

MILWAUKIE PLANNING
 6101 SE Johnson Creek Blvd
 Milwaukie OR 97206
 503-786-7630
 planning@milwaukieoregon.gov

Application for Land Use Action

Master File #: VR-2020-001

Review type*: I II III IV V

CHECK ALL APPLICATION TYPES THAT APPLY:

- | | | |
|---|--|---|
| <input type="checkbox"/> Amendment to Maps and/or Ordinances: | <input type="checkbox"/> Land Division: | <input type="checkbox"/> Planned Development |
| <input type="checkbox"/> Comprehensive Plan Text Amendment | <input type="checkbox"/> Final Plat | <input type="checkbox"/> Residential Dwelling: |
| <input type="checkbox"/> Comprehensive Plan Map Amendment | <input type="checkbox"/> Lot Consolidation | <input type="checkbox"/> Accessory Dwelling Unit |
| <input type="checkbox"/> Zoning Text Amendment | <input type="checkbox"/> Partition | <input type="checkbox"/> Duplex |
| <input type="checkbox"/> Zoning Map Amendment | <input type="checkbox"/> Property Line Adjustment | <input type="checkbox"/> Manufactured Dwelling Park |
| <input type="checkbox"/> Code Interpretation | <input type="checkbox"/> Replat | <input type="checkbox"/> Temporary Dwelling Unit |
| <input type="checkbox"/> Community Service Use | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Sign Review |
| <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Miscellaneous: | <input type="checkbox"/> Transportation Facilities Review |
| <input type="checkbox"/> Development Review | <input type="checkbox"/> Barbed Wire Fencing | <input checked="" type="checkbox"/> Variance: <u>FENCE HEIGHT</u> |
| <input type="checkbox"/> Director Determination | <input type="checkbox"/> Bee Colony | <input type="checkbox"/> Use Exception |
| <input type="checkbox"/> Downtown Design Review | <input type="checkbox"/> Mixed Use Overlay Review | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Extension to Expiring Approval | <input type="checkbox"/> Modification to Existing Approval | <input type="checkbox"/> Willamette Greenway Review |
| <input type="checkbox"/> Historic Resource: | <input type="checkbox"/> Natural Resource Review** | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Alteration | <input type="checkbox"/> Nonconforming Use Alteration | Use separate application forms for: |
| <input type="checkbox"/> Demolition | <input type="checkbox"/> Parking: | • Annexation and/or Boundary Change |
| <input type="checkbox"/> Status Designation | <input type="checkbox"/> Quantity Determination | • Compensation for Reduction in Property Value (Measure 37) |
| <input type="checkbox"/> Status Deletion | <input type="checkbox"/> Quantity Modification | • Daily Display Sign |
| | <input type="checkbox"/> Shared Parking | • Appeal |
| | <input type="checkbox"/> Structured Parking | |

RESPONSIBLE PARTIES:

APPLICANT (owner or other eligible applicant—see reverse): [Redacted]

Mailing address: 6460 SE FURNBERG STREET State/Zip: OR 97222

Phone(s): [Redacted] Email: [Redacted]

Please do not include my contact information on public notices or on the City website:

APPLICANT'S REPRESENTATIVE (if different than above):

Mailing address: _____ State/Zip: _____

Phone(s): _____ Email: _____

SITE INFORMATION:

Address: 6564/6460 SE FURNBERG ST. Map & Tax Lot(s): 152E32CB02700

Comprehensive Plan Designation: _____ Zoning: _____ Size of property: _____

PROPOSAL (describe briefly):

*IF A 15 FOOT SETBACK NOT APPROVED, PLEASE APPROVE 20 FOOT SETBACK

WE ARE REQUESTING A VARIANCE BE APPROVED FOR A 15 FOOT SETBACK TO KEEP EXISTING FENCE BETWEEN 6564 & 6460 SE FURNBERG 6 FEET TALL AND FOR A 15 FOOT SETBACK TO BUILD NEW FENCE ON 6460 AT 15 FOOT SETBACK DUE TO VERY MATURE HEDGE AND SHED SITTING AT 20 FOOT SETBACK THAT IS ALLOWED. WE SEE NO IMPACT ON NEIGHBORS, FUTURE CITY PLANS,

SIGNATURE:

HEALTH, SAFETY OR WELFARE AS IT'S 5 FEET CLOSER TO STREET (RIGHT ALONG A LARGE/TALL HEDGE. WE WILL PLANT SHRUBS AND VEGETATION BETWEEN FENCE AND STREET TO KEEP IT NATURAL-LOOKING)

ATTEST: I am the property owner or I am eligible to initiate this application per Milwaukie Municipal Code (MMC) Subsection 19.1001.6.A. If required, I have attached written authorization to submit this application. To the best of my knowledge, the information provided within this application package is complete and accurate.

