

To: City Planning Commission: FOR TOPIC OF DISCUSSION AT MEETING, Tues. 1/8/19

From: Daniel M. Barela, owner of property located at 10194 SE 43rd Ave.

Subject: Future Extension of White Lake Rd.

Re: City of Milwaukie Notice of Decision, dated 12/31/18, for applicants Tony & Michelle DaRosa
File # MLP-2018-001, Land Use Proposal for division of property located at 10244 SE 43rd Ave.

Reference : My letter of opposition, received 12/3/18 by City Planing Dept. in response to City of
Milwaukie Memorandum to Interested Persons for Land Use File # MLP-2018-001

I received City of Milwaukie Notice of Decision to allow division of tax lot 1S2E30CC 0500 for
Minor Land Partition (preliminary Plat) Approved with Conditions.

Although I'm not opposed to the City's approval of a partition of the property at 10244 SE 43rd Ave. to
create 2 parcels, it will have a negative impact on me and my property which sets to the North on an
easement driveway bordering the 2nd parcel back of that property.

My understanding of the Decision Notice is that the City of Milwaukie will dedicate some 20 ft. of my
property along the length of the proposed new parcel border line, taking out part of my existing drive
way and coming almost directly up against my garage. All this for the future development of White
Lake Rd. at some undecided time. In my comments letter to the Planning dept., I posed some questions,
which have not been fully answered:

- 1.) The Decision acknowledged that the City would reimburse me for the property they take, but what
amount of money does the City propose to offer me for the dedication of my land? Or entire land?
- 2.) When does the City propose to put the road extension through my property?
- 3.) How does the City allow for exception to the existing MMC statute on the number of feet
required between an existing structure and a road?
4. When the City decides to put a right-of way road through, will my property allow the 35ft.
required setback from the road?

The Decision Notice is covering all the aspects of developing my neighbor's (DeRosa's) two parcels,
however, I have not been informed that the City of Milwaukie has done any survey of my property to
justify compliance to city codes for future White Lake Rd.. I feel the impact of this decision is far
reaching. I would like to request the City do a further study and survey the surrounding properties
within 300 ft. of the proposed parcels. If this has already been done, I would like to be included in the
results. Also, taking into consideration all the other surrounding properties that would be affected by
the right-of-way.

I strongly feel that I am being discriminated against in the City's decision to go ahead with this project.

January 6, 2019

Attachment to City of Milwaukie Appeal of Land Use Decision

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In reading the Notice of Decision, on page 2, Findings In Support of Approval, section 2, last paragraph it says:

Because additional right-of way does not currently exist adjacent to the subject property, an actual connection is not currently possible. The newly dedicated White Lake Rd. right-of-way will remain undeveloped for the time being.

Then later on page 4, section d, it goes on... as discussed in Finding 10-e, the proposed partition requires a 20 ft. wide dedication along the length of the northern boundary of the subject property to allow for a future right -of-way connection to White Lake Rd. Because additional right-of-way does not currently exist adjacent to the subject property, an actual connection is not possible at present. However, the location and dimension of the required dedication will allow a future street connection to match the alignment of White Lake Rd. to the east.

In conclusion, I would like to ask for your consideration on my behalf in this matter.

Sincerely,

Daniel M. Barela

cc: File

Kivel & Howard Attorneys LLP

Dennis Egnor, Planner Director

Tony & Michelle DaRosa ,102244 SE 43rd Ave. Milwaukie, OR 97222

Dana Stearns (4459 SE White Lake Rd., Milwaukie, OR 97222

Sarah & Christopher Leoni (4471 SE Whie Lake Rd., Milwaukie OR 97222

Frank O. Fassold 4446 SE White Lake Rd., Milwaukie, OR 97222

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William H. Schmindt 4468 White Lake Rd., Milwaukie, OR 97222

Lewelling Neighborhood Association

Attachments: Daniel Barela Letter rec'd by City of Milwaukie 12/31/18