STAFF REPORT TO THE HEARING EXAMINER

ENNS ACCESSORY DWELLING UNIT (ADU) PARKING VARIANCE
Thursday, October 10, 2013 – Council Chambers – 2:00 PM

I. Application Name and Number

File Name: Enns Accessory Dwelling Unit (ADU) Parking Variance

File Numbers: VAR-000901-2013

Applicant: Vernon Enns
5314 192nd Pl. SW
Lynnwood, WA 98036

Staff Contacts: Todd Hall, Associate Planner
(425) 670-5407, thall@ci.lynnwood.wa.us

Corbitt Loch, Deputy Director

II. Proposal/Request

The applicant, Vernon Enns, residing at 5314 192nd Pl. SW, has submitted a variance application to allow code-required off-street parking to be located within the 25-foot front-yard setback required by the City of Lynnwood Municipal Code (LMC).

The applicant submitted an application for an Accessory Dwelling Unit (ADU) on August 26, 2013 (File No. ADU-000887-2013) to convert 565 square feet of basement of the existing house into a one-bedroom ADU. The property is 8,609 square feet in size and is zoned Residential 8,400 square feet (RS-8). Access to the ADU will be through a separate entrance in the rear of the house located on the west side.

Per LMC 21.42.110.G.10, one off-street parking space is required for studio and one-bedroom ADU's, in addition to the parking required for the main residence for which is two spaces are required per residence. The ADU parking space is the primary focus for this variance application.

Per LMC 21.42.210.A.1 – Covered or uncovered vehicle storage areas may not be within any required front or street side yard setback.
The applicant has requested a variance to allow the one parking space for the one-bedroom ADU, as required by LMC 21.42.110.G.10, to be permitted within 25-foot front-yard setback. The proposed space will be located entirely within the front-yard setback on the driveway of the primary residence.

It appears that there is no practical and lawful location for the third, off-street parking space needed for the ADU, and that this variance is needed in order for the City to approve the proposed ADU. If approved, the applicant would proceed with the ADU approval process as the variance would allow the applicant to park within the front-yard setback, thus meeting the off-street parking requirement of one parking space per one-bedroom ADU.

III. Exhibits

1.1 Staff Report to the Hearing Examiner
1.2 Variance Application, received September 5, 2013
1.3 Land Use Application Cover Sheet, received September 5, 2013
1.4 Affidavit of Ownership, received September 5, 2013
1.5 Site Plans, received September 5, 2013
1.6 Brookmoore Estates Plat Map, received September 5, 2013
1.7 Applicant Proposal Summary and Variance Criteria, submitted September 5, 2013
1.8 Vicinity Photos (Google Map), received September 5, 2013
1.9 Site Photos, received September 5, 2013
1.10 Notice of Application, issued September 7, 2013
1.11 Notice of Public Hearing, issued September 19, 2013
1.12 Affidavits of Posting and Mailing
1.13 Public Notice Mailing List
1.14 Zoning Map
1.15 Future Land Use Map
1.16 Referral and Referral Comments

IV. Background

A. Site

The project site, located at 5314 192nd Pl. SW, contains a 2,430 square foot single-family, three-level dwelling on a lot approximately 8,609 square feet in size. The parcel is Lot 26 of Brookmoore Estates and is identified as Snohomish County Tax Parcel No. 008023-000-026-00.

The dwelling has a building coverage footprint of approximately 1,510 square feet. Required parking for the existing home is located within an attached, two-car garage. The structure is setback a minimum of 25-feet from the property line,
the closest point of which is the northeastern corner. The remainder of the house is setback further than the minimum-required 25-foot setback—approximately 26 to 34 feet. The topography of the site slopes downward from east to west and from north to south. The rear yard of the property contains both natural and hardscape landscaping. A portion of the property contains a native growth protection area including a wetland (Exhibit 1.6).

B. Adjacent Development

The adjacent properties to the north and east are also located within the Brookmoore Estates subdivision and are zoned RS-8 (Residential 8400 sq. ft.). Properties to the south are located within the Brookwood Park Subdivision and are zoned RS-8. The vacant property to the west is zoned P1 (Public) and is owned by Edmonds School District (Exhibit 1.14).

C. Access

Lot 26 is located on a partial cul-de-sac and has direct access to 192nd Pl. SW and 53rd Pl. W (Exhibits 1.5 and 1.6).

V. Noticing

A Notice of Application for this variance was posted at the City of Lynnwood official posting sites and on-site on September 6, 2013, and was published in the Herald newspaper on September 7, 2013. Owners of property within a 600-foot radius of the subject property were also mailed a Notice of Application and were invited to comment on the project.

A Notice of Public Hearing was posted at the City of Lynnwood official posting sites and on-site on September 19, 2013, and was published in the Herald newspaper on September 19, 2013. Owners of property within a 600-foot radius of the subject property were also mailed a Notice of Public Hearing.

VI. Public Comment

A 14-day public comment period on the proposal ended on September 21, 2013. No comments from the public were received. On September 6, 2013, referrals were sent to various City staff for comment. No comments from staff were received (Exhibit 1.16).

VII. Environmental Review

Variances are categorically exempt from SEPA Review per WAC 197-11-800(6), Minor Land Use Decisions, and therefore no threshold decision is required.
VIII. Relevant Legal Citations and Staff Analysis

The applicant must demonstrate that the application meets or fulfills the regulations in the Municipal Code and particularly the decision criteria for a variance. The applicant has submitted a written statement responding to the decision criteria (Exhibit 1.7).

A. City of Lynnwood Comprehensive Plan and Municipal Code:

Comprehensive Plan

The future land use designation for the site on the Comprehensive Plan Future Land Use Map (Exhibit 1.15) is Low Density Single Family Residential (SF-1). The Land Use Element describes the “Low Density Single Family Residential” land use category as follows:

- **Purpose:** This Plan category is intended to provide for standard suburban style housing and will be the majority of residential land use in the city.

- **Principal Use:** Detached single-family residences at a minimum density of four dwelling units per net acre.

- **Subordinate Uses:** Institutional, educational or cultural, as long as such use supports the residential use and that this use would not significantly impact nearby residences.

- **Locational Criteria:** Areas designated for this category of use should be well separated or buffered from incompatible or disruptive land uses and should not be subjected to higher volumes of vehicular traffic.

- **Site Design:** Lot sizes within subdivisions shall comply with the City’s minimum development code requirements and, in no case, shall cause the overall density to be less than four dwelling units per net acre. Some lots smaller than 8,400 square feet may be allowed through lot-size averaging within subdivisions, and through the planned unit development process. Lot coverage by structures shall be limited so as to provide substantial yard space around the residence.

- **Building Design:** Either one or two stories high with an additional story permitted if located partially below ground level in a basement.

