



STAFF REPORT

TO: BOARD OF ADJUSTMENT
FILE NO.: BA2022-101

PREPARED BY: MIKE STEVENS
DEVELOPMENT SERVICES

MEETING DATE: MAY 19, 2022

GENERAL INFORMATION

APPLICANT: LEVEL UP GENERAL CONSTRUCTION

REQUEST: VARIANCE TO RMC 23.18.040 TO ALLOW CONVERSION OF AN ATTACHED ELEVATED DECK/PATIO NOT MEETING MINIMUM REAR YARD SETBACK REQUIREMENTS OF THE R-1-10 ZONE

LOCATION: WEST SIDE OF MEADOWS DRIVE SOUTH; APPROXIMATELY 435 FEET EAST OF DAVISON AVENUE

ZONING: R-1-10 (LOW-DENSITY RESIDENTIAL)

LEGAL
DESCRIPTION: PLAT OF THE MEADOWS SOUTH, LOT 4

ADJACENT USES: THE SITE IS BORDERED BY SINGLE-FAMILY HOMES TO THE NORTH, SOUTH, AND EAST; A PRIVATE GOLF COURSE BORDERS THE SITE TO THE WEST.

REASON FOR REQUEST

The applicant is requesting a variance from RMC 23.18.040 (Site requirements for residential use districts) to authorize the replacement, enlargement and partial covering of an attached, elevated deck with stairs not meeting the minimum rear yard setback requirement of the R-1-10 zone, which is 25-feet (RMC 23.18.040).

Specifically, the proposal consists of the removal and re-construction of a second-story deck (slightly enlarged), construction of an approximately 20' x 16' cover over the center portion of the new deck (which will also cover the existing deck and stairs leading from the ground to the second-story deck).

RICHLAND MUNICIPAL CODE PROVISIONS

RMC 23.18.040 (Site requirements for residential use districts) applies a twenty-five-foot minimum rear yard setback to primary structures. For convenience, the pertinent setback requirement is highlighted below.

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

614 Meadows Drive South is a 9,600 square-foot (0.22-acre) lot containing an approximately 3,086 square-foot single-family home. The lot is a rectangle measuring 80-feet in width and 120-feet in depth. Adjacent parcels to the north and south are similarly sized and contain similarly sized homes. The same is true for lots on the opposite side of Meadows Drive South. The special condition of the subject site relates to the adjacent parcel to the west, which is approximately 50-acres in area, containing a portion of the Meadows Springs Golf Course. The golf course is primarily open space, containing several ponds, lawn, and some natural vegetation.

ANALYSIS

The site plan submitted for the building permit illustrates the profile of the proposed covered deck at 21.5-feet from the rear property line. The minimum rear setback for attached patios and decks above ground-level is 25 feet (23.18.040 RMC). As proposed, the covered deck will encroach approximately 3.5-feet into the minimum rear setback which equates to a 14% setback reduction.

The controlling code section, in matrix form, is provided above for the Board's convenience.

The merits of this application are discussed below in terms of the applicable variance review criteria.

PUBLIC NOTICE

Application Date:

Notice of Application & Hearing Mailed:

Notice of Application & Hearing Posted:

Public Hearing:

March 15, 2022

April 26, 2022

April 14, 2022

May 19, 2022

A combined Notice of Application & Hearing was provided through posting of the property, mailing of notice to property owners within 300 feet of the site, publication in the *Tri-City Herald* and posting on the City's website.

COMMENTS

At the time this report was prepared, the City received no comments of concern from other public agencies or nearby neighbors.

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.

According to the applicant, the special condition that exists is the fact that the property abuts the Meadow Springs Golf Course and that a portion of the existing first-story deck (with stairs) has an existing setback of approximately 20'10".

According to RMC 23.38.030, Architectural Features, outside stairways which are unroofed and unenclosed may project into any required rear yard setback a distance not exceeding 10 feet. As a result, the existing stairs, which are located approximately 20'10" from the rear property line are allowed and do not result in any special condition that could be considered as grounds for approving the proposed setback reduction.

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

According to the applicant other properties in the vicinity enjoy second-story decks and covered patios with setbacks less than 25 feet.

Literal interpretation of RMC 23.18.040 imposes a 25' rear yard setback for primary structures such as what is being proposed. The 25' setback requirement does not preclude the applicant from replacing the deck or covering a portion of the deck. However, it does prevent the deck from being expanded out over the existing first-story deck/stairs.

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

The applicant indicates that the special condition/circumstance that exists is the fact that the property abuts the Meadow Springs Golf Course and that a portion of the existing first-story deck (with stairs) has an existing setback of approximately 20'10".

Staff has addressed the first-story deck portion of this issue and fails to understand how the adjacent property being a golf course results in a special condition that should be considered as grounds for the approval of a setback reduction. However, if the Board of Adjustment determines otherwise, then it is true that the special condition and circumstances that exist are not a result of the actions of the applicant.

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

According to the applicants, homes located at 541 and 609 Meadows Dr. South both have second-story patio cover/decks that appear to be located approximately 16' from the rear property line.

