



1510 – B Third Street
Tillamook, Oregon 97141
www.tillamookcounty.gov
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

RESOURCE ZONE EXCEPTION #851-23-000533-PLNG: FROG EYES WASABI LLC / MEAD

*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 11, 2024

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

#851-23-000533-PLNG: An exception request to reduce the required 100-foot resource zone setback from the Small Farm and Woodlot (SFW-20) zone boundary by 95-feet to establish a 5-foot setback from the southerly property line (side), and by 80-feet to establish a 20-foot setback from the easterly (rear) property line as prescribed by the Rural Residential 2 Acre (RR-2) zone standards, TCLUO Section 3.010.

The subject property is located north of Tierra Del Mar and Sitka Sedge State Park, accessed off of Sandlake Road, a County Road and designated as Tax Lot 1100 in Section 31DB of Township 3 South, Range 10 West of the Willamette Meridian, Tillamook County, Oregon. The property is zoned Rural Residential 2-Acre (RR-2). The applicant and property owner is Markus Mead, Frog Eyes Wasabi LLC.

Written comments received by the Department of Community Development prior to 4:00p.m. on January 25, 2024, 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 the next business day, January 26, 2024.

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.tillamookcounty.gov/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, Director, CFM

Enc. Applicable Ordinance Criteria, Maps
#851-23-000533-PLNG – Frog Eyes Wasabi LLC / Mead

REVIEW CRITERIA

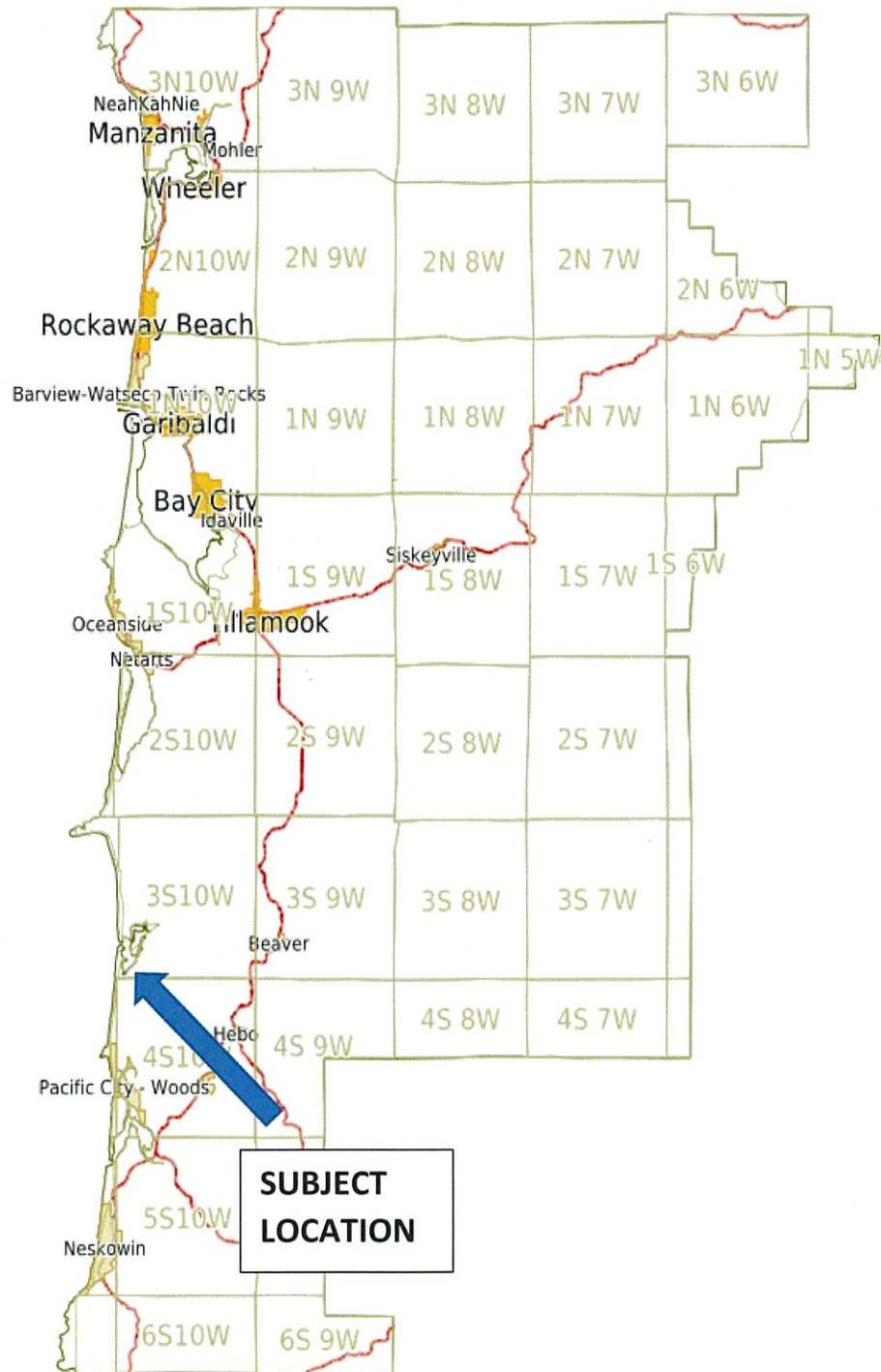
TCLUO ARTICLE VI:

SECTION 6.040: REVIEW CRITERIA

Any CONDITIONAL USE authorized according to this Article shall be subject to the following criteria, where applicable:

- (1) The use is listed as a CONDITIONAL USE in the underlying zone, or in an applicable overlying zone.
- (2) The use is consistent with the applicable goals and policies of the Comprehensive Plan.
- (3) The parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements and natural features.
- (4) The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zone.
- (5) The proposed use will not have detrimental effect on existing solar energy systems, wind energy conversion systems or wind mills.
- (6) The proposed use is timely, considering the adequacy of public facilities and services existing or planned for the area affected by the use

VICINITY MAP

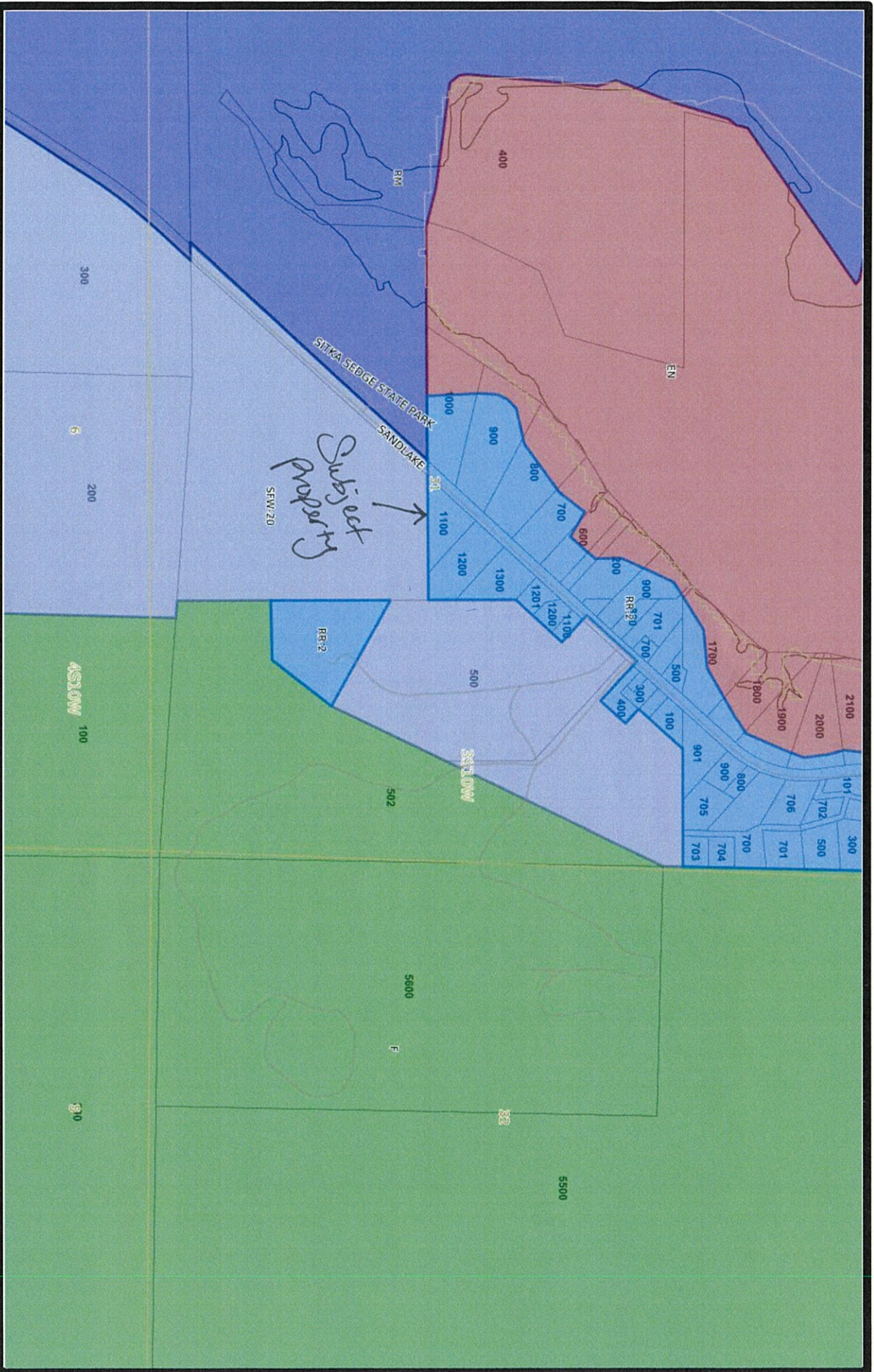


#851-23-000533-PLNG:
Frog Eyes Wasabi LLC / Mead

Map



Map





PLANNING APPLICATION

Applicant (Check Box if Same as Property Owner)

Name: Markus Mead Phone: 503-709-2912

Address: 4360 Brickyard Rd

City: Tillamook State: OR Zip: 97141

Email: Markus@OregonCoastWasabi.com

Property Owner

Name: Frog Eyes Wasabi LLC Phone: 503-709-2912

Address: 4360 Brickyard Rd

City: Tillamook State: OR Zip: 97141

Email: Markus@OregonCoastWasabi.com

OFFICE USE ONLY	
Date Stamp	RECEIVED NOV 22 2023 BY: email
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by:	
Receipt #:	
Fees: 1375.50 + Add 42 pages @ 25¢	
Permit No: 851-23-00833 -PLNG 000533	

Request: Reduce 100-foot Setback To 5-feet (standard side yard) or 20 feet (standard rear).

