



Cheese, Trees and Ocean Breeze

1510 - B Third Street
Tillamook, Oregon 97141
www.tillamook.or.us

Building (503) 842-3407
Planning (503) 842-3408
On-Site Sanitation (503) 842-3409
FAX (503) 842-1819
Toll Free 1 (800) 488-8280

VARIANCE REQUEST #851-22-000171-PLNG: KLEIN/RICHARDSON

*NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER:
ORS 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE,
IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER*

October 21, 2022

Dear Property Owner:

This is to confirm that the Tillamook County Department of Community Development **APPROVED WITH CONDITIONS** the above-cited Variance Request on October 21, 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.

Appeal of this decision. This decision may be appealed to the Tillamook County Planning Commission, who will hold a public hearing. Forms and fees must be filed in the office of this Department before **4:00 PM on November 2, 2022.**

- Request:** A Variance request to reduce the required six (6) foot distance between buildings to four (4) feet for the construction of new carport.
- Location:** The subject property is located at 25700 Tyee Road, a private road, zoned Rural Residential 2-Acre (RR-2) and designated as Tax Lot 200 of Section 31BC, Township 3 South, Range 9 West, W.M., Tillamook County, Oregon.
- Zone:** Rural Residential (RR-2) Zone
- Applicant:** Charmaine Klein, 18955 Nestucca Drive, Cloverdale, OR 97112
- Property Owner:** Fawn Richardson, 25700 Tyee Road, Beaver, OR 97112

CONDITIONS OF APPROVAL

Section 8.060: COMPLIANCE WITH CONDITIONS, and 8.070: TIME LIMIT requires compliance with approved plans and Conditions of this decision, and all other ordinance provisions, and allows 24 months for compliance with Conditions and start of construction. Failure to comply with the Conditions of Approval and ordinance provisions could result in nullification of this approval.

1. The applicant/property owner shall obtain all Federal, State, and Local permits, as applicable.
2. The applicant/property owner shall submit a site plan, drawn to scale and indicating all required yard and riparian setbacks, at the time of Building Permit and Zoning Permit application.
3. The applicant/property owner shall obtain an approved Building Permit and Zoning Permit from the Tillamook County Department of Community Development.
4. The carport shall maintain a minimum of 4-feet of distance from the residential structure (single family dwelling).
5. Development shall comply with the applicable standards and requirements of TCLUO Sections 3.010: Rural Residential Two Acre (RR-2).
6. This approval shall be void on October 21, 2024, unless construction of approved plans has begun, or an extension is requested from, and approved by this Department.

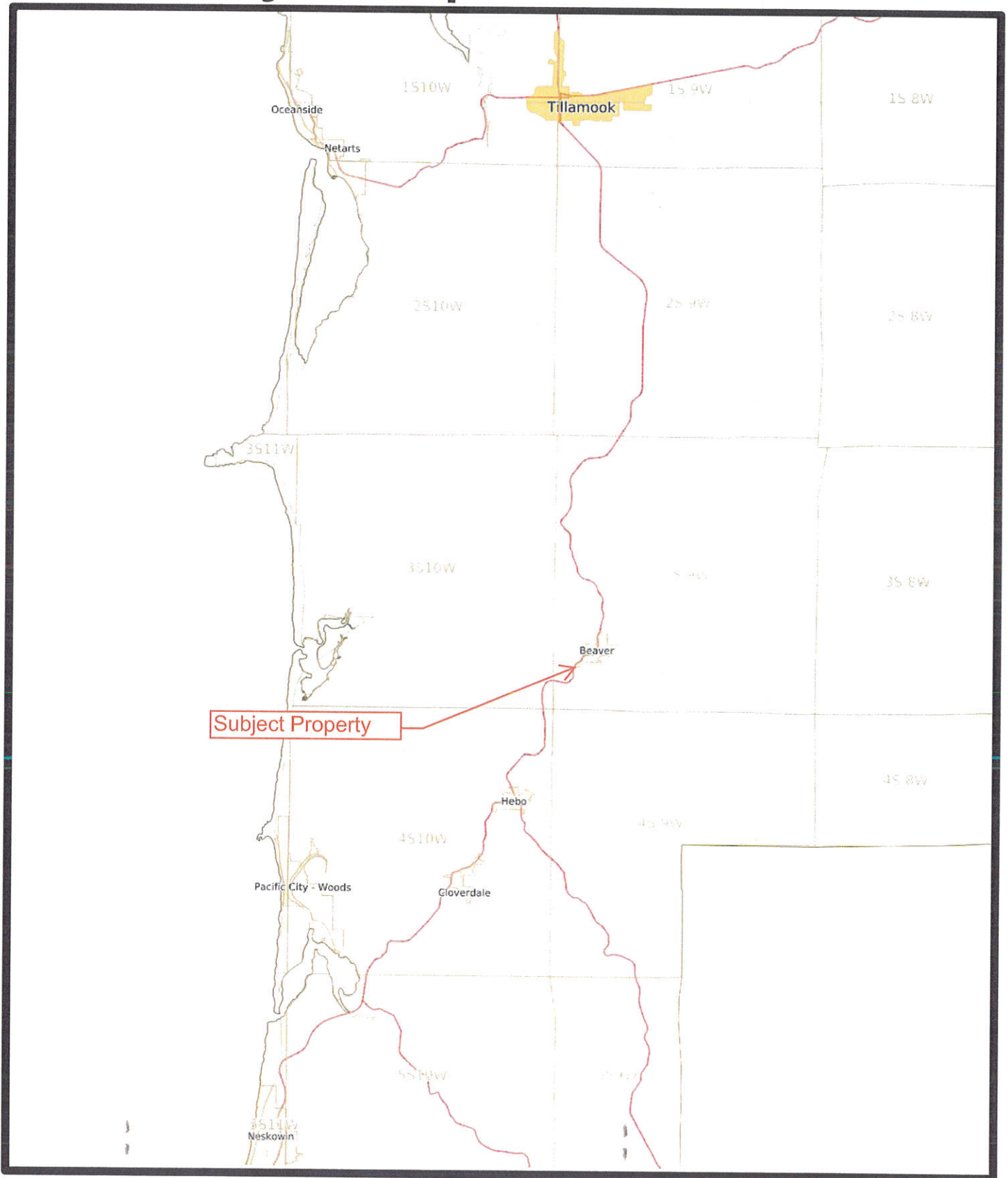
Sincerely,

A handwritten signature in blue ink that reads "Sarah Absher". The signature is fluid and cursive, with the first name "Sarah" being larger and more prominent than the last name "Absher".