Research of the permits for 541 and 609 Meadows Dr. South resulted in the discovery that the rear yard setback for 541 Meadows Dr. South is approximately 21' and the rear yard setback for 609 Meadows Dr. South is 20'. It does not appear that either property received a zoning setback variance and there is no written justification as to how/why the reduced setbacks were approved.

5. Justification for granting the variance.

The justification for the granting of the variance from the applicant's perspective appears to be that other properties nearby have been able to have reduced setbacks, likely because the site is adjacent to a golf course. While it is true that the City has permitted two (2) other second-story and/or covered decks within the required 25' rear yard setback, there is no precedence that can be set because of this. While staff fully understands the reasoning behind the applicant's perspective, the Board of Adjustment must base its decision upon compliance with all of the criteria listed herein.

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

The requested variance does not appear to be the minimum necessary to provide relief as the site currently contains a second-story deck and covered ground-story patio that complies with the setback requirements. While it is not what the applicants would like to have, the fact of the matter is that a variance is not necessary to repair/replace the deck or cover a portion of it. Variances are meant to provide relief from regulations in circumstances where special circumstances exist that PRECLUDE or PREVENT the ability for something to be constructed. Not for instances where the relief would result in the granting of something that would ordinarily not be allowed.

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.

While it can be likely argued that the requested variance would not be injurious to the surrounding neighborhood or detrimental to the public welfare, the requested variance, in staff's opinion, is not consistent with the general purpose and intent of the Code because there are other ways in which to develop/improve the site without needing to reduce the required rear-yard setback.

SUGGESTED CONCLUSIONS OF LAW

1. The Board of Adjustment has jurisdiction to hold a public hearing and issue a decision for the proposed Zoning Variance.
2. The proposed Variance is not consistent with the goals and policies of the City's Comprehensive Plan.
3. The Board of Adjustment is unable to grant the proposed Variance request as the requested Variance is not the minimum necessary to make reasonable use of the property and is not consistent with the general purpose and intent of the Code.

4. Literal interpretation of the ordinance would not deny the applicant of rights commonly enjoyed by other properties in the district as the 25' setback requirement does not preclude the applicant from replacing or covering a portion of the deck.

SUGGESTED FINDINGS OF FACT:

1. Joe Rohrer of Level Up General Construction has applied for a Variance on behalf of Charles and Elena Conners, property owners, authorizing the construction of a new partially covered second-story deck within approximately 21'6" of the rear property line.
2. The subject property is located at 617 Meadows Drive South.
3. The subject property is bordered to the rear by the Meadow Springs Golf Course.
4. The subject site is bordered on each side by other single-family homes.
5. The subject site is approximately 9,600 square feet in size (80' x 120').
6. The subject site contains a single-family home.
7. Richland Municipal Code Section 23.18.040 imposes twenty-five (25) foot minimum rear yard setbacks for homes and second-story decks in the R-1-10 zoning district.
8. Pursuant to RMC 19.20.040, Joint public hearings, the City has determined that the Board of Adjustment is the authorized review body for Variance review proceedings.
9. The site is zoned Single-Family Residential by the City's official zoning map and is designated as Low-Density Residential by the City's Comprehensive Plan.
10. The site is not located within the jurisdiction of the City's Shoreline Master Program nor does it contain any critical areas regulated by RMC 22.10.
11. All public notification requirements have been fulfilled.
12. No comments of concern from public agencies were received.
13. No public comments were received.
14. Requirements for granting variances are set forth in Richland Municipal Code (RMC) Sections 23.70.110, Applications and 23.70.140, Findings.
15. The requested variance is not the minimum necessary to make reasonable use of the property.
16. Literal interpretation of the ordinance does not deny the applicant rights commonly enjoyed by other properties in the district.
17. Although two (2) nearby homes were permitted to have similar structures located within the required 25' rear-yard setback, the granting of said permits does not create a precedent.

Rather, it appears that staff incorrectly applied the rear-yard setback requirements or at the time of application the city may have had different rear-yard setback requirements.

RECOMMENDED MOTION:

I move that the Board of Adjustment concur with the Findings and Conclusions set forth in the staff report and **DENY** the variance to RMC 23.18.040 authorizing the construction of a second-story partially covered deck less than 25' from the rear property line.

EXHIBIT LIST:

- Exhibit 1 – Variance application
- Exhibit 2 – Site plans
- Exhibit 3 – Vicinity map
- Exhibit 4 – Site Map
- Exhibit 5 – Site photo
- Exhibit 6 – Public notice & affidavits



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: Charles and Elena Conners

Address: 617 Meadows Dr S

Phone: 509-539-6863

Email: CCONNERS@BASINGOLD.COM

APPLICANT/CONTRACTOR INFORMATION (if different)

☒ Contact Person

Company: Level Up General Construction

UBI#: 604-487-865

Contact: Joe Rohrer

Address: 99304 E Clover Rd Kennewick, WA 99338

Phone: 509-460-0461

Email: Joe.Levelupconstruction@gmail.com

DESCRIPTION OF REQUESTED VARIANCE

Requesting a rear setback to patio cover / deck of 21'6"

PROPERTY INFORMATION

Parcel #: 136981040001004

Legal Description: THE MEADOWS SOUTH, BLOCK #1, LOT #4:

Current Zoning: R-1-10

Current Land Use Designation: Medium Density Residential

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 the following as thoroughly as possible.

