



BOARD OF ADJUSTMENT
STAFF REPORT

File Number: PLN-T2-2025-00014
Prepared By: Ryan Nelson, Planner

Meeting Date: June 19, 2025

General Information

Applicant: Daniel and Andrea Rhoten, Property Owner

Location: 92 Hodges Court, Richland, WA 99354

Parcel #: 135084020824012

Request: Major Variance to RMC Chapter 23.22.040 – To allow for the conversion of an existing carport into a garage and build a living room, bedroom, and bathroom behind the garage within approximately 6 feet of the side yard.

Zoning: R-1-10 (Single-Family Residential – 10,000)

Legal
Description: Lot 12, Block 824, Plat of Richland.

Adjacent
Uses: *North:* One-Family Detached Dwellings
East: One-Family Detached Dwellings
South: One-Family Detached Dwellings
West: One-Family Detached Dwellings

Reason for Request

The applicant is requesting a variance to seek a reduced side yard setback from the minimum of ten (10) feet, as described in RMC 23.18.040 for the R-1-10 zoning district, to a six (6) feet distance, to allow for the conversion of an existing carport into a garage and add a living room, bedroom, and bathroom behind the garage.

Applicable Richland Municipal Code Review

RMC Chapter 23.18 – Residential Zoning Districts

23.18.040 – Site requirements for residential use districts

Standard	R-1-10
Minimum Front Yard Setback ³	20 feet
Minimum Side Yard Setback	10 feet
Minimum Alley/Private Access Easement Setback	6 feet
Minimum Rear Yard Setback	25 feet
Maximum Lot Coverage ⁸	40%
Maximum Building Height – Main Building	30 feet

3. Front yard setbacks are required from all street rights-of-way adjoining a lot

8. Lot coverage includes all buildings, including accessory buildings or structures on any lot in a residential district, exclusive of patios without roof coverings or patios with only open lattice or similar type roof construction.

Site Description

The site, 92 Hodges Court, is located south of Newcomer Street, and east of George Washington Way. According to the City's internal GIS, the site is approximately 11,460 square feet in size, which consists of a one-family detached dwelling unit, an attached carport (footprint is approximately 2,147 sq. ft.), and a detached accessory building (approximately 400 sq. ft.) located in the northeast corner of the property. The parcel is relatively flat and has the shape of a trapezoid. Parcels within the immediate vicinity are similarly sized and contain one-family detached dwellings with some parcels having ancillary structures like carports or attached garages.

Staff Analysis

The applicant provided pictures of the existing home and carport, as well as a site plan, floor plan, and a roof plan for the proposed conversion and addition, and multiple letters signed by surrounding neighbors in support of the project.

The site plan shows the location of the existing carport and the proposed addition. According to the submitted floor plan, only part of the existing carport will be converted into an enclosed garage, with the area behind it becoming an addition to the existing home. The addition would consist of a living room, laundry room, mechanical room, bedroom, bathroom, with a covered patio along the east leading into the backyard. In total, the conversion and addition would be approximately seventy-five (75) and one-half feet in length, and approximately twenty-two (22) to twenty-four (24) feet in width.

According to RMC Chapter 23.66, the addition, as proposed, and after the conversion of the carport into an enclosed garage, would result in the home becoming a nonconforming structure.

Per RMC Chapter 23.66.030(A), "no such nonconforming use shall be enlarged or increased, or extended to occupy a greater area and/or height . . ." and RMC Chapter 23.66.040(A) states:

"No such structure may be enlarged or altered in a way which increases its degree of nonconformity. Alterations, additions or enlargements may be allowed as long as the work done

does not extend further into any required yard or violate any other portion of this title.”

The proposed addition would be considered an “enlargement” of a nonconforming standard as it would extend further into the minimum setback for the side yard. Per RMC 23.18.040, the minimum side yard setback for the R-1-10 zoning district is ten (10) feet and the addition is proposed to be six (6) feet from the side property line.

Public Notice

Application Date:	April 21, 2025
Notice of Application & Hearing Mailed:	May 23, 2025
Notice of Application & Hearing Posted:	May 23, 2025
Public Hearing Date:	June 19, 2025

A combined Notice of Application & Hearing was provided through posting of the property, mailing of notice to property owners within 100 feet of the site, publication in the *Tri-City Herald* and posting on the City’s website.

Agency & Public Comments

To date, staff has not received any comments of concern regarding the proposed project from the public or any agencies. However, some agencies made some recommendations for the proposal should the Board of Adjustment decide to approve the variance request. Agency and public comments can be found in Exhibit 5.

Staff Findings

The following are Staff's findings relative to the requirement for the granting of a variance as set forth in RMC Sections 23.70.110 – Applications and RMC 23.70.140 – Findings.

1. ***That special conditions and circumstances exist which are peculiar to the subject property and not applicable to other lands, structures, or buildings in the same zoning district.***

Applicant Response: We are requesting a variance to convert our existing attached 2-car carport into a 2-car garage with living space behind it while keeping the same 6 ft side yard setback. This would allow for the minimum size needed for a 2-car garage. The current carport roof is leaking and is needing replaced. As a family of 9 we would like a space we can all fit in to gather together. Our home currently has 2 bathrooms and it would be nice to have more privacy and a place for aging parents to move into if needed. Our plot is 9ft more narrow at the street than at the rear yard. Due to narrow plot size, if we build a garage with 10 ft side yard setback (as required by RMC 23.18.040) it would be too narrow for the proposed structure. If we kept the carport/garage at 6ft and shifted the living space to be the required 10 ft, we would have a load bearing wall sticking out 7ft into the middle of the living room. On the roof line two valleys would converge forming a “dead valley” with risk of an ice dam. Building this structure would greatly improve street/curb appeal while maintaining the overall feel of the neighborhood. The minimum side yard setback of 10 ft was created to protect against hazards and building congestion while providing for light, air flow and privacy. Our neighbors have a driveway along this property line

leading to a garage so continuing to have a structure at 6ft from the side yard would continue to protect against hazards and building congestion while providing for light, air flow and privacy as no other buildings are near it.

Staff Analysis: There are no special conditions or circumstances which are peculiar to this property. The lot is relatively flat with no major slopes or critical areas within or near the property. The current lot size meets the minimum lot width for the R-1-10 zoning district, which is seventy (70) feet, as stated in RMC Chapter 23.18.040 and the existing carport meets current setbacks for an unenclosed carport, as defined in RMC Chapter 23.38.040 – Carports.

2. ***That literal interpretation of this title would deprive the applicant of rights commonly enjoyed by other properties in the district.***

Applicant Response: The literal interpretation of the code would require us to demolish the existing structure and build a single car garage which we feel is insufficient for this size of home. The east side of the home has even less space for a structure. In view of this, placing the garage/living space along the west side yard is most appropriate. This layout gives us the best use of the remaining yard space. The literal interpretation of provisions of this title removes the ability to have 2-car covered parking and use the property effectively.

Staff Analysis: The literal interpretation of this title (Title 23) would not deprive the applicant of rights commonly enjoyed by others within the same zoning district and there is sufficient room elsewhere on the property for the homeowner to add onto the existing home without encroaching into the side setback for the R-1-10 zoning district.

3. ***That the special conditions and circumstances do not result from actions of the applicant.***

Applicant Response: The existing structure was built by the previous owner many years before the current owner purchased the property. Also, narrow plot shape is predetermined. Therefore the special conditions were not created by the applicant.

Staff Analysis: According to Benton County records, the existing home was built in 1948 and is part of the original “Plat of Richland.” Since the construction of the existing home, there have been multiple permits issued for the following, including, but not limited to:

- Bathroom remodel (1983).
- Retrofitting ingress/egress windows (2014);
- An addition (2014); and,
- Basement remodel with the addition of two (2) bedrooms, a bath, living room, and laundry room (2014).

Staff could not find records for the existing carport, therefore, it cannot be determined if the current owner constructed the existing carport which created the reduced setback.

4. ***That granting the variance will not confer a special privilege to the applicant that is denied***

others in the same use district.

Applicant Response: Granting the variance would not confer a special privilege as city staff has entertained similar requests to convert existing structures into appropriate uses such as file no: PLN-T2-2024-00004 on Aug 15, 2024. Also, many properties in the neighborhood have existing structures that are closer than 6 ft to the property lines, such as the 5ft setback of the neighbor's garage or a home a couple of blocks away that has a garage / addition that is very similar to what we are requesting to build. (1732 Horn Ave).

Staff Analysis: Granting the variance will confer a special privilege to the applicant as the proposed addition could be built to meet the current side yard setback for the R-1-10 zoning district, which is ten (10) feet.

However, granting the variance would not confer a special privilege to the applicant for converting the carport into a garage, as this is pre-existing and would not change the footprint of the existing house.

Conclusion

Staff supports the modification of the carport into an enclosed garage as the use of the area will not change (vehicle storage). Furthermore, the footprint of the carport will continue to be the same should it be converted into an enclosed garage. Unfortunately, staff does not support the proposed addition to the rear of the home as the site is able to accommodate the proposed addition without the variance request. While it is true that the proposed residential addition may result in substantial changes to the existing home and/or roof structure, that in and of itself is not reason for granting the variance request. Variance requests should be determined based upon special circumstances that prevent compliance with the code, not circumstances that are inconvenient or costly.

Suggested Conclusions of Law

1. The Board of Adjustment has jurisdiction to hold a public hearing and issue a decision for the proposed Zoning Variance.
2. The proposed variance for the proposed addition is inconsistent with the goals and policies of the City's Comprehensive Plan; however, the change from a carport to an enclosed garage is consistent with the goals and policies of the City's Comprehensive Plan.
3. The Board of Adjustment is unable to grant the proposed variance request for the addition as the requested variance is not the minimum necessary to make reasonable use of the property and is inconsistent with the general purpose and intent of the Code. The Board of Adjustment is able to grant the variance request for conversion of the carport into an enclosed garage as the use (vehicle storage) will not change.
4. Literal interpretation of the ordinance would not deny the applicant of rights commonly enjoyed by other properties in the district.

