

SURVEY OF THE NORTH AND EAST BOUNDARY OF ARCH CAPE PARK, CLATSOP COUNTY, OREGON. S.W. 1/4 SECTION 19, T4N, R10W, W.M.

DATE: 6/20/81

SCALE: 1" = 100'

NARRATIVE:

1. MONUMENTS REPORTED AS "FOUND" WERE FOUND BY ME IN JULY 1980, AND WERE RECORDED ON MY SURVEY OF LOT 6, BLOCK 2, ARCH CAPE PARK (COUNTY SURVEY B-2148).
2. COUNTY SURVEYS AA-6944 AND AA-6609 REPORT THE FOUND MONUMENTS AT THE S.W. CORNER OF LOT 4, AND THE N.W. COR. OF LOT 3, BLOCK 3 TO BE A REMNANT OF THE ORIGINAL LOT STAKES. THE MONUMENT AT THE N.W. CORNER OF LOT 3 IS BENT OVER AND WAS NOT USED. THE 1" IRON BAR FOUND AT THE N.E. CORNER OF BLOCK 1 WAS HELD AS MARKING THE CORRECT POSITION OF SAID CORNER BASED ON TIES GIVEN ON O.S. H.D.'S 1933 PLAT 1P-19-1B BY H.C. BROADWELL, RESIDENT ENGINEER.
3. ALL STREETS WERE GIVEN THEIR PLATTED WIDTHS AS SHOWN. BLOCKS 7, 8, 9, AND 10 WERE GIVEN THEIR FULL EAST-WEST PLAT DIMENSION OF 500.00 FEET, FOR I PRESENTLY HAVE NO BASIS FOR PROPORTIONING THESE BLOCKS IN AN EAST-WEST DIRECTION.

LEGEND:

- FOUND 2" TRUCK AXLE REPORTED AS RESTORATION OF ORIGINAL LOT CORNER STAKES. SEE O.S.H.D. PLAT 1P-19-1B, & COUNTY SURVEYS B-2012, AA-6944, AND AA-6609.
- SET 5/8" X 36" REBAR WITH YELLOW PLASTIC CAP STAMPED L.S. 849.

Handwritten signature: Carl F. Foot

SCALE FACTOR FOR WEST BOUNDARY OF CARRAHAN STREET

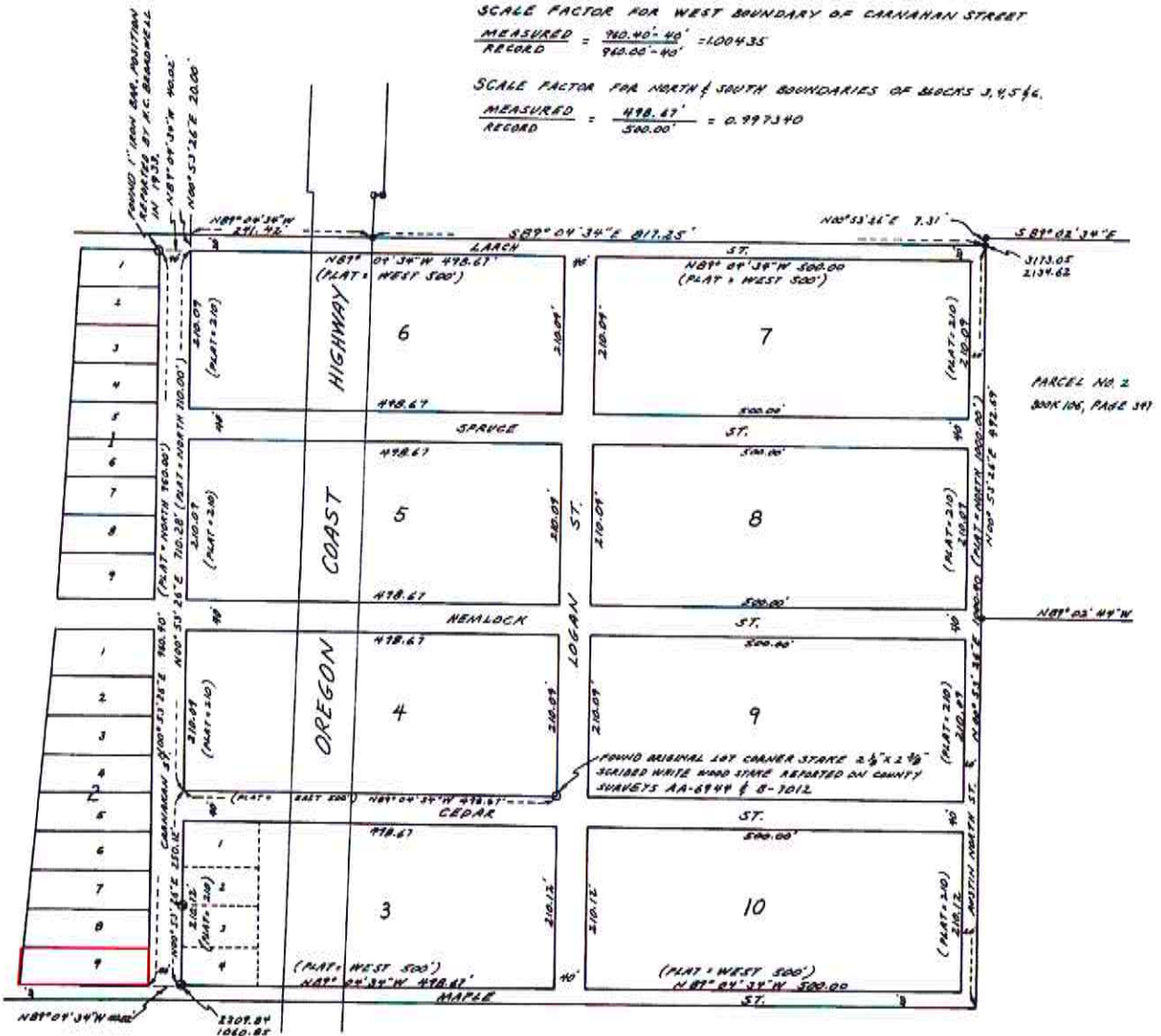
$$\frac{\text{MEASURED}}{\text{RECORD}} = \frac{760.40 - 40}{960.00 - 40} = 1.00435$$

SCALE FACTOR FOR NORTH & SOUTH BOUNDARIES OF BLOCKS 3, 4, 5 & 6

$$\frac{\text{MEASURED}}{\text{RECORD}} = \frac{498.67}{500.00} = 0.997340$$



PACIFIC OCEAN



CLATSOP COUNTY ENGINEER
RECEIVED
JUL 24 1981
ASTORIA, OREGON

SHEET 4 OF 4

C.S. # 8-7359

C.S. # 8-7359

SURVEY OF PROPERTY IN THE S.W. 1/4 OF SECTION 19,
T4N, R10W, W.M.

DATE: 6/20/81

SCALE: 1"=100'

LEGEND:

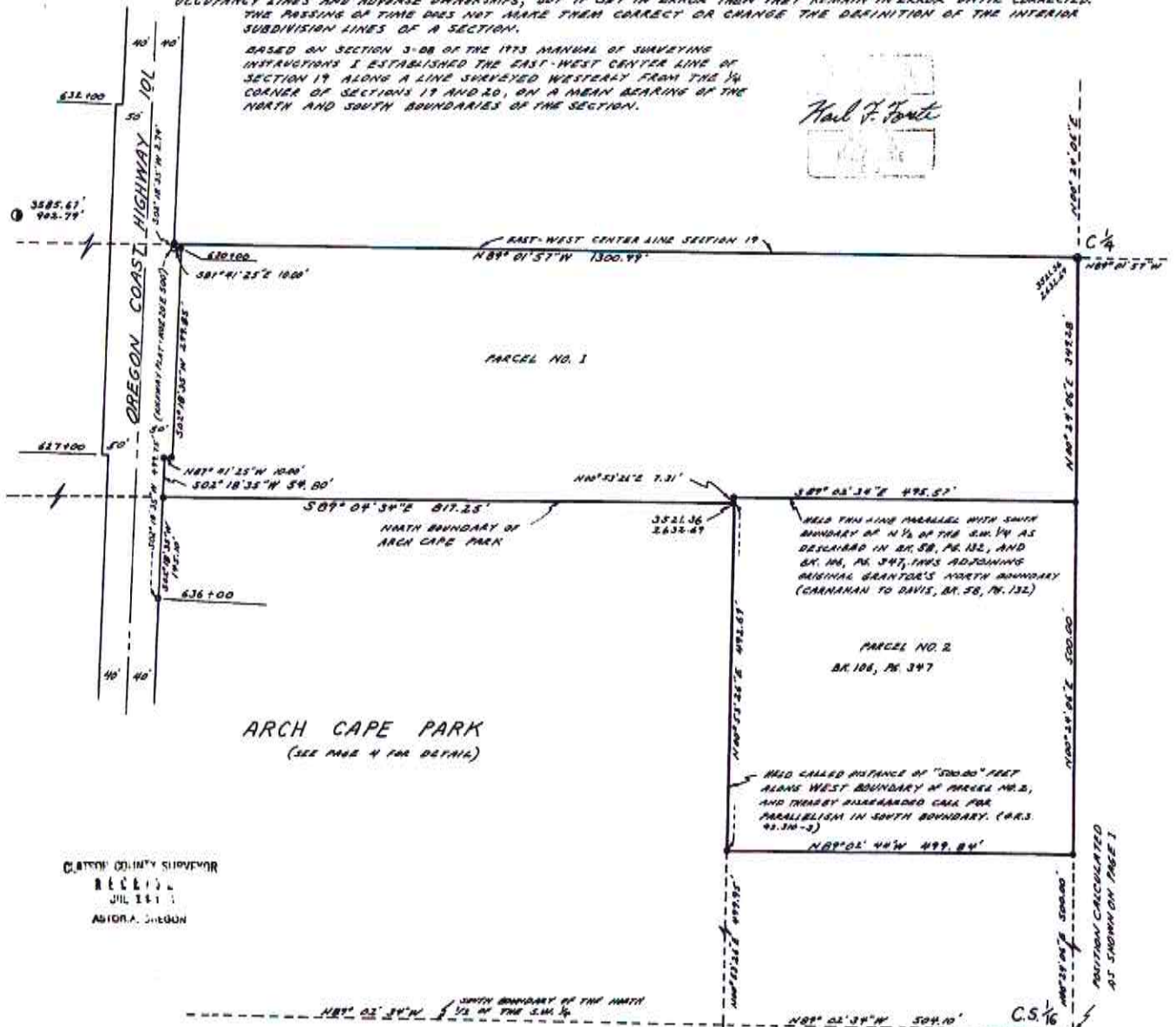
- FOUND 1" IRON PIN NIKKAWAY RIGHT OF WAY MONUMENT REPORTED BY H.C. BROADWELL, RESIDENT ENGINEER FOR O.S.H.D., SEE O.S.H.D. AMNT-OF-WAY PLAT "RUG POINT-ARCH CAPE SECTION," 1933.
- SET 5/8" X 3/8" REBAR WITH YELLOW PLASTIC CAP STAMPED "L.S. 849."
- I SET 3" IN THE GROUND A 2" X 36" CONCRETE FILLED GALV IRON PIPE WITH A 3" BRASS CAP STAMPED AS SHOWN FROM WHICH I SCRIBED B.T.'S: A 10" SPRUCE BEAMS N52°E 2.81 FT. TO FACE AND "C 1/4 519 BT." A 22" HEMLOCK BEAMS N66°W 24.4 FT. TO FACE MARKED "C 1/4 519 BT."
- CALCULATED POSITION OF MEANDER CORNER AS REPORTED BY CHECK SURVEYOR IN 1896. FACE POSITION OF 1874 SPRUCE B.T. (NOW A DEAD SHAB) BEARS S53°30'E 56.1 FT. AS PER 1874 NOTES, LEAD PEG IN GULCHER ESTABLISHED BY MARRIHAM IN 1976 BEARS S70°01'E 5.80 FT.