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

- Detailed Hazard Report
- Conditional Use (As deemed by Director)
- Ordinance Amendment
- Map Amendment
- Goal Exception
- Nonconforming Review (As deemed by Director)
- Variance (As deemed by Director)

Type IV

- Ordinance Amendment
- Large-Scale Zoning Map Amendment
- Plan and/or Code Text Amendment

Location:

Site Address: 26555 Sandlake Road Cloverdale OR 97112

Map Number: 3S1031DB01100

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) _____ Date _____

Applicant Signature _____ Date _____

TYPE II Land Use Application: Resource Setback Reduction

3S1031DB01100; TILLAMOOK COUNTY, OREGON

Prepared by:

Markus Mead, Representative of property Oregon Coast Wasabi (OCW) and co-owner of OCW

Mailing Address: 4360 Brickyard Rd

Tillamook, OR 97141

503-709-2912

Markus@OregonCoastWasabi.com

November 13, 2023

Project Location: 26555 Sandlake Road, Cloverdale OR 97112

Legal Description: 3S1031DB01100

Tax Account #: 220745

Map Number: 03S10W31DB

Taxlot: 1100

OR Taxlot: 2903.00S10.00W31DB--000001100

Acres: 1.45

Applicant: Markus Mead, 4360 Brickyard Rd. Tillamook, OR 97141

Property Owner: Frog Eyes Wasabi LLC (DBA Oregon Coast Wasabi) 4360 Brickyard Rd Tillamook, OR 97141

Comprehensive Plan: Residential

Zoning Designation: RR-2

Overlay: None

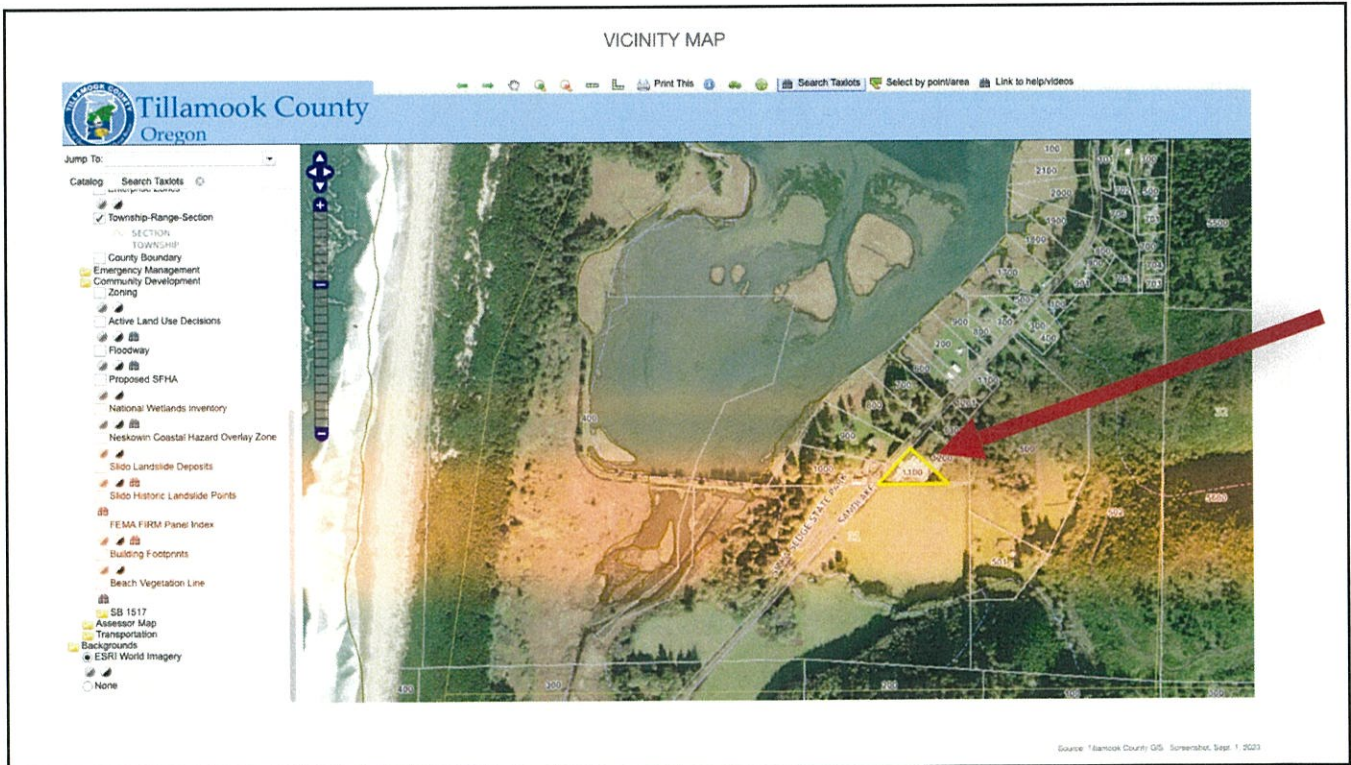


TABLE OF CONTENTS

PROJECT DESCRIPTION.....	1
PROJECT GOALS.....	1
PROJECT LOCATION	1
BACKGROUND.....	1
ZONING DESIGNATION AND USES	4
LAND USE PERMIT CRITERIA	5
COMPREHENSIVE PLAN GOALS	5
DEVELOPMENT STANDARDS AND ZONING	12

LIST OF FIGURES

- **FIGURE 1: VICINITY MAPS**
- **FIGURE 2: PRELIMINARY SITE PLAN**
- **Figure 3 a-d: PROPERTY MAP SHOWING SETBACK PROPOSAL AND REQUIRED**
- **FIGURES 4A AND 4B: PHOTOS SHOWING EXISTING SCREENING**

APPENDIX

- **EXHIBIT A: EXAMPLE LETTER OF SUPPORT**
- **EXHIBIT B: NON-REMONSTRANCE AGREEMENT**
- **EXHIBIT C: TAX MAP**
- **EXHIBIT D: EMAIL TO STATE PARKS**

PROJECT DESCRIPTION

The application is a “resource zone exception” and proposes to reduce the 100-foot “resource setback” as prescribed by County Code Section 3.010.4(k) to be equal to the standard RR-2 zone side yard minimum requirement of five feet as a primary preference (though the standard rear yard of 20 feet is a second preference). The same Code Section provides objective performance standards for natural or man-made screening if this reduction is sought. This request is processed with a Type II application. This narrative is the Type II application substantiating compliance with the performance standards of man-made or natural screening contained in Section 3.010.4(k).

No land development or vertical construction is proposed at this time.

PROJECT GOALS

There are two goals of this application. The first is to allow and indeed protect the adjacent property’s (resource zone / State Park’s) right to operate a potential or future forest resource operation while having more flexibility in siting a residence on the subject lot. The second goal is to have the permission to locate a future structure and/or residence within the larger resource setback, but outside the base zone’s standard “yard” setback.

PROJECT LOCATION

The site is adjacent to the east side of Sandlake Road the Sitka Sedge State Park along the southern property boundary. There is another RR-2-zoned property with a single family residence to the north.

BACKGROUND

The site is currently used as a farm. The owners have a second operating farm site in Tillamook and are consolidating farm operations at that singular site. The owners wish to prepare this subject property for residential use with more flexible residential structure/dwelling location on this irregularly-shaped lot.

