



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

NON-CONFORMING MINOR REVIEW
#851-22-000164-PLNG: GOLDEN & PEARSON

*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: July 1, 2022

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

#851-22-000164-PLNG: A Non-Conforming Minor Review request to allow the expansion of an existing non-conforming single-family dwelling, with the addition of a deck and living space to be placed at 8-ft 2-in from the westerly property line. *The existing dwelling maintains non-conforming setbacks and is a non-conforming structure.* The subject property is located at 47520 Hillcrest Drive, a County road. The subject property is located within the Neskowin Unincorporated Community and is designated as Tax Lot 3100 in Section 25AB 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 Tom Golden. Property Owner is Todd Pearson.

Written comments received by the Department of Community Development prior to 4:00pm on July 15, 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, July 18, 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,

Melissa Jenck, CFM, Senior Planner

Sarah Absher, CFM, Director

Enc. Maps, Site Plan, Applicable Ordinance Criteria

REVIEW CRITERIA

TCLUO SECTION 7.020: NONCONFORMING USES AND STRUCTURES

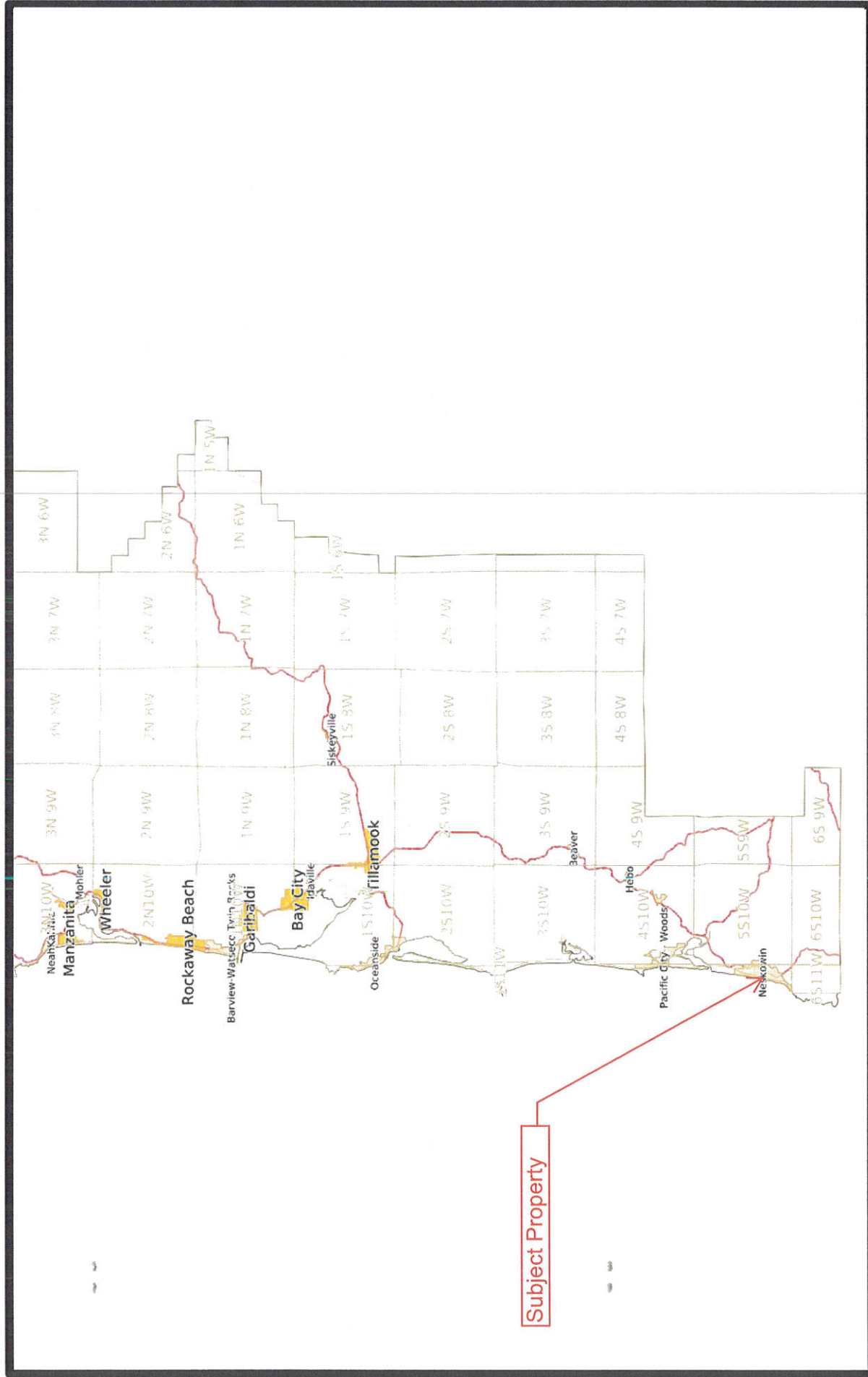
- (11) MINOR REVIEW: Application is made under the fee and procedures for a Type II Administrative Review and is reviewed using the following review criteria. A request may be permitted if:
- (a) The request will have no greater adverse impact on neighboring areas than the existing use or structure when 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.

