



## **NOTICE OF DECISION**

**PURSUANT TO RICHLAND MUNICIPAL CODE SECTION 19.60.080 NOTICE IS HEREBY GIVEN THAT THE CITY OF RICHLAND BOARD OF ADJUSTMENT, ON JULY 17, 2025, CONSIDERED THE VARIANCE APPLICATION FILED BY DANIEL AND ANDREA RHOTEN, LOCATED AT 92 HODGES COURT, AND APPROVED THE REQUEST FOR THE CONVERSION OF THE CARPORT INTO A GARAGE, BUT DENIED THE REQUEST FOR ADDITIONAL LIVING SPACE BEHIND THE GARAGE (CITY FILE NO. PLN-T2-2025-00014) SUBJECT TO THE CONDITIONS LISTED BELOW:**

**DESCRIPTION OF ACTION:** Variance to RMC 23.18.040 allowing 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.

**DECISION: SPLIT.** The Board of Adjustment APPROVED the request for the conversion of the carport into a garage but DENIED the request for additional living space behind the garage. The variance request is subject to the following Findings of Fact and Condition of Approval.

### **FINDINGS 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.

**CONDITIONS OF APPROVAL:**

1. Conversion of the carport into a garage cannot exceed the existing six (6) foot side yard setback and shall maintain the minimum front yard setback of twenty (20) feet, as described for the R-1-10 zoning district.

**DATE OF DECISION:** July 17, 2025

**PROJECT LOCATION:** 92 Hodges Court, Richland, Washington.

**APPEAL PROCEDURES:** Appeals of the Variance may be made to Benton County Superior Court by any party of record. Said appeals shall be in accordance with the provisions of Richland Municipal Code (RMC) Sections 19.70.040, 19.70.060 and Revised Code of Washington (RCW) 36.70C. An appeal of the Variance must be filed within 21 days of date of issuance of this notice.



Mike Stevens  
Planning Manager

July 24, 2025  
Date