- **Other Provisions:** One accessory dwelling unit may be added to a lot in this category, provided that the single family character of the property and the neighborhood is not impaired. An accessory unit shall not be included in the calculation of allowable density.
The following goals and policies in the Comprehensive Plan are relevant to this application:

- **The Goal of the Land Use Element**: “A balanced land use pattern that prevents urban sprawl, preserves and enhances residential neighborhoods, protects environmentally sensitive areas, protects people and property from environmental hazards, promotes economic development, and encourages community redevelopment at appropriate locations, resulting in a high quality physical environment for residents, workers, and visitors.”

- **Subgoal: Compatibility**: “Assure that the Future Land Use Plan properly separates and buffers those land uses which are incompatible while permitting the mixing of compatible uses in appropriate ways and in appropriate areas.”

- **Subgoal: Single-Family Housing Retention**: “Assure preservation of existing single-family neighborhoods and community identity through protection from conflict with or encroachment of incompatible land uses or activities.”

- **Policy LU-2.2**: “Innovative-housing techniques shall be utilized to provide for housing infill diversity and affordability. These techniques will include small-lot subdivisions, zero lot line housing, duplexes, and accessory dwelling units.”

**Staff Response**: One of the criteria in approving a variance states that, “The variance is in accord with the Comprehensive Plan.” The future land use designation for these sites on the Comprehensive Plan Future Land Use Map (Exhibit 1.15) is Low Density Single Family Residential (SF-1).

The proposed use is in accordance with the principal uses designated by the SF-1 section of the Comprehensive Plan, and the location complies with the Locational Criteria.

Staff has identified one goal, two subgoals, and one Comprehensive Plan policy that apply to this variance. Policy LU-2.2 is met by providing an accessory dwelling unit within the existing structure, which therefore meets the applicable goal and subgoals identified above by preserving the existing single-family residential neighborhood.
Title 21 LMC – Zoning

Chapter 21.04 LMC – General Provisions

LMC 21.04.015 states the following as the Purpose of the Zoning Code: “This title (Title 21 LMC, Zoning, also called the zoning code) provides regulations concerning the use of land and structures and the location, size, and bulk of structures for the purpose of avoiding or abating public nuisances. This title also intends to promote the protection and promotion of the quality of the natural environment and the health, safety, morals, and other aspects of the general welfare of present and future inhabitants of the city of Lynnwood in accordance with the comprehensive plan and state law, judicial decisions, and Central Puget Sound Growth Management Hearings Board decisions regarding land use regulations. To these ends, it is the intent of these regulations to implement the city of Lynnwood comprehensive plan and the future land use plan map.

“These general purposes include the more specific purposes set forth elsewhere in this title.”

Staff Response: The zoning designation for the site on the Official Zoning Map (Exhibit 1.14) is Residential Single-Family 8,400 (RS-8). This is the implementing zone for the SF-1 Comprehensive Plan designation.

LMC 21.04.015 is met by the existing residence complying with all of the development standards for the RS-8 zone. The proposed ADU will be located within the existing residential structure and therefore will not change the dimensions nor encroach within setbacks (Exhibit 1.5).

Chapter 21.26 LMC – Variances

In Exhibit 1.7 the applicant has addressed the variance criteria set forth in Chapter 21.26 LMC. The following is staff’s analysis of the requirements of the Variances chapter:

• 21.26.100 – Purpose: “A variance is a mechanism by which the city may grant relief from the provisions of the zoning code where practical difficulty renders compliance with the provisions of the code an unnecessary hardship, where the hardship is a result of the physical characteristics of the subject property and where the purpose of the code and of the comprehensive plan can be fulfilled upon granting of the variance.”

Staff Response: The applicant, Vernon Enns, has submitted an application to the City of Lynnwood for a variance to request the parking for a proposed one-bedroom ADU be permitted within the 25-foot front-yard
setback as required by LMC 21.42.110.G.10. As stated in their narrative (Exhibit 1.7), the challenges of providing parking outside the front-yard setback are topography, native growth protection area, lot configuration, and house location. These issues reduce or eliminate the possibility of creating additional on-site parking. These issues are summarized further in the exhibit and analysis below.

- **LMC 21.26.350 – Decision Criteria**: “The hearing examiner may approve or approve with modifications an application for a variance from the provisions of the zoning code if:

  - **LMC 21.26.350.A**: “The variance for the subject property will not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and the zone in which the property is located; and

  **Staff Response**: Staff concurs with the response given by the applicant (pg. 4, Exhibit 1.7) in that other properties within the Brookmoore Estates subdivision have the same ability to apply for an ADU. However, staff notes that the majority of the properties are not trapezoidal in shape and encumbered by a NPGA, and therefore do not have similar impediments that reduce the ability for parking. Additionally, granting the variance to allow one code-required, off-street parking space to be located within the 25-foot setback will not give the applicant a material special privilege as it is common for residents of single family homes to park upon driveways that traverse the front-yard setback.

  - **21.26.350.B**: “The variance is necessary because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges afforded to other properties in the vicinity and in the land use zone in which the subject property is located; and

  **Staff Response**: Staff concurs with the response by the applicant (pg. 4, Exhibit 1.7) in that the variance is necessary because of special circumstances relating to size, shape and topography of the property. The applicant’s property is unlike other properties within the Brookmoore Estates subdivision in that it does not have a 3-car garage and has a sloping backyard. The subject property contains a wetland with a native growth protection easement (NGPE) and is the only property in the Brookmoore Estates subdivision which has this encumbrance. Given these circumstances, the applicant’s ability to provide ADU parking outside the 25-foot front-yard
setback without a variance is significantly limited—to an extent significantly different than similar properties in the vicinity.

- **21.26.350.C**: “The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is located; and

  **Staff Response**: Staff concurs with the applicant in that the granting of the variance will not be detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the property is located. As noted in the applicant’s response (pg. 4, Exhibit 1.7) and as staff has mentioned in Criterion A above, it is common practice for residents in the area to park a vehicle upon the driveway that traverses the front yard setback (Exhibit 1.9). Like virtually all communities, Lynnwood does not preclude the incidental parking of vehicles upon the driveway that lies within the front-yard setback. As a result, it is common for vehicles to be parked in this setback area, and it can be expected that a vehicle may be parked within the front yard area irrespective of whether an ADU is authorized by this variance. Therefore, it is not expected that approval of the variance would result in adverse impacts upon the surrounding properties or vicinity.

- **21.26.350.D**: “The special circumstances of the subject property make the strict enforcement of the provisions of this code an unnecessary hardship to the property owner; and

  **Staff Response**: As noted in staff’s response to Criterion B above, the collective circumstances that affect the property prevent the applicant from reasonably providing ADU parking outside of the front-yard setback area.

