

Initial Project Review

Variance: Patterson (Vehicle Access)

Application Number(s): 907846

Parcel Number(s): 0121241085 and -41068

Gig Harbor Peninsula Advisory Commission (PAC) Public Meeting: June 12, 2019, at 6:30 p.m., City of Gig Harbor, 3510 Grandview, southeast entrance, Gig Harbor, WA 98335

Proposal: Applicant seeks approval of a variance to deviate from PCC Title 18A.15.040 A.2 – Designation of Required Setbacks, which allows a corner lot to reduce the required front yard setback from 25 feet to 15. Due to a slope easement access off Wollochet Drive NW, and the eastern portion of Timber Lane NW; the applicants request a variance for the vehicle access of 15 feet in order to access off the northern portion of Timber Lane NW.

Project Location: 4716 Timber Lane NW, Gig Harbor, WA, Within the NE ¼ of Section 24, T21N, R1E, W.M., in Council District #7. The site is in the Gig Harbor Community Plan Area, and the property's zoning classification is Rural Sensitive Resource.

Review Summary: The project can be conditioned to comply with all applicable policies and objectives of the Pierce County Code, Comprehensive Plan, and Gig Harbor Peninsula Community Plan. Staff has reviewed this proposal for compliance with all policies, codes.

State Environmental Policy Act (SEPA): A SEPA checklist is not required for this application. Note: The project is **not** likely to result in any significant adverse environmental impact.

County Contact: Vaughan Cary, Planner, 253-798-7163 or vaughan.cary@piercecountywa.gov

Pierce County Online Permit Information:

<https://pals.piercecountywa.gov/palsonline/#/permitSearch/permit/departementStatus?applPermitId=907846>



Project Data

Complete Application Date: April 8, 2019

Initial Project Review Mailed: June 7, 2019

Applicants/Owners: Shannon Patterson
P.O. Box 2013
Gig Harbor, WA 98335

Agent: N/A

Legal Notice

- *April 10, 2019*: Revised Notice of Application and Public Meeting Notice 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.
- *May 23, 2019*: Public Notice sign was posted on the site, confirmed with a Declaration of Posting.
- *May 29, 2019*: Legal notice was published in the official County newspaper (*Tacoma News Tribune*), advertising the public meeting to be held by the Gig Harbor Peninsula Advisory Commission.

