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Skagit County Auditor

When Recorded, Return To:

City of Sedro-Woolley
Planning Department
325 Metcalf Street
Sedro-Woolley, WA 98284



| | |
|---|-----------------|
| Grantor's Name: | Marietta Paulus |
| Tax Parcel #: | P39751 117232 |
| Abbreviated Legal Description (Lot, Block, Subdivision Name/Number): | |
| 19-35-5 | |

Grantee: City of Sedro Woolley

**ACCESSORY DWELLING UNIT COVENANT:
LANDOWNER(S) NOTICE AGAINST PROPERTY
SWMC 17.100.030:**

Accessory dwelling units shall meet the following criteria:

- A. Accessory dwelling units are subject to the codes, regulations, and statutes adopted by reference in Chapter 15.04. The design and size of the accessory dwelling unit shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes. When there are practical difficulties involved in carrying out the provisions of this title, the director or a designee may recommend modifications that will meet the intent of these codes. Such modifications shall be processed as a variance under this title.
- B. ADUs are permitted on lots with one single-family home. The lot may not contain more than one primary dwelling unit.
- C. Only one ADU shall be permitted per lot.
- D. An accessory dwelling unit may be attached or detached from the principal unit.

Attached 185

E. An accessory dwelling unit may be established in an existing single-family dwelling unit or in a detached structure on a legal building lot by any one or by a combination of the following methods:

1. Alteration of interior space of the dwelling; or
2. Conversion of an attic, basement, attached or detached private garage, or other previously uninhabited portion of a dwelling; or
3. Addition of attached living area onto an existing dwelling; or
4. Construction of a detached living area.

F. The maximum size of an accessory dwelling shall not exceed eight hundred square feet, or no more than sixty-six percent of primary dwelling floor area, whichever is smaller. The maximum height of an ADU shall not exceed twenty feet; except the height of a structure containing an ADU over a garage (carriage house) may be increased to twenty-five feet to match the existing roof pitch of the primary residence.

G. The minimum size of an accessory dwelling unit shall not be less than two hundred five square feet.

H. The accessory dwelling unit must have a separate entrance from the primary unit.

I. The ADU shall be billed as a unit for monthly city utility billing purposes. Utilities between the primary dwelling unit and the ADU may be shared and may require upgrades to be in compliance with utility regulations. In all cases, the utility service shut-offs must be accessible to occupants of both units.

J. One off-street parking space is required in addition to the off-street parking spaces required for the principal residence. Parking must be provided on the subject property, either off of an alley or on a driveway. When the property abuts an alley, the off-street parking space for the accessory dwelling unit shall gain access from the alley. Parking shall be developed in accordance with the standards in Chapter 17.36.

K. The property owner, which shall include title holders and contract purchasers, must occupy either the principal unit or the accessory dwelling unit as their permanent residence for more than six months out of each year. The owner shall record a covenant with the Skagit County auditor stating that the owner resides at the property; the covenant shall be approved by the director. The property owner shall submit proof that the covenant has been recorded with the Skagit County auditor's office prior to issuance of the building permit.

The planning director may waive this requirement for temporary absences of less than one year, where the accessory unit has been a

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permitted use for at least two years and the owner submits proof of absence from the region.

L. The current owner will notify prospective purchasers of the limitations on ADUs.

M. Upon sale of the property, a new owner shall be required to amend the ADU development authorization application, sign a new affidavit stating that the owner will live on site and pay the Sedro-Woolley ADU reauthorization fee.

N. The ADU may not be segregated in ownership from the principal dwelling unit.

O. All accessory dwelling units shall also be subject to the condition that such a permit shall automatically expire whenever:

1. The accessory dwelling unit is substantially altered and is thus no longer in conformance with the approved plans; or

2. The subject lot ceases to maintain at least three off-street parking spaces; or

3. The owner ceases to own or reside in either the principal or the accessory dwelling unit as specified in subsection K of this section.

P. Recreational vehicles, "park models" or temporary housing shall not be utilized as an accessory dwelling unit.

Q. The accessory and principal dwelling unit shall comply with all applicable requirements of the International Residential Code and zoning ordinance as adopted or amended by the city.

R. A permit for an accessory dwelling unit shall not be transferable to any lot other than the lot described in the application.

S. No more than four occupants may reside in an ADU, regardless of relationship.

T. ADUs shall look like a residential building and resemble the primary dwelling. Metal sided buildings (such as buildings that were originally designed as a shop or garage) must be improved to resemble the primary dwelling. The planning director may approve alternate design of detached ADUs if the proposed building meets the design standards for residential buildings in a planned residential development. This clause is intended to allow for ADU designs that are aesthetically interesting but may not resemble the architecture of the primary

dwelling. There are many off-the-shelf ADU designs that provide a high level of aesthetic interest, but may not be similar to the primary dwelling.

U. The address of the ADU shall be the same as the main house with a "b" added to the end of the address number.

V. Short-term rentals are not permitted on properties with an accessory dwelling unit.

AFFIDAVIT

I, Marietta Paulus, Michael T. Ice, declare that pursuant to Sedro-Woolley Municipal Code 17.100.030 (K), I am the landowner of tax parcel # 39751/117232 located at 1035 Polte, Sedro Woolley, WA and that I am making application to create an Accessory Dwelling Unit that will be in compliance with Sedro-Woolley Municipal Code regulations stated above and listed in Chapter 17.100 SWMC, and requiring that the property owner(s) resides in the principal dwelling unit or the accessory dwelling unit for at least six months out of the year.

I hereby certify that the information on this covenant is true and correct and that the applicable requirements of the City of Sedro-Woolley will be met. As property owners(s), I declare that I will notify any prospective purchaser of the occupancy limitations of the Accessory Dwelling Unit as regulated by Sedro-Woolley Municipal Code. Furthermore, if any of the provisions of Sedro-Woolley Municipal Code 17.100 are violated, it is acknowledged that this is cause for the automatic expiration of the Accessory Dwelling Unit Permit and the use of the property may not include an Accessory Dwelling Unit unless a new Accessory Dwelling Unit permit is applied for and issued by the City. Expiration of the Accessory Dwelling Unit authorizes the City to require the removal of improvements that make an area livable as a separate unit such as kitchen equipment and/or bathroom fixtures. I certify under penalty of perjury under the laws of the State of Washington that the forgoing is true and correct and will be addressed should a transfer of property ownership occur.

Executed at Sedro Woolley, Washington, this 14th day of April, 2022.

Marietta Paulus
Declarant

Michael T Ice
Declarant

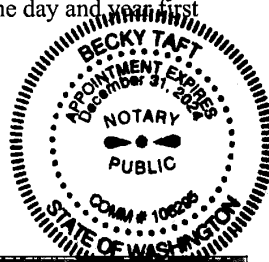
ACKNOWLEDGEMENT

STATE OF WASHINGTON)
ss.)
COUNTY OF SKAGIT)

On this 14 day of April, 2022,
before me, the undersigned, a Notary Public in and for the State of
Washington, duly commissioned and sworn, personally appeared
Michael Tripp / Marelle Pauls, to be known to
be the individual that executed the foregoing instrument and
acknowledged the said instrument to be free and his/hers/their free and
voluntary act and deed for the uses and purposes therein mentioned.

Witness my hand and official seal hereto affixed the day and year first
above written.

Becky Taft
Notary Public in and for the State of Washington,
residing at Sedon Woolly Ln



| FOR OFFICE USE ONLY | |
|---------------------|----------------------------------|
| Permit #: | 2022-127 |
| Address: | 1035 Polte Rd. |
| Signature: | <u>[Signature]</u> Date: 4/19/22 |