



1510 – B Third Street
Tillamook, Oregon 97141
www.tillamook.or.us
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

**PARTITION REQUEST #851-24-000380-PLNG:
BETHEL UNDERHILL REVOCABLE TRUST / ONION PEAK**

*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 1, 2024**

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

#851-24-000380-PLNG: A Partition request to create three (3) residential parcels. Located within the UGB of the City of Nehalem, accessed via Underhill Lane, a local access road. The subject property is designated as Tax Lot 100 of Section 28DA, Township 3 North, Range 10 West of the Willamette Meridian, Tillamook County Oregon. The subject property is zoned City of Nehalem Commercial (C) zone. The property owner is Bethel Underhill Revocable Trust, and the applicant is Onion Peak Design.

Written comments received by the Department of Community Development **prior to 4:00p.m. on August 15, 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 August 16, 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 website under The Department of Community Development: <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: 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

CITY OF NEHALEM DEVELOPMENT ORDINANCE

City of Nehalem Development Ordinance 157.207 Commercial – C Zone:

Section 157.207.05 Dimensional Standards

Unless otherwise required by this Chapter, the following minimum dimensional standards shall be required for all development in the C zone:

(A) Minimum Lot Size

1. Mixed Use Development – 5,000 square feet per unit.
2. Non-Residential Uses – Sufficient area to comply with setback, parking landscaping and other development standards. Inability to comply with this provision shall not form the basis for a variance request.

(B) Minimum Lot Dimensions:

1. Lot Width - 40 feet; corner
2. Lot Depth – 85 feet.

(C) Minimum Setback (Non-Residential):

1. Front Yard – 15 feet.
2. Street Side Yard – 15 feet.
3. Side Yard – 10 feet minimum plus one additional foot for each foot that the building height exceeds 20-feet.
4. Rear Yard – 15-feet; corner lot may be 10-feet.

City of Nehalem Development Ordinance 157.404 Land Divisions

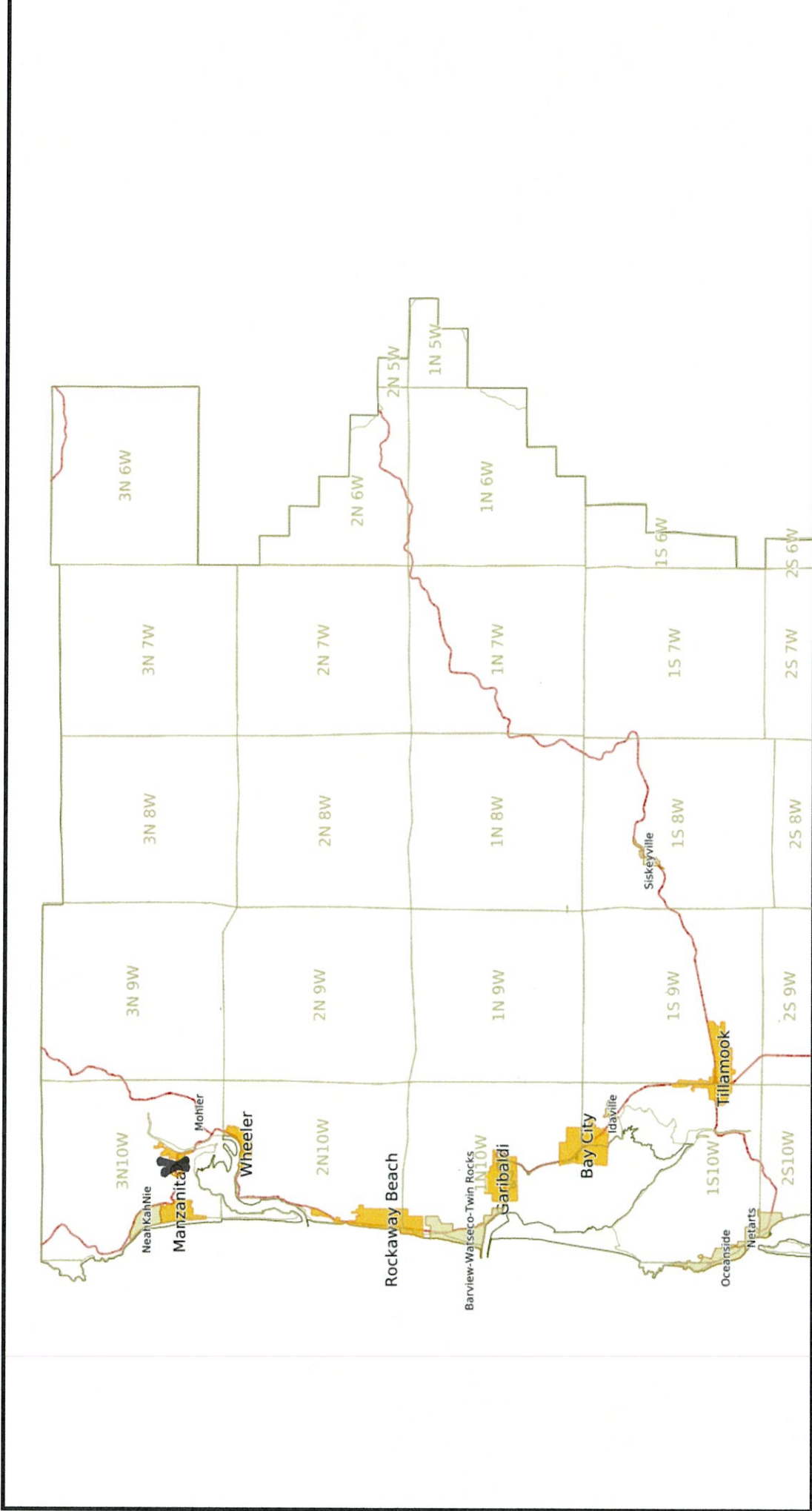
Section .03 Standards for Lots and Parcels