2018 Ortho Photo



Street View Photos



Southwestern portion of intersection at Wollochet Drive NW



North Eastern portion of intersection facing west



Timberlane Road NW facing south

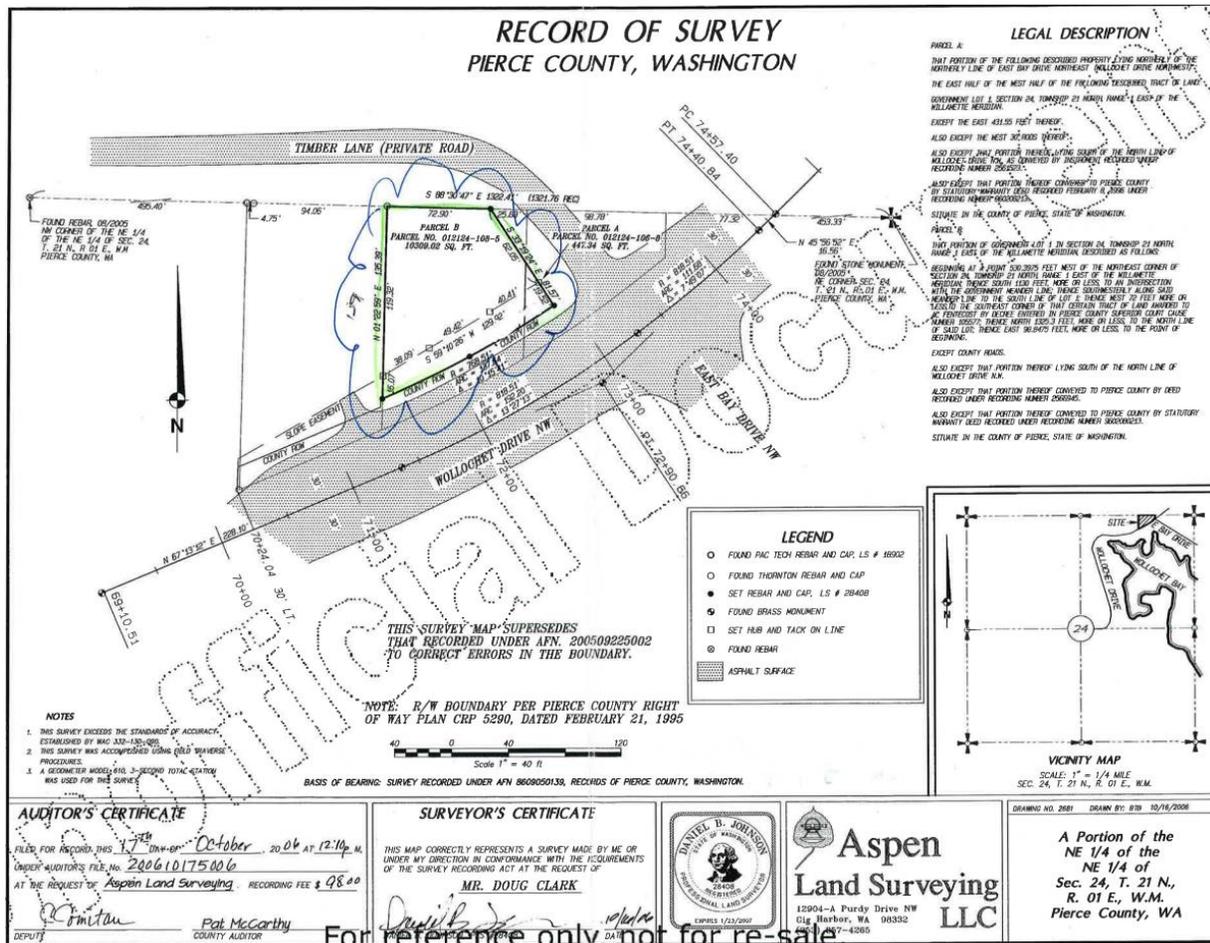


Wollochet Drive facing east



Northern portion of property

Record of Survey



Review Responsibility

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

A. Planning and Public Works (PPW):

- Planning verifies compliance with the Pierce County Comprehensive Plan, applicable community plans and Development Regulations such as, but not limited to, zoning, critical areas, natural resource lands, shoreline management, design review, and potential environmental impacts.
- Development Engineering reviews for drainage, erosion control, site development, flood, survey, landslide and erosion hazard, lot dimensions, and road standards.
- Cartography reviews road names and addresses.
- Resource Management reviews for consistency with the County wetland and fish & wildlife regulations. Forage fish (sand lance) spawning habitat is mapped along the beach.

B. Gig Harbor Peninsula Advisory Commission (PAC):

The PAC's role in the review process for a land use proposal includes the following:

- Review the proposal for consistency with the goals and policies in the Community Plan.
- Provide a local perspective that includes input from the community and insights of which PPW staff or the Hearing Examiner may not be aware.
- Offer recommendations for project design to fit with the community's vision while remaining consistent with the Community Plan.

PCC Chapter 2.45 Land Use Advisory Commissions provides regulations that apply to the PAC. Per PCC 2.45.130, Land Use Advisory Commission (LUAC) recommendations on a land use application shall be to approve, modify and approve, deny, or make no recommendation. The LUAC may recommend the Hearing Examiner continue a scheduled public hearing to obtain additional information or LUAC recommendations.

Review Criteria

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

- A. Pierce County development regulations and construction and infrastructure regulations;
- B. Pierce County Comprehensive Plan and Key Peninsula Community Plan;
- C. Applicable state statutes; and
- D. All applicable notes on related previously recorded County documents.

