



1510 – B Third Street  
Tillamook, Oregon 97141  
[www.tillamook.or.us](http://www.tillamook.or.us)  
Building (503) 842-3407  
Planning (503) 842-3408  
Sanitation (503) 842-3409

Land of Cheese, Trees and Ocean Breeze

**NOTICE OF ADMINISTRATIVE REVIEW  
PARTITION REQUEST #851-24-000035-PLNG:  
RICE & WILKS**

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

**Date of Notice: February 9, 2024**

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

**#851-24-000035-PLNG:** A partition request to create two (2) residential parcels. Located South of the Incorporated City of Tillamook via Highway 101 S., a state highway. The subject property is designated as Tax Lot 01305 of Section 21B0, Township 2 South, Range 09 West of the Willamette Meridian, Tillamook County Oregon. The subject property is zoned Rural Residential (RR-2). The property owners are Tanya & Dennis Wilks and the applicant is Michael Rice.

Written comments received by the Department of Community Development **prior to 4:00p.m. on February 23, 2024**, 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 property 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. The decision will be rendered no sooner than February 26, 2024.

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 or email at [angela.rimoldi@tillamookcounty.gov](mailto:angela.rimoldi@tillamookcounty.gov).

Sincerely,

Angela Rimoldi, Planning Permit Technician

Sarah Absher, CFM, Director

Enc. Vicinity, Assessor and Zoning Maps  
Applicable Ordinance Criteria

## REVIEW CRITERIA

### TILLAMOOK COUNTY LAND DEVELOPMENT ORDINANCE

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

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:

- (a) The minimum lot size is two acres for parcels zoned before October 4, 2000.
- (b) The minimum parcel/lot size is 10 acres for lots/parcels re-zoned Rural Residential on or after October 4, 2000.
- (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.
- (d) Lots in an approved preliminary subdivision plat that is being maintained in an active status as of the date adopted of this Ordinance may be built upon after approval and recording of the final plat.
- (e) The minimum lot width and depth shall both be 100 feet.
- (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.

