



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

**PARTITION REQUEST #851-22-000433-PLNG:
CRIST / ONION PEAK DESIGN**

*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: January 17, 2023

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

#851-22-000433-PLNG: A Partition request to create two (2) parcels. Located at Tax Lot 1700 of Section 28DD, Township 3 North, Range 10 West on a property zoned Nehalem Medium Density Residential (NH-R2). The subject property is accessed via Tohl Avenue, a county-maintained road. The owner is Michael & Sue Crist. The applicant is Onion Peak Design.

Written comments received by the Department of Community Development **prior to 4:00p.m. on January 31, 2023**, 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 January 31, 2023.

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 or email: arimoldi@co.tillamook.or.us

Sincerely,

Angela Rimoldi, Planning Permit Technician

Sarah Absher, CFM, Director

Included: Applicable Ordinance Criteria
Vicinity, Assessor and Zoning Maps

REVIEW CRITERIA

NEHALEM, OR - CODE OF ORDINANCES

CHAPTER 157 ZONING

City of Nehalem Zoning Ordinance 157.080 Medium Density Residential -R2 Zone Standards:

- (a) The minimum lot size shall be 5,000 square feet for a single-family dwelling, plus 2,500 square feet for each additional dwelling unit.
- (b) The minimum lot width shall be 40 feet; except on a corner lot, it shall be 60 feet.
- (c) The minimum lot depth shall be 85 feet.
- (d) The minimum front yard shall be 20 feet.
- (e) The minimum side yard shall be 5 feet; except on the street side of a corner lot, it shall be 15 feet.
- (f) The minimum rear yard shall be 20 feet; except on a corner lot, it may be 5 feet.

.....