Site Characteristics

- The County Assessor lists parcel 0121241085 as being .23 acre.
- The access to the site is via the northern portion of Timber Lane Road NW. This portion is privately owned.
- The parcel is located north of the north shore of Wollochet Bay at the intersection of Timber Lane NW and Wollochet Dr. NW.
- The topography of the site slopes toward the Right of Way.
- The parcel is vacant.
- The parcel is heavily vegetated.

Surrounding Land Use / Shoreline / Zoning Designation

	LAND USE	ZONING
North	Timber Lane NW and Single-Family residences across Timber Lane NW	Rural Sensitive Resource (RSR)
South	Vacant, wooded shoreline property across Wollochet Drive NW	PR
East	Other parcel under same ownership as Timber Lane NW	RSR
West	Vacant	Rural Sensitive Resource

Review Comments

The proposed project has been routed to interested departments and agencies for review. Comments received from various departments and agencies may be found by accessing the Online Permit Information referenced on page 1.

Comments have been received, and corrections and/or additional information requested by the following agencies on the application:

Department of Biology stated there was no need for critical area review. There may be a possible wetland mapped on site but generated from indicators to the south of Wollochet drive. (Waiver B applies).

Development Engineering Stated the following: Timber Lane NW is a private road and the site is not accessing off of Wollochet.

Staff Comment: As described in detail in the required findings, the applicant has not yet demonstrated that a home and attached garage cannot be constructed on the property and maintain a 22-foot driveway for parking on the property.

Initial Planning and Public Works Staff Review for Consistency with Development Regulations and Policies

Gig Harbor Peninsula Community Plan (Pierce County Code, Title 19B)

GH LU-24.2.2 Development in the RSR designation shall utilize low impact development standards.

GH LU-24.2.3 Vegetation and tree preservation shall be a priority on each site that is developed in the RSR designation.

GH LU-24.3.1 Low rural housing densities shall be allowed to occur on Rural Sensitive Resource lands. Ten-acre minimum lot sizes are encouraged. The base density shall be 1 dwelling unit per 10 acres.

Pierce County Development Regulations (Pierce County Code, Title 18A)

- A variance may be used to deviate from a dimensional requirement of Title 18A PCC.
- An application for variance to deviate more than 20 percent from the minimum or maximum dimension allowed by Title 18A PCC including, but not limited to, the dimensions set forth in Tables 18A.15.040-1 and -2 and PCC 18A.15.040 C., Situational Setback and Height Provisions, shall be reviewed and granted or denied by the Hearing Examiner.
- Interior setbacks in the RSR zone are 10 feet.

Before any variance may be granted, it shall be shown that:

Pierce County Code 18A.75.040 Variances.

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;

This parcel is bound on the east and north by Timber Lane NW, and Wollochet Drive to the south. Additionally, the parcel is constrained by Pierce County slope easement AFN 8609050139 along Wollochet Drive NW which does allow for owners use of a depth of 12-18 feet from the true road right of way.

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;

While allowing an attached 2-car garage is a substantial property right shared by other neighborhood homeowners, the applicant has not demonstrated why true house design can't be adjusted to an attached garage to maintain a 22-foot drive way.

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;

A setback of 15ft from Timber Lane could be detrimental to the residents who use Timber Lane now if it is widened in the future since the applicant's vehicles would park over 5 feet onto the private road, primarily because the traveled lane portion of Timber Lane is offset to the northern portion of the right of way. If allowed, the proposed garage would be 60ft from the edge of the pavement. Timber Lane is a dead-end road, in rural Pierce County and it is not anticipated that there would be future expansion or improvements to this right of way.

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

There are unique and special circumstances of this variance request for this specific parcel. This will not set a precedent for additional setback variances in the area and therefore will not affect the Comprehensive Plan.

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

The proposed residence as currently designed, takes into consideration the existing environmental conditions by utilizing a daylight basement approach and vehicle entrance at the highest portion of the lot. To the extent possible, design also provides for the preservation of existing forest vegetation. Therefore, there are no adverse environmental impacts caused as a result of this proposed variance.