## **Tillamook County**

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



1510 – B Third Street Tillamook, Oregon 97141 www.co.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

Nonconforming Major Review Request #851-22-000151-PLNG: COULTER

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:

#851-22-000151-PLNG: A Nonconforming Major Review request for a remodel and expansion of a non-conforming single-family dwelling. The subject property is located at 35465 Rueppell Road, a County local access road, and is designated as Tax Lot 4800 in Section 30BD of Township 4 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon. The property is located in the Pacific City/Woods Airpark (PCW-AP) Zone. The applicant is Ronald Coulter. The property owner is David Coulter.

Written comments received by the Department of Community Development prior to 4:00p.m. on June 6, 2022 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, June 7, 2022.

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: <a href="https://www.co.tillamook.or.us/commdev/landuseapps">https://www.co.tillamook.or.us/commdev/landuseapps</a> 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 Ext. 3301 or mjenck@co.tillamook.or.us

Sincerely,

Melissa Jenck, Senior Planner, CFM

Sarah Absher, Director, CFM

Enc. Ma

Applicable Ordinance Criteria

## **REVIEW CRITERIA**

## ARTICLE VII: MAJOR REVIEW CRITERIA

- (11) MINOR REVIEW: Application is made under the fee and procedures for an Administrative Review and is reviewed using the following review criteria. A request may be permitted if:
  - (1) 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) 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.
    - (B) The character and history of the use and of development in the surrounding area.
  - (2) 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 property survey or similar information to assist in making these determinations.

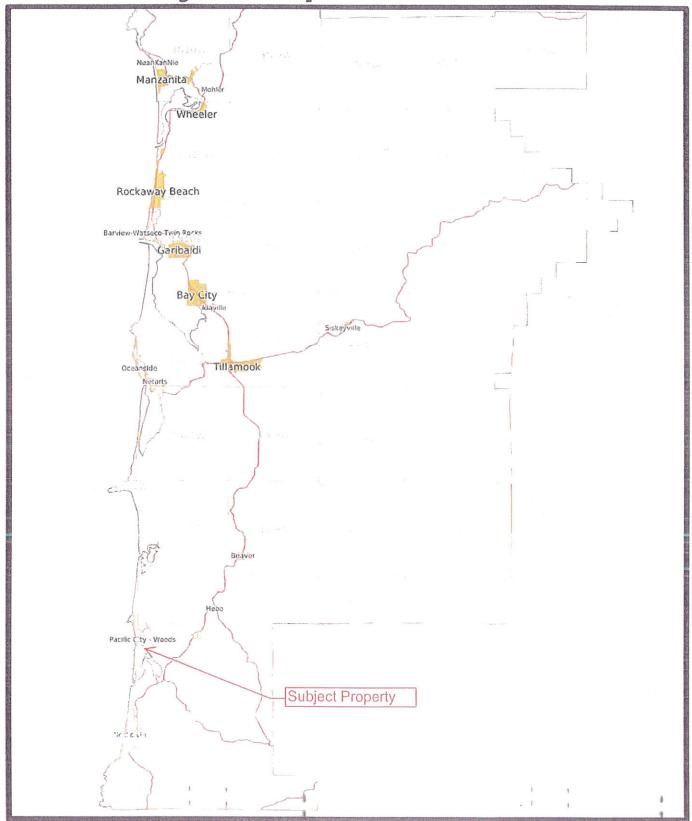
- (12) MAJOR REVIEW: Application is made using the same fee and procedure as for a Conditional Use, but reviewed relative to the following criteria:
  - (1) The proposed alteration or expansion may be allowed only if the nonconforming structure or use is brought into conformance, or the nonconforming structure or use, including the proposed alteration/expansion, meets the following criteria:
- (a) The alteration/expansion meets the Minor Review criteria; and
- (b) Either:
- (i) The nonconforming structure or use, including the proposed alteration/expansion, is consistent with the purposes of relevant development standards as enumerated in Section 4.005 and preserves the rights of neighboring property owners to use and enjoy their land for legal purposes; or
- (ii) The applicant demonstrates that bringing the structure or use into compliance is either physically impracticable or financially onerous, and that mitigation will be implemented and maintained which will substantially offset the impact(s) to neighboring property owners.

