



CITY OF MILWAUKIE

NOTICE OF TYPE II LAND USE PROPOSAL

Date mailed: November 27, 2023

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.

You are receiving this notice because development has been proposed in your neighborhood. The proposed development requires notice to the property owner; applicant; and all property owners, residents, and neighborhood district association(s) within 300 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 proposal prior to issuing a decision.

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, December 11, 2023. After that date, there is no guarantee that comments will be incorporated into the decision.

The decision may be issued as early as 15 days from the date of this public notice.

Please include the land use file number for reference.

File Number(s):	R-2023-004 (primary file, with VR-2023-007)
Location:	4378 SE Monroe St Tax Lot ID 1S2E31BB 07802 <i>A map of the site is located on the last page of this notice.</i>
Proposal:	Adjust the boundary between the two underlying platted lots that comprise the subject property, to establish a buildable lot on the east side of the site. The adjusted boundary will be a compound line, with a Type II variance required for the adjusted width of Parcel 1 (the western lot, which is already developed). There are no special overlays on the site.
Applicant/Primary Contact Person:	Paul Roeger, CMT Surveying & Consulting (applicant's representative) 20330 SE Hwy 212, Damascus, OR 97089 Tel. (503) 860-2545, email paul@cmtsc.net
Owner(s):	Jeff Sanchez 4378 SE Monroe St, Milwaukie, OR 97222
Staff contact:	Brett Kelter, AICP, Senior Planner City of Milwaukie Planning Department 10501 SE Main St, Milwaukie, OR 97222 503-786-7657, kelterb@milwaukieoregon.gov
Neighborhood District Association(s):	Hector Campbell NDA, contact Corinn deTorres at 971-350-9675.

Applicable Criteria:	<ul style="list-style-type: none">• Milwaukie Municipal Code (MMC) Title 17 Land Division• MMC Section 19.301 Moderate Density Residential zone (R-MD)• MMC Chapter 19.600 Off-street Parking & Loading• MMC Chapter 19.700 Public Facility Improvements• MMC Section 19.911 Variances• MMC Section 19.1005 Type II Review Copies of these criteria are available upon request and can also be found at www.qcode.us/codes/milwaukie/ .
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To learn more about a proposal: Call or email the staff contact assigned to the proposal or visit the project webpage to find the application materials at www.milwaukieoregon.gov/planning/r-2023-004. The applicable approval criteria and development standards are available for review online—please call or email the staff contact for more information.

To comment on a proposal: You are invited to submit comments in writing before the City 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 (including via email), 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 Planning Manager will consider any comments received and issue a decision to approve the proposal, approve the proposal with conditions, or deny the proposal. The earliest the decision would be issued is 15 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 sent only to persons that submit written comments prior to the issuance of a decision.

To appeal the decision: The Planning Manager’s decision may be appealed by any party that is aggrieved or adversely impacted by the decision, or that believes an error was made regarding the evaluation of the approval standards and criteria for the proposal. Appeals are heard by the Planning Commission and must be filed within 15 days of the issuance of a decision. Notice of an appeal hearing will be sent to all parties that received this notice.

Appeals must be made in writing, use forms provided by the City, and include the fee for an appeal. The appeal process and requirements are explained in Milwaukie Municipal Code Section 19.1010 Appeals. Contact staff at 503-786-7630 for information about the appeal process.

After an appeal hearing, the Planning Commission’s decision may be appealed to the Oregon Land Use Board of Appeals (LUBA), 550 Capitol St SE, Suite 235, Salem, OR 97301 (503-373-1265). Any issue that is intended to provide a basis for appeal to LUBA must be raised prior to the issuance of the Planning Manager’s decision or prior to the conclusion of the Planning Commission’s appeal hearing. Failure to

Notice of Type II Land Use Proposal—Primary File #R-2023-004
Jeff Sanchez, 4378 SE Monroe St
Earliest date for decision to be issued: December 12, 2023

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 LUBA.

Enclosures:

- Location map
- Preliminary plat




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.



Site Map
4378 SE Monroe St
(Tax ID = 1S2E31BB, lot 7802)
Primary File #R-2023-004 (with VR-2023-007)

Legend

-  R-2023-004 site
-  Properties receiving notice
-  300-ft public notice boundary



PRELIMINARY PARTITION PLAT NO.