Section .05 Improvement Requirements – Partition

Section .07 Improvement Procedures



Tillamook County GIS



Created: Mon Jul 29 2024-16:24:20
Active Layers:County_Boundary, Fed_state_highways, citylimit, community_polygon, TaxlotOwner, Township_Range_Section, Road_Centerline
Extent:-13819117.49748, 5686380.047283, -13699340.674174, 5748446.914242

NEHALEM, OREGON

CITY ZONING MAP

UBAFT DRAFT

- A1 - Low Density Residential, Agricultural, Forestry and Recreation
- R - Low Density Residential
- RM - Residential
- MR - Marine Residential
- C - Commercial
- LM - Light Manufacturing
- EC1 - Estuary Conservation
- EC2 - Estuary Conservation
- F - Public Lands
- Nehalem City Units
- Nehalem Urban Growth Boundary



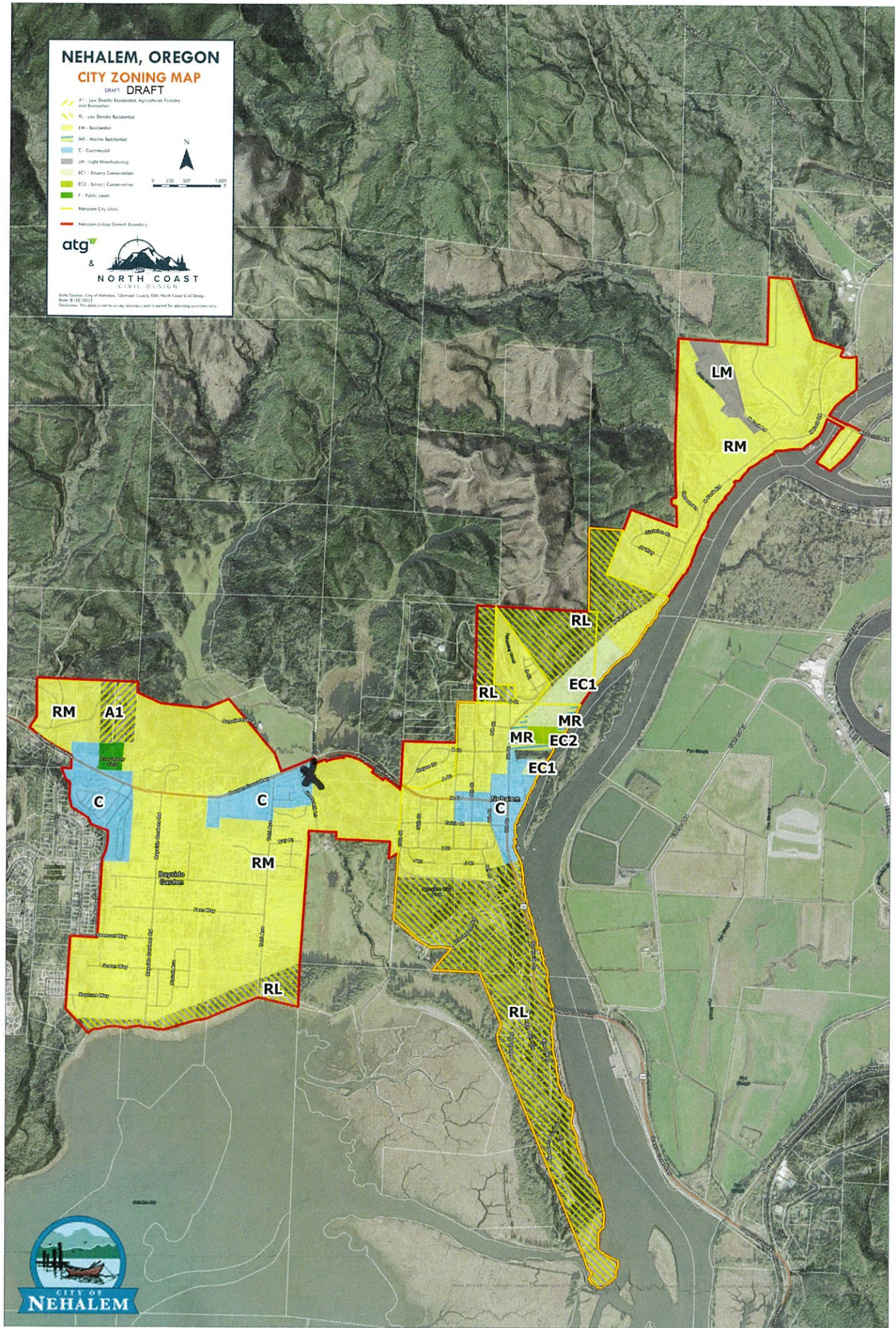
0 250 500 1,000

atg



NORTH COAST CITY DESIGN

Some Sources: City of Nehalem, Clatsop County, OSU, North Coast Civil Design, Deak, 8/10/2013
Disclaimer: This data is not to be used, modified or used in support for planning purposes only.





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: Bethel M Underhill Revocable Living Trust Phone: 503-812-4491
 Address: 36000 Underhill Lane
 City: Nehalem State: OR Zip: 97131
 Email: VeldaRN@gmail.com

Location:

Site Address: 36115 Underhill Lane, Nehalem, OR 97131

Map Number: 3N 10W 28DA 100
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

Approved Denied

Received by:

Receipt #:

Fees:

Permit No:

