

CYP 16-01



**TOWN OF RUSTON
PLANNING SERVICES**

5117 North Winnifred Street Ruston, Washington 98407-6597
Phone (253)759-3544 Fax (253)752-3754

**Accessory Dwelling Conditional Use Permit
Application and Submittal Checklist**

Tax Parcel Number 7700000041	Permit Number (staff use only)
Site Address 5428 N. 49th ST Ruston WA 98407	Project Name (staff use only)
Property Owner Name Lawrence + Elvira Upton	Applicant Name Same as Owner
Property Owner Mailing Address 5428 N. 49th St. Ruston, WA 98407	Applicant Mailing Address Same as Owner
Property Owner Phone (253) 370-5542	Applicant Phone Same as Owner
Property Owner E-mail Address Lawupton@gmail.com	Applicant E-mail Address Same as Owner

Zoning Designation

RES
 COM
 COM-P
 MPD

I certify that I have read and examined this application and have completed it with information that I know to be true and correct. I also give permission for Town employees to enter the site to perform any necessary inspections.

Lawrence D. Upton
Property Owner Signature

3-4-2016
Date

Applicant Checklist		Included?		
Yes	N/A	Yes	Need	N/A
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Review Fee Deposit of \$2,912.50 (\$150 fee, plus \$2762.50 deposit per RMC 1.14.050(e)). Please attach a copy of proof of payment.				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Project Description (general description of the proposed use, including the existing/proposed sq/ft, amount of fill materials imported/exported, etc)				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Statement of Justification Please provide a written statement that addresses all approval criteria for the proposed conditional use as specified in RMC 25.01.110(b)(1)(A), and also for any specific criteria applicable to the underlying zone.				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Site Plan - showing grade, the height, the lot coverage, the dimensions of all existing and proposed structures and the distance from property lines and all improvements to be added to the property.				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Impervious Surface Calculations (Show impervious surface in sq/ft on Site Plan)				
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Critical Areas Documentation Provide documentation regarding the presence of any critical areas located on site. (wetlands, steep slopes, aquifer recharge, fish and wildlife, etc)				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Additional Information - additional written or graphic information necessary to enable the Planning Commission and Town Council to act on the application.				



**TOWN OF RUSTON
PLANNING SERVICES**

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Phone (253)759-3544 Fax (253)752-3754

**Variance
Application and Submittal Checklist**

Tax Parcel Number 77000000 41	Permit Number (staff use only)
Site Address 5428 N. 49th St Ruston, WA 98407	Project Name (staff use only)
Property Owner Name Lawrence + Elvira Upton	Applicant Name Same as Owner
Property Owner Mailing Address 5428 N 49th St Ruston, WA 98407	Applicant Mailing Address Same as Owner
Property Owner Phone (253) 370 5542	Applicant Phone Same as Owner
Property Owner E-mail Address Lawupton@gmail.com	Applicant E-mail Address Same as Owner

Zoning Designation <input checked="" type="checkbox"/> RES <input type="checkbox"/> COM <input type="checkbox"/> COM-P <input type="checkbox"/> MPD	<p>I certify that I have read and examined this application and have completed it with information that I know to be true and correct. I also give permission for Town employees to enter the site to perform any necessary inspections.</p> <p><i>Lawrence D. Upton</i> Property Owner Signature</p> <p><u>3-4-2016</u> Date</p>
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Applicant Checklist - (Please see RMC 25.01.110)		Included?		
Yes	N/A	Yes	Need	N/A
<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
Review Fee Deposit of \$3350, (\$150 Fee, plus \$3200 deposit) as per RMC 1.14.050(d)				
<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
Nature of the Action Requested. Please describe in detail the specific code section(s) you are requesting variance from and what site specific hardships exist that would help to justify the request, as required by RMC 25.01.110(a)(1).				
<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
Site Plan - showing grade, the height, the lot coverage, the dimensions of all existing structures and the distance from property lines and all improvements to be added to the property, including yard areas, etc, as required by RMC 25.01.110(a)(1).				
<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
Justification Statement - Provide a concise written statement explaining how the proposed use complies with the criteria of RMC 25.01.110(d), as required by RMC 25.01.110(a)(1) - (see RMC for a complete listing of approval criteria.)				
<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
Additional Information - additional written or graphic information necessary to enable the Planning Commission and Town Council to act on the application, as required by RMC 25.01.110(a)(1).				
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SEPA Checklist , if applicable				

staff use only

Accessory Dwelling Conditional Use Permit

and

Variance Submittal

Property Owners & Applicants: Lawrence (Larry) & Elvira (Veta) Upton

Tax Parcel #: 7700000041

Address: 5428 N 49th St

Ruston, WA 98407

Proposed Project: Demolish and remove existing rear yard detached garage/carport and construct a new 36' X 30', 3 car garage with Accessory Dwelling Unit (ADU) above the garage as defined by RMC 25.01.040 (j) & (k)

It is our belief that the proposed project is 100% in line with the vision and intent spelled out in the 2015 Comprehensive Plan for the City of Ruston and complies with the criteria of RMC 25.01.110 - Conditional uses, unclassified uses and variances.

All of the criteria listed below have been taken into consideration and served as a guide throughout the planning and designing process.

A)The proposed use will not be injurious to the neighborhood or otherwise result in substantial or undue adverse economic, aesthetic, or environmental effects on adjacent property. It has been our goal to design this project to add value and character to our property while posing no negative effects or impacts to the neighborhood.

(B)The proposed use will not create a hazard for pedestrian or vehicular traffic. Traffic and circulation patterns of vehicles and pedestrians relating to the proposed use shall not be detrimental to the existing and proposed allowable uses in the zoning district. The traffic and circulation patterns shall assure safe movement in the surrounding area. No traffic impact expected.

(C)Adequate access will be available for emergency vehicles. Location of Accessory Dwelling is on current compliant lot for emergency vehicle access and is less than 150 from public way on Shirley St.

(D)Adequate off-street parking will be provided to prevent congestion of public streets. Off street parking consists of 3 car garage and driveway.

(E)The bulk and lot coverage of the proposed use shall be compatible with the surrounding property, or shall be conditioned so as to not impose an adverse impact upon the surrounding property. Surrounding property consist of vacant land to the South, two story single family home to the West, primary residence to the North, new driveway and yard to the East.

(F) Building and structure heights shall conform to the requirements of the surrounding zoning district. Bell towers, public utility antennas or similar structures may exceed the height requirements, provided that they conditioned so as to not impose an adverse impact upon the surrounding community. Requesting a variance to RMC 25.01.040(f)(4) "No accessory building, including detached garages shall exceed 18 feet in height as measured from the lot grade." Variance request with supporting documentation to follow.