Figure 1: Vicinity Maps

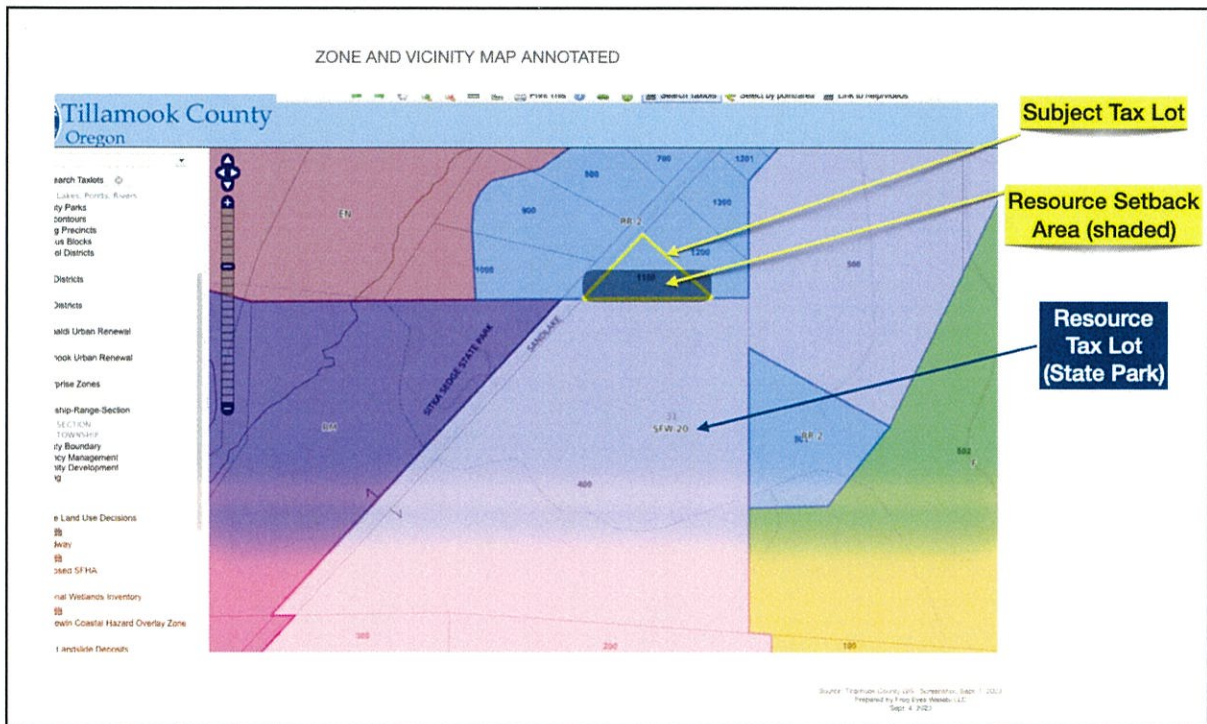
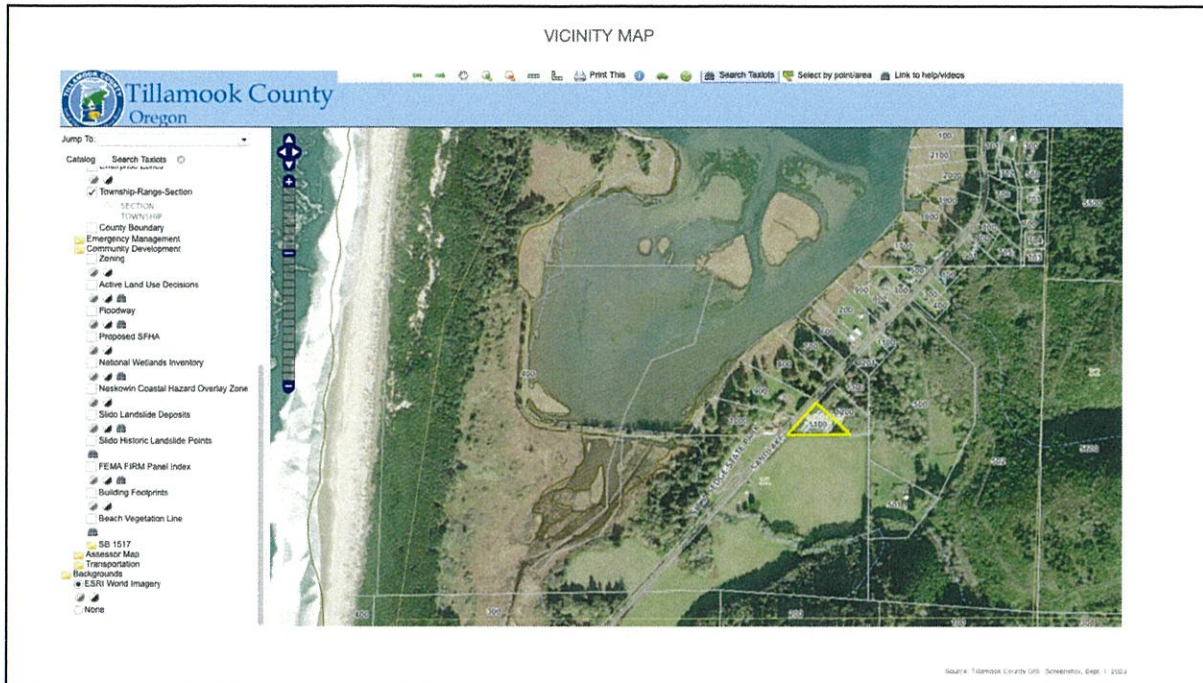
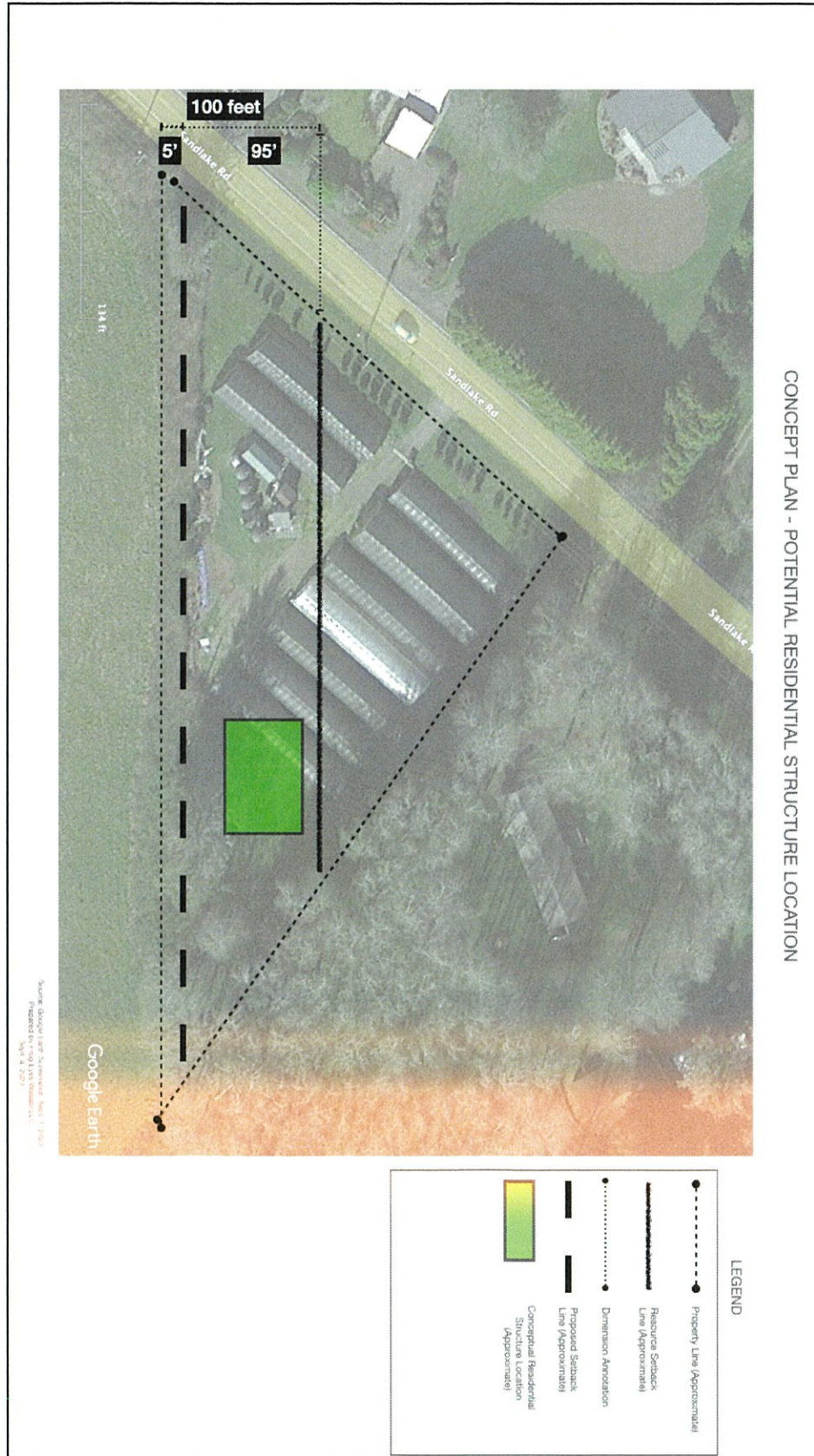


Figure 2: Preliminary Site Plan



ZONING DESIGNATION AND USES

The Tillamook County zoning designation of the project site is RR2-10 Rural Residential.

The Comprehensive Plan Designation is Residential.

There are no overlay zones on this property. However, the adjacent property to the south 3S10310000400 is designated Small Farm and Woodlot-20. According to County Code section 3.010.4(k), this situation requires a 100-foot minimum resource setback on the subject property with performance standards for screening if a reduction is sought.

The site is currently in farm use, an outright-permitted use. There is no current use change proposal with this application.

The adjacent property is currently in passive recreation use and is owned by Oregon Parks and Recreation Dept. and is the Sitka Sedge State Park.

LAND USE PERMIT CRITERIA

COMPREHENSIVE PLAN GOALS

Goal 1 The Planning Process

Response: If approved, the proposal will be in conformance with all applicable Comprehensive Plan policies. No incompatible land use or change to the Plan or policies/goals are proposed. This land use application is being reviewed through a Type II public procedure, adhering to the Statewide Goals and the County's Plan and associated policies including public notice and Plan policy review and development standard review. Therefore, this goal is met by the proposal.

Goal 2 The Land Use Plan

Response: If approved, the proposal will be in conformance with all applicable Comprehensive Plan policies. No incompatible land use or change to the Plan or policies/goals are proposed. This proposal is not a land division or development application. This proposal does not affect housing supply or need, agricultural operational capacity or alter any land use capacity inventories. Therefore, this goal will be met or not applicable by the proposal.

Goal 3 Agricultural Lands

Response: This proposal does not alter any designated agricultural lands, remove any designated agricultural lands from any inventories or hinder any agricultural practices. The subject property is not in an EFU zone. The desired use is consistent with the Comprehensive Plan and Zoning Designation. This proposal does not extend any utilities. Therefore, this goal is met or not applicable by the proposal.

Goal 4 Forest Lands

Response: This proposal does not alter any designated forest lands, remove any designated forest lands from any inventories or hinder any forest practices. The subject property is not in a forestry zone. The desired use is consistent with the Comprehensive Plan and Zoning Designation. The subject taxlot does not have any designated forest resources.

The adjacent lot 3S10310000400 is designated Small Farm and Woodlot-20, which is the meadow area along the Sitka Sedge Park's northern boundary. This permit request is made to Tillamook County to reduce a minimum property line residential structure setback dimension from 100 feet to 5 feet (the residential zone minimum side-yard standard or rear yard 20-foot standard).

The larger setback is due to the different land use designations between the two properties. The subject property (ours) is designated as residential. The park property is designated Small Farm / Woodlot, in which forestry operations such as clearing and processing are allowed. The larger setback is intended to protect both properties. The setback protects the residence from potential nuisance effects from forestry operations. Examples of these nuisances include noise, light and air pollution in the form of vehicle and machinery, night-time operations and saw dust and exhaust respectively. The setback also protects the state

park property by reducing these same nuisance effects to an extent that the residential property would not complain about the forestry operations, potentially hindering the operation.

To solve for this, we are proposing that as a condition of permit approval, we record a “non-remonstrance agreement” on our property. This would protect the state park by prohibiting us and future owners from complaining (remonstrating) against any potential future forestry operations or other legal uses.

In the application, we have included a draft letter of support by the adjacent property owner (Parks/OPRD) for our land use application and setback reduction which includes the non-remonstrance agreement protecting the state park property. This letter and the agreement have been presented to State Parks and they are reviewing them. As of the date of this application submittal, no decision response has been received.

The reason we are requesting the setback to be reduced is our property’s unusual shape. The property is a triangle, and is small. The shape and size both combine to make a very small area buildable (see exhibit B). This area forces any structure to be near the loud Sandlake Road road, which is likely louder than any potential forestry operation. With the setback reduction, the structure could be located further away from the road and make use of existing natural vegetative screening for any potential future forest practice nuisance. Therefore, this goal is met by the administrative solution or not applicable by the proposal.

Goal 5 Natural Resources

Response: This proposal does not alter, remove from any inventories or hinder any designated resources such as the following. The subject site does not have any of the following resources identified by the County:

- *Riparian Corridor(s)*
- *Wetland(s)*
- *Fish/Wildlife Habitat;*
- *Wild and Scenic Rivers*
- *State Scenic Waterways*
- *Groundwater Resouces*
- *Approved Oregon Recreational Trails*
- *Natural Areas*
- *Wilderness aReas;*
- *MinerallAggregate*
- *Energy Sources*
- *Cultural Areas*
- *Historic Resources*
- *Open Space*
- *Scenic Views or Sites.*

Therefore, this goal is not applicable by the proposal.

Goal 6 AIR, WATER AND LAND RESOURCES QUALITY

Response: This proposal does not alter any existing, nor propose any emissions. This proposal does not propose any impervious surface or alter any water quality potential by concentrating, injecting or enlarging any surface water runoff. The proposed site does not propose a new or alter a solid waste disposal facility. The proposal does not propose any noise-emitting uses or operations. Therefore, this goal is not applicable by the proposal.

Goal 7 Hazards

Response: According to Figure 12 of the 2021 Oregon Department of Geology and Mineral Industries Tsunami Inundation Modeling Update For The Northern Oregon Coast: Tillamook and Clatsop Counties By Jonathan C. Allan Joseph Zhang and Fletcher E. O'Brien, the subject site is in a tsunami inundation area. There are no other identified hazards. The following exhibit is a Tillamook County map showing FEMA and Wetlands. The property is not in a community tsunami hazard overlay zone. The proposal does not change the allowed density, create new lots or alter any development standard that would increase tsunami hazard to residents. Therefore, this goal is met by this proposal.