- **21.26.350.E**: “The special circumstances of the subject property are not the result of the actions of the applicant or a predecessor in interest; and

  **Staff Response**: As noted above and in the applicant’s response (pg. 5, Exhibit 1.7), none of the special circumstances (parcel shape, location of existing home, topography, side yard setbacks, wetland/NGPE, etc.) are a result of the applicant’s action. These were all present upon the development of the plat, and specifically to this lot.
21.26.350.F: “The variance is the minimum necessary to fulfill the purpose of a variance and the need of the applicant; and

*Staff Response:* The request for the parking setback variance is the only item necessary. With the granting of the variance, staff may continue review and approval of the ADU.

21.26.350.G: “The variance is consistent with the purpose and intent of the zoning code; and

*Staff Response:* The variance request for the parking variance is consistent with the purpose and intent of the zoning code. As expressed in the applicant’s responses (Exhibit 1.7) and in staff’s analysis above, the variance will not be detrimental to the safety, health and welfare of citizens of the immediate neighborhood, or to Lynnwood as a whole, because it is not changing the character or conditions from what already exists.


*Staff Response:* As noted above, the granting of the variance will not be in conflict of the comprehensive plan.

**B. Revised Codes of Washington (RCW):**

*RCW 35A.63.110(2) – Board of Adjustment*

RCW 35A.63.110(2). Applications for variances from the terms of the zoning ordinance, the official map ordinance or other land-use regulatory ordinances under procedures and conditions prescribed by city ordinance, which among other things shall provide that no application for a variance shall be granted unless the board of adjustment (hearing examiner) finds:

a. the variance shall not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the property on behalf of which the application was filed is located; and

b. that such variance is necessary, because of special circumstances relating to the size, shape, topography, location, or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located; and
c. that the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated.

**RCW 36.70B.040 – Determination of Consistency**

This section requires the City to determine that the proposal is consistent with adopted development regulations or in the absence of applicable development regulations that the proposal is consistent with the appropriate elements of the comprehensive plan.

**IX. Conclusions and Recommendation**

**A. Conclusion**

Staff concludes that the variance fulfills the decision criteria in the LMC and appears to be in accordance with the goals and polices of the Comprehensive Plan. If the variance is granted, the proposed ADU will help implement Comprehensive Plan meet the policies that encourage innovative and diverse housing types.

**B. Recommendation**

Staff recommends that the Hearing Examiner approve the variance for the Enns ADU Parking Variance (File No. VAR-000901-2013).
A Land Use Application for a Variance is deemed complete when it is accompanied by the required items identified below. Please be advised that additional information may be required during the review process in order to respond to or resolve particular issues. No application shall be considered complete if any of the required information is missing. The Community Development Director may waive any of these items, pursuant to LMC Section 1.35.015(A), upon written request by the applicant and a finding that the item is not necessary to review the application. Additional copies of certain items will be required later in the process.

**REQUIRED ITEMS**

1. Land Use Application Cover Sheet, with original signature(s).

2. A written statement by the owner describing the proposal, including the goals of the proposal, the sections of the municipal code which require approval of the application, and the relationship of all structures, parking, and landscaping to those goals and to the development and use of adjoining properties.

3. A written statement addressing whether the application complies with the following decision criteria:
   - A. The variance will not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and Land Use Zone in which the property on behalf of which the application was filed.
   - B. The variance is necessary because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the Land Use Zone in which the subject property is located.
   - C. The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and Land Use Zone in which the subject property is located.
   - D. The special circumstances of the subject property make the strict enforcement of the provisions of this Code an unnecessary hardship to the property owner.
   - E. The special circumstances of the subject property are not the result of the actions of the applicant or a predecessor in interest.
   - F. The variance is the minimum necessary to fulfill the purpose of a variance and the need of the applicant.
   - G. The variance is consistent with the purpose and intent of the Land Use Code.
   - H. The variance is consistent with the Comprehensive Plan.

4. Two (2) copies of a site plan, drawn to scale, showing:
   - A. Existing natural features;
   - B. Existing and proposed grades;
   - C. Existing and proposed utility improvements;
   - D. Existing and proposed structures and other improvements;
   - E. The location of parking for the proposed use; and
   - F. All structures, natural features and other improvements within 50 feet of the project site.
5. Two (2) copies of a landscaping plan, showing existing and proposed landscaping and fencing.
6. A vicinity map, showing the location of the site in relation to nearby streets and properties.
7. A summary table of project statistics, including site area, building coverage, coverage by impervious surfaces, required and proposed parking, etc.
8. A list of uses for which the site will be used and the gross floor area or gross lot area that each use would occupy.
9. A written description of the proposed use of the site, including hours of operation, number of employees, and any proposed storage or use of hazardous materials, if applicable.
10. Exterior elevations of all existing and proposed structures.
11. Photographs of the site.
12. If the project is to be developed or occupied in phases, a schedule for each phase.
13. A colors and materials board showing all proposed colors and materials.
14. A list of other permits that are or may be required for the development of the property as known to the applicant at the time of submittal.
15. A list of permits that are to be processed concurrently with this application.
16. Two (2) sets of reduced copies (no larger than 11 by 17 inches) of all plans and oversized documents.
17. A completed SEPA application, unless the project is categorically exempt from SEPA review.
18. A complete, notarized Affidavit of Ownership for all property owner(s) of the involved property.
19. Application fee(s).

FEES
See LMC 3.104 or contact our office for current fee information.

NOTES
1. The approval of a Variance Application does not in any way replace, modify or waive any requirement for the compliance of the proposal with other applicable codes, standards, or regulations including, but not necessarily limited to, those of the Building, Fire or Public Works Departments. You are advised to contact these departments concerning such requirements.
2. Optional consolidated review: Per LMC 1.35.080, projects involving two or more land use applications filed at the same time may be “consolidated” upon written request by the applicant at the time of submittal. When applications are consolidated for review, the entire package will proceed using the process involving the highest decision-making authority. For example, for a project involving a Project Design Review application and a Rezone application, both applications would have a final decision issued by City Council. It is strongly recommended that you speak with a staff member about consolidated review so that you are informed of your options and how your applications would be affected.
3. I/We hereby request consolidated review.
4. Any permit issued for Variance shall expire two years from the date of approval unless a building permit has been obtained and improvements have been substantially completed. The Community Development Department Director may grant a single two-year extension to this time limit, provided a written request for an extension is received before expiration.
4. It is the responsibility of the owners, applicants and agents to become aware of the requirements of Title 21-Zoning of the Lynnwood Municipal Code. It is strongly encouraged that a pre-application conference with the City staff be scheduled prior to submittal of an application.

5. An application may be amended only in writing.

6. Submittal of this application grants the appropriate city officials the right of entry to the project site during a reasonable hour and, upon proper identification, to the building, structure and/or premise, which is directly related to this application.

7. In each application the burden of proof rests with the applicant, petitioner or proponent.

8. Items with any typewritten information must be 10-point font or larger to ensure legibility of scanned documents.

I/We, VERNON P. ENNF & CLAIRE E. AMOS-ENNF, owner(s) of the property commonly known as 5314 192.167 Pl SW, LYNNWOOD, WA, do hereby apply for approval of a Variance from the provisions of the Zoning Code for the above-referenced property. I/We certify that the information provided in this application, including all submittals and attachments, is true and correct to the best of my/our knowledge.

