



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

**NOTICE OF ADMINISTRATIVE REVIEW
PARTITION REQUEST #851-21-000331-PLNG:
MELTON / ONION PEAK DESIGN**

*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: September 16, 2021

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

#851-21-000331-PLNG: A partition request to create two (2) residential parcels. Located within the unincorporated community of Neah-Kah-Nie via Nehalem Road, a County road. The subject property is designated as Tax Lot 1200 of Section 20DC, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County Oregon. The subject property is zoned Neahkahnie Urban Residential Zone (NK-7.5, NK-15, NK-30). Property owners are Byron & Vicki Melton. Applicant is Onion Peak Design.

Written comments received by the Department of Community Development prior to 4:00p.m. on September 30, 2021, 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 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. The decision will be rendered no sooner than October 1, 2021.

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 3315 or arimoldi@co.tillamook.or.us.

Sincerely,

Angela Rimoldi, Planning Permit Technician

Sarah Absher, CFM, Director

Enc. Applicable Ordinance Criteria
Vicinity, Assessor and Zoning Maps

#851-21-000331-PLNG: MELTON & ONION PEAK DESIGN

REVIEW CRITERIA

TILLAMOOK COUNTY LAND DEVELOPMENT ORDINANCE

SECTION 3.300: NEAHKAHNIE URBAN RESIDENTIAL ZONES (NK-7.5, NK-15, NK-30)

(4) **STANDARDS:** Land divisions in the NK-7.5, NK-15 and NK-30 zones shall conform to the following standards, unless more restrictive supplementary regulations apply:

- (a) The minimum size for the creation of new lots or parcels shall be 7,500 square feet in the NK-7.5 zone; 15,000 square feet in the NK-15 zone and 30,000 square feet in the NK-30 zone with the following exceptions:
 - 1. The provisions of the cluster subdivision section of the Land Division Ordinance or of the PD Overlay zone in the Land Use Ordinance may be used to concentrate development on a portion of a contiguous ownership except that no lots shall be created that are less than 7,500 square feet.
 - 2. In the Neahkahnie Special Hazard Area, the minimum lot size shall be determined in accord with the requirements of Section 4.070 of the Land Use Ordinance, but such lots shall not be smaller than the minimums provided in the NK-7.5, NK-15 and NK-30 zones.
- (b) The minimum lot width shall be 60 feet.
- (c) The minimum lot depth shall be 75 feet.
-
- (f) The minimum rear yard shall be 20 feet, except on a street corner lot where it shall be 5 feet
-

