



---

**VARIANCE REQUEST #851-22-000063-PLNG: FEINBLUM**

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

**NOTICE OF ADMINISTRATIVE REVIEW**

**Date of Notice: March 28, 2022**

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

**#851-22-000063-PLNG:** A Variance request to reduce the required 30-foot front and rear yard combination setback to a (zero) 0-foot front yard setback and to further reduce the 50% lot coverage allowance for the expansion of an existing deck on a property developed with a single-family dwelling located in the Unincorporated Community of Oceanside. Existing side and rear yard setbacks are unaffected. Subject property is located at 1665 Portland Avenue, a County road, zoned Residential Oceanside Zone (ROS) and designated as Tax Lot 11300 of Section 25AA, Township 1 South, Range 11 West, W.M., Tillamook County, Oregon. The applicant and property owner is Daniel Feinblum.

Written comments received by the Department of Community Development prior to 4:00 p.m. on April 11, 2022, will be considered in rendering a decision. Comments should address the criteria upon which the Department must base its decision. A decision will be rendered no sooner than the next business day, April 12, 2022. Notice of the application, a map of the subject area, and the applicable criteria are being mailed to all property owners within 250 feet of the exterior boundaries of the subject parcel for which an application has been made and other appropriate agencies at least 14 days prior to this Department rendering a decision on the request.

A copy of the application, along with a map of the request area and the applicable criteria for review are available for inspection at the Department of Community Development office located at 1510-B Third Street, Tillamook, Oregon 97141. They are also available on the Tillamook County Department of Community Development website: <https://www.co.tillamook.or.us/commdev/landuseapps>.

If you have any questions about this application, please contact the Department of Community Development at (503) 842-3408 ext. 3317 or [sabsher@co.tillamook.or.us](mailto:sabsher@co.tillamook.or.us).

Sincerely,

A handwritten signature in blue ink that reads "Sarah Absher". The signature is fluid and cursive.

Sarah Absher, CFM, Director

Enc. Maps and applicable ordinance criteria

## REVIEW CRITERIA

### ARTICLE VIII - VARIANCE PROCEDURES AND CRITERIA

**SECTION 8.030: REVIEW CRITERIA:** A VARIANCE shall be granted, according to the procedures set forth in Section 8.020, if the applicant adequately demonstrates that the proposed VARIANCE satisfies all of the following criteria:

