



Agenda
Board of Adjustment Meeting
Thursday, July 18, 2019
City Hall Council Chambers | 625 Swift Boulevard

Board Members: Chair Lowry and Board Members Boring, Gray, Richards, and Van Hoff

Liaisons: Staff Liaison: Planning Manager Stevens

Regular Meeting - 6:00 p.m. (City Hall Council Chambers)

Welcome and Roll Call

Approval of Agenda: (Approved by Motion)

Special Business:

- I. Election of Officers

Approval of Minutes: (Approved by Motion)

May 16, 2019 Meeting

Public Hearing Explanation:

New Business :

- I. BA2019-101 Hoffman Setback Variance - 303 Lakeview Court

Communications:

Adjournment

The next Board of Adjustment Meeting is August 15, 2019

Richland City Hall is ADA accessible. Requests for sign interpreters, audio equipment, and/or other special services must be received 48 hours prior to the meeting by calling the City Clerk's Office at 942-7388.



BOARD OF ADJUSTMENT AGENDA ITEM COVERSHEET

Meeting Date: 7/18/2019

Agenda Category: Special Business

Prepared By: Mike Stevens, Planning Manager

Subject:

Election of Officers

Department:

Development Services

Recommended Motion:

Summary:

Attachments:



BOARD OF ADJUSTMENT AGENDA ITEM COVERSHEET

Meeting Date: 7/18/2019

Agenda Category: Approval of Minutes

Prepared By: Mike Stevens, Planning Manager

Subject:

May 16, 2019 Meeting

Department:

Development Services

Recommended Motion:

Approve the minutes of the Board of Adjustment meeting held on May 16, 2019.

Summary:

Attachments:

1. 051619 DRAFT BoA Mtg Mins



MINUTES
BOARD OF ADJUSTMENT MEETING
City Hall – 550 Swift Boulevard – Council Chamber
Thursday, May 16, 2019
6:00 PM

Call to Order:

Chairman Lowry called the meeting to order at 6:00 p.m.

Attendance:

Present: Chair Lowry and Board members Richards, Boring, Van Hoff, Gray. Also attending was Planning Manager Mike Stevens and Sr. Planner Shane O'Neill

Approval of Minutes:

Chair Lowry presented the meeting minutes of the November 6, 2017 meeting.

BOARD MEMBER BORING MOVED AND BOARD MEMBER VAN HOFF SECONDED THE MOTION TO APPROVE THE MINUTES OF THE NOVEMBER 6, 2017 MEETING. MOTION PASSED 5-0.

Chair Lowry presented the meeting minutes of the November 15, 2018 meeting.

BOARD MEMBER BORING MOVED AND BOARD MEMBER VAN HOFF SECONDED THE MOTION TO APPROVE THE MINUTES OF THE NOVEMBER 15, 2018 MEETING. MOTION PASSED 5-0.

Public Hearing:

Chairman Lowry asked the recorder to read the Public Hearing Explanation to open the Public Hearing.

New Business

- 1. APPLICANT: Christ the King
SUP2019-101**

Chairman Lowry introduced the item and asked Sr. Planner O'Neill if the project had been duly noticed as required. Mr. O'Neill indicated the proper noticing of the project and public hearing. Chair Lowry asked Mr. O'Neill to provide the staff report.

Mr. O'Neill reviewed the application for the Special Use permit and provided Board members with map overviews of the subject property. His staff report included information about current uses on the site and the surrounding Comprehensive Plan zoning. Mr. O'Neill also pointed out to Board members that no comments had been received from surrounding property owners. In addition, he also provided testimony that the proposed building

conformed to current set backs and showed board members maps indicating parking and traffic flow, as well as proposed building elevations. Finally, Mr. O'Neill pointed out seven conditions of approval recommended in the staff report.

Chair Lowry opened the Public Hearing at 6:16 p.m.

