



Agenda
Board of Adjustment Meeting
Thursday, January 21, 2016
City Hall Council Chamber | 505 Swift Boulevard

Board Members:

Liaisons:

Regular Meeting – 6:00 p.m.

Welcome and Roll Call

Approval of Agenda: (Approved by Motion)

Approval of Minutes: (Approved by Motion)

Public Hearing Explanation:

Unfinished Business - Public Hearing:

New Business – Public Hearing:

- I. Applicant: Jeanie Ritchie-Blaski (BA2015-102)
Request: Variance from RMC 23.38.040 to Allow for Construction of a Carport Within One Foot of a Side Yard Property Line
Location: 1205 Cottonwood Drive
- Rick Simon, Development Services Manager

Communications:

Adjournment

The next Board of Adjustment Meeting is

Richland City Hall is ADA accessible with special parking and access available at the entrance facing George Washington Way. Requests for sign interpreters, audio equipment, and/or other special services must be received 48 hours prior to the Board of Adjustment Meeting by calling the City Clerk's Office at 942-7388.



BOARD OF ADJUSTMENT AGENDA ITEM COVERSHEET

Meeting Date: 01/21/2016

Agenda Category: New Business – Public Hearing

Prepared By: Rick Simon, Development Services Manager

Subject:

Applicant: Jeanie Ritchie-Blaski (BA2015-102)

Request: Variance from RMC 23.38.040 to Allow for Construction of a Carport Within One Foot of a Side Yard Property Line

Location: 1205 Cottonwood Drive

Department:

Community & Development Services

Recommended Motion:

Motion To Concur With The Findings And Conclusions Set Forth In The Staff Report and **Approve** a variance from Richland Municipal Code Sections 23.38.040 to allow for construction of a carport within one foot of a side property line and to allow the carport to be built to a depth of 30 feet, subject to the condition that the carport include rain gutters to catch runoff and direct it away from the adjoining lot.

Summary:

The Applicant desire to construct a carport adjacent to and south of their residence. The structure would measure 14 feet by 30 feet and would extend to within one foot of the property line. On the side of the carport adjacent to the house, the carport structure would be immediately adjacent to a chimney and so would be a freestanding structure, not attached to the residence. The proposed carport would be within one foot of the property line at the front edge of the carport, but given that the property line and house are not parallel with each other, the rear edge of the carport would be setback approximately 2 feet from the property line.

Attachments:

1. BA2015-102 Staff Report



STAFF REPORT

TO: BOARD OF ADJUSTMENT
FILE NO.: BA2015-102

PREPARED BY: RICK SIMON
DEVELOPMENT SERVICES

MEETING DATE: JANUARY 21, 2016

GENERAL INFORMATION

APPLICANT: JEANIE RITCHIE-BLASKI

REQUEST: VARIANCE FROM RICHLAND MUNICIPAL CODE (RMC) SECTION 23.38.040 TO ALLOW FOR THE CONSTRUCTION OF A CARPORT WITHIN ONE FOOT OF A SIDE PROPERTY LINE, WITH THE CARPORT BEING 30 FEET IN LENGTH AND SO EXCEEDING THE CODE STANDARD OF 24 FEET.

LOCATION: 1205 COTTONWOOD DRIVE

ZONING: R-1-10 SINGLE FAMILY RESIDENTIAL

SITE DESC: 11,028 SF LOT, DEVELOPED, WITH A SINGLE FAMILY RESIDENCE, DETACHED ACCESSORY BUILDING AND SWIMMING POOL.

ADJACENT USES: SINGLE FAMILY RESIDENCES ARE LOCATED ON THREE SIDES OF THE SITE. THE BYPASS HIGHWAY IS LOCATED IMMEDIATELY WEST OF THE SITE.

