



Land of Cheese, Trees and Ocean Breeze

NOTICE OF DECISION

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

January 17, 2025

RE: #851-24-000527-PLNG: Approval of a Variance request to exceed the 24-foot height maximum by 14-feet for a maximum building height of 38-feet as measured from existing, pre-construction grade. The property is located in the Unincorporated Community of Neskowin, is accessed via South Beach Road, a private road, and designated as Tax Lot 214 of Section 35, Township 5 South, Range 11 West of the Willamette Meridian, Tillamook County, Oregon. The Property Owner is Clinton & Michelle Mugge, and the applicant is Clinton Mugge.

Dear Interested Parties:

A public hearing on the above-entitled matter were held before the Tillamook County Planning Commission on December 12, 2024, where a decision was made on that date.

The Tillamook County Planning Commission considered this Variance request on the basis of the Variance criteria listed in 8.030 of the Tillamook County Land Use Ordinance, findings of fact and conclusions contained within the staff report, staff memos, agency comments, evidence and information presented, written and oral testimony received at the hearing, and the applicant's presentation.

After consideration of all available evidence described above, the Planning Commission took the following actions:

- Planning Commission voted unanimously, 6 in favor and 0 opposed, to approve Variance request #851-24-000527-PLNG subject to the Conditions of Approval included as "Exhibit A".

The Planning Commission Order and other documents associated with the request is available for review and inspection on the Tillamook County Land Use Application page here: <https://www.tillamookcounty.gov/commdev/landuseapps> and at the Tillamook County Department of Community Development office located at: 1510-B Third Street, Tillamook, Oregon 97141.

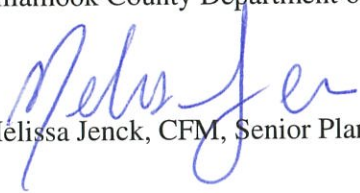
Please contact Sarah Thompson, Office Specialist II, for making arrangement to view documents at 503-842-2034 Ext. 3423 or email sarah.thompson@tillamookcounty.gov.

Any party with standing to appeal as described in TCLUO Section 10.110 may appeal the decision to the Board of County Commissioners, by filing an application for an appeal, submitting written justification supporting the appeal, and submitting the required filing fee of \$250 with the Tillamook

County Board of Commissioners within twelve (12) days of the date of this Notice. The deadline for filing an appeal with the Board of County Commissioners is January 29, 2025 at 4:30pm.

If you have any questions about this notice, you may contact this office at (503) 842-3408 x 3423.