Mr. Jason Archibald, Rick Dunn, Henry Coner, Mike Patela and Delton Bonds, representing Christ the King Parish, stepped forward to support the application and offer to answer questions from the Board.

Board Member Van Hoff asked the applicants about their reasons for reducing playground/playfield area and location of other on-site pre-school. Mr. Bonds offered reasons for the decisions, outlining budget constraints and the fact that the ball field that is being removed had not been used as a ball field and that the school had not had a baseball team in the past few years.

Board Member Boring asked Mr. Archibald about traffic flow and indicated her support for the project.

Chair Lowry closed the Public Hearing at 6:18 p.m.

BOARD MEMBER BORING MOVED BOARD MEMBER GRAY SECONDED THE MOTION FOR THE BOARD TO RECOMMEND APPROVAL OF SPECIAL USE PERMIT SUP2019-101 SUBJECT TO THE CONFORMANCE TO THE SEVEN (7) CONDITIONS OF APPROVAL IDENTIFIED IN THE STAFF REPORT AND BASED ON THE TWENTY - FIVE FINDINGS OF FACT AND CONCLUSIONS OF LAW AS CONTAINED IN THE STAFF REPORT. MOTION PASSED 5-0.

Communications:

Chairman Lowry welcomed new board members and new staff member Ghbein.

Member Boring asked about pending applications and noted the board had not held election of officers in a couple of years.

ADJOURNMENT:

CHAIRMAN LOWRY adjourned the meeting at 6:28 p.m.

PREPARED BY: Lynne Follett, Recorder, Planning and Development



BOARD OF ADJUSTMENT AGENDA ITEM COVERSHEET

Meeting Date: 7/18/2019

Agenda Category: New Business

Prepared By: Mike Stevens, Planning Manager

Subject:

BA2019-101 Hoffman Setback Variance - 303 Lakeview Court

Department:

Development Services

Recommended Motion:

Staff recommends approval of the proposed variance request subject to the proposed condition of approval listed within the staff report.

Summary:

BA2019-101 Hoffman Setback Variance - 303 Lakeview Court

Gilbert & Cheryl Hoffman have filed an application for a variance to RMC 23.18.040 in order to construct a 5' x 22' residential addition to within approximately 20' of the rear property line. The property is zoned R-I-10, and RMC 23.18.040 requires that all residential structures be located at least 25' from the rear property line.

Attachments:

1. BA2019-101 Full Staff Report - 303 Lakeview



STAFF REPORT

TO: BOARD OF ADJUSTMENT
FILE NO.: BA2019-101

PREPARED BY: MIKE STEVENS
DEVELOPMENT SERVICES

MEETING DATE: JULY 18, 2019

GENERAL INFORMATION

APPLICANT: GILBERT HOFFMAN & CHERYL HOFFMAN

REQUEST: VARIANCE FROM RICHLAND MUNICIPAL CODE (RMC) SECTION 23.18.040 TO ALLOW FOR CONSTRUCTION OF A 5' X 22' RESIDENTIAL ADDITION TO WITHIN APPROXIMATELY 20' OF THE REAR PROPERTY LINE. THE PROPERTY IS ZONED R-1-10 AND RMC 23.18.040 REQUIRES THAT ALL RESIDENTIAL STRUCTURES BE LOCATED AT LEAST 25' FROM THE REAR PROPERTY LINE.

LOCATION: 303 LAKEVIEW CT.

ZONING: R-1-10 - LOW DENSITY RESIDENTIAL

SITE DESC: 11,500 SQUARE FOOT LOT, DEVELOPED WITH A SINGLE-FAMILY RESIDENCE

ADJACENT USES: THE SITE IS A CORNER LOT. SINGLE FAMILY RESIDENCES ARE LOCATED TO THE EAST AND SOUTH OF THE SUBJECT PROPERTY.

SPECIFIC CODE REQUIREMENTS

23.18.040 Accessory buildings in residential zoning districts.

23.18.040 Site requirements for residential use districts.

In the following chart, development standards are listed on the vertical axis and zoning districts are listed on the horizontal axis. If a number appears in the box at the intersection of the column and row, that number represents the dimensional standard that applies to that zoning district.

