



Land of Cheese, Trees and Ocean Breeze

**VARIANCE REQUEST #851-24-000526-PLNG:
BOUDREAU / TNJ INVESTMENTS, LLC**

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

December 17, 2024

Dear Property Owner:

This is to confirm that the Tillamook County Department of Community Development **APPROVED** the above-cited Variance Request on December 17, 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.

Appeal of this decision. This decision may be appealed to the Tillamook County Planning Commission, who will hold a public hearing. Forms and fees must be filed in the office of this Department before **4:00 PM on December 30, 2024.**

Request: A Variance request to reduce the required roof pitch for a manufactured dwelling proposed to be sited on a property, from a nominal pitch of four (4) feet in height for each twelve (12) feet in width (4/12 pitch) to a nominal three (3) feet in height for each twelve (12) feet in width (3/12 pitch).

Location: Located within the Urban Growth Boundary of the City of Nehalem at the corner of Neptune Way and Neptune Court, both County local access roads, and designated as Tax Lot 1818 of Section 33BA, Township 3 North, Range 10 West of the Willamette Meridian., Tillamook County, Oregon.

Zone: City of Nehalem Mixed Density Residential (RM) Zone

Applicant: Spencer Boudreau, PO Box 1231 Longview, WA 98632

Property Owner: TNJ Investments, LLC, 1119 11th Avenue, Longview, WA 98632

CONDITIONS OF APPROVAL

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. Variance approval is for a 3/12 roof pitch on a manufactured dwelling to be sited on the subject property. The manufactured dwelling shall otherwise comply with applicable development standards contained in the City of Nehalem Development Ordinance Section 157.422 – Manufactured Homes on Individual Lots.
3. The applicant/property owner shall obtain an approved consolidated Building and Zoning Permit from the Tillamook County Department of Community Development.
4. The applicant/property owner shall submit a site plan drawn to scale confirming all required yard setbacks are met at the time of consolidated Building and Zoning Permit application submittal.
5. The applicant/property owner shall submit updated service provided letters from the Nehalem Bay Fire and Rescue, Nehalem Bay Wastewater and Nehalem Water District at the time of consolidated Building and Zoning Permit application submittal.
6. The applicant/property owner shall submit an approved zoning letter from the City of Nehalem and all evidence to the Department of Community Development confirming the following:
 - (a) Development of the property adheres to applicable development standards contained in the City of Nehalem Development Ordinance Section 157.205 - Mixed Density Residential (RM) Zone.
 - (b) Development of the property adheres to applicable development standards contained in the City of Nehalem Development Ordinance Section 157.422 – Manufactured Homes on Individual Lots.
 - (c) Development of the property adheres to the development standards contained in the City of Nehalem Development Ordinance Section 157.440. Demonstration of compliance shall be provided at the time of Consolidated Zoning/Building Permit submittal, including submittal of a Geologic Hazard Report to the Department of Community Development, if required.
7. This approval shall be void on December 17, 2026, unless construction of approved plans has begun, or an extension is requested from, and approved by this Department.

Sincerely,



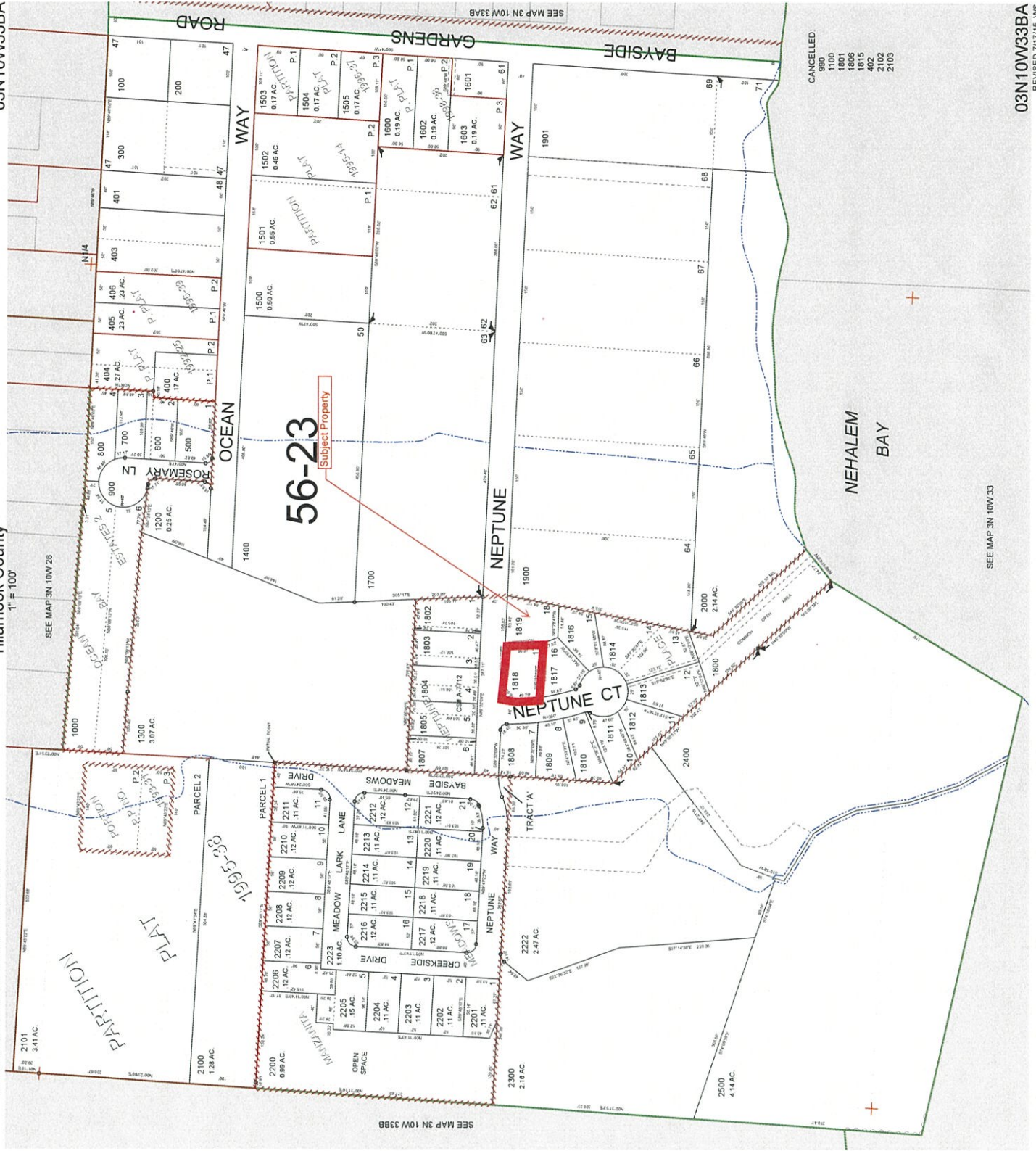
Sarah Absher, CFM, Director

Enc.: Vicinity, Assessor & Zoning maps

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

N.E. 1/4 N.W. 1/4 SEC. 33 T.3N. R. 10W. W.M.
Tillamook County

03N10W33BA



CANCELLED:
 990
 1100
 1806
 1815
 402
 2102
 2103

SEE MAP 3N 10W 33

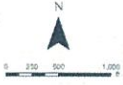
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REVISED 7/17/15, WS

NEHALEM, OREGON

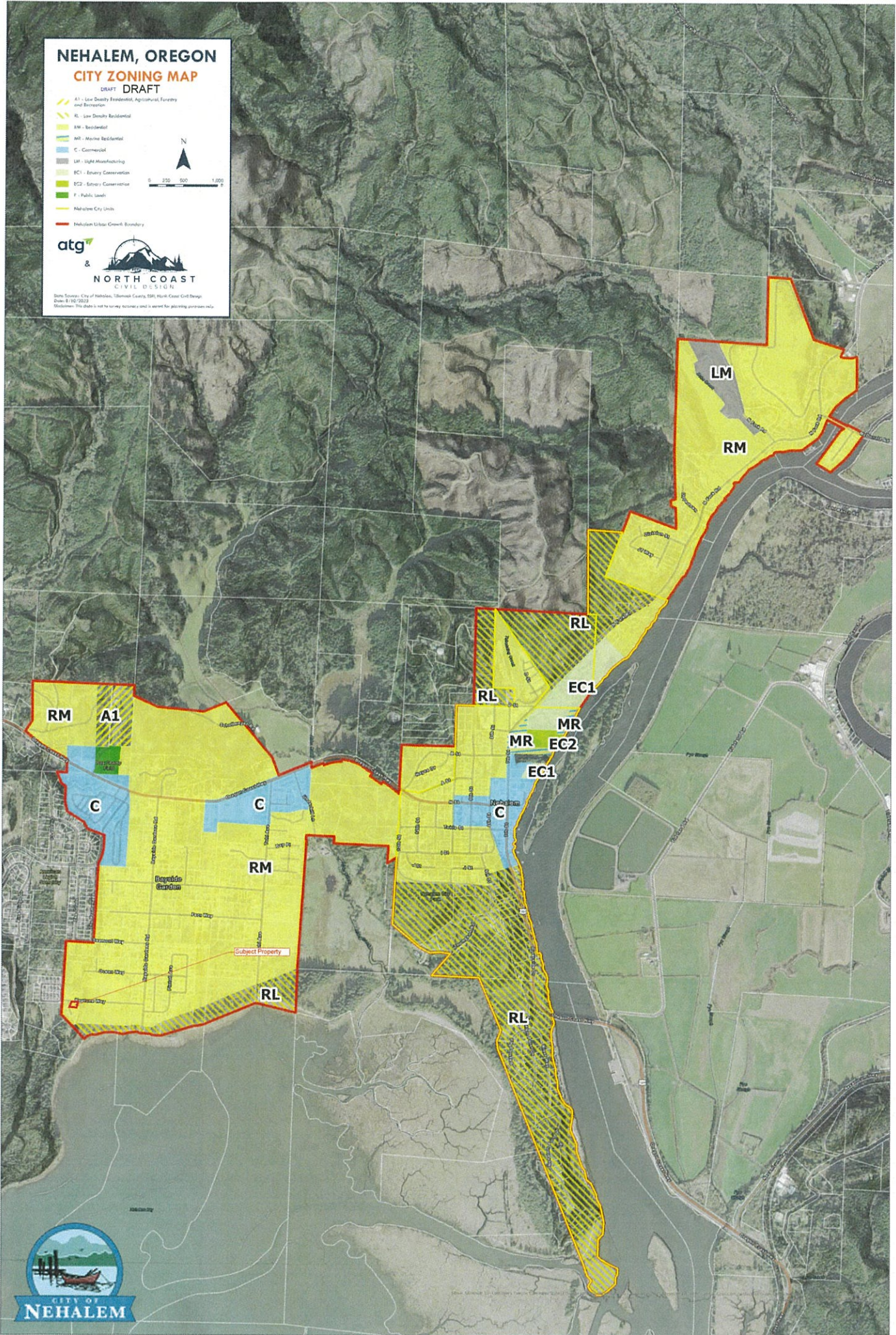
CITY ZONING MAP

DRAFT

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



Date Source: City of Nehelem, Clatsop County, 1991, North Coast Grid Design
Date: 8/15/2023
Disclaimer: This draft is not to survey nor use and is meant for planning purposes only.





