



*Land of Cheese, Trees and Ocean Breeze*

**RESOURCE ZONE EXCEPTION #851-24-000301-PLNG: MARTIN**  
*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 2, 2024**

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

**#851-24-000301-PLNG:** An exception request to reduce the required 100-foot resource zone setback from the Forest (F) zone boundary and establish a 20-foot setback from the north (side) property line to allow for the placement of a residential structure (single-family dwelling).

The subject property is located east of the unincorporated community of Beaver, accessed via a private easement off of Upper Nestucca River RD, a County Road and designated as Tax Lot 301 in Section 01 of Township 4 South, Range 8 West of the Willamette Meridian, Tillamook County, Oregon. The property is zoned Rural Residential 2-Acre (RR-2). The applicant and property owner is James P. Martin.

Written comments received by the Department of Community Development prior to 4:00p.m. on August 16, 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 19, 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 [sshoemaker@tillamookcounty.gov](mailto:sshoemaker@tillamookcounty.gov)

Sincerely,

Sheila Shoemaker, Land Use Planner

Sarah Absher, CFM, Director

Enc. Applicable Ordinance Criteria, Maps

## REVIEW CRITERIA

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:

...

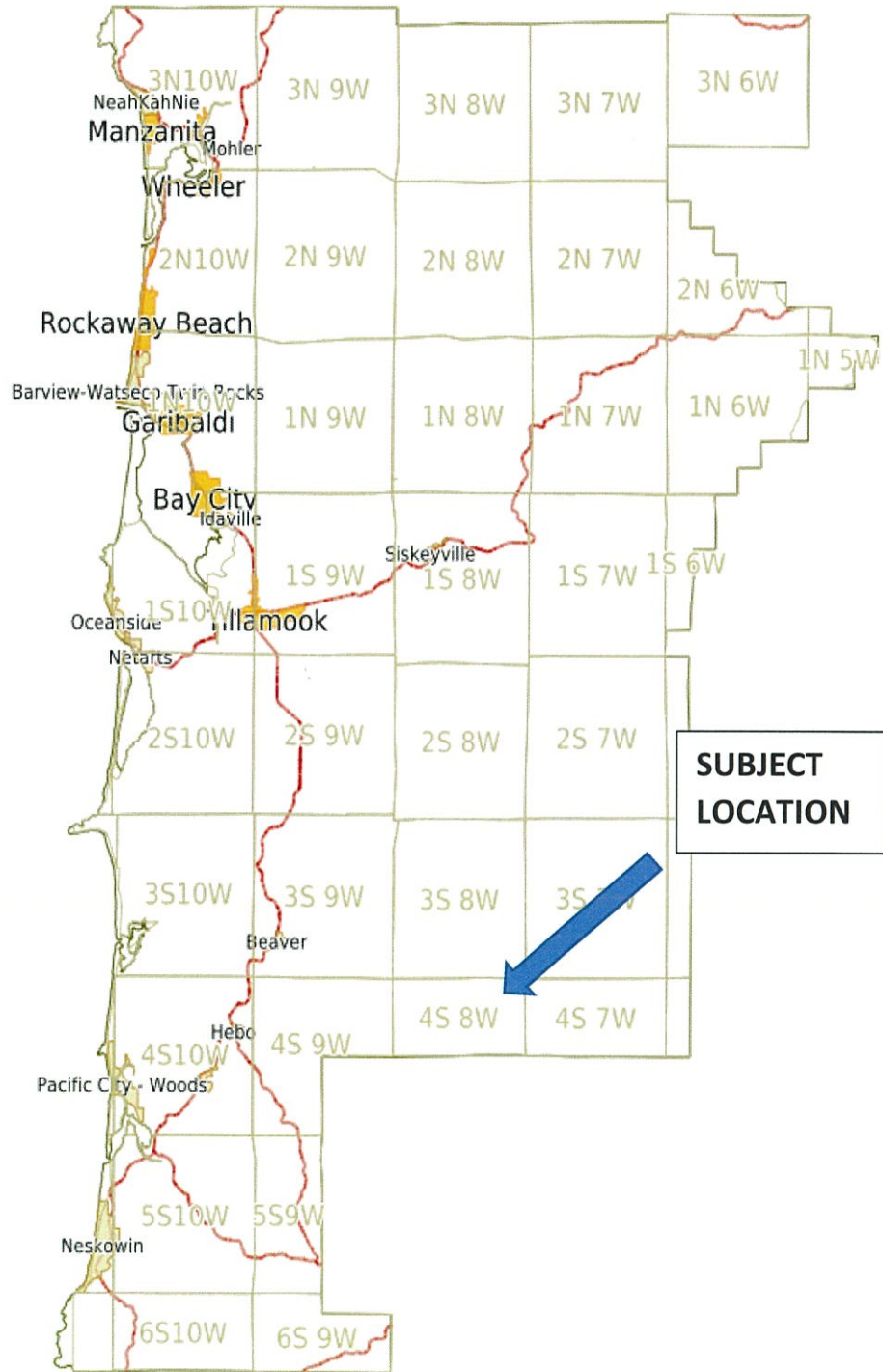
- (f) The minimum front yard shall be 20 feet.
- (g) The minimum side yard shall be 5 feet; on the street side of a corner lot, it shall be no less than 15 feet.
- (h) The minimum rear yard shall be 20 feet; on a corner lot, it shall be no less than 5 feet.
- (i) The maximum building height shall be 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.

