



1510 – B Third Street
Tillamook, Oregon 97141
www.tillamook.or.us
Building (503) 842-3407
Planning (503) 842-3408
Sanitation (503) 842-3409
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Land of Cheese, Trees and Ocean Breeze

NON-CONFORMING MINOR REVIEW
#851-22-000104-PLNG: NESTLERODE & DOLLAHITE

*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: May 23, 2022

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

#851-22-000104-PLNG: A Non-Conforming Minor Review request to allow the alteration of an existing non-conforming single-family dwelling. *The existing dwelling is located within the 100-foot resource zone setback from the Forest (F) zone boundary and is a non-conforming structure.* The subject property is located at 5355 South Fairway Road, a County road. The subject property is located within the Neskowin Unincorporated Community and is designated as Tax Lot 4100 in Section 36AB of Township 5 South, Range 11 West of the Willamette Meridian, Tillamook County, Oregon. The subject property is zoned Neskowin Low Density Residential (NeskR-1). Applicant is Chris Nestlerode. Property Owner is Derek Dollahite.

Written comments received by the Department of Community Development prior to 4:00pm on June 6, 2022, will be considered in rendering a decision. Comments should address the 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 250 feet 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. A decision will be made no sooner than the next business day, June 7, 2022.

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 x 3412 or email Lynn Tone, DCD Office Specialist, at ltone@co.tillamook.or.us.

Sincerely,

A handwritten signature in blue ink that reads "Sarah Absher".

Sarah Absher, CFM, Director

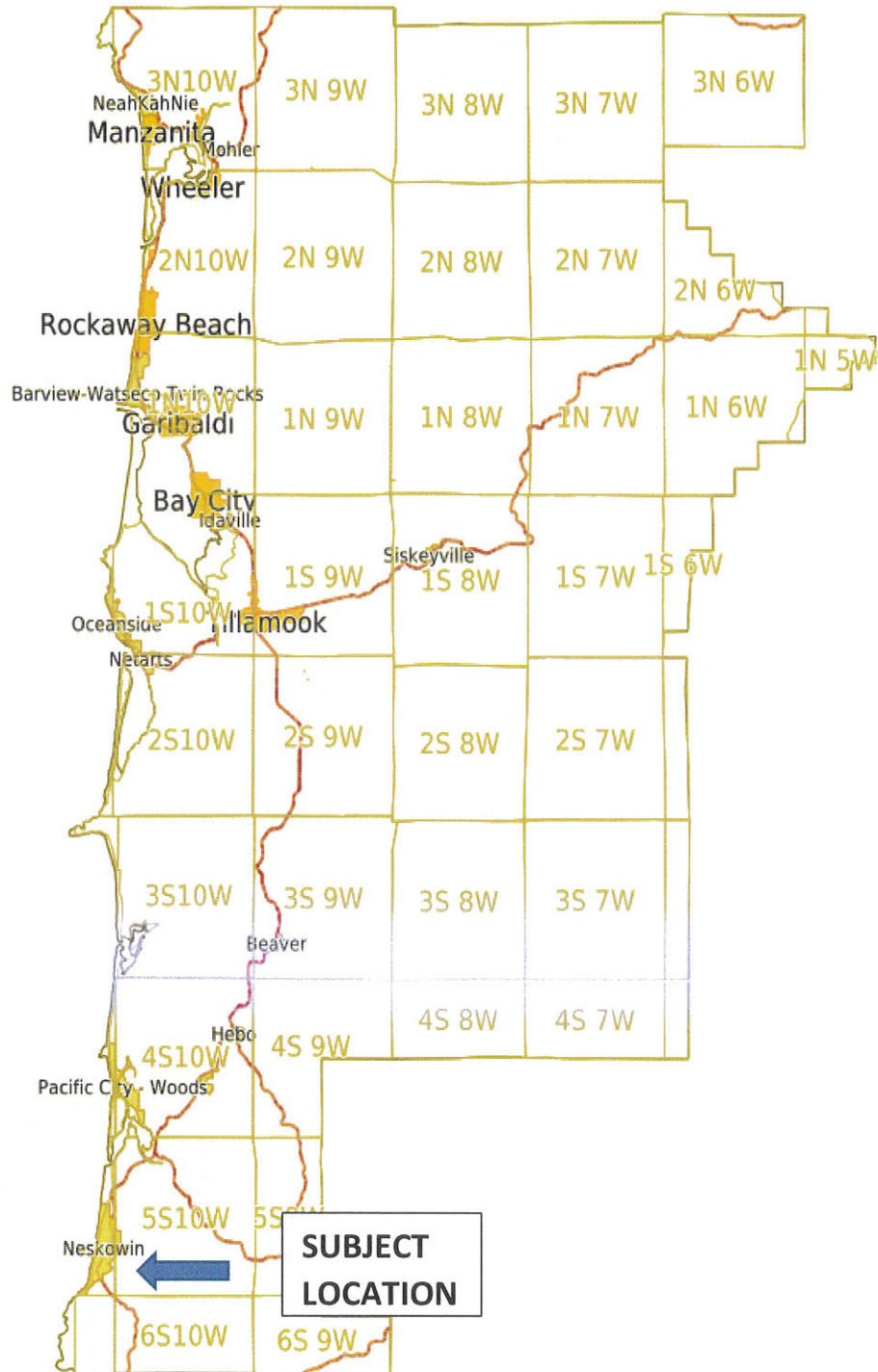
Enc. Maps, Site Plan, Applicable Ordinance Criteria