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.):

The rear of the home borders property with Meadow Springs Country Club. The proposed deck/patio cover wouldn't encroach upon another residential neighbors back yard. The existing deck has an actual setback of 20'10"

Were the special conditions and/or circumstances caused directly by you (the applicant)?:
no

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:

Other properties described below enjoy 2nd story decks and covered patios with a 16' rear setback

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:

541 Meadows Dr S, and 609 Meadows Dr S both have second story patio cover/decks, and both appear to have a 16' rear setback

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

See Current plot plan for 617 Meadows Dr S "Van Beek" 1998 (Showing 20' Rear setback)
See Proposed plot plan 2022 (Showing Proposed Setback)

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 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: Joe Rohrer

Applicant Signature:

eSigned via SeamlessDocs.com

Key: aaf90ce915416a84b07c15254ebe3755

Date 03/14/2022



City of Richland
Development Services

625 Swift Blvd. MS-35
Richland, WA 99352
☎ 509-942-7794
📠 509-942-7764

Pre-Application Conference Waiver

PROPERTY OWNER INFORMATION		<input type="checkbox"/> Contact Person
Owner: CHARLES & ELNA CONNERS		
Address: 617 MEADOWS DR S.		
Phone: 509-539-6863	Email: CCONNERS@BASINGOLD.COM	

APPLICANT/CONTRACTOR INFORMATION (if different)		<input checked="" type="checkbox"/> Contact Person
Company: LEVEL UP General Construction	UBI# 604-487-865	
Contact: Joe Rohrer		
Address: 99304 E. CLOVER RD Kennewick, WA 99338		
Phone: 509-460-0461	Email: JOE.LEVELUPCONSTRUCTION@gmail	

PROPERTY INFORMATION	
Parcel #: 136981040001004	
Legal Description: THE MEADOWS SOUTH, BLOCK #1, LOT #4	

TYPE II APPLICATIONS		TYPE III APPLICATION	
<input type="checkbox"/>	Flood Plain Variance	<input type="checkbox"/>	Non-residential Shoreline Substantial Development
<input type="checkbox"/>	Critical Areas & Resource Lands Variance/Viable Use	<input type="checkbox"/>	Residential Shoreline Substantial Development
<input type="checkbox"/>	Binding Site Plan	<input type="checkbox"/>	Shoreline Variance/Conditional Use
<input type="checkbox"/>	Administrative Variance	<input type="checkbox"/>	Conditional Use
<input type="checkbox"/>		<input type="checkbox"/>	Subdivision
<input type="checkbox"/>		<input type="checkbox"/>	Rezone (site specific)
<input type="checkbox"/>		<input type="checkbox"/>	Vacation/Alteration of a Subdivision
<input type="checkbox"/>		<input checked="" type="checkbox"/>	Variance
<input type="checkbox"/>	Other:		

I understand the waiver of a pre-application conference increases the maximum time for review for technically complete status and increases the risk the application will be rejected or processing will be delayed.

