



# CITY OF MILWAUKIE

## NOTICE OF PUBLIC HEARING

Date mailed: October 21, 2020

*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 development has been proposed in your neighborhood. The proposal requires a public hearing by the Milwaukie Planning Commission and notice to the property owner; applicant; and all property owners, residents, and neighborhood district association(s) within 300 feet of the subject property. The proposal and information on how to respond to this notice are described below.

**The Milwaukie Planning Commission will hold a public hearing on the proposal at a meeting beginning at 6:30 p.m. on Tuesday, November 10, 2020, at Milwaukie City Hall, 10722 SE Main Street.**

<b>File Number(s):</b>	VR-2020-004, ADU-2020-005
<b>Location:</b>	8809 SE 43 <sup>rd</sup> Ave. Tax Lot ID: 12E30BB04200  <i>A map of the site is located on the last page of this notice.</i>
<b>Proposal:</b>	The applicant proposes conversion of 200 sq ft of an existing accessory building into an accessory dwelling unit (ADU). The accessory building has a footprint of 840 sq ft where a maximum of 800 sq ft is permitted for an ADU. There are no new buildings or expansion of the existing accessory building being proposed.  This accessory building is 92 ft from 43 <sup>rd</sup> Ave and is in the back of the lot, 5 ft from the southern side property line. This lot is 13,329 sq ft (0.31 acres) with an existing single-family residence.
<b>Applicant/Primary Contact Person:</b>	Scott Avila
<b>Owner(s):</b>	Same as above
<b>Staff contact:</b>	Mary Heberling, Assistant Planner City of Milwaukie Planning Department 6101 SE Johnson Creek Blvd Milwaukie, OR 97206 503-786-7658 <a href="mailto:heberlingm@milwaukieoregon.gov">heberlingm@milwaukieoregon.gov</a>
<b>Neighborhood District Association(s):</b>	Lewelling NDA, contact: Stephan Lashbrook, Chair Phone #: 503-317-0283, Email: <a href="mailto:drampa82@gmail.com">drampa82@gmail.com</a>

<b>Applicable Criteria:</b>	<ul style="list-style-type: none"><li>• MMC 19.301 Low Density Residential</li><li>• MMC 19.700 Public Facilities Improvements</li><li>• MMC 19.910.1 Accessory Dwelling Units (ADUs)</li><li>• MMC 19.911 Variances</li><li>• MMC 12 Streets, Sidewalks, and Public Places</li><li>• MMC 19.1006 Type III Review</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> .
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**To learn more about a proposal:** Call the staff contact assigned to the proposal or visit the project webpage at [www.milwaukieoregon.gov/planning/VR-2020-004](http://www.milwaukieoregon.gov/planning/VR-2020-004). The staff report on the proposal will also be available for public viewing on **Wednesday, November 4, 2020**, at the following location:

- City website, <http://www.milwaukieoregon.gov/meetings>

**Copies** of information in the file can be obtained for a reasonable fee. Copies of applicable City ordinances and the Comprehensive Plan are also available for review at the locations listed above.

**To comment on a proposal:** You are invited to attend this hearing (virtually) or submit comments in writing before the meeting time. You may send written comments in advance to the staff contact listed above, or you may submit your comments in person at the virtual hearing. If you want to present verbal testimony, either pro, con, or to raise questions, you will be invited to speak following the applicant’s testimony. Testimony and comments at this hearing must be directed towards the criteria identified. If you submit a written comment or comment in person at the virtual hearing, you will be sent a copy of the decision or recommendation. All written and verbal comments become part of the permanent record.

The **Neighborhood** District Association, listed on the first page of this notice, may take a position on the proposal and may have scheduled an open meeting prior to providing comment to the Planning Commission. Please contact the person listed as the neighborhood contact to determine the time and date of this meeting.

**To appeal a decision:** Any decision may be appealed to City Council by a person with standing. In order to establish standing, you must do at least one of the following: submit written comments to the staff contact before the hearing date; attend the hearing and sign in; or attend the hearing, sign in, and make a verbal comment. Any issue that is intended to provide a basis for appeal must be raised in writing on or before the hearing date with sufficient specificity to afford the responsible parties an opportunity to respond to the issue. Failure to raise an issue with sufficient specificity and accompanied by statements or evidence sufficient to afford the responsible parties an opportunity to respond to the issue will preclude any appeal on that issue to the Land Use Board of Appeals (LUBA).

*The City of Milwaukie is committed to providing equal access to information and public meetings per the Americans with Disabilities Act (ADA). If you need special accommodations, please call 503-786-7600 at least 48 hours prior to the meeting.*

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

Notice of Public Hearing—File #: VR-2020-004, ADU-2020-005  
Address: 8809 SE 43<sup>rd</sup> Ave.  
Planning Commission hearing date: November 10, 2020

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