Submitted by: [Redacted]

Date: 7.17.20

IMPORTANT INFORMATION ON REVERSE SIDE

*For multiple applications, this is based on the highest required review type. See MMC Subsection 19.1001.6.B.1. WALL.

WHO IS ELIGIBLE TO SUBMIT A LAND USE APPLICATION (excerpted from MMC Subsection 19.1001.6.A):

Type I, II, III, and IV applications may be initiated by the property owner or contract purchaser of the subject property, any person authorized in writing to represent the property owner or contract purchaser, and any agency that has statutory rights of eminent domain for projects they have the authority to construct.

Type V applications may be initiated by any individual.

PREAPPLICATION CONFERENCE:

A preapplication conference may be required or desirable prior to submitting this application. Please discuss with Planning staff.

REVIEW TYPES:

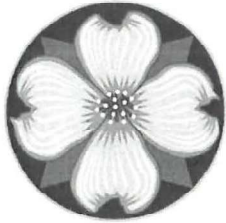
This application will be processed per the assigned review type, as described in the following sections of the Milwaukie Municipal Code:

- Type I: Section 19.1004
- Type II: Section 19.1005
- Type III: Section 19.1006
- Type IV: Section 19.1007
- Type V: Section 19.1008

****Note:** Natural Resource Review applications **may require a refundable deposit.** Deposits require completion of a Deposit Authorization Form, found at www.milwaukieoregon.gov/building/deposit-authorization-form.

THIS SECTION FOR OFFICE USE ONLY:

FILE TYPE	FILE NUMBER	AMOUNT <small>(after discount, if any)</small>	PERCENT DISCOUNT	DISCOUNT TYPE	DATE STAMP
Master file	VR-2020-001	\$ 500			RECEIVED JAN 21 2020 CITY OF MILWAUKIE PLANNING DEPARTMENT
Concurrent application files		\$			
		\$			
		\$			
Deposit (NR only)				<input type="checkbox"/> Deposit Authorization Form received	
TOTAL AMOUNT RECEIVED: \$			RECEIPT #:		RCD BY:
Associated application file #s (appeals, modifications, previous approvals, etc.):					
Neighborhood District Association(s):					
Notes:					



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Submittal Requirements

**For all Land Use Applications
(except Annexations and Development Review)**

All land use applications must be accompanied by a signed copy of this form (see reverse for signature block) and the information listed below. The information submitted must be sufficiently detailed and specific to the proposal to allow for adequate review. Failure to submit this information may result in the application being deemed incomplete per the Milwaukie Municipal Code (MMC) and Oregon Revised Statutes.

Contact Milwaukie Planning staff at 503-786-7630 or planning@milwaukieoregon.gov for assistance with Milwaukie's land use application requirements.

1. **All required land use application forms and fees**, including any deposits.

Applications without the required application forms and fees will not be accepted.

2. **Proof of ownership or eligibility to initiate application** per MMC Subsection 19.1001.6.A.

Where written authorization is required, applications without written authorization will not be accepted.

3. **Detailed and comprehensive description** of all existing and proposed uses and structures, including a summary of all information contained in any site plans.

Depending upon the development being proposed, the description may need to include both a written and graphic component such as elevation drawings, 3-D models, photo simulations, etc. Where subjective aspects of the height and mass of the proposed development will be evaluated at a public hearing, temporary onsite "story pole" installations, and photographic representations thereof, may be required at the time of application submittal or prior to the public hearing.

4. **Detailed statement** that demonstrates how the proposal meets the following:

A. All applicable development standards (listed below):

1. **Base zone standards** in Chapter 19.300.
2. **Overlay zone standards** in Chapter 19.400.
3. **Supplementary development regulations** in Chapter 19.500.
4. **Off-street parking and loading standards and requirements** in Chapter 19.600.
5. **Public facility standards and requirements**, including any required street improvements, in Chapter 19.700.