...

- (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 A

# VICINITY MAP



#851-23-000128-PLNG:  
Martin



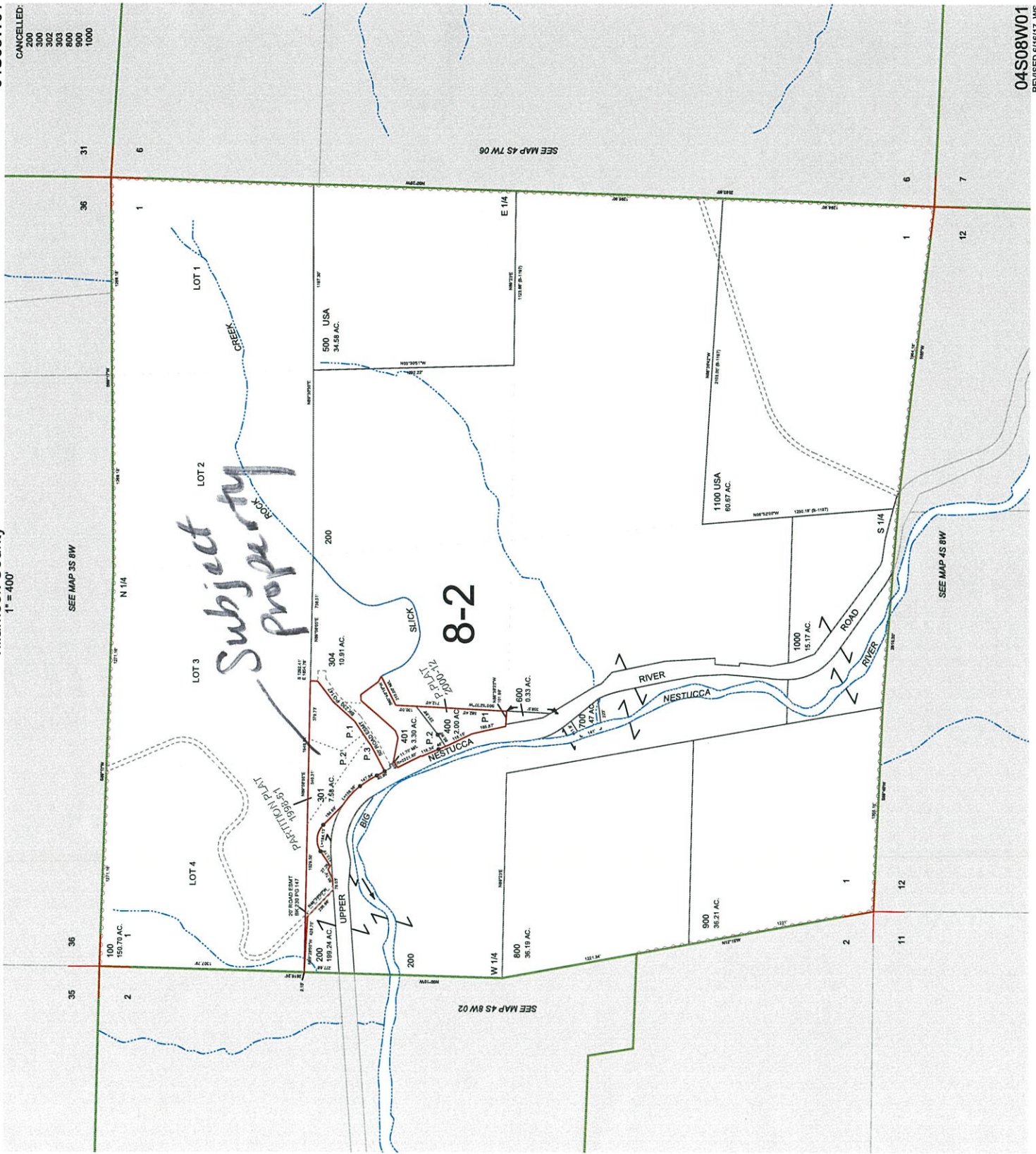
FOR ASSESSMENT AND TAXATION ONLY, NOT SUITABLE FOR  
LEGAL, ENGINEERING, OR SURVEY PURPOSES

