



1510 – B Third Street  
Tillamook, Oregon 97141  
[www.tillamook.or.us](http://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

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*Land of Cheese, Trees and Ocean Breeze*

**RESOURCE ZONE EXCEPTION #851-22-000303-PLNG: BAERTLEIN**

*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: September 15, 2022**

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

**#851-22-000303-PLNG:** An exception request to reduce the required 100-foot resource zone setback from the Farm (F-1) zone boundary and establish a 33-foot setback to allow for the placement of a residential structure (single-family dwelling).

The subject property is accessed via Hurliman Hill Road, a private forest road, is located southeast of the City of Tillamook, is zoned Rural Residential 2-Acre and is designated as Tax Lot 901 in Section 22 of Township 2 South, Range 9 West of the Willamette Meridian, Tillamook County, Oregon. The applicant and property owner are Dave and Kim Baertlein.

Written comments received by the Department of Community Development prior to 4:00p.m. on September 29, 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 September 30, 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:

<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 Ext. 3412 or [sabsher@co.tillamook.or.us](mailto:sabsher@co.tillamook.or.us).

Sincerely,

A handwritten signature in blue ink that reads "Sarah Absher". The signature is fluid and cursive, written over a white background.

Sarah Absher, CFM, Director

Enc. Applicable Ordinance Criteria, Maps

## REVIEW CRITERIA

SECTION 3.010: RURAL RESIDENTIAL 2 ACRE AND 10 ACRE ZONE (RR-2) (RR-10) (4) STANDARDS: Land divisions and development in the RR-2 and RR-10 zone shall conform to the following standards, unless more restrictive supplemental regulations apply:

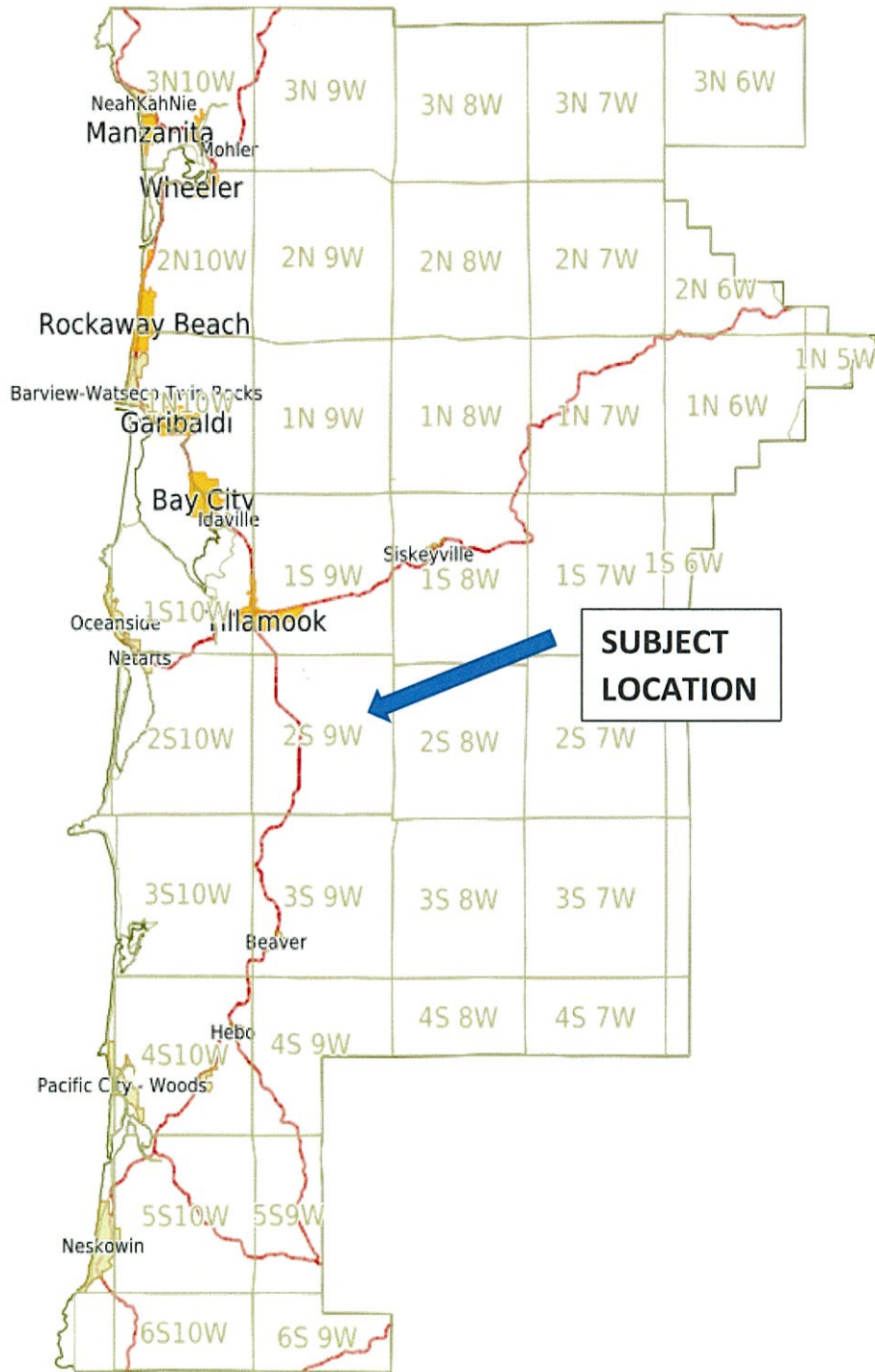
...

