



1510 – B Third Street
Tillamook, Oregon 97141
www.tillamook.or.us
Building (503) 842-3412
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 #851-23-000186-PLNG:
LOUIE & HAYES / 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: August 14, 2023

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

#851-23-000186-PLNG: A Partition request to create two (2) parcels. Located within the Nehalem Urban Growth Boundary at Tax Lot 2700 of Section 28DB, Township 3 North, Range 10 West on a property zoned Nehalem Medium Density Residential (NH-R3). The subject property is accessed via Highway 101 N., a state highway. The owners are William Louie and Sharon Hayes. The applicant is Onion Peak Design.

Written comments received by the Department of Community Development **prior to 4:00p.m. on August 28, 2023**, will be considered in rendering a decision. Comments should address the attached criteria upon which the Department must base its decision. 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 decision will be rendered no sooner than August 29, 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.

If you have any questions about this application, please call the Department of Community Development at: 503-842-3408 or email: angela.rimoldi@tillamookcounty.gov

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 for Medium Density Residential (NH-R3) Zone Standards:

- (a) The minimum lot size for a single-family dwelling and mobile home shall be 5,000 square feet. For multiple-family dwellings (duplexes and larger), the minimum lot size shall be 5,000 square feet for the first dwelling and 2,500 square feet for each additional dwelling.
- (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

