

DATE OF THIS NOTICE: April 13, 2021

CITY COUNCIL HEARING FOR FILE NO. 21-018 AP, APPEAL OF FILE NO. 21-001 AP, WHICH WAS AN APPEAL OF FILE NO. 20-049 ADJ 38797 & 38799 CREEKSIDE LOOP GARAGE SETBACK ADJUSTMENT

Jeff Newberry submitted an application requesting an adjustment to Section 17.40.30 to reduce the required garage setbacks for an approved duplex at 38797 and 38799 Creekside Loop from 20 feet to 17 feet 4 inches for one unit of the duplex (a Type II Adjustment request) and 18 feet 2 inches for the second unit (a Type I Adjustment request). The applicant proposed four off-street parking spaces for the duplex (two spaces for each dwelling unit) in addition to the area in front of the garages that can accommodate smaller vehicles. The reduced setback will allow construction of a duplex on the lot while meeting all other applicable setback requirements. This duplex was previously approved on November 7, 2018 (File No. 18-042 DR) and a building permit application was received on October 30, 2020 within the two (2) year application approval period, so the approval of File No. 18-042 DR is active and valid.

On December 30, 2020, staff approved Type I Adjustments to the garage setbacks for both units of the duplex with conditions. A neighboring property owner (the appellant) appealed the staff decision on January 11, 2021. The Planning Commission heard the appeal on March 29, 2021 and upheld the staff decision. A neighboring property owner (the appellant) appealed the Planning Commission decision on April 12, 2021.

The City Council will hear the appeal on **May 17, 2021 at 7:00 PM via Zoom**. Please consult the City's calendar at <https://www.ci.sandy.or.us/calendar> and click on the hearing date for more information about how to participate remotely at the hearing.

FILE NO.: 21-018 AP 38797 & 38799 Creekside Loop Garage Setback Adjustment Appeal Appeal

PHYSICAL ADDRESS: 38797 & 38799 Creekside Loop

PROPERTY LOCATION: North side of Creekside Loop, east of Tupper Road

TAX MAP/LOTS: T2S R4E Section 13CA Tax Lot 9008

COMPREHENSIVE PLAN DESIGNATION: High Density Residential

ZONING DISTRICT DESIGNATION: R-3, High Density Residential

APPLICANT/OWNER: Jeff Newberry

APPELLANT: William Trimble

APPLICABLE CRITERIA: Sandy Municipal Code: 17.12 Procedures for Decision Making; 17.18 Processing Applications; 17.22 Notices; 17.28 Appeals; 17.44 High Density Residential (R-3); and 17.66 Adjustments and Variances.

NOTICE IS MAILED TO: Property Owners within 300 feet of the site, persons who submitted oral or written testimony, other persons entitled to notice and affected agencies.

DECISION PROCESS: In order to be approved, this proposal must meet the approval criteria or standards of the Sandy Development Code listed on the comment sheet. The City Council will hold a hearing, consider oral and written testimony, and make a decision on this proposal. They will consider the criteria for approval as well as any comments received, and will either approve, approve with conditions, or deny this proposal.

SUBMITTING COMMENTS: We are mailing you information about this project because you own land within 300 feet of the proposal. We invite you to send any written comments regarding the proposal. Your comments should state why the application should or should not be approved or include proposed modifications you believe are necessary for approval according to the standards. Please include the file number (**21-018 AP**) in your letter or if you prefer, use the space provided below on the comment sheet.

If you mail your comments to the City, please put the following information on the outside of the envelope:

City of Sandy
Planning Division
39250 Pioneer Boulevard
Sandy, OR 97055

You can also email your comments to planning@ci.sandy.or.us or the staff contact listed below.

APPLICABLE MATERIALS: All documents and evidence submitted by the appellant, by the applicant, and the applicable criteria from the municipal code are available for public review at no cost or a copy can be provided at reasonable cost. A staff report will be available for review at least seven days prior to the hearing. Due to concerns with COVID-19, City Hall is currently closed to the public. You should email planning@ci.sandy.or.us to receive a copy of the materials or a link to the Municipal Code.

APPEAL STANDING: Prior to the close of the record, if you do not raise a specific issue related to why the application should or should not be approved, or fail to provide statements or evidence to allow the City Council to respond to the issue, you will not be able to appeal the decision to the Land Use Board of Appeals based on that particular issue.




DECISION: A notice of the final decision, summarizing the standards and facts that justified the decision will be mailed to persons who submitted oral or written testimony. The notice of decision will also include information regarding your right to appeal the decision.

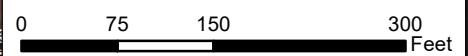
STAFF CONTACT: Emily Meharg
Phone: 503-783-2585
Email: emeharg@ci.sandy.or.us

38797 & 38799 CREEKSIDE LOOP VICINITY MAP



Legend

-  38797 & 38799 Creekside Loop
-  June 2020 Taxlots
-  City Limits



Source: Esri, Maxar, GeoEye, USDA, USGS, AeroGRID, IGN, etc.