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*Land of Cheese, Trees and Ocean Breeze*

## **NOTICE OF DECISION**

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

June 30, 2023

**#851-23-000118-PLNG:** Request for conditional use approval to amend the Planned Development Master Plan for ‘Sahhali South’ for Lots 24 and 25. Located at off Proposal Point Drive, a private road, the subject properties are located within the Neskowin Unincorporated Community, zoned Neskowin Rural Residential (NeskRR), and designated as Tax Lots 2400 and 2500 of Section 24AB, Township 5 South, Range 11 West of the Willamette Meridian, Tillamook County, Oregon. The Applicant is Dustin Capri of Capri Architecture. The property owners are Michael and Janice Shainsky.

Dear Interested Parties:

A public hearing on the above-entitled matter was held before the Tillamook County Planning Commission on June 22, 2023, where a decision was made on this date.

The Tillamook County Planning Commission considered this request on the basis of the criteria listed in Section 6.040: Conditional Use Review Criteria and Section 3.520(3)(b) of the Tillamook County Land Use Ordinance (TCLUO) and relevant development standards contained within the TCLUO and Tillamook County Comprehensive Plan. The Planning Commission also considered this request on the basis of the findings of fact and conclusions contained within the staff report, written testimony received during the public comment period, oral testimony taken at the June 22, 2023, hearing, and the Applicant’s presentation.

After consideration of all available evidence described above, the Planning Commission then voted unanimously in favor to approve Conditional Use request #851-23-000118-PLNG, the vote carrying 5 to approve and 0 opposed, subject to the Conditions of Approval contained in “Exhibit A” of the Planning Commission Order reflecting the decision.

The Planning Commission Order and other documents associated with the request are available for review and inspection on the Tillamook County Land Use Application page here: <https://www.co.tillamook.or.us/commdev/landuseapps> and at the Tillamook County Department of Community Development office located at: 1510-B Third Street, Tillamook, Oregon 97141.

Please contact Lynn Tone, Office Specialist II, to make arrangements to view documents at 503-842-2034 Ext. 3423 or email [ltone@co.tillamook.or.us](mailto:ltone@co.tillamook.or.us).

**Any party with standing to appeal as described in TCLUO Section 10.110 may appeal the decision to the Board of County Commissioners, by filing an application for an appeal, submitting written justification supporting the appeal, and submitting the required filing fee of \$250 with the Tillamook County Board of Commissioners within twelve (12) days of the date of this Notice. The deadline for filing an appeal with the Board of County Commissioners is July 12, 2023, at 4:00pm.**

If you have any questions about this notice, you may contact this office at (503) 842-3408 x 3412.

Sincerely,  
Tillamook County Department of Community Development

A handwritten signature in cursive script, appearing to read "Melissa Jenck".

