

**CITY OF GOLD BAR**

107 5th Street  
Gold Bar, Washington 98251  
360-793-1101

**RECEIVED**  
DEC 2 / 2009

BY: JH

Notice of Intent

Date: 12/24/09

Name and mailing address of applicant: Jake Shupe  
32901 138<sup>th</sup> St SE Sultan WA 98294

Name and mailing address of contact: Jake Shupe  
32901 138<sup>th</sup> St SE Sultan WA 98294

Phone/FAX/EMail:  
Phone 360 793 9799 Fax 360 793 9799  
Cell 425 754 9772

Address and location (including tax number) for all properties involved:  
609 Orchard Av 004576-005-001-00  
Goldbar WA 98251

Please provide the following information so that we can assist you with the proper permit applications and background data. This Notice of Intent is an initial phase of the City of Gold Bar Land Use processing procedure and does not constitute a formal submittal for approval.

This Notice of Intent will also initiate an on-site review by planning personnel from the City of Gold Bar for site review and assessment purposes. There is no fee for this process.

Thank you for your cooperation.

RECEIVED

DEC 24 2009

CITY OF GOLD BAR

CERTIFICATE OF APPLICANT STATUS

BY: JM

I/We, \_\_\_\_\_, hereby certify that I am/We are the owner(s) of

the property legally described as 604 Orchard Ave Goldbar WA 98251

Lots 1 and 2 of Walker 1st Addition

My/Our address is 32901 138th St SE Sultan WA 98294

I/We further certify that I/We authorize: Jake Sharpe to act as my/our

representative and proceed with work on my/our property \_\_\_\_\_

AND/OR

I/We give permission to Jake Sharpe to act on the behalf of this property

in acquiring permits for the work and designate that \_\_\_\_\_ will work

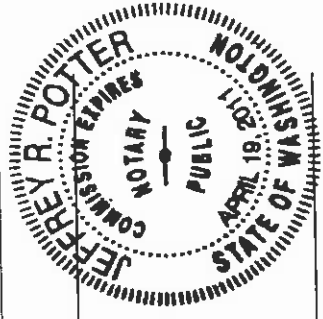
directly with \_\_\_\_\_ for such purposes.

Signed: [Signature] date 12/24/09

\_\_\_\_\_ date \_\_\_\_\_

State of WASHINGTON

County of SAN JUAN



On this day personally appeared before me JAKE SHARPE

to me known to be the individual(s) described in and who executed the within and foregoing instrument and acknowledged

to me that HE signed the same as free and voluntary

act and deed for the purposes therein mentioned.

Given under my hand and official seal this 21 day of December, 2009

NOTARY PUBLIC in and for the State of WASHINGTON, residing in: MONTROSE, WA

Signed [Signature]

Master Permit Application  
City of Gold Bar/4

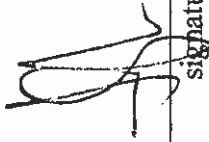
## GENERAL

1. Give a brief outline of the proposed action. Be sure to include any information you may have acquired from proposed contractors, engineering plans or past environmental review.

Construct a building to house a small contracting company. This will be a new start up business emphasizing on natural energy sales and installation providing employment for local residents, and energy alternatives for everyone

2. Describe any changes you plan to make for roads, drainage, or excavation.

NONE



signature of proponent

12/24/9

date

APPLICATION FOR VARIANCE

(FOR OFFICE USE ONLY)

Application No.: 001-2010

Name of Applicant: JAKE STARPE

Date of Filing: December 24, 2009

Date of Scheduled Hearing: JANUARY 26, 2010

(FOR APPLICANT USE ONLY)

Signature of Applicant: [Signature]

Signature of Property Owner: [Signature]

Mailing Address of Applicant: 32901 138th St SE Sultan Wa 98294

Mailing Address of Property Owner: Same

Phone Number of Applicant and/or Contact Person: 760-425-7FA 9712

Location of Property: 604 Orchard Ave, Galloway

Legal Description of Property: lots 1 and 2 of Walker 1st Addition

Area Map/Site Plan (outlined in red): Included

The above signed applicant is the owner of the property described as follows or is acting on behalf of the owner as agent: Corner lot E 6th & Orchard Ave.