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

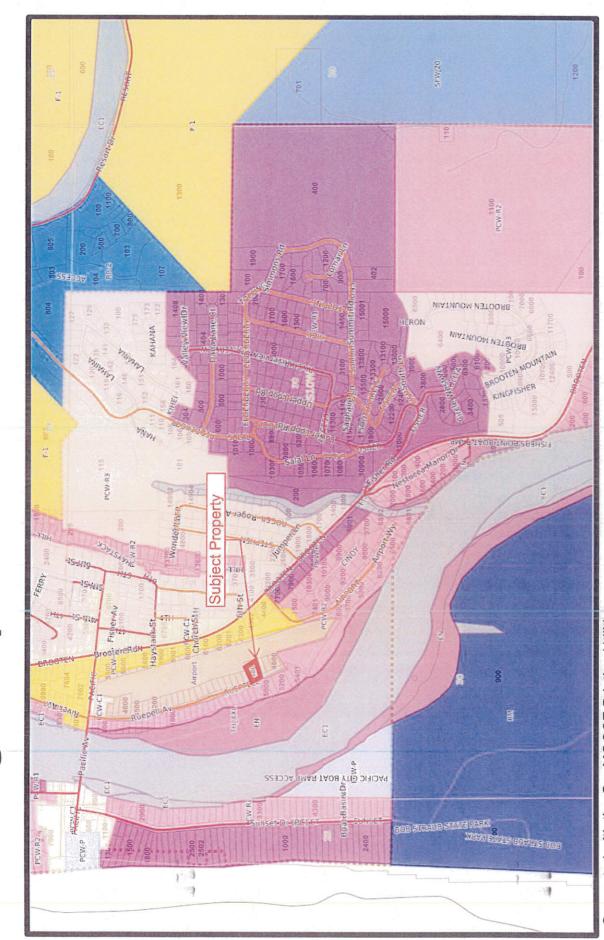
3

## EXHIBIT A

Vicinity Map



## Zoning Map



Generated with the GeoMOOSE Printing Utilities



## **TILLAMOOK County Assessor's Summary Report**

## Real Property Assessment Report

FOR ASSESSMENT YEAR 2021

March 10, 2022 1:44:05 pm

Account #

240698

Map# Code - Tax # 4S1030BD04800

2202-240698

See Record

Legal Descr

Mailing Name COULTER, DAVID

Agent In Care Of

**Prop Class** 

**RMV Class** 

Mailing Address 217 N GRANT AVE

101

GOLDENDALE, WA 98620-9513 MA SA 09

ST 901

Tax Status

**Acct Status** 

Subtype

Deed Reference # 2018-3245

Sales Date/Price Appraiser

05-30-2018 / \$250,000.00

ROBERT BUCKINGHAM

**ASSESSABLE** 

ACTIVE

NORMAL

Situs Address(s)

ID# 1 35465 RUEPPELL AVE

19707-1

Unit

Situs City COUNTY

Code Area		RMV MAV		Value Summary AV	RMV E	CPR %	
2202	Land Impr.	109,220 231,020			Land Impr.	0	
Code A	rea Total	340,240	246,880	246,880		0	
Gra	and Total	340,240	246,880	246,880		0	

Code				Plan		Land Breakdow	n				Trended
Area	ID#	RFF	D Ex	Zone	Value Source	TD%	LS	Size	Land	Class	RMV
2202					LANDSCAPE - FAIR	100					500
2202	1	1	]	PCW-A	Market	104	Α	0.35			80,220
2202					OSD - AVERAGE	100					28,500
						Grand 7	otal	0.35			109,220
Code Area	1	D#	Yr Built	Stat Class	Description	Improvement Break	down		otal	Ex% MS Acct #	Trended RMV
2202	1	1	1966	139	Basement First Floor	D-1000		123	1,736	Andrew Anna Principal Control	231,020
							rand Total		1,736		231,020

Exemptions / Special Assessments / Potential Liability							
Code Area 2202 SPECIAL ASSESSMENTS:							
■ SOLID WASTE	Amount	12.00	Acres	0	Year	2021	

