

PROJECT DATA

PERMIT # 2304-163

PROJECT DESCRIPTION:

10 BROOK BAY IS AN EXISTING TWO-STORY SINGLE FAMILY HOME WITH ATTACHED GARAGE & COVERED EXTERIOR ENTRY STAIR. PROJECT PROPOSES REMOVE OF THE EXISTING LOWER LEVEL W/ EXTERIOR ALTERATIONS TO RAISE & REBUILD THE MAIN LEVEL & ROOF. EXISTING COVERED EXTERIOR ENTRY STAIR TO BE CONVERTED TO INT SPACE, EXISTG PATIOS & UNCOVERED DECKS TO BE REBUILT.

PROTECTIVE COVENANTS, RESTRICTIONS (CCRs):

REVISED DECLARATION OF PROTECTIVE COVENANTS, RESTRICTIONS, LIMITATIONS, CONDITIONS AND AGREEMENTS WITH RESPECT TO PLAT OF BROOK BAY, DATED NOV 13, 1967

PROTECTIVE COVENANTS, RESTRICTIONS (CCRs):

ALL MATERIALS, WORKMANSHIP, DESIGN, AND CONSTRUCTION SHALL CONFORM TO:

- THE INTERNATIONAL RESIDENTIAL CODE (IRC) 2018 EDITION
- THE INTERNATIONAL MECHANICAL CODE (IMC) 2018 EDITION
- THE INTERNATIONAL FUEL GAS CODE (IFGC) 2018 EDITION
- THE INTERNATIONAL PLUMBING CODE (IPC) 2018 EDITION
- THE INTERNATIONAL FIRE CODE (IFC) 2018 EDITION

PROTECTIVE COVENANTS, RESTRICTIONS (CCRs):

YEAR BUILT: 1973 (FROM KC DEPT OF ASSESSMENTS) LOT SQ FT: 17,439 SF +/- BLDG FOOTPRINT (EXTENT OF ROOF):

- EXISTG BLDG FOOTPRINT: 2,748 SF +/-
- PROPOSED BLDG FOOTPRINT: 2,487 SF

PROPERTY IS ZONED R-5 PARCEL NUMBER: 13700-0100 CONSTRUCTION TYPE: V-B

PROJECT ADDRESS:

10 BROOK BAY
MERCER ISLAND, WA 98040

LEGAL DESCRIPTION:

LOT 10, BROOK BAY, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 83 OF PLATS, PAGES 40-44, RECORDS OF KING COUNTY, WASHINGTON. SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

EXISTG VARIANCE:

VAR01-07: VARIANCE TO ALLOW CONSTRUCTION WITHIN 15' OF REAR YARD PROPERTY.

LAND USE ANALYSIS

MAX LOT COVERAGE: 30%

CITY OF MERCER ISLAND REQ'D SETBACKS:

- FRONT YARD: 20' MIN
- REAR YARD: 25' MIN
- SIDE YARD: FOR LOTS WITH A WIDTH OF 90', THE SIDE YARDS WIDTH SHALL BE A WIDTH THAT IS EQ TO AT LEAST 17% OF THE LOT WIDTH
- PER 2(A)3 LOT WIDTH = 124' x 17% = 21.1'
- MINIMUM SIDE YARD WIDTH: 5' OR 33% OF THE AGGREGATE SIDE YARD TOTAL, WHICHEVER IS GREATER
- MINIMUM SIDE YARD WIDTH: 19' x 33% = 6.3'
- VARIABLE SIDE YARD DEPTH REQUIREMENT: MIN SIDE YARD DEPTH ABUTTING AN INT LOT LINE SHALL BE THE GREATER OF: MIN SIDE YARD DEPTH OR
- FOR NONGABLED ROOF END BLDGS, THE HEIGHT IS MORE THAN 15' MEASURED FROM EXISTING FINISHED GRADE, WHICHEVER IS LOWER, TO THE TOP OF THE EXT WALL FACADE ADJOINING THE SIDE YARD; OR
- FOR GABLED ROOF END BUILDINGS, THE HEIGHT IS MORE THAN 1/3 FROM EXISTING FIN GRADE, WHICHEVER IS LOWER, TO THE TOP OF THE GABLED ROOF END ADJOINING THE SIDE YARD
- DWELLINGS WITH A HEIGHT OF MORE THAN 25' MEASURED FROM THE EXISTING FIN GRADE, WHICHEVER IS LOWER, TO THE TOP OF THE EXT WALL FACADE ADJOINING THE SIDE YARD SHALL PROVIDE A MIN SIDE YARD DEPTH OF 10'
- YARD INTRUSIONS
- 3' MAX INTO ANY REAR YARD: PORCHES, CHIMNEYS, WINDOW WELLS, UNROOFED UNENCLOSED OUTSIDE STARWAYS & DECKS
- 15' MAX INTO ANY REAR YARD: EAVES
- NO PENETRATION ALLOWED INTO THE MIN SIDE YARD SETBACK ABUTTING AN INT LOT LINE
- DRIVEWAYS, HARDCAPE & OTHER STRUCTURES NOT MORE THAN 30" ABOVE EXISTING FIN GRADE (WHICHEVER IS LOWER) ALLOWED
- FENCES, RETAINING WALLS & HOOKERIES ALLOWED
- GARAGES & ACCESSORY BLDGS NOT ALLOWED
- HEAT PUMPS/AC: NOT WITHIN 3' OF LOT LINE
- ARCHL FEATURES NOT EXCEEDING 42" IN HEIGHT ARE ALLOWED