(G) Potential noise, light and glare impacts relating to the proposed use shall not unduly impact nor detract from the surrounding properties in the zoning district. The Hearing Examiner shall find that the potential noise, light and glare shall not deter from the surrounding properties in the zoning district. Proposed Garage/ADU noise, light and glare impacts would be consistent with similar structures in surrounding properties.

(H) Hours of Operation. The hours of operation shall not create intrusive impacts into the neighborhood. Does not apply. Intended use is garage and residence.

(2) Landscaping. Landscaping shall be provided in all areas not occupied by buildings or paving. The Hearing Examiner may require exceptional landscaping as a condition. Yard and landscaping will be provided along the East side of rear yard.

(j) Accessory Dwellings. Accessory dwellings may be conditionally allowed following review and approval by the City Hearing Examiner subject to the following conditions:

(1) A lot may have no more than one accessory dwelling. Project meets condition

(2) The owner must occupy either the principal structure or the accessory dwelling. Project meets condition

(3) Parking must meet the requirements of Section 25.01.090. Project meets condition

(4) Design Requirements. The design of an accessory dwelling shall be incorporated into the principal structure's design with matching materials, colors, window styles, and roof design or it shall be designed so that, to the degree reasonably feasible, the appearance of the building remains that of a single-family dwelling. Project meets condition

(k) Garages, Surface Parking, Driveways and Accessory Structures. Garages, surface parking, driveways and accessory structures are permitted within the rear yard setback, subject to the following provisions:

(1) When alley access is available, garages, surface parking and driveways are prohibited from accessing the site through front or side yards. If alley access is not available, then side yard access shall be utilized. If neither alley nor side yard access is available, then the following standards will apply to all garages, surface parking and driveways: Does not apply. Alley access is available and will be used.

(A) Side-loaded garages are preferred over front-loaded garages when access is provided through front yards. Does not apply. Access will be through alley in rear yard.

(B) Front-loaded garages with vehicle doors facing the front lot line that are attached to the primary structure shall include habitable space above the garage with windows facing the street, (habitable space must also meet International Building and Fire Code egress standards for bedrooms). The area of habitable space shall be at least 50 percent of the area of the garage. Does not apply. Detached Garage/ADU in rear yard.

(C) Driveways and surface parking areas located within ten feet of the front lot line shall have a maximum width of ten feet and shall either contain a three-foot wide grass strip along its center (perpendicular to the right-of-way or access street) or be paved with grass pavers. Does not apply. Detached Garage/ADU in rear yard.

Requested Variance: Owners are requesting a variance to RMC 25.01.040(f)(4) "No accessory building, including detached garages shall exceed 18 feet in height as measured from the lot grade."

Reasons for Variance Request:

1. Due to the slope of lot the existing lot grade elevation would require excavation of over 4 feet of rear yard to keep the proposed 2-story garage/ADU under the 18'-0" max height restriction as defined in RMC 25.01.040 (f)(4) *No accessory building, including detached garages, shall exceed 18 feet in height as measured from the lot grade.*
2. The 18'-0" max height creates a hardship of minimal use of the upper floor, while attempting to capture a comfortable economic area of living quarters.
3. With the peak not being able to exceed the height of 18'-0" max height the architectural character is minimized such that a flat roof is the only option in allowing the living quarters above the garage without the lift in height allowance. A flat roof deviates from the existing character of the neighborhood and parcel's principal structure as defined in RMC 25.01.040 (j) (4) Design Requirements. *The design of an accessory dwelling shall be incorporated into the principal structure's design with matching materials, colors, window styles, and roof design.*
4. Excavation of the rear yard to satisfy the 18'-0" max height restriction creates a greater than 15 degree slope driveway access from the rear alley to the garage.
5. Excavation of this magnitude will lead to probability of excessive water management issues. Of most concern is water runoff from the alley into yard.

Justification For Variance Request:

Planning for this project took into consideration the location of the ADU being above the garage as to limit the lot coverage and minimizing ground coverage in utilizing the same square footage of roof above a three-car garage and capturing an ADU.

Project will be constructed to current International Building Codes as adopted by the Town Council.

It is our belief that the proposed project meets the conditions for an Accessory Dwelling Unit as defined in the Ruston Municipal Code and will fit within the Residential zone as defined in RMC 25.01.040 (a) & (j) with little to no impact to the neighborhood.

(a)The residential district is represented by Ruston's traditional residential-style buildings with small front, side and rear yards along tree-lined streets. Structures are one to two stories in height with front porches and pitched roof forms. Neighborhoods predominantly include single-family homes, with limited instances of two-family and multi-family homes. Home occupations and accessory dwellings are encouraged where impacts to nearby residential uses are minimized. Pedestrian-oriented street-side facades with clear entries and front porches are a high priority. Vehicle access is limited to on-street parallel parking and alleys where available.

The proposed project also meets the vision and intent of multiple elements of the Growth Management Act and 2015 Comprehensive Plan for the City of Ruston listed below.

Growth Management Act

GOAL 2.

Reduce sprawl. Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development.

GOAL 4.

Housing. Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.

2015 Comprehensive Plan For City of Ruston

Goals for Ruston

To identify locations for and support infill, including live-work and accessory dwelling units. Ensure these developments are integrated seamlessly with existing development and neighborhood character. Residential neighborhood character has remained constant with mostly traditional arts and crafts style homes that offer porches or other amenities oriented toward the street and garages accessed from alleys. New development is mainly infill, achieved through subdivision, live-work units, or accessory dwelling units.

Framework Policies

FW-6

Design development to be architecturally compatible with the traditional arts and crafts style, including: scale; mass; or modulation of adjacent and nearby homes. Emphasis should be placed on the form of structures over their use.

FW-14

Encourage and integrate: multifamily; accessory dwelling; and live-work housing types when appropriate, into neighborhoods. Design their forms to fit-in with neighborhood character and environmental characteristics.

FW-23

Encourage multifamily, accessory dwelling units, and live-work units when their form is designed to be compatible with surrounding uses

FW-26

Encourage accessory dwelling units as a permitted use to provide more affordable housing choices and options for accommodating growth. Provide architectural examples.