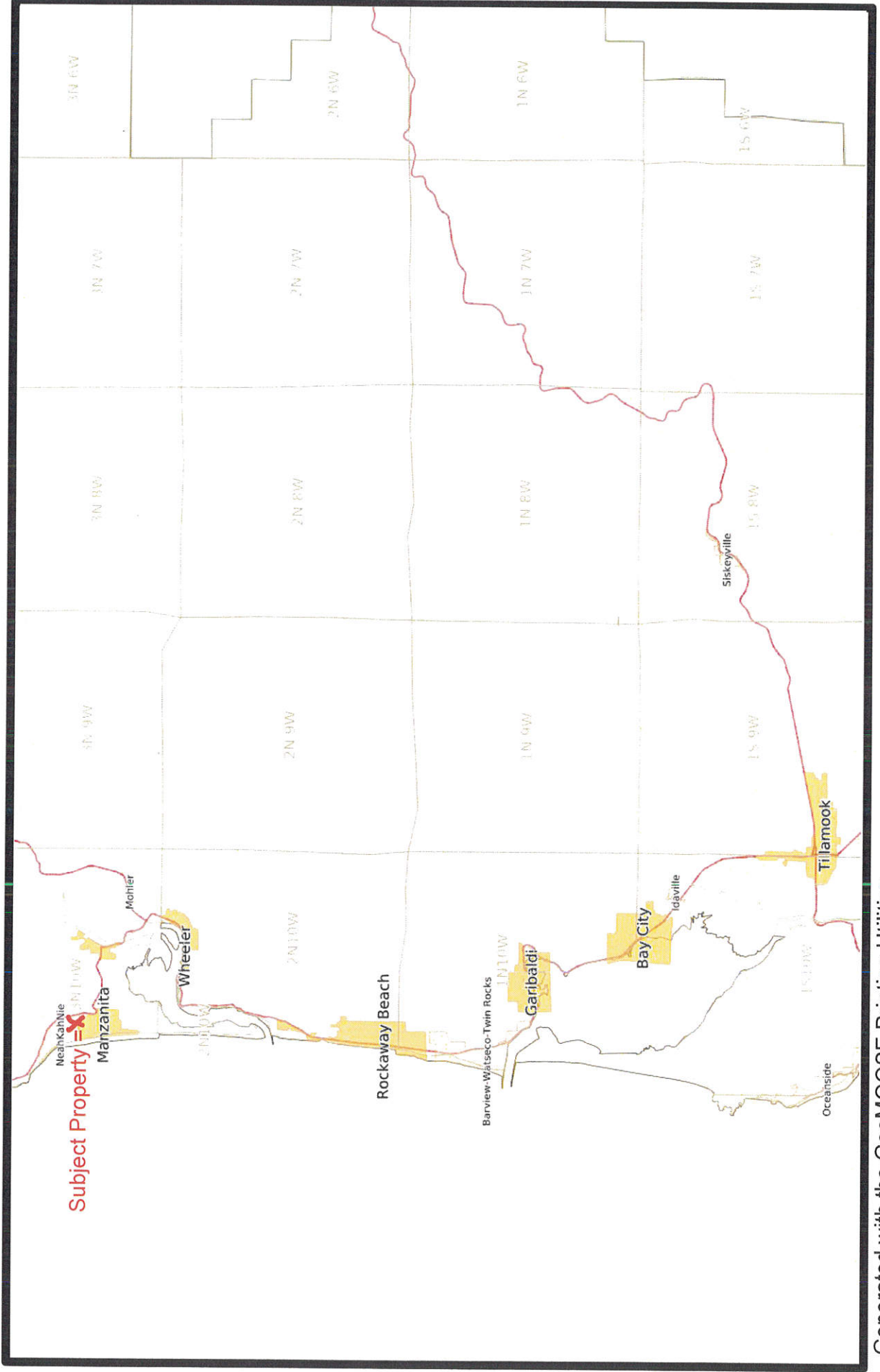
TILLAMOOK COUNTY LAND DIVISION ORDINANCE

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.