CCr REQ'D SETBACKS & INTRUSIONS: MOST RESTRICTIVE

- FRONT YARD: 25'
- SIDE YARD: 25' IF ABUTS A STREET OR ROADWAY
- REAR YARD: 25'
- OTHER BOUNDARY LINE: 10'
- NO RESIDENCE, GARAGE OR ATTACHED STRUCTURE, INCLUDING EAVES AND OVERHANGS CAN INTRUDE INTO SETBACKS
- FENCE & BOUNDARY WALLS SHALL NOT EXCEED 6' IN HEIGHT ABOVE FINISHED GRADE
- TERRACES & SIMILAR LOW UNROOFED & UNSCREENED CONSTRUCTION MAY NOT BE CONSTRUCTED WITHIN 10' OF SIDE LOT LINES

CCr HEIGHT LIMIT:

- NO DWELLING SHALL EXCEED TWO STORES
- NO DWELLING SHALL BE MORE THAN 12' IN HEIGHT MEASURED FROM THE HIGHEST POINT OF THE ROOF BASED ON A PERPENDICULAR MEASUREMENT FROM THE HIGHEST PT OF THE NATURAL GRADE OF THE EASTERLY BOUNDARY OF THE SITE
- SITE HIGHEST PT = 75'6" AT SE CORNER OF LOT.
- 75'6" + 12' = 87'6" HEIGHT NOT TO EXCEED

ZONING NARRATIVE & COMPLIANCE

RFE-APP PROJECT REVIEW CONDUCTED BY MI PLANNING DIRECTOR TIM MCHARGO ON 4/29/22 & 5/10/22. SEE PLANNING NOTES.

REQUEST THAT PERMIT APPLICATION BE REVIEWED UNDER DCI 12-003.

PROPOSED WATERCOURSE:

ER MCC 1901500(D)1(B)1 RELATING TO PIPED WATERCOURSE BUFFER 'IN NO EVENT SHALL THE ALTERATION OR ENLARGEMENT INCREASE ANY EXISTING NONCONFORMING ASPECT OF THE DWELLING OR CREATE ANY NEW NONCONFORMANCE' IN THE SETBACK SINCE NO NEW LOT COVERAGE ENCLOSES INTO THE PIPED WATERCOURSE SETBACK. THE PROPOSAL COMPLES PER MCC 190780(C), THE FOLLOWING IS PERMITTED IN THE SETBACK: LANDSCAPING, UNCOVERED DECKS LESS THAN 30" ABOVE EXISTING OR FINISHED GRADE, 18" MAX BUILDING OVERHANGS, SUBGRADE COMPONENTS OF FOUNDATIONS.

HARDCAPE (SEE A04)

SECTION G2 OF DC 122-003 STATES THAT "SITES THAT 1) ARE LEGALLY NONCONFORMING BECAUSE THEY EXCEED MAXIMUM LOT COVERAGE OR HARDCAPE COVERAGE; AND 2) HAVE LOT COVERAGE OR HARDCAPE WITHIN THE WETLAND AND/OR WATERCOURSE BUFFERS THAT WAS CONSTRUCTED ON OR BEFORE JANUARY 1, 2005"

THE ABOVE SECTION APPLIES TO 10 BROOK BAY. THE SITE 1) SITS ENTIRELY WITHIN A WATERCOURSE BUFFER TYPE F ZONE REQUIRING 20' SETBACK, 2) EXCEEDS THE ZONE ALLOWABLE HARDCAPE AREA (SEE A04), AND 3) WAS CONSTRUCTED PRIOR TO JANUARY 2005.

SECTION G2(A) FINDS: "BECAUSE LOT COVERAGE AND HARDCAPE HAVE EQUIVALENT IMPACTS ON THE FUNCTION OF WATERCOURSE BUFFERS, NEW LOT COVERAGE AND/OR HARDCAPE CAN BE ADDED INTERCHANGEABLY WITHIN BUFFERS BY REMOVING EXISTING LOT COVERAGE AND/OR HARDCAPE AT A 12 RATIO (IE, ONE NEW SQUARE FOOT OF HARDCAPE FOR EVERY TWO SQUARE FEET OF REMOVED HARDCAPE).

SECTION G2(A) ANALYSIS

XI. SITES THAT ARE LEGALLY NONCONFORMING BECAUSE THEY EXCEED MAXIMUM LOT COVERAGE OR HARDCAPE COVERAGE ARE NOT REQUIRED TO COME INTO FULL COMPLIANCE WHEN ADDING ADDITIONAL LOT COVERAGE OR HARDCAPE COVERAGE.

XII. SITES THAT ARE LEGALLY NONCONFORMING BECAUSE THEY EXCEED MAXIMUM HARDCAPE COVERAGE CAN ADD NEW HARDCAPE BY REMOVING EXISTING HARDCAPE AT A 12 RATIO (IE, ONE NEW SQUARE FOOT OF HARDCAPE FOR EVERY TWO SQUARE FEET OF REMOVED HARDCAPE).

TREE REMOVAL (SEE 3(A)03)

PROJECT PROPOSES TO REMOVE (3) TREES. SEE 1(A)01 & 3(A)03. OWNER SHALL PLANT (6) REPLACEMENT TREES OR SUBMIT FOR FEE IN LIEU, ONCE TREE LOCATIONS ARE DETERMINED BY PROJECT LANDSCAPE DESIGNER. NEW TREES SHALL BE PACIFIC NORTHWEST NATIVES PER FOLLOWING LINK: <https://yourkingcounty.gov/dnr/planting/water-and-land/yard-and-garden/native-plant-guide-western-washington.pdf>. THE TREES WILL BE PLANTED AT LEAST 10' APART FROM EACH OTHER, STRUCTURES, FENCES, AND UTILITIES. IF THERE IS NOT ENOUGH ROOM FOR ALL THE TREES TO BE PLANTED ON SITE THEN, WE WILL SUBMIT FOR FEE IN LIEU. ALL TREES WILL BE WATERED ACCORDING TO A SCHEDULE SET OUT BY MERCER ISLAND TO ENSURE THE TREES SURVIVE LONG TERM.

