

601-17-000161



PLANNING DEPARTMENT
6101 SE Johnson Creek Blvd
Milwaukie OR 97206

Application for Land Use Action

PHONE: 503-786-7630
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E-MAIL: planning@milwaukieoregon.gov

Master File #: CU-2017-001

Review type*: I II III IV V

CHECK ALL APPLICATION TYPES THAT APPLY:

- Amendment to Maps and/or Ordinances:
 - Comprehensive Plan Text Amendment
 - Comprehensive Plan Map Amendment
 - Zoning Text Amendment
 - Zoning Map Amendment
- Code Interpretation
- Community Service Use
- Conditional Use
- Development Review
- Director Determination
- Downtown Design Review
- Extension to Expiring Approval
- Historic Resource:
 - Alteration
 - Demolition
 - Status Designation
 - Status Deletion

- Land Division:
 - Final Plat
 - Lot Consolidation
 - Partition
 - Property Line Adjustment
 - Replat
 - Subdivision
- Miscellaneous:
 - Barbed Wire Fencing
 - Modification to Existing Approval
 - Natural Resource Review
 - Nonconforming Use Alteration
- Parking:
 - Quantity Determination
 - Quantity Modification
 - Shared Parking
 - Structured Parking
- Planned Development
- Preliminary Circulation Plan

- Residential Dwelling:
 - Accessory Dwelling Unit
 - Duplex
 - Manufactured Dwelling Park
 - Temporary Dwelling Unit
- Sign Review
- Transportation Facilities Review
- Variance:
 - Building Height Variance
 - Use Exception
 - Variance
- Willamette Greenway Review
- Other: _____

Use separate application forms for:

- Annexation and/or Boundary Change
- Compensation for Reduction in Property Value (Measure 37)
- Daily Display Sign
- Appeal

RESPONSIBLE PARTIES:

APPLICANT (owner or other eligible applicant—see reverse): KARLEANNE ROGERS; KEVIN BERIGAN Berigan

Mailing address: 1524 SE ETON LANE, MILWAUKIE Zip: 97222

Phone(s): 805.640.5962 E-mail: krogers@thacher.org

APPLICANT'S REPRESENTATIVE (if different than above): PLEASE MAIL TO:

Mailing address: 5025 THACHER RD, OSAI, CA Zip: 93023

Phone(s): _____ E-mail: _____

SITE INFORMATION:

Address: 1524 SE ETON LANE Map & Tax Lot(s): 11E26DC01602

Comprehensive Plan Designation: LD-low density Zoning: R-10 Size of property: 0.55 acres

PROPOSAL (describe briefly):

SIGNATURE:

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: Karleanne Rogers Date: July 12, 2017

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

THIS SECTION FOR OFFICE USE ONLY:

FILE TYPE	FILE NUMBER	FEE AMOUNT*	PERCENT DISCOUNT	DISCOUNT TYPE	DEPOSIT AMOUNT	DATE STAMP
Master file		\$			\$	
Concurrent application files		\$			\$	
		\$			\$	
		\$			\$	
		\$			\$	
SUBTOTALS		\$			\$	
TOTAL AMOUNT RECEIVED: \$			RECEIPT #:		RCD BY:	

Associated application file #s (appeals, modifications, previous approvals, etc.):

Neighborhood District Association(s):

Notes:

*After discount (if any)

To: Planning Department, Milwaukie, OR.
Fr: Karleanne Rogers, Kevin Berigan
Re: Conditional Use Permit

July 12, 2017

To whom it may concern,

Karleanne Rogers and Kevin Berigan, owners of the residential home property, 1524 SE Eton Lane, Milwaukie, OR, are applying for a conditional use permit for limited vacation rental.

Ms. Rogers and Mr. Berigan wish with the Planning Department to know the following when considering their application:

1. Ms. Rogers has owned the property since 1994.
2. Purchased as a "tear down," Ms. Rogers and Mr. Berigan have lovingly restored and maintained their 103-year-old home.
3. Ms. Rogers and Mr. Berigan have a long and friendly relationship with their immediate neighbors in Waverly Heights.
4. Ms. Rogers and Mr. Berigan are gainfully employed by The Thacher School in Ojai, CA., where they are required to live 10+ months each year.
5. Ms. Rogers and Mr. Berigan plan to return to their Milwaukie home full-time upon retirement in 5 years.
6. Ms. Rogers and Mr. Berigan current rent their home 4-6 times per year to help offset mortgage and other household expenses, so they may retire to their home in 5 years. While there is plenty of demand to rent the property year round, they are not interested in "making money" but rather helping to cover expenses. They also want to limit foot traffic in their home to help avoid overuse and too much wear and tear. Limiting rentals to 4-6 per year enables them to afford to keep the home they hope to grow old (older) in.
7. Ms. Rogers and Mr. Berigan carefully screen rental applicants and provide accepted renters with a set of house rules which include a description of the neighborhood as "quiet" and "friendly" and require renters to respect an 10pm noise ordinance and noting that failure to do so may lead to immediate eviction. They also request that outside activity and noise be extremely limited after 9:00pm and do not allow parties or any sort of large gathering or event.
8. Ms. Rogers and Mr. Berigan maintain two property managers year-round who welcome guests, review all house rules and noise ordinances, and service any guest issue during occupancy.

The property managers remain "on-call" while guests are present.

9. In actuality, 4-6 rentals per year amounts to considerably less activity and impact on the neighborhood than when the home is lived in home full-time.

In addition, we the owners, submit that our household meets the following required Approval Criteria (19.905.4):

1. The characteristics of our home/lot are suitable for a vacation rental property. Our home is 3,400 square feet, 3+ bedrooms, 2 full baths, 2-½ baths, on ¾ acre, fully fenced lot, which is at the end of Eton Lane.
2. The operating and physical characteristics of the proposed use will be reasonably compatible with, and have minimal impact on, nearby uses. Again the 4-6 rentals per year are carefully screened and conditioned.
3. All identified impacts will be mitigated to the extent practicable. Again, issuing and discussing "house rules" serves to mitigate any potential usage that would adversely impact neighbors.
4. The proposed use will not have unmitigated nuisance impacts. Again, mitigated by "house rules" and monitored by property managers.
5. The proposed use will comply with all applicable development standards of the base zone, any overlay zones or special areas, and the standards of section 19.905.
6. The proposed use is consistent with applicable Comprehensive Plan policies related to the proposed use.
7. Adequate public transportation facilities and public utilities will be available to serve the proposed use prior to occupancy pursuant to Chapter 19.700. Renters generally have a personal/rented vehicle they can park within the property. We have a large circle driveway that can easily accommodate 2+ vehicles thus, parking on the street is never an issue.

Ms. Rogers and Mr. Berigan respectfully submit their proposal for review by the Milwaukie Planning Department. We thank you for your consideration.

Best,



Karleanne Rogers



Kevin Berigan