Standard	R-1-12	R-1-10	R-2	R-2S	R-3
Minimum Lot Area Requirement – One-Family Detached Dwelling	10,000 feet ¹	8,000 feet	6,000 feet	4,000 feet	4,000 feet
Minimum Lot Area Requirement – Two-Family Detached Dwelling	N/A	N/A	10,000 feet	7,000 feet	7,000 feet
Minimum Lot Area Requirement – One-Family Attached Dwellings	N/A	N/A	N/A	3,000 feet	3,000 feet
Maximum Density – Multifamily Dwellings (Units/Square Foot)	N/A	N/A	N/A	N/A	1:3,000
Minimum Lot Width – One-Family Detached Dwelling	90 feet	70 feet	50 feet	42 feet	42 feet
Minimum Lot Width – Two-Family Detached Dwelling	N/A	N/A	70 feet	64 feet	64 feet
Minimum Lot Width – One-Family Attached Dwellings	N/A	N/A	N/A	30 feet	30 feet
Average Lot Size Requirement ²	12,000	10,000	None	None	None
Minimum Front Yard Setback ³	20 feet	20 feet	20 feet	15 feet/18 feet ⁴	20 feet ^{6,10}
Minimum Side Yard Setback	10 feet	10 feet	6 feet	6 feet ⁵	6,10
Minimum Alley/Private Access Easement Setback	6 feet	6 feet	6 feet	6 feet	6 feet
Minimum Rear Yard Setback	25 feet	25 feet	25 feet	20 feet/3 feet ⁷	25 feet ^{6,10}
Maximum Lot Coverage ⁸	40%	40%	40%	50%	33%/45% ^{9,10}
Maximum Building Height – Main Building	30 feet	30 feet	30 feet	30 feet	40 feet ¹⁰
Maximum Building Height – Detached Accessory Buildings ¹¹	16 feet	16 feet	16 feet	16 feet	16 feet

SITE DESCRIPTION

The site is located at the corner of Lakeview Ct. and Greenbrook Blvd. and is developed with an existing single-family residence. The site is approximately 11,500 square feet in size measuring 100' east/west and 115' north/south. There is an existing 5' wide irrigation easement located along the rear (southern) property line.

REASON FOR REQUEST

The applicants desire to build a 5' x 22' (110 square foot) addition to the existing single-family residence in order to be able to remodel the existing master bedroom and master bathroom to meet ADA requirements. The applicant has recently discovered that a medical condition will require remodeling of the interior of the home in order to facilitate

ADA/wheelchair movement within the master bedroom and master bathroom. In order to facilitate the proposed remodel, the master closet will need to be reconfigured, thus requiring the expansion of the footprint of the home.

The house was built in 1976 and is located approximately 25' from the rear (south) property line, approximately 25' from the side (west) property line, approximately 22' from the front (north) property line and approximately 15' from the side (east) property line. Remodeling the home towards the side (west) was considered, but was deemed to be extremely difficult due to the roof layout of the existing home. Adding the 5' x 22' (110 square foot) addition to the rear of the home still affords adequate room between the back of the home and the rear (south) property line should emergency personnel need to gain access to the rear of the home.

STAFF FINDINGS

The following are Staff's findings relative to the requirement for the granting of a variance as set forth in Richland Municipal Code (RMC) Sections 23.70.110, Applications and 23.70.140, Findings.

1. Special conditions and circumstances exist which are peculiar to the subject property and not applicable to other properties in the same zoning district.

The fairly typical configuration of this 11,500 square foot lot would normally include enough area to accommodate a residential addition without the need for a variance. However, the location of the existing master bedroom/master bathroom within the rear of the home is such that encroaching into a required setback is required in order to complete the proposal and meet the requirements of the applicants.