Suggested Finding of Fact

1. The property owner, Daniel and Andrea Rhoten, has applied for a Major Variance, to allow for a reduced side yard setback, within the R-1-10 zoning district, from the stated ten (10) feet down to six (6) feet.
2. The subject property is located at 92 Hodges Court.
3. The subject site is bordered by other residential uses.
4. The subject site is approximately 11,460 square feet in size.
5. The lot is generally shaped as a trapezoid, and the useable land is approximately 9,960 square feet in size, due to a utility easement along the northern portion of the lot.
6. The subject site currently has an existing one-family detached dwelling and shop.
7. Richland Municipal Code Chapter 23.18.040 imposes a ten (10) foot minimum side yard setback for primary structures within the R-1-10 zoning district.
8. Pursuant to RMC 23.70.060 the Board of Adjustment is the authorized review body for Major Variance review proceedings.
9. The site is designated as Low-Density Residential by the City's Comprehensive Plan.
10. The site is not located within the jurisdiction of the City's Shoreline Master Program, nor does it contain any critical areas regulated by RMC 22.10.
11. All public notification requirements have been met.
12. No comments of concern from public agencies were received.
13. One (1) public comment in favor was received during the comment period.
14. Requirements for granting variances are set forth in Richland Municipal Code (RMC) Sections 23.70.110 – Applications and 23.70.140 – Findings.
15. The requested variance is not the minimum necessary to continue reasonable use of the property.
16. Literal interpretation of the ordinance does not deny the applicant rights commonly enjoyed by other properties in the district.

Recommended Motion

Staff recommends that the Board of Adjustment concur with the Findings and Conclusions set forth in the staff report and **DENY** the variance to RMC 23.18.040, authorizing the conversion of the existing carport into a garage and the addition of a living room, bedroom, and bathroom behind the garage with the proposed six (6) foot setback.

Exhibit List

1. Application Materials
2. Neighbor Letters
3. Vicinity and Related Maps
4. Public Notice & Affidavits
5. Agency and Public Comments



City of Richland
625 Swift Blvd
Richland WA 99352
(509) 942-7794

Exhibit 1

Plan Snapshot Report

Plan Type: Type 2	Plan #: PLN-T2-2025-00014	App Date: 04/21/2025
Work Class: T2 - Major Variance	District: City of Richland	Exp Date: 08/19/2025
Status: In Review		Completed: NOT COMPLETED
Description: Variance to RMC 23.18.040 Allowing the conversion of an existing carport into a garage and also building a Living room, Bedroom, Bathroom behind the garage within approximately 6 feet of the side yard property line rather than 10 feet as per RMC 23.18.040.		Approval Expire Date:

Parcel: 135084020824012	Main	Address: 92 Hodges Ct Richland, WA 99354	Main	Zone:
Property Owner Andrea Rhoten Mobile: (509) 420-0507	Property Owner Daniel Rhoten 92 Hodges Ct Richland, WA 99354 Home: (509) 420-0507 Mobile: (509) 460-1767	Applicant Daniel Rhoten 92 Hodges Ct Richland, WA 99354 Home: (509) 420-0507 Mobile: (509) 460-1767		

Plan Custom Fields

What unusual conditions exist on your property.	We are requesting a variance to convert our existing attached 2-car carport into a 2-car garage with living space behind it while keeping the same 6 ft side yard setback. This would allow for the minimum size needed for a 2-car garage. The current carport roof is leaking and is needing replaced. As a family of 9 we would like a space we can all fit in to gather together. Our home currently has 2 bathrooms and it would be nice to have more privacy and a place for aging parents to move into if needed. Our plot is 9ft more narrow at the street than at the rear yard. Due to narrow plot size, if we build a garage with 10 ft side yard setback (as required by RMC 23.18.040) it would be too narrow for the proposed structure. If we kept the carport/garage at 6ft and shifted the living space to be the required 10 ft, we would have a load bearing wall sticking out 7ft into the middle of the living room. On the roof line two valleys would converge forming a "dead valley" with risk of	an ice dam. Building this structure would greatly improve street/curb appeal while maintaining the overall feel of the neighborhood. The minimum side yard setback of 10 ft was created to protect against hazards and building congestion while providing for light, air flow and privacy. Our neighbors have a driveway along this property line leading to a garage so continuing to have a structure at 6ft from the side yard would continue to protect against hazards and building congestion while providing for light, air flow and privacy as no other buildings are near it.	Were these conditions caused directly by you.	The existing structure was built by the previous owner many years before the current owner purchased the property. Also, narrow plot shape is predetermined. Therefore the special conditions were not created by the applicant.
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PLAN SNAPSHOT REPORT (PLN-T2-2025-00014)

How does code deprive you rights enjoyed by others

The literal interpretation of the code would require us to demolish the existing structure and build a single car garage which we feel is insufficient for this size of home. The east side of the home has even less space for a structure. In view of this, placing the garage/living space along the west side yard is most appropriate. This layout gives us the best use of the remaining yard space. The literal interpretation of provisions of this title removes the ability to have 2-car covered parking and use the property effectively.

Does this variance create a special privilege.

Granting the variance would not confer a special privilege as city staff has entertained similar requests to convert existing structures into appropriate uses such as file no: PLN-T2-2024-00004 on Aug 15, 2024. Also, many properties in the neighborhood have existing structures that are closer than 6 ft to the property lines, such as the 5ft setback of the neighbors garage or a home a couple of blocks away that has a garage / addition that is very similar to what we are requesting to build. (1732 Horn Ave).

Other considerations.

This request of 6 foot side yard setback is the minimum necessary to make reasonable use of the property. It would maintain great light, airflow and privacy, while not encroaching any closer to the side yard property line. Approving this variance would be consistent with the general purpose and intent of the Code and would improve the overall feel of the surrounding neighborhood while making reasonable use of the property. We have already reviewed this with the neighbors along that property line and they approve (see attached letter). The proposed structure would not encroach on back yard easement and would be in line with front yard and back yard setbacks.

LEGAL DESCRIPTION:

**LOT 12, BLOCK 824, PLAT OF RICHLAND, ACCORDING TO THE PLAT THEREOF RECORDED IN
VOLUMES 6 AND 7 OF PLATS, RECORDS OF BENTON COUNTY, WASHINGTON.**

PARCEL NO:

1-3508-402-0824-012

VESTED IN:

DANIEL L. RHOTEN AND ANDREA T. RHOTEN, HUSBAND AND WIFE



CASCADE TITLE COMPANY

OF BENTON - FRANKLIN COUNTIES

8203 W. QUINAULT AVE., SUITE 10 • KENNEWICK, WA 99336
PHONE (509) 783-0660 • TITLE FAX (509) 783-0675 •
ESCROW FAX (509) 783-6612

100' VARIANCE REPORT

Order No.: CBF19602

To: Daniel Rhoten
92 Hodges Ct
Richland, WA 99352
509-460-1767

The ownership of the real property is based upon an examination of all official records of BENTON County, Washington, and the ownership is based upon the last Deed of record.

The liability of the Company under this certificate shall be limited to the amount of actual loss sustained by the addressee due to reliance on any incorrect information in the certificate up to and not to exceed the fee paid.

Record Examined to: April 3, 2025

LEGAL DESCRIPTION:

LOT 12, BLOCK 824, PLAT OF RICHLAND, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUMES 6 AND 7 OF PLATS, RECORDS OF BENTON COUNTY, WASHINGTON.

PARCEL NO:

1-3508-402-0824-012

VESTED IN:

DANIEL L. RHOTEN AND ANDREA T. RHOTEN, HUSBAND AND WIFE

Countersigned:

Melissa Scophi

NOTE: Please see attached Schedule A-1 for owners and addresses within 100 feet of exterior boundaries of property, as requested.

Variance Report

Parcel #	135084020823004	Site Address #	1924 Howell Ave Richland WA 99354
Owner	Colleran, Janice L 1924 Howell Ave Richland WA 99354	Acres	0.27 Acres
# Rooms	6	SqFt	1,518 SqFt
Bedrooms	4	Bathrooms	2
Assessed Total	\$418,570.00	Year Built	1948
Legal	PLAT OF RICHLAND, BLOCK 823 LOT 4. SUBJECT TO EASEMENTS & RESTRICTION OF RECORD.		

Parcel #	135084020823005	Site Address #	85 Hodges Ct Richland WA 99354
Owner	Shipp, Robert S 85 Hodges Ct Richland WA 99354	Acres	0.26 Acres
# Rooms	5	SqFt	1,459 SqFt
Bedrooms	3	Bathrooms	2
Assessed Total	\$438,970.00	Year Built	1948
Legal	PLAT OF RICHLAND, BLOCK 823 LOT 5. SUBJECT TO EASEMENTS & RESTRICTION OF RECORD.		

Parcel #	135084020824010	Site Address #	88 Hodges Ct Richland WA 99354
Owner	Ramsey, Marcie Jean 88 Hodges Ct Richland WA 99354	Acres	0.33 Acres
# Rooms	5	SqFt	1,459 SqFt
Bedrooms	1	Bathrooms	2
Assessed Total	\$318,190.00	Year Built	1948
Legal	PLAT OF RICHLAND, BLOCK 824 LOT 10.		