Signature of Owner:

Date: 9/5/13

Please print name:
**Land Use Application Cover Sheet**

**File Name:** VAR-00001-2013  
**File Number:** ENNS ADU VARIANCE

**Instructions for Applicants**

Please read and follow all instructions on your application carefully. If you have any questions about the process or your project, it is strongly recommended that you speak with staff prior to submitting your application to help ensure that processing can advance in a timely manner. Every application must include this cover sheet, the application/checklist and all required items, and a notarized affidavit of ownership (if applicable).

**Specific Type of Land Use Application to be submitted (check all that apply):**

- Accessory Dwelling Unit
- Environmental Review (SEPA)
- Wireless Communication Facility
- Appeal
- Project Design Review
- Other (please specify): ____________________________
- Binding Site Plan
- Rezone/PUD
- Comprehensive Plan Suggested Amendment
- Boundary Line Adjustment/ Lot Combination
- Short Subdivision (Short Plat)
- Comprehensive Plan Amendment
- Conditional Use Permit
- Subdivision (Long Plat)
- Variance

**Please Print or Type Legibly**

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<tr>
<th>Applicant:</th>
<th>VERNON R. EINNS</th>
<th>Phone: 425-778-4918</th>
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<tr>
<td>Address:</td>
<td>5314 192nd Pl. SW</td>
<td>Cell: 206-229-5317</td>
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<tr>
<td>City:</td>
<td>Lynnwood</td>
<td>Zip: 98036</td>
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| Site Address(es):  | 5314 192nd Pl. SW, Lynnwood, WA 98036 | Zoning: R5-8 |
| Assessor Parcel Number(s) – (APNs):  | 008023-000-026-00 | Comp. Plan Designation: SFL | |

**Description of Proposal:**

VARIANCE PERMITTING PARKING FOR ADU WITHIN REQUIRED 25-FOOT FRONT YARD SETBACK.

I/we certify that the information provided in this application, including all submittals and attachments, is true and correct to the best of my/our knowledge.

| Signature of Applicant/Agent: on file. | Date: 9/5/13 |
| Signature of Property Owner: on file.  | Date: 9/5/13 |
Affidavit of Ownership

Property Owner: VERNON R. ENNS & CLAIRE E. AMOS-ENNS
Contact Address: 5314 - 142 Pl SW Lynnwood, WA
Phone: 425-778-4718 (H)

Any person with a verifiable interest in the subject property must complete this form. If the above property owner has an express interest in additional parcels involved in the listed project than there is space provided for below, those parcel numbers and associated legal descriptions must be provided on further copies of this form.

Site Address: 5314 - 142 Pl SW Lynnwood, WA
APN: 008023-000-026-00
Legal Description:
LOT 26, BROOKMOORE ESTATES, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 58 OF PLATS, PAGES 29-30, RECRODS OF SNOHOMISH COUNTY, WASHINGTON.

Site Address: APN: 
Legal Description: 

AFFIDAVIT OF OWNERSHIP – To Be Completed in the Presence of a Notary Public

I, VERNON R. ENNS, being duly sworn, depose and say that I am the owner of record of that certain real property identified as Snohomish County Parcel Number(s) 008023-000-026-00, and that the information provided in this application, including all submittals and attachments, is true and correct to the best of my knowledge.

Signature of Owner: CLAIRE E. AMOS-ENNS
Date: 9-5-2013

STATE OF Washington )
COUNTY OF Snohomish ) ss.

I certify that I know or have satisfactory evidence that VERNON R. ENNS and CLAIRE E. AMOS-ENNS is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

SUBSCRIBED AND SWORN TO before me this 5th day of September 2013.

NAME (print): Sam Odchits
NAME (sign): 

Commission Expires: 9/15/2013

Notary Public
State of Washington
SAM OCCHIUTO
My Appointment Expires Sep 5, 2015
AFFIDAVIT OF OWNERSHIP AND OCCUPANCY BY OWNER – To Be Completed in the Presence of a Notary Public

All property owners for each involved property must complete an Affidavit of Ownership. Additional forms available upon request.

I, ________________, being duly sworn, depose and say that I am the owner of record of that certain real property identified as Snohomish County Parcel Number(s) __________________________, and that the information provided in this application, including all submittals and attachments, is true and correct to the best of my knowledge. I do hereby further depose and say that I will occupy the property listed in this application for at least six months of each calendar year. At no time will I, the property owner, receive rent for whichever unit is owner occupied.

Signature of Owner: __________________________ Date: ________________

Please print name: __________________________

STATE OF Washington ) ss.
COUNTY OF Snohomish )

I certify that I know or have satisfactory evidence that Vernon R. Enns and Claire E. Amos-Enns is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

SUBSCRIBED AND SWORN TO before me this 5th day of September 2013.

NAME (print): __________________________
NAME (sign): __________________________

Notary Public in and for the State of Washington
Commission Expires: ________________
ADU APPLICATION:

File name: Enna-5314-192 PL SW

File number:

Responses to 23.42.110.G LMC Accessory Dwelling Units requirements.

G.2 Permitted Uses: This address is currently Zone R5-8, ADU permitted to be built. Zone R5-8.

G.3 Minimum lot size: This address lot size is 6,604 sf, larger than the minimum size of 6,400 sf.

G.4 Number: This request is for 1 ADU, the maximum permitted by LMC is 1 ADU per lot.

G.5 Location in relation to Principal Residence: The ADU will be within the level of the existing structure, no additional structure will be added to the Principal Residence.

G.6 Development Standards: Any and all work inside the Principal Residence will be required to meet all the standards for the applicable zone. The exterior electric, water, water, and address will be used for the ADU and Primary Residence.

G.7 Size: This application is for a single ADU total area is 620 sq ft, less than the smaller of a maximum of 800 or 45% of the Principal Residence.

G.8 Design: Not Applicable. No new exterior construction and no new landscaping.

G.9 ADU Entrance Location: The entrance to the ADU is located at the ground floor level of the existing residence, the ADU entrance will be visible from the street. The Primary Residence entrance is on the street.

G.10 Parking: The designated off-street parking space for the ADU will be located in the rear of the property. The designated off-street parking space for the ADU will be located within the existing structure, no new driveway or parking area will be added to the property.

G.11 Accessibility: The ADU will comply with Chapter 15.80.RC requirements. The ADU will comply with the LMC requirements. The ADU will comply with the LMC requirements. The ADU will comply with the LMC requirements.

G.12 Owner Occupancy: The property owners, Vernon R. Enns and Claire E. Amos-Enns will reside in the Principal Residence, our primary and only residence. We will not reside in the ADU for more than 6 months/year. Vernon R. Enns and Claire E. Amos-Enns will reside in the ADU for more than 6 months/year.