Present Zoning: Community Business

Request: Applicant requests a variance on the above described property for the following reasons. State exactly what is intended to be done on, or with the property which does not conform to existing zoning regulations.

State precisely what adjustment is sought. Would like to build a structure on the property that would require very special off lot st to front a 15ft setback off of the property line.

NOTE TO APPLICANT: The Planning Commission is required by law to make written findings of the fact from the applicant and from possible testimony or evidence in addition to information contained in this form, that beyond a reasonable doubt the below enumerated conditions apply to the property made the subject of this application. State in detail what respects the facts pertaining to the property or its intended use meet these required showings.

1. That because of the conditions recited below there are special circumstances applicable to subject property, including shape, topography, location or surroundings, the strict application of the zoning provisions is found to be impractical and would deprive subject property of right and privileges enjoyed by other properties in the vicinity and under identical zone classifications.

The property size is 66 x 100. Having 25 ft setbacks on 2 sides reduces the usable size of the lot to a minimum size that makes the economies of development at this property unpractical.

2. What are the rights and privileges enjoyed by other properties in the vicinity and identical zone classifications that are denied to subject property?

The best setback requirements would be 30 ft on all sides of a possibly 60 ft x 100 ft lot. With setbacks and lot split issues make the property very unworkable. I would like to add adjacent commercial business setbacks from Highway 2.

3. The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which subject property is located for the following reasons: If the variance is granted the new structure would still be located 33 ft away from the current edge of Broadway on 6th st.

4. The granting of the variance will not adversely affect the purpose of the comprehensive general plan for the following reasons:

The building will be located 33 ft off edge of Broadway on 6th, 15 ft from Alley way and 45 ft from Orchard Ave.

5. Can subject property be reasonably used under the provisions of the zoning ordinance? If your answer is "no" explain why.

With the setback requirement added to zoning setbacks usable space is very limited. Setback issues limit what development is allowed, and if the setback requirement there is not enough space to construct proposed building and business location.

**CITY OF GOLD BAR**

**NOTICE OF PUBLIC HEARING**

**JANUARY 26, 2010  
7:00 PM**

**COUNCIL CHAMBERS-107 5<sup>TH</sup> STREET  
GOLD BAR, WA**

**Variance Request  
604 Orchard Avenue  
Gold Bar, WA**

**Staff Report and Recommendation**

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**1. APPLICATION INFORMATION**

- |                          |   |
|--------------------------|---|
| 1. Applicant/Owner       | Mr. Jake Sharpe<br>32901 138 <sup>th</sup> St. SE<br>Sultan, WA 98294                               |
| 2. Location              | 604 Orchard Ave.<br>Gold Bar, WA 98251  |
| 3. Permit Requested      | Set-Back Variance   |
| 4. Proposal              | <b>A variance for the reduction of the required 25' set-back from 6<sup>th</sup> Street to 15'.</b> |
| 5. Comprehensive Plan    | Community Business  |
| 6. Zoning                | Community Business  |
| 7. Shoreline Environment | None  |

8. Review Process This is a request for a Set-Back Variance as required in the Gold Bar Zoning Code, Chapter 17.72.
9. Staff Review Certificate of Applicant Status submitted December 24, 2009; Notice of Intent submitted December 24, 2009; Variance Application submitted December 4, 2009.
- Property was posted January 7, 2010
- Variance request will be published in the Everett Herald January 14, 2010
10. Planning Commission Review The Planning Commission will review the proposal and accept public comment at a public hearing to be held at 7:00 pm on Tuesday, January 26, 2010. The location of the public hearing shall be in council chambers located at 107 5<sup>th</sup> Street, Gold Bar, WA.
- The Planning Commission will make a recommendation to the City Council for approval or denial on the request.
11. City Council The City Council will review and make a decision on the variance request at a date and time to be determined.