SECTION 1 T.4S. R.8W. W.M.  
Tillamook County

1" = 400'

04S08W01

CANCELLED:  
200  
300  
303  
800  
900  
1000



04S08W01  
REVISED 6/16/17, WS

**Tillamook County**  
**2023 Real Property Assessment Report**  
 Account 398670

**Map** 4S08010000301  
**Code - Tax ID** 0802 - 398670

**Tax Status** Assessable  
**Account Status** Active  
**Subtype** NORMAL

**Legal Descr** See Record

**Mailing** MARTIN, JAMES P  
 8985 MILLCREEK RD  
 TILLAMOOK OR 97141

**Deed Reference #** 2022-111  
**Sales Date/Price** 01-03-2022 / \$160,000  
**Appraiser** HANNAH HANCOCK

**Property Class** 640 **MA SA NH**  
**RMV Class** 400 06 AC 602

Site	Situs Address	City
------	---------------	------

Value Summary					
Code Area	RMV	MAV	AV	RMV Exception	CPR %
0802	Land	191,400		Land	0
	Impr	0		Impr	0
<b>Code Area Total</b>		191,400	83,440	36,801	0
<b>Grand Total</b>		191,400	83,440	36,801	0

Land Breakdown									
Code Area	ID #	RFPD	Ex	Plan Zone	Value Source	Trend %	Size	Land Class	Trended RMV
0802	1			RR-2	Designated Forest Land	113	4.50 AC	OB	113,630
	1	<input checked="" type="checkbox"/>		RR-2	Market	113	3.08 AC	MKT	77,770
<b>Code Area Total</b>							7.58 AC		191,400

