

# STAFF REPORT LAND MANAGEMENT COMMITTEE

Land Management Committee Meeting,

May 16, 2018

Agenda Item 4

**Applicant:** Scott and Angela Mathison

**Request:** Conditional use permit (CUP) for an accessory residence.

## Background:

On May 21, 2015 the applicant visited the Land Management Department to obtain a Land Use Permit to build a 2016 sq. ft. detached garage (only) to serve as an accessory structure to their existing 3906 sq. ft. 3 bedroom dwelling located at N8354 410<sup>th</sup> Street.

On March 5, 2018 the applicant submitted a sanitary permit for a holding tank to be connected to the existing garage built in 2015. The sanitary permit application also indicated that the garage would have 1 bedroom. Subsequently, the applicant was contacted regarding the need for a CUP for an accessory residence if the garage was going to have a bedroom. Through discussions with the applicant, staff became aware that half of the garage (1008 sq. ft.) had already been converted to living quarters with a bedroom, kitchen, bathroom, laundry room and living/dining area. At this time the applicant was informed that a CUP for an accessory residence would be required to bring the property into compliance with Pierce County Code.

## Issues Pertaining to the Request:

- The applicant owns a 22.202 acre parcel located in the SW¼ of the NW ¼ of Sec. 9, T27N, R16W, Town of Gilman.
- The property is in the General Rural zoning district.
- Pierce County Code (PCC) § 240-40(A) allows accessory residences which are accessory to single-family residences in the General Rural District with the issuance of a CUP.
- PCC § 240-88 defines Accessory Residence as:
  - A. A dwelling unit that is accessory to a nonresidential use on the same lot, is the only dwelling unit on the lot, and provides living quarters for the owner, proprietor, commercial tenant, employee, or caretaker of the nonresidential use.
  - B. A dwelling unit located in an accessory building located on a residential parcel.
- PCC § 240-88 defines Accessory Building as, “building, not attached to a principal building by means of a common wall, common roof, or an aboveground roofed passageway, which is:
  - A. Subordinate to and serves a principal structure or a principal use.
  - B. Located on the same lot as the principal structure or use served.
  - C. Customarily incidental to the principal structure or use.
- The existing primary residence has a total floor area of approximately 3906 square ft.
- The portion of the garage that has been converted to living quarters is approximately 1008 square ft.

Applicant: Scott and Angela Mathison

May 16, 2018

CUP – Accessory Residence

- The septic system for the principle residence was permitted and installed in 2002 for a 3 bedroom mound system.
- The applicants were issued a State Sanitary Permit for the proposed accessory residence on 3/5/18. A 2000 gallon holding tank was installed on 3/14/2018. (Sanitary Permit #471082018)
- PCC Ch. 115 Numbering of Buildings and Roads states that all properties or parcels and principal buildings shall be assigned an address based on the uniform numbering system.
- The Gilman Town Board recommended approval of this request on 4/11/2018 without any concerns or recommended conditions. The Town did not reference its Comprehensive Plan.
- No renewal of this request will be necessary provided the use is established within 12 months of approval.

### **Recommendation:**

Staff recommends that the Land Management Committee determine whether the proposed use at the proposed location would be contrary to the public interest and whether it would be detrimental or injurious to public health, public safety, or the character of the surrounding area. If found to be not contrary to the above, staff recommends the Land Management Committee approve this conditional use permit for an accessory residence with the following conditions:

1. The applicant shall work with the Town building inspector, Todd Dolan, to determine whether a permit from the town is needed and to ensure compliance with the Uniform Dwelling Code (UDC) requirements.
2. The applicant shall obtain a separate uniform address number and sign for the accessory residence.

**Submitted By:** Adam Adank,  
Zoning Specialist

# Land Management Committee

Scott & Angela Mathison  
(May 16th, 2018)

## CUP - Accessory Residence

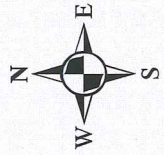
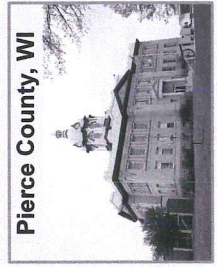
### Legend

-  Dwellings
-  CUP Parcel
-  Parcels
-  Contours (10ft)

