

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

Application for Land Use Action

Primary File #: **CU-2025-002**

Review type*: I II III IV V

CHECK ALL APPLICATION TYPES THAT APPLY:

- | | | |
|---|--|--|
| <input type="checkbox"/> Amendment to Maps and/or
<input type="checkbox"/> Comprehensive Plan Map Amendment
<input type="checkbox"/> Zoning Text Amendment
<input type="checkbox"/> Zoning Map Amendment
<input type="checkbox"/> Code Interpretation
<input type="checkbox"/> Community Service Use
<input checked="" type="checkbox"/> Conditional Use
<input type="checkbox"/> Development Review
<input type="checkbox"/> Director Determination
<input type="checkbox"/> Downtown Design Review
<input type="checkbox"/> Extension to Expiring Approval
<input type="checkbox"/> Historic Resource
<input type="checkbox"/> Alteration
<input type="checkbox"/> Demolition
<input type="checkbox"/> Status Designation
<input type="checkbox"/> Status Deletion | <input type="checkbox"/> Land Division:
<input type="checkbox"/> Final Plat
<input type="checkbox"/> Lot Consolidation
<input type="checkbox"/> Partition
<input type="checkbox"/> Property Line Adjustment
<input type="checkbox"/> Replat
<input type="checkbox"/> Subdivision
<input type="checkbox"/> Mixed Use Overlay Review
<input type="checkbox"/> Modification to Existing Approval
<input type="checkbox"/> Natural Resource Review**
<input type="checkbox"/> Nonconforming Use Alteration
<input type="checkbox"/> Parking:
<input type="checkbox"/> Quantity Determination
<input type="checkbox"/> Quantity Modification
<input type="checkbox"/> Shared Parking
<input type="checkbox"/> Structured Parking | <input type="checkbox"/> Planned Development
<input type="checkbox"/> Residential Dwelling
<input type="checkbox"/> Manufactured Dwelling Park
<input type="checkbox"/> Manufactured Dwelling
<input type="checkbox"/> Temporary Dwelling Unit
<input type="checkbox"/> Transportation Facilities Review**
<input type="checkbox"/> Variance:
<input type="checkbox"/> Use Exception
<input type="checkbox"/> Variance
<input type="checkbox"/> Willamette Greenway Review
<input type="checkbox"/> Other:
Use separate application forms for
Annexation and/or Boundary Change <ul style="list-style-type: none"> • Compensation for Reduction in Property Value (Measure 37) • Daily Display Sign • Appeal |
|---|--|--|

RESPONSIBLE PARTIES:

APPLICANT (owner or other eligible applicant—see reverse): **MICHAEL & AUDRA JESKE**
 Mailing address: **8525 SE 32ND AVE, MILWAUKIE** State/Zip: **OR 97222**
 Phone(s): **503-267-4719** Email: **mikejeske@hotmail.com**
 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: **8525 SE 32ND AVE** Map & Tax Lot(s): **11E25BA00300**
 Comprehensive Plan Designation: _____ Zoning: **R-MD** Size of property: **.13 AC**

PROPOSAL (describe briefly):

Type 3 conditional use, vacation rentals.

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:  Date: **3/13/25**

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

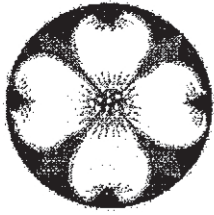
REVIEW TYPES:

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	CU-2025-002	\$2,000			Materials submitted 3/13/2025 Payment received 3/14/2025
Concurrent application files		\$			
		\$			
		\$			
		\$			
Deposit (NR/TFR only)				<input type="checkbox"/> Deposit Authorization Form received	
TOTAL AMOUNT RECEIVED: \$2,000			RECEIPT #: 29958		RCD BY: BK
Associated application file #s (appeals, modifications, previous approvals, etc.):					
Neighborhood District Association(s): Ardenwald-Johnson Creek					
Notes: Conditional use review to allow vacation rental.					



