

BOARD OF MASON COUNTY COMMISSIONERS' PROCEEDINGS

May 28, 2002

The meeting was called to order at 6:00 p.m. by Chairperson Wesley Johnson who led the Pledge of Allegiance. Commissioners Herb Baze and Bob Holter were in attendance.

APPROVAL OF MINUTES

Cmmr. Holter/Baze moved and seconded to approve the regular meeting minutes of May 14, 2002. Motion carried unanimously. B-aye; J-aye; H-abstain.

C O R R E S P O N D E N C E

SHORELINE VARIANCE – HARVEY COUSINS

Comments received from Harvey & Terry Cousins and North Bay Historical Society

B U S I N E S S

Facilities & Grounds

Mike Rutter, Facilities & Grounds Manager, presented change order #5 for the Mason County Jail Expansion and Remodel Project. This adds \$1,111.00 to provide and install a handicap shower valve unit in lieu of a standard unit in the handicap shower in Room 119.

Cmmr. Baze/Holter moved and seconded to approve change order #5 to the Mason County Jail Expansion and remodel Project in the amount of \$1,111.00. Motion carried unanimously. B-aye; J-aye; H-aye.

TIMBERLAND REGIONAL LIBRARY – BOARD OF TRUSTEES

The Timberland Regional Library requests concurrence of the appointment of Gene Weaver to serve out the remainder of an unexpired term through December 31, 2005 on the Timberland Regional Library Board of Trustees representing Thurston County.

Cmmr. Holter/Baze moved and seconded to appoint Gene Weaver to serve out the unexpired term through December 31, 2005 on the Timberland Regional Library Board of Trustees. Motion carried unanimously. B-aye; J-aye; H-aye.

LIQUOR LICENSE APPLICATION

Special Occasion – North Mason Rotary; Date: August 10, 2002; Place: Enclosed Area at Belfair Community Park, Clifton Lane, Belfair.

Cmmr. Baze/Holter moved and seconded there are no objections to the special occasion liquor license for the North Mason Rotary on August 10, 2002. Motion carried unanimously. B-aye; J-aye; H-aye.

PROCLAMATION – FOSTER PARENT APPRECIATION MONTH

The Washington State Department of Social & Health Services/Division of Children and Family Services recommend the Board adopt a proclamation for the month of May 2002 as Foster Parent Appreciation Month.

Cmmr. Holter/Baze moved and seconded to adopt the proclamation as read by the clerk and proclaim the month of May, 2002 as Foster Parent Appreciation Month. Motion carried unanimously. B-aye; J-aye; H-aye.

SUBSTITUTE HOUSE BILL 2060

Cmmr. Baze reported that SHB2060 will require that Mason County increase the county recording fees by ten dollars per instrument. The money will be dedicated to support affordable housing in Washington State. The county is completing a needs study which will take until the end of the year and then decisions will be made on how to use the money.

HEARING – Consider the proposed revisions to Mason County Development Regulations chapter 1.04 involving front yard setbacks from roads and easements in the Rural Residential zones of Mason County, and Section 1.05.034, involving the review of administrative variances for reduced front yard setback distances.

Allan Borden, Planning, presented the staff report. The current front yard setback is 25 feet and the proposed regulation revision would establish an administrative variance review of proposed development on lots in Rural areas, where the proposed front yard setback is constrained under certain circumstances. This process would replace

**BOARD OF MASON COUNTY COMMISSIONERS PROCEEDINGS
MAY 28, 2002 – PAGE 2**

HEARING – Variance Cont. from 5/7/02 – Consider shoreline variance request to construct a single family residence forward of the shoreline setback located at Allyn; Applicant: Harvey Cousins

Grace Miller, Planning, presented the staff report addendum. Since the public hearing on May 7, 2002, Planning staff has contacted the Washington State Department of Ecology Wetlands Specialist Ann Boeholt, for technical assistance regarding the review of the wetland report submitted by the applicant on the same day. Together they conducted a field review on May 16, 2002. A letter from Ms. Boeholt indicates that the area where the residence is proposed is considered as jurisdictional wetlands and should be regulated as such.

Based on the new additional information indicating there are jurisdictional wetlands, staff finds it necessary to recommend denial of the variance application. The Mason County Shoreline Master Program Residential Development Chapter 7.16.080, Use Regulation #4 states that “Landfill for residential development which results in the creation of new dry land in biological wetlands is prohibited.” Therefore, the proposal is inconsistent with this regulation. Because of the development on the wetland, the proposal appears to be inconsistent with the Variance criteria #3 and #5. The impacts to the wetland would cause adverse effects to the shoreline environment and the public interest would suffer substantial detrimental effect by loss the wetland.

Cmmr. Johnson stated that in addition to the concerns of staff regarding the wetlands, they have concerns which are aptly articulated in the Port of Allyn analysis of the variance criteria.

With respect to Variance Criteria 3, “That the design of the project will be compatible with other permitted activities in the area and will not cause adverse effects to adjacent properties or the shoreline environment.” As the Port of Allyn noted in their analysis, the structure will adversely impact the views and values of the neighboring property owners. It will significantly adversely affect the public enjoyment of the shoreline. Further, because the property is essentially on the shoreline, the environment will certainly be affected.

With respect to Variance Criteria 4, “That the variance will be the minimum necessary to afford relief.” The Board of Commissioners does not have a proposal smaller than two stories and an 800 square feet footprint (1,600 square feet total) in front of it. There are certainly potentially smaller proposals, like for example a one story structure, or a house with a smaller footprint, or even a storage structure associated with a mobile home. However, since there are clear, lesser alternatives, the Board cannot find that this is the minimum.

With respect to Variance Criteria 5, “That the public interest will suffer no substantial detrimental effect.” Based on photos, the letter from the Allyn community, the Allyn subarea plan, the public testimony, and the Port’s comments, it is clear that the public interest will be substantially detrimentally effected.

Cmmr. Johnson then asked staff to draft new findings reflecting their concerns in light of these comments.

Cmmr. Baze/Holter moved and seconded to deny the permit request for a Shoreline Variance made by Harvey and Terry Cousins based on the presence of wetlands on the building site and based on the concerns we listed earlier regarding the variance criteria. Also we request staff to prepare findings consistent with the wetlands determination and those concerns for the Board’s signature. Motion carried unanimously. B -aye; J-aye; H-aye.

RECESS

The Board recessed until 6:45 p.m.

HEARING – Consider a shoreline substantial development permit to construct a 24’ x 40’ split face block building with metal roof @ Cushman Dam #2 located at lower dam on Lake Kokanee

Rick Mraz, Planning, presented the staff report. The proposed building will house an emergency generator and future communication control, battery, and restroom areas.

As designed, the project is consistent with the Mason County Shoreline Master Program Chapter 7.16.040, the Commercial Development section.

Staff recommends approval of the proposal, subject to the following conditions:

1. The project shall be required to control erosion during construction. Removal of vegetation should be minimized and any areas disturbed should be restored to prevent erosion and other environmental impacts.

**BOARD OF MASON COUNTY COMMISSIONERS PROCEEDINGS
MAY 28, 2002 – PAGE 3**

APPROVAL OF WARRANTS

FUND NAME	WARRANT NUMBER	AMOUNT
Claims Clearing	39818-40073	\$398,147.93
Salary Clearing	121365-121608	\$179,699.00

ADJOURN

The meeting adjourned at 6:52

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON

Wesley E. Johnson, Chairperson

Bob Holter, Commissioner

Herb Baze, Commissioner

ATTEST:

Rebecca S. Rogers, Clerk of the Board