

Date of this notice: April 10, 2026

We are interested in your comments on a proposed variance.

We are mailing you information about this variance request because you own land within 300 feet of the property with the proposed variance. We invite you to send any written comments regarding the proposal within 14 days of 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: 37095 Hwy 26

Property Location: Northside of Hwy 26 across from Dick Hannah Ford

Legal Property Description: 24E14BATax Lot 1100

Applicant/Property Owner: Todd Speck/Paul Reed

Property's Comprehensive Plan Designation: Commercial

Property's Zoning Designation: General Commercial (C-2)

Application File Number: 26-011 VAR – MHAC Fence Height Variance



On March 19, 2026, the owner of the Mount Hood Athletic Club applied for a design review and received approval to add two additional pickle ball courts in addition to the one that already exists. The applicant, Todd Speck of Mt. View Contracting, submitted an application requesting a Type II Variance to Section 17.74.40.B to extend the height of a fence/retaining wall six feet above the maximum height allowed. The variance will assist in providing safety for athletic club members using the pickle ball courts, as the courts are placed atop an eight (8) foot high retaining wall.

The variance request is to install a six (6) foot high black chain link fence on top of an eight (8) foot high retaining wall along a portion of the east property line adjacent to the two approved pickle ball courts.

Sec. 17.74.40.B.4 Fences Commercial.

B. Fences—Commercial/Industrial.

1. *Fences on corner lots.* Any fence or retaining wall, constructed upon or adjacent to any property line that abuts two or more intersecting streets, shall not exceed three feet in height within the clear vision area.
2. *Fences in a front yard (Commercial).* The height of a fence or retaining wall in a front yard shall not exceed four feet.
3. *Fences in a front yard (Industrial).* The height of a fence or retaining wall in a front yard shall not exceed six feet.
4. *Fences—Side and Rear Yards.* The height of a fence or retaining wall adjacent to a side or rear yard or a side or rear property line shall not exceed eight feet.

Sec. 17.66.60. Variances.

Variances are a means of requesting a complete waiver or major adjustment to certain development standards. They may be requested for a specific lot or as part of a land division application. The Type II variance process is reserved for major adjustments on individual lots.

Sec. 17.66.70. Type II and type III variance criteria.

The authority to grant a variance does not include authority to approve a development that is designed, arranged, or intended for a use not otherwise approvable in the location. The criteria are as follows:

- A. The circumstances necessitating the variance are not of the applicant's making.
- B. The hardship does not arise from a violation of this Code, and approval will not allow otherwise prohibited uses in the district in which the property is located.
- C. Granting of the variance will not adversely affect implementation of the Comprehensive Plan.
- D. The variance authorized will not be materially detrimental to the public welfare or materially injurious to other property in the vicinity.
- E. The development will be the same as development permitted under this Code and City standards to the greatest extent that is reasonably possible while permitting some economic use of the land.
- F. Special circumstances or conditions apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape (legally existing prior to the effective date of this Code), topography, or other circumstances over which the applicant has no control.

How to provide comments

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:

Sandy City Hall: Development Services Department
39250 Pioneer Boulevard
Sandy, Oregon 97055

Alternatively, you can email your comments to planning@ci.sandy.or.us.

What to comment on

Because of state and federal laws, the City of Sandy 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 Sandy Development Code chapters are being considered as part of the review of this application:

Sandy Development Code: Chapters 17.12 Procedures for Decision Making; 17.18 Processing Applications; 17.22 Notices; 17.44 General Commercial (C-2); 17.66 Adjustments and Variances; and, 17.74 Accessory Development Additional Provisions and Procedures.

You can access the Sandy Municipal Code at 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 or you can review them in person at City Hall between 8:00 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.

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 or Senior Planner will review the application and make a decision on this proposal. The Director or Senior Planner 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 written comments. The notice of decision will also include information regarding your right to appeal the decision.

Staff Contact: Patrick Depa
Senior Planner
Phone: 503-783-2585
Email: planning@ci.sandy.or.us