Land of Cheese, Trees and Ocean Breeze

**VARIANCE #851-24-000526-PLNG:
BOUDREAU / TNJ INVESTMENTS, LLC**
ADMINISTRATIVE DECISION AND STAFF REPORT

DECISION: Approved

Decision Date: December 17, 2024

REPORT PREPARED BY: Sheila Shoemaker, Land Use Planner
Sarah Absher, CFM, Director

I. GENERAL INFORMATION:

Request: A Variance request to reduce the required roof pitch for a manufactured dwelling proposed to be sited on a property, from a nominal pitch of four (4) feet in height for each twelve (12) feet in width (4/12 pitch) to a nominal three (3) feet in height for each twelve (12) feet in width (3/12 pitch) (Exhibit B).

Location: Located within the Urban Growth Boundary of the City of Nehalem at the corner of Neptune Way and Neptune Court, both County local access roads, and designated as Tax Lot 1818 of Section 33BA, Township 3 North, Range 10 West of the Willamette Meridian., Tillamook County, Oregon (Exhibit A).

Zone: City of Nehalem Mixed Density Residential (RM) Zone

Applicant: Spencer Boudreau, PO Box 1231 Longview, WA 98632

Property Owner: TNJ Investments, LLC, 1119 11th Avenue, Longview, WA 98632

Description of Site and Vicinity: The subject property contains 0.12 acres, is currently unimproved and is generally vegetated with grass (Exhibit A). The subject property is rectangular in shape, contains gently sloped (mound) areas of topography and fronts Neptune Court to the west, and Neptune Way to the north, both County local access roads (Exhibit A).

The surrounding properties are also zoned Mixed Density Residential (RM) Zone and are located within the Neptune Place Subdivision (Exhibit A). The area generally consists of single-family residential development (Exhibit A).

No riparian features or wetlands are mapped on the subject property. Wetland features are located east and south of the property located throughout the subdivision area (Exhibit A). The subject property is in Flood Zone “X”, defined as areas of minimal flooding, according to FEMA FIRM 41057C0208F dated September 28, 2018, and is not in a Special Flood Hazard Area (Exhibit A).

The property is identified within mapped areas of shallow landslide susceptibility as detailed in the Oregon Department of Geology and Mineral Industries (DOGAMI) Open File Report O-20-13 (Exhibit A).

The applicant is requesting a Variance to reduce the required roof pitch for a manufactured dwelling proposed to be sited on the subject property, from a nominal pitch of four (4) feet in height for each twelve (12) feet in width (4/12 pitch) to a nominal three (3) feet in height for each twelve (12) feet in width (3/12 pitch) (Exhibit B).

II. APPLICABLE ORDINANCE AND COMPREHENSIVE PLAN PROVISIONS:

The request is governed through the following Sections of the City of Nehalem Zoning Ordinance. The suitability of the proposed use, in light of these criteria, is discussed in Section III of this report:

- A. City of Nehalem Development Ordinance Section 157.205 - Mixed Density Residential (RM) Zone
- B. City of Nehalem Development Ordinance Section 157.422 – Manufactured Homes on Individual Lots
- C. City of Nehalem Development Ordinance Section 157.440 - Geologic Hazards
- D. City of Nehalem Development Ordinance Section 157.506.06 - Variance

III. ANALYSIS:

A. City of Nehalem Development Ordinance Section 157.205 - Mixed Density Residential (RM) Zone

Section 157.205.01 PURPOSE: The Medium-Density Residential area, designated by the symbol “RM”, is established to provide a variety of residential housing types and other uses that are, or can be, compatible with residential development.

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Section 157.205.03 Special Uses: The following uses, when developed under the special development requirements, are permitted in the RM zone: (J) Manufactured homes on individual lots, subject to provisions in Section 157.422.

Findings: Staff find that the proposed manufactured dwelling is permitted, subject to provisions in Section 157.422 (Exhibit A) and are discussed further in this report.

Section 157.205.03 Dimensional Standards:

...

C) Minimum Setback (Residential):

- 1. Front Yard – 15 feet.*
- 2. Street Side Yard – 15 feet.*
- 3. Side Yard – 5 feet minimum; 12-feet both sides combined.*
- 4. Rear Yard – 15-feet; corner lot may be 10-feet.*

...

Section 157.205.06 Development Standards:

All development in the RM Zone shall comply with the applicable provisions of this Chapter. The following references additional development requirements:

(A) Off-street Parking. Parking, driveway and loading improvements shall comply with provisions in Section 157.403.

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...

Findings: The subject property is a corner lot abutting Neptune Court and Neptune Way, encompasses approximately 5117 square feet according to the Neptune Place Subdivision map (Exhibit A) and is rectangular in shape. The applicant submitted a site plan proposing a 20-foot front yard, 10.9-foot rear yard, 15-foot street side yard and a 5-foot side yard. Also included on the site plan is a proposed 414.8 square foot concrete pad for parking. Staff find these standards are met and can be met through the Conditions of Approval.

B. City of Nehalem Development Ordinance Section 157.422 – Manufactured Homes on Individual Lots

157.422.01 Scope:

The provisions of this Chapter apply to all manufactured homes sited on individual lots in the City of Nehalem. Manufactured homes sited in approved mobile/manufactured home parks or manufactured home subdivisions are not affected by provisions in this Section.

157.422.02 General Standards

(A) Size. The manufactured home shall be multi-sectional (single-wide” homes are prohibited) and have at least 1,000 square feet of gross floor area.

(B) Performance Standards. The exterior thermal envelope must meet the standards specified by State law for single family dwellings, as defined in ORS 455.010.

(C) Removal of Towing Equipment. All towing hitches, wheels, running lights, and other towing related equipment shall be removed within 30 days after installation of the manufactured home.

(D) Foundations. The manufactured home shall be placed on an excavated and back filled foundation with no more than 12 inches of enclosing material exposed above grade. Where the building site has a sloped grade, no more than 12 inches of the enclosing material shall be exposed on the uphill side of the home. If the home is placed on a basement, the 12-inch limitation shall not apply. The 12-inch limitation shall not apply if the requirements of the Flood Hazard District mandate that the home be elevated more than 12 inches above grade. The foundation shall meet building code and Flood Hazard Area (if applicable) standards. The base of the manufactured home shall be enclosed continuously at the perimeter with either concrete, concrete block, brick, stone, or a combination thereof.

(E) Utilities. The manufactured home shall be provided with storm drainage, sanitary sewer, electric, telephone, and potable water utility services with easements dedicated where necessary to provide such services. All such utilities shall be located underground unless waived by the City Building Official where underground service would require an exception to local prevalent conditions. Manufactured homes shall not be occupied purposes unless connected to local water, sewer, and electrical systems.

(F) Historical Sites. No manufactured home shall be located on property containing a historic landmark, or on a lot or parcel immediately adjacent to property containing a historic landmark. For this Chapter, a historic landmark is property designated by the Nehalem Comprehensive Plan as containing a significant historical resource.

Findings: The applicant is proposing the placement of a manufactured home (Exhibit B). Staff find that these standards can be met through the Conditions of Approval.

(G) Roofing. The manufactured home must have a composition asphalt, fiberglass, shake, or tile roof with a nominal pitch of four feet in height for each twelve 12 feet in width.

Findings: The applicant is requesting a Variance to reduce the required roof pitch for manufactured dwellings, from a nominal pitch of four (4) feet in height for each twelve (12) feet in width (4/12 pitch) to a nominal three (3) feet in height for each twelve (12) feet in width (3/12 pitch), to allow for the placement of a manufactured dwelling on the subject property (Exhibit B) and is discussed within the variance section of this report (Exhibit B).

(H) Exterior Siding and Finish. The exterior siding of the manufactured home must have the same appearance as materials commonly used on residential dwellings.

(I) Garage/Carport. A garage or carport of like material and color of the manufactured home is required. The garage shall be placed on the property prior to occupancy of the manufactured home.

(J) Off-Street Parking. Parking and improvements shall be as specified in Section 157.403.

Findings: The applicant is proposing the placement of a manufactured home (Exhibit B). Staff find that these standards can be met through the Conditions of Approval.

C. City of Nehalem Development Ordinance Section 157.440 - Geologic Hazards

The city of Nehalem's Geologic Hazard requirements can be found in Sections 157.440.01 through 157.440.03.

157.440.03 Geological Report

(A) A geologic hazard report is required prior to approval of planned developments, subdivisions and partitions governed by Section 157.404, building permits and manufactured home permits occurring in areas identified in Subsection 157.440.02 above.

Findings: The applicant is requesting a Variance for the placement of a Manufactured Dwelling for which a building permit is required. The subject property lies within shallow landslides susceptibility identified in State Department of Geology and Mineral Industries (DOGMI) Bulletins 74 and 79 (Exhibit A). Staff find that applicable standards can be met through the Conditions of Approval.

D. City of Nehalem Development Ordinance 157.506 - Variance

157.506.01 Applicability

The development standards in this Development Ordinance are to protect the public health, safety, and welfare by establishing setbacks, building height limits and other development requirements. To address unique characteristics associated with a property, the City may allow a modification to quantifiable requirements. Modifications resulting in a greater than a 10% change in a quantifiable standard are reviewed as a Variance.

157.506.02 Process

...

(B) For property outside the City Limits, and within the Urban Growth Boundary, a Variance application shall be reviewed by Tillamook County in accordance to provisions in the Intergovernmental Agreement, and subject to the decision criteria in Section 157.506.06.

Findings: The subject property is located outside the city limits of Nehalem and within the Urban Growth Boundary line (Exhibit A).

Section 157.418 requires notification of the request to be mailed to landowners within 250-feet of the subject property, to allow at least 14 days for written comment and requires Staff to consider comments received in making the decision.

Findings: A notice of the request was mailed to property owners within 250 feet of the subject property and other agencies on October 14, 2024. Comments were received by the City of Nehalem and County Public Works stating they have no comment and see no reason not to approve this request. Comments also confirm the road approach has already been issued (Exhibit C).

Decision Criteria Section 157.506.06 – Variance

The Planning Commission may allow a Variance from a requirement or standard of this Ordinance after a public hearing conducted in accordance with the Type III review procedures provided that the applicant provides evidence that the following circumstances substantially exist:

(A) Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, legally existing prior to the date of this Ordinance, topography, or other circumstances over which the applicant has no control.

Findings: Applicant states the code changed recently and the previous code allowed for a 3/12 pitch roof (Exhibit B). Staff find the update to the city of Nehalem’s zoning ordinance was updated October 2023. Staff find this change occurred through the city zoning ordinance amendment process and was completed at the city’s discretion. This criterion is met.

(B) Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same vicinity or district.