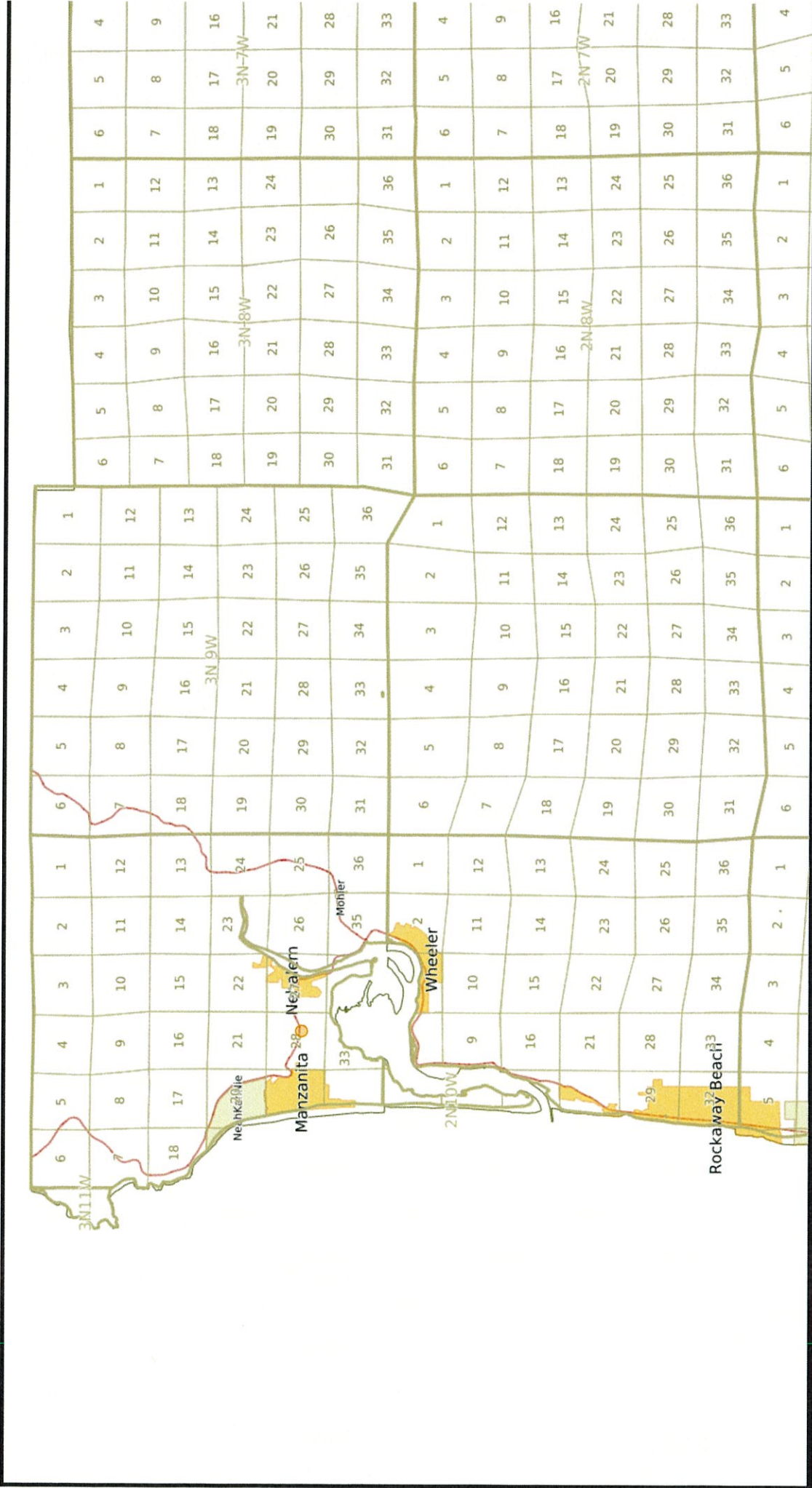
156.081 STREETS

156.082 UTILITY EASEMENTS

156.083 BUILDING SITES



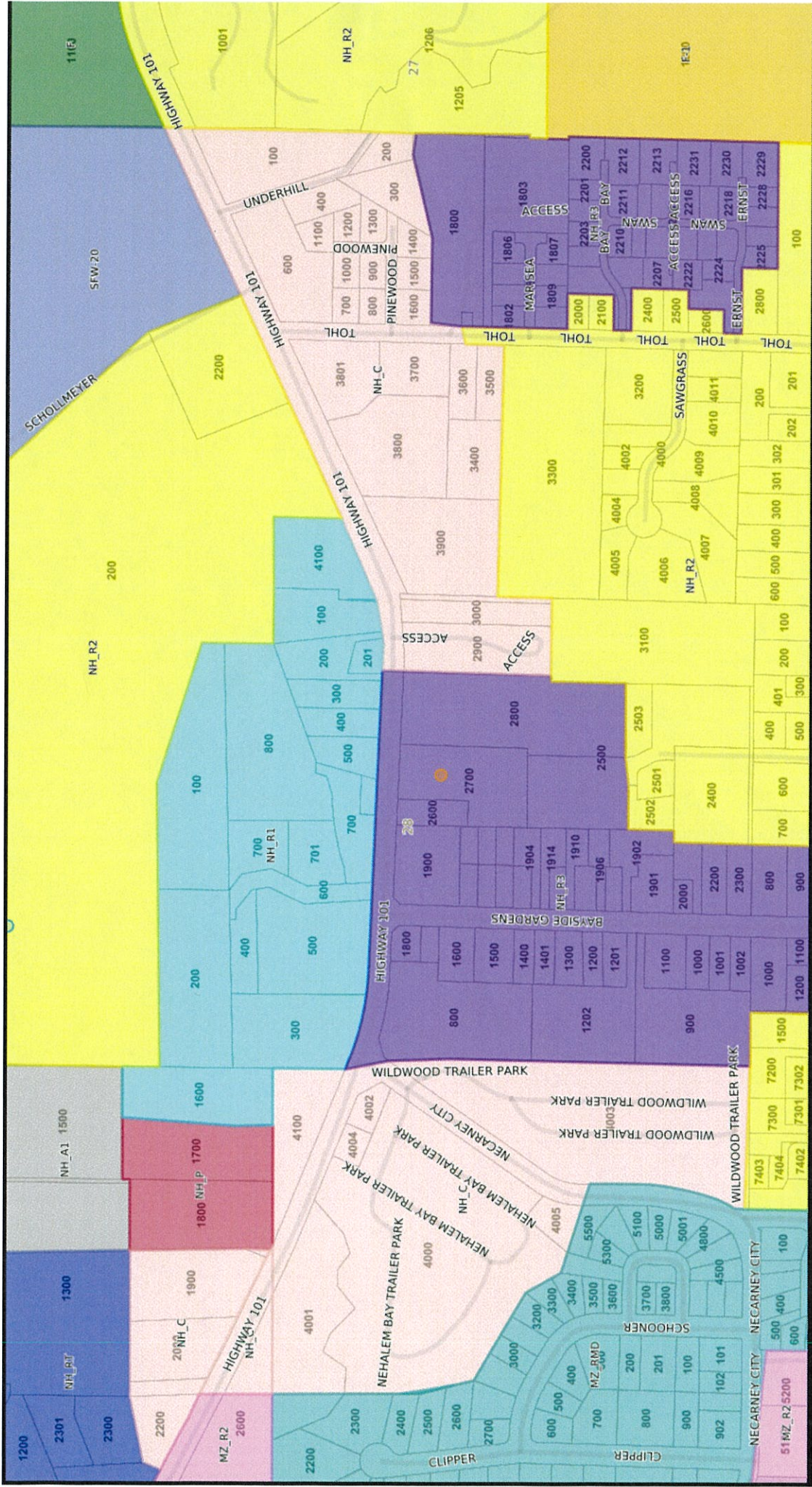
Tillamook County GIS



Created: Tue Aug 08 2023-15:47:27
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Tillamook County GIS



Created: Tue Aug 08 2023-15:45:41
Active Layers: County Boundary, Fed state highways, citylimit, community_polygon, TaxlotOwner, Tillamook County Zoning, Township_Range_Section, Road_Centerline
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Tillamook County Department of Community Development
 1510-B Third Street, Tillamook, OR 97141 | Tel: 503-842-3408
www.co.tillamook.or.us

Fax: 503-842-1819

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: William G Louie & Sharon F Hayes Phone: 80-910-5024
 Address: PO Box 83
 City: Nehalem State: OR Zip: 97131
 Email: wgl323@msn.com

Location:

Site Address: 36345 Highway 101, Nehalem, OR 97131

Map Number:	3N	10W	28DB	2700
	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 RECEIVED JUN 20 2023
<input type="checkbox"/> Approved <input type="checkbox"/> Denied
Received by:
Receipt #:
Fees: 1100-
Permit No: 851-22-00182-PLNG

Proposed Development

- 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 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

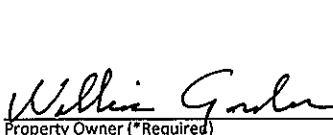

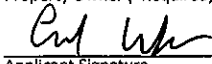
Certificates:

- 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.



