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Skagit County Auditor

When Recorded, Return To:

City of Anacortes
Planning, Community, & Economic Development Department
904 6th Street / P.O. Box 547
Anacortes, Washington 98221



Grantor's Name: Nicholas K. MacDonald & Sarah A. Ruether
Tax Parcel #: P58320
Abbreviated Legal Description (Lot, Block, Subdivision Name/ Number):
N P TO ANACORTES, THE WEST 22.2 FEET OF LOT 13, ALL OF LOT 14, AND THE EAST 23.35 FEET OF LOT 15, BLOCK 1307, 'NORTHERN PACIFIC ADDITION TO ANACORTES', ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 2 OF PLATS, PAGE 9, RECORDS OF SKAGIT COUNTY, WASHINGTON. THE WEST 22.2 FEET OF LOT 13, ALL OF LOT 14, AND THE EAST 23.35 FEET OF LOT 15, BLOCK 1307, 'NORTHERN PACIFIC ADDITION TO ANACORTES', ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 2 OF PLATS, PAGE 9, RECORDS OF SKAGIT COUNTY, WASHINGTON.

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

TITLE (AMC § 19.47.030(C)(10):

1. When and where permitted: An ADU may be established in any zone on a lot with a single-family residence. An ADU may be created by any one or combination of the following methods:
 - A. Alteration of interior space of an existing residence.
 - B. Conversion of an attic, basement, attached or detached garage, or other portion of a residence.
 - C. Addition of a living area enclosed within the principal building.

- D. Construction of a detached living area.
- E. Associated with the construction of a new single-family dwelling (where permitted).
2. Number. Each single-family residential unit may have only one ADU.
 3. Subdivision. ADUs must not be subdivided or otherwise segregated in ownership from the principal dwelling unit.
 4. Maximum size. The ADU may not exceed 900-square feet gross floor area.
 5. Maximum height:
 - A. ADUs enclosed within the principal building are subject to the height limits for the applicable zone in Tables 19.42.020-030
 - B. Height limits for detached ADUs are:
 - i. 20-feet where the roof pitch is less than 6:12.
 - ii. 25-feet where the roof pitch is 6:12 or greater.

Exception: ADU height and roof pitch adjustments may be needed for structures to comply with the 45-degree height /setback plane provisions in subsection (C)(6)(a) below.
 6. Minimum setbacks and siting requirements. ADUs enclosed within the principal building are subject to the setback requirements for the applicable zone. Standards for detached ADUs (whether or not they are attached to a garage) are subject to the following setback requirements:
 - A. Minimum interior side setback: Five-feet, except that from a height of 15-feet at the five-foot minimum interior side setback, buildings must step back at a 45-degree angle away from the interior side or rear property lines as shown in Figure 19.47.030(C)(6).
 - B. Minimum rear setback (to alley property line): Zero-feet, except where garage doors or a carport faces the alley, the structure must be set back a minimum of ten-feet from the alley property line to allow adequate turning distance for vehicles.
 - C. Detached ADUs must be located consistent with the minimum usable open space standards of AMC 19.43.010(C)(3)(c), regardless of lot size.
 7. Living facilities. At a minimum, an accessory dwelling unit includes a bathroom, a kitchen, and separate exterior access.
 8. Parking. A minimum of three parking spaces must be provided for the principal and accessory dwelling units. Where on-street parking is available abutting the lot, only two off-street spaces must be provided for the principal and accessory dwelling units.
 9. Entrance. The entrance to the ADU must not be on the same side of the structure as the entrance to the principal residence, except when such entrance is not visible from the street as determined by the director.

Exception: If an ADU is created within an existing residence which already has more than one existing exterior door on the same side, an existing door may be utilized for the ADU.

10. Owner occupancy.

- A. Either the principle or accessory dwelling unit must be occupied by an owner of the property for six or more months of each calendar year as the owner's permanent residence. "Owners" include title holders and contract purchasers. The applicant must record a notice against the property title with the county auditor, on forms provided by the department, describing this requirement.
- B. The Director may waive the requirement of subsection (a) for up to three years if a letter is submitted that provides evidence of good cause for the waiver. Good cause may include job dislocation, military deployment, sabbatical leave, education, or illness.

I, Sarah Ruelther & Nick MacDonald, declare that pursuant to Anacortes Municipal Code 19.47.030(C)(10), I am the landowner of tax parcel # P58320 located at 3900 West 4th Street and that I am making application to create an Accessory Dwelling Unit that will be in compliance with Anacortes Municipal Code regulations stated above and listed in AMC 19.47.030, and requiring that the property owner(s) resides in the principal dwelling unit or the accessory dwelling unit.

I hereby certify that the information on this application is true and correct and that the applicable requirements of the City of Anacortes will be met. As property owner(s), I declare that I will notify any prospective purchaser of the occupancy limitations of the Accessory Dwelling Unit as regulated by Anacortes Municipal Code. Furthermore, if any of the provisions of Anacortes Municipal Code 19.47.030 are violated, it is acknowledged that this is cause of the removal of the Accessory Dwelling Unit. I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct and will be addressed should a transfer of property ownership occur.

Executed at Anacortes, Washington this 3rd day of May, 20 21

Sarah Ruelther
Declarant

Nick MacDonald
Declarant

ACKNOWLEDGEMENT

STATE OF WASHINGTON)
ss.)
COUNTY OF SKAGIT)

On this 3 day of May, 20 21, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Sarah A. Ruelther & Nicholas K. MacDonald, to be known to be the individual that executed the foregoing instrument and acknowledged the said instrument to be free and his/her/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.

Darla T. Simpson
Notary Public in and for the State of Washington,
residing at Anacortes

Notary Public
State of Washington
DARLA T. SIMPSON
COMMISSION # 162398
MY COMM. EXP. OCTOBER 25, 2024