2. Literal interpretation of the ordinance would deny the applicant rights commonly enjoyed by other properties in the district.

Literal interpretation of the R-1-10 zoning district setback requirements prohibits a functional and affordable solution to the applicant's situation. While the Board of Adjustment is restricted from taking into consideration the costs associated with development, adding on to the side (west) portion of the home would require a completely new roofing system to be added to the entirety of the home. Allowing the proposed addition out the back of the home would allow the applicants to continue their existing roofline, thus resulting in a consistent look along the side of the home.

3. The special conditions and circumstances do not result from actions of the applicant.

The applicant was not responsible for the location of the master bedroom/master bathroom or the medical condition which has required the need for the proposed interior remodel and minor residential addition to accommodate ADA/wheelchair access.

4. The requested variance will not confer a special privilege to the applicant that is denied others in the same use district.

There would be no granting of a special privilege if the requested variance is approved. Each variance application must be reviewed on its own merits and requirements based upon these criteria. Allowing the reduced rear yard setback would not be noticeable given the amount of vegetation upon this and neighboring properties. Furthermore, the 20' rear yard setback would be consistent with the neighborhood covenants which have been adopted for the neighborhood.

5. Justification for granting the variance.

The variance would allow the applicant to add a 5' x 22' addition onto the back of the home in order to meet ADA/wheelchair requirements within the home due to an existing medical condition. Without variance authorization the applicants would be required to sell their home and find another place to live meeting ADA/wheelchair requirements.

6. The variance is the minimum necessary to make reasonable use of the property.

The applicants have requested a variance in order to reduce the rear yard setback from 25' to 20' in order to accommodate the construction of a 5' x 22' residential addition to the rear of the home. The proposal does meet the standard of the minimum variance necessary to meet the needs of the applicant.

7. The variance would be consistent with the general purpose and intent of the Code and would not be injurious to the surrounding neighborhood or detrimental to the public welfare.

RMC 23.18.010(B) describes the R-1-10 zoning district as follows:

"The single-family residential – 10,000 (R-1-10) is a residential zone classification requiring a low density of population, providing protection against hazards, objectionable influences, building congestion, and lack of light, air, and privacy. Certain essential and compatible public service facilities and institutions are permitted in this district. This zoning classification is intended to be applied to some portions of the city that are designated low-density residential (zero to five dwellings per acre) under the city of Richland comprehensive plan."

The variance would allow the applicants to continue to live in and enjoy the use of their home. Staff maintains this proposal would not be injurious to the surrounding neighborhood or detrimental to the public welfare.

RECOMMENDED CONDITIONS:

1. The proposed 5' x 22' addition shall be located in accordance with the site plan submitted with the variance application, included in this report as Exhibit 2.

RECOMMENDED MOTION:

I move that the Board of Adjustment concur with the Findings and Conclusions set forth in the staff report and **APPROVE** a variance from Richland Municipal Code Section 23.18.040 to allow the construction of a 5' x 22' residential addition to the rear (south) side of the existing home and to within 20' of the rear (south) property line of 303 Lakeview Court subject to the one (1) condition above.

EXHIBIT LIST:

- Exhibit 1 – Variance application and related materials
- Exhibit 2 – Site plan
- Exhibit 3 – Public notice
- Exhibit 4 – Comments received (if any)



Exhibit 1

City of Richland
Development Services

625 Swift Blvd. MS-35
Richland, WA 99352
(509) 942-7794
(509) 942-7764

VARIANCE APPLICATION

Note: A Pre-Application meeting is required prior to submittal of an application.

PROPERTY OWNER INFORMATION

☐ Contact Person

Owner: R. Gilbert & Cheryl J. Hoffman

Address: 303 Lakeview Ct.