6/13/2023
Property Owner (*Required) Date

6-13-23
Applicant Signature Date

OREGON COAST HIGHWAY # 101



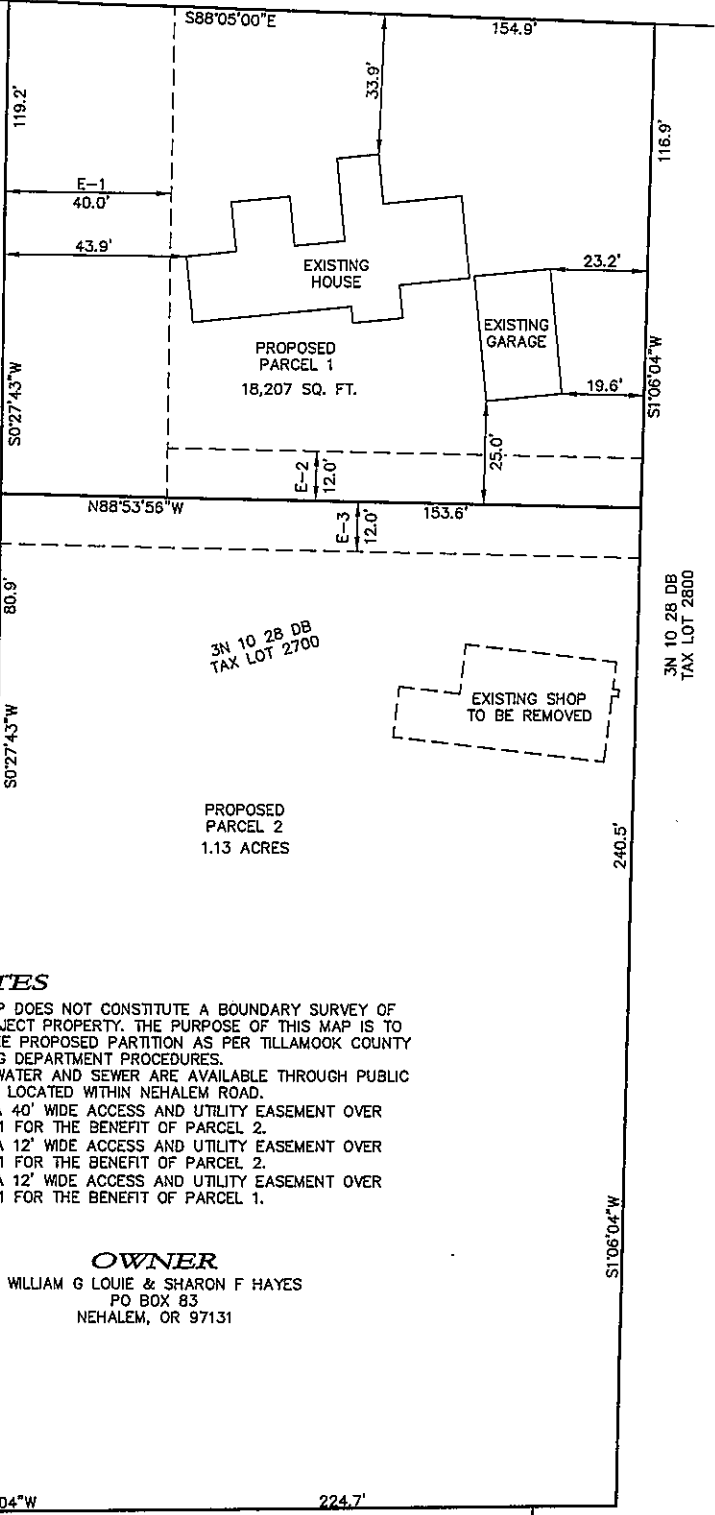
SCALE:
1" = 30'

3N 10 28 DB
TAX LOT 2600

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Eric M. White

OREGON
APRIL 28, 2014
ERICK M. WHITE
76572
RENEWS 6/30/2024



3N 10 28 DB
TAX LOT 1913

3N 10 28 DB
TAX LOT 1916

3N 10 28 DB
TAX LOT 1917

3N 10 28 DB
TAX LOT 1904

3N 10 28 DB
TAX LOT 2700

3N 10 28 DB
TAX LOT 2800

PROPOSED
PARCEL 2
1.13 ACRES

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 NEHALEM ROAD. E-1 IS A 40' WIDE ACCESS AND UTILITY EASEMENT OVER PARCEL 1 FOR THE BENEFIT OF PARCEL 2. E-2 IS A 12' WIDE ACCESS AND UTILITY EASEMENT OVER PARCEL 1 FOR THE BENEFIT OF PARCEL 2. E-3 IS A 12' WIDE ACCESS AND UTILITY EASEMENT OVER PARCEL 1 FOR THE BENEFIT OF PARCEL 1.