CHAPTER 156 SUBDIVISIONS

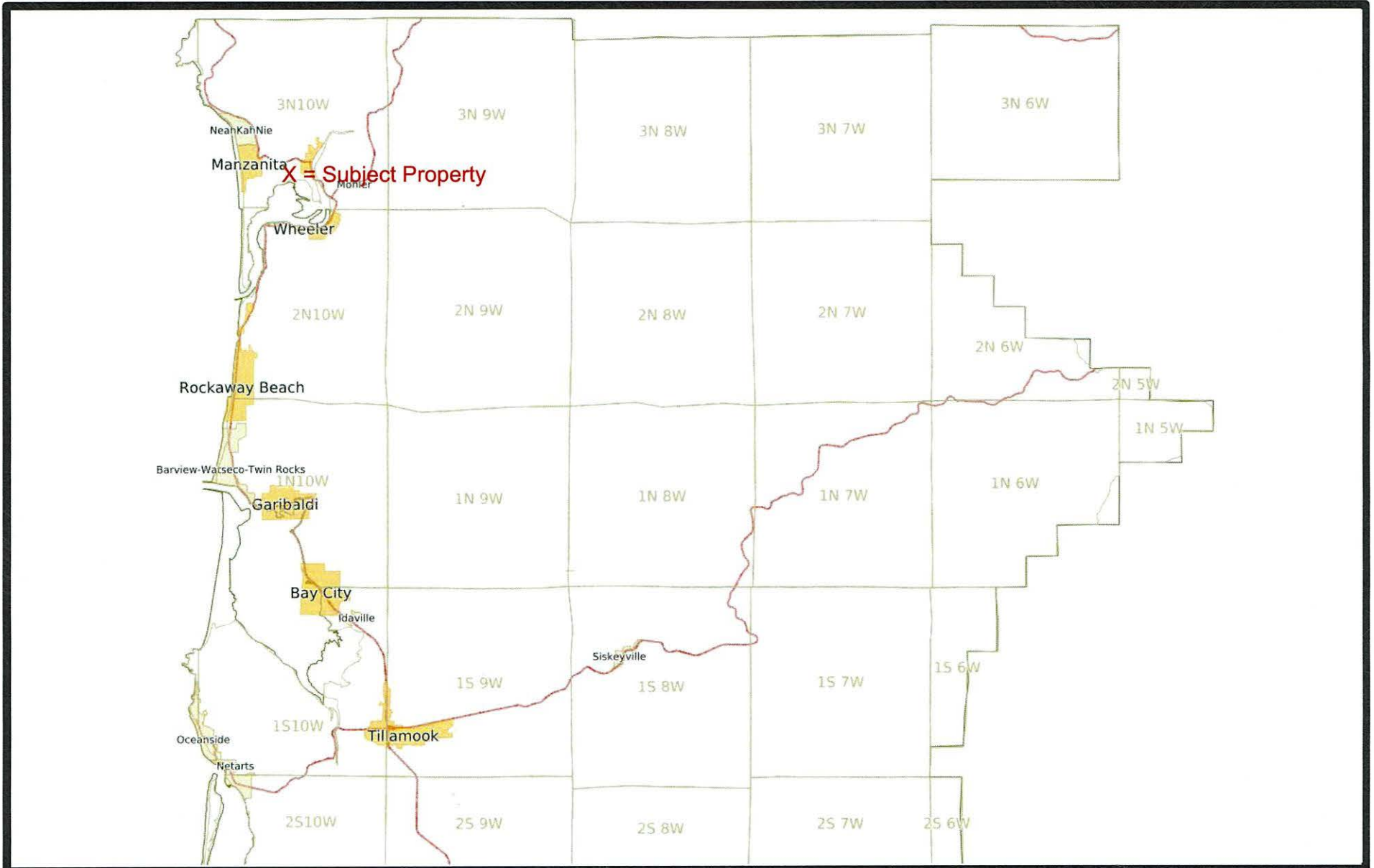
MINOR LAND PARTITION

- 156.065 MINIMUM STANDARDS
- 156.066 INITIAL SUBMISSION
- 156.067 INFORMATION ON MAP
- 156.068 REVIEW AND APPROVAL

DESIGN STANDARDS

- 156.080 GENERAL REQUIREMENTS
- 156.081 STREETS
- 156.082 UTILITY EASEMENTS
- 156.083 BUILDING SITES

Map - Vicinity



THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY



S.E. 1/4 S.E. 1/4 SEC. 28 T.3N. R.10W. W.M.