Findings: Applicant states adjacent manufactured homes have a standard 3/12 roof pitch, with no issue or impact to anyone (Exhibit B). Staff conducted a field visit on November 9, 2024, using a digital angle measuring tool and took photos of the existing thirteen homes roof pitches (Exhibit D). Staff’s findings for review of properties within the vicinity are outlined in the table below. Staff find there are 7 dwellings with a 3/12 pitch, 6 dwellings with a 4/12 pitch and 1 dwelling with a 6/12 pitch. Dwellings abutting the properties boundary lines to the east and south have a 4/12 pitch. With a majority of the existing Manufactured Dwellings having a 3/12 pitch roof. Staff find that there is a mix of 3/12 and 4/12 pitched roofs in the existing subdivision the allowance of another 4/12 pitched roof would not change the look of the neighborhood.

Map and Tax Lots	Type of Dwelling	Pitch
3N1033BA01802	Manufactured dwelling	3/12 pitch
3N1033BA01803	Manufactured dwelling	3/12 pitch
3N1033BA01804	Stick built dwelling	4/12 pitch
3N1033BA01805	Manufactured dwelling	4/12 pitch
3N1033BA01807	Manufactured dwelling	4/12 pitch
3N1033BA01808	Manufactured dwelling	3/12 pitch
3N1033BA01809	Manufactured dwelling	3/12 pitch
3N1033BA01810	Manufactured dwelling	4/12 pitch
3N1033BA01811	Manufactured dwelling	3/12 pitch
3N1033BA01812	Manufactured dwelling	4/12 pitch
3N1033BA01813	Stick built dwelling	6/12 pitch

3N1033BA01814	Manufactured dwelling	3/12 pitch
3N1033BA01817	Manufactured dwelling	4/12 pitch
3N1033BA01819	Stick built dwelling	3/12 pitch

Based upon the findings and evidence outlined above, Staff find this criterion is met.

(C) The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which property is located, or otherwise conflict with the objectives of any City plan or policy.

Findings: Applicant states the 4/12 roof pitch adds cost without adding value (Exhibit B). As stated above, the existing subdivision has existing 3/12 roof pitched Manufactured Dwellings. Staff finds by allowing for another 3/12 pitched roof within the existing subdivision it will not be materially detrimental to the public welfare or injurious to property in the vicinity. This criterion is met.

(D) That the special conditions and circumstances on which the application is based do not result from a self-imposed hardship or a negligent or knowing violation of this Ordinance by the applicant.

Findings: Applicant states that surrounding homes consist of 3/12 pitched roofs (Exhibit B). Staff find that a majority of the existing manufactured homes in the vicinity also consist of 3/12 pitched roof. Staff find this variance request is not a self-imposed hardship, or a negligent or knowing violation of the City of Nehalem Ordinance. This criterion is met.

(E) The variance requested is the minimum variance which would alleviate the hardship.

Findings: The applicant is requesting a Variance request to reduce the required roof pitch for a manufactured dwelling to be sited on the subject property, from a nominal pitch of four (4) feet in height for each twelve (12) feet in width (4/12 pitch) to a nominal three (3) feet in height for each twelve (12) feet in width (3/12 pitch) (Exhibit B). Staff find a variance request is the minimum variance requested. This criterion is met.

IV. DECISION: APPROVED WITH CONDITIONS

Staff concludes, based on the findings of fact and other relevant information in the record, that applicant has satisfied/or is able to satisfy through the Conditions of Approval the applicable ordinance requirements related to applicant’s request to reduce the required street side-yard setback along the easterly boundary of the subject property to 10-feet, and therefore, approves the request to reduce the street-side yard setback to 10-feet subject to the provisions in Section V below.

By accepting this approval, the applicants/property owners agree to indemnify, defend, save and hold harmless Tillamook County, and its officers, agents, and employees from any claim, suit, action or activity undertaken under this approval, including construction under a Building Permit approved subject to this approval. The applicants/property owners shall obtain all of the necessary local, state, and federal permits and comply with all applicable regulations for the proposed building site.

This decision may be appealed to the Tillamook County Planning Commission, who will hold a public hearing. Forms and fees must be filed in the office of this Department before **4:00 PM on December 30, 2024.**

V. CONDITIONS OF APPROVAL:

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. Variance approval is for a 3/12 roof pitch on a manufactured dwelling to be sited on the subject property. The manufactured dwelling shall otherwise comply with applicable development standards contained in the City of Nehalem Development Ordinance Section 157.422 – Manufactured Homes on Individual Lots.
3. The applicant/property owner shall obtain an approved consolidated Building and Zoning Permit from the Tillamook County Department of Community Development.
4. The applicant/property owner shall submit a site plan drawn to scale confirming all required yard setbacks are met at the time of consolidated Building and Zoning Permit application submittal.
5. The applicant/property owner shall submit updated service provided letters from the Nehalem Bay Fire and Rescue, Nehalem Bay Wastewater and Nehalem Water District at the time of consolidated Building and Zoning Permit application submittal.
6. The applicant/property owner shall submit an approved zoning letter from the City of Nehalem and all evidence to the Department of Community Development confirming the following:
 - (a) Development of the property adheres to applicable development standards contained in the City of Nehalem Development Ordinance Section 157.205 - Mixed Density Residential (RM) Zone.
 - (b) Development of the property adheres to applicable development standards contained in the City of Nehalem Development Ordinance Section 157.422 – Manufactured Homes on Individual Lots.
 - (c) Development of the property adheres to the development standards contained in the City of Nehalem Development Ordinance Section 157.440. Demonstration of compliance shall be provided at the time of Consolidated Zoning/Building Permit submittal, including submittal of a Geologic Hazard Report to the Department of Community Development, if required.
7. This approval shall be void on December 17, 2026, unless construction of approved plans has begun, or an extension is requested from, and approved by this Department.

VI. EXHIBITS:

All Exhibits referenced herein are, by this reference, made a part hereof:

- A. Vicinity map, Assessor’s map, Zoning map, Assessor’s Summary Report,
- B. Applicant/Property Owner’s Submittal
- C. Public Comments
- D. Site visit photos

EXHIBIT A

NEHALEM, OREGON

CITY ZONING MAP

DRAFT

- A1 - Low Density Residential, Agricultural, Forestry and Recreation
- R - Low Density Residential
- RM - Residential Medium Density
- RL - Residential Single-Family
- C - Commercial
- LM - Light Manufacturing
- EC1 - Ecology Conservation
- EC2 - Ecology Conservation
- F - Public Land
- Nehelem City Limits
- Nehelem Urban Growth Boundary



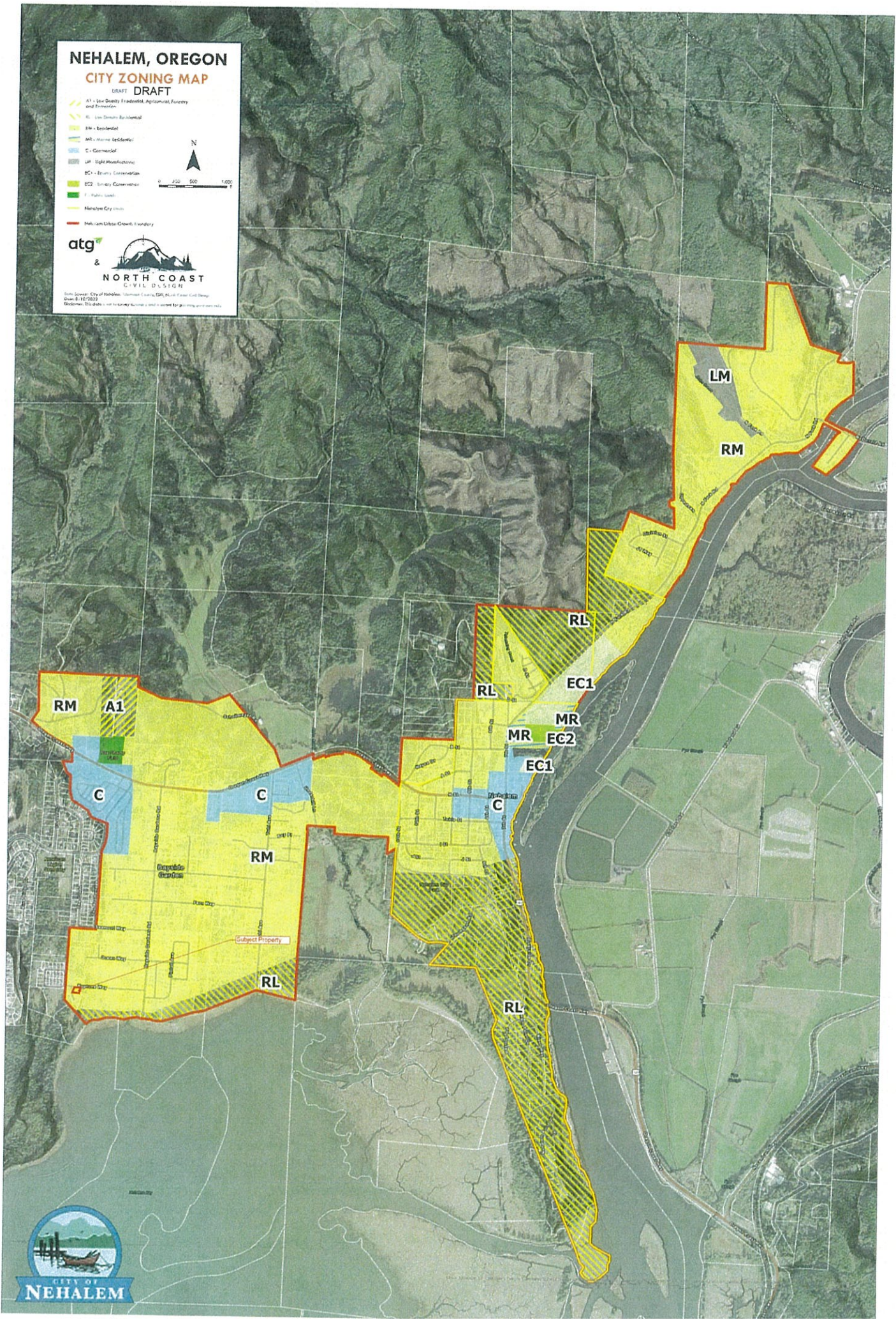
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atg



NORTH COAST
CIVIL DESIGN

Scale: 1" = 100' (City of Nehelem, Urban Growth Boundary, UGB, Nehelem Urban Growth Boundary, UGB, 8/10/2012)
Disclaimer: This data is not to be used for any purpose other than for planning purposes only.



