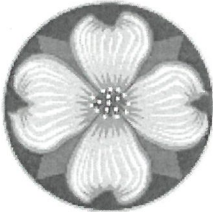


Application date =
2/25/2021



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

Application for Land Use Action

Master File #: VR-2021-003

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

RESPONSIBLE PARTIES:

APPLICANT (owner or other eligible applicant—see reverse): **Tony Frassetto**

Mailing address: **17855 NE Halsey st** State/Zip: **Portland/OR**

Phone(s): **9713711544** Email: **tony.frassetto@ricksfencing.com**

Please note: The information submitted in this application may be subject to public records law.

APPLICANT'S REPRESENTATIVE (if different than above):

Mailing address: State/Zip:

Phone(s): Email:

SITE INFORMATION:

Address: **6400 SE Plum Dr** Map & Tax Lot(s): **12e32cc00100**

Comprehensive Plan Designation: Zoning: **r-7** Size of property: **0.16 acre**

PROPOSAL (describe briefly):

Type II variance to reduce the rear setback by 25%
To accommodate a Deck.

SIGNATURE: *Gary M. McLean*

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: *Tony Frassetto* Date: **02082021**

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.

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-2021-003	\$ 1,000			
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): Linwood					
Notes:					

Tony Frassetto

Ricks Custom Fencing & Decking

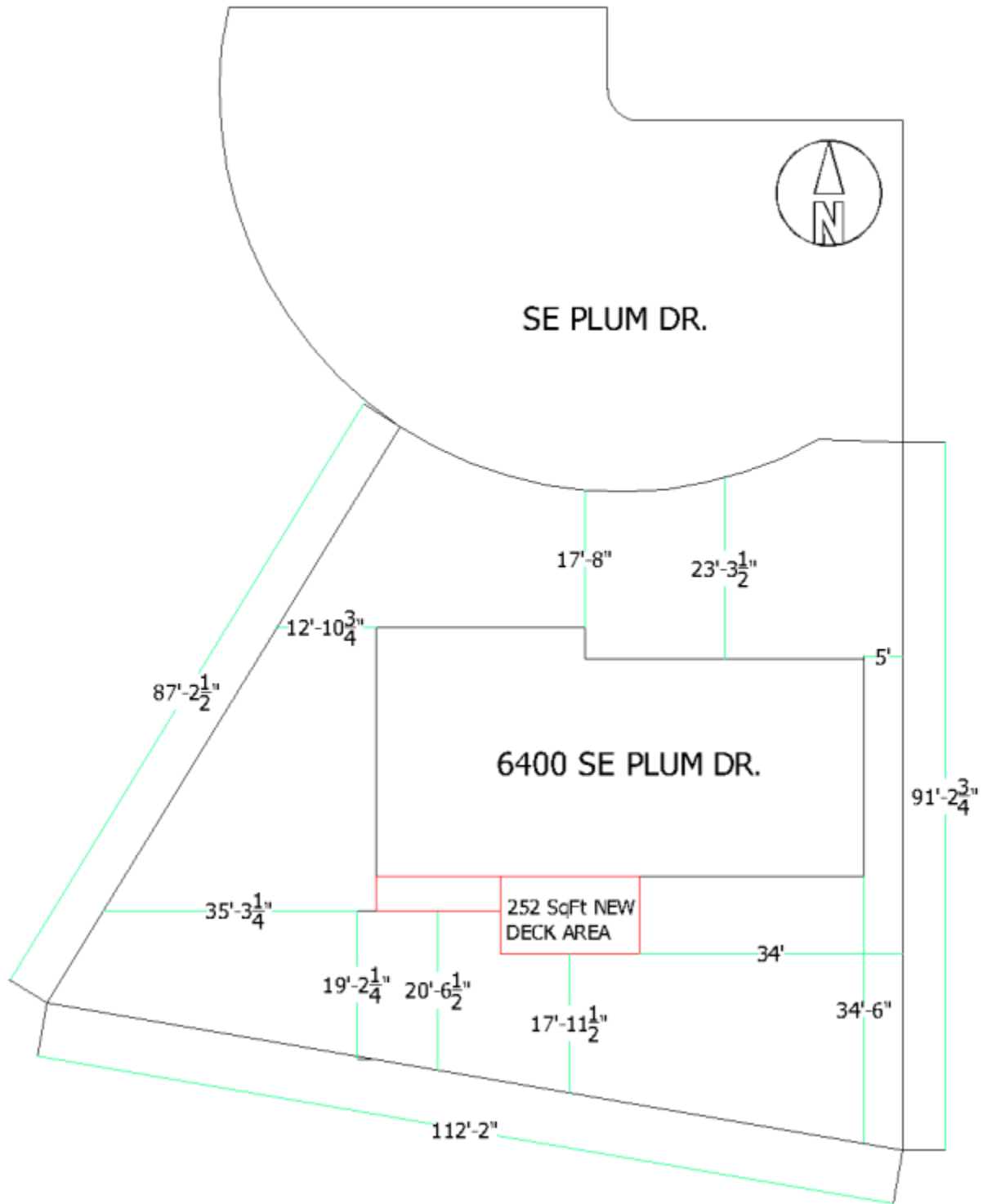