LOT COVERAGE (SEE A09)

MAX HEIGHT: HEIGHT SHALL NOT EXCEED 30' FROM AVG BLDG ELEV TO HIGHEST POINT OF ROOF

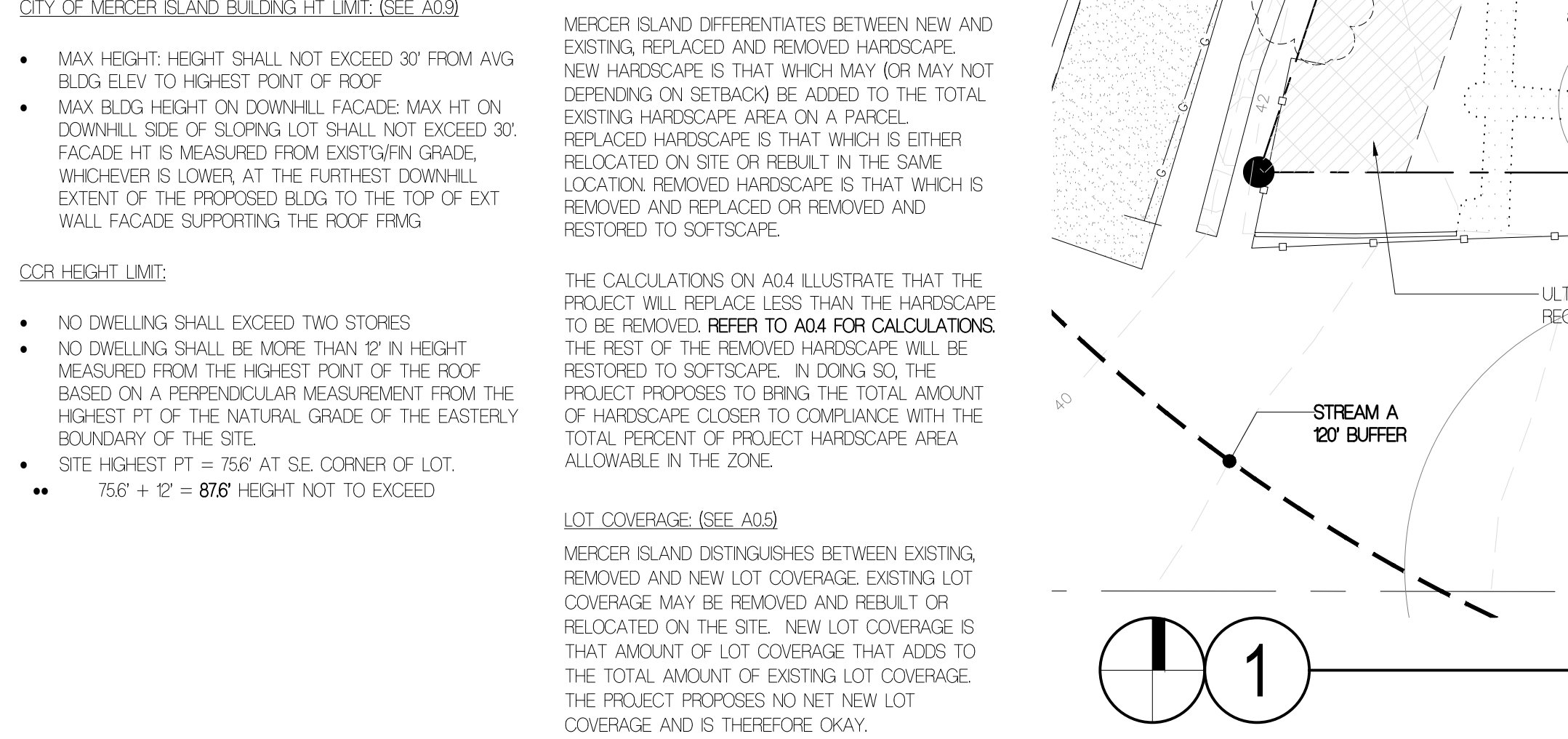
MAX BLDG HEIGHT ON DOWNHILL FACADE: MAX HT ON DOWNHILL SIDE OF SLOPING LOT SHALL NOT EXCEED 30'. FACADE HT IS MEASURED FROM EXISTING FIN GRADE, WHICHEVER IS LOWER, AT THE FURTHEST DOWNHILL EXTENT OF THE PROPOSED BLDG TO THE TOP OF EXT WALL FACADE SUPPORTING THE ROOF FRMG

MERCER ISLAND DIFFERENTIATES BETWEEN NEW AND EXISTING, REPLACED AND REMOVED HARDCAPE. NEW HARDCAPE IS THAT WHICH MAY (OR MAY NOT) BE DEPENDING ON SETBACK) BE ADDED TO THE TOTAL EXISTING HARDCAPE AREA ON A PARCEL. REPLACED HARDCAPE IS THAT WHICH IS EITHER RELOCATED ON SITE OR REBUILT IN THE SAME LOCATION. REMOVED HARDCAPE IS THAT WHICH IS REMOVED AND REPLACED OR REMOVED AND RESTORED TO SOFTSCAPE.

