

**ORDINANCE NUMBER 30 - 04**

**AMENDMENTS TO  
TITLE 14 MASON COUNTY BUILDING CODE  
DELETING SEC. 14.08.180, 14.08.200, AND 14.08.210  
REGARDING BUILDING SETBACKS.**

AN ORDINANCE amending the Mason County Building Code Title 14 by deleting three ordinance sections regarding building setbacks standards.

WHEREAS, Mason County adopted the current version of Mason County Title 14 Building Code as Ord. No. 45-99 on May 4, 1999. Standards for setbacks from property lines, roads and easements have been adopted by ordinances between 1983 and 1996.

WHEREAS, the Department of Community Development has prepared revisions to this implementing ordinance by which the Department of Community Development can evaluate and approve proposed development using setbacks and standards presented in the Mason County Resource Ordinance and Development Regulations;

WHEREAS, at the January 26 and February 9, 2004 Mason County Planning Advisory Commission meetings, the proposed ordinance revisions in the Title 14 Building Code were presented, and the Planning Advisory Commission members evaluated and passed motions to recommend approval of these proposed revisions;

WHEREAS, the Board of County Commissioners held a public hearing about the proposed revisions on April 13, 2004, to consider the recommendations of the Planning Advisory Commission, and the testimony of the Mason County Department of Community Development and citizens on the proposed revisions to the Mason County Title 14 Building Code; and

WHEREAS, based upon the staff report, text of the proposed revisions, and public testimony, the Mason County Board of Commissioners has approved findings of fact to support its decision as ATTACHMENT A.

NOW, THEREFORE, BE IT HEREBY ORDAINED, that the Mason County Board of Commissioners hereby approves and ADOPTS these amendments to the Mason County

Ordinance No. 30 - 04 (continued)

Title 14 Building Code, deleting Sec. 14.08.180, 14.08.200, and 14.08.210, the building setbacks standards listed in this ordinance.

DATED this 20th day of April 2004.


**BOARD OF COUNTY COMMISSIONERS  
MASON COUNTY, WASHINGTON**

ATTEST:

  
Clerk of the Board

APPROVED AS TO FORM:

  
Prosecuting Attorney

  
Wesley E. Johnson, CHAIRPERSON

  
Herb Baze, COMMISSIONER

  
Jayni Kamin, COMMISSIONER

**AN ORDINANCE AMENDING  
TITLE 14 MASON COUNTY BUILDING CODE  
DELETING SEC. 14.08.180, 14.08.200, AND 14.08.210 regarding building setbacks.**

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**MASON COUNTY BOARD OF COMMISSIONERS  
April 13, 2004**

**FINDINGS OF FACT**

1. Under consideration is the proposed ordinance amending the Mason County Building Code Title 14 by deleting three ordinance sections regarding building setbacks.
2. The Mason County Building Code sets forth standards for construction and grading for proposed projects in Mason County. Mason County adopted the current version of Title 14 Building Code as Ord. No. 45-99 on May 4, 1999. Standards for setbacks from property lines, roads and easements have been adopted by ordinances between 1983 and 1996.
3. The Mason County Department of Community Development staff have presented revisions to this implementing ordinance by which the Department of Community Development can evaluate and approve proposed development using setbacks and standards presented in the Mason County Resource Ordinance and Development Regulations;
4. At the January 26 and February 9, 2004 Mason County Planning Advisory Commission meetings, the proposed ordinance revisions in the Building Code Title 14 were presented, and the Planning Advisory Commission members evaluated through discussions with staff and the public and, then passed motions to recommend approval of these proposed ordinance changes.
5. At the April 13, 2004 public hearing, the Board of County Commissioners considered the recommendations of the Planning Advisory Commission, and the testimony of the Mason County Department of Community Development and citizens regarding the proposed revisions to the Mason County Building Code Title 14.

FROM THE PRECEDING FINDINGS, and based upon the staff report, text of the proposed revisions, and public testimony, the Mason County Board of Commissioners adopts a motion to approve the amendments to the Mason County Building Code Title 14, deleting Sec. 14.08.180, 14.08.200, and 14.08.210, the building setbacks standards set forth in this ordinance.



Chair, Mason County Board of Commissioners

4/20/04  
Date

**TITLE 14 MASON COUNTY BUILDING CODE**

**Sections addressing general prohibition of building in easements and requirements for setbacks from property lines and easements are hereby revised:**

**~~14.08.180 Section 503.1 amended-Building setbacks.~~**

Section 503.1 is adopted and amended to read as follows:

~~All structures, or appurtenances thereof, greater than 30 inches in height shall be set back five (5) feet or more from any easement or property line from the closest projection and ten (10) feet from county and state road right of ways. This building setback shall not apply to drainage and utility easements within platted areas of Mason County where the easement is of such width or dimension that it provides for the minimum setback required from property lines and right of ways. Any construction within an easement is prohibited, except construction as intended for the installation and maintenance of utility and drainage features. Any proposed structure within 25 feet of a county road right of way shall be subject to Public Works review and comment.~~

**~~14.08.200 Building Setback Exemption~~**

~~Building setbacks as established under Section 14.08.180 of this code shall apply to all structures over 30" in height from grade excepting that, shoreline erosion control bulkheads and property fencing may extend with the established setbacks and up to but may not encroach within any easement, unless the applicant has by county regulation, eliminated said easement. All construction must comply with applicable county, state and federal regulations.~~

**~~14.08.210 Building setback variance.~~**

~~Building setback variance requests from the established setbacks as defined in Section 14.08.180 shall be reviewed by the building official as provided for by current regulations and policies in effect at the time of submittal.~~