

# Initial Project Review

## Wetland Variance: Vetsch, Gary

**Application Number: 983974**

**Tax Parcel Number: 4450400201 (formally 4450400200 & 4450400190)**

**Key Peninsula Advisory Commission (KPAC) Meeting: May 18, 2022 at 6:30 p.m.** via zoom: Although COVID 19 restrictions on gatherings have been relaxed, the State Emergency Declaration is still in effect. This meeting will be held remotely and may be held in person. To participate in the meeting remotely, visit [www.Zoom.com](http://www.Zoom.com) and click “Join A Meeting” or call 253-215-8782. Refer to the Meeting ID and Password listed below. For additional questions regarding how to participate remotely and the in person public meeting process, contact Danica Williams at [danica.williams@piercecountywa.org](mailto:danica.williams@piercecountywa.org) or at (253) 798-7156.

Join Zoom Meeting:

<https://piercecountywa.zoom.us/j/93079091741?pwd=T25jTzV2UFdhOVpLcm9wZTREbm1DZz09>

**Meeting ID:** 930 7909 1741

**Passcode:** 7156

**Proposal:** Construct / remodel existing residential structure. Install Single-Family Septic System on one lot, formally two Lots. In order to allow for these development actions, the applicant is proposing to reduce the 150-foot Category II wetland buffer to a 28-foot minimum with a 15-foot building setback.

**Project Location:** This site is in the Key Peninsula area of unincorporated Pierce County, located at 730 East Madrona Blvd NW & 712 East Madrona Blvd NW, Within the NE, NW, SE & SW ¼ of Section 32, T21N, R1W, W.M., in Council District #7.

**Staff Review:** County staff has reviewed this proposal for compliance with all applicable policies, codes, and regulations. Staff intends to recommend **approval** to the Hearing Examiner, subject to regulatory requirements and recommended conditions of approval.

**State Environmental Policy Act (SEPA):** SEPA Review is not required for this proposal.

**County Contact:** Jamison Grzyb, Environmental Biologist, (253) 548-5802,  
[jamison.grzyb@piercecountywa.gov](mailto:jamison.grzyb@piercecountywa.gov)

**Pierce County Online Permit Information:**

<https://pals.piercecountywa.gov/palsonline/#/permitSearch/permit/documents?applPermitId=983974>



## Project Data

Complete Application Date: March 17, 2022

Initial Project Review Mailed: May 11, 2022

Property Owners/Applicant: Gary Vetsch  
4032 – 152<sup>nd</sup> Place SW  
Lynnwood, WA 98087  
[vetschgary@gmail.com](mailto:vetschgary@gmail.com)  
[gvetsch@tradeproducts.com](mailto:gvetsch@tradeproducts.com)