Sarah Absher, CFM, Director

Enc.: Vicinity, Assessor & Zoning maps

Vicinity Map





Land of Cheese, Trees and Ocean Breeze

1510 Third Street Suite B
Tillamook, Oregon 97141
www.tillamook.or.us

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Planning (503) 842-3408
On-Site Sanitation (503) 842-3409
Fax (503) 842-1819
Toll Free +1 (800) 488-8280

**Variance #851-22-000171-PLNG: KLEIN/RICHARDSON
Administrative Decision & Staff Report**

Decision: Approved with Conditions
Decision Date: October 21, 2022
Report Prepared By: Sarah Absher, CFM, Director 

I. GENERAL INFORMATION:

- Request:** A Variance request to reduce the required six (6) foot distance between buildings to four (4) feet for the construction of new carport (Exhibit B).
- Location:** The subject property is located at 25700 Tyee Road, a private road, zoned Rural Residential 2-Acre (RR-2) and designated as Tax Lot 200 of Section 31BC, Township 3 South, Range 9 West, W.M., Tillamook County, Oregon (Exhibit A).
- Zone:** Rural Residential (RR-2) Zone (Exhibit A)
- Applicant:** Charmaine Klein, 18955 Nestucca Drive, Cloverdale, OR 97112
- Property Owner:** Fawn Richardson, 25700 Tyee Road, Beaver, OR 97112

Description of Site and Vicinity: The subject property is located in the Rural Residential (RR-2) Zone in an unincorporated area of Tillamook County between the unincorporated communities of Beaver and Hebo. Subject property is located within the Nestucca Bend subdivision and is accessed via Tyee Road, a private road. The surrounding area is also zoned RR-2 with the outer perimeter zoned Farm (F-1). The general area consists of single-family residential and agricultural uses (Exhibit A & B).

The property is not located in a Special Flood Hazard per FIRM Panel 41057C0740F. There are no mapped wetlands on the subject property (Exhibit A).

II. APPLICABLE ORDINANCE AND COMPREHENSIVE PLAN PROVISIONS:

The request is governed through the following Sections of the Tillamook County Land Use Ordinance (TCLUO). The suitability of the proposed use, in light of these criteria, is discussed in Section III of this report:

- A. Article III: Section 3.010: Rural Residential 2 Acre And 10 Acre Zone (RR-2) (RR-10)
- B. Section 4.080: Distance Between Buildings
- C. Article VIII: Section 8.030 Variance Procedures and Criteria
- D. Article IV: Section 4.005: Residential and Commercial Zone Standards

III. ANALYSIS:

A. **Section 3.010: Rural Residential 2 Acre And 10 Acre Zone (RR-2)**

Section 3.010(1), *The purpose of the RR zone is to provide for the creation and use of small-acreage residential homesites.*

Section 3.010(2) list uses permitted outright in the zone.

Findings: Single-family dwellings and their accessory uses are permitted outright in the RR-2 zone.

B. **Section 4.080: Distance Between Buildings**

A minimum distance of six feet shall be maintained between a building designed for dwelling purposes and any other freestanding buildings located on the same property.

Findings: The site plan submitted by the Applicant identifies a 4-foot distance between the dwelling and the proposed carport (Exhibit B). Staff finds Variance approval is required to reduce the requirement of a minimum of 6-feet between buildings to 4-feet.

C. **Article VIII: Variance Procedure and Criteria; including Section 4.005 Residential and Commercial Zone Standards**

The purpose of a VARIANCE is to provide relief when a strict application of the dimensional requirements for lots or structures would cause an undue or unnecessary hardship by rendering the parcel incapable of reasonable economic use. No VARIANCE shall be granted to allow a use of property not authorized by this Ordinance.

Article VIII of the Tillamook County Land Use Ordinance governs the applications of Variances within the County. Article IV, Section 4.005 lists the purposes of the land use standards in each of the residential and commercial zones.

Section 8.020 requires notification of the request to be mailed to landowners within 250-feet of the subject property, to allow at least 14 days for written comment and requires Staff to consider comments received in making the decision.

Findings: A notice of the request was mailed to property owners within 250 feet of the subject property and other agencies on July 1, 2022. No comments were received.

Section 8.030 states that a Variance may be authorized if the applicants/property owners adequately demonstrate that the proposed use satisfies all relevant requirements, including all four review criteria in Section 8.030. These criteria, including Section 4.005 Residential and Commercial Zone Standards, along with Staff's findings and conclusions are indicated below:

(1) Circumstances attributable either to the dimensional, topographical, or hazardous characteristics of legally existing lot, or to the placement of structures thereupon, would effectively preclude the enjoyment of a substantial property right enjoyed by the majority of landowners in the vicinity, if all applicable standards were to be met. Such circumstances may not be self-created.

Findings: Applicant states the proposed carport will be sited on an existing concrete pad. Applicant states site location of carport is necessary to also maintain the required 20-foot front yard setback. Due to the location of the already sited single-family dwelling and onsite sanitation improvements, there is limited distance between the dwelling and the 20-foot front yard setback required to be maintained from the front property line.

Several properties within the vicinity are residentially improved properties that include accessory structures such as carports and garages. In review of the submitted site plan, staff concurs the existing location of improvements on the property results in circumstances that limit available area for a carport on the subject property. Staff finds this criterion met.

(2) A variance is necessary to accommodate a use or accessory use on the lot which can be reasonably expected to occur within the zone or vicinity.

Findings: Single-family dwellings and their appurtenant structures are an outright use allowed in the RR-2 zone and this use is consistent with surrounding properties. Staff finds this criterion has been satisfied.

(3) The proposed variance will comply with the purposes of relevant development standards as enumerated in Section 4.005 and will preserve the right of adjoining property owners to use and enjoy their land for legal purposes.

Findings: Applicant states the proposed location of the carport complies with the purposes of development standards for the Nestucca Bend Subdivision and preserves the right of all adjoining landowners to use and enjoy their land for legal purposes (Exhibit B). Discussion of these standards in relation to the request is further addressed below.

D. Section 4.005: Residential and Commercial Zone Standards

- (1) To ensure the availability of private open spaces;*
- (2) To ensure that adequate light and air are available to residential and commercial structures;*
- (3) To adequately separate structures for emergency access;*
- (4) To enhance privacy for occupants or residences;*

Findings: The Applicant states open spaces are not affected by this request, the amount of light and air available to the residential structure is very little given there are no windows on the end of the dwelling that face the carport. Applicant adds there is adequate room for emergency access and that the carport enhances privacy for the occupants of the residence (Exhibit B).

Staff finds the nature of construction of the carport in relation to the location of residences in the area does not reduce availability of private open spaces and does not limit light and air available to residential and commercial structures. Staff also finds the proposed reduction of separation to 4-feet between the carport and the existing dwelling does not effect of emergency access and privacy given the amount of open space surrounding the dwelling and easy accessibility to the dwelling from all sides (Exhibits A & B).

(5) To ensure that all private land uses that can be reasonably expected to occur on private land can be entirely accommodated on private land, including but not limited to dwellings, shops, garages, driveway, parking, areas for maneuvering vehicles for safe access to common roads, alternative energy facilities, and private open spaces;

Findings: Applicant's submittal documents that all private land uses will occur on the subject property including off-street parking (Exhibit B). Staff finds the standards in Section 4.005(5) is met.

(6) To ensure that driver visibility on adjacent roads will not be obstructed;
(7) To ensure safe access to and from common roads;

Findings: Staff finds that access to adjacent properties will not be impacted by the proposed reduction to the distance between the carport and existing dwelling, and that driver visibility will not be obstructed. Staff finds that these standards are met.

