retired parents (Ken and Sandi Dust) in the adjacent lot at 5925 Scherzinger Road in Neskowin. The accessory structure is located approximately 100 feet from their residence. The size of the accessory structure gives Shawn Ramirez the office space necessary to do her remote bookkeeping job. Also, she will have the space needed for her and her mother to continue their art work - both have contracts with the Freed Gallery and sell their art commercially. The Ramirez' moved to Neskowin in 2023 to support their parents as needed.
Unit B is a sloped lot with mature spruce trees, natural ferns and ocean views. The accessory structure was built in 2001. It has natural cedar siding. It is insulated, heated and finished, and conforms with the surrounding environment. The lot is zoned Rural Residential and is greater than the 20,000 square foot minimum lot size. It has a letter of water availability and septic approval.
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. CORRECT: the proposed use of Unit B (for a remote single-person office and art studio) will not alter the character of the surrounding area.
5. The proposed use will not have detrimental effect on existing solar energy systems, wind energy conversion systems or wind mills. CORRECT: the proposed use will not have a detrimental effect on

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5. The proposed use will not have detrimental effect on existing solar energy systems, wind energy conversion systems or wind mills. CORRECT: the proposed use will not have a detrimental effect on existing solar energy systems, wind energy conversion systems or wind mills. Furthermore, there are no known such systems on the adjacent properties.
6. The proposed use is timely, considering the adequacy of public facilities and services existing or planned for the area affected by the use. YES: facilities and services already exist, including necessary utilities and infrastructure.

existing solar energy systems, wind energy conversion systems or wind mills. Furthermore, there are no known such systems on the adjacent properties.

6. The proposed use is timely, considering the adequacy of public facilities and services existing or planned for the area affected by the use. YES: facilities and services already exist, including necessary utilities and infrastructure.

corection spelling dunst should be dust ken and sandy

From: "Sheila Shoemaker" <Sheila.Shoemaker@tillamookcounty.gov>
To: "scottgesik" <scottgesik@gorge.net>
Cc: "Richard Ramirez" <andona503@gmail.com>
Sent: Thursday, January 11, 2024 11:13:19 AM
Subject: RE: EXTERNAL: RE: FW: Gesik - CU incomplete letter - 851-23-000549-PLNG

Hi Scott,

Thank you for signing the acknowledgment form and checking the box that you will be sending the additional information. However by signing the 150 day waiver you are confirming that your application is complete and if we review all that was given to us (application and fee paid) then it would remain incomplete and may be denied since we never received your responses to the criteria attached. The revised site plan and criteria responses was missing. We since got the site plan but without the criteria responses the application remains incomplete. Please respond to the criteria as if they were questions pertaining to the property and your request to have an accessory structure on the property without a primary. You can call me if you'd like to discuss further. Things tend to get lost in email.

Sincerely,



Sheila Shoemaker | Land Use Planner
TILLAMOOK COUNTY | Community Development
1510-B Third Street
Tillamook, OR 97141
Phone (503) 842-3408 x 3123
Sheila.Shoemaker@tillamookcounty.gov

***Please make note: NEW EMAIL ADDRESS effective immediately.**

This e-mail is a public record of Tillamook County and is subject to the State of Oregon Retention Schedule and may be subject to public disclosure under the Oregon Public Records Law. This e-mail, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please send a reply e-mail to let the sender know of the error and destroy all copies of the original message.

The Department is excited to announce that we are OPEN to the public by appointment. To review the list of services provided and to schedule an appointment with us, please visit <https://www.co.tillamook.or.us/gov/ComDev/> to access the appointment scheduler portal.

From: scottgesik <scottgesik@gorge.net>
Sent: Thursday, January 11, 2024 10:41 AM
To: Sheila Shoemaker <Sheila.Shoemaker@tillamookcounty.gov>
Cc: Richard Ramirez <andona503@gmail.com>
Subject: EXTERNAL: RE: FW: Gesik - CU incomplete letter - 851-23-000549-PLNG

Date: December 12, 2023

RE: Incomplete application for a Conditional Use request #851-23-000549-PL, NC

To Whom It May Concern:

As indicated in the attached correspondence, your application has been deemed to be incomplete.

Please acknowledge, in writing, your intent to provide the material required to complete the application, as identified in the attached correspondence.

Tillamook County Department of Community Development
Attn: Sheila Shoemaker, Land Use Planner
1510 B Third Street
Tillamook, OR 97141

If you indicate your intent to complete the application, you will have 180 days from the date the application was originally submitted (December 4, 2023) to submit the required material. If you fail to submit the material within 180 days, your application will be deemed void. The case file regarding the application will then be closed.

If you do not return this acknowledgment, by the above date, such action will be considered to be a refusal to complete the application under the meaning accorded in ORS 215.428. Your application will then be processed based upon the information you have previously submitted. Note that failure to submit sufficient evidence or material to demonstrate compliance with the applicable criteria is grounds for denial of the application.

ACKNOWLEDGMENT

- I intend to provide the additional material identified in the attached correspondence from the Department of Community Development.
- I refuse to provide the additional material identified in the attached correspondence from the Department of Community Development.