Phone: (509) 713-2002

Email: gilberthoffman@yahoo.com

APPLICANT/CONTRACTOR INFORMATION (if different)

☐ Contact Person

Company: N/A

UBI# N/A

Contact: N/A

Address: N/A

Phone: N/A

Email: N/A

DESCRIPTION OF REQUESTED VARIANCE

We are currently planning to remodel the master bath (interior only) in order to make that facility safer and easier to use as we get older. In order to make the best bath layout for accessibility and safety we will be taking over the space currently designated as the master closet. We would like to add on a 5 foot deep closet across the South end of the master bedroom wing. The 5 foot width is needed to provide access by wheelchair when that becomes necessary. The Master Bedroom is currently sited at 25 feet 7 inches from the rear property line (which on our neighbors lot is considered a side yard). The Second Nine HOA CC&Rs require a 20 foot rear setback, while the city requires a 25 foot setback.

We are requesting a variance to the rear setback (for the Master Bedroom wing only) from 25 feet to 20 feet.

PROPERTY INFORMATION

Legal Description: Lot 19, Block 6, MEADOW SPRINGS SECOND NINE PHASE ONE

Current Zoning: R-1

Current Land Use Designation: Single Family Housing

APPLICATION MUST INCLUDE

1. Completed Application and Filing Fee
2. Floor Plan (if necessary)
3. Site Plan
4. Title Report showing ownership, easements, restrictions and accurate legal description of the property involved
5. Other information as determined by the Administrator

VARIANCE – Answer as thoroughly as possible if applying for a Variance

Describe the extraordinary conditions or unusual circumstances which exist on your property that would justify deviation from the standard (such as topographic features, parcel size and slope, drainage etc.):

Our lot is a 100 ft by 115 ft rectangle on the corner bounded by Lakeview Ct. and Greenbrook Blvd.. The house is L-shaped and sited with the back yard in the SouthEast corner, thus providing a majority of the back yard with about 45 ft from the Kitchen and Family Room to the rear property line. I think that this space provides a very usable back yard

without including the space behind the Master Bedroom. It is my impression that this meets the intent of the setback requirements.

The bedroom wing is nearly to the 25 ft setback line and directly adjacent to the neighbor's side yard and garage. From any viewing point that part of our back yard looks and functions as a side yard. Extending the building 5 ft will not have any affect on that look or function, but it will allow the best use of space in remodeling the the Master Bath.

The Master Bath is sited about 5 ft from the West side yard setback. We have looked at adding on in that area (not requiring a variance) and determined that it would not allow as good a layout as we can get with the requested variance. Additionally, such an addition would not fit the look of the house and would be an eyesore in the neighborhood. (It would have the character of a bump-out on a trailer) Such an addition would not promote and protect the economic stability of land use or conservation of building values in the neighborhood. Nor would the requested variance affect the enjoyment of light, air and privacy by the neighborhood.

Were the special conditions and/or circumstances caused directly by you (the applicant):

The special circumstances originated with the initial siting during construction in 1976. Also, the apparent change of the rear setback from 20 ft to 25 ft.

Describe how the literal interpretation of the provisions of this title would deprive you of rights commonly enjoyed by other properties in the same district under the terms of this title:

The general purpose of zoning is to protect and promote public health, safety, morals, and general welfare through a well considered plan for the use of land. Also, the economic stability of land use areas and conservation of building values are promoted and protected thereby (paraphrased from RMC 23.04.020). As stated in the above sections, the requested variance allows us to best meet the intent of the code and allow us the best use of our property.

Explain why granting the variance will not confer on you (the applicant) any special privilege that is otherwise denied by this title to other lands, structures or buildings in the same district:

As stated above, the granting of the requested variance will allow us to do a better job of meeting the intent of the code and protecting the interests of our neighbors, while allowing our best use of our property.

Provide any other information you would add that supports your request:

See the attached photos of our house and yard.

I authorize employees and officials of the City of Richland the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.

I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation pertaining to development activities associated with a permit.

I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of the Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

Note: This application will not be processed unless the above certification is endorsed by an authorized agent of the owner(s) of the property in question and/or the owner(s) themselves. If the City of Richland has reason to believe that erroneous information has been supplied by an authorized agent of the owner(s) of the property in question and/or by the owner(s) themselves, processing of the application may be suspended.