}
}

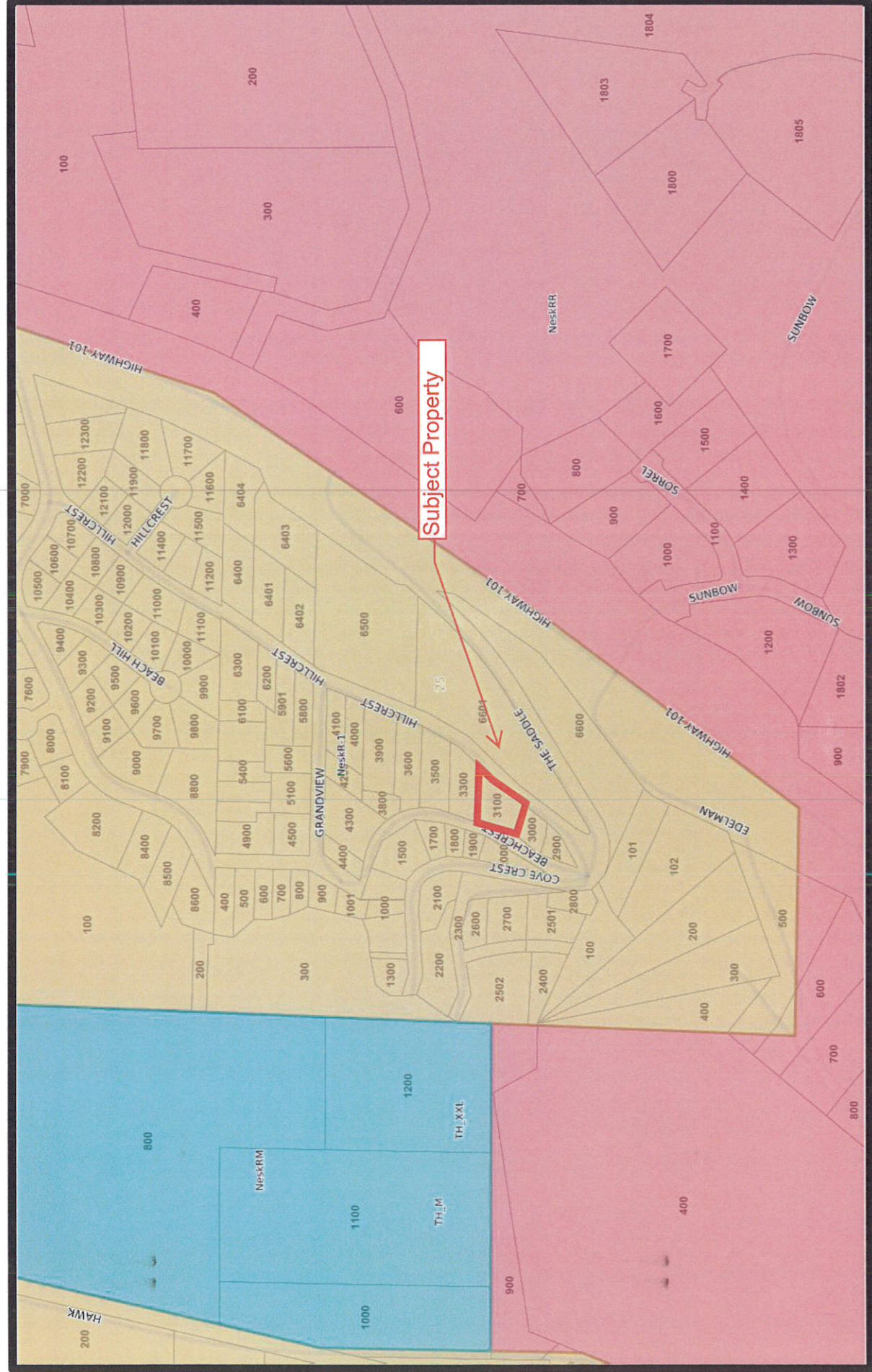
}
}

EXHIBIT A

Vicinity Map



Zoning Map



THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

N.W.1/4 N.E.1/4 SEC.25 T.5S. R.11W. W.M.