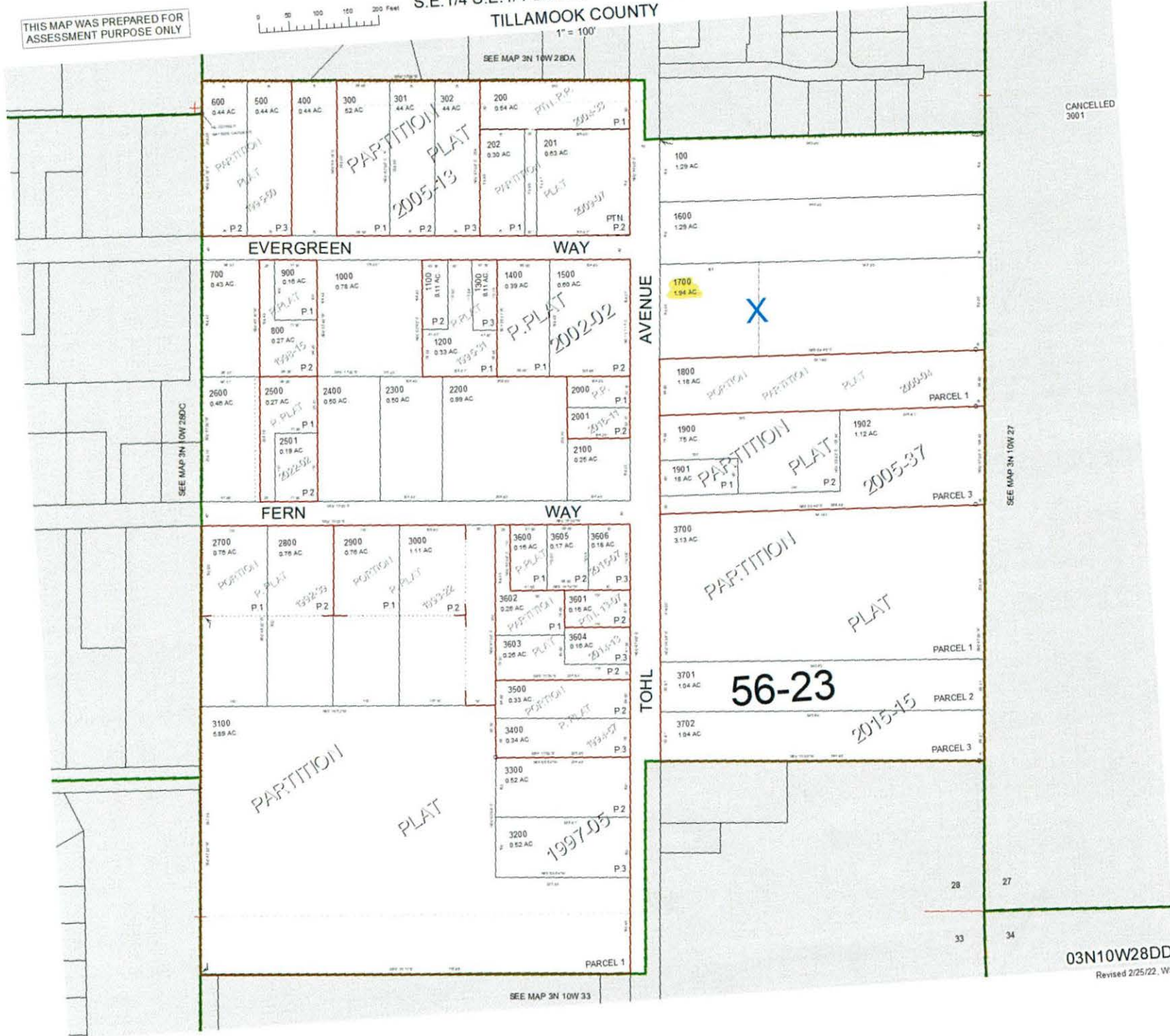
TILLAMOOK COUNTY

1" = 100'

