

**FINDINGS OF FACT and FINAL ORDER  
TYPE I LAND USE DECISION**

**DATE:** October 13, 2020

**FILE NO.:** 20-037 DR

**PROJECT NAME:** 16320 Bluff Road New SFR

**APPLICANT/OWNER:** Mark P. Stager

**LEGAL DESCRIPTION:** T2S R4E Section 11DD, Tax Lot 2501

**ADDRESS:** 16320 Bluff Road

**DECISION:** Approved subject to conditions of approval

The above-referenced proposal was reviewed as a Type I Design Review. The following Findings of Fact are adopted supporting approval of the plan in accordance with Chapters 13 and 17 of the Sandy Municipal Code.

**EXHIBITS:**

**Applicant's Submittals**

- A. Land Use Application Form
- B. Architectural Plan Set
  - Sheet A0.1: Cover Sheet/Site Plan (revised 9/25/2020)
  - Sheet A0.2: General Specifications
  - Sheet A1.1: Floor Plans
  - Sheet A1.2: Power Plans
  - Sheet A1.3 Lighting Plans
  - Sheet A1.4: Cabinets
  - Sheet A2.1: Elevations
  - Sheet A2.2: Elevations
  - Sheet A3.1 Roof Framing and Plans
  - Sheet A3.2: Sections
  - Sheet A4.1 Flashing Details
  - Sheet A4.2: Window Flashing Details
  - Sheet A5.0 Foundation Dimension Plan
- C. Landscape Plan (Sheet L1.0)
- D. Grading and Erosion Control Plan (revised 9/25/2020)
- E. Drainage Plan
- F. Structural Plan Set
  - Sheet S1.0: Main Floor Shear Wall Plan

- Sheet S1.1: Roof Framing Floor Framing Plans
- Sheet S1.2: Partial Foundation Plan
- Sheet S2.0: Structural Details
- Sheet S3.0: Structural Details

G. Civil Details

H. Detention Details

I. Stormwater Report

**Additional Documents Submitted by Staff**

J. Final Order from File No. 19-039 FSH/TREE

K. Final Order from File No. 20-035 TREE

**Agency Comments**

L. Fire Marshall (October 2, 2020)

M. Public Works Director (October 7, 2020)

**FINDINGS OF FACT**

**General**

1. These findings are based on the applicant’s original submittal received on September 17, 2020. The application was deemed complete on September 30, 2020. This final order is based upon the exhibits listed above.
2. The subject property is located on the east side of Bluff Road south of Bell Street and north of Marcy Street.
3. The subject property has a comprehensive plan designation of Low Density Residential and a zoning district designation of SFR, Single Family Residential. The proposed single-family residence is a permitted outright use in the subject zoning district.
4. The subject site consists of one parcel with a total area of approximately 1.88 acres. The applicant is proposing to replace the existing 1,968 square foot single family residence with a new, custom 3,346 square foot single family residence with timber framing, attached garage, and shop. The applicant previously requested approval to remove two trees within the Flood and Slope Hazard (FSH) Overlay District on the subject property (File No. 19-039 FSH/TREE; Exhibit J); the request was approved with conditions. The applicant later requested approval to remove nine (9) additional trees outside of the FSH overlay district from the subject property (File No. 20-035 TREE; Exhibit K); that request was also approved with conditions.
5. The applicant submitted for a Demolition Permit to demolish the existing house. **In association with the demolition permit, the applicant shall adhere the following:**
  - Work related to this permit may be subject to regulations governing the handling, removal and/or disposal of asbestos and/or lead-based paint.
  - Call OUNC (Oregon Utility Notification Center) 1-800-332-2344 or 811 for utility locates – specify that you are performing demolition work.