Applicant Printed Name: R. Gilbert Hoffman

Applicant Signature: R. Gilbert Hoffman Date 10 JUN 2019

Re: Request for Architectural Change - Addition to 303 Lakeview Ct.

From: Second Nine HOA ACC (secondnineacc@gmail.com)

To: gilberthoffman@yahoo.com; secondnineacc@gmail.com

Date: Sunday, June 9, 2019, 3:25 PM PDT

Gilbert,

Your addition is in compliance with the HOA setback of 20ft, I would hope the City would grant your variance as requested.

Thanks for submitting the form. The committee accepts your project as submitted

Garth Stowe

Chairman of Second Nine HOA

On Mon, Jun 3, 2019 at 9:43 AM Gilbert Hoffman <gilberthoffman@yahoo.com> wrote:

My apologies for not sending a completed Request for Architectural Change in my initial e-mail. Attached is the completed form and an outline drawing showing dimensions and areas. I have not included an elevation drawing as that view will not change; the only difference is that the closet will not extend to the existing East wall. Also, I have not included a drawing of the planned bath remodel, since that will not change the exterior of the house.

Gentlemen -

We are currently planning to remodel the master bath (interior only) in order to make that facility safer and easier to use as we get older. In order to make the best bath layout for accessibility we will be taking over the space currently designated as the master closet. We would like to add on a 5 foot deep closet across the South end of the master bedroom wing. The 5 foot width is needed to provide access by wheelchair if or when that becomes necessary. The house is currently sited at 25 feet 7 inches from the rear property line (which on our neighbors lot is considered a side yard). I believe that the Second Nine CC&Rs require a 20 foot rear setback, while the city requires a 25 foot setback. I would like to discuss our plans with you onsite and address the unique needs and opportunities on our lot. I hope to get your approval to take along and present to the city when I apply for a variance of 5 feet to allow our best usage of our property. I hope that your approval, indicating that the requested 5 foot variance to the city requirement of 25 feet is consistent with neighborhood standards and should be granted will convince the city review board. The variance request must be submitted by next Tuesday to be considered at the July meeting.

I have considered an alternative layout for an addition on the West side of the house which can be made within the city required street side yard setback, however this will not work as well for the bathroom layout and will look out of character with the neighborhood. The addition on the South side will continue the lines of the existing structure and will not look out of place. The area South of the master bedroom looks like and functions as a side yard. East of that area the yard opens out to about 45 feet from the house (Kitchen and Family Room) to the rear property line. I think that this space provides a very usable back yard without including the space behind the Master Bedroom. It is my impression that this meets the intent of the setback requirements.

I look forward to discussing this with you onsite and reviewing your concerns and/or alternatives, eventually taking your approval with me to request the needed variance from the city.

R. Gilbert and Cheryl Hoffman

303 Lakeview Ct.

ph. 509-713-2002

View from patio to S/E corner of back yard



From gazebo looking W. towards Greenbrook





South wall of master bedroom. Closet would extend about the same distance as greenhouse roof.



Greenhouse would be removed.

View from neighbor's driveway at 2326 Greenbrook Blvd



West wall of house, facing Greenbrook Blvd.



