



# City of Sandy

## Agenda

**Planning Commission Meeting**  
**Meeting Location:** Virtual via Zoom  
**Meeting Date:** Monday, May 24,  
2021  
**Meeting Time:** 6:30 PM

Page

### 1. MEETING FORMAT NOTICE

The Planning Commission will conduct this meeting electronically using the Zoom video conference platform. Members of the public may listen, view, and/or participate in this meeting using Zoom. Using Zoom is free of charge. See the instructions below:

- To login to the electronic meeting online using your computer, click this link: <https://us02web.zoom.us/j/88615526316>
- If you would rather access the meeting via telephone, dial (253) 215-8782. When prompted, enter the following meeting number: **886 1552 6316**
- If you do not have access to a computer or telephone and would like to take part in the meeting, please contact City Hall by Thursday March 25 and arrangements will be made to facilitate your participation.

### 2. ROLL CALL

### 3. APPROVAL OF MINUTES

3.1. Draft Minutes for March 29, 2021

[Planning Commission - 29 Mar 2021 - Minutes - Pdf](#)

3 - 10

### 4. REQUESTS FROM THE FLOOR - CITIZEN COMMUNICATION ON NON- AGENDA ITEMS

The Commission welcomes your comments at this time. Please see the instructions below:

- If you are participating online, click the "raise hand" button and wait to be recognized.
- If you are participating via telephone, dial \*9 to "raise your hand" and wait to be recognized.

### 5. DIRECTOR'S REPORT

- 5.1. Director's Report for May 24, 2021 11  
[Director's Report for May 24, 2021 - Pdf](#)

**6. PLANNING COMMISSIONER DISCUSSION**

This is a discussion for items not on the agenda.

**7. NEW BUSINESS**

- 7.1. 21-005 VAR - Leslie Pole Barn Variance 12 - 31  
[21-005 VAR: Leslie Pole Barn - Pdf](#)

**8. ADJOURNMENT**



**MINUTES**  
**Planning Commission Meeting**  
**Monday, March 29, 2021 Virtual via Zoom**  
**6:30 PM**

**COMMISSIONERS PRESENT:** Don Carlton, Commissioner, Ron Lesowski, Commissioner, Hollis MacLean-Wenzel, Commissioner, Jerry Crosby, Commissioner, Chris Mayton, Commissioner, Jan Lee, Commissioner, and Steven Hook, Commissioner

**COMMISSIONERS ABSENT:**

**STAFF PRESENT:** Kelly O'Neill, Development Services Director, Emily Meharg, Senior Planner, Shelley Denison, Associate Planner, and Jeff Aprati, City Recorder, and Chris Crean, City Attorney

**MEDIA PRESENT:**

- 1. MEETING FORMAT NOTICE**  
Instructions for electronic meetings.
- 2. ROLL CALL**  
Chairman Crosby called the meeting to order at 6:31 p.m.
- 3. NEW PLANNING COMMISSIONER INTRODUCTION - JAN LEE**  
Chairman Crosby introduced Commissioner Lee. Commissioner Lee said she was happy to be on the commission. All Commissioners welcomed Commissioner Lee.
- 4. LAND USE TRAINING PRESENTED BY CHRIS CREAN**  
City Attorney Chris Crean presented land use items, including but not limited to the following: review requirements for quasi-judicial land use decisions; residential permits (i.e., clear-and-objective versus discretionary standards); limited land use decisions; and, constitutional standards. The Commissioners asked questions and staff and Mr. Crean provided answers to the questions.
- 5. APPROVAL OF MINUTES**
  - 5.1. Draft Minutes for January 25, 2021

**Motion:** Approve the Planning Commission minutes for January 25, 2021.

Moved By: Commissioner Lesowski  
Seconded By: Commissioner Mayton  
Yes votes: All Ayes  
No votes: None  
Abstentions: Commissioner Lee  
The motion passed.

5.2. Draft Minutes for February 22, 2021

**Motion:** Approve the Planning Commission minutes for February 22, 2021.  
Moved By: Commissioner Carlton  
Seconded By: Commissioner Maclean-Wenzel  
Yes votes: All Ayes  
No votes: None  
Abstentions: None  
The motion passed.

**6. REQUESTS FROM THE FLOOR - CITIZEN COMMUNICATION ON NON-AGENDA ITEMS**

Kathleen Walker  
15920 Bluff Road  
Sandy, OR 97055

Thanked the Commission for the training by Mr. Crean. Ms. Walker expressed her concerns with Portland centric information and wants Sandy focused information presented in the future. She then explained some data that is located in the existing urbanization study. Ms. Walker also stated that if people do not want future emails, she would be glad to not include them on emails in the future.

**7. DIRECTOR'S REPORT**

Development Services Director O'Neill explained the Director's Report and answered questions regarding upcoming meetings and the report.

Associate Planner Denison introduced the concept of choosing Planning Commissioners for committee assignments in regard to the Comprehensive Plan.

The following Planning Commissioners were chosen for committee selection:  
Consultant selection committee – Commissioner Hook  
Public engagement committee – Commissioner Maclean-Wenzel

**8. PLANNING COMMISSIONER DISCUSSION**

Chairman Crosby asked questions about calling people commissioner versus their names. Staff and commissioners discussed the merits of using the more formal reference.

*Break at 7:55 p.m.*

**9. NEW BUSINESS**

**9.1. 38797 & 38799 Creekside Loop Appeal (21-001 AP):**

Chairman Crosby opened the public hearing on File No. 21-001 AP at 8:04 p.m. Crosby called for any abstentions, conflicts of interest, ex-parte contact, challenges to the jurisdiction of the Planning Commission, or any challenges to any individual member of the Planning Commission. No challenges were made, and no declarations were made by the Planning Commission.

**Staff Report:**

Senior Planner Meharg summarized the staff report and provided an overview of the proposal, history of the project, and explained the appeal.

**Applicant Testimony:**

Jeff Newberry  
40110 SE Meadow Song Road  
Boring, OR 97055

Spent a lot of time trying to develop the property especially considering its irregular size. Mr. Newberry believes he did a good job in creating a nice product.

**Appellant Testimony:**

Aryn Ferguson  
PO Box 10  
Sandy, OR 97055

Presenting on behalf of Mr. William Trimble. Ms. Ferguson stated their biggest concern is impacts to the on-street parking availability. She then shared some pictures of Creekside Loop and existing on-street parking issues.

**Proponent Testimony:**

None

**Opponent Testimony:**

None

**Neutral Testimony:**

None

**Staff Recap:**

Meharg stated that blocking the sidewalk is a code violation and also clarified some additional staff requirements in the decision.

**Applicant Rebuttal:**

Jeff Newberry  
40110 SE Meadow Song Road  
Boring, OR 97055

Mr. Newberry stated that when the duplex was planned they created three off-street parking spaces for each unit to try to provide as much parking as possible.