Melissa Jenck, CFM, Senior Planner

# *“EXHIBIT A”*

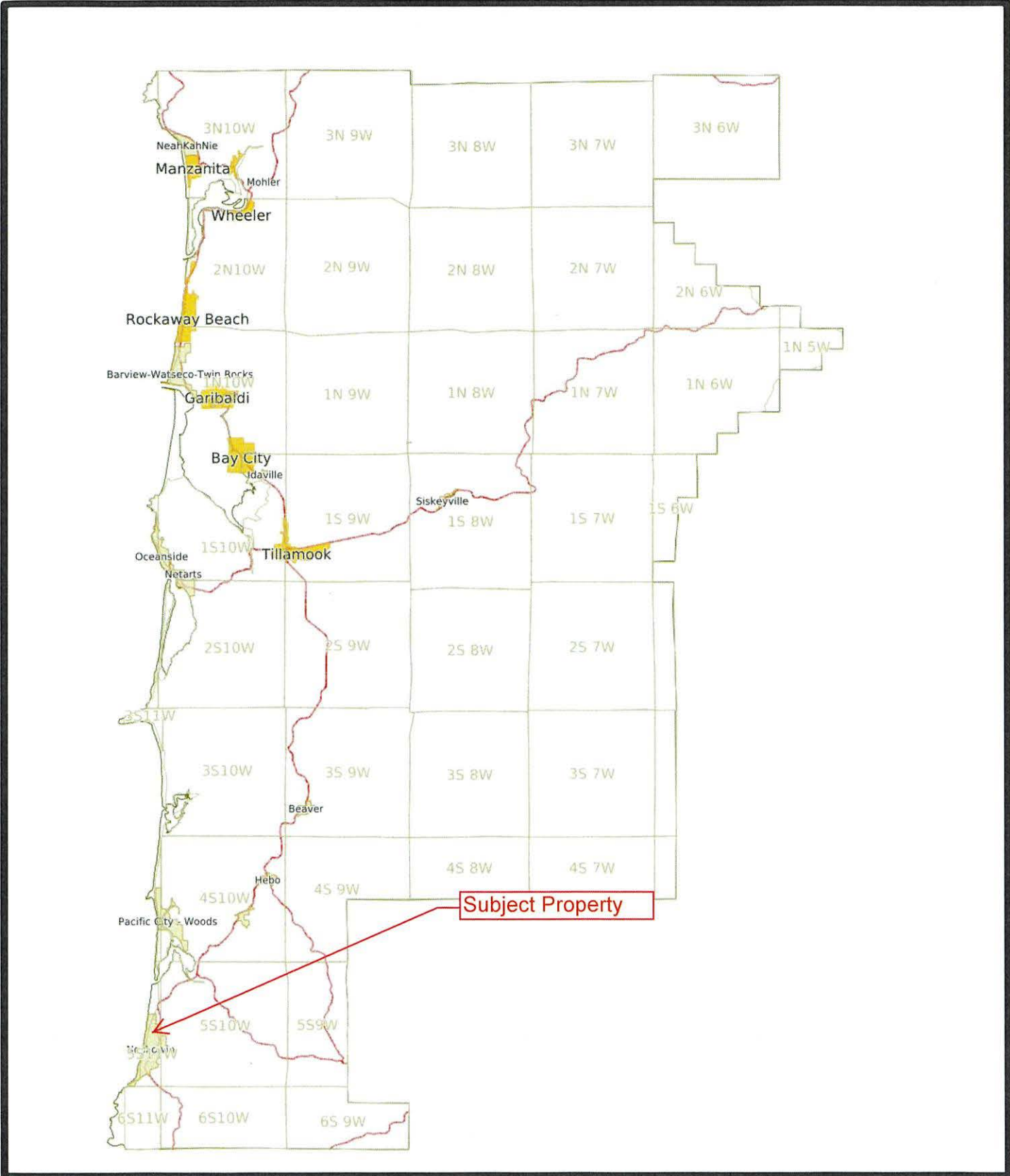
## **ADOPTED CONDITIONS OF APPROVAL**

Sections 6.070: COMPLIANCE WITH CONDITIONS, and 6.080: TIME LIMIT requires compliance with approved plans and conditions of this decision, and all other ordinance provisions. Failure to comply with the Conditions of Approval and ordinance provisions could result in nullification of this approval.