851-24-100380-PLNG

- 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 Development

- 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

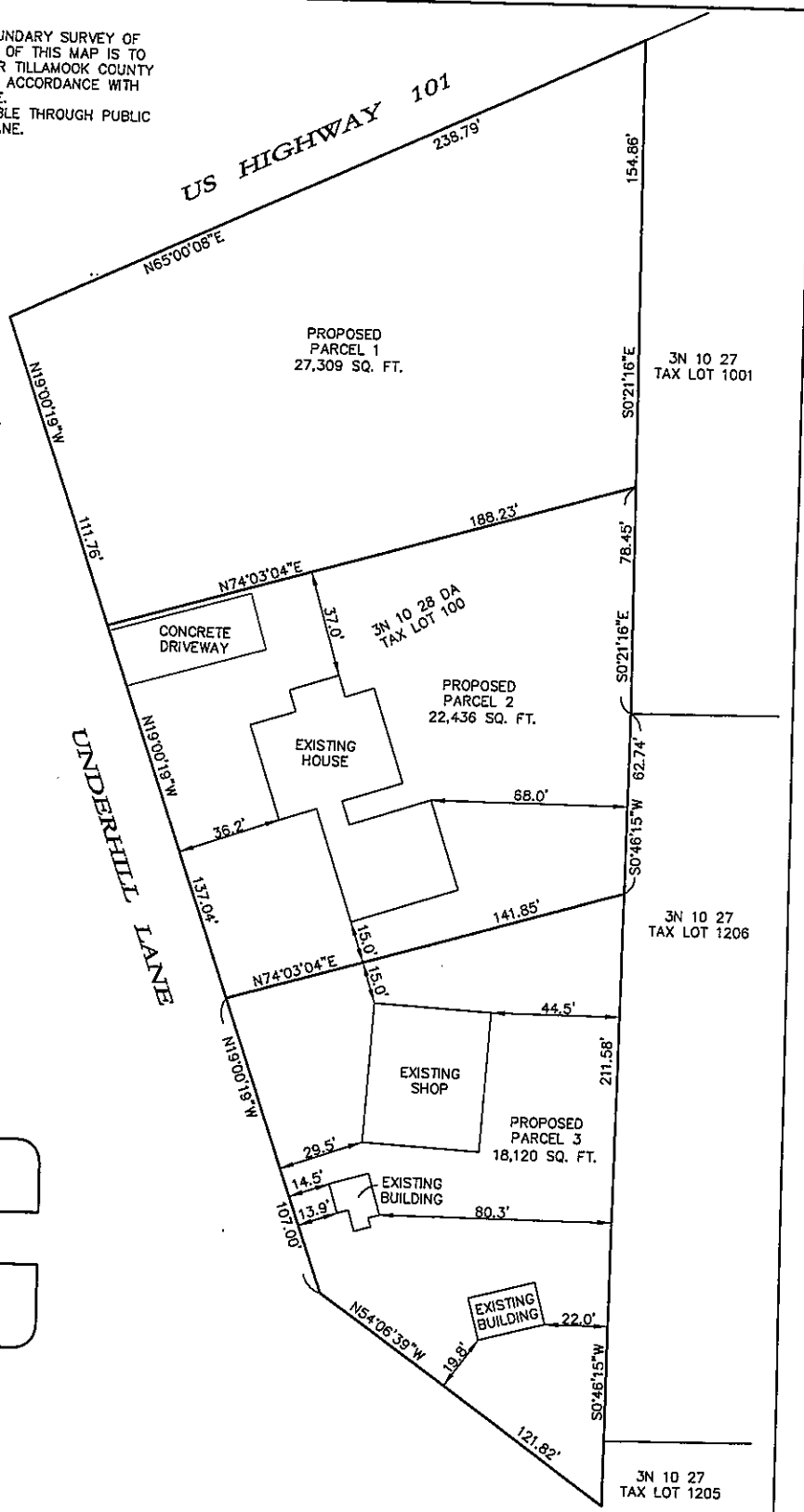
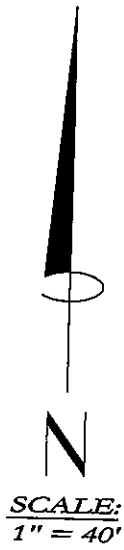
Additional Information Required for Subdivisions

- 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

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 IN ACCORDANCE WITH CITY OF NEHALEM LAND USE ORDINANCE. PUBLIC WATER AND SEWER ARE AVAILABLE THROUGH PUBLIC SYSTEMS LOCATED WITHIN UNDERHILL LANE.