REVIEW CRITERIA

TCLUO SECTION 7.020: NONCONFORMING USES AND STRUCTURES

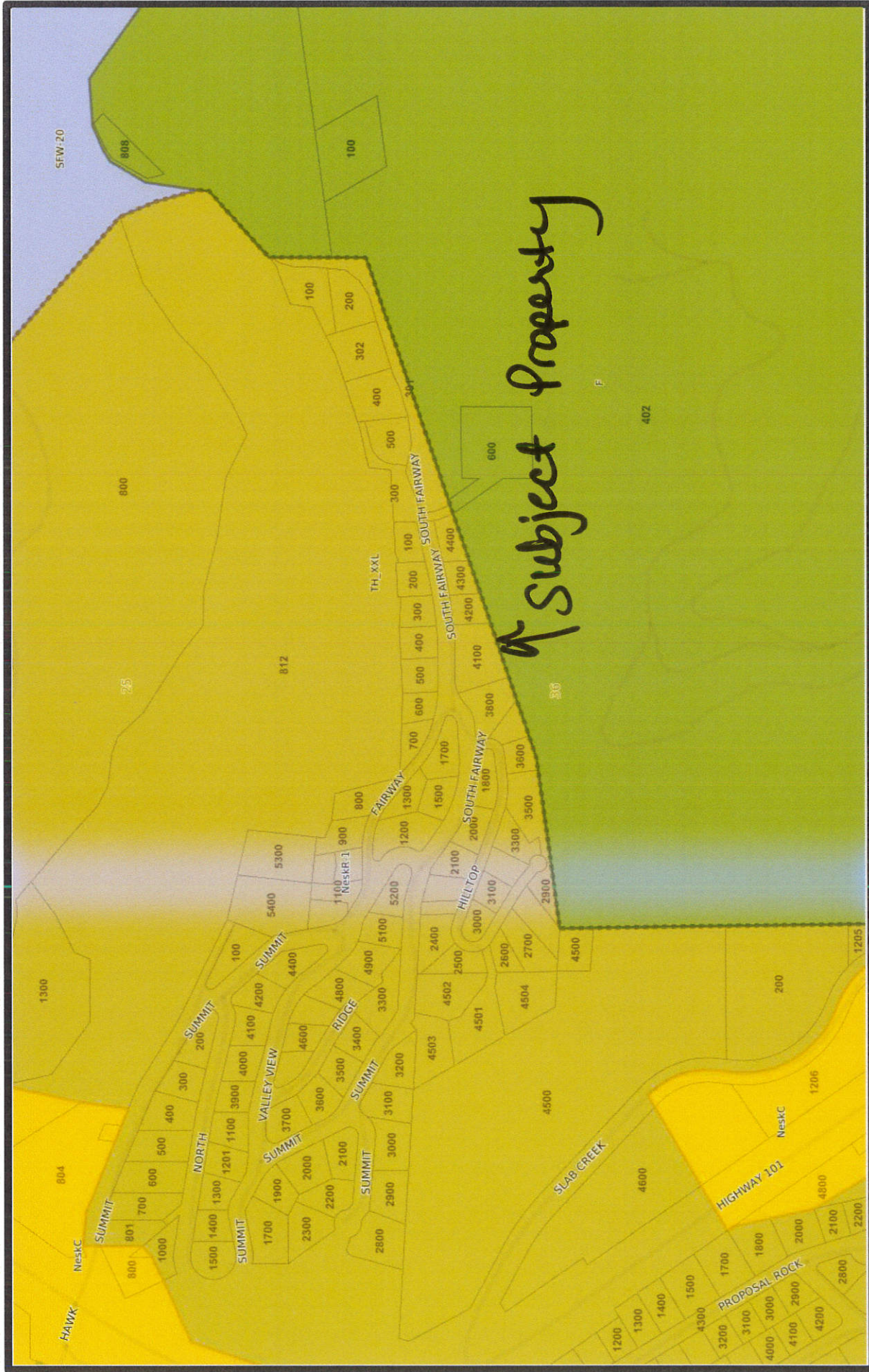
- (11) **MINOR REVIEW:** Application is made under the fee and procedures for a Type II Administrative Review and is reviewed using the following review criteria. A request may be permitted if:
- (a) The request will have no greater adverse impact on neighboring areas than the existing use or structure 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. Numbers and kinds of vehicular trips to the site;
 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;
 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.
 - ii. The character and history of the use and of development in the surrounding 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.