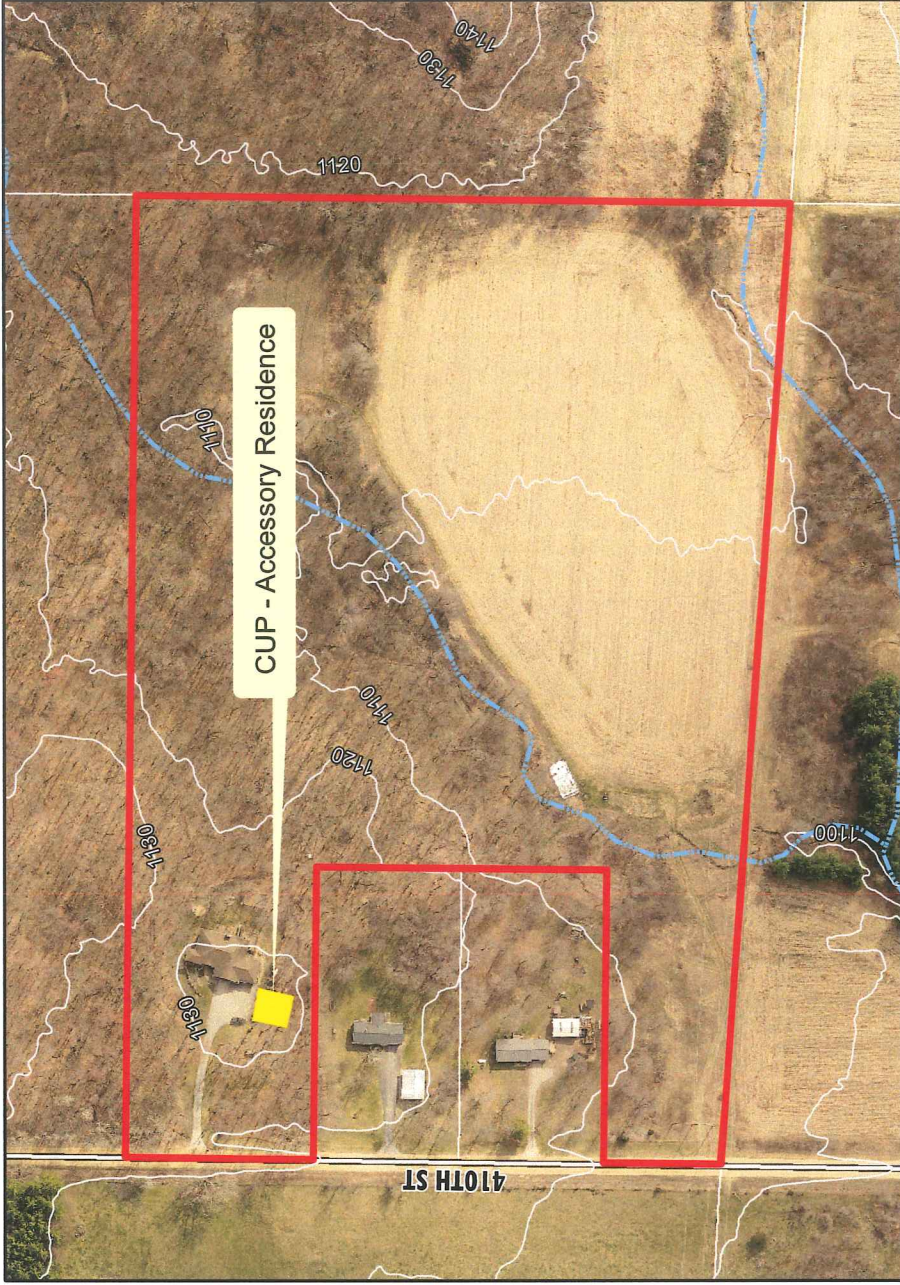
### Zoning

-  General Rural
-  General Rural Flexible
-  Primary Agriculture

Orthophotography - 2015 Pierce County



Prepared by the Department of Land Management



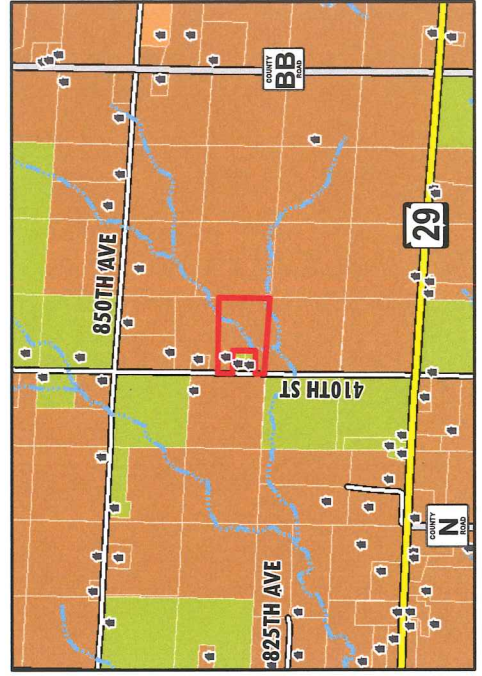
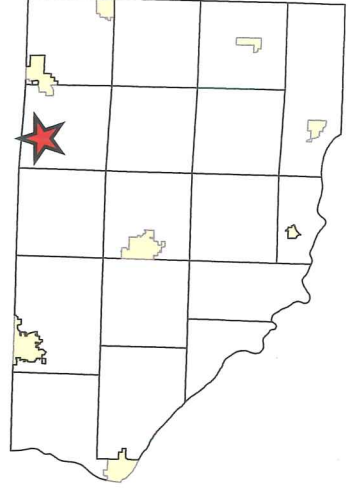
500 Feet

