



# Written Order

## Administrative Variance: Tacoma Screw Inc.

**Application Number: 898737**

**Parcel Number: 0221217017**

**January 18, 2019**

**Proposal:** Applicant proposes to demolish four existing buildings located on the parcel and then construct an 80,000 square foot structure for future commercial activity. The applicant is requesting an Administrative Variance to extend the required 40-foot height limit by 8 feet for a total of 48 feet.

The property is currently zoned Rural 10 (R10) and located in the Gig Harbor Community Plan area. In an email dated September 24, 2013, to John Wolfe from Melanie Halsan, Pierce County verified that the zoning on the parcel permits commercial activity (Administrative Appeal AA10-01).

**Project Location:** 2002 - 36<sup>th</sup> Street NW, Gig Harbor, Washington, within the SW ¼ of Section 21, Township 21, Range 2E, W.M., in Council District #7.

**Staff Decision:** Planning staff reviewed the Administrative Variance request for conformance with the applicable sections of the Pierce County Development Regulations – Zoning (Title 18A) and the Comprehensive Plan (Title 19A) and is recommending **APPROVAL** of the above described height variance for the new structure.

**State Environmental Policy Act (SEPA):** The height variance is exempt from SEPA review.

**Application Complete Date:** November 16, 2018

**Owner/Applicant:** Tacoma Screw Products  
2001 Center Street  
Tacoma, WA 98409-7821

**Applicant:** Carl Halsan  
PO Box 1447  
Gig Harbor, Washington 98335

**County Contact:** Marcia Lucero, Project Manager, 253-798-2789,  
[marcia.lucero@piercecountywa.gov](mailto:marcia.lucero@piercecountywa.gov)

**Pierce County Online Permit Information:**

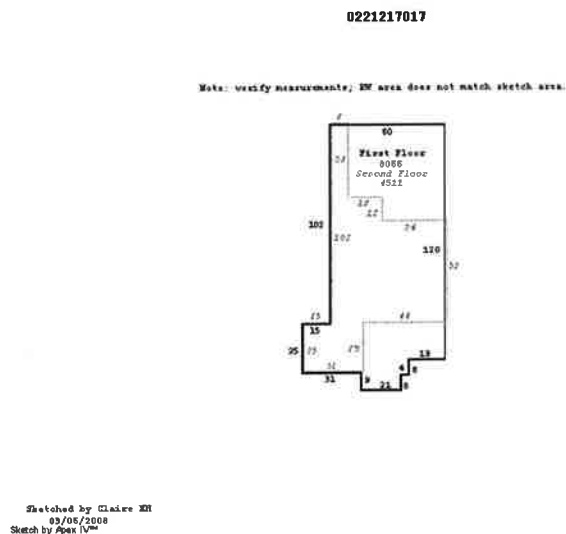
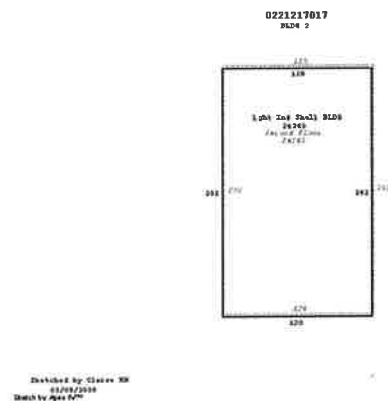
<https://palsonline.co.pierce.wa.us/palsonline/#!/permitSearch/permit/departmentsStatus?applPermitId=898737>