SEE MAP 3N 10W 28DA

03N10W28DD

CANCELLED 3001



SEE MAP 3N 10W 28DC

SEE MAP 3N 10W 27

SEE MAP 3N 10W 33

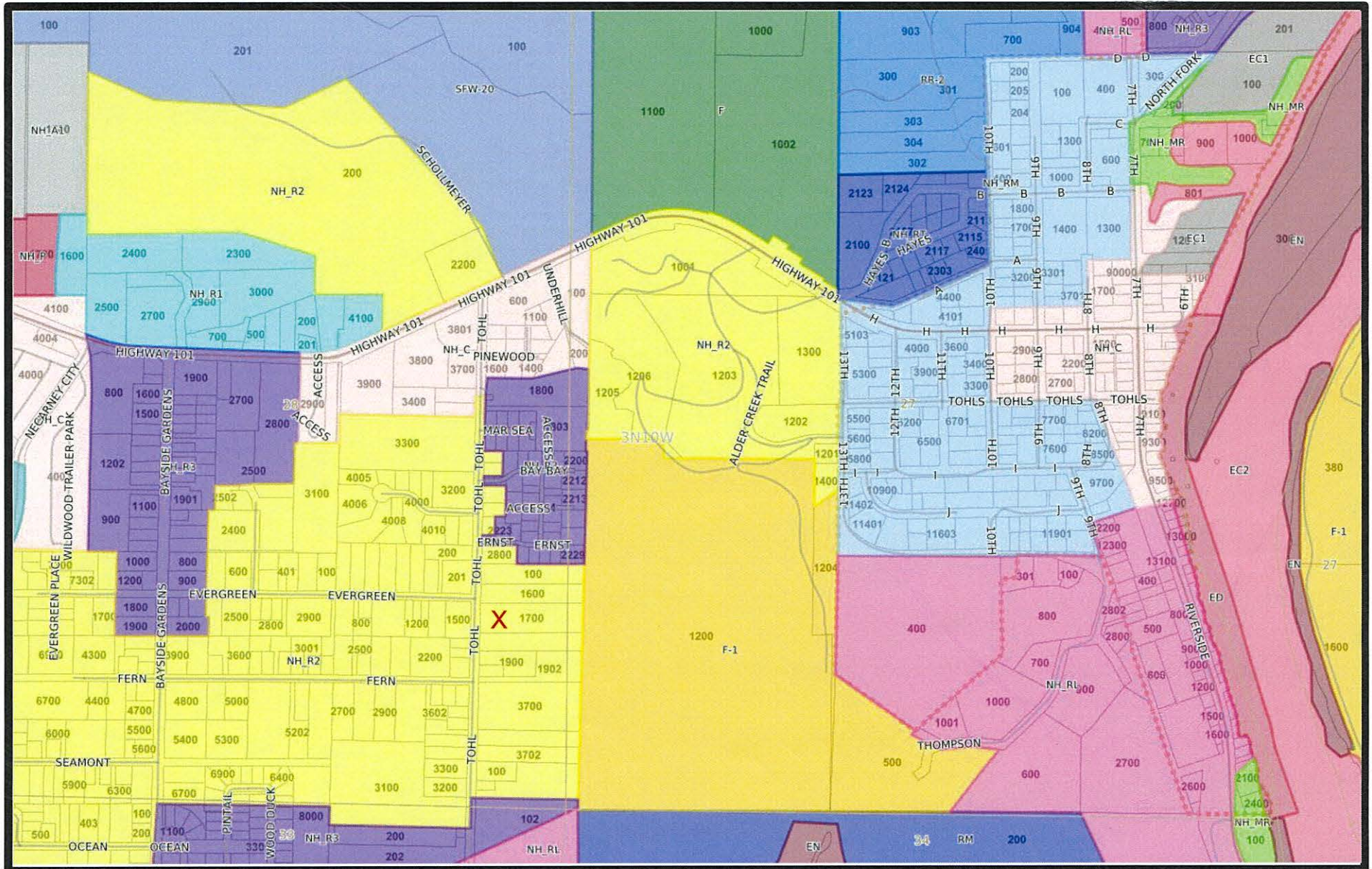
56-23

03N10W28DD

Revised 2/25/22, WS

Map - ZONING

X = Subject Property



Generated with the GeoMOOSE Printing Utilities



LAND DIVISION APPLICATION

Applicant (Check Box if Same as Property Owner)

Name: Onion Peak Design Phone: 503-440-4403
 Address: 11460 Evergreen Way
 City: Nehalem State: OR Zip: 97131
 Email: erick.opd@gmail.com

Property Owner

Name: Michael & Sue Crist Phone: 503-812-1663
 Address: PO Box 272
 City: Nehalem State: OR Zip: 97131
 Email: mcrist@outlook.com

Location:

Site Address: 35195 Tohl Avenue, Nehalem, OR 97131

Map Number:	3N	10W	28 DD	1700
	Township	Range	Section	Tax Lot(s)

Land Division Type: Partition (Two or Three Lots, Type II) Subdivision (Four or More Lots, Type III)
 Preliminary Plat (Pages 1-2) Final Plat (Page 3)

PRELIMINARY PLAT (LDO 060(1)(B))

- For subdivisions, the proposed name.
- Date, north arrow, scale of drawing.
- Location of the development sufficient to development sufficient to define its location, boundaries, and a legal description of the site.