- Provide erosion control and/or gravel construction entrance necessary to prevent tracking of dirt or mud onto public streets. Failure to prevent tracking of mud or dirt onto streets will result in STOP WORK order.
- Catch basin filter bags must be installed at all nearby basins.
- Dust prevention measures should be taken.
- On-site sewage disposal system tanks must be pumped out and removed or filled. Provide the City with a copy of the Clackamas County Certificate of Existing System Decommissioning.
- The owner of record is responsible for the complete removal and completions of the required sewer, electrical and gas disconnects. Make arrangements with dry utilities (power, phone, gas, CATV) for service abandonment.
- The work of demolishing any building shall not be commenced until pedestrian protection is in place as required. (OSSC 3303.2)16320
- The owner of record is responsible for all site clean-up and debris removal.
- All demolition permits need to be finalized before a building permit can be issued.
- No tree removal is allowed as part of this demolition permit.
- Where a structure has been demolished or removed, the vacant lot shall be filled and maintained to the existing grade or in accordance with the city ordinances. (OSSC 3303.4)
- Prior to final inspection and closing of the permit, the demolition debris must be removed from the site. Foundations and basement walls shall be removed and excavation shall be filled and the site graded to a natural grade. If the fill material is not placed as structural fill and tested by independent testing agency, an agreement shall be recorded with the Clackamas County Clerk and Recorder on the title of the property that states there is fill present on the site and that a soils analysis prepared by a licensed engineer will be required to be submitted with all future applications for building permits on the property.
- Provisions shall be made to prevent the accumulation of water or damage to any adjoining property. (OSSC 3303.5)

#### **17.34 – Single-Family Residential (SFR) Zoning District**

6. The applicant proposes a single detached dwelling, which is a primary use permitted outright per Section 17.34.10(A).
7. The submitted Architectural Plan Set (Exhibit B) indicates the proposed structure will be set back 11'-5" from the north property line and 18'-11" from the south property line in compliance with the 7.5 foot minimum side yard setback. In addition, the proposed structure will be set back greater than 10 feet from the front lot line and greater than 20 feet from the rear lot line in compliance with Section 17.34.30.
8. Section 17.34.40 requires the site to connect to municipal services, including water and sewer, and requires the site to have frontage or approved access to public streets. The Site Plan (Exhibit B, Sheet A0.1) indicates the applicant will decommission the existing septic system and connect to sanitary sewer as required. **The applicant shall disconnect, cap, or abandon services to the existing house including any existing septic tanks in conformance with the applicable regulatory agencies. The applicant shall submit a copy of the abandonment certification to the City of Sandy Planning Division.** The

applicant did not submit a separate Utility Plan. **The applicant shall connect to sanitary sewer and water. The applicant shall submit a Utility Plan for review with the Building Permit.**

#### **17.60 – Flood and Slope Hazard (FSH) Overlay District**

9. Roughly two-thirds of the subject property is in the FSH overlay district. The applicant is not proposing any development, including landscaping or grading, in the FSH overlay area. Per the Grading and Erosion Control Plan (Exhibit D), the sediment fencing will be located at the outer edge of the restricted development area in the FSH overlay (i.e., outside of the 25 foot setback line from the 25 percent slope break). To ensure protection of the existing retention trees on the property, **the applicant shall install tree protection fencing at the outer edge of the FSH overlay district. The applicant shall apply for a separate FSH review permit for any proposed future development in the FSH overlay district, including grading, landscaping, or removal of vegetation.**

#### **17.74 – Accessory Development**

10. Section 17.74.40(A) contains standards for residential fences and retaining walls. The applicant is proposing a retaining wall in the backyard of the single-family dwelling. The maximum retaining wall height in a rear yard abutting other lots is 8 feet. The Landscape Plan (Exhibit C) includes a retaining wall section at the area of proposed maximum wall height. The proposal is for a two-tiered dry-stacked boulder wall with the two tiers located 7 feet apart. The maximum wall reveal of the upper tier is 2'-6" and the maximum wall reveal of the lower tier is 3'-6" for a combined height of 6 feet in compliance with the code.

#### **17.80 – Additional Setbacks on Collector & Arterial Streets**

11. Chapter 17.80 requires any structure located on an arterial or collector street to have a minimum 20-foot setback measured from the property line. The site has frontage on Bluff Road along the flag portion of the west property line. Bluff Road is classified as a minor arterial in the Sandy Transportation Plan; therefore, all structures are required to maintain a minimum 20-foot setback from the Bluff Road public right-of-way.
12. The subject property is a flag lot and the proposed residence will be set back much further than 20 feet from Bluff Road. In addition, the proposed residence will be set back further than 20 feet from the portion of the west property line abutting the property to the west of the subject property.