TILLAMOOK COUNTY

1" = 100'

05S11W25AB

NESKOWIN CREST

SEE MAP 55 11W 24DD

CANCELLED
1200
1200
3200
3400
3700
4600
4700
5000
5700
6000
8300
8700
8900

101

HEIGHS

HILLCREST CT

HILL CREST

BEACH HILL

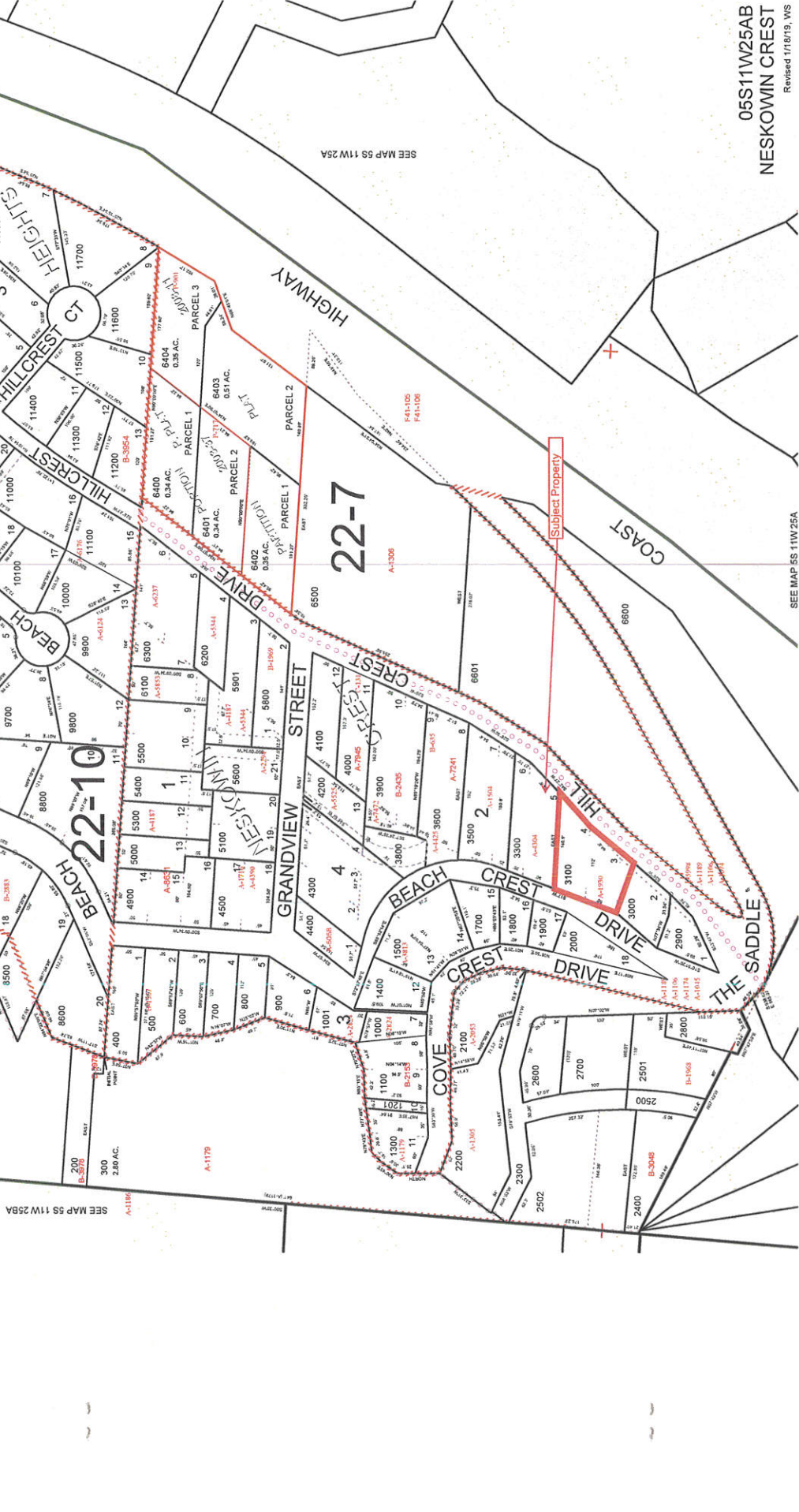
BEACH CREST

BEACH CREST

COVE CREST

GRANDVIEW STREET

NEKOWIN DRIVE



SEE MAP 55 11W 25A

22-7

Subject Property

05S11W25AB

NESKOWIN CREST

Revised 1/18/19, W.S

SEE MAP 55 11W 25A

TILLAMOOK County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2021

July 1, 2022 1:37:21 pm

Account # 249939
 Map # 5S1125AB03100
 Code - Tax # 2210-249939

Tax Status ASSESSABLE
 Acct Status ACTIVE
 Subtype NORMAL

Legal Descr See Record

Mailing Name PEARSON, TODD D & HEATHER

Deed Reference # (SOURCE ID: 418-61)

Agent

Sales Date/Price 06-06-2000 / \$0.00

In Care Of

Appraiser EVA FLETCHER

Mailing Address 105 STREAMVIEW CT
 ALEDO, TX 76008

Prop Class 101 MA SA NH Unit
 RMV Class 101 09 OV 975 19241-1

Situs Address(s)	Situs City
ID# 1 47520 HILLCREST DR	COUNTY

Code Area	RMV	MAV	Value Summary AV	RMV Exception	CPR %
2210 Land	184,060			Land	0
Impr.	122,140			Impr.	0
Code Area Total	306,200	235,240	235,240		0
Grand Total	306,200	235,240	235,240		0