VICINITY Map



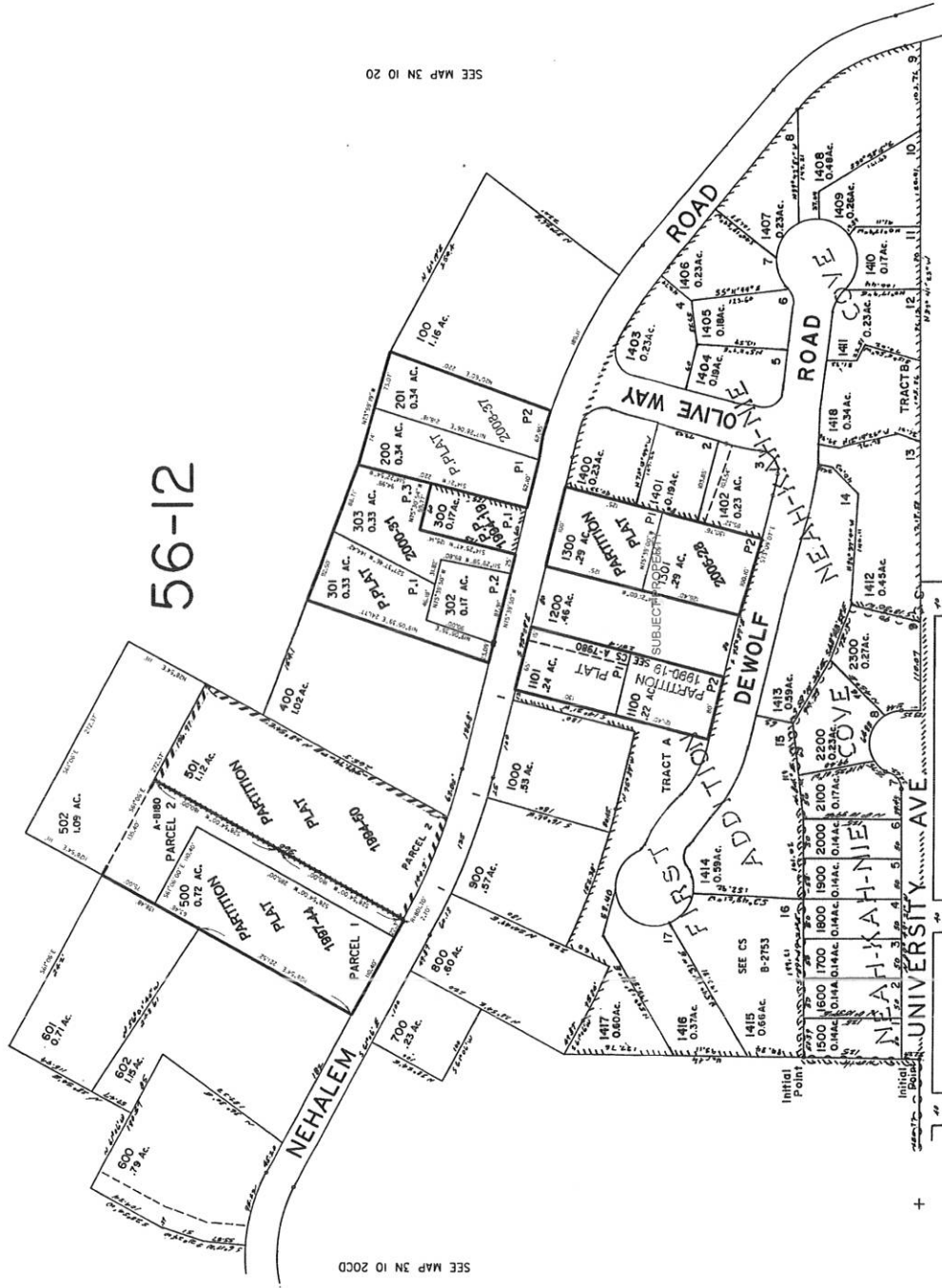
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SW1/4 SE1/4 SEC.20 T.3N. R.10W. W.M.
TILLAMOOK COUNTY
1" = 100'