Applicant Printed Name: Joe Rohrer

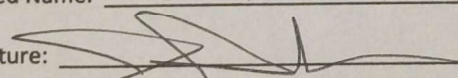
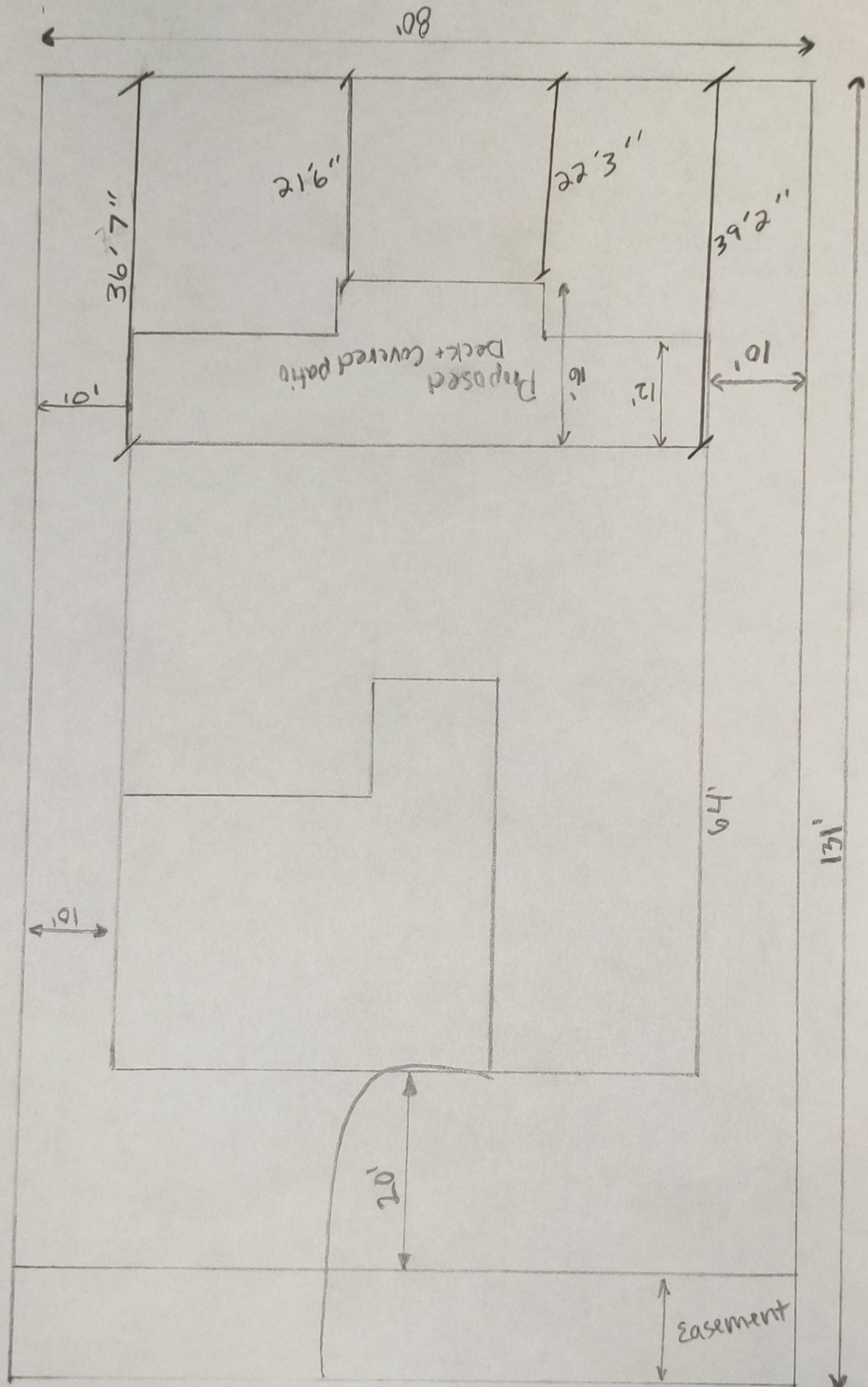
Applicant Signature:  Date 3-23-2022

Exhibit 2



Van Beek
Plot Plan

1/16" = 1'-0"

617 Meadows Dr. S.
CHARLES & ELENA CONNERS
617 MEADOWS DR S.
Richland, WA
#136981040001004
2022
N

98-9487-DECIC

CITY OF RICHLAND
DEVELOPMENT & PERMIT
SERVICES DIVISION
APPROVED

BY

KKR

DATE

9.10.98

80'-0"

20

Covered

DECK

60'-0"

DECIC

12'

10'

VAN BEEK
PLOT PLAN

10'

64'-0"

131'-0"

38140

20'

