



# CITY OF MILWAUKIE

## NOTICE OF REVIEW

**REVISED**

**Revised Version Date Mailed: February 5, 2021**

Traducciones de este documento e información sobre este proyecto están disponibles en español. Para solicitar información o preguntar en español, favor de email [espanol@milwaukieoregon.gov](mailto:espanol@milwaukieoregon.gov).

You are receiving this notice because a review by the City Manager has been requested as part of an appeal for a denied application for major right-of-way encroachment in your neighborhood. The review requires notice to the property owner; applicant; and all property owners, residents, and neighborhood district association(s) within 200 feet of the subject property. A summary of the proposal and information on how to respond to this notice are described below.

The City will consider written comments on the review prior to issuing a decision.

*Please note that if you have already submitted a comment in favor to the applicant at 2512 SE Lark Street, that the city is already in receipt of these comments and they will be counted. If you are unsure if your comments have been received, please reach out to the Staff Contact.*

To ensure that your comments are considered in the decision, please submit written comments to the staff contact listed below before 5:00 p.m. on **Wednesday, February 17, 2021**. After that date, there is no guarantee that comments will be incorporated into the decision.

The decision may be issued as early as 14 days from the date of this public notice.

Please include the land use file number for reference.

<b>Permit Number(s):</b>	601-20-001338-ROW
<b>Location:</b>	2512 SE Lark Street 21E01BB02400 <i>A map of the site is located on the last page of this notice.</i>
<b>Proposal:</b>	The proposal is to allow a previously installed fence in front of the property and across the unimproved Right-of-Way on the south side of Lark Street (at 25 <sup>th</sup> Ave). The City Engineer has denied this application based on current use. Because the applicant has requested to appeal this decision, a review by the City Manager is required. If the encroachment is approved, a fence height variance will be required.
<b>Staff contact:</b>	<b>Jennifer Backhaus, Engineering Technician II</b> City of Milwaukie Engineering Department 6101 SE Johnson Creek Blvd Milwaukie, OR 97206 503-786-7608 <b><a href="mailto:backhausj@milwaukieoregon.gov">backhausj@milwaukieoregon.gov</a></b>

<b>Neighborhood District Association(s):</b>	Island Station NDA, contact Charles Bird at 503-318-5065.
<b>Applicable Criteria:</b>	<ul style="list-style-type: none"><li>MMC 12.14 – Encroachments within Public Rights-of-Way and Easements</li></ul> Copies of these criteria are available upon request and can also be found at <a href="http://www.qcode.us/codes/milwaukie/">www.qcode.us/codes/milwaukie/</a> .

**To learn more about the proposal:** Contact the staff contact assigned to the proposal or visit the project webpage at <https://www.milwaukieoregon.gov/engineering/601-20-001338-row>. The application materials and the formal notice of denial from the City Engineer are available for review on the city's website. Please call the staff contact ahead of time for more information. Copies of this information can be obtained for a reasonable fee.

**To comment on a proposal:** You are invited to submit comments in writing before the City Manager issues a decision. Comments should be addressed to the staff contact listed above and be directed toward the applicable criteria. If you submit a written comment, you will be sent a copy of the decision. All written comments become part of the permanent record. City staff can discuss this proposal in person or via telephone. However, the City will consider only written comments when issuing the decision on this proposal.

**Neighborhood District Association:** The Neighborhood District Association (NDA), listed on the first page of this notice, may take a position on this proposal. The application materials have been referred to the NDA Chairperson and Land Use Committee members. The proposal may be discussed at an open meeting of the NDA. Please contact the person listed as the neighborhood contact to determine the status of the NDA's review and position on this proposal.

**Decision:** The City Manager will consider any comments received and issue a final decision to approve the proposal, approve the proposal with conditions, or deny the proposal. The earliest the decision would be issued is 14 days from the date of this public notice. The decision may be issued after that date depending upon the amount of comments received and complexity of the proposal.

*A copy of the decision will be mailed only to persons that submit written comments prior to the issuance of a decision.*

**Enclosures:**





- Location map

**NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR, OR SELLER:**

THE MILWAUKIE MUNICIPAL CODE REQUIRES THAT IF YOU RECEIVE THIS NOTICE IT SHALL BE PROMPTLY FORWARDED TO THE PURCHASER.



## Legend

-  200 ft buffer
-  Site
-  City of Milwaukie notices
-  City Limit