### TILLAMOOK COUNTY LAND DIVISION ORDINANCE

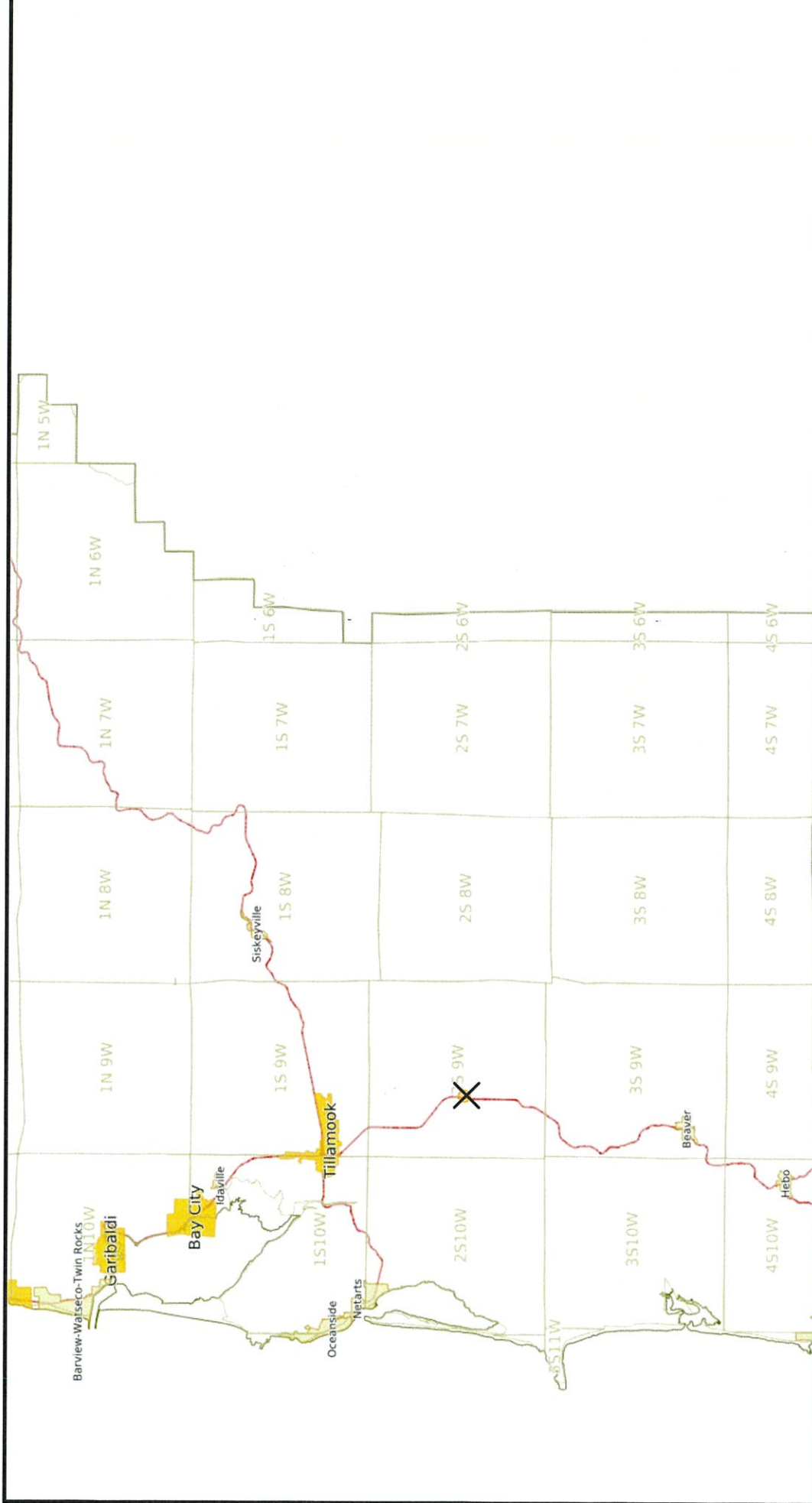
#### SECTION 070: PRELIMINARY PLAT APPROVAL CRITERIA

(1) Approval Criteria. The Approval Authority (Director for partitions and Planning Commission for subdivisions) may approve, approve with conditions or deny a preliminary plat. The Approval Authority decision shall be based on findings of compliance with all of the following approval criteria:

- (a) The land division application shall conform to the requirements of this ordinance;
- (b) All proposed lots, blocks, and proposed land uses shall conform to the applicable provisions of the Land Use Ordinance – Article 3 Zone Regulations and the standards in Section 150 of this ordinance;
- (c) Access to individual lots, and public improvements necessary to serve the development, including but not limited to water, sewer and streets, shall conform to the standards in Sections 150 and 160 of this ordinance;
- (d) The proposed plat name is not already recorded for another subdivision, does not bear a name similar to or pronounced the same as the name of any other subdivision within the County, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the party files and records the consent of the party that platted the contiguous subdivision bearing that name;
- (e) The proposed streets, utilities, and surface water drainage facilities conform to Tillamook County's adopted master plans and applicable engineering standards and, within Unincorporated Community Boundaries, allow for transitions to existing and potential future development on adjacent lands. The preliminary plat shall identify all proposed public improvements and dedications;
- (f) All proposed private common areas and improvements, if any, are identified on the preliminary plat and maintenance of such areas is assured through appropriate legal instrument;
- (g) Provisions for access to and maintenance of off-right-of-way drainage, if any;
- (h) Evidence that any required State and Federal permits, as applicable, have been obtained or can reasonably be obtained prior to development; and
- (i) Evidence that improvements or conditions required by the road authority, Tillamook County, special districts, utilities, and/or other service providers, as applicable to the project, have been or can be met, including but not limited to:
  - (i) Water Department/Utility District Letter which states that the partition or subdivision is either entirely excluded from the district or is included within the district for purposes of receiving services and subjecting the partition or subdivision to the fees and other charges of the district.
  - (ii) Subsurface sewage permit(s) or site evaluation approval(s) from the appropriate agency.