3N 10 20DC

CANCELLED NO.
1419

SEE MAP 3N 10 20



SEE MAP 3N 10 20

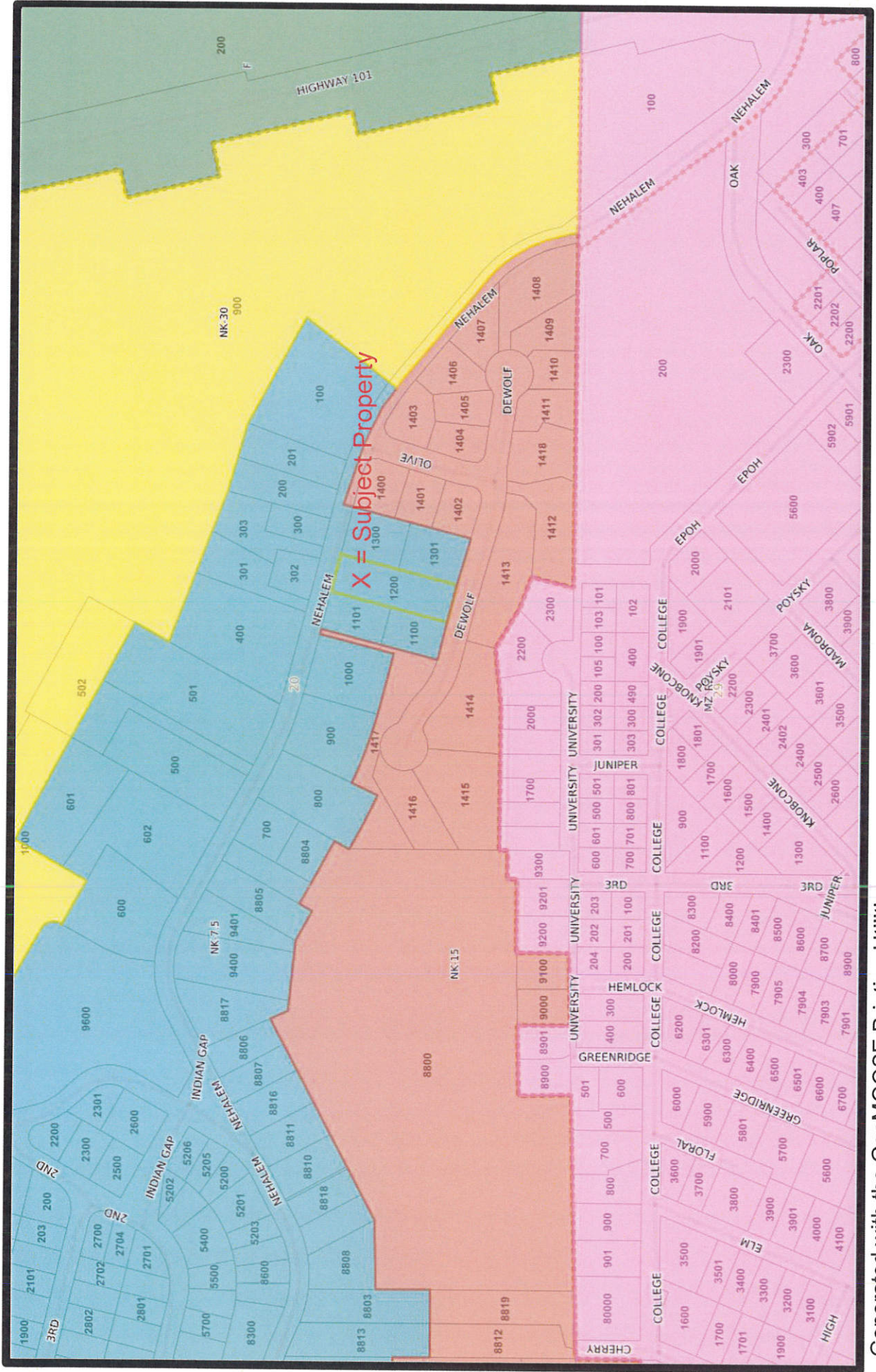
SEE MAP 3N 10 20DC

SEE MAP 3N 10 29AB

56-11

3N 10 20DC
REVISED 12/01/08, WS

ZONING Map





LAND DIVISION APPLICATION

Applicant (Check Box if Same as Property Owner)

Name: Onion Peak Design Phone: 503-440-4403
 Address: 11460 Evergreen Way
 City: Nehalem State: OR Zip: 97131
 Email: erick.opd@gmail.com

Property Owner

Name: Byron & Vicki Melton Phone: 503-807-3370
 Address: PO Box 618
 City: Manzanita State: OR Zip: 97130
 Email: redtruc@nehalemel.net

OFFICE USE ONLY	
Date Stamp	
RECEIVED	
AUG 16 2021	
BY: <i>RED</i>	
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by: <i>DAK</i>	
Receipt #:	
Fees: \$409.00	
Permit No: 851-21-000331-PLNG	

Location:

Site Address: 9355 Nehalem Road, Nehalem, OR 97131

Map Number:	3N	10W	20 DC	1200
	Township	Range	Section	Tax Lot(s)

Land Division Type: Partition (Two or Three Lots, Type II) Subdivision (Four or More Lots, Type III)
 Preliminary Plat (Pages 1-2) Final Plat (Page 3)

PRELIMINARY PLAT (LDO 060(1)(B))

- For subdivisions, the proposed name.
- Date, north arrow, scale of drawing.
- Location of the development sufficient to development sufficient to define its location, boundaries, and a legal description of the site.

