VARIANCE:

JENNINGS

#972076

Adonais Clark
Pierce County Planning & Public Works

December 6, 2021      South Hill Advisory Commission
Request to allow the construction of an Accessory Dwelling Unit (ADU), that will be within 100 feet of the principal dwelling and in front of the principal dwelling rather than no closer to the front lot line than the front edge of the principal dwelling.
A Variance application (#972076) was submitted on September 29, 2021. The project is, therefore, vested to the rules and regulations in effect on September 29, 2021.

The proposal is exempt from SEPA environmental review in accordance with WAC 197-11-800 (6)(e).

The Notice of Application was distributed on October 21, 2021.

The Initial Project Review was mailed on November 30, 2021.

The SHAC meeting is scheduled for December 6, 2021.
Zoning = High Density Single Family (HSF)
Looking southerly at the front yard and the proposed location of the ADU
Looking easterly at the back yard. The house is to the left, just outside the picture.
Title 19A – Pierce County Comprehensive Plan

• **Title 19A – Pierce County Comprehensive Plan**

• **AFFORDABLE HOUSING**
  • GOAL H-7 Create solutions for affordable housing issues that benefit all economic segments of the population.
  • H-7.9.1 Encourage provision of units through various types of housing structures.

• **Title 19A, Appendix J – South Hill Community Plan**

• **LAND USE POLICIES**

• **GENERAL**
  • GOAL SH LU-3 Reverse the existing pattern of residential and commercial sprawl. This should be accomplished by:
  • SH LU-3.2 Providing for a variety of housing types and densities throughout residential zones.
18A.15.040 Setback and Height

<table>
<thead>
<tr>
<th>Urban Zone Classification (All County)</th>
<th>Minimum Building Setback (feet)</th>
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<tbody>
<tr>
<td></td>
<td>Front - Arterial</td>
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<tr>
<td>HSF - High Density Single Family</td>
<td>25</td>
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</tbody>
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*Staff Comment:* 118th Street East is a non-arterial road. The front yard setback is 15 feet. The side yard setback is 5 feet. The rear yard setback is 8 feet.
18A.37.120 Accessory Dwelling Unit (ADU).

C. **Design.** The following standards shall apply when the separation between the principal dwelling and proposed accessory dwelling is less than 100 linear feet:

2. Detached ADUs shall be no closer to the front lot line than the front edge of the principal dwelling.

*Staff Comment:* The proposal is to construct a detached ADU within 100 feet of the principal dwelling and in front of the front edge of the principal dwelling.
18A.75.040 Variances.

C. **Review Criteria.** Before any variance may be granted, it shall be shown that:

1. There are special circumstances applicable to the subject property or to the intended use such as shape, topography, location, or surroundings that do not apply generally to the other property or class of use in the same vicinity and zone;

*Staff Comment:* The southern quarter of the project site contains an approximate 24% slope. The southern portion of the two parcels to the east also contain steep slopes. The remainder of the parcels in the same vicinity and zone do not contain steep slopes. The project site is served by an individual septic system. It appears that all the other properties in the same vicinity are also served by individual septic systems. The reserve drain field is in the back yard. A structure must be a minimum of 10 feet from the reserve drain field.

2. Such variance is necessary for the preservation and enjoyment of a substantial property right or use possessed by other property in the same vicinity and zone but which because of special circumstances is denied to the property in question;

*Staff Comment:* Many, but not all, of the properties in the vicinity are able to construct an ADU in their backyard. Some of the properties in the vicinity are too small to have an ADU. It does not appear that any of the other properties in the same vicinity contain an ADU.
3. The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvement in such vicinity and zone in which the subject property is located;

*Staff Comment:* The proposed ADU will be required to comply with the required minimum front yard, rear yard, and side yard setbacks. The parcel to the west is forested and vacant and is owned by Tacoma Public Utilities. The granting of a variance will not be materially detrimental to the public welfare or injurious to the property in the vicinity of the subject property.

4. The granting of such variance is consistent with the Comprehensive Plan including any applicable Community Plan;

*Staff Comment:* The granting of a variance is not inconsistent with the Comprehensive Plan or the South Hill Community Plan.

5. No significant adverse environmental impact will be caused as a result of the variance approval.

*Staff Comment:* The construction of the ADU will be required to comply with Pierce County’s Critical Areas regulations. No wetlands, streams, or steep slopes are located where the ADU is proposed to be located. No significant adverse environmental impact will be caused as a result of the variance approval.
County staff has reviewed this proposal for compliance with all applicable policies, codes, and regulations. The County finds, based on an initial project review, that the proposal does not appear to be consistent with the applicable land use codes and regulations and that staff will be recommending denial of the proposal.
QUESTIONS?
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