



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

VARIANCE REVIEW REQUEST #851-21-000320-PLNG: HAMBURGER
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: October 25, 2021

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

#851-21-000320-PLNG: A Variance request to reduce required 20 foot side-yard setback to 10 feet for the replacement of an existing structure (Dwelling) on a property located within Unincorporated Tillamook County. The subject property is located at 7815 Rocky Road, a private road, and is designated as Tax Lot 206 in Section 17 of Township 2 South, Range 9 West of the Willamette Meridian, Tillamook County, Oregon. The applicant is Jody Hamburger, and the owner Linda L. Lepin.

Written comments received by the Department of Community Development prior to 4:00p.m. on November 9, 2021 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, November 10, 2021.

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:
<http://www.co.tillamook.or.us/gov/ComDev/planning/default.htm> 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 x3317 or claws@co.tillamook.or.us

Sincerely,


Christopher S. Laws, Planner II

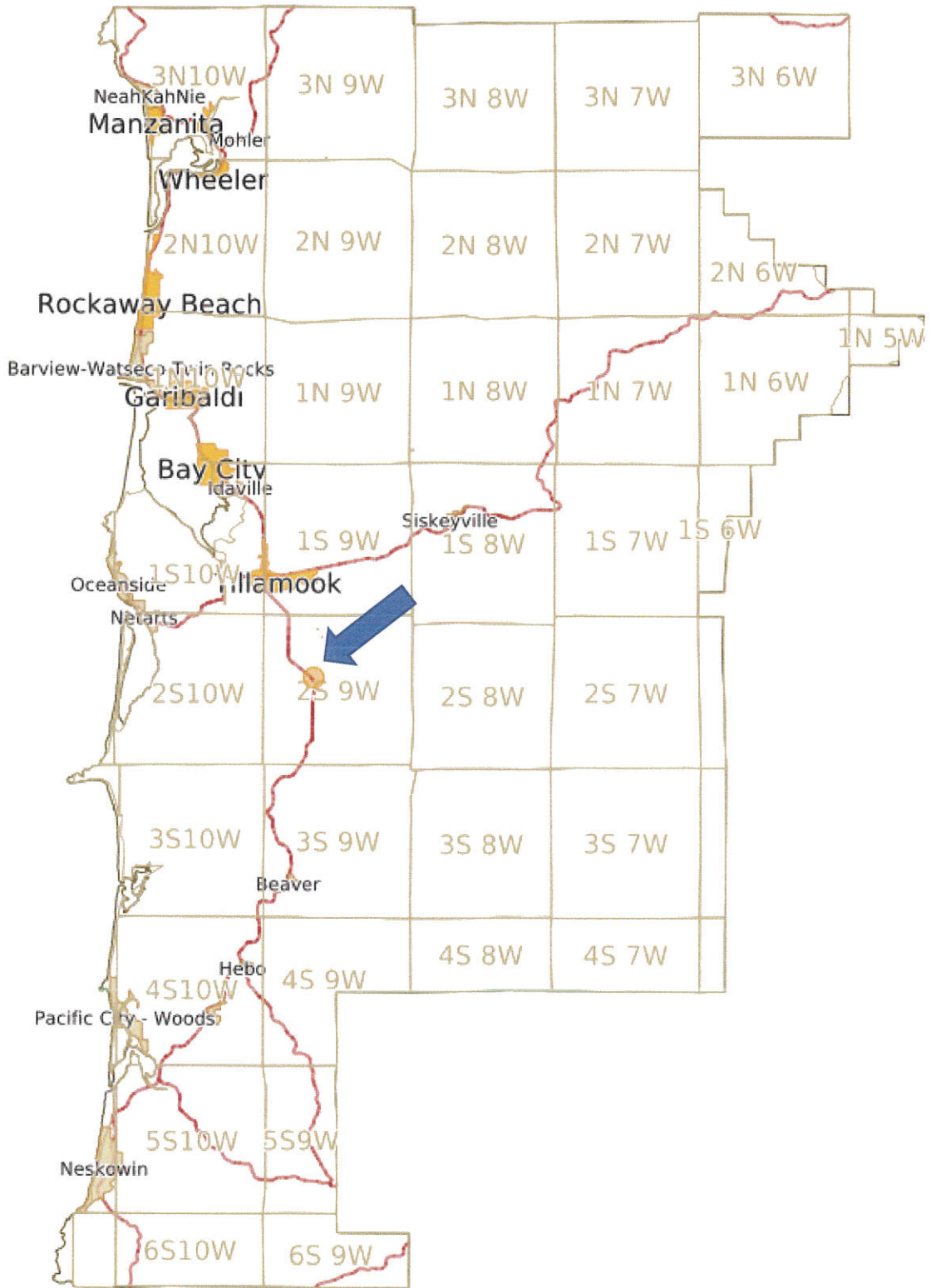

Sarah Absher, CFM, Director

REVIEW CRITERIA

TCLUO ARTICLE VIII:

- (a) SECTION 8.030: REVIEW CRITERIA
- (b) A VARIANCE shall be granted, according to the procedures set forth in Section 8.020, if the applicant adequately
- (c) demonstrates that the proposed VARIANCE satisfies all of the following criteria:
 - (d) (1) Circumstances attributable either to the dimensional, topographic, or hazardous characteristics of a legally
 - (e) existing lot, or to the placement of structures thereupon, would effectively preclude the enjoyment of a
 - (f) substantial property right enjoyed by the majority of landowners in the vicinity, if all applicable standards
 - (g) were to be met. Such circumstances may not be self-created.
 - (h) (2) A VARIANCE is necessary to accommodate a use or accessory use on the parcel which can be
 - (i) reasonably expected to occur within the zone or vicinity.
 - (j) (3) The proposed VARIANCE will comply with the purposes of relevant development standards as
 - (k) enumerated in Section 4.005 and will preserve the right of adjoining property owners to use and enjoy
 - (l) their land for legal purposes.
- (4) There are no reasonable alternatives requiring either a lesser or no VARIANCE.

AREA MAP



THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

SECTION 17 T.2S. R.9W. W.M.
TILLAMOOK COUNTY

02S09W17

CANCELLED
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20
403
404
801
1201
1700
1701



SEE MAP 2S 9W 8

SEE MAP 2S 9W 8C

SEE MAP 2S 9W 16

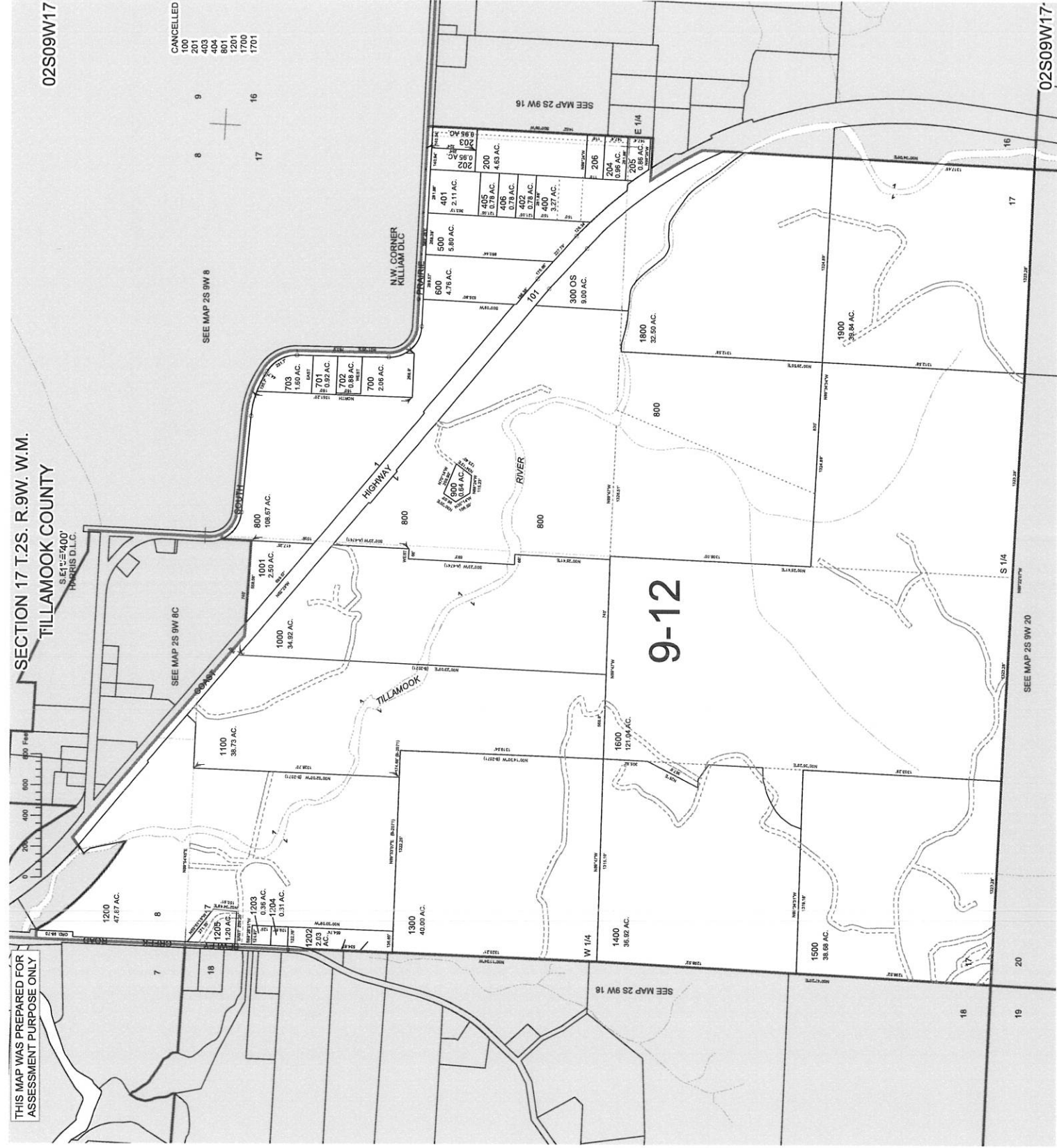
SEE MAP 2S 9W 20

NW CORNER
KILLIAM DLC

HIGHWAY

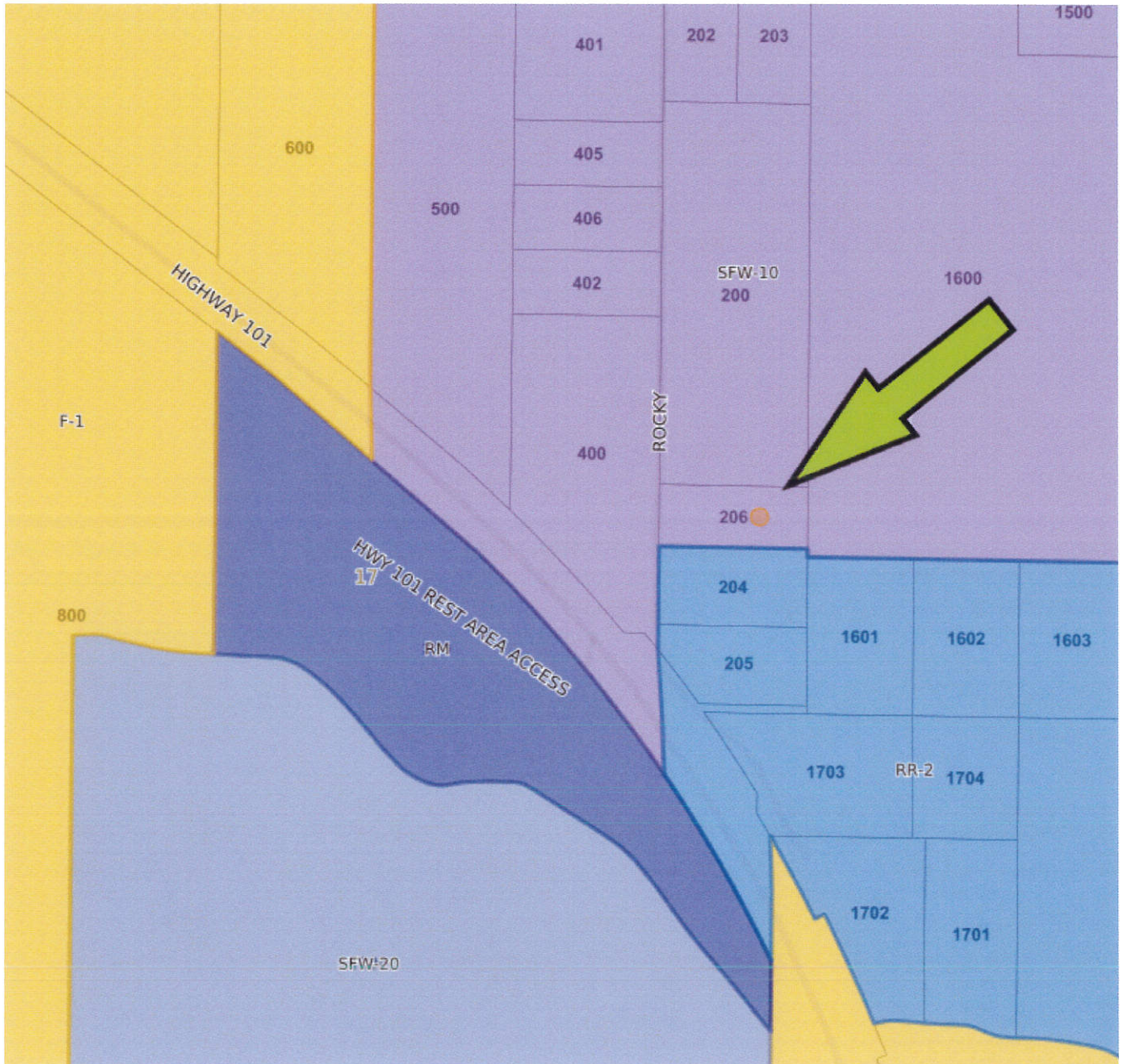
TILLAMOOK RIVER

9-12



02S09W17

Revised 1/18/19, WS



SFW 10



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: Jody Hamburger Phone: 503-801-3412