EASEMENT

$\frac{1}{16}" = 1'-0"$

617 Meadows Dr S0
CHARLES & ELIANA CONNERS
Richland, WA
#136981040001004

→ N

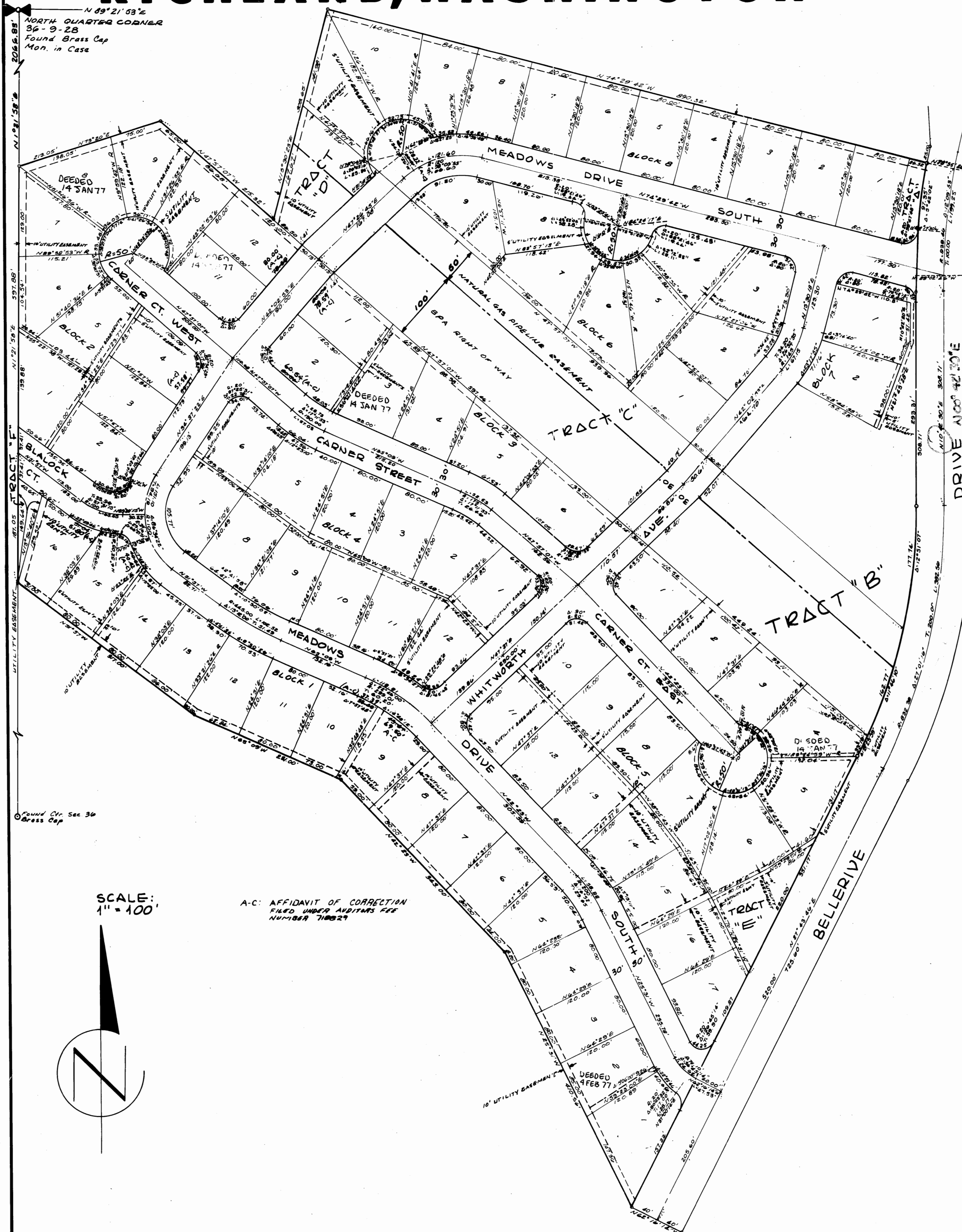
Exhibit 3 Vicinity Map

Item: Zoning Variance (RMC 23.18.040)
Applicant: Level Up General Construction
File #: BA2022-101



3698-104

PLAT OF THE MEADOWS SOUTH RICHLAND, WASHINGTON



DESCRIPTION

A plat of that portion of TRACT "C" of the Plat of "MEADOWS SOUTH" SECOND LING PLATS TWO as recorded in Volume 2 of Plats, Page 22, records of Benton County, Washington, lying east of the North-South center line of Section 16, Township 9 North, Range 58 East, W.M., Benton County, Washington.

DEDICATION

KNOW ALL MEN BY PRESENTS, that COLUMBIA DYNAMICS, INC. Lessee, a Washington Corporation and the State of Washington Department of Natural Resources, lessor, owners in fee simple of the tract of land as shown on the Plat of "THE MEADOWS SOUTH" as hereby declare said tract and adjacent to the public for use as streets, easements, public access, and all utility easements as shown hereon.

COLUMBIA DYNAMICS, INC. *Bert Cole*
Secretary Department of Natural Resources

F.M. Cochran, President
Secretary

ACKNOWLEDGEMENT

STATE OF WASHINGTON) ss
COUNTY OF THURSTON)

THIS IS TO CERTIFY that on this day of 19 AD, personally appeared before me F.M. Cochran, President of Columbia Dynamics, Inc. and Bert Cole, Secretary, respectively of Columbia Dynamics, Inc. and under oath stated that they were authorized by said corporation to execute the dedication hereon and acknowledged to me that they signed the same as their voluntary act and deed for the uses and purposes therein mentioned.

Witness my hand and official Seal the day and year first above written.

Notary Public in and for the State of Washington
Residing at _____
My commission expires _____

TREASURER'S CERTIFICATE

I hereby certify that the taxes on the land hereon have been paid to and including the year 19 AD.
No MIT Real Tax - LAND LENSED
Date 6/1/76 by *Robert L. Dunnington*
Date 6/1/76 *Benton County Assessor* Roll 89-249-1