Production Manager

02/01/2021

Variance Narrative: McClain Deck

Initiate a type II variance at 6400 SE Plum Dr. Milwaukie, OR to reduce the rear property setback by 25% to bring it to 15ft. Property is zoned R-7 and currently has a set back of 20ft. The proposed deck project shown in Figure-1 will accommodate the homeowners ease of access to second story windows and home gutters for maintenance, as well as provide a shaded area to enjoy their backyard. Visually obstructed from neighbors by vegetation it should not impact the

“Look” of the neighborhood. Attached photos for visual aid.





SE PLUM DR.

17'-8"

23'-3 $\frac{1}{2}$ "

12'-10 $\frac{3}{4}$ "

5'

87'-2 $\frac{1}{2}$ "

6400 SE PLUM DR.

91'-2 $\frac{3}{4}$ "

35'-3 $\frac{1}{4}$ "

252 SqFt NEW
DECK AREA

34'

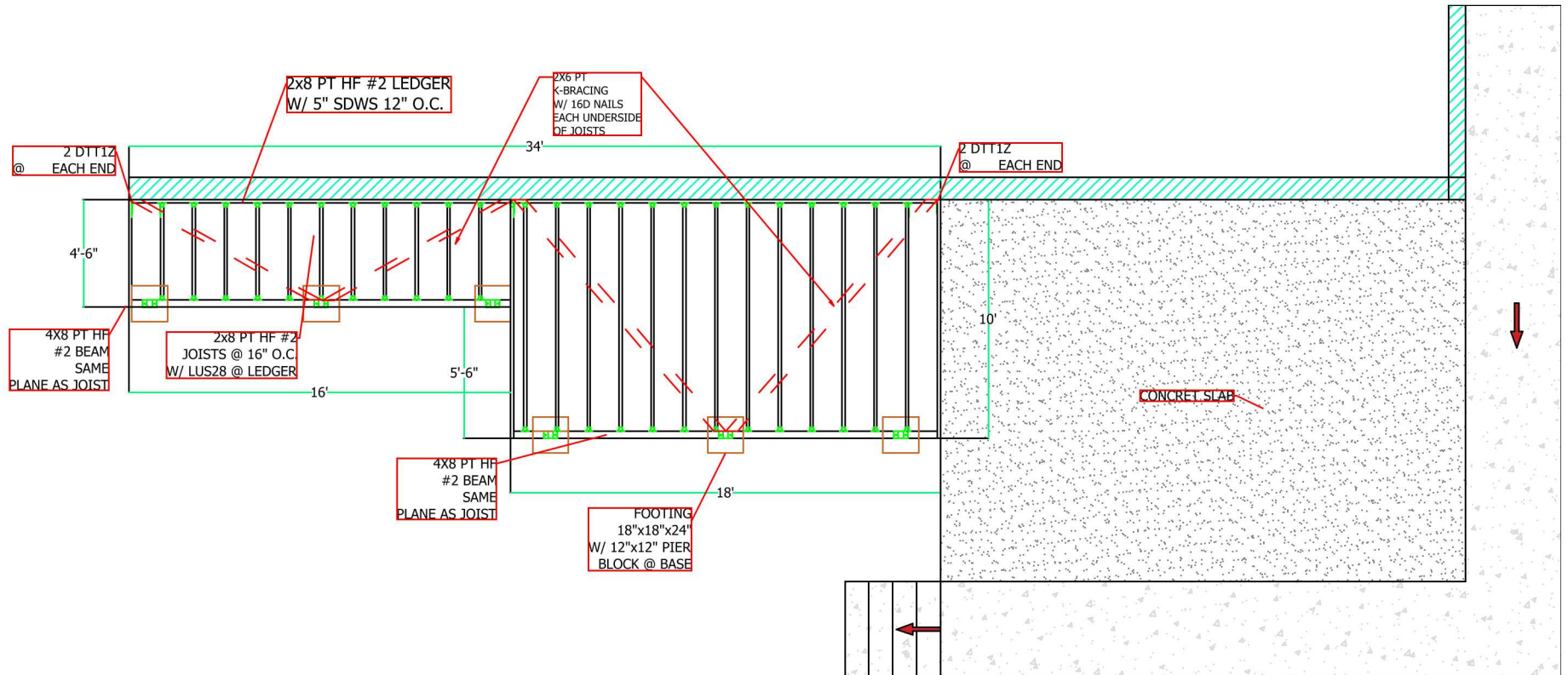
19'-2 $\frac{1}{4}$ "

20'-6 $\frac{1}{2}$ "

17'-11 $\frac{1}{2}$ "

34'-6"

112'-2"



From: [Tony Frassetto](#)
To: [Vera Kofas](#)
Subject: RE: 6400 SE Plum Dr - variance information
Date: Monday, February 8, 2021 9:51:52
Attachments: [We sent you safe versions of your files.msg](#)
[McClain_variance.docx](#)
[McClain-Model-framing-revised.pdf](#)
[McClain-Model-plot-revised.pdf](#)
[RE9D5D4F865342D192A3F8837630EC2F.png](#)

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

This Message originated outside your organization.