(8) To ensure that pleasing view are neither unreasonably obstructed nor obtained;

Findings: The County regulates views through compliance with building height requirements. Staff finds that compliance with building height requirements can be demonstrated at the time of Zoning Permit and Building Permit submittal. Staff finds this standard can be met through compliance with the Conditions of Approval.

(9) To separate potentially incompatible land uses;

Findings: The use is allowed outright as an accessory use to the primary dwelling in the RR-2 zone and is expected to occur in this area. Staff finds the standard met.

(10) To ensure access to solar radiation for the purpose of alternative energy production.

Findings: County records do not indicate any such facilities are in the vicinity of the subject property. Staff finds that the proposed expansion does not unreasonably shadow or otherwise inhibit access to solar radiation on adjacent properties and finds that the criterion in Section 4.005(10) is met.

(4) There are no reasonable alternatives requiring either a lesser or no variance.

Findings: The carport is to be in conjunction with the existing single-family dwelling (Exhibit B). Applicant states there is no reasonable alternative (Exhibit B).

Staff finds there is limited space available for the installation of a carport on the property. The carport has been designed in a manner to be open on four sides, allowing for unobstructed access to the dwelling for emergency purposes while maintaining open space, light and air availability. The carport is proposed to be sited in a manner that ensures the front yard setback is maintained and is of standard size needed to accommodate vehicles and RV's- a storage use expected to occur in the area. Staff finds this criterion met.

IV. DECISION: APPROVED WITH CONDITIONS

Staff concludes, based on the findings of fact and other relevant information in the record, that the applicant has satisfied/or is able to satisfy the applicable ordinance requirements through the Conditions of Approval, and therefore, approves the request subject to the provisions in Section V below.

By accepting this approval, the applicants/property owners agree to indemnify, defend, save and hold harmless Tillamook County, and its officers, agents, and employees from any claim, suit, action or activity undertaken under this approval, including construction under a Building Permit approved subject to this approval. The applicants/property owners shall obtain all of the necessary local, state, and federal permits and comply with all applicable regulations for the proposed building site.

This decision may be appealed to the Tillamook County Planning Commission, who will hold a public hearing. Forms and fees must be filed in the office of this Department before **4:00 PM on November 2, 2022**.

V. CONDITIONS OF APPROVAL:

Section 8.060: COMPLIANCE WITH CONDITIONS, and 8.070: TIME LIMIT requires compliance with approved plans and Conditions of this decision, and all other ordinance provisions, and allows 24 months for compliance with Conditions and start of construction. Failure to comply with the Conditions of Approval and ordinance provisions could result in nullification of this approval.

1. The applicant/property owner shall obtain all Federal, State, and Local permits, as applicable.
2. The applicant/property owner shall submit a site plan, drawn to scale and indicating all required yard and riparian setbacks, at the time of Building Permit and Zoning Permit application.
3. The applicant/property owner shall obtain an approved Building Permit and Zoning Permit from the Tillamook County Department of Community Development.
4. The carport shall maintain a minimum of 4-feet of distance from the residential structure (single family dwelling).
5. Development shall comply with the applicable standards and requirements of TCLUO Sections 3.010: Rural Residential Two Acre (RR-2).
6. This approval shall be void on October 21, 2024, unless construction of approved plans has begun, or an extension is requested from, and approved by this Department.

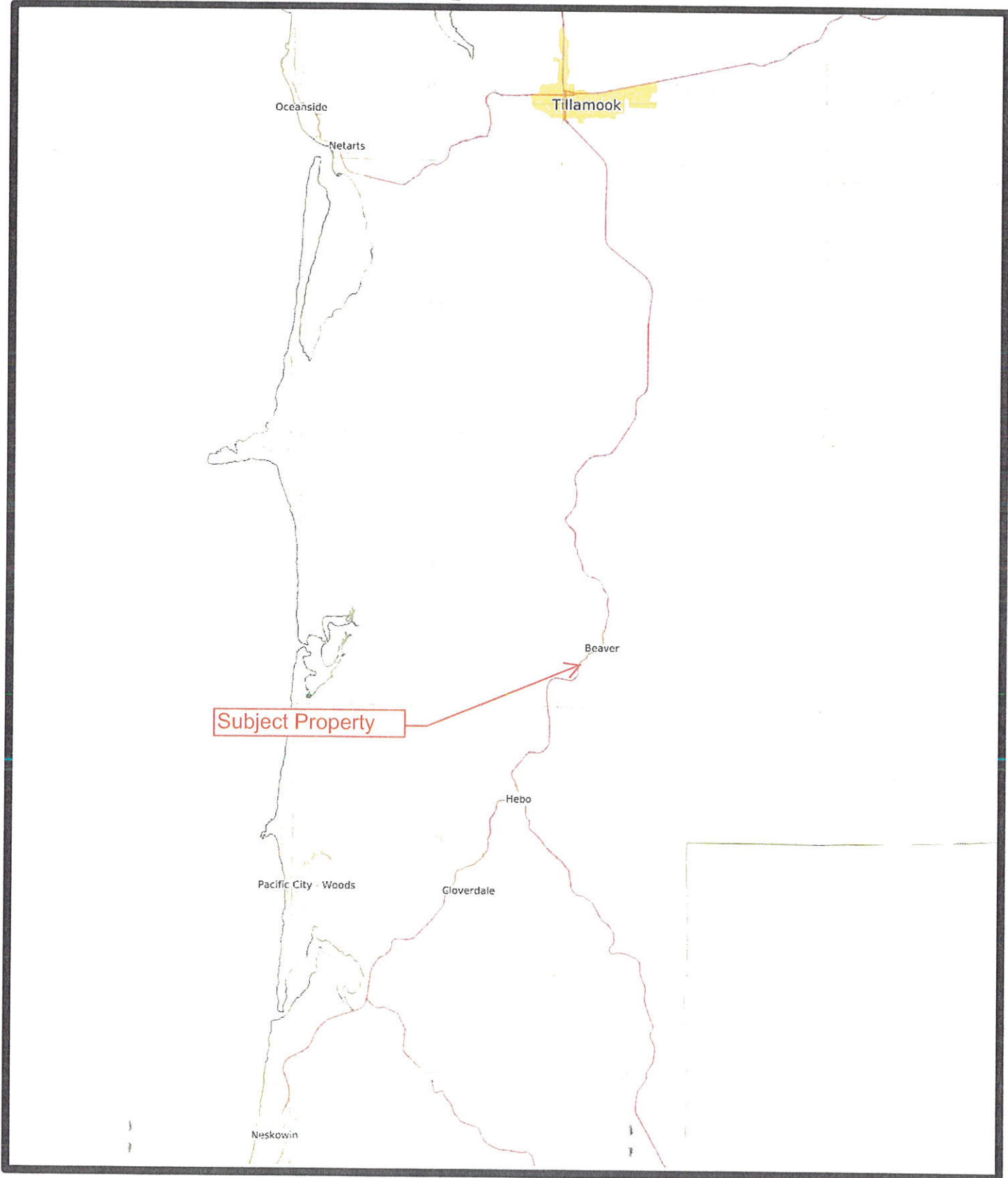
VI. EXHIBITS:

All Exhibits referenced herein are, by this reference, made a part hereof:

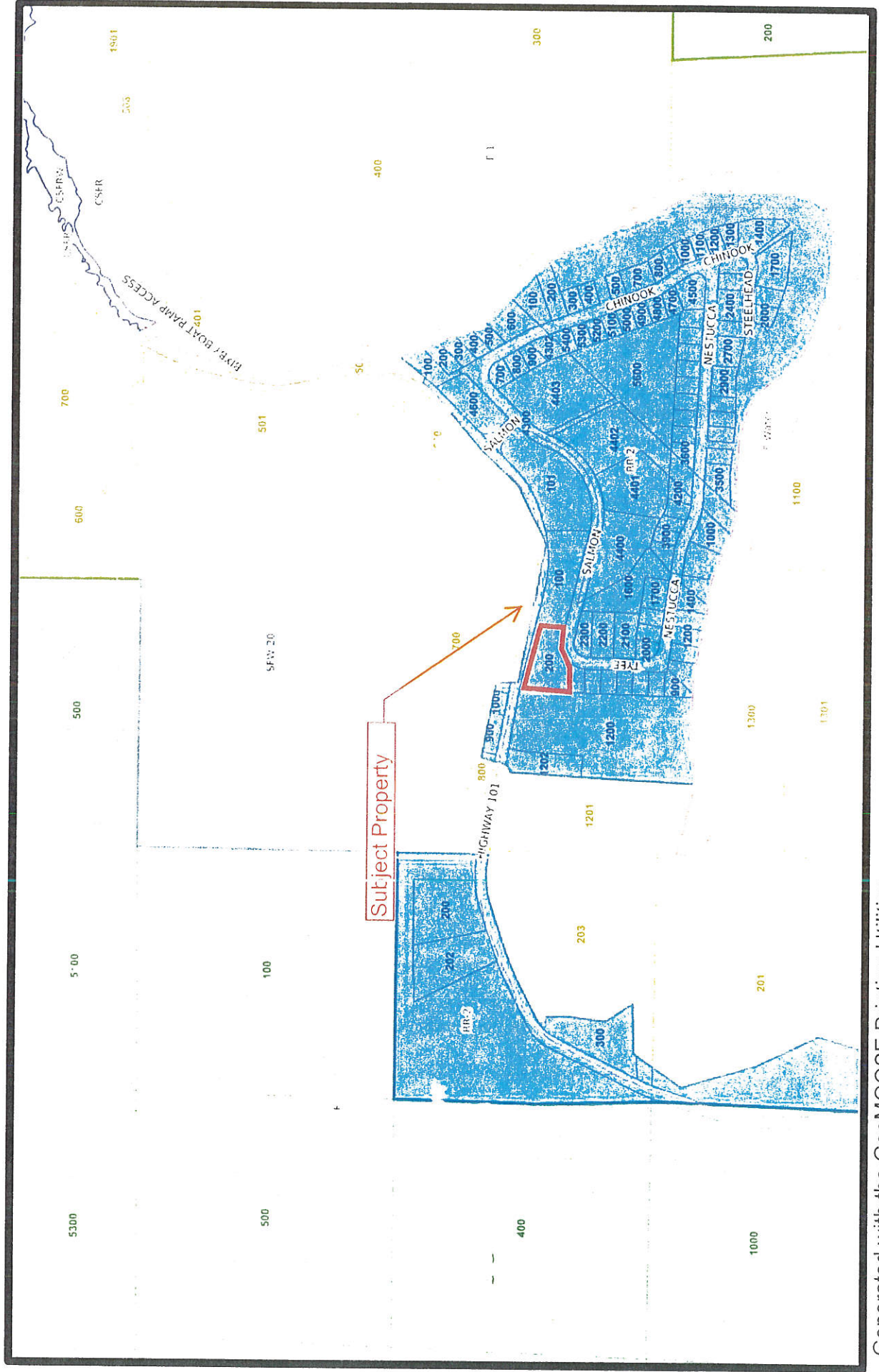
- A. Vicinity map, Assessor map, Zoning map, Assessor's Summary Report
- B. Applicant's submittal
- C. Correspondence

EXHIBIT A

Vicinity Map



Zoning Map



FOR ASSESSMENT AND TAXATION ONLY, NOT SUITABLE FOR
LEGAL, ENGINEERING, OR SURVEY PURPOSES

S.W. 1/4 N.W. 1/4 SEC. 31 T.3S. R.9W. W.M.
Tillamook County
1" = 100'