G.13 Permitting: After ADU permit is issued, we will apply for permits and permits for improvements anticipated in the ADU.

b. The application package will include:

1. Plans.
2. Evidence of ownership of the property.
3. Certification of owner occupancy.
4. Plan review of $3,000 to be submitted with the application.
5. "Such other information as the director may require" is not known at the time of application.

G.13b. Recording: When the permit is issued, it will be recorded with the Snohomish County auditor's office to indicate the presence of an ADU. At minimum, the recorded information will include:

1. Recorded as a deed restriction which runs with the land.
2. Identify the address of the property.
3. State that the owner resides in the Principal Residence or the ADU for no less than 6 months/year (anticipated full-time residence).
4. A written description of the current ADU and the ADU for no less than 6 months/year (anticipated full-time residence).
5. A written statement of the requirements and conditions of approval, as determined by the director.
6. Provide a statement of the owner that the owner will notify any prospective purchaser of the ADU permit in place and the requirement to renew the ADU permit at purchase.

LEGAL DESCRIPTION:

The land referred to herein below is situated in the County of Snohomish, State of Washington, and is described as follows:

LOT 26, BROOKMOORE ESTATES, ACCORDING TO THE PLAT TITLED "BROOKMOORE ESTATES" FILED IN VOLUME 11 OF PLATS, PAGE 23 THROUGH 27, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.

SITUS IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.


ADU APPLICATION:

OWNERS: CLAIRE E. AMOS-ENNS & VERNON R. ENNS

CONTACT: 425-778-4681 (home), 206-229-5317 (cell)

SITE ADDRESS: 5314-192 PL SW, LYNNWOOD, WA 98035

SUBDIVISION NAME: BROOKMOORE ESTATES

LOT NUMBER: 26

ASSESSOR'S PARCEL NUMBER: 008023-000-026-00

SITE PLAN PREPARED: AUGUST 24, 2012

SCALE: 1/18 = 1'-0"

The sheet was part of ADU plan.

ENNA RESIDENCE ADU-000887-2013 FOR

5314 192 PL SW, LYNNWOOD, WA

SHEET No. 3 OF 8
DEDICATION

KNOW ALL men by these presents, that we, the undersigned owners in the

simple and mortgage of the land herein described, do hereby declare this

plot and premises to be the sole owners of the land, and hereby declare this

plot and premises to be the sole owners of the land. This declaration of

use of the land for all public purposes, and the right to make

reasonable private drawings of the lots, the right to enter upon

any part of the lots, the right to sell any part of the lots, the right to

sell any part of the lots, and the right to enter upon any part of the lots

for the stated purposes.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS AND SEALS THIS 14TH

DAY OF FEBRUARY, 1934.

B.C. VENTURES, Joint Venture

By: NORTH SOUND DEVELOPMENT, INC. - MANAGING VENTURER

DENNIS G. CLARK

DANA L. CLARK

CITY BANK

CARRIE SHERMAN

MANAGER, CITY OF LYNNWOOD

MAINTENANCE PROVISIONS

MAINTENANCE, REPAIR, AND RECONSTRUCTION OF ANY SANITARY SEWER PIPES,

APPLIANCES, AND GRAVELLED DRAINAGE Ditches LOCATED WITHIN THE PRIVATE

DRAINAGE DITCHES LOCATED WITHIN LOTS 29, 30, 31, 32, 33, AND 34, AS SHOWN HERETO,

SHALL BE THE COLLECTIVE RESPONSIBILITY OF THE OWNERS OF SAID DRAINAGE DITCHES

AND RECONSTRUCTION BORNE IN EQUAL SHARES, BY THE OWNERS, HIRING

SUCCESSORS, AND ASSIGNS, OF LOTS 29, 30, 31, 32, 33, AND 34, AS SHOWN HERETO.

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APPLIANCES, AND GRAVELLED DRAINAGE DITCHES LOCATED WITHIN THE PRIVATE

DRAINAGE DITCHES LOCATED WITHIN LOTS 29, 30, 31, 32, 33, AND 34, AS SHOWN HERETO,
LEGAL DESCRIPTION

PARCEL A
LOTS 36, 37 AND 38, STATE PLAT IN SECTION 18, TOWNSHIP 27 NORTH, RANGE 4 EAST, ACCORDING TO THE PLAT TIED TO SURVEY NO. 275565, IN THREE SBS, IN PIERCE COUNTY RECORDS.

PARCEL B

AND EXCEPT THAT PORTION CONVEYED TO THE CITY OF LYNNWOOD BY DEED CLAIM DEED RECORDED JUNE 8, 1969 UNDER AUDITOR'S FILE NO. 192900.

ALL SITUATE IN THE COUNTY OF SNOHOMISH, STATE OF WASHINGTON.

RESTRICTIONS

NO FURTHER SUBDIVISION OF ANY LOT WITHOUT SUBMITTING FOR FORMAL PLAT PROCEDURE.

NO LINE OR WIRE FOR THE TRANSMISSION OF ELECTRIC CURRENT OR ANY TELEPHONE, GAS OR PIPE, SIGNALS OR FOR OTHER PURPOSES, SHALL BE PLACED OR PERMITTED TO BE PLACED UNLESS AND UNTIL THE SAME SHALL BE UNDERGROUND OR IN CONDUIT ATTACHED TO BUILDING.

NO DIRECT VEHICULAR ACCESS FROM LOTS 32, 33 AND 41 SHALL BE PERMITTED TO 52nd AVENUE W. THEIR VEHICULAR ACCESS SHALL BE TAKEN FROM THE INTERIOR LOT ROADS.

SUBJECT TO THE TERMS AND CONDITIONS OF THE CERTIFICATE OF WASHINGTON DEED TO OIL, AND MINERAL RESERVATIONS, RECORDED UNDER AUDITOR'S FILE NO. 275565, 120798, 120894 AND 1452365, RECORDS OF SNOHOMISH COUNTY, WASHINGTON.
21.26.300 Submittal requirements R1

21.26.300.A Site Plan of the property showing natural features, existing grades, etc., including the 50 ft. adjacent to all property lines is included in the Drawings.
21.26.300.C Vicinity map showing location of the site in relation to nearby streets and properties is included in the Drawings.


This proposal is submitted for consideration of allowing the property to have an Associated Dwelling Unit (ADU) permitted to be within the existing building. The property owners and occupants, Vernon Enns and Claire Amos-Enns, are the first and only owners of the residence constructed in early 1993. We have been residents of Lynnwood since April, 1993. In an effort to contribute, we are active in the community. I am the current president of the Brookmoore Estates Home Owner’s Association (BEHOA) and have served as president for a total of 12 years. I have been a BEHOA board member since the formation in 1993. Claire is currently on the Lynnwood Senior Center Advisory Board (Appreciation Fund) and the Senior Center Art Committee.