- (f) The minimum front yard shall be 20 feet.
- (g) The minimum side yard shall be 5 feet; on the street side of a corner lot, it shall be no less than 15 feet.
- (h) The minimum rear yard shall be 20 feet; on a corner lot, it shall be no less than 5 feet.
- (i) The maximum building height shall be 35 feet, except on ocean or bay frontage lots, where it shall be 24 feet. Higher structures may be permitted only according to the provisions of Article 8.

...

- (k) *No residential structure shall be located within 100 feet of an F-1, F, or SFW-20 zone boundary, unless it can be demonstrated that natural or man-made features will act as an equally effective barrier to conflicts between resource and residential used; or that a residential structure could not otherwise be placed on the property without requiring a variance to the 100-foot requirement. In either case, all yard requirements in this zone shall still apply.*

# VICINITY MAP



#851-22-000303-PLNG: BAERTLEIN



# Map







## PLANNING APPLICATION

RECEIVED

OFFICE USE ONLY

Date Stamp JUL 27 2022

BY: \_\_\_\_\_

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Approved  Denied

Received by: \_\_\_\_\_

Receipt #: 127754

Fees: \$1,300.00

Permit No:  
851-22-00303-PLNG

**Applicant**  (Check Box if Same as Property Owner)

Name: DAVE + Kim Baertlein Phone: 503-338-8208

Address: 9700 Solle Smith Rd

City: Tillamook State: OR Zip: 97141

Email: kbaertlein@live.com

mattwerner78@gmail.com

**Property Owner**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email: \_\_\_\_\_

Request: \_\_\_\_\_

Need North setback to be 33'  
We cant crowd South property line because of slope/virgin ground  
Vegetative buffer North region of property to mitigate conflicts with  
resource users.

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

**Location:**

Site Address: \_\_\_\_\_

Map Number: 25 9 22 901  
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.

