



shelter bay community, inc.

1000 Shoshone Drive • La Conner, WA 98257 • 360-466-3805

For Office Use Only	
Applicant is a member in good standing	
Initials	Date

REQUEST FOR VARIANCE FROM SETBACK DISTANCE

Lot No:	Street:	Date:
Member/Applicant:	Mailing Address:	Telephone Numbers: E-Mail:
Contractor:	Mailing Address:	Telephone Numbers: E-Mail:

Project Description

The Declaration of Protective Covenants stipulate setbacks for buildings and structures as follows:

- a. 25' from the road side lot line.
- b. 10' from all other property lines, except Division 1 which has a rear yard setback of 25'.
- c. For lots fronting the Swinomish Channel or connecting waterways in Division 2, no structure or building shall be more than 100' from the road side lot line.
- d. For lots fronting the Swinomish Channel or connecting waterways in Division 5, no structure or building shall be located closer than 20' from the staking line.

This request for a setback variance applies to item a. ___ b. ___ c. ___ d. ___ (check any that apply).

The resulting distance from the _____ lot line to _____ will be _____.

This variance is being requested due to (explain in detail): _____

Additional reasons why the ACC should grant this setback variance: _____

The ACC will determine whether any other lots may be impacted by the proposed setback and will inform the members owning these lots of proposed construction and the requested variance. The affected members will be asked to sign a form stating their objection or non-objection to the variance, and their reason for any such objection. Responses from such affected members must be received by the ACC, and evaluated, prior to consideration of Certificate of Compliance approval.

Signed _____, Applicant Date _____

APPLICANT SUBMITTAL REQUIREMENTS

1. For new construction or major remodels, a Plot Plan prepared from a field survey, together with a Site Plan and construction drawings, as described in the Construction Guidelines, must accompany this Request for Variance. The Committee will determine whether a field survey will be required to verify lot boundaries for minor remodeling projects. Proposed setbacks shall be identified on the Site Plan in the construction documents.
2. If this request is for a shed to be constructed with zero sideline setback, the roof of the shed shall not exceed 6' at the property line and the highest point of the roof shall not exceed 7'. Minimum clearance between shed and building wall shall be 5'.
3. If this request applies to sheds, outbuildings, new or replacement decks, or other structures, documents accompanying this request must include construction drawings and a Site Plan per the Construction Guidelines. Surveyed lot corners must be in place to locate the property lines, unless survey requirements are waived. All proposed improvements must be located on the Site Plan, with setback distances shown.

The ACC meets the 1st and 3rd Tuesday of every month at 9:00 a.m. in the Clubhouse. Applications must be submitted by 12:00 Noon on the Wednesday before the week of the meeting in order to be placed on the Agenda.

****FOR COMMITTEE USE ONLY****

Properties affected by the proposed project were asked to state their objection or non-objection to the requested setback variance, and the results are tabulated below. List the lot number, member name, date each member was contacted, and the responses.

Lot #	Member Name	Objection	No Objection
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The ACC shall review the Request for Variance utilizing the following criteria:

1. The Variance is necessary to avoid an unreasonable hardship. Strict adherence to the setback distances is found to deprive the member of rights enjoyed by other members in similar situations. The 'unreasonable hardship' is identified as follows (i.e., lot shape, slope of ground, unusual soil conditions): _____

2. The proposed structure abuts Greenbelt, with minimal adverse impact on adjacent properties. Yes No
3. Minor infringement into setback with minimal adverse impact on adjacent properties. Yes No

Upon consideration of the above, and other related factors, the ACC hereby

DENIES

APPROVES

the Request for Variance for the following reasons: _____

VARIANCE APPROVAL / DENIAL BY ARCHITECTURAL COMPLIANCE COMMITTEE

Signatures of 4 ACC Members are Required

Date _____