THE CALCULATIONS ON A04 ILLUSTRATE THAT THE PROJECT WILL REPLACE LESS THAN THE HARDCAPE TO BE REMOVED. REFER TO A04 FOR CALCULATIONS. THE REST OF THE REMOVED HARDCAPE WILL BE RESTORED TO SOFTSCAPE. IN DOING SO, THE PROJECT PROPOSES TO BRING THE TOTAL AMOUNT OF HARDCAPE CLOSER TO COMPLIANCE WITH THE TOTAL PERCENT OF PROJECT HARDCAPE AREA ALLOWABLE IN THE ZONE.

LOT COVERAGE (SEE A09)

MERCER ISLAND DISTINGUISHES BETWEEN EXISTING, REMOVED AND NEW LOT COVERAGE. EXISTING LOT COVERAGE MAY BE REMOVED AND REBUILT OR RELOCATED ON THE SITE. NEW LOT COVERAGE IS THAT AMOUNT OF LOT COVERAGE THAT ADDS TO THE TOTAL AMOUNT OF EXISTING LOT COVERAGE. THE PROJECT PROPOSES NO NET NEW LOT COVERAGE AND IS THEREFORE OKAY.

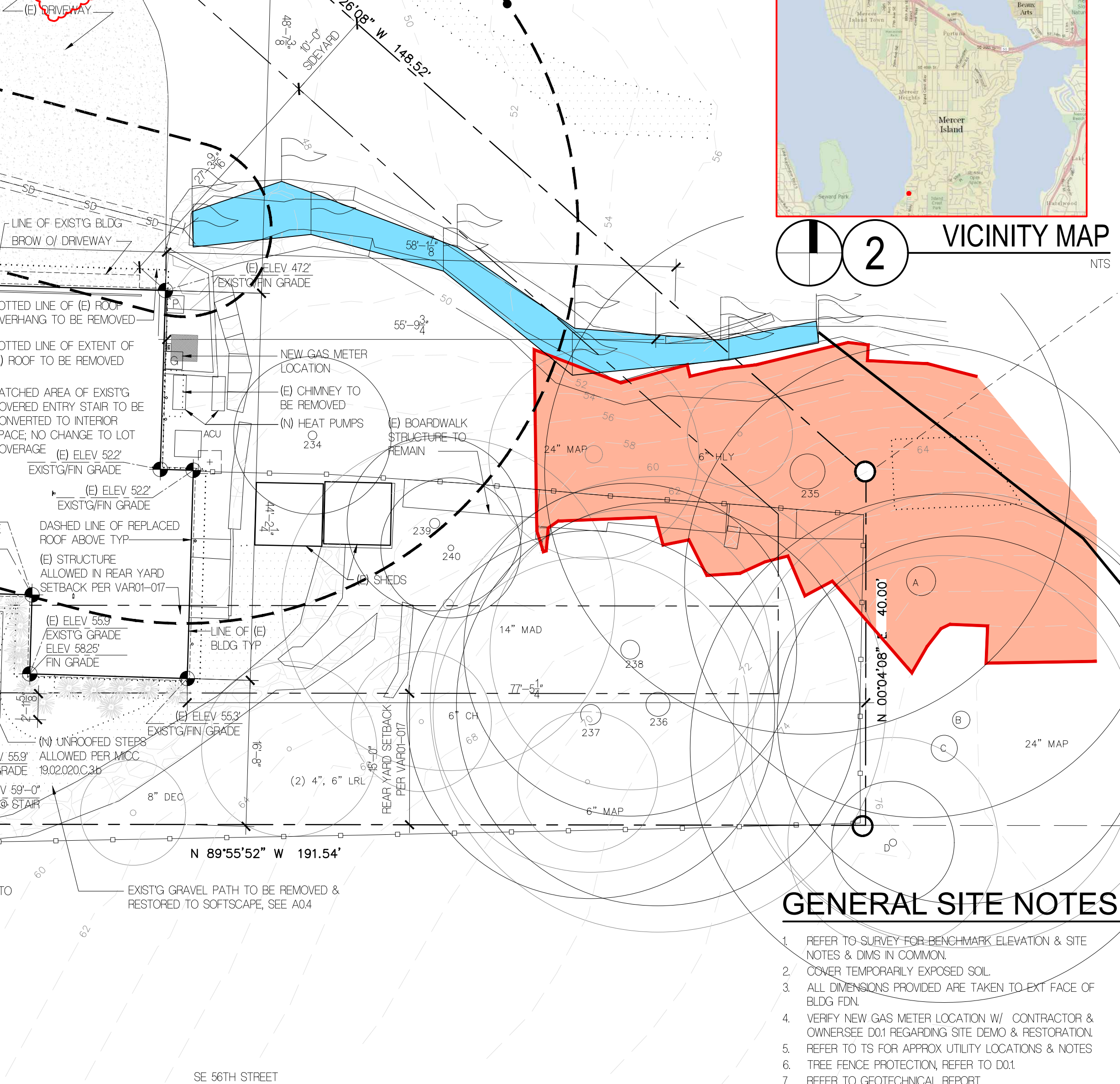
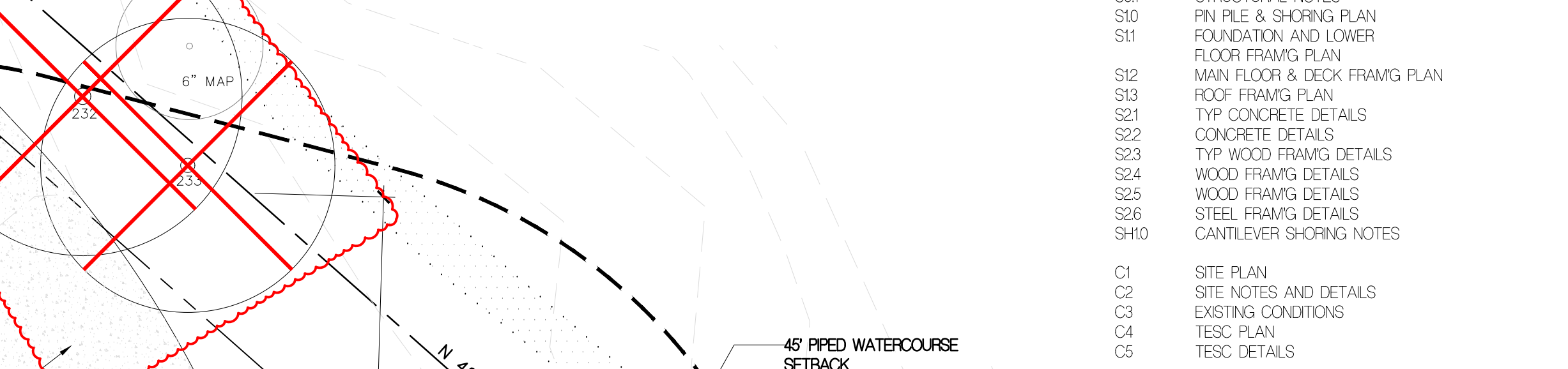