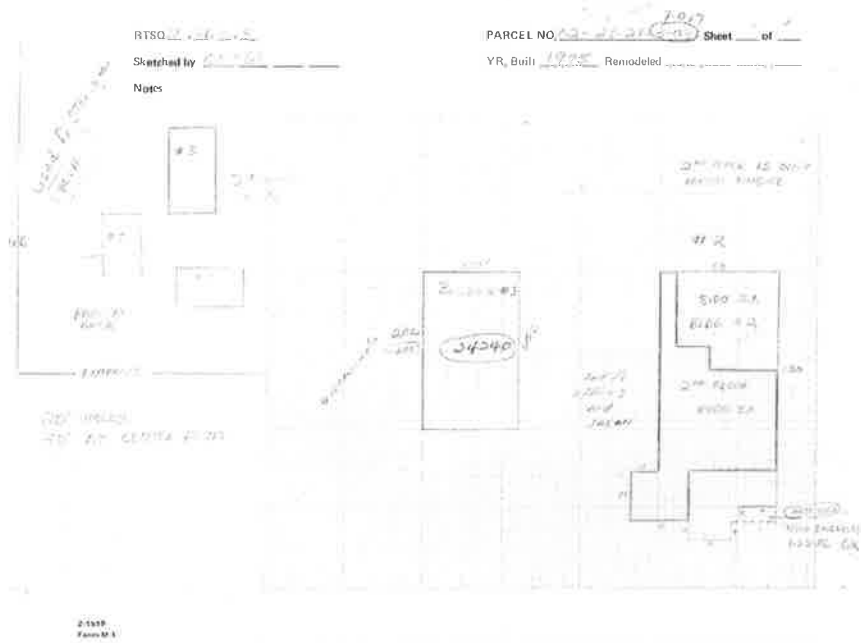


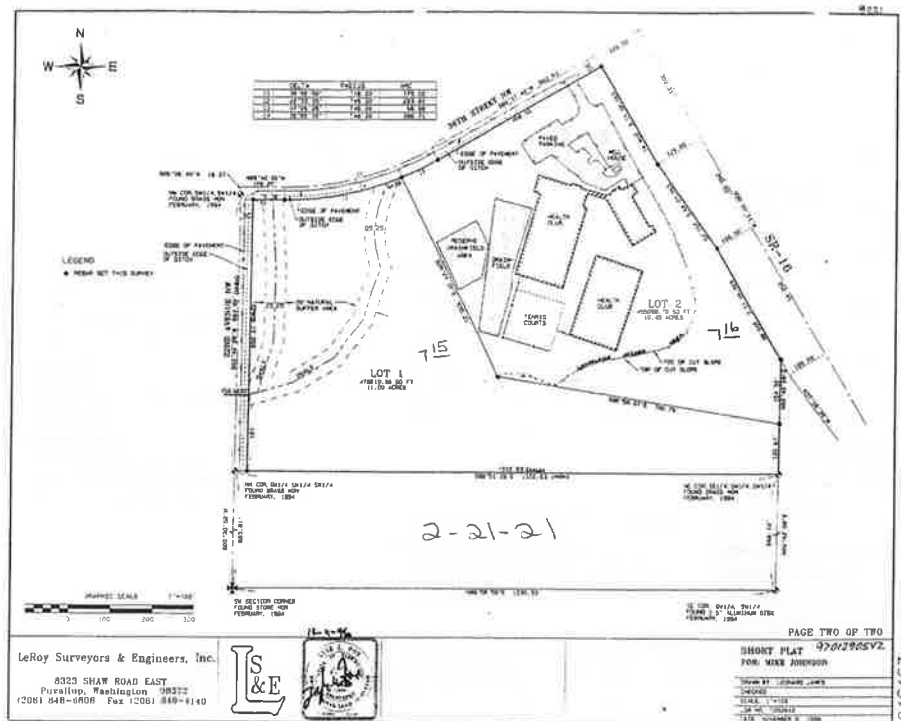
## Findings of Fact

1. The applicants submitted application materials for an Administrative Variance on November 16, 2018, to demolish and then construct an 80,000 square foot structure for future commercial use.
2. The development site is bordered by State Route 16 to the east, vacant property to the west and south, 36<sup>th</sup> Street NW, and State Route 16 on-ramp to the north.
3. According to the Assessor's records the original Fitness Center and Office Building were constructed in 1975 (12,970 square feet) and 1978 (4,400 square feet). The Light Industrial Shell Buildings (48,480 square feet) were constructed in 1987.
4. The Hearing Examiner decision AA10-01, dated July 13, 2011 granted the right to develop the property consistent with the Rural Activity Center (RAC) zone as it existed on December 1, 1995. Permitted activities include:
  - Retail sales, including retail sales on site as well as internet sales/distribution
  - Wholesale activity to include storage of goods and distribution to other retail outlets
  - Professional offices to support the above activity

Assessor sketches of demolished structures:







5. As of the date of this decision, no surrounding property owners have submitted written comments.
6. Section 18A.75.040 of the Pierce County Zoning Code allows one to apply for a variance to the bulk requirements of the zoning code such as height and contains the criteria for the granting of a variance. Section 18A.75.040 D.1 of the Pierce County Zoning Code allows an administrative variance if such request is to deviate not more than 20 percent from a development standard. The applicants are proposing an encroachment of 20% or less, which is appropriate for the administrative variance process.
7. The height variance proposal is exempt from environmental review pursuant to the State Environmental Policy Act (SEPA) in accordance with Chapter 197-11 (SEPA Rules) of the Washington Administrative Code (WAC) and Title 18D (Development Regulations – Environmental) of the Pierce County Code (PCC).

## Public Notice

- *November 16, 2018:* Notice of Application was sent to property owners within a radius of 300 feet, but not less than two parcels deep, around the exterior boundaries of the site.

## Governing Regulations

- Title 19A, Comprehensive Plan - adopted January 1, 1995
- Title 18, General Provisions - effective September 1, 2017
- Title 18A, Development Regulations - Zoning, effective September 11, 2017, Revised March 2018.

## Agency Comments

Comments were solicited from the following agencies:

Development Engineering – If soils are found to be contaminated with arsenic, lead, or other contaminants, extra precautions shall be taken to avoid escaping dust, soil erosion, and water pollution during grading and site construction. Site design shall include protective measures to isolate or remove contaminated soils from public spaces, yards, and children's play areas. Contaminated soils generated during site construction shall be managed and disposed of in accordance with state and local regulations, including the Solid Waste Handling Standards regulation (Chapter 173-350 WAC). For information about soil disposal contact the local health department in the jurisdiction where soils will be placed.