Parcel #	135084020824011	Site Address #	90 Hodges Ct Richland WA 99354
Owner	Hernandez, Elisa B 90 Hodges Ct Richland WA 99354	Acres	0.36 Acres
# Rooms	5	SqFt	1,232 SqFt
Bedrooms	3	Bathrooms	1.5
Assessed Total	\$337,390.00	Year Built	1948
Legal	PLAT OF RICHLAND, BLOCK 824 LOT 11. SUBJECT TO EASEMENTS & RESTRICTION OF RECORD.		

Parcel #	135084020824013	Site Address #	94 Hodges Ct Richland WA 99354
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Owner	Crockett, Dean 94 Hodges Ct Richland WA 99354	Acres	0.33 Acres
# Rooms	5	SqFt	1,411 SqFt
Bedrooms	3	Bathrooms	1.5
Assessed Total	\$362,390.00	Year Built	1948
Legal	PLAT OF RICHLAND, BLOCK 824 LTO 13. SUBJECT TO EASEMENTS & RESTRICTION OF RECORD.		

Parcel #	135084020824014	Site Address #	81 Newcomer St Richland WA 99354
Owner	Jensen, Eric J 2038 Davison Ave Richland WA 99354	Acres	0.27 Acres
# Rooms	5	SqFt	1,459 SqFt
Bedrooms	3	Bathrooms	1.5
Assessed Total	\$357,030.00	Year Built	1948
Legal	PLAT OF RICHLAND, BLOCK 824 LOT 14.		

Parcel #	135084020824015	Site Address #	79 Newcomer St Richland WA 99354
Owner	Langdon, Jim 79 Newcomer St Richland WA 99354	Acres	0.22 Acres
# Rooms	5	SqFt	1,411 SqFt
Bedrooms	2	Bathrooms	1.5
Assessed Total	\$368,100.00	Year Built	1948
Legal	PLAT OF RICHLAND, BLOCK 824 LOT 15. SUBJECT TO EASEMENTS & RESTRICTION OF RECORD.		

Parcel #	135084020824016	Site Address #	77 Newcomer St Richland WA 99354
Owner	Bliss, Mary 77 Newcomer St Richland WA 99354	Acres	0.24 Acres
# Rooms	5	SqFt	1,459 SqFt
Bedrooms	2	Bathrooms	2
Assessed Total	\$371,850.00	Year Built	1948
Legal	PLAT OF RICHLAND, BLOCK 824 LOT 16. SUBJECT TO EASEMENTS & RESTRICTION OF RECORD.		

Parcel #	135084020824017	Site Address #	75 Newcomer Ave Richland WA 99354
Owner	Sparrow, Andrew 75 Newcomer Street Richland WA 99354	Acres	0.23 Acres
# Rooms	5	SqFt	1,411 SqFt

Bedrooms 3

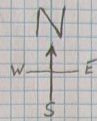
Bathrooms 2

Assessed \$392,600.00

Year Built 1948

Total

Legal PLAT OF RICHLAND, BLOCK 824 LOT 17. SUBJECT TO EASEMENTS & RESTRICTION
OF RECORD.



100'

25' minimum

24'

21'

35'

34'

75'

27'

23'

22'

29'

37'

14'x14' Deck

24'

20'4"

16' Door

22'

14'

7'02"

6'

25'

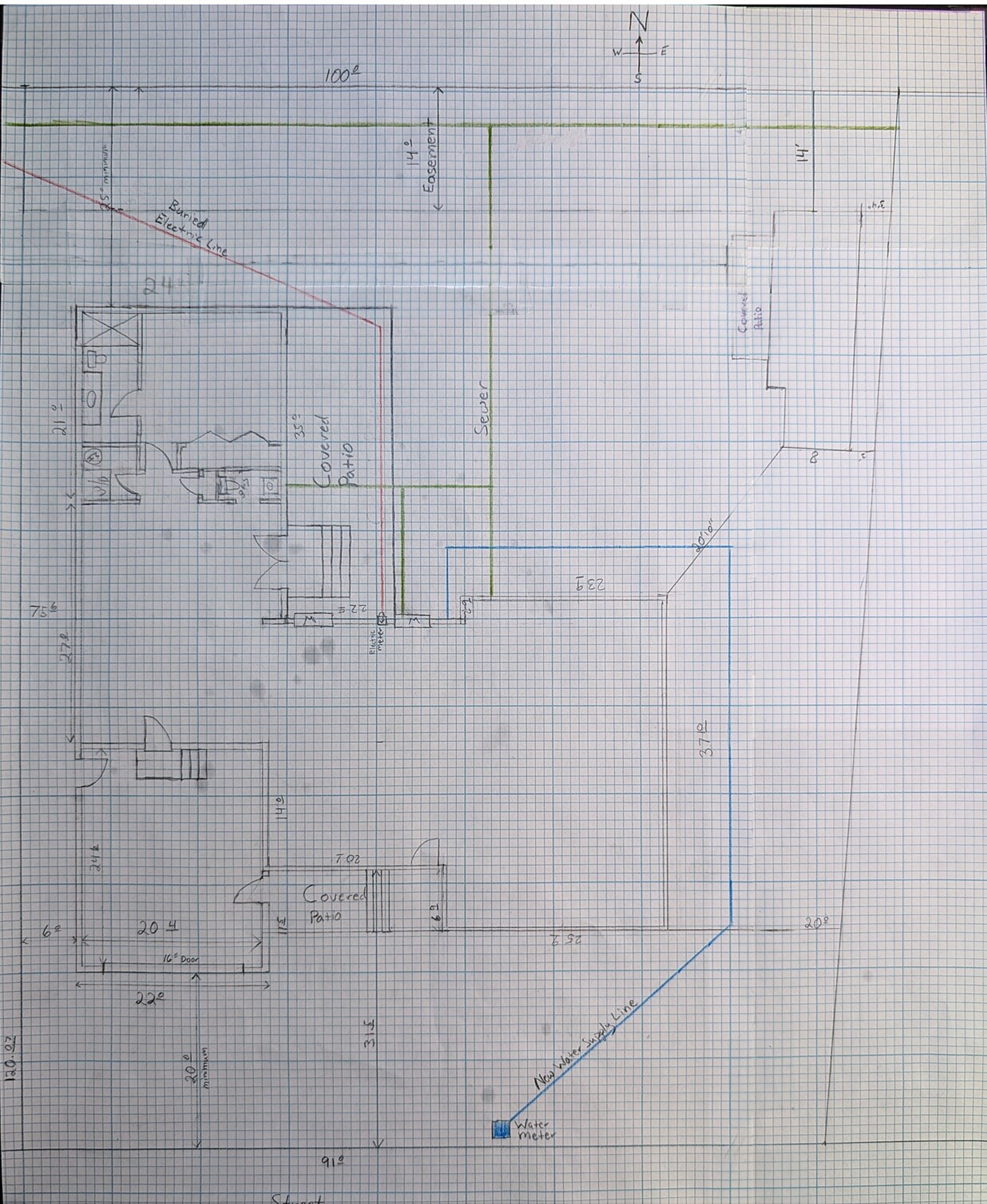
31'

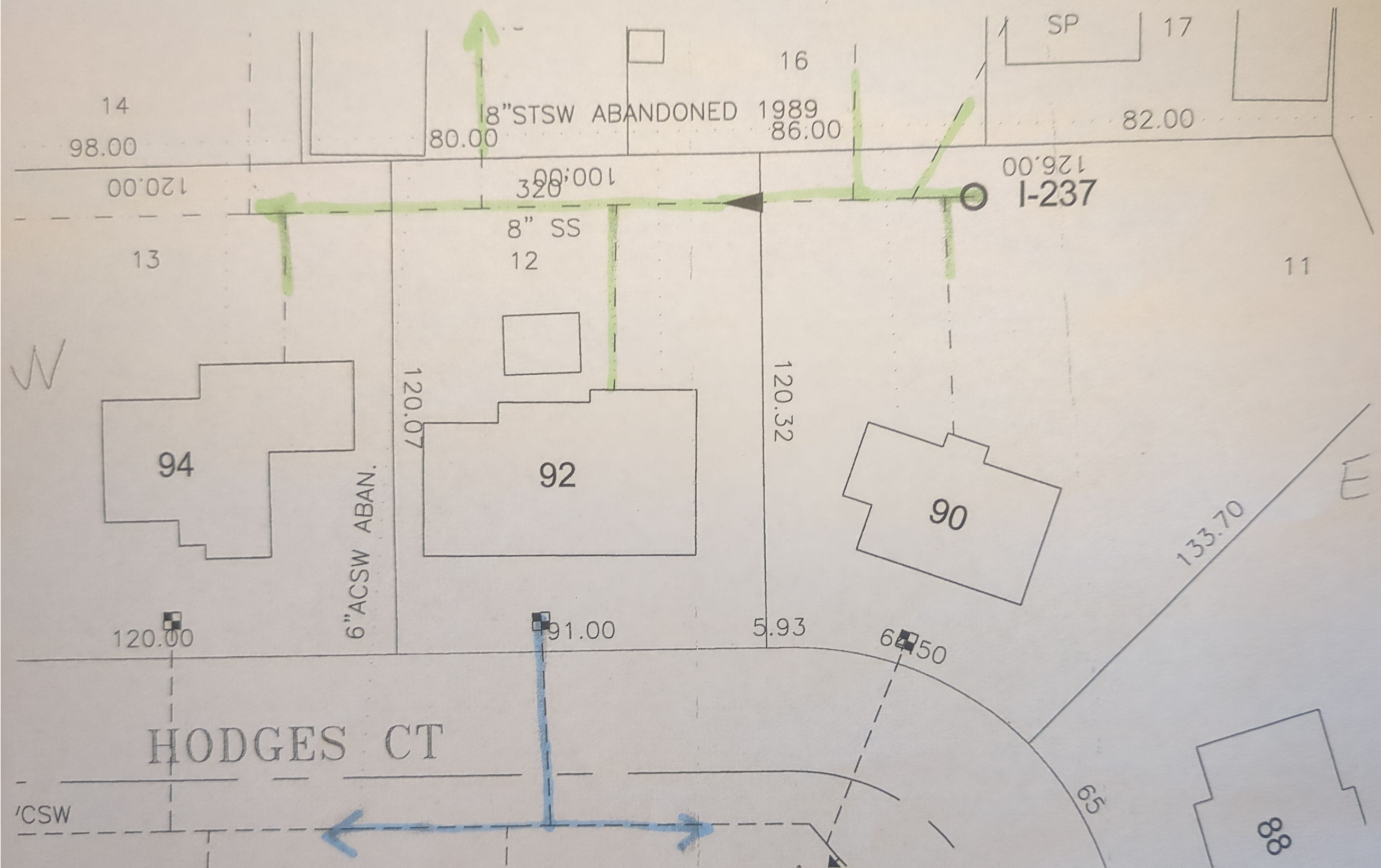
120.22'

20' minimum

91'

Street







HODGES CT. (60°)

SCALE: 1" = 25'

LOT 12 BLOCK 824
PLAT OF RICHLAND
BENTON COUNTY WASH.