0

250

500

**Site Location**  
N8354 410TH ST  
TOWN OF GILMAN



1 Miles

0

0.5

1

# STAFF REPORT      LAND MANAGEMENT COMMITTEE

Land Management Committee Meeting,

May 16, 2018

Agenda Item 5

**Applicant:** Robert Hunczak & Denise Hackel (owners)

**Request:** Conditional Use Permit (CUP) for 2- Accessory Residences

**Background:** The applicants would like to permit a manufactured home for their daughter to live on-site and help on the farm. Currently there is an apartment above the garage, where a hired farm worker lives. The garage was permitted in 2004 along with the principal dwelling. This CUP would bring the existing apartment into compliance with Pierce County Code and authorize the placement and use of the manufactured home.

## Issues Pertaining to the Request:

- The property is located in part of the SE ¼ of the SW ¼ of Sec. 31, T27N, R15W, Town of Spring Lake. The property is in the General Rural zoning district.
- Pierce County Code (PCC) § 240-40A(2) allows accessory residences which are accessory to single-family residences in the General Rural zoning district with the issuance of a CUP.
- PCC § 240-88 defines Accessory Residence as:
  - A. A dwelling unit that is accessory to a nonresidential use on the same lot, is the only dwelling unit on the lot, and provides living quarters for the owner, proprietor, commercial tenant, employee, or caretaker of the nonresidential use.
  - B. A dwelling unit located in an accessory building located on a residential parcel.
- PCC § 240-88 defines Accessory Building as, “building, not attached to a principal building by means of a common wall, common roof, or an aboveground roofed passageway, which is:
  - A. Subordinate to and serves a principal structure or a principal use.
  - B. Located on the same lot as the principal structure or use served.
  - C. Customarily incidental to the principal structure or use.
- The applicants own 31 acres with a well, house, garage, several sheds, and pastures. There is also a mound septic system connected to the house and garage.
- The principal residence was permitted in 2004 with 1,450 ft<sup>2</sup> with a main floor, loft, and no basement.
- The applicants propose to have a 14' x 56' (784 ft<sup>2</sup>) manufactured home brought to the site with a cement slab foundation. The accessory residence is proposed to be used by the owner's daughter.
- The garage apartment 24' x 30' (720 ft<sup>2</sup>) upstairs in the garage. The main floor of the garage is used for storage.
- The residences will use the existing access off of County Road G.
- The mound septic system was permitted in 2004, is sized for 3 bedrooms or 6 people total and is connected to the house and a bathroom in the garage. The applicant's plumber obtained a Pierce County Sanitary permit on 4-9-2018 to connect the proposed manufactured home to the existing septic system. An Affidavit restricting the “Per Capita Flow” for each structure to the septic system shall be recorded with the Register of Deed's Office.

Applicant: R. Hunczak & D. Hackel  
May 16, 2018  
CUP – (2) Accessory Residences

- PCC Ch. 115 Numbering of Buildings and Roads states that all properties or parcels and principal buildings shall be assigned an address based on the uniform numbering system. The applicant will need to obtain a separate uniform address number both accessory residences.
- The Spring Lake Town Board recommended approval of this request on 4-23-2018 with suggested conditions that “No more than 6 people total living in any of the residences at 1 time. [The] building inspector to inspect activity center as well as the new single-wide mobile home.” The Town did not reference its Comprehensive Plan.
- No renewal of this request will be necessary provided the use is established within 12 months of approval.

**Recommendation:**

Staff recommends that the Land Management Committee determine whether the proposed uses at the proposed location are contrary to the public interest and whether they would be detrimental or injurious to public health, public safety, or the character of the surrounding area. If found to be not contrary to the above, staff recommends the Land Management Committee approve this conditional use permit for two accessory residences with the following conditions:

1. An Affidavit restricting the “Per Capita Flow” for each structure to the septic system shall be recorded with the Register of Deed’s Office.
2. The applicant shall work with the Town building inspector, Todd Dolan, to determine whether a permit from the town is needed and to ensure compliance with the Uniform Dwelling Code (UDC) requirements.
3. The applicant shall obtain a separate uniform address number and sign for both accessory residences.






