



May 9, 2022

City Of Marysville  
Community Development Department  
80 Columbia Ave. Marysville, WA 98270

Dear Community Development / Land Use departments

Please receive these documents in regards to active permit B21-0564. The materials constitute a fence height adjustment -Variance request for a previously approved fence in the permit.

A first floor portion of the west wing of the existing facility at the Gardens in Marysville is being converted to a memory care unit. The fence in question surrounds an exterior memory care garden-walking area. It was originally planned to construct the fence at a 6'-0" height. It was requested by facility ownership to raise the height of the fence to 7'-0". The reason to request the fence height increase is that it is noted by ownership that it has been found that a 7'-0" fence height helps reduce episodes of elopement in secured exterior memory care gardens.

Please note the following materials submitted in this effort

1. LAND USE APPLICATION - THE GARDENS - B21-0564.pdf
2. RESPONSE LETTER - THE GARDENS - B21-0564
3. SITE PLANS - THE GARDENS - B21-0564
4. CONSTRUCTION DETAILS – THE GARDENS - B21-0564

The following information is provided per Fence Variance Submittal Checklist

- Property lines and dimensions – **see AA100**
- Location of existing streets and right-of-way – **see AA100**
- Existing and proposed utilities services – **No utilities are located in or around the proposed fence area, existing utilities enter site from the east of 48<sup>th</sup> DR NE.**
- Location of existing and proposed driveways and parking – **See AA100**
- Existing and proposed structures and setbacks; - **see AA100**
- The location of existing driveways – **see AA100**
- All easements and uses – **no easements are located on or around the proposed fence area**
- Fire hydrant location and distance – **no hydrants are located near the proposed fence area**
- Drainage channels, water courses, marshes and ponds – **none exist on site**
- Any regulated area such as streams, wetlands, steep slopes, or wildlife habitat; and
- Five-foot contour lines. **No regulated areas exist on site. Site is flat, contours of 5' difference cannot be attained.**

Thank you for your attention to this fence height variance request. Please contact me with questions as appropriate and pass along information for the permit application fee noted at \$250.00.

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## FENCE VARIANCE CRITERIA RESPONSES

### MMC Section 22C.010.380

Community Development Department ♦ 80 Columbia Avenue ♦ Marysville, WA 98270  
(360) 363-8100 ♦ (360) 651-5099 FAX ♦ Office Hours: Monday - Friday 7:30 AM - 4:00 PM

Before any variance can be granted, the City shall make findings of fact setting forth and showing that the following circumstances exist. The community development director shall have authority to administratively grant a variance to the fence requirements outlined in MMC Section 22C.010.380. The community development director is authorized to issue variances in cases of special hardships, unique circumstances and practical difficulties. No variance shall be granted which would be detrimental to the public health, welfare or environment. The administrative variance processing fee is \$250.00. Please provide a written explanation as to how each of the following criteria are met:

**A description of the height and location of the proposed fence;**

The fence is planned to surround a memory care garden / exterior area in the memory care conversion at the Gardens in Marysville WA. It is planned to be a vinyl 7'-0" tall fence with one exit/gate. Please see the attached sheets describing the fence

**The proposed fence is designed and constructed so that it does not cause a public safety hazard by obstructing visibility of pedestrians or motorists using streets, driveways or sidewalks;**

The fence placed entirely at the facilities rear within the property lines adjacent to an interior drive. A sidewalk is re-constructed around its perimeter and it does not hinder drive visibility.

**The proposed fence will not infringe upon or interfere with utility and/or access easements or covenant rights or responsibilities;**

The fence is not placed where it will interfere with utility and /or access easements or covenants.

**The increased fence height will not adversely affect adjacent property owners;**

The fence height increase of 12" to 7'-0" in total height will no effect adjacent property owners in any manner and is set approximately 40' from the nearest property line.

Please submit any other information which is relevant and necessary to make a determination as to the validity of the request for variation. Such additional information may include site plans, elevation drawings, and information concerning the surrounding properties and uses.

**PLEASE NOTE THAT:** Fences greater than six feet in height are required to obtain a city building permit. In granting any variance, the City may prescribe appropriate conditions and safeguards that will ensure that the purpose and intent of the Zoning Code shall not be violated. Each variance request shall be considered on a case-by-case basis, and the resulting decision shall not be construed as setting precedent for any subsequent application. The decision of the community development director on a variance application shall be final, subject to appeal to the city hearing examiner pursuant to the procedures in Chapter [22G.010](#) MMC, Article VIII, Appeals. Appeals shall be filed within 14 calendar days of the written decision of the community development director.

Additional information - the reason the height increase is requested is that a fence of 7'-0" high reduces elopement events common in memory care exterior areas.

Jeffrey Hughes RA Wattenbarger Architects 5.3.22  
The Gardens at Marysville WA - Fence Height Increase