Fire Prevention Bureau – A condition is required for approval of the height variance for the interior stairwell (ground level to roof access) as requested from Gig Harbor Fire & Medic One.

*Staff Comment: Emails from the applicant to the Fire Prevention Bureau (FPB) confirmed that a shops ladder with a 6-foot hatch will be provided. The climbing angle is 68 degrees. FPB will review all the other applicable Building and Fire Code Ordinance requirements at time of building application.*

Washington State Department of Ecology – This proposed project is located in an area that may have been contaminated with heavy metals due to the air emissions originating from the old Asarco smelter in north Tacoma.

*Staff Comment: The applicant is aware of the issues with the Department of Ecology and the need to address their concern prior to site development.*

## Aerial Image 2017



[illegible]

**Title 19A - Comprehensive Plan**

Staff Comment: The project site is currently designated Rural 10 (R10), however a Hearing Examiner decision, AA10-01, dated July 13, 2011 granted the right to develop the property consistent with the RAC zone as it existed on December 1, 1995.

**18A.15.040 Setback and Height Standards.**

**18A.75.040 Variances.**

1. 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;

Staff Comment: *Special circumstances applicable to the subject parcel include the potential use of the property for commercial that was approved by Administrative Appeal, AA10-01. The location itself is hampered for most uses due to the adjacent major highway and on-ramp for State Route 16.*

2. 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;

Staff Comment: *The adjacent sites are not currently rural in nature. The height variance for the reconstruction should not affect surrounding uses, and there were no comments received from nearby property owners supporting or opposing the variance. The requested additional height of 8-feet is to accommodate equipment needed in the day to day operation of the new commercial activity.*

3. The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvement in such vicinity and zone in which the subject property is located;

Staff Comment: *The neighbors have been informed of this request and staff has not received any comments that would indicate there will be any impact to neighbors within the immediate vicinity. Granting the variance will not adversely affect property, sight-distance, or the road right-of-way.*

4. The granting of such variance is consistent with the Comprehensive Plan including any applicable Community Plan; and

Staff Comment: *Granting the variance is consistent with the Comprehensive Plan and will need to meet the Gig Harbor Community Plan Design Standards at such time the building permit is submitted for review.*

5. No significant adverse environmental impact will be caused because of the variance approval.

Staff Comment: *The project has been circulated for review to various departments both within and outside of Pierce County Planning and Public Works. Further environmental review will continue with the site development permit. There is no evidence of significant adverse environmental impacts from the proposed project height variance.*

### **Conditions of Approval**

The approval is subject to compliance with the following conditions:

1. All permits required for the building shall be obtained or completed within one year of the effective date of approval of this request or all approvals granted herein shall automatically become null and void.



2. The applicant will be required to provide a shops ladder with a 6-foot hatch in order to meet Fire Prevention Bureau requirements. The climbing angle is 68 degrees. FPB will review all the other applicable Building and Fire Code Ordinance requirements at time of building application.
3. The applicant shall be required to obtain permits from all agencies with jurisdiction including, but not limited to, the Pierce County Fire Prevention Bureau, Pierce County Building Division, and Tacoma-Pierce County Health Department. It shall be the applicant's responsibility to secure any required permits.

## Appeal

In accordance with Pierce County Code, 1.22, Appeals of Administrative Decisions to the Examiner, any person aggrieved, or affected by any decision of an administrative official may file a notice of appeal. A notice of appeal, together with the appropriate appeal fee, shall be filed within 14 days of the date of an Administrative Official's decision, at the Public Services Building, Development Center, Planning and Public Works Department, 2401 So. 35th, Tacoma, Washington.



Sean Gaffney, Planning Manager

for: Dennis Hanberg, Director  
Planning and Land Services

## Transmitted To:

Owner/Applicant: Tacoma Screw Products  
2001 Center Street  
Tacoma, WA 98409-7821  
[emcgregor@tacomascREW.com](mailto:emcgregor@tacomascREW.com)

Applicant: Carl Halsan  
PO Box 1447  
Gig Harbor, Washington 98335  
[carlhalsan@gmail.com](mailto:carlhalsan@gmail.com)

Reviewers: Pierce County Current Planning / Marcia Lucero  
Pierce County Development Engineering / Jeff Kidston  
Pierce County Environmental Biologist / Scott Sissons  
Pierce County Building Department / Donna Magnussen  
Tacoma-Pierce County Health Department/PALS Env. Health  
Pierce County Fire Prevention Bureau  
Department of Ecology / SEPA Unit  
Department of Natural Resources / SEPA Unit  
Pierce County Fire Protection District #5  
WA State Department of Archaeology & Historic Preservation