



**MINUTES OF THE  
BOARD OF ADJUSTMENT**

***MARCH 17, 2010***

***Council Chambers, City Hall  
833 S. SPRUCE STREET, BURLINGTON, WA***

**MEMBERS:** Mark Kramer, Chair; Pat Iversen, Terry Van Natta, Roy Burt.

**STAFF:** Margaret Fleek

*Mark Kramer* called the meeting to order.

Motion by *Iversen/Burt* to approve the January 20, 2010 minutes as written. Motion carried.

**PUBLIC HEARING**

**VARIANCE #1-10**

**225 S. CHERRY STREET**

**VARIANCE TO ESTABLISH ACCESSORY DWELLING UNIT**

**KATHRYN PAULSON, APPLICANT**

This is the site of a duplex, and the owner is requesting that it revert back to a single family home with an attached Accessory Dwelling Unit. The house was constructed in 1921 as a single family with a Mother-in-Law unit attached. The applicant's Grandmother purchased the house in the 1950's and passed the home down to the applicant (Ms. Paulson).

There is a door from the inside of the main house to the inside of the mother-in-law unit. However, some time ago (years), the Assessor's office classified these units as a Duplex. There are two electric meter and one water meter. Because this is classified as a duplex the applicant is paying sewer fees for a duplex rather than a single family home. The tenant that occupied the additional unit recently passed away, and the Accessory Dwelling Unit needs work in order to be habitable.

The applicant is on a limited income and in order to accommodate a lower sewer charge this needs to be reclassified as a single family home with an accessory dwelling unit. The City Finance Department can only reclassify the sewer billing once the parcel is reclassified on the County Assessor records and this cannot be done without Board of Adjustment approval.

The parcel is located in the R-2, Duplex zone and single family housing is a permitted use.

Staff recommends approval to reclassify this with the County Assessor's office as a single family home with an attached Accessory Dwelling Unit. One of the units will be required to be occupied by the owner, and a covenant shall be recorded with Skagit County identifying the limitation on occupancy of the site so that if the site is sold at a later date, the new owner will need to occupy one of the units. The applicant meets the criteria for approval of an Accessory Dwelling Unit, detailed as follows:

“Accessory dwelling units shall be permitted as an additional means of providing opportunities for affordable housing in an existing owner occupied residence. The following criteria for approval shall be met in order to establish an accessory dwelling unit:

1. Maintain single-family appearance and character.
2. New entrances only on side or rear. There is no change to the exterior; this is an existing building with both doors facing the street.
3. Provide three off-street parking spaces. Parking shall not be located in front of the structure. There will be no change in parking; currently there are two off street parking spaces on Cherry and at least one additional space on the south side of the house off Vernon.
4. Location is attached to the residence.
5. The primary dwelling or the accessory dwelling is occupied by the owner for more than three years. A covenant will be filed with the County if this is approved.
6. The immediate neighbors have been notified.

Following testimony from the applicant, one recommendation was made to cleanup the old carport area. That structure is planned to be removed from the site.

The Board voted unanimously to establish the use as a single family residence with an attached Accessory Dwelling Unit subject to the following conditions:

1. Accessory Dwelling Unit shall not be occupied until all required improvements are made and inspected by the Building Department.
2. A covenant shall be recorded with Skagit County identifying the limitation on occupancy of the site so that if the site is sold at a later date, the new owner will need to occupy one of the units.

Meeting adjourned.