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown			Trended RMV
						TD%	LS	Size	
2210					LANDSCAPE - FAIR	100			500
2210	1	<input checked="" type="checkbox"/>		NESKR -1	Market	104	A	0.27	163,860
2210					OSD TYPE B - AVERAGE	100			19,700
Grand Total								0.27	184,060

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown			Trended RMV
					TD%	Total Sq. Ft.	Ex% MS Acct #	
2210	1	1953	131	One story	123	1,059		122,140
Grand Total							1,059	122,140

Exemptions / Special Assessments / Potential Liability							
Code Area	2210						
SPECIAL ASSESSMENTS:							
■ SOLID WASTE	Amount	12.00	Acres	0	Year	2021	
NOTATIONS:							
■ MULTI LOT-SINGLE LOT VALUE ADDED 2014							

Comments: 11-22-06 input inventory. ej. 03/27/14 Reappraised land, tabled values. Size correction per GIS.ef

National Flood Hazard Layer FIRMette



123°58'46"W 45°6'56"N

Legend

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

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE)
Zone A, V, A99
- With BFE or Depth *Zone AE, AO, AH, VE, AP*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD

- 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone J*
- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*
- Area with Flood Risk due to Levee *Zone D*

OTHER AREAS

- NO SCREEN
- Area of Minimal Flood Hazard *Zone X*
- Effective LOMRs
- Area of Undetermined Flood Hazard *Zone*

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

Cross Sections with 1% Annual Chance

- Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

OTHER FEATURES

- Digital Data Available
- No Digital Data Available
- Unmapped

MAP PANELS

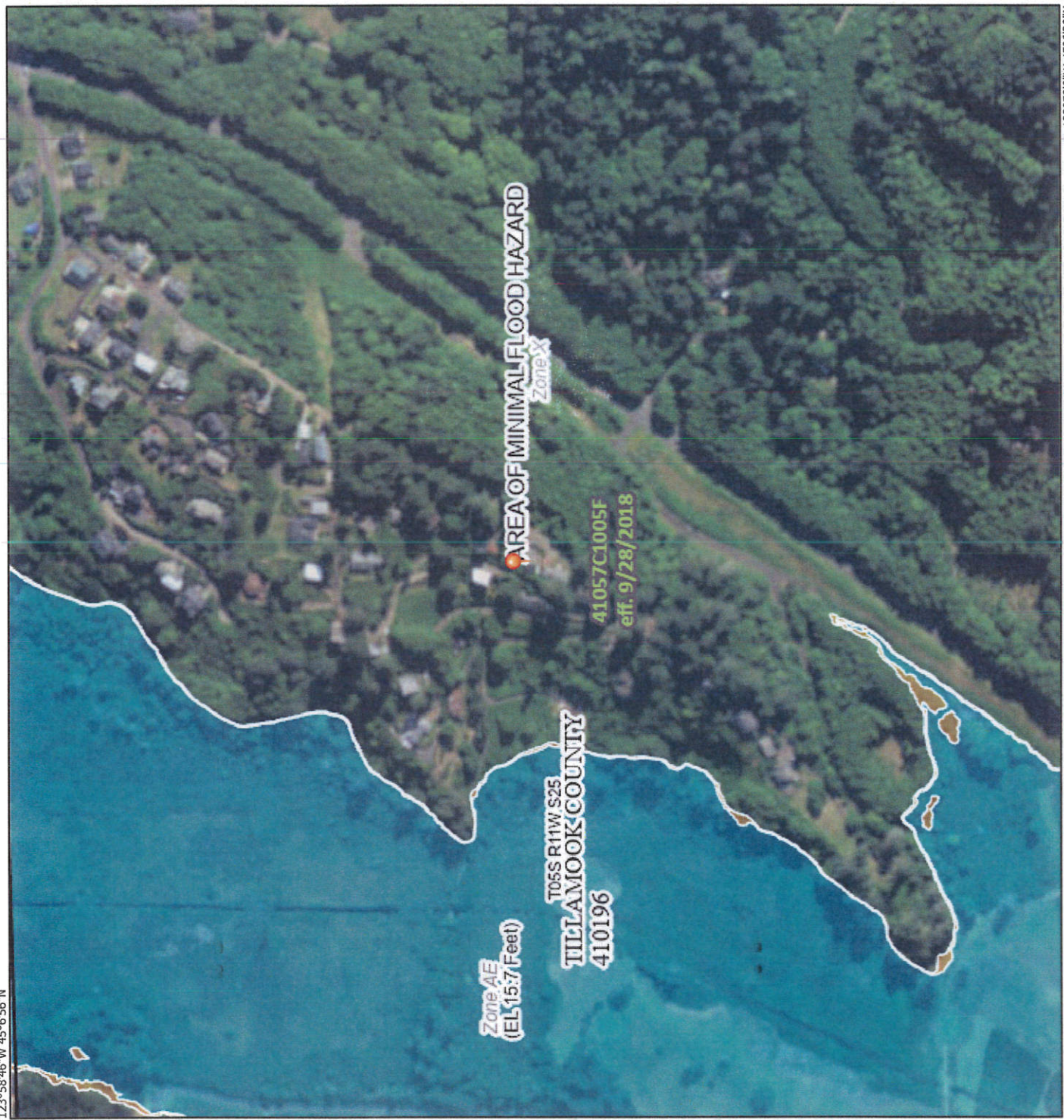
- Digital Data Available
- No Digital Data Available
- Unmapped

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

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 7/1/2022 at 4:14 PM and does not reflect changes or amendments subsequent to this date and 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.