**Motion:** Motion to close the public hearing at 8:31 p.m.

Moved By: Commissioner Maclean-Wenzel

Seconded By: Commissioner Lesowski

Yes votes: All Ayes

No votes: None

Abstentions: None

**Discussion:**

Commissioner Carlton said he listened to the testimony and doesn't fully understand why the applicant needs 20 feet. He stated that we should follow the code. Commissioner Hook asked if the code allows for larger space size requirements. Staff explained that the larger spaces were required since staff supported the adjustment. Commissioner Lee asked a question about off-street parking. O'Neill explained the number of parking spaces for the other duplexes on Creekside Loop. Commissioner Maclean-Wenzel stated she agrees with Commissioner Lee. Commissioner Mayton said he believes the code is being met and the applicant asked for the adjustments which meets the code requirements. Mayton stated he agrees with MacLean-Wenzel and Lee. Commissioner Lesowski stated he agrees with Maclean-Wenzel, Lee, and Mayton. Chairman Crosby asked Meharg a few clarifying questions. Meharg added some clarifying details. Crosby stated he is in favor of upholding the staff decision. Commissioner Carlton and Commissioner Hook both asked why the adjustment is being requested. Staff explained that adjustments usually do not have robust analysis that accompanies adjustment requests. Commissioners Mayton and Carlton explained sizes of different vehicle types. Commissioner Maclean-Wenzel asked about how the appellant found out about the request. Chairman Crosby and O'Neill provided clarity on why the matter is before the Commission.

**Motion:** Motion to deny the appeal and affirm the staff decision for the Type I

Adjustments at 38797 and 38799 Creekside Loop.

Moved By: Commissioner Lesowski

Seconded By: Commissioner Maclean-Wenzel

Yes votes: Lesowski, Maclean-Wenzel, Lee, Hook, Mayton, and Crosby

No votes: Carlton

Abstentions: None

The motion passed at 8:52 p.m.

9.2. **Mairin's Viewpoint Tree Variance (21-004 TREE/VAR):**

Chairman Crosby opened the public hearing on File No. 21-004 TREE/VAR at 8:53 p.m. Crosby called for any abstentions, conflicts of interest, ex-parte contact, challenges to the jurisdiction of the Planning Commission, or any challenges to any individual member of the Planning Commission. No challenges were made, and no declarations were made by the Planning Commission.

**Staff Report:**

Senior Planner Meharg summarized the staff report and provided an overview of the proposal, history of the project, and explained the variance request.

Commissioner Maclean-Wenzel asked if the \$3,000 is paid where does the money go. Meharg and O'Neill explained the process of how the mitigation tree account is used and protected. Commissioner Carlton asked if street trees can count for mitigation trees. Meharg provided clarity that street trees are a separate requirement and cannot count for mitigation trees. Commissioner Lee asked questions about where the trees can be planted. Commissioner Mayton thanked staff and supports staff direction on the tree variance issue.

**Applicant Testimony:**

Mary Giersch  
16050 SW Waxwing Way  
Beaverton, OR 97007

Ms. Giersch explained why a tree can improve in condition over time. She then explained her arborist assessment in detail and explained the risk of trees in Mairin's Viewpoint.

**Proponent Testimony:**

Jennifer Mannor  
37787 Olson Street  
Sandy, OR 97055

Ms. Mannor supports the staff recommendation and would like to see the

trees removed.

**Opponent Testimony:**

Kathleen Walker  
15920 Bluff Road  
Sandy, OR 97055

Ms. Walker said the proposed stand of trees has been there for the 34 years she has lived in Sandy. She stated she is disappointed that some of the Doug fir and cedar trees could not be salvaged/saved. She would like Tree #539 to be preserved. Ms. Walker also stated that English Ivy could be mitigated.

**Neutral Testimony:**

None

**Staff Recap:**

Meharg stated she appreciated the additional information from Mary and also appreciated the recommendation from Ms. Walker. Meharg also explained some additional details from the subdivision approval. O'Neill explained some additional constraints that staff has faced with not having robust code language.

**Applicant Rebuttal:**

Mary Giersch  
16050 SW Waxwing Way  
Beaverton, OR 97007

Ms. Giersch stated that she and Mr. Mahaffy are very concerned with retaining Tree #539.

**Discussion:**

Commissioner Lee said she agrees with the arborist and would prefer to go with the staff report. Commissioner Maclean-Wenzel asked what staff needs to save more trees. O'Neill explained that staff needs a carrot and a stick and needs support from leadership to retain groupings of large trees.

Commissioner Hook asked a question about English Ivy and how to stop its growth. Ms. Giersch stated that you must cut the ivy at its base to kill the ivy.

The ivy then needs to be removed by hand. Commissioner Hook asked if the Commission could ask for removal of the ivy. Meharg stated that we can certainly condition removal of ivy. Commissioner Carlton stated that developers have rights to develop their land and that retaining large trees can be problematic especially when surrounded by development/houses.

Commissioner Lesowski stated he likes trees but thinks that discussing trees



for 45+ minutes is not the best use of everyone's time. He also stated that we should incentivize tree retention and possibly have a robust tree planting program. Commissioner Lee said that when she was on the City Council that modifying the tree requirements was something that was supposed to be considered. She also stated that we could consider clustering of houses to incentivize tree retention.

**Motion:** Motion to close the public hearing at 9:46 p.m.

Moved By: Commissioner Carlton

Seconded By: Commissioner Mayton

Yes votes: All Ayes

No votes: None

Abstentions: None

**Motion:** Motion to approve the tree variance based on staff's recommendation and conditions.

Moved By: Commissioner Carlton

Seconded By: Commissioner Lesowski

Yes votes: Carlton, Lesowski, Maclean-Wenzel, Lee, Hook, Mayton, and Crosby

No votes: None

Abstentions: None

The motion passed at 9:48 p.m.

**10. ADJOURNMENT**

**Motion:** To adjourn

Moved By: Commissioner Maclean-Wenzel

Seconded By: Commissioner Carlton

Yes votes: All Ayes

No votes: None

Abstentions: None

The motion passed.

Chairman Crosby adjourned the meeting at 9:49 p.m.



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Chair, Jerry Crosby

Planning Commission  
March 29, 2021

A handwritten signature in blue ink, appearing to read "Kelly O'Neill Jr", is centered on the page.

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Planning Director, Kelly O'Neill Jr



## Staff Report

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**Meeting Date:** May 24, 2021  
**From** Kelly O'Neill, Development Services Director  
**SUBJECT:** Director's Report for May 24, 2021

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### **BACKGROUND:**

#### Upcoming meetings:

- **June 7 at 6:00 PM:** Joint work session with City Council
- **July 26 at 6:30 PM:** Hardship Permit
- **August 23 at 6:30 PM:** Parks Master Plan and Parks Code Amendments

#### Recent decisions of note:

- **House Bill 2001 (20-032 DCA):** Emily Meharg and DLCD staff provided presentations to the City Council on March 15, 2021. City Council initiated the public hearing process and continued the hearing to April 19, 2021. City Council will complete the first reading of the ordinance on May 17, 2021.
- **Next Adventure Phase III (21-006 DR):** Staff approved the expansion of Next Adventure on May 11, 2021.
- **Creekside Loop duplex (20-049 ADJ):** Staff received a second appeal of the garage setback adjustment request for the duplex on Creekside Loop (previous appeal to Planning Commission was File No. 21-001 AP, and previous staff decision was File No. 20-049 ADJ). This item is currently scheduled to be heard by the City Council on May 17, 2021.

#### New applications of note:

- **Cedar Creek Heights Subdivision (21-012 SUB TREE FSH):** This application for a Type II subdivision with 89-lots was originally known as "The Views Plan B". Staff has deemed the application complete and are currently reviewing the proposal.
- **Ten Eyck Rim Subdivision (21-015 SUB/TREE):** This application for a 9-lot subdivision along Ten Eyck between Pleasant and Hood has been deemed incomplete. The applicant submitted additional material and staff is working on completeness.
- **The Bornstedt Views Subdivision (21-021 SUB/TREE):** This application for a 42-lot subdivision on the east side of Bornstedt Road was filed on May 6, 2021. Staff is working on completeness.