**Submitted By:** Emily Lund,  
Assistant Zoning Administrator

# Land Management Committee


Robert Hunczak & Denise Hackel  
(May 16th, 2018)

## CUP -(2) Accessory Residences

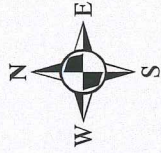
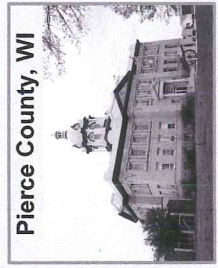
### Legend

-  Dwellings
-  CUP Parcel
-  New Residences
-  Parcels
-  Contours (10ft)

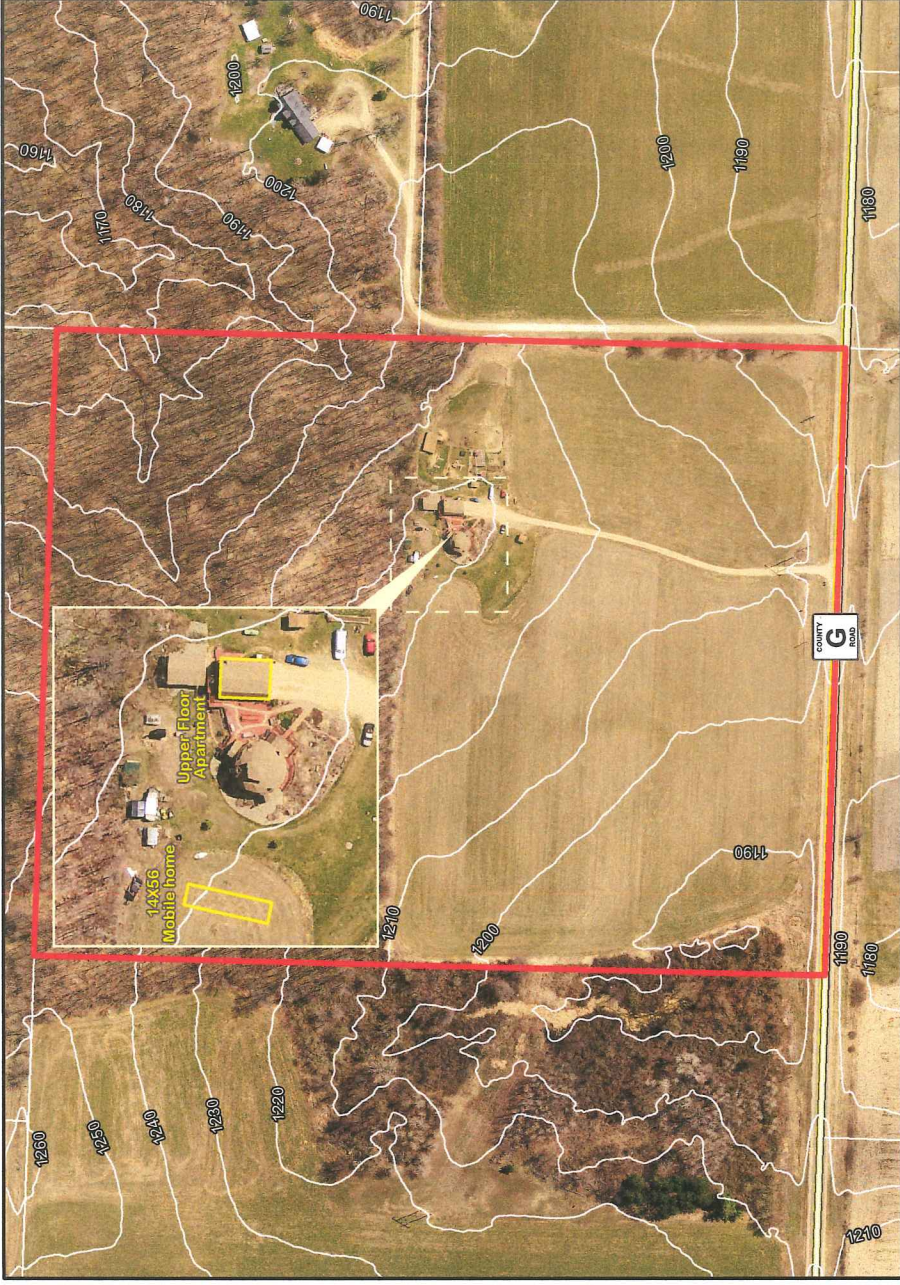
### Zoning

-  Agriculture - Residential
-  General Rural
-  Primary Agriculture

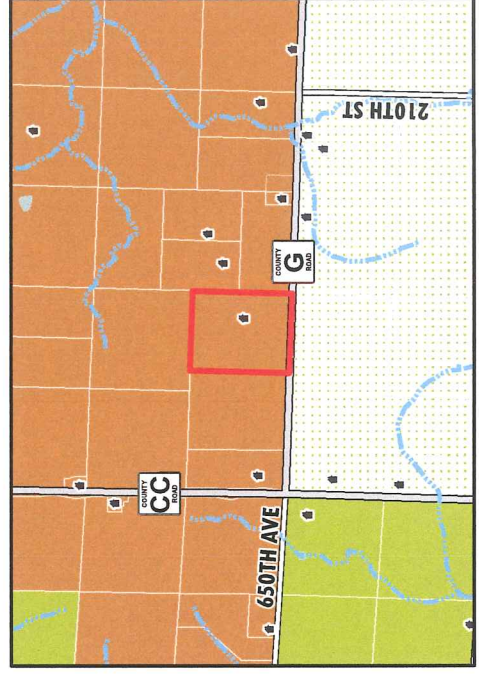
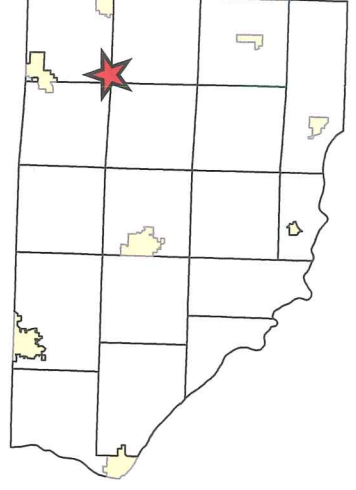
Orthophotography - 2015 Pierce County



Prepared by the Department of Land Management



**Site Location**  
W2332 COUNTY ROAD G  
TOWN OF SPRING LAKE



## STAFF REPORT LAND MANAGEMENT COMMITTEE

Land Management Committee Meeting,

May 16, 2018

Agenda Item 6

**Applicant:** Robert Hunczak & Denise Hackel (owners)

**Request:** Conditional Use Permit (CUP) for Agritourism

**Background:** In April 2018, the Department received a complaint that the applicants were operating a business from their residence called "Dome Ranch." Staff obtained additional information from the applicants and their website (<http://www.domeranch.com/>) indicating the business was started in 2015. Groups or individuals are invited to the farm for educational activities associated with daily farm operations. The applicants are seeking a CUP to allow the use of their property for "Agritourism."

### Issues Pertaining to the Request:

- The property is located in part of the SE ¼ of the SW ¼ of Sec. 31, T27N, R15W, Town of Spring Lake. The property is in the General Rural zoning district.
- Pierce County Code (PCC) § 240-35B(1) and Ch. 240 Attachment 1 Table of Uses allows Agritourism in the General Rural zoning district with the issuance of a CUP.
- PCC § 240-88 defines "Agritourism" as, "Activities conducted at a working agriculture operation and offered to the public or to invited groups for the purpose of recreation, education, or involvement in the operation."
- The applicants own 31 acres and have a hobby farm. They utilize the activity center, pole barn, and front shed of the farm grounds and offer:
  - ♦ Field trips for children, youth, adults, and groups. They provide a "complete country experience," where visitors get to meet the farm animals, learn about their history, and roles in culture. They are welcome to pet, feed, and groom the animals. Visitors learn about animal products, like milk processed into cheese, feathers for crafts, etc. The garden tour allows visitors to plant, harvest, and later on cook vegetables and fruits, like making jelly and salsa. Visitors are taken on nature walks and make craft projects.
  - ♦ Programs teaching daily living skills, healthy lifestyle skills, and leadership skills to promote social skills and increase happiness. The applicants utilize animal interaction and care, nature, arts/crafts, gardening, and cooking to teach these skills.
- Applicants do not allow overnight guests. Hours of operation are Monday – Friday, 9 AM to 7 PM, with occasional weekend hours as necessary. Hours are not regular. Visitors are invited and scheduled by appointment only. They are not open to the general public.
- The employees are the two applicants, their daughter, and the 1 hired farm helper.
- There is no meal program, but they have a large deck on which visitors may eat their bagged lunch and enjoy the countryside view.
- The applicants currently have 2 portable outhouses for the visitors on field trips to use.

- Pierce County Code § 240-54 establishes parking requirements. Agritourism is not a listed use, but 1 parking space per 4 patrons is required for Commercial Recreation. Groups attending range in size from 2-40 individuals requiring approx. 10 available parking spaces. There is adequate parking areas onsite to satisfy this requirement.
- The applicants currently have one unpermitted on-site advertising sign. It is 4' x 6' and states "Dome Ranch" with a telephone number. The sign's size is consistent with zoning code requirements and it will be brought into compliance through issuance of this CUP.
- The Spring Lake Town Board recommended approval of this request on 4-23-2018 without any conditions. The Town did not reference its Comprehensive Plan, so it is assumed that the plan is silent on this request.
- PCC § 240-76G discusses expiration of Conditional Use Permits and states, "All conditional use permits shall expire 12 months from the date of issuance where no action has commenced to establish the authorized use. If a time limit has been imposed as a condition for the permit, the permit shall expire at the end of the time limit."