SPECIFIC CODE REQUIREMENTS

23.38.040 Carports.

A. Detached carports shall comply with all requirements of an accessory building.

B. Attached carports may project into an existing or required front yard, whichever is lesser, a maximum distance of three feet and into any required rear yard a distance of 15 feet; provided, that such carport:

- 1. Is no longer than 24 feet;*
- 2. Is open on two or more sides;*
- 3. Shall not extend closer than 10 feet to the front lot line.*

C. Attached carports may project into one required side yard to within five feet of an interior lot line; provided:

1. The carport is unenclosed on the side facing the street and the side facing the nearest lot line; and

2. The slope of the carport roof surface does not exceed 45 degrees from the horizontal, over the required side yard; and

3. The carport is no longer than 24 feet.

D. Storage walls, not exceeding four feet in depth, may be utilized as supporting members of detached and attached carports.

E. Carports complying with all requirements of a main building need not comply with length and height restrictions noted in this section.

On corner lots, attached carports may project into a flanking side yard in conformity with the requirements of carports encroaching upon front yards.

REASON FOR REQUEST

The Applicant desire to construct a carport adjacent to and south of their residence. The structure would measure 14 feet by 30 feet and would extend to within one foot of the property line. On the side of the carport adjacent to the house, the carport structure would be immediately adjacent to a chimney and so would be a freestanding structure, not attached to the residence. The proposed carport would be within one foot of the property line at the front edge of the carport, but given that the property line and house are not parallel with each other, the rear edge of the carport would be setback approximately 2 feet from the property line.

STAFF FINDINGS

Conformance with Section 23.70.140. 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 configuration of this subject lot is fairly typical and at approximately 11,000 square feet in area would normally include enough area to accommodate a garage without the need for a variance. However, the lot is encumbered with easements that severely limit the placement of structures. Sewer and electrical easements that run across the back half of the property, make the westerly 51 feet of the lot unbuildable, which limits the placement of a structure on over 4,000 square feet or 37% of the lot area. Additionally, the placement of the house on the lot does not provide enough room for a 14 foot wide carport on either side of the house without a variance. Finally,

the location of an existing swimming pool and detached accessory building further restricts the possibility of placing a carport on the lot.

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

Literal interpretation of the carport setback requirement would limit the carport to no more than 10 feet in width and 24 feet in length.

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

The applicant was not responsible for the configuration of the lot nor the encumbrances created by the easements that cross the property. The applicant's residence is no larger than other homes in the neighborhood.

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. A carport is a common accessory to single family residences. Granting of the variance would provide the applicant with the ability to enjoy a carport, which is a right conferred to home owners in single family residential zones.

5. Justification for granting the variance.

The variance would allow the applicants to place the carport in the only place on the lot that is feasible to contain a carport. The existing easements and the placement of the residence, the pool and the accessory building on the lot preclude placement of a carport in any other location. Additionally, the proposed carport location would be the logical location for a carport, given the existing location of the driveway.

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

The proposed placement of the carport is the only logical and feasible location for a carport on this particular lot. The only question concerning the carport is really one of its size. Would a smaller carport be sufficient to serve the needs of the residents, rather than the 30 foot by 14 foot structure proposed? This proposed carport, while deeper than normal, is still only 420 square feet in area, which is less than the size of a standard two car garage, which is a common accessory use in the R1-10 zoning district.

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 districts 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 provide for the applicant to enjoy the benefit of a carport in the same fashion that any of his neighbors could. The neighbor who would be most impacted by the variance (1203 Cottonwood) has expressed support for the variance application. (See the letter from Wayne Tannahill that is attached.)

In order to ensure that the impacts of the carport within one foot of the property line are adequately addressed, the carport should be designed so that rain water does not runoff onto the adjacent property. With that caveat, staff maintains this proposal would not be injurious to the surrounding neighborhood or detrimental to the public welfare.

RECOMMENDED CONDITIONS:

1. The carport shall include rain gutters to catch runoff and direct it away from the adjoining lot.

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 Sections 23.38.040 to allow for construction of a carport within one foot of a side property line and to allow the carport to be built to a depth of 30 feet subject to the condition that the carport include rain gutters to catch runoff and direct it away from the adjoining lot.