123°58'9"W 45°6'30"N

EXHIBIT B



PLANNING APPLICATION

Applicant (Check Box if Same as Property Owner)
 Name: Tom Golden Phone: 541-994-654
 Address: 227 N-HOLIDAY LN
 City: OTIS State: OR Zip: 97368
 Email: tomlaydgolden

Property Owner
 Name: TODD PEARSON Phone: 253-351-8577
 Address: 47520 HILLCREST DR
 City: NESKOWIN State: OR Zip: 97149
 Email: hmpearson51@gmail.com

OFFICE USE ONLY	
Date Stamp	RECEIVED
	APR 21 2022
BY:	<u>mailed ss</u>
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by:	
Receipt #:	
Fees: <u>843</u>	
Permit No:	
851-22-000104-PLNG	

Request: APPROVAL FOR WEST HOUSE AND DECK ADDITIONS
IN WEST SET BACK. MINIMUM SETBACK IS 20'0"
PROPOSED DECK IS 9'-2", PROPOSED HOUSE ADDITION IS 17'-3"

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

- Extension of Time
- Detailed Hazard Report
- Conditional Use (As deemed by Director)
- Ordinance Amendment
- Map Amendment
- Goal Exception

Type IV

- Ordinance Amendment
- Large-Scale Zoning Map Amendment
- Plan and/or Code Text Amendment

Location:

Site Address: 47520 HILLCREST DR, NESKOWIN, OR 97149
 Map Number: 055-11W-25AB 3100
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.

Todd Pearson
 Property Owner Signature (Required)