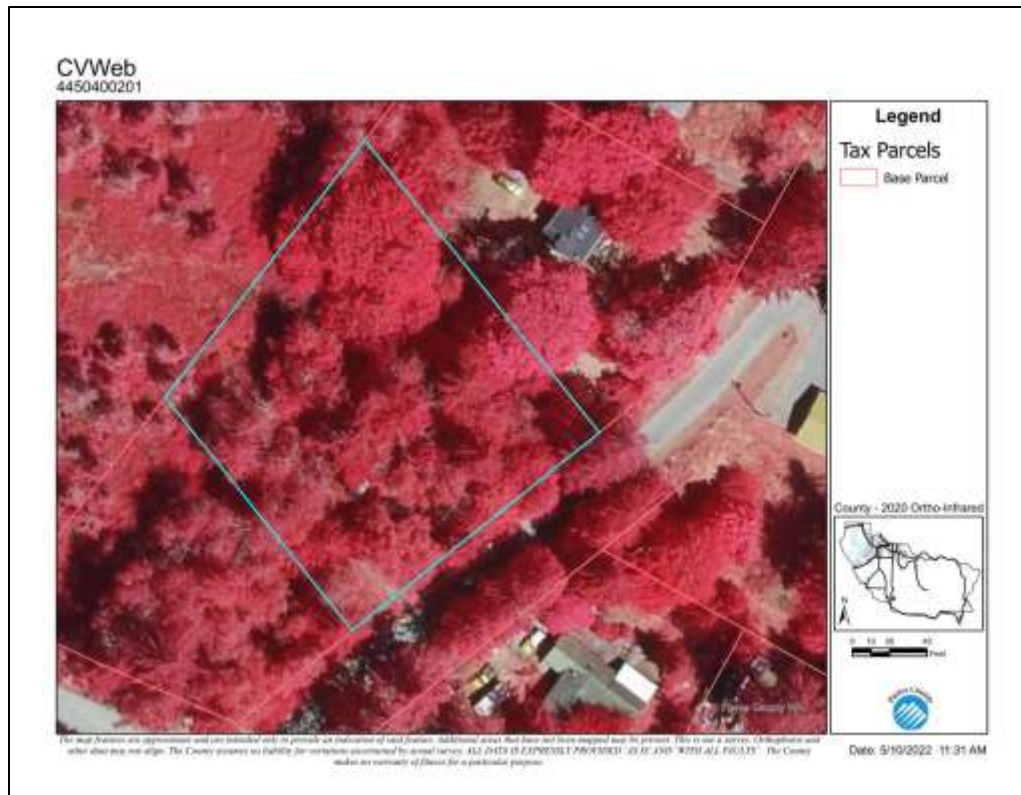
## Legal Notice

- *March 29, 2022:* Notice of Application, including the Key Peninsula Advisory Commission (KPAC) public meeting information, was sent to property owners within a radius of 300 feet, but not less than two parcels deep, around the exterior boundaries of the subject property.
- *April 10, 2022:* The site was posted with a public notice sign and confirmed with a Declaration of Posting.
- *May 4, 2022:* Legal notice was published in the official County newspaper (*Tacoma News Tribune*) advertising the KPAC public meeting.

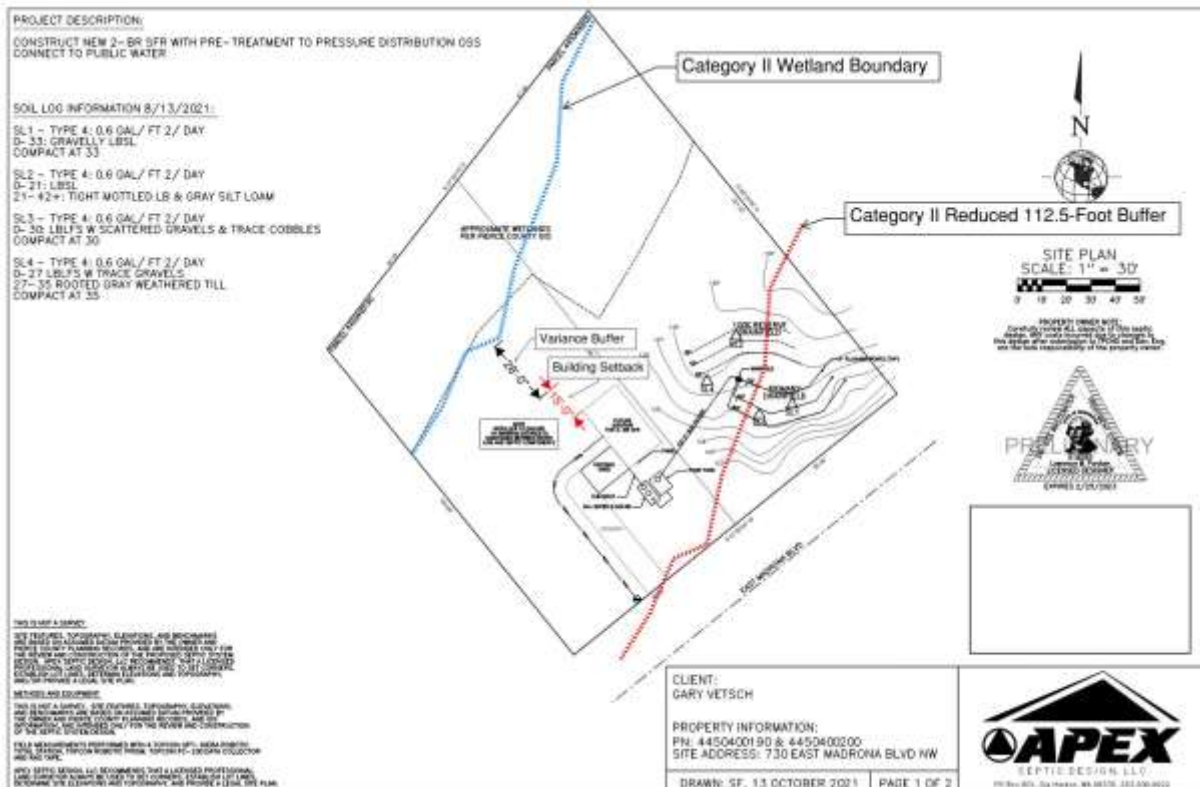
## 2020 Aerial Photo



# Infrared Aerial 2002



# Wetland Map and Proposed Site Plan Dated October 13, 2021



**Site Characteristics:**

- The parcel is rectangular in shape and 0.7062 acres in size. The parcel has a ridgeline centrally located from the western to eastern boundary which slopes downward to a pond on the northern boundary and to the roadway on the southern boundary.
- A Category II wetland has been identified on the on the northern boundary of the parcel.
- The wetland is classified as depressional wetland. The buffers consist mainly of shrubs, herbaceous plants and trees.
- Due to critical area constraints, the applicant has proposed to reduce the required 150-foot Category II wetland buffer to a 28-foot minimum with a 15-foot building setback. A mitigation plan to plant native species will be required. Fencing along the buffer boundary will also be required.