# Tillamook County GIS



Created: Wed Feb 07 2024-11:8:50  
Active Layers: County\_Boundary, Fed\_state\_highways, citylimit, community\_polygon, TaxlotOwner, Township\_Range\_Section, Road\_Centerline  
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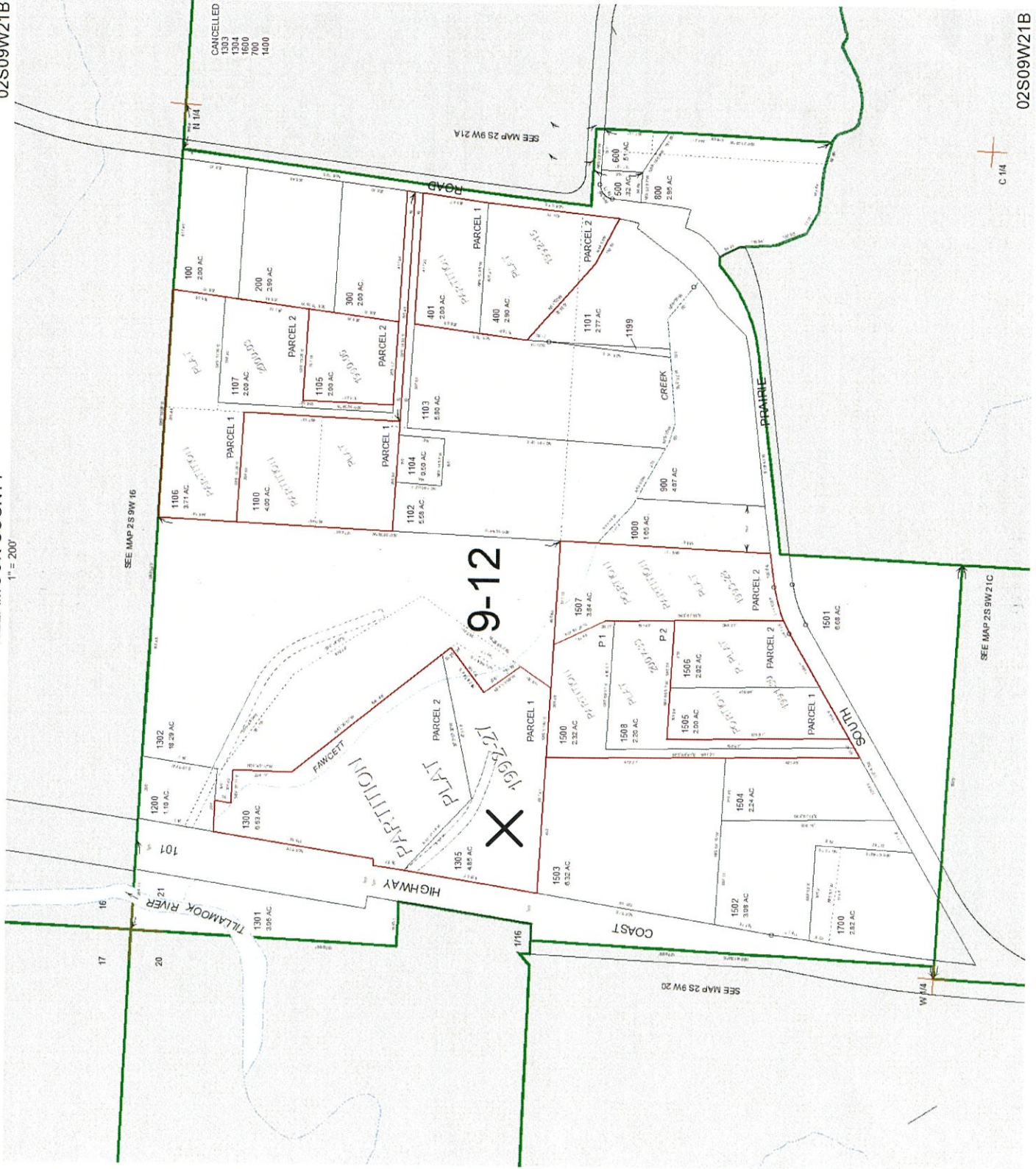
THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY



N.W.1/4 SEC.21 T.2S. R.9W. W.M.  
TILLAMOOK COUNTY

1" = 200'

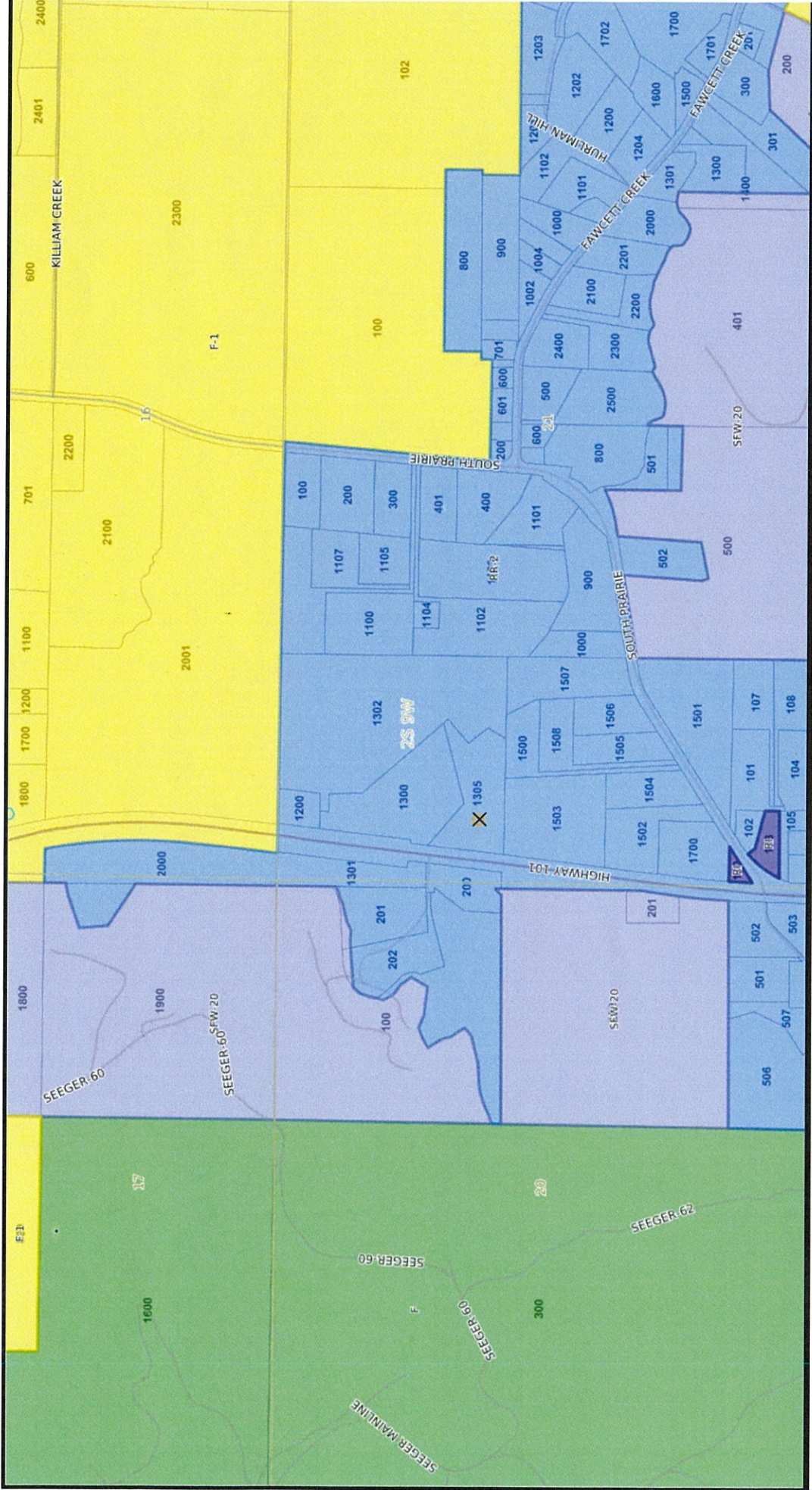
02S09W21B



02S09W21B  
Revised 08/07/20 WS



# Tillamook County GIS



Created: Wed Feb 07 2024-11:4:32  
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## LAND DIVISION APPLICATION

**Applicant**  (Check Box if Same as Property Owner)

Name: Michael R. Rice, PLS Phone: (503) 801-7901  
 Address: P.O. Box 521  
 City: Tillamook State: OR. Zip: 97141  
 Email: ricesurveying@outlook.com

**Property Owner**

Name: Dennis P. & Tanya L. Wilks Phone: (503) 812-8099  
 Address: 9455 Hwy 101 S  
 City: Tillamook State: OR. Zip: 97141  
 Email:

**Location:**

Site Address: 9455 Hwy 101 S

Map Number:	2S	9W	21B	#1305
	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))**

**General Information**

- 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.
- 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
- Fifteen (15) legible "to scale" hard copies
- One digital copy

**Existing Conditions**

- 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
- 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