## Staff Report

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**Meeting Date:** May 24, 2021

**From** Shelley Denison, Associate Planner

**SUBJECT:** 21-005 VAR: Leslie Pole Barn

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**BACKGROUND:**

The applicant, William Leslie, is proposing to build a 1,200 square foot pole barn on his property. Typically, the City's development code requires such structures to be placed behind primary residences. However, given the orientation and siting of the primary residence, the applicant is requesting to build the pole barn elsewhere on his lot. This request constitutes a Type III Special Variance to the development code.

**LIST OF ATTACHMENTS/EXHIBITS:**

Attachment 1: Staff Report

Attachment 2: Exhibits

**PLANNING COMMISSION STAFF REPORT  
TYPE III LAND USE PROPOSAL**

**DATE:** May 17, 2021

**FILE NO.:** 21-005 VAR

**PROJECT NAME:** Leslie Poll Barn

**APPLICANT/OWNER:** William Leslie

**LEGAL DESCRIPTION:** 24E 02DD, tax lot 2800

**SITUS ADDRESS:** 37625 Kelso Road

The above-referenced proposal was reviewed as a Type III Special Variance. The following exhibits, findings of fact, and recommended conditions of approval (bold text) explain the proposal.

**EXHIBITS:**

**Applicant's Submittals**

- A. Land Use Application
- B. Narrative
- C. Site Plan
- D. Electrical Service Line Site Plan
- E. Adjoining Properties Site Plan
- F. Public Roads & Utilities Site Plan
- G. Tree Site Plan
- H. Architectural Elevations

**Agency Comments**

- I. Sandy Fire District No. 72 (August 13, 2020)

**Public Comments**

- J. Elaine Jensen-Ashcraft (May 7, 2020)

**FINDINGS OF FACT**

**General**

- 1. These findings are based on the applicant's submittal materials received on February 18, 2021 with additional items received on April 20, 2021. The application was deemed complete on April 21, 2021. The 120-day deadline is August 19, 2021.

2. The subject site is at 37625 Kelso Road. The site has a comprehensive plan map and zoning map designation of Low Density Residential.
3. William Leslie, property owner, submitted an application to build a non-residential accessory structure on the subject site. The structure is proposed to be a one-story 1,200 square foot (30 feet by 40 feet) metal shop building to be used for non-commercial purposes.
4. This application is for a Type III Special Variance due to the pole barn orientation relative to the primary dwelling (see findings 11 through 15). Residential pole barns and detached garages are typically reviewed only through the building permit procedure, but this proposal includes a special variance so Mr. Leslie had to apply for this land use application.
5. Notification of the proposal was mailed to property owners within 500 feet of the subject property and affected agencies on April 27, 2021 notifying them of the hearing. One public comment was received. Elaine Jensen-Ashcraft (Exhibit K) has no objections to the proposed development.
6. One agency comment was received from the Sandy Fire District Fire Marshal. Requirements from the Fire Marshal can be found in the Conditions of Approval.
7. A legal notice about the public hearing was published in the Sandy Post on May 12, 2021.
8. The applicant previously had a related land use application under review. This application (File No. 21-016 PLA) proposed a property line adjustment between two contiguous lots both owned by the applicant in order to site the accessory structure on the same lot as the primary dwelling structure. The final order approving the property line adjustment was issued on May 13, 2021.

17.36 – Low Density Residential (R-1)

9. The applicant proposes building a non-residential accessory structure, which is an accessory use permitted outright according to Section 17.36.10(B).
10. The development standards found in this Chapter are superseded by the requirements in Chapter 17.74 (see findings 16-22).

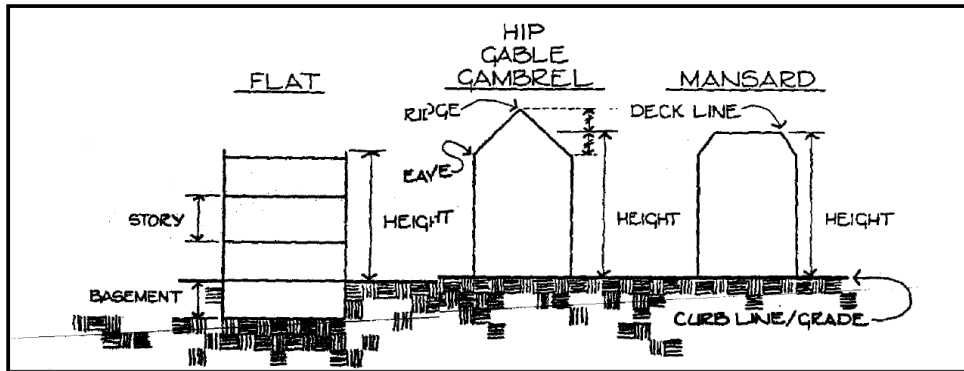
17.66 – Adjustments and Variances

11. The applicant is requesting one Type III Special Variance. According to Section 17.74.10, an accessory structure must be built behind the furthest back front wall of the primary dwelling structure. However, due to the orientation and location of the primary dwelling structure, the applicant finds this is difficult to accomplish.
12. The Planning Commission may grant a special variance waiving a specified provision for under the Type III procedure if it finds that the provision is unreasonable and unwarranted due to the specific nature of the proposed development according to Section 17.66.80.

13. There are three criteria to be applied in determining if a Type III Special Variance is warranted. Only one criterion needs to be met. Staff finds that the criterion found in Section 17.66.80(A) has been met.
14. 17.66.80(A) states that a Type III Special Variance may be granted if the unique nature of the proposed development is such that the intent and purpose of the regulations and of the provisions to be waived will not be violated, and authorization of the special variance will not be materially detrimental to the public welfare and will not be injurious to other property in the area when compared with the effects of development otherwise permitted.
15. Staff has no reason to believe that the proposed siting of the accessory structure violates the intent of the development code. Given the diagonal orientation of the primary dwelling structure on the site and its location on the site, staff agrees with the applicant that the requirement for building an accessory structure behind the primary dwelling structure would be difficult. Additionally, staff did not find through the public notice process any affected property owners whose property will be negatively affected by this variance.

#### 17.74 – Accessory Development

16. Chapter 17.74 contains requirements for the development of accessory structures. As noted in finding 9, an accessory structure is an outright permitted use in the subject site's underlying zoning district.
17. According to Section 17.74.10, a detached accessory structure shall be separated from the primary dwelling structure by at least six (6) feet. According to the site plan (Exhibit C), there will be approximately 90 feet between the accessory structure and primary structure.
18. Section 17.74.10(B)(3) requires that the roof of the accessory structure shall be constructed so that water runoff from the structure does not flow onto an abutting parcel. According to the application, water will be collected and directed to the NW corner of the building. Then the water will be carried by a perforated pipe to the West or Northwest for infiltration underground.
19. Section 17.74.10(B)(5) states that the total accumulative square footage of all accessory structures on an individual lot shall not exceed 1,200 square feet. The proposed structure will be the only accessory structure on the lot and will be 1,200 square feet in size.
20. Section 17.74.10(B)(6) requires that accessory structures shall not exceed 16 feet in height. According to the Definitions chapter (Chapter 17.10), the height of a building with a pitched roof is determined by finding the mid-point height of the highest gable (see below diagram). According to Exhibit H, this height is approximately 14.5 feet. **The applicant shall note on the building and elevation plans the exact building height at the mid-point of the gable.**



**Determining Building Height Example**

21. Section 17.74.20 outlines the setback requirements for projecting building features. Because the proposed structure includes a roof eave and an entrance awning, this section is applicable.
22. Eaves and awnings may project into portions of a required yard setback by no more than 5 feet in a front yard, 2.5 feet in a side yard, and 5 feet in a rear yard. The projected setbacks are well over these requirements, including a 20 foot front yard setback, 30 foot and 20 foot side yard setbacks, and a 184 foot rear yard setback.