NARRATIVE: THE ORIGINAL GOVERNMENT SURVEY OF SECTIONS 19 & 20 WAS MADE IN JUNE, 1872 BY MANIUS BUCHANAN. BUCHANAN DOES NOT REPORT IN HIS ORIGINAL FIELD NOTES EVER ESTABLISHING A 1/4 MEANDER CORNER ON THE WEST BOUNDARIES OF SECTIONS 19 AND 20. I PRESENTLY HAVE NOT FOUND ANY RECORD SHOWING THAT BUCHANAN RECEIVED SPECIAL INSTRUCTIONS TO ESTABLISH SUCH CORNERS, BUT ON SEPT. 1, 1872 A GOVERNMENT CHECK SURVEYOR REPORTS FINDING A 1/4 SEC. MEANDER COR. WITH B.T.'S ON THE WEST BOUNDARY OF SECTIONS 19 AND 21. (SEE G.I.O. NOTES). SINCE BUCHANAN DID NOT REPORT SETTING SAID CORNERS IN HIS ORIGINAL FIELD NOTES, THEY MUST HAVE BEEN SET BY HIM OR SOME PRIVATE SURVEYOR WORKING FOR LOCAL HOMESTEADERS, BUT NOT IN OFFICIAL CAPACITY FOR THE U.S. GOVERNMENT, BECAUSE BUCHANAN DID NOT REPORT ESTABLISHING THESE TWO 1/4 MEANDER CORNERS, THEY ARE NOT ORIGINAL GOVERNMENT CORNERS, AND THEY DO NOT HAVE THE SAME LEGAL STATUS AS ORIGINAL GOVERNMENT CORNERS. I PRESENTLY CONSIDER THEM TO HAVE THE SAME STATUS AS ANY OTHER SECTION CORNER (C 1/4, S.W. 1/4, S. 1/2, ETC.) ESTABLISHED SUBSEQUENT TO THE ORIGINAL SURVEY & DEPENDENT UPON THE ORIGINAL GOVERNMENT CORNERS. LONG USAGE OF THESE MEANDER CORNERS MAY ESTABLISH OCCUPANCY LINES AND ADVERSE OWNERSHIPS, BUT IF SET IN ERROR THEN THEY REMAIN IN ERROR UNTIL CORRECTED. THE PASSING OF TIME DOES NOT MAKE THEM CORRECT OR CHANGE THE DEFINITION OF THE INTERIOR SUBDIVISION LINES OF A SECTION.

BASED ON SECTION 3-08 OF THE 1975 MANUAL OF SURVEYING INSTRUCTIONS I ESTABLISHED THE EAST-WEST CENTER LINE OF SECTION 19 ALONG A LINE SURVEYED WESTEADY FROM THE 1/4 CORNER OF SECTIONS 19 AND 20, ON A BEARING OF THE NORTH AND SOUTH BOUNDARIES OF THE SECTION.

Neil F. Forté



CLATSOP COUNTY SURVEYOR
 RECEIVED
 JUL 1 1981
 ASTORIA, OREGON

**A SURVEY TO LOCATE THE LOT CORNERS OF LOTS 1 & 20,
BLOCK 5, ARCH CAPE PARK FOR MARY CRISLIP. SW 1/4,
SECTION 19, T4N, R10W, WM., CLATSOP COUNTY, ARCH CAPE,
OREGON**

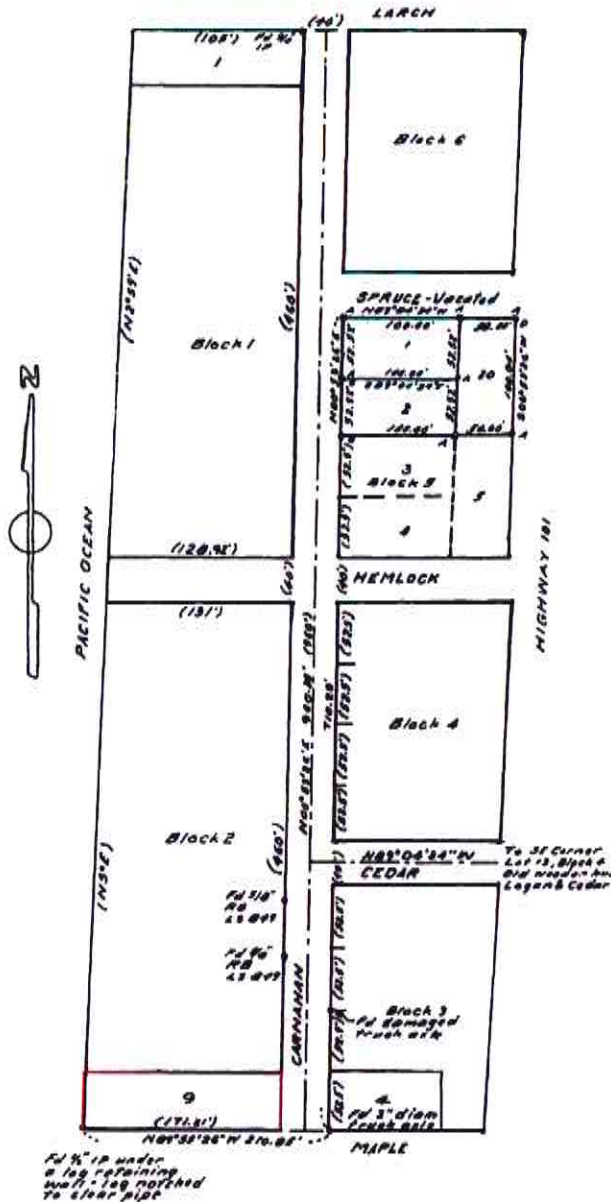
SCALE 1"=100' DATE NOV. 4, 1981 SURVEY NO. 167

Clatsop Surveying & Engineering - Tom B. Wagner, 1569 S. Franklin St., Seaside, Oregon 97138
Assistant - Deanna Mancill
Equipment - Franke Theodolite Model 8020AIE, Electronic Distance Meter Benchmark Surveyor II
100' Steel Tape

References - Arch Cape Park, Plat Book 3, Page 76
Oregon Highway Drawing IF-19-8.
Arch Cape Park Surveys -
William Markham, Lots 3, 4 & 5, Block 3, CS Survey AA-6009
William Markham, Lots E 1/2 9, 10, 11 & 12, CS Survey AA-6944
Karl Foeste, Lot 8, Block 2, CS B-7146

A - 3 1/2" diam. RB, L.E.S., YPC #13173
B - 2" dia. RB, L.E.S., Flat location
C - 2" dia. RB, L.E.S., Flat location
D - 2" dia. RB, L.E.S., Flat location

North-South property line adjustment
factor
Measured 960.34' = 1.0004
Flat 960



NARRATIVE
Arch Cape Park is a 1908 subdivision with few identified original monuments. In the early 1930's Highway 101 was constructed through this subdivision under the guidance of Highway Engineer Mr. Broadwell. Oregon Highway drawing IF-19-8 shows ties to several lot corners in Arch Cape Park, some of which were marked with wooden stakes. Mr. Broadwell reset the SW corner of Lot 4, Block 3 with a 2" diameter truck axle. This monument and a 1/2" iron pipe on the NE corner of Lot 1, Block 1 was used to establish the center line of Carnahan. In Karl Foeste's survey he obtained a bearing of N00°53'26" E from Polaris observations for this center line. I used this center for a base line and this bearing for the N-S property lines. For the E-W property lines I used N89°04'34"W as established by Karl Foeste in his reference survey.

The Plat R.O.B. was the SW corner of Lot 9, Block 2. The Plat drawing does not indicate what was set to mark this corner. I found a 1/2" IP buried under a log retaining wall N09°53'26"W a distance of 210.85' from the 2" diameter truck axle monument. The Plat indicates the distance to be 210.21'. The found 1/2" IP appears to have been set many years ago but I have been unable to verify if it was the original R.O.B. marker. The Plat shows this point to be North 1367' and East 176' from the MC 19/30. In an earlier survey in the Arch Cape area I attempted to find this Meander Corner without success.