- Existing streets with names, right-of-way, pavement widths, access points.
- Width, location and purpose of existing easements
- The location and present use of all structures, and indication of any that will remain after platting.
- Location and identity of all utilities on and abutting the site. If water mains and sewers are not on site, show distance to the nearest one and how they will be brought to standards
- Location of all existing subsurface sewerage systems, including drainfields and associated easements

General Information

- Parcel zoning and overlays
- Title Block
- Clear identification of the drawing as "Preliminary Plat" and date of preparation
- Name and addresses of owner(s), developer, and engineer or surveyor

Existing Conditions

- Ground elevations shown by contour lines at 2-foot vertical interval. Such ground elevations shall be related to some established benchmark or other datum approved by the County Surveyor
- The location and elevation of the closest benchmark(s) within or adjacent to the site
- Natural features such as drainage ways, rock outcroppings, aquifer recharge areas, wetlands, marshes, beaches, dunes and tide flats
- For any plat that is 5 acres or larger, the Base Flood Elevation, per FEMA Flood Insurance Rate Maps

OFFICE USE ONLY

Date Stamp



BY: _____

Approved Denied

Received by: _____

Receipt #: 129642

Fees: 1100.-

Permit No:
851-22-000433 PLNG

- Proposed lots, streets, tracts, open space and park land (if any); location, names, right-of-way dimensions, approximate radius of street curves; and approximate finished street center line grades. All streets and tracts that are being held for private use and all reservations and restrictions relating to private tracts identified
- Location, width and purpose of all proposed easements
- Proposed deed restrictions, if any, in outline form
- Approximate dimensions, area calculation (in square feet), and identification numbers for all proposed lots and tracts

Proposed Development

- Proposed uses of the property, including all areas proposed to be dedicated as public right-of-way or reserved as open space
- On slopes exceeding an average grade of 10%, as shown on a submitted topographic survey, the preliminary location of development on lots demonstrating that future development can meet minimum required setbacks and applicable engineering design standards
- Preliminary utility plans for sewer, water and storm drainage when these utilities are to be provided
- The approximate location and identity of other utilities, including the locations of street lighting fixtures, as applicable
- Evidence of compliance with applicable overlay zones, including but not limited to the Flood Hazard Overlay (FH) zone
- Evidence of contact with the applicable road authority for proposed new street connections
- Certificates or letters from utility companies or districts stating that they are capable of providing service to the proposed development

Additional Information Required for Subdivisions

- Preliminary street layout of undivided portion of lot
- Special studies of areas which appear to be hazardous due to local geologic conditions
- Where the plat includes natural features subject to the conditions or requirements contained in the County's Land Use Ordinance, materials shall be provided to demonstrate that those conditions and/or requirements can be met
- Approximate center line profiles of streets, including extensions for a reasonable distance beyond the limits of the proposed Subdivision, showing the proposed finished grades and the nature and extent of construction
- Profiles of proposed drainage ways
- In areas subject to flooding, materials shall be submitted to demonstrate that the requirements of the Flood Hazard Overlay (FHO) zone of the County's Land Use Ordinance will be met
- If lot areas are to be graded, a plan showing the nature of cuts and fills, and information on the character of the soil
- Proposed method of financing the construction of common improvements such as street, drainage ways, sewer lines and water supply lines

- FINAL PLAT (LDO 090(1))
- Date, scale, north arrow, legend, highways, and railroads contiguous to the plat perimeter
- Description of the plat perimeter
- The names and signatures of all interest holders in the land being platted, and the surveyor
- Monuments of existing surveys identified, related to the plat by distances and bearings, and referenced to a document of record
- Exact location and width of all streets, pedestrian ways, easements, and any other rights-of-way
- Easements shall be denoted by fine dotted lines, and clearly identified as to their purpose
- Provisions for access to and maintenance of off-right-of-way drainage
- Block and lot boundary lines, their bearings and lengths
- Block numbers
- Lot numbers
- The area, to the nearest hundredth of an acre, of each lot which is larger than one acre
- Identification of land parcels to be dedicated for any purpose, public or private, so as to be distinguishable from lots intended for sale

Certificates:

- Title interest & consent Water
- Dedication for public use Public Works
- Engineering/Survey

Additional Information:

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. Within two (2) years of final review and approval, all final plats for land divisions shall be filed and recorded with the County Clerk, except as required otherwise for the filing of a plat to lawfully establish an unlawfully created unit of land. The applicant verifies that the information submitted is complete, accurate, and consistent with other information submitted with this application.