The Lynnwood Municipal Code (LMC) 21.42 Residential Single Family Zones section 21.42.110 Table 21.42-1 Uses Allowed includes ADU in qualifying RS-7 and RS-8 zones, ASF. Where ASF = Allowed as an accessory use to a single-family residence.

21.42.110. G Accessory Dwelling Units. Accessory dwelling units shall be permitted subject to the provisions of this subsection.

1. Purposes. Regulating the development and use of accessory dwelling units is intended to achieve the following purposes:

   a. Provide the opportunity for resident homeowners to enjoy companionship and security from tenants while maintaining the privacy of a single-family residence;

   b. Create additional affordable housing in Lynnwood;

   c. Allow a property owner to continue to reside in a neighborhood after a lifestyle change, in particular, by having the opportunity to receive rental income;
d. Develop housing that is appropriate to smaller households; and

e. Protect neighborhood stability, property values, and the appearance and character of single-family neighborhoods by regulating the installation and use of accessory dwelling units and by ensuring that properties continue to be owner-occupied.

We believe that the listed intended purposes are valid in our request. Given our health concerns; Claire has stage 4 metastatic kidney cancer, Vern was diagnosed with Multiple Sclerosis in 1992, and we believe the above paragraph c is very meaningful to our situation. We have considered this ADU as an opportunity to have live-in long term care assistance available when we need it, as well as all the intended purposes.

We are requesting a variance of 21.42.210.A.1, which states,

"Covered or uncovered vehicle storage areas may not be within any required front or street side yard setback."

As indicated in the supporting information included with application for the ADU and this variance, the property at 5314-192 PI SW has certain challenges to meet the requirements for the ADU required off street parking space. We have indicated that the additional off street parking be accommodated by using a tandem parking configuration with one of the primary residence parking spaces in the garage. This causes the off street parking to be within the street front City of Lynnwood 25 foot setback.

The challenges to the site include:

1. Given the topography of the site, sloping down from east to west and from north to south, the developer chose a three story, daylight basement floor plan. The house also has a 45 degree bend allowing it to be situated with the street setback of 25 feet plus 7 feet between the structure and the north and east property lines, accommodate the sloped site, and not imping on the native growth area and the designated wet land as shown on the Plat Map included in the submittal.
2. Because the house is located closer to the street, there is not sufficient space on
either side to accommodate the off street parking requirements between the
house structure and the property lines. Given the slope of the lot, there is not
sufficient flat space for a parking space. Given the slopes, a flat parking space
cannot be constructed with cut and fill of the existing slopes.

3. Because the lot is on a cul-de-sac, the street frontage is approximately 25 feet.
As noticed on the Plat Map and Plot Plan of the application submittal, this plot
does not have space between the structure and property lines for an off street
as do the Residential Zone RS-7 & RS-8 plots in the area. Because of the limited
width of the street front access, the developer chose to use a 2 car garage
house plan and not a 3 car garage as done with most of the other lots in this
development. Had this lot had a 3 car garage, the off street parking could be
met by the 3rd garage space.

For the reasons listed above, we are requesting the City of Lynnwood grant us a
variance from the off street parking requirements of the zoning code. We believe the
topography of the site and the location of the house on the site constitutes a practical
difficulty rendering compliance with the provisions of the code an unnecessary hardship
as a result of the physical properties of the subject property. We believe that purpose
of the code can be fulfilled upon granting the variance.

21.26.300.E Summary table of project statistics:

1. Site area: 8,609 sq. ft.
2. Building coverage: 1,030 sq. ft. main floor plus 480 sq. ft. garage = 1,510 sq. ft. total
   footprint on site.
3. Coverage by impervious surface: 1,100 sq. sf. of exposed aggregate concrete driveway
   and sidewalk.
4. Required parking: Two off street parking spaces to accommodate single family RS-8 and
   one off street space for the ADU.
5. Proposed parking: Two off street parking spaces in the attached 2 car garage built as
   part of the existing structure. The off street parking space for the ADU will be in tandem
   with one of the primary residence spaces in the garage on the existing driveway.

21.26.300.F Uses for the site and the gross floor area that each use would occupy.

1. Primary residence: Main floor 1,030 sq. ft. + garage 480 sq. ft. + Upper level 920 sq. ft. =
   2,430 sq. ft.
2. Accessory Dwelling unit: Kitchen/Living area 300 sq. ft. + Bedroom 165 sq. ft. + Bath
   Room 100 sq. ft. = 565 sq. ft.
3. No change to the site structure or landscaping anticipated by adding the ADU within the primary residence building.

21.26.300.G The proposed use of the site is not changed and to remain RS-8 Zone. No business use is intended.


21.26.350.A This variance will not constitute a grant of a special privilege inconsistent with the limitation upon the uses of other properties in the vicinity or zone in which the property is located. All other properties in Brookmoore Estates that are RS-7 or RS-8 are able to apply for an ADU permit. As most properties are not on a cul-de-sac or sloping lots and have 3 car garages, there should be no impediment to meeting the ADU criteria.

21.26.350.B The variance is necessary because of special circumstances relating to size, shape, and topography of the property. Granting the variance will allow this property to have the same privilege of having an ADU situated in the structure as other properties in Brookmoore Estates surrounding this property.

21.26.350.C Granting the variance will not be materially detrimental to the public welfare or injurious to the property. As anticipated, there will be no change to the exterior of the existing building on site. Parking in the driveway is observed at most all properties in the area. Adding the off street parking space to the driveway of the property will not change the appearance of the neighborhood.

21.26.350.D The above noted special circumstances of the property do make strict enforcement of the provisions of the code an unnecessary hardship on the property owner. We are trying to be good citizens of Lynnwood and add this ADU in a code legal and appropriate manner. We could have attempted to complete the work without getting permits, but that is not how we operate. By applying for the ADU, we became aware of the parking requirements and are requesting this variance to be able to add the ADU and meet our goals of having in home care for our health issues if/when the time comes.
21.26.350.E The special circumstances of this application are not the result of actions of the applicant or predecessor in interest. The size, shape, topography, etc., of the property are not part of the applicant's activity in getting the property developed.

21.26.350.F At this time, the parking issue is the only known variance issue. With the granting of the variance, the project can continue.

21.26.350.G For all the reasons listed above, this variance request is consistent with the purpose and intent of the zoning code.

21.26.350.H I am not aware of any reason that granting this variance will be in conflict with the comprehensive plan for the area.
Address **19216 53rd Place West**

Address is approximate

**5314-192 PI SW Lot to North**
Looking East at North West Corner of House.
EAST SIDE OF HOUSE
PROPERTY LINES @ FENCES

2013/09/02
ADU ENTRY
Application and Project Description:
On September 5, 2013, Vernon Enns (5314 192\textsuperscript{nd} St. SW) submitted an application to the City of Lynnwood for approval of a variance to the required parking space within the front yard setback, as required by LMC 21.42.210.A.1. The applicant applied for a one-bedroom Accessory Dwelling Unit (ADU) (File No. ADU-000887-2013) on August 26, 2013. The applicant proposes to convert 639 square feet of basement of the existing residence into a one-bedroom ADU. The property is 8,609 square feet and zoned Residential 8,400 square feet (RS-8). Access to the ADU will be through an entrance in the rear of the home on the west side. One-bedroom ADU’s require a minimum of one parking space located outside the front-yard setback of 25 feet. The variance will be reviewed and a public hearing will be presented in front of the City of Lynnwood Hearing Examiner. A separate public hearing notice regarding the date of the public hearing will be issued.