17.90 – Design Standards

23. Chapter 17.90 contains requirements for design standards. According to 17.90.150(E), four (4) Sandy Style design elements are required for the proposed structure. The Sandy Style elements being proposed are a 5 foot by 8 foot covered porch, a roof overhang of 16 inches, appropriate warm-toned colors, a white belly-band separating the walls from the area above the eaves, and a window grid on the façade window.

17.102 – Urban Forestry

24. Chapter 17.102 has requirements for tree removal and retention. While the applicant would need to remove trees in order to build the accessory structure under a Type I tree removal permit, Mr. Leslie has chosen to submit this application in the future pending approval of the subject Type III Special Variance.

**RECOMMENDATION**

Staff recommends the Planning Commission **approve** the Type III Special Variance subject to the conditions of approval below.



## **CONDITIONS OF APPROVAL**

### **A. Prior to any onsite grading or earthwork the applicant shall complete the following:**

1. Submit and obtain a grading and erosion control permit and request and obtain an approved inspection of installed devices prior to any onsite grading. The grading and erosion control plan shall include a re-vegetation plan for all areas disturbed during construction. All erosion control and grading shall comply with Chapter 15.44 of the Municipal Code.

### **B. Prior to issuance of building permits, the applicant shall:**

1. Submit all pertinent permit applications (building, mechanical, plumbing (electrical goes through Clackamas County)) along with all required submittal documents for review and approval. Contact [building@cityofsandy.com](mailto:building@cityofsandy.com) for submittal requirements or questions. Also, submit height details for the accessory structure in compliance with the definition of height in Chapter 17.10.

### **C. Fire Safety conditions include the following:**

1. The minimum available fire flow for the new building shall be 1,000 gpm at 20 psi residual. Fire flow testing will be required to determine available fire flow. Testing will be the responsibility of the applicant. The applicant shall contact the City of Sandy Public Works department for testing information and requirements.
2. The existing hydrant shall be OSHA safety red and have a 4-inch non-threaded metal faced hydrant connection with cap installed.

### **D. General Conditions of Approval**

1. Special Variance approval shall be void after two (2) years per Section 17.66.190 from the date of the Final Order unless the applicant has submitted plans for building permit review.
2. The applicant shall proceed with recording the approved property line adjustment to locate the pole barn as proposed.
3. The applicant shall apply for a tree removal permit prior to any tree removal.
4. Comply with all other conditions or regulations imposed by the Sandy Fire District, county, 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.

**EXHIBIT A**



**General Land Use Application**

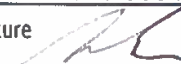
**1 page**

<b>Name of Project:</b>	Leslie Pole Barn
<b>Location or Address:</b>	37625 SE Kelso Rd., Sandy, OR 97055

<b>Map &amp; Tax Lot #</b>	<b>T:</b>	<b>R:</b>	<b>Section:</b>	<b>Tax Lot (s):</b>
				644217

<b>Request:</b>
Construction of a 1,200 s.f. metal building for non-commercial purposes. Requires special approval process because it cannot be built behind the residence. See attached narrative.

I am the (check one)  owner  lessee of the property listed above, and the statements and information contained herein are in all respects true, complete and correct to the best of my knowledge and belief.

Applicant (if different than owner)	Owner William Leslie
Address	Address 37625 SE Kelso Rd.
City/State/Zip	City/State/Zip Sandy, OR 97055
Email	Email williamleslie99@gmail.com
Phone	Phone 503 515 8854
Signature	Signature 



Staff Use Only

<b>File #:</b>	<b>Date:</b>	<b>Fee\$:</b>	<b>Planner:</b>
			City of Sandy
<b>Type of review:</b>	Type I <input type="checkbox"/>	Type II <input type="checkbox"/>	Type III <input type="checkbox"/> Type IV <input type="checkbox"/>
<b>Has applicant attended a pre-app?</b>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	If yes, date of pre-app meeting:

Development Services Department, 39250 Pioneer Blvd, Sandy, OR 97055, 503.489.2160

**LAND USE APPLICATION**

## EXHIBIT B

William G. Leslie  
37625 SE Kelso Rd.  
Sandy, OR 97055  
(503) 515-8854  
[williamleslie99@gmail.com](mailto:williamleslie99@gmail.com)

January 16, 2021

City of Sandy  
Attn: Kelly O'Neill  
Via Hand Delivery

Land Use Application - Type III Projective Narrative - Pole Barn at 37625 SE Kelso Rd., Sandy, OR 97055

### Goal:

- 1) Construction of a detached accessory structure in the form of a single story metal shop building approximately 30 ft X 40 feet. This will be for non-commercial purposes.
- 2) Background:
  - a) We own three adjacent lots in the city, as shown on the attached **Sketch 1**. The addresses are 37625 SE Kelso Rd, which consists of my lots A (tax lot 2800) & my lot B (tax lot 2900) and 37611 SE Kelso Rd. (Lot C, tax lot 2901) The three lots total approximately 2.79 acres.
  - b) Lot A (tax lot 2800) is a flag lot, and contains our primary residence. It totals 0.57 acres.
  - c) Because of how the house is situated on lot A, there is no place on this lot to put a building. It's physically impossible.
  - d) The sole purpose of this application is to request a Type III Variance required for to position the building.
- 3) Description of Project
  - a. By separate application (to be submitted by the surveyor) we will make lot line adjustments to facilitate the new building.
  - b. By separate application the builder will apply for permits to build a 30X40 foot pole barn on our property for personal use only.
  - c. We would place the building at the site marked PROPOSED on Lot A.
2. Lot dimensions are shown on the attached **Sketch 1**.
  - a. Lot A (Tax lot 2800), which is where the building will be located, is irregularly shaped, but roughly 506 ft X 82 feet.
  - b. No new lots will be created by a pending lot line adjustment. We have three at present, we will still have 3 when the project is completed. Two of the lots will increase slightly as a result of a pending lot line adjustment. Land will be taken from lot C (tax lot 2901), but that lot will still be bigger than an acre.
3. Utilities