Community Character Policies

CC-5

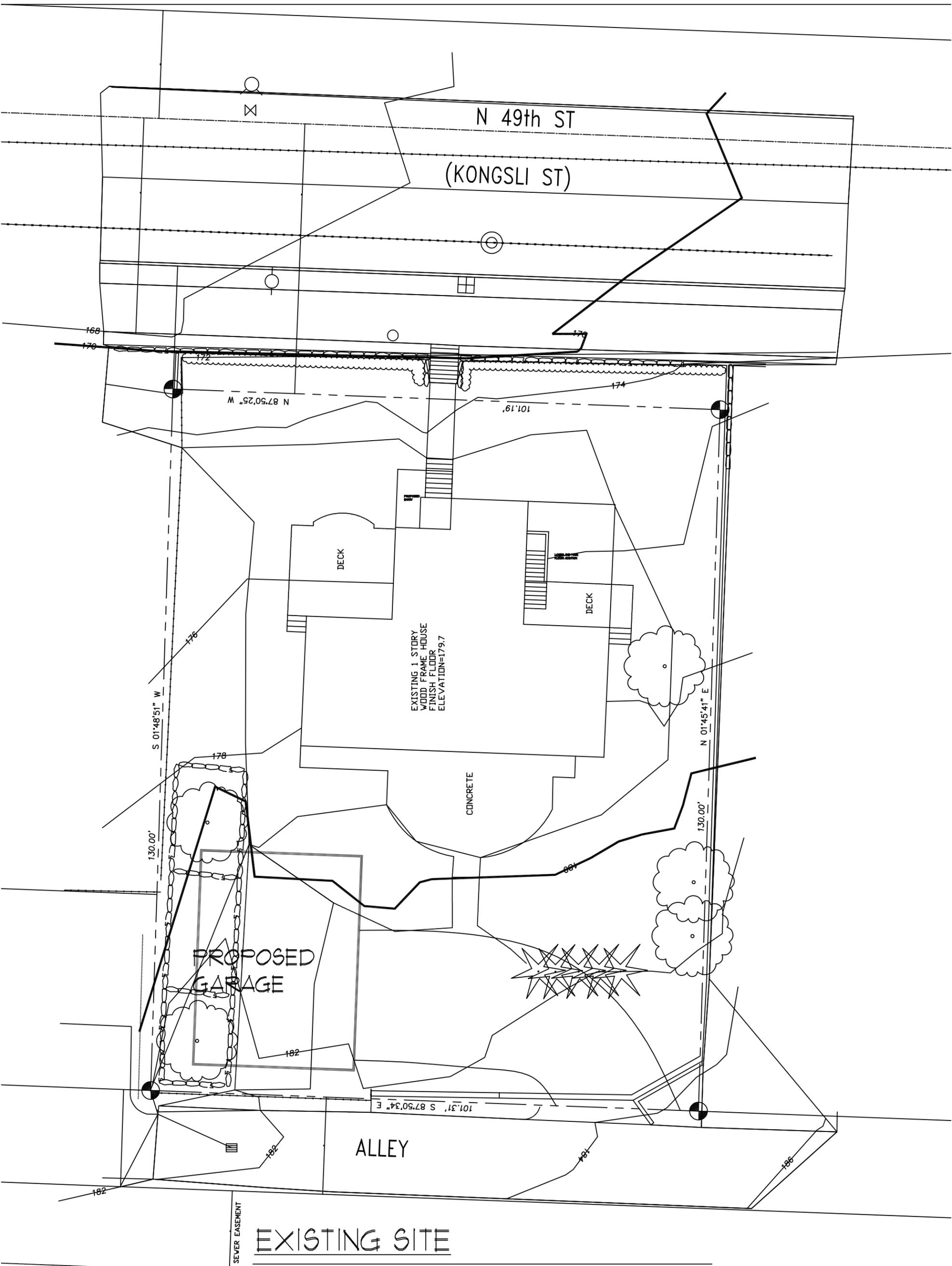
Allow infill development when lot and home size are in proportion, similar to existing neighborhood character.

CC-6

Design residential developments with arts and crafts-style homes (i.e. Craftsman, Tudor, and Pacific Northwest Timber Frame). Visible building materials should reflect human handicraft (cedar lap siding or shingles) over plywood siding such as T-1-11.

CC-23

Encourage low-impact infill development such as accessory dwelling units by simplifying the permitting process. Provide architectural examples of accessory dwelling units that show good integration with the existing neighborhood.



N 49th ST

(KONGSLI ST)

DECK

DECK

EXISTING 1 STORY
WOOD FRAME HOUSE
FINISH FLOOR
ELEVATION=179.7

CONCRETE

PROPOSED
GARAGE

ALLEY

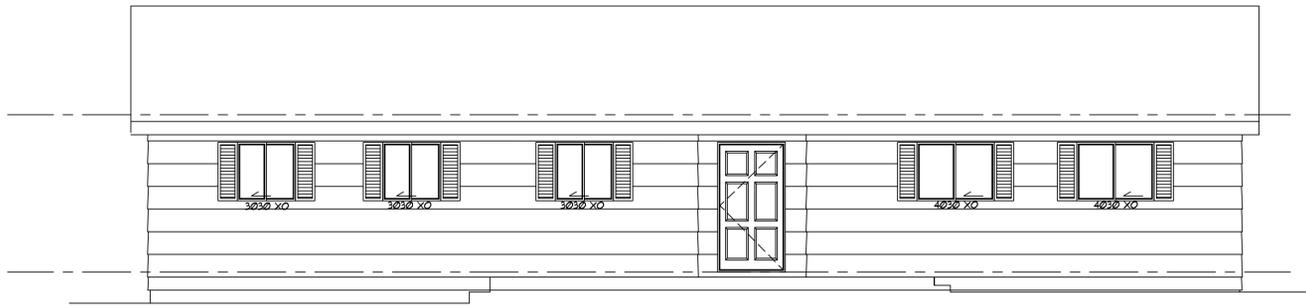
SEWER EASEMENT

EXISTING SITE

SCALE : 1" = 20'-0"

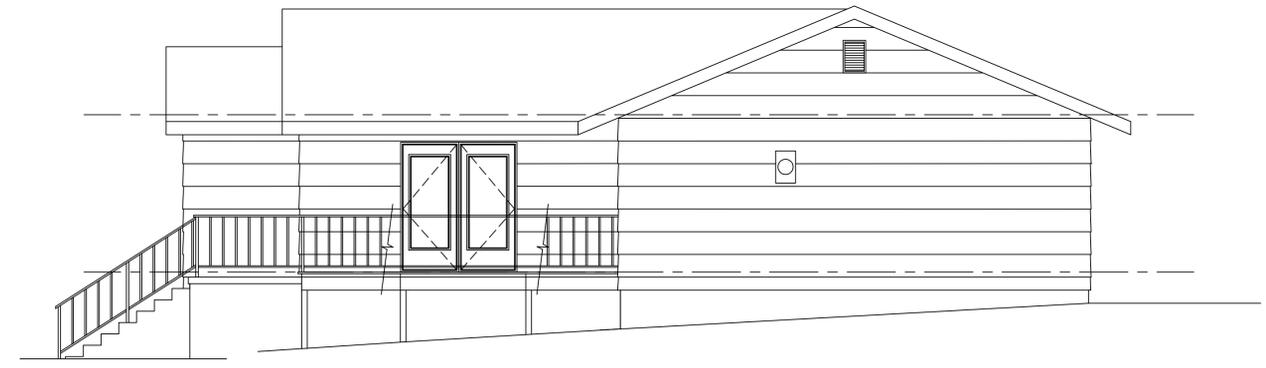
NOTE:
 THE CONSTRUCTION DOCUMENTS REPRESENTED HEREIN ARE BASED ON NON-INVASIVE SITE OBSERVATION OF THE EXISTING STRUCTURAL CONDITIONS OF THE PROPOSED PROJECT. AS A RESULT, IN CERTAIN INSTANCES DESIGN ASSUMPTIONS WERE USED TO FORMULATE THE COMPATIBILITY OF THE NEW CONSTRUCTION WITH THE EXISTING STRUCTURAL ELEMENTS. DURING THE COURSE OF CONSTRUCTION, IT IS POSSIBLE THAT CONDITIONS MAY BE ENCOUNTERED THAT DO NOT COINCIDE WITH THE DESIGN ASSUMPTIONS AND MAY REQUIRE FURTHER STRUCTURAL REVIEW TO DETERMINE ADEQUACY. THE BUILDER SHALL BE OBSERVANT OF THESE CONDITIONS AND IMMEDIATELY REPORT ANY DISCREPANCIES TO JOHN DELOMA PRIOR TO PROCEEDING FURTHER WITH THE WORK.

