



1510 – B Third Street
Tillamook, Oregon 97141
www.tillamook.or.us
Building (503) 842-3407
Planning (503) 842-3408
Sanitation (503) 842-3409
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Toll Free 1(800) 488-8280

Land of Cheese, Trees and Ocean Breeze

RESOURCE ZONE EXCEPTION #851-23-000131-PLNG: SHELLER
*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: May 30, 2023

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

#851-23-000131-PLNG: An exception request to reduce the required 100-foot resource zone setback from the Forest (F) zone boundary and establish 54 feet 8-inch setback to allow for the placement of a residential structure (single-family dwelling).

The subject property is accessed via a private easement, is located southeast of Neskowin, is zoned Neskowin Low Density Residential Zone (NeskR-1) and is designated as Tax Lot 200 in Section 36AA of Township 5 South, Range 11 West of the Willamette Meridian, Tillamook County, Oregon. The applicant and property owner is Daniel Sheller.

Written comments received by the Department of Community Development prior to 4:00p.m. on June 13, 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 June 14, 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 x3412 or ltone@co.tillamook.or.us.

Sincerely,

Sheila Shoemaker, Land Use Planner

Sarah Absher, CFM, Director

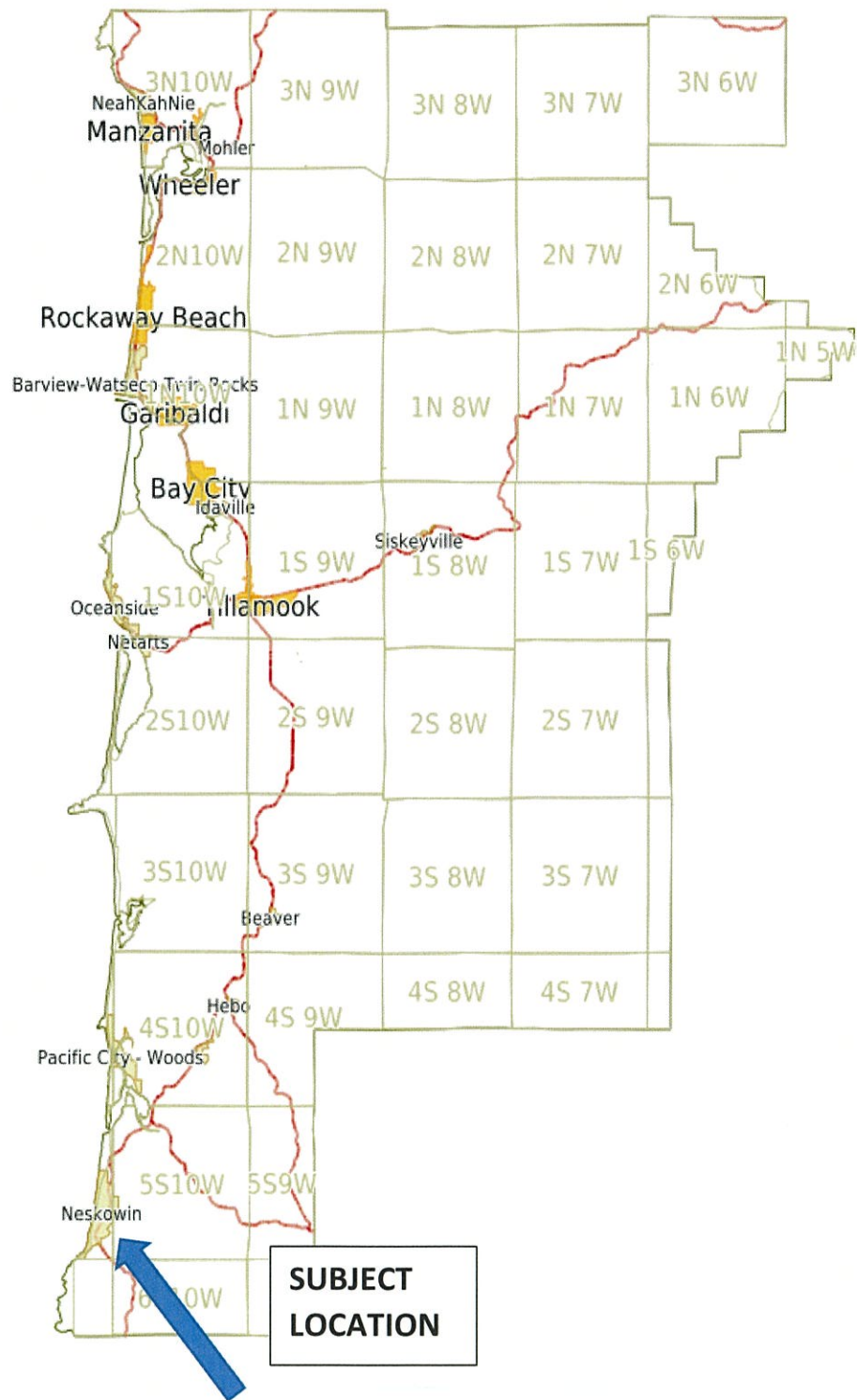
REVIEW CRITERIA

SECTION 3.322: NESKOWIN LOW DENSITY RESIDENTIAL (NESKR-1) (4) STANDARDS: Land divisions and development in the NeskR-1 zone shall conform to the following standards, unless more restrictive supplemental regulations apply:

...

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.

VICINITY MAP



#851-23-000131-PLNG:
Sheller

Map





PLANNING APPLICATION

OFFICE USE ONLY	
Date Stamp	RECEIVED
	APR 27 2023
	BY: <i>Mailed-SS</i>
<input type="checkbox"/> Approved <input type="checkbox"/> Denied	
Received by:	
Receipt #: <i>131545</i>	