EXHIBITS

- 1.** Vicinity Map
- 2.** Application
- 3.** Notice of Application & Public Hearing
- 4.** RMC 23.70.110 Variances
- 5.** Tannahill Letter





Development Services Division • Planning Section
840 Northgate Drive • Richland, WA 99352
General Information: (509) 942-7794 • Fax: (509) 942-7764

P.O. Box 190 Richland, WA 99352
www.ci.richland.wa.us

VARIANCE INFORMATION AND APPLICATION

To the applicant: Applications for variance from the Richland Zoning Ordinance (Richland Municipal Code, Title 23) are heard and decided by the Board of Adjustment, a body of five voluntary members appointed by the Mayor and confirmed by the City Council.

The Board holds its regular meeting on the third Thursday of each month. **Variance applications must be received at least 20-days prior to the Board meeting.**

To be considered at the _____ meeting, the variance application must be received on or before _____ at the Development & Permit Services Division, Current Planning Section, located at 840 Northgate Dr., Richland, Washington.

A variance application must include the following:

1. **Filing fee.**
2. **Completed and signed application form.**
3. **Plot plan** including:
 - a. Easily read scale drawing, and
 - b. Be either one (1) copy on an 8-1/2" x 11" sheet or ten (10) copies if a larger size, and
 - c. Show lot boundaries, location and dimensions of existing buildings, fences, or other structures, driveways, and proposed construction.
4. **Floor plan** where use of existing buildings is involved, a floor plan showing existing conditions and proposed changes is required. The drawing must meet the same dimension guidelines as plot plans.
5. **Ownership report** because variances are considered at a public hearing, notice of the hearing is given to surrounding and nearby properties. The Richland Zoning Ordinance requires that the applicant submit a report from a title insurance company showing:
 - a. The ownership of record of the property involved, and
 - b. An accurate legal description of the property involved, and
 - c. A list of names and addresses of all owners of record of property within 100-feet of the property involved, and
 - d. An accurate key map showing the property involved, delineating property within 100-feet of the property involved, and with properties numbered to correspond with the ownership report.
6. **Optional attachments**, such as photographs, may be helpful to illustrate subjects under discussion. Materials submitted cannot be returned and are retained for the case file.

VARIANCE APPLICATION

File No.: _____

APPLICANT INFORMATION

Name Jeanie B Ritchie-Blaski			
Address 1205 Cottonwood Dr.			
City Richland		State WA	Zip 99354
Phone Number 509-366-8217	Fax Number	E-mail/Other jeanieritchie-blaski@gourdsbyjeanie.org	
Relationship to property Owner			

OWNER OR AUTHORIZED AGENT INFORMATION (if other than applicant)

Name NA			
Address			
City		State	Zip
Phone Number	Fax Number	E-mail/Other	
Relationship to property			

Location of Property (address or general description):

1205 Cottonwood Dr., Richland, WA. 99354

Legal Description

Lot 25	Block 253	Plat Richland
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Project briefly describe the variance being requested:

South Side of Property: Request To build single carport starting at property line.All construction will stay within my property line.

Justification attach additional sheets as necessary:

- a. **Describe the physical conditions and circumstances of the property (lot shape, slope, building location, easements, etc.) and how they affect the project for which the variance is being requested:**

The driveway has a minor slope. The minor slope of the driveway will be compensated by posts of the carport to give a uniform appearance. The stand-alone structure is the best option to withstand adverse weather & to maintain the esthetics of the property. The design, color scheme, and roofing of the carport will match that of the house. There will be a fifteen to twenty foot distance from the edge of the carport to the neighbor's house, so that the area between the house and carport will not appear to be congested.