Address: 308 Douglas Ave.

City: Tillamook State: Oregon Zip: 97141

Email: timjody@embargo.com

Property Owner

Name: _____ Phone: _____

Address: _____

City: _____ State: _____ Zip: _____

Email: _____

OFFICE USE ONLY	
Date Stamp	
RECEIVED	
AUG 09 2021	
DV. _____	
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by: <u>SS</u>	
Receipt #:	
Fees: <u>1089.00</u>	
Permit No:	
851- <u>21-000320</u> PLNG	

Request: Variance to reduce required 20 Foot sideyard setback to 10 feet for the replacement of an existing structure. Dwelling

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: 7015 Rocky Road, Tillamook Oregon 97141

Map Number: 25 9 17 206
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.

Jody Hamburger
Property Owner Signature (Required)

8.7.21
Date

Applicant Signature

Date

Section 8.030 Review Criteria

- 1} We are replacing an existing home with a new stick built home. Due to existing structures, a garage, we cannot meet 20' setback requirements.
- 2} We are replacing an existing house that is allowed outright in this zone.
- 3} 1- There is plenty of open space on the property. The property is just under 1 acre, and we will construct a single family dwelling.
2- The new structure will be one level, as to not obstruct light or air to neighboring houses.
- 4} There are no reasonable alternatives due to existing structures, a garage, a shed and waterlines.

Article IV
Supplementary Regulations

Refer to question #3 above for answers to 1 and 2.

- 3} Our existing structures do now, and the house we are building, will provide adequate room for access of emergency vehicles such as fire equipment and ambulances.