General Information

- Parcel zoning and overlays
- Title Block
- Clear identification of the drawing as "Preliminary Plat" and date of preparation
- Name and addresses of owner(s), developer, and engineer or surveyor

- Fifteen (15) legible "to scale" hard copies
- One digital copy

Existing Conditions

- Existing streets with names, right-of-way, pavement widths, access points.
- Width, location and purpose of existing easements
- The location and present use of all structures, and indication of any that will remain after platting.
- Location and identity of all utilities on and abutting the site. If water mains and sewers are not on site, show distance to the nearest one and how they will be brought to standards
- Location of all existing subsurface sewerage systems, including drainfields and associated easements

- Ground elevations shown by contour lines at 2-foot vertical interval. Such ground elevations shall be related to some established benchmark or other datum approved by the County Surveyor
- The location and elevation of the closest benchmark(s) within or adjacent to the site
- Natural features such as drainage ways, rock outcroppings, aquifer recharge areas, wetlands, marshes, beaches, dunes and tide flats
- For any plat that is 5 acres or larger, the Base Flood Elevation, per FEMA Flood Insurance Rate Maps

Other information:

Proposed Development

- 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 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 off-right-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 Water
- Dedication for public use Public Works
- Engineering/Survey

Additional Information:

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.

By: *Maika Viki Melta* Aug 4, 2021
Property Owner (*Required) Date
Al Wh (Omon Peak) 8-13-21
Applicant Signature Date

NOTES

THIS MAP DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE SUBJECT PROPERTY. THE PURPOSE OF THIS MAP IS TO SHOW THE PROPOSED PARTITION AS PER TILLAMOOK COUNTY PLANNING DEPARTMENT PROCEDURES. PUBLIC WATER AND SEWER ARE AVAILABLE THROUGH PUBLIC SYSTEMS LOCATED WITHIN RIGHT-OF-WAYS.

OWNER

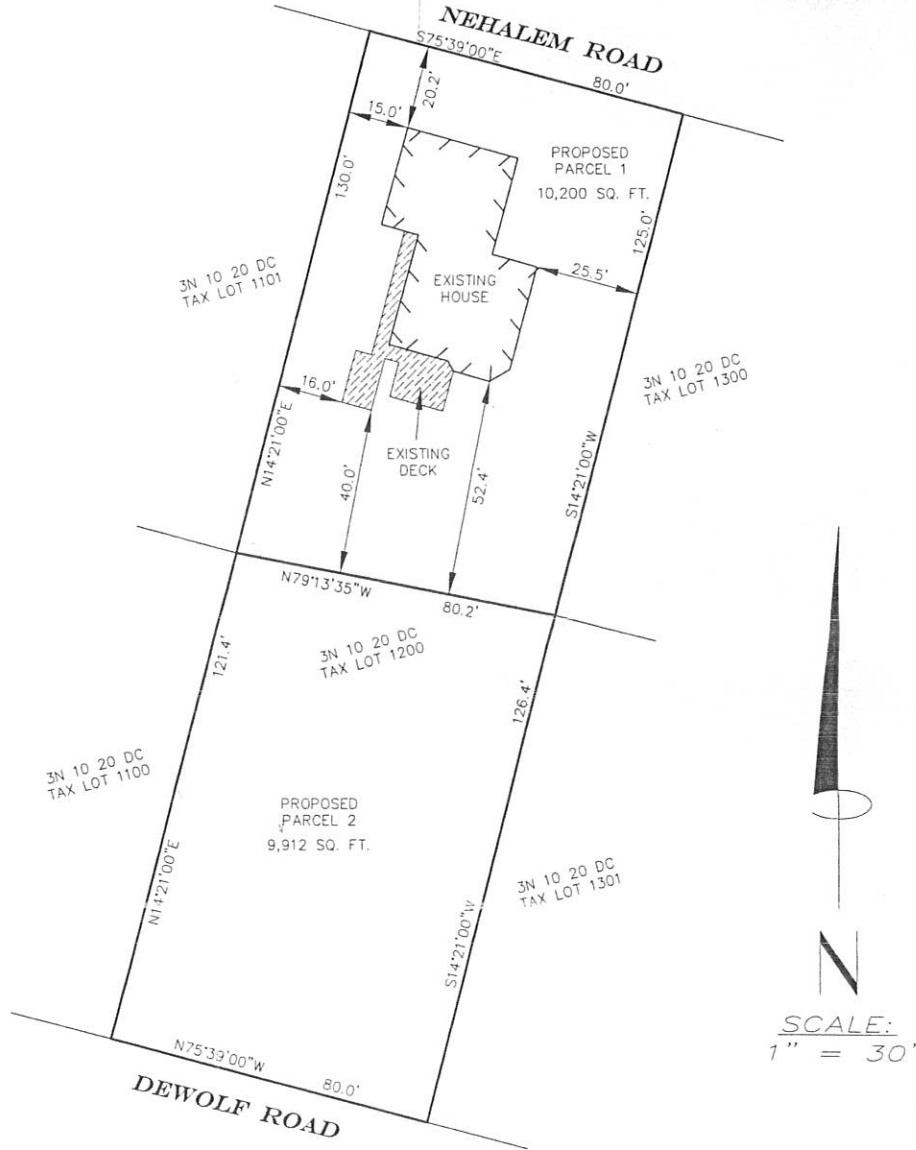
BYRON & VICKI MELTON
PO BOX 618
MANZANITA, OR 97130