B. All applicable application-specific approval criteria (check with staff).

These standards can be found in the MMC, here: www.qcode.us/codes/milwaukie/

5. **Site plan(s), preliminary plat, or final plat** as appropriate.

See Site Plan, Preliminary Plat, and Final Plat Requirements for guidance.

6. **Copy of valid preapplication conference report**, when a conference was required.

APPLICATION PREPARATION REQUIREMENTS:

- Five hard copies of all application materials are required at the time of submittal. Staff will determine how many additional hard copies are required, if any, once the application has been reviewed for completeness. Provide an electronic version, if available.
- All hard copy application materials larger than 8½ x 11 in. must be folded and be able to fit into a 10- x 13-in. or 12- x 16-in. mailing envelope.
- All hard copy application materials must be collated, including large format plans or graphics.

ADDITIONAL INFORMATION:

- Neighborhood District Associations (NDAs) and their associated Land Use Committees (LUCs) are important parts of Milwaukie's land use process. The City will provide a review copy of your application to the LUC for the subject property. They may contact you or you may wish to contact them. Applicants are strongly encouraged to present their proposal to all applicable NDAs prior to the submittal of a land use application and, where presented, to submit minutes from all such meetings. NDA information: www.milwaukieoregon.gov/citymanager/what-neighborhood-district-association.
- By submitting the application, the applicant agrees that City of Milwaukie employees, and appointed or elected City Officials, have authority to enter the project site for the purpose of inspecting project site conditions and gathering information related specifically to the project site.
- Submittal of a full or partial electronic copy of all application materials is strongly encouraged.

As the authorized applicant I, (print name) _____, attest that all required application materials have been submitted in accordance with City of Milwaukie requirements. I understand that any omission of required items or lack of sufficient detail may constitute grounds for a determination that the application is incomplete per MMC Subsection 19.1003.3 and Oregon Revised Statutes 227.178. I understand that review of the application may be delayed if it is deemed incomplete.

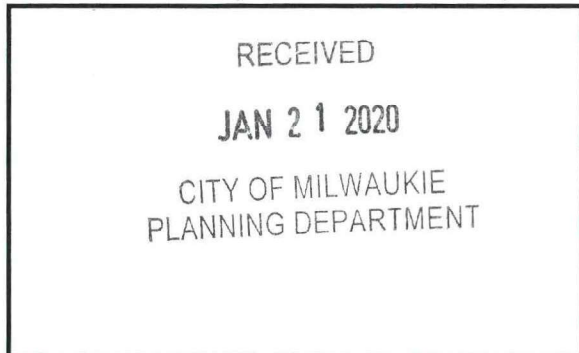
Furthermore, I understand that, if the application triggers the City's sign-posting requirements, I will be required to post signs on the site for a specified period of time. I also understand that I will be required to provide the City with an affidavit of posting prior to issuance of any decision on this application.

Applicant Signature: _____

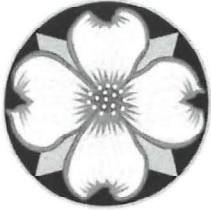
Date: 1.17.20 _____

Official Use Only

Date Received (date stamp below):



Received by: _____



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PREAPPLICATION CONFERENCE WAIVER

I/We, [REDACTED] (print), as applicant(s)/property owner(s) of 6460 SE Furnberg Street, Milwaukie, OR 97222 (address of property), request to waive the requirement for a preapplication conference for the submission of a **Type II / III / IV / V** (circle one) land use application per MMC Subsection 19.1002.2 Applicability.

Please provide an explanation for the waiver request:

MMC Section 19.1002 Preapplication Conference is provided on the reverse

We are requesting a variance on the height of the fence that sits on the property line of our property at 6460 SE Furnberg Street and the property at 6564 SE Furnberg Street. The builder of a new home on the property at 6564 needs this variance quickly handled in order to obtain a final permit to sell his home. We have already discussed this variance request at length with him and with a planner at the City of Milwaukie.