OWNER
BETHEL M UNDERHILL
REVOCABLE LIVING TRUST
36000 UNDERHILL LN
NEHALEM, OR 97131



REGISTERED
PROFESSIONAL
LAND SURVEYOR
Erick M. White
OREGON
APRIL 28, 2014
ERICK M. WHITE
78572
RENEWS 6/30/2024

**ONION PEAK
DESIGN**
11460 EVERGREEN WAY
NEHALEM, OR 97131
(503) 440-4403

PROPOSED PARTITION FOR:
UNDERHILL TRUST
3N 10 28 DA
TAX LOT
100
NE 1/4, SE 1/4, SECTION 28, T3N, R10W, W.M.
TILLAMOOK COUNTY
JUNE 10, 2024

"HANDLER" #A2024
HANDLER2405-EX.DWG

NOTES

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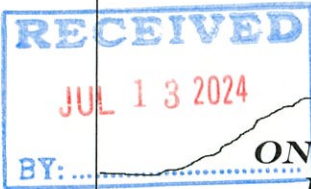


SCALE:
 1" = 40'

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Erick M White

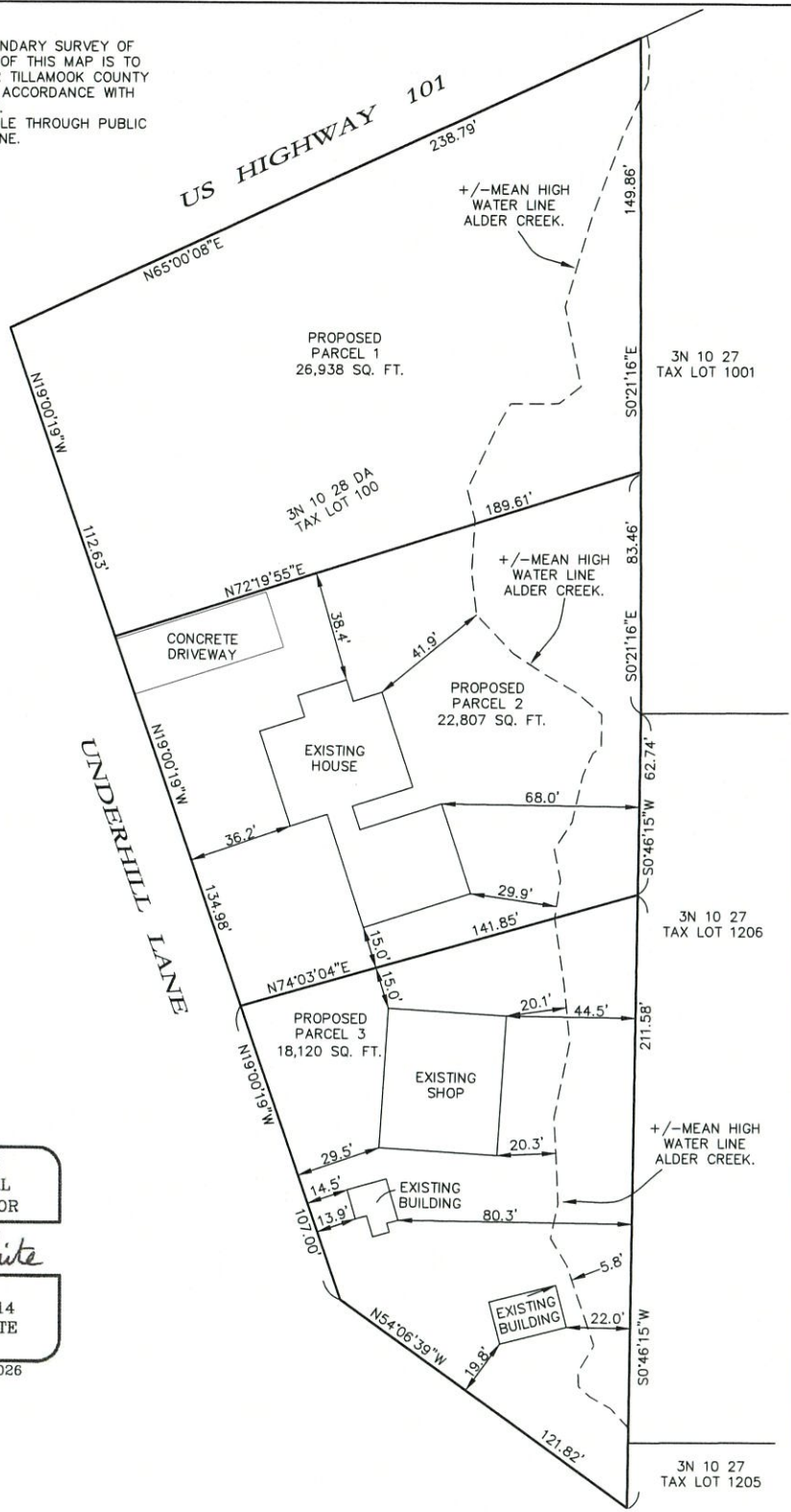
OREGON
 APRIL 28, 2014
 ERICK M. WHITE
 78572
 RENEWS 6/30/2026