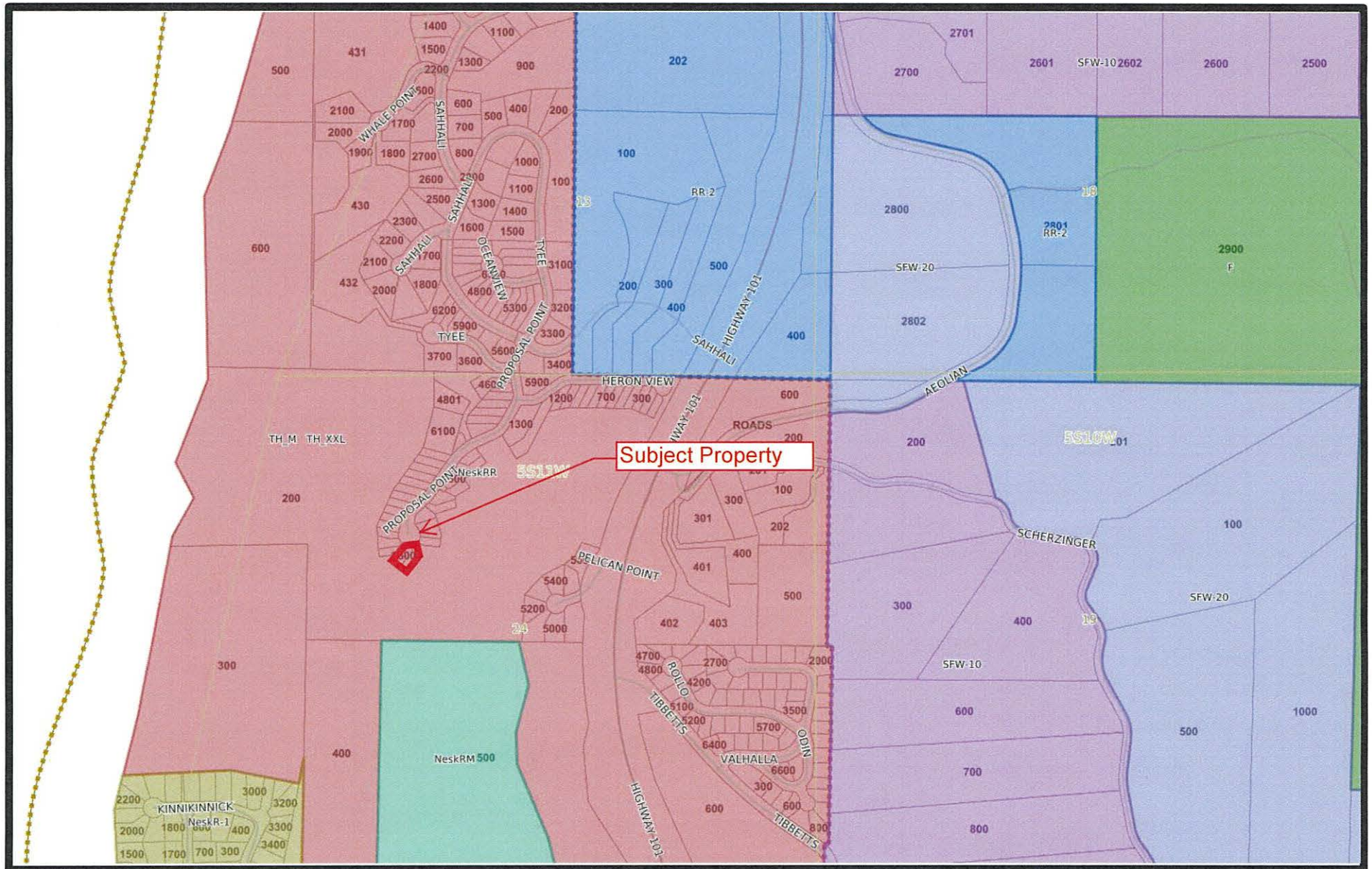
1. The applicant/owner shall conform to all Federal, State and local regulations, and shall obtain all required permits prior to construction and/or development.
2. Letters of water and sewer availability are required for the development of individual lots and shall be submitted to Community Development at the time of zoning permit submittal.
3. Setbacks for Lot 24 and 25 shall be: 10-foot setback from front property line, 10-foot setback from the rear property line and 10-foot setback from the side property lines. No setback shall be prescribed between the separating lot line between Lot 24 and 25.
4. One (1) single-family dwelling shall be placed on Lot 24 and 25, to be combined using the restrictive covenant in ‘Exhibit C’.
5. Development of each lot shall otherwise conform to the development standards outlined in TCLUO Section 3.320 Neskowin Rural Residential (NeskRR) zone as applicable.
6. A site specific Geologic Hazard Report in accordance with TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas shall be completed prior to consolidated Zoning/Building permit applications.
7. This approval shall be void two years, (24 months), from the date of the Order from the Planning Commission, unless all of the conditions are met, or an extension is requested from, and approved by, this department before expiration.