LEGEND

- FOUND MONUMENT AS NOTED
- SET 5/8" X 30" IRON ROD WITH GREEN PLASTIC CAP INSCRIBED "CMT LS 86811", SET ON _____
- FD FOUND
- IR IRON ROD
- IP IRON PIPE
- IB IRON BAR
- W/ WITH
- YPC YELLOW PLASTIC CAP
- RPC RED PLASTIC CAP
- (R#) REFERENCE SURVEY OR PLAT
- (OU) ORIGIN UNKNOWN
- (H) HELD

REFERENCE SURVEYS

- (R1) "MINTHORN ADDITION TO THE CITY OF PORTLAND" PLAT NO. 59
- (R2) SN2023-051
- (R3) SN 11864
- (R4) SN 2008-193
- (R5) SN 12767
- (R6) SN 3155
- (R7) "THERESE ESTATES" PLAT NO. 3862

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO REPLAT LOTS 1 AND 2, BLOCK 68, "MINTHORN ADDITION TO THE CITY OF PORTLAND", PLAT NO. 59 AND THE WEST HALF OF VACATED SE 44TH AVENUE (60.00' WIDE).

AS THE BASIS OF BEARINGS AND THE SOUTHERLY RIGHT-OF-WAY LINE OF SE MONROE STREET, ALSO BEING THE NORTH LINE OF THE SUBJECT PROPERTY, I HELD A BEARING OF NORTH 90°00'00" EAST, INFERRED FROM (R1), BETWEEN A 5/8" IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID BLOCK 68 AND A 5/8" IRON ROD FOUND AT THE NORTHEAST CORNER OF LOT 21, BLOCK 67 OF SAID PLAT.

TO ESTABLISH THE SOUTH LINE OF THE SUBJECT PROPERTY I HELD A BRONZE DISK SET IN U.S.B.T. ENTRY 2002-116, A WITNESS CORNER FOR THE NORTHWEST CORNER OF THE JOHN D. GARRETT DLC NO. 38, AND A 1/2" IRON PIPE FOUND AT THE SOUTHWEST CORNER OF BLOCK 66 OF SAID PLAT.

I THEN ESTABLISHED THE NORTHERLY CORNERS OF THE LOTS BETWEEN LOT 14 OF SAID BLOCK 68 AND LOT 23 OF SAID BLOCK 67 BY PRO-RATING THE DISTANCE BETWEEN THE EAST-WEST LOCATION OF A 3/4" IRON BAR FOUND NEAR THE NORTHWEST CORNER OF SAID LOT 14 AND A 5/8" IRON ROD FOUND AT THE NORTHEAST CORNER OF SAID LOT 23, HOLDING THE RIGHT-OF-WAY OF SE 44TH AVENUE AT THE RECORD WIDTH OF 60.00 FEET, PER (R1). THE RESULTING WIDTHS OF SAID LOTS ARE 0.05 FEET SHORTER THAN THE RECORD WIDTHS PER (R1).

I THEN ESTABLISHED THE CENTERLINE OF SE 44TH AVENUE BY HOLDING A POINT ON THE ESTABLISHED SOUTHERLY RIGHT-OF-WAY LINE OF SE MONROE STREET AT THE PRO-RATED DISTANCES PREVIOUSLY ESTABLISHED FROM A 5/8" IRON ROD FOUND AT THE NORTHEAST CORNER OF SAID LOT 23 AND THE RECORD HALF WIDTH OF 30.00 FEET, PER (R1), AND DREW A LINE NORTHERLY TO A POINT 31.50 FEET EASTERLY, PER (R7), OF A 5/8" IRON ROD FOUND AT THE SOUTHERLY END OF A CURVE AT THE NORTHEAST CORNER OF LOT 1 "THERESE ESTATES".

TO ESTABLISH THE EAST LINE OF THE SUBJECT PROPERTY I EXTENDED THE PREVIOUSLY ESTABLISHED CENTERLINE OF SE 44TH AVENUE SOUTHERLY TO THE ESTABLISHED SOUTH LINE.