NARRATIVE

## EXHIBIT B

- a. The property is served by electrical and City of Sandy water that come down the middle of the driveway. See the dotted line on **Sketch 2**.
  - b. There will be no natural gas, water service or other utility service to the proposed building.
  - c. The building will be served by new electrical service from an existing junction box shown a E on the attached **Sketch 2**. This service will be from the same lot as the proposed building - service will not cross a lot line.
  - d. All storm water run off generated by the new construction will be retained on the same tax lot as the building.
4. Vegetation
- a. Our property in general is covered by a mix of lawn, mature trees and bushes. Trees and bushes are a mix of planted home landscaping, and particularly in the case of lot C (tax lot 2901), by wild native plants. Some of the major trees are marked on the attached **Sketch 5**.
  - b. The specific area where the proposed building will be located is covered by wild native scrub trees, mostly Alder, by native bushes, and by many pine trees in rows 6 to 8 feet apart. In general, there is little "low" vegetation where the proposed building will be constructed. The heavy canopy of pine trees makes it difficult for things to grow. Originally planted by a previous owner as nursery stock, the pine trees were never harvested and have no commercial value. As a result of being planted so close together, these pines are spindly and unstable. They fall down regularly from snow and wind. Six or seven of them fell down in early February, 2021, and they took other trees - arbor vitae, alder, and Douglas Firs - with them. For a time, our driveway was blocked by the fallen trees. DBH - diameter at breast height - of the pine trees ranges from 4-8 inches. Average DBH is about six inches. Height of the pines is approximately 25-35 feet.
5. Fencing
- a. Portions of the north and west property lines are marked by barbed wire fences owned by our neighbors, Chatelain Nursery (not by the applicant.)
  - b. There are 6 foot cyclone fences along the east side of our residence, between our residence and our neighbors at 14295 SE Shalimar and 14315 SE Shalimar. These appear to be owned by the neighbors, not by us.
  - c. Part of the western boundary of the "flagpole" driveway is fenced with run-down 4-5 foot high "hog wire" fencing on T posts and peeler cores. This fence is slowly being removed as the fenceposts rot.
  - d. There are no fences on the east side of our driveway.
6. Vehicle and Pedestrian Access
- a. There is no pedestrian traffic.
  - b. Vehicle access will be via the existing 30 ft driveway which leads to Kelso Road. That driveway will not be changed by the proposed building. There will be no increase in vehicle traffic as a result of this proposed construction.
  - c. There will be no change to parking or the amount of outside asphalt and concrete as a result of the proposed construction. Existing parking has been more than adequate for our needs for more than 30 years.

## NARRATIVE

## EXHIBIT B

### 7. Topography

- a. In general, Lot A (tax lot 2800) and Lot B (tax lot 2900) are level from East to West, and they slope down approximately 3% from East towards the West.
- b. The proposed site of the building is generally
  - i. Flat from East to West, with less than a 2% slope down from East to West.
  - ii. Slopes at an approximate 4% grade down from North to South.

### 8. Relationship of the site to adjoining properties. See Sketch 3.

- a. The lot labeled Lot A (Tax lot 2800) is bounded as follows:
  - i. On the north by unincorporated Clackamas County. That property is zoned EFU, and is sometimes used to grow nursery stock.
  - ii. On the south the property is bounded by Lot C (tax lot 2901) owned by the applicant, and in a small way (30 feet), by Kelso Rd.
  - iii. On the west Lot A (tax lot 2800) is bounded by Lot B (tax lot 2900), owned by the applicant.
- b. To the East, Lot A (tax lot 2800) is bounded by several houses on Shalimar Dr.
- c. The proposed building site will be at the approximate distances noted from the neighbors on Shalimar shown below. Please see marked map labeled Sketch 3, attached:
  - i. 37611 SE Kelso - also owned by applicant Approx 210 feet
  - ii. 14485 SE Shalimar Approx 178 feet
  - iii. 14401 SE Shalimar Approx 96 feet
  - iv. 14365 SE Shalimar Approx 100 feet
  - v. 14315 SE Shalimar Approx 106 feet
  - vi. 14295 SE Shalimar Approx 156 feet
  - vii. 37625 SE Kelso Rd - applicant's residence Approx 76 feet
- d. See Sketch 4. The proposed building will be sited the indicated distances from public roads and utilities:
  1. See line marked i on Sketch 4 - 162 feet from Shalimar Dr.
  2. See line marked ii on Sketch 4. 283 feet from the nearest fire hydrant, which is on Kelso Rd., marked H
  3. See line marked iii on Sketch 4 - 290 feet from Kelso Rd.

Approval to site the building at the approximate location marked PROPOSED on the sketches is requested.

Sincerely,

William Leslie

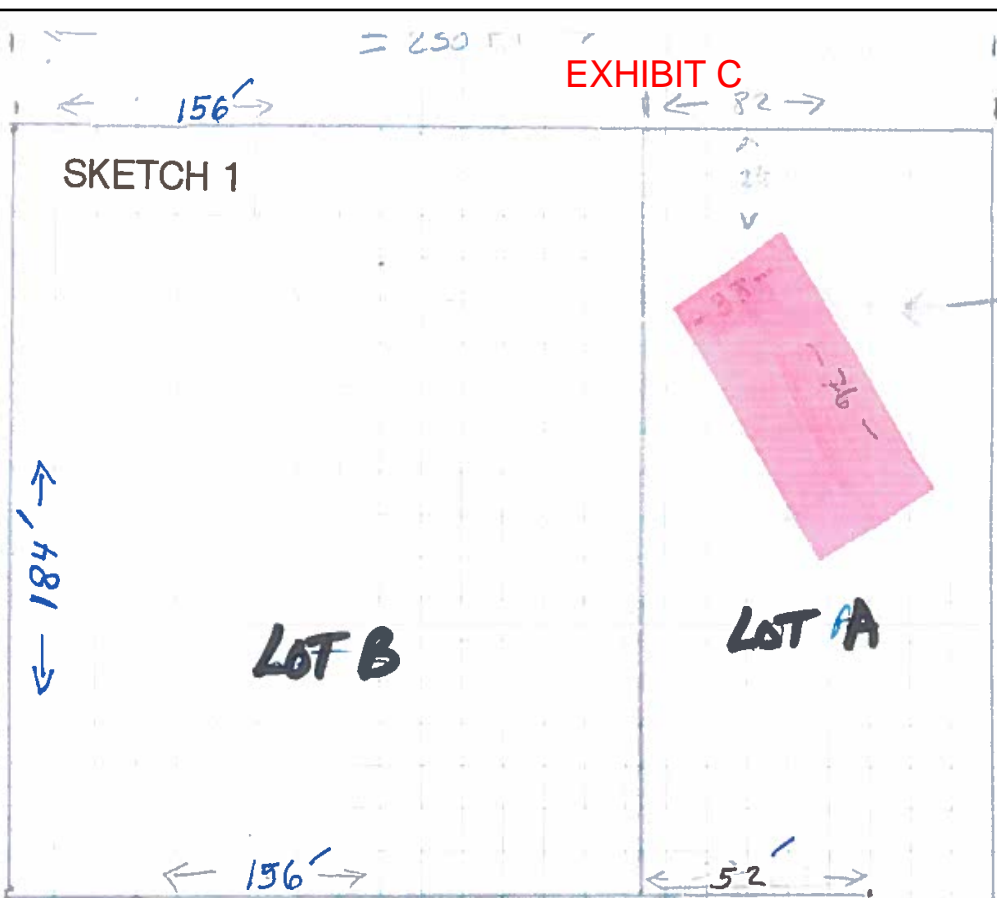
NARRATIVE

EXHIBIT C

Leslie NT  
37625 SE Kelso Rd

RESIDENCE

SKETCH 1



LOT B

LOT A

proposed

LOT C

□ = 10' x 10'

506'

Bill Leslie

SITE PLAN

KELSO Rd

EXHIBIT D

Leslie NT  
37685 SE Kelso Rd  
1st

SKETCH 2

RESIDENCE

LOT B

LOT A

E

LOT C

□ = 10' x 10'