PROJECT CONTACTS LEGEND

OWNER: BALSA & MINA LABAN 10 BROOK BAY MERCER ISLAND, WA 98040	WETLAND BIOLOGIST: WETLAND RESOURCES, INC CONTACT: NELS PEDERSEN PHONE: (425) 3373174	MECH UNIT HEAT PUMP	— P — POWER (OVERHEAD)
ARCHITECT: FLOISAND STUDIO 1941 1ST AVENUE SOUTH #2E SEATTLE, WA 98134 CONTACT: ALLISON HOGUE PHONE: (206) 4584186	CIVIL ENGINEER: PACIFIC STORMWATER 1421 NE 80TH ST SEATTLE, WA 98115 CONTACT: DAVID FARR PHONE: (206) 353-7495	□ AREA DRAIN	□ PAVES SURFACE
LAND USE CONSULTANT: VAN NESS FELDMAN, LLP 191 SECOND AVENUE, STE 1800 SEATTLE, WA 98101 CONTACT: RAY LIAW PHONE: (206) 8023842	STRUCTURAL ENGINEER: MALSAM TSANG STRUCTURAL ENGINEERING 122 S JACKSON ST, SUITE 210 SEATTLE, WA 98104 CONTACT: MARC MALSAM PHONE: (206) 789-6338	— ASPHALT SURFACE	□ POWER METER
SURVEYOR: TERRANE 10801 MAIN STREET, STE 102 BELLEVUE, WA 98004 CONTACT: DANNY SLAGER PHONE: (425) 4584488	GEOTECHNICAL ENGINEER: ZIPPER GEO CONSULTANTS 1909 36TH AVE WEST, SUITE E LYNNWOOD, WA 98036 CONTACT: JAMES GEORGIS PHONE: (425) 582-9928	— CONCRETE SURFACE	— PP O — POWER POLE
ARBORIST: TREE SOLUTIONS INC 2940 WESTLAKE AVE N, #200 SEATTLE, WA 98109 CONTACT: CHARLE VOGELHEIM PHONE: (206) 5284670		— RETAINING WALL	— SS — SEWER LINE
		— FENCE LINE (WOOD)	— SD — STORM DRAIN LINE
		— FLAGSTONE SURFACE	— WM □ — WATER METER
		— GAS METER	— WV □ — WATER VALVE
		— HEDGE FOLIAGE LINE	— G — GAS LINE
		— PROPERTY LINE	— TOPOGRAPHY
		— SETBACK	
		— STREAM	

DRAWING INDEX

A01	SITE PLAN & PROJECT INFO
A02	CODE NOTES
A03	CODE DIAGRAMS LOT DEV AND TREE SCHEDULE
A04	CODE DIAGRAMS HARDCAPE
A05	CODE DIAGRAMS LOT COVERAGE
A06	CODE DIAGRAMS GFA BSMT EXCLUSION DIAGRAMS
A07	CODE DIAGRAMS GFA DIAGRAM & CALCULATION
A08	CODE DIAGRAMS % OF WALLS STRUCTURALLY ALTERED CALC
A09	CODE DIAGRAMS BUILDING HEIGHT
A10	CODE DIAGRAMS IMPERVIOUS SURFACE
A10.1	CODE DIAGRAMS NEW + REPLACED HARD SURFACE
A11	CODE DIAGRAMS DECKS & CONDITIONED SPACE
A12	CODE DIAGRAMS FIRE AREA
A11	LOWER FLOOR & GARAGE PLAN
A12	MAIN FLOOR & DECK PLAN
A13	ROOF PLAN
A21	EXTERIOR ELEVATIONS
A22	EXTERIOR ELEVATIONS
A23	EXTERIOR ELEVATIONS
A24	WINDOW/EXTERIOR DOORS/SKYLIGHT SCHEDULES & ENERGY REPORT
A25	WINDOW/DOOR DIAGRAMS
A26	WINDOW/DOOR DIAGRAMS
A31	BUILDING SECTIONS
A32	BUILDING SECTIONS
A33	BUILDING ASSEMBLIES
A34	AIR BARRIER & INSULATION, ENERGY COMPLIANCE & VENTING CALCS
D01	SITE DEMOLITION PLAN
D10	LOWER FLOOR DEMOLITION PLAN
S10	STRUCTURAL NOTES
S11	PN PILE & SHORING PLAN
S12	FOUNDATION AND LOWER FLOOR FRAMING PLAN
S13	MAIN FLOOR & DECK FRAMING PLAN
S14	ROOF FRAMING PLAN
S21	TYP CONCRETE DETAILS
S22	CONCRETE DETAILS
S23	TYP WOOD FRAMG DETAILS
S24	WOOD FRAMG DETAILS
S25	WOOD FRAMG DETAILS
S26	STEEL FRAMG DETAILS
SH10	CANTILEVER SHORING NOTES
C1	SITE PLAN
C2	SITE NOTES AND DETAILS
C3	EXISTING CONDITIONS
C4	TESC PLAN
C5	TESC DETAILS