Tillamook County
2024 Real Property Assessment Report
 Account 405744

Map 3N1033BA01818
 Code - Tax ID 5623 - 405744

Tax Status Assessable
 Account Status Active
 Subtype NORMAL

Legal Descr NEPTUNE PLACE
 Lot - 17

Mailing TNJ INVESTMENTS, LLC
 PO BOX 1231
 LONGVIEW WA 98632

Deed Reference # 2024-2012
 Sales Date/Price 05-15-2024 / \$118,500
 Appraiser ROBERT BUCKINGHAM

Property Class 100 MA SA NH
 RMV Class 100 02 ST 201

Site	Situs Address	City
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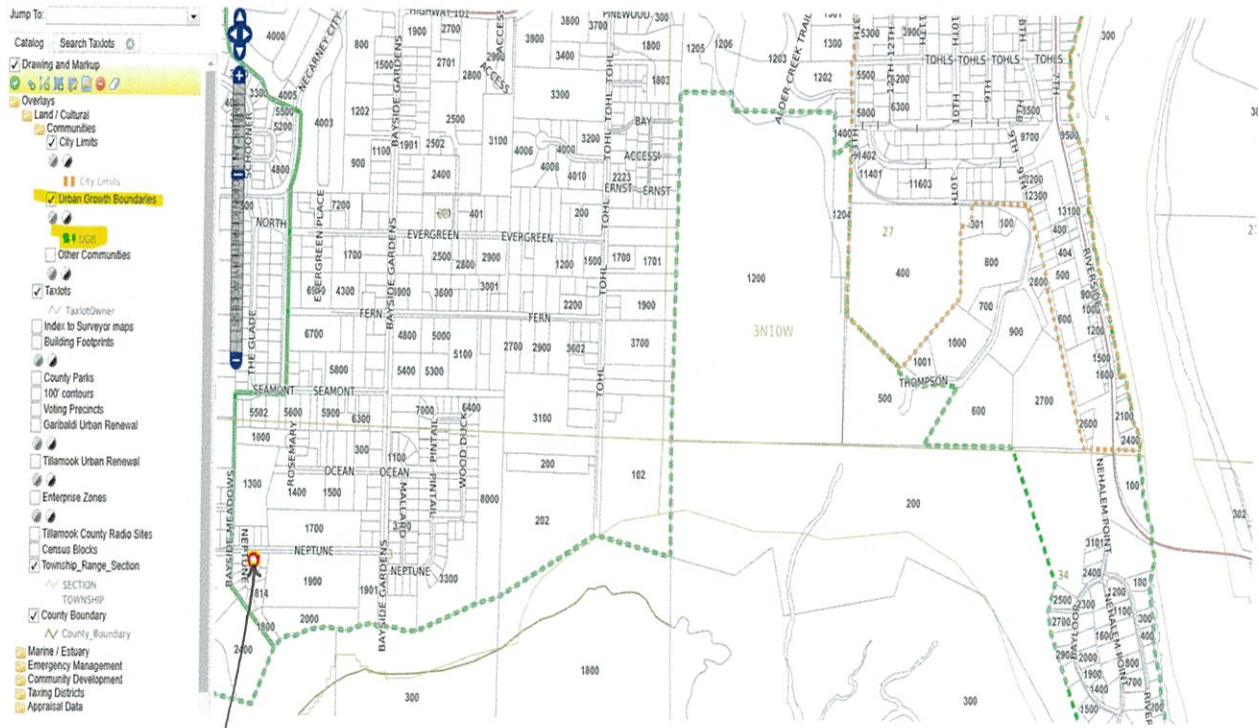
Value Summary						
Code Area		RMV	MAV	AV	RMV Exception	CPR %
5623	Land	95,810		Land	0	
	Impr	0		Impr	0	
Code Area Total		95,810	48,840	48,840	0	
Grand Total		95,810	48,840	48,840	0	

Land Breakdown									
Code Area	ID #	RFPD	Ex	Plan Zone	Value Source	Trend %	Size	Land Class	Trended RMV
5623	0	<input checked="" type="checkbox"/>		NH-R3	Market	119	0.12 AC		95,810
Code Area Total							0.12 AC		95,810

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

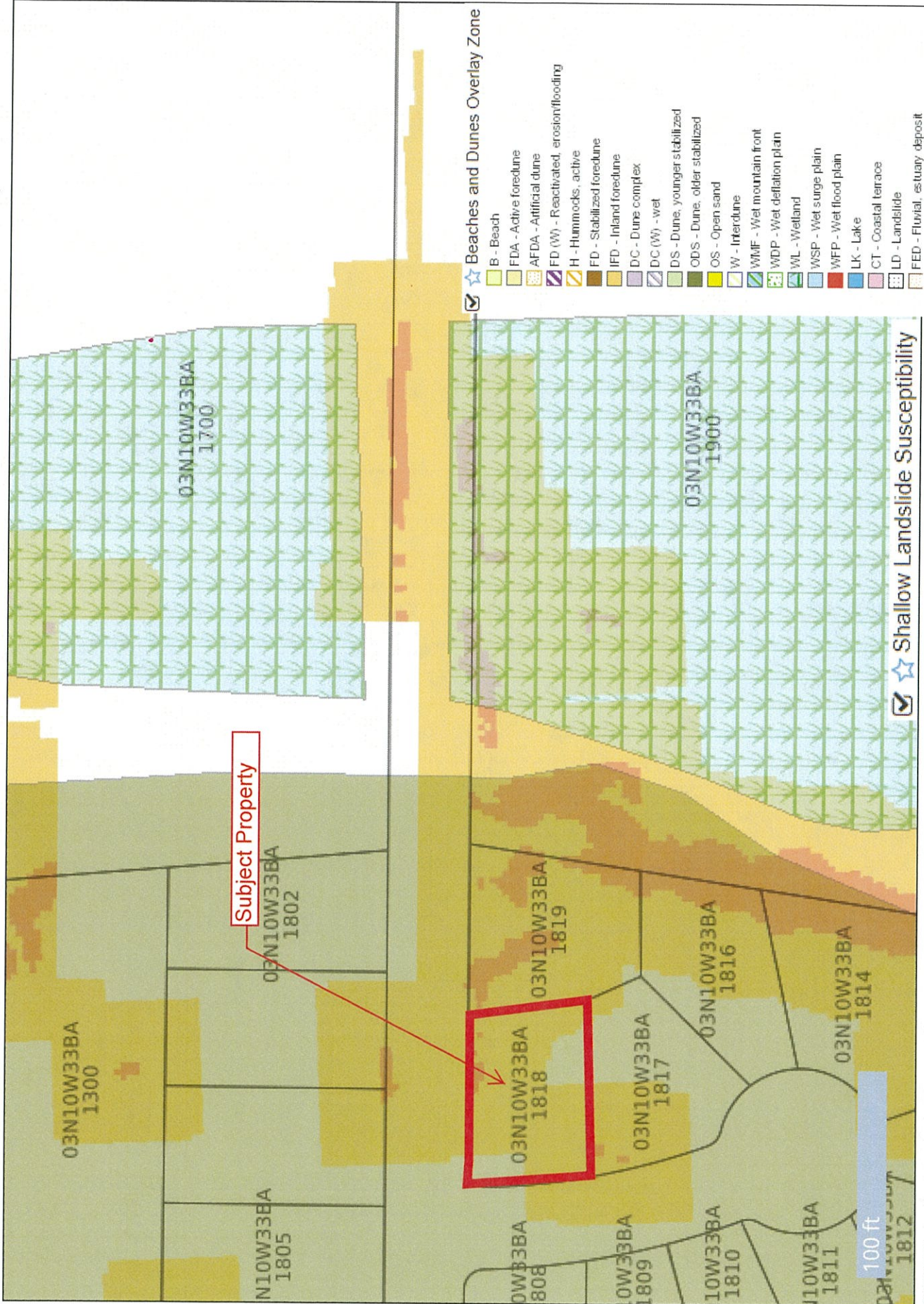
Comments 04/17/15 Reappraised land; tabled values. RBB

Urban Growth Boundary



Subject Property

Hazard Map



Disclaimer: The spatial information hosted at this website was derived from a variety of sources. Care was taken in the creation of these themes, but they are provided "as is". The state of Oregon, or any of the data providers cannot accept any responsibility for errors, omissions, or positional accuracy in the digital data or underlying records. There are no warranties, expressed or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying any of these products. However, notification of any errors would be appreciated. The data are clearly not intended to indicate the authoritative location of property boundaries, the precise shape or contour of the earth or the precise location of fixed works of humans.

National Flood Hazard Layer FIRMette

123°55'26"W 45°42'45"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

- OTHER AREAS OF FLOOD HAZARD**
- 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

- NO SCREEN
- Area of Minimal Flood Hazard. *Zone X*
- Effective LOMRs
- Area of Undetermined Flood Hazard. *Zone D*

GENERAL STRUCTURES

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

OTHER FEATURES

- 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

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

OTHER FEATURES

- Digital Data Available
- No Digital Data Available
- Unmapped

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

OTHER FEATURES

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- No Digital Data Available
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MAP PANELS

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- No Digital Data Available
- Unmapped

OTHER FEATURES

- Digital Data Available
- No Digital Data Available
- Unmapped

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped



123°54'48"W 45°42'19"N

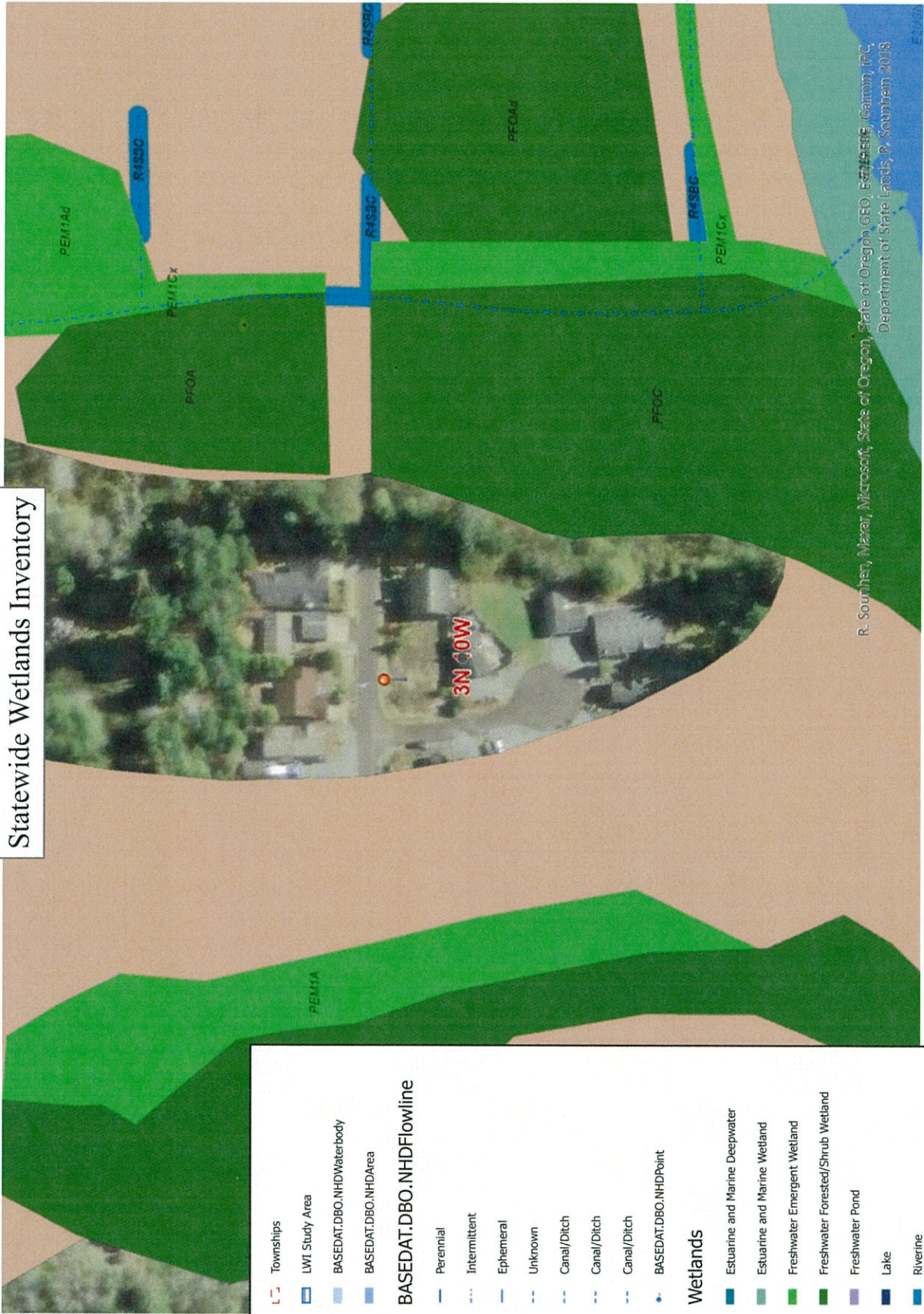
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 10/14/2024 at 5:34 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.