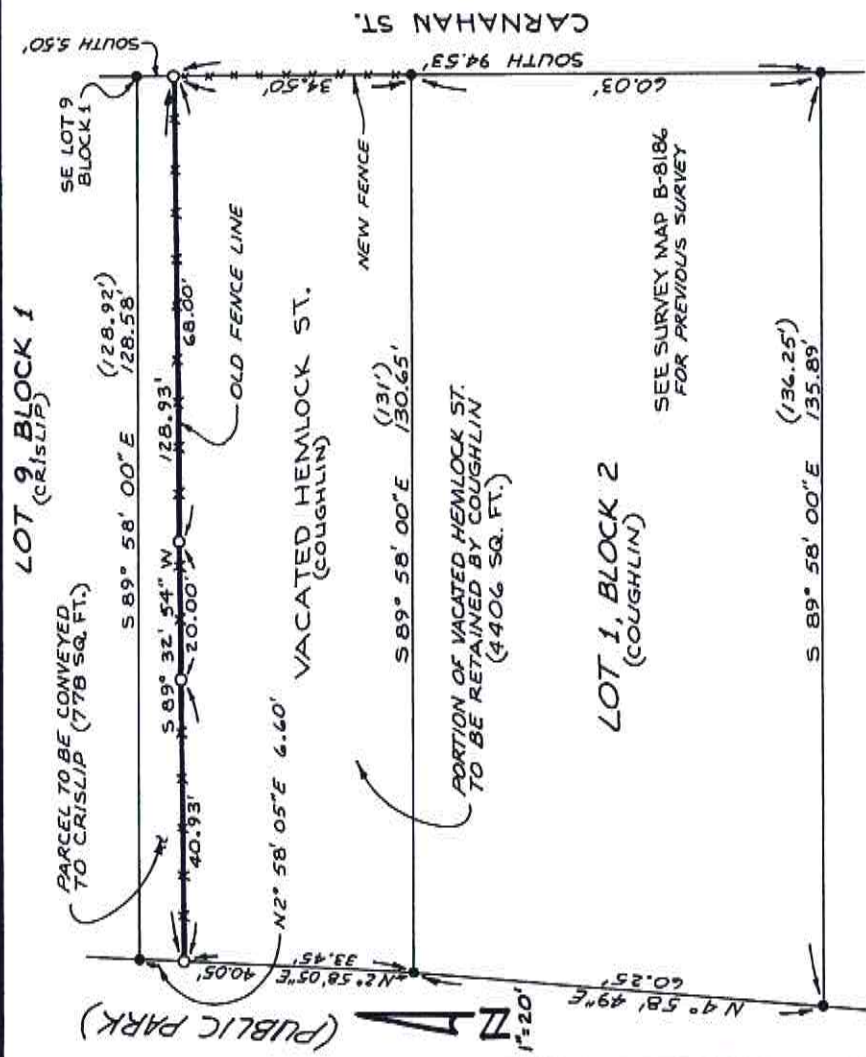
REGISTERED
PROFESSIONAL
LAND SURVEYOR

Tom B. Wagner

OREGON
REGISTERED
TOM B. WAGNER
1373

CLATSOP COUNTY SURVEYOR
RECEIVED
NOV 11 1981
ASTORIA, OREGON

0 A A - 8212



BASIS OF BEARING:

THE LINE BETWEEN FOUND MONUMENTS ON OPPOSITE SIDES OF CARNAHAN STREET AT THE SW CORNER OF BLOCK 3 AND THE NE CORNER OF BLOCK 1 BEARS N 2° 23' 05" W, THE CALCULATED VALUE SUCH THAT CARNAHAN STREET BEARS NORTH, THE RECORD VALUE.

NARRATIVE:

THE PURPOSE OF THIS SURVEY WAS TO MONUMENT AND DESCRIBE THE LINE AS SHOWN AS AN AGREED UPON LINE FOR A PROPOSED CONVEYANCE FOR PREVIOUS SURVEY, SEE MAP B-8186, CLATSOP COUNTY SURVEY RECORD.

SURVEY FOR JEAN COUGHLIN

A PORTION OF VACATED HEMLOCK ST. BETWEEN BLOCKS 1 & 2, ARCH CAPE PARK, NE 1/4 NW 1/4 SECTION 19, T4N, R10W, WM.

SEPT. 5, 1985 # 1804 TOPCON GTS-3 w/ EDM & TAPE

REGISTERED PROFESSIONAL LAND SURVEYOR

Ronald G. Larson
 OREGON
 JULY 13, 1984
 2102
 RONALD G. LARSON

CLATSOP COUNTY SURVEYOR RECEIVED

SEP 27 1985

RD 10-11-85 ST ASTORIA, OREGON

- DENOTES 3/8" x 40" REBAR SET w/ YELLOW PLASTIC CAP MARKED "R. LARSON L.S. 2102"
- ◊ DENOTES "FD. 5/8" REBAR w/ YELLOW PLASTIC CAP MARKED "R. LARSON L.S. 2102"

HANDFORTH & LARSON INC.
 P.O. BOX 219
 MANZANITA, OREGON
 368-5394 97130

SEE SURVEY MAP B-8186 FOR PREVIOUS SURVEY

PORTION OF VACATED HEMLOCK ST. TO BE RETAINED BY COUGHLIN (4406 SQ. FT.)

VACATED HEMLOCK ST. (COUGHLIN)

LOT 9, BLOCK 1 (CRISLIP)

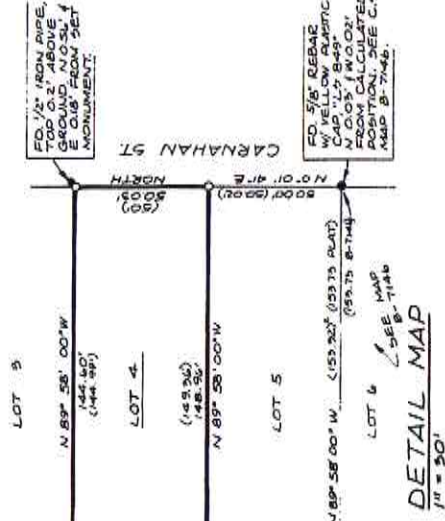
LOT 1, BLOCK 2 (COUGHLIN)

CARNAHAN ST.

SE LOT 9 BLOCK 1

PARCEL TO BE CONVEYED TO CRISLIP (778 SQ. FT.)

(PUBLIC PARK)



DETAIL MAP
1" = 50'

BASIS OF BEARING:
The line between found monuments on opposite sides of Carnahan Street at the SW corner of Block 3 and the NE corner of Block 1 bears $N 23^{\circ} 05' W$, the calculated value such that Carnahan Street bears north, the record value.

MERIT:

The initial point of BECHTOLD 1931 was used as a starting point. County Surveyor Maps M-500 & M-504 detail the history of this monument as being a readliness of the original lot stake. A similar monument at the SW corner of Lot 3, Block 3, was found bent over and not used. On Map B-7012 dated February 8, 1980 a wood hub with acrylic, the original monument for the SE corner of Block 4 was found. This monument was accepted as correct. The original monument for the SE corner of Block 3 was destroyed and other monuments have been found in the vicinity as shown hereon. The position of said original wood hub has been held as the SE corner of Block 4 as shown on Map B-7012. All other found monuments shown hereon, except in Block 5, are not of record in the Breakell survey. As noted on County Surveyor Map M-504, Block 3, Block 4, Block 5, Block 6, Block 7, Block 8, Block 9, Block 10, Block 11, Block 12, Block 13, Block 14, Block 15, Block 16, Block 17, Block 18, Block 19, Block 20, Block 21, Block 22, Block 23, Block 24, Block 25, Block 26, Block 27, Block 28, Block 29, Block 30, Block 31, Block 32, Block 33, Block 34, Block 35, Block 36, Block 37, Block 38, Block 39, Block 40, Block 41, Block 42, Block 43, Block 44, Block 45, Block 46, Block 47, Block 48, Block 49, Block 50, Block 51, Block 52, Block 53, Block 54, Block 55, Block 56, Block 57, Block 58, Block 59, Block 60, Block 61, Block 62, Block 63, Block 64, Block 65, Block 66, Block 67, Block 68, Block 69, Block 70, Block 71, Block 72, Block 73, Block 74, Block 75, Block 76, Block 77, Block 78, Block 79, Block 80, Block 81, Block 82, Block 83, Block 84, Block 85, Block 86, Block 87, Block 88, Block 89, Block 90, Block 91, Block 92, Block 93, Block 94, Block 95, Block 96, Block 97, Block 98, Block 99, Block 100.

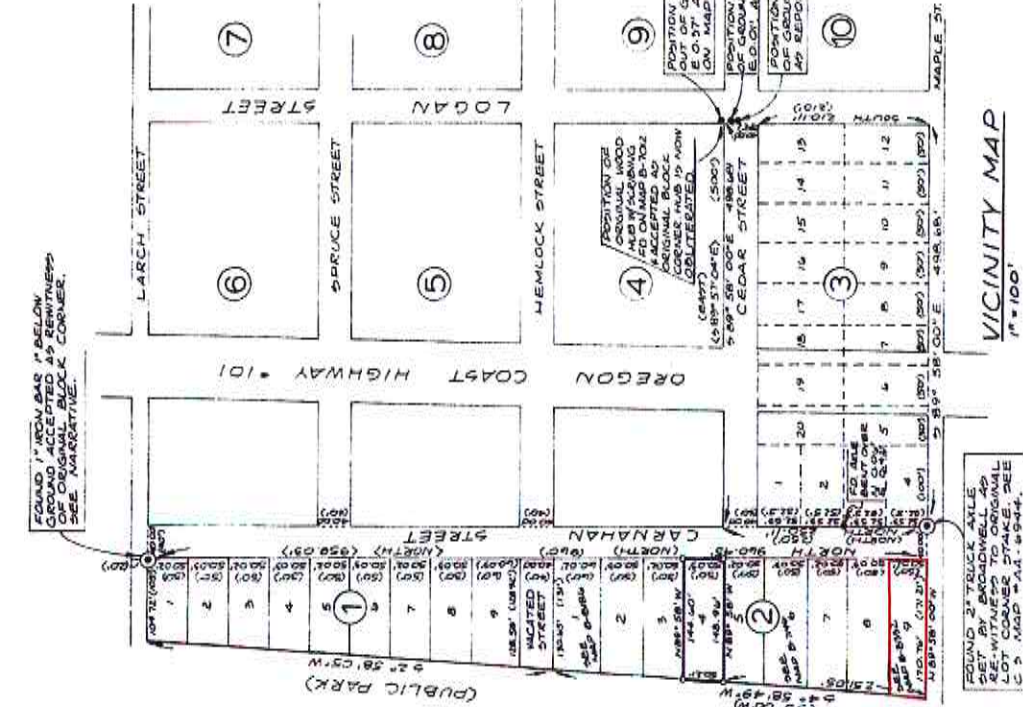
Proportionality Factor: North-South Direction - West side Carnahan St.
 Measured = $960.45' - 20' = 940.45'$; $940.45' \div 930' = 1.00059$
 Record = $960.45' - 20' = 940.45'$

Proportionality Factor: North-South Direction - East side Carnahan Street
 Measured = $960.45' - 120' = 840.45'$; $840.45' \div 830' = 1.00056$
 Record = $960.45' - 120' = 840.45'$

Proportionality Factor: East-West Direction - (Based on Block 4)
 Measured = $993.65' - 0 = 993.65'$; $993.65' \div 990' = 0.99776$
 Record = $993.65' - 0 = 993.65'$



FO. 1/2" IRON PIPE, 24" ABOVE GROUND, N 0° 0' 0" E, 144.60' FROM SET MONUMENT.
 FO. 5/8" BEAR, 40" ABOVE GROUND, N 89° 58' 00" W, 148.20' FROM SET MONUMENT.
 FO. 5/8" BEAR, 40" ABOVE GROUND, N 89° 58' 00" W, 159.92' FROM SET MONUMENT.
 SEE MAP B-7146, REPORTED ON MAP B-7144, 05/3/32.