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Erick M. White

OREGON
APRIL 28, 2014
ERICK M. WHITE
78572

RENEWS 6/30/2022



**ONION PEAK
DESIGN**

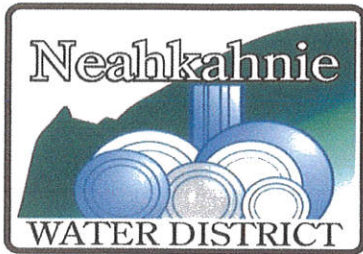
11460 EVERGREEN WAY
NEHALEM, OR 97131
(503) 440-4403

PROPOSED PARTITION FOR:
MELTON

3N 10 20 DC
TAX LOT 1200

SW 1/4, SE 1/4, SECTION 20, T3N, R10W, W.M.
TILLAMOOK COUNTY
AUGUST 2, 2021

"MELTON" #A2021
MELTON2108-EX.DWG



9155 Nehalem Road a Nehalem Oregon 97131
(503) 368-7309

DATE: August 9, 2021, 2021

TO: Tillamook County One-Stop Permit Counter

Tillamook County Department of Community Development
1510 – B Third Street
Tillamook, Oregon 97141

FROM: Neahkahnie Water District

Re: Water Availability Letter – Byron & Vicki Melton - Tax Lot # 1200

Dear Sir/Madame,

The property identified in the above-captioned application is included within this District for purposes of receiving water services and is subject to the ordinances of this District:

Township: 03N Range: 10W Section: 20DC Tax lot(s): 1200

According to our records, the legal owner is: Byron & Vicki Melton

9355 Nehalem Road. Nehalem, OR 97131

COMMENTS: Street number not yet assigned - pending

Per District Water Regulations (see current ordinance in force) this letter in and of itself does not guarantee water service connections for any home built on this (these) lots in the future. Each proposed residence shall have an approved building permit from the county. A water service connection will be allowed following submittal of a completed District water service application, payment of fees, and certification of compliance with any and all other District regulations in place at the time water service is requested.


Carrie Mock

General Manager
Signature and Title of Authorized Representative

503-368-7309
Phone

WARRANTY DEED
(Statutory Form)

BOOK 345 PAGE 523

GRANTOR: TONY GIURIOLO AND MAE A. GIURIOLO AND CECIL H. WERNER AND ARLENE C. WERNER

CONVEYS AND WARRANTS TO

GRANTEE: BYRON MELTON AND VICKI MELTON, as husband and wife

the following described real property free of encumbrances except as specifically set forth herein:

"See Attached Legal."