- Other information:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

OFFICE USE ONLY	
Date Stamp	
<input type="checkbox"/> Approved <input type="checkbox"/> Denied	
Received by:	
Receipt #: 135529	
Fees: 1155-	
Permit No: 851-21-00035-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:

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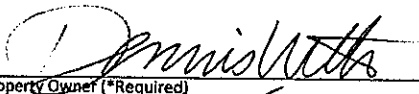
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**Authorization**

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.

  
 \_\_\_\_\_  
 Property Owner (\*Required)

  
 \_\_\_\_\_  
 Applicant Signature

12/16/23  
 \_\_\_\_\_  
 Date

12/16/23  
 \_\_\_\_\_  
 Date



**PARTITION PLAT PROPOSAL**

REPLAT OF PARCEL 1, PARTITION PLAT #1992-027  
 LOCATED IN THE NW 1/4 OF THE NW 1/4 OF SECTION 21

T. 2 S., R. 9 W., W.M.  
 TILLAMOOK COUNTY, OREGON  
 DECEMBER 16th, 2023

**BASIS OF BEARINGS:**

THE BASIS OF BEARINGS FOR THIS PROPOSAL IS ACROSS FOUND, ORIGINAL PARTITION PLAT MONUMENTS ALONG THE NORTH LINE OF PARCEL 1, PARTITION PLAT #1992-27 (P-90), TILLAMOOK COUNTY SURVEY RECORDS. BEING (S22°37'14"E).