Scott W. Jesil
Signed and Acknowledged (Applicant)

1-11-24

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

Hi pics of signatures (think we did that already at surveyors office , enclosed with site plan ,and dropped off at development office) believe the 15th dec///signed these that you sent ,dated them at today's date, also pics of the approval from Angela Ramaldi .

Thank you very much .

Ps . Angela,s Christmas jingle on the message phone is gone , till next year lol

Sent via the Samsung Galaxy S22+ 5G, an AT&T 5G smartphone

----- Original message -----

From: Sheila Shoemaker <Sheila.Shoemaker@tillamookcounty.gov>

Date: 1/11/24 10:21 AM (GMT-08:00)

To: scottgesik <scottgesik@gorge.net>

Subject: FW: Gesik - CU incomplete letter - 851-23-000549-PLNG

Good morning Scott,

This is a follow up email from our phone conversation today regarding the incomplete Conditional Use letter and missing information. It appears that Angela Rimoldi got all of the missing information to reach the property line adjustment (PLA) decision however, were still needing additional information pertaining to the incomplete Conditional Use application. Please see the incomplete letter attached. I can use the site plan that was sent to Angela for the PLA review but need responses to the attached criteria, page 4 of the attachment.

Sincerely,



Sheila Shoemaker | Land Use Planner
TILLAMOOK COUNTY | Community Development
1510-B Third Street
Tillamook, OR 97141
Phone (503) 842-3408 x 3123
Sheila.Shoemaker@tillamookcounty.gov

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From: Sheila Shoemaker

Sent: Tuesday, December 12, 2023 10:54 AM

To: Angela Rimoldi <Angela.Rimoldi@tillamookcounty.gov>
Subject: Gesik - CU incomplete letter - 851-23-000549-PLNG

Attached for your email.

Sincerely,



Sheila Shoemaker | Land Use Planner
TILLAMOOK COUNTY | Community Development
1510-B Third Street
Tillamook, OR 97141
Phone (503) 842-3408 x 3123
Sheila.Shoemaker@tillamookcounty.gov

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Sheila Shoemaker

From: scottgesik <scottgesik@gorge.net>
Sent: Thursday, January 11, 2024 2:31 PM
To: Sheila Shoemaker
Subject: EXTERNAL: RE: EXTERNAL: RE: FW: Gesik - CU incomplete letter - 851-23-000549-PLNG
Attachments: 20240111_142833_resized.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

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

Mr Ramirez typed up the criteria page, noted that he had mis spelled his inlaws last name it is Dust , not Dunst.

Sent via the Samsung Galaxy S22+ 5G, an AT&T 5G smartphone

----- Original message -----

From: Sheila Shoemaker <Sheila.Shoemaker@tillamookcounty.gov>
Date: 1/11/24 11:13 AM (GMT-08:00)
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Conditional Use Review Criteria

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The proposed use is timely, considering the adequacy of public facilities and services existing or planned in the area affected by the use. YES: facilities and services already exist, including necessary utilities and infrastructure.

SCALE: 1" = 60'

LEGEND:

- ⊙ - FOUND MONUMENT (AS NOTED)
- ⊙ - FD. 5/8" X 30" I.R. w/Y.P.C. MARKED: "KELLOW PLS 2027"-FLUSH (B-2925)

(not) - RECORD DATA (AS NOTED)

NO () - MEASURED VALUES

- I.R. - IRON ROD
- I.P. - IRON PIPE
- Y.P.C. - YELLOW PLASTIC CAP

CURVE DATA:
TO CLOSE:

L=38.81'	L=38.51'
R=328.10'	R=283.00'
Δ=07°44'30"	Δ=07°47'32"
C LEN=38.58'	C LEN=38.48'
BRG=N 81°30'45" E	BRG=N 82°08'31" E

SW COR. SEC. 18
FD. TELL. COLUMN - BRASS CAP
N COR. 67' TILE - I.P. 0.33'
TS 227 1974 (RENTNESS/941)

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO ADJUST THAT PORTION OF PARCEL 2 OF PARTITION PLAT 2021-4 LYING SOUTH OF SCHERZINGER ROAD INTO PARCEL 1 OF PARTITION PLAT 2021-4. ALL ELEMENTS OF PARTITION PLAT 2021-4 (MAP P-1149) WERE HELD. NO MONUMENTS WERE SET ON THIS SURVEY. THE BASIS OF BEARSIDE IS MAP P-77 AND P-1149 AS SHOWN HEREON.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Terry L. Jones

