



**MILWAUKIE PLANNING**  
 10501 SE Main St.  
 Milwaukie OR 97222  
 503-786-7630  
 planning@milwaukieoregon.gov

# Application for Land Use Action

Primary File #: **VR-2024-003**

Review type\*:  I  II  III  IV  V

**CHECK ALL APPLICATION TYPES THAT APPLY:**

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

**RESPONSIBLE PARTIES:**

**APPLICANT** (owner or other eligible applicant—see reverse): Kristina Fedorovskiy

Mailing address: 11932 SE 35th Ave Milwaukie OR 97222 State/Zip:

Phone(s): 503-739-1032 Email: kristina.ifed@gmail.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: 11932 SE 35th Ave. Milwaukie OR 97222 Map & Tax Lot(s): 11E36DB09500

Comprehensive Plan Designation: Zoning: R-MD Size of property: 7,160 sq ft

**PROPOSAL (describe briefly):**

Maintain current .5 ft setback on south side of property line while extending garage 13 feet forward.

**SIGNATURE:** I attest that I am the property owner or I am eligible to initiate this application per Milwaukie Municipal Code 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:

Date: 4/29/2024

**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.  
 \*\* Natural Resource and Transportation Review applications may require a refundable deposit.

**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.

**DEPOSITS:**

Deposits require completion of a Deposit Authorization Form, found at [www.milwaukieoregon.gov/building/deposit-authorization-form](http://www.milwaukieoregon.gov/building/deposit-authorization-form)

**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

**THIS SECTION FOR OFFICE USE ONLY:**

FILE TYPE	FILE NUMBER	AMOUNT <small>(after discount, if any)</small>	PERCENT DISCOUNT	DISCOUNT TYPE	DATE STAMP
Primary file	VR-2024-003	\$ 2,000			
Concurrent application files		\$			
		\$			
		\$			
		\$			
Deposit (NR/TFR 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): Lake Road					
Notes:					

Type III Variance Proposal  
11932 SE 35th Ave. Milwaukie OR 97222  
Narrative

The purpose of this application is to apply for a variance of 9.5 feet pertaining to the setback on the south property line at 11932 SE 35th Ave. Milwaukie OR 97222 to construct an addition to the house.

Current conditions:

- The south side of the house sits .5 ft off the property line as an original constructed feature. The current development standards require the setback to be 10 feet.

Proposal:

- Proposing to maintain the current setback as is (0.5 ft) while extending the garage 13 feet towards the front yard/street. It will be a one-story addition.