NOTE:
 CONTRACTOR SHALL VERIFY ALL INFORMATION CONTAINED IN THESE CONSTRUCTION DOCUMENTS TO VERIFY COMPATIBILITY WITH PROJECT INTENT AND/OR EXISTING CONDITIONS. ANY/ALL OBSERVED OMISSIONS MUST BE REPORTED TO JOHN DELOMA PRIOR TO COMMENCING WORK. MD DESIGNS SHALL NOT BE RESPONSIBLE FOR DISCREPANT PROJECT CONDITIONS RESULTING FROM UNAUTHORIZED WORK PERFORMED BY THE CONTRACTOR.



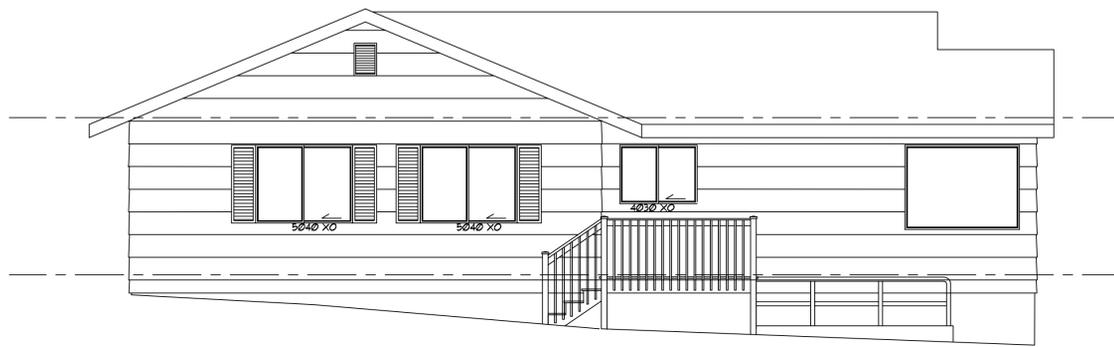
SOUTH ELEVATION

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WEST ELEVATION

©2015 MD Designs



EAST ELEVATION

©2015 MD Designs



NORTH ELEVATION

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UPTON RESIDENCE

5428 NORTH 49TH STREET
 RUSTON, WA 98407

MD Designs

Residential - Commercial Design
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 3220 North 28th Street Tacoma, WA 98407
 ph: 253.756.1652 fx: 253.756.2025

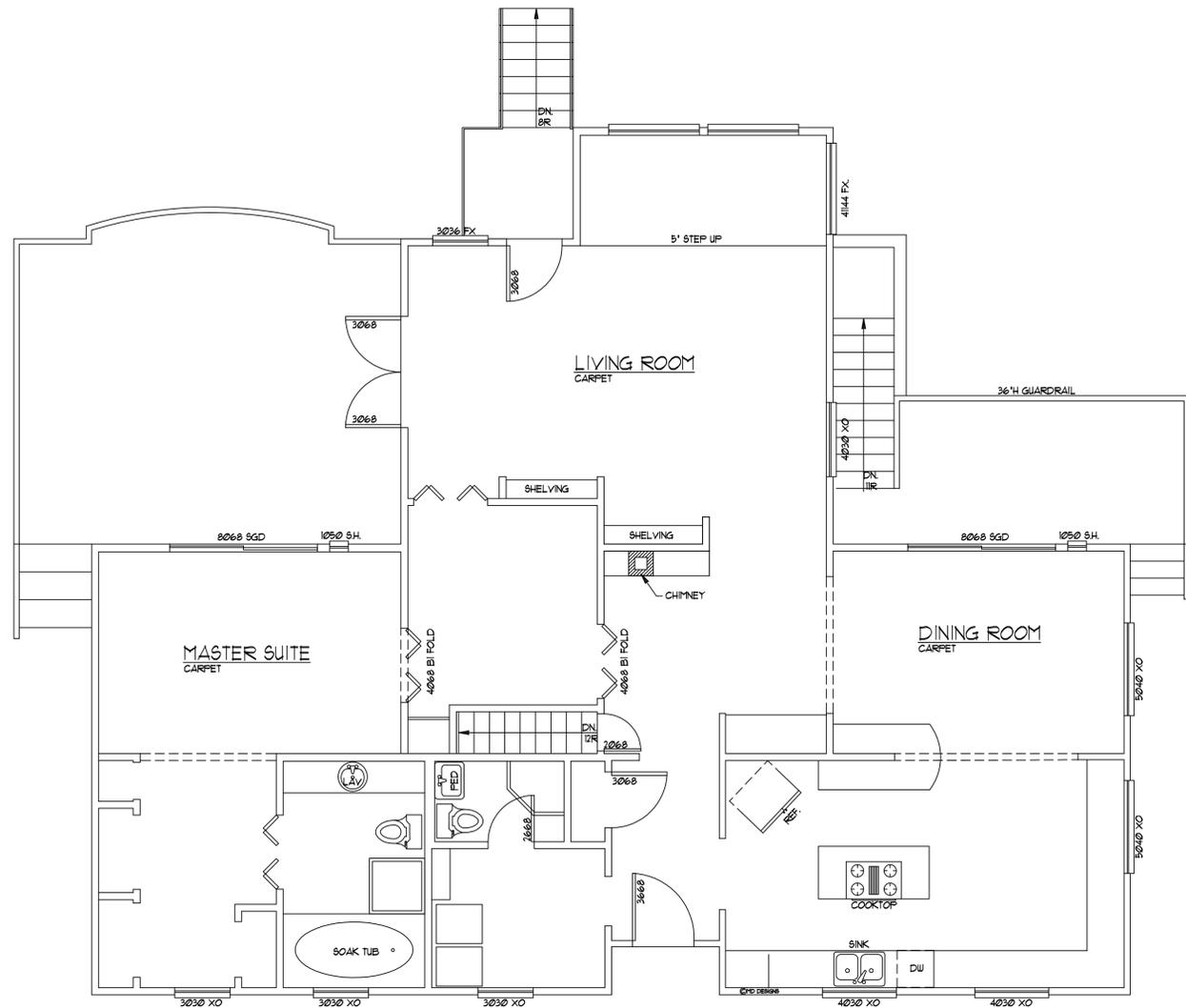
EXISTING ELEVATIONS

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A3	DATE: 1/5/15
	DESIGNER: JFD
8	PROJECT #: R15.007

