

LAND USE VARIANCE: NIMZ (964103)

Jennifer Kreifels

Pierce County Land Use and Environmental Review

August 18, 2021

Key Peninsula Advisory Land Use Commission

Proposal

- Applicant is requesting to reduce the setback at the side property line along the south from 10 feet to 8 feet and at the rear property line to the west from 30 feet to 8 feet in the Rural 10 (R10) zone.
- The proposal is to construct a detached 660 sf workshop and 462 sf carport with 660 sf second floor for office space and storage totaling 1,782 sf.
- Serviced by Peninsula Light, Gehrke Water and On-site septic.

- 18922 Bayview Rd. N.W. became a legal lot thru Short Plat (SP) 76-272 as Lot 1.
- The County Assessor lists the parcel as 0022347001 and 0.28 acre.
- The existing home is 1,024-sf and built in 2002.
- Access is from Bayview Rd. N.W.
- There is some sloping to the far west and approximately 20-30% slopes at the east.
- The lot is square in shape, 12,196 sf, and has septic components on 3 sides.
- Site is relatively flat where the addition is proposed at the south.
- Currently, there is no covered parking.

2020 County Aerial



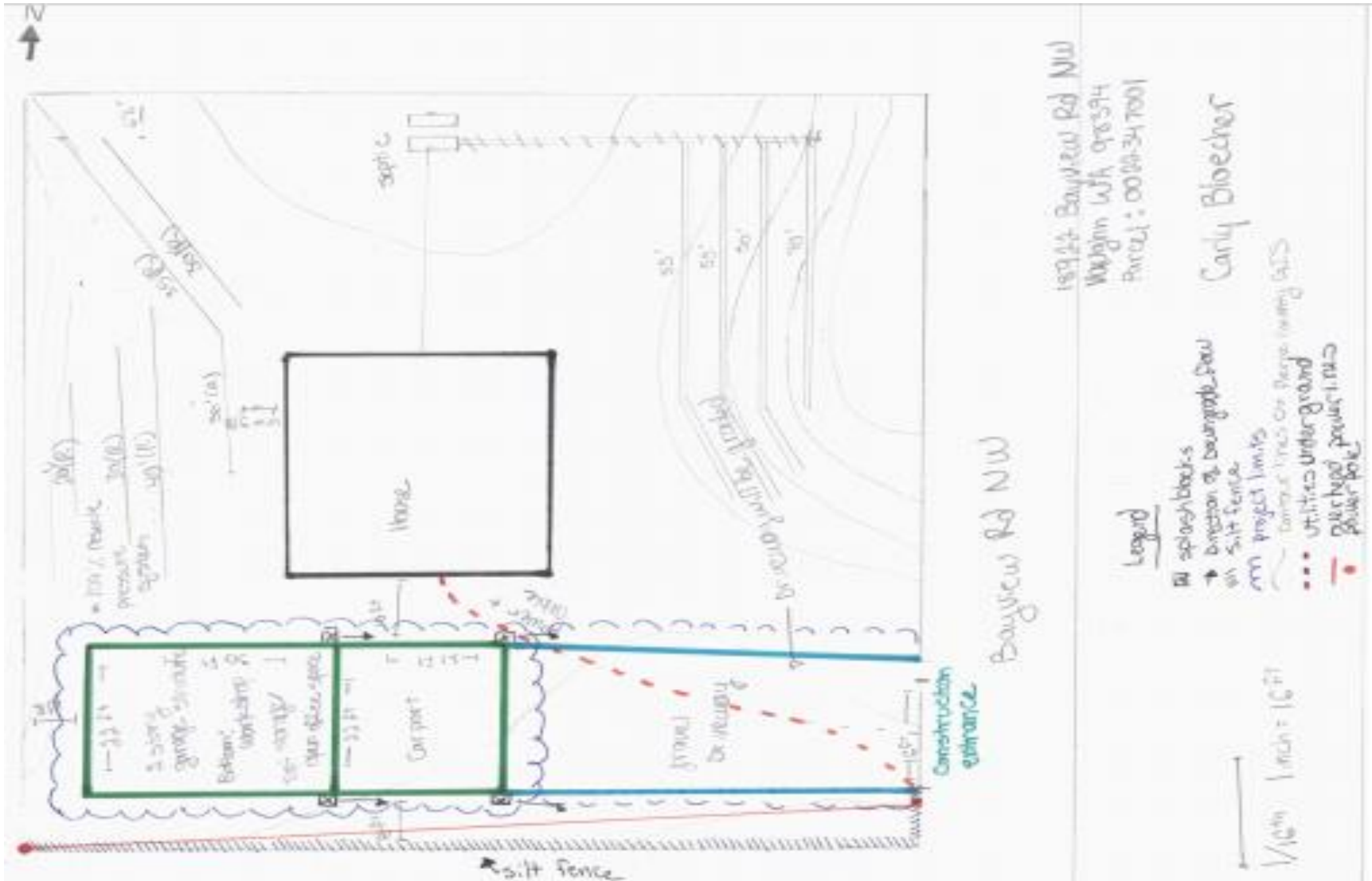
Zoning Map



The map features are approximate and are intended only to provide an indication of land location. Additional areas that have not been mapped may be present. This is not a survey. Development and other data may not align. The County assumes no liability for variations ascertained by actual survey. ALL DATA IS EXPRESSLY PROVIDED "AS IS" AND "WITH ALL FAULTS". The County makes no warranty of fitness for a particular purpose.

Date: 7/20/2021 10:23 AM

Proposed Site Plan



Agency, Staff and Public Comments

- The proposed project has been routed to interested departments and agencies for review. Additional comments may be forthcoming.
- No comments, corrections or requests for additional information have been received from other departments.
- The following letters in support of the proposal were received from adjacent neighbors via email August 15, 2021:
 - Robert W. Dressel JR., 19015 99ths St. N.W., dated August 12, 2021
 - Paul and Amanda Pena, 19017 99th. St. N.W., dated July 26, 2021

Variance Findings

- The Variance Findings are as follows:
 1. Special Circumstances to the subject property – Size of lot, location of septic drainfields and tanks, location of power pole and sloped topography.