### **Recommendation:**

Staff recommends that the Land Management Committee determine whether the proposed use at the proposed location would be contrary to the public interest and whether it would be detrimental or injurious to public health, public safety, or the character of the surrounding area. If found to be not contrary to the above, staff recommends the Land Management Committee approve this conditional use permit for Agritourism with the following conditions:

1. Activities shall be conducted as presented in the application unless modified by a condition of this CUP.
2. The applicants shall contact the Town of Spring Lake Building Inspector to discuss whether any structures need to comply with the Uniform Commercial Code (UCC) requirements. If the Building Inspector determines that a safety issue currently exists, use of the facility shall cease until it is code compliant.
3. Applicant shall secure a Land Use Permit for all future structures or signs prior to construction or installation. Applicant shall also comply with relevant local and state ordinances and regulations and secure all necessary permits and licenses (e.g. Department of Safety & Professional Services (DSPS), Department of Health and Family Services, etc.).
4. Adequate portable outhouses (1 per 50 people), or other acceptable restroom facilities, shall be provided.
5. Hours of operation shall be Monday–Friday, 9 AM to 7 PM, occasional weekends, and by appointment only.
6. Applicant understands that expansion or intensification of this use will require issuance of a new conditional use permit. If applicant has questions as to what constitutes expansion or intensification, Land Management staff should be contacted.
7. One parking space per four customers and areas for ADA compliant parking shall be provided. There shall be no on-street parking.
8. This CUP shall be renewed every 2 years. Permit may be renewed administratively if no compliance issues arise.

**Submitted By:** Emily Lund,  
Assistant Zoning Administrator






# Land Management Committee

Robert Hunczak & Denise Hackel  
(May 16th, 2018)

## CUP - Agritourism

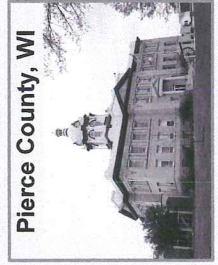
### Legend

-  Dwellings
-  CUP Parcel
-  Parcels
-  Contours (10ft)

### Zoning

-  Agriculture - Residential
-  General Rural
-  Primary Agriculture

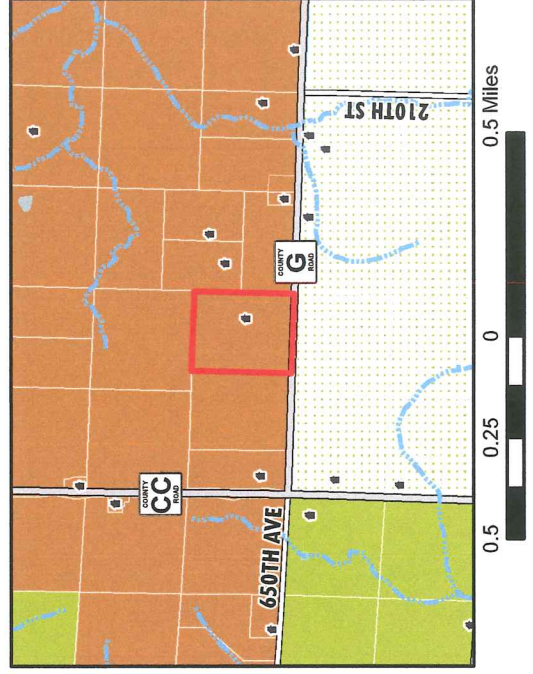
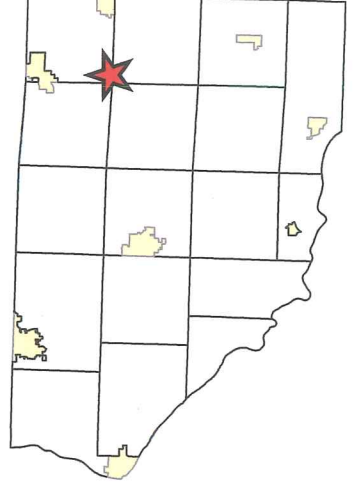
Orthophotography - 2015 Pierce County



Prepared by the Department of Land Management



**Site Location**  
W2332 COUNTY ROAD G  
TOWN OF SPRING LAKE



# STAFF REPORT      LAND MANAGEMENT COMMITTEE

**Land Management Committee (LMC) Meeting,      May 16, 2018      Agenda Item 7**

**Applicant:**      Jeff Kessler and Chris Willgrubs (agent)

**Request:**      Status Report on a CUP for a campground

**Background:**

In 2015, the applicant received a Conditional Use Permit to establish a campground along the Mississippi River. The campground is intended to provide seasonal camping space for individuals with campers, travel trailers, and recreational vehicles.