- b. **Describe how the conditions and circumstances are peculiar to the property; do not apply to other properties in the use district, and how a special privilege will not be conferred by granting of the variance:**

The property has an in-ground swimming pool located just past the end of the driveway which prevents putting a garage or carport in the backyard area. The pool was put in that location by the previous owners due to easement associated with the property. The neighbor on the north-side constructed a large garage/shop on the property line, which eliminates the option of putting in a second driveway and carport or garage on that side of the house/property. Drawings and photographs are attached.

- c. **Describe how literal interpretation of the zoning ordinance affects your rights (ability to use the property):**

If the 5' setback to parcel line is not waived, the ability to use the property is significantly reduced.

- d. **Did any of the conditions and circumstances of the property described above result from your actions?** Yes ☐ No ☒ Explain:

Property was purchased as is. The previous owner of this property gave consent for the neighbor on the north side permission to build on the property line.

- e. **Explain how the requested variance is the minimum necessary to make reasonable use of the property:**

The requested variance allows for the optimal structural design to withstand the adverse winds and to ensure the esthetics of the property is maintained.

- f. **Explain how the requested variance will be in harmony with the purpose and intent of the zoning ordinance will not be injurious to the neighborhood, or detrimental to the public welfare:**

The constant improvements we have made to the property have helped raise property values throughout the neighborhood, which meets the core intent of the zoning ordinance.

I DECLARE UNDER PENALTY OF THE PERJURY LAWS THAT THE INFORMATION I HAVE PROVIDED ON THIS FORM/APPLICATION IS TRUE, CORRECT AND COMPLETE.

Jamie Ritchie - Blaske
Applicant Signature

12-14-2015
Date

Owner or Authorized Agent Signature(s)

Date

FOR OFFICE USE ONLY

Approved by

Date

1. Filing fee.
2. Completed and signed application.
3. Plot plan.
4. Floor plan.
5. Ownership Report.

Optional attachments

specific carport dimensions
 335.00



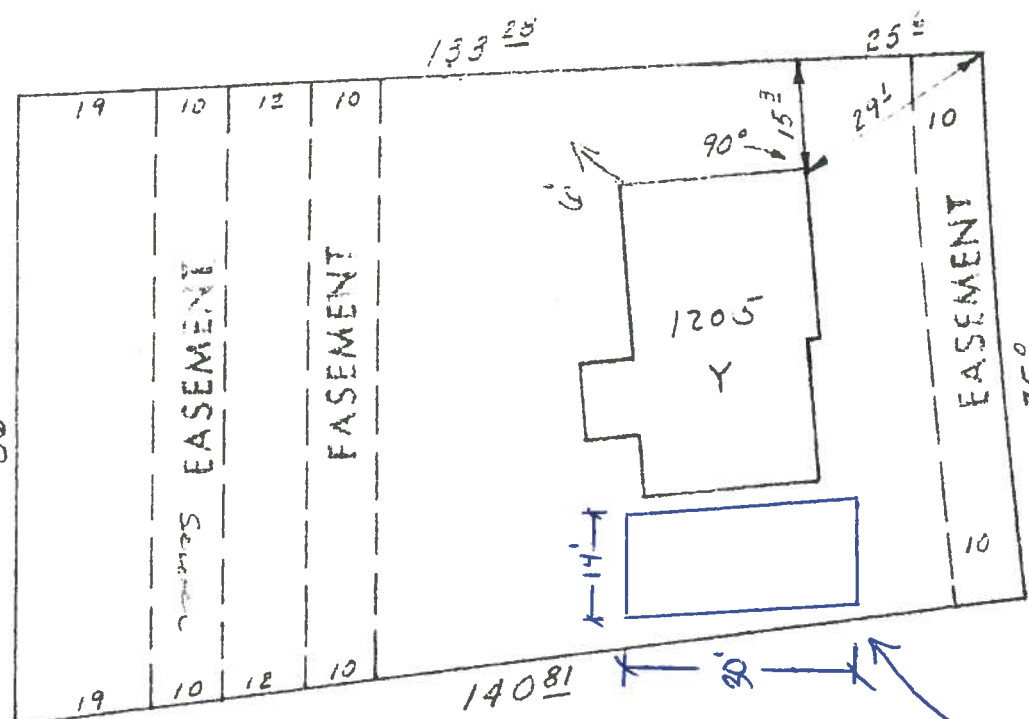
1064

The carport roof will be the same length as the roof line of the house from front to back