- The south side is the only area for placement of the proposed structure.
- Staff finds that Review Criteria 1 is met with regard to the southern side yard setback given the need for a detached structure to be a minimum of 10 feet from the house for building code requirements.
- Staff does not find that Criteria 1 is met with regard to the west rear yard as there would be no constraints preventing the construction of a standard two-car garage without encroaching into the 30-foot rear yard setback.

Variance Findings continued:

2. Staff agrees that a two-car garage is a substantial property right or use commonly possessed and enjoyed by other properties in the same vicinity and zone; however, staff finds the structure to be larger in size than what is typically regarded as a substantial property right for a residential vehicle garage. Staff does not find that a two-car garage and an attached two car carport is commonly associated with a single-family home.



Variance Findings continued:

- The subject site is smaller in area than many adjacent parcels so it would stand to reason that an accessory structure would also be smaller in size than the surrounding properties.
- The applicant has the option to build a smaller accessory structure to meet setbacks and benefit from this substantial property right.
- Staff finds that approval of a 22-foot-wide garage with an additional 8 feet in length for a workshop area would comply with the criteria as a substantial property right similar to those in the vicinity.



Variance Findings continued:

- Staff finds that a 22x30 foot structure that encroaches 2 feet into the 10-foot side yard and 6 feet into the 30-foot rear yard would meet Review Criteria 2. A building of this size would allow the applicant to retain the existing storage shed that is located in the southwest corner of the lot.
- Staff does not find that an attached 22x21 foot attached carport would meet Criteria 2.

Variance Findings continued:

3. No evidence that granting this variance will be materially detrimental to the public welfare or injurious to the property.
4. The variance is consistent with the Comprehensive Plan and applicable Key Peninsula Community Plan.
5. There is no evidence of significant adverse environmental impact.

Does the KPAC believe that the applicant is meeting the Variance Use Permit Requirements?

QUESTIONS?

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