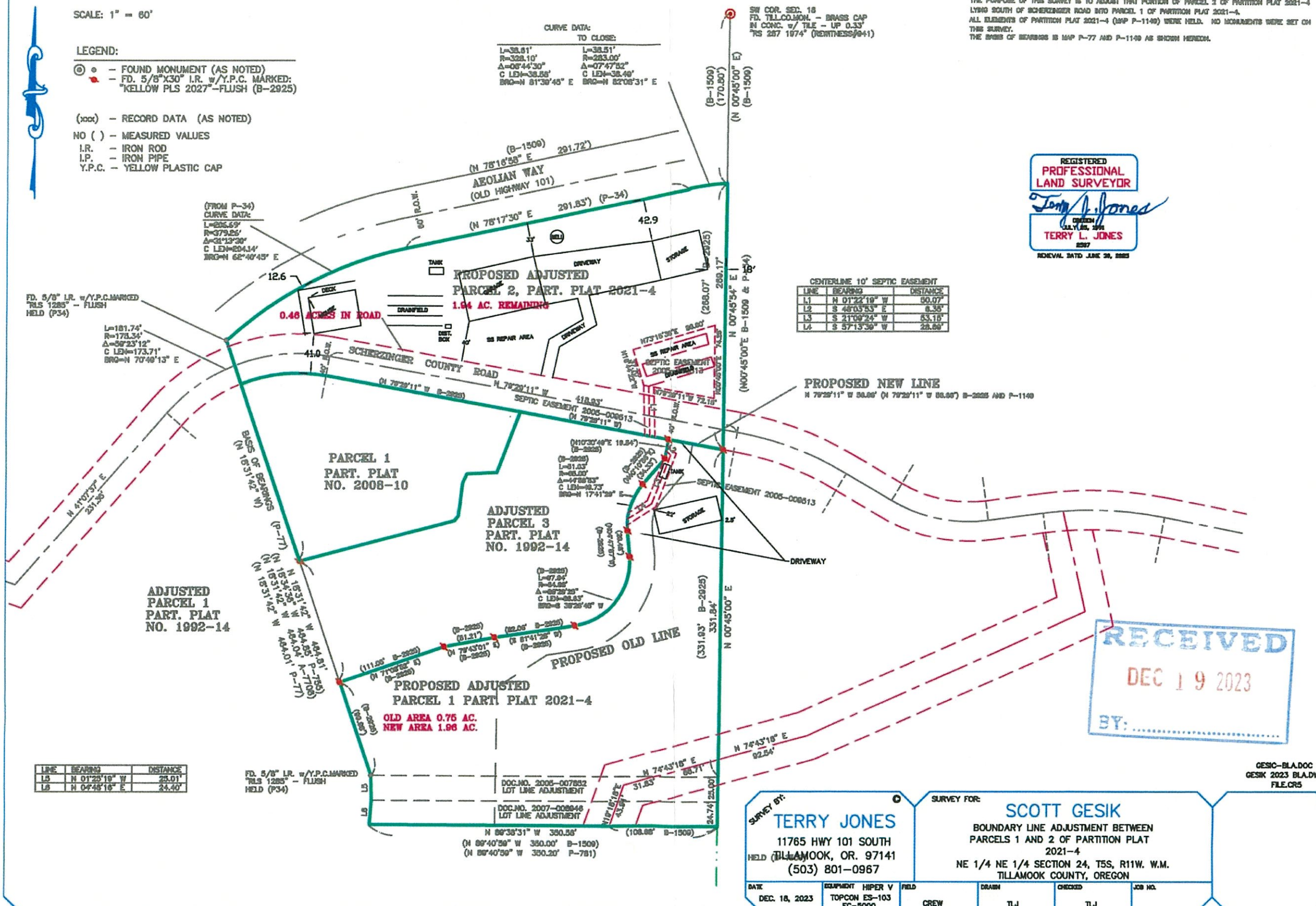
EXPIRES
JULY 25, 2025

TERRY L. JONES
2207

RENEWAL DATED JUNE 26, 2023

CENTERLINE 10' SEPTIC EASEMENT

LINE	BEARING	DISTANCE
L1	N 01°22'19" W	50.07'
L2	S 48°05'53" E	6.35'
L3	S 21°09'24" W	53.18'
L4	S 57°13'39" W	28.66'



LINE	BEARING	DISTANCE
L5	N 01°22'19" W	23.01'
L6	N 04°48'16" E	24.40'

FD. 5/8" I.R. w/Y.P.C. MARKED
TLS 1285" - FLUSH
HELD (P34)

DOC. NO. 2006-007802
LOT LINE ADJUSTMENT

DOC. NO. 2007-008948
LOT LINE ADJUSTMENT

SURVEY BY:
TERRY JONES
11765 HWY 101 SOUTH
TILLAMOOK, OR. 97141
(503) 801-0967

SURVEY FOR:
SCOTT GESIK
BOUNDARY LINE ADJUSTMENT BETWEEN
PARCELS 1 AND 2 OF PARTITION PLAT
2021-4
NE 1/4 NE 1/4 SECTION 24, T5S, R11W, W.M.
TILLAMOOK COUNTY, OREGON

DATE	EQUIPMENT	HIPER V	FIELD	DRAWN	CHECKED	JOB NO.
DEC. 18, 2023	TOPCON ES-103	FC-5000	CREW	TLJ	TLJ	

RECEIVED
DEC 19 2023
BY:

GESIK-BLA.DOC
GESIK 2023 BLA.DWG
FILE.CRS