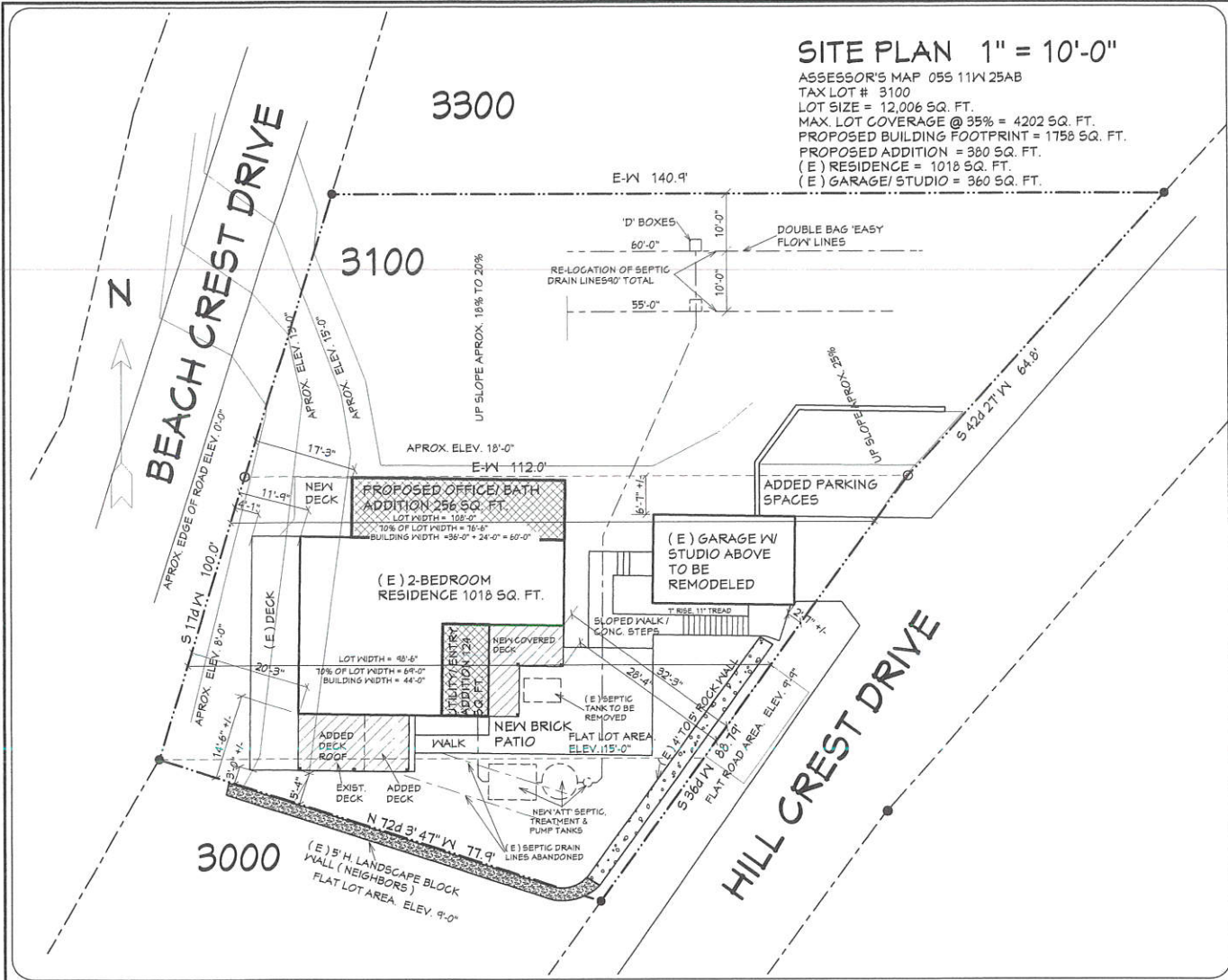
4/21/22
 Date

Applicant Signature

Date

SITE PLAN 1" = 10'-0"

ASSESSOR'S MAP 055 11W 25AB
 TAX LOT # 3100
 LOT SIZE = 12,006 SQ. FT.
 MAX. LOT COVERAGE @ 35% = 4202 SQ. FT.
 PROPOSED BUILDING FOOTPRINT = 1758 SQ. FT.
 PROPOSED ADDITION = 380 SQ. FT.
 (E) RESIDENCE = 1018 SQ. FT.
 (E) GARAGE/STUDIO = 360 SQ. FT.



DATE:
4-18-2022

TOM GOLDEN
RESIDENTIAL DESIGN
541-994-6545

HOME REMODEL & ADDITION FOR:
**TODD & HEATHER
PEARSON**

SHEET #
1
OF 7 SHTS

SITE PLAN 1" = 10'-0"

ASSESSOR'S MAP 055 11W 25AB
 TAX LOT # 3100
 LOT SIZE = 12,006 SQ. FT.
 MAX. LOT COVERAGE @ 35% = 4202 SQ. FT.
 PROPOSED BUILDING FOOTPRINT = 1758 SQ. FT.
 PROPOSED ADDITION = 380 SQ. FT.
 (E) RESIDENCE = 1018 SQ. FT.
 (E) GARAGE/ STUDIO = 360 SQ. FT.

DATE:
4-20-2022

TOM GOLDEN
 RESIDENTIAL DESIGN
 541-994-6545

HOME REMODEL & ADDITION FOR:

**TODD & HEATHER
 PEARSON**

SHEET #

1

OF 7 SHTS.