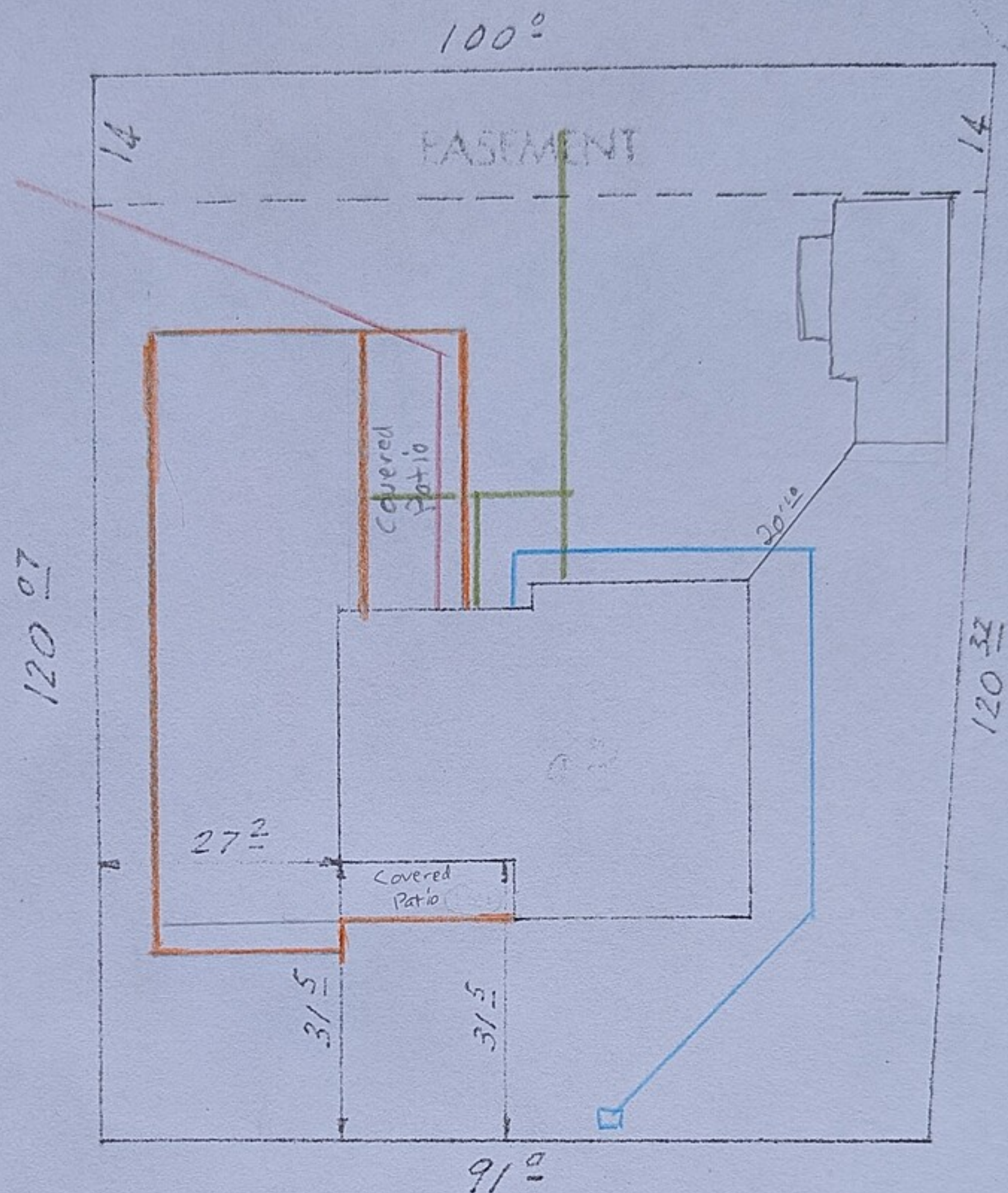
I, the undersigned, have examined the above plat and find the same to be correct and true and that the same is a true and correct copy of the original plat on file in the office of the County Clerk of Benton County, Washington.

Witness my hand and seal this 1st day of May, 1907.



C. F. Worley

Lot Coverage:
 Sq ft all Buildings: 4,066
 Sq ft Land: 11,460
 35% lot coverage



HODGES CT. (60°)

SCALE: 1" = 25'

LOT 12 BLOCK 824

PLAT OF RICHLAND

BENTON COUNTY WASH.

I, the undersigned, have examined the above described
 property and find the map, plan or plat to be correct and
 true to the original survey and to the record thereof.

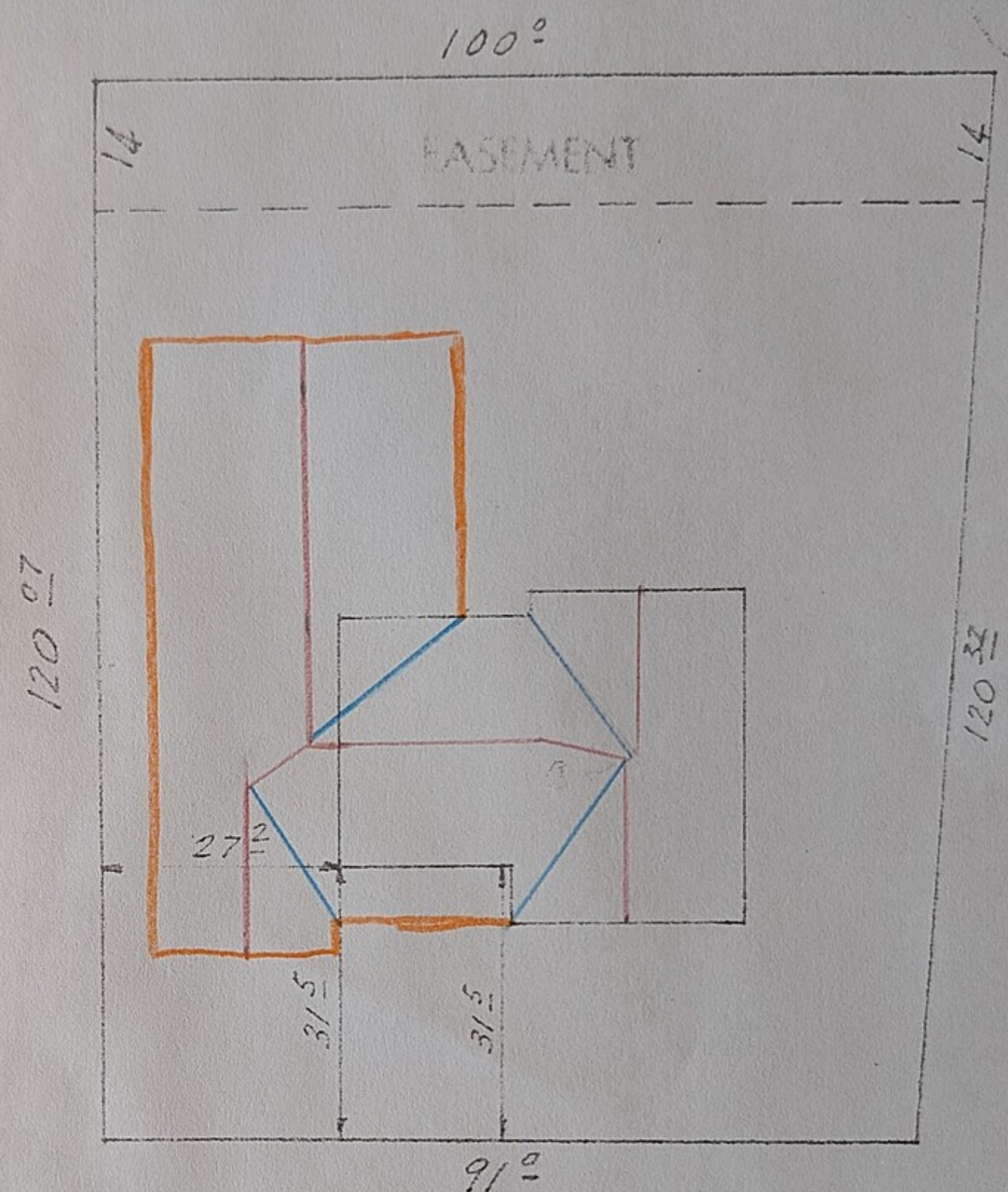
Date: 1/1/1911 L. T. Worley



Roof Plan



- Ridge line
- Valley line
- Addition



HODGES CT. (60°)

SCALE: 1" = 15'

LOT 12 BLOCK 824
PLAT OF RICHLAND
BENTON COUNTY WASH.