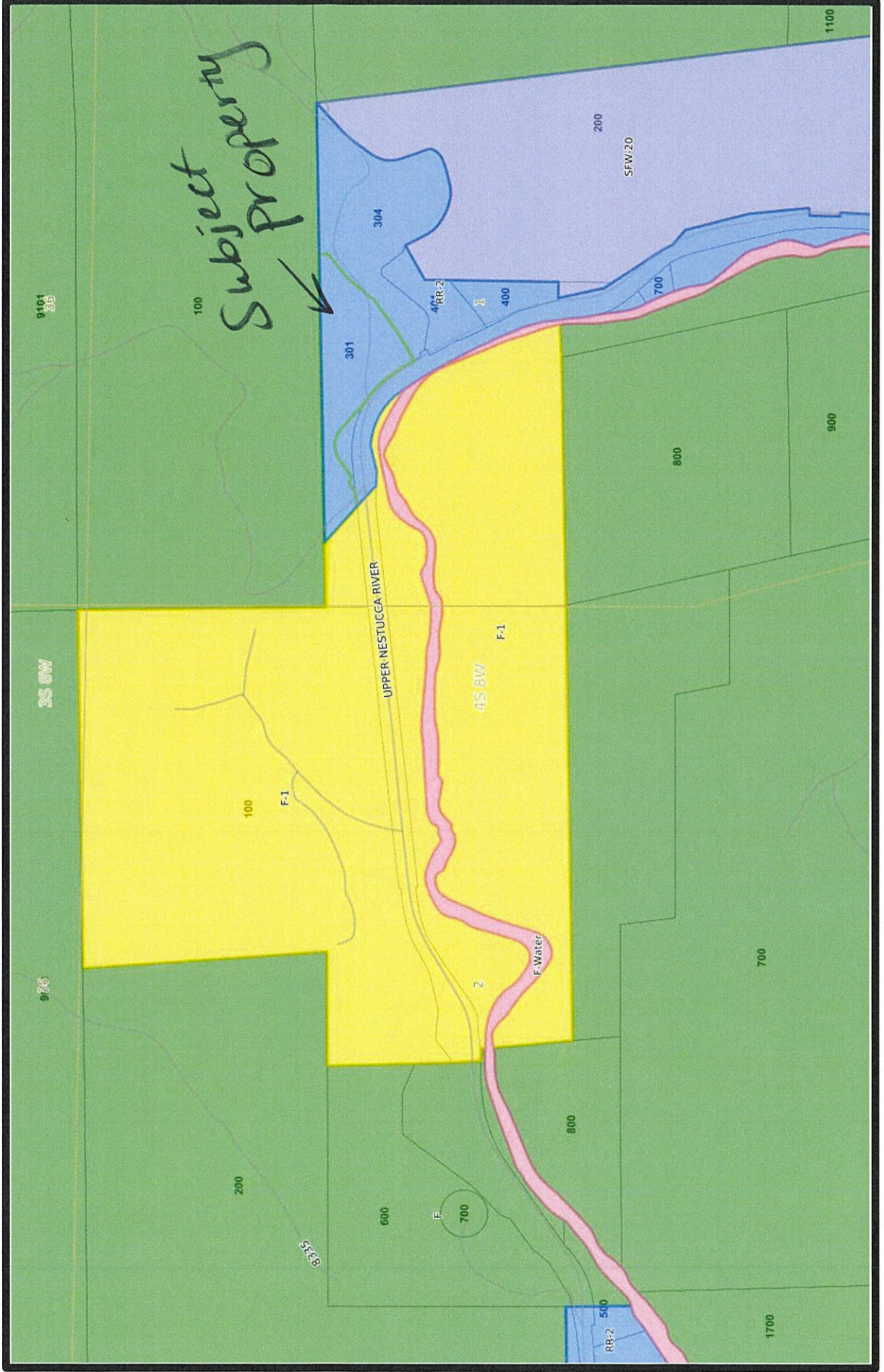
Improvement Breakdown									
Code Area	ID #	Year Built	Stat Class	Description	Trend %	Total Sqft	Ex% MS Acct	Trended RMV	

Exemptions / Special Assessments / Notations									
<b>Notations</b>									
<ul style="list-style-type: none"> <li>■ FOREST LAND - POTENTIAL ADDITIONAL TAX LIABILITY 321.362 ADDED 2009</li> <li>■ MULTI LOT-SINGLE LOT VALUE ADDED 2022</li> </ul>									
<b>Fire Patrol</b>						<b>Amount</b>	<b>Acres</b>	<b>Year</b>	
■ FIRE PATROL SURCHARGE						0.00		2023	
<b>Code Area 0802</b>									
<b>Fire Patrol</b>						<b>Amount</b>	<b>Acres</b>	<b>Year</b>	
■ FIRE PATROL NORTHWEST						18.75	7.58	2023	