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

Statewide Wetlands Inventory



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



The Statewide Wetlands Inventory (SWI) represents the best data available at the time this map was published and is updated as more information becomes available. An onsite investigation by a wetland professional can verify actual field conditions.

1:2,257

<https://www.oregon.gov/dal/WWP/Pages/SWI.aspx>

Date: 10/14/2024



State of Oregon
 Department of State Lands
 775 Summer Street, NE, Ste. 100
 Salem, OR 97301-1279



R. Southern, Maxar, Microsoft, State of Oregon, State of Oregon GEO, ESTHEREE, Garmin, IPC,
 Department of State Lands, P. Southern 2018

EXHIBIT B



Tillamook County Department of Community Development
 1510-B Third Street, Tillamook, OR 97141 | Tel: 503-842-3408 Fax: 503-842-1819
www.co.tillamook.or.us

PLANNING APPLICATION

OFFICE USE ONLY	
RECEIVED	
Date Stamp: 8/23/24	
BY: <u>email</u>	
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by:	
Receipt #: <u>139971</u>	
Fees: <u>1,575.00</u>	
Permit No: <u>851-24-00026-PLNG</u>	

Applicant (Check Box if Same as Property Owner)

Name: Spencer Boudreau Phone: 360 751 3982
 Address: PO Box 1231
 City: LONGVIEW State: WA Zip: 98632
 Email: spencer@w03.construction

Property Owner

Name: TNU Investments LLC Phone:
 Address: 1119 11TH AVENUE
 City: LONGVIEW State: WA Zip: 98632
 Email: carter@w03.construction

Request: Requesting a variance on the requirement to have a 4/12 roof pitch and be allowed to have a 3/12 roof pitch. 3/12 is standard on manufactured homes and present on most adjacent homes.

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: 1818 Neptune Court, Nehalem, OR
 Map Number: 3N1033 BA 01818

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.

WELLER DAVIS
 Property Owner Signature (Required)

9/25/24
 Date

[Signature]
 Applicant Signature

8/23/2024
 Date

Thursday, September 19, 2024

Dear Planner,

Please consider our letter requesting variance on Nehalem Code of Ordinances 157.422.02 General Standards on Manufactured Homes, section G, which reads as follows:

“(G) Roofing. The manufactured home must have a composition asphalt, fiberglass, shake, or tile roof with a nominal pitch of four feet in height for each twelve 12 feet in width.”

Per Nehalem Code of Ordinances 157.506.06, respectfully we request variance to allow us to build a manufactured home on the site we own and have requested permits for at 1818 Neptune Court in Nehalem with a roof pitch of three feet in height for each 12 feet in width as is standard on most non-custom, non-luxury manufactured homes, and a feature of every surrounding manufactured home in the neighborhood. Our reasons and justifications are outlined below by each criteria.

(A) Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, legally existing prior to the date of this Ordinance, topography, or other circumstances over which the applicant has no control.

Certain circumstances exist here regarding the code for which we are requesting variance. The requirement of a 4/12 roof pitch is not standard to other communities and is a hindrance, the code changed very recently, and was not published in a standard manner online on code publishing as is standard, and was instead published as part of a PDF document that was not searchable or user friendly to find information and code changes on. The previous code allowing a 3/12 roof pitch as we are requesting was the previous code and is still the readily available code on code publishing but is not the current code.

Additionally, the City of Nehalem was willing to grant this variance pending approval at a Planning Committee meeting that was originally to be held earlier on August 16th, but was cancelled as it was then discovered by their staff that the variance needs to be granted through this staff review process through yourselves at the Tillamook County Building and Planning Department. We are grateful for the quick action in working with us on this.

(B) Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same vicinity or district.

Other adjacent property owners on nearly all adjacent properties in the neighborhood have been able to build and enjoy manufactured homes with a standard 3/12 roof pitch, with no issue or impact to anyone. They are not being required to change the roof pitch of their homes nor are they being notified that their homes no longer meet code.

For multiple reasons listed below in the other conditions, requirement of a 4/12 roof pitch on this home adds cost without adding actual value, impacting our ability to utilize the property we have purchased in the same manner as we could if we did not need the variance.

(C) The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which property is located, or otherwise conflict with the objectives of any City plan or policy.

A 3/12 roof pitch as we are requesting is standard across most manufactured homes being built today. Additionally, changing to a 4/12 roof pitch as required in the ordinance would require the home to become custom and luxury from the manufacturer- whereas the standard home we seek to place here would be significantly less expensive than a stick-built home of the same size and scope, aiding in alleviating the affordable housing crisis and providing a housing option in a community which is in need of additional options.

The factory cost of the same home with a 4/12 roof pitch as the code requires increases nearly \$30,000 to almost \$160,000- significantly impacting our ability to deliver a new affordable housing option for home buyers by making the homes luxury homes instead, out of reach for most buyers and too expensive for the neighborhood. Additionally, the value change of spending the additional cost of making the home a luxury home with a 4/12 pitch would not translate to a resale of the same amount. A 4/12 roof pitch adds cost without adding value, impacting our ability to utilize the property we have purchased in the same manner as we could if we did not need the variance.

(D) That the special conditions and circumstances on which the application is based do not result from a self-imposed hardship or a negligent or knowing violation of this Ordinance by the applicant.

The manufacturer (and essentially all manufactures of the homes) building standard homes with a 3/12 roof pitch instead of a 4/12 roof pitch as the ordinance requires. The ordinance is new, passed within the last year, and is not standard or common in other cities. Additionally, many of the surrounding homes, constituting the neighborhood around the site we have purchased, would not be able to be built today if this new code requiring a 4/12 roof pitch had been in place at the time they were built. All adjacent homes were built between 1999 and 2007, making this a neighborhood of manufactured homes with a 3/12 roof pitch.

(E) The variance requested is the minimum variance which would alleviate the hardship.

The roof pitch variance is the only variance we are requesting. With this change we are able to build this home as we intend to and provide this new housing unit in the Nehalem community at a lower cost and more affordable rate than building this as a custom home with 4/12 roof pitch or building a new stick built home on the same site.

Please let me know if you have any questions.

Blessings,

Spencer Boudreau

Agent of TNJ Investments, LLC

PO Box 1231

Longview, WA 98632

360-751-3982

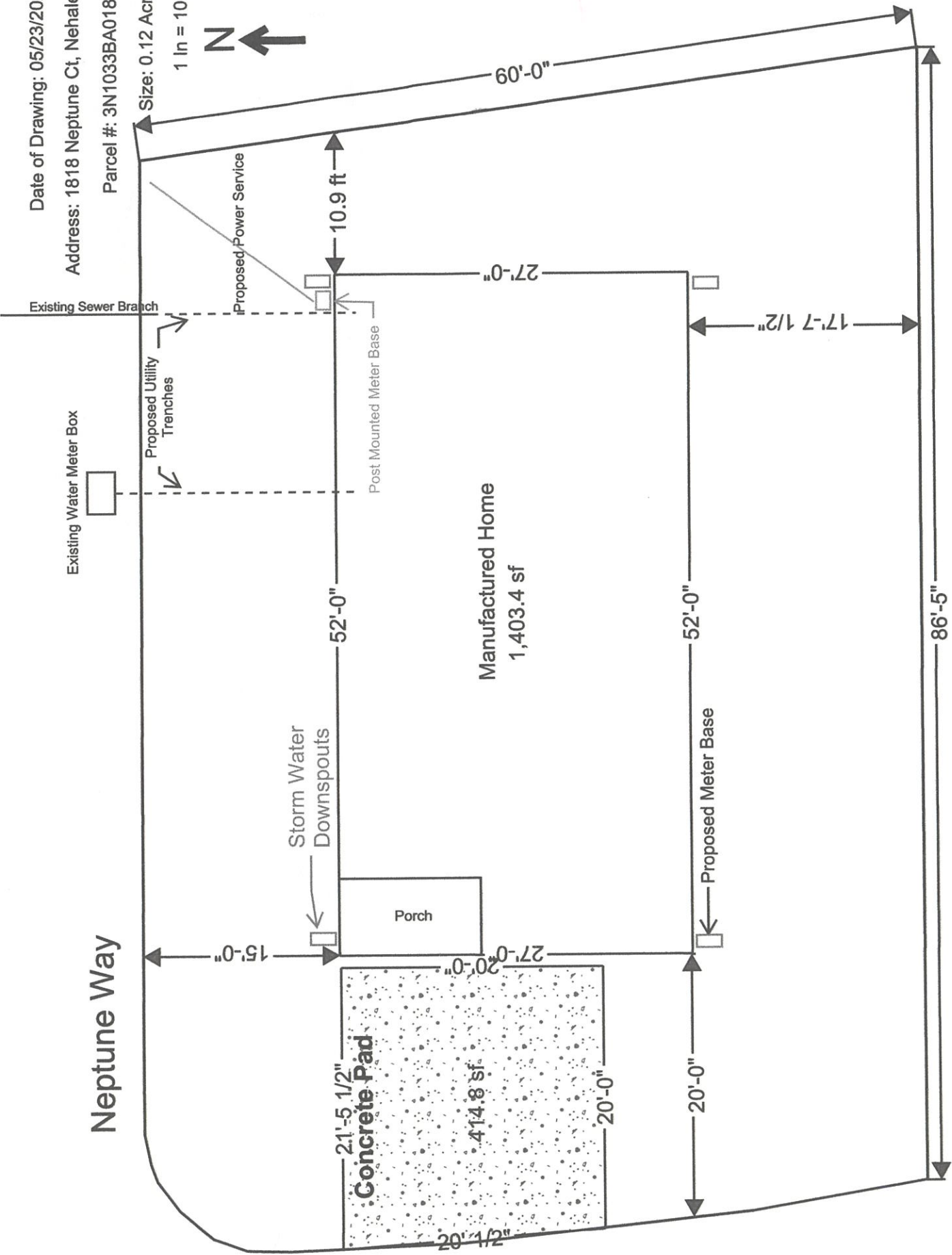






Date of Drawing: 05/23/2024
Address: 1818 Neptune Ct, Nehalem
Parcel #: 3N1033BA01818

Size: 0.12 Acres
1 in = 10 Ft



Neptune Way

Neptune Ct

Manufactured Home
1,403.4 sf

Concrete Pad
414.8 sf

Porch

EXHIBIT C

Sheila Shoemaker

From: Melissa Jenck
Sent: Monday, October 28, 2024 11:02 AM
To: Sheila Shoemaker
Subject: FW: EXTERNAL: Re: 851-24-000526-PLNG: Notice of Application

*** Please note that the Tillamook County domain has changed, and my email address is now Melissa.Jenck@tillamookcounty.gov Please update your contact information as needed. Thank you. ***



Melissa Jenck (she/her) | Senior Planner
TILLAMOOK COUNTY | Community Development
1510-B Third Street
Tillamook, OR 97141
Phone (503) 842-3408 x 3301
Melissa.Jenck@tillamookcounty.gov

My working hours are 7:00am to 5:30pm, Tuesday thru Friday.