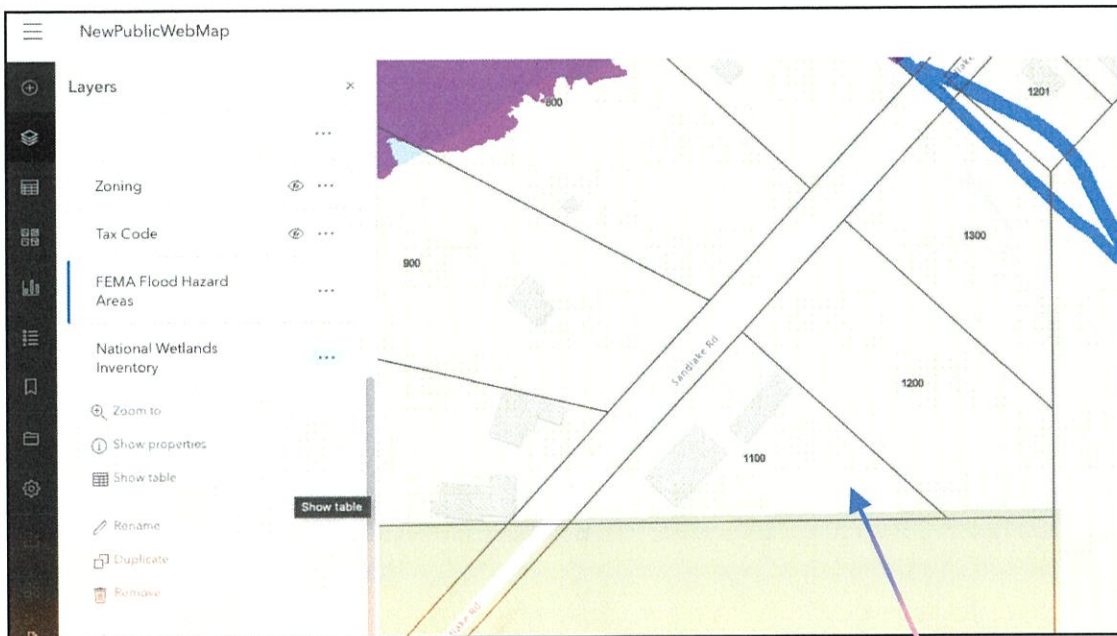


Exhibit C: FEMA map showing no flood hazard.

SITE

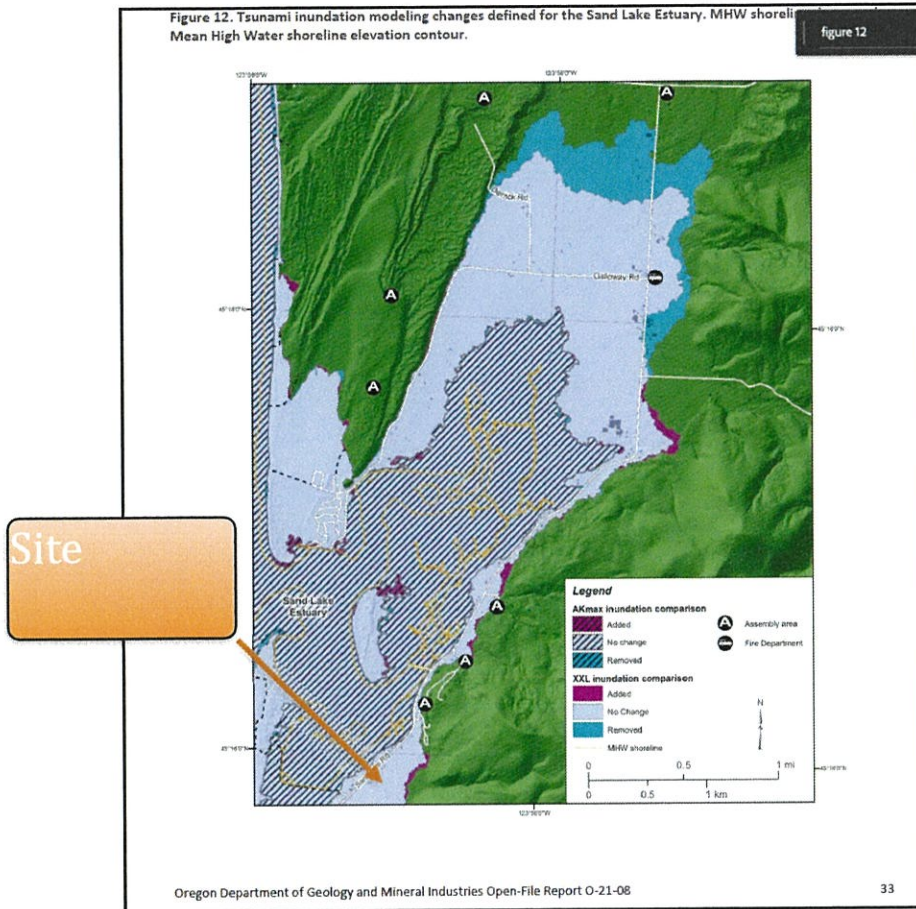


Exhibit D: Tsunami Inundation Map.

Goal 8 Recreation

This proposal does not alter any existing, nor propose any general recreational or specifically State Park function, facilities, or needs or access. This letter and the agreement have been presented to State Parks and they are reviewing them. As of the date of this application submittal, no decision response has been received. The proposal would locate a residential structure closer to a state park property. However, as described and illustrated further in this narrative, existing screening exists to mitigate any visual impacts to the State Park view-shed. The park area is also not typically occupied as the nearest park public access is across Sandlake Road at the dike trailhead approximately 500 feet to the south of the subject property. Thus, any view-shed impact is mitigated by distance and existing screening. The proposal does not seek to reduce any standard residential yard setback.

The proposal does not affect any recreational quantity, location and orientation. Therefore, this goal is met or not applicable by the proposal.

Goal 9 Population and Economy

Response: The proposal does not change any land or employment projection or consumption. The proposal to increase the potential footprint area of a residential structure location on a residentially-designated lot. The proposal does not remove, add to or change any employment or residential inventory. The setback reduction does not not hinder any use or goal applicability on the adjacent property. Therefore, this goal is met or not applicable by the proposal.

Goal 10 Housing.

Response: The proposal does not change any housing or land projection or consumption. The proposal is for a residential structure's increased location on a residentially-designated lot (Comp. Plan and Zone). The proposal does not remove, add to or change any residential inventory. The setback reduction does not not hinder any use or goal applicability on the adjacent property. Therefore, this goal is met or not applicable by the proposal.

Goal 11 Public Facilities.

Response: This proposal does not extend any public utilities. This proposal is not for a land use, occupancy or any demand for service. This proposal only requests a setback reduction for an outright-permitted use. No use change is requested with this proposal. The eventual residential use is consistent with the Comprehensive Plan and Zoning Designation and thus, does not alter any use or consumption of any utility beyond its currently-planned capacity. The proposal does not alter any use or utility consumption or demand on any adjacent property. Therefore, this goal is met or not applicable by the proposal.

Goal 12 Transportation.

Response: This proposal does not change any land use or transportation demand. This proposal is not for a land use, occupancy or any demand for service or generate any trips. This proposal only requests a setback reduction for an outright-permitted use. No use change is requested with this proposal. The eventual residential use is consistent with the Comprehensive Plan and Zoning Designation and thus, does not alter any use or transportation demand beyond its currently-planned capacity. The proposal does not alter any use or utility consumption or demand on any adjacent property. Therefore, this goal is met or not applicable by the proposal.

Goal 13 Energy Conservation

Response: This proposal does not change any land use or energy demand. This proposal is not for a land use, occupancy or any demand for energy. This proposal only requests a setback reduction for an outright permitted use. No use change is requested with this proposal. The eventual residential use is consistent with the Comprehensive Plan and Zoning Designation and thus, does not alter any use or energy demand beyond its currently-planned capacity. The proposal does not alter any use or utility consumption or demand on any adjacent property. Therefore, this goal is met or not applicable by the proposal.

Goal 14 Urbanization

Response: This proposal does not change any density either current or planned or development pattern. This proposal does not sprawl or leapfrog development. The proposal does not require any unplanned utility extensions. There is no possibility for agricultural-to-residential conflict per se. Though, this narrative addresses the potential for an increased magnitude of forest practice-related conflicts to the residential property. Forest practices are not agricultural per se or as intended by this goal, but are close enough that the potential is addressed in this application. (Note, there would be no new conflicts or nuisances generated by the proposal.)

County Code Section 3.010: Rural Residential 2 acre And 10 ACRE Zone (RR-2) (RR-10) Section 4(k) requires a “resource setback” of 100 feet from the southern shared property boundary with the adjacent State Park property to the south. This setback is 95 feet greater than the standard “side yard “ minimum of 5 feet as a primary preference (20 feet is a secondary preference). The proposal is to have the permission to locate a structure and/or residence within the “resource setback” prescribed by County Code Section 3.010: Rural Residential 2 acre And 10 ACRE Zone (RR-2) (RR-10) Section 4(k) and have the setback equal to the standard yard minimum requirement.

The larger setback is due to the different land use designations between the two properties. The subject property is designated as residential. The park property is designated Small Farm / Woodlot, in which forestry operations such as clearing and processing are allowed. The larger setback is intended to protect both properties. The setback protects the residence from potential nuisance effects from forestry operations. Examples of these nuisances include noise, light and air pollution in the form of vehicle and machinery, night-time operations and saw dust and exhaust respectively. The setback also protects the state park property by reducing these same nuisance effects to an extent that the residential property would not complain about the forestry operations.

The State Park property may operate in a way which generates nuisances that, if the land use permit is approved, are effectively amplified to the subject property by reducing the greater resource setback. The amplification is due to the potential location of a structure and/or residence within that greater setback which may then be closer to an activity on the State Park property. The potential amplification would not be due to any on-site actions on the State Park property; intentional or otherwise.

Practically, this nuisance is highly unlikely as the property is likely to never revert to private ownership in which these forestry practices would occur. However, land use applications do not typically address ownership, but do address permitted use potential. There is then potential for these nuisances to exist. To address this potential the owners/applicants are proposing two solutions.

1. That as a condition of permit approval, the owners will record a “non-remonstrance agreement” on the subject property. This would protect the state park by prohibiting the current and future owners from complaining (remonstrating) against any potential future forestry operations or other legal uses. The purpose of this agreement is to protect the State Park property’s right to operate all legal activities and land uses; either approved outright, conditionally or otherwise approved by the relevant land use authority. This agreement meets the intent of County Code Section 3.010.4(k)’s provision of “...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[s];...” The agreement would act as a “man-made feature” to reduce the impact of any potential nuisance. It is not a physical “feature” constructed on site such as a fence, but it is a mechanism to achieve the intent of the provision to reduce or eliminate pressure on resource use/production and allow them to operate as needed.

2. Existing screening be used for future residential structure (see Figures 3 and 4). This screening meets the intent of County Code Section 3.010.4(k)’s provision of “...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[s];...” The existing screening would act as a “natural feature” that could “act as an equally effective barrier” to light and noise and view-scape nuisances from both the subject and State Park property.

Therefore, this goal is mainly not applicable. The forest resource use is only tangentially relevant and is mitigated by both man-made and natural features as allowed in the relevant County Code section. Thus, this goal is met and not applicable by the proposal.

Goal 16 Estuarine Resources.

This proposal does not alter any existing, nor propose any changes or impacts to any estuary function, resources or access. Sandlake Estuary is approximately six hundred feet to the west and across Sandlake Road, but is not adjacent to or influenced by this property or proposal. Therefore, this goal is met or not applicable by the proposal.

Goal 17.....Coastal Shorelands.

This proposal does not alter any existing, nor propose any changes or impacts to any estuary function, resources or access. the dune lien is approximately 3,400 feet to the west and across Sandlake Road and Estuary, but is not adjacent to or influenced by this property or proposal. Therefore, this goal is met or not applicable by the proposal.