I have examined the above plan and find the same to be correct and true to the original and therefor approve the same.

Charles E. Worley





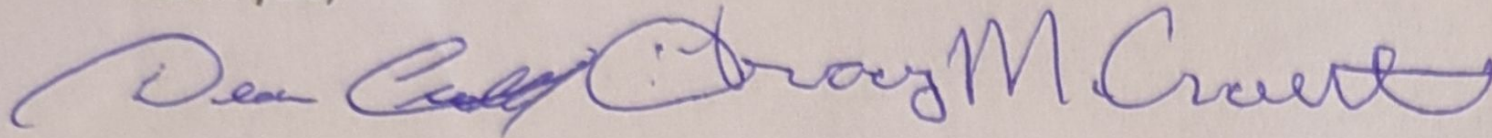


Exhibit 2

Richland City,

We approve of our neighbors Daniel and Andrea Rhoten (92 Hodges Ct) building a garage and house addition with only 6ft setback from our property line.

Thank you,

A handwritten signature in blue ink, appearing to read "Dean and Tracy Crockett". The signature is fluid and cursive, with the first name "Dean" written in a larger, more prominent script than the second name "Tracy".

Dean and Tracy Crockett

94 Hodges Ct

Richland, WA 99354

(509) 551-9248

dean_crockett@hotmail.com

Richland City,

We approve of our neighbors Daniel and Andrea Rhoten (92 Hodges Ct) building a garage and house addition with only 6 ft setback from the property line.

Thank you,

4/12/2025

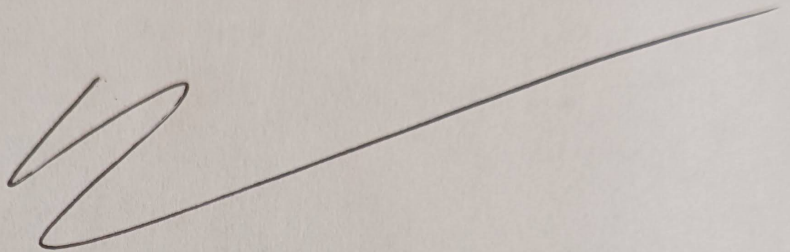
Jim Langdon & L Black
Jim Langdon
79 Newcomer St. Lm Black

Richland City,

We approve of our neighbors Daniel and Andrea Rhoten (92 Hodges Ct) building a garage and house addition with only 6 ft setback from the property line.

Thank you,

Kyle Soderquist
90 Hodges

A large, stylized handwritten signature in dark ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Richland City,

We approve of our neighbors Daniel and Andrea Rhoten (92 Hodges Ct) building a garage and house addition with only 6 ft setback from the property line.

Thank you,

Leslie E. Donley

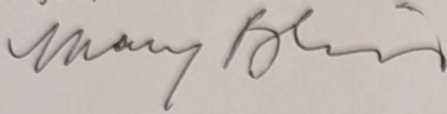
Leslie E. Donley
75 Newcomer St.

425-770-7382

Richland City,

We approve of our neighbors Daniel and Andrea Rhoten (92 Hodges Ct) building a garage and house addition with only 6 ft setback from the property line.

Thank you,

A handwritten signature in cursive script, appearing to read "Mary Bliss".

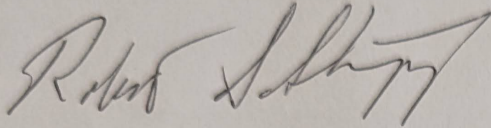
Mary Bliss

77 Newcomer St

Richland City,

We approve of our neighbors Daniel and Andrea Rhoten (92 Hodges Ct) building a garage and house addition with only 6 ft setback from the property line.

Thank you,

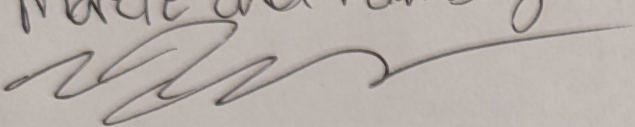
A handwritten signature in dark ink, appearing to read "Robert Shipp". The signature is fluid and cursive, with a long horizontal stroke at the end.

Robert Shipp
85 Hodges ct

Richland City,

We approve of our neighbors Daniel and Andrea Rhoten (92 Hodges Ct) building a garage and house addition with only 6 ft setback from the property line.

Thank you,

Name ^{Ryan}
Marge and Ramsey
 88 Hodges

Vicinity Map

Item: 92 Hodges Ct - Major Variance
Applicant: Daniel and Andrea Rhoten
File #: PLN-T2-2025-00014

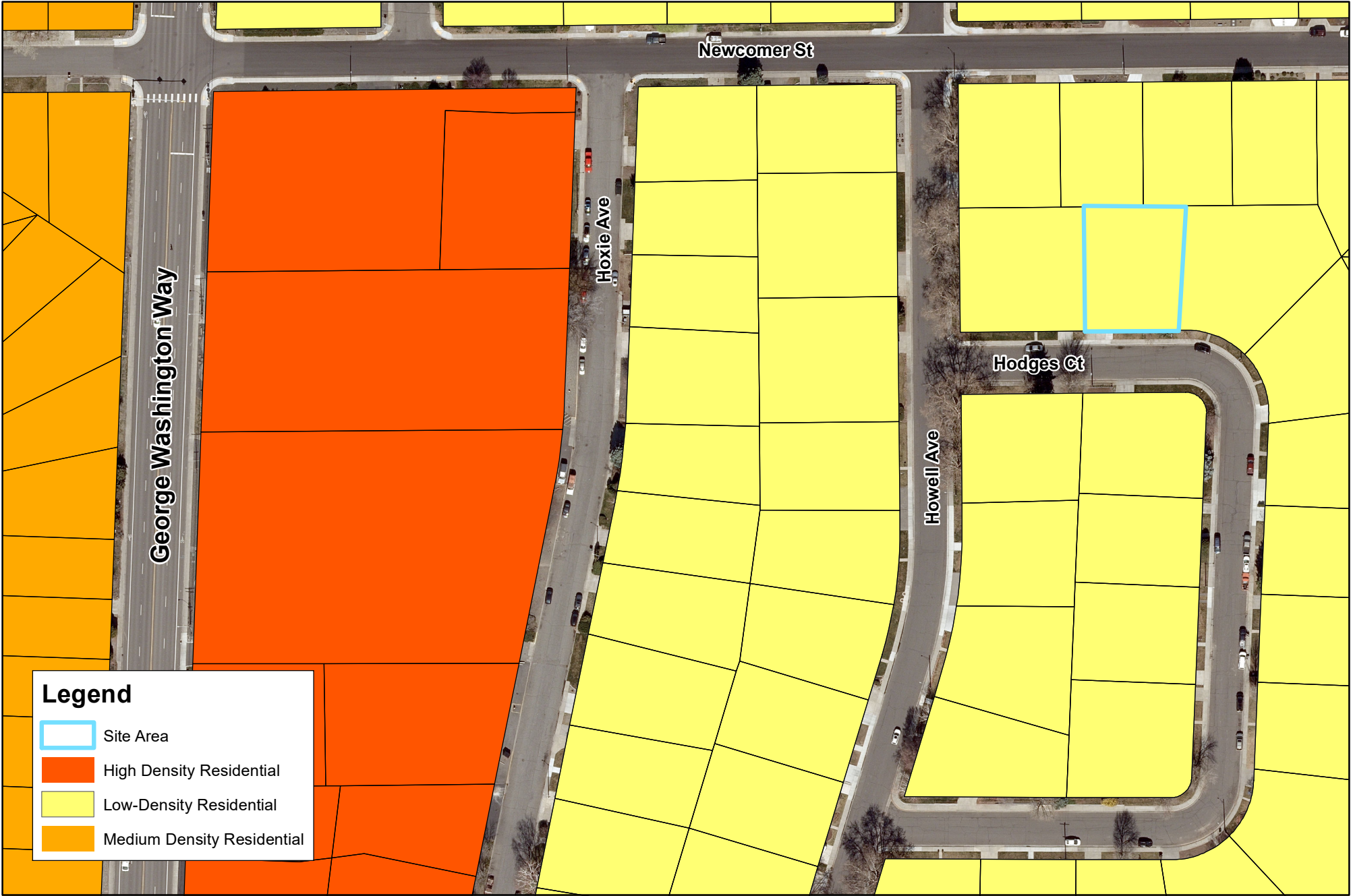
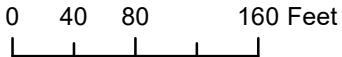
Exhibit 3 

0 40 80 160 Feet





Land Use Map


Item: 92 Hodges Ct - Major Variance
Applicant: Daniel and Andrea Rhoten
File #: PLN-T2-2025-00014