#### **17.82 – Special Setbacks on Transit Streets**

13. Bluff Road is identified as a minor arterial in the City of Sandy Transportation System Plan and, therefore, is classified as a transit street per Section 17.82.10
14. Section 17.82.20 contains regulations related to building orientation. Subsection A requires all residential dwellings to have their primary entrances oriented toward a transit street (Bluff Road) rather than a parking area and Subsection B requires a clearly marked, convenient, safe and lighted pedestrian route to be provided to the entrance from the transit street, and Subsection C requires the primary dwelling entrance to be architecturally emphasized and visible from the street and to include a covered porch at

least 5 feet in depth. The primary entrance of the proposed dwelling faces west, towards Bluff Road, and features a gabled entry at least 5 feet in depth in compliance with the code. Staff notes that the entrance may be difficult to see from the street due to the existing length of the flag portion of the lot. The applicant proposes a paved driveway connecting from Bluff Road to a plaza in front of the new residence but does not detail a pedestrian-specific walkway. The Development Services Director interprets Section 17.82.20(B) to exempt flag lots where the flag is long enough that the house would be difficult to see from the road.

#### **17.84 – Improvements Required with Development**

**15. All improvements required by the standards in Chapter 17.84 shall be installed concurrently with development.**

16. Subsection 17.84.30(A)(2) requires sidewalks along arterial streets shall be a minimum of 6-feet wide and be separated from curbs with a planting area. The site has 25 feet of street frontage on Bluff Road, a minor arterial street. Per the Public Works Director (Exhibit M), half-street improvements consisting of a concrete driveway approach /sidewalk are required by Section 15.20.010 of the Sandy Municipal Code (SMC). **The applicant shall construct half-street improvements on the Bluff Road frontage of the site.** The parcel has only 25 feet of frontage on Bluff Road so this will consist primarily of a concrete driveway approach, sidewalk and curb, and a connection to the existing curb to the east.

17. The applicant submitted a detailed stormwater report to mitigate the runoff from all impervious surfaces (roofs, drives, and parking/maneuvering areas) constructed with site development. Stormwater treatment is required per Section 13.18.30 B through F of the SMC. Single family dwellings may be exempted from the detention and storage requirements of Section 13.18; however, the large amount of impervious surface (over 11,000 square feet), the site's proximity to the top of the bluff, and the FSH overlay area does not warrant an exemption from the storage and detention requirements.

18. All public utility installations shall conform to the City's facilities master plans. No building permits will be issued until all public utilities, including sanitary sewer are available to serve the development. **The applicant shall pay plan review, inspection, and permit fees as determined by the Public Works Director.** There is an existing 8-inch sewer lateral stubbed out to the right-of-way line. The City fees to connect would total \$8,914 (\$4,025 lateral reimbursement plus \$4,889 system development charge). This does not include the required plumbing permit, abandonment of existing on-site system, or the cost to extend a private lateral and connect to the existing stub. The existing dwelling on the site is served by an existing 5/8-inch x 3/4-inch water service and uses an on-site sewage disposal system. Per the Public Works Director (Exhibit M), **the existing on-site sewage disposal system shall be abandoned per OAR 340-071-0185 and the applicant shall complete and submit certification of existing system decommissioning to Clackamas County WES with a copy to the City. The proposed dwelling shall be connected to the existing 8-inch sanitary sewer shared lateral as directed by City staff.**

19. Section 17.84.70 contains requirements regarding public improvement procedures. The Fire Marshal (Exhibit L) submitted comments regarding fire apparatus access and firefighting water supplies. **The applicant shall confer with the Sandy Fire District to ensure compliance with the requirements of the Sandy Fire Marshal as contained in Exhibit L. The applicant shall provide construction documents detailing compliance with fire apparatus access and fire protection water supply requirements to the Sandy Fire District for review and approval upon building permit submittal. Buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. The address shall be plainly legible and visible from the road fronting the property and the same shall be on the dwelling plainly legible and visible when approaching. The applicant shall comply with all applicable Oregon Fire Code Requirements. In addition, the address numbers shall be a minimum of 4-inches and contrasting colors.**
  
20. Section 17.84.80 contains standards for franchise utility installation. Private utility services will be submitted for review and approval by service providers and City staff in association with construction plans, and all utility lines will be extended to the perimeter of the site. Municipal Code 15.20.020(B) states the following regarding undergrounding of utilities: “No building permit shall be issued for remodeling, alteration or addition to any building or structure when the estimated cost of the remodeling, alteration or addition exceeds fifty percent of the value of the building or structure before such remodeling, alteration or addition is commenced on any lot which is not served by underground utilities, unless the applicant agrees to construct equipment and related facilities to accept and receive all underground utility lines which shall serve the building or structure, including but not limited to those required for all electric, communication and cable TV services in conjunction with the construction activity related to the building permit.” **All existing and proposed franchise utilities (i.e. cable, electric, phone, etc.) shall be installed underground and in conformance with City standards. The applicant shall call the PGE Service Coordinators at (503) 323-6700 when the developer is ready to start the project.**
  