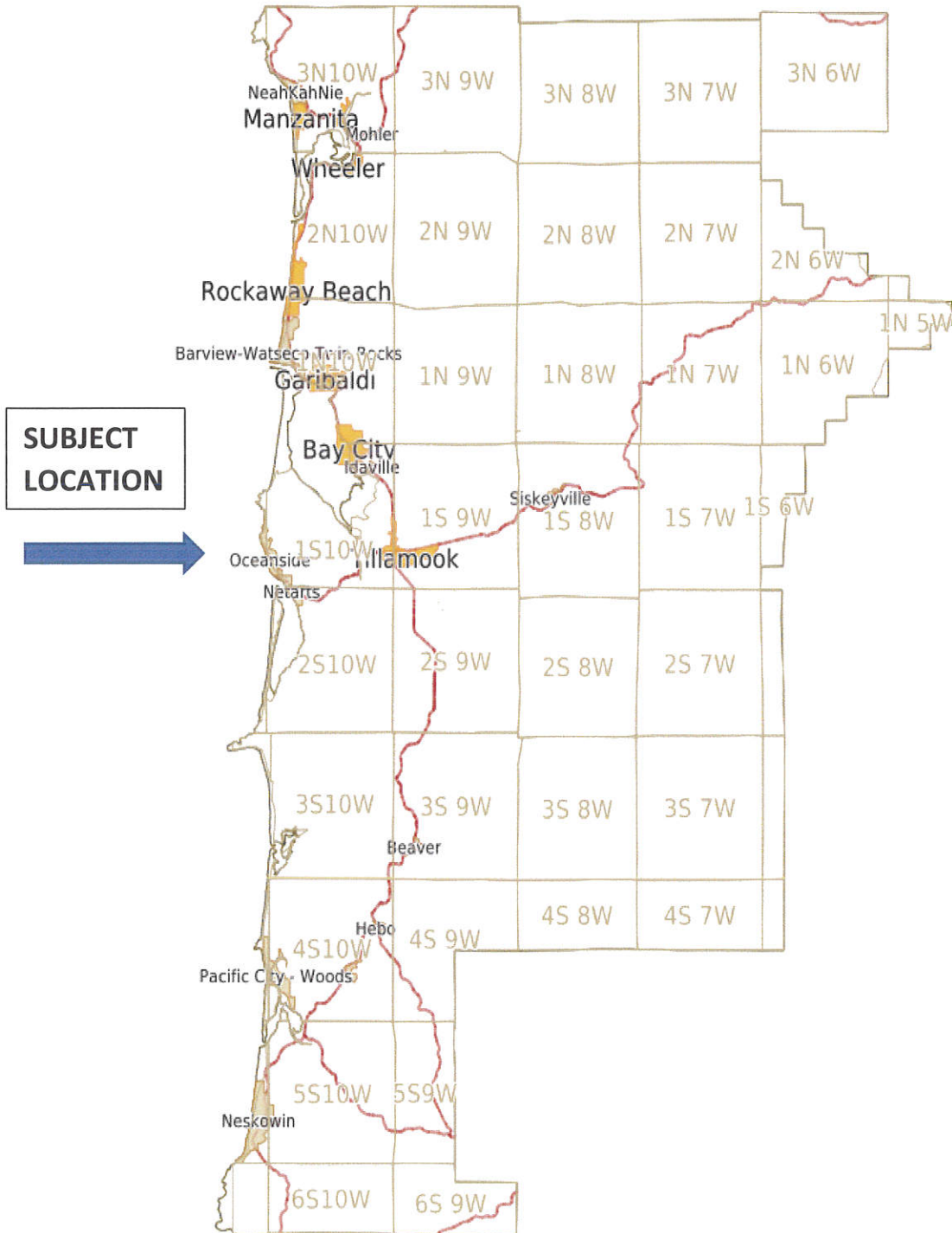
- (1) Circumstances attributable either to the dimensional, topographic, or hazardous characteristics of a legally existing lot, or to the placement of structures thereupon, would effectively preclude the enjoyment of a substantial property right enjoyed by the majority of landowners in the vicinity, if all applicable standards were to be met. Such circumstances may not be self-created.
- (2) A VARIANCE is necessary to accommodate a use or accessory use on the parcel which can be reasonably expected to occur within the zone or vicinity.
- (3) The proposed VARIANCE will comply with the purposes of relevant development standards as enumerated in Section 4.005 and will preserve the right of adjoining property owners to use and enjoy their land for legal purposes.
- (4) There are no reasonable alternatives requiring either a lesser or no VARIANCE.

### SECTION 4.005: RESIDENTIAL AND COMMERCIAL ZONE STANDARDS

In all RESIDENTIAL AND COMMERCIAL ZONES, the purpose of land use standards is the following:

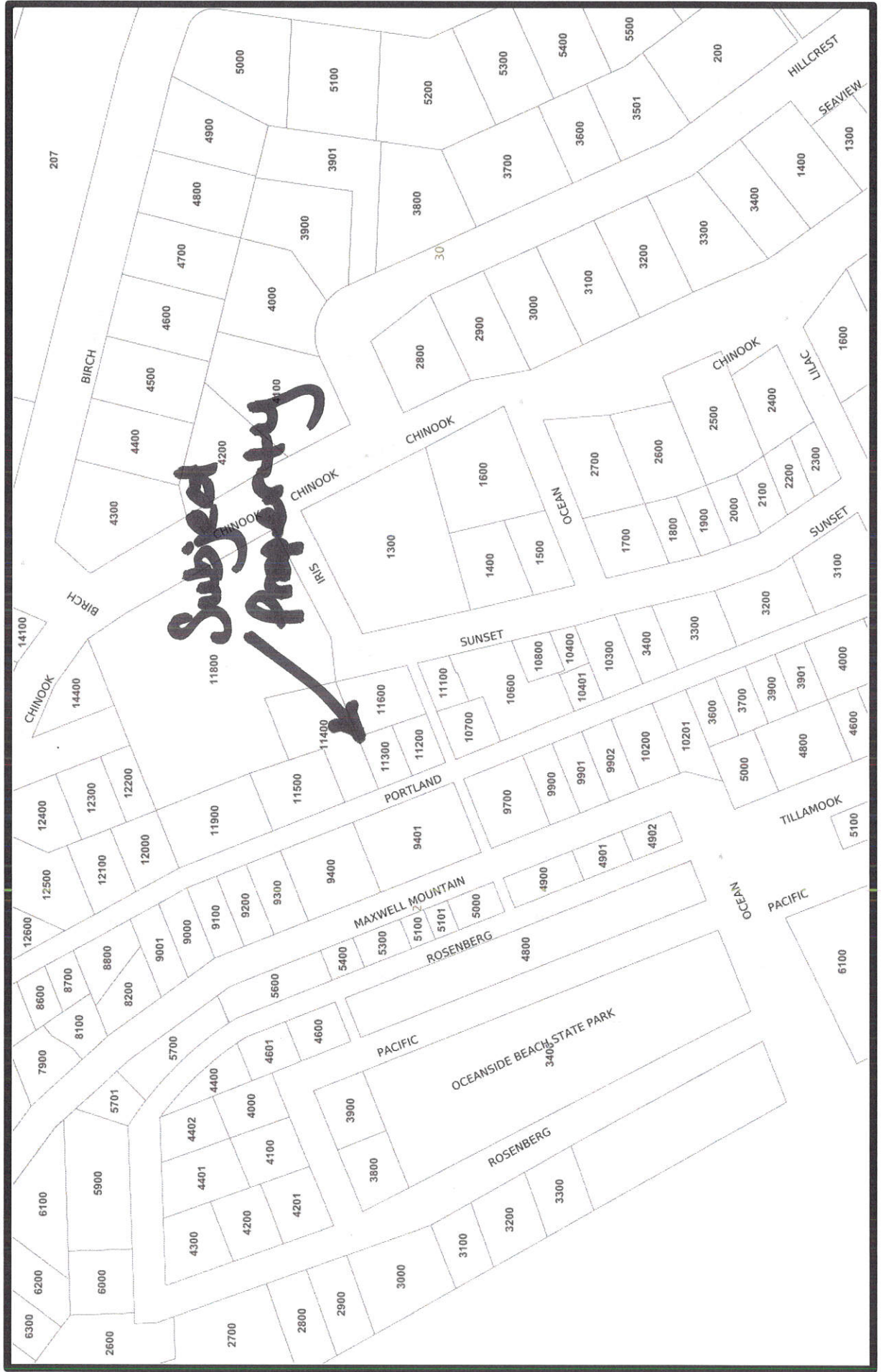
- (1) To ensure the availability of private open space;
- (2) To ensure that adequate light and air are available to residential and commercial structures;
- (3) To adequately separate structures for emergency access;
- (4) To enhance privacy for occupants of residences;
- (5) To ensure that all private land uses that can be reasonably expected to occur on private land can be entirely accommodated on private land, including but not limited to dwellings, shops, garages, driveways, parking, areas for maneuvering vehicles for safe access to common roads, alternative energy facilities, and private open spaces;
- (6) To ensure that driver visibility on adjacent roads will not be obstructed;
- (7) To ensure safe access to and from common roads;
- (8) To ensure that pleasing views are neither unreasonably obstructed nor obtained;
- (9) To separate potentially incompatible land uses;
- (10) To ensure access to solar radiation for the purpose of alternative energy production.