Location:
5314 192\textsuperscript{nd} Pl. SW., Lynnwood, WA  98036

Project Contact:
Vernon Enns
5314 192\textsuperscript{nd} Pl. SW
Lynnwood, WA  98036

Comments:
Comments concerning this project should be mailed to the City of Lynnwood, Community Development Department, PO Box 5008, Lynnwood, WA 98046 OR delivered to the Community Development Department office at 4114 198th St SW, Suite 7.

Contact:
The file on this project is maintained in the Community Development Department office and is available for review at the above listed address. If you have questions, please contact Todd Hall, Associate Planner, at (425) 670-5407 or thall@ci.lynnwood.wa.us. Please make reference to file number VAR-000901-2013 when making contact.

Date of this Notice: September 7, 2013

Comment Period Ends: September 21, 2013
NOTICE OF PUBLIC HEARING

ENNS ACESSORY DWELLING UNIT (ADU) VARIANCE (VAR-000901-2013)

NOTICE IS HEREBY GIVEN that at:
   Time: 2:00 PM on October 10, 2013
   Place: Lynnwood Civic Center, Council Chambers at 19100 44th Ave W, Lynnwood, WA
the Lynnwood Hearing Examiner will conduct a formal public hearing at which the above-referenced project will be considered. Persons owning property within 600 ft. of the project site are especially noticed and invited, but any interested party may appear and give testimony at the above time and place. No new materials, testimony, or statements shall be considered after the date of this public hearing.

Application and Project Description:
The applicant, Vernon Enns, residing at 5314 192nd Pl. SW, has submitted a variance application to the City of Lynnwood to request the required parking for a one-bedroom ADU be permitted within the 25-foot front-yard setback. The applicant submitted an application for an ADU on August 26, 2013 to convert 565 square feet of basement of the existing house into a one-bedroom ADU. The property is 8,609 square feet and zoned Residential 8,400 square feet (RS-8). Access to the ADU will be through an entrance in the rear of the house located on the west side. The required off-street parking space will be provided on-site.

Location:
5314 192nd Pl. SW (Assessor Parcel No. 00802300002600).

Appeal of Hearing Examiner Decision:
Only persons who:
   - Appear and give testimony at the public hearing; or
   - Submit written comments to the Community Development Department; or
   - Submit a written request for a copy of the Examiner’s decision
may appeal the decision. Only comments and testimony received at or prior to the hearing may be considered at the Hearing, or at any appeal proceeding.

Additional Information:
There are occasions when meetings may be postponed or items removed from an agenda. It is therefore advised that you confirm that the meeting is going to be held and that this item is on the agenda. The public is invited to attend. Parking and meeting rooms are accessible for persons with disabilities. Contact the City Clerk at (425) 670-5161 with 24-hours advance notice for special accommodations.

Contact:
The file on this project is maintained in the Community Development Department office at the above listed address. If you wish to be notified of any decision, the appeal rights of this application or if you have other questions, please contact Todd Hall, Associate Planner, at (425) 670-5407 or thall@ci.lynnwood.wa.us. Please make reference to file number VAR-000901-2013 when making contact.

Date of this Notice: September 19, 2013
AFFIDAVIT OF POSTING FOR
Enns ADU Variance
13ADU0901

CITY OF LYNNWOOD

STATE OF WASHINGTON )
) ss.
COUNTY OF SNOHOMISH)

I, Todd Hall, of the City of Lynnwood, Snohomish County, State of Washington, being first duly sworn on oath, deposes and says: That he is now, and at all times hereinafter mentioned was, a citizen of the United States and of the State of Washington, above the age of twenty years, and not interested in the property involved in the above referenced Variance, that on the 19th day of September, 2013, he posted a true copy of this Notice of Public Hearing on the proposed Variance in at least one conspicuous place on the property located at 5314 192nd Pl. SW and in at least six (6) public places in the City of Lynnwood, County of Snohomish, State of Washington, to-wit:

1. City of Lynnwood Civic Center Fire Station, 18800 44th Ave W, Lynnwood, WA
2. City of Lynnwood Recreation Center, 18900 44th Ave W, Lynnwood, WA
3. City of Lynnwood Senior Center, 19000 44th Ave W, Lynnwood, WA
4. City of Lynnwood City Hall, 19100 44th Ave W, Lynnwood, WA
5. City of Lynnwood Library, 19200 44th Ave W, Lynnwood, WA
6. City of Lynnwood Annex, 4114 198th St SW, Suite 7, Lynnwood, WA

Signature: [Signature]

I certify that I know or have satisfactory evidence that Todd Hall is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

SUBSCRIBED AND SWORN TO before me this 19th day of September, 2013.

NAME (print): [Print Name]

NAME (sign): [Sign]

Notary Public in and for the State of Washington
Commission Expires: April 19, 2017
AFFIDAVIT OF MAILING FOR
Enns ADU Variance
(File No. 13ADU0901)

CITY OF LYNNWOOD

STATE OF WASHINGTON )
) ss.
COUNTY OF SNOHOMISH)

I, Todd Hall, of the City of Lynnwood, Snohomish County, State of Washington, being first duly sworn on oath, deposes and says: That he is now, and at all times hereinafter mentioned was, a citizen of the United States and of the State of Washington, above the age of twenty years, and not interested in the property involved in the above referenced Variance, that on the 19th day of September, 2013, he mailed via USPS a true copy of this Notice of Public Hearing attached hereto on the proposed Variance to the persons/parties attached hereto.

Attachments:
1. Notice of Public Hearing
2. Distribution List

Signature: [Signature]

I certify that I know or have satisfactory evidence that Todd Hall is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

SUBSCRIBED AND SWORN TO before me this 19th day of September 2013.

NAME (print): [Signature]

NAME (sign): [Signature]

Notary Public in and for the State of Washington

Commission Expires: April 19, 2017
AFFIDAVIT OF MAILING FOR
Enns ADU Variance
(File No. 13ADU0901)

CITY OF LYNNWOOD

STATE OF WASHINGTON )
) ss.
COUNTY OF SNOHOMISH)

I, Todd Hall, of the City of Lynnwood, Snohomish County, State of Washington, being first duly sworn on oath, deposes and says: That he is now, and at all times hereinafter mentioned was, a citizen of the United States and of the State of Washington, above the age of twenty years, and not interested in the property involved in the above referenced Variance, that on the 7th day of September, 2013, he mailed via USPS a true copy of this Notice of Application attached hereto on the proposed Variance to the persons/parties attached hereto.