21. The applicant will need to coordinate with the United States Postal Service (USPS) to locate mail facilities and these will be approved by the City and USPS. **Mail delivery facilities shall be provided by the applicant in conformance with 17.84.100 and the standards of the USPS. The applicant shall submit a mail delivery plan to the City and USPS for review and approval prior to installation of a mailbox.**

### **17.90 – Design Standards**

22. The proposal is subject to all the requirements for Design Review as specified in Section 17.90.00.
  
23. Section 17.90.70 specifies that **design review approval shall be void after two (2) years from the date of the Final Order unless the applicant has submitted plans for building permit approval.**

24. The proposed single-family residence is subject to, and has subsequently been reviewed based upon, the residential design standards of Section 17.90.150.
25. Section 17.90.150(D) contains general provisions of the residential design standards. The primary entrance faces west, towards Bluff Road. The submitted west elevation (Exhibit B, Sheet A2.1) details a 4-inch minimum wide trim around the windows and doors.
26. Section 17.90.150(E) specifies the number of required design elements based on the garage type. The proposed garage is an attached garage with the garage door oriented 90 degrees to the street. Table 17.90.150 – A: Number of Required Design Elements within Section 17.90.150(E) indicates the property is required to provide three (3) required design elements from Section 17.90.150(F) plus windows occupying 10 percent of the garage wall facing the street. The west elevation (Exhibit B, Sheet A2.1) details the wall area for the site of the garage at 260 square feet. The applicant is proposing three windows along the west garage wall that total 27 square feet, which is greater than 10 percent of the garage wall facing the street in compliance with the code. The applicant is also proposing the following design elements from Section 17.90.150(F) on the street facing (west) façade in compliance with the code:
- Covered porch entry – minimum 40 square foot covered front porch, minimum five (5) feet deep (#2);
  - Two or more offsets of 16 inches or greater (#5);
  - Roof overhang of 16 inches or greater (#6);
  - Decorative gables (#8);
  - Windows and front door occupying a minimum of 10 percent of the street facing façade (#14);
  - Sidelight and/or transom windows associated with the front door or windows in the front door (#15);
  - Decorative base materials such as natural stone, cultured stone, or brick extending at least 36 inches above adjacent finished grade occupying a minimum of 10 % of the overall primary street facing façade (#18); and,
  - Recessed shop façade (#19).

### **17.92 – Landscaping and Screening**

27. Chapter 17.92 contains standards for landscaping and screening. Staff does not typically review landscaping for single family residences; however, the subject property contains FSH overlay area, which is regulated in terms of vegetation planting and removal. The applicant submitted a Landscape Plan (Exhibit C) that demonstrates the applicant is not proposing to plant or remove vegetation from the FSH overlay area.
28. The applicant proposes new planting areas on the subject property outside of the FSH overlay area. Per Subsection 17.92.10(L), **all landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacement of dead or dying vegetation. Any areas disturbed during modification of the existing site shall be re-vegetated to pre-project condition.**

### **17.98 – Parking, Loading, & Access Requirements**

29. Section 17.98.20(A.8) requires a single-family residence to provide two off-street parking spaces per dwelling unit. The proposal includes a two-car garage in compliance with this standard.
30. Section 17.98.100 requires driveways for a single-family dwelling be a minimum width of 10 feet with a maximum driveway approach of 24 feet. The subject property is a flag lot with 25 feet of frontage on Bluff Road. Per Section 17.100.170, the accessway shall have a minimum paved width of 10 feet. The Site Plan (Exhibit B, Sheet A0.1) details a 14-foot-wide paved driveway within the 25-foot flag in conformance with the driveway width standards.
31. Section 17.98.130 requires all parking areas, driveways, aisles, and turnarounds to be paved with concrete, asphalt, or comparable surfacing constructed to City standards for off-street vehicle areas. The Grading and Erosion Control Plan (Exhibit D) indicates the applicant is proposing to maintain the existing paved driveway as a construction entrance and to install new permeable pavers in the plaza area in front of the new residence, garage, and shop.