Michael Crist *Sue Crist*

 Property Owner (*Required)

Al W

 Applicant Signature

12-6-2022

 Date

12-12-22

 Date

NOTES

THIS MAP DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE SUBJECT PROPERTY. THE PURPOSE OF THIS MAP IS TO SHOW THE PROPOSED PARTITION AS PER TILLAMOOK COUNTY PLANNING DEPARTMENT PROCEDURES. PUBLIC WATER AND SEWER ARE AVAILABLE THROUGH PUBLIC SYSTEMS LOCATED WITHIN TOHL AVENUE.

OWNER

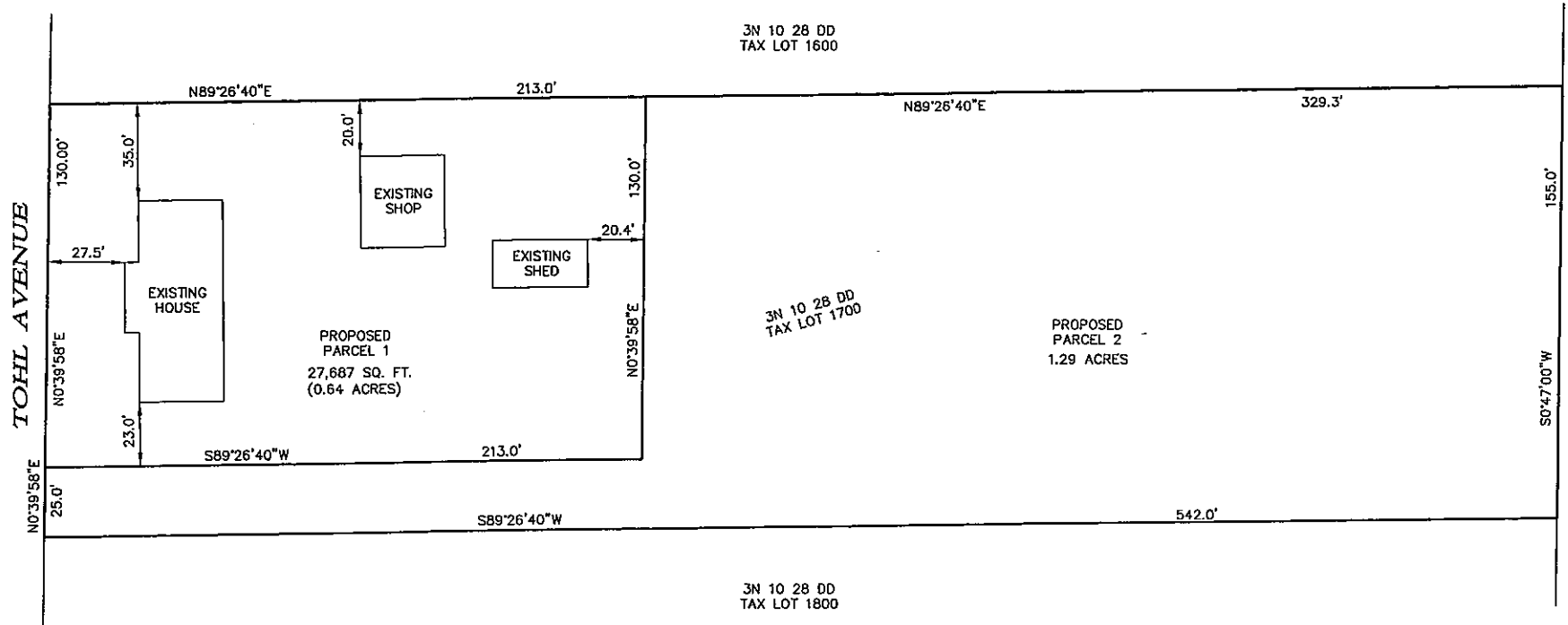
MICHAEL T. & SUE CRIST
PO BOX 272
NEHALEM, OR 97131

3N 10 28 DD
TAX LOT 1600

3N 10 28 DD
TAX LOT 1700

3N 10 28 DD
TAX LOT 1800

3N 10 27
TAX LOT 1200



SCALE:
1" = 50'

