



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

Land of Cheese, Trees and Ocean Breeze

NON-CONFORMING MINOR REVIEW #851-23-000181-PLNG: Reeher

*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 6, 2023

Dear Property Owner:

This is to confirm that the Tillamook County Department of Community Development **APPROVED WITH CONDITIONS** the above-cited Non-Conforming Minor Review on October 6, 2023. 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 Director of Tillamook County Community Development. Forms and fees must be filed in the office of this Department before **4:00pm on October 18, 2023**. This decision will become final on October 18, 2023, unless an appeal is filed in accordance with Tillamook County Land Use Ordinance Article 10.

Request: A Non-Conforming Minor Review request to allow the expansion of a non-conforming use involving the placement of a residential structure in a location which conforms to the dimensional standards of the zone and required riparian setbacks.

Location: The proposed site of development is off of Homestead Road, a private road. The subject property is accessed off the Wilson River Highway via Reeher Road and is designated as Tax Lot 800 in Section 04 of Township 1 North, Range 07 West of the Willamette Meridian, Tillamook County, Oregon.

Zone: Rural Residential 2 Acre (RR-2)

Applicant: Howard Reeher, 2639 Fir St. Longview, WA 98632

Property Owner: Reeher's Homestead Inc, 2639 Fir St Longview, WA 98632

CONDITIONS OF APPROVAL

Failure to comply with the Conditions of Approval and ordinance provisions could result in nullification of this approval.

1. The applicant and property owner shall obtain all Federal, State, and Local permits, as applicable.
2. Development shall be limited to one single family dwelling and accessory structures in the general location indicated on the submitted site plan in 'Exhibit B'.
3. The applicant shall obtain an approved Consolidated Zoning & Building Permit from the Tillamook County Department of Community Development.
4. The applicant shall provide evidence of permit approval for an on-site sanitation system prior to Consolidated Zoning & Building Permit submittal.
5. Applicant shall maintain the required setbacks from property lines, adjacent resource zone boundaries and perennial creeks and rivers and shall comply with all other standards of TCLUO 3.010 'Rural Residential 2 Acre Zone', TCLUO Section 4.140 'Requirements for Protection of Water Quality and Streambank Stabilization' and TCLUO Section 4.030 'Off-Street Parking and Off-Street Loading Requirements'. Such setbacks shall be indicated on the Site Plan submitted for review at the time of applying for Consolidated Zoning and Building permit approval.
6. A minimum separation of six feet shall be maintained between structures.
7. This approval expires if a Building Permit is not applied for within two (2) years of issuance of this approval.

Sincerely,
Tillamook County Department of Community Development



Allison Chase, Land Use Planner I

Sarah Absher, Director, CFM

Enc.: Vicinity, Assessor's and Zoning maps



Land of Cheese, Trees and Ocean Breeze

NON-CONFORMING MINOR REVIEW# 851-23-000181-PLNG: Reeher

ADMINISTRATIVE DECISION AND STAFF REPORT

DECISION: Approved with Conditions

DECISION DATE: October 6, 2023

REPORT PREPARED BY: Allison Chase, Planner I

I. GENERAL INFORMATION:

Request: A Non-Conforming Minor Review request to allow the expansion of a non-conforming use involving the placement of a residential structure in a location which conforms to the dimensional standards of the zone and required riparian setbacks.

Location: The proposed site of development is off of Homestead Road, a private road. The subject property is accessed off the Wilson River Highway via Reeher Road and is designated as Tax Lot 800 in Section 04 of Township 1 North, Range 07 West of the Willamette Meridian, Tillamook County, Oregon.

Zone: Rural Residential 2 Acre (RR-2)

Applicant: Howard Reeher, 2639 Fir St. Longview, WA 98632

Property Owner: Reehers Homestead Inc, 2639 Fir St Longview, WA 98632

Description of Site and Vicinity: The subject property is split-zoned Small Farm Woodlot 20 acre (SFW-20) and Rural Residential 2 acre (RR-2). The site of proposed dwelling is entirely located in the RR-2 portion of the subject property (Exhibits A and B). The subject property is surrounded to the north, east and west by large Forest (F) zoned timber tracts. The subject property abuts privately-owned RR-2 and SFW-20 properties to the south, most of which are currently undeveloped. Reehers Homestead Inc also owns adjoining properties to the

north, east, west and south of the subject property (taxlots 1N07030000300, 1N0710B000100, 1N07040000700 and 1N07040000100) (Exhibit A).

The subject property is forested, encompasses approximately 70 acres and is improved with several roads, dwellings and accessory structures, the majority of which were originally established between 1930 and 1950 (Exhibit A). County records indicate that the current use of the subject property has been considered by the Tillamook County Planning Department to be a mobile/manufactured home park.

Applicant requests replacement of a recently demolished dwelling, with a new dwelling and garage located off Homestead Road via Reeher Road (Exhibits A and B).

The subject property is not in an area of special flood hazard, as indicated on FEMA FIRM #41057C0475F. There are no mapped wetlands on the subject property (Exhibit A). There are several creeks which traverse the property with the Wilson River also traversing in the property (Exhibit A). The subject property is located in an area of geologic hazard area.

II. APPLICABLE ORDINANCE AND COMPREHENSIVE PLAN PROVISIONS:

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

- A. TCLUO Section 3.010 Rural Residential 2 Acre
- B. TCLUO Section 4.140 Requirements for Protection of Water Quality and Streambank Stabilization
- C. TCLUO Article VII, Section 7.020: Nonconforming Uses and Structures
- D. TCLUO Section 4.130 Development Requirements for Geologic Hazard Areas

III. ANALYSIS:

A. Section 3.010 Rural Residential 2 Acre

PURPOSE: The purpose of the RR zone is to provide for the creation and use of small acreage residential homesites. Land that is suitable for Rural Residential use has limited value for farm or forest use; it is physically capable of having homesites on parcels of five acres or less; and it can be utilized for residential purposes without constraining the use of surrounding resource-zoned properties for resource-production purposes.

1. **TCLUO Sections 3.010(2) and (3)** list the uses currently permitted in the RR-2 Zone. The RR-2 zone does not permit multiple dwellings on a single property outside of community growth boundaries and does not permit a mobile/manufactured home park outright or conditionally.

Findings: As is further discussed below in Section C, Staff finds the current use of the subject property as a mobile/manufactured home park was legally established prior to the adoption of current ordinance. Mobile/Manufactured Home Park is no longer a use allowed in the RR-2 zone and is therefore an existing nonconforming use as defined in TCLUO 7.020.

2. **Section 3.010(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.*

Findings: Applicants proposed site plan demonstrates the proposed dwelling is over 100 feet from an adjacent resource zone (Exhibit A). Staff finds that these standards can be met through compliance with Conditions of Approval.

B. TCLUO Section 4.140 Requirements for Protection of Water Quality and Streambank Stabilization

Section 4.140 defines areas of riparian protection as those within 50 feet of the Wilson River, within 25 feet of streams or creeks with a channel width greater than 15 feet and within 15 feet of all perennial streams and creeks with channel widths less than 15 feet as measured from the more landward of the mean high-water line or the line of non-aquatic vegetation. All development is to be located outside of these areas and all trees and at least 50 percent of the understory vegetation are to be retained in these areas unless the applicant can demonstrate that an exception listed in 4.140(2), (3) and/or (4) can be met.

Findings: Applicants site plan demonstrates compliance with riparian setbacks (Exhibit A). Staff finds that these standards can be met through compliance with Conditions of Approval.

C. Article VII, Section 7.020 Nonconforming Uses and Structures

The purpose of the NONCONFORMING USES AND STRUCTURES provisions are to establish standards and procedures regulating the continuation, improvement and replacement of structures and uses which pre-date, and which do not comply with, this Ordinance. The intent is to allow changes to nonconforming uses and structures in a manner that does not increase the level of adverse impact to surrounding areas. These provisions are intended to be consistent with ORS 215.130.

1. TCLUO Section 7.020(1) ‘Definitions’: A nonconforming use is defined in the Tillamook County Land Use Ordinance (TCLUO) Section 7.020 as “A use that does not conform to current requirements of this Ordinance but which legally existed at the time the applicable section(s) of the Ordinance took effect and has continued into the present without discontinuance as described in Section 7.020 (6)”.

County records indicate that the current use of the subject property has been considered by Tillamook County Planning Department to be a mobile/manufactured home park. When the subject property was re-zoned Rural Residential 2 Acre in 1981, mobile home parks were permitted conditionally in the RR-2 zone. Although there is no documentation that a conditional use permit was applied for, County records indicate the likely intent of the zone change was to establish the mobile/manufactured home park on the subject property as an existing permitted use. In 2002 the Rural Residential 2 Acre Zone was amended in order to comply with state requirements. That amendment removed mobile/manufactured home parks from the uses allowed in the zone. TCLUO sections 3.010(2) and (3) list the uses currently permitted in the RR-2 Zone. The zone does not permit multiple dwellings on a single property outside of community growth boundaries and does not permit a mobile/manufactured home park outright or conditionally.