Legend

 Site Area

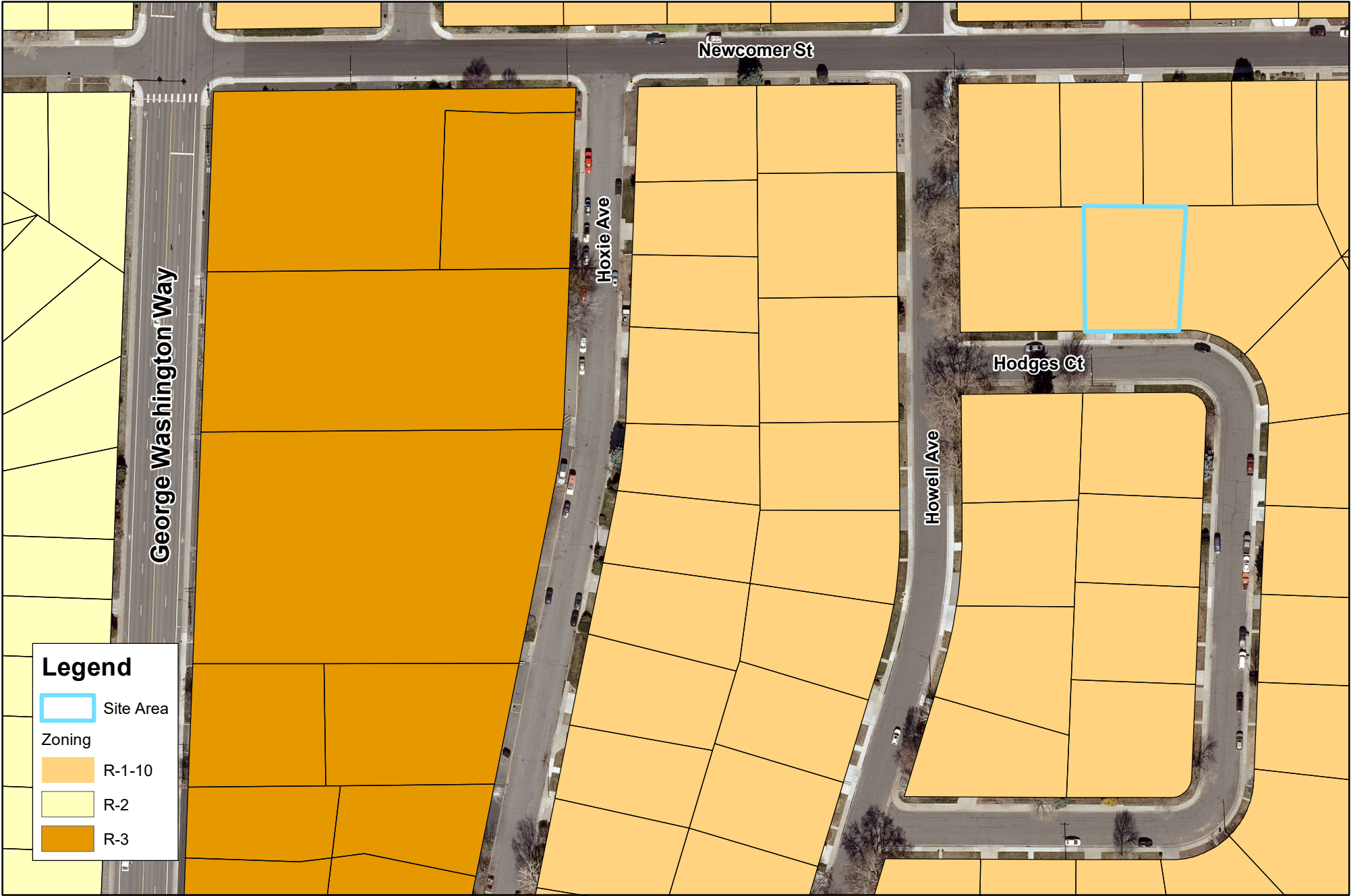
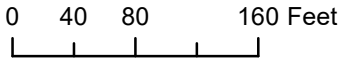
 High Density Residential

 Low-Density Residential

 Medium Density Residential

Zoning Map

Item: 92 Hodges Ct - Major Variance
Applicant: Daniel and Andrea Rhoten
File #: PLN-T2-2025-00014

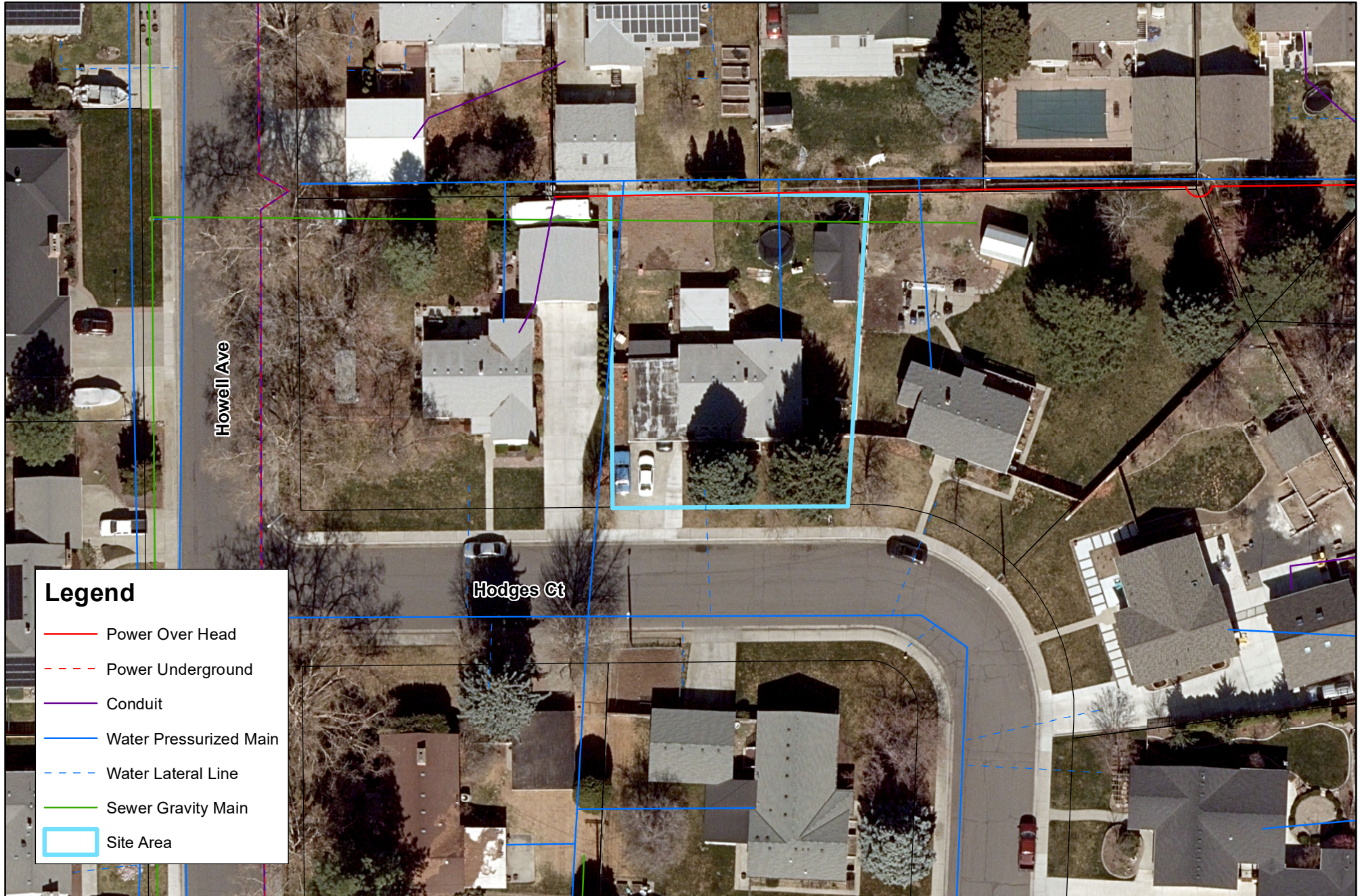


Utilities Map

Item: 92 Hodges Ct - Major Variance
Applicant: Daniel and Andrea Rhoten
File #: PLN-T2-2025-00014



0 15 30 60 Feet



Easement Map

Item: 92 Hodges Ct - Major Variance
Applicant: Daniel and Andrea Rhoten
File #: PLN-T2-2025-00014



0 15 30 60 Feet





Exhibit 4

CITY OF RICHLAND NOTICE OF APPLICATION AND PUBLIC HEARING (PLN-T2-2025-00014)

Notice is hereby given that Daniel and Andrea Rhoten, have applied for a major variance, to seek a reduced side yard setback from ten (10) feet, as required in RMC 23.18.040 for the R-1-10 zoning district, to six (6) feet, to allow for the conversion of an existing carport into a garage and add a living room, bedroom, and bathroom behind the garage. Additional information can be found on this webpage:

<https://www.ci.richland.wa.us/departments/development-services/planning/land-use>.

Project Site: The project site is located at 92 Hodges Court (APN 135084020824012).

Public Hearing: The Richland Board of Adjustment will conduct a public hearing and review of the application at 6:00 p.m., Thursday, June 19, 2025 at City Hall, 625 Swift Boulevard. All interested parties are invited to participate in the public hearing.

Environmental Review: The proposal is not subject to environmental review.

Public Comment: Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Ryan Nelson, Planner, 625 Swift Boulevard, MS-35, Richland, WA 99352. Comments may be emailed to planning@ci.richland.wa.us.

Comment Period Begins: May 25, 2025
Comment Period Ends: June 19, 2025

Written comments must be received no later than 5:00 p.m. on Wednesday, June 11th, 2025, to be incorporated into the staff report. Comments received after that time will be entered into the record during the hearing.

Appeal: The application will be reviewed in accordance with the regulations in RMC Title 23 Zoning and Title 19 Development Regulations Administration. Appeal procedures of decisions related to the above referenced applications are set forth in RMC Chapter 19.70. Contact the Richland Planning Division at the above referenced address with questions related to the available appeal process.