VICINITY MAP
1" = 100'

LEGEND

- ⊙ DENOTES FOUND MONUMENT AS NOTED HEREON. USED FOR CONTROL.
- ⊙ DENOTES 5/8" x 40" BEAR SET BY YELLOW PLASTIC CAP'D BARRETT L.S. 1979.
- ⊙ DENOTES MONUMENT AS NOTED HEREON.
- () INDICATES RECORD VALUE.
- < > INDICATES CALCULATED VALUE FROM RECORD VALUES SHOWN ON 02ND MAP 1E-19-B. < > INDICATED VALUE CALCULATED FROM PLAT RECORD VALUES.
- NO () OR < > INDICATES MEASURED VALUE.

MAURICETH J. LARSON, INC.
 2015 S. 10TH AVE.
 MANLY, WA 98150
 (509) 508-5394

RECORDED
 PLAT
 LAND SURVEYOR
 D & J W. BARNETT

Lot 1, Block 2
 Arch Cape Park
 SE 1/4 SW 1/4 Section 19, T4U, R10W, W.M.
 Clallam County
 November 11, 1980 12218. Topog 075-3 WEM & Tule

CLALLAM COUNTY
 SURVEYOR
 RECEIVED
 06:10 P.M.
 1980

DETAIL MAP
1" = 20'



BASIS OF BEARING
The line between found monuments on opposite sides of Carnahan Street at the SW corner of Block 3 and the NE corner of Block 1 bears N 23° 00' W, the calculated value such that Carnahan Street bears North, the record value.

NARRATIVE
The initial point of ARCH CAPE MARK was not found. Thus the found monument at the SW corner of Block 3 was used as a starting point. County Surveyor Maps AA-5609 A A-5610 detail the history of this monument as being a re-visibility of the original lot stake. A similar monument at the NE corner of Lot 3, Block 3, was found bent over and not used. On Map 3-7012 dated February 8, 1980 a wood hub with scribbled "ARCH CAPE" was accepted as an original monument based on the statements of County Surveyor Map AA-5514. Since that time, the hub has been destroyed and other monuments have been found in the vicinity as shown hereon. The position of said original wood hub has been held as the SE corner of Block 4 as shown on Map 11-7012. Other found monuments shown hereon, except in Block 5, are not of record in the original plat. The monuments shown hereon were constructed on Highway 101 from 1930 to 1940. USNO Map 1F-19-3, dated Dec. 1931, by H.C. Broadwell shows lines between lot corners at the SW Block 3 and NE Block 1. Calculations from this map are shown hereon marked c >. Thus USNO Map 1F-19-8 was held to be the best record of existing monumentation in 1931. Although the type of monuments are not stated on that map, the type of monuments shown hereon were held to be the same as those on the NE corner of Block 1. Proportionality factors were then derived as shown hereon, and applied to record plat values to monument the subject lots in Block 2.

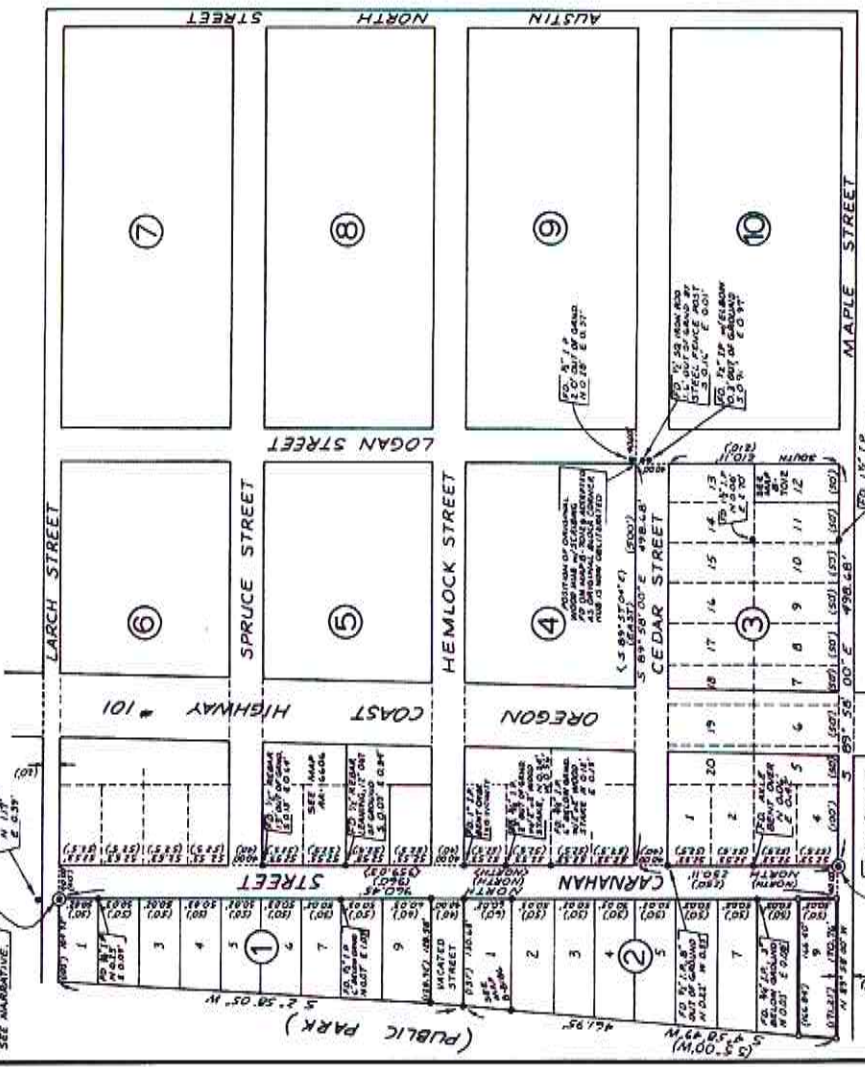
Proportionality Factor: North-South Direction - West side Carnahan St.
 Measured = 940.85' - 802' = 138.85' = 1/500
 Record = 950' - 802' = 148' = 1/500

Proportionality Factor: North-South Direction - East side Carnahan Street
 Measured = 960.85' - 720' = 240.85' = 1/400
 Record = 980' - 720' = 260' = 1/400

Proportionality Factor: East-West Direction - (Based on Block 4)
 Measured = 498.68' - 0.99736
 Record = 500'

LATSOP COUNTY
SURVEYOR
RECEIVED
MAY 12 1986
11:00 AM - 12:00 PM
- 4TH FLOOR - 10th Bldg

VICINITY MAP
1" = 100'



SURVEY FOR
R. M. MACTARNAHAN
LOT 9, BLOCK 2, ARCH CAPE PARK
NE 1/4 SW 1/4, SECTION 19, T4N, R10W, W.M.
CLATSOP COUNTY, OREGON
MAY 12, 1986
GTS-3 6 TAPE

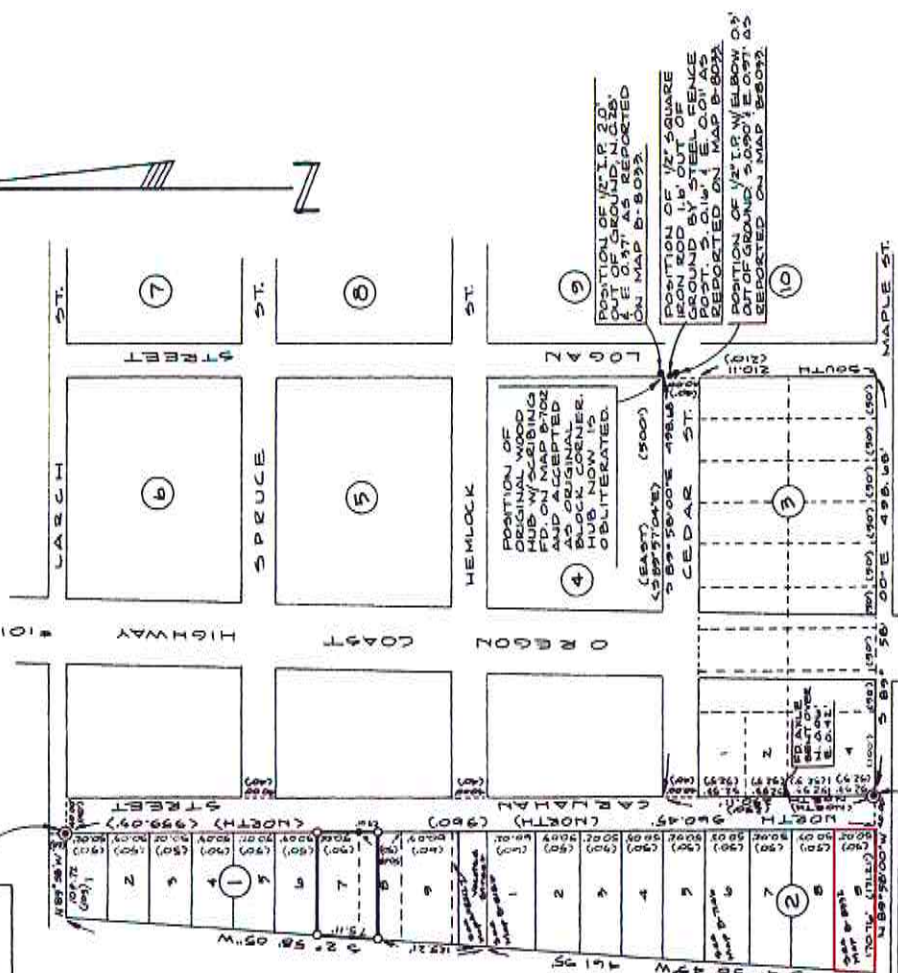
- NOTE:**
- FOUND MONUMENT AS NOTED HEREON, USED FOR CONTROL.
 - PLASTIC CAP MARKED "R. LARSON 15 2102"
 - DEMOTES FOUND MONUMENT AS NOTED HEREON.
 - () INDICATES RECORD VALUE
 - (<) INDICATES CALCULATED VALUE FROM RECORD VALUES SHOWN ON D.S.H.D. MAP 1F-19-8
 - NO () OR (<) INDICATES MEASURED VALUE.