Findings: Staff finds that the current use of the subject property as a mobile/manufactured home park was legally established prior to the adoption of current ordinance. Mobile/Manufactured Home Park is no longer a use allowed in the RR-2 zone and is therefore an existing nonconforming use as defined in TCLUO 7.020.

2. **TCLUO Section 7.020(5) ‘Replacement or Use Addition’** indicates that the replacement of a nonconforming use involving a structure shall be subject to satisfaction of the Nonconforming Minor Review criteria outlined in Section 7.020(11).

Findings: Staff find the nonconformity of the property consists of multiple dwellings, developed within a Mobile Home/Manufactured Home Park, on a Rural Residential 2-Acre (RR-2) zoned property. The RR-2 zone currently allows for (1) single-family dwelling and does not allow for a Mobile Home/Manufactured Home Park. Staff finds that the site was recently developed with a single-family dwelling, and the applicant is requesting to replace it with a new single-family dwelling. Staff finds that, in this case, the nonconforming use of the subject property is not limited to the use of the structure in question and is associated with and consists of the existence of multiple dwellings on the subject property. Staff find the Applicant’s request constitutes a replacement of the nonconforming use involving a structure and is therefore subject to the Minor Nonconforming Review criteria outlined in TCLUO Section 7.020(11) which is addressed below.

3. **TCLUO Article X** requires notice of Non-Conforming Minor Review applications to be mailed to landowners within 250 feet of the subject property and applicable agencies. Staff must allow at least 14 days for written comment and must consider received comments in making the decision.

Findings: A notice of the request was mailed to property owners within 750 feet of the subject property on July 18, 2023. Public Testimony was received from the Oregon Department of Transportation (ODOT) and is included in ‘Exhibit C’.

4. **TCLUO Section 7.020(11) Minor Review:** *Application is made under the fee and procedures for a Type II Administrative Review and is reviewed using the following review criteria. A request may be permitted if:*
(a) *The request will have no greater adverse impact on neighboring areas than the existing use or structure when the current zoning went into effect, considering:*

- i. A comparison of existing use or structure with the proposed change using the following factors:*
 - (1) *Noise, vibration, dust, odor, fumes, glare, or smoke detectable at the property line or off-site;*

Findings: Applicant finds that the current property use to the proposed replacement of a new single-family residence “*No change once construction is complete*” (Exhibit B). Regulation and minimization of adverse impacts such as noise, vibration, dust and glare related to residential use is achieved through compliance with development standards such as yard setbacks. Staff finds that Applicant is proposing to place a single-family dwelling that conforms to the dimensional standards of the zone and that the new dwelling should not have adverse impacts on surrounding properties. Staff finds that this criterion has been met.

- (2) Number and kinds of vehicular trips to the site;*

Findings: Applicant states no change in the number of vehicular trips to the site (Exhibit B). Comments from ODOT with no objection to the proposal and state the existing access to the highway will not be affected (Exhibit C). Staff finds that the new single-family dwelling will not result in a substantial increase in vehicular trips. Staff finds that this criterion has been met.

- (3) Amount and nature of outside storage, loading and parking;*

Findings: The applicant states no change other than when vehicles may be parked in the garage (Exhibits A and B). Staff finds that the proposed development will not result in any greater adverse impact to neighboring properties from existing outside storage and parking. Staff finds that this criterion has been met.

- (4) Visual impact;*

Findings: Applicant provided there is no change (Exhibit B). The County regulates visual impact through compliance with maximum building height requirements. Staff finds that this criterion can be met through compliance with Conditions of Approval.

(5) *Hours of operation;*

Findings: The proposed structure will be used a single-family dwelling with no standard hours of operation. Staff finds that the residential use of the proposed dwelling will not result in any greater adverse impact to neighboring properties, as a residence prior existed on the site. Staff finds that this criterion has been met.

(6) *Effect on existing vegetation;*

Findings: The Applicant states “clearing of trees and vegetation for structures shall be approved by Reeher’s Homestead Incorporated (RHI) forester for site development” (Exhibit B). Staff finds that significant vegetative cover is present on the subject property and that a significant area of vegetation will remain between the proposed site of development and adjacent dwellings and property lines (Exhibits A and B). Staff finds that this criterion can be met through Conditions of Approval requiring compliance with TCLUO Section 4.140 ‘Requirements for Protection of Water Quality and Streambank Stabilization’.

(7) *Effect on water drainage and water quality;*

D. Findings: The applicant states that no negative impact to water drainage or quality is anticipated as a result of the proposed development (Exhibit B). Staff finds that this criterion can be met through Conditions of Approval requiring demonstration of appropriate Sanitation permit approval and compliance with TCLUO Section 4.140 ‘Requirements for Protection of Water Quality and Streambank Stabilization’ be provided at the time of applying for Zoning and Building permit approvals.

(8) *Service or other benefit to the use or structure provides to the area; and*

Findings: Staff finds that the use of the single-family dwelling will remain residential in nature. Any services or benefits that could be provided remain unchanged. Staff finds that this criterion has been met.

(9) *Other factors relating to conflicts or incompatibility with the character or needs of the area.*

Findings: Staff finds that the subject property is currently improved with several residential dwellings located on sites over 13,000 square feet in size and clustered along existing roads (Exhibits A). Staff finds that the proposed development is on an existing road in a developed area consistent with the development pattern of the subject property. Several of the surrounding properties are also owned by Reeher’s Homestead Inc as noted above and are similarly developed, are undeveloped timber stands or a mix of pockets of development in forested parcels (Exhibits A). Other surrounding uses include large timber tracts owned by the State of Oregon and Stimson Lumber Company (Exhibit A).

The proposed site of development is located over 200 feet from the closest adjacent property which is zoned Small Farm Woodlot 20 Acre (SFW-20), is separated from the site of development by the North Fork of the Wilson River and is also owned by Reeher’s Homestead Inc. The proposed site of development is located over 500 feet away from the nearest Forest zoned property (Exhibit A). Staff has not identified any additional conflicts that were not addressed under other review criteria. Staff finds that this criterion can be met through requiring compliance with the Conditions of Approval.

Staff concludes that Minor Review criteria (A)(1)-(9) are met or can be met through compliance with the Conditions of Approval.

ii. The character and history of the use and of development in the surrounding area.

Findings: Staff finds that multiple single-family residential dwellings have existed on the subject property since the mid-1900s many of which were established as part of the Atlas Logging Camp (Exhibits A). The Reehers Homestead tract is comprised of a mix of timber lands and pockets of residential development (Exhibits A). As noted above, the use of the subject property has been considered by this department to be a mobile and manufactured home park. Applicants has indicated that they intend to replace an single-family dwelling (Exhibit B). Staff finds that the proposed development is on an existing road in a developed area consistent with the development pattern of the subject property as a mobile and manufactured home park and on surrounding properties owned by Reehers Homestead Inc. Staff finds that a single-family dwelling located on the proposed site is consistent with the character and history of the use and development in the surrounding area. Staff finds that this criterion has been met.

(b) The request shall maintain a minimum separation of six feet between structures, and comply with the clear vision area of Section 4.010.

Findings: Staff finds that this criterion can be met through compliance with Conditions of Approval.

IV. DECISION: APPROVED WITH CONDITIONS

Staff concludes that the applicant has satisfied the review criteria and can meet all applicable ordinance requirements at the time of application. Therefore, Staff approves this request. No further development shall occur on the subject property without prior land use approval. This approval does not address any additional development of the subject property.

By accepting this approval, the applicant and property owner agrees 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 applicant and property owner shall obtain all of the necessary local, state, and federal permits and comply with all applicable regulations for the proposed construction.

Appeal of this decision. This decision may be appealed to the Tillamook County Planning Commission, who will hold a public hearing. In such cases, forms and fees must be filed in the office of this Department before **October 18, 2023**.

V. CONDITIONS OF APPROVAL:

Failure to comply with the Conditions of Approval and ordinance provisions could result in nullification of this approval.

1. The applicant and property owner shall obtain all Federal, State, and Local permits, as applicable.
2. Development shall be limited to one single family dwelling and accessory structures in the general location indicated on the submitted site plan in 'Exhibit B'.
3. The applicant shall obtain an approved Consolidated Zoning & Building Permit from the Tillamook County Department of Community Development.