### **17.102 – Urban Forestry**

32. Chapter 17.102 regulates urban forestry. The applicant previously submitted two separate applications for tree removal (Files No. 19-039 FSH/TREE and 20-035 TREE; Exhibits J and K). The applicant is not proposing any additional tree removal with this application. To ensure protection of the existing retention trees on the property, **the applicant shall install tree protection fencing at the outer edge of the FSH overlay district. The tree protection fencing shall be 6 feet tall no-jump horse fencing or chain link fencing supported with metal posts placed no farther than ten feet apart installed flush with the initial undisturbed grade. The applicant shall affix a laminated sign (minimum 8.5 inches by 11 inches) to the protection fencing indicating that the area behind the fence is a tree protection area and that the fence shall not be removed or relocated. The applicant shall apply for a separate Tree Removal Permit for any proposed tree removal in the future.**

## **DECISION**

For the reasons described above the request by Mark P. Stager to construct a single-family residential dwelling is hereby **approved** as modified by the conditions listed below.

## **CONDITIONS OF APPROVAL**

### **A. In association with the demolition permit, the applicant shall adhere the following:**

1. Work related to this permit may be subject to regulations governing the handling, removal and/or disposal of asbestos and/or lead-based paint.
2. Call OUNC (Oregon Utility Notification Center) 1-800-332-2344 or 811 for utility locates – specify that you are performing demolition work.



3. Provide erosion control and/or gravel construction entrance necessary to prevent tracking of dirt or mud onto public streets. Failure to prevent tracking of mud or dirt onto streets will result in STOP WORK order.
4. Catch basin filter bags must be installed at all nearby basins.
5. Dust prevention measures should be taken.
6. On-site sewage disposal system tanks must be pumped out and removed or filled. Provide the City with a copy of the Clackamas County Certificate of Existing System Decommissioning.
7. The owner of record is responsible for the complete removal and completions of the required sewer, electrical and gas disconnects. Make arrangements with dry utilities (power, phone, gas, CATV) for service abandonment.
8. The work of demolishing any building shall not be commenced until pedestrian protection is in place as required. (OSSC 3303.2)16320
9. The owner of record is responsible for all site clean-up and debris removal.
10. All demolition permits need to be finalized before a building permit can be issued.
11. No tree removal is allowed as part of this demolition permit.
12. Where a structure has been demolished or removed, the vacant lot shall be filled and maintained to the existing grade or in accordance with the city ordinances. (OSSC 3303.4)
13. Prior to final inspection and closing of the permit, the demolition debris must be removed from the site. Foundations and basement walls shall be removed and excavation shall be filled and the site graded to a natural grade. If the fill material is not placed as structural fill and tested by independent testing agency, an agreement shall be recorded with the Clackamas County Clerk and Recorder on the title of the property that states there is fill present on the site and that a soils analysis prepared by a licensed engineer will be required to be submitted with all future applications for building permits on the property.
14. Provisions shall be made to prevent the accumulation of water or damage to any adjoining property. (OSSC 3303.5)
15. Disconnect, cap, or abandon services to the existing house including any existing septic tanks in conformance with the applicable regulatory agencies. Submit a copy of the abandonment certification to the City of Sandy Planning Division.

16. Abandon the existing on-site sewage disposal system per OAR 340-071-0185 and complete and submit certification of existing system decommissioning to Clackamas County WES with a copy to the City.

**B. Prior to earthwork, grading, or excavation, the applicant shall complete the following and receive necessary approvals as described.**

1. Install tree protection fencing at the outer edge of the FSH overlay district. The tree protection fencing shall be 6 feet tall no-jump horse fencing or chain link fencing supported with metal posts placed no farther than ten feet apart installed flush with the initial undisturbed grade. The applicant shall affix a laminated sign (minimum 8.5 inches by 11 inches) to the protection fencing indicating that the area behind the fence is a tree protection area and that the fence shall not be removed or relocated.
2. Apply for and receive approval for a City of Sandy grading and erosion control permit in conformance with City standards detailed in Section 15.44 of the Municipal Code. The grading and erosion control plan shall include a re-vegetation plan for all areas disturbed during construction.
3. Request an inspection and obtain approval for all erosion control measures and tree protection fencing per approved plans. (Request to Public Works Department and Planning Division, respectively).