This e-mail is a public record of Tillamook County and is subject to the State of Oregon Retention Schedule and may be subject to public disclosure under the Oregon Public Records Law. This e-mail, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please send a reply e-mail to let the sender know of the error and destroy all copies of the original message.

Any opinion or advice provided herein is informational only and is based on any information specifically provided or reasonably available, as well as any applicable regulations in effect on the date the research was conducted. Any opinion or advice provided herein may be revised, particularly where new or contrary information becomes available, or in response to changes to state law or administrative rule, future legislative amendments of Tillamook County's Land Use Ordinance, Land Division Ordinance and Comprehensive Plan, decisions of courts or administrative tribunals, or quasi-judicial land use decisions.

This is not a land use decision as defined by Oregon Revised Statutes 197.015(10).

The Department is excited to announce that we are OPEN to the public by appointment. To review the list of services provided and to schedule an appointment with us, please visit <https://www.tillamookcounty.gov/commdev> to access the appointment scheduler portal.

From: Walt Wendolowski <walt@wjwplan.com>
Sent: Thursday, October 24, 2024 1:34 PM
To: Melissa Jenck <Melissa.Jenck@tillamookcounty.gov>; Lori Longfellow <llongfellow@nehalem.gov>
Subject: EXTERNAL: Re: 851-24-000526-PLNG: Notice of Application

[NOTICE: This message originated outside of Tillamook County -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Melissa

We have no comment and see no reason not to approve.

Walt

Sheila Shoemaker

From: Melissa Jenck
Sent: Monday, October 28, 2024 11:02 AM
To: Sheila Shoemaker
Subject: FW: 851-24-000526-PLNG: Notice of Application

*** Please note that the Tillamook County domain has changed, and my email address is now Melissa.Jenck@tillamookcounty.gov Please update your contact information as needed. Thank you. ***



Melissa Jenck (she/her) | Senior Planner
TILLAMOOK COUNTY | Community Development
1510-B Third Street
Tillamook, OR 97141
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Any opinion or advice provided herein is informational only and is based on any information specifically provided or reasonably available, as well as any applicable regulations in effect on the date the research was conducted. Any opinion or advice provided herein may be revised, particularly where new or contrary information becomes available, or in response to changes to state law or administrative rule, future legislative amendments of Tillamook County's Land Use Ordinance, Land Division Ordinance and Comprehensive Plan, decisions of courts or administrative tribunals, or quasi-judicial land use decisions.

This is not a land use decision as defined by Oregon Revised Statutes 197.015(10).

The Department is excited to announce that we are OPEN to the public by appointment. To review the list of services provided and to schedule an appointment with us, please visit <https://www.tillamookcounty.gov/commdev> to access the appointment scheduler portal.

From: Brian Olle <brian.olle@tillamookcounty.gov>
Sent: Tuesday, October 15, 2024 7:30 AM
To: Melissa Jenck <Melissa.Jenck@tillamookcounty.gov>
Cc: Sarah Thompson <sarah.thompson@tillamookcounty.gov>
Subject: RE: 851-24-000526-PLNG: Notice of Application

Good Morning Melissa,

Public Works has no concerns with this variance request. The development has already been issued a road approach.

Thanks,

Brian Olle, P.E. | Engineering Project Manager
TILLAMOOK COUNTY | Public Works

EXHIBIT D



Tax lot 1803



Tax lot 1802



Tax lot 1805



Tax lot 1819

Tax lot 1807



Tax lot 1804



Box lot 1808



Box lot 1809





Top lot 1811



Far lot 1810



Tax lot 1813.



Tax lot 1812

Tax lot 1817



Tax lot 1814



157.205 MIXED DENSITY RESIDENTIAL – RM ZONE

157.205.01 Purpose

The Medium-Density Residential area, designated by the symbol "RM", is established to provide a variety of residential housing types and other uses that are, or can be, compatible with residential development.

157.205.02 Permitted Use

In a RM Zone, the following uses and their accessory uses are permitted outright:

- (A) Single-family housing.
- (B) Duplexes or two-family housing.
- (C) Multi-family housing (only with public sewer service).
- (D) Residential home and residential facility.
- (E) Park and publicly owned recreation area.

157.205.03 Special Uses

The following uses, when developed under the special development requirements, are permitted in the RM zone:

- (A) Property line adjustments, subject to provisions in Section 157.502.
- (B) Partitions, subject to provisions in Section 157.404.
- (F) Subdivisions, subject to provisions in Section 157.404.
- (G) Planned Developments, subject to provisions of Section 157.405.
- (H) Cottage cluster development, subject to provisions of Section 157.406.
- (I) Single family attached home, subject to provisions in Section 157.421.
- (J) Manufactured homes on individual lots, subject to provisions in Section 157.422.
- (K) Home occupations, subject to provisions in Section 157.426.
- (L) Residential accessory structures, subject to provisions in Section 157.425.
- (J) Short-term rentals; subject to the provisions of Ordinance 2023-02, Short Term Rental Operating License Regulations.
- (K) Accessory dwelling units subject to provisions in Section 157.421.

- (L) Recreational vehicle as temporary residence during construction, subject to provisions in Section 157.427.

157.205.04 Conditional Uses

In the RM Zone, the following conditional uses and their accessory uses are permitted provided a public sewer is available to serve the facilities. In addition, subject to provisions in Section 157.507 of this Chapter:

- (A) House of worship or community meeting hall.
- (B) Golf course, private parks.
- (C) Hotels, resorts, motels; including related facilities such as restaurant, gift shop, meeting rooms, recreation facilities and similar uses.
- (D) Bed and breakfast enterprise, subject to provisions in Section 157.429; boarding, lodging or rooming house.
- (E) Manufactured dwelling park, subject to provisions in 157.423.
- (F) Recreational vehicle park, subject to provisions in 157.424.
- (G) Clinics.
- (H) Plant nursery.
- (I) Government structure.
- (J) Public utility structures, such as a utility substation.
- (K) Radio or television transmitting tower.
- (L) Schools and day care centers.
- (M) Public and private schools, colleges.
- (N) Cemetery.
- (O) Nursing home, assisted living facility, care home and similar types of facilities.

157.205.05 Dimensional Standards

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

- (A) Minimum Lot Size
 - 1. Single Family Home
 - a. Attached – 4,000 square feet.
 - b. Detached – 5,000 square feet.

2. Duplex – 5,000 square feet.
 3. Multi-family – 10,000 square feet for the first three units, 2,500 square feet for each additional unit.
 4. Manufactured Home Park – 1.0 acre
 5. RV Park – 2.0 acres.
 6. 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 lot - 60 feet along each street frontage.
 2. Lot Depth – 85 feet.
- (C) Minimum Setback (Residential):
1. Front Yard – 15 feet.
 2. Street Side Yard – 15 feet.
 3. Side Yard – 5 feet minimum; 12-feet both sides combined.
 4. Rear Yard – 15-feet; corner lot may be 10-feet.
- (D) 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.
- (E) Maximum Building Height - The maximum building height shall be 30-feet; except that, building heights of up to 35 feet may be authorized for conditional uses as part of the conditional use review and approval process.
- (F) Maximum Lot Coverage:
1. Single Family Home
 - a. Attached – 70%
 - b. Detached – 60%
 2. Duplex – 60%
 3. Multi-family – 60%
- (G) Dimensional standards for Planned Developments shall comply with provisions in Section 157.405; dimension standards for Cottage Cluster Developments shall comply with provisions in Section 157.406.

157.205.06 Development Standards

All development in the RM Zone shall comply with the applicable provisions of this Chapter. The following references additional development requirements:

- (A) Off-street Parking. Parking, driveway and loading improvements shall comply with provisions in Section 157.403.

- (B) Signs. Signs in the RM zone shall conform to the standards contained in Section 157.409.
- (C) Yards and Lots. Yards and lots shall conform to provisions contained in Section 157.443.
- (D) Fencing. Fences shall conform to provisions contained in 157.444.
- (E) Shoreline and Aquatic Area. Development shall be in accordance with the provisions in Section 157.441.
- (F) Buffers Adjacent to the EFU Zone. Property adjacent to EFU zoned land shall be subject to provisions in Section 157.442.
- (G) Exterior Lighting. Any exterior lighting, including lights attached to a building, shall not shine directly on adjacent residential property.
- (H) Other. A property owner is advised other regulations may apply for property in the floodplain (Section 157.210) and geological hazard areas (Section 157.440). In addition, new uses and significant expansions may be subject to a Site Development Review (Section 157.508).

157.422 MANUFACTURED HOMES ON INDIVIDUAL LOTS

157.422.01 Scope

The provisions of this Chapter apply to all manufactured homes sited on individual lots in the City of Nehalem. Manufactured homes sited in approved mobile/manufactured home parks or manufactured home subdivisions are not affected by provisions in this Section.

157.422.02 General Standards

Where manufactured homes are permitted on individual lots, the following general standards shall apply. These standards are in addition to the minimum lot area, setback, and height standards of the underlying zone.

- (A) Size. The manufactured home shall be multi-sectional (single-wide" homes are prohibited) and have at least 1,000 square feet of gross floor area.
- (B) Performance Standards. The exterior thermal envelope must meet the standards specified by State law for single family dwellings, as defined in ORS 455.010.
- (C) Removal of Towing Equipment. All towing hitches, wheels, running lights, and other towing related equipment shall be removed within 30 days after installation of the manufactured home.
- (D) Foundations. The manufactured home shall be placed on an excavated and back filled foundation with no more than 12 inches of enclosing material exposed above grade. Where the building site has a sloped grade, no more than 12 inches of the inclosing material shall be exposed on the uphill side of the home. If the home is placed on a basement, the 12-inch limitation shall not apply. The 12-inch limitation shall not apply if the requirements of the Flood Hazard District mandate that the home be elevated more than 12 inches above grade. The foundation shall meet building code and Flood Hazard Area (if applicable) standards. The base of the manufactured home shall be enclosed continuously at the perimeter with either concrete, concrete block, brick, stone, or a combination thereof.
- (E) Utilities. The manufactured home shall be provided with storm drainage, sanitary sewer, electric, telephone, and potable water utility services with easements dedicated where necessary to provide such services. All such utilities shall be located underground unless waived by the City Building Official where underground service would require an exception to local prevalent conditions. Manufactured homes shall not be occupied purposes unless connected to local water, sewer, and electrical systems.
- (F) Historical Sites. No manufactured home shall be located on property containing a historic landmark, or on a lot or parcel immediately adjacent to property containing a historic landmark. For this Chapter, a historic landmark is property designated by the Nehalem Comprehensive Plan as containing a significant historical resource.