18-11125

"Subject to any liens or encumbrances placed or suffered to be placed upon the property by the grantee herein of this fulfillment Deed on and after August 8, 1989."

THIS INSTRUMENT WILL 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 APPROVED USES.

The true and actual consideration for this transfer stated in terms of dollars is \$. However, if the actual consideration consists of or includes other property or other value given or promised, such other property or value was part of the / the whole of the (indicate which) consideration.

If grantor is a corporation, this has been signed by authority of the Board of Directors.

DATED: September 24, 1992

Cecil H. Werner
Cecil H. Werner
Arlene C. Werner

GRANTOR: Tony Giuriolo
Mae A. Giuriolo

Until a change is requested, all tax statements shall be sent to the following address:

No change: Tax Account 3N10 20DC 1200 Id#5612

STATE OF OREGON, County of Clackamas
Date: Sept. 24, 1992
Personally appeared the above named Tony Giuriolo
Mae A. Giuriolo, Cecil Werner, Arlene Werner
and acknowledged the foregoing instrument to be
their voluntary act and deed. Before me:
Gayla A. Hansen
Notary Public for Oregon
My commission expires: 1-7-95

STATE OF OREGON, County of Clackamas
Date: September 24, 1992
Personally appeared Tony Giuriolo who being sworn, stated
that he/she is the grantor of the grantor corporation. Before
me:
Gayla A. Hansen
Notary Public for Oregon
OFFICIAL SEAL
GAYLA A. HANSEN
NOTARY PUBLIC - OREGON
COMMISSION NO. 003747
MY COMMISSION EXPIRES MAR. 7, 1995

WARRANTY DEED
Giuriolo TO Melton
Werner
AFTER RECORDING RETURN TO
Byron Melton
P.O. box 619
Manzanita, Oregon 97130

STATE OF OREGON, County of _____
I certify that the within instrument was received for
record on the _____ day of _____
19____ at _____ o'clock
M., and recorded in book _____ on page _____
Witness my hand and seal of County affixed.
County Clerk
By _____ Deputy.

The East one half (80 feet) of all the following described property lying Westerly of a line which is located 260 feet Easterly of and parallel to the Westerly line of the following described tract of land, to-wit: Commencing at an iron pipe at the intersection of the centerlines of Hill Crest Road and Nehalem Road in the Township of Neah-Kah-Nie Mountain; thence North 61° 54' East (equals North 62° 09' East of the meridian of the Plat of Neah-Kah-Nie Mountain) 385.8 feet; thence on a curve to the right 192.5 feet with a radius of 193.5 feet, through an angle of 57° 00'; thence on a tangent South 61° 06' East 359.9 feet; thence on a curve left 203.2 feet, radius of 821.7 feet, angle 14° 33'; thence on a tangent South 75° 39' East 112.0 feet; thence South 14° 21' West 20 feet from the centerline of the Nehalem Road to the point of beginning of the tract of land to be described, which point is also 12.0 feet East of the East line of the Fred P. Hunke tract described in Book 35, Page 200, Tillamook County, Oregon Records of Deeds, thence South 14° 21' West 251.4 feet, 12.0 feet East and parallel to the East side of said Fred P. Hunke tract; thence South 75° 39' East 260.0 feet; thence North 14° 21' East 251.4 feet to a point which is South 14° 21' West 20.0 feet from the centerline of Nehalem Road; thence North 75° 39' West 260.0 feet to the place of beginning, all in Section 20, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County, Oregon.

317849

I hereby certify that the within instrument was received for record and recorded in the County of Tillamook, State of Oregon.



BOOK 345 PAGE 523

Witness my hand and seal affixed: JOSEPHINE VELTZ, County Clerk

Josephine Veltz Deputy
 Deed A&T
 Map PLCP
 Lien Adm

SEE MAP