#### **11. PUBLIC HEARING & WRITTEN COMMENT**

**The City of Gold Bar will hold an Open Public Hearing on the requested set-back variance at 7:00 pm, January 26, 2010. The hearing will be held at the regularly scheduled Planning Commission Meeting located in the council chambers-107 5<sup>th</sup> Street, Gold Bar, WA. Public testimony in regards to the requested variance shall be directed to the Planning Commission during this scheduled open public hearing.**

**Any interested party may also submit written comments on this determination. The City of Gold Bar must receive written comments or appeals on or before 5:00 pm, January 25, 2010. Any appeal shall state with specificity the reason why the determination should be revised. Comments should be addressed to John Light, 107 5<sup>th</sup> Street, City of Gold Bar.**

#### **111. VARIANCE CRITERIA ANALYSIS**

The following minimum criteria for a variance are established by Gold Bar Municipal Code 17.72.020. Each individual request for approval is addressed separately. The applicant has burden of meeting all the criteria for approval of the specific requests relating to this variance.

A. *There are special circumstances applicable to the subject property or to the intended use, such as shape, topography, location or surroundings that do not apply generally to the other property or class of use in the same vicinity and zone;*

The property size is 0.16 acres, approximately 66' x 100'. Orchard Avenue borders the property to the north and 6<sup>th</sup> Street borders the property to the west. The required 25' set-back from each road would reduce the usable area to 41' x 75' or approximately 0.07 acres. The proposed building/business requires 8 on-site parking stalls. The requested 10' reduction to the set-back from 6<sup>th</sup> street is needed for the proposed building and other site improvements.

B. *Such variance is necessary for the preservation and enjoyment of a substantial property right or use possessed by other property in the same vicinity and zone but which because of special circumstances is denied to the property in question;*

Existing businesses in close proximity to the proposed project have reductions to the required 25' right-of-way set-back. The businesses with reduced set-backs include the La Hacienda Restaurant-429 Croft; Chuck Heins-529 SR-2; Ski Shop-617 Croft; and the Storage Yard-101 8<sup>th</sup> Street. Denial of the requested reduction to the required 25' set-back could make the economics of development of this property unpractical.

C. *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 zone in which the subject property is located;*

Because adjacent properties, located in the same designated zoning designation, have reduced set-backs the granting of this variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is located.

D. *The granting of such variance will not adversely affect the comprehensive plan.*

The proposed business is an allowed use in the Community Business Zone. All requirements of the Zoning Code, Title 17 of the Gold Bar Municipal Code, shall be enforced prior to building permit issuance.

The granting of the requested variance will not adversely affect the comprehensive plan.

**Criteria Findings**

City of Gold Bar Variance Criteria	Does the proposal meet the Gold Bar variance criteria listed below for the following?
CRITERION A	YES
CRITERION B	YES
CRITERION C	YES
CRITERION D	YES

**IV. CONCLUSIONS**

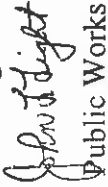
The proposal meets all required criteria for approval of the variance.

**V. RECOMMENDATIONS AND CONDITIONS**

The proposal meets all requirements for variance approval. All required information has been submitted to the city. Public comment shall be reviewed and considered in the Planning Commissions recommendation of approval or denial of the variance request..

Gold Bar city staff recommends *approval* of the requested variance.