[Signature]  
 Property Owner Signature (Required)

7/27/22  
 Date

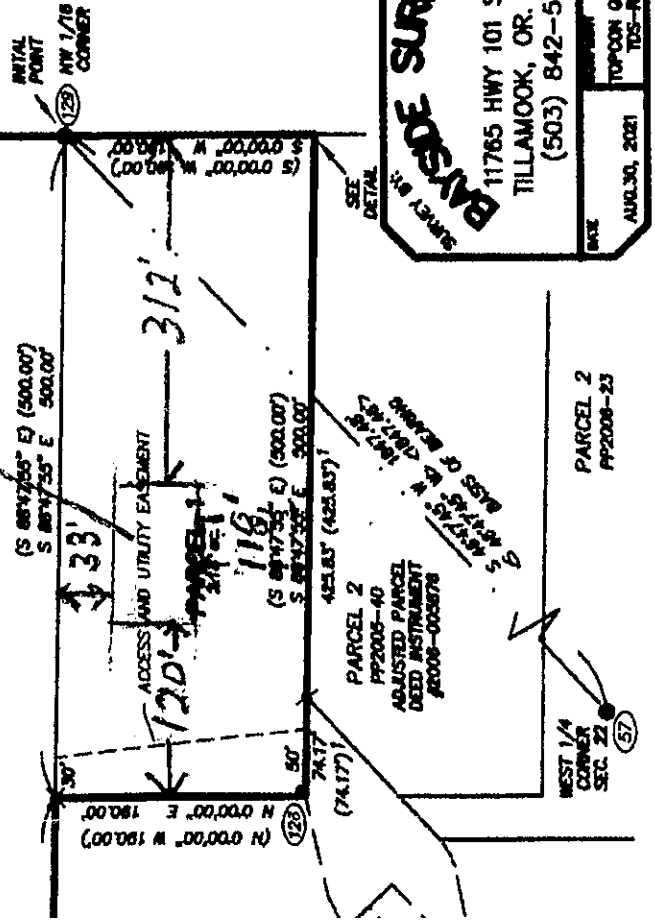
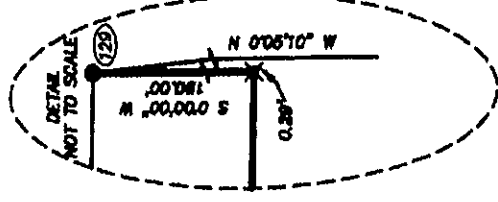
6 Applicant Signature \_\_\_\_\_ Date \_\_\_\_\_

10.00 N  
10.00 E

**LEGEND**

- INDICATES FOUND MONUMENT AS NOTED HEREON. HELD FOR CONTROL.
- ⊗ INDICATES FOUND 5/8" REBAR WITH YELLOW PLASTIC CAP STAMPED "TERRY JONES LS 2507". SEE MAPS P-798 AND P-822.
- ⊗ INDICATES FOUND 5/8" REBAR WITH YELLOW PLASTIC CAP STAMPED "A DUNCAN LS 793", HELD. SEE MAPS B-3636, AND P-152.
- INDICATES FOUND MONUMENT AS NOTED HEREON.
- ( ) INDICATES RECORD VALUE FROM MAP P-152.
- ( ) INDICATES RECORD VALUE FROM MAP P-798.
- < > INDICATES CALCULATED VALUE FROM MAP P-152.
- NO ( ) OR < > INDICATES MEASURED VALUE.

*Proposed  
60' x 40'*



SHEET 2 of 2

PARVONHOTHLOW  
950-HULLERS #18

**TAMMY & RICK KOMINOTH**

REPLAT OF PARCEL 2  
PARTITION PLAT 1993-42

NW1/4 OF SECTION 22, T2S, R9W, W.M.  
TILLAMOOK COUNTY, OREGON

**BRISIDE SURVEYING**  
11765 HWY 101 SOUTH  
TILLAMOOK, OR. 97141  
(503) 842-5551

DATE	AUG. 30, 2021	PROJECT	TOPCON OPT-1002 TDS-RECON	FILE	TLJ	OWNER	TLJ	CREATOR	TLJ	JOB NO.
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