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Submittal Requirements

For all Land Use Applications
(except Annexations and Development Review)

All land use applications must be accompanied by a signed copy of this form (see reverse for signature block) and the information listed below. The information submitted must be sufficiently detailed and specific to the proposal to allow for adequate review. Failure to submit this information may result in the application being deemed incomplete per the Milwaukie Municipal Code (MMC) and Oregon Revised Statutes.

Contact Milwaukie Planning staff at 503-786-7630 or planning@milwaukieoregon.gov for assistance with Milwaukie's land use application requirements.

1. **All required land use application forms and fees**, including any deposits.

Applications without the required application forms and fees will not be accepted.

2. **Proof of ownership or eligibility to initiate application** per MMC Subsection 19.1001.6.A.

Where written authorization is required, applications without written authorization will not be accepted.

3. **Detailed and comprehensive description** of all existing and proposed uses and structures, including a summary of all information contained in any site plans.

Depending upon the development being proposed, the description may need to include both a written and graphic component such as elevation drawings, 3-D models, photo simulations, etc. Where subjective aspects of the height and mass of the proposed development will be evaluated at a public hearing, temporary onsite "story pole" installations, and photographic representations thereof, may be required at the time of application submittal or prior to the public hearing.

4. **Detailed statement** that demonstrates how the proposal meets the following:

A. All applicable development standards (listed below):

1. **Base zone standards** in Chapter 19.300.
2. **Overlay zone standards** in Chapter 19.400.
3. **Supplementary development regulations** in Chapter 19.500.
4. **Off-street parking and loading standards and requirements** in Chapter 19.600.
5. **Public facility standards and requirements**, including any required street improvements, in Chapter 19.700.

B. All applicable application-specific approval criteria (check with staff).

C. Compliance with the Tree Code (MMC 16.32): www.milwaukieoregon.gov/trees

These standards can be found in the MMC, here: www.qcode.us/codes/milwaukie/

5. **Site plan(s), preliminary plat, or final plat** as appropriate.

See Site Plan, Preliminary Plat, and Final Plat Requirements for guidance.

6. **Copy of valid preapplication conference report**, when a conference was required.

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APPLICATION PREPARATION REQUIREMENTS:

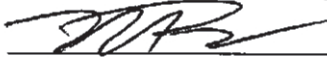
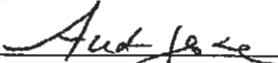
- Electronic copies of all application materials are required at the time of submittal.

ADDITIONAL INFORMATION:

- Neighborhood District Associations (NDAs) and their associated Land Use Committees (LUCs) are important parts of Milwaukie's land use process. The City will provide a review copy of your application to the LUC for the subject property. They may contact you or you may wish to contact them. Applicants are strongly encouraged to present their proposal to all applicable NDAs prior to the submittal of a land use application and, where presented, to submit minutes from all such meetings. NDA information: www.milwaukieoregon.gov/citymanager/what-neighborhood-district-association.
- By submitting the application, the applicant agrees that City of Milwaukie employees, and appointed or elected City Officials, have authority to enter the project site for the purpose of inspecting project site conditions and gathering information related specifically to the project site.

As the authorized applicant I, (print name) Mike Seske, Andra Joske attest that all required application materials have been submitted in accordance with City of Milwaukie requirements. I understand that any omission of required items or lack of sufficient detail may constitute grounds for a determination that the application is incomplete per MMC Subsection 19.1003.3 and Oregon Revised Statutes 227.178. I understand that review of the application may be delayed if it is deemed incomplete.

Furthermore, I understand that, if the application triggers the City's sign-posting requirements, I will be required to post signs on the site for a specified period of time. I also understand that I will be required to provide the City with an affidavit of posting prior to issuance of any decision on this application.