TENTATIVE PARTITION FOR:
MICHAEL & SUE CRIST

3N 10 28 DD
TAX LOT
1700

SE 1/4, SE 1/4, SECTION 28, T3N, R10W, W.M.
TILLAMOOK COUNTY
DECEMBER 5, 2022

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Erick M. White

OREGON
APRIL 28, 2014
ERICK M. WHITE
78572

RENEWS 6/30/2024

**ONION PEAK
DESIGN**

11460 EVERGREEN WAY
NEHALEM, OR 97131
(503) 440-4403

CRIST2212-EX.DWG



Date: 12/12/2022

To: TILLAMOOK COUNTY BUILDING DEPARTMENT

Re: WATER SERVICE AVAILABILITY

Attn: Building Department

I confirm that the property listed below is within the City's water service area, and may be served water through the City's Water System under the Terms and Conditions governed by the latest version of the City's Water Ordinance. Please note: This Water Service Availability letter does not certify, approve or acknowledge any specific development plans, water or other utility installations that may be necessary for the subject property to actually physically connect to the City's water system to receive service. This letter only certifies that the subject property may receive (or may already receive) water from the City's Water System.

TOWNSHIP 3N RANGE 10 SECTION 28 DD DD TAX LOT(S) 01700

SITUS ADDRESS: _____

NAME: Mike and Sue Crist PHONE: 368-5844

MAILING ADDRESS: PO BOX 272

NEHALEM, OR 97131-0272

Single Family Duplex/Multi-Family Other

Comments: Partition

Signed: Melissa Thompson Kujala City Manager
Name Title

NN



Helen B. Knight, Trustee

Grantor's Name and Address
Michael J. Crist

Grantor's Name and Address

After recording, return to (Name, Address, Zip):

See Below

Until requested otherwise, send all correspondence to (Name, Address, Zip):

Michael J. Crist
Sue Crist
P.O. Box 272
Tillamook, OR 97131

STATE OF OREGON,
County of _____ } ss.

I certify that the within instrument was received for record on _____, at _____ o'clock _____ M., and recorded in book/reel/volume No. _____ on page _____ and/or as fee/file/instrument/microfilm/reception No. _____, Records of said County.

SPACE RESERVED FOR RECORDER'S USE

Witness my hand and seal of County affixed.

NAME TITLE

By _____, Deputy.

BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS that HELEN B. KNIGHT, TRUSTEE OF THE KNIGHT FAMILY TRUST

hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto MICHAEL T. CRIST AND SUE CRIST, HUSBAND AND WIFE, hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in TILLAMOOK County, State of Oregon, described as follows, to-wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ NIL. However, the actual consideration consists of or includes other property or value given or promised which is part of the the whole (indicate which) consideration. (The sentence between the symbols , if not applicable, should be deleted. See ORS 93.030.)

In constituting this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the grantor has executed this instrument on NOVEMBER 9, 1999; if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Helen B. Knight, Trustee
HELEN B. KNIGHT, TRUSTEE OF THE KNIGHT FAMILY TRUST

STATE OF OREGON, County of Tillamook) ss.

This instrument was acknowledged before me on _____

by _____ This instrument was acknowledged before me on November 9, 1999

by Helen B. Knight
as Trustee
of The Knight Family Trust

Connie E. Damm

Notary Public for Oregon

My commission expires 11-17-2001



29-644433-17

Beginning at the Southeast corner of Crist tract as recorded in Book 264, Page 118, Tillamook County Deed Records, in the Southeast ¼ of the Southeast ¼ of Section 28, Township 3 North, Range 10 West, W.M.;

Thence North 89° 26' 40" East 361.99 feet, more or less, to the East line of the Knight tract as described in Book 129, Page 331;

Thence North 0° 47' 00" East 155.00 feet, more or less, to the Northeast corner of said Knight tract;

Thence along the North line of said Knight tract, South 89° 26' 40" West 362.30 feet the Northeast corner of said Crist tract;

Thence along the East line of said Crist tract, South 00° 40' 00" West 155.00 feet to the point of beginning.