FOUND 1" IRON BALK MONUMENT AS NOTED HEREON, USED FOR CONTROL. ACCEPTED AS BEING A RE-visibility OF ORIGINAL BLOCK CORNER. SEE ANNOTATION.

FOUND MONUMENTS AT SW CORNER OF BLOCK 2, ARCH CAPE PARK. THESE MONUMENTS WERE SET BY ARCH CAPE MARK WITH PLASTIC CAP MARKED "R. LARSON 15 2102". SEE MAP 6-8-86.

HANFORTH & LARSON INC.
P.O. BOX 219
MANZANITA, OREGON 97130
7-5037-368-5334

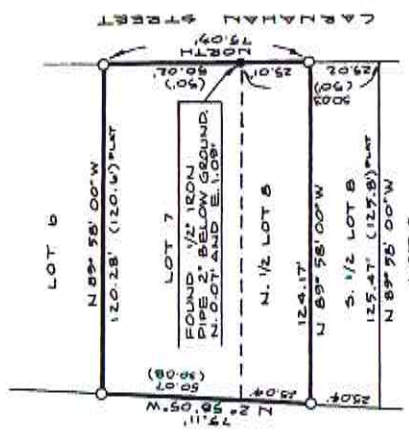
FOUND 1" IRON BAR 1" BELOW GROUND. BEARING AND DISTANCE DETERMINED AS BEING THE ORIGINAL BLOCK CORNER.



VICINITY MAP
SCALE 1"=100'

LEGEND

- ⊙ DENOTES FOUND MONUMENT AS NOTED HEREON USED FOR CONTROL.
- DENOTES 3/8" x 40" REBAR SET W/ YELLOW PLASTIC CAP "D. BARRETT, L.S. 1973."
- DENOTES MONUMENT AS NOTED HEREON.
- () INDICATED CALCULATED VALUE FROM RECORD VALUES SHOWN ON O.P. M.D. MAP 12-19-8.
- NO C) OR <) INDICATE MEASURED VALUE.



DETAIL MAP
SCALE 1"=30'

BASIS OF BEARING:
The line between found monuments on opposite sides of Carnahan Street at the SW corner of Block 3 and the NE corner of Block 1 bears N 2° 23' 05" W, the calculated value such that Carnahan Street bears North, the record value.

NARRATIVE:
The initial point of ARCH CAPE PARK was not found. This the found monument at the corner of Block 3 was used as a starting point. County Surveyor Map 5-7012 shows the location of the monument at the SE corner of Lot 3, Block 3. A similar monument at the NW corner of Lot 3, Block 3 was found bent over and not used. On Map 5-7012 dated February 8, 1980 a wood hub with scribbling said to be the original monument for the SE corner of Block 4 was found. This monument was accepted as an original monument based on the statements of County Surveyor Map 4-5944. Since that time, the hub has been destroyed and other monuments have been found in the vicinity as shown hereon. The position of the monument has been found in the vicinity as shown hereon. The position of the monument has been found in the vicinity as shown hereon. All other found monuments shown hereon, except in Block 5, are not of record in the Clatsop County Surveyor records. As noted on County Surveyor Map 4-5944, R.C. Broadwell was O&S Resident Engineer on construction of Highway 101 from 1930 to 1940. O&S Map 11-19-8, dated Dec. 1933, by R.C. Broadwell shows ties between lot corners at the SE Block 3 and NE Block 1. Calculations from this map are shown hereon. O&S Map 11-19-8, dated Dec. 1933, by R.C. Broadwell shows ties between lot corners at the SE Block 3 and NE Block 1. Calculations from this map are shown hereon. In 1933 (1934) a 1" iron bar was found in the vicinity as shown hereon. The found 1" iron bar was accepted as being the best available evidence of the NE corner of Block 1. Proportionality factors were then derived as shown hereon, and applied to record plat values to monument the subject lots in Block 1.

Proportionality Factor: North-South Direction - West side Carnahan St.
Measured = 860.95' - 401' = 459.95' = 1.000489
Record = 900' - 401' = 499' = 900'

Proportionality Factor: North-South Direction - East side Carnahan Street
Measured = 960.95' - 120' = 840.95' = 1.000536
Record = 900' - 120' = 780' = 900'

Proportionality Factor: East-West Direction - (Based on Block 4)
Measured = 458.82' = 0.99736
Record = 500'

PROFESSIONAL
LAND SURVEYOR
Date: August 23, 1986

SURVEY FOR MARY RAMSEY LOT 7, 1/2 LOTS 8, 9 ARCH CAPE PARK		SURVEY BY: HANFORTH & LARSON, INC. P. O. BOX 219 MANZANITA, OR. 97130 (503) 368-5394		CLATSOP COUNTY SURVEYOR RECEIVED AUG 30, 1986 FILED 12-12-86 ASTORIA, OREGON
DATE AUG. 23, 1986	JOB NO. 2-975	FIELD WLM/JPR	DRAWN LM/JJ	CHECKED DMS
NE 1/4 SW 1/4 SECTION 19, T. 4 N., R. 10 W., W. M. CLATSOP COUNTY				

S.W. 1/4 SECTION 19, T4N, R10W, W.M.

SURVEY FOR: STUART DURKHEIMER

SURVEY BY: KARL F. FOESTE, 361 S.W. MAIN CT.,
WARRENTON, OREGON 97146

DATE: 9/14/88

SCALE: 1"=100'

SCALE FACTOR FOR EAST AND WEST SIDES OF CARMANNAH STREET:

MEASURED 960.40'-40"
RECORD 960.00'-40" . 1.00435

SCALE FACTOR FOR NORTH AND SOUTH BOUNDARIES OF BLOCKS 3-5, 6 (BASED ON SOUTH BOUNDARY OF BLOCK 4):

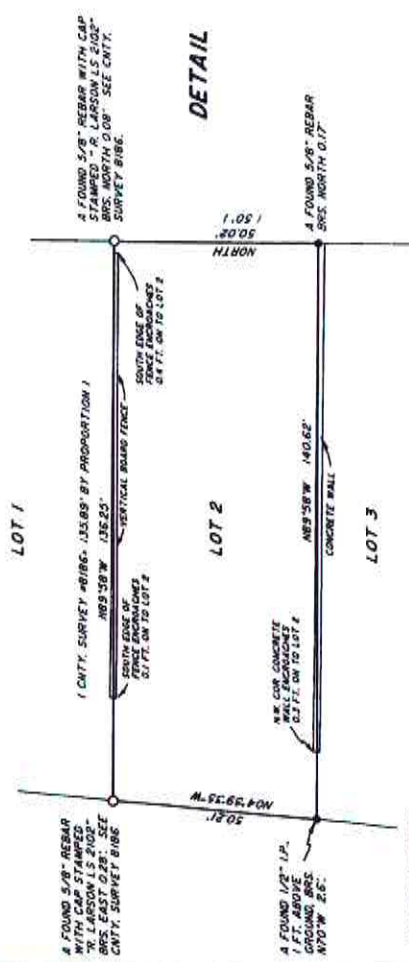
MEASURED 498.67
RECORD 500.00 . 0.997340

IN 1980 I FOUND 1" IRON BAR AS WITNESS OF ORIGINAL LOT COR. STAKE. SEE 0.5-A.D. R/W PLAT 16-19-B, DATED DEC. 1933, BY H.C. BROADWELL.



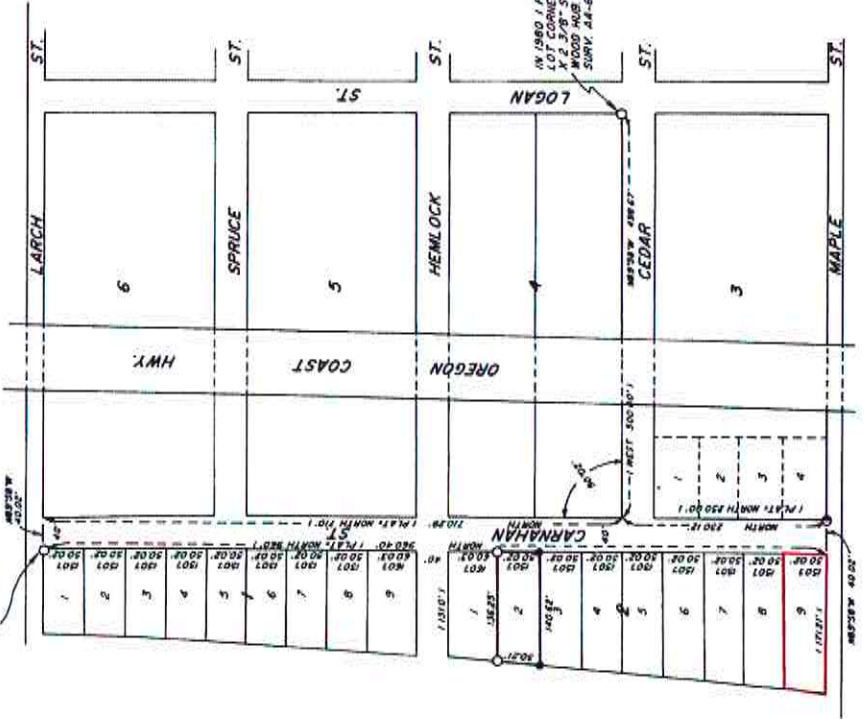
LEGEND:

- IN 1980 I FOUND 2" TRUCK AXLE SET BY BROADWELL AS RESTORATION OF ORIGINAL LOT CORNER STAKE. SEE 0.5-A.D. R/W PLAT 16-19-B, DATED DEC. 1933, BY H.C. BROADWELL. ALSO SEE CNTY. SURVY 69-44 AND 70-2.
- SET FLUSH WITH GROUND A 5/8" X 36" REBAR WITH YELLOW PLASTIC CAP STAMPED "K. FOESTE LS 8457".
- DENOTES RECORD VALUE.
- CALCULATED POSITION OF CORNER.