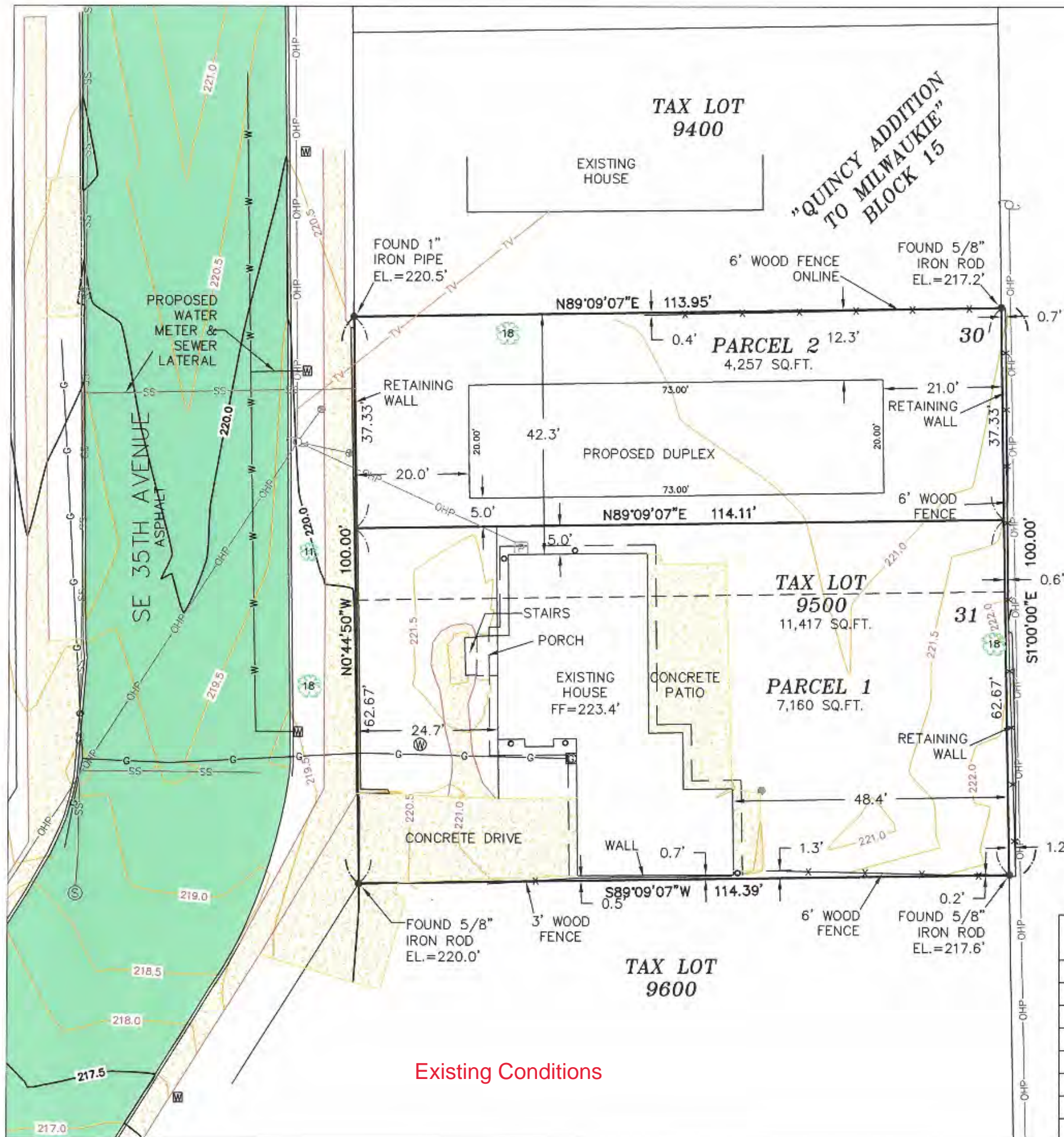
Purpose:

- The current garage has existing plumbing in the rear of the garage for a bathroom, which was there originally when we purchased the house. We would like to finish the bathroom and finish a portion of our garage into a bedroom for personal use. It would allow for a more comfortable main level space for our family of 5. In order to not lose the majority of our garage space, we would like to extend it forward a total of 13 feet allowing us to keep some useable garage space.

Approval Criteria:

- The proposal will maintain the current 0.5 ft set back for 13 more feet. As already grandfathered, it would not make design sense or financial sense to meet the setback as it would make for an irregularly-shaped garage, and make a useless "pocket" that is not through, since the rest of the house side already doesn't maintain a setback. Since currently the setback is 0.5 feet, standards would require a 10 ft setback on this property line, making our desired remodel infeasible.
- The lot coverage for the site will still be maintained under 30% in accordance with R-MD development standards and the addition will not impact any vegetated areas.
- The proposal will comply with design standards by not extending past the rest of the front facing house footprint and will comply with the front yard setback of at least 20 ft (27 ft). The proposed variance avoids all impacts to surrounding properties. The proposed variance has no impact to surrounding properties as the next door neighbor has their driveway and a detached garage adjacent to our garage. The addition will not impact their home or living space. The extension will not protrude into any driveways or affect the shared driveway of the next door neighbor. The proposed remodel will have great visual appeal and a new roof. The proposed variance responds to the existing built or natural environment in a creative and sensitive manner because it will maintain a consistent setback with the existing house. No trees or natural resources will be disrupted or affected by this remodel because the addition will occupy the existing driveway.
- The proposed variance would have no affect on any existing tree, and no affect on the opportunity to plant new trees. The extension protrudes only on a currently paved area.
- Impacts from the proposed variance will be mitigated to the extent possible. During the development we will minimize any effects on surrounding environment as much as possible.