Sincerely,
Tillamook County Department of Community Development


Melissa Jenck, CFM, Senior Planner

Sarah Absher, CFM, Director

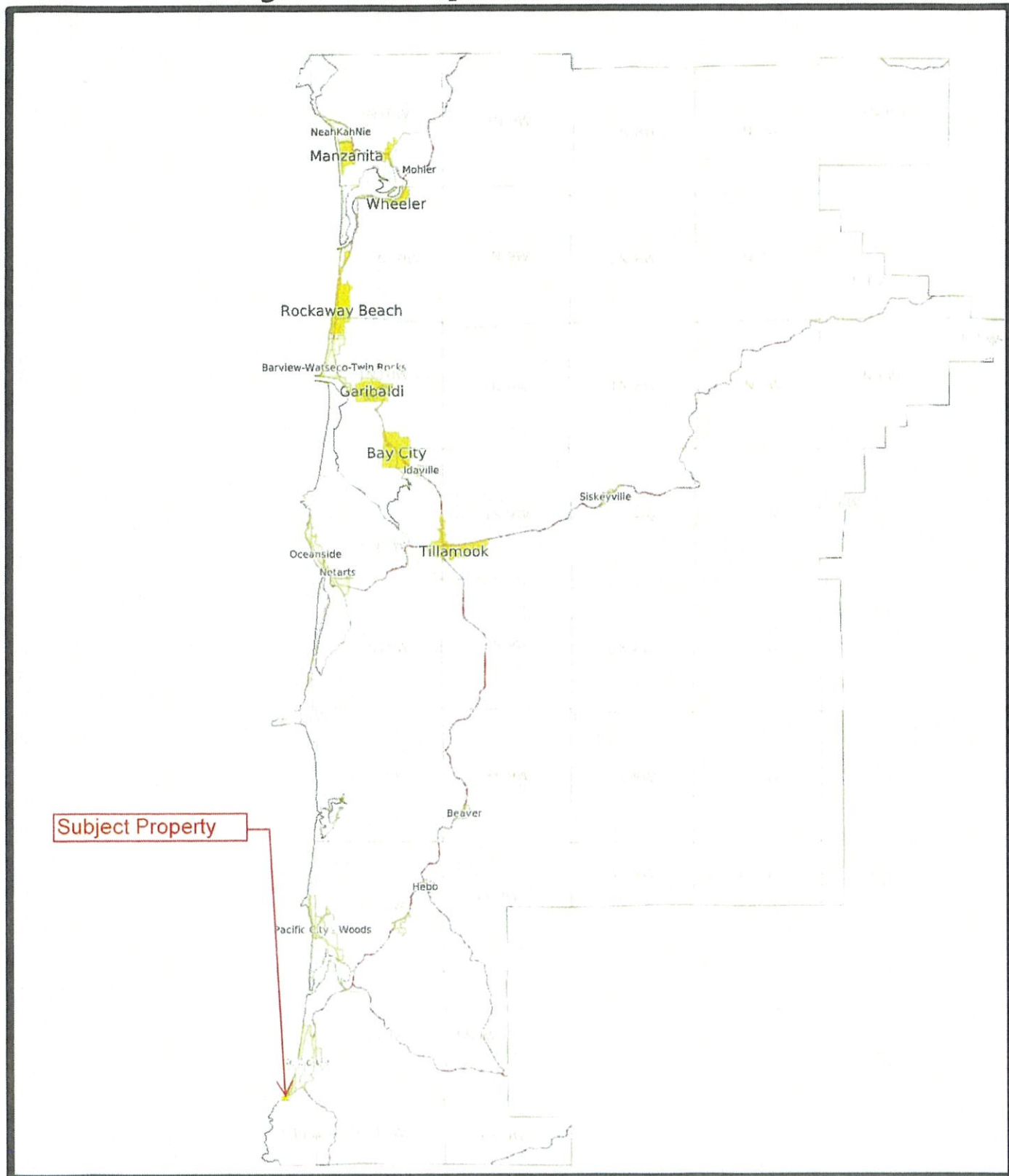
“EXHIBIT A”

CONDITIONS OF APPROVAL

Section 8.060: COMPLIANCE WITH CONDITIONS, and 8.070: TIME LIMIT requires compliance with approved plans and Conditions of this decision, and all other ordinance provisions, and allows 24 months for compliance with Conditions and start of construction. Failure to comply with the Conditions of Approval and ordinance provisions could result in nullification of this approval.

1. The applicant/property owner shall obtain all Federal, State, and Local permits, as applicable.
2. The applicant/property owner shall obtain an approved Consolidated Zoning and Building Permit from the Tillamook County Department of Community Development.
3. The applicant/property owner shall submit a site plan, drawn to scale depicting all required setbacks are met at the time of consolidated Zoning and Building Permit application submittal.
4. The applicant/property owner shall submit a Fire Letter from the local fire department at the time of consolidated Zoning and Building Permit application submittal.
5. Development of the property shall be done in accordance with the development standards of TCLUO Section 4.130: Development Requirements for Geologic Hazard Areas. A Geologic Hazard Assessment is required for development of this property.
6. Height of the structure shall not exceed 38-feet in height as measured in accordance with TCLUO Section 3.322(4)(k). Certification by a licensed professional surveyor confirming the height of the structure does not exceed the approved 38-foot height maximum shall be provided to the Department prior issuance of the Certificate of Final Occupancy by the Department.
7. A building height affidavit as included in ‘Exhibit D’ shall be signed by the property owners and provided at time of applying for the Consolidated Zoning and Building Permit from the Tillamook County Department of Community Development.
8. This approval shall be void two years from the date of approval, unless construction of approved plans has begun, or an extension is requested from, and approved by this Department.