**C. Prior to issuance of a building permit, the applicant shall:**

1. The applicant shall provide construction documents detailing compliance with fire apparatus access and fire protection water supply requirements to the Sandy Fire District for review and approval upon building permit submittal.
2. Submit SFR permit applications (building, mechanical, plumbing (electrical goes through Clackamas County)) for review and approval, along with the required documents listed on the One & Two Family Dwelling Building Permit checklist. Contact [building@cityofsandy.com](mailto:building@cityofsandy.com) for submittal requirements or questions.
3. Submit a mail delivery plan to the City and USPS for review and approval prior to installation of a mailbox.
4. Submit a Utility Plan for review.
5. Obtain all necessary permits from the City's Public Works Department that are associated with working in the right-of-way.

**D. Prior to occupancy (temporary or final) the applicant shall complete the following or provide assurance for their completion.**

1. Construct half-street improvements on the Bluff Road frontage of the site. The parcel has only 25 feet of frontage on Bluff Road so this will consist primarily of a concrete driveway approach, sidewalk and curb, and a connection to the existing curb to the east.

2. Underground all existing and proposed franchise utilities (i.e. cable, electric, phone, etc.) in conformance with City standards. The applicant shall call the PGE Service Coordinators at (503) 323-6700 when the developer is ready to start the project.
3. Buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. The address shall be plainly legible and visible from the road fronting the property and the same shall be on the dwelling plainly legible and visible when approaching. The address numbers shall be a minimum of 4-inches and contrasting colors.
4. Connect to the existing 8-inch sanitary sewer shared lateral as directed by City staff.

#### **E. General Conditions of Approval**

1. Design review approval shall be void after two (2) years from the date of the Final Order unless the applicant has submitted plans for building permit approval.
2. Future changes to the structure or development of the site shall require separate land use approval, including potentially a pre-application conference, and shall comply with the design standards in Chapter 17.90.
3. All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacement of dead or dying vegetation.
4. Any areas disturbed during modification of the existing site shall be re-vegetated to pre-project condition.
5. Future tree removal or native vegetation removal on the subject property requires additional permit approvals. The applicant shall apply for a separate Tree Removal Permit for any proposed tree removal in the future. The applicant shall apply for a separate FSH review permit for all additional/future development requests in the FSH overlay, including grading, landscaping, or removal of vegetation. The applicant shall not remove any native vegetation within the FSH overlay district, with the exception of removal of up to two trees 6 inches DBH or greater per calendar year where approved by permit. A violation of the provisions set forth in Chapter 17.102, Urban Forestry, or Chapter 17.60, FSH, (e.g. tree removal or native vegetation removal without permit authorization) may result in a fine as specified in Section 17.06.80.
6. No land disturbing activity shall be conducted so as to cause slides of mud, soil, rock, vegetative material, or any other material to be pushed onto, deposited upon, or gravitated to the property of another, either public or private, as specified in Ordinance 2002-12.
7. The applicant shall confer with the Sandy Fire District to ensure compliance with the requirements of the Sandy Fire Marshal as contained in Exhibit L. The applicant shall comply with all applicable Oregon Fire Code Requirements.

8. Successors-in-interest of the applicant shall comply with site development requirements.
9. The proposed development shall connect to municipal water and sanitary sewer services, and pay all applicable system development charges.
10. Land use approval does not connote approval of utility or public improvement plans submitted with the land use application. Plan details will be reviewed during the construction plan submittal phase by the City Engineer and Public Works Director.
11. Comply with all other conditions or regulations imposed by the Sandy Fire District or state and federal agencies. Compliance is made a part of this approval and any violations of these conditions and/or regulations may result in the review of this approval and/or revocation of approval.

---

Emily Meharg  
Senior Planner

### **RIGHT OF APPEAL**

A decision on a land use proposal or permit may be appealed to the Planning Commission by an affected party by filing an appeal with the Director within 12 calendar days of notice of the decision. Any person interested in filing an appeal should contact the city to obtain the form, “*Notice of Appeal*”, and Chapter 17.28 of the Sandy Development Code regulating appeals. All applications for an appeal shall indicate the nature of the interpretation that is being appealed and the matter at issue will be a determination of the appropriateness of the interpretation of the requirements of the Code.

An application for an appeal shall contain:

1. An identification of the decision sought to be reviewed, including the date of the decision;
2. A statement of the interest of the person seeking review and that he/she was a party to the initial proceedings;
3. The specific grounds relied upon for review;
4. If de novo review or review by additional testimony and other evidence is requested, a statement relating the request to the factors listed in Chapter 17.28.50; and,
5. Payment of required filing fees.