OWNER

WILLIAM G LOUIE & SHARON F HAYES
PO BOX 83
NEHALEM, OR 97131

**ONION PEAK
DESIGN**

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

LOUIE2306-EX.DWG

PROPOSED PARTITION FOR:
LOUIE & HAYES
3N 10 28 DB
TAX LOT
2700

SE 1/4, SECTION 28, T3N, R10W, W.M.
TILLAMOOK COUNTY
JUNE 13, 2023



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 DB TAX LOT(S) 02700

SITUS ADDRESS: _____

NAME: Erick White, surveyor PHONE: 503-440-4403

MAILING ADDRESS: Onion Peak Design

11460 Evergreen Way, Nehalem, OR 97131

Single Family Duplex/Multi-Family Other partition

Comments: _____

Signed: Jurij Nekhoch Deputy City Recorder
Name Title

RECORDING REQUESTED BY:



507 Laneda Ave, Ste 3, PO Box 1089
Manzanita, OR 97130

GRANTOR'S NAME:
Terri Maragos Living Trust U/A dated October 28, 2020

GRANTEE'S NAME:
William G. Louie and Sharon F. Hayes

AFTER RECORDING RETURN TO:
Order No.: 360423000323-JT
William G. Louie and Sharon F. Hayes, as tenants by the entirety
P.O. Box 83
Nehalem, OR 97131

SEND TAX STATEMENTS TO:
William G. Louie and Sharon F. Hayes
P.O. Box 83
Nehalem, OR 97131

APN: 69419
417408
Map: 3N10 28DB 02700
3N10 28DB 02700S1
36345 Highway 101 N, Nehalem, OR 97131

Tillamook County, Oregon
03/31/2023 10:28:02 AM
DEED-DWARR
\$15.00 \$11.00 \$10.00 \$61.00 - Total = \$97.00
I hereby certify that the within instrument was received
for record and recorded in the County of Tillamook,
State of Oregon.
Tassi O'Neil, Tillamook County Clerk

2023-01301

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Anne Terrill Tinker Maragos, Trustee of the Terri Maragos Living Trust U/A dated October 28, 2020, Grantor, conveys and warrants to William G. Louie and Sharon F. Hayes, as tenants by the entirety, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Tillamook, State of Oregon:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS FOUR HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$450,000.00). (See ORS 93.030).

Subject to:

Regulations, levies, liens, assessments, rights of way and easements of Nehalem Bay Wastewater Agency.

Purpose: not disclosed
Amount: \$54.00, plus interest and penalties, if any.
Reference No: 2842053

Rights of the public to any portion of the Land lying within the area commonly known as Highway 101N.

Unrecorded Lease as disclosed by Tillamook County Assessor Records, and right, title, and interest, if any, of Lessee:

Lessee: Hope Chest Thrift Shop
Account No.: 417408
Map No.: 3N10 28DB 02700S1

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Recorded By Tifoor
Title Ins. Co. 20230331

EXHIBIT "A"
Legal Description

Beginning at a point on the Southerly right of way line of Oregon State Highway No. 101, said point being 1002.12 feet North and 428.87 feet West from the Southeast corner of the Northwest quarter of the Southeast quarter of Section 28, Township 3 North, Range 10 West, Willamette Meridian, County of Tillamook, State of Oregon;

thence North 87° 20' West along the Southerly boundary of said highway 154.7 feet to the Northeast corner of that tract conveyed to J. T. Riehl, et ux by Deed recorded November 3, 1975 in Book 242, page 698, Tillamook County Records;

thence South 200 feet along the East boundary of said Riehl tract to its Southeast corner;

thence North 87° 20' West 54.7 feet to the Southwest corner of said Riehl tract;

thence South 168.03 feet to the Northwest corner of that tract conveyed to Frank C. Corder, et ux by Deed recorded August 15, 1972 in Book 228, page 478, Tillamook County Records;

thence East along the North boundary of said Corner tract 204.75 feet;

thence North 358.5 feet to the point of beginning.