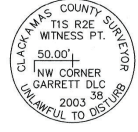
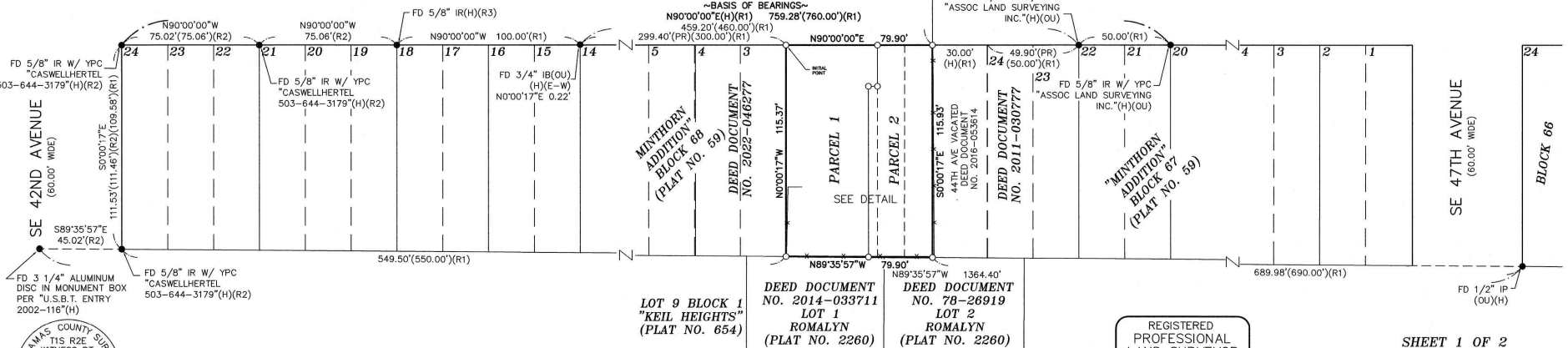
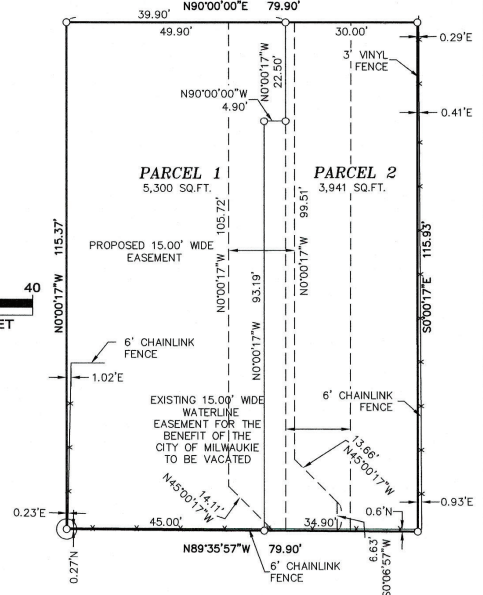
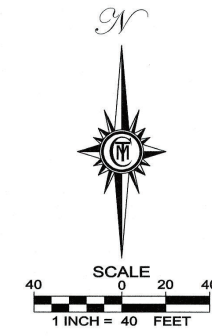
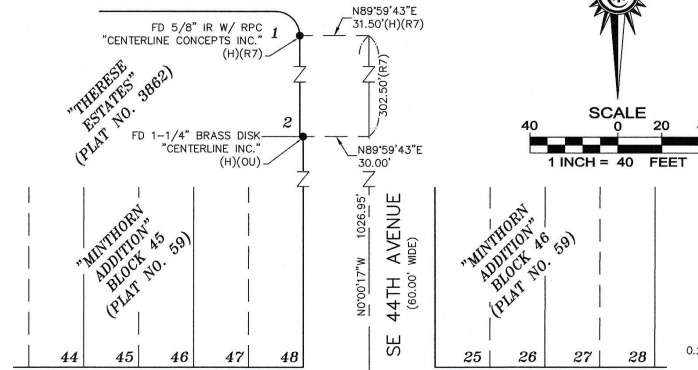
TO ESTABLISH THE WEST LINE OF THE SUBJECT PROPERTY I HELD A LINE PARALLEL TO THE ESTABLISHED EAST LINE FROM THE PREVIOUSLY ESTABLISHED PRO-RATED LOCATION OF THE NORTHWEST CORNER.

A REPLAT OF LOTS 1 AND 2, BLOCK 68, "MINTHORN ADDITION TO THE CITY OF PORTLAND" (PLAT NO. 59), AND VACATED 44TH AVENUE, LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 31, TOWNSHIP 1 SOUTH, RANGE 2 EAST, OF THE WILLAMETTE MERIDIAN, CITY OF MILWAUKIE, CLACKAMAS COUNTY, OREGON

DATE: OCTOBER 9, 2023

SURVEYED FOR: JEFF SANCHEZ
4378 SE MONROE
MILWAUKIE OR 97222

DETAIL SE MONROE STREET
SCALE = 1" = 20'



REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
SEPTEMBER 11, 2018
DAVID ROEGER
86811

SHEET 1 OF 2



CMT SURVEYING AND CONSULTING
20330 SE HIGHWAY 212
DAMASCUS, OR 97089
PHONE (503) 850-4672 FAX (503) 850-4590
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EXPIRES DECEMBER 31, 2024