Bill Leslie

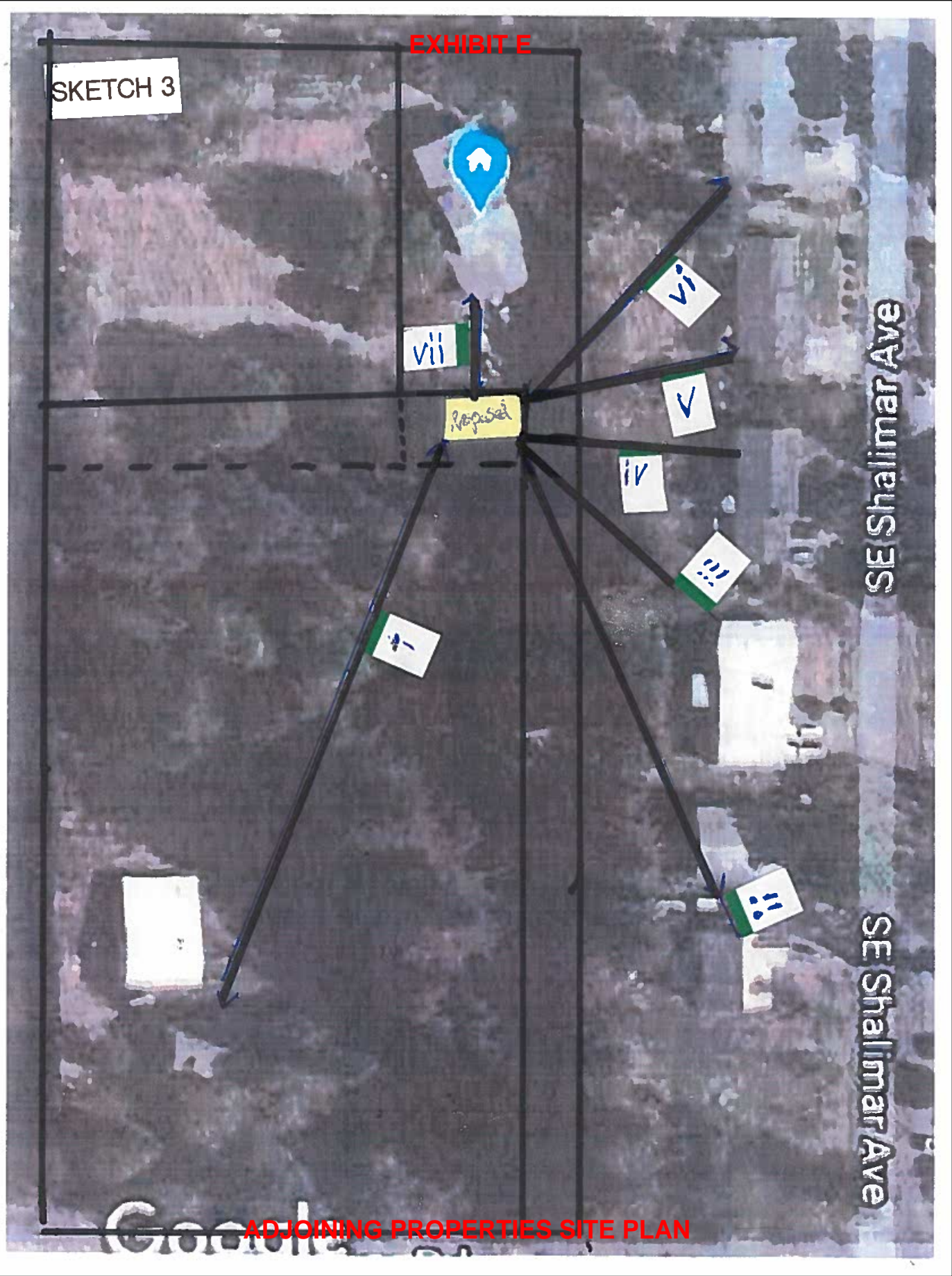
ELECTRICAL SERVICE LINE SITE PLAN

KELSO RD



EXHIBIT E

SKETCH 3



ADJOINING PROPERTIES SITE PLAN



EXHIBIT F

SKETCH 4

Leslie  
37625 SE K/2  
Pd

RESIDENCE

2900

2800

Lot B

LOT A

← 156 →

← 52 →

i

Proposed

← 30' →

2901

LOT C

iii

□ = 10' x 10'

ii

Bill  
Leslie

KELSO Rd

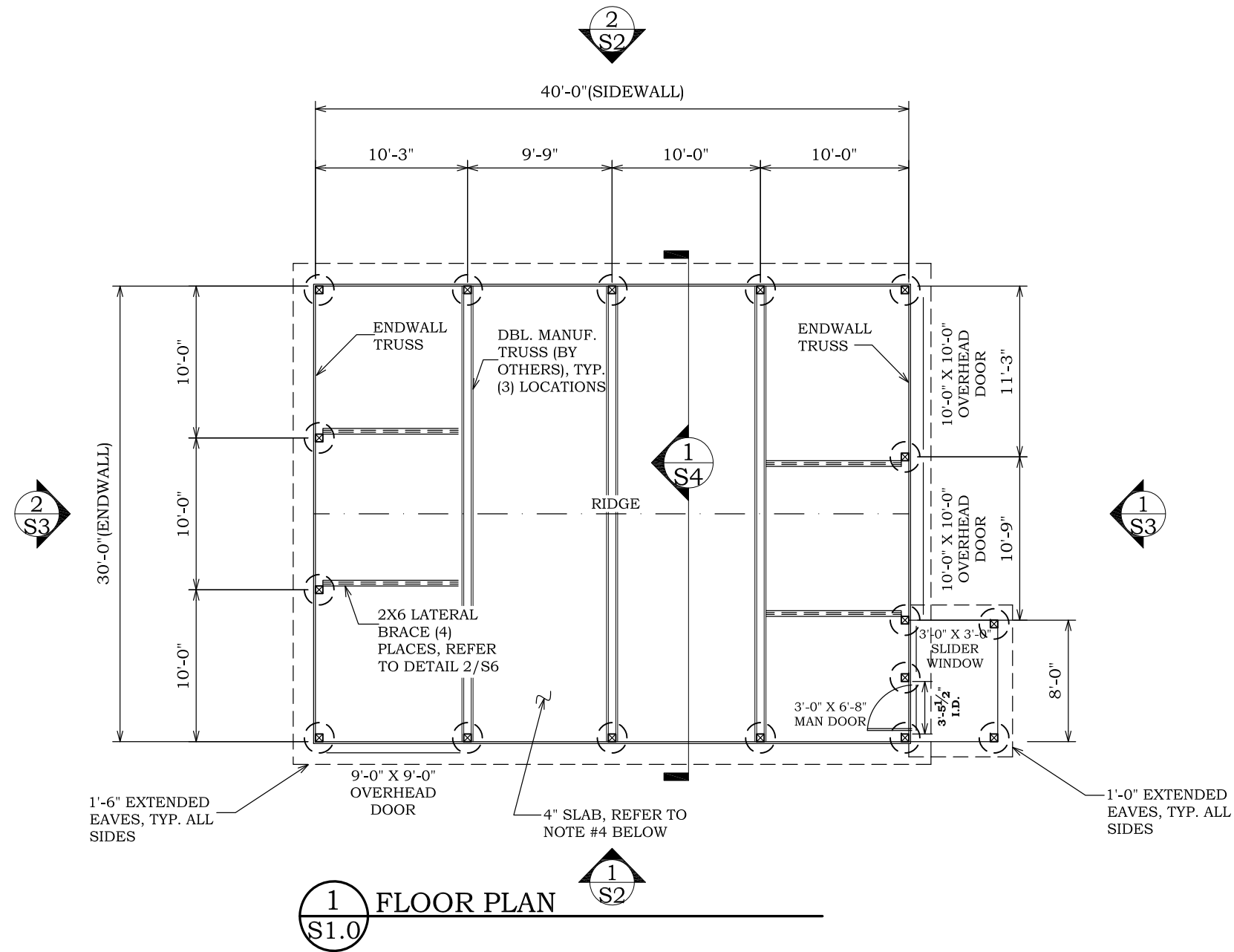
PUBLIC ROADS & UTILITIES SITE PLAN

**EXHIBIT G**

SKETCH 5



EXHIBIT H



NOTE:

1. FOR DOOR AND WINDOW FRAMING REFER TO SHEET D1. VERIFY SIZE AND CLEARANCES BEFORE BUILDING ERECTION AND DOOR INSTALLATION.
2. REFER TO SHEET N1 AND S5 FOR TYPICAL GIRT AND PURLIN CONNECTION AND SIZES.
3. REFER TO GENERAL NOTES FOR MIN. REQUIREMENTS. ALL CRACK CONTROL PREVENTION TO BE DETERMINED BY OWNER.
4. GRAVEL BACKFILL TO BE THOROUGHLY COMPACTED IN 8" LIFTS.