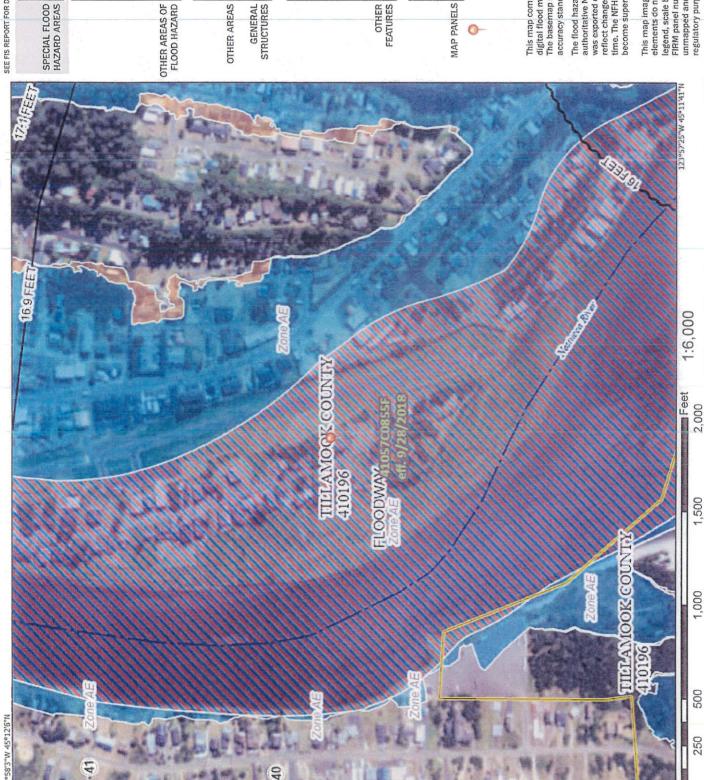
Comments:

04-09-04 Changed land value to reflect residential trends for neighborhood. sm. 10/18/06 input inventory. gb 01/29/14

Reappraised land; tabled values. RBB

# National Flood Hazard Layer FIRMette





## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

Without Base Flood Elevation (BFE)

SPECIAL FLOOD HAZARD AREAS

With BFE or Depth Zone AE, AO, AH, VE, AR Regulatory Floodway of 1% annual chance flood with average depth less than one foot or with drainag areas of less than one square mile Zone Future Conditions 1% Annual

0.2% Annual Chance Flood Hazard, Area

Area with Reduced Flood Risk due to Chance Flood Hazard Zone X

Area with Flood Risk due to Levee Zone D Levee, See Notes, Zone X

**Effective LOMRs** OTHER AREAS

Area of Undetermined Flood Hazard Zone

No screen Area of Minimal Flood Hazard Zone X

Channel, Culvert, or Storm Sewer

GENERAL ---- Channel, Culvert, or Storm
STRUCTURES IIIIIII Levee, Dike, or Floodwall

Cross Sections with 1% Annual Chance Water Surface Elevation

Base Flood Elevation Line (BFE) Coastal Transect

Jurisdiction Boundary - Limit of Study

Coastal Transect Baseline

Hydrographic Feature Profile Baseline

OTHER

Digital Data Available

No Digital Data Available Unmapped

MAP PANELS

The pin displayed on the map is an approximate point selected by the user and does not represe 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

authoritative NFHL web services provided by FEMA. This map was exported on 3/10/2022 at 4:42 PM and does not reflect changes or amendments subsequent to this date and The flood hazard information is derived directly from the 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.

.. .. . . .

## Coulter



This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

Wetlands

Estuarine and Marine Deepwater

Estuarine and Marine Wetland

Freshwater Emergent Wetland

Freshwater Forested/Shrub Wetland

Freshwater Pond

Lake

Other

Riverine

National Wetlands Inventory (NWI) This page was produced by the NWI mapper

## 



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

PLAN	INING	APPL	ICATIC	N(
------	-------	------	--------	----

PLANNING APPL	.ICATION	OFFICE USE ONLY Date Stamp
Address: P.O.Box 2323 City: Chelan State: Email: Von. coulterarchin Property Owner Name: Dand Coulter Phone Address: 2/7 N. Gran City: Goldondale, State:	(509)630-5518  Wa Zip: 98816  tects@g.wail.com  (360)508-096  + St.  Wa. Zip: 98620  Sirbyco.net	Approved Denied Received by: Receipt #: 125344 Fees: 843 Permit No: 851-22-00061-PLNG
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 Location:	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
Map Number: Township Range  Clerk's Instrument #:	V	ection Fax Lot[s]
Authorization  This permit application does not assure permit a postaining any other necessary federal, state, an complete, accurate, and consistent with other in complete accurate and consistent with other in conference with a complete accurate.	d local permits. The applicant verifie	s that the information submitted is
Land Use Application Rev. 2/22	/17	Page (



## COULTER ARCHITECTS, PLLC

Memo to: Melissa Jenk 4-11-22

From: Coulter Architects representing Dave and Pattie Coulter

RE: David Coulter project, Response to review comments from Melissa dated 4-6-22

and our ARTICLE VII: MAJOR REVIEW CRITERIA response.