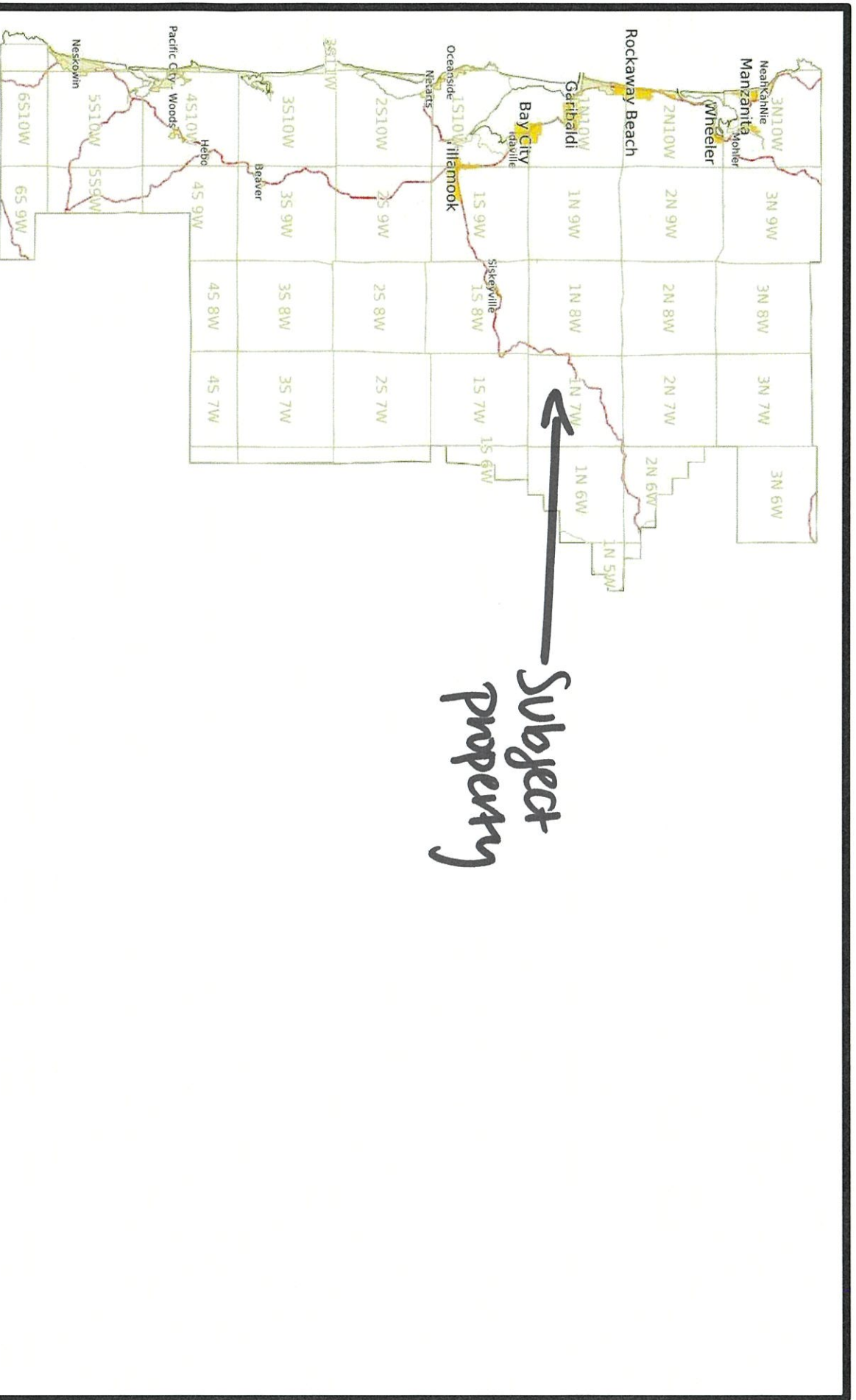
4. The applicant shall provide evidence of permit approval for an on-site sanitation system prior to Consolidated Zoning & Building Permit submittal.
5. Applicant shall maintain the required setbacks from property lines, adjacent resource zone boundaries and perennial creeks and rivers and shall comply with all other standards of TCLUO 3.010 'Rural Residential 2 Acre Zone', TCLUO Section 4.140 'Requirements for Protection of Water Quality and Streambank Stabilization' and TCLUO Section 4.030 'Off-Street Parking and Off-Street Loading Requirements'. Such setbacks shall be indicated on the Site Plan submitted for review at the time of applying for Consolidated Zoning and Building permit approval.
6. A minimum separation of six feet shall be maintained between structures.
7. This approval expires if a Building Permit is not applied for within two (2) years of issuance of this approval.

VI. EXHIBITS

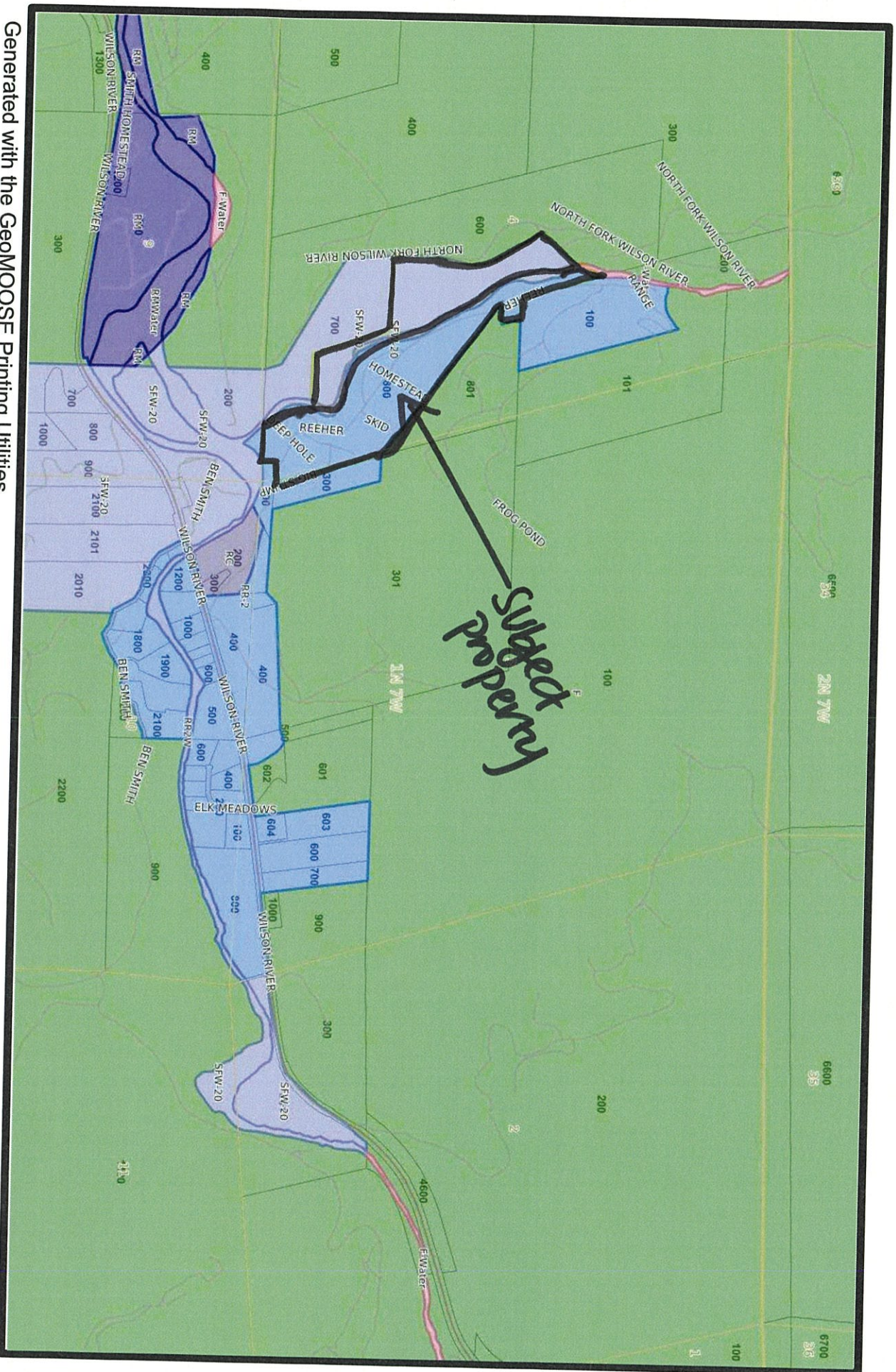
- A. Vicinity map, Assessor's map, Zoning map, Tax Assessor's Summary Report, FEMA FIRM
- B. Applicant's submittal
- C. Agency Comments