Vicinity Map

Item: 92 Hodges Ct - Major Variance
Applicant: Daniel and Andrea Rhoten
File #: PLN-T2-2025-00014



Please publish the following:

Type of Legal Ad:	Notice of Application, Public Hearing
Date(s) of Publication:	Sunday, May 25, 2025
Richland's TCH Account:	AP36823
For Invoice Text Box on TCH Invoice (Richland MUNIS Description)	PLN-T2-2025-00014
For PO Box on TCH Invoice (Richland Account No. - MUNIS)	D2586000 4401
Attention:	Jen Anderson (TC)

CITY OF RICHLAND NOTICE OF APPLICATION, PUBLIC HEARING

Notice: Daniel and Andrea Rhoten, have applied for a major variance to seek a reduced side yard setback from ten (10) feet, as required in RMC 23.18.040, to six (6) feet, to allow for the conversion of an existing carport into a garage and add a living room, bedroom, and bathroom behind the garage. Additional information can be found on this webpage <https://www.ci.richland.wa.us/departments/development-services/planning/land-use>.

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Date Published: Sunday, May 25, 2025

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Cols	Depth
36823	664869	Print Legal Ad-IPL02350130 - IPL0235013	BOA PHN PLN-T2-2025-0	1	62 L

Attention: Jennifer Anderson
CITY OF RICHLAND/LEGALS
625 SWIFT BLVD. MS-05
RICHLAND, WA 99352

janderson@ci.richland.wa.us

CITY OF RICHLAND
NOTICE OF APPLICATION,
PUBLIC HEARING

Notice: Daniel and Andrea Rhoten have applied for a major variance to seek a reduced side yard setback from ten (10) feet, as required in RMC 23.18.040, to six (6) feet, to allow for the conversion of an existing carport into a garage and add a living room, bedroom, and bathroom behind the garage. Additional information can be found on the City of Richland's web-site at <https://www.ci.richland.wa.us/departments/development-services/planning/land-use>.

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Public Hearing: The Richland Board of Adjustment will conduct a public hearing and review of the application on **Thursday, June 19, 2025 at 6:00 p.m.** at Richland City Hall, 625 Swift Boulevard. All interested parties are invited to participate in the public hearing.

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Date Published: Sunday, May 25, 2025
IPL0235013
May 25 2025

COUNTY OF BENTON)
SS
STATE OF WASHINGTON)

Mary Castro, being duly sworn, deposes and says, I am the Legals Clerk of The Tri-City Herald, a daily newspaper. That said newspaper is a local newspaper and has been approved as a legal newspaper by order of the superior court in the county in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published continually as a daily newspaper in Benton County, Washington. That the attached is a true copy as it was printed in the regular and entire issue of the Tri-City Herald and not in a supplement thereof, ran 1 time (s) commencing on 05/25/2025, and ending on 05/25/2025 and that said newspaper was regularly distributed to its subscribers during all of this period.

1 insertion(s) published on:
05/25/25

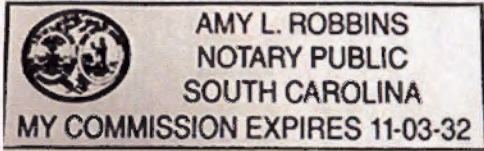
Mary Castro

(Signature of Legals Clerk)

Sworn to and subscribed before me this 27th day of May in the year of 2025

Amy Robbins

Notary Public in and for the state of South Carolina,
residing in Beaufort County



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

AFFIDAVIT OF MAILING

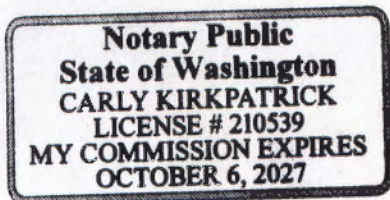
STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

COMES NOW, Jodi Hogan, who, being first duly sworn upon oath deposes and says:

1. I am an employee in the Planning & Development Department for the City of Richland.
2. On the 23rd day of May, 2025 I mailed a copy of the attached CITY OF RICHLAND NOTICE OF APPLICATION AND PUBLIC HEARING (PLN-T2-2025-00014) to the attached list of individuals via regular USPS or email on the date indicated above.

Jodi Hogan
Signed: Jodi Hogan

SIGNED AND SWORN to before me this 27th day of May, 2025 by



Carly
Notary Public in and for the State of Washington,
Carly Kirkpatrick
Print Name
Residing at Benton County
My appointment expires: Oct. 6, 2027

AFFIDAVIT OF MAILING - 1
Notice of Closed Record Hearing attached.
Address list attached.



CITY OF RICHLAND NOTICE OF APPLICATION AND PUBLIC HEARING (PLN-T2-2025-00014)

Notice is hereby given that Daniel and Andrea Rhoten, have applied for a major variance, to seek a reduced side yard setback from ten (10) feet, as required in RMC 23.18.040 for the R-1-10 zoning district, to six (6) feet, to allow for the conversion of an existing carport into a garage and add a living room, bedroom, and bathroom behind the garage. Additional information can be found on this webpage:

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Comment Period Ends: June 19, 2025

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Vicinity Map

Item: 92 Hodges Ct - Major Variance
Applicant: Daniel and Andrea Rhoten
File #: PLN-T2-2025-00014



Janice Colleran
1924 Howell Ave
Richland, Wa 99354

Elisa Hernandez
90 Hodges Ct
Richland, Wa 99354

Robert Shipp
85 Hodges Ct
Richland, Wa 99354

Hannah Jensen
2038 DAVISON AVE
RICHLAND, WA 99354

Mary Bliss
77 Newcomer St
Richland, Wa 99354

Ryan Ramsey
88 Hodges Ct
Richland, Wa 99354

Andrea Rhoten
92 Hodges Ct
Richland, Wa 99354

Andrew Sparrow
75 Newcomer St
Richland, Wa 99354

Jim Langdon
79 Newcomer St
Richland, Wa 99354


AFFIDAVIT OF POSTING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

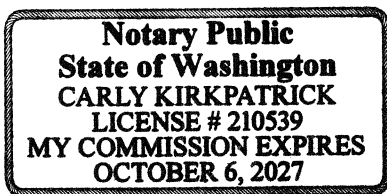
COMES NOW, **Ryan Nelson**, who, being first duly sworn upon oath deposes and says:

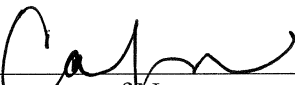
1. I am an employee in the Planning Division of the Development Services Department for the City of Richland.
2. On the 27th day of May 2025, I posted the attached NOTICE OF PUBLIC HEARING, File Number PLN-T2-2025-00014 (Major Variance) in the following locations:

Adjacent to the driveway of 92 Hodges Ct.


Signed: Ryan Nelson

SIGNED AND SWORN to before me this 27th day of May, 2025, by Ryan Nelson.




Signature of Notary

Carly Kirkpatrick
Printed Name

Notary Public in and for the State of Washington,

Residing in Benton County

My appointment expires: Oct. 6, 2027

Exhibit 5

From: [Castle,Angela C \(CONTR\) - TERR-PASCO](#)
To: [Planning](#)
Cc: [Rodgers,Deborah \(CONTR\) - TERR-TRI CITIES RMHQ](#); [Cummings,Nicole M \(BPA\) - TERR-TRI CITIES RMHQ](#)
Subject: RE: Major Variance Request for 92 Hodges Ct
Date: Thursday, May 29, 2025 8:50:43 AM
Attachments: [image001.png](#)

[EXTERNAL EMAIL] Exercise caution before clicking links or opening attachments.

Ryan,

Bonneville Power Administration's (BPA) has had the opportunity to review an application for the Major Variance located at 92 Hodges Ct, Richland, WA.

In researching our records, we have found that this proposal will not directly impact BPA facilities over 3500 feet west of the subject properties. BPA does not have any objections to the approval of this request at this time.

If you have any questions or need additional information, please feel free to contact Nicole Cummings, at 509-542-5499, by email at [NMCummings@bpa.gov](mailto:NM Cummings@bpa.gov).

Thank you for the opportunity to review this application.

Angela Castle

BONNEVILLE POWER ADMINISTRATION

DEPARTMENT OF ENERGY

(CONTR) Actalent

Realty Technician II | TERR | East
accastle@bpa.gov | 509-544-4747

From: Planning <planning@ci.richland.wa.us>

Sent: Wednesday, May 28, 2025 12:55 PM

To: ian_gray@yakama.com <ian_gray@yakama.com>; [Castle,Angela C \(CONTR\) - TERR-PASCO](mailto:Castle,Angela C (CONTR) - TERR-PASCO) <ACCastle@bpa.gov>; Acevedo, Mizaël <macevedo@CI.RICHLAND.WA.US>; Badger Mountain Irrigation District <bmidmanager@badgermountainirrigation.com>; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; Craig Hamilton <c.hamilton@bces.wa.gov>; [Rodgers,Deborah \(CONTR\) - TERR-TRI CITIES RMHQ <dxroddgers@bpa.gov>](mailto:Rodgers,Deborah (CONTR) - TERR-TRI CITIES RMHQ <dxroddgers@bpa.gov>); DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>; Davis, Deanna <d.davis@bces.wa.gov>; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; Erin Hockaday <erin.hockaday@bfhd.wa.gov>; gis@co.benton.wa.us; Hill, Kelly <khill@CI.RICHLAND.WA.US>; Homero.Gonzalez@ziply.com; Jack Howard <jack.howard@bfhd.wa.gov>; Jason McShane <jmcshane@kid.org>; [Kinch,James L \(BPA\) - TERR-BELL-1 <JLKinch@bpa.gov>](mailto:Kinch,James L (BPA) - TERR-BELL-1 <JLKinch@bpa.gov>); Junior Campos <junior.campos@charter.com>; Katherine Cichy <Katherine.cichy@ziply.com>; Kelly Cooper <kelly.cooper@doh.wa.gov>; Kevin Knodel <kevin.knodel@rsd.edu>; Kevin Sliger <KSliger@bft.org>; KID Development <development@kid.org>; KID Webmaster <webmaster@kid.org>; Kramer, Steve <skramer@ci.richland.wa.us>; M. Deklyne <mjdeklyne@bpa.gov>; Map BCES <map@bces.wa.gov>; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; Michael Tovey <michael.tovey@ziply.com>;