**NARRATIVE:**

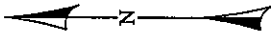
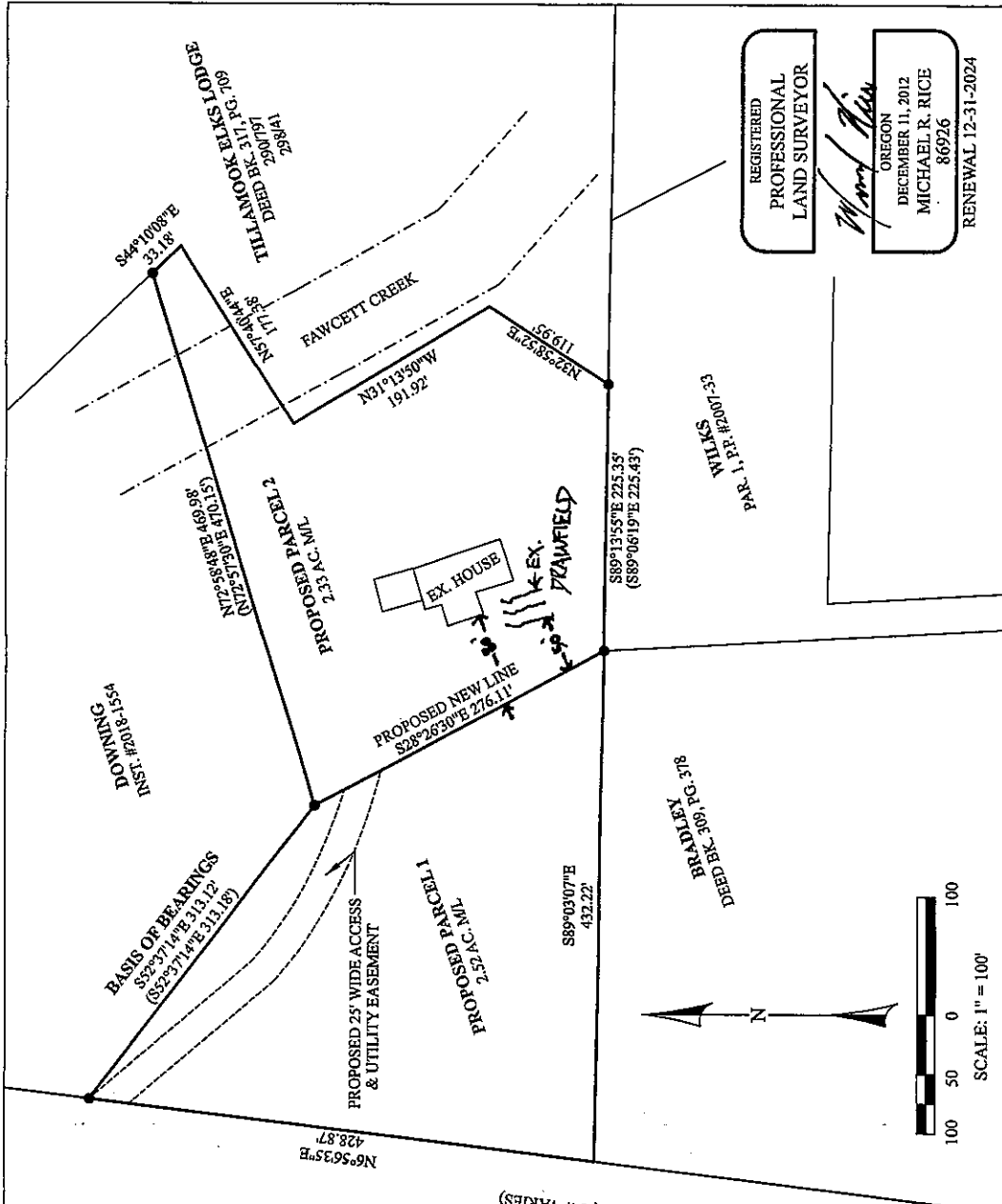
THIS PROPOSAL WAS CONDUCTED AS A DEPENDENT RESURVEY OF THE SUBJECT PROPERTY DESCRIBED AS PARCEL 1, PARTITION PLAT #1992-27 IN INSTRUMENT #2020-2750, TILLAMOOK COUNTY CLERK'S RECORDS.

THE LINES WERE THEN PROPOSED AS DIRECTED BY THE LANDOWNER AND APPROVED BY TILLAMOOK COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT NO. XXX-XX-XXXXXX-PLNG.

NOTE: THIS PARTITION WILL NOT BE FINALIZED UNTIL THE PROPER PLAT HAS BEEN RECORDED WITH THE TILLAMOOK COUNTY CLERK'S OFFICE.