SCALE: 1"=20'

CLATSOP COUNTY
SURVEYOR
RECEIVED
MAY 20 1989
FILED 4-11-89 S.T.
ASTORIA, OREGON



BASIS OF BEARING

THE LINE BETWEEN THE FOUND MONUMENTS (1) AND (2) AS SHOWN HEREON, BEING THE RECORDED PLAT VALUE FROM THE PLAT OF ARCH CAPE PARK.

NARRATIVE

THIS SURVEY WAS CONDUCTED AS A DEPENDENT ASSISTANCE OF THE SUBJECT PROPERTY... THE SURVEY WAS CONDUCTED AS A DEPENDENT ASSISTANCE OF THE SUBJECT PROPERTY...

PROPORTIONALITY FACTOR

PROPORTIONALITY FACTORS WERE FIRST DETERMINED AS SHOWN HEREON, AND APPLIED TO RECORDED PLAT VALUES TO MONUMENT THE SUBJECT PROPERTY.

P.F. NORTH-SOUTH DIRECTION (WEST SIDE OF CARMANAN ST.)
RECORDED = 160.45' - 40' = 302.91' x 1.000469
RECORDED = 160' - 40' = 160'

MONUMENT NOTES

- (3) FOUND 1/2" IRON PIPE SET BY MEASUREMENT AS SHOWN IN AS SHOWN IN ORIGINAL LOT CORNER SCALE. SEE COUNTY SURVEYOR MAP A-1894.
(6) POSITION OF ORIGINAL WOOD HUB WITH SOBBING FOUND ON MAP B-7012 AND ACCEPTED AS ORIGINAL BLOCK CORNER. THIS HUB CONTAINS THE SIZE VERNIER MAP FOR ESTABLISHMENT OF OTHER MONUMENTS IN VICINITY OF THIS LOT CORNER.
(2) FOUND 1" IRON BAIL, 1" BELLOW GROUND, ACCEPTED AS REMAINS OF ORIGINAL BLOCK CORNER. POSITION OF ORIGINAL WOOD HUB WITH SOBBING FOUND ON MAP B-7012 AND ACCEPTED AS ORIGINAL BLOCK CORNER. THIS HUB CONTAINS THE SIZE VERNIER MAP FOR ESTABLISHMENT OF OTHER MONUMENTS IN VICINITY OF THIS LOT CORNER.



- LEGEND
O INDICATES 5/8" x 40" BRASS SET WITH YELLOW PLASTIC CAP MARKED "HLS ASSOC INC."
X INDICATES CORNER "HLS" MARKED WITH YELLOW PLASTIC CAP MARKED "HLS ASSOC INC."
S SEE MAP B-11091, CLATSOP COUNTY SURVEY RECORDS.
● INDICATES MONUMENT FOUND AS NOTED HEREON USED FOR CONTROL.
● INDICATES OUTLINED MONUMENT AS NOTED HEREON USED FOR CONTROL.
() INDICATES RECORDED VALUE FROM ARCH CAPE PARK, CLATSOP COUNTY PLAT RECORDS.
() INDICATES RECORDED VALUE FROM MAP B-7012, CLATSOP COUNTY SURVEY RECORDS.
< > INDICATES CALCULATED VALUE FROM OREGON MAP 17-19-4.
NO () OR < > INDICATES RECORDED VALUE.

DETAIL MAP
SCALE: 1" = 30'

VICINITY MAP
SCALE: 1" = 100'

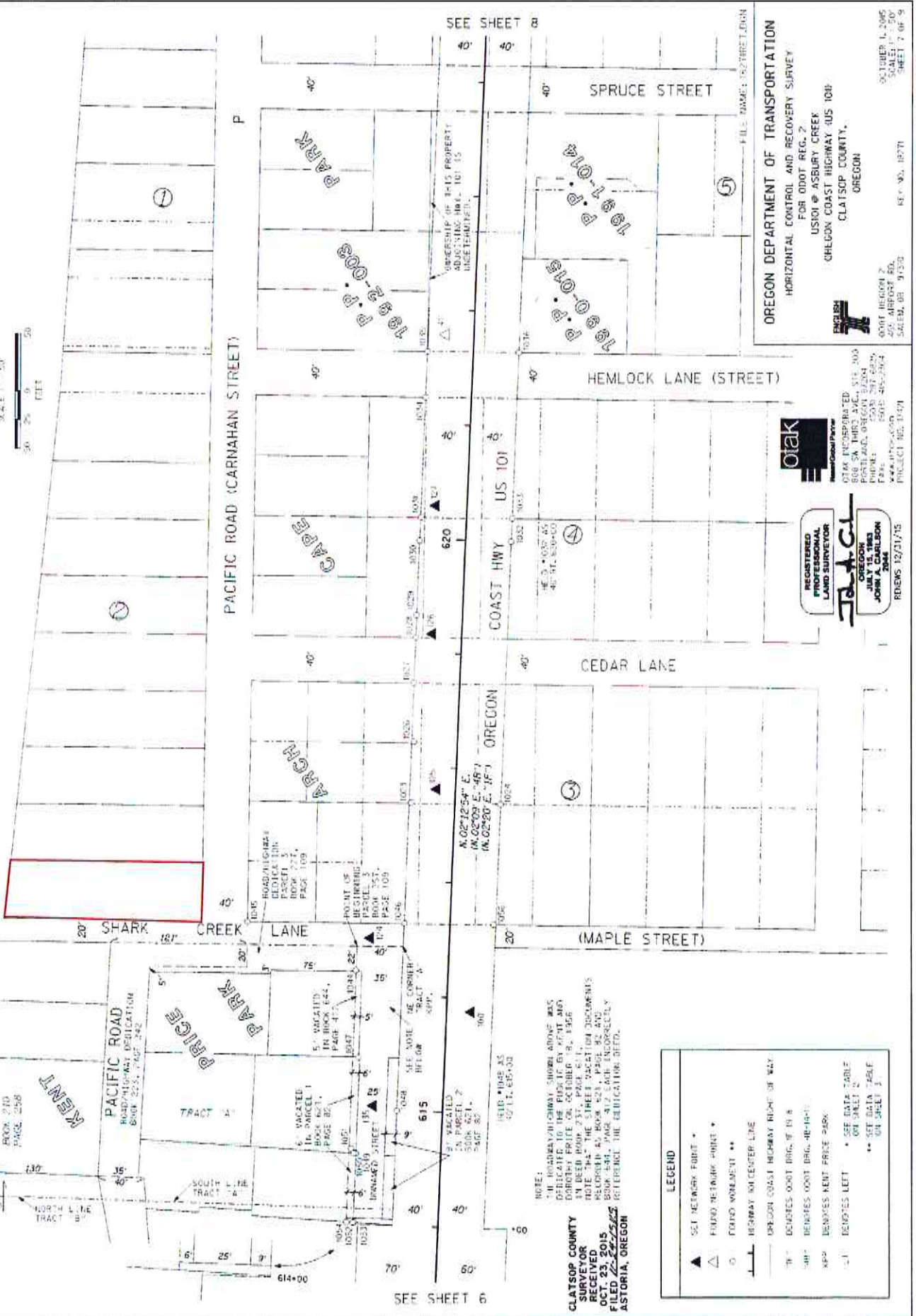
SURVEY FOR:
HARRY COLEMAN
LOTS 2 AND 3,
BLOCK 1,
PLAT OF ARCH CAPE PARK
5W 1/4 SECTION 19, T4N, R10W, W.M.
CLATSOP COUNTY

SURVEY BY:
HLB & ASSOC., INC.
HANDFORTH JARSON & BARRETT
SURVEYING & ENGINEERING - PLANNING
ILLAMOOK COUNTY
180 LANE DR.
MAINE, OR 97130
PHONE: (503) 388-3384
FAX: (503) 348-3647
5-21-2001 3:14P-3:14P-03 1033030/02-100 3/07/04

CLATSOP COUNTY
SURVEYOR
RECEIVED
JUNE 5, 2001
FILED: S-28-01-B/C
ASTORIA, OREGON

SW 1/4 SEC. 19, T. 4 N., R. 10 W., WM

NOTE: (1) REF. TO BEHINDS MEASURED
W/ POINT POSITION WITHIN
0.2' OF CALCULATED POSITION.



NOTE:
1. ALL ROADWAY/RIGHTWAY SHOWN ABOVE WAS
DEDICATED TO THE PUBLIC BY DEED AND
RECORDED IN THE PUBLIC RECORDS OF CLATSOP
COUNTY, OREGON, BOOK 235, PAGE 258.
NOTE THAT THE STREET VACATION DOCUMENTS
RECORDED AS BOOK 423, PAGE 82 AND
BOOK 444, PAGE 412 EACH INCORRECTLY
REFERENCED THE DEDICATION DEED.