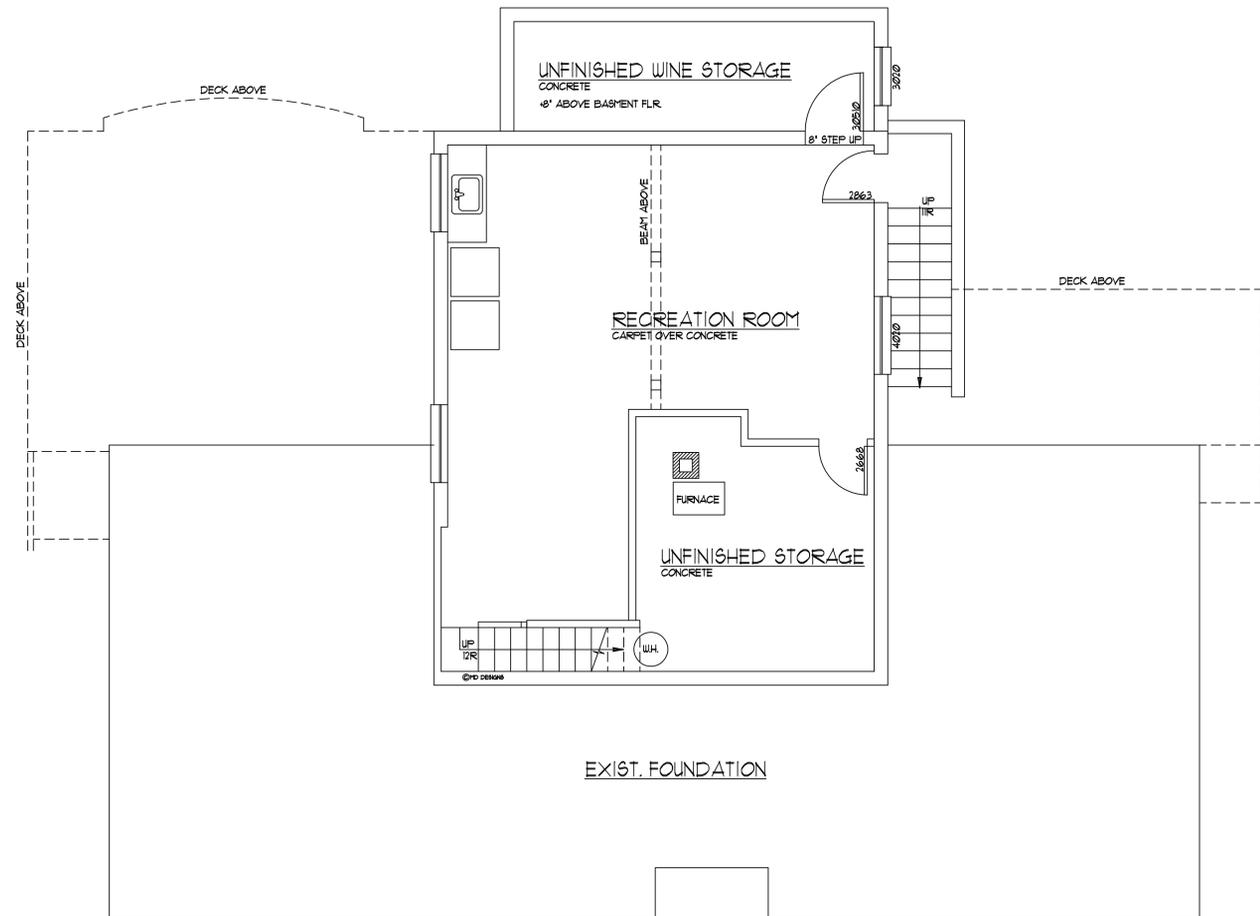
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EXISTING MAIN FLOOR PLAN

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EXISTING LOWER FLOOR PLAN

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FLOOR AREA SUMMARY	
EXISTING SQ. FT.	
MAIN FLOOR:	1821 SF.
MAIN FLOOR:	412 SF.
TOTAL CONDITIONED SPACE	2233 SF.
UNCONDITIONED SHOP SPACE	187 SF.

UPTON RESIDENCE

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RUSTON, WA 98407

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 ph: 253.756.1652 fx: 253.756.2025

EXISTING FLOOR PLAN

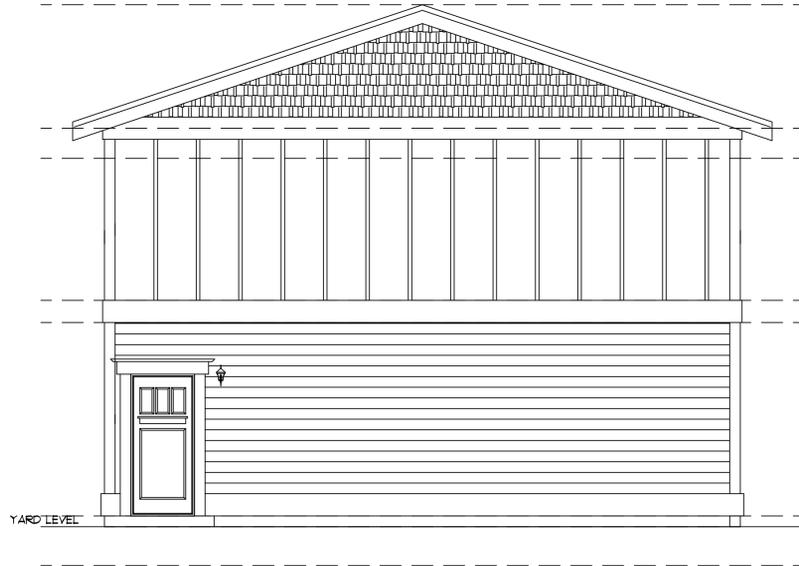
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A2

