



MILWAUKIE PLANNING
10501 SE Main St.
Milwaukie OR 97222
503.786.7630
planning@milwaukieoregon.gov

Application Referral

DATE SENT: June 18, 2025	ADMINISTRATIVE DECISION
COMMENTS DUE: July 2, 2025	TENTATIVE DATE: July 3, 2025
Site location: 11972 SE 35 th Ave	Review type: Type II
Applicant: Jonathan Heppner on behalf of Barbara Allan	File #(s): MOD-2025-001; VR-2025-008
Applicant phone: 503-737-4877	Application type(s): Modification to Existing Approval; Variance
Application webpage: https://www.milwaukieoregon.gov/planning/mod-2025-001	

TO:

- ☒ CD Director
- ☒ Engineering Dev. Rev.
- ☒ Building Official
- ☒ PW Director
- ☐ City Manager
- ☐ CFD#1: Lt. Alex McGladrey
- ☒ NDA Chair (hard copy & email)* & All LUC members: Lake Road
- ☒ NDA Program Manager
- ☐ Design and Landmarks Committee
- ☐ Clackamas County Engineering Review
- ☐ Metro: Land Use Notifications
- ☐ ODOT: ODOT R1 Development Review
- ☐ TriMet: Transit Development Group
- ☐ Other: NW Natural
- ☒ Planning Manager
- ☐ Police Chief
- ☒ City Attorney

FROM:

Ryan Dyar, Associate Planner, 503-786-7661
dyarr@milwaukieoregon.gov
Planning Department
10501 SE Main Street
Milwaukie OR 97222
PHONE: (503) 786-7630
planning@milwaukieoregon.gov

- ☐ On-Call NR Consultant
- ☐ North Willamette Watershed Dist., ODFW
- ☐ Anita Huffman, DSL Wetlands & Waterways
- ☐ Oregon Parks & Recreation
- ☐ North Clackamas School District
- ☐ Jessica May, NCPRD

*All referrals are sent by email only unless otherwise noted.

PROPOSAL:

The property, which is approximately 0.15 ac, is currently developed with a detached garage. The applicant is proposing to demolish the garage and construct a new 1,805 sq ft single story house on the property. As proposed, the house would protrude approximately 2 feet 2 inches into a no-build zone, which was created (as a condition of approval) through a previously approved land use decision, file #MLP-07-01. Allowing the encroachment requires two land-use applications: a modification to a previously approved land use decision and a variance.

ZONE: R-MD

- 1) Modification: the applicant is proposing to modify the condition of approval to reduce the size of the no-build zone from approximately 42 feet into the site to 39 feet into the site.
- 2) Variance: reduce the minimum lot width from 60 ft to 57 ft 10 in.

Note: Reducing the minimum lot width would not modify in any way the location of property lines. Under MMC 19.201, lot width is defined as *the horizontal distance between side lot lines measured at the Building line*.

Please comment on the following applicable code sections (if no comment, please respond in kind to dyarr@milwaukieoregon.gov):

- MMC 19.301 Moderate Density Residential Zone
- MMC 19.909 Modifications to Existing Approvals
- MMC 19.911 Variances
- MMC 19.1005 Type II review