



NOTICE OF DECISION

PURSUANT TO RICHLAND MUNICIPAL CODE SECTION 19.60.080 NOTICE IS HEREBY GIVEN THAT THE CITY OF RICHLAND BOARD OF ADJUSTMENT, ON MAY 19, 2022, CONSIDERED THE VARIANCE APPLICATION, FILED BY LEVEL UP GENERAL CONSTRUCTION ON BEHALF OF CHARLES AND ELENA CONNERS, OWNERS OF 617 MEADOWS DRIVE SOUTH AND DENIED THE REQUEST (CITY FILE NO. BA2022-101).

DESCRIPTION OF ACTION: 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).

DENIED. The variance DENIAL is subject to the following Findings of Fact and Conditions of Approval.

FINDINGS OF FACT

1. Joe Rohrer of Level Up General Construction has applied for a Variance on behalf of Charles and Elena Connors, 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.

DATE OF DECISION: May 19, 2022
PROJECT LOCATION: 617 Meadows Dr.

APPEAL PROCEDURES: Appeals of the Variance decision may be made to Benton County Superior Court by any party of record. Said appeals shall be in accordance with the provisions of Richland Municipal Code (RMC) Sections 19.70.040, 19.70.060 and Revised Code of Washington (RCW) 36.70C. An appeal of the Variance must be filed within 21 days of date of issuance of this notice. This notice is issued as of May 26, 2022.



Mike Stevens
Planning Manager

May 26, 2022
Date