12-14-15

Tommy Rivard
 Rivard Remodeling LLC

Tommy Rivard



SCALE: 1" = 25'

LOT 25 BLOCK 253
 PLAT OF RICHLAND
 BENTON COUNTY WASH.

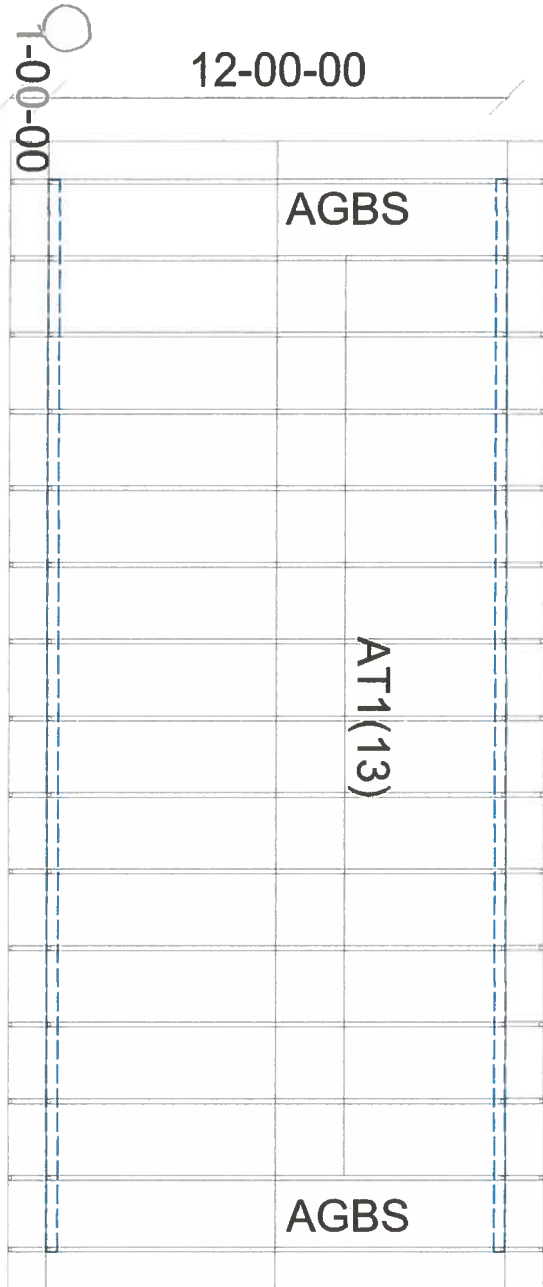
I hereby certify I have examined the above described property and find the improvements to be situated thereon as shown and the same are not encroachments.

Date 11-8-55

40 SCALE 12-8
 50 " 34
 FIELD



Roof Area = 442.72



Carport is 14' x 30' that includes
a 1ft soff. + all the way around.

