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Comments-proposed house addition/37220 Dubarko File Number 23-031 DR/FSH

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Tue, Oct 10, 2023 at 2:52 PM

To: planning@ci.sandy.or.us

I am writing to comment on the proposed house addition at [37220 Dubarko Dr.](#) I first would like to note that I did not receive the notice (dated September 29, 2023) by mail. I only found out about it after talking with several of my neighbors. I would also like to note that my neighbor residing at 37240 Dubarko Dr. also did not receive the letter from the City by mail.

As to the proposed house addition to the property at 37220 Dubarko Drive, which is next door to my property, I have no objection to the plan and I support the property owner's proposal.

The letter from the City states that "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". I am puzzled by this statement and feel that some history regarding this issue is needed in order to clear up any confusion that may be occurring.

My knowledge of the issue is based on the fact that I am the original owner of my property located at 37230 Dubarko Drive. I purchased the property in May of 1989 and my house was the fourth one built in Knollwood Estates Phase II. At the time the houses in Knollwood Estates Phase II were built the property along Tickle Creek (including the small park) belonged to the Homeowner's Association that was set up by the developer as a condition for development. This remained the case until October 2008 when the Homeowner's Association voted to transfer ownership of the commonly held property to the City. I have personal knowledge of this situation as I was a member of the elected board of the Homeowner's Association that was involved in this action.

As explained above, the City did not own the property until after October of 2008 and therefore there was no encroachment on City property at the time the shed and retaining wall were built. The retaining wall was built by the owner's of 37220 Dubarko in order to retard the erosion of the embankment caused by Tickle Creek, especially during times of high stream flow. The stone retaining wall has a useful function and has received many comments on how well it is maintained and adds to the aesthetics of the creek as viewed from Sandy Heights Street. It is an asset, not a detriment, to the site.

Regarding the claim by the City that retaining wall is in a location that is planned for the Tickle Creek Trail. I was surprised to see this in the letter. During the initial planning and plotting of the Trail it was determined that it was not feasible to build a trail behind the homes that had already been built between Sandy Heights Street and the park on Dubarko. This was because the City did not own the property west of Tickle Creek, nor did it own the property north of Sandy Heights. In addition, it was determined that there simply was no room to put a trail behind the homes between Sandy Heights Street and the park on Dubarko. The embankment, high water issues during heavy rains, and marshy conditions during the winters simply prohibited the location of the trail in that area. The fact that the City did not plot and build the Tickle Creek Trail in this area attests to the problems faced.

As stated earlier, I have no objections to the proposed plans for the property located at [37220 Dubarko Road](#) and I support the property owner's proposal. Please contact me if you have any questions regarding the information that I have provided.

Sincerely,

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