# VICINITY MAP

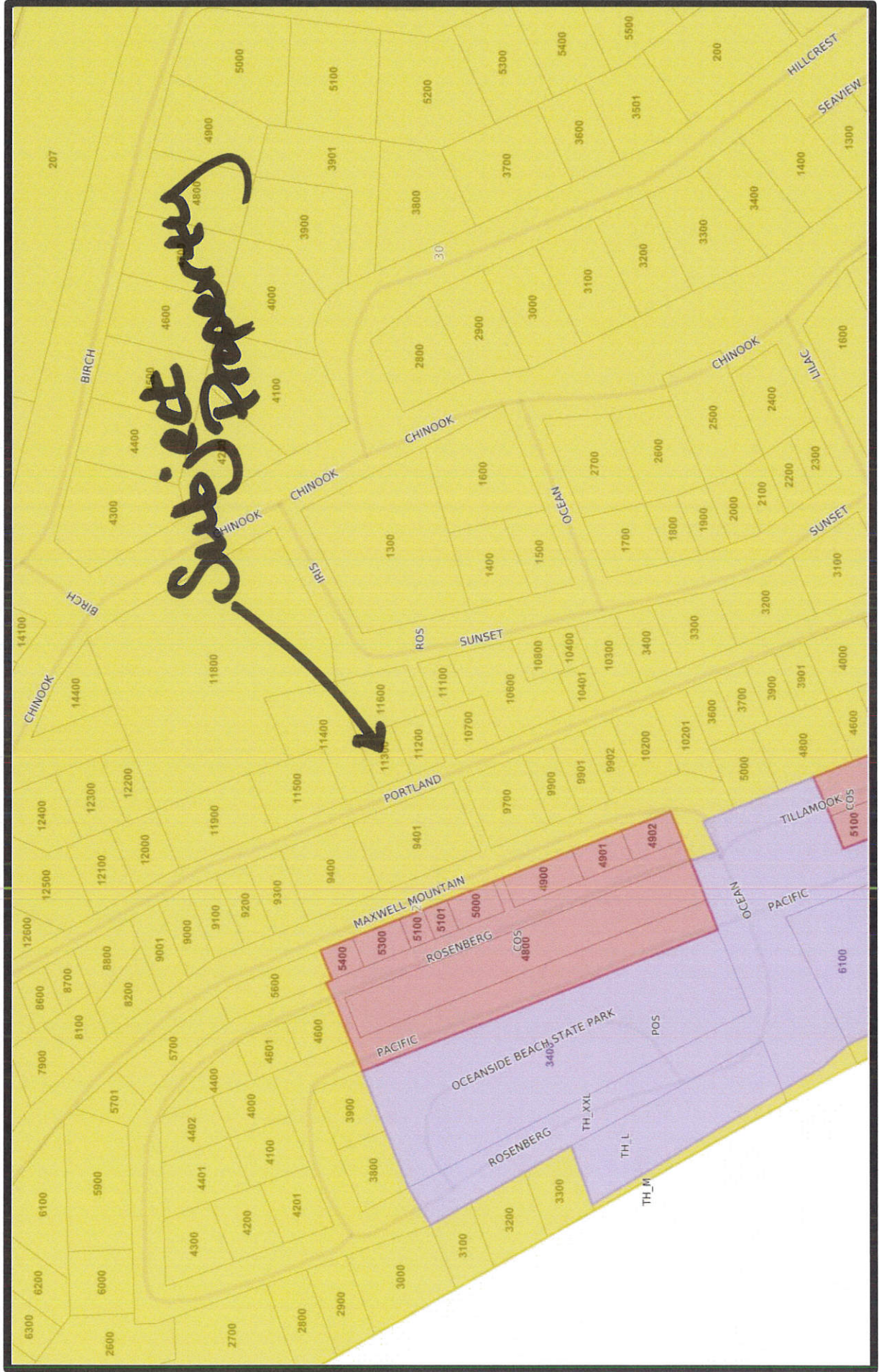


#851-22-000063-PLNG: FEINBLUM

# Map



# Map





## PLANNING APPLICATION

OFFICE USE ONLY	
Date Stamp	
RECEIVED FEB 13 2021	
<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Received by: <i>SS</i>	
Receipt #: <i>124466</i>	
Fees: <i>1,089.00</i>	
Permit No: <i>851-22-00063-PLNG</i>	

