

Town of Ruston  
5117 N Winnifred St.  
Ruston, WA 98407

**Town of Ruston**  
**ORDINANCE 1308**

**AN ORDINANCE of the Town of Ruston relating to the approval of a variance from side yard setback standards within the RES zone, regarding an application made by Brennen Masters for the redevelopment of the site located at 5311 North Shirley Street, Ruston, WA.**

**WHEREAS**, pursuant to Ruston Municipal Code (RMC) Chapter 25.01.110(d) an application for a variance from any area, setback, yard, parking or other dimensional requirements contained in RMC 25.01 shall be granted by the Council after receiving the recommendation and written findings of fact from the Planning Commission if the Council finds that the variance approval criteria found in RMC 25.01.110(d)(2) have been established by the applicant, and

**WHEREAS**, pursuant to RMC Chapter 25.01.110(d), Brennen Masters has submitted a complete application for a variance to reduce the required side yard setback from 7'-6" to 5'-0" for the construction and development of a single family home, (attached hereto as Exhibit A and incorporated herein by reference), and

**WHEREAS**, pursuant to RMC Chapter 25.01.110 and 19.01.011 the Town of Ruston Planning Commission reviewed the application and conducted a public hearing to hear testimony on the application on March 10, 2010, after deliberation on the public testimony, the Planning Commission voted 5-0 (Pederson absent) to recommend conditional approval of the proposal to the Town Council, (attached hereto as Exhibit E and incorporated herein by reference), and

**WHEREAS**, this approval is pursuant to Ruston Municipal Code (RMC) Chapter 15.02 and RCW 43.21C, in that the decision has complied with SEPA, and

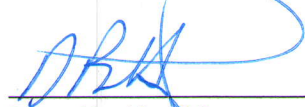
**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF RUSTON:**

**Section 1:** The Council for the Town of Ruston hereby accepts the Planning Commission's Findings and Recommendation, (attached hereto as Exhibit E and incorporated herein by reference), for conditional approval of the application submitted by Brennen Masters.

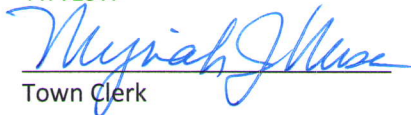
**Section 2:** The Council for the Town of Ruston hereby approves the requested variance to reduce the required side yard setback from 7'-6" to 5'-0", SUBJECT TO the conditions stated in Exhibit E.

**Section 3:** This Ordinance shall become effective immediately upon publication hereof as provided by RCW 35.27.300.


PASSED BY THE COUNCIL AND APPROVED by me this 5<sup>th</sup> day of March 2010.

  
\_\_\_\_\_  
Bruce Hopkins, Mayor

ATTEST:

  
\_\_\_\_\_  
Town Clerk

Approved as to form:

  
\_\_\_\_\_  
Town Attorney