



# CITY OF MILWAUKIE

## NOTICE OF PROPOSED MIDDLE HOUSING LAND DIVISION

Date mailed: May 2, 2025

*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 a middle housing land division (MHLD) regulated by Oregon Revised Statutes ([ORS 92.031](#)) has been proposed in your neighborhood. The proposed MHLD requires notice to the property owner, applicant, and all property owners and neighborhood district association(s) within 100 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. As required by ORS 92.031, this application will be processed under the procedures set forth in ORS [197.360-197.380](#). To provide the basis for an appeal, an issue(s) must be raised in writing prior to the expiration of the comment period and must be raised with sufficient specificity to enable staff to respond to the issue. ORS 197.375(1)(c) identifies the four (4) allegations that can provide the basis for an appeal:

- (A) [An allegation] Of violation of the substantive provisions of the applicable land use regulations;
- (B) Of unconstitutionality of the decision;
- (C) That the application is not eligible for review under [ORS 92.031 \(Middle housing land division\)](#) or [197.360 \("Expedited land division" defined\)](#) to [197.380 \(Application fees\)](#) and should be reviewed as a land use decision or limited land use decision; or
- (D) That the parties' substantive rights have been substantially prejudiced by an error in procedure by the local government.

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 Friday, May 16, 2025.

The decision on this application may be issued as early as 15 days from the date of this public notice. The Notice of Decision must be issued within 63 days of the date the application is deemed complete.

Please include the file number for reference.

<b>File Number(s):</b>	MHLD-2025-003
<b>Location:</b>	10905-10911 SE Home Ave 1S2E31BA10901 <i>A map of the site is located on the last page of this notice.</i>

<b>Proposal:</b>	The property is being developed with an attached quadplex (4 dwelling units), as allowed outright in the underlying Moderate Density Residential (R-MD) zone. The proposed middle housing land division will place each new dwelling on its own sub-lot for property transfer purposes (sale/ownership) only. The larger property will remain as a single lot for zoning and development purposes.
<b>Applicant/Primary Contact Person:</b>	Eduard Shtogrin 7505 SE 53 <sup>rd</sup> Ave, Vancouver, WA 98661 503-522-1055 office@integrityhomesnw.com
<b>Owner(s):</b>	Same as applicant.
<b>Staff contact:</b>	Ryan Dyar, Associate Planner City of Milwaukie Planning Department 10501 SE Main St. Milwaukie, OR 97222 503-786-7661, dyarr@milwaukieoregon.gov
<b>Neighborhood District Association(s):</b>	Hector Campbell NDA, contact Chair Corinn deTorres at 971-350-9675. or by email at cambellneighbors@gmail.com
<b>Applicable Criteria:</b>	<ul style="list-style-type: none"> <li>• Milwaukie Municipal Code (MMC) Chapter 12.16 Access Management</li> <li>• MMC Title 17 Land Division, including:                         <ul style="list-style-type: none"> <li>◦ MMC Chapter 17.24 Requirements for Tracts &amp; Easements</li> <li>◦ MMC Chapter 17.26 Middle Housing &amp; Expedited Land Divisions</li> </ul> </li> <li>• MMC Section 19.301 Moderate Density Residential zone (R-MD)</li> <li>• MMC Chapter 19.700 Public Facility Improvements</li> </ul> <p>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>.</p>



**To learn more about a proposal:** Contact the staff contact assigned to the proposal or visit the project webpage at [www.milwaukieoregon.gov/planning/mhld-2025-003](http://www.milwaukieoregon.gov/planning/mhld-2025-003). The application materials and the applicable approval criteria and development standards are available for review at the Planning Department, Milwaukie City Hall, 10501 SE Main St. Please call the staff contact ahead of time to schedule a review of the application materials. Copies of this information can be obtained for a reasonable fee.

**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, be directed toward the applicable criteria, and state the issues that may provide the basis for an appeal under ORS 197.375 (1)(c), as noted above. If you submit a written comment, 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, has been sent notice of the proposal. The application materials have been referred to the NDA Chairperson and Land Use Committee members.

**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 and must be issued within 63 days of the date of the application is deemed complete.

*A copy of the decision will be mailed only to persons that submit written comments prior to the issuance of a decision.*

**To appeal the decision:** Per ORS 197.375, the Planning Manager's decision may be appealed by the applicant or any person or organization who files written comments by the deadline for comments. An appeal must be based solely on the allegations identified in ORS 197.375(1)(c). Appeals are heard by an appointed referee or designated hearings officer as stated in ORS 197.375(2) following the process identified in ORS 197.375(3)–(8). Appeals must be filed within 14 days of the issuance of a decision. Notice of an appeal hearing will be sent as identified in ORS 197.375(3).

Appeals must be made in writing, use forms provided by the City, and include the fee for an appeal. Contact staff at 503-786-7630 for information about the appeal process.

The Oregon Land Use Board of Appeals (LUBA) does not have jurisdiction to consider any decision, aspects of decision, or actions made under ORS 92.031 or ORS 197.360 to 197.380. Pursuant to [ORS 197.375\(8\)](#), any party to a proceeding before a referee may seek judicial review of the referee's decision in the manner provided for review of final orders of LUBA under ORS 197.850 and 197.855.

**Enclosures:**

- Location map

**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.