Tommy Rivard
Tommy Rivard
Rivard Remodeling LLC
12-4-15

LOADING 25-8-10
COMP.
4/12 PITCH
12" OH PC
FLAT CEILING

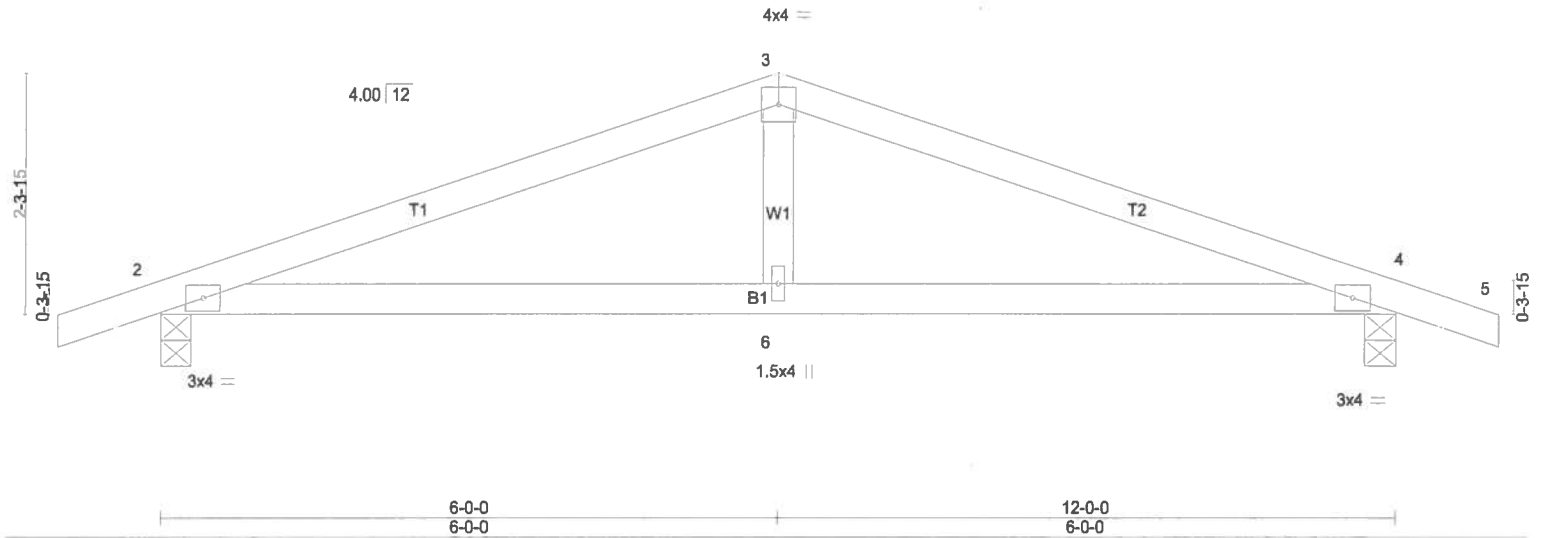


Lumber Yard
Contractor
Job Name
Job Number

TRUSWAY
Rivard Remodeling
Jennie
B152063

Job	Truss	Truss Type	Qty	Ply	Rivard Remodeling
B152063	AT1	CL	13	1	
Job Reference (optional)					
7.620 s Apr 30 2015 MITek Industries, Inc. Thu Nov 19 09:30:24 2015 Page 1					
ID:ZAwGPEXX3RguNr?k0y_brAyHdrl-w8j9SybftziATduipWamYETK?l?wrsCT4vxGmSyHdrl					
TRUS-WAY INC., Sunnyside, WA					
-1-0-0	6-0-0	12-0-0	13-0-0		
1-0-0	6-0-0	6-0-0	1-0-0		

Scale = 1:22.4



LOADING (psf)		SPACING-		CSI.		DEFL.		PLATES		GRIP	
TCLL	25.0	Plate Grip DOL	1.15	TC	0.24	Vert(LL)	-0.02 6-12 >999 240	MT20		220/195	
TCDL	8.0	Lumber DOL	1.15	BC	0.19	Vert(TL)	-0.06 6-12 >999 240				
BCLL	0.0	Rep Stress Incr	YES	WB	0.07	Horz(TL)	0.01 4 n/a n/a				
BCDL	10.0	Code IRC2012/TPI2007		(Matrix-M)							
								Weight: 39 lb FT = 20%			

LUMBER-
TOP CHORD 2x4 DF No.1&Btr
BOT CHORD 2x4 DF No.1&Btr
WEBS 2x4 DF Stud

BRACING-
TOP CHORD Sheathed or 6-0-0 oc purlins.
BOT CHORD Rigid ceiling directly applied or 10-0-0 oc bracing.