**LEGEND:**

- FOUND MONUMENTS AS DESCRIBED IN PARTITION PLAT #1992-27 (P-90) TILLAMOOK COUNTY SURVEY RECORDS.
  - ( ) RECORD PER PARTITION PLAT #1992-27 (P-90), TILLAMOOK COUNTY SURVEY RECORDS.
  - (\*) RECORD MAP A-4782, TILLAMOOK COUNTY SURVEY RECORDS.
- NO ( ) EQUALS MEASURED VALUE MEASURED EQUALS RECORD TILLAMOOK COUNTY SURVEY RECORDS UNLESS OTHERWISE NOTED.



SCALE: 1" = 100'

REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

*Michael R. Rice*

OREGON  
 DECEMBER 11, 2012  
 MICHAEL R. RICE  
 86926  
 RENEWAL 12-31-2024



PROPOSAL FOR:  
**DENNIS P. & TANYA L. WILKS**  
 LANDS DESCRIBED IN THE NW 1/4 OF THE NW 1/4 OF SECTION 21,  
 T. 2 S., R. 9 W., W.M.  
 PARCEL 1, PARTITION PLAT #1992-027  
 INSTRUMENT #2020-2750  
 TILLAMOOK COUNTY CLERK'S RECORDS

**RSC**  
 RICE SURVEYING AND CONSULTING  
 P.O. BOX 521  
 TILLAMOOK, OREGON 97141  
 CELL: (503) 801-7901

*Clyde Wagner*  
*Water Distribution Operator*  
*Wagner Waterworks*  
*clyde@wagnerwaterworks.com*  
7155 Vaughn Road  
Tillamook, OR. 97141  
503-812-9751

January 5, 2024

Mike Rice  
Rice Surveying  
ricesurveying@outlook.com

Re: Water Availability

Dear Mr. Rice,

This letter is to inform you that water service is available from Pleasant Valley Water Company to tax lot 2S0921B0 01305 currently owned by Dennis Wilks.

Please contact me if you have any questions or concerns.

Sincerely,



Clyde Wagner  
Operator  
Pleasant Valley Water Company  
503-812-9751  
clyde@wagnerwaterworks.com

TICOR TITLE - 360420001778

RECORDING REQUESTED BY:



802 Main Ave.  
Tillamook, OR 97141

GRANTOR'S NAME:  
Dennis P. Wilks and Tanya L. Wilks

GRANTEE'S NAME:  
Dennis Wilks and Tanya Wilks

AFTER RECORDING RETURN TO:  
Dennis P. Wilks and Tanya L. Wilks  
9455 Highway 101S  
Tillamook, OR 97141

SEND TAX STATEMENTS TO:  
Dennis P. Wilks and Tanya L. Wilks  
9455 Highway 101S  
Tillamook, OR 97141

379254 and 2S9 21B 01305  
9455 Highway 101S, Tillamook, OR 97141

Tillamook County, Oregon  
05/05/2020 10:46:02 AM 2020-02750  
DEED-DBS  
\$5.00 \$11.00 \$10.00 \$61.00 - Total = \$87.00  
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

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**BARGAIN AND SALE DEED - STATUTORY FORM**  
(INDIVIDUAL or CORPORATION)

Dennis Wilks and Tanya Wilks, Grantor, conveys to Dennis P. Wilks and Tanya L. Wilks, as tenants by the entirety, Grantee, the following described real property, situated in the County of Tillamook, State of Oregon,

Parcel 1 of PARTITION PLAT NO. 1992-027, situated in the Northwest quarter of the Northwest quarter of Section 21, Township 2 South, Range 9 West, Willamette Meridian, County of Tillamook, State of Oregon, recorded September 8, 1992 in Partition Plat Cabinet B350-2, Tillamook County Records.

The true consideration for this conveyance Zero. (See ORS 93.030).

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.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: 4/30/2020

Dennis Wilks

Tanya Wilks

State of Oregon  
County of Tillamook

This instrument was acknowledged before me on April 30, 2020 by Dennis Wilks and Tanya Wilks.

Notary Public - State of Oregon

My Commission Expires: 7-20-21