GENERAL SITE NOTES

- REFER TO SURVEY FOR BENCHMARK ELEVATION & SITE NOTES & DIMS IN COMMON.
- COVER TEMPORARILY EXPOSED SOIL.
- ALL DIMENSIONS PROVIDED ARE TAKEN TO EXT FACE OF BLDG FDN.
- VERIFY NEW GAS METER LOCATION W/ CONTRACTOR & OWNER/SEE D01 REGARDING SITE DEMO & RESTORATION
- REFER TO TS FOR APPROX UTILITY LOCATIONS & NOTES
- TREE FENCE PROTECTION, REFER TO D01.
- REFER TO GEOTECHNICAL REPORT.

SITE PLAN

FLOISAND STUDIO

1941 1st avenue south, 2e
seattle, wa 98134
ph 206.634.0136

OWNER:
BALSA & MINA LABAN
PHONE: 524662391

ARCHITECT:
FLOISAND STUDIO
1941 1ST AVENUE SOUTH #2E
SEATTLE, WA 98134
PHONE: 206.634.0136
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SURVEYOR:
TERRANE
10801 MAIN STREET, SUITE 102
BELLEVUE, WA 98004
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9505 19TH AVE SE, STE 106
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CONTACT: NELS PEDERSEN

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SEATTLE, WA 98102-2996
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STRUCTURAL:
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122 S JACKSON ST #210
SEATTLE, WA 98104
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CONTACT: MARC MALSAM

CIVIL ENGINEER:
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1421 NE 80TH ST
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PHONE: (206) 353-7495
CONTACT: DAVID FARR

GEOTECHNICAL ENGINEER:
ZIPPER GEO
1909 36TH AVE W, STE E
LYNNWOOD, WA 98036
PHONE: (425) 582-9928
CONTACT: JAMES GEORGIS

LABAN REMODEL

10 BROOK BAY
MERCER ISLAND, WA 98040


PROFESSIONAL STAMP

BUILDING DEPT STAMP

ISSUE	DATE
PERMIT REVISION	4.22.24
CORRECTIONS #2	10.03.23
CORRECTIONS #1	10.10.23
PERMIT SET	4.14.23
PRE-APPLICATION FOLLOW UP	5.10.22
PRE-APPLICATION FOLLOW UP	4.29.22
PRE-APPLICATION MTG	10.14.21
PRE-APPLICATION NOTES	10.5.21

SITE PLAN & PROJECT INFO

A0.1

ISSUE	DATE
PERMIT REVISION 	4.22.24
CORRECTIONS #1	10.10.23
PERMIT SET	4.14.23
PRE-APPLICATION FOLLOW UP	5.10.22
PRE-APPLICATION FOLLOW UP	4.29.22
PRE-APPLICATION MTG	10.14.21
PRE-APPLICATION NOTES	10.5.21