Application form enclosed, check for \$ 843.00 to follow by mail.

## Melissa;

1-To follow your memo chronologically, the first item is the project value. The value has increased during this last 8 months during this review. The market, supply chain, and inflation have moved the cost from \$650,00 to \$850,00 based on our current reviews. It would be noted, however, that only about 20% of this reflects work on the existing structure. The existing building foot print has not changed, and the decks reflect replacing the same existing decks in the existing foot print as well. This was done meticulously so as to not change the setbacks from the existing. (ii) The decks are currently in an unsafe condition, and it would be negligent to leave 20% of them as is.

- 2-I have added the S.F. of all decks on the revised site plans which are enclosed, as described next in item 3.
- 3- Enclosed are two site plans addressing set backs. The one shown as RFI-1 shows the Bayside Surveying location of the existing house only, with the current decks and required set back lines in red, on all four sides.

The second one, RFI-2, shows the full project with the same set back lines in red. You will also note, at the NW corner of this drawing, that some of the deck in the front set back has not been replaced. (i) We have no new encroachments based on the current design, just replacing existing unsafe decks that are some 40 years old and were not constructed well in the first place, and also reducing the foot print at the NW corner.

The two RFI Drawings illustrate that the existing building foot print is not being modified, and that the configuration of the decks are the same as the original survey footprint.

Next, as to our response to (11) MINOR REVIEW (A) I A 1 thru 9 ii, and (b):

I would start with the nonconforming front setback by showing the enclosed photo of the second house north of the subject property. On this photo you will observe the power pole is essentially next to the house, and the power pole is in the right of way. This similar condition can be found on several properties along this dead end street. The point here is that these other houses posses the same issues relevant to the subject property. It's my professional opinion that many houses on this street are somewhat non conforming, and to require the subject property to comply would be discriminating and punitive to my client.



## COULTER ARCHITECTS, PLLC

Referring to the above site plans, per your request, a site plan of the existing building, using the survey by Bayside Surveying, Inc. to shows the setbacks per the code. I have also enclosed a drawing showing the final build out with the set back lines also delineated in red. Again, please note that the decks have been meticulously replaced in the same footprint as the existing decks. The existing decks are all past their useful life and are now unsafe to use.

I see nothing in the comparison list of existing verses proposed change (1 through 9) that represent an issue. (None of this list fairly represent a single family dwelling environment, but seems to be more addressed to a commercial enterprise.) I would add to item 9, however, that this project represents an improvement to the neighborhood and will enhance the character of the surrounding area, all.....while not expanding the street side exposure.

## (12) MAJOR REVIEW: (a) I:

I have asserted above that we meet and exceed the criteria of the MINOR REVIEW.

## II Either 1:

We not only preserve the issues above and exceed them, we have helped stimulate the future of the area by investing in an area that is in need of upgrading. The aesthetic enhancement to the neighborhood should not be ignored, but looked at as an improvement and stimulus to others to improve the area.

2- Since the ground floor of the existing building is made of concrete masonry, it is not feasible to move, since it would mean rebuilding the entire ground floor again. In addition, the existing building was built in two phases, so it would not even be possible to lift it off the ground floor.

We assert that the improvement, including the enhancement of the aesthetic of the area, would more than mitigate any impact. Given the fact that several other properties are also nonconforming, it would be punitive to this one.

Again: The value has now grown, over this last 8 months, from \$650,000 to \$850,000.

In conclusion Melissa, if you were to visit this location, you would see the need for this project and how appropriate it is. This is a well thought out project that responds to it's fishing community, as well as the airport aspect. Pacific city is a unique city that has grown up, starting as a fishing community, and tries to respond to the present, but as importantly, has a past that is also relevant. While you are here, you can visit the memorial to the dory fleet, which is still one of it's favorite spectacles to watch. My extended family has had property on this street for over 100 years.

Dave is one of those dory owners, and is an avid fisherman...this project respects that past and does so while adding to the value of the area.

We should consider resolving this for the entire street so that the area can develop and improve in an orderly way. The enclosed photo illustrates the need for a method of recognizing this

> 14229 SE 23<sub>rd</sub> Street, Bellevue, WA 98007 - o 425.417.6284 P.O. Box 2323, Lake Chelan, WA 98816 - o 509.630.5518 www.coulterarchitects.com



## COULTER ARCHITECTS, PLLC

historic area and how it evolved. As this area becomes more valuable and sought after, the street will continue to seek improvement.