APPROVALS

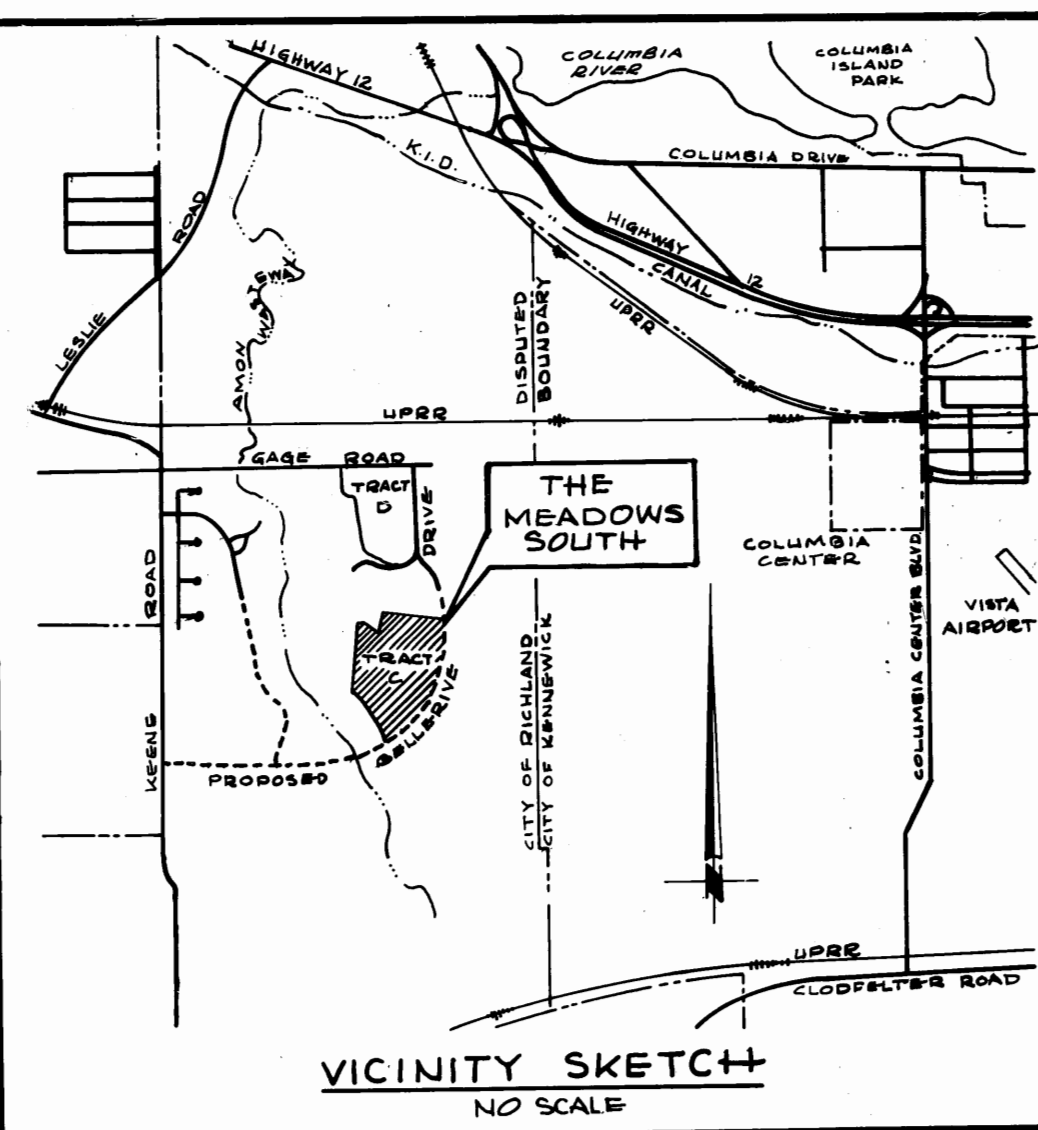
This Plat is hereby approved by and for the city of Richland, State of Washington.

6-1-76 *John R. Coome* 6-1-76 *William R. Dillert*
Date City Manager Date City Engineer

6-2-76 *Leslie A. Krah* 5-15-76 *Philip H. Dunnington*
Date City Clerk Date Chairman City Planning Commission

NOTES

Tracts A thru E will be owned, improved, & maintained by the Meadows South Homeowners Association.



ACKNOWLEDGEMENT

State of Washington) ss
County of Benton)

THIS IS TO CERTIFY that on this day of 19 AD, personally appeared before me F.M. Cochran, President of Columbia Dynamics, Inc. and Bert Cole, Secretary, respectively of Columbia Dynamics, Inc. and under oath stated that they were authorized by said corporation to execute the dedication hereon and acknowledged to me that they signed the same as their voluntary act and deed for the uses and purposes therein mentioned.

Witness my hand and official seal the day and year first above written.

Notary Public in and for the State of Washington
Residing at _____
My commission expires _____

RECORDING CERTIFICATE

Filed for record of the request of F.M. Cochran, President of Columbia Dynamics, Inc. this day of 19 AD at 1:00 PM, and recorded in Volume 10 of Plats, Page 22, records of Benton County, Washington.

Benton County Auditor
Fee No. 764032

SURVEYOR'S CERTIFICATE

I, Larry T. Imbeau, a Professional Land Surveyor in the State of Washington, hereby certify that the Plat of "THE MEADOWS SOUTH" as shown hereon is based on the actual field survey of the land described, and all courses and distances are correctly shown, and all corners are marked as shown, and the monuments have been set.

VTN WASHINGTON, INC.
BELLEVUE, WASHINGTON
Larry T. Imbeau

BEARING		DIST.		COS.		SIN.		N		S		E		W	
N 27° 43' 46" E		725.60		8951844.8		4652969.9		648.27				337.62			
N 62° 16' 14" W		792.38		4652969.9		8851546.3		368.60						701.38	
S 89° 17' 30" E		792.38		0123624.5		9996265.8				9.80		792.32			
N 00° 42' 30" E		308.71		9999235.8		0123624.5		308.69							
S 88° 17' 30" E		978.46		0123624.5		999135.8				12.10		978.39			
N 78° 30' 28" W		978.46		1978094.2		98024050		193.55						959.13	
N 74° 29' 42" W		890.32		267322.47		9636071.8		288.00						867.62	
S 15° 30' 28" W		309.65		9636006.5		2673458.3				298.58				82.78	
N 47° 57' 07" W		215.32		6697356.7		7425835.5		144.21						159.89	
S 78° 20' 00" W		215.32		2868032.8		9578895.1				61.10				204.10	
S 01° 21' 58" W		587.88		9997157.7		02384088		587.71						14.25	
S 51° 57' 00" E		317.00		6163480.1		7874751.0				197.38		249.63			
S 60° 09' 00" E		251.00		420244.11		9074110.9				97.08		209.61			
S 42° 23' 00" E		343.00		75865146		67408735				253.58		291.21			
S 25° 31' 00" E		410.56		90246002		43077563				370.51		176.86			
								1,895.41		1,895.42		2,979.46		2,979.45	