**Surrounding Land Use and Zoning Designation**

LAND USE		ZONING
North	Municipal	Rural 10
South	Roadway	Rural 10, Rural Neighborhood Center
West	Vacant Land Undeveloped	Rural 10
East	Single Family Residence	Rural 10

**Review Responsibility**

The following list includes jurisdictional areas for County departments and divisions involved in the review and administration of this proposal:

- A. Planning and Public Works (PPW):
  - Current Planning verifies compliance with the Pierce County Comprehensive Plan, Key Peninsula Advisory Commission, and development regulations including zoning, critical areas, design review and potential environmental impacts.
  - Wetland and Fish & Wildlife Section reviews for site constraints for wetlands or fish and wildlife.
  - Development Engineering reviews for drainage, erosion control, site development, flood, survey, landslide and erosion hazard, lot dimensions and road standards.
- B. Tacoma-Pierce County Health Department reviews for wastewater disposal and potable water.

**Review Criteria**

The following regulations and policies shall be used during the review process including, but not limited to:

- A. Pierce County Development Regulations.
- B. Pierce County Comprehensive Plan and Key Peninsula Advisory Commission
- C. Applicable state statutes.
- D. All applicable notes on related previously recorded County documents.

## Agency and Staff Review Comments

The proposed project has been routed to interested departments and agencies for review. Additional comments may be forthcoming. To date, no comments have been received from neighbors or the public. No comments, corrections or requests for additional information have been received from other departments or agencies.

## PPW Staff Review for Consistency with Applicable Land Use Policies and Regulations

The proposal is subject to review for conformance with Pierce County plans, codes and regulations.

### Governing Regulations:

Title 18E Development Regulations – Critical Areas Revised 6-19 Amended Ord. 2019-59

#### 18E.20.020 Regulated Uses and Activities

- A. Unless the requirements of the Title are met, Pierce County shall not grant any approval or permission to alter the condition of any land, water, or vegetation, or to construct or alter any structure or improvement regulated through the following: building permit, commercial or residential; binding site plan; franchise right-of-way construction permit; site development permit; right-of-way permit; shoreline permits; short subdivision; large lots; use permits; subdivision; utility permits; or any subsequently adopted permit or required approval not expressly exempted by this Chapter.

#### 18E.30.040 Wetland Standards

- A.6 Unless otherwise allowed by PCC1 18E.030.040 B. or C., in no case shall the Department allow development to occur closer to a wetland boundary than 75 percent of the buffer size as determined through use of PCC 18E.30.060 and Appendix F. An applicant who wishes to modify a buffer beyond these limits must pursue a variance as defined within PCC 18E.20.060.

#### 18E.20.060 Variances

- A. General. An applicant who seeks to reduce a wetland buffer below the provisions of PCC 18E.30.060 or the Wetland Standards of PCC 18E.30.040, or a critical fish and wildlife habitat buffer below the provisions of PCC 18E.40.060, or the Fish and Wildlife Habitat Conservation Area Standards of PCC 18E.40.040 may pursue a variance.

- A. That 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 other properties;**

Staff Comment: The parcel has a shallow area for development and terrain sloping up from the road that fronts the sites providing the best building area at the top of slope

Section 18E.30.040 A.6. allows development within the wetland buffer but states that "...in no case shall the Department allow development within a buffer to occur closer to a wetland boundary than 75 percent of the buffer size..." Even with a reduction of the buffer to 112.5 feet in width (75 percent of the required 150-foot buffer) there is not enough room to place a single-family residence and septic system.

**B. That the applicant has avoided impacts and provided mitigation to the maximum practical extent;**

Staff Comment: The applicant has combined two lots into one parcel to develop one homesite and drainfield area minimizing impacts through modest use.

**C. That the buffer reduction proposed through the variance is limited to that necessary for the preservation and enjoyment of a substantial property right or use possessed by other similarly situated property, but which because of special circumstances is denied to the property in question; and**

Staff Comment: The land is in a residential community on Herron Island where most landowners build vacation or retirement homes. The proposal is in keeping with the surrounding community. The impact from buffers would deny all use.

**D. Granting the wetland variance will not be materially detrimental to the public welfare or injurious to the property or improvement.**

Staff Comment: There is no impact anticipated that would be detrimental to the community. All proposed activity is in keeping with standard development practices and will employ all measures required by the departments overseeing development

The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements because it will be the minimum disruption to the buffer area. Only an improved driveway access and utilities to the minimum width allowable would be located within the buffers. All other site improvements would be located outside of the reduced buffer and buffer setbacks.

**Title 18D - Environmental**

The proposal is not subject to environmental review under the State Environmental Policy Act (SEPA).

**Question from Staff for the KPAC:**

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