157.425 RESIDENTIAL ACCESSORY STRUCTURES

157.425.01 Single Family and Duplex Residences

Residential accessory structures for attached or detached single family homes and duplexes, excluding Accessory Dwelling Units as defined in Section 157.421, shall comply with all requirements for a principal structure, except where specifically modified by this section. Accessory structures shall not be used for human habitation and shall comply with the following standards:

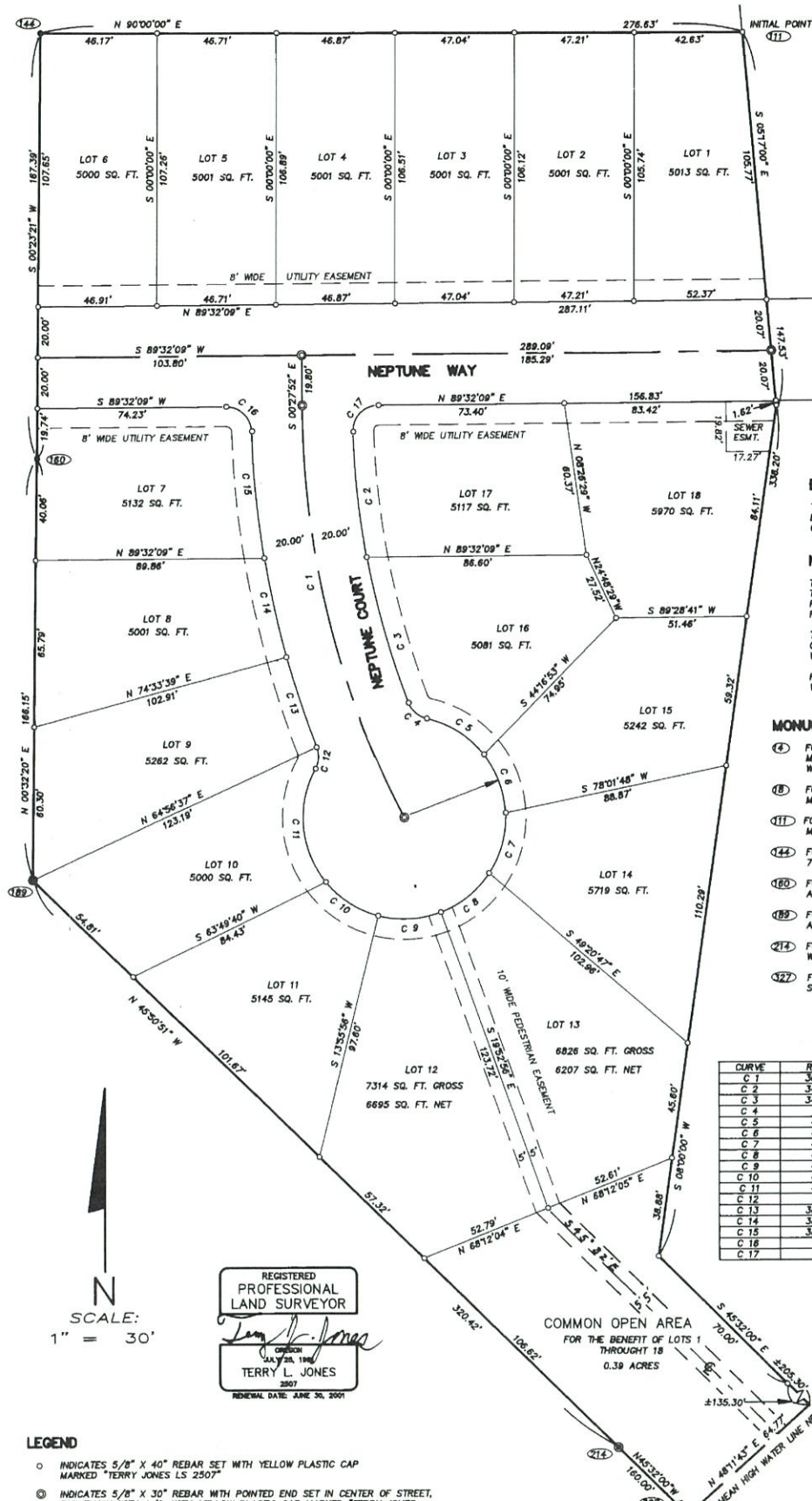
- (A) Dimensions and Design Requirements. Residential accessory structures shall be subject to the following requirements:

Residential Accessory Structures Standards				
Structure Size #1.	Exterior Finish	Location on Property	Setbacks (side and rear)	Maximum Height*
Up to 200 sf	No Requirements	Side or Rear Yard	3 feet	10 feet
200-1,000 sf	#2.	Side or Rear Yard	10 feet	15 feet
Over 1,000 sf	#2.	Side or Rear Yard	10 feet	20 feet
* Measured from the roof line.				
Notes:				
#1. Up to 10,000 square feet of lot size, maximum accessory structure size is 1,000 square feet; over 10,000 square feet of lot size, the structure may be increased an additional 100 square feet for each 1,000 square feet of lot size.				
#2. For any accessory structure located on a lot of 1.0 acre or less, the exterior siding shall have the same general materials as the primary dwelling. Otherwise, there are no restrictions.				

- (B) Setbacks. Accessory structures shall comply with the following setbacks:
1. Front and/or Street Side Yard: Follow requirements of underlying zone.
 2. Side Yard: see table in (A).
 3. Rear Yard: see table in (A).
 4. Accessory structures shall be detached from all other buildings by at least six feet.
- (C) Lot and Yard Coverage. Total lot coverage standards as required per the underlying zone also apply to all accessory structures, including those not requiring a building permit. Accessory structures shall not occupy more than 30% of the required yard area.
- (D) Multiple Accessory Structures. There shall be no limit to the number of structures, provided the structures in combination comply with the area coverage requirements. When there is more than one accessory structure within a yard, all provisions in this Chapter shall apply and shall be based on the total square footage of all accessory structures within the yard.

NEPTUNE PLACE

SHEET 2 OF 2



BASIS OF BEARING

THE LINE FOUND MONUMENTS (14) AND (18) BEARS NORTH 89° 46' 00" EAST, THE RECORD BEARING FROM MAP C-123, THE PLAT OF BAYSIDE GARDENS.

NARRATIVE

THIS SURVEY WAS CONDUCTED AS A DEPENDENT SURVEY OF THE KESTERSON TRACT AS DESCRIBED IN BOOK 369, PAGE 222, TILLAMOOK COUNTY DEED RECORDS. THE PURPOSE OF THIS SURVEY IS TO PLAT THE SUBJECT PARCEL INTO 18 LOTS AS SHOWN HEREON.

THE EAST LINE OF THE SUBJECT TRACT IS THE WEST LINE OF THE PLAT OF BAYSIDE GARDENS. THE WEST LINE OF THE PLAT OF BAYSIDE GARDENS WAS LAID OUT AT RECORD BEARINGS AND DISTANCES FROM MONUMENT (14).

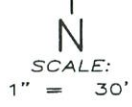
HELD MONUMENTS (44), (16), (18) AND (21) FOR THE WEST LINE OF THE SUBJECT PARCEL.

MONUMENT NOTES

- (4) FOUND 5/8" REBAR WITH PLASTIC CAP STAMPED "LS 1205", SEE MAP B-933, HELD FOR NORTHWEST CORNER OF OCEAN WAY, ON THE WEST LINE OF THE PLAT OF BAYSIDE GARDENS.
- (18) FOUND 5/8" REBAR WITH PLASTIC CAP STAMPED "LS 1205", SEE MAP A-4213, HELD FOR BASIS OF BEARINGS.
- (11) FOUND 5/8" REBAR WITH PLASTIC CAP STAMPED "A. DUNCAN LS 793", SEE MAP A-6927, AT POSITION, DESTROYED DURING CLEARING, SET NEW MONUMENT.
- (44) FOUND 5/8" REBAR WITH PLASTIC CAP STAMPED "A. DUNCAN LS 793", SEE MAP A-6927, AT POSITION.
- (16) FOUND 5/8" REBAR WITH PLASTIC CAP STAMPED "LS 287", SEE MAP A-2823, AT POSITION.
- (18) FOUND 1 1/2" IRON PIPE WITH WOOD PLUG AND NAIL, TOP 0.4' ABOVE GROUND, SEE MAP A-918, HELD.
- (21) FOUND 1 1/2" IRON PIPE WITH WOOD PLUG AND NAIL, TOP FLUSH WITH THE GROUND, SEE MAP A-1543, HELD.
- (32) FOUND 1/2" IRON PIPE WITH WOOD PLUG AND NAIL, TOP 0.5' ABOVE GROUND, SEE MAP A-1543, NOT HELD, SOUTH 0.80' AND WEST 1.90' OF POSITION.

CURVE TABLE

CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C 1	360.00'	169.00'	167.45'	S 13°54'47" E	26°53'51"
C 2	340.00'	49.79'	48.75'	N 08°25'58" W	08°23'28"
C 3	340.00'	59.82'	59.74'	S 15°40'07" E	10°04'49"
C 4	10.00'	9.97'	9.47'	S 49°39'24" E	56°31'44"
C 5	40.00'	27.15'	26.63'	N 57°47'27" W	38°53'58"
C 6	40.00'	25.00'	24.59'	S 20°28'20" E	35°48'35"
C 7	40.00'	25.00'	24.59'	S 15°22'15" W	35°48'35"
C 8	40.00'	25.00'	24.60'	S 51°10'50" W	35°48'35"
C 9	40.00'	25.00'	24.59'	N 88°59'25" E	35°48'35"
C 10	40.00'	25.00'	24.59'	S 57°12'00" E	35°48'35"
C 11	40.00'	47.60'	44.84'	S 05°12'11" E	68°11'03"
C 12	10.00'	8.75'	8.47'	N 03°49'24" E	50°07'54"
C 13	380.00'	37.46'	37.44'	N 18°25'07" W	05°38'51"
C 14	380.00'	40.10'	40.08'	S 12°54'19" E	06°02'46"
C 15	380.00'	50.30'	50.28'	S 05°43'24" E	07°35'04"
C 16	10.00'	15.45'	13.96'	S 48°13'00" E	88°30'14"
C 17	10.00'	16.02'	14.36'	N 43°39'05" E	91°46'41"



