



CITY OF MILWAUKIE

July 10, 2019

Land Use File(s): AP-2019-001

NOTICE

This is notice of an action taken by the Milwaukie Planning Commission on July 9, 2019, that affects appeal file #AP-2019-001.

Appellant:	Dan Barela
Application Being Appealed:	Minor Land Partition (Preliminary Plat) File #MLP-2018-001
Applicants:	Tony and Michelle DaRosa
Location:	10244 SE 43 rd Ave
Tax Lot:	1S2E30CC 05200
Neighborhood:	Lewelling

On July 9, 2019, the Planning Commission approved a revised version of a 2-lot partition of the property at 10244 SE 43rd Ave (Tax Lot ID 1S2E30CC05200, the subject property), Land Use Master File #MLP-2018-001. The appeal represented by file #AP-2019-001 was based on objections to an older version of the proposed partition, which was revised to remove the objectionable aspects. Therefore, the Commission's approval of the revised partition essentially renders the appeal moot.

The appellant, Daniel Barela, is the owner of the property at 10194 SE 43rd Ave. The appellant challenged a decision on MLP-2018-001 originally issued by the City of Milwaukie Planning Director on December 31, 2018. That approval included a requirement for a 20-ft-wide public right-of-way (ROW) dedication along the northern boundary of the subject property to allow for a future connection to White Lake Rd to the east.

The Planning Commission held public hearings to consider the appeal on February 12, 2019, and March 12, 2019. After hearing public testimony on the proposed partition that was overwhelmingly opposed to the requirement for the 20-ft ROW dedication for White Lake Rd, the Commission agreed to allow the applicant to revise the proposal and add the variances necessary for relief from the requirement for ROW dedication for White Lake Rd.

The applicant modified the proposed partition accordingly and returned to the Commission for a public hearing on July 9, 2019, where the Commission heard public testimony that was unanimously in support of the revised proposal (including from the appellant). The Commission approved the revised proposal and necessary variances, and a notice of that

decision was issued on July 10, 2019. The basis for the appeal was eliminated; as a result, this notice is provided to confirm that the appeal is rendered moot.



Dennis Egner, FAICP
Planning Director

cc: Dan Barela, appellant (10194 SE 43rd Ave, Milwaukie, OR 97222)
Tony & Michelle DaRosa, applicants for MLP-2018-001 (via email)
Lindsey Sonnen, AKS Engineering & Forestry, LLC (applicant's representative) (via email)
Chris Goodell, AKS Engineering & Forestry, LLC (applicant's representative) (via email)
Planning Commission (via email)
Justin Gericke, City Attorney (via email)
Leila Aman, Community Development Director (via email)
Steve Adams, City Engineer (via email)
Engineering Development Review (via email)
Samantha Vandagriff, Building Official (via email)
Stephanie Marcinkiewicz, Inspector/Plans Examiner (via email)
Harmony Drake, Permit Technician (via email)
Mike Boumann and Izak Hamilton, CFD#1 (via email)
NDA(s): Lewelling (via email)
Interested Persons
Land Use File(s): AP-2019-001, MLP-2018-001, VR-2019-007, VR-2019-008