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

Name: *Daniel Feinblum* Phone: *503 999 0178*

Address: *1665 4311 SE 52nd Ave*

City: *Portland* State: *OR* Zip: *97206*

Email: *pigbaby03@gmail.com*

**Property Owner**

Name: *1* Phone: *(pigbaby03@gmail.com)*

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email: \_\_\_\_\_

Request: *Deck Modification*

- | Type II  | Type III   | Type IV   |
|--|--|---|
| <input type="checkbox"/> Farm/Forest Review                                | <input type="checkbox"/> Appeal of Director's Decision           | <input type="checkbox"/> Appeal of Planning Commission Decision |
| <input type="checkbox"/> Conditional Use Review                            | <input type="checkbox"/> Extension of Time                       | <input type="checkbox"/> Ordinance Amendment                    |
| <input checked="" type="checkbox"/> Variance                               | <input type="checkbox"/> Detailed Hazard Report                  | <input type="checkbox"/> Large-Scale Zoning Map Amendment       |
| <input type="checkbox"/> Exception to Resource or Riparian Setback         | <input type="checkbox"/> Conditional Use (As deemed by Director) | <input type="checkbox"/> Plan and/or Code Text Amendment        |
| <input type="checkbox"/> Nonconforming Review (Major or Minor)             | <input type="checkbox"/> Ordinance Amendment                     |   |
| <input type="checkbox"/> Development Permit Review for Estuary Development | <input type="checkbox"/> Map Amendment                           |   |
| <input type="checkbox"/> Non-farm dwelling in Farm Zone                    | <input type="checkbox"/> Goal Exception                          |   |
| <input type="checkbox"/> Fore-dune Grading Permit Review                   |  |   |
| <input type="checkbox"/> Neskowin Coastal Hazards Area                     |  |   |

**Location:**

Site Address: *1665 Portland Ave*

Map Number: *15* Township *11* Range *259AA* Section *11300* 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.

*[Signature]*  
 Property Owner Signature (Required)

*2/16/22*  
 Date

Applicant Signature

Date

Section 8.030

1665 portland ave Oceanside Oregon

Daniel Fienblum porch extension

Essay regarding porch extension

1. House was built in 1951 and the porch was within 3 ft. of property boundary. Construction of a retaining wall was approved and installed to provide safety to the home and property. Retaining wall also increased the safety of the county road and improved parking on Portland Avenue by two spots. Engineering of wall was done also to include porch and weight to benefit. Wall was designed for increased weight; the more sable it gets. For majority of land owners within the vicinity; the extension will insure private open space. It will ensure adequate light and air are available to residential and commercial structures. Does not obstruct the road way from any emergency access. Porch does not take privacy away from any surrounding residents. Porch will still accommodate any future dwelling, shops, garages, driveways, parking, areas for maneuvering vehicles for safe access to common roads, alternative energy facilities and private open spaces. It will still ensure driver visibility on adjacent roads. Porch will still ensure safe access to and from common roads. Porch will ensure access to solar radiation for the purpose of alternative energy production.

Thank you

A handwritten signature in cursive script, appearing to read "Daniel Fienblum".

## Sarah Absher

---

**From:** Danny Feinblum <pigbaby03@gmail.com>  
**Sent:** Saturday, March 26, 2022 10:30 AM  
**To:** Sarah Absher  
**Subject:** EXTERNAL: 1665 Portland ave

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

Thank you Sarah Absher,

I appreciate the opportunity to reply to you regarding criteria 2 and 4 for the County's review of my request for a variance at 1665 Portland Ave., Oceanside, Oregon. As you are aware, I purchased the existing residence in 2013. I believe, the existing house was built in 1947. A concern I had from the date of purchase, was the steepness of the slope of the property and the lack of parking along Portland Ave. After discussions with the County, it was mutually agreed that a structural retaining wall set in on the property to accommodate car parking on Portland Ave. would be a good solution. This would permit car parking and structurally tie the existing house to the retaining wall with a new replacement deck. After initially getting Strickter Engineering firm to design the retaining wall it was redesigned to accommodate the County's request. I was informed (incorrectly) by my contractor that a permit was not required to replace my worn out deck. All the work has now been completed and the new deck secures the existing house to the new concrete retaining wall. The new deck extends 3 ft beyond the old deck which was only 4 feet wide.