**LEGEND**

- # EXISTING DECIDUOUS TREE W/ TRUNK DIAMETER (INCHES)(CL=CLUSTER)
- ⊠ EXISTING ELECTRIC METER
- ⊕ EXISTING POWER POLE
- ⊙ EXISTING GUY ANCHOR
- OHP— EXISTING OVERHEAD POWER LINES
- ⊠ EXISTING WATER METER
- ⊙ EXISTING DRY WELL
- W— EXISTING UNDERGROUND WATER
- ⊠ EXISTING GAS METER
- G— EXISTING UNDERGROUND GAS LINE
- ⊙ EXISTING SANITARY MANHOLE
- EXISTING CLEANOUT
- SS— EXISTING SANITARY SEWER LINE
- X— EXISTING FENCE
- TV— EXISTING CABLE TV LINE
- EXISTING DOWN SPOUTS
- FOUND MONUMENTS
- EXISTING CONCRETE
- EXISTING ASPHALT



SCALE 1" = 20'

REGISTERED PROFESSIONAL LAND SURVEYOR


*David Roeger*

OREGON  
SEPTEMBER 11, 2018  
DAVID ROEGER  
86811

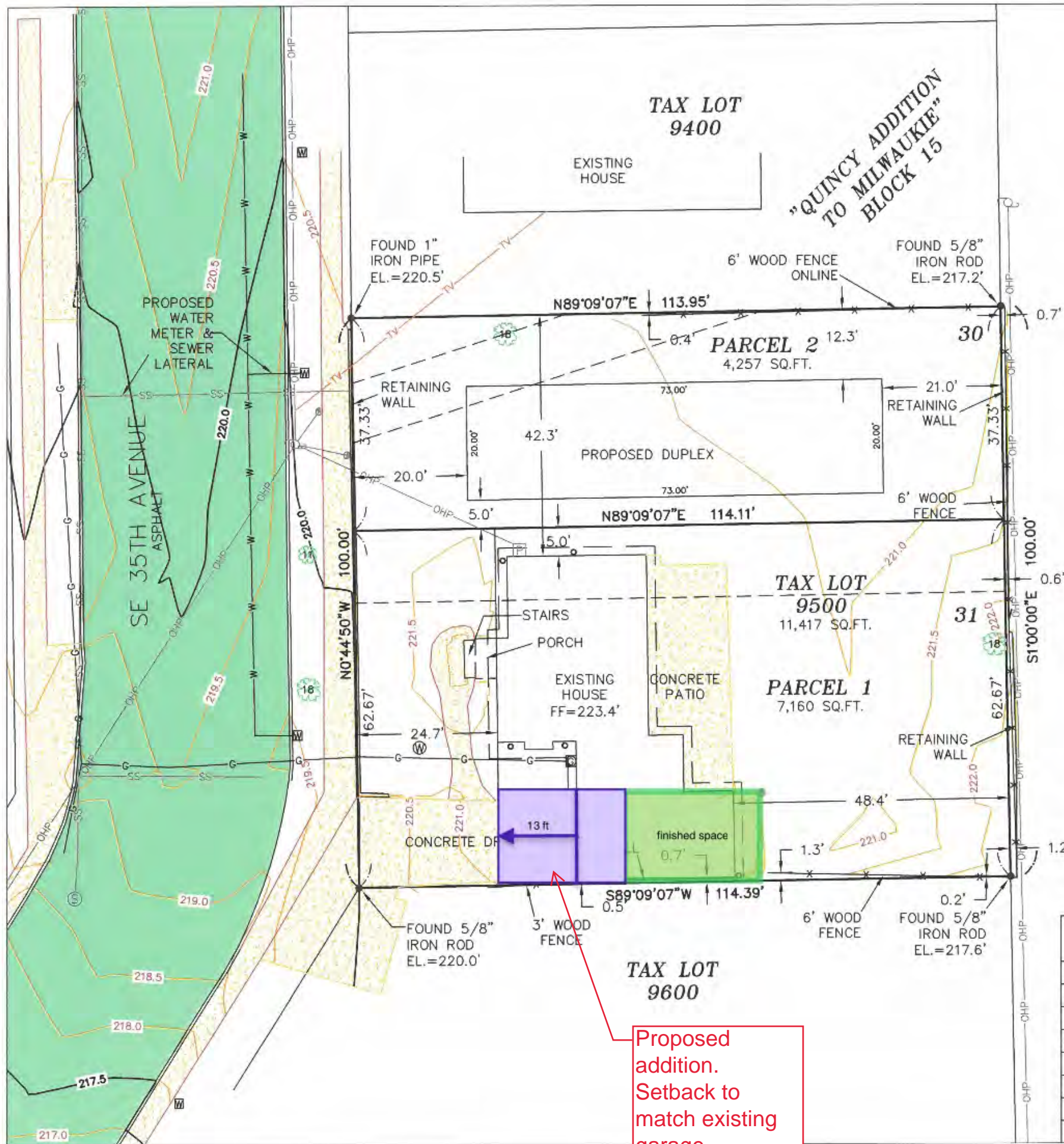
EXPIRES DECEMBER 31, 2024

**NOTES**

1. THE PURPOSE OF THIS MAP WAS TO SHOW THE EXISTING CONDITIONS FOR 11932 SE 35TH AVENUE.
2. THE BASIS OF BEARINGS WAS PER THE PLAT OF "QUINCY ADDITION TO MILWAUKIE" CLACKAMAS COUNTY RECORDS.
3. LOCAL DATUM WAS ESTABLISHED PER MANHOLE RIM ELEVATION ON CITY OF MILWAUKIE SEWER ASBUILTS.
