



## **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 AUGUST 21 2025, CONSIDERED THE VARIANCE APPLICATION FILED BY KTS CONSTRUCTION SERVICES, ON BEHALF OF THE PROPERTY OWNER, MICHAEL FERRY, LOCATED AT 323 SEASIDE COURT, AND APPROVED THE REQUEST, (CITY FILE NO. PLN-T2-2025-00016) SUBJECT TO THE CONDITIONS LISTED BELOW:**

**DESCRIPTION OF ACTION:** Variance to RMC 23.18.040 allowing for the construction of a 5-foot by 14-foot handicap bathroom at the rear of the existing home. The construction would encroach into the minimum 25-foot rear yard setback for the R-1-10 zoning district by approximately 5 feet.

**DECISION: APPROVED.** The Board of Adjustment APPROVED the request. The variance request is subject to the following Findings of Fact and Condition of Approval.

### **FINDINGS OF FACT**

1. The applicant, KTS Construction Services, on behalf of the property owner Michael Ferry, has applied for a Major Variance, to allow for a reduced rear yard setback, within the R-1-10 zoning district, from the stated twenty-five (25) feet down to twenty (20) feet.
2. The subject property is located at 323 Seaside Court.
3. The subject site is bordered by other residential uses.
4. The subject site is approximately 5,588 square feet in size.
5. The lot is generally rectangular shaped with the northern property line being askew due to the narrowing and widening of Seaside Court.
6. The subject site currently has an existing one-family detached dwelling.
7. Richland Municipal Code Chapter 23.18.040 imposes a twenty-five (25) foot minimum rear 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. No public comments were 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 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. Construction of the handicap bathroom shall not exceed the submitted building plans and shall meet all applicable ADA and current building code standards.
2. The footprint of the proposed project shall not be less than twenty (20) feet from the rear property line along Spengler Street.

**DATE OF DECISION:** August 21, 2025

**PROJECT LOCATION:** 323 Seaside 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

August 22, 2025  
Date