The initial CUP approved the establishment of 16 camping sites with the option to add four additional sites upon campsite layout approval by Land Management staff. The CUP was anticipated to be the first of several phases of campground development on the site. The planned full scope of the project is to establish approximately 120 campsites, most of which would be located in the floodplain and shoreland areas of the property. The expansion or intensification of this use will require issuance of a new CUP.

**Issues Pertaining to the Request:**

- This property is located on 11.6 acres in the SE ¼ of the SE ¼ in Section 3, T24N, R18W, in the Town of Trenton.
- In 2013 this parcel and an adjacent parcel were rezoned from Rural Residential 20 to General Rural Flexible (GRF).
- The campground is not commercially operating at this time. There are 3 incidental campers on the site.
- 7 of the 16 originally delineated camping sites have been installed. The applicant is interested in reconfiguring some of the campsites.

The applicant has expressed an interest in utilizing some of the land within the floodplain for campsites. The applicant will need to determine if any filling and grading is necessary for the sites in the floodplain. Pierce County Code §238 Floodplain Zoning authorizes campgrounds in the floodplain with a Land Use Permit. The applicant will need to satisfy all the requirements of §238 prior to issuance of the Land Use Permit. Staff will review final plans to determine compliance with all Pierce County Code §242 Shoreland Zoning.

- A holding tank dump station for the collection of waste from recreational vehicles camping on-site has been partially installed. The applicant stated that he will be working with his plumber (Darrel Hubble) to possibly finish the cement slab and wash tower prior to the May 16<sup>th</sup> LMC meeting.
- The Department has not received any complaints regarding the campground.
- This status report is required per condition #9.

Applicant: Jeff Kessler  
May 16, 2018  
CUP for a Campground

- Staff contacted the Town of Trenton regarding this CUP Status Report. No issues or concerns were reported.
- The LMC approved a CUP renewal for this Campground on April 5, 2017 with the following conditions:
  1. Total number of campsites present shall not exceed 20 individual sites. If additional campsites beyond the 16 currently delineated are to be established, the layout shall be presented to Land Management staff to verify side yard setbacks, minimum campsite dimension requirements and the location of campsites in relation to the floodplain, prior to use.
  2. Internal roads, camping pads and sanitary improvements shall be completed prior to the operation of the campground. Staff shall be contacted to verify improvements prior to commercial use.
  3. Any campground advertising signage shall comply with Pierce County zoning standards.
  4. A land use permit shall be obtained for all future structures prior to construction. Applicant shall also comply with all relevant local and state ordinances and regulations and secure all necessary permits and licenses (e.g. Pierce County Subdivision Code, Department of Safety and Professional Services (DSPS), Department of Health-DHS standards etc.).
  5. Applicant understands that expansion or intensification of this use will require issuance of a new conditional use permit. If applicant has questions as to what constitutes expansion or intensification, Land Management staff should be contacted.
  6. The campground shall comply with all items listed under Section 240-39 of the Pierce County Code.
  7. Any additional filling and grading shall be verified by staff to determine if a conditional use permit is needed.
  8. Owner and manager contact information shall be prominently posted on site.
  9. This conditional use permit shall expire in two years. A status review shall be presented to the Land Management Committee within one year.

**Submitted By:** Adam Adank  
Zoning Specialist











# Land Management Committee

Kessler/Willgrubs  
(May 16th, 2018)

## CUP-Campground Status Report

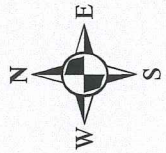
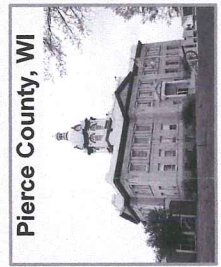
### Legend

-  Dwellings
  -  Kessler/Willgrubs CUP
  -  Parcels
  -  Elevation Contours
- ### Zoning
-  Commercial
  -  General Rural Flexible
  -  Industrial
  -  Rural Residential - 20