03S09W31BC
NESTUCCA BEND

CANCELLED

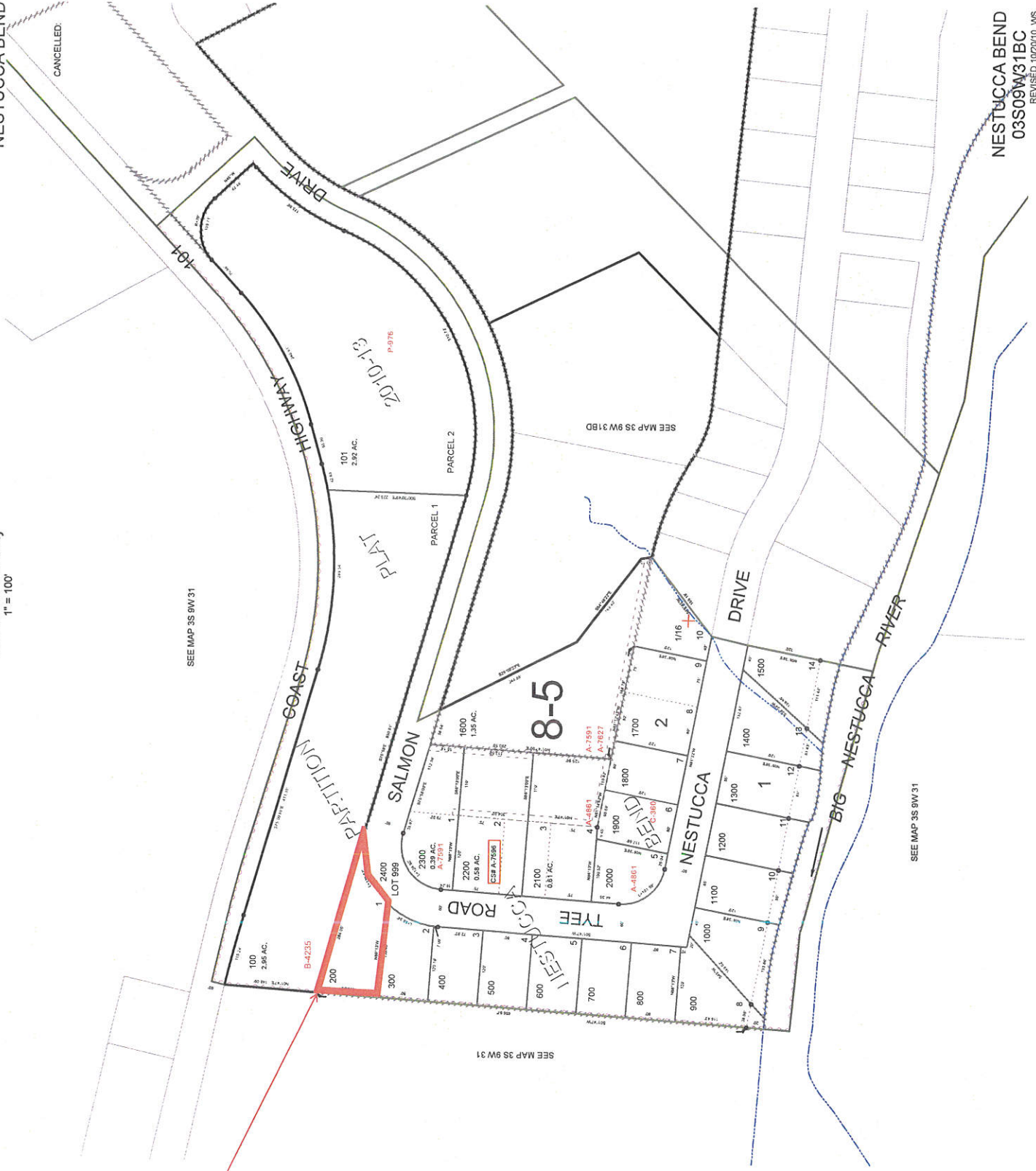
Subject Property

SEE MAP 3S 9W 31

SEE MAP 3S 9W 31

SEE MAP 3S 9W 31

NESTUCCA BEND
03S09W31BC
REVISED 10/2010, WS





U.S. Fish and Wildlife Service

National Wetlands Inventory

851-22-000171-PLNG: KLEIN/RICHARDS



October 21, 2022

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

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.

National Flood Hazard Layer FIRMette



123°50'47"W 45°16'17"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, AR*
- 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 X*
- 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 *Zone X*
- Effective LOMRs
- Area of Undetermined Flood Hazard *Zone*

GENERAL STRUCTURES

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

OTHER FEATURES

- 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

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 10/21/2022 at 2:07 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°50'10"W 45°15'52"N

0 250 500 1,000 1,500 2,000 Feet 1:6,000

TILLAMOOK County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2021

July 1, 2022 2:42:52 pm

Account # 205110 Map # 3S0931BC00200 Code - Tax # 0805-205110 Legal Descr See Record Mailing Name RICHARDSON, FAWN Agent In Care Of Mailing Address 25700 TYEE RD CLOVERDALE, OR 97112-9630 Prop Class 010 MA SA NH Unit RMV Class 010 06 UB UBL 9078-1	Tax Status ASSESSABLE Acct Status ACTIVE Subtype NORMAL Deed Reference # 2022-3691 Sales Date/Price 06-07-2022 / \$417,500.00 Appraiser RANDY WILSON
--	---

Situs Address(s)	Situs City
ID# 25700 TYEE RD	COUNTY

Code Area	RMV	MAV	Value Summary AV	RMV Exception	CPR %
0805 Land	5,500			Land	0
Impr.	0			Impr.	0
Code Area Total	5,500	5,990	5,500		0
Grand Total	5,500	5,990	5,500		0

Land Breakdown										
Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	Trended RMV
0805	0	<input checked="" type="checkbox"/>		RR-2	Market	100	A	0.35		5,500
Grand Total								0.35		5,500

Improvement Breakdown									
Code Area	ID#	Yr Built	Stat Class	Description	TD%	Total Sq. Ft.	Ex%	MS Acct #	Trended RMV
Grand Total									0

Comments: 9/7/04 Changed hood to 018. KM 2/17 Reapp. of land w/abled values. RCW

EXHIBIT B



PLANNING APPLICATION

OFFICE USE ONLY	
Date Stamp	
JUN 22 2022	
BY:	
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by:	
Receipt #:	
Fees:	
Permit No: 851-22-00171 -PLNG	

Applicant (Check Box if Same as Property Owner)

Name: Charmaine Klein Phone: 503-812-0509
 Address: 18955 Nestucca Dr.
 City: Cloverdale State: OR Zip: 97112
 Email: james.charmaire.klein@gmail

Property Owner

Name: Fawn Richardson Phone: 406/240-9800
 Address: 25700 Tye Rd
 City: Beaver State: OR Zip: 97112
 Email: rfawn3643@gmail.com

Request: Setback to Carport from house - request 4' Setback

- | Type II | Type III | Type IV |
|---|--|--|
| <input type="checkbox"/> Farm/Forest Review
<input type="checkbox"/> Conditional Use Review
<input checked="" type="checkbox"/> Variance
<input type="checkbox"/> Exception to Resource or Riparian Setback
<input type="checkbox"/> Nonconforming Review (Major or Minor)
<input type="checkbox"/> Development Permit Review for Estuary Development
<input type="checkbox"/> Non-farm dwelling in Farm Zone
<input type="checkbox"/> Fore-dune Grading Permit Review
<input type="checkbox"/> Neskowin Coastal Hazards Area | <input type="checkbox"/> Appeal of Director's Decision
<input type="checkbox"/> Extension of Time
<input type="checkbox"/> Detailed Hazard Report
<input type="checkbox"/> Conditional Use (As deemed by Director)
<input type="checkbox"/> Ordinance Amendment
<input type="checkbox"/> Map Amendment
<input type="checkbox"/> Goal Exception | <input type="checkbox"/> Appeal of Planning Commission Decision
<input type="checkbox"/> Ordinance Amendment
<input type="checkbox"/> Large-Scale Zoning Map Amendment
<input type="checkbox"/> Plan and/or Code Text Amendment |

Location:

Site Address: 25700 Tye Rd. Cloverdale, OR 97112
 Map Number: 35 9W 31B 200
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.

Property Owner Signature (Required): Fawn Richardson Date: 06-20-22
 Applicant Signature: Charmaine Klein Date: 6/22/22



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 OFFICE USE ONLY

Date Stamp

Applicant (Check Box if Same as Property Owner)

Name: Phone: James Klein 503-812-0509

Address: 18955 Nestucca Drive

City: State: Zip: Cloverdale, OR 97112

Email: james.charmaine.klein@gmail.com Approved Denied

Property Owner

Name: Phone:

Address:

City: State: Zip:

Email:

Received by:

Receipt #:

Fees:

Permit No:

851-22-000171-PLNG

Request: Variance to allow 4' between house and metal carport instead of 6' allowing proper set back from street.

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: 25700 Tye Rd. Cloverdale, OR 97112

Map Number: 34 35 9W 31 BC 0200

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.