EXHIBIT A

Vicinity Map



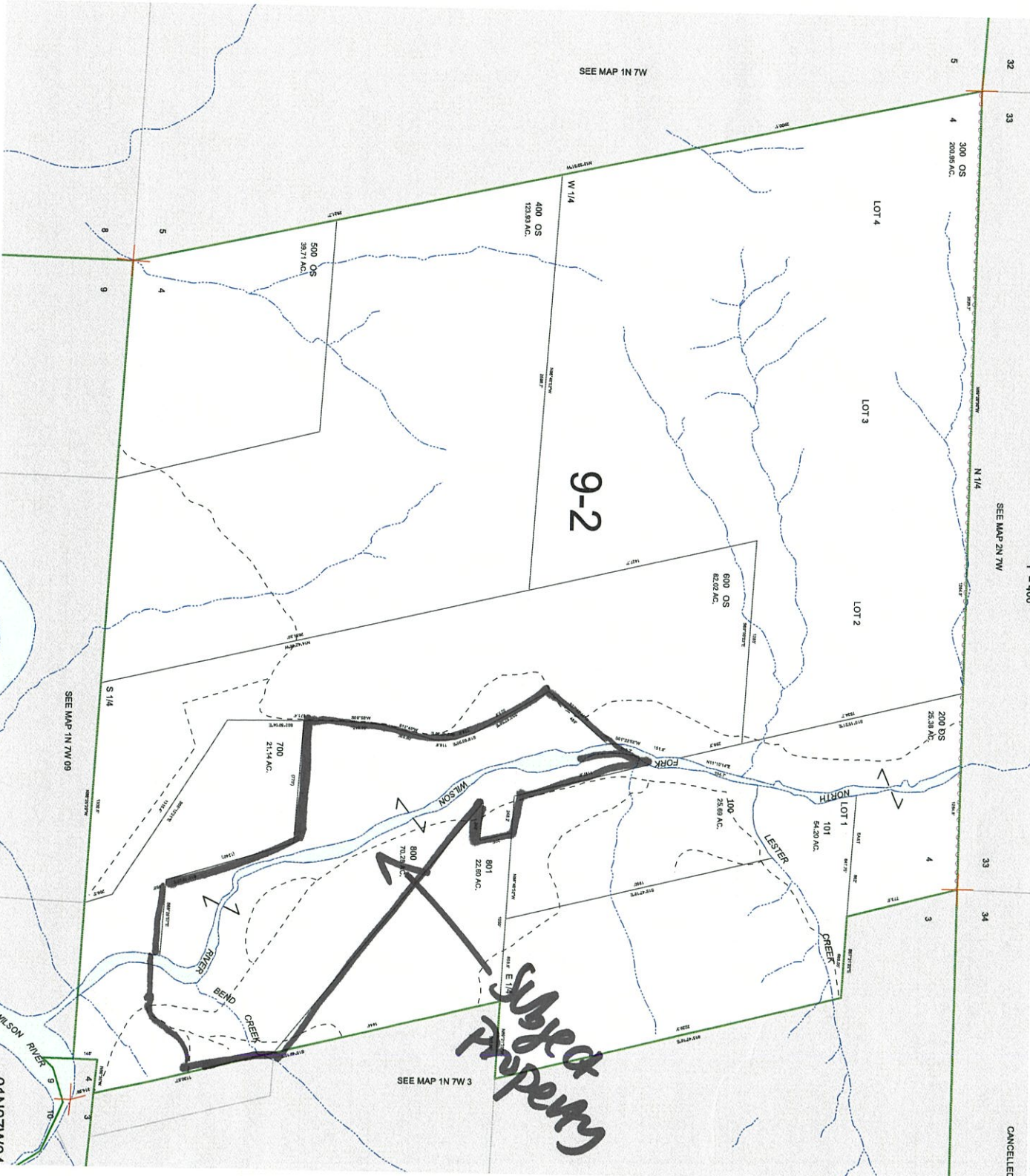
Zoning Map



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

SECTION 4 T. 1N. R. 7W. W.M.
Tillamook County
1" = 400'

01N07W04
CANCELLED



01N07W04
REVISED 2/18/16, VWS

Tillamook County
2022 Real Property Assessment Report
 Account 137596

Map 1N07040000800
 Code - Tax ID 0902 - 137596

Tax Status Assessable
 Account Status Active
 Subtype NORMAL

Legal Descr See Record

Mailing REEHER'S HOMESTEAD INC
 2639 FIR ST
 LONGVIEW WA 98632

Deed Reference # See Record
 Sales Date/Price See Record
 Appraiser SABRINA GARRY

Property Class 649 MA SA NH
 RMV Class 409 01 WF 103

Site	Situs Address	City
	19100 REEHER RD	COUNTY
	19525 REEHER RD	COUNTY

Value Summary						
Code Area		RMV	MAV	AV	RMV Exception	CPR %
0902	Land	808,770			Land	0
	Impr	337,730			Impr	0
Code Area Total		1,146,500	527,940	448,689		0
Grand Total		1,146,500	527,940	448,689		0

Land Breakdown									
Code Area	ID #	RFPD	Ex	Plan Zone	Value Source	Trend %	Size	Land Class	Trended RMV
0902	0			SFW20	Classified Forest Land	110	20.23 AC	OC	89,850
	0			SFW20	Classified Forest Land	110	5.00 AC	OD	41,400
	0			RR-2	Designated Forest Land	110	13.75 AC	OC	113,850
	0			RR-2	Designated Forest Land	110	13.75 AC	OD	113,850
	1			RR-2	Market	110	17.55 AC	MKT	145,320
					OSD - AVERAGE	100			304,500
Code Area Total							70.28 AC		808,770

Improvement Breakdown									
Code Area	ID #	Year Built	Stat Class	Description	Trend %	Total Sqft	Ex%	MS Acct	Trended RMV
0902	1	2000	131	One story	158	768			139,950
	2	1945	121	One story	158	920			101,030
	3	1990	345	GENERAL PURPOSE BUILDING	158	864			68,130
	4	1998	345	GENERAL PURPOSE BUILDING	158	676			10,590
	5	2008	345	GENERAL PURPOSE BUILDING	158	650			18,030
Code Area Total						3,878			337,730

Tillamook County
2022 Real Property Assessment Report
 Account 137596

Exemptions / Special Assessments / Notations			
Code Area 0902			
Special Assessments	Amount	Year Used	
▪ SOLID WASTE	12.00	2022	
Fire Patrol	Amount	Acres	Year
▪ FIRE PATROL NORTHWEST	107.89	70.28	2022
▪ FIRE PATROL SURCHARGE	47.50		2022
Notations			
▪ FOREST LAND - POTENTIAL ADDITIONAL TAX LIABILITY 321.362			