Goal 18 *Beaches and Dunes.*

This proposal does not alter any existing, nor propose any changes or impacts to any estuary function, resources or access. the dune line is approximately 3,400 feet to the west and across Sandlake Road and Estuary, but is not adjacent to or influenced by this property or proposal. Therefore, this goal is met or not applicable by the proposal.

DEVELOPMENT STANDARDS AND ZONING

SECTION 3.006 SMALL FARM AND WOODLOT ZONE (SFW-20) (1) PURPOSE

(a) The purpose of the SFW-20 zone is to protect and promote farm and forest uses much in the same way as do the Farm and Forest zones, on lands which have resource value, but which are not suited for the F-1 or the F zones because of smaller parcel size, conflicting adjacent uses, adverse physical features or other limiting factors.

Response: This response concerns the part of this provision: "...conflicting adjacent uses..." as the proposal's subject property is not in the SFW-20 and thus, some parts of this provision are not applicable.

The State Park property may operate in a way which generates nuisances that, if this land use permit is approved, could be amplified onto the subject property by reducing the larger resource setback. The amplification is due to the potential location of a structure and/or residence within that larger setback which may then be closer to an activity on the State Park property. The potential amplification would not be due to any on-site actions on the State Park property; intentional or otherwise.

Practically, this nuisance is highly unlikely as the property is likely to never revert to private ownership in which these forestry practices would occur. However, land use applications do not typically address ownership, but do address permitted use potential. There is then potential for these nuisances to exist. To address this potential the owners/applicants are proposing two solutions.

1. That as a condition of permit approval, the owners will record a "non-remonstrance agreement" on the subject property. This would protect the state park by prohibiting the current and future owners from complaining (remonstrating) against any potential

future forestry operations or other legal uses. The purpose of this agreement is to protect the State Park property's right to operate all legal activities and land uses; either approved outright, conditionally or otherwise approved by the relevant land use authority. This agreement meets the intent of County Code Section 3.010.4(k)'s provision of "...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[s];..." The agreement would act as a "man-made feature" to reduce the impact of any potential nuisance. It is not a physical "feature" constructed on site such as a fence, but it is a mechanism to achieve the intent of the provision to reduce or eliminate pressure on resource use/production and allow them to operate as needed.

2. Existing screening be used for future residential structure (see Figures 3 and 4). This screening meets the intent of County Code Section 3.010.4(k)'s provision of "...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[s];..." The existing screening would act as a "natural feature" that could "act as an equally effective barrier" to light and noise and view-scape nuisances from both the subject and State Park property.

Therefore, this section is mainly not applicable. The forest resource use is only philosophically relevant and is mitigated by both man-made and natural features as allowed in the relevant County Code section. Thus, this section is met and not applicable by the proposal.

SECTION 3.010: RURAL RESIDENTIAL 2 ACRE AND 10 ACRE ZONE (RR-2) (RR-10)

(1) 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.

Response: The application is a "resource zone exception" and proposes to reduce the 100-foot "resource setback" as prescribed by County Code Section 3.010.4(k) to be equal to the standard RR-2 zone side yard minimum requirement of five feet as a primary preference (20 feet is a secondary preference). The Code Section provides remedial performance standards for natural or man-made screening if a reduction is sought.

A future building permit application will be submitted for a dwelling and will, at that time, comply with all applicable regulations and standards. The subject site is designated rural residential and this application does not propose to change that. Thus, the purpose of the RR zone to provide for the use of small-acreage residential homesites is met.

The subject site is approximately 1.45 acres and is then less than five acres and meets that portion of this provision.

The final portion of this provision is: "...residential purposes without constraining the use of surrounding resource-zoned properties for resource-production purposes."

The response to this is described in the preceding section: SECTION 3.006 SMALL FARM AND WOODLOT ZONE (SFW-20) (1) PURPOSE.

Therefore, relevant portions of this section are met. The surrounding resource use is mitigated by both man-made and natural features as allowed in the relevant County Code section. Thus, the applicable provisions of this section are met by the proposal.

3.010(2) Uses Permitted Outright

(a) single-family dwelling and (e) farm uses

Response: The application is a “resource zone exception”. A future building permit application will be submitted for a dwelling and will, at that time, comply with all applicable regulations and standards. This site is currently used as a farm and this application is to allow for greater flexibility in locating a future single family dwelling. Therefore this standard is and will be met.

3.010(3) Uses Permitted Conditionally

There are no uses proposed to be changed with this application and no conditionally-permitted uses proposed. This section is not applicable.

3.010(4) Standards

This section is relevant to land divisions and proposed parcels. No parcels are proposed to be created in this application. This section is not applicable.

(a) The minimum lot size is two acres for parcels zoned before October 4, 2000.

Response: The subject parcel existed and was zoned prior to Oct. 4, 2000 and is approximately 1.45 acres. This small size is non-conforming and limits the buildable envelope of the site to conform to the adjacent parcels’ development pattern and intended rural character of the zone. The resource zone setback required in Section 3.010.4(k) further restricts the buildable envelope to a location unintended by the base zone to preserve the rural character. This section is not applicable.

(b) The minimum parcel/lot size is 10 acres for lots/parcels rezoned Rural Residential on or after October 4, 2000.

Response: This is not applicable as the site was zoned prior to October 4, 2000. However, if the intended lot size is 10 acres, the non-conforming lot size further supports the reduction of the resource zone setback. If the resource zone setback is removed from this parcel, a future dwelling could be located further away from Sandlake Road, adhering more (being in more compliance with) the zone’s intended rural character by obscuring the structure from the public road.

(c) Parcels less than two acres in size that were legally established prior to December 18, 2002 may be built upon provided that all other requirements of this Ordinance and other applicable development requirements are met.

Response: The subject parcel was legally established prior to Dec. 18, 2002. Any requirements of the County ordinance and all applicable development standards will be

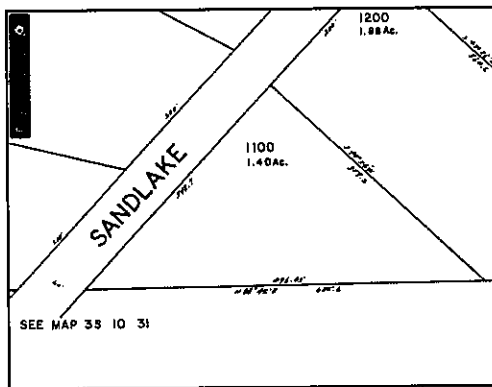
met with any eventual construction/development application/permit. Therefore this section will be met.

(d) Lots in an approved preliminary subdivision plat that is being maintained in an active status as of the date of adoption of this Ordinance may be built upon after approval and recording of the final plat.

Response: This is not applicable as this is not a subdivision application.

(e) The minimum lot width and depth shall both be 100 feet.

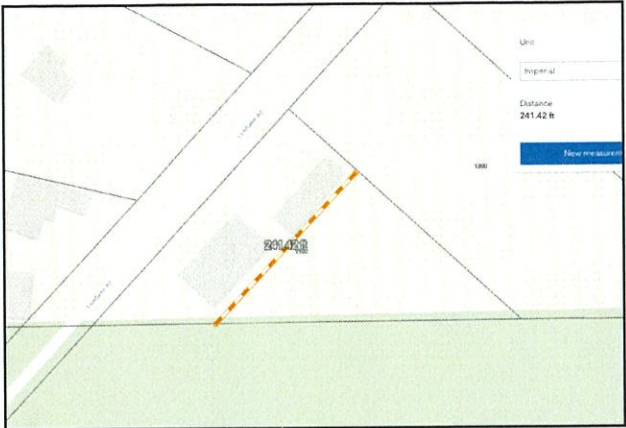
Response: The subject parcel is existing and not proposed to be changed. Therefore, this section does not apply. The parcel is non-conforming to this standard at about the 275-foot mark from Sandlake Road and thus, is non-conforming for a portion of the lot. The lot is also less than the standard size and is a triangle shape. These factors combine to be the reason the exception is sought. The subject parcel is an uncommon triangle shape instead of a more common square or rectangle. At approximately the 275-foot depth mark from Sandlake Road, the lot does not comply with this width standard. The existing dimensions are the following: front lot line: approximately 343 feet, northern lot line: 359 feet; southern lot line: approximately 496 feet.



Source: Tillamook County

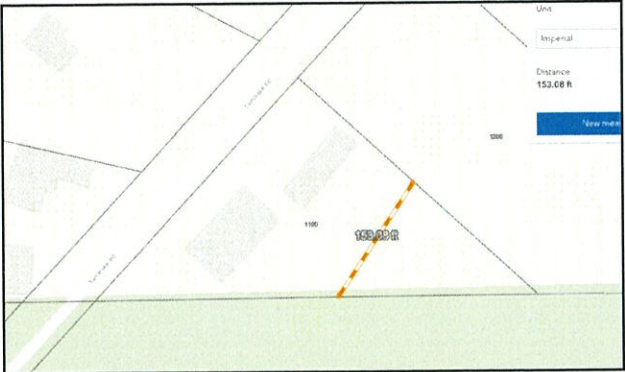
Exhibit E: Tax map showing recorded dimensions.

(Figures 3a-d)
At the 100-foot depth location, the width is approximately 250 feet.



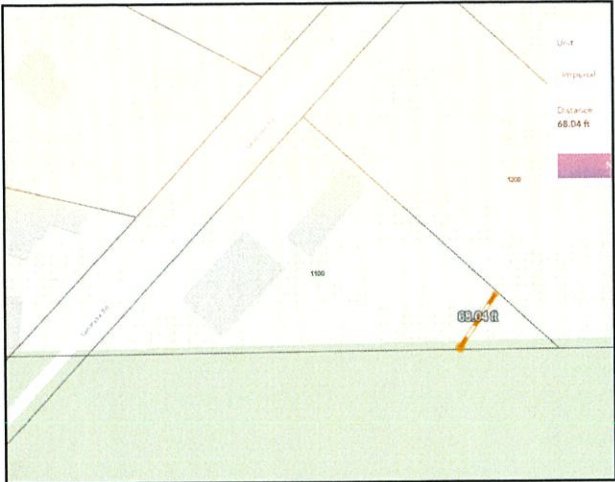
(a)

At the 200 foot depth location, the width is approximately 175 feet wide.



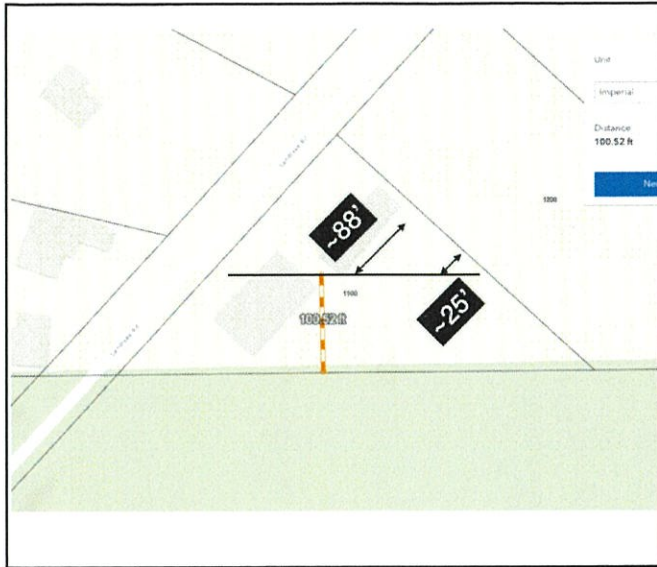
(b)

At the 300-foot depth location, the property is approximately 75 feet wide.