Attachments:
1. Notice of Application
2. Distribution List

Signature: ______________

I certify that I know or have satisfactory evidence that TODD HALL is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

SUBSCRIBED AND SWORN TO before me this 7th day of SEPTEMBER 2013.

NAME (print): ______________
NAME (sign): ______________
Notary Public in and for the State of Washington
Commission Expires: ______________
AFFIDAVIT OF POSTING FOR
Enns ADU Variance
13ADU0901

CITY OF LYNNWOOD

STATE OF WASHINGTON )
COUNTY OF SNOHOMISH ) ss.

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2. City of Lynnwood Recreation Center, 18900 44th Ave W, Lynnwood, WA
3. City of Lynnwood Senior Center, 19000 44th Ave W, Lynnwood, WA
4. City of Lynnwood City Hall, 19100 44th Ave W, Lynnwood, WA
5. City of Lynnwood Library, 19200 44th Ave W, Lynnwood, WA
6. City of Lynnwood Annex, 4114 198th St SW, Suite 7, Lynnwood, WA

Signature: ________________________________

I certify that I know or have satisfactory evidence that Todd Hall is the
person who appeared before me, and said person acknowledged
that he signed this instrument and acknowledged it to be his free
and voluntary act for the uses and purposes mentioned in the
instrument.

SUBSCRIBED AND SWORN TO before me this 7TH day
of SEPTEMBER 2013.

NAME (print): ________________________________

NAME (sign): ________________________________

Notary Public in and for the State of Washington

Commission Expires: APRIL 19, 2017
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<tr>
<td>MILLIKAN RONALD</td>
<td>OR CURRENT OCCUPANT</td>
<td>12431 17TH AVE SE UNIT A</td>
<td>EVERETT</td>
<td>WA</td>
<td>98208</td>
</tr>
<tr>
<td>TERRY KAY A</td>
<td>OR CURRENT OCCUPANT</td>
<td>13902 64TH PL W</td>
<td>EDMONDS</td>
<td>WA</td>
<td>98026</td>
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<tr>
<td>CONDIE GENE J &amp; PATRICIA B</td>
<td>OR CURRENT OCCUPANT</td>
<td>14811 39TH AVE NE</td>
<td>SEATTLE</td>
<td>WA</td>
<td>98155</td>
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<td>ZHANG JINGJING</td>
<td>OR CURRENT OCCUPANT</td>
<td>15933 23RD LN SE</td>
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<td>WA</td>
<td>98012</td>
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<tr>
<td>CHINI MORTEZA &amp; NEDA</td>
<td>OR CURRENT OCCUPANT</td>
<td>16023 MERIDIAN AVE N</td>
<td>SEATTLE</td>
<td>WA</td>
<td>98133</td>
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<tr>
<td>GOODSULT LLC</td>
<td>OR CURRENT OCCUPANT</td>
<td>16150 NE 85TH ST STE 203</td>
<td>REDMOND</td>
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September 6, 2013

☑ Public Works – A. Kay
☑ Public Works – S. Howe
☑ Public Works – P. Coffelt
☑ Public Works – D. Mach
☑ Public Works – S. Fisher
☑ Building – S. Criswell
☑ Parks – L. Cowan
☑ Fire – J. Job
☑ Finance – K. Demmert
☑ Police – J. Valentine
☑ Executive – A. Ceniza
☑ Executive – B. Morris
☑ Other: J. Bond, Public Works

Alderwood Water
Community Transit
Edmonds School District #15
Fire District #1
Frontier Engineering
Sno. Co. Public Works
Sno. Co. PDS
Sno. Health District
Sno. PUD #1
Sno. PUD #1 – Real Estate
Muckleshoot Tribe
Tulalip Tribe

☐ Army Corps
☐ City of Bothell
☐ City of Brier
☐ City of Edmonds
☐ City of Mill Creek
☐ City of Mountlake Terrace
☐ City of Mukilteo
☐ Dept. of Ecology
☐ Dept. of Fish & Wildlife
☐ Dept. of Nat. Resources
☐ WSDOT
☐ Puget Sound Clean Air

REPLY DUE: September 13, 2013

SUBJECT: Enns ADU Variance (VAR-000901-2013)

The applicant, Vernon Enns, residing at 5314 192nd Pl. SW, has submitted an variance application to the City of Lynnwood to request the required parking for a one-bedroom ADU be permitted within the 25-foot front-yard setback. The applicant submitted an application for an ADU on August 26, 2013 to convert 639 square feet of basement of the existing house into a one-bedroom ADU. The property is 8,609 square feet and zoned Residential 8,400 square feet (RS-8) Access to the ADU will be through an entrance in the rear of the house located on the west side. The required off-street parking space will be provdied on-site. Please see the attached for more information.

If you have any comments or conditions which you wish considered, or if you have no comment, please reply by the date listed above. Any conditions proposed must cite the authority under which the City can require said conditions.

If you need additional information or have questions, please contact Todd Hall, Associate Planner, at (425) 670-5407 or thall@ci.lynnwood.wa.us.
REFERRAL SUMMARY SHEET
Enns ADU Variance (VAR-000901-2013)

SUMMARY DATA
Applicant: Vernon Enns
Type of application: Variance
Proposal: Variance to allow parking within 25-foot front-yard setback
Proposed use(s): Single-Family Residential
No. of lots proposed: One

SITE DATA
Location: 5314 192nd Pl. SW
Lot area: 8,609 sf
Comp. plan on site: Low Density Single Family (SF1)
Surrounding comp. plan:
  \( N \): SF1
  \( S \): SF1
  \( E \): SF1
  \( W \): SF1
Zoning on site: Residential 8,400 Sq. Ft. (RS-8)
Surrounding zoning:
  \( N \): RS-8
  \( S \): RS-8
  \( E \): RS-8
  \( W \): RS-8
Land uses on site: Single-family
Surrounding land uses:
  \( N \): Single-Family
  \( S \): Single-Family
  \( E \): Single-Family
  \( W \): Single-Family
Streets: Access via 192nd Pl. SW
REFERRAL SUMMARY

September 16, 2013

RE: Referral Summary for Enns ADU Parking Variance (VAR-000901-2013)

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<th>City Departments</th>
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<td>09/13/13 – Arnold Kay, Development Services Supervisor, Public Works:</td>
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<td>09/10/13 – Sandra Howe, Project Manager, Public Works:</td>
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<td>09/06/13 – David Mach, Project Manager, Public Works:</td>
<td>ADUs/Variances for single-family do not trigger TrIFs.</td>
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<td>09/09/13 – Stacy Criswell, Building Official, Building Division:</td>
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<td>09/09/13 – Jerry Job, Fire Marshal:</td>
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