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Date: 2/24/2023
To: Community Development Department, City of Camas
From: Michael Andreotti, RLA
Project Name: 6th Avenue Property Variance
AKS Job No.: 10060
Project Site: 2508 SW 6th Avenue, Camas, WA 98607
Subject: Type III Variance Request

This narrative is written to address the request for a Type III Variance to modify the setbacks of the side yards that are adjacent to parcel number 83042-000.

I. Executive Summary

Through this application, La Bola, LLC (Applicant), requests approval from the City of Camas (City) for a Type III Variance to reduce the required side yard setback for one single-family lot. The subject site consists of a single parcel addressed as 2508 SW 6th Ave., Camas, WA 98607, located in Camas, WA. The subject site is identified at 83042-000 of the Northeast Quarter of Section 16, Township 1 North, Range 3 East, and Southeast Quarter of Section 9, Township 1 North, Range 3 East, Willamette Meridian. This site is currently vacant and is zoned Residential-15,000 (R-15) with no zoning overlays. The properties to the north are zoned Residential-7,500 (R-7.5), properties to the east and west are zoned R-15 and the properties to the south are zoned Heavy Industrial (HI). The site has frontage on SW 6th Avenue (public) to the north.

The subject site is ±65 feet wide with a varied depth between ±203 and ±207 feet, totaling ±13,339 square feet (±0.31 acres). According to Clark County GIS, there are steep slopes and habitat area mapped along the southern portion of the site.

The Applicant is requesting a Type III Variance to reduce the required side yard setbacks. Per Camas Municipal Code (CMC), 18.09.040 – Table 2, parcels with a lot area of 12,000 to 14,999 square feet require a 10-foot side yard setback. The Applicant is requesting to reduce the side yard setbacks to 5 feet.

Following the variance, a single-family home will be constructed on site. As will be discussed later in this narrative, the proposed variance would allow the future home to maintain the character of the surrounding neighborhood. The reduced setbacks will also allow for better protection of the mapped habitat area on site.

This application package includes the materials necessary for the City to review and approve this submittal, including this narrative, a preliminary site plan, and aerial image identifying parcels with similar setbacks. The written narrative includes findings of fact demonstrating that the application complies with all applicable approval criteria. This application package provides substantial evidence to support the findings and allow the City to approve the application.

II. Applicable Review Criteria

CITY OF CAMAS MUNICIPAL CODE

Title 18 – Zoning

Chapter 18.09 Density and Dimensions

18.09.040 Density and Dimensions – Single-family residential zones

Table 1 – Density and Dimensions for Single-Family Residential Zones

| | R-6 | R-7.5 | R-10 | R-12 | R-15 |
|---|-------|--------|--------|--------|--------|
| A. Standard New Lots | | | | | |
| Maximum density (dwelling units/net acres) | 7.2 | 5.8 | 4.3 | 3.6 | 2.9 |
| Average lot area (square feet) ⁴ | 6,000 | 7,500 | 10,000 | 12,000 | 15,000 |
| Minimum lot size (square feet) | 4,800 | 6,000 | 8,000 | 9,600 | 12,000 |
| Maximum lot size (square feet) ³ | 9,000 | 12,000 | 14,000 | 18,000 | 24,000 |
| Minimum lot width (feet) | 60 | 70 | 80 | 90 | 100 |
| Minimum lot depth (feet) | 80 | 90 | 100 | 100 | 100 |
| Maximum building lot coverage ⁵ | 40% | 40% | 35% | 30% | 30% |
| Maximum building height (feet) ² | 35 | 35 | 35 | 35 | 35 |

Response: This application is requesting a variance for a single-family lot in the R-15 zone. The existing lot has a gross site area of ±13,339 square feet, with a lot width of 65 feet and a varied depth between ±203 and ±207 feet. As shown by the required width of 100 feet for new lots created in the R-15 zone, the intended 10-foot side yard setback for larger lots is a reasonable setback. However, the subject site was created prior to receiving the R-15 zoning designation, allowing the lot to have a width of 65 feet, which is more in line with the width required for lot width for the R-6 and R-7.5 zones, which would only require 5-foot side yard setbacks. Therefore, the requested variance is in line with lots of a comparable width.