(c)

With the 100-foot resource zone setback applied, and including the 20-foot rear setback to the north lot line, the effective lot width is the following: At the 100-foot depth location, the width is approximately 88 feet. At the 200 foot depth location, the width is approximately 25 feet wide. At the about the 205-foot mark, the site buildable envelope does not exist.



(d)

Thus, with the existing resource setback applied, the effective lot width at the minimum-allowed depth of 100-feet is barely conforming at approximately 108 feet and with a buildable envelope width of approximately 88 feet. Without the resource zone setback applied, approximately 75% of the lot conforms to the 100-foot lot width standard. With the resource zone setback applied, approximately 25% of the site conforms to this standard. If the rear yard setback is applied, approximately 20% of the site conforms to the standard.

The existing and non-conforming lot does not comply with this standard at about the 275-foot depth mark. The resource setback, combined with the existing and non-conforming small site area of 1.45 acres combined with the uncommon shape of the lot, limits the buildable envelope of the site and its ability to conform to the adjacent parcels' development pattern and intended rural character of the zone. This section does not apply, but is also not met by a portion of the lot.

(f) The minimum front yard shall be 20 feet.

Response: this standard can be met along the entire lot frontage.

(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.

Response: this standard can be met along the entire lot line.

(h) The minimum rear yard shall be 20 feet; on a corner lot, it shall be no less than 5 feet.

Response: this standard can be met along the entire lot line.

(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.

Response: this standard will be met during the eventual building permit application.

(j) Livestock can be located closer than 100 feet to a nonfarm residential building on an adjacent lot only if one of the following conditions are met:

Response: this standard is not applicable as livestock are not proposed with this application.

1. The location of the livestock is a nonconforming use according to the provisions of Article VII of this Ordinance.

Response: this standard is not applicable as livestock are not proposed with this application.

(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.

Response: This is the primary standard for which this application is proposed. The goal of the application is to allow and indeed protect the adjacent property's (resource zone's) right to operate a forest resource operation under Comprehensive Plan Goal 4, while allowing for greater flexibility to locate a residential dwelling in a location on a small, existing, non-conforming tax lot to conform to the rural residential character in Comprehensive Planning Goal 14 and to meet this development standard by using a natural barrier and create a virtual man-made barrier of a non-remonstrance agreement. (The objective is to have the ability to locate the residential structure/dwelling in the rear of the property, using existing screening and creating a deeper front setback presumably vegetated and more in one with adjacent structures.)

This section requires a “resource setback” of 100 feet from the southern shared property boundary with the adjacent State Park property to the south. This setback is 95 feet greater than the standard “side yard “ minimum of 5 feet as a primary preference (20 feet is a secondary preference). The proposal is to have the permission to locate a structure and/or residence within the “resource setback and to have the setback equal to the standard side or rear yard minimum requirement.

The larger setback is due to the different land use designations between the two properties. The subject property is designated as residential. The park property is designated Small Farm / Woodlot, in which forestry operations such as clearing and processing are allowed. The larger setback is intended to protect both properties. The setback protects the residence from potential nuisance effects from forestry operations. Examples of these nuisances include noise, light and air pollution in the form of vehicle and machinery, night-time operations and saw dust and exhaust respectively. The setback also protects the state park property by reducing these same nuisance effects to an extent that the residential property would not complain about the forestry operations.

The State Park property may operate in a way which generates nuisances that, if the land use permit is approved, are potentially amplified to the subject property by reducing the greater resource setback. The amplification is due to the potential location of a structure and/or residence within that greater setback which may then be closer to an activity on the State Park property. The potential amplification would not be due to any on-site actions on the State Park property; intentional or otherwise.

Practically, this nuisance is highly unlikely as the property is likely to never revert to private ownership in which these forestry practices would occur. However, land use applications do not typically address ownership, but do address permitted use potential. There is then potential for these nuisances to exist. To address this potential the owners/applicants are proposing two solutions.

1. That as a condition of permit approval, the owners will record a “non-remonstrance agreement” on the subject property. This would protect the state park by prohibiting the current and future owners from complaining (remonstrating) against any potential future forestry operations or other legal uses. The purpose of this agreement is to protect the State Park property’s right to operate all legal activities and land uses; either approved outright, conditionally or otherwise approved by the relevant land use authority. This agreement meets the intent of County Code Section 3.010.4(k)’s provision of “...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[s];...” The agreement would act as a “man-made feature” to reduce the impact of any potential nuisance. It is not a physical “feature” constructed on site such as a fence, but it is a mechanism to achieve the intent of the provision to reduce or eliminate pressure on resource use/production and allow them to operate as needed.

2. Existing screening be used for future residential structure (see Figures 3 and 4). This screening meets the intent of County Code Section 3.010.4(k)'s provision of "...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[s];..." The existing screening would act as a "natural feature" that could "act as an equally effective barrier" to light and noise and viewscape nuisances from both the subject and State Park property. Indeed, this location is selected specifically because there is existing tall and mixed evergreen screening. This screening is approximately 50 feet high. The remainder of the property line only contains screening to approximately 8 feet high.



Figures 4a and 4b: Showing existing natural screening. Approximate location of conceptual plan residence looking south toward the resource zone SFW-20 / State Park property.

Therefore, this section met by providing an "equally effective" barrier. The voluntarily-offered conditions of approval consisting of a visual and administrative barrier are sufficient to create an equal effective barrier for any nuisances between the two properties. The request is made largely due to the existing site's non-conforming shape and size, creating an unusually small building envelope area which may not result in a development pattern consistent with the rural character by placing the structure uncommonly close to Sandlake Road. This standard, we believe, is met.

Oregon State Parks
Jason Elkins, Park Manager
Cape Lookout State Park
13000 Whiskey Creek Road T
Tillamook, OR 97141

Sept. 10, 2023

Jennifer Bloeser and Markus Mead
c/o Oregon Coast Wasabi
4360 Brickyard Rd
Tillamook OR 97141

Re: Sitka Sedge State Park Signature Request: Setback Reduction Support Letter
For Tillamook County Type II Land Use Permit

Dear Jason,

We are requesting a letter of support from Oregon Parks and Recreation Department (OPRD) for our land use permit application at 26555 Sandlake Road, Cloverdale Oregon. This property is adjacent to the meadow area along the Sitka Sedge Park's northern boundary. The permit request is being made to Tillamook County to reduce a minimum property line residential structure setback dimension from 100 feet to 5 feet (the residential zone minimum side-yard standard).

The larger setback is due to the different land use designations between the two properties. The subject property (ours) is designated as residential. The park property is designated Small Farm / Woodlot, in which forestry operations such as clearing and processing are allowed. The larger setback is intended to protect both properties. The setback protects the residence from potential nuisance effects from forestry operations. Examples of these nuisances include noise, light and air pollution in the form of vehicle and machinery, night-time operations and saw dust and exhaust respectively. The setback also protects the state park property by reducing these same nuisance effects to an extent that the residential property would not complain about the forestry operations.

To solve for this, we are proposing that as a condition of permit approval, we record a "non-remonstrance agreement" on our property. This would protect the state park by prohibiting us and future owners from complaining (remonstrating) against any potential future forestry operations or other legal uses.

The requested letter supports our land use application and setback reduction. The application includes the non-remonstrance agreement protecting the state park property. A draft copy of the letter is provided below. Signing the letter would in no way limit any future or current use of the state park property or affect any property rights current or future.

The reason we are requesting the setback to be reduced is our property's shape. The property is a triangle, and is small. Both of these combine to make a very small area buildable (see exhibit B). This area forces any structure to be near the loud Sandlake Road road, which is likely louder than any potential forestry operation. With the setback reduction, the structure could be located further away from the road and make use of existing natural vegetative screening for any potential future nuisance.

Thank you,

Jennifer Bloeser
Property Owner, 26555 Sandlake Road

Enclosed:

- Exhibit A: Example Letter of Support
- Exhibit B: Vicinity Map showing state park and subject property
- Exhibit C: Property Map showing setback proposal and required
- Exhibit D: County Code Section
- Exhibit E: Non-remonstrance agreement

Tillamook County
2023
Department of Community Development
1510-B Third Street
Tillamook, OR 97141

(Date) _____ / _____ / _____

Oregon State Parks
725 Summer Street NE, Suite C
Salem, OR 97301

Re: Letter of Support Setback Reduction Support Letter For
Tillamook County Type II Land Use Permit; 26555 Sandlake Road

Dear Tillamook County,

This letter is to support the owners of 26555 Sandlake Road with their land use application. Oregon Parks and Recreation Department (OPRD) owns the land adjacent to the subject property and would be the sole property affected by the proposed setback reduction.

OPRD understands that the larger-required setback protects the residence from potential nuisance effects from forestry operations and protects the state park property by reducing these same nuisance effects to an extent that the residential property would not complain about the forestry operations.

The owners have are proposing to record a "non-remonstrance agreement" with the property as a condition of their application as a nuisance mitigation tool. This agreement would protect the state park by legally prohibiting the current and future owners from complaining (remonstrating) against any potential future forestry operations.

OPRD supports the setback reduction with this agreement.