2 small windows are in bathroom

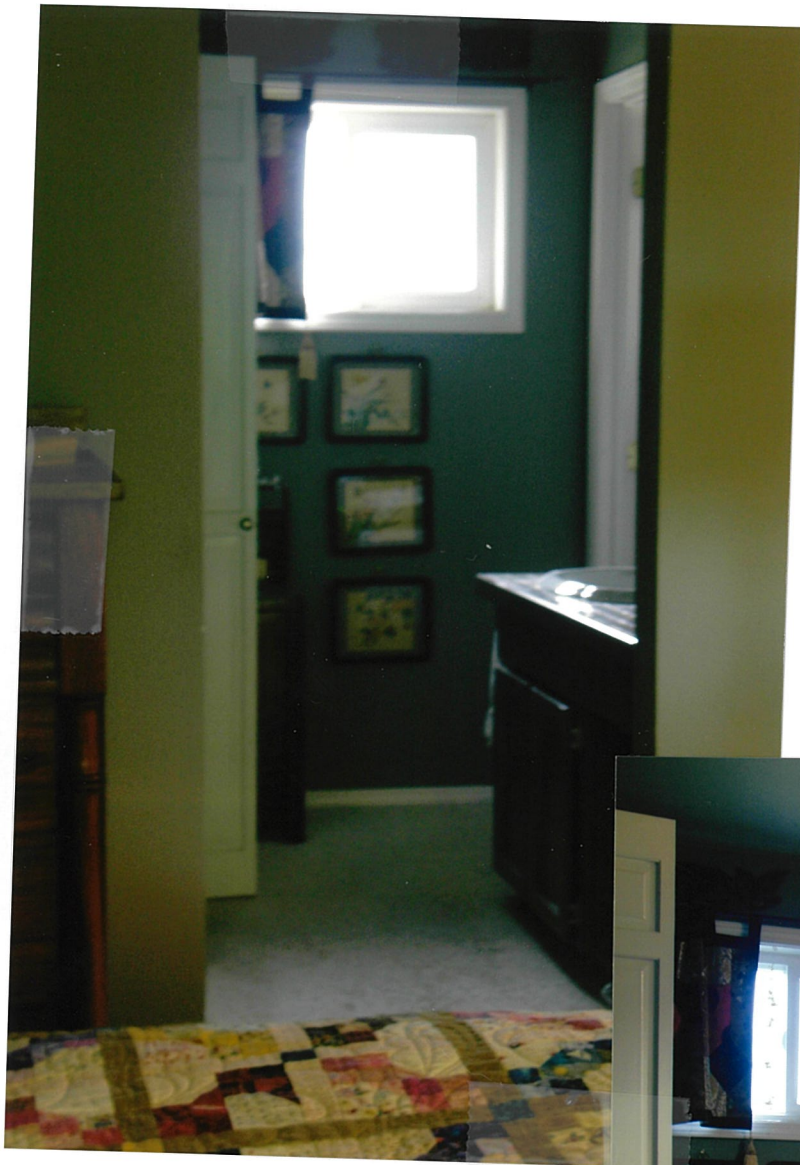
Door to new closet would be between bed & wall to the right