Fees: <i>1300.-</i>	
Permit No: 851-23-000131-PLNG	

Applicant (Check Box if Same as Property Owner)

Name: Daniel Sheller Phone: 530 277 6493
 Address: 4402 NE 54th AVE
 City: Portland State: OR Zip: 97218
 Email: danielsheller@gmail.com

Property Owner

Name: _____ Phone: _____
 Address: _____
 City: _____ State: _____ Zip: _____
 Email: _____

Request: Residential structure forest setback exception

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

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

Type IV

- Appeal of Planning Commission Decision
- Ordinance Amendment
- Large-Scale Zoning Map Amendment
- Plan and/or Code Text Amendment

Location:

Site Address: _____

Map Number: 5S 11 36AA 00200
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)

4/26/23
 Date

Applicant Signature

Date

Sheila Shoemaker

From: Daniel Sheller <danielsheller@gmail.com>
Sent: Thursday, April 27, 2023 6:46 AM
To: Sheila Shoemaker
Cc: Sarah Absher
Subject: EXTERNAL: Forest Setback Exception Application
Attachments: 2023_0424 HAWK CREEK SETBACK EXCEPTION PLAN.pdf; Hawk Creek - planning_application_type_2-4.pdf

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

Hi Shiela,

We are planning a small cabin (700 sq feet) on a lot in the Hawk Creek Hills area outside of Neskowin. The building site is within 100' of a Forest Zone.

Attached is our application for an exception to the residential structure forest setback requirement. As well as the site plan for the planned development.

Below is a quick overview of natural and manmade barriers as well as why we must build within the set back requirements.

Natural Barriers-

- The entire property is located downhill from the F zone. No runoff from the property during or after construction will enter the F zone and impact fish or wildlife.
- There are existing large old trees that will remain as a buffer between your dwelling and the F zone, preserving habitat for wildlife.