Table of Trees
10 Brook Bay Rd, Mercer Island, WA

Arborist: Charlie Vogelheim
Date of Inventory: 4/25/23
Table Prepared: 4/27/23

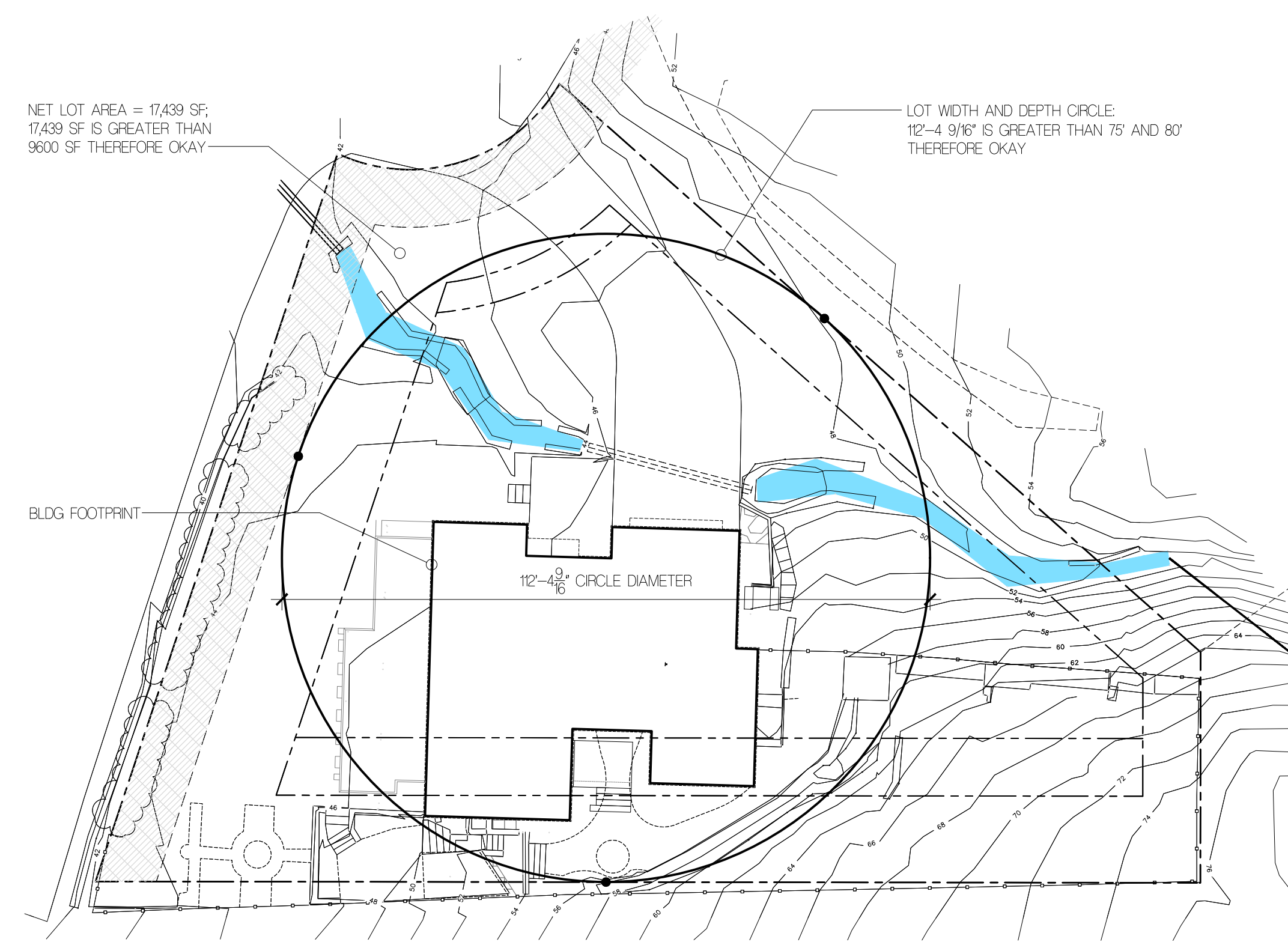
DSH (Diameter at Standard Height) is measured 4.5 feet above grade, or as specified in the Guide for Plant Appraisal, 10th Edition, published by the Council of Tree and Landscape Appraisers. DSH for multi-stem trees are noted as a single stem equivalent, which is calculated using the method defined in the Guide for Plant Appraisal, 10th Edition. Letters are used to identify trees on neighboring property with overhanging canopies. Minimum Limit of Disturbance (MLOD) is defined as 5 times trunk diameter or 6 feet, whichever is greater. Recommended Limit of Disturbance (RLOD) is 8 times trunk diameter or greater depending on tree species and/or condition. Dripline is measured from the center of the tree to the outermost extent of the canopy.

Tree ID	Code	Scientific Name	Common Name	DSH (inches)	Health Condition	Structural Condition	Dripline Radius (feet)				Exceptional Threshold	Exceptional	24-inch DSH or Greater	MLOD (feet)	RLOD (feet)	Proposed Action	Notes
							N	E	S	W							
231	Pipu	<i>Picea pungens</i>	Colorado spruce	10.6	Good	Fair	10.4	9.4	10.4	10.4	-	-	6	7	Remove	Little foliage on north side due to recently removed trees. Topped at 16 feet.	
232	Psmc	<i>Pseudotsuga Douglas-fir</i>	Douglas-fir	20.2	Good	Fair	13.8	6.8	7.8	16.8	30.0	-	8	13	Remove	Topped at 20 feet.	
233	Tshe	<i>Tsuga heterophylla</i>	Western Hemlock	18.6	Good	Fair	9.8	10.8	12.3	18.8	24.0	-	8	12	Remove	Topped at 20 feet. Sealed tortional crack.	
234	Psmc	<i>Pseudotsuga Douglas-fir</i>	Douglas-fir	13.9	Good	Fair	16.6	10.6	16.6	15.6	30.0	-	6	9	Retain	Topped at 20 feet.	
235	Psmc	<i>Pseudotsuga menziesii</i>	Douglas-fir	45.5	Good	Fair	31.9	31.9	31.9	31.9	30.0	Exceptional - Size	Yes	19	30	Retain	Topped at 60 feet, bare on southeast side due to shade from tree A.
236	Acma	<i>Acer macrophyllum</i>	Bigleaf Maple	34.2	Good	Good	15.4	18.4	34.4	12.4	30.0	Exceptional - Size	Yes	14	23	Retain	Phototropic lean to south. Decay cavity on a side with good reaction growth.
237	Psmc	<i>Pseudotsuga menziesii</i>	Douglas-fir	31.6	Good	Good	9.3	9.3	10.3	10.3	30.0	Exceptional - Size	Yes	13	21	Retain	
238	Psmc	<i>Pseudotsuga menziesii</i>	Douglas-fir	29.1	Good	Fair	22.2	22.2	22.2	9.2	30.0	Exceptional - Grove	Yes	12	19	Retain	Topped at 50 feet.
239	Tshe	<i>Tsuga heterophylla</i>	Western Hemlock	15.2	Good	Fair	12.6	12.6	12.6	12.6	24.0	Exceptional - Grove	-	6	10	Retain	Topped at 40 feet.
240	Arme	<i>Arbutus menziesii</i>	Madrone	12.5	Good	Fair	9.5	0.5	9.5	20.5	6.0	Exceptional - Size	-	6	8	Retain	Strong phototropic growth toward west over house.
A	Psmc	<i>Pseudotsuga menziesii</i>	Douglas-fir	40.0	Good	Fair	31.7	11.7	11.7	11.7	30.0	Exceptional - Size	Yes	17	27	Retain	Topped at 60 feet, low crown ratio (10%)
B	Acma	<i>Acer macrophyllum</i>	Bigleaf Maple	32.0	Good	Good	36.3	31.3	3.3	6.3	30.0	Exceptional - Size	Yes	13	21	Retain	Barely overhanging property, pruning wounds up to 8 inches in upper crown
C	Psmc	<i>Pseudotsuga menziesii</i>	Douglas-fir	43.0	Good	Fair	31.8	31.8	31.8	21.8	30.0	Exceptional - Size	Yes	18	29	Retain	Topped at 50 feet, overextended upper limbs with reiterations and weak attachment points. Ivy on trunk.
D	Psmc	<i>Pseudotsuga menziesii</i>	Douglas-fir	10.0	Good	Good	12.4	12.4	12.4	12.4	30.0	Exceptional - Grove	-	6	7	Retain	