- 4} A new single family, one level home will be constructed, to replace a single family, one level home that exists in a single family neighborhood.
- 5} Everything will be contained within the existing property lines.
- 6 & 7} To ensure that driver visibility on adjacent roads will not be obstructed and that there will be safe access to and from common roads, we will be using the now existing driveway.
- 8} To ensure that pleasing views will not be obstructed, we will be constructing a single story structure.
- 9} we will be building a single story house in a residential neighborhood.
- 10} To ensure access to radiation for the purpose of alternative energy production for our neighbors and ourselves should that be requested at a later date, we will be building a single story home.

Thankyou for your time and consideration
in this matter.

Tim + Jody Hamburger

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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF TILLAMOOK

In the Matter of the Estate of:

LINDA LEPIN,
Deceased.

No.

DECLINATION TO ACT
AS PERSONAL REPRESENTATIVE
(Kristi Zimmerman, fka Zabel)

I, Kristi Zimmerman, fka Kristi Zabel, after being sworn, do hereby depose and say:

1. That I am the daughter of Linda Lepin, the decedent;

2. That I am the named first choice as Personal Representative of Linda Lepin in her Last Will and Testament, dated April 28, 2014;

3. I am unable to serve as Linda Lepin's estate's Personal Representative and I hereby resign from that position.

4. I fully understand that, because of my resignation, my only sibling, Jody Hamburger, will be serving as Personal Representative, and I fully support that conclusion.

DATED this 21 day of April, 2021.