This description is based upon survey dated Sept. 9, 1999 for Helen Knight recorded in the Tillamook County Survey Office. The purpose of this description is to adjust the East line of the Crist tract (tax lot 3N 10 28D 09001) and not to create a distinct and separate parcel.

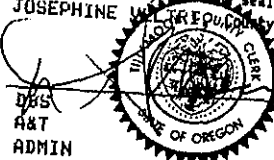
00387342

I hereby certify that the within instrument was received for record and recorded in the County of Tillamook, State of Oregon.

JAN. 31 10 05 AM '00

BOOK 414 PAGE 578

Witness my hand and seal affixed.
JOSEPHINE W. TRACY, County Clerk



DEPUTY
DSS 10.00
A&T 10.00
ADMIN 1.00
OLISF 1.00
PLCP 9.00

BARGAIN AND SALE DEED

46-224
5423
3-11-79

KNOW ALL MEN BY THESE PRESENTS, That Franklin R. Knight and Helen B. Knight, husband and wife, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant bargain, sell and convey unto Michael T. Crist and Sue Crist, husband and wife, hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Tillamook, State of Oregon, described as follows, to-wit:

Commencing at a point on the Section Line common to Sections 27 and 28, Township 3 North, Range 10 West of the Willamette Meridian, said point being North 0° 47' East 1089.40 feet from the Section corner common to Sections 27, 28, 33 and 34, in said Township and Range, said point being the Northeast corner of that property conveyed to F. E. Knight, et al, by deed recorded in Book 129, page 331, Deed Records, Tillamook County, Oregon; thence South 89° 26' 40" West (a recorded value of North 89° 13' West) along the North line of said Knight property 542.22 feet to the Easterly right of way line of Tohl Avenue and the true point of beginning of this parcel; thence South 0° 40' 00" West along said Easterly right of way line 155.00 feet; thence North 80° 26' 40" East 165.00 feet; thence North 0° 40' 00" East 155.00 feet; thence South 89° 26' 40" West 165.00 feet to the true point of beginning.

IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE
To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.
The true and actual consideration paid for this transfer, stated in terms of dollars, is \$6,000.00

~~On this day of the month of July, 1979, the said grantor and grantee, being personally present and duly advised of the contents hereof, have signed and affixed their seals and signatures to this deed, and the same has been read and approved by the said grantor and grantee, and the same is hereby acknowledged by the said grantor and grantee.~~

In conveying this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument, this 17th day of July, 1979; if a corporate grantor, it has caused its name to be signed and sealed affixed by its officers, duly authorized thereto by order of its board of directors.

Franklin E. Knight
Helen B. Knight

STATE OF OREGON, County of Tillamook, July 17, 1979

STATE OF OREGON, County of Tillamook, July 17, 1979

Personally appeared the above named Franklin E. Knight & Helen B. Knight

Personally appeared _____, who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of _____

and acknowledged the foregoing instrument to be their voluntary act and deed.

and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

(OFFICIAL SEAL) Notary Public for Oregon My commission expires: June 6, 1981

(OFFICIAL SEAL) Notary Public for Oregon My commission expires:

Franklin E. & Helen B. Knight
P. O. Box 1146
Nehalem, Oregon 97131

Michael T. & Sue Crist
P. O. Box
Nehalem, Or 97131
GRANTEE'S NAME AND ADDRESS

After recording return to:
Michael T. & Sue Crist
P. O. Box 272
Nehalem, Oregon 97131
NAME, ADDRESS, ETC.

Send a check or money order for the following address:
Michael T. & Sue Crist
P.O. Box 272
Nehalem, OR 97131
NAME AND ADDRESS

236383
264/118
7-18-79
Tillamook County, Oregon
JUL 18 2 25 PM '79
BOOK 204 PAGE 118
Tillamook County Official Records
Where my name and seal appear,
I am the County Clerk.

TILLAMOOK