Signed: _____

Applicant/Property Owner

Approved: _____

Planning Director

19.1002 PREAPPLICATION CONFERENCE

19.1002.1 Purpose

The purpose of the preapplication conference is to acquaint the applicant or applicant's representative with the requirements of the municipal code in preparation for submission of a land use application, including relevant approval criteria, development standards, and procedures. The preapplication conference is not an exhaustive review of all potential issues or requirements. Furthermore, the information provided by the City is not binding, and it does not preclude the City from raising new issues or identifying additional requirements during the land use review process.

19.1002.2 Applicability

- A. For Type I applications, a preapplication conference is optional.
- B. For Type II, III, IV, and V applications, and expedited annexations per Section 19.1104, a preapplication conference is required, with the following exceptions:
 - 1. The Planning Director may waive the preapplication conference requirement for proposals that are not complex or, for some other reason, would not benefit from a formal conference.
 - 2. A preapplication conference is not required for City-initiated Type IV or V applications.

19.1002.3 Preapplication Conference Procedures

The Planning Director shall adopt administrative rules for how the City processes preapplication conferences. The rules shall ensure that preapplication conferences are held in a timely fashion and provide a thorough explanation of all required City permits, fees, and approvals for any given development proposal. They shall include standards for scheduling, conducting, and communicating the outcomes of preapplication conferences.

19.1002.4 Preapplication Conference Expiration

- A. A preapplication conference is valid for 2 years. If a land use application or development permit has not been submitted within 2 years of the conference date, the applicant is required to schedule a new preapplication conference prior to submittal. This requirement may be waived per Subsection 19.1002.2.B.1.
- B. An applicant may request additional preapplication conferences at any time. There is no limit to the number of preapplication conferences that may be requested.
- C. If a development proposal is significantly modified after a preapplication conference occurs, the Planning Director may require a new preapplication conference. The City may refuse to accept a land use application or development permit for a significantly altered development proposal until a new preapplication conference is held.

PROPOSED 6 FOOT FENCE AT 15 FOOT SETBACK (VARIANCE REQUESTED)



The information depicted on this map is for general reference only. The City of Milwaukee does not accept any responsibility for errors, omissions or positional accuracy. There are no warranties, expressed or implied, including the warranty of merchantability or fitness for a particular purpose, accompanying this product.



1 inch = 40 feet



Milwaukee Planning Dept.
 Data: City of Milwaukee GIS;
 Metro RLIS
 Date: 1/14/2020
 Author: Planning Staff

Site Map

WE ARE REQUESTING A VARIANCE TO ALLOW THIS FENCE TO REMAIN AT 6 FOOT TALL UP TO A 15 FOOT SETBACK (IF 15 FOOT NOT APPROVED, THEN TO THE 20 FOOT SETBACK). ANY FENCE BEYOND AN APPROVED VARIANCE WILL BE CUT TO 42 INCHES TALL.



WE ARE REQUESTING A VARIANCE TO BE ALLOWED TO BUILD A 6 FOOT TALL FENCE AT THE 15 FOOT SETBACK POINT SO THAT WE CAN LEAVE OUR VERY MATURE LAUREL HEDGE IN TACT. THE HEDGE ^{IS ASHED} SITS RIGHT AT THE 20 FOOT SETBACK POINT. IF THE 15 FOOT SETBACK VARIANCE IS NOT APPROVED, WE'D LIKE TO BUILD A 6 FOOT

FENCE AT THE ALLOWED 20 FOOT SETBACK.



6 FOOT FENCE AT 15 FOOT SETBACK

SECTION THIS WILL BE SHORTENED TO 42" TALL

15 FOOT SETBACK MEASURED TO BE JUST BEHIND OUR HEDGE, WELL AWAY FROM STREET



THIS SECTION
WILL BE SHORTENED
TO 42" TALL.

PROPOSED VARIANCE FOR
15 FOOT SETBACK FOR
6 FOOT TALL FENCE.

INTERIOR VIEW OF 6460 SE FURNBERG'S
PROPERTY.

PROPOSED
VARIANCE FOR
15 FOOT SETBACK
TO KEEP FENCE
6 FEET TALL



PROPOSED
6 FOOT TALL
FENCE

PROPOSED 15 FOOT VARIANCE WOULD BE RIGHT BEHIND
HEDGE & SITED

6 FOOT FENCE
W/ GATE WILL COME
ACROSS YARD
TO
OUR
GARAGE