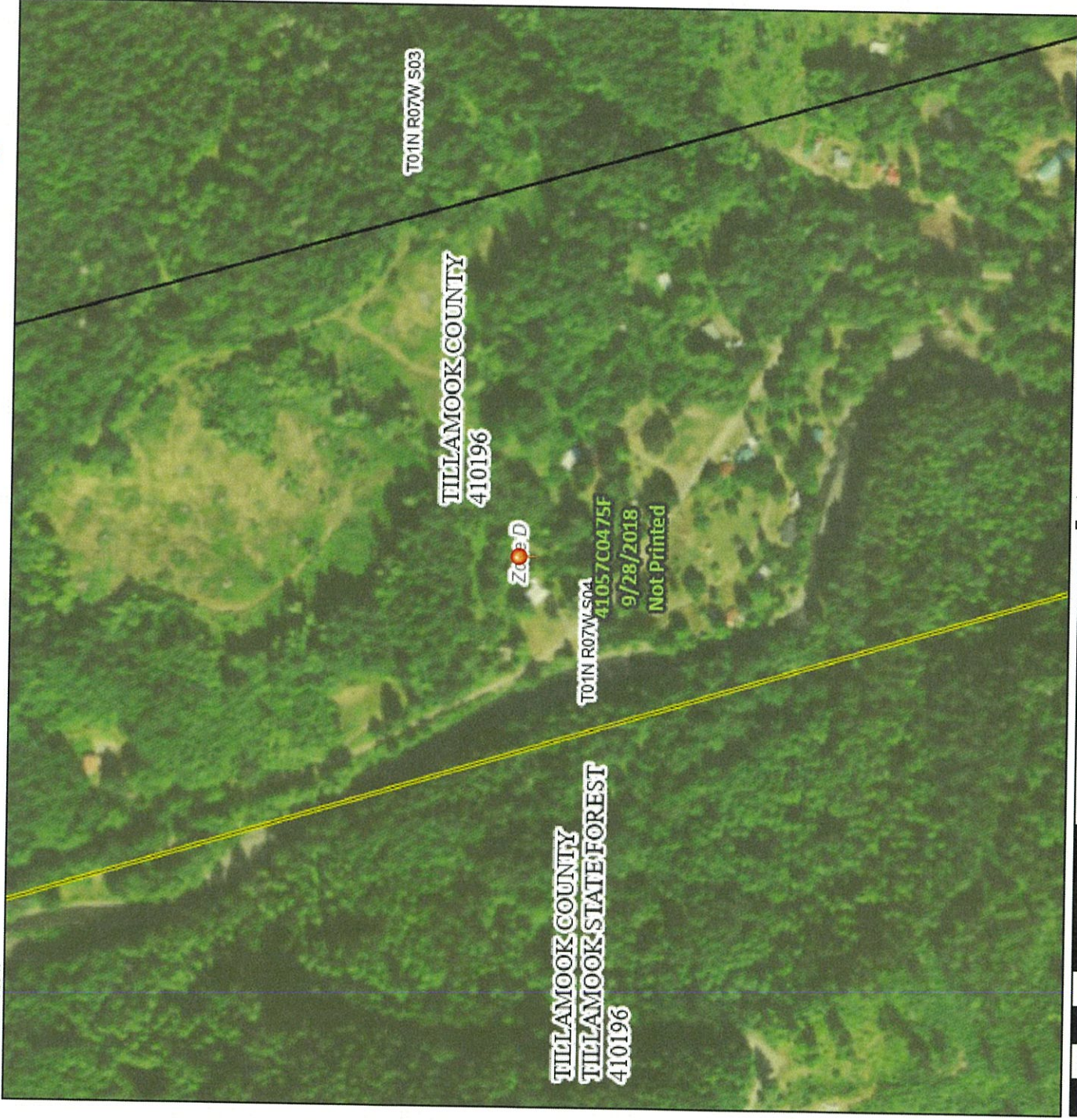
PP Accounts 0902 - 1420

Comments 6/17/16 - Land reappraisal. Combined S1 into parent account, cancelled S1 account. Tabled land using SFW-10 schedule. Size change per GIS acreage calculations and updated soil classes. EJ.
 09/01/22-Added Solid waste. SG

National Flood Hazard Layer FIRMette



123°32'55"W 45°35'58"N



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

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

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, Areas 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
 - Area of Minimal Flood Hazard *Zone X*
 - Effective LOMRs
 - Area of Undetermined Flood Hazard *Zone D*
- 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

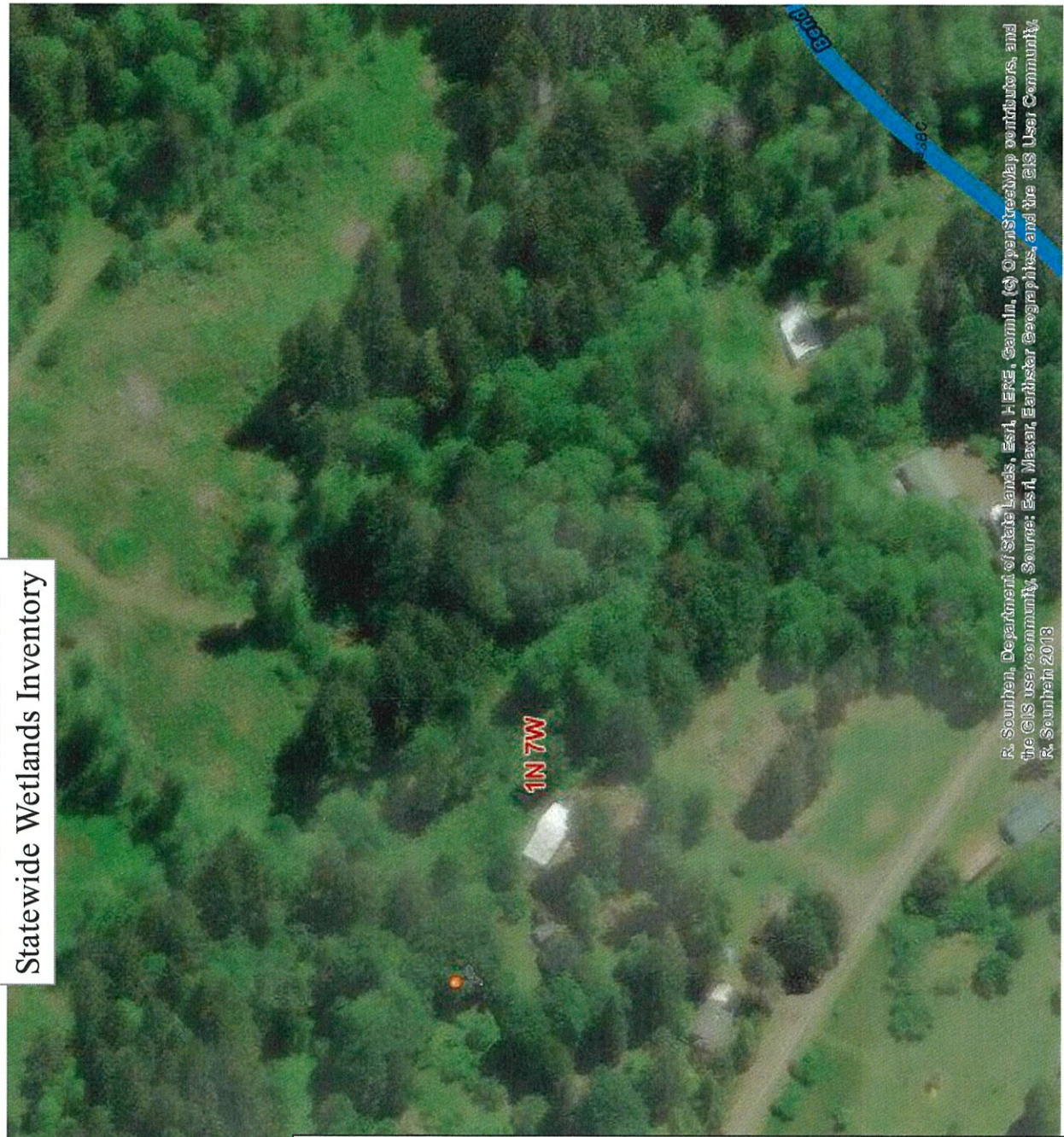
The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

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 7/18/2023 at 10:31 AM 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.

Statewide Wetlands Inventory



R. Southen, Department of State Lands, Est. HERE, Camlin, G. OpenStreetMap contributors, and the GIS user community. Source: Est. Maxar, Earthstar Geographics, and the GIS User Community, R. Southen 2013