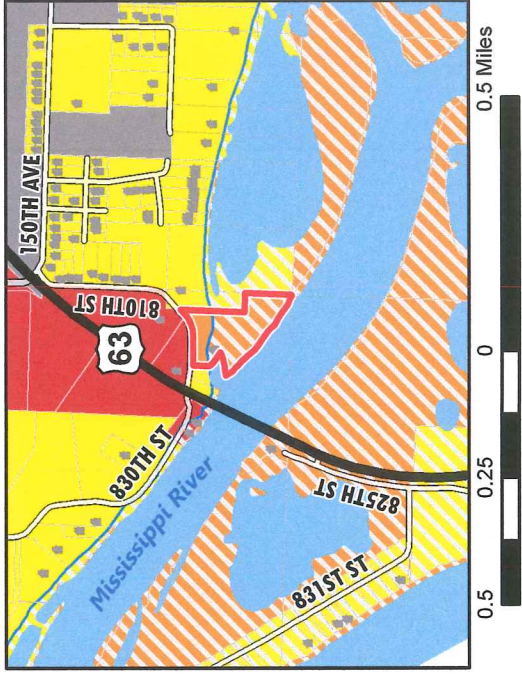
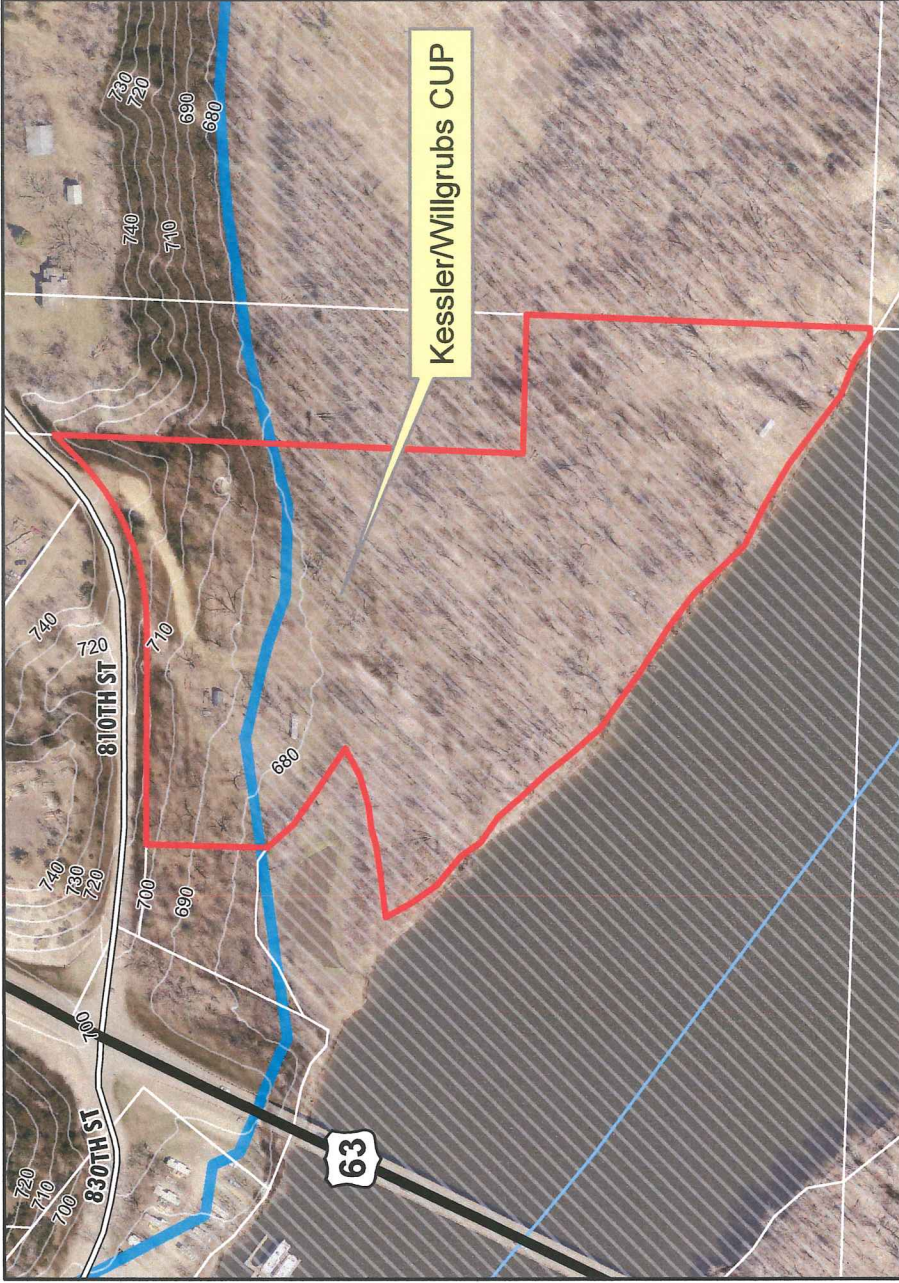
### Flood Hazard Zones

-  100 Yr Floodway/  
Base Elev. Det

Orthophotography - 2015 Pierce County



Prepared by the Department of Land Management



**Site Location**  
N1428 810TH ST  
TOWN OF TRENTON