Criteria 2: Having a new deck extended 3 ft allows for structural stability on a steep slope by bracing the house to the new concrete retaining wall. This also allows for a slightly larger deck facing the ocean. We also paid to underground the electric wires to improve the view from the deck.

Criteria 4: We think this Variance should be granted as the existing deck already was beyond the setback requirements, and the new deck will have no effect on neighboring properties. There is no reasonable alternative that provides as much structural support for an existing residence on this steep a slope as the work already constructed.

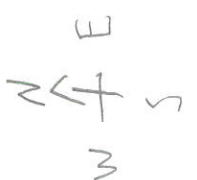
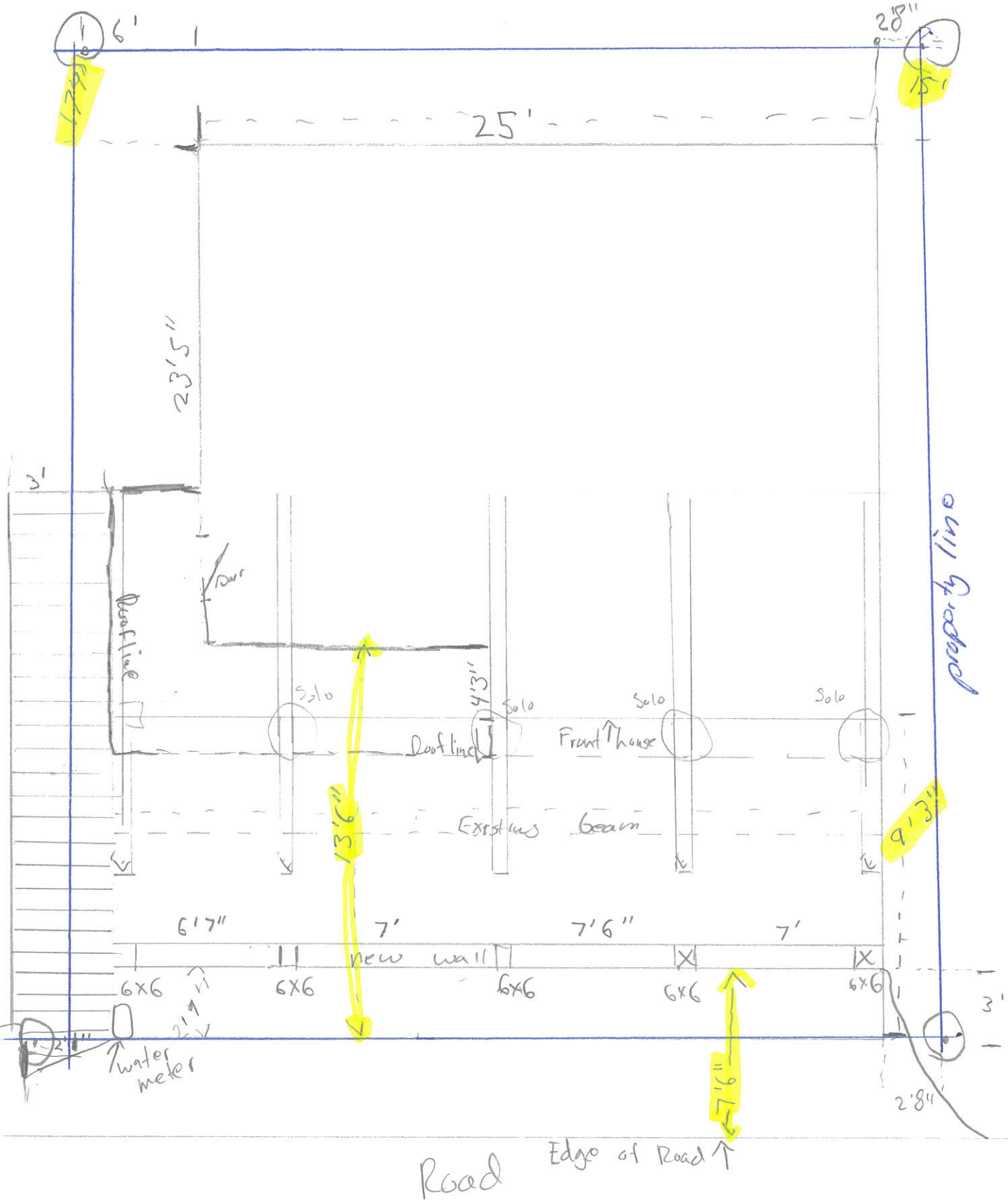
Please add this email to the submission. Sincerely,

