

MILWAUKIE PLANNING
 10501 SE Main St.
 Milwaukie OR 97222
 503-786-7630
 planning@milwaukieoregon.gov

Application for Land Use Action

Primary File #: VR-2025-004

Review type*: I II III IV V

CHECK ALL APPLICATION TYPES THAT APPLY:

- | | | |
|---|--|--|
| <input type="checkbox"/> Amendment to Maps and/or | <input type="checkbox"/> Land Division: | <input type="checkbox"/> Planned Development |
| <input type="checkbox"/> Comprehensive Plan Map | <input type="checkbox"/> Final Plat | <input type="checkbox"/> Residential Dwelling |
| <input type="checkbox"/> Amendment | <input type="checkbox"/> Lot Consolidation | <input type="checkbox"/> Manufactured Dwelling Park |
| <input type="checkbox"/> Zoning Text Amendment | <input type="checkbox"/> Partition | <input type="checkbox"/> Manufactured Dwelling |
| <input type="checkbox"/> Zoning Map Amendment | <input type="checkbox"/> Property Line Adjustment | <input type="checkbox"/> Temporary Dwelling Unit |
| <input type="checkbox"/> Code Interpretation | <input type="checkbox"/> Replat | <input type="checkbox"/> Transportation Facilities Review** |
| <input type="checkbox"/> Community Service Use | <input type="checkbox"/> Subdivision | <input type="checkbox"/> Variance: |
| <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Mixed Use Overlay Review | <input type="checkbox"/> Use Exception |
| <input type="checkbox"/> Development Review | <input type="checkbox"/> Modification to Existing Approval | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Director Determination | <input type="checkbox"/> Natural Resource Review** | <input type="checkbox"/> Willamette Greenway Review |
| <input type="checkbox"/> Downtown Design Review | <input type="checkbox"/> Nonconforming Use Alteration | <input checked="" type="checkbox"/> Other: <u>Fence variance</u> |
| <input type="checkbox"/> Extension to Expiring Approval | <input type="checkbox"/> Parking: | Use separate application forms for: |
| <input type="checkbox"/> Historic Resource: | <input type="checkbox"/> Quantity Determination | Annexation and/or Boundary Change |
| <input type="checkbox"/> Alteration | <input type="checkbox"/> Quantity Modification | • Compensation for Reduction in Property |
| <input type="checkbox"/> Demolition | <input type="checkbox"/> Shared Parking | • Value (Measure 37) |
| <input type="checkbox"/> Status Designation | <input type="checkbox"/> Structured Parking | Daily Display Sign |
| <input type="checkbox"/> Status Deletion | | • Appeal |

RESPONSIBLE PARTIES:

APPLICANT (owner or other eligible applicant—see reverse): John S Hayworth

Mailing address: 11005 SE Linwood Ave, Milwaukie State/Zip: OR, 97222

Phone(s): 503-804-3877 Email: jstevenh@easystreet.net

Please note: The information submitted in this application may be subject to public records law.

APPLICANT'S REPRESENTATIVE (if different than above):

Mailing address: _____ State/Zip: _____

Phone(s): _____ Email: _____

SITE INFORMATION:

Address: 11005 SE Linwood Ave, Milwaukie Map & Tax Lot(s): 12E31AA09600

Comprehensive Plan Designation: _____ Zoning: R-MD Size of property: 14,002 sq ft

PROPOSAL (describe briefly):

Add a 7' fence around the back yard terminating on the North and South sides with gates.

SIGNATURE: I attest that I am the property owner or I am eligible to initiate this application per Milwaukie Municipal Code 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: John Hayworth

Date: Feb. 28, 2025

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.

** Natural Resource and Transportation Review applications may require a refundable deposit.

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.

DEPOSITS:

Deposits require completion of a Deposit Authorization Form, found at www.milwaukieoregon.gov/building/deposit-authorization-form