Exhibit 5





CITY OF RICHLAND NOTICE OF APPLICATION AND PUBLIC HEARING (BA2022-101)

Notice is hereby given that Level Up General Construction has filed a variance application on behalf of Charles and Elena Conners requesting relief from the rear yard setback requirement of the R-1-10 residential zoning district to allow construction of a second-story deck within 21.5-feet of the rear property line. The subject site, addressed as 617 Meadows Drive South, is indicated in the map below.

The Richland Board of Adjustment will conduct a public hearing and review of the application at 6:00 p.m., Thursday, May 19, 2022. All interested parties are invited to attend in-person and present testimony at the public hearing or by visiting the City of Richland website (www.ci.richland.wa.us) and joining via Zoom.

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 Thursday, May 12, 2022 to be incorporated into the staff report. Comments received after that date will be entered into the record during the hearing.

Exhibit 3 Vicinity Map

Item: Zoning Variance (RMC 23.18.040)
Applicant: Level Up General Construction
File #: BA2022-101

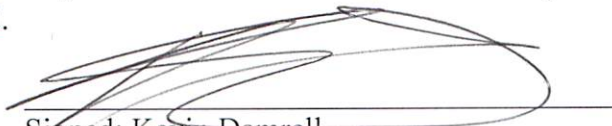


AFFIDAVIT OF MAILING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)


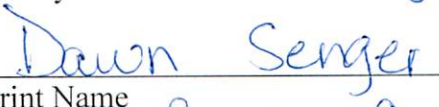
COMES NOW, Kevin Damrell, who, being first duly sworn upon oath deposes and says:

1. I am an employee in the Planning Division of the Development Services Department for the City of Richland.
2. On the 26th day of April, 2022, I mailed a copy of the attached NOTICE OF APPLICATION AND PUBLIC HEARING (BA2022-101) to the attached list of individuals via regular USPS on the date indicated above. The Richland Board of Adjustment will conduct a public hearing and review of the application on Thursday, May 19, 2022.


Signed: Kevin Damrell

SIGNED AND SWORN to before me this 12th day of May, 2022 by Kevin Damrell.




Notary Public in and for the State of Washington,

Print Name
Residing at Benton County
My appointment expires: 8-15-2024



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Notice is hereby given that Level Up General Construction has filed a variance application on behalf of Charles and Elena Conners requesting relief from the rear yard setback requirement of the R-1-10 residential zoning district to allow construction of a second-story deck within 21.5-feet of the rear property line. The subject site, addressed as 617 Meadows Drive South, is indicated in the map below.

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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 Thursday, May 12, 2022 to be incorporated into the staff report. Comments received after that date will be entered into the record during the hearing.

Exhibit 3 Vicinity Map

Item: Zoning Variance (RMC 23.18.040)
Applicant: Level Up General Construction
File #: BA2022-101



geo_id	tca	owner
136984020008000	R3	CITY OF RICHLAND
136984020005023	R3	MCCUTCHIN ROBERT C & GAYLA T
136984020005001	R3	DOVALLE RICARDO
136981040005011	R3	SQUIRES ROBERT B & JANICE L
136981040005009	R3	LEMIERE DANIEL C
136981040001002	R3	MONTGOMERY PEGGY W
136981040005016	R3	LATTERI JERUSHA E
136981040005015	R3	GORHAM ALEX MICHAEL & KAYLA BETH
136981040005017	R3	CHIARAMONTE TRUSTEE REBECCA A
136981040001001	R3	MONTGOMERY DWIGHT
136981040005014	R3	KNIGHT KYLE & KNIGHT BEVERLY
136981040005007	R3	BROADHURST MICHAEL
136981040005008	R3	HENNEMAN STEVEN & JODY
136983020008001	R3	MEADOW SPRINGS COUNTRY CLUB
136981040013000	R3	MEADOWS SOUTH ASSOCIATION
136981040005006	R3	ZALESKI MICHAEL THADEUS & HEATHER NICO
136981040001004	R3	CONNORS CHARLES M & ELENA V
136981040001005	R3	LELIEFELD ELLEN L
136981040001003	R3	MONTGOMERY DWIGHT
136981040005013	R3	AMBROSE KELLEY SUE
136981040005012	R3	O'DONNELL JEFF
136981040001006	R3	FILIPY RONALD E & KAREN M
136981040001007	R3	BOOS TRUSTEE DONALD R & KAREN L
136981040001008	R3	MORRIS ASHLEY T