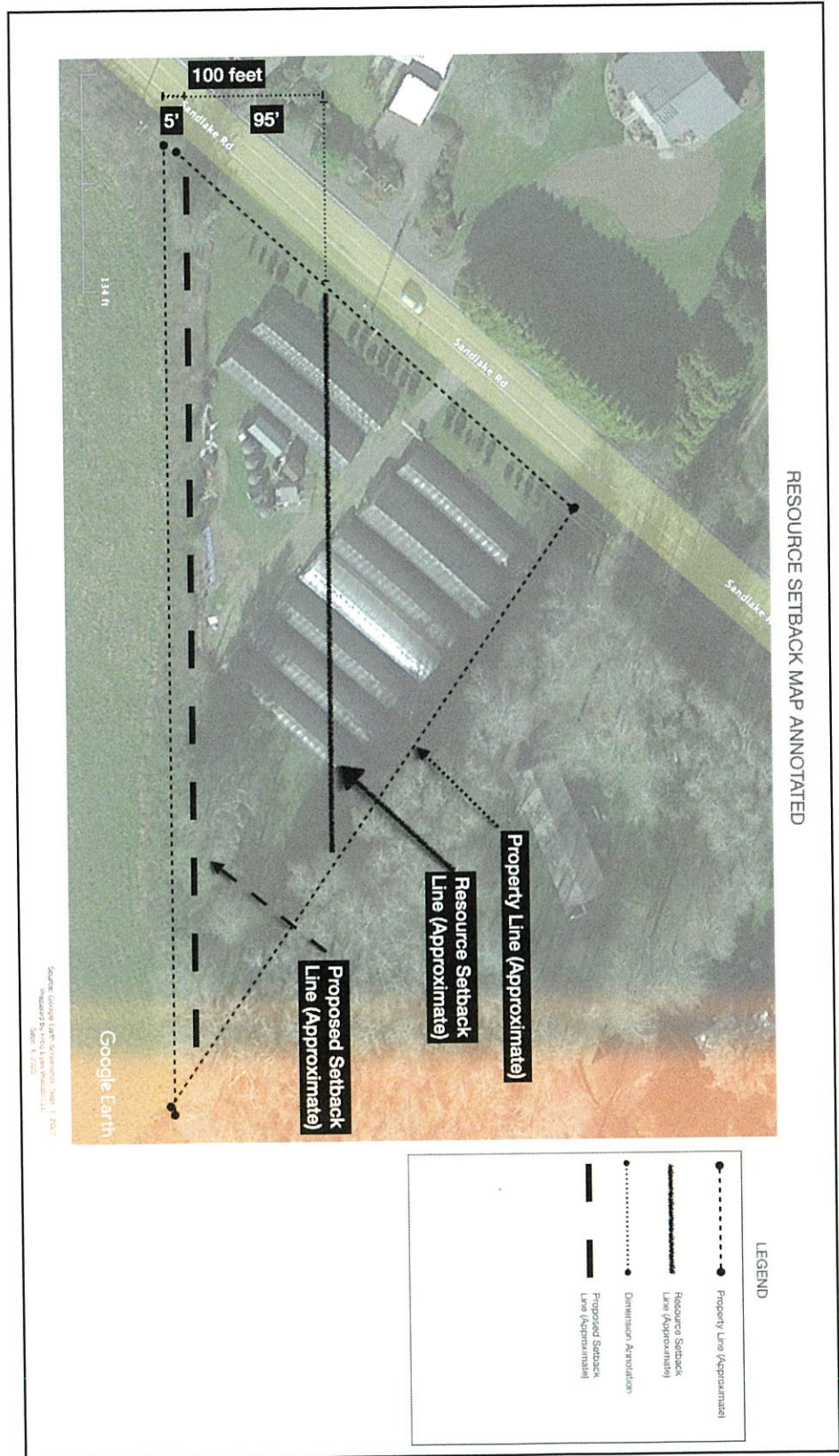
Sincerely,

Signature

Name

Title

- Exhibit C: Property Map showing setback proposal and required



- Exhibit D County Code Section
SECTION 3.010: RURAL RESIDENTIAL 2 ACRE AND 10 ACRE ZONE (RR-2) (RR-10)
Section 4(k)

(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.

• Exhibit E: Non-remonstrance agreement
Page 1 RESTRICTIVE COVENANT NON-REMONSTRANCE AGREEMENT

AFTER RECORDING RETURN TO:

County of Tillamook
Tillamook County Clerk
201 Laurel Avenue
Tillamook, OR 97141

Planning File No.: _____

Tax Map & Lot: 3S1031DB01100

GRANTOR: Frog Eyes Wasabi LLC; Jennifer Bloeser and Markus Mead

RESTRICTIVE COVENANT NON-REMONSTRANCE AGREEMENT

This agreement is made and entered into this ____ day of _____, 2023 by _____ the undersigned legal owner(s), Frog Eyes Wasabi LLC;

Jennifer Bloeser and Markus Mead, principals (“GRANTORS”) of the property described below (“PROPERTY 1”) hereby waive any and all right to remonstrate against any current or future forestry operations or any other legal use, activity or any associated nuisance or effect by the adjacent property (“PROPERTY 2”) under current or future ownership.

PURPOSE

The purpose of this agreement is to protect PROPERTY 2’s right to operate all legal activities and land uses; either approved outright, conditionally or otherwise approved by the relevant land use authority.

RECITALS

Whereas County Code Section 3.010: Rural Residential 2 acre And 10 ACRE Zone (RR-2) (RR-10) Section 4(k) requires a “resource setback” of 100 feet from the southern shared property boundary with PROPERTY 2. This setback is 95 feet greater than the standard “side yard “ minimum of 5 feet. The purpose of this greater setback is to protect the residence from potential nuisance effects from forestry or other non-residential operations.

With this agreement, GRANTOR recognizes that PROPERTY 2 may operate in a way which generates nuisances that are effectively amplified to PROPERTY 1 by reducing the greater resource setback. The amplification is due to the potential location of a structure and/or residence within that greater setback which may then be closer to an activity on PROPERTY 2. The potential amplification would not be due to any on-site actions on PROPERTY 2; intentional or otherwise.

On PROPERTY 1, GRANTORS desire to have the permission to locate a structure and/or residence within the “resource setback” prescribed by County Code Section 3.010: Rural Residential 2 acre And 10 ACRE Zone (RR-2) (RR-10) Section 4(k) and have the setback equal to the standard yard minimum requirement.

This agreement is executed in consideration of being voluntarily generated by the GRANTORS as a condition of approval to the associated land use permit requesting a residential setback reduction on PROPERTY 1.

Page 2 RESTRICTIVE COVENANT NON-REMONSTRANCE AGREEMENT

EXCLUSIONS

This agreement does not waive any right for GRANTORS (current or future) to remonstrate or file a complaint for any illegal use, activity or nuisance, authorized or unauthorized, known or unknown, originating on PROPERTY 2.

This agreement is limited in scope to the purpose of this document. This agreement does not affect any land use right, ownership rights or otherwise for either property. This agreement does not convey any rights or otherwise to either property.

This agreement does not limit the rights of the GRANTORS or future owner to submit comments to any land use or development application submitted by PROPERTY 2.

For this Covenant:

“Grantor” is the owner of certain real property located in the County of Tillamook Oregon. If the Grantor is an entity, the individuals executing this agreement on behalf of the Grantor represents and warrants to the County that he/she/they have full power and authority to do so and that the Grantor has full right and authority to enter into this agreement and perform its obligations under this agreement.

This Covenant shall run with the land and be binding upon the undersigned and upon all subsequent owners of property. The property subject to this Covenant is described in **Exhibit A** (Legal Description) and depicted in **Exhibit B** (Conceptual Site Plan).

In construing this covenant 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 day of _____, 20 _____. The person(s) whose name(s) is/are subscribed to the within instrument acknowledge that he/she/they executed the instrument in his/her/their legally authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

[Signature Page(s) Follow]

Page 3 RESTRICTIVE COVENANT NON-REMONSTRANCE AGREEMENT

IN WITNESS WHEREOF, the Owner has set their hand and seal the day and year first above written, and OLWS has caused these presents to be signed in its name by a representative, attested to the day and year first above written.

GRANTORS: _____

As shown on Page 1 (name of organization or individual property owner(s))

Signature No. 1 _____

Jennifer Bloeser, Co-Owner and CEO, Frog Eyes Wasabi LLC (DBA: Oregon Coast Wasabi)

Signature No. 2 _____

Markus Mead, Co-Owner, Frog Eyes Wasabi LLC (DBA: Oregon Coast Wasabi)

State of Oregon

County of Tillamook

The foregoing instrument was acknowledged before me on this _____ day of _____, 2023 by

Notary Public for Oregon

My Commission Expires: _____ day of _____, 20_____

Exhibit List:

- Exhibit A is a legal description of the subject property provided by Tillamook County Records.
- Exhibit B is a conceptual site plan showing potential future residence location and the resource setback and the reduced setback permitted with the associated land use action.

AFTER RECORDING RETURN TO:

County of Tillamook
Tillamook County Clerk
201 Laurel Avenue
Tillamook, OR 97141

Planning File No.: _____

Tax Map & Lot: 3S1031DB01100

GRANTOR: Frog Eyes Wasabi LLC; Jennifer Bloeser and Markus Mead

RESTRICTIVE COVENANT NON-REMONSTRANCE AGREEMENT

This agreement is made and entered into this ____ day of _____, 2023 by _____ the undersigned legal owner(s), Frog Eyes Wasabi LLC; Jennifer Bloeser and Markus Mead, principals ("**GRANTORS**") of the property described below ("**PROPERTY 1**") hereby waive any and all right to remonstrate against any current or future forestry operations or any other legal use, activity or any associated nuisance or effect by the adjacent property ("**PROPERTY 2**") under current or future ownership.

PURPOSE

The purpose of this agreement is to protect **PROPERTY 2**'s right to operate all legal activities and land uses; either approved outright, conditionally or otherwise approved by the relevant land use authority.

RECITALS

Whereas County Code Section 3.010: Rural Residential 2 acre And 10 ACRE Zone (RR-2) (RR-10) Section 4(k) requires a "resource setback" of 100 feet from the southern shared property boundary with **PROPERTY 2**. This setback is 95 feet greater than the standard "side yard " minimum of 5 feet. The purpose of this greater setback is to protect the residence from potential nuisance effects from forestry or other non-residential operations.

With this agreement, **GRANTOR** recognizes that **PROPERTY 2** may operate in a way which generates nuisances that are effectively amplified to **PROPERTY 1** by reducing the greater resource setback. The amplification is due to the potential location of a structure and/or residence within that greater setback which may then be closer to an activity on **PROPERTY 2**. The potential amplification would not be due to any on-site actions on **PROPERTY 2**; intentional or otherwise.

On **PROPERTY 1**, **GRANTORS** desire to have the permission to locate a structure and/or residence within the "resource setback" prescribed by County Code Section 3.010: Rural Residential 2 acre And 10 ACRE Zone (RR-2) (RR-10) Section 4(k) and have the setback equal to the standard yard minimum requirement.

This agreement is executed in consideration of being voluntarily generated by the **GRANTORS** as a condition of approval to the associated land use permit requesting a residential setback reduction on **PROPERTY 1**.

Page 2 RESTRICTIVE COVENANT NON-REMONSTRANCE AGREEMENT

EXCLUSIONS

This agreement does not waive any right for GRANTORS (current or future) to remonstrate or file a complaint for any illegal use, activity or nuisance, authorized or unauthorized, known or unknown, originating on PROPERTY 2.

This agreement is limited in scope to the purpose of this document. This agreement does not affect any land use right, ownership rights or otherwise for either property. This agreement does not convey any rights or otherwise to either property.

This agreement does not limit the rights of the GRANTORS or future owner to submit comments to any land use or development application submitted by PROPERTY 2.

For this Covenant:

"Grantor" is the owner of certain real property located in the County of Tillamook Oregon. If the Grantor is an entity, the individuals executing this agreement on behalf of the Grantor represents and warrants to the County that he/she/they have full power and authority to do so and that the Grantor has full right and authority to enter into this agreement and perform its obligations under this agreement.

This Covenant shall run with the land and be binding upon the undersigned and upon all subsequent owners of property. The property subject to this Covenant is described in **Exhibit A** (Legal Description) and depicted in **Exhibit B** (Conceptual Site Plan).

In construing this covenant 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 day of _____, 20____. The person(s) whose name(s) is/are subscribed to the within instrument acknowledge that he/she/they executed the instrument in his/her/their legally authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

[Signature Page(s) Follow]

IN WITNESS WHEREOF, the Owner has set their hand and seal the day and year first above written, and OLWS has caused these presents to be signed in its name by a representative, attested to the day and year first above written.