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

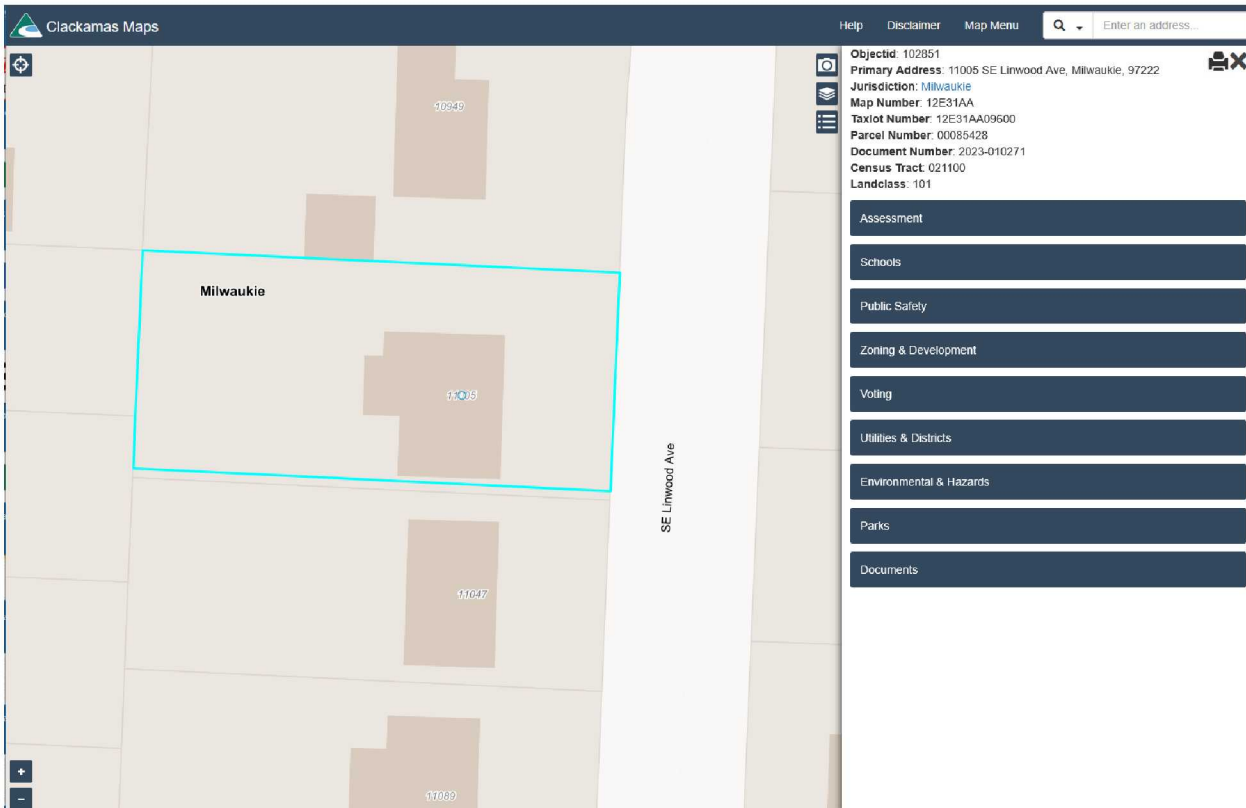
THIS SECTION FOR OFFICE USE ONLY:

FILE TYPE	FILE NUMBER	AMOUNT <small>(after discount, if any)</small>	PERCENT DISCOUNT	DISCOUNT TYPE	DATE STAMP
Primary file	VR-2025-004	\$ 500.00			
Concurrent application files		\$			
		\$			
		\$			
		\$			
Deposit (NR/TFR only)				<input type="checkbox"/> Deposit Authorization Form received	
TOTAL AMOUNT RECEIVED: \$			RECEIPT #:	RCD BY:	
Associated application file #s (appeals, modifications, previous approvals, etc.):					
Neighborhood District Association(s): Linwood					
Notes:					

Identification

This mapping comes from [CMap: Clackamas County](#). I have two parcels.
This is the main lot which is:

Primary Address: 11005 SE Linwood Ave, Milwaukie, 97222
Jurisdiction: Milwaukie
Map Number: 12E31AA
Taxlot Number: 12E31AA09600
Parcel Number: 00085428
Document Number: 2023-010271
Census Tract: 021100
Landclass: 101



This is the second lot which is:

Objectid: 84157

Primary Address: No Situs

Jurisdiction: Milwaukie

Map Number: 12E31AD

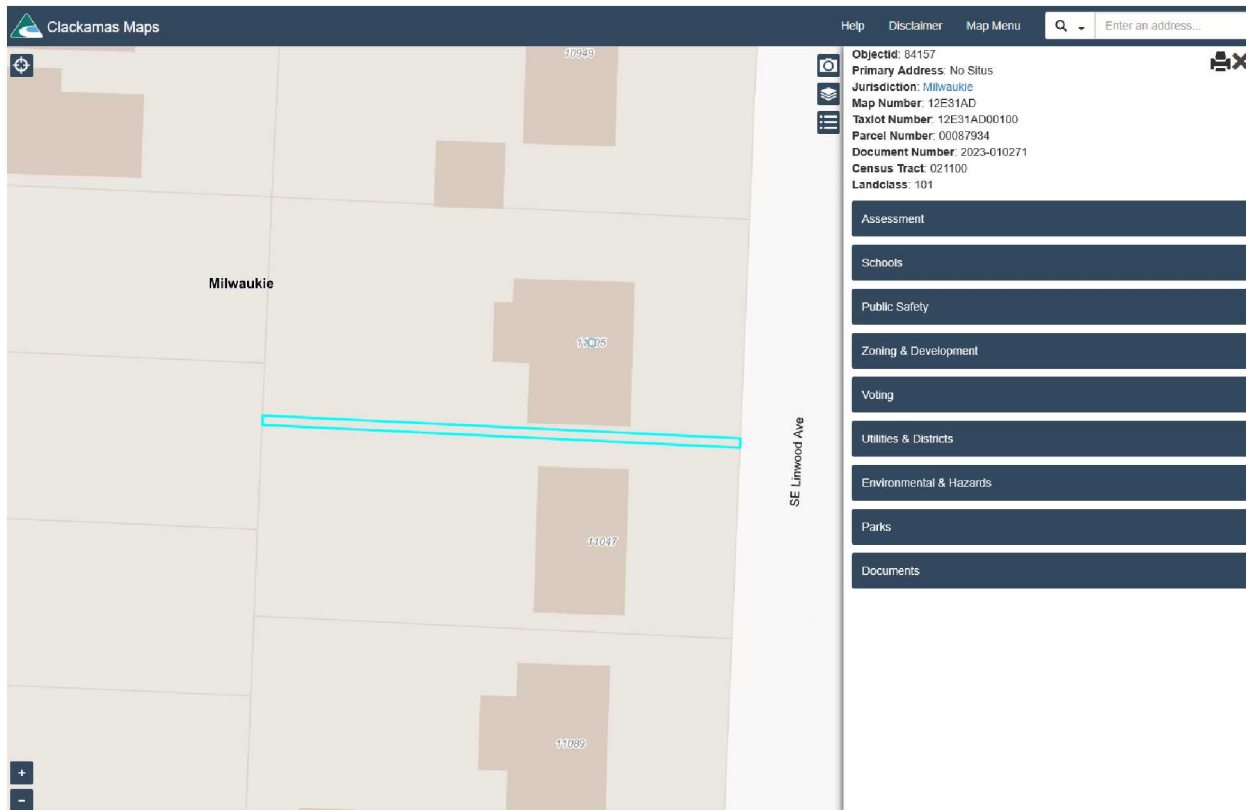
Taxlot Number: 12E31AD00100

Parcel Number: 00087934

Document Number: 2023-010271

Census Tract: 021100

Landclass: 101



Impacts and benefits compared to baseline

Baseline

There is currently no fence on the front side of the house and there is no plan to build one there. The front of the house will remain without a fence.

There is currently a chain-link fence on the north and south side of the backyard. The chain-link fence that used to be on the west side of the back yard was torn down by my neighbor many years ago when I was out of town and replaced with a very cheap wooden fence. I said nothing because at the time the fence was sufficient. However, that fence has been destroyed by their neglect and by trees that have fallen in their yards and over the fence, into my yard. Currently, there is essentially no fence on the west side of the yard.

Impact and benefit

The impact and benefit are different for different sides of the yard. On the north side are my favorite neighbors. They have a couple of dogs which are in the yard a lot. They have had to add additional welded wire above the chain link because the dogs can jump over that fence easily. The dogs are also easily triggered by just seeing someone in the yard. In addition, this neighbor needs and deserves more privacy. Related to this, there is a neighbor behind them that has a very bright light that shines right into my yard at night, over the top of the existing fence, which is quite distracting. I would like the fence tall enough to offset that. Here is a picture of that side of the yard. You can see the structures belonging to the neighbors in the distance.



Along the west side (the back of the property) there is only a small portion of fence remaining. Most of the fence has fallen or been destroyed by trees that have fallen from the neighbors into my yard. I think it is fair to say that the neighbors along the west side of my property do not (or cannot) care about the back of their property, as the photos will show. I would like to give myself some additional privacy and, in addition, hide their stuff.