4. THIS MAP WAS PREPARED FOR THE EXCLUSIVE USE OF KRISTINA FEDOROVSKIY.
5. THIS MAP WAS PREPARED BY PLAT RECORDS, CALCULATED DATA, AND FIELD MEASUREMENTS, A RECORDED PARTITION PLAT WILL BE FILED AT A DATE TO BE DETERMINED.
6. ALL UTILITY LOCATIONS ARE SHOWN BY ABOVE GROUND FEATURES AND LOCATION OF PAINT MARKS SUPPLIED BY THE LOCAL UTILITY COMPANIES. CMT TAKES NO RESPONSIBILITY OF UNDERGROUND LOCATION. PLEASE NOTIFY THE UTILITY NOTIFICATION CENTER BEFORE ANY DIGGING 1-800-332-2344.

<b>EXISTING CONDITIONS &amp; PROPOSED REPLAT</b>	<b>11932 SE 35TH AVENUE</b>
SE 1/4 SEC 36, T1S, R1E, W.M.	 <b>CMT SURVEYING AND CONSULTING</b> 20330 SE HIGHWAY 212 DAMASCUS, OR 97089 PHONE (503) 850-4672 FAX (503) 850-4590
CITY OF MILWAUKIE	
CLACKAMAS COUNTY, OREGON	
APRIL 19, 2023	
DRAWN: JMR CHECKED: DMR	
SCALE 1"=20' ACCOUNT #500-1349	
Y: \500-1349\DWG\5001349BASE	





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Proposed addition.  
Setback to match existing garage.

















width of addition