Property Owner Signature (Required)

James Klein

Applicant Signature

Date

James Klein
4/26/22

Date

4/26/22

April 27, 2022

35931 BC 200
851-22-000171-PLN61

Lynn Tone
Tillamook County Department of Community Development
1510 Third Street
Tillamook, OR 97112

RE: Variance Request for Carport at 25700 Tyee Rd. Cloverdale, OR

Dear Lynn,

Attached is the intake material requesting a variance to allow us to have a metal carport that is four feet from the backdoor of our home instead of six feet as the code calls for. There is a 30' x 30' 4" concrete pad where the 24' x 25' carport stands. Following the Review Criteria are addressed for this property:

1. None of the neighboring property owners will lose any enjoyment of any substantial property right by the installation of this carport.
2. A variance is necessary to accommodate the full use of the carport so that it fits on the lot and complies with the setback requirement for the front of the lot. Per this request, the 25' long carport comes up to the covered porch accessing the utility room. If it were moved back to 6' from the side of the house, there would be a two foot gap between the covered porch and the carport allowing rain to on that area and the carport would have to be cut shorter to allow for the setback requirement of the street. That extra two feet is important for a large pickup or small RV.
3. This proposed variance will comply with the purposes of any development standards for our Nestucca Bend Subdivision and does preserve the right of all adjoining property owners to use and enjoy their land for legal purposes. It does not affect any of them in any manner.
4. There is no other reasonable alternative available. This is the most reasonable alternative available, a variance allowing the distance between the carport and the house to be four feet instead of six feet. The ends of the carport are open, making the distance between the house and the carport seem much further, and any access to the side of the house much easier than if the end was enclosed.

Addressing the Supplementary Regulations of Section 4.005: Residential and Commercial Zone Standards, the responses follow:

1. Any open spaces are not affected by this request.
2. The amount of light and air to the residential structure is reduced by very little by this request. There are no windows on the end of the home that face the carport. Only a door accessing the utility room face the carport and is accessed by a covered porch that has polycarbonate material allowing light to the porch.
3. Because the ends are open on the carport, there is room for emergency access to the house.
4. By having the carport a little closer to the house, there is enhances privacy for the occupants of the residence.
5. This variance makes the access to the house and land easier to maneuver with any truck, tractor, car, etc. than without the variance.
6. Driver visibility on adjacent roads are not affected or obstructed by this variance.

1. There will be no change of use as a result of this variance, no increased traffic and the carport will meet requirements for the distance to neighboring properties. It also will meet our property line set-backs. Due to size of the lot and the location of the existing drain field and house the proposed location of the carport cannot be located elsewhere. The community of Nestucca Bend has many similarly situated carports.

4. The manufacturer of the carport will not install carport attached to dwelling. They require four feet from any other structures. We cannot build it with a six foot distance to the house because the carport would then intrude into the front yard set-back requirement.

7. Safe access to and from the common community road is not affected by this request. In fact, this request allows for more room to back into to the gravel apron and and pull out on to the road straight instead of backing into the common road to leave the property, making it safer.
8. No pleasing views are obstructed nor obtained by this request.
9. This request does not allow for incompatible land use.
10. This request does not affect access to solar radiation for the purpose of alternative energy production.

I hope that this satisfies any questions regarding the review criteria.

Sincerely,

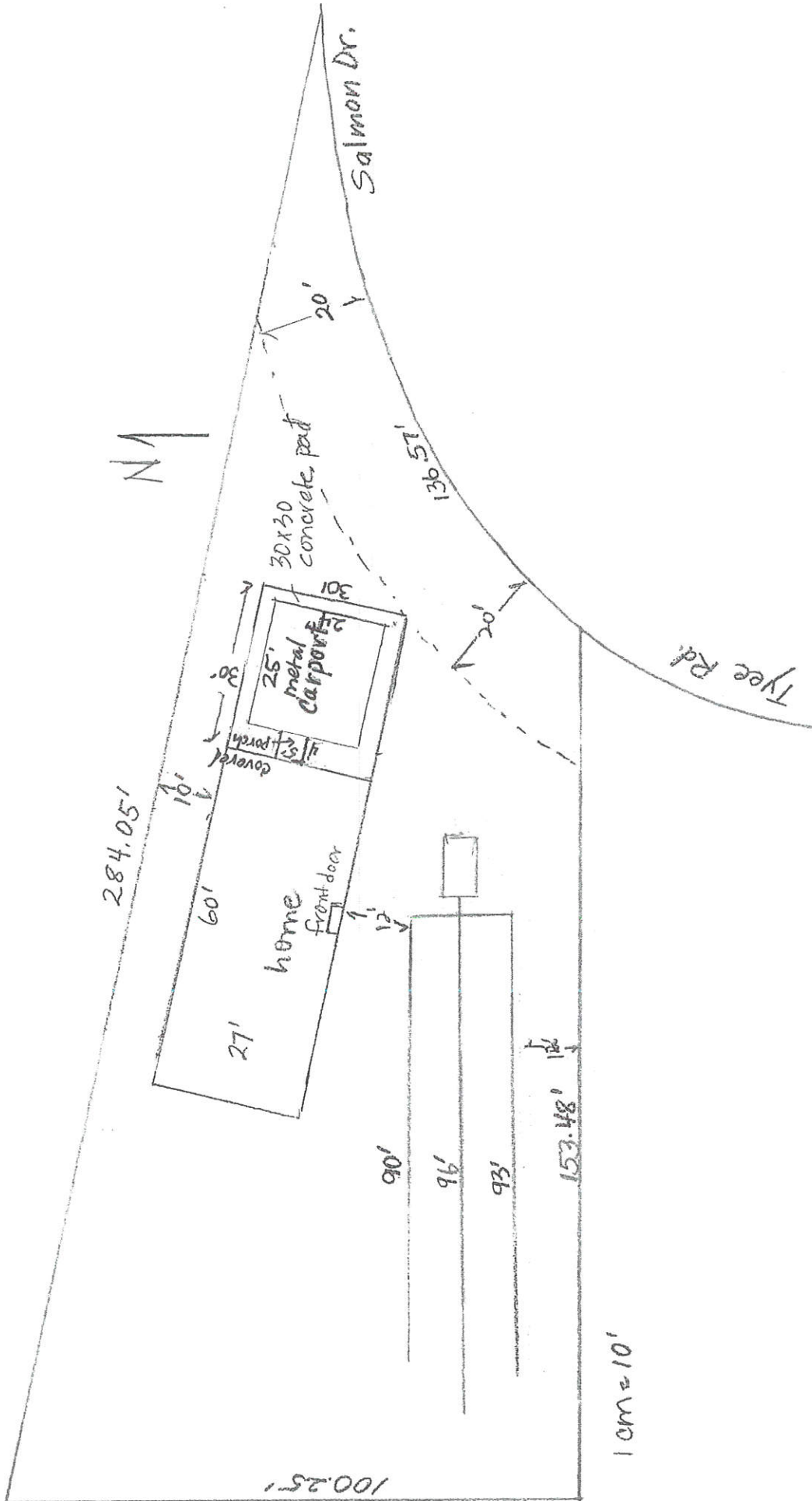
James and Charmaine Klein
18955 Nestucca Drive
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503-812-050
James.Charmaine.Klein@gmail.com