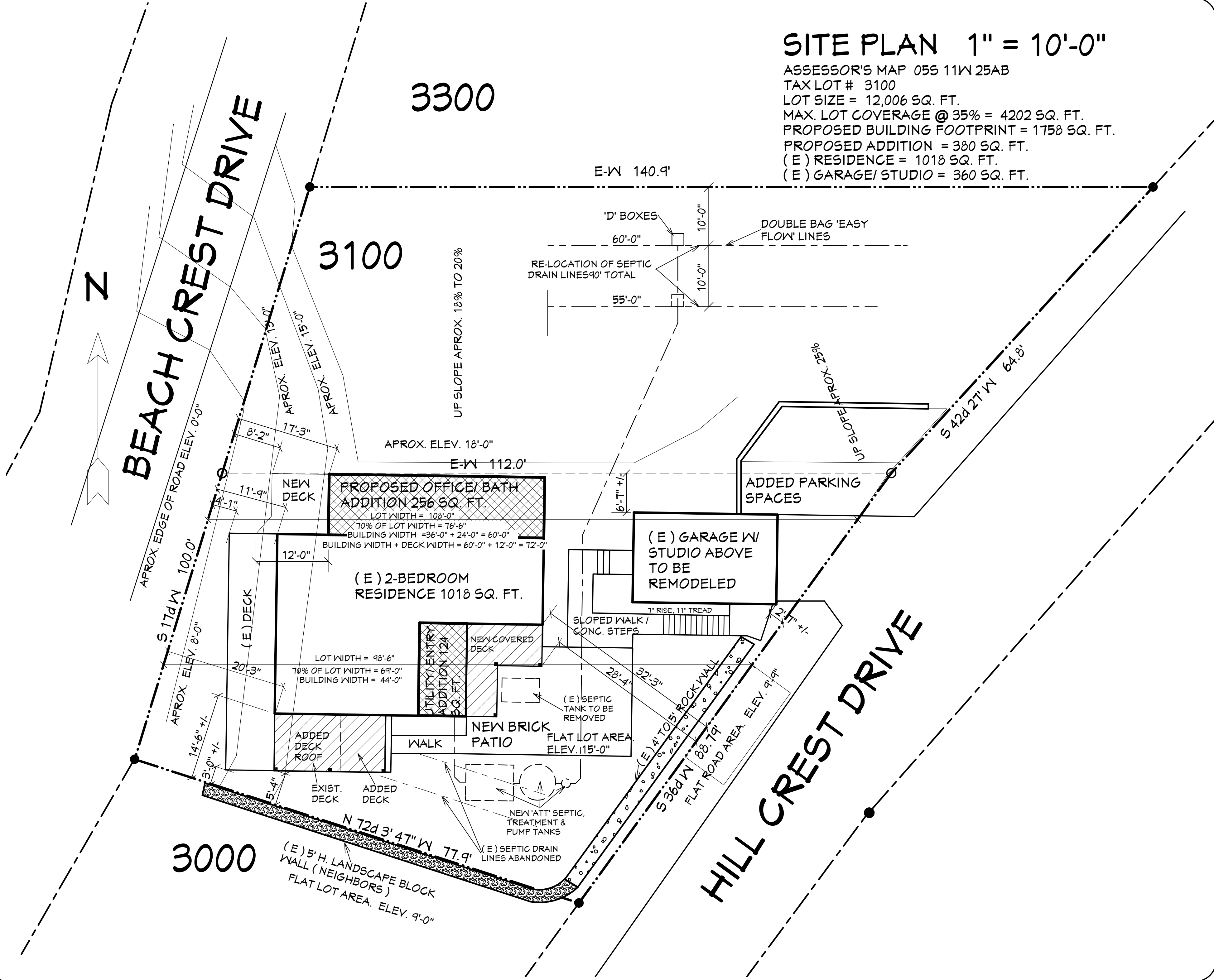
3300

3100

3000

BEACH CREST DRIVE

HILL CREST DRIVE



Sheila Shoemaker

From: Todd Pearson <tmcpearson53@gmail.com>
Sent: Monday, April 11, 2022 1:55 PM
To: Sheila Shoemaker; Thomas Golden
Subject: EXTERNAL: Minor non-conforming review for Neskowin property

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

April 11, 2022

Re: Minor Review Criteria
47520 Hillcrest Dr, Neskowin, OR, 97368

Attention: Sheila Shoemaker,

My wife, Heather, and I recently retired are in the process of making our small vacation cottage in Neskowin our primary residence. We plan to renovate/add-on to the cottage to make it more appropriate for residing year-round. We are working with Jim Ullrich, general contractor, and Tom Golden, designer. Tom has been in communication with you, and with the On-Site Sanitation Division (Chris). It is my understanding that our septic/drain line plan has already received preliminary approval.

It is also our understanding that we will not need a variance but will need a minor non-conforming review, including a narrative response to Article VII: Minor Review Criteria which is as follows:

The renovation/addition to our cottage and adjoining lot (to the North) should not have greater adverse impact on neighboring areas than the existing use of our house/property when the current zoning went into effect. We are renovating the cottage and including a 256 sq. ft. addition to the north side of the house (master bath/closet and study) and 124 sq. ft. addition (utility/mudroom/laundry/pantry and entry) as detailed in our proposed building/site plan. We will relocate our septic/drain lines to our adjoining lot to the North and create parking space (for a maximum of 2 cars) that is off set from Hillcrest Drive (parking is currently on a narrow curbsless grassy area between a retaining wall and Hillcrest Drive).

When comparing the existing use of our cottage to the proposed change, the only notable difference will be commensurate with that of year-round residence vs. our current periodic presence when we are on vacation and/or doing household/property maintenance. We would anticipate an enhanced appearance to the structure/property. Our use of the house/property will be commensurate with other residents in our location. We do not anticipate use that would be in conflict or incompatible with the character, history, or current development of our neighborhood. We do not anticipate adverse effects on environmental factors such as noise, visual impact, dust, odor/fumes, smoke, vegetation, or water drainage/quality.

We have an existing non-attached single car garage with shed overhead. When the cottage renovation/addition is completed, we anticipate converting the shed (308 sq. ft.) into a bunkhouse for when our family visits. We will maintain the current footprint of this structure without an addition. It is my understanding that our septic/drainage approval included accommodation for a possible 3rd bedroom (the bunkhouse) if/when we decide to renovate the shed. We understand this renovation will likely involve a separate permit process.

Please contact us with any questions or needed clarifications. Thank you for your time and consideration.

Respectfully,

Todd Pearson

Cell #253-351-8577

tmcpearson53@gmail.com

Melissa Jenck

From: Sarah Absher
Sent: Friday, July 1, 2022 2:51 PM
To: Melissa Jenck
Subject: Re: Non-Conforming Minor Review Information Request

From: Todd Pearson <tmcpearson53@gmail.com>
Sent: Tuesday, May 24, 2022 1:19 PM
To: Heather Pearson <hmcpearson51@gmail.com>; Sarah Absher <sabsher@co.tillamook.or.us>; Thomas Golden <Tomloydgolden@gmail.com>; Sheila Shoemaker <sshoemak@co.tillamook.or.us>
Subject: EXTERNAL: Re: Non-Conforming Minor Review Information Request

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

Good morning Sarah,

Tom Golden, our designer, submitted our formal narrative response to the Minor Review criteria (I believe to Sheila Shoemaker). You may want to refer to this. My e-mail on 4/11 was a supplement to this.