LEGEND

- ▲ SET METEYER POINT *
- △ FOUND METEYER POINT *
- FOUND W/ POINT **
- HIGHWAY 101 CENTER LINE
- OREGON COAST HIGHWAY 101C DE 842
- 7'-0" BEHINDS 0001 BRG. 48-10-8
- 5'-0" BEHINDS 0001 BRG. 48-10-11
- XPP BEHINDS KENT PRICE 949K
- (-)- BEHINDS LEFT * SEE DATA TABLE
ON SHEET 2
** SEE DATA TABLE
ON SHEET 3

CLATSOP COUNTY
SURVEYOR
RECEIVED
OCT. 23. 2015
ASTORIA, OREGON

OREGON DEPARTMENT OF TRANSPORTATION
HORIZONTAL CONTROL AND RECOVERY SURVEY
FOR ODOT REG. 2
US101 @ ASBURY CREEK
CLATSOP COUNTY, OREGON
FILE NAME: 1827BTR1.DGN

TRACI
REGISTERED PROFESSIONAL LAND SURVEYOR
JULY 15, 1983
JOHN A. CARLSON
RDENS 12/31/75

otak
OTAK INCORPORATED
868 SW THIRD AVE., STE. 300
PORTLAND, OR 97207-3429
PHONE: 503.241.2626
FAX: 503.241.2624
WWW.OTAK.COM
PROJECT NO. 1149

ENGLISH
OREGON DEPARTMENT OF TRANSPORTATION
HORIZONTAL CONTROL AND RECOVERY SURVEY
FOR ODOT REG. 2
US101 @ ASBURY CREEK
CLATSOP COUNTY, OREGON
OCTOBER 1, 2005
SHEET 7 OF 9

Variance Request for 80258 Pacific Road Arch Cape, Oregon

Clatsop County Tax lot 2200 Map 7N10W19CB Map tax lot 41019CB02200 Tax Map 4.10.19CB Zoned AC - RCR

Section 5.230 Variance

Section 5.132 (1) A variance may be appropriate where: by reason of exceptional configuration, or by reason of other extraordinary an exceptional situations or conditions existing on a piece of property, the strict application of any regulations enacted under this Ordinance would result in peculiar, exceptional and undue hardship upon the owner of such property a variance is requested. Undue hardship upon adjacent property owners may also be considered. The Hearings Officer may vary or adopt the strict application of any of the requirements of this Ordinance.

(3) Standards for a Variance. The requirements for a Variance are listed below. It is the intent of this Ordinance that a variance only be granted to overcome some exceptional physical condition related to a parcel of land posing practical difficulty to development and preventing the owner from using the property as intended by the Zoning Ordinance. Any variance granted shall be the minimum adjustment necessary for the reasonable use of the land.

This variance request is for an exception to the Recreation Management (RM) 50' setback, which was determined to supersede the S3.015 Oceanfront setback. Established in the 1980s, the RM Zone extends for a four block period or .2 miles, between Shark Creek and Larch Lanes, encumbering the beach area to the west. This zone is not applied to beach area any further to the north of south of this 4 block stretch. It is not clear why the RM zone was applied to this property; there are no improvements or natural features distinguishing it from other oceanfront beach along the coast. According to Section 3.696, the purpose for the creation of the RM zone and, as a result, the setback is to protect natural resource values, the proposed reduction will have no impact on the recreational or natural values of the RM zoned parcel.

This is the first oceanfront property in Arch Cape Park Plat, adjacent to the RM zone, required to meet the RM Zone setback.

None of the other 13 existing oceanfront homes, many of which were rebuilt, added onto, or built completely new since the designation of the RM zone, have been required to comply with the RM Zone setback or seek a variance from the same. As discussed in greater detail below, all of the parcels abutting the RM zone are similarly situated – the RM setback line would have a comparable impact on these owners' ability to use their property for residential uses, and yet the County has not applied the more restrictive setback on any of them. This represents a hardship relative to this property and the property owner's enjoyment of its use in terms of how the RM Zone setback has been applied.

This variance would allow the development of the property for a proposed one-story addition and deck to the west of the existing house, utilizing the Oceanfront Setback (Section S3.015) for determining the western most extent of additions to the existing structure as described in Section 3.068 (5), in lieu of the RM zone 50ft setback. The Oceanfront setback was the applicable standard for all of the other residences in this area and should be used in this case.

(3)(A) There must be proof of exceptional and extraordinary circumstances which apply to the property and which do not apply to other properties in the same zone or vicinity and result from lot size or shape legally existing in accordance with land use laws prior to September 30 1980, topography, geology or other circumstances over which the applicant has no control. These circumstances or conditions must be such that the strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of the land and / or structure.

This property is 8451 square feet in area, and 50' wide as are most of the oceanfront lots (except where they were combined) in Arch Cape Park Plat. The east half of the lot is a corner lot on Pacific and Shark Creek Roads, until it abuts the beach access lane about halfway (84') on the south property line. The county requires corner lots to have 20' setbacks to streets, with 5' minimum setback on the non-street side yard, allowing only 25' of buildable width in a 50' wide lot. In addition, the topography slopes steeply along the south property line approximately 5-10 feet in depth, whereas the other 13 built oceanfront properties in Arch Cape Park Plat are on top of the bluff where the topography is flat. The front yard, side yards, and RM Zone setbacks applied to this partial corner lot, would result in only 31% of usable buildable lot area, contrasted to 34% on adjacent lots if the RM zone setback were applied. Without the RM zone setback applied, with the average usable buildable lot area is approximately 52% on the other houses on 50' wide lots. While the maximum lot coverage is 40%, these lots were afforded a choice of where to build and add onto within allowable setbacks without the restriction of the 50' RM Zone setback. Using the standard S3.015 Oceanfront setback on this lot instead would result in an additional 10% of lot usability, still much less than the average.

This lot is also approximately 7 feet lower than the adjacent property and structure immediately to the north (80262 Pacific Road), and slopes to the south and southwest. Because of the elevation difference, there is no access to northern views as enjoyed by nearby residential properties, and decks must be included in the site coverage as they are above 30" because of the grades. In addition, there are privacy issues with the neighbor's (80262) deck and living room looking directly into the (80258) living room and master bedroom from above, and there is no opportunity for a privacy fence because of the grade difference and fence height restrictions.

Diagrams "A" and "B" illustrate with drawings and charts the Arch Cape Park Plat oceanfront properties and the comparison of approximate existing setbacks to western lot line, top of bluff, and encroachment into the RM Zone setback.

The requirement of a 50ft RM Zone setback to this Tax Lot 2200 is in an exceptional and extraordinary circumstance when compared with other ocean front properties in the same zone and vicinity. This results from both the unusual origination of an isolated RM zone between the property and the ocean, and the fact that the 50ft setback has not been enforced on the development of the other 13 existing oceanfront properties to the north that would be subject to this setback under the strict application of the ordinance. The application of the 50ft setback would be significantly greater than the setbacks of all other oceanfront properties in the vicinity and would deprive us of the reasonable use of this property, in comparison to the use enjoyed by other property owners through a lack of application of the RM zone setback through previous County actions.

(3)(B) The granting of a variance shall neither be injurious to the neighborhood or community nor otherwise detrimental to the public welfare or to the public safety.

As noted above, the granting the variance for the use of Oceanfront Section S3.015 in lieu of the strict application of the 50ft RM zone setback would not negatively affect the neighborhood as currently none of the other existing 14 developed properties adjacent to the RM zone currently meet the 50 ft setback, nor do any other oceanfront properties in Arch Cape require a similar oceanfront setback. The public access to and use to the beach would not be affected by the variance.

Diagrams "C" and "D" show the affect this proposed addition would have on two of the direct neighbors, 80239 Pacific and 80262 Pacific. In both cases, the drawings show minimal to no impact on their views to the ocean.

(3)(C) The granting of the variance will not permit the establishment of any development or use which is not permitted by the Ordinance, nor confer upon the applicant any special privilege that is denied by this Ordinance to other lands, structures or buildings in the area.

The variance application is for an addition to the single-family residence as allowed by the AC-RCR. All other single-family buildings in the area have been built or renovated per the Oceanfront Section S3.015 setback so this would not create a special privilege for this lot.

(3)(D) There must be proof of significant hardship. It is not sufficient proof of hardship to show that a greater profit would result if a variance were granted. Nor shall loss of value be a valid reason to grant a variance. Furthermore, the hardship cannot be self-created or self-imposed. The hardship must result from the strict application of this Ordinance and be suffered directly by the property in question. Evidence of a variance granted under similar circumstances shall not be considered as solely sufficient cause to grant hardship relief.

The strict application of the RM Zone 50 ft setback would be a significant hardship in depriving us from using the oceanfront property in the way that all the other properties in the Plat, and within Arch Cape as a whole, are able to do. The Oceanfront setback S3.015 was created to ensure reasonable view access that is a primary use and value of oceanfront property. Application of the RM zone setback our property would create a significant hardship.

(3)(E) The granting of a variance is necessary for the reasonable use of land or building, and the variance granted by the hearing body is the minimum variance that will accomplish this purpose.

The variance from the RM zone setback and the application of the S3.015 Oceanfront setback will allow for the reasonable use of the land and usable building area.

(3)(F) This hardship does not arise from a violation of the provisions of this Ordinance.

There are no violations or previous ordinances associated with this site.

(3)(F) The development will occur on a parcel of land that in conjunction with adjacent land in the same ownership is not otherwise reasonably capable of development and use under the provisions of this Ordinance.

This development is on a single parcel of land.

The history of the application of the RM zone and is not altogether clear. Our Tax Lot 2200 is one of the 18 ocean front lots in the Arch Cape Park subdivision plat created in June 1908 (see map attached). The "initial point" survey of southwest corner of the overall subdivision is located at the south west corner of Lot 2200. The west boundary of lots 1400 - 2200 are indicated by a line N5deg 00E. To the west of this property line is an area labeled "Public Park" that is not indicated as a lot nor has any dimensions or surveyed specific western, southern or northern boundaries other than an area noted as Pacific Ocean. This plat includes a note that all areas indicated as Public Parks and Streets to be dedicated to the public forever. There is some local oral history that believes the "public park" of the 1908 plat was primarily intended to provide for a future railway along the oceanfront. This is reinforced by the original plat declaration that allows the original owner to use the "public park" for a railway. Surveys from 1981-2015 (see attached) for Arch Cape Park do not indicate a lot, and only some reference "Public Park" to the west of this Lot 2200, while the Pacific Ocean is indicated on others as abutting these properties.

The current zoning map (see map attached) indicates a Lot 600 west of Lot 2200 and is zoned RM (Recreation Management). On this map, the western boundary of Lot 600 appears to be the ORS 390.770 Ocean Shores Coordinate Line (GLO Meander Line), although the GIS map does not indicate any dimensions of Lot 600. Immediately south of Lot 2200, lot 200 in the Kent Price Park subdivision (and all other properties south), the similar area to the west of that property is not shown as a lot and does not have an RM zoning. It appears that this ocean front RM zone is particularly unique to the Arch Cape Park and it does not have any particular characteristics (geography, wetlands, historical use, etc) that differentiate it from all other public areas between the public beach and ocean front properties in the Arch Cape community.