DATE:
1/15/15
DESIGNER
JFD

8

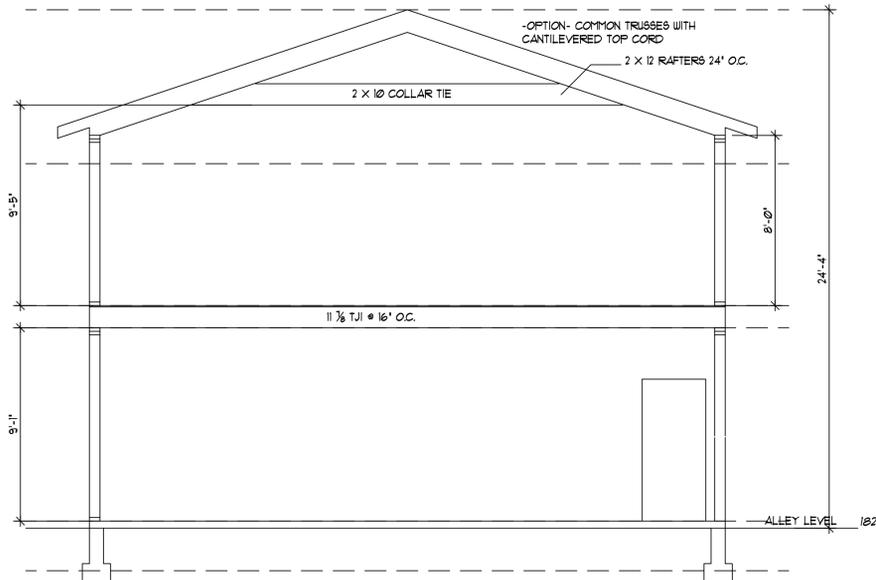
PROJECT #
R5.002



SOUTH ELEVATION

ALLEY

SCALE : 1/4" = 1'-0"



SECTION

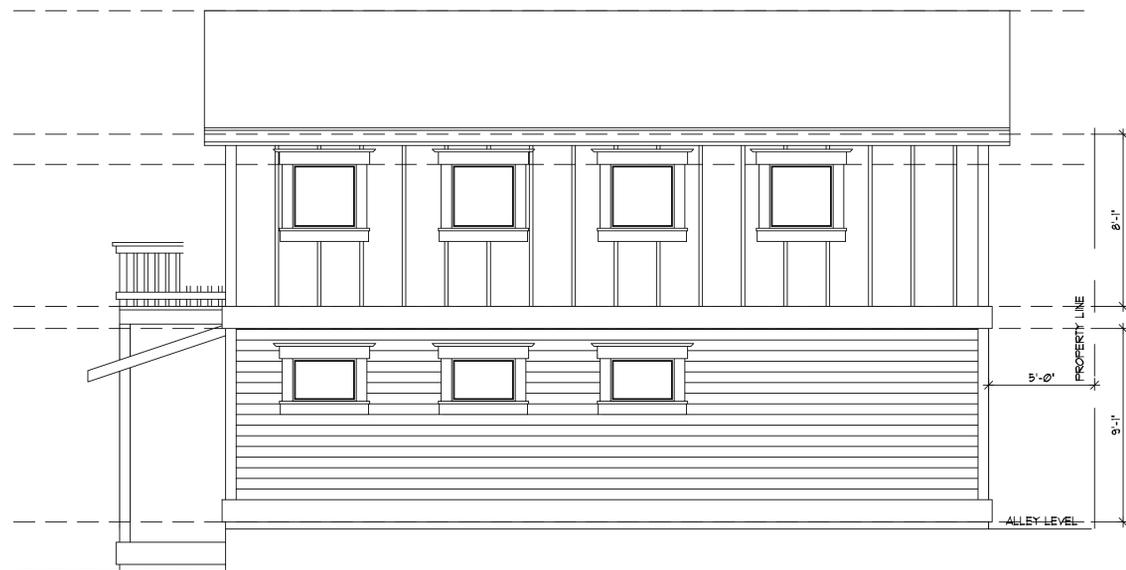
SCALE : 1/4" = 1'-0"



NORTH ELEVATION

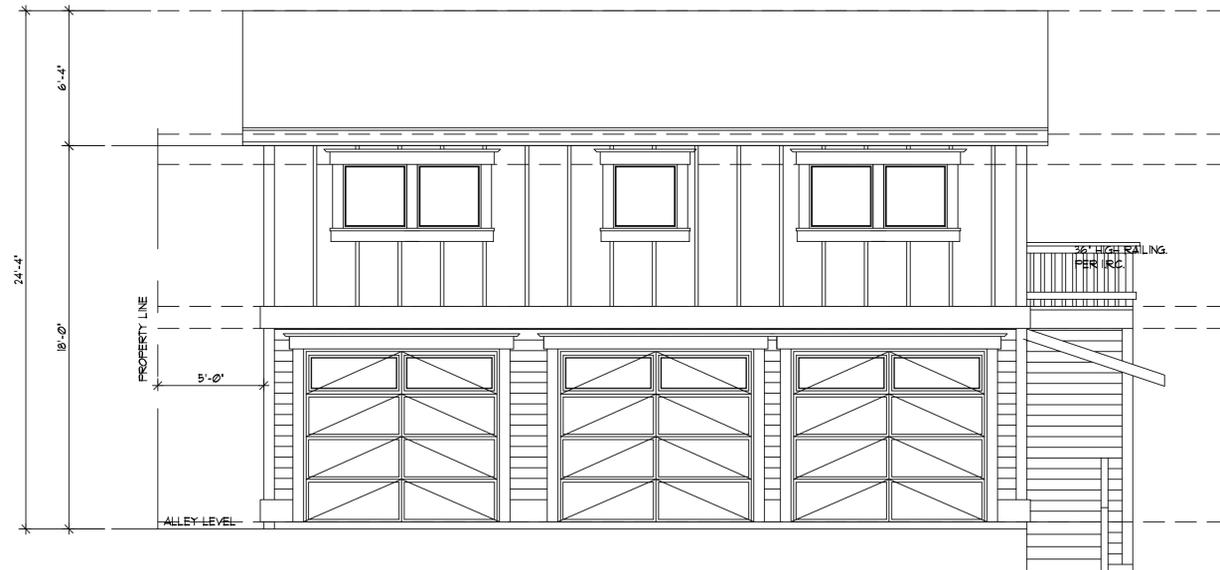
YARD

SCALE : 1/4" = 1'-0"



WEST ELEVATION

SCALE : 1/4" = 1'-0"



EAST ELEVATION

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SCALE : 1/4" = 1'-0"