Cummings, Nicole M (BPA) - TERR-TRI CITIES RMHQ <NMCummings@bpa.gov>; Orr, Bruce <borr@CI.RICHLAND.WA.US>; Paul Gonseth <gonsetp@wsdot.wa.gov>; Planning.Department@co.benton.wa.us; PublicWorks@co.benton.wa.us; ReathaFord, Jason <JReathaFord@CI.RICHLAND.WA.US>; rgoede@noanet.net; Richard Krasner <richard.krasner@rsd.edu>; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; Schluter, Shaun <sschluter@CI.RICHLAND.WA.US>; Seth DeFoe <SDefoe@kid.org>; South Central Region Planning <scplanning@wsdot.wa.gov>; WA Dept of Fish & Wildlife <rittemwr@dfw.wa.gov>; Westphal, Nichole <nwestphal@ci.richland.wa.us>; Whittier, John <jwhittier@CI.RICHLAND.WA.US>; Zanin, Heather <hzanin@ci.richland.wa.us>
Subject: Major Variance Request for 92 Hodges Ct

Good Afternoon,

Daniel and Andrea Rhoten have submitted an application to the City of Richland for a Major Variance to seek a reduced side yard setback from ten (10) feet, as required in RMC Chapter 23.18.040, to six (6) feet for the conversion of an existing carport into a garage and add a living room, bedroom, and bathroom behind the garage. The project site is located at 92 Hodges Ct, Richland, WA. The zoning for the site is R-1-10, low density residential. Please review the attached materials relative to your agency's regulations and submit any comments no later than 5:00 PM June 11, 2025. Comments may be submitted via e-mail to planning@ci.richland.wa.us or mailed to: Richland Development Services Department, 625 Swift Boulevard, MS #35, Richland, WA 99352.

Thank you,



Ryan Nelson
Planner

625 Swift Blvd., MS-35 | Richland, WA 99352
509.942.7587

Disclaimer: Emails and attachments sent to or from the City of Richland are public records subject to release under the Washington Public Records Act, Chapter 42.56 RCW. Sender and Recipient have no expectation of privacy in emails transmitted to or from the City of Richland.

From: [Hill, Kelly](#)
To: [Planning](#)
Subject: RE: Major Variance Request for 92 Hodges Ct
Date: Wednesday, May 28, 2025 3:30:30 PM
Attachments: [image001.png](#)

Ryan,

If their request is granted, when they convert their service from OH to UG as they show in their hand sketches, they will need to make sure it is not relocated under the covered patio, and the meter will need to be relocated so it is also not under the covered patio.

Thanks



Kelly Hill, PE
Chief Electrical Engineer
625 Swift Blvd., MS-23 | Richland, WA 99352
(509) 942-7416

From: Planning <planning@ci.richland.wa.us>
Sent: Wednesday, May 28, 2025 12:55 PM
To: ian_gray@yakama.com <ian_gray@yakama.com>; accastle@bpa.gov <accastle@bpa.gov>; Acevedo, Mizaël <macevedo@CI.RICHLAND.WA.US>; Badger Mountain Irrigation District <bmidmanager@badgermountainirrigation.com>; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; Craig Hamilton <c.hamilton@bces.wa.gov>; D. Rodgers <dxrogers@bpa.gov>; DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>; Davis, Deanna <d.davis@bces.wa.gov>; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; Erin Hockaday <erin.hockaday@bfhd.wa.gov>; gis@co.benton.wa.us; Hill, Kelly <khill@CI.RICHLAND.WA.US>; Homero.Gonzalez@ziply.com; Jack Howard <jack.howard@bfhd.wa.gov>; Jason McShane <jmcshane@kid.org>; JLKinch@bpa.gov; Junior Campos <junior.campos@charter.com>; Katherine Cichy <Katherine.cichy@ziply.com>; Kelly Cooper <kelly.cooper@doh.wa.gov>; Kevin Knodel <kevin.knodel@rsd.edu>; Kevin Sliger <KSliger@bft.org>; KID Development <development@kid.org>; KID Webmaster <webmaster@kid.org>; Kramer, Steve <skramer@ci.richland.wa.us>; M. Deklyne <mjddeklyne@bpa.gov>; Map BCES <map@bces.wa.gov>; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; Michael Tovey <michael.tovey@ziply.com>; NMCummings@bpa.gov; Orr, Bruce <borr@CI.RICHLAND.WA.US>; Paul Gonseth <gonsetp@wsdot.wa.gov>; Planning.Department@co.benton.wa.us; PublicWorks@co.benton.wa.us; Reathaford, Jason <JReathaford@CI.RICHLAND.WA.US>; rgoede@noanet.net; Richard Krasner <richard.krasner@rsd.edu>; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; Schluter, Shaun <sschluter@CI.RICHLAND.WA.US>; Seth DeFoe <SDefoe@kid.org>; South Central Region Planning <scplanning@wsdot.wa.gov>; WA Dept of Fish & Wildlife <rittemwr@dfw.wa.gov>; Westphal, Nichole <nwestphal@ci.richland.wa.us>; Whittier, John <jwhittier@CI.RICHLAND.WA.US>; Zanin, Heather <hzanin@ci.richland.wa.us>
Subject: Major Variance Request for 92 Hodges Ct

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Thank you,



Ryan Nelson

Planner

625 Swift Blvd., MS-35 | Richland, WA 99352

509.942.7587

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From: [Chris Sittman](#)
To: [Planning](#)
Cc: [Wendy Durado](#)
Subject: RE: Major Variance Request for 92 Hodges Ct
Date: Tuesday, June 3, 2025 11:17:57 AM
Attachments: [image001.png](#)

[EXTERNAL EMAIL] Exercise caution before clicking links or opening attachments.

KID has no comments.

Chris D. Sittman
Engineering Dept./CAD Specialist
Kennewick Irrigation District
2015 S. Ely St.
Kennewick, WA 99337
Desk: 509-460-5435
Cell: 509-873-1123

From: Planning <planning@ci.richland.wa.us>
Sent: Wednesday, May 28, 2025 12:55 PM
To: ian_gray@yakama.com <ian_gray@yakama.com>; accastle@bpa.gov <accastle@bpa.gov>; Acevedo, Mizaël <macevedo@CI.RICHLAND.WA.US>; Badger Mountain Irrigation District <bmidmanager@badgermountainirrigation.com>; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; Craig Hamilton <c.hamilton@bces.wa.gov>; D. Rodgers <dxrodgers@bpa.gov>; DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>; Davis, Deanna <d.davis@bces.wa.gov>; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; Erin Hockaday <erin.hockaday@bfhd.wa.gov>; gis@co.benton.wa.us; Hill, Kelly <khill@CI.RICHLAND.WA.US>; Homero.Gonzalez@ziply.com; Jack Howard <jack.howard@bfhd.wa.gov>; Jason McShane <JMcShane@kid.org>; JLKinch@bpa.gov; Junior Campos <junior.campos@charter.com>; Katherine Cichy <Katherine.cichy@ziply.com>; Kelly Cooper <kelly.cooper@doh.wa.gov>; Kevin Knodel <kevin.knodel@rsd.edu>; Kevin Sliger <KSliger@bft.org>; Development <development@kid.org>; Matthew Berglund <MBerglund@kid.org>; Kramer, Steve <skramer@ci.richland.wa.us>; M. Deklyne <mjddeklyne@bpa.gov>; Map BCES <map@bces.wa.gov>; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; Michael Tovey <michael.tovey@ziply.com>; NMCummings@bpa.gov; Orr, Bruce <borr@CI.RICHLAND.WA.US>; Paul Gonseth <gonsetp@wsdot.wa.gov>; Planning.Department@co.benton.wa.us; PublicWorks@co.benton.wa.us; Reathaford, Jason <JReathaford@CI.RICHLAND.WA.US>; rgoede@noanet.net; Richard Krasner <richard.krasner@rsd.edu>; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; Schluter, Shaun <sschluter@CI.RICHLAND.WA.US>; Seth Defoe <SDefoe@kid.org>; South Central Region Planning <scplanning@wsdot.wa.gov>; WA Dept of Fish & Wildlife <rittemwr@dfw.wa.gov>; Westphal, Nichole <nwestphal@ci.richland.wa.us>; Whittier, John <jwhittier@CI.RICHLAND.WA.US>; Zanin, Heather <hzanin@ci.richland.wa.us>

Subject: Major Variance Request for 92 Hodges Ct

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon,

Daniel and Andrea Rhoten have submitted an application to the City of Richland for a Major Variance to seek a reduced side yard setback from ten (10) feet, as required in RMC Chapter 23.18.040, to six (6) feet for the conversion of an existing carport into a garage and add a living room, bedroom, and bathroom behind the garage. The project site is located at 92 Hodges Ct, Richland, WA. The zoning for the site is R-1-10, low density residential. Please review the attached materials relative to your agency's regulations and submit any comments no later than 5:00 PM June 11, 2025. Comments may be submitted via e-mail to planning@ci.richland.wa.us or mailed to: Richland Development Services Department, 625 Swift Boulevard, MS #35, Richland, WA 99352.

Thank you,



Ryan Nelson

Planner

625 Swift Blvd., MS-35 | Richland, WA 99352

509.942.7587

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From: jimlangdon4@gmail.com
To: [Planning](#)
Subject: Comments on 92 Hodges Court major variance
Date: Friday, May 30, 2025 9:28:56 AM

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PLN-T2-2025-00014 92 Hodges Ct Major Variance

Backyard neighbors Jim Langdon and Lisa Black of 79 Newcomer Street are in favor in granting this variance.