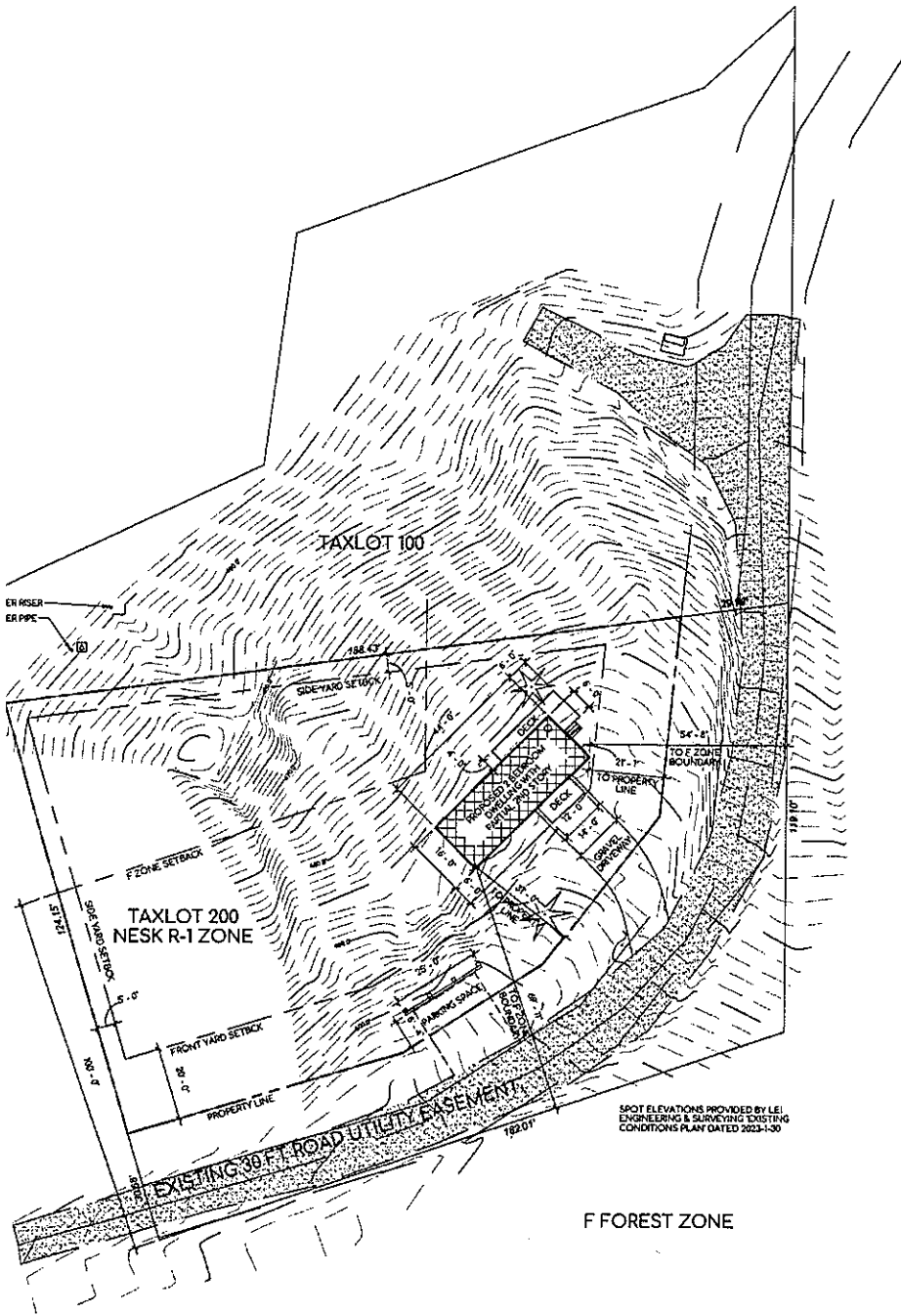
Manmade Barriers-

- The F zone is separated from the property by an existing road that heavy trucks use to access a water utility (S Fairway Rd).

AND locating the structure outside of the 100 ft setback would inflict greater impact on the resource:

- The only portion of your property that is outside the F zone is on steep grade, and is prohibitively difficult to build on.
- The proposed site is adjacent to an existing flat driveway access from the road. Building outside of the F zone would require a longer/steeper driveway and construction machinery access that would have a more severe erosion impact deep into the back of your site.
- The proposed building site has been deemed geologically stable by a licensed geologist.
- The area that we have chosen to site your dwelling is already clear of large trees. Building outside of the F zone would require much more tree clearing.

Please let me know if I can provide any additional information. As well as the next steps.



PRELIMINARY,
NOT FOR
CONSTRUCTION



Hawk Creek
Residence

Fairway Road
T.6S, R.11W, Sec. 35AA, TL 200
Tillamook County

Revisions:

Apr 24, 2023

SITE PLAN

A1

PROPOSED SITE PLAN
1" = 20'-0"