Please visit, and you will be convinced.

As always, I appreciate your help in these matters, and look forward to getting this addition to the community completed.

Sincerely,



Ronald E. Coulter, AIA, emeritus, NCARB, LEED AP 105 N Emerson Street, suite 201 Lake Chelan, WA. 98816 (509) 630-5518

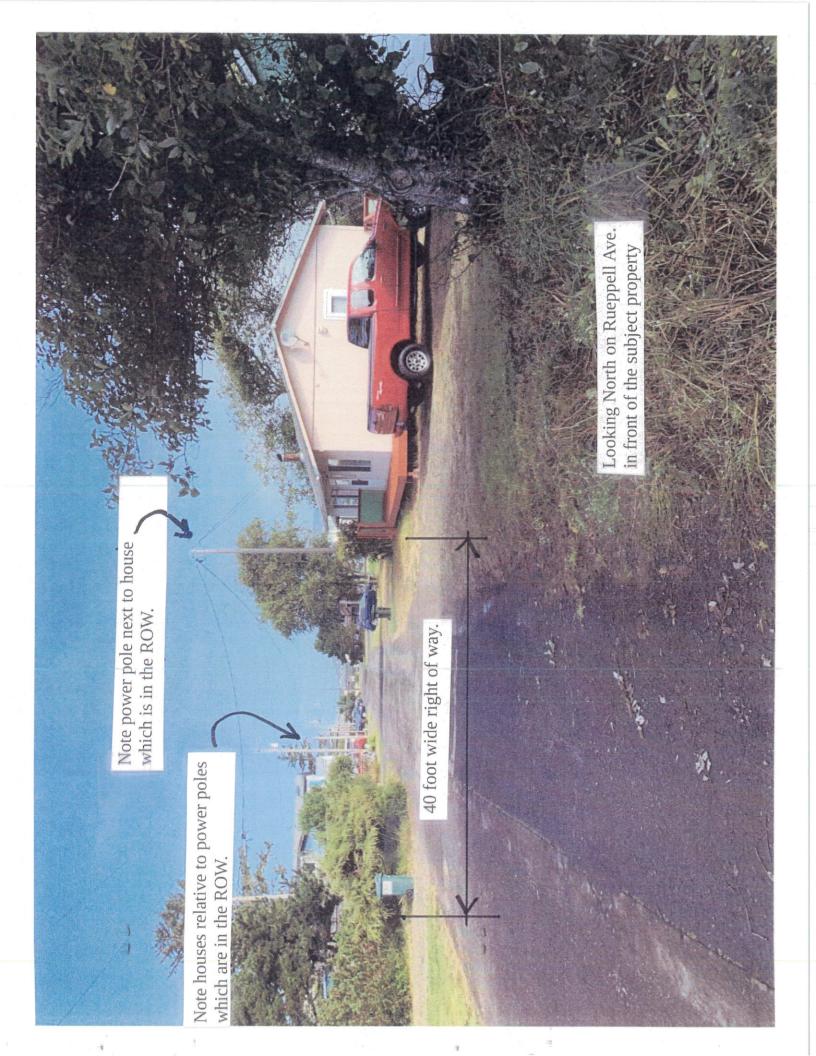
## Enclosures:

Application form Land use application (Check to follow in the mail)

Photo of Rueppell Ave. looking north from the subject site.

Site Plan RFI-1 (survey dwg of existing) and site plan RFI-2, both with Set back lines in red.

1





35465 RUEPPELL AVE. PACIFIC CITY, OREGON 97135 DAVE & PATTIE COULTER RESIDENCE

Drawn By:

Date:

1-1202 WEC KEC

**KEI-I** 

5'-0" SETBACK

LAMOOK, OR 97141 503-842-5551

11765 HWY TILLAMOOK,

22.70.40

Project #: Cpecked By:

**PLAN** 1" = 30'-0" SETBACK SETBACK LOT 4800 EXIST. DECK EXIST. HOUSE EXISTING To to the RUEPPELL AVE NORTH





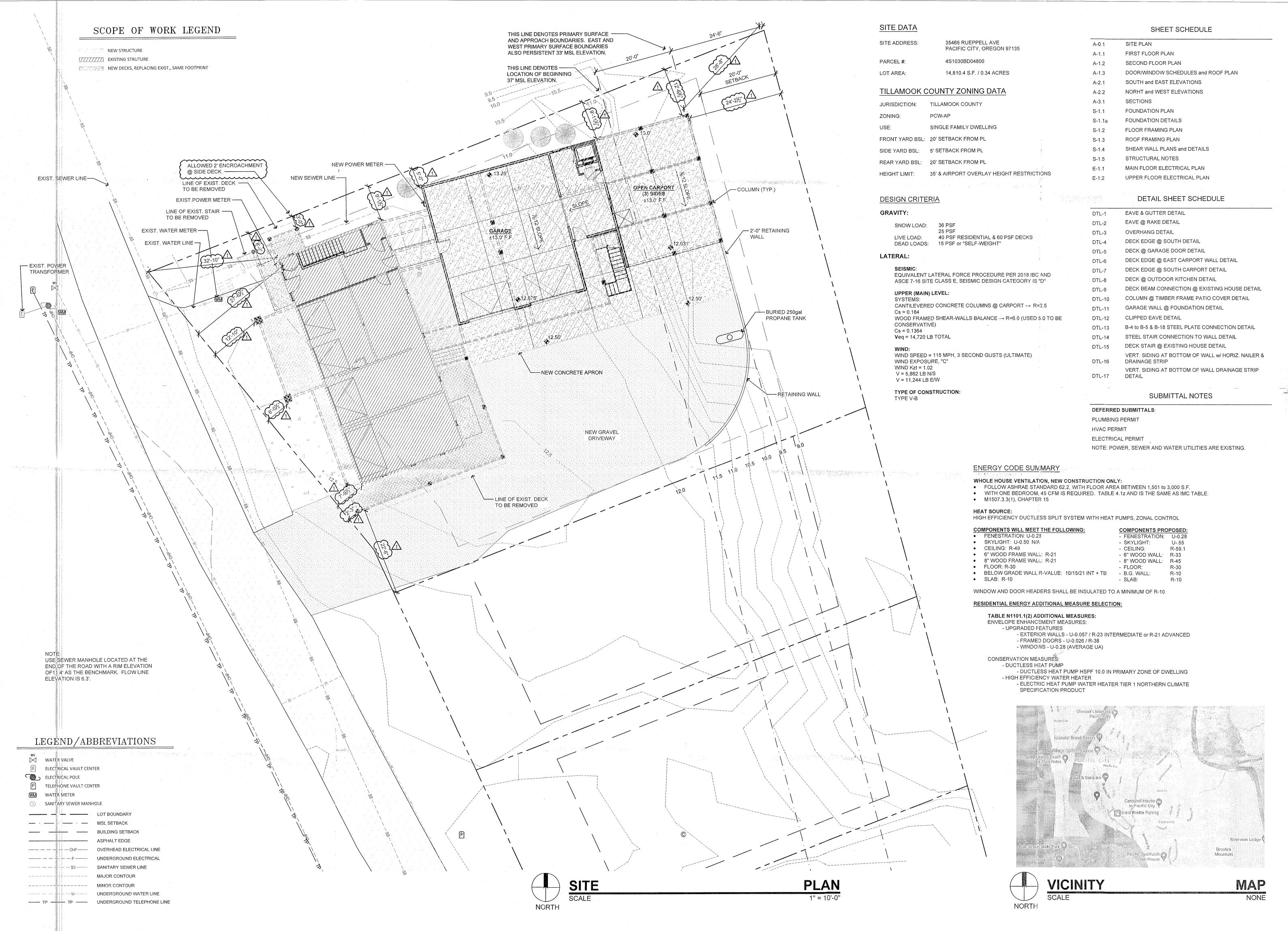
## DAVE & PATTIE COULTER RESIDENCE

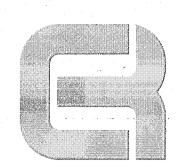
35465 RUEPPELL AVE. PACIFIC CITY, OREGON 97135

Date: Checked By: Drawn By:

04.07.22 REC MEC

RFI-2





COULTER ARCHITECTURE

RESIDENTIAL

COMMERCIAL ARCHITECTURE



CORRESPONDENCE P.O. Box 2323 Lake Chelan, WA 98816 (509) 630.5518 off

105 N Emerson St. Suite 201 Lake Chelan, WA 98816



Project No: 2021-1 Checked By: REV. 1: Apr. 13, 2022

PERMIT SET DRAWINGS www.coulterarchitects.com