John Light



Public Works Director

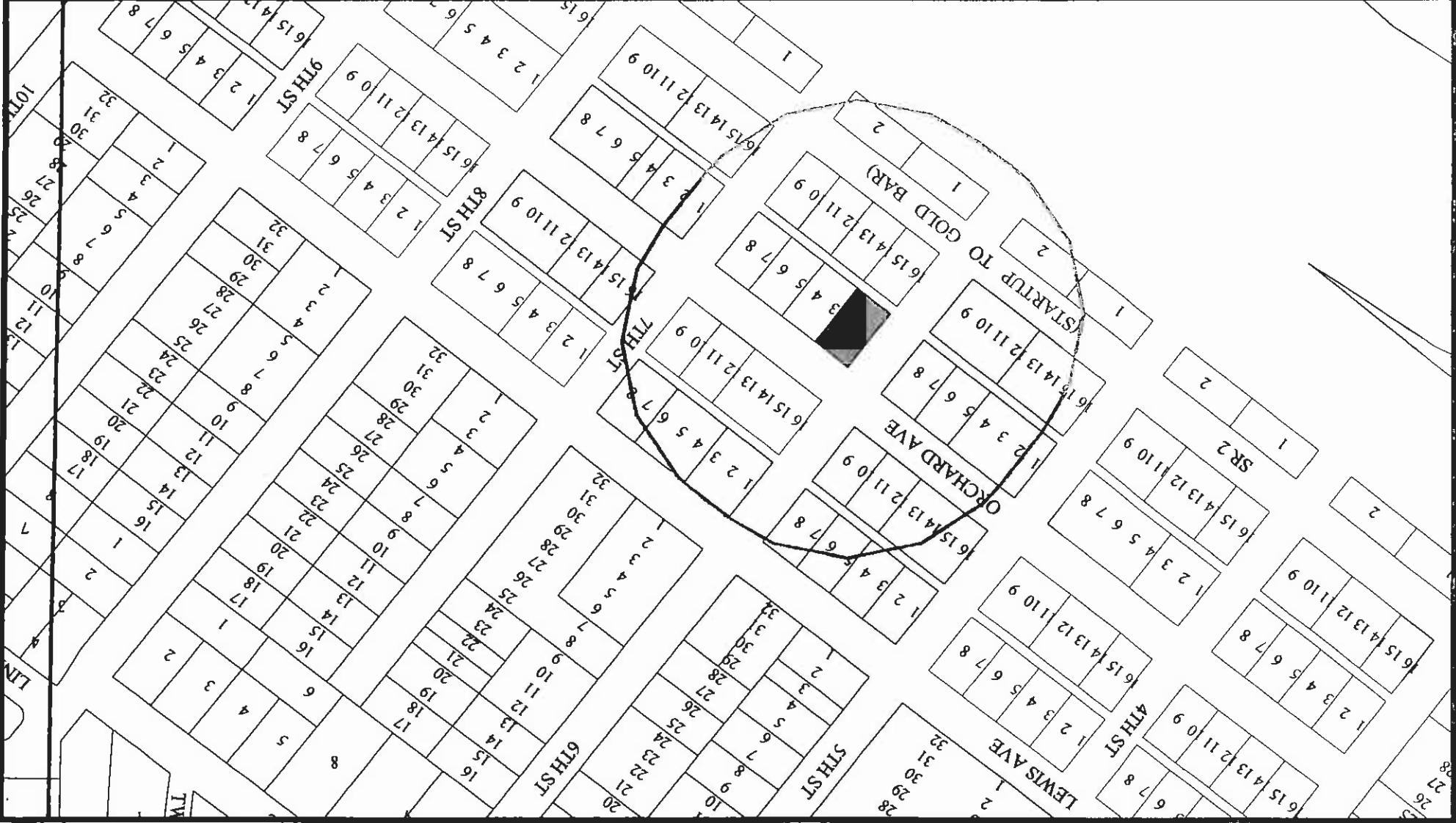
January 7, 2010  
Dated

Date - Nov. 30, 2009 - Project: Locating Tax Parcels within a 300 Ft Radius of Subject Tax Parcel # 00457600500100

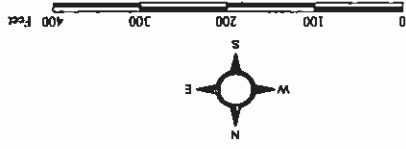
Phone Request made by Jake Sharpe on Nov. 30, 2009

Key: Red = Subject Tax Parcel # 00457600500100; Green = 300 Ft Radius Area; Yellow = Tax Parcels within 300 Ft Radius

Township 27  
Range 06  
Section 06



- Legend
- Parcel of Interest
  - PLSS Gnd
  - Selected Parcels
  - Mailing Radius (300 ft.)
  - Parcels