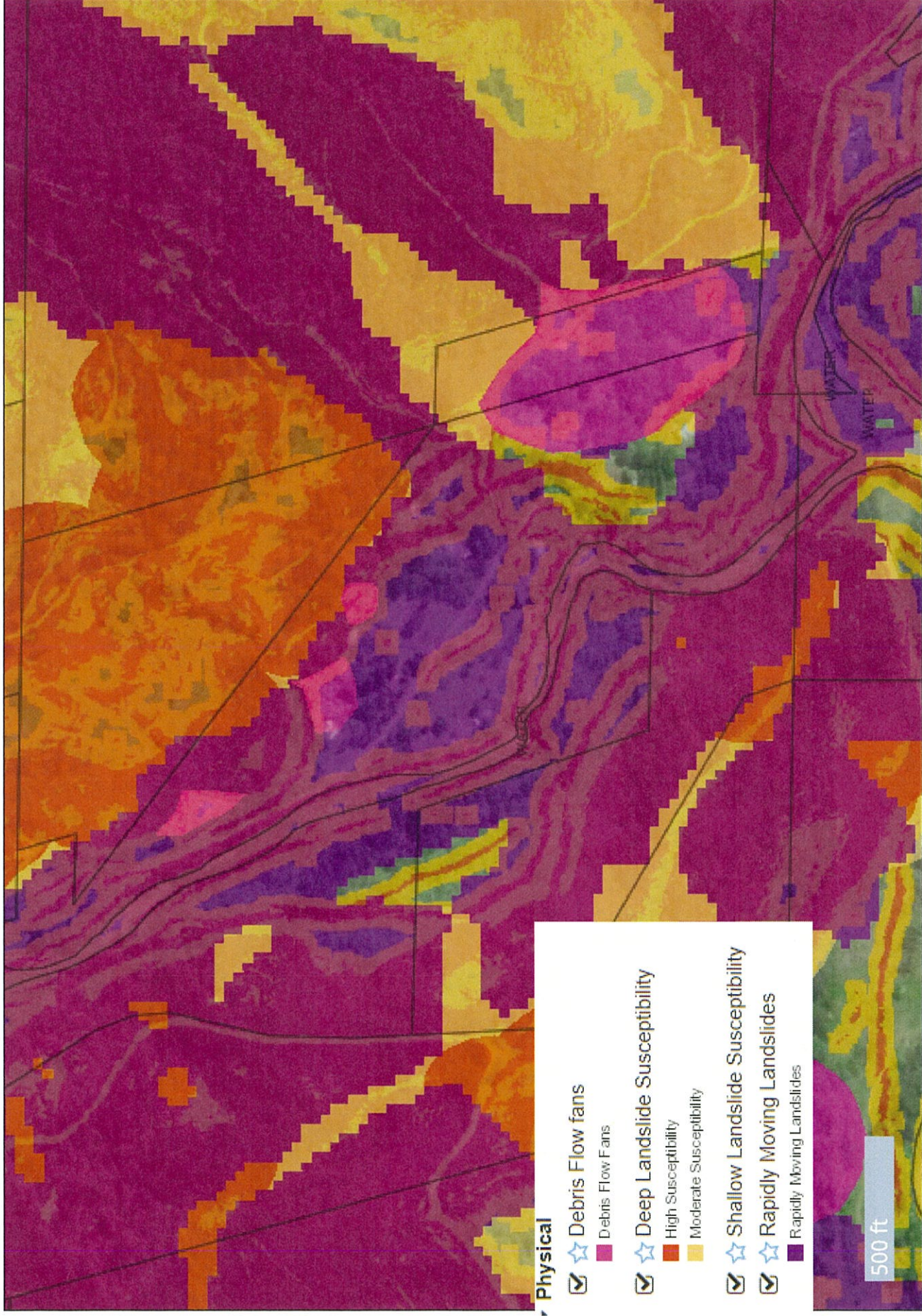
	Townships
	LWI Study Area
	NHD Springs/Seeps
NHD Streams and Rivers	
	Perennial
	Intermittent
	Ephemeral
	Unknown
	Canal/Ditch
	NHD Area
	NHD Waterbody
Wetlands	
	Estuarine and Marine Deepwater
	Estuarine and Marine Wetland
	Freshwater Emergent Wetland
	Freshwater Forested/Shrub Wetland
	Freshwater Pond
	Lake
	Riverine
	SWI Predominantly Hydric Soil Map Units
	SWI Agate-Winlo Soils

Date: 7/19/2023



The Statewide Wetlands Inventory (SWI) represents the best data available at the time this map was published and is updated as new data becomes available. In all cases, actual field conditions determine the presence, absence and boundaries of wetlands and waters (such as creeks and ponds). An onsite investigation by a wetland professional can verify actual field conditions.

Hazard Map



Disclaimer: The spatial information hosted at this website was derived from a variety of sources. Care was taken in the creation of these themes, but they are provided "as is." The state of Oregon, or any of the data providers cannot accept any responsibility for errors, omissions, or positional accuracy in the digital data or underlying records. There are no warranties, expressed or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying any of these products. However, notification of any errors would be appreciated. The data are clearly not intended to indicate the authoritative location of property boundaries, the precise shape or contour of the earth or the precise location of fixed works of humans.

EXHIBIT B



PLANNING APPLICATION

OFFICE USE ONLY	
Date Stamp:	RECEIVED JUN 12 2023
BY:
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by:	
Receipt #: 1324114	
Fees: 1300.5	
Permit No: 851-23-000181-PLNG	

Applicant (Check Box if Same as Property Owner)

Name: Howard Recher Phone: 360-560-0250
 Address: 2639 Fir Street
 City: Longview State: WA Zip: 98632
 Email: RECHER@YAHOO.COM

Property Owner

Name: Rechers Homestead Phone: _____
 Address: 48500 Wilson River Hwy
 City: Tillamook State: OR Zip: 97141
 Email: _____

Request: Replace removed cabin with new cabin/garage

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

Location:

Site Address: #2 Homestead Rd Tillamook, OR 97141
 Map Number: IN 07W 04 800
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.

Howard Recher (Homesowner) 6/7/23
Property Owner Signature (Required) Date
Howard Recher 6/2/23
Applicant Signature Date

MINOR REVIEW – Howard Reeher #2 Homestead Rd

(a) The request will have no greater adverse impact on neighboring areas than the existing use or structure when the current zoning went into effect, considering:

i. A comparison of existing use or structure with the proposed change using the following factors:

1. Noise, vibration, dust, odor, fumes, glare, or smoke detectable at the property line or off-site

No change

2. Numbers and kinds of vehicular trips to the site;

No change

3. Amount and nature of outside storage, loading and parking;

No change

4. Visual impact;

No change

5. Hours of operation;

No change

6. Effect on existing vegetation;

Trees removed with approval of RHI forester

7. Effect on water drainage and water quality;

Tillamook County code will be followed. Improved drainage.

8. Service or other benefit to the use or structure provides to the area;

No change

9. Other factors relating to conflicts or incompatibility with the character or needs of the area.

No change

ii. The character and history of the use and of development in the surrounding area.

No change

This continues with RHI goals shared with Tillamook County in 1975:

1. Maintain or enhance the natural beauty of the area.
2. Allow the orderly development of the area so as to provide recreational opportunities for family members.
3. Manage the timber resource to provide a harvestable crop.

(b) The request shall maintain a minimum separation of six feet between structures, and comply with the clear vision area of Section 4.010. – Yes.

#2 Homestead Rd

Creek

orchard

House

House

32x63 House

40x60 Garage

Septic Area

Hill

N

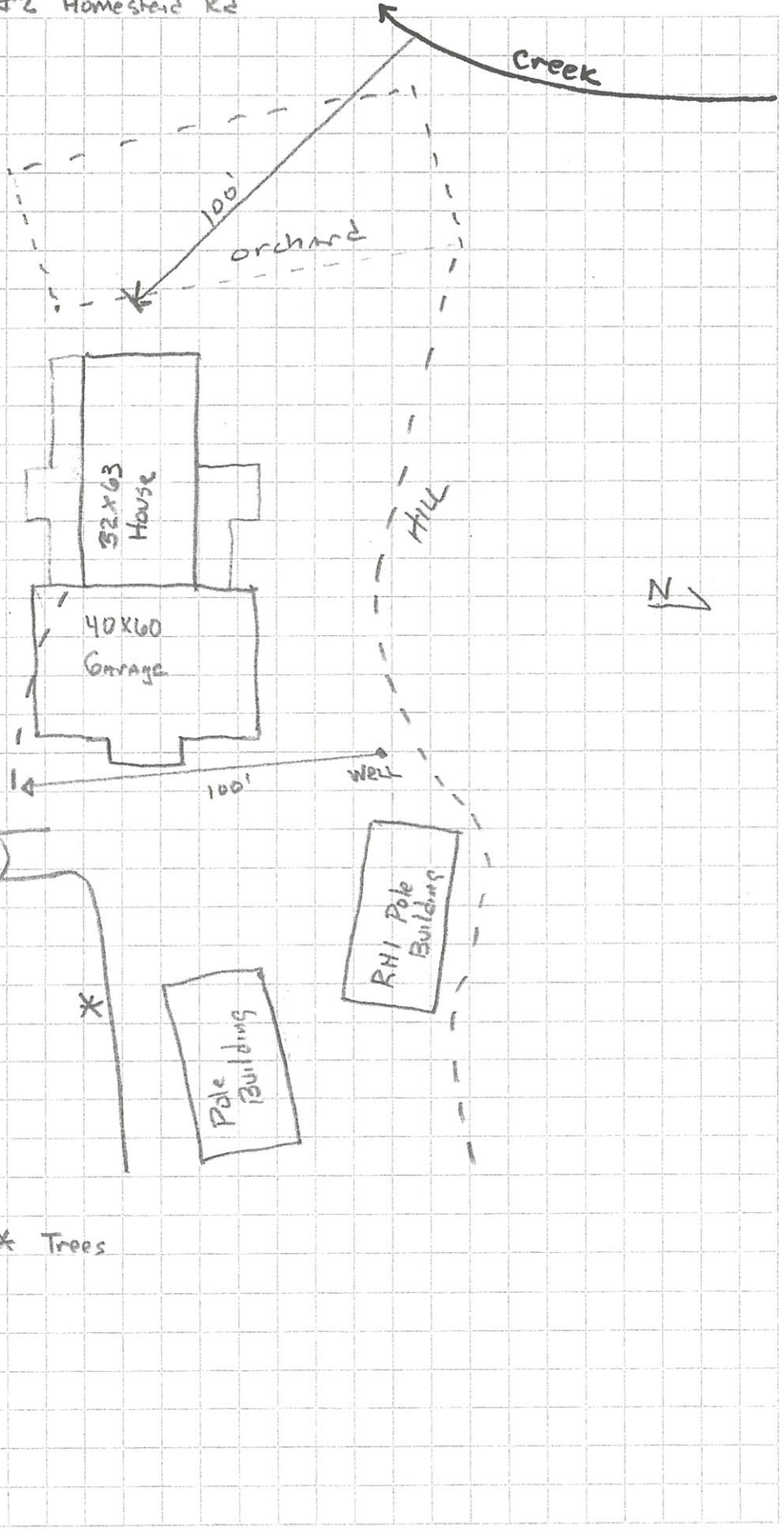
Recher Rd

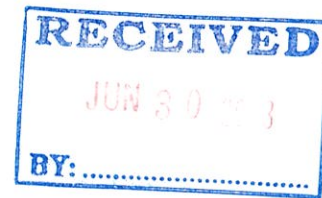
Homestead Rd (DRIVEWAY)