Table 2 – Building Setbacks for Single-Family Residential Zones

| Lot Area | 12,000 to 14,999 square feet |
|---|------------------------------|
| Minimum front yard (feet) ² | 25 |
| Minimum side yard (feet) | 10 |
| Minimum side yard flanking a street and corner lot rear yard (feet) | 15 |
| Minimum rear yard (feet) | 30 |
| Minimum lot frontage on a cul-de-sac or curve (feet) | 35 |

Response: Lots between 12,000 and 14,999 square feet have minimum setback requirements listed in CMC 18.09.040 – Table 2. The proposed development will continue to meet the front yard and rear yard setback requirements following the requested variance of the side yard setbacks. As noted above, due to the dimension of the lots, the side yard setback applied to this lot is unreasonable due to the narrower width of the lot versus a standard lot in the R-15 zone. In addition, the mapped steep slopes and habitat area on the southern portion of the site reduce the buildable area of the site below 12,000 square feet.

Chapter 18.45 Variances

18.45.020 Approval process.

- A. **Minor Variance.** A minor variance is one that results in the modification of up to ten percent of a numerical development standard (other than lot area or density) that shall be subject to Type I procedure, pursuant to CMC Chapter 18.55 Administration and Procedures, and subject to the approval criteria contained in CMC Section 18.45.030(A).

- B. **Major Variance.** A major variance is one that results in the modification of a numerical development standard by more than ten percent. The board of adjustment is generally the decision maker regarding major variances. Where a variance is consolidated with an application for a Type III decision, the decision maker shall be the same as that for the Type III application. A major variance shall not be approved unless findings are made by the approval authority that all of the approval criteria under CMC Section 18.45.030 are satisfied.

Response: The Applicant is proposing to reduce the side yard setback from 10 feet to 5 feet, which is more than a ten percent reduction to the setback; therefore, a Major Variance is required per CMC 18.45.020.B.

18.09.040 Major variance.

- B. **Approval of a major variance must demonstrate with findings of compliance with all of the following criteria:**
1. **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 subject property is located;**

Response: As previously discussed, the subject is atypically narrow for lots greater than 12,000 square feet. The width of the lot is consistent with lots in the R-6 and R-7.5 zone, which would allow for a 5-foot setback. Additionally, many of the lots in the neighborhood surrounding the site that are zoned R-15 have existing setbacks of less than 10 feet, and in some cases appear to be less than 5 feet, and a majority of the lots north of the site are less than 12,000 square feet in area have a 5-foot side yard setback. Therefore, the proposed variance will not grant special privilege to the lot that is inconsistent with the surrounding properties. This standard is met.

2. **That such variance is necessary, because of special circumstances or conditions 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;**

Response: As previously discussed, the subject is atypically narrow for lots greater than 12,000 square feet. In addition, there are mapped steep slopes and habitat are on the southern portion of the site, reducing the buildable area to less than 12,000 square feet. Additionally, many of the lots in the neighborhood surrounding the site that are zoned R-15 have existing setbacks of less than 10 feet, and in some cases appear to be less than 5 feet, and a majority of the lots north of the site are less than 12,000 square feet in area have a 5-foot side yard setback. Therefore, the Applicant is requesting variance to be more consistent with the surround lots and the buildable area of the site. This standard is met.

3. **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 in the zone in which the subject property is located.**

Response: As previously discussed, the proposed variance will provide similar setbacks to those existing on the neighboring lots R-15 zone and allowed on the lot north of the site, which are mostly less than 12,000 square feet. The proposed variance will also allow for a house with a side entry garage. With the side entry garage, the doors will not face the right-of-

way, allowing the new home to fit better with the character of the surrounding neighborhood. The reduced setbacks will also allow for the house to be build maintaining the greatest separation possible from the steep slopes and habitat are in the southern portion of the site.

III. Conclusion

The Applicant is requesting a variance for a single-family lot to reduce the required side yard setback from 10 feet to 5 feet. The variance will not grant the lot special privilege, will be more consistent with the surrounding lots, will provide for the greatest protection of critical areas, and will not be detrimental to public welfare or injurious to the site or other properties in the vicinity.

The submittal requirements have been met and the required findings made for all applicable approval criteria. These findings serve as the basis for the City to approve the application and are supported by substantial evidence in the application materials. Therefore, the Applicant respectfully requests approval of the requested variance.