MITek recommends that Stabilizers and required cross bracing be installed during truss erection, in accordance with Stabilizer Installation guide.

REACTIONS. (lb/size) 2=582/0-3-8 (min. 0-1-8), 4=582/0-3-8 (min. 0-1-8)
Max Horz 2=38(LC 8)
Max Uplift 2=-127(LC 4), 4=-127(LC 5)

FORCES. (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 2-3=-892/181, 3-4=-892/176
BOT CHORD 2-6=-226/954, 4-6=-198/954

NOTES-

- 1) Unbalanced roof live loads have been considered for this design.
- 2) Wind: ASCE 7-10; Vult=110mph (3-second gust) V(IRC2012)=87mph; TCDL=4.2psf; BCDL=6.0psf; h=25ft; Cat. II; Exp C; enclosed; MWFRS (envelope) automatic zone; cantilever left and right exposed; end vertical left and right exposed; Lumber DOL=1.33 plate grip DOL=1.33
- 3) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
- 4) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 127 lb uplift at joint 2 and 127 lb uplift at joint 4.
- 5) This truss is designed in accordance with the 2012 International Residential Code sections R502.11.1 and R802.10.2 and referenced standard ANSI/TPI 1.
- 6) "Semi-rigid pitchbreaks with fixed heels" Member end fixity model was used in the analysis and design of this truss.

LOAD CASE(S) Standard

1205 Cottonwood Dr. Parcel ID 110982020253025 Lot 25 Block 253 Plat Richland



Pool and pool pump behind drive way fence





CITY OF RICHLAND

NOTICE OF PUBLIC HEARING

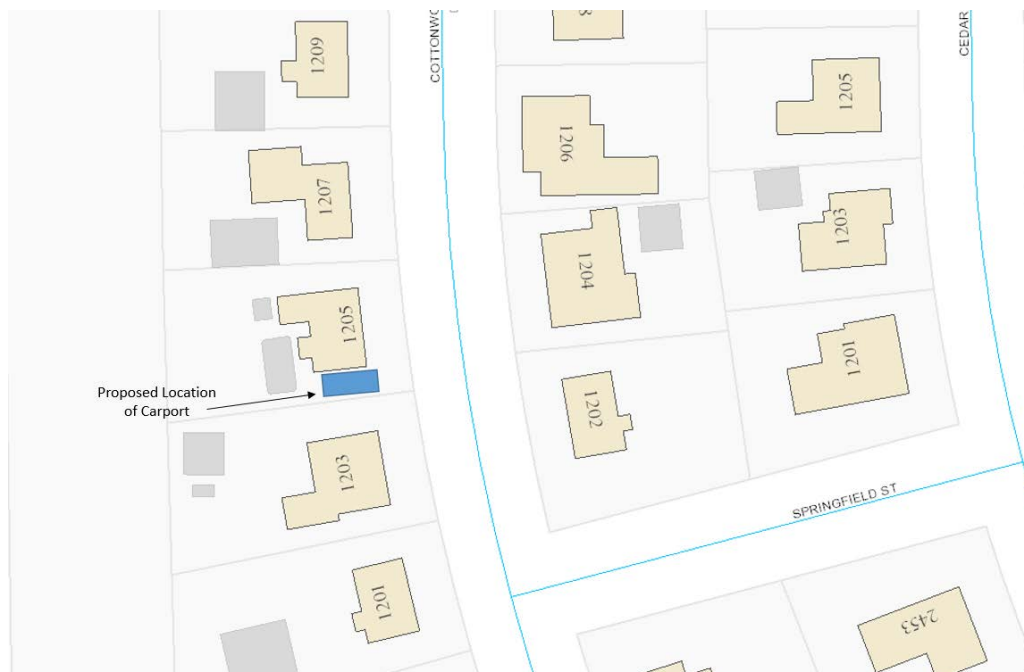
Notice is hereby given that the Richland Board of Adjustment on Thursday, January 21, 2016, at 7:00 p.m. in the Council Chamber at Richland City Hall (505 Swift Blvd.) will conduct a public hearing and review on the application of:

Applicant: Jeanie Ritchie-Blaski (BA2015-102)
Request: Variance from Richland Municipal Code (RMC) Section 23.38.040 to allow for construction of a carport within one foot of a side property line.
Location: 1205 Cottonwood Drive
Legal: Lot 25, Block 253 of the Plat of Richland

Any persons having interest in this matter are invited to attend and be heard at the public hearing. Written comments may be mailed to Rick Simon, Development Services Division, P.O. Box 190, Richland, WA 99352. Comments may also be faxed to 942-7764 or sent by e-mail to rsimon@ci.richland.wa.us. All written comments received prior 5:00 p.m. on January 14th will be provided to the Board of Adjustment prior to the hearing. Any comments received after January 14th will be presented to the Board of Adjustment at the hearing.

Copies of the staff report will be available for review in the Richland Development Services Center, 840 Northgate Drive, starting Friday, January 15, 2015.

Rick Simon, Secretary
Richland Board of Adjustment



23.70.110 Variances – Applications.

A variance from the terms of this title shall not be granted by the board of adjustment unless and until a written application for variance is submitted demonstrating:

- A. That special conditions and circumstances exist which are peculiar to the land, structures, or building involved and which are not applicable to other lands, structures, or buildings in the same district.
- B. That literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this title.
- C. That the special conditions and circumstances do not result from the actions of the applicant.
- D. That granting the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, structures, or buildings in the same district. [Ord. 28-05 § 1.02].

23.70.120 Variances – Application – Plans.

The application shall be accompanied by a report from a title insurance company showing ownership of record of the property involved, an accurate legal description of the property involved, and a list of the names and addresses of all owners of record of property within 100 feet of the proposed variance, and such fees as are required by this title. In addition, the report shall include an accurate key map showing the property involved and delineating the property within 100 feet of the proposed variance. Each parcel falling wholly or partly within the 100-foot distance shall be numbered to correspond with the ownership report.

The application shall also be accompanied by a plot plan of the property showing location and dimensions of existing and proposed improvements and proposed location of accessory facilities such as automobile parking areas. If new building construction is involved, tentative plans and sketches shall also be submitted. Where use of existing buildings is involved, a floor plan showing existing conditions and proposed changes shall be submitted. [Ord. 28-05 § 1.02].

23.70.130 Variances – Notices – Hearings.

Written notice of public hearing shall be addressed through the United States mail to the property owner requesting the variance and to the owners of record of all property within 100 feet of the exterior boundaries of subject property pursuant to the title insurance company report required by RMC [23.70.120](#). Notice of the time and place of the hearing shall also be published at least once in the official newspaper of the city. Both published and mailed notices shall be given at least 10 days in advance of the public hearing. [Ord. 28-05 § 1.02].

23.70.140 Variances – Findings.

The board of adjustment shall make findings that the requirements of RMC [23.70.110](#) have been met by the applicant for the variance. The board of adjustment shall further make a finding that the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, structure, or buildings. The board of adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this title, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare. [Ord. 28-05 § 1.02].

Wayne D. Tannahill
1203 Cottonwood Dr.
Richland, Washington 99354

December 5, 2015

I Wayne D. Tannahill, owner of record of property within 100-feet of the property involved, agree with my neighbor, Jeanie Ritchie-Blaski, who lives at 1205 Cottonwood Dr., to build their carport as they see fit.

Please grant their variance application.

Wayne D. Tannahill

Wayne D. Tannahill Date 12/5/15