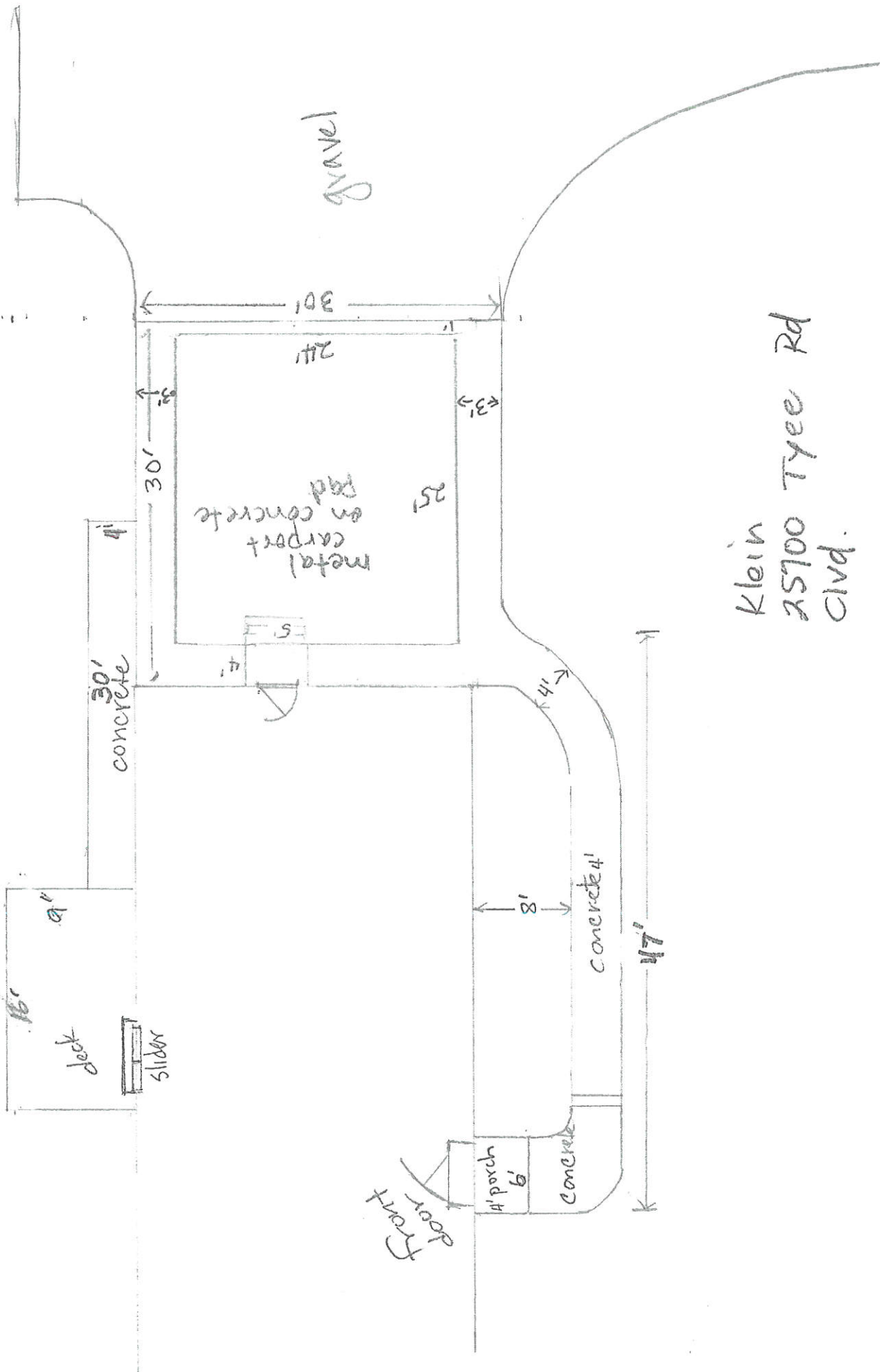
1. There will be no change of use as a result of this variance, no increased traffic and the carport will meet requirements for the distance to neighboring properties. It also will meet our property line set-backs. Due to size of the lot and the location of the existing drain field and house the proposed location of the carport cannot be located elsewhere. The community of Nestucca Bend has many similarly situated carports.

4. The manufacturer of the carport will not install carport attached to dwelling. They require four feet from any other structures. We cannot build it with a six foot distance to the house because the carport would then intrude into the front yard set-back requirement.

James and Charmaine Klein
25700 Tyée
Cloverdale, OR 97112
James.Charmaine.Klein@gmail.com
503-812-0509