# Vicinity Map



# Zoning Map

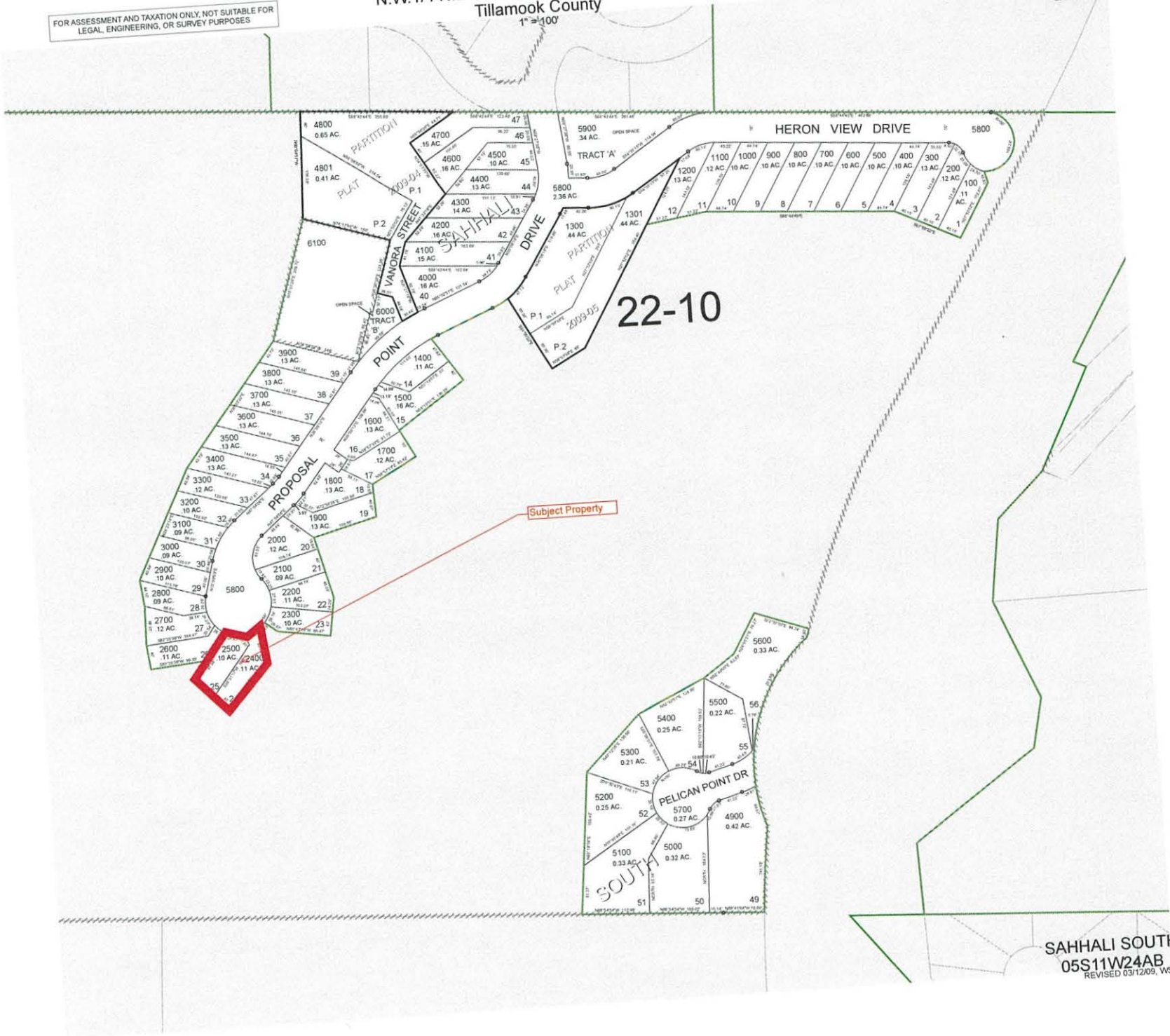




N.W.1/4 N.E. 1/4 SEC.24 T.5S. R.11W. W.M.  
Tillamook County  
1" = 100'

05S11W24AB  
SAHHALI SOUTH  
CANCELLED

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



22-10

Subject Property

SAHHALI SOUTH  
05S11W24AB  
REVISED 03/12/09, WS



DATED this 29<sup>th</sup> of June, 2023.

TILLAMOOK COUNTY PLANNING COMMISSION

A handwritten signature in cursive script, appearing to read "Kurt W. Heckerth", written over a horizontal line.

Kurt Heckerth, Chairperson



## “EXHIBIT A”

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