ARCHITECTURAL ELEVATIONS

PROJECT NAME  
**POWERWORKS - KELSO**  
 POLE BUILDING  
 STRUCTURAL DESIGN FOR  
 POST FRAME CONSTRUCTION

**TURNER**  
**ENGINEERING & DESIGN**  
 Office: (503) 665-1143  
 Cell: (503) 970-8807  
 Email: rj.turner@comcast.net  
 3131 SW Orchard Place  
 Gresham, OR 97080

ENGINEERS STAMP  
  
 REGISTERED PROFESSIONAL  
 ENGINEER  
 58949PE  
 RICHARD J. TURNER  
 OREGON  
 JULY 15, 2003

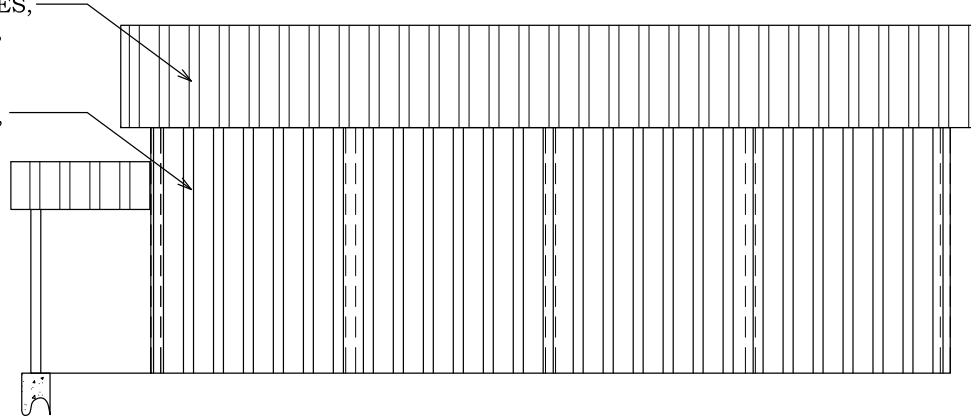
EXP. DATE: 06-30-22  
 ISSUE  
 CD  
 DESIGNED BY  
 MM  
 DRAWN BY  
 KP  
 CHECKED BY  
 RJT  
 DATE  
 03/11/2021  
 PROJECT NO.

SHEET NO.  
**S1.0** of

EXHIBIT H

VAL3 METAL ROOFING PER GENERAL NOTES,  
SEE NOTE #1a FOR FASTENER SCHEDULE,  
TYPICAL ENTIRE ROOF

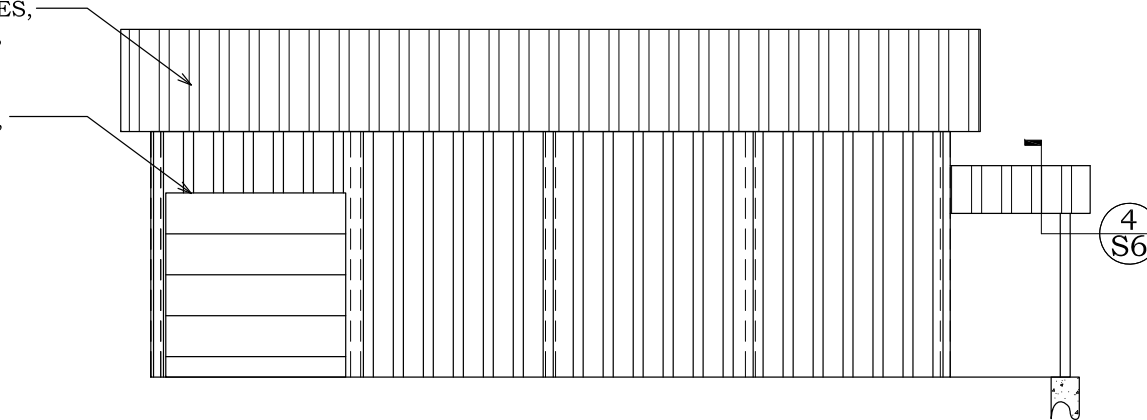
VAL3 METAL SIDING PER GENERAL NOTES,  
SEE NOTE #1 FOR FASTENER SCHEDULE,  
TYPICAL ENTIRE WALL



2 REAR ELEVATION  
S2

VAL3 METAL ROOFING PER GENERAL NOTES,  
SEE NOTE #1a FOR FASTENER SCHEDULE,  
TYPICAL ENTIRE ROOF

VAL3 METAL SIDING PER GENERAL NOTES,  
SEE NOTE #1 FOR FASTENER SCHEDULE,  
TYPICAL ENTIRE WALL



1 FRONT ELEVATION  
S2

NOTE

1. METAL SIDING ATTACHMENT TO BE #9 1" LONG SCREWS 9" O/C ON ONE SIDE OF EACH MAJOR RIB ENTIRE LENGTH OF PANEL AND 12" O/C AT TERMINATING EDGES.
- 1A. METAL ROOFING ATTACHMENT TO BE #9 1 1/2" LONG SCREWS 9" O/C ON ONE SIDE OF EACH MAJOR RIB ENTIRE LENGTH OF PANEL AND 12" O.C AT TERMINATING WITH 7/16" APA RATED PLYWOOD SHEATHING OR OSB WITH 8D NAILS A 6" O.C AT PANEL EDGES AND 1'-0" O.C INFIELD (REFER TO 1/S5.1).
2. REFER TO SHEET N1 AND S5 FOR TYPICAL GIRT AND PURLIN CONNECTION AND SIZES.
3. REFER TO FLOOR/POST LOCATION PLAN FOR DOOR SIZES AND LOCATIONS.
4. REFER TO SHEETS D1 FOR DOOR FRAMING INFORMATION.