**Comments** 9/02 LLA with TL 300. Market val. ka 5/03 T-LOTS 300,302 & 303 COMBINED INTO 301. PROPERTY REVALUED FOR RMV PURPOSES AND MAV ADJ. AND COMBINED FROM PREVIOUS PARTITION OF ABOVE LOTS INTO THIS ONE. RCW 10/1/08 Entered inventory. dv. 5/13/09 Seg -7.41 acres to TL 304, size correction of +2.02, LLA -1.98 to TL 304, App. MAV, land to market, imps now on TL 304.LM 8/18/11 Due to a mapping error, a lot line was required to make the correction. A portion of taxlot 4S8 01 301 will now be carried in taxlot 304. Apportioned MAV, RMV to market. EJ. 8/25/14 A Lot line adjustment is correcting a mapping error. Apportioned MAV and brought land RMV to market. EJ. 2/2/17 - Land reappraisal; tabled values. EJ. 03/02/2022 Owner applied for Designated Forestland, 4.5 acres qualifies. HT

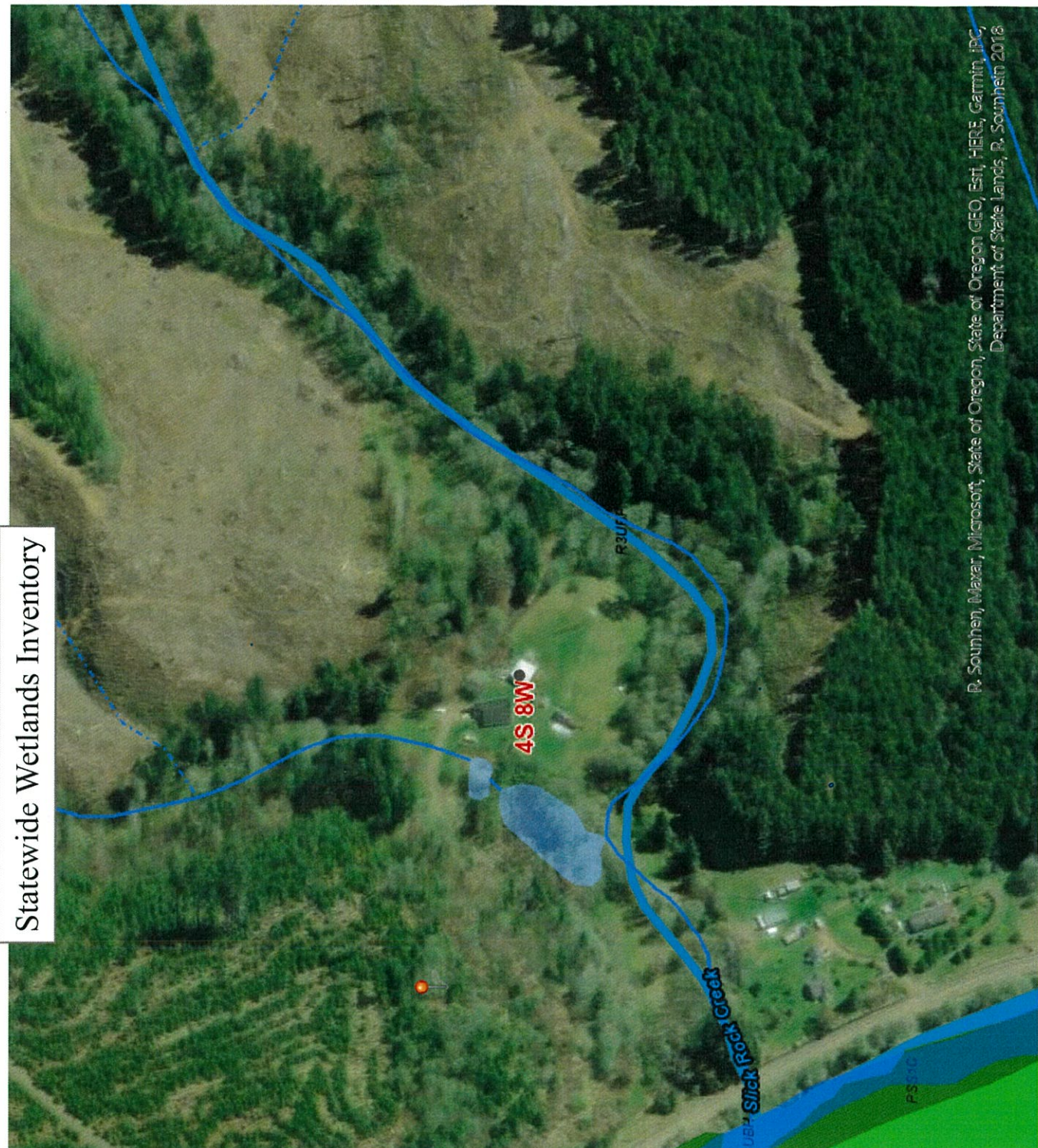


# Map





# Statewide Wetlands Inventory



	Townships
	LWI Study Area
	BASEDAT.DBO.NHDWaterbody
	BASEDAT.DBO.NHDArea
<b>BASEDAT.DBO.NHDFlowline</b>	
	Perennial
	Intermittent
	Ephemeral
	Unknown
	Canal/Ditch
	Canal/Ditch
	Canal/Ditch
	BASEDAT.DBO.NHDPoint
<b>Wetlands</b>	
	Estuarine and Marine Deepwater
	Estuarine and Marine Wetland
	Freshwater Emergent Wetland
	Freshwater Forested/Shrub Wetland
	Freshwater Pond
	Lake
	Riverine
	SWI Agate-Winlo Soils

R. Souinhen, Maxar, Microsoft, State of Oregon, State of Oregon GEO, Esti, HERE, Garmin, JPC, Department of State Lands, R. Souinhen 2018



# National Flood Hazard Layer FIRMette

123°37'31"W 45°15'31"N



## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

**SPECIAL FLOOD HAZARD AREAS**

- Without Base Flood Elevation (BFE)  
*Zone A, V, A99*
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*

Future Conditions 1% Annual Chance Flood Hazard *Zone X*

Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*

Area with Flood Risk due to Levee *Zone D*

**OTHER AREAS OF FLOOD HAZARD**

- NO SCREEN
- Area of Minimal Flood Hazard *Zone X*
- Effective LOMRS
- Area of Undetermined Flood Hazard *Zone*

**OTHER AREAS**

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

**GENERAL STRUCTURES**

- Cross Sections with 1% Annual Chance
- Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