Applicant Signature:  
Date: 3-11-25 3/13/25

Official Use Only

Date Received (date stamp below):

<p>Materials submitted 3/13/2025</p> <p>Payment received 3/14/2025</p>
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Received by: Brett Kolver, Senior Planner

Vacation Rental Application

Type III Conditional Use Request

8525 SE 32nd Avenue, Milwaukie, OR 97222

Tax Lot: 11E25BA00300

Building Sqft: 2765

Zoning Code: R-MD

Request

We are requesting a Type-III Conditional Use to operate a Vacation Rental located at 8525 SE 32nd Avenue. This single family home has five (5) bedrooms, three (3) bathrooms and is a 2765 square foot home.

We are the current residents and homeowners. We are exploring moving but would like to keep our home of 23 years. We would like to pursue the option of a vacation rental for longer than the current 90 day maximum per year. We have legally and successfully managed renting our house on airbnb in the last 8 years of living in this house. We have set up the following restrictions and successfully fine tuned our rental to have no negative impact on the neighborhood.

- Reservations are limited under Airbnb only to guests who have previously traveled on Airbnb
- Party size is limited to 12 people
- Minimum 2 nights stay. Reduces parties.
- These guests must not have negative reviews

This filtering process ensures that only respectful guests with no previous disturbances can request to stay at the home, thus protecting both the home and the neighborhood.

Applicants will continue to run construction business with employees that can handle keeping house in good state of repair.

The home will retain the appearance of a residence for a household and no more persons shall be staying in the home than what the property was built for.

There is private parking for two cars in the driveway

The House Rules require that quiet hours will be between 10:00pm and 7:00am. A copy of the House Rules will be emailed to guests in advance of guests' arrival and at least one paper copy of the House Rules will be displayed prominently within a common area of the home.

The Property

The property is fully fenced around the entire perimeter with mature trees, laurel, and a shed for privacy to neighbors on all sides.

Neighborhood Impacts

The street is already busy (32nd) and the minimal amount of traffic will have no negative impact.

Use and impact should be similar to current use of owner occupied home.

TITLE 19 ZONING

CHAPTER 19.300 BASE ZONES

Response: This property is zoned Moderate Density Zone. Vacation rental is allowed as a Conditional Use

CHAPTER 19.400 OVERLAY ZONES AND SPECIAL AREAS

Response - The property is not in an overlay zone.

CHAPTER 19.600 OFF-STREET PARKING AND LOADING

Response - There is private parking for two or more cars in the driveway.

CHAPTER 19.905 CONDITIONAL USES 19.905.4 Approval Criteria

- A. Establishment of a new conditional use, or major modification of an existing conditional use, shall be approved if the following criteria are met:
1. The characteristics of the lot are suitable for the proposed use considering size, shape, location, topography, existing improvements, and natural features.

Response – We believe this criteria to be met as it has been successfully used as a vacation rental

2. The operating and physical characteristics of the proposed use will be reasonably compatible with, and have minimal impact on, nearby uses.

Response – We believe these requirements are met as the use will not differ from our family or any family living here.

3. All identified impacts will be mitigated to the extent practicable.

Response – Our mitigation plan includes 1) We have hired professional services (cleaning, maintenance, and gardening) to maintain the property both inside and out.

2) The side property lines are fully tree lined to mitigate sound and sight. The back of the property has some tree coverage. 3) Filter and screen applicants from previous experience to ensure respectful tenants.

4. The proposed use will not have unmitigated nuisance impacts, such as from noise, odor, and/or vibrations, greater than usually generated by uses allowed outright at the proposed location.

Response – We believe this requirement to be met and levels should not exceed current use of occupied house.

5. The proposed use will comply with all applicable development standards and requirements of the base zone, any overlay zones or special areas, and the standards in Section 19.905.

Response - This property is located in a R-MD zone. The proposed use will comply with all applicable development standards and requirements of this base zone and the standards of Section 19.905. The property is not in an overlay zone or special area.

6. The proposed use is consistent with applicable Comprehensive Plan policies related to the proposed use.

Response – To our knowledge, this is met.

7. Adequate public transportation facilities and public utilities will be available to serve the proposed use prior to occupancy pursuant to Chapter 19.700.