Vicinity Map



Zoning Map

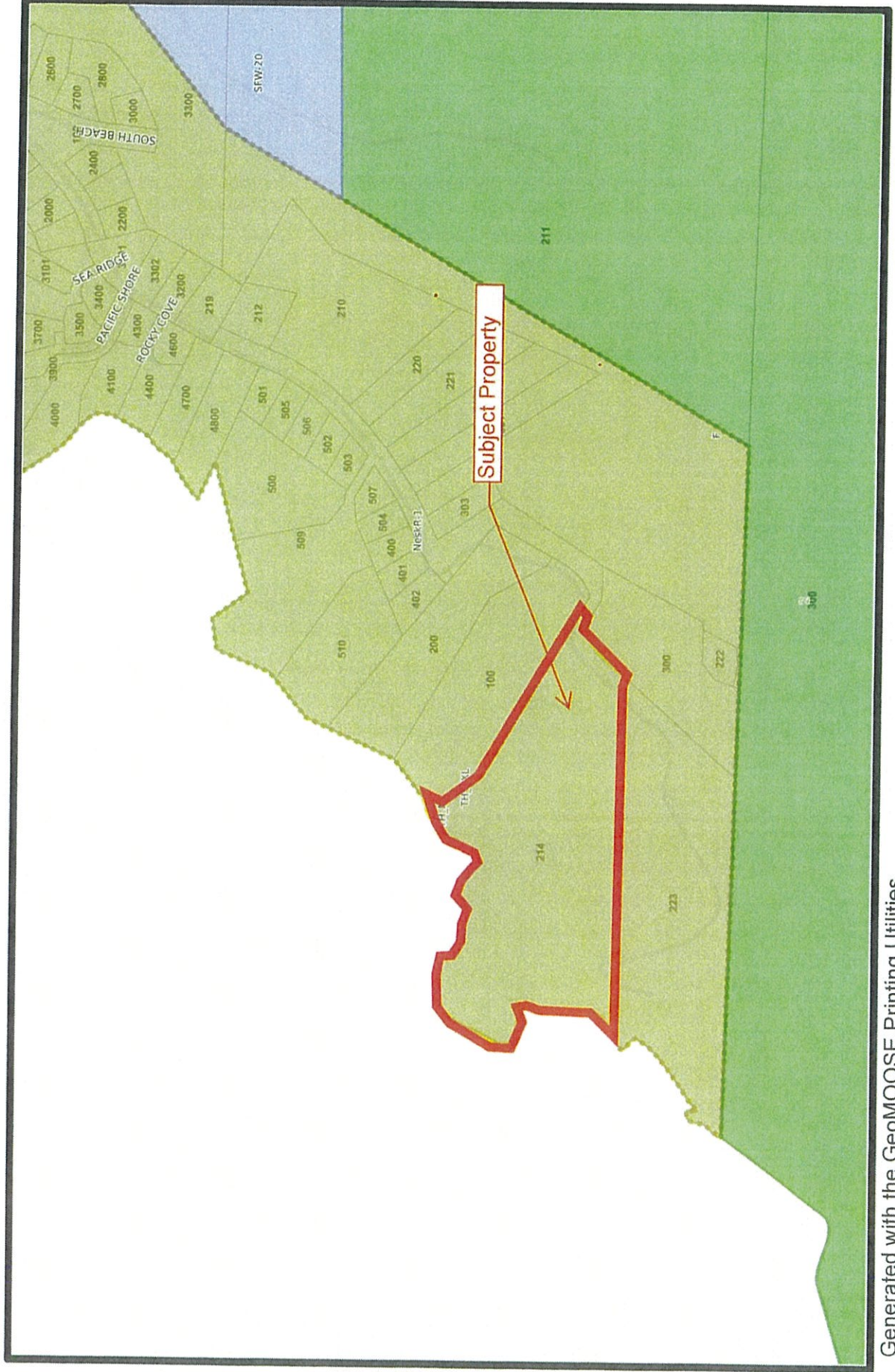


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