addr_line1	addr_line2	addr_state	addr_city	addr_zip	situs_num
625 SWIFT BLVD. MS-09		WA	RICHLAND	99352	735
730 MEADOWS DR S		WA	RICHLAND	99352	730
2401 TIGER LN		WA	RICHLAND	99352	2401
2466 WHITWORTH AVE		WA	RICHLAND	99352-7732	2466
605 E CARNER CT		WA	RICHLAND	99352	605
625 MEADOWS DR S		WA	RICHLAND	99352-9615	625
620 MEADOWS DR S		WA	RICHLAND	99352	620
616 MEADOWS DR S		WA	RICHLAND	99352	616
624 MEADOWS DR S		WA	RICHLAND	99352-9615	624
7425 W CLEARWATER AVE		WA	KENNEWICK	99336-1643	629
612 MEADOWS DR S		WA	RICHLAND	99352	612
609 CARNER CT E		WA	RICHLAND	99352-9614	609
607 E CARNER CT		WA	RICHLAND	99352	607
700 COUNTRY CLUB PL		WA	RICHLAND	99352-0000	
2419 WHITWORTH AVE		WA	RICHLAND	99352	
611 CARNER CT E		WA	RICHLAND	99352-9614	611
617 MEADOWS DR S		WA	RICHLAND	99352-9615	617
613 MEADOWS DR S		WA	RICHLAND	99352-9615	613
7425 WEST CLEARWATER AVE		WA	KENNEWICK	99336	621
608 MEADOWS DR S		WA	RICHLAND	99352-9615	608
604 MEADOWS DR S		WA	RICHLAND	99352	604
609 MEADOWS DR S		WA	RICHLAND	99352-9615	609
605 MEADOWS DR S		WA	RICHLAND	99352-9615	605
10800 W COURT ST		WA	PASCO	99301	601

[illegible]

situs_zip	situs_unit
99352	
99352	
99352	
99352	
99352	
99352-9615	
99352-9615	
99352	
99352	
99352	
99352	
99352-9614	
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AFFIDAVIT OF POSTING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

COMES NOW, **Shane O'Neill**, who, being first duly sworn upon oath deposes and says:

1. I am an employee in the Planning Division of the Development Services Department for the City of Richland.

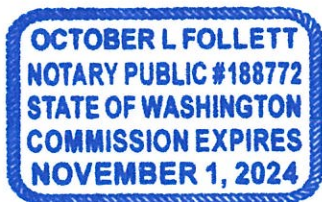
2. On the 14th day of April 2022, I posted the attached NOTICE OF PUBLIC HEARING, File Number BA2022-101 in the following location:

In the front yard of 617 Meadows Drive South, Richland WA, Benton County Tax Parcel # 1-36981040001004


Signed: Shane O'Neill

SIGNED AND SWORN to before me this 14th day of April 2022, by Shane O'Neill.


Signature of Notary



October L. Follett
Printed Name

Notary Public in and for the State of Washington,
Residing in Richland, WA

My appointment expires: 11-1-2024



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36823	252243	Print Legal Ad - IPL0070174		\$98.82	1	40 L

Attention: Jana Duncan
CITY OF RICHLAND/LEGALS
625 SWIFT BLVD. MS-05
RICHLAND, WA 99352

CITY OF RICHLAND NOTICE OF APPLICATION & PUBLIC HEARING

Notice is hereby given that Level Up General Construction has filed a variance application on behalf of Charles and Elena Conners requesting relief from the rear yard setback requirement of the R-1-10 residential zoning district to allow construction of a second-story deck within 21.5 feet of the rear property line. The subject site is located at 617 Meadows Drive South, Richland, WA.

The Richland Board of Adjustment will conduct a virtual public hearing and review of the application on **Thursday, May 19, 2022 at 6:00 p.m.** All interested parties are invited to attend in-person and present testimony at the public hearing or visit the City of Richland's website (www.ci.richland.wa.us) and join via Zoom.

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 Thursday, May 12, 2022, to be incorporated into the staff report. Comments received after that date will be entered into the record during the hearing.

Published: Sunday, April 24, 2022
IPL0070174
Apr 24 2022

COUNTY OF BENTON)

SS

STATE OF WASHINGTON)

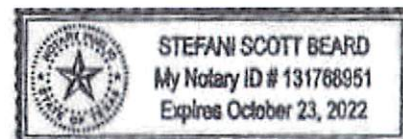
Keriann Leenerts, being duly sworn, deposes and says, I am the Legals Clerk of The Tri-City Herald, a daily newspaper. That said newspaper is a local newspaper and has been approved as a legal newspaper by order of the superior court in the county in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published continually as a daily newspaper in Benton County, Washington. That the attached is a true copy as it was printed in the regular and entire issue of the Tri-City Herald and not in a supplement thereof, ran 1 time(s) commencing on 04/24/2022, and ending on 04/24/2022 and that said newspaper was regularly distributed to its subscribers during all of this period.

(Signature of Legals Clerk)

Sworn to and subscribed before me this 25th day of April in the year of 2022

Stefani Beard

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!