3

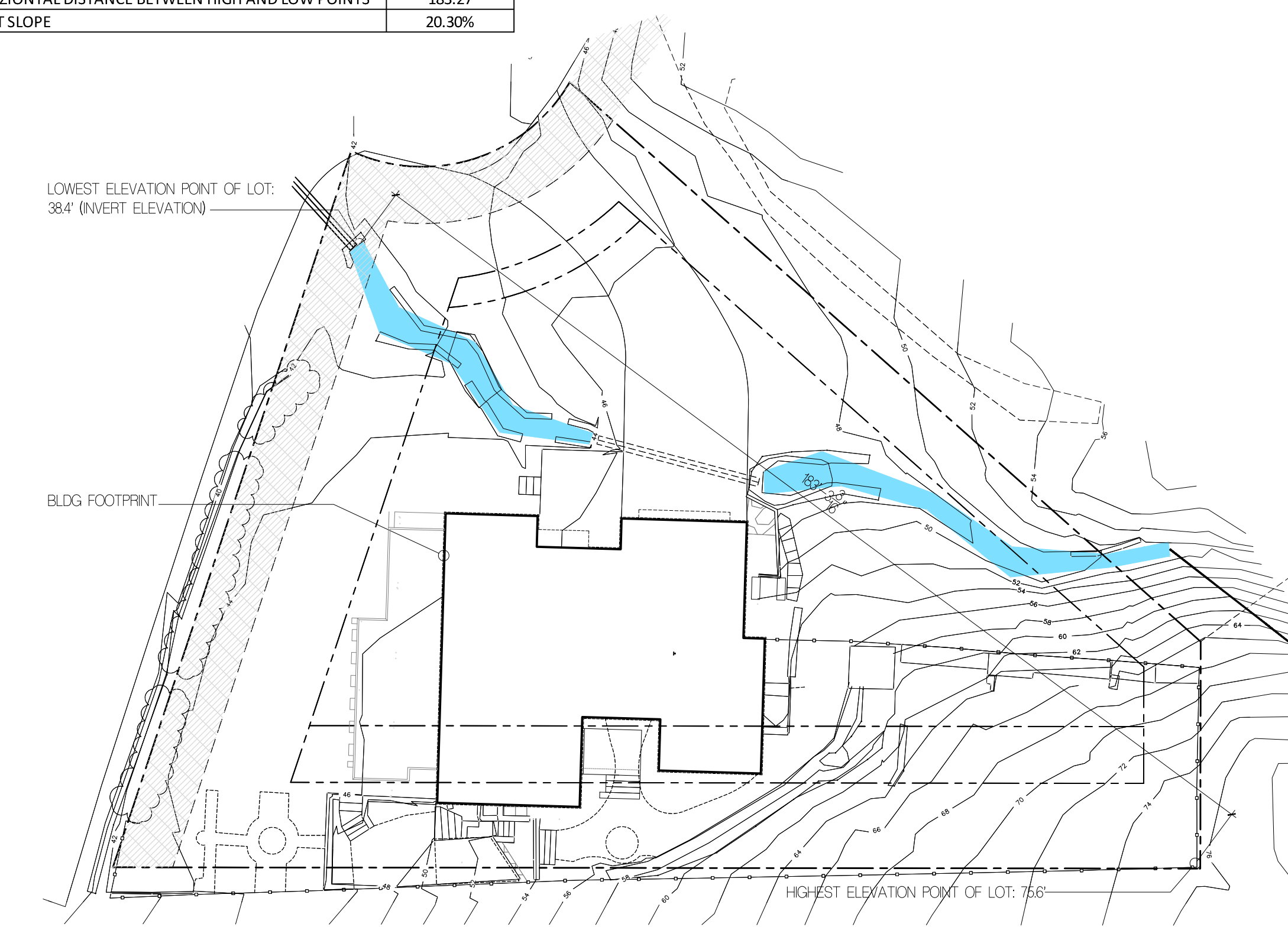
TABLE OF TREES

LOT SLOPE CALCULATIONS	FT
HIGHEST POINT OF LOT	75.6
LOWEST ELEVATION POINT OF LOT	38.4
ELEVATION DIFFERENCE	37.2
HORIZONTAL DISTANCE BETWEEN HIGH AND LOW POINTS	183.27
LOT SLOPE	20.30%



2

MINIMUM NET LOT AREA & LOT WIDTH DIAGRAM



1

LOT SLOPE