VICINITY MAP



#851-22-000104-PLNG: NESTLERODE & DOLLAHITE

Map





Tillamook County Department of Community Development
 1510-B Third Street, Tillamook, OR 97141 | Tel: 503-842-3408 Fax: 503-842-1819
www.co.tillamook.or.us

PLANNING APPLICATION

Applicant (Check Box if Same as Property Owner)

Name: CHRIS NESTREKOR Phone: 503-341-6801
 Address: 2850 SW CEDAR HILLS BLVD. #106
 City: BEARINGTON State: OR Zip: 97005
 Email: CHRIS@PDSLEENW.COM

Property Owner

Name: Derek Dollahite Phone: 512-417-9312
 Address: 5355 S Fairway Rd
 City: Neskowin State: OR Zip: 97149
 Email: dwdollahite@gmail.com

| OFFICE USE ONLY | |
|--|---------------------------------|
| Date Stamp | |
| | |
| <input type="checkbox"/> Approved | <input type="checkbox"/> Denied |
| Received by: | |
| Receipt #: | |
| Fees: <u>843-</u> | |
| Permit No: <u>85122 - DDD104 - PLNG</u> | |

Request:

BUILDING ADDITION + NEW STRUCTURE

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
- Foredune 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: 5355 S FAIRWAY RD, NESKOWIN OR
 Map Number: 5S1136AB04100

| | | | |
|----------|-------|---------|------------|
| 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.

| | |
|-------------------------------------|---------|
| | 3-15-22 |
| Property Owner Signature (Required) | Date |
| | 3-15-22 |
| Applicant Signature | Date |

ARTICLE VII: MINOR REVIEW CRITERIA

(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;
 - a. **Construction work shall be done at normal business hours and shall consist of standard construction practices and shall not produce any adverse offenses.**
 - b. **The addition to the structure is residential in nature and shall maintain the historic use of the property.**
 2. Numbers and kinds of vehicular trips to the site;
 - a. **The property is and shall remain residential with normal vehicular trips.**
 3. Amount and nature of outside storage, loading and parking;
 - a. **There is no change to the existing parking. This is a residential structure and shall remain as such, with no added exterior storage and no loading areas as might exist in a commercial property.**
 4. Visual impact;
 - a. **This is a residential structure with an addition to match the existing look and materials as the original house. The added den is being used as an art studio/office as part of a residential use.**
 5. Hours of operation;
 - a. **This is a residential structure and use, there are no hours of operation.**
 6. Effect on existing vegetation;
 - a. **There is existing vegetation that will be disturbed at the site of the new "Den" (studio/office) as well as at the addition to the house. The vegetation is all low lying ground cover such as ferns and grasses, the intent is to build the structures into the surrounding environment.**
 7. Effect on water drainage and water quality;
 - a. **The new structure and the addition will not effect water quality. The existing structure and the new structure are on concrete piers and set above grade to reduce any effects to the existing drainage.**

8. Service or other benefit to the use or structure provides to the area; and
 - a. **This is a residential structure and is an expansion of the existing house.**
 9. Other factors relating to conflicts or incompatibility with the character or needs of the area.
 - a. **There are no know conflicts or incompatibilities, the project is an addition to a single-family residence is a single-family residential area.**
- ii. The character and history of the use and of development in the surrounding 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.
 - a. **The structures are separated, they are only connected by a set of stairs connecting two decks, one above grade at the level of the existing house and one deck at grade level attached to the new "Den"(studio / office), otherwise the structures are more than 18ft apart.**

The Department may require the applicant to submit a site survey or similar information to assist in making these determinations.

A site survey / site plan are provided in the application.