Daniel Feinblum  
Owner

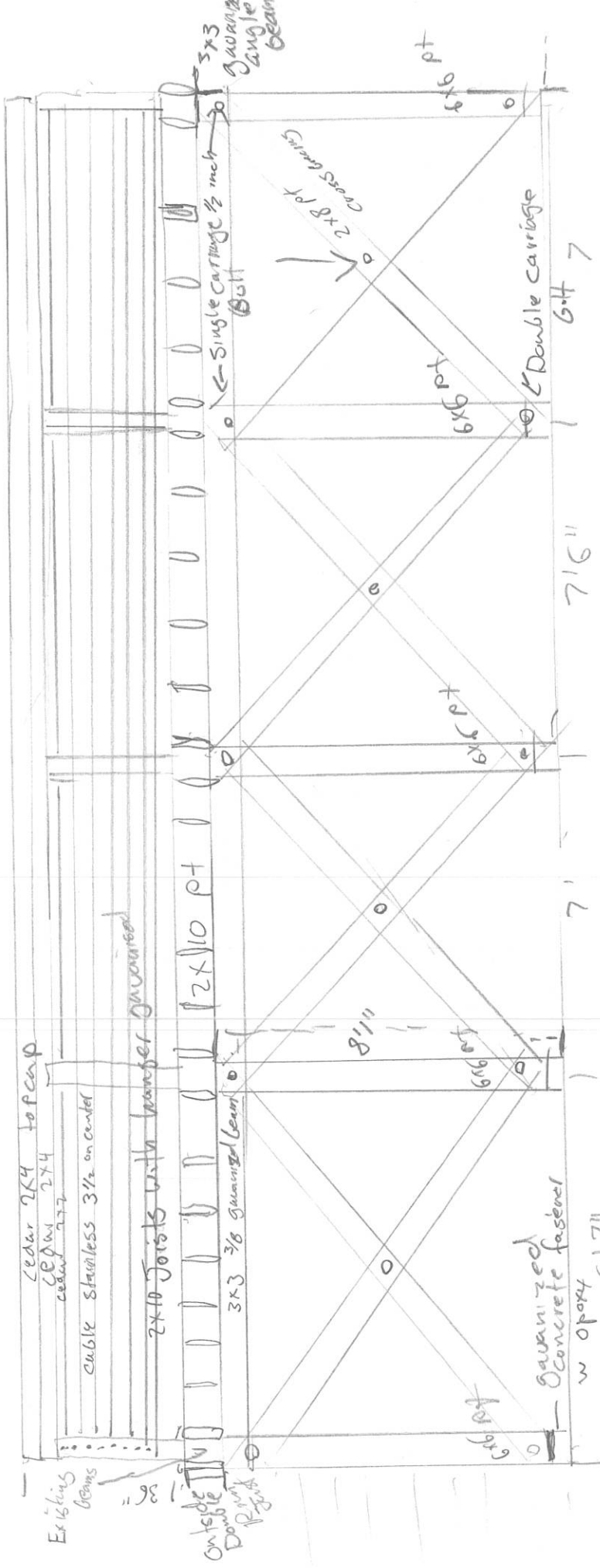
Sent from my iPhone



# 1665 Portland Ave Oceanside Oregon measurements



1665 Portland Avenue Oceanside Oregon



131

Concrete Wall

tree backs

off stairs  
 property  
 Corner

looking East



meter