Pole Building

RHI Pole Building

* Trees





MINOR REVIEW – Howard Reeher #2 Homestead Rd

(a) The request will have no greater adverse impact on neighboring areas than the existing use or structure when the current zoning went into effect, considering:

i. A comparison of existing use or structure with the proposed change using the following factors:

Background: We have had this site since 1986 with a two bedroom, one bathroom cabin and used it as a part-time home. This year we removed the cabin in preparation for building a new cabin to be used in the same manner as the original - part-time residence. Currently, we have an RV on-site, being used part-time while the site is prepped and the building process is completed. The estimated building completion will be 2 years from the building permit approval.

The new cabin will be a 3 bedroom 2.5 bath with an attached garage.

Reehers Homestead Inc. Board of directors has approved the new cabin as long as it is done following Tillamook county building codes. The site did not have property lines or it's own parcel when purchased and no neighboring sites have mentioned property lines since then. I would estimate the lines to use the natural boundaries - orchard fence, the hill, neighbor's garden fence, but the other side is difficult because of having a shared pole building and a common driveway. Not having a parcel for the site that is two acres is the cause of this minor review.

The following questions are answered based on current use - RV on site and the parcel (800) property lines since Reehers Homestead is already good with this planned improvement.

1. Noise, vibration, dust, odor, fumes, glare, or smoke detectable at the property line or off-site

No change after construction is completed.

2. Numbers and kinds of vehicular trips to the site;

No change to the number of vehicle trips from the current use.

3. Amount and nature of outside storage, loading and parking;

No change other than sometimes vehicles will be parked in the garage.

4. Visual impact;

No change

5. Hours of operation;

No change in planned usage of the cabin.

6. Effect on existing vegetation;

Trees removed with approval of RHI forester in preparation for building the new cabin.

7. Effect on water drainage and water quality;

Tillamook County code will be followed. Drainage will be improved by collecting roof water and keeping it from collecting on the gravel driveway.

The water source to the site is currently unchanged. The last water quality test was clean on 3/28/23.

8. Service or other benefit to the use or structure provides to the area;

No change - single family home.

9. Other factors relating to conflicts or incompatibility with the character or needs of the area.

No change from the original cabin. The site is 250' from the nearest forest zoned parcel, 200+' from the North fork of the Wilson river, 100+' from orchard creek and the drain field will be located 100' from a common well.

ii. The character and history of the use and of development in the surrounding area.

No change

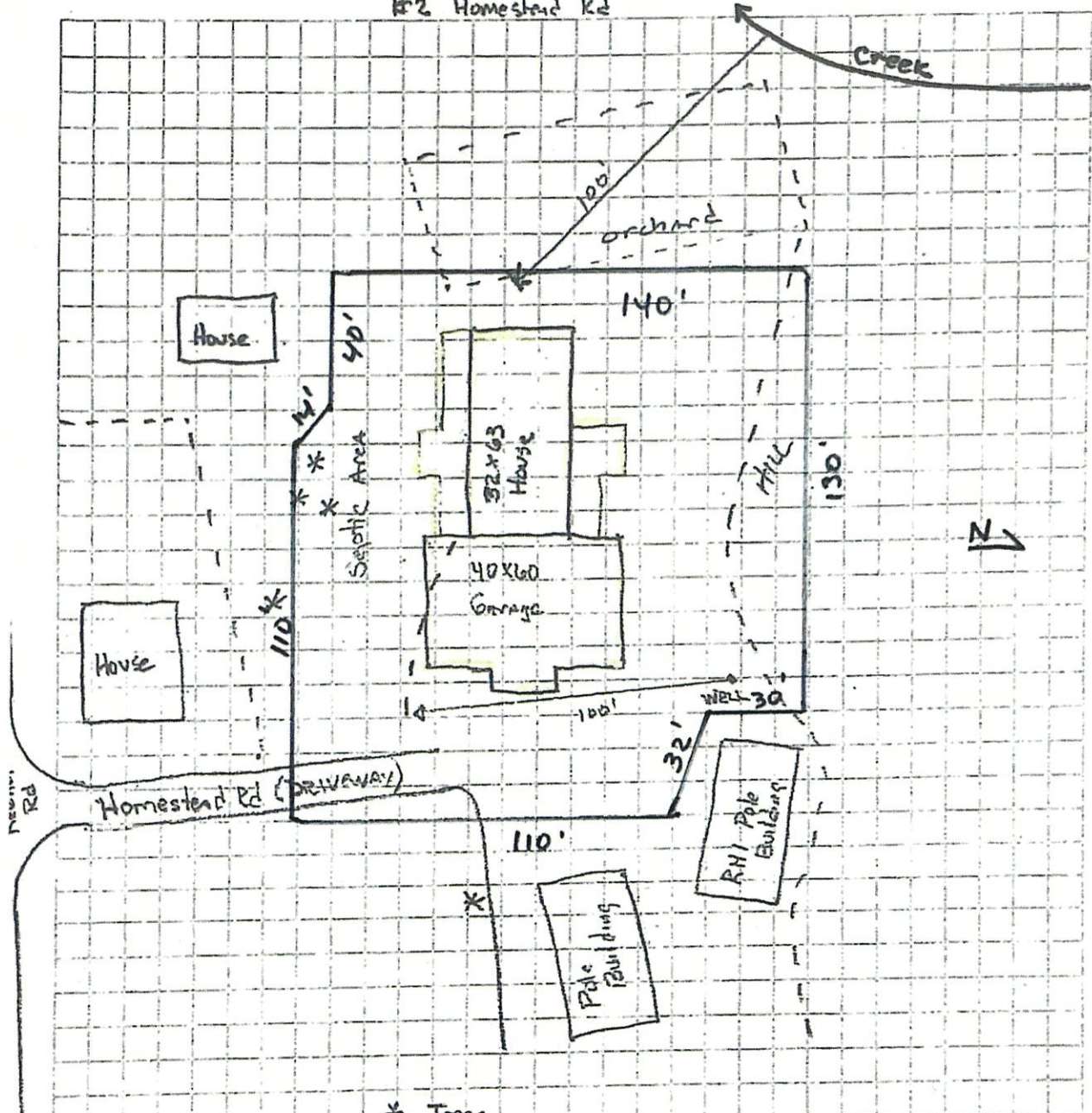
This continues with RHI goals shared with Tillamook County in 1975:

1. Maintain or enhance the natural beauty of the area.
2. Allow the orderly development of the area so as to provide recreational opportunities for family members.
3. Manage the timber resource to provide a harvestable crop.

(b) The request shall maintain a minimum separation of six feet between structures, and comply with the clear vision area of Section 4.010. – Yes.

RECEIVED
 JUL 07 2013
 BY:

Site Plan
 #2 Homestead Rd



* Trees

Yellow - new building
 scale 1/4" = 10'

Site property lines
 are drawn IN AS
 Required but are
 arbitrary. Property
 is owned by RHI.