Vera,

I think I've got everything you need here. I kind of just threw together the narrative, since I wasn't exactly sure as far as verbiage. They also changed some dimensions on the deck which did affect the square footage changing it from 296 to 252. The reduction brought it close to not having to need the variance but as you will see in the drafting/plot attachments we didn't quite make it. That being said do I submit the revisions to you to upload to Accela or do I just add revision to the new drawings titles and submit via the web portal?













Respectfully,

Tony Frassetto
Gresham Production Manager II
Permits & Special Orders
Rick's Custom Fencing & Decking
Tony.Frassetto@RicksFencing.com
Direct line
(971) 371-1544
Cell 7:30 a.m - 7:30 p.m
(503) 758-2221

Sent from [Mail](#) for Windows 10

From: Vera Koliias
Sent: Wednesday, January 20, 2021 8:40 AM
To: Tony.Frassetto
Subject: RE: 6400 SE Plum Dr - variance information

Hi Tony,

The application form, narrative, photos, and any other information is all part of the application package and it all needs to be submitted at the same time.

-Vera

VERA KOLIAS, AICP
Senior Planner
she • her • hers
503.786.7653
City of Milwaukie
6101 SE Johnson Creek Blvd • Milwaukie, OR 97206

From: Tony Frassetto <Tony.Frassetto@ricksfencing.com>
Sent: Wednesday, January 20, 2021 8:35
To: Vera Koliias <KoliiasV@milwaukieoregon.gov>
Subject: RE: 6400 SE Plum Dr - variance information

This Message originated outside your organization.

Vera,

So I went and got photos of the fence line and surrounding area. I am ready to start the process. Should I fill out the application first?

Respectfully,

Tony Frassetto
Gresham Deck Crew Manager
Permits & Special Orders
Rick's Custom Fencing & Decking
Tony.Frassetto@RicksFencing.com
Direct line
(971) 371-1544
Cell 7:30 a.m - 7:30 p.m
(503) 758-2221

Sent from [Mail](#) for Windows 10

From: [Vera Koliass](#)
Sent: Monday, January 11, 2021 10:23 AM
To: Tony.Frassetto@ricksfencing.com
Subject: 6400 SE Plum Dr - variance information

Hi Tony,

This property is zoned R-7:

Type II Variance information: http://www.qcode.us/codes/milwaukie/view.php?topic=19-19_900-19_911&frames=on

Approval criteria (to be addressed in your application materials):

19.911.4 Approval Criteria

A. Type II Variances

An application for a Type II variance shall be approved when all of the following criteria have been met:

1. The proposed variance, or cumulative effect of multiple variances, will not be detrimental to surrounding properties, natural resource areas, or public health, safety, or welfare.
2. The proposed variance will not interfere with planned future improvements to any public transportation facility or utility identified in an officially adopted plan such as the Transportation System Plan or Water Master Plan.
3. Where site improvements already exist, the proposed variance will sustain the integrity of, or enhance, an existing building or site design.
4. Impacts from the proposed variance will be mitigated to the extent practicable.

Since the rear yard is what the variance is for, it would be helpful to have photographs showing the back yard, any fencing, etc. to show how the proposed variance and allowing a deck to be closer than 20 ft to the back property line will not impact the adjacent neighbors.

Please note that a Type II variance includes public notice and a comment period for all properties within 300 ft of the subject property.

Land use application form: https://www.milwaukieoregon.gov/sites/default/files/fileattachments/planning/page/42771/landuse_application_rev.pdf

-Vera

VERA KOLIASS, AICP
Senior Planner
she • her • hers
503.786.7653
City of Milwaukie
6101 SE Johnson Creek Blvd • Milwaukie, OR 97206

The City of Milwaukie remains open for business. In response to the COVID-19 pandemic, all facilities except the Public Safety Building and the Ledding Library are closed to the public. The Ledding Library is offering pick-up service for holds placed online or over the phone from 10-5:30 Monday-Saturday. Many of our staff members are working remotely. Staff members working in city buildings and in the field are continuing to observe social-distancing guidelines and to wear face coverings to help keep each other, and our community, safe. For general inquiries, please visit <https://www.milwaukieoregon.gov/contact> or call us at 503-786-7555 to be connected to an operator at City Hall. If your call is not answered, please leave a message. Thank you for your patience and understanding.

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