I have done my best to respond to the highlighted criteria you indicated as below...

2. As indicated in my e-mail, this will now be our primary residence, as opposed to a vacation cottage. So, the number of trips to the property will increase accordingly, but not out of proportion to our neighbors on the hill who also live there year-round or use their home for vacations and rental.

3. As indicated in my e-mail, our current parking is less than ideal on a narrow grassy area between the county road (Hillcrest Drive) and a retaining wall on our property. We will be improving our single car garage to actually house a car, and are creating additional parking space for 2 cars, if needed, on our adjoining lot to the North. This parking space will be offset from Hillcrest Drive as indicated on our site plan, and will be an improvement from our current parking.

4. I do not envision any significant visual impact for our neighbors. The roof height will not exceed the tallest portion of our existing roof line. We are downslope from our neighbors to the north and the addition will be hidden behind two large trees, a cedar and grand fir. We are uphill from our neighbors to the south, they should not have significant adverse visual impact due to our privacy screening landscaping and their garage (we look at their garage roof from our existing deck). We are uphill from our neighbors below us to the west, and the addition is set back from the hillside drop off, so should not be noticeable or have a negative visual impact.

5. As indicated, hours of operation will change in accordance with now being year-round residents.

6. Our vacant lot to the north is overgrown with ivy, salal, wild cucumber and salmonberry, and has several large fir and cedar trees. We will excavate/grade a portion of the lot to accommodate the new septic system/drain lines and then will landscape this, which will visually be an improvement. We will leave the current vegetation in place on the west side of our property to continue to provide stabilization/erosion control for the hillside. We will leave the large trees in place as well.

7. As indicated on our site plan, we will have a retaining wall/drainage system placed along the north side of the new addition and the garage/shed for erosion control/drainage from the upper north lot. As above we will landscape the portion of the north lot that is graded to help with water drainage/runoff. There should be no impact on water quality.

8. The obvious benefit for the area is that our home and property will have an enhanced appearance with the renovation and our now being year-round residents and able to provide continual, ongoing maintenance and upkeep (as opposed to periodically).

9 and ii. As previously described, our use of the house/property will be commensurate with other residents in or location. The other homes on our hill are used by year-round residents, or used as second homes for vacations and rentals (airbnb, vrbo, etc.). We don't anticipate use that would be in conflict or incompatible with the character, history, or current development of our neighborhood. We do not anticipate adverse effects on environmental factors such as noise, visual impact, dust, odor/fumes, smoke, vegetation, or water drainage/quality.

iib. There is approximately 15 feet between our home/addition and our existing garage/shed. We do plan to renovate the shed above our single car garage once the cottage renovation/addition is completed. It will be a small bunkhouse studio (310 sq. ft) and will maintain its current footprint.

I hope this provides the information requested. Our designer, Tom Golden, may be able to provide more detailed information if needed.

Please contact me with any additional questions or needed clarifications. Hopefully this will be satisfactory to proceed with the public notification process.

My best,

Todd Pearson
Cell #253-351-8577
tmcpearson53@gmail.com

On Tue, May 24, 2022 at 12:28 PM Todd Pearson <tmcpearson53@gmail.com> wrote:

----- Forwarded message -----

From: **Sarah Absher** <sabsher@co.tillamook.or.us>
Date: Mon, May 23, 2022 at 4:24 PM
Subject: Non-Conforming Minor Review Information Request
To: tmcpearson53@gmail.com <tmcpearson53@gmail.com>

Hello Todd,

In review of the email dated April 11, 2022, I noticed a few criteria responses were missing. I have highlighted the criteria that require additional information in order for me to proceed with the review process:

(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; *Are the number of trips expected to change as a result of the project?*

3. Amount and nature of outside storage, loading and parking; *Has the parking area been altered or impacted? Do parking requirements continue to be met? (2- 8-foot by 20-foot parking spaces)*

4. Visual impact; *Are there any visual impacts on the property or surrounding area as a result of the expansion?*

5. Hours of operation; *Are there any changes in hours of operation?*

6. Effect on existing vegetation; *Is additional vegetation going to be removed to accommodate the project? If so, what is the plan for vegetation, stabilization and erosion control?*

7. Effect on water drainage and water quality; *Are additional stormwater improvements going to be installed to accommodate additional stormwater resulting from the project?*

8. Service or other benefit to the use or structure provides to the area; and *Does the dwelling provide a service or benefit to the area?*

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. *What is the character of the area? What are properties primarily used for? Is the proposed expansion in conflict with the other uses in the 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. *Is 6-feet of separation maintained between structures following project completion? Is the property a corner lot?*

Sincerely,



Sarah Absher, CFM, Director

TILLAMOOK COUNTY | Community Development

1510-B Third Street

Tillamook, OR 97141

Phone (503) 842-3408 x3317

sabsher@co.tillamook.or.us