The RM zone requires a 50ft setback on adjacent properties. All available historical surveys and aerial photos indicate that this 50ft setback has not been adhered to in the development of the other 13 existing oceanfront properties (see diagram A) and from tax records development has occurred on these properties subsequent to the 1981 Zoning Ordinance and Map. As an example, the house on Lot 1500 was constructed new in 1989 and did not follow the 50 ft. setback.

Lastly, there is no clear ownership of this RM zone property as determined by Clatsop County. While given a lot area and value on the current tax records, there are no historical metes and bounds, nor was it considered a lot or parcel until it appeared at some point on the county zoning map.

Neighborhood Meeting Notes for Variance Request

From 3 February 2018 Meeting at 80258 Pacific Road, Arch Cape Oregon 97102

Attendance – see attached list.

The meeting was held from 1-3pm with Nan Binkley presenting photos and diagrams of the proposed single-story addition, with Gail Heinrichson and Will Caplinger in attendance from Clatsop County Planning.

Overall, there seemed to be general confusion about the RM zone and the diagrams showing the impacts on not only this property, but how the RM zone setback applies to all of the oceanfront properties in Arch Cape Park Plat. The most striking revelation was that if the RM zone setback is applied to these properties, all of the existing oceanfront homes become non-conforming structures, subject to new standards and procedures or variances if there is future development.

There was also a misunderstanding of the zone boundaries related to the top of bank and misconceptions about the RM zone's relationship to property lines. There was some discussion about when it was implemented, but no consensus.

Previous to and after the meeting, several in attendance voiced their support for the project, and volunteered to write letters of support, citing the overall design improvement of the home, and the unfairness of the RM Zone setback applied to the improvements instead of the Oceanfront Setback standard to only this property out of all of the other oceanfront properties in Arch Cape Park Plat.

Summary Topics:

1. A concern was expressed that the RM zone and the 50 ft RM required setback was not being properly displayed in the submittal drawings because it showed the setback line passing through all of the existing 14 houses resulting in each of them as non-conforming structures. It was also suggested that the RM zone line is not a fixed line due to the progressive erosion of the bluff.

Response:

- The county planner confirmed that the RM zone setback appeared to be correctly shown in the documents as 50 ft east of (and parallel to) the western boundaries of the 15 oceanfront properties. He stated that the RM zone is defined by the western property lines of these adjacent lots in Arch Cape Park Plat, and is not related to the edge of bluff, vegetation line or any other possible "moving" line.
- The attached "Exhibit A" overlay map and drawing is a compilation of scaled drawings of each existing house from the county GIS tax records superimposed on the scaled site plan. While not an actual survey, the map was correlated with the online county aerial photos, indicating that all of the existing houses in the Plat are encroaching into the RM zone setback.

2. A concern was expressed that the variance would set a precedent by using the Oceanfront Setback Standard S3.015 to start a "march to the west" of these homes.

Response:

- The oceanfront setback has been the standard by which all houses in Arch Cape have been regulated since its inception, and while the neighbors to the north of our property could also potentially add to the west using our addition as a basis, the averaging of each projects to its

neighbor would result in a very slow and progressively smaller movement to the west and a point of diminishing return. The Oceanfront setback standard language was created specifically to mitigate this type of progressive movement while giving each lot a fair relationship to the oceanfront.

- Added to this, each new proposed addition to the west would be required to provide geologic reports that the soils are stable on which to build and based on the existing shorter distances to edge of bluff of most of the houses this factor might additionally constrain the development.

3. *A concern was expressed about upsetting the "status quo" of the relationship between the existing houses and the ocean front. It was stated that properties should not be built forward of where their property is along a north-south line, parallel to the street, to protect the top of bank and neighboring views.*

Response:

- We presented drawings that illustrate that in fact what the addition we are proposing is much further back from the top of bank than most of the other houses. The drawings show that the existing houses generally move toward the west as one moves from North to South, following the natural angle of the bank and the beach to the southwest.
- The attached "Exhibit B" chart shows current approximate dimensions to existing structures from their western property line, top of bank and encroachment into the RM Zone setback that they vary widely in these dimensions from their western property lines and to the top-of-bank,
- The average setback of the 14 existing houses to the western property line is about 24 feet (median is about 27 feet), and our house is currently 55 feet with a requested to reduce it to 28 feet, not including the deck, as decks are not included in the oceanfront setback calculations, per Section S 3.015 Oceanfront Setback (4). The approximate average setback of the 14 existing houses to the estimated edge top of bank is 38 feet, and our existing house is 83 feet with a proposed reduction it to 54 feet for the addition. We believe that by utilizing the Oceanfront Setback standard this will preserve the "status quo".

4. *A concern was expressed that the current house has good views and that the variance is not needed to achieve equitable views.*

Response:

- Our house is the furthest setback of all 14 existing houses with over 80 ft from the top of bank. It is also approximately 6 feet lower at its highest elevation than the house to the north, 80262 Pacific, and it is lower than all of the other oceanfront properties in Arch Cape Park Plat which are all situated on top of the bluff. The distance back does not allow views of the beach except at very low tide, nor views to the north which are accessed by the other properties. We would like the opportunity to expand our home as others have in this Plat to increase accessibility to views for our daughter who has a disability causing mobility restrictions to enjoy the beach when she cannot physically use it.
- It is our understanding that the purpose of the RM zone setback is not for "view protection", rather that is the purpose of the Section 3.015 Oceanfront Setback ordinance and height requirements which we are proposing to use.

5. A statement was made that the existing two-story section of the house was constructed illegally due to its height

Response:

- Since the neighborhood meeting, the original building permit dated 1979 for this section of the home was located, making it a legal non-conforming structure. We understand this means that any new permits will be required to follow Section 5.610 (1) Expansion, and Section 5.614 (C) Replacement and Damage.

4. A concern was expressed that there would be a change in the ocean view from 80239 Pacific Ave to the southeast, and from 80262 Pacific to the North.

Response:

- We presented drawings of the 80262 views both before and after ("Exhibit C", and the attached "Exhibit D" shows the current view and the view with the proposed addition from 80239 Pacific which has a wide view of the ocean. As shown because we have set the addition back to the north from the existing deck, the angled view from 80259 Pacific has only a minor view encroachment-about .03 % reduction of their western view or about 3 degrees out of a 90 degree view.
- It is our understanding that the S3.015 Oceanfront Setback ordinance and the height requirements of the code govern the view corridors for inland properties. The new addition proposes to meet all the requirements of the Oceanfront setback and height.

5. A question was asked about if the renovation was more than 75% of the appraised value if that would require bringing the structure into current code compliance and possibly a removal of the existing second floor per section 4.124 Alteration.

Response:

- This section has been replaced by Section 5.600 Non-Conforming Uses and Structures.

6. Questions were raised about the top of bank line, erosion and soil stability that might be affected by the addition.

Response:

- The county planner noted that neither the top of bank line nor the vegetation line have any relationship to the eastern boundary of the RM zone. The Eastern boundary of the RM zone is the identified as the western property line of the oceanfront lots in Arch Cape Park Plat.
- The issue of bank erosion is regulated by the requirement of a geological report on the property and reviewed by the planning staff. The geological report for our property shows that it is on acceptable soil and that the construction of the addition will not affect the erosion of the bank.

7. A question was raised about what the hardship that was being claimed for the property and if it was primarily the view.

Response:

- The Variance requested is a reduction to the RM Zone setback for an addition.

- The hardships stated in the Variance Request are as follows:
 - A. Because of setbacks for corner, side yard and RM Zone, the base property usable buildable area results in only 31% of the total lot area. The other properties in Arch Cape Park Plat vary in size, but they have an approximate average of 52% of buildable area (meaning the area they could choose to locate their structures) because the RM zone setback was not applied.
 - B. Our property is about 7 feet lower in elevation than the immediate property to the north, and lower than all other oceanfront properties in the Plat, which are all located on top of the bluff. Because of the relative flat sites, most oceanfront homes have extensive decks which are not more than 30" above grade, thereby not counted in the lot coverage maximum of 40%. Our proposed decks more than 30" above grade total about 1% of the lot coverage. The majority of the existing decks of these adjacent houses are to the west, encroaching into the RM zone setback, the direction where we have the most slope. We are proposing a total lot coverage of 38%, including decks over 30".
 - C. The Variance for which we are applying is the fair and reasonable use of our property as has been afforded to all other ocean front properties in Arch Cape. The exceptional configuration and situation of this particular property, when apply the strict application of the code denies that use. In this case it is both the amount of land available for development and the access to the beach view as noted in question 4. We are only asking for a setback from the ocean front, top-of-bank and west property line that is equal to the other houses in Arch Cape Park and in the rest of Arch Cape.

Note: Many additions, extensive remodels and new structures have been built since the stated inclusion of the RM zone in 1980 and to our understanding, the 50ft setback has never used in the regulation of the oceanfront setback. We might assume that a strict reading of the code section 3.068 in the most recent amendments specifically addresses the application of the RM zone exception that requires the 50ft setback for side and rear yards in Arch Cape, but also specifically does not call-out the RM zone exception for Ocean front lots – but rather specifically and only notes the use shall be determined Oceanfront setback ordinance S.3015.

NEIGHBORHOOD MEETING

SKN-IN

NAME

ADDRESS

ALEX HOSER

1015 SUNNINGDALE
LAKE OSWEGO

STEVE & JOANNE HILL

31880 Oceanview
Arch Cape OR

Jessica Kaman

Lot next door Arch
Cape / Portland

Dave & Joanne Stockton

80261 Pacific

Unda EYERMAN

80296 Pacific Rd
Arch Cape

Bill GAYLORD

Deanne & Dick Rubinstein

80420 Pacific
Arch Cape

Bob & Bonnie Bunker

80293 Pacific Rd
Arch Cape

Scott Hibbs

80292 Pacific Rd

John Hill

80203 Pac Rd

Karen & Charlie Waibel

80239

Roselle & Greg Soriano

31902 East
Shingle Mill Lane

DAVID VANADA

Arch Cape -
P.O. Box 645 97145
Tolovana Park Or.

Danna Kittell

31969 Shanks Ln

Lisa Kern

ORCA