REGISTERED PROFESSIONAL LAND SURVEYOR
 TERRY L. JONES
 RENEWAL DATE: JUNE 30, 2001

- ### LEGEND
- INDICATES 5/8" X 40" REBAR SET WITH YELLOW PLASTIC CAP MARKED "TERRY JONES LS 2507"
 - INDICATES 5/8" X 30" REBAR WITH POINTED END SET IN CENTER OF STREET, TOP FLUSH WITH A/C, WITH YELLOW PLASTIC CAP MARKED "TERRY JONES LS 2507"
 - INDICATES MONUMENT FOUND AS NOTED HEREON USED FOR CONTROL
 - INDICATES MONUMENT FOUND AS NOTED HEREON
 - ()¹ INDICATES RECORD VALUE MAP C-123, PLAT OF BAYSIDE GARDENS
 - ()² INDICATES RECORD VALUE MAP A-6927
 - ()³ INDICATES RECORD DEED VALUE, BOOK 369, PAGE 222
 - NO () INDICATES MEASURED VALUE

BY: **BAYSIDE SURVEYING**
 11765 HWY 101 SOUTH
 TILLAMOOK, OR. 97141
 (503) 842-5551

SUBDIVISION FOR:
STEVEN T. KESTERSON
 NEPTUNE PLACE
 NE1/4 NW1/4 SECTION 33, T3N, R10W, W.M.
 TILLAMOOK COUNTY

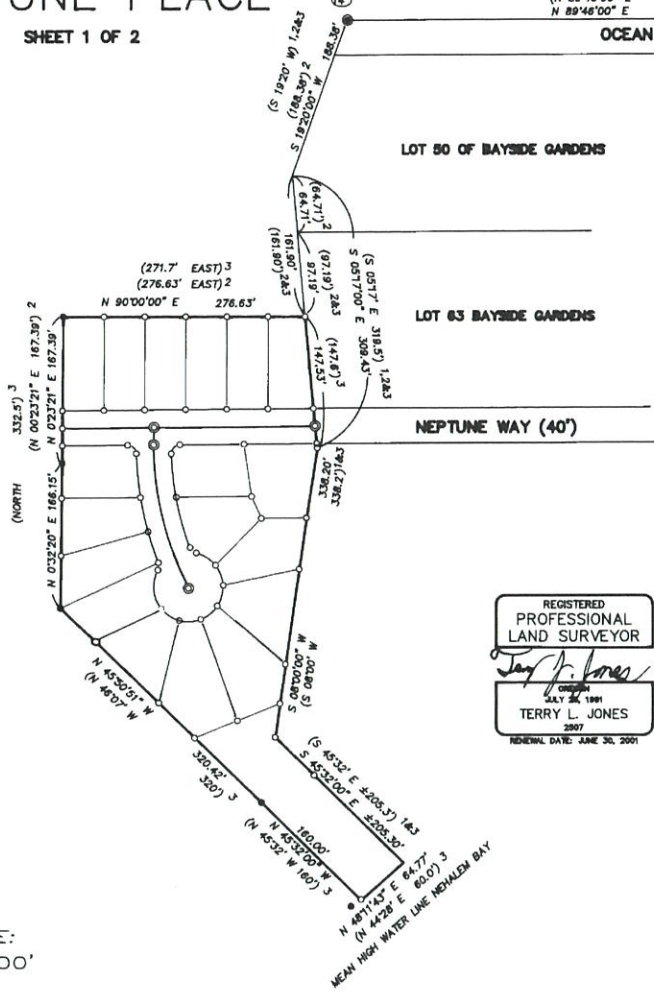
PAR: NEPTUNE.DWG
 LOT18.CRS DISK 4
 HAR 15 2000
 TILLAMOOK COUNTY SURVEYORS OFFICE

DATE	EQUIPMENT	FIELD	DRAWN	CHECKED	JOB NO.
APRIL 22, 1999	TOPCON GTS-303 TDS 480	TLJ/C.H	C.H	TLJ	653

NEPTUNE PLACE

SHEET 1 OF 2

BASIS OF BEARING
(N 89°48'00" E 832.31' 1&2
N 89°48'00" E 832.31'



REGISTERED
PROFESSIONAL
LAND SURVEYOR
Jay L. Jones
TERRY L. JONES
2007
RENEWAL DATE: JUNE 30, 2009

NOTE:

POWERLINE EASEMENT DESCRIBED IN BOOK 98, PAGE 518, TILLAMOOK COUNTY DEED RECORDS, DOES NOT PERTAIN TO THIS PROPERTY. THERE ARE NO POWER POLES OR ANCHORS ON THIS PROPERTY. THERE IS AN OVERHEAD POWER LINE ON THE ADJACENT PROPERTY TO THE WEST.

LEGEND

- INDICATES 5/8" X 40" REBAR SET WITH YELLOW PLASTIC CAP MARKED "TERRY JONES LS 2507"
- ⊙ INDICATES 5/8" X 30" REBAR WITH POINTED END SET IN CENTER OF STREET, TOP FLUSH WITH A/C, WITH YELLOW PLASTIC CAP MARKED "TERRY JONES LS 2507"
- INDICATES MONUMENT FOUND AS NOTED HEREON USED FOR CONTROL
- INDICATES MONUMENT FOUND AS NOTED HEREON
- ()¹ INDICATES RECORD VALUE MAP C-123, PLAT OF BAYSIDE GARDENS
- ()² INDICATES RECORD VALUE MAP A-6927
- ()³ INDICATES RECORD DEED VALUE, BOOK 369, PAGE 222
- NO () INDICATES MEASURED VALUE

SURVEYOR'S CERTIFICATE

I, TERRY L. JONES, CERTIFY THAT:

I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS, THE LAND AS REPRESENTED ON THE ATTACHED PARTITION MAP, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8" REBAR WITH YELLOW PLASTIC CAP STAMPED "TERRY JONES LS 2507" AT THE NORTHEAST CORNER OF THE KESTERSON TRACT AS DESCRIBED IN BOOK 369, PAGE 222, TILLAMOOK COUNTY DEED RECORDS, ON THE WEST LINE OF THE PLAT OF BAYSIDE GARDENS, BEING THE INITIAL POINT;

THENCE ALONG THE WEST LINE OF THE PLAT OF BAYSIDE GARDENS, SOUTH 5° 17' 00" EAST, 147.53 FEET;

THENCE ALONG THE WEST LINE OF THE PLAT OF BAYSIDE GARDENS, SOUTH 8° 00' 00" WEST, 338.20 FEET;

THENCE ALONG THE WEST LINE OF THE PLAT OF BAYSIDE GARDENS, SOUTH 45° 32' 00" EAST, 205.30 FEET TO THE MEAN HIGH WATER LINE OF NEHALEM BAY;

THENCE ALONG THE MEAN HIGH WATER LINE OF SAID BAY, SOUTH 48° 11' 43" WEST 64.77 FEET;

THENCE NORTH 45° 32' 00" WEST 160.00 FEET TO A 1 1/2" IRON PIPE;

THENCE NORTH 45° 50' 51" WEST 320.42 FEET TO A 1 1/2" IRON PIPE;

THENCE NORTH 0° 32' 20" EAST 166.15 FEET TO A 5/8" REBAR WITH YELLOW PLASTIC CAP STAMPED "LS 287";

THENCE NORTH 0° 23' 21" EAST 167.39 FEET TO A 5/8" REBAR WITH YELLOW PLASTIC CAP STAMPED "A. DUNCAN LS 793";

THENCE EAST 276.63 FEET TO THE INITIAL POINT.

APPROVALS:

[Signatures]
TILLAMOOK COUNTY COMMISSIONER
TILLAMOOK COUNTY COMMISSIONER
TILLAMOOK COUNTY PLANNING COMMISSION CHAIRPERSON
TILLAMOOK COUNTY SURVEYOR
TILLAMOOK COUNTY ASSESSOR

ATTESTS BY: *[Signature]*
JOSEPHINE VELTRI, TILLAMOOK COUNTY CLERK

TAXES HAVE BEEN PAID IN FULL TO JUNE 30, 2000

[Signature]
TILLAMOOK COUNTY TAX COLLECTOR

DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT STEVEN T. KESTERSON, THOMAS P. CONNAUGHTON AND ANNELLE H. CONNAUGHTON, OWNERS OF THE LAND REPRESENTED ON THE ANNEXED MAP AND MORE PARTICULARLY DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE, AND HAVE CAUSED THE SAME TO BE PLATTED INTO 18 LOTS, STREET RIGHT-OF-WAY AND COMMON SPACE AS SHOWN ON THE ANNEXED MAP, TO BE KNOWN AS NEPTUNE PLACE, AND DO HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE EXTENSION OF NEPTUNE WAY AND NEPTUNE COURT, ALL EASEMENTS AS INDICATED HEREON, AND THE COMMON SPACE FOR THE USE INDICATED HEREON.

[Signature]
STEVEN T. KESTERSON

ACKNOWLEDGEMENT

STATE OF OREGON > S.S.
COUNTY OF TILLAMOOK >

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON SEPTEMBER 27 1999, BY (STEVEN T. KESTERSON).

[Signature]



[Signature]
THOMAS P. CONNAUGHTON

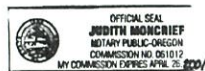
[Signature]
ANNELLE H. CONNAUGHTON

ACKNOWLEDGEMENT

STATE OF OREGON > S.S.
COUNTY OF TILLAMOOK >

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON SEPTEMBER 17 1999, BY (THOMAS P. CONNAUGHTON AND ANNELLE H. CONNAUGHTON).

[Signature]



CERTIFICATE OF COUNTY CLERK

STATE OF OREGON >
> S.S.
COUNTY OF TILLAMOOK >

I, JOSEPHINE VELTRI, DO HEREBY CERTIFY THAT I AM THE QUALIFIED CLERK OF TILLAMOOK COUNTY, OREGON AND THAT THIS COPY OF "NEPTUNE PLACE" IS THE FULL, COMPLETE AND TRUE COPY OF THE ORIGINAL PLAT OF SAME, AS RECORDED IN PLAT CABINET B-473-0 OF PLAT RECORDS OF TILLAMOOK COUNTY, OREGON RECORDED March 15, 2000 AT 12:02pm O'CLOCK, AS INSTRUMENT NO. 200015322.

BY: *[Signature]*
JOSEPHINE VELTRI

I, TERRY L. JONES, DO HEREBY CERTIFY THAT THIS IS A FULL, COMPLETE AND TRUE COPY OF THE ORIGINAL PLAT AS REFERENCED ABOVE.

[Signature]
TERRY L. JONES, PLS 2507

PAR\NEPTUNE.PDWG
LOT61BS.CRS DISK 4

SURVEY BY: BAYSIDE SURVEYING 11765 HWY 101 SOUTH TILLAMOOK, OR. 97141 (503) 842-5551		SUBDIVISION FOR: STEVEN T. KESTERSON NEPTUNE PLACE NE1/4 NW1/4 SECTION 33, T3N, R10W, W.M. TILLAMOOK COUNTY		HAR 15 2000 TILLAMOOK COUNTY CLERK'S OFFICE	
DATE	EQUIPMENT	FIELD	DRAWN	CHECKED	JOB NO.
APRIL 22, 1999	TOPCON GTS-303 TDS 480	TLJ/C.H	C.H	TLJ	653