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PRELIMINARY ELEVATIONS

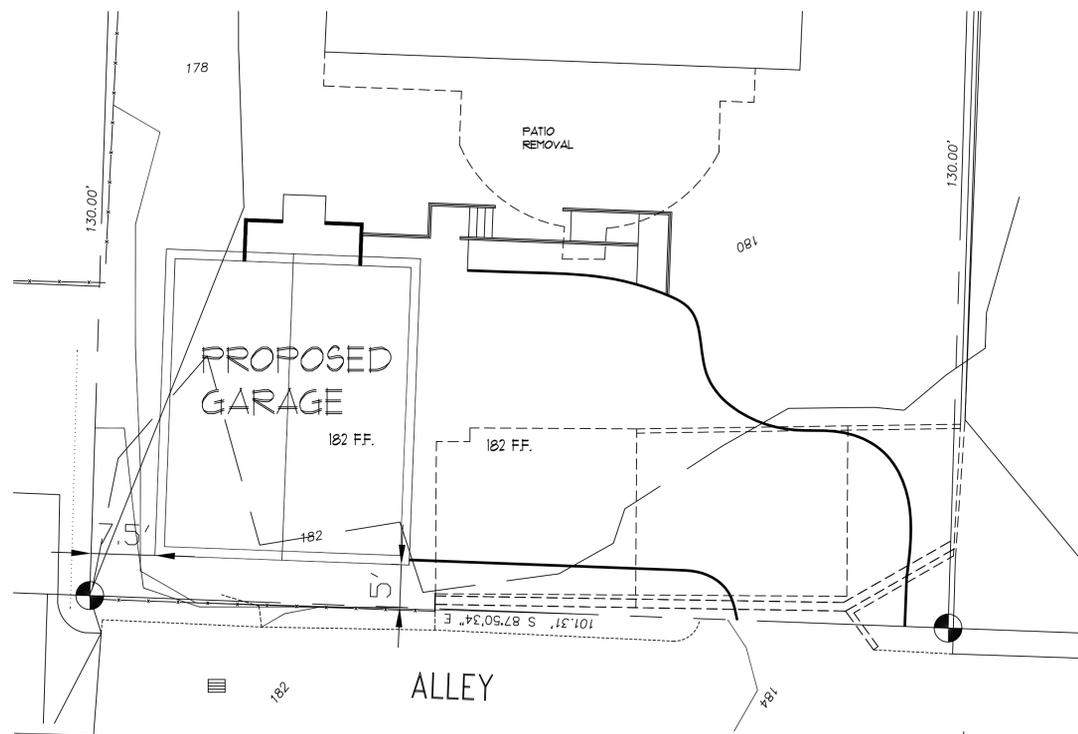
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A2

DATE:
1/29/15
DESIGNER:
JPD

2

PROJECT #



SITE PLAN

SCALE : 1" = 10'-0"

13,163.3 SQ FT TOTAL LOT
 4493.47 SQ FT EXISTING HARD SURFACE
 1962.21 SQ FT HARD SURFACE REMOVED

2531.20 SQ FT HARD SURFACE REMAINING
 2918.04 SQ FT REPLACED HARD SURFACE
 5449.24 SQ FT TOTAL HARD SURFACE

955.11 SQ FT ADDITIONAL HARD SURFACE

18% HARD SURFACE INCREASE

5449.24/13,163.3 = 41% LOT COVERAGE

PROJECT DATA

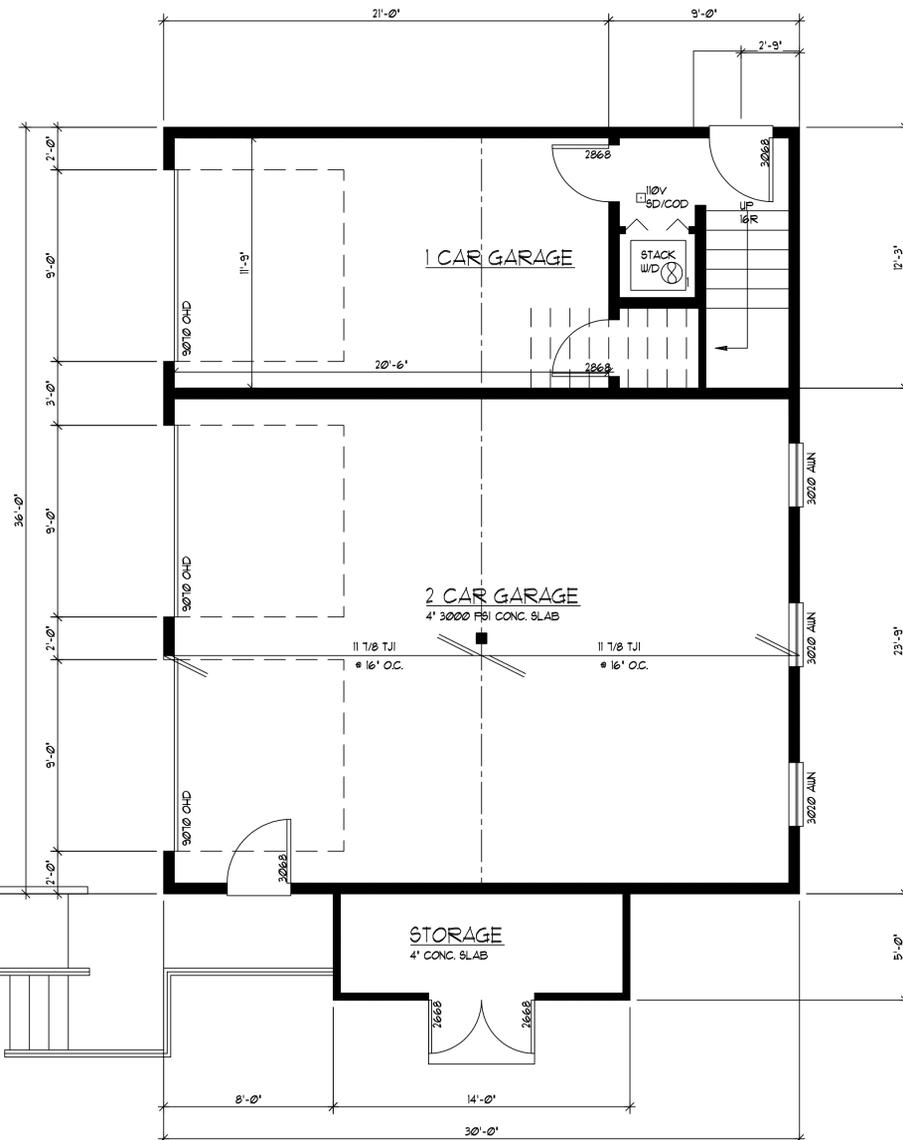
BUILDING CODE: 2012 I.R.C.
 OCCUPANCY GROUP: R-3
 CONSTRUCTION TYPE: VB