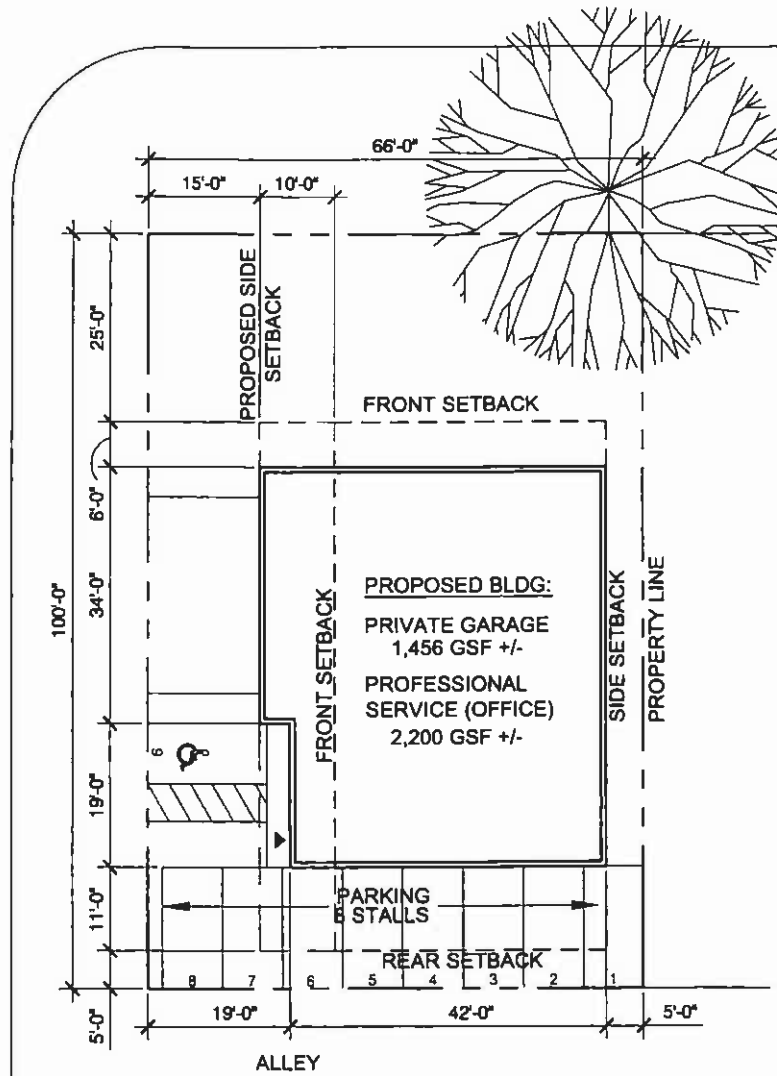
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# JAKE SHARPE

604 ORCHARD AVE GOLD BAR, WA

ORCHARD AVENUE

6TH AVE



ADDRESS: 604 ORCHARD AVE.  
 PARCEL NO. 00457600500100  
 ZONE: COMMUNITY BUSINESS  
 GBMC 17.44

LOT COVERAGE: 50% = 3300 SF  
 SETBACKS  
 FRONT: 25' @ 6th and Orchard  
 SIDE: 5'  
 REAR: 5'

HEIGHT LIMIT: 35'

REQUIRED OFF STREET PARKING:  
 2,200 GSF PROF. SERVICE / 300SF  
 = 8 STALLS

VARIANCE REQUEST: 15' SETBACK ALONG  
 6TH IN LIEU OF 25' AS REQUIRED BY  
 GBMC 17.44.060, 17.36.050

HARDSHIP DUE TO CORNER LOT REQUIREMENT  
 PROPOSED BUILDING DOES NOT GAIN ADDITIONAL  
 FLOOR AREA

ALLOWABLE BUILDING FOOTPRINT: 2,520 SF.  
 PROPOSED BUILDING FOOTPRINT: 2,200 SF