Closet ↓

Toilet/Shower →





Bath entry from bedroom
Toilet/shower to the
Right
Closet to the Left



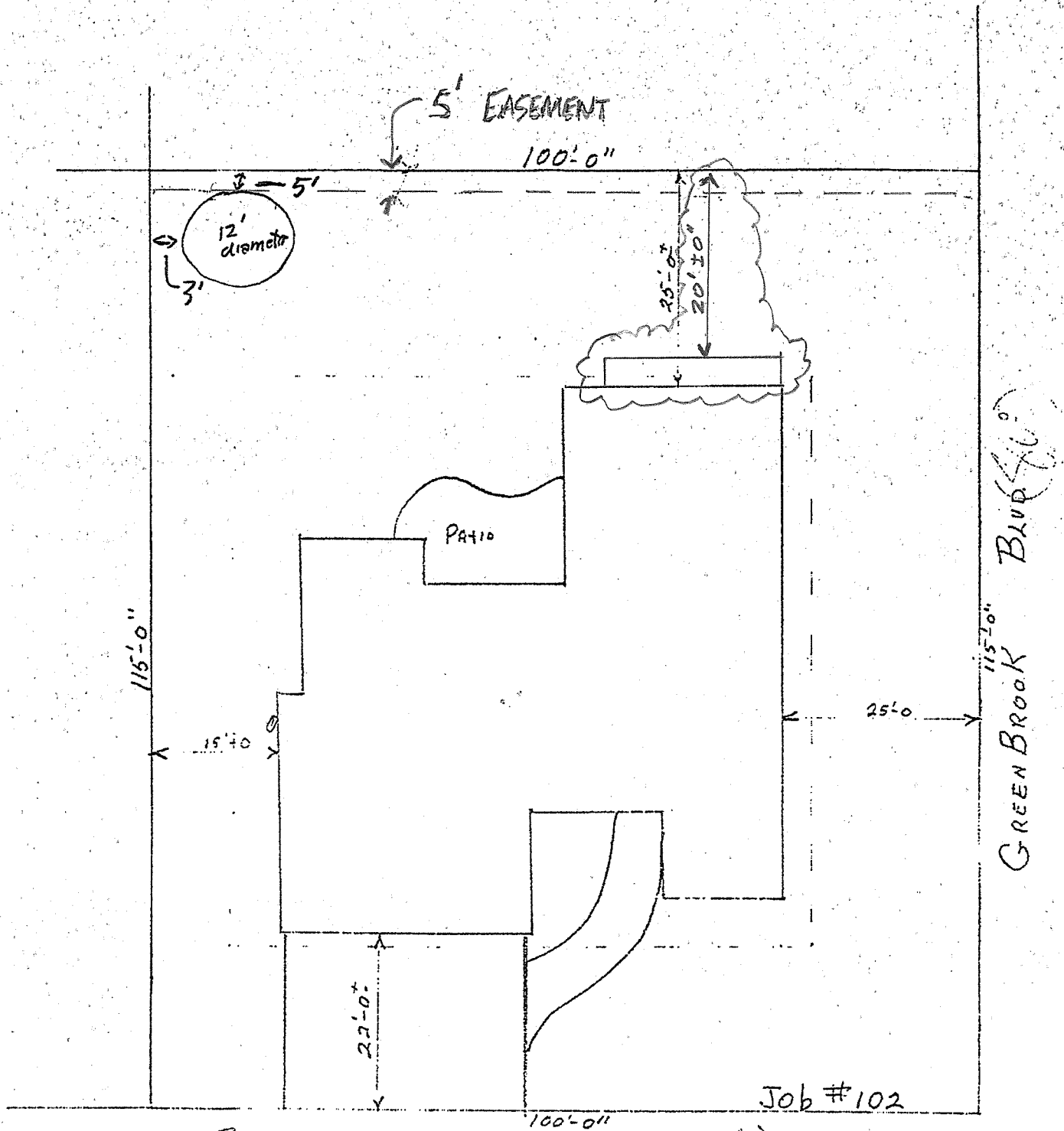


Current toilet/shower
area

probably a "staggered"
roof similar to this but
much smaller "gap"



Exhibit 2



303 LAKE VIEW COURT (60°)

LOT #19 BLOCK #6

MEADOW SPRINGS 2nd 9.

PHASE ONE
#23844

19-6



Exhibit 3

City of Richland Board of Adjustment **Notice of Application and Public Hearing**

Notice is hereby given that Gilbert & Cheryl Hoffman have filed an application for a variance to RMC 23.18.040 in order to construct a 5' x 20' residential addition to within approximately 20' of the rear property line. The property is zoned R-1-10 and RMC 23.18.040 requires that all residential structures be located at least 25' from the rear property line. The property is located at 303 Lakeview Ct., Richland, WA.

The Richland Board of Adjustment will conduct a public hearing and review of the application at 6:00 p.m., Thursday, July 18, 2019 in the Richland City Hall Council Chambers, 625 Swift Boulevard. All interested parties are invited to attend and present testimony at the public hearing. Copies of the variance application can be viewed online at www.ci.richland.wa.us.

Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Mike Stevens, Planning Manager, 625 Swift Boulevard, MS #35, Richland, WA 99352. Comments may also be emailed to mstevens@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Wednesday, July 10, 2019 to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing.



Subject Property: 303 Lakeview Ct.