

Date of this notice: September 29, 2023

**We are interested in your comments on a proposed house addition.**

You are receiving this notice because you own land within 300 feet of 37220 Dubarko Road which is being proposed to have a house addition constructed close to Tickle Creek. We invite you to send any written comments regarding the proposal within 14 days from the date of this notice. Comments received after the 14-day notice period will not be considered during review of this land use application.

**Address:** 37220 Dubarko Road

**Property Location:** South of Sandy Heights Street, west of Dubarko Road, and east of Tickle Creek

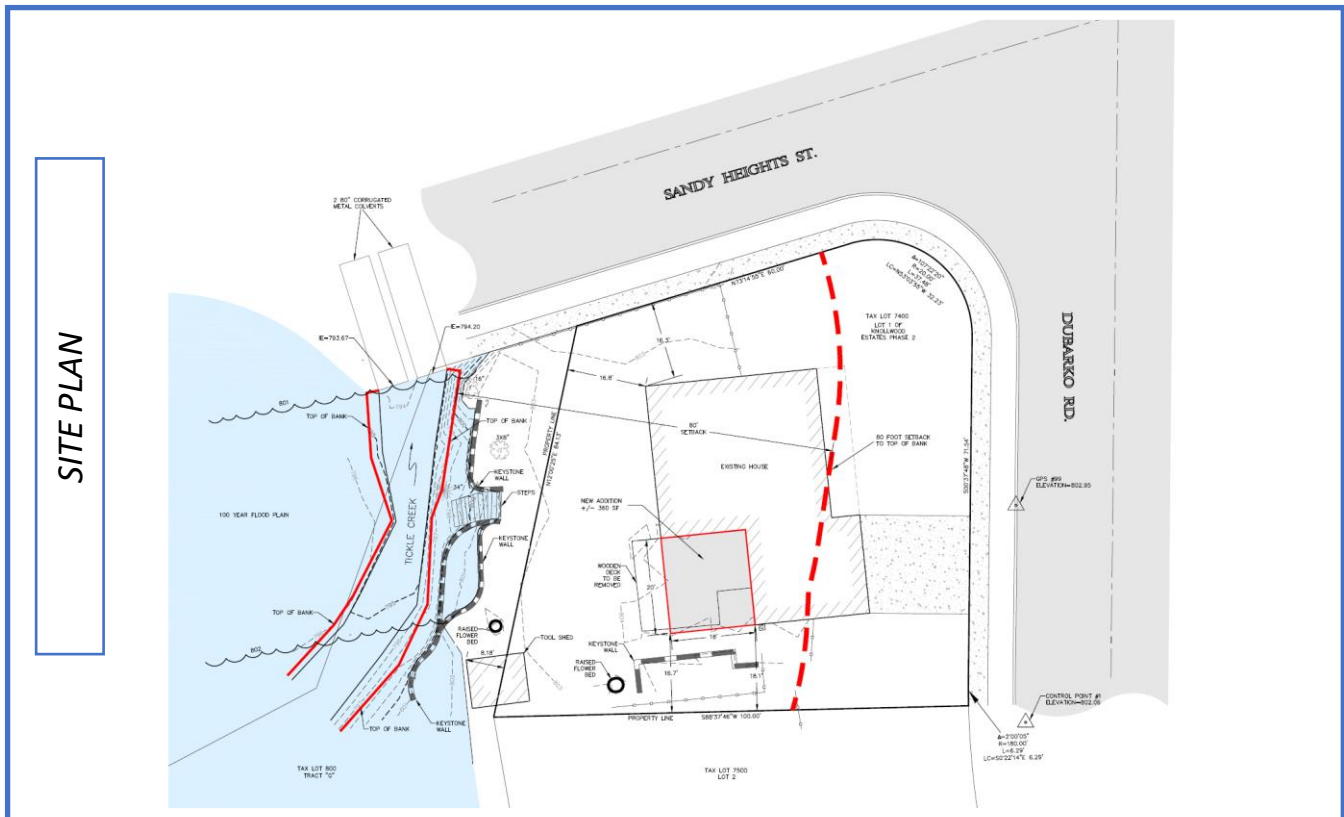
**Legal Property Description:** Lot 1 of Knollwood Estates Phase II (24E14DB07400)