**ONION PEAK
 DESIGN**

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

"HANDLER" #A2024
 HANDLER2405-EX.DWG



PROPOSED PARTITION FOR:
UNDERHILL TRUST

3N 10 28 DA
 TAX LOT
 100

NE 1/4, SE 1/4, SECTION 28, T3N, R10W, W.M.
 TILLAMOOK COUNTY
 JULY 13 2024



Date: April 29, 2024

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 28DA TAX LOT(S) 100

SITUS ADDRESS: 36115 Underhill Lane, Nehalem, OR 97131

NAME: Bethel M. Underhill, Trustee PHONE: _____

MAILING ADDRESS: 36115 Underhill Ln

Nehalem, OR 97131

Single Family Duplex/Multi-Family Other

Comments: Dividing Lots into 3 parcels

Signed: Lori Longfellow City Manager
Name Title

INDEXED

DEED

Lawrence F. Underhill and Bethel M. Underhill, husband and wife, as Grantors, convey and warrant to Bethel M. Underhill, Trustee of the Bethel M. Underhill Revocable Living Trust dated May 18, 1995, Grantee, to the following described real property located in Tillamook County, Oregon:

As fully described in Exhibit A

The true and actual consideration for this conveyance is nil as the purpose of this conveyance is estate planning and to transfer the described property to the Bethel M. Underhill Revocable Living Trust dated May 18, 1995.

Until a change is requested, tax statements shall be sent to:

B. Underhill, 36115 Underhill Lane, Nehalem, Oregon 97131

THIS INSTRUMENT WILL 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 APPROVED USES.

Dated: June 1, 1995

Lawrence F. Underhill
Lawrence F. Underhill

Bethel M. Underhill
Bethel M. Underhill

STATE OF OREGON)
County of Tillamook)

On June 1, 1995, Lawrence F. Underhill and Bethel M. Underhill personally appeared before me and acknowledged this instrument to be their voluntary act and deed.



Bert Gustafson
NOTARY PUBLIC FOR OREGON
My Commission Expires: 10-4-96

After recording, return to: 36115 Underhill Lane, Nehalem, Oregon 97131

Exhibit A

House

Beginning at a point, on the Section line, between Sections 27 and 28 in Township 3 North of Range 10 West of the Willamette Meridian, said point being on the Southerly boundary of the County Road leading from Nehalem to Necarney, and North 0 degrees 47' East 2961.2 feet from the corner common to Sections 27, 28, 33 and 34 in said County and Range and Township; running thence South 0 degrees 47' East along the Section line 535.5 feet; thence Northwesterly 137 feet to the center of the road running Northwesterly; thence along the center of the road 370 feet to the South boundary of the County road leading from Nehalem to Necarney; thence along this road 261 feet to the place of beginning, situated in Tillamook County, Oregon.

95342463

I hereby certify that the within instrument was received for record and recorded in the County of Tillamook, State of Oregon.

JUNE 2 12 16 PM '95

BOOK 369 PAGE 985

Witness my hand and seal affixed.

JOSEPHINE VELITRI, County Clerk



DEPUTY
10.00
20.00
1.00
9.00

DEPT
ADMIN
PLCP