3S 9W 31BC Lot 200
Tillamook County, OR



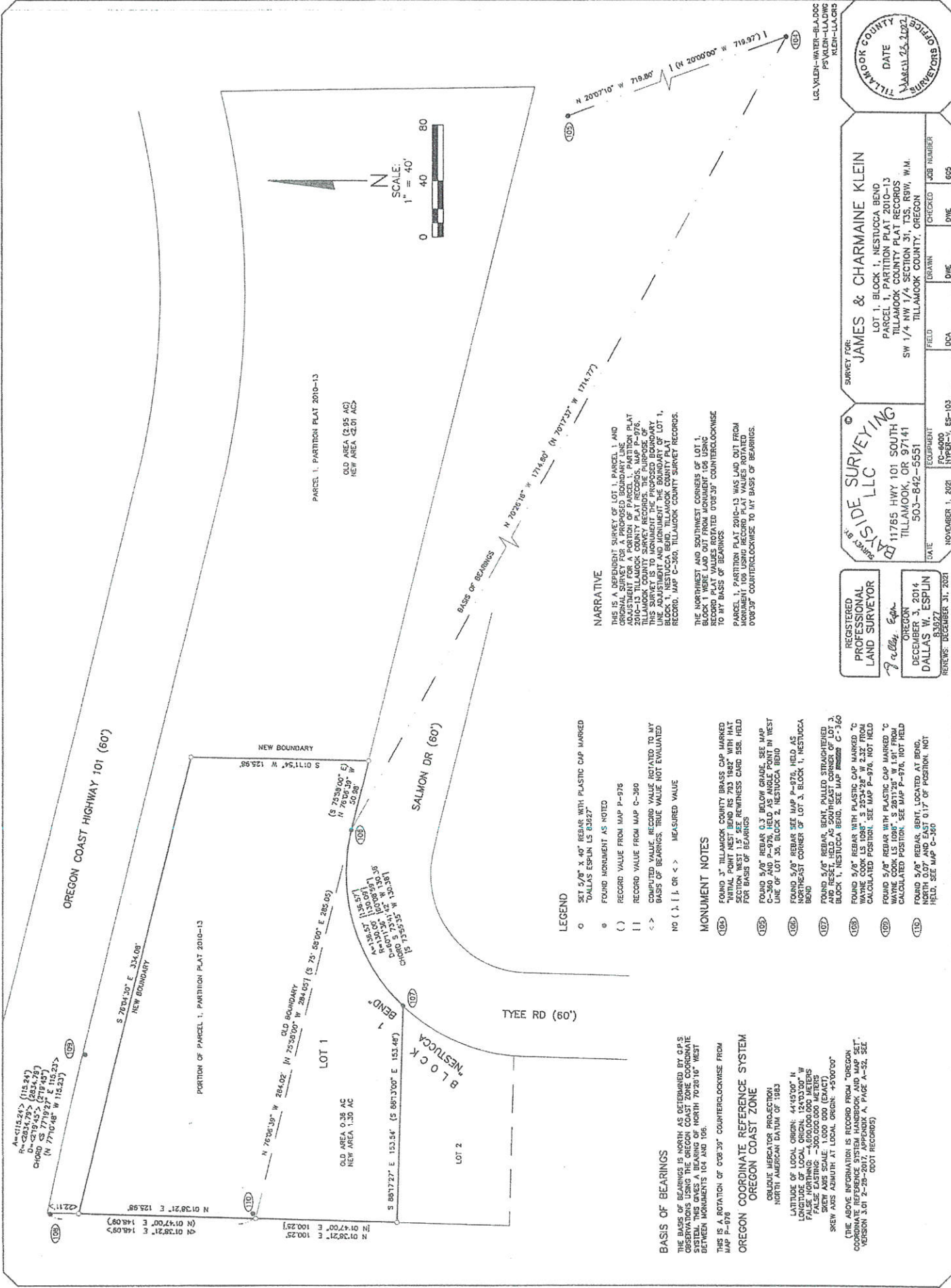


Klein
25700 Tye Rd
Clvd.

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NARRATIVE
 THIS IS A DEPENDENT SURVEY OF LOT 1, PARCEL 1 AND ORIGINAL SURVEY FOR A PROPOSED BOUNDARY LINE ADJUSTMENT FOR A COUNTY OF TILLAMOOK COUNTY PLAT FOR A COUNTY OF TILLAMOOK COUNTY SURVEY RECORD. THE PURPOSE OF THIS SURVEY IS TO MONUMENT THE PROPOSED BOUNDARY LINE BETWEEN LOT 1, BLOCK 1, NESTUCCA BEAD, TILLAMOOK COUNTY PLAT RECORD, MAP C-360, TILLAMOOK COUNTY SURVEY RECORDS. THE NORTHWEST AND SOUTHWEST CORNERS OF LOT 1, BLOCK 1, NESTUCCA BEAD, TILLAMOOK COUNTY SURVEY RECORD, MAP C-360, WAS LOST FROM MONUMENT 108 USING RECORD PLAT VALUES ROTATED COUNTERCLOCKWISE TO MY BASIS OF BEARINGS. PARCEL 1, PARTITION PLAT 2010-13 WAS LOST OUT FROM MONUMENT 109 USING RECORD PLAT VALUES ROTATED COUNTERCLOCKWISE TO MY BASIS OF BEARINGS.

LEGEND
 ○ SET 5/8" x 40" REBAR WITH PLASTIC CAP MARKED "DALLAS ESPLIN LS E3227"
 ○ FOUND MONUMENT AS NOTED
 () RECORD VALUE FROM MAP P-976
 () RECORD VALUE FROM MAP C-360
 <> COMPUTED VALUE REBAR VALUE ROTATED TO MY BASIS OF BEARINGS. THIS VALUE NOT EVALUATED
 NO () () OR <> MEASURED VALUE

MONUMENT NOTES
 (105) FOUND 3" TILLAMOOK COUNTY BRASS CAP MARKED "INITIAL POINT NEST BEAD RS 793 1942" WITH HAT SECTION WEST 1.5'. SEE REVENUE CARD 558. HELD FOR BASIS OF BEARINGS.
 (106) FOUND 5/8" REBAR SEE MAP P-976, HELD AS NEAREST CORNER OF LOT 3, BLOCK 1, NESTUCCA BEAD.
 (107) FOUND 5/8" REBAR, BENT, RULLED STRAIGHTENED AND RESET HELD AS SOUTHEAST CORNER OF LOT 3, BLOCK 1, NESTUCCA BEAD. SEE MAP P-976.
 (108) FOUND 5/8" REBAR WITH PLASTIC CAP MARKED "C WAYNE COOK LS 1098" S 250°34'25" W 2.32' FROM CALCULATED POSITION. SEE MAP P-976. NOT HELD.
 (109) FOUND 5/8" REBAR WITH PLASTIC CAP MARKED "C WAYNE COOK LS 1098" S 201°12'25" W 1.91' FROM CALCULATED POSITION. SEE MAP P-976. NOT HELD.
 (110) FOUND 5/8" REBAR, BENT, LOCATED AT BEND, NORTH 0.07' AND EAST 0.17' OF POSITION. NOT HELD. SEE MAP C-360.

BASIS OF BEARINGS
 THE BASIS OF BEARINGS IS NORTH AS DETERMINED BY GPS OBSERVATIONS USING THE OREGON COAST ZONE COORDINATE SYSTEM. THIS GIVES A BEARING OF NORTH 70°26'18" WEST BETWEEN MONUMENTS 104 AND 105.
 THIS IS A ROTATION OF 0°38'39" COUNTERCLOCKWISE FROM MAP P-076

OREGON COORDINATE REFERENCE SYSTEM
 OREGON COAST ZONE
 NAD 83
 NORTH AMERICAN DATUM OF 1983
 LATITUDE OF LOCAL ORIGIN: 44°43'00" N
 FALSE NORTHING: 1,600,000.000 METERS
 FALSE EASTING: 300,000.000 METERS
 SKEW AXIS SCALE: 1,000.000 (EXACT)
 SKEW AXIS ADJUST AT LOCAL ORIGIN: +0.000000"

(THE ABOVE INFORMATION IS RECORD FROM "OREGON COAST ZONE COORDINATE REFERENCE SYSTEM" PAGE A-32, SET 1, VERSION 01-25-2017, REVISION A, PAGE A-32, SET 1, CROT RECORDS)

REGISTERED PROFESSIONAL LAND SURVEYOR
 J. Dallas Esplin
 OREGON
 DECEMBER 3, 2014
 DALLAS W. ESPLIN
 833277
 REVENUE: DECEMBER 31, 2021

BAKESIDE SURVEYING LLC
 11785 HWY 101 SOUTH
 TILLAMOOK, OR 97141
 503-842-5551

SURVEY FOR: JAMES & CHARMAINE KLEIN
 LOT 1, BLOCK 1, NESTUCCA BEAD
 PARCEL 1, PARTITION PLAT 2010-13
 TILLAMOOK COUNTY PLAT RECORDS
 SW 1/4 NW 1/4 SECTION 31, T3S, R9W, W1M
 TILLAMOOK COUNTY, OREGON

TILLAMOOK COUNTY
 DATE
 MARCH 25, 2021
 SURVEY RECORD OFFICE

LG, VLEN-WATER-BLADOC
 PS-VLEN-LUADING
 REB-LUADING

CHECKED DIVE 605
 DRAWN DIVE
 FIELD DCA
 JOB NUMBER

NOVEMBER 1, 2021
 EQUIPMENT
 FC-6000
 HYPER-V, ES-103