**Applicant:** D.R. Steinke Construction

**Property Owner:** Jerri and Richard Elsberry

**Property's Zoning Designation:** Medium Density Residential (R-2) and Flood Slope Hazard (FSH) Overlay

**Application File Number:** 23-031 DR/FSH 37220 Dubarko Road House Addition



The applicant, D.R. Steinke Construction, submitted a land use application on behalf of the property owners, Jerri and Richard Elsberry, to construct a two-story addition within 80 feet of the top of bank of Tickle Creek. According to the applicant, the entire subject property is located within the Flood Slope Hazard (FSH) Overlay and the majority of the property (64.25 percent) is located within the 80-foot restricted development area to the top of bank of Tickle Creek.

The applicant proposes removing the existing 410 square foot wooden deck located at the southwest corner of the home to accommodate a 360 square foot master bedroom suite with a bathroom. The applicant states that the proposal reduces the area of impact within the restricted development area by 50 square feet. In addition to construction of the master suite, the applicant is also proposing to construct a bonus room above the existing garage. It is important to note that this application is not subject to the moratorium on development adopted by City Council because the proposed addition is allowed in Resolution 2023-27 as the addition does not necessitate a new sanitary connection, nor does it create additional anticipated flows.

City staff will also be evaluating the encroachments (shed, retaining wall, and synthetic turf) that was installed on City property to the west of 37220 Dubarko Road in a location that is planned for the Tickle Creek Trail.

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## How to provide comments

We invite you to send any written comments regarding the proposal within 14 days from the date of this notice. Comments received after the 14-day notice period will not be considered during review of this land use application. There are two ways you can provide comments on this application:

**You can submit written comments either by mail or email.** Attached to this notice is a comment sheet you can write on and mail to City Hall. The mailing address is the following:

Development Services Department  
ATTN: Kelly O'Neill Jr.  
39250 Pioneer Boulevard  
Sandy, Oregon 97055

Alternatively, you can email your comments to [planning@ci.sandy.or.us](mailto:planning@ci.sandy.or.us). Please include the file number of the application 23-031 DR/FSH in your comments.

## What to comment on

Because of state and federal laws, the City can only consider specific elements of the Sandy Municipal Code when deciding to either approve or deny this application. Therefore, the most helpful comments are those which reference the Code. The following Code sections are being considered as part of the review of this application:

Sandy Municipal Code: 17.12 Procedures for Decision Making; 17.18 Processing Applications; 17.22 Notices; 17.38 Medium Density Residential (R-2); 17.60 Flood and Slope Hazard (FSH) Overlay District; 17.80 Setbacks on Arterial and Collector Streets; 17.84 Improvements Required with Development; 17.90 Design Standards; 17.92

Landscaping and Screening; 17.98 Parking, Loading and Access Requirements; 15.20 Curbs, Sidewalks, and Underground Utilities; and, 15.44 Erosion Control.

You can access the Sandy Municipal Code at [library.municode.com/or/sandy/codes/code\\_of\\_ordinances](http://library.municode.com/or/sandy/codes/code_of_ordinances).

## How to get more information

You are able to review all of the application materials and applicable criteria online at [www.ci.sandy.or.us/landuse-applications](http://www.ci.sandy.or.us/landuse-applications) or you can review them in person at City Hall between 9:00 AM and 4:00 PM, Monday through Friday, at no cost. If you request a copy of the application, a reasonable fee may be required to cover the cost of paper and staff time. For more information on the land use development process in general, please visit [www.sandy-speaks.org/development-process](http://www.sandy-speaks.org/development-process).

**Decision Process:** In order to be approved, this proposal must meet the approval criteria or standards of the Sandy Development Code listed in this notice. The Development Services Director will review the application and make a decision on this proposal. The Director may approve, approve with conditions, or deny the application based on the applicable approval criteria, the materials submitted with the application, and other information in the record.

**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 staff to respond to the issue, you will not be able to appeal the decision based on that particular issue. A notice of the final decision will be mailed to those who submit comments. The notice of decision will also include information regarding your right to appeal the decision.

**Staff Contact:** Kelly O'Neill Jr.  
Development Services Director  
Phone: 503-489-2163  
Email: [planning@ci.sandy.or.us](mailto:planning@ci.sandy.or.us)