Howard Rechee
 360-560-0250

TO
 1/6

RECEIVED
JUL 1 2013
BY:

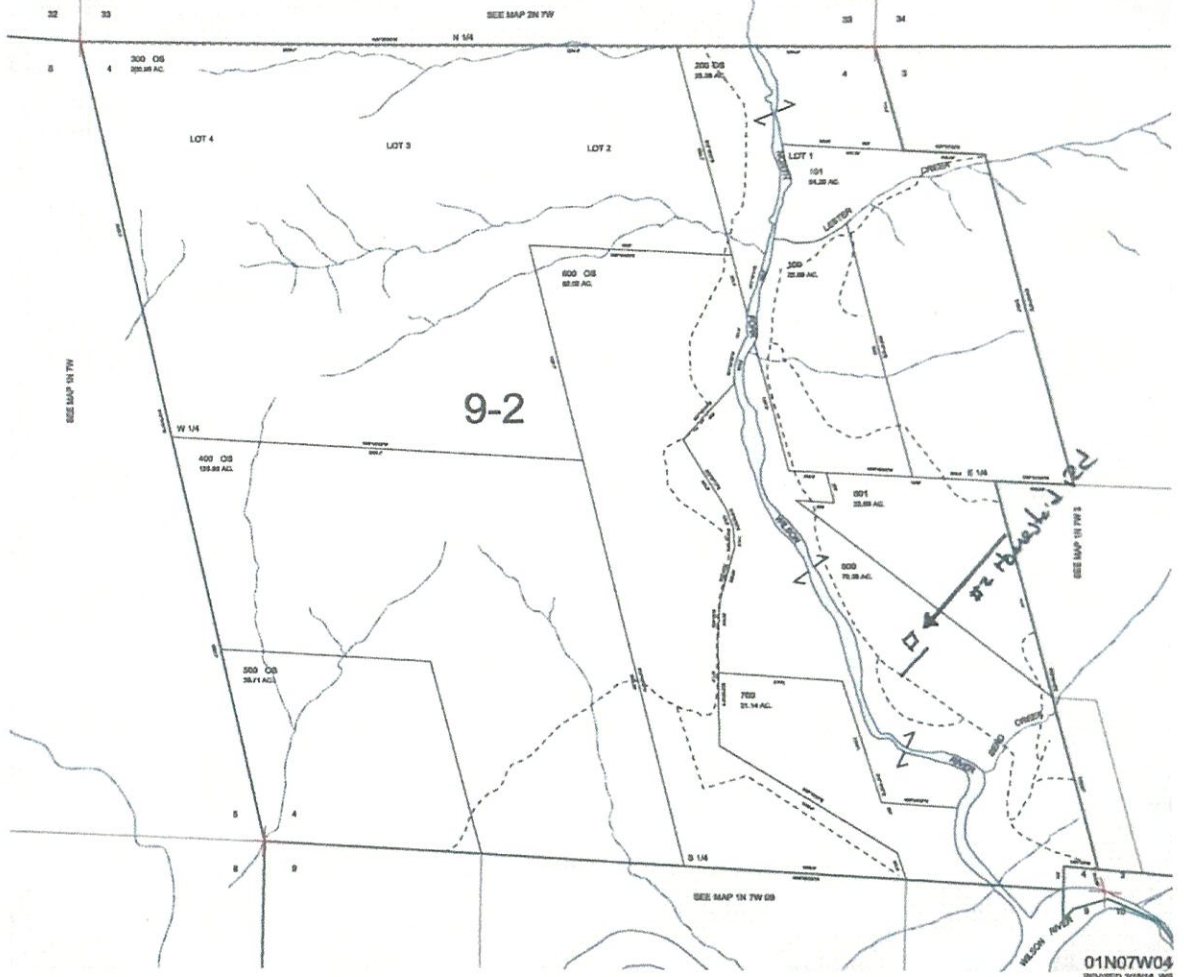


FORASSESSMENT AND TAXATION ONLY. NOT SUITABLE FOR LEGAL, ENGINEERING, OR SURVEY PURPOSES

SECTION 4 T.1N. R.7W. W.M.
Tillamook County
1" = 400'

IN 07W04800
#2 Homestead Tr

01N07W04
CANCELLED



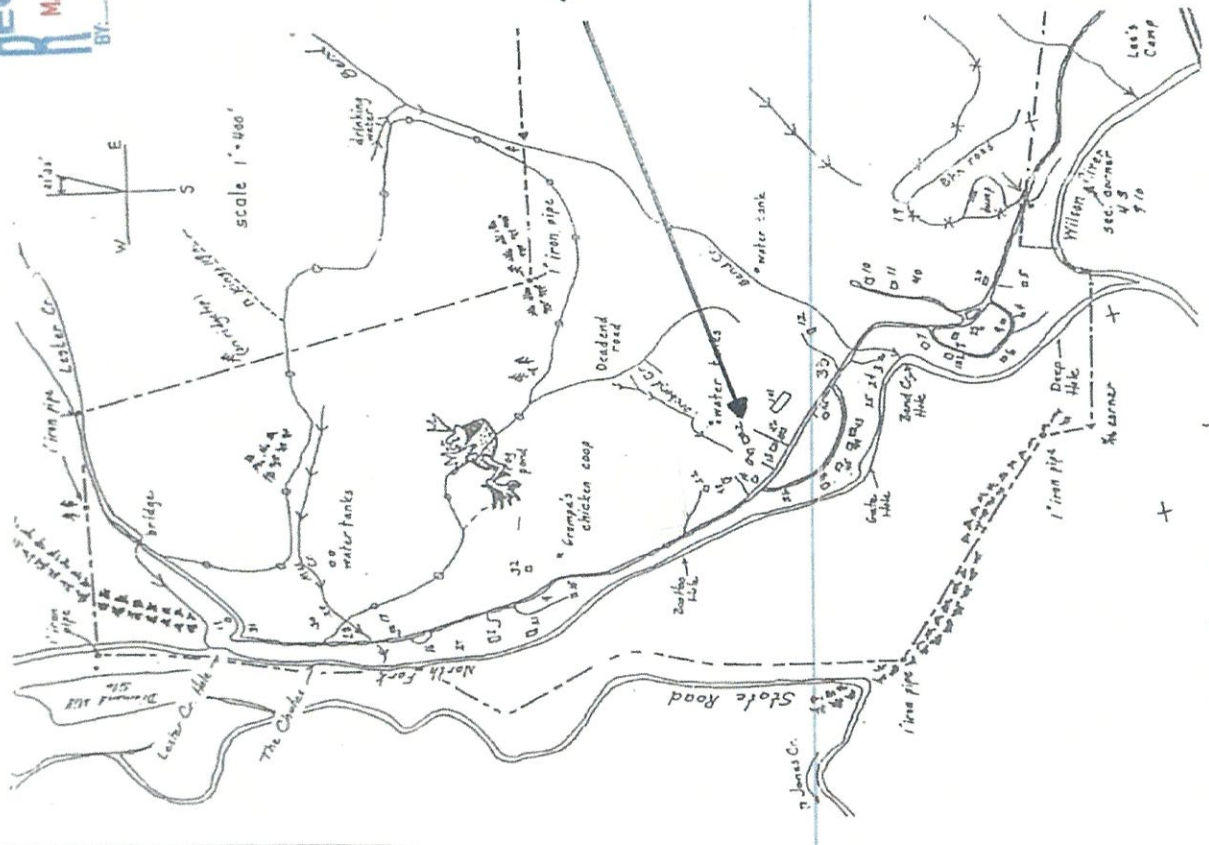
BY:
 JUL 1 2003
 RECEIVED

RECEIVED
 JUL 1 2023
 BY:

RECEIVED
 MAY 30 2023
 BY:

IN 07W 04800
 #2 Homestead Rd

Homestead Rd
 201/100/02
 1416
 171/100/02



Map & site locations
 Recker Homesteads Inc. lands

EXHIBIT C

Allison Chase

From: ODOT Reg 2 Planning Manager <ODOTR2PLANMGR@odot.oregon.gov>
Sent: Thursday, July 20, 2023 2:05 PM
To: Lynn Tone; Allison Chase
Cc: WILLIAMS Virginia L; KEARNS Richard A; BAUMGARTNER Douglas G
Subject: EXTERNAL: RE: 851-23-000181-PLNG: Reeher/Reeher's Homestead

Follow Up Flag: Follow up
Flag Status: Flagged

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

Lynn,

Thank you for notifying ODOT of the Non-Conforming Minor Review request to allow the expansion of a residential structure. The subject property is accessed off the Wilson River Highway (OR 6) via Reeher Road (private) at MP 23.73. The proposed expansion will not affect highway operations. ODOT has no objections to the proposal.

Thank you

Zdenek "Z" Vymazal, PE, PLS
Development Review Coordinator (Area 1)
ODOT – Region 2
455 Airport Rd. SE, Bldg. B
Salem, OR 97301
(971)-345-1318 Cell/Office
zdenek.g.vymazal@odot.oregon.gov
Hours: 6:30 AM to 3:00 PM Monday – Friday

From: Lynn Tone <ltone@co.tillamook.or.us>
Sent: Tuesday, July 18, 2023 11:39 AM
To: Allison Chase <achase@co.tillamook.or.us>
Subject: 851-23-000181-PLNG: Reeher/Reeher's Homestead

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Please see link for Notice of Administrative Review, thank you

<https://www.co.tillamook.or.us/commdev/project/851-23-000181-plng>