The neighbors on the south side of the house, who I happen to also have affection for, are doing their best but their home and yard are not pleasant to look at. They also do not manage the blackberries and other vines and such so it's always a mess. I would like to clean up that property line and build this fence to give us a clear property line and more privacy.





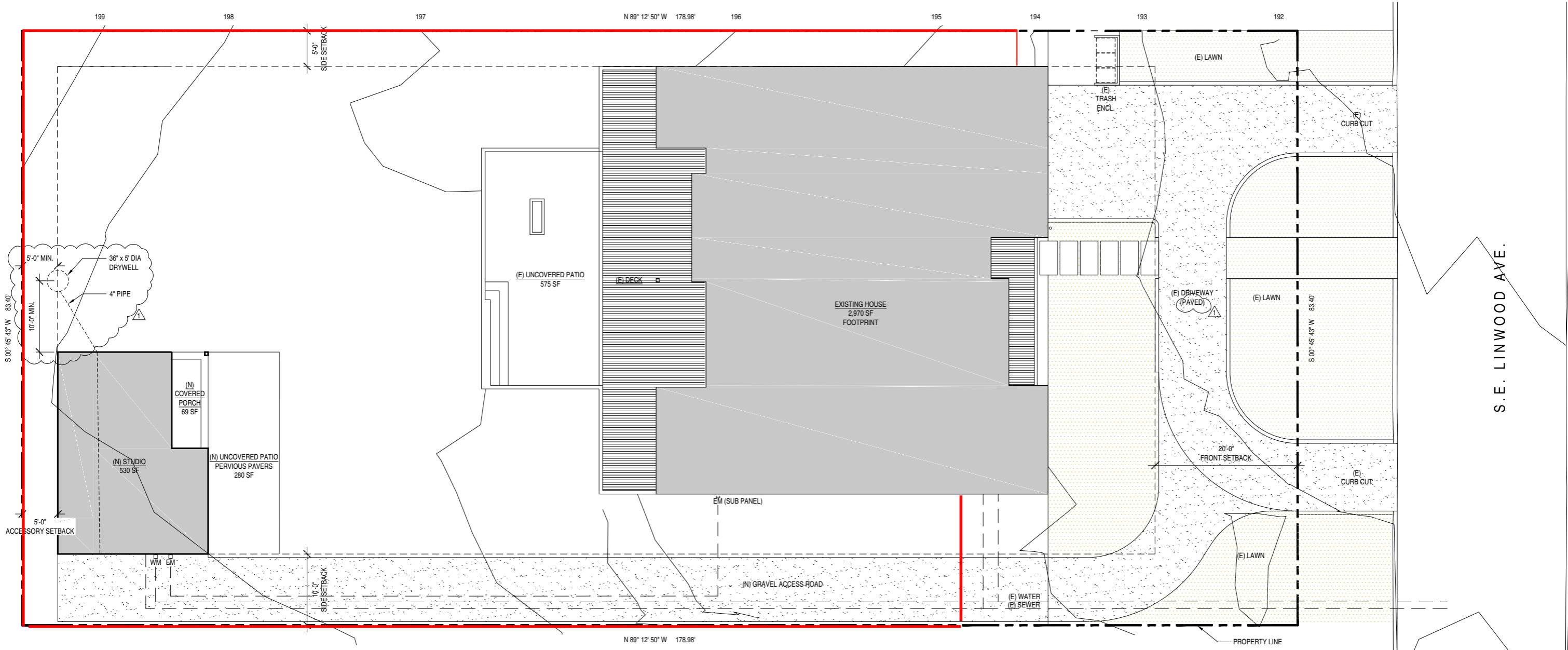


I think it is safe to say that this fence will have only positive impact on my neighbors and myself. I would imagine it will also improve the look and feel of the neighborhood and increase the value of the properties around me. On a personal note, I have lived in this spot for 30 years. I have no intention of allowing my house to fall into the disrepair I see around me. I'm anxious to get planting underway as soon as possible but my landscaper would like to get the fence done first.

Proposed Fence

The proposed fence will be 6' with a 1' trellis top, making it 7' tall. Here is a photo of the same fence which my landscaper has constructed for another project in the city. My new fence will be identical.





S.E. LINWOOD AVE.