**OTHER FEATURES**

- Digital Data Available
- No Digital Data Available
- Unmapped

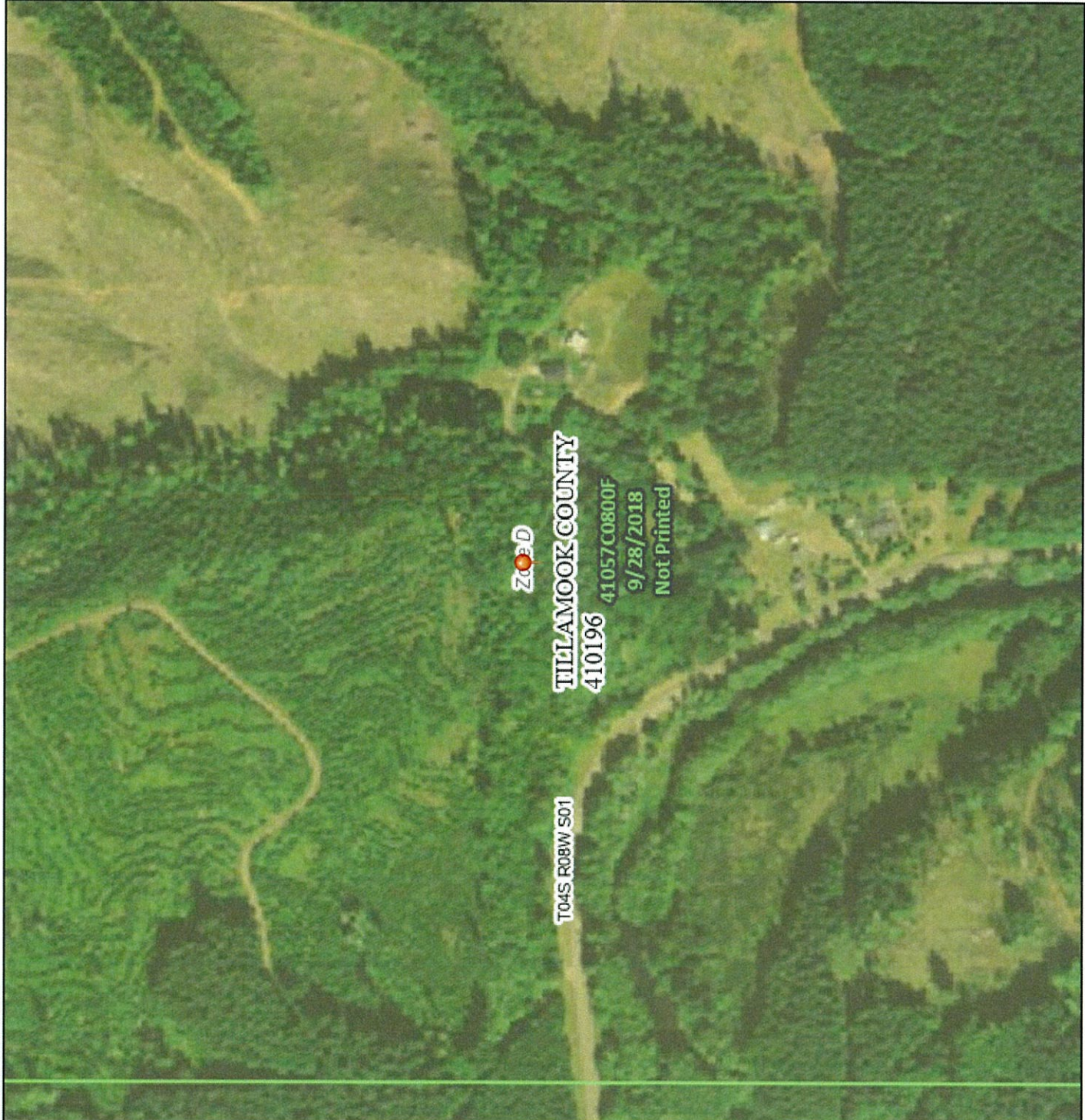
**MAP PANELS**

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 8/1/2024 at 4:54 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



**ZONE D**

**TILLAMOOK COUNTY**

41057C0800F

9/28/2018

Not Printed



123°36'54"W 45°15'6"N



# Geologic Hazard Area





# EXHIBIT B



## PLANNING APPLICATION

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

Name: James Martin Phone: 503 812 7858  
 Address: 8985 Mill creek rd  
 City: Tillamook State: OR Zip: 97141  
 Email: \_\_\_\_\_

**Property Owner**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Email: \_\_\_\_\_

OFFICE USE ONLY	
Date Stamp	<b>RECEIVED</b>
	JUN 10 2024
	BY: <u>Colater-SS</u>
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by: <u>SS</u>	
Receipt #: <u>138035</u>	
Fees: <u>1,365.00</u>	
Permit No: <u>85124-000331-PLNG</u>	

**Request:**

To build a dwelling + shop space within a 100' set back zone.

**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**

- Appeal of Director's Decision
- Extension of Time
- Detailed Hazard Report
- Conditional Use (As deemed by Director)
- Ordinance Amendment
- Map Amendment
- Goal Exception

**Type IV**

- Appeal of Planning Commission Decision
- Ordinance Amendment
- Large-Scale Zoning Map Amendment
- Plan and/or Code Text Amendment

**Location:**

Site Address: Upper Nestucca River rd Tillamook  
 Map Number: 45 8 01 301  
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): James Martin Date: May 10, 2024  
 Applicant Signature: James Martin Date: \_\_\_\_\_



- A maintained space of 20 ft of gravel between property line + building
- keep clean + maintained safety zones, and defensible space around building + along property line. maintain existing shrubs and trees.
- property corners are flagged + visible to identify property lines.

