



# Variance Application

## CITY OF PUYALLUP

Development Services  
 333 S. Meridian  
 Puyallup, WA 98371  
 Phone: 253-864-4165  
 www.cityofpuyallup.org

### Submittal Checklist:

- Application is signed and dated
- 8 Copies of completed application form
- 8 copies of a location map indicating location of property in relation to adjacent properties and major streets, no larger than 8 1/2" x 11"
- 8 copies: 8 1/2" x 11" site plan showing boundaries of property, structures, driveway, etc.
- Critical Area ID Form
- Application Fee: **\$770.00**
- 1 (one) CD of complete submittal package

Date Received: 12.7.21

Staff Initials: JJ

**Office Use Only:**

Submittal Date: \_\_\_/\_\_\_/\_\_\_ Case No: \_\_\_-\_\_\_-\_\_\_ Related Case No: \_\_\_-

**W**hen preparing this application, please print or type the reply to each question. If you have any questions, please contact the Development Services Center at (253)864-4165. The following plans, specifications and other documents pertaining to the application shall be submitted at the time of filing. Please note that incomplete application packets may cause a delay in reviewing your application.

To help you understand City standards and the Variance process, a pre-application meeting is strongly encouraged. This pre-application meeting can be scheduled within a short period of time (e.g. 3-5 days) and is free of charge. This meeting could consist of staff representatives from planning, engineering and building divisions, as warranted.

## Application Information

### Site Information:

Parcel Number: 0420334112, 0420334111, 0420334034

Street Address: 2008 S Meridian

### Applicant Information:

Name: CES-NW, Inc  
 Address 429 29th Street NE Suite D  
 City Puyallup State WA Zip 98372

Day time Phone 253-848-4282

### Owner Information

Name: Santa Ana 6961 LLC - Zakary Kessler  
 Address C/O GM&A Tax Dept 10 Inverness Dr E Suite 250  
 City Englewood State CA Zip 80112

Day time Phone (303) 792-3456

### NATURE OF REQUEST (Please Be Specific)

We are requesting a variance from the 25 foot setback from a principal arterial, after the dedication of the 8 foot right of way to the City of Puyallup makes the site legal non conforming use. This Variance is being submitted as required by the City of Puyallup letter dated September 30, 2021 to obtain formal approval of the building setback encroachment.

**Site Information**

**Zoning Designation:** RM-20 **Comprehensive Plan Designation:** \_\_\_\_\_

**Setbacks** (measured from the property line to the closest vertical wall)

	<u>Proposed/Existing</u>	<u>Required by Zoning</u>
Front Yard:	_____	<u>20</u> minimum
Rear Yard:	_____	<u>20</u> minimum
Side Yard (interior):	_____	<u>15</u> minimum
Side Yard (interior):	_____	_____ minimum
Side Yard (street):	_____	<u>15</u> minimum
Side Yard (arterial street)	_____	<u>25'</u> minimum
From Adjacent Residential Use	_____	_____ minimum
<b>Building Height:</b>	_____	<u>36</u> maximum
<b>Lot Coverage:</b>	_____	<u>55%</u> maximum
<b>Lot Width:</b>	_____	_____ minimum
<b>Lot Length:</b>	_____	_____ minimum
<b>Lot Size (Square Feet):</b>	_____	_____ minimum
<b>Number of Parking Stalls:</b>	_____	_____ minimum

**CRITERIA**

The following criteria must be met in order for the Hearing Examiner to approve your variance request. There are explanations for each criteria below. **Please respond FULLY as to how your request meets each of these criteria.** "Yes" or "No" answers are not acceptable.

- 6.1. The variance shall not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and/or contiguous zone in which the property is located. For purposes of this sub-section, vicinity shall be defined to only include a radius of 1,000 feet or be within the boundaries of an established subdivision when the variance request pertains to a single-family residential use.

This variance is being requested to obtain formal approval to setback encroachment. The original design of the Huntington Apartments maintained a front yard building setback of 25 feet from the city right of way. Shortly after the project was completed an 8 foot right of way dedication (for sidewalk) occurred which made the building a nonconforming use. The buildings are now 17.5 feet setback for the new right of way.

- 6.2. That the granting of such variance will not be detrimental to the public health, safety, comfort, convenience and general welfare, will not adversely affect the established character of the surrounding neighborhood within a radius of 1,000 feet, and will not be injurious to the property or improvements in such vicinity and/or zone in which the property is located.

*(I.E. TO ALLOW THIS FINDING TO BE MADE, YOU NEED TO DEMONSTRATE THAT YOUR PROPOSED ADJUSTMENT WILL NOT BE UNFAVORABLE TO THE SURROUNDING PROPERTIES AND NEIGHBORHOOD.)*

The variance will not be detrimental Health, safety, comfort or convenience and general welfare of the surrounding area. The existing buildings will not change as the distance is from the right of way instead of the previous sidewalk easement.

- 6.3. That such variance is necessary, because of special circumstances relating to the size, shape, topography, unusual natural features, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity within a radius of 1,000 feet and/or in the zone in which the subject property is located. Such circumstances shall not be the result of some action caused by the applicant and/or previous property owners.

*(I.E. TO ALLOW THIS FINDING TO BE MADE, YOU NEED TO DEMONSTRATE THAT YOUR PROPOSED ADJUSTMENT IS NECESSARY BECAUSE OF SPECIAL CIRCUMSTANCES ON THE PROPERTY AND THE HARDSHIP IS NOT CAUSED BY THE APPLICANT AND/OR PREVIOUS PROPERTY OWNERS).*

The variance is being requested to obtain official city approval/authorization of the reduced setback as created by the dedication of right of way. The new right of way dedication was requested by the city to eliminate a public sidewalk easement. This condition was not created by the property owner.

**Submittal Requirements for a Variance:**

- 1) Completed application form, signed and dated. Please print or type. Do not leave any question unanswered, doing so will make you application incomplete.
  - 2) A vicinity map no larger than 8 1/2" X 11", indicating the location of the property in relation to adjacent streets and major streets. A copy of any Puyallup map clearing marking your property will be sufficient.
  - 3) 8 1/2" X 11" site plan, dimensioned, drawn to scale and including the following items:
    - ◆ The boundaries of the property
    - ◆ Dimensions of property and square footage of property
    - ◆ Location of existing and proposed structures indicating setback distances from property lines and square footage of each structure
    - ◆ Landscaping: existing and/or proposed
    - ◆ Location of all existing major on site natural features; including specimen trees, ponds, etc.
    - ◆ Parking areas
    - ◆ North Arrow
  - 4) Critical Area ID Form (unless expressly waived by City Staff)
  - 5) Application fee of \$770.00 due at time of submittal.
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**CERTIFICATION:**

I hereby state that I am the applicant listed above, and certify that all information contained above and in exhibits attached hereto is true and correct to the best of my knowledge and belief and is submitted for consideration by the City of Puyallup, pursuant to the provision of the Puyallup Municipal Code. It is understood that the processing of this application may require additional supporting evidence, data or statements upon request of City staff.

**RIGHT OF ENTRY:** By signing this application the applicant grants unto the City and it's agents the right to enter upon the premises for purpose of conducting all necessary inspections to determine compliance with applicable laws, codes and regulations. The right of entry shall continue until an approval by all applicable City departments has been obtained.

Signature of Property Owner: \_\_\_\_\_ Date \_\_\_\_\_

Print Name: \_\_\_\_\_

Signature of Applicant:  \_\_\_\_\_ Date: 11/30/21

Print Name: Craig Dean