Response - The MAX Orange Line is 0.30 miles from the home and the #75 bus line picks up at 32nd & Floss (0.20) and 32nd & Van Water (0.30). The #34 and #99 bus lines pick up at SE Tacoma Park & Ride (0.50).

As the home will be made available only the number of guests than the property was built for, public utilities should be adequate for the proposed use.

19.905.9.H. STANDARDS GOVERNING CONDITIONAL USES

H. Vacation Rentals- Operation of a vacation rental requires the following:

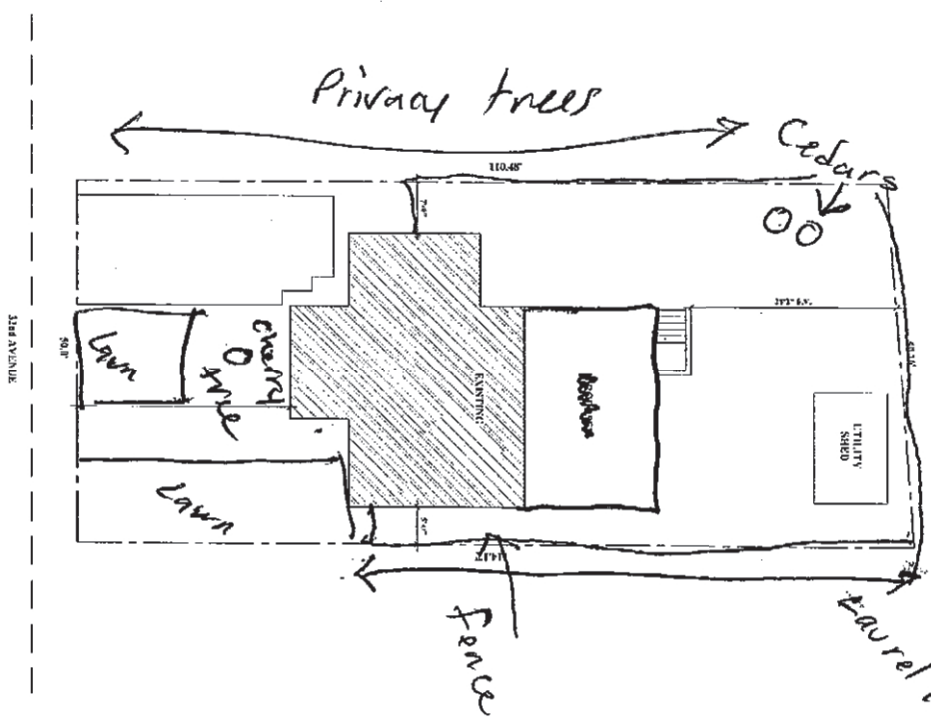
1. Prior to initial occupancy, the Building Official shall verify that building code and fire code standards are satisfied.

Response – We have already completed this application, had the building inspected for their short term and long term rental license, which showed that building code and fire code standards were satisfied.

2. With annual filing of MMC Title 5 Business Tax, the operator shall send a notice to neighbors within 300 ft that includes the following information:
 - a. Property owner contact information;
 - b. Vacation rental operator and/or property manager contact information; and
 - c. City of Milwaukie Police nonemergency telephone number.

Response – We will meet this requirement.

NOTE: LOT APPROX. 648 SQ. FT.
 STRIKE TIME = 14:45, FT. OR 18"
 VEGETATION AREA = 344 SQ. FT. OR 80%



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SITE PLAN
 SCALE: 1/8" = 1'-0"

REVIEWED
 BY: [Signature]

1.00" This drawing is of a proposed design and is not to be used as a basis for construction without the approval of the architect.

PRODUCED BY AN AUTODESK EDUCATIONAL PRODUCT

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S & J DESIGNS
 JANUARY 16, 2003

SITE PLAN
 JESKE REMODEL
 8525 SE 32ND AVE, MILWAUKIE, OR