PROJECT DESCRIPTION

CONSTRUCTION OF A 36 X 30 GARAGE WITH
 ADU ABOVE WITH ACCESS FROM THIRD CAR
 GARAGE

FLOOR AREA SUMMARY

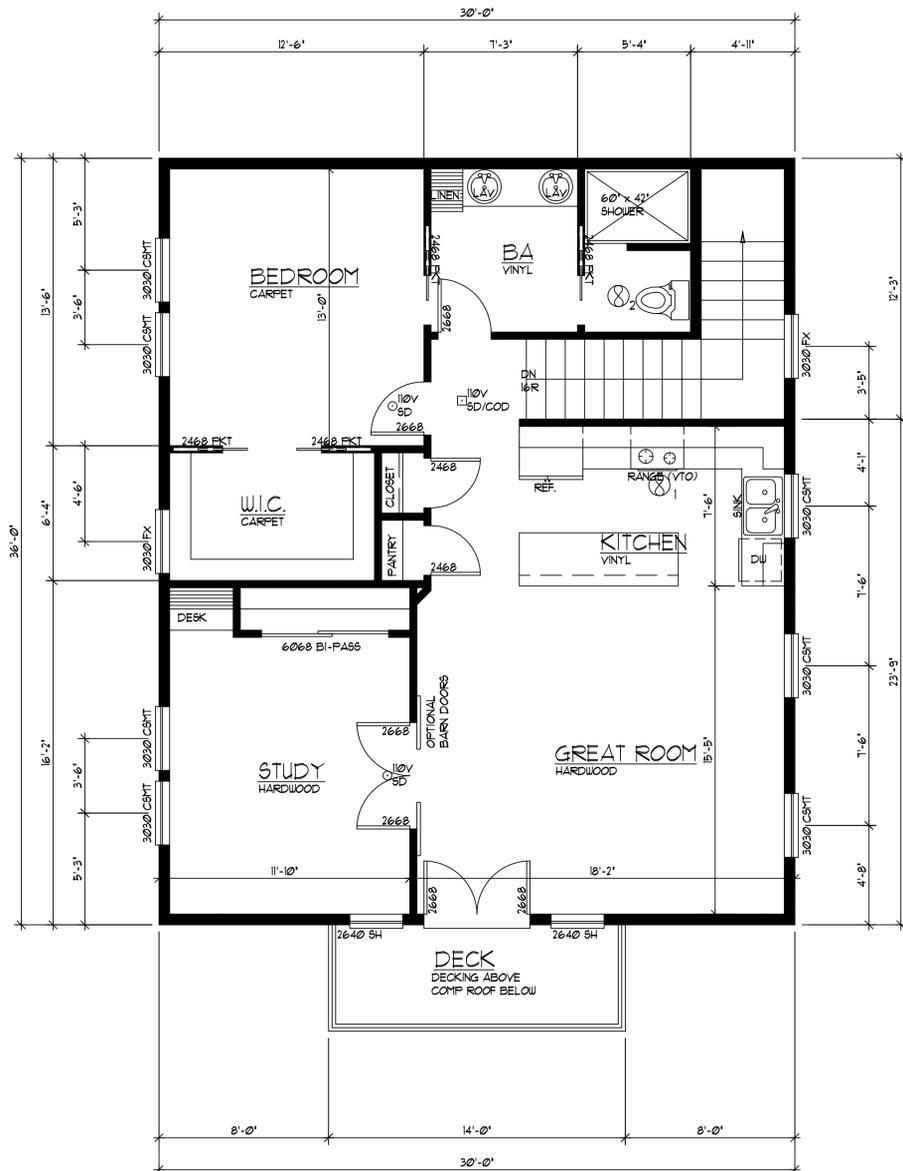
UPPER FLOOR:	1020 SF.
GARAGE:	256 SF.
GARAGE:	698 SF.



MAIN FLOOR

SCALE : 1/4" = 1'-0"

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UPPER FLOOR

SCALE : 1/4" = 1'-0"

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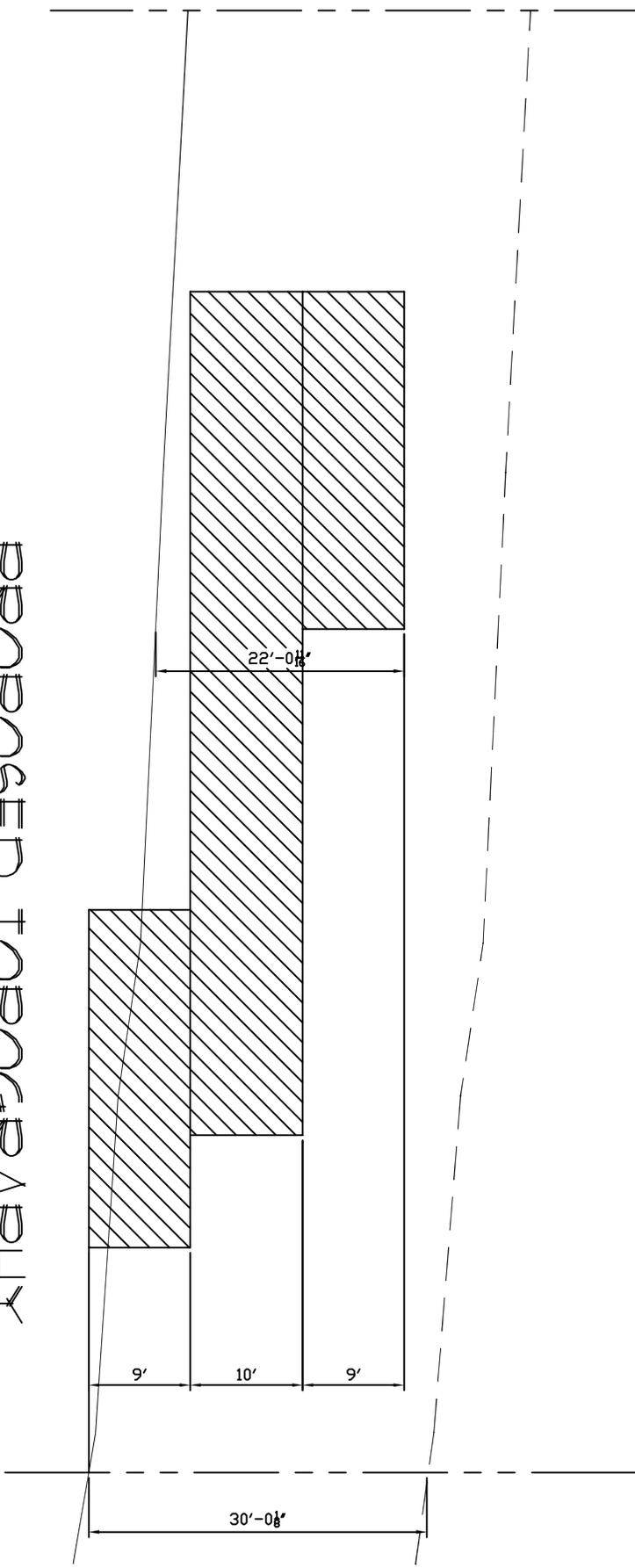
A1

DATE:
1/29/15
DESIGNER:
JPD

2

PROJECT #

5428 NORTH 49TH STREET
 RUSTON, WA 98407



PROPOSED TOPOGRAPHY

SCALE : 1" = 20'-0"