GRANTORS: _____
As shown on Page 1 (name of organization or individual property owner(s))

Signature No. 1 _____
Jennifer Bloeser, Co-Owner and CEO, Frog Eyes Wasabi LLC (DBA: Oregon Coast Wasabi)

Signature No. 2 _____
Markus Mead, Co-Owner, Frog Eyes Wasabi LLC (DBA: Oregon Coast Wasabi)

State of Oregon

County of Tillamook

The foregoing instrument was acknowledged before me on this _____ day of _____, 2023 by

Notary Public for Oregon
My Commission Expires: _____ day of _____, 20____

- Exhibit List:
- Exhibit A is a legal description of the subject property provided by Tillamook County Records.
 - Exhibit B is a conceptual site plan showing potential future residence location and the resource setback and the reduced setback permitted with the associated land use action.

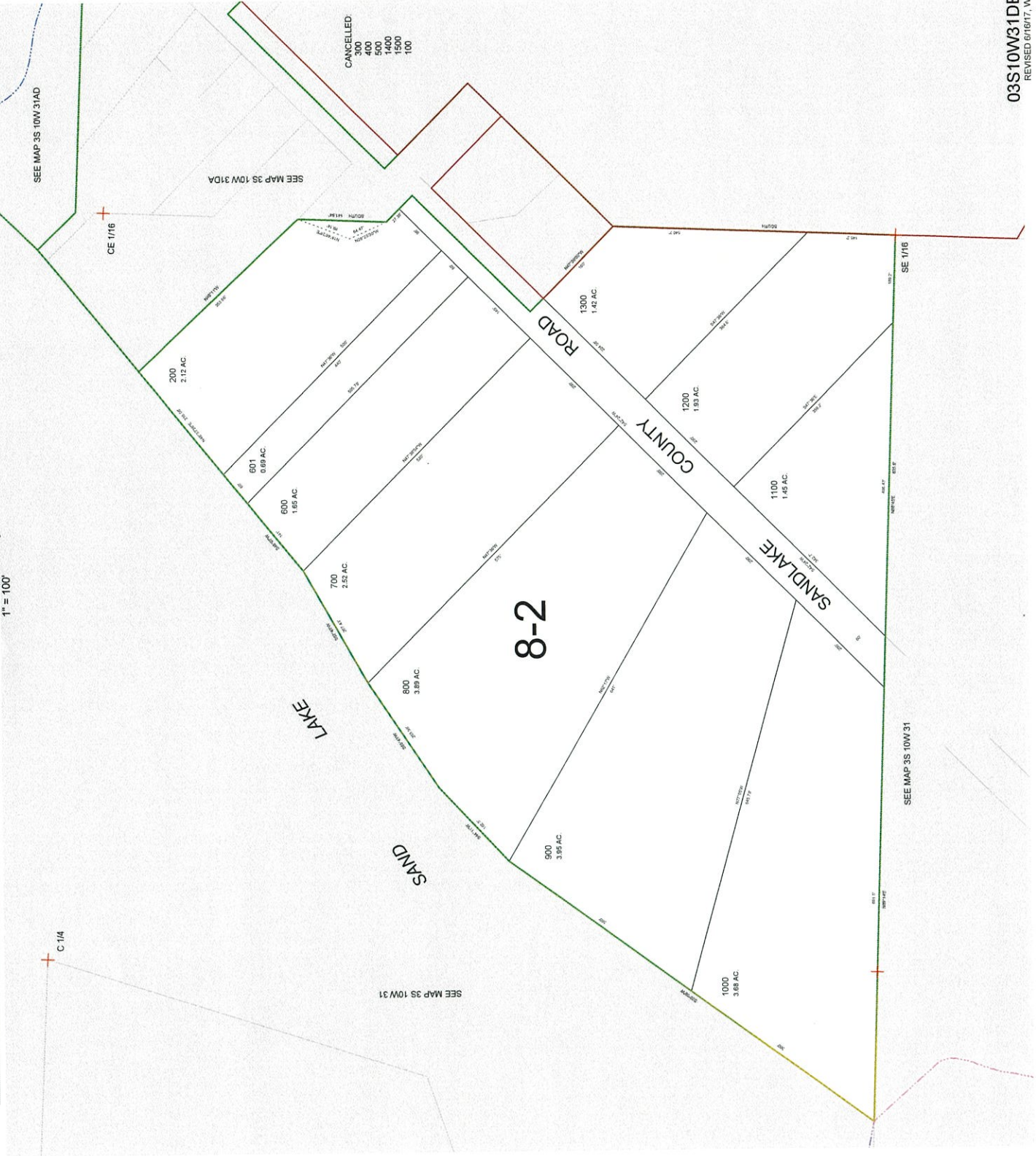
N.W. 1/4 S.E. 1/4 SEC. 31 T.3S. R. 10W. W.M.
Tillamook County


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

1" = 100'

03S10W31DB

03S10W31DB
REVISED 6/16/17, WS



From: jennifer jenniferbloeser.com jennifer@jenniferbloeser.com 
Subject: Wasabi farm - state park support letter
Date: September 10, 2023 at 12:38 PM
To: Jason.Elkins@oregon.gov
Cc: Markus Mead markus@oregoncoastwasabi.com

Hello Jason,

I own the wasabi farm property adjacent to the state park. I had been in touch about a possible grazing permit a year or so ago, but we decided to board my horse instead so it was not needed. We are constructing a residence on the farm property and the property has an enlarged no build area because of the zoning of the state park property. The county code allows for this to be reduced, but we have to request this reduction through a land use permit. We would like to include a letter of support from State Parks and the attached document provides information about our request and a sample letter.

Additionally, my husband Markus Mead (cc'd on this email) knows Steve Shipsey who is the legal counsel for State Parks. Markus has discussed the project with Mr Shipsey so he is familiar with the request.

Please let me know if you have any questions, I am happy to answer them.

Best regards,


Jennifer

Jennifer Bloeser
Co-founder / CEO
Oregon Coast Wasabi
C: 503-475-8311




BloeserMead
Letter_...23.pdf

VICINITY MAP



Tillamook County
Oregon



Jump To:

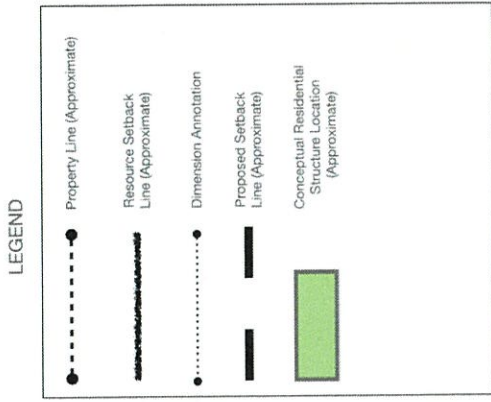
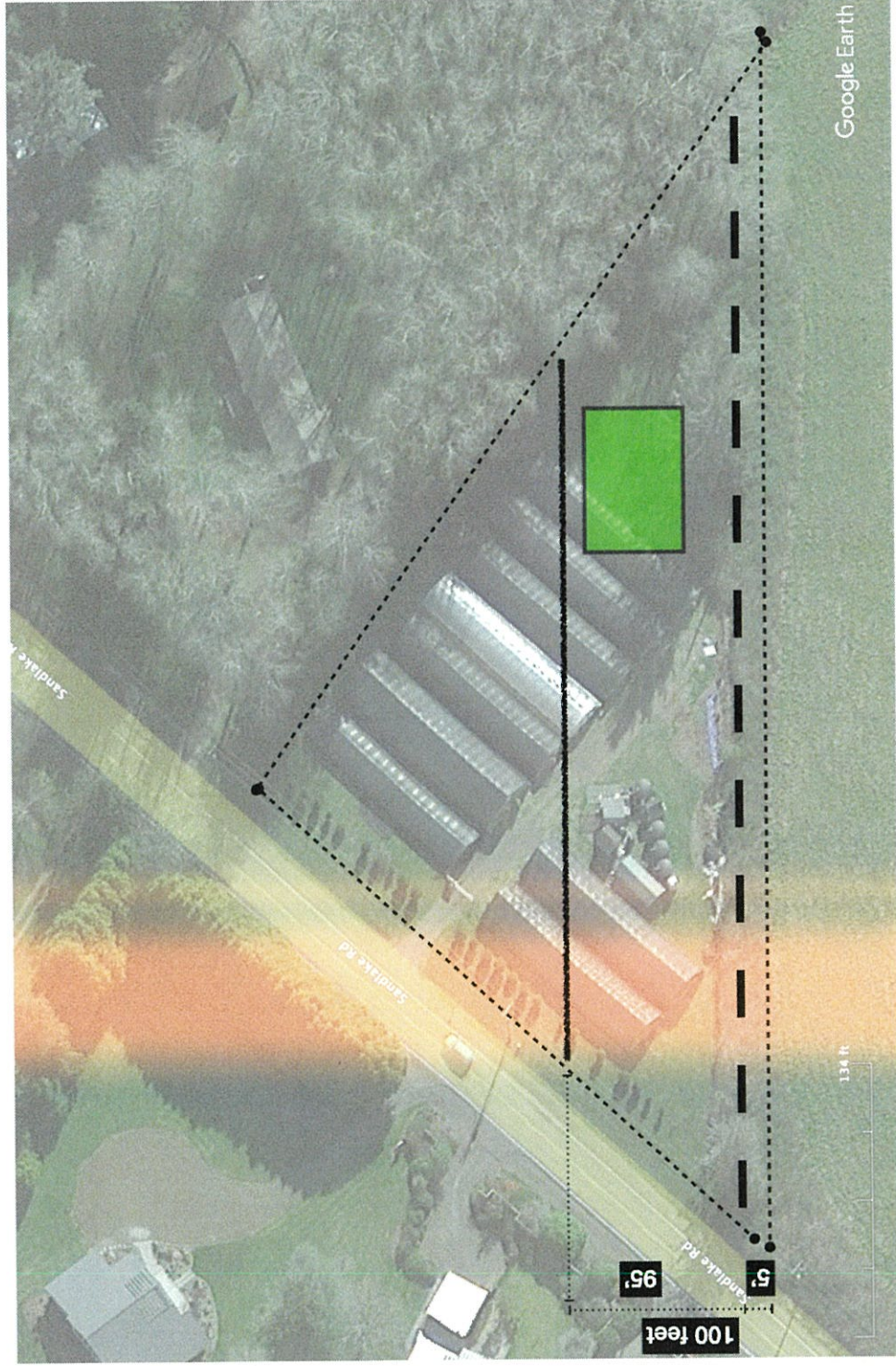
Catalog
 Search Taxlots
 Select by point/area
 Search Taxlots
 Print This
 Link to help/videos

Township-Range-Section
 County Boundary
 Emergency Management
 Community Development
 Zoning

Active Land Use Decisions
 Floodway
 Proposed SFHA
 National Wetlands Inventory
 Neskowin Coastal Hazard Overlay Zone
 Slido Landslide Deposits
 Slido Historic Landslide Points
 FEMA FIRM Panel Index
 Building Footprints
 Beach Vegetation Line

SB 1517
 Assessor Map
 Transportation
 Backgrounds
 ESRI World Imagery
 None

CONCEPT PLAN - POTENTIAL RESIDENTIAL STRUCTURE LOCATION



Source: Google Earth Screenshot, Sept. 1, 2023
 Prepared by Frog Eyes Waiaoli LLC
 Sept. 4, 2023