ARCHITECTURAL ELEVATIONS

PROJECT NAME  
POWERWORKS - KELSO  
POLE BUILDING  
LATERAL ENGINEERING  
DESIGN FOR POST FRAME  
BUILDING

**TURNER**  
ENGINEERING & DESIGN  
Office: (503) 665-1143  
Cell: (503) 970-8807  
Email: rj.turner@comcast.net  
3131 SW Orchard Place  
Gresham, OR 97080

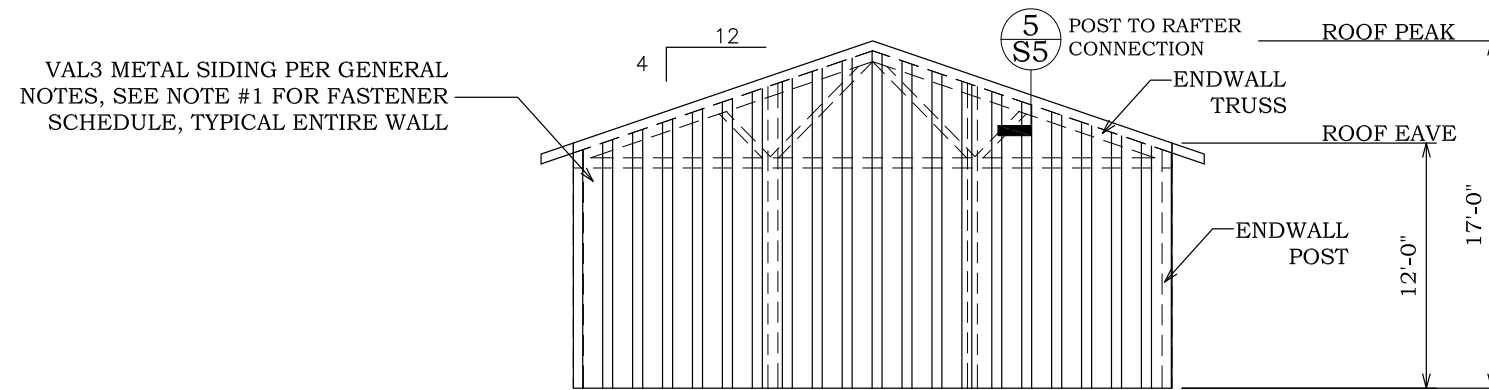
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REGISTERED PROFESSIONAL  
ENGINEER  
58949PE  
Richard J. Turner  
OREGON  
JULY 15, 2003  
RICHARD J. TURNER

EXP. DATE: 06-30-22  
ISSUE  
CD  
DESIGNED BY  
AP  
DRAWN BY  
KP  
CHECKED BY  
RJT  
DATE  
03/11/2021  
PROJECT NO.

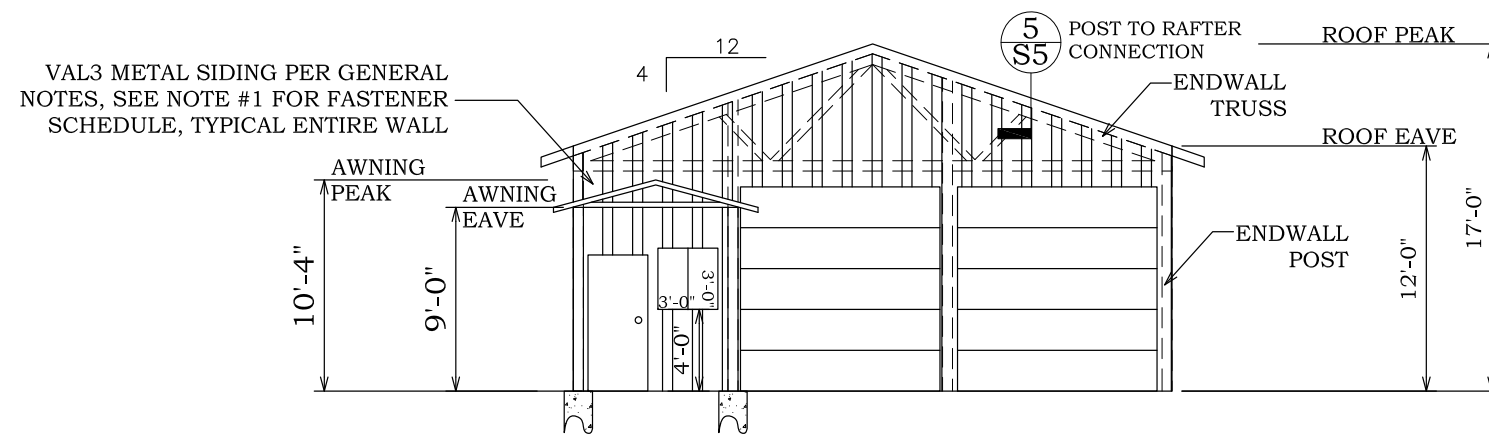
SHEET NO.  
S3 of



EXHIBIT H



2 LEFT EXTERIOR ELEVATION  
S3



1 RIGHT EXTERIOR ELEVATION  
S3

- NOTE:
- METAL SIDING ATTACHMENT TO BE #9 1" LONG SCREWS 9" O/C ON ONE SIDE OF EACH MAJOR RIB ENTIRE LENGTH OF PANEL AND 12" O/C AT TERMINATING EDGES.
  - REFER TO SHEET N1 AND S5 FOR TYPICAL GIRT AND PURLIN CONNECTION AND SIZES.
  - REFER TO FLOOR/POST LOCATION PLAN FOR DOOR SIZES AND LOCATIONS.
  - REFER TO SHEETS D1 AND D2 FOR DOOR FRAMING INFORMATION.

ARCHITECTURAL ELEVATIONS

PROJECT NAME  
POWERWORKS - KELSO  
SIDEWALL ELEVATIONS

**TURNER**  
ENGINEERING & DESIGN  
Office/Celi: (503) 970-8807  
Email: rturner.teandinc@gmail.com  
P.O. BOX 220  
EAGLE CREEK, OREGON 97022

ENGINEERS STAMP

EXP. DATE: 06-30-22

ISSUE	CD
DESIGNED BY	MM
DRAWN BY	KP
CHECKED BY	RJT
DATE	03/11/2021
PROJECT NO.	
SHEET NO.	S3

5/4/2021

City of Sandy Mail - TRANSMITTAL FOR REVIEW: LESLIE POLE BARN (FILE NO. 21-005 VAR)



## EXHIBIT I

Marisol Martinez <mmartinez@ci.sandy.or.us>

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### TRANSMITTAL FOR REVIEW: LESLIE POLE BARN (FILE NO. 21-005 VAR)

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Gary Boyles <frnboyles.sandyfire@gmail.com>  
To: Planning <planning@cityofsandy.com>

Tue, May 4,

Sandy Fire has no comments regarding the applicant's variance request. However, comments submitted via e-mail memorandum to Shelley Denison on August 13, 2020 are still applicable.

Thank you,

Gary Boyles  
Fire Marshal  
**Sandy Fire District No. 72**  
PO Box 518  
[17460 SE Bruns Ave.](#)  
[Sandy, Oregon 97055](#)

**Business line: 503-668-8093**  
**Cell number: 503-891-7042**

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## AGENCY COMMENTS

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5/7/2021

City of Sandy Mail - Comments on file 21-005 VAR



**EXHIBIT J**

Rebecca Casey <[rcasey@ci.sandy.or.us](mailto:rcasey@ci.sandy.or.us)>

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**Comments on file 21-005 VAR**

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**elaine jensenashcraft** <[emjaaa51@gmail.com](mailto:emjaaa51@gmail.com)>  
To: [planning@ci.sandy.or.us](mailto:planning@ci.sandy.or.us)

Fri, May 7, 2021 at 9:41 AM

After checking out the location of the proposed building, we APPROVE of the building. Thank you for checking with the neighbors. Elaine Jensen-Ashcraft

**PUBLIC COMMENTS**

<https://mail.google.com/mail/u/0?ik=3ad3df1da3&view=pt&search=all&permmsgid=msg-f%3A1699118506202632874&simpl=msg-f%3A16991185062...> 1/1