TOGETHER WITH that portion conveyed by Fern Nelson to Nikolaos Maragos and Terri Maragos by Bargain and Sale Deed recorded January 14, 1994 in Book 357, page 321, Tillamook County Records, described as follows:

Beginning at a point on the Southerly right of way line of the Oregon Coast Highway which is 989.98 feet North and 407.64 feet West of the Northeast corner of Lot 1, Bayside Gardens, said point being on the Northerly extension of a wood post and wire fenceline;

thence South 00° 55' 00" West along said fenceline 357.41 feet;

thence South 89° 15' 04" West 20.7 feet, more or less, to the Southeast corner of that parcel of land conveyed to Tinker and Maragos described in Book 247, page 305, Tillamook County Records;

thence North 00° 28' 14" East 358.44 feet (record value of North 358.5 feet) along the East line of said Tinker and Maragos parcel to said Southerly right of way line;

thence South 88° 05' 00" East 23.5 feet, more or less, along said Southerly right of way line to the point of beginning.

EXCEPTING THEREFROM that portion conveyed to Mildred B. Ephgrave by Bargain and Sale Deed recorded April 11, 1995 in Book 368, page 816, Tillamook County Records, described as follows:

Beginning at a point on the Southerly right of way line of the Oregon Coast Highway which is 995.16 feet North and 562.22 feet West of the Northeast corner of Lot 1, Bayside Gardens, said point being on the Northerly extension of a wood post and wire fenceline;

thence South 00° 32' 14" West along said fenceline and Southerly extension thereof 199.99 feet to a point on the Easterly extension of the Southerly line of that parcel of land conveyed to Mildred B. Ephgrave described in Book 287, page 449, Tillamook County Records;

thence North 88° 05' 00" West parallel with the Southerly right of way line of said highway 18.8 feet, more or less, to the Southeast corner of said parcel;

thence North 00° 27' 43" East (record value of North) along the East line of said Ephgrave parcel 200.0 feet to the Northeast corner of said Ephgrave parcel on said Southerly right of way line;

thence South 88° 05' 00" East (record value of South 87° 20' East) along said Southerly right of way line 19.1 feet, more or less, to the point of beginning.



Date: July 10, 2023

RE: Incomplete application for a Partition Application #851-23-000186-PLNG

To Whom It May Concern:

As indicated in the attached correspondence, your application has been deemed to be incomplete.

Please acknowledge, in writing, your intent to provide the material required to complete the application, as identified in the attached correspondence.

Tillamook County Department of Community Development
Attn: Angela Rimoldi – Planning Technician
1510 B Third Street
Tillamook, OR 97141

If you indicate your intent to complete the application, you will have 180 days from the date the application was originally submitted (**June 20, 2023**) to submit the required material. If you fail to submit the material within 180 days, your application will be deemed void. The case file regarding the application will then be closed.

If you do not return this acknowledgment, by the above date, such action will be considered to be a refusal to complete the application under the meaning accorded in ORS 215.428. Your application will then be processed based upon the information you have previously submitted. Note that failure to submit sufficient evidence or material to demonstrate compliance with the applicable criteria is grounds for denial of the application.

ACKNOWLEDGMENT

- I intend to provide the additional material identified in the attached correspondence from the Department of Community Development.
- I refuse to provide the additional material identified in the attached correspondence from the Department of Community Development.

Carl M. [Signature]
Signed and Acknowledged (Applicant)

8-2-23
Date



150-DAY WAIVER

By my signature below, I confirm my agreement to hold the decision on my application(s) deemed to be complete, listed below, and hereby waive the 150-day decision requirement as specified under ORS 215.427. With the exception of mediation, the total of all extensions may not exceed 215 days after the date the application(s) were deemed complete.

Application(s): #851-23-000186-PLNG / PARTITION

AGREED TO BY:

[Handwritten Signature]

APPLICANT SIGNATURE

8-2-23

DATE

Erick White

NAME (PLEASE PRINT)