

MI TREEHOUSE, LLC
REASONABLE USE EXCEPTION APPLICATION
CRITERIA ANALYSIS

A. Denial of Reasonable Use of Property.

1. The subject property is severely impacted by a combination of environmental constraints and their resulting regulations and restrictions: steep slopes; a type 2 watercourse; and category III wetlands. When the restrictions are applied to the site, virtually none of the property can be developed for any purpose, as confirmed by the preliminary plans and wetland report submitted with the application. The proposed location of the house is strategically sited on the relatively small portion of the property which is less impacted by these factors; this represents the only portion of the property where a house can be situated.

B. No Other Use Would Be Less Impactful.

1. The property is zoned single family residential (R-15). Any other non-accessory use of the property permitted in the R-15 zone – e.g. a public school, group housing, transitional housing or day care – would obviously be more impactful to the critical areas located on the property. The property simply cannot be used for any purpose other than for the construction of a single family residence.

C. Minimum Necessary Alteration.

The proposed construction is for a single family home. The home has a small footprint of only 1,806 square feet. There are portions of the house and decks that are placed on columns to further reduce impacts to the sensitive areas. The house is placed in the only reasonable place to build on the site. The flattest portion of the site is just west of the existing access easement and just north of the steepest portion of the site. The watercourse is located to the north of this building pad and its associated buffer. Of the critical areas on the site we believe that the watercourse is the most important to protect. The watercourse has a 50 foot buffer that can be reduced a maximum of 50%. We have tried to maintain as much as possible of the 50 foot buffer. The house foundation is entirely out of the buffer with only support columns encroaching. There is a secondary drainage swell south of the watercourse that we feel is important to maintain as it drains the southern portion of the site. We have used this swell as the most northern line of our development.

The north side of the driveway follows the swell. A turnaround for cars is required. While we would prefer to make the turnaround to the north of the driveway (easier turn for the cars), we have cut the turnaround into the bank to the south to avoid any impact on the drainage swell. There is an existing concrete driveway on the site, in an easement, serving the property to the south. The existing driveway is approximately 650 square feet. The new driveway comes off the existing drive and on top of an existing quarry spall drive that was placed on the site years ago. Placing the driveway

over the quarry spall further reduces the impact to the site. All but 525 square feet of the new driveway has been placed within the access easement. The total area of the new driveway is approximately 1,580 square feet.

The house size has been restricted to the bare minimum – i.e. 2,131 square feet of living space and 971 square feet of garage and access stairs. With a net lot area of 33,995 square feet and a gross floor area of 45%, the site would allow 15,298 square feet of gross floor area. At 3,102 only 9.1% is proposed.

Steps have been taken to minimize people impact to the site as well. Instead of a yard which would be reasonable, we have provided a large pervious deck. The deck is high enough above grade to allow the wetland to thrive under it. We have provided a storage area in the garage for garbage containers and yard equipment that would normally be stored outside.

Storm detention is required for the site. Storm water will be collected and stored in a vault placed under the driveway. Placement of the vault under the drive will further minimize impacts to the greatest extent reasonably possible.

Impact to the site has been minimized. The site area is 37,554 square feet. Allowable coverage at 35% is 13,439 square feet; actual proposed coverage is 4,945 square feet of new and a total of 5,595 square feet including existing improvements, for a total of only 15%.

The following specific considerations support the position that the proposed alteration is the minimum necessary to allow for the property's reasonable use as a single family residence:

1. Although zoned to permit two single family residences, only one is proposed.
2. The square footage of the proposed residence is only 2,200 square feet, which is 51% of the 4,300 square foot average size of a new single family residence built on Mercer Island in 2013-2014 (See the single family permit summary attached hereto as Exhibit "A").
3. The house is sited on the most level portion of the property, outside of the applicable 50 foot watercourse buffer.
4. To further minimize the impact of the house's construction, it will be supported by a series of pin piles which will both minimize site disruption and interference with the property's natural drainage courses.
5. Excavation will be limited to the extent necessary to build the house and related driveway.

6. The property's impervious surfaces have been restricted to a total of only 5,600 square feet, 10% of which are existing.

7. Only 15% of the lot will be covered by impervious surfaces, which represents only 35% of the coverage permitted by code.

D. Mitigation of Improvements.

In addition to the mitigation considerations referenced above, the attached Wetland Report summarizes specific mitigation measures relating to the adverse impacts on the property's wetlands.

E. Adverse Impact on Public Health, Safety & Welfare.

No adverse impacts can be foreseen.

**MERCER ISLAND BUILDING PERMIT SUMMARY
SINGLE FAMILY - NEW CONSTRUCTION
2013-2014**

Permit Date	Address	Square Feet
12/4/2013	2436 60th AVE SE	4,250
2/3/2014	1614 Roanoke Way	13,814
10/16/2013	5050 Forest AVE SE	1,247
7/8/2014	6308 SE 22nd ST	8,468
6/19/2014	2735 63rd AVE SE	2,969
6/12/2014	7410 SE 32nd ST	3,574
9/8/2014	2950 72nd AVE SE	3,825
10/1/2014	9304 Mercerwood DR	5,740
8/6/2014	7404 SE 32nd ST	3,917
5/14/2014	6053 Island Crest Way	900
1/15/2014	4235 Shoreclub DR	4,205
5/5/2014	19 Holly Hill DR	4,932
6/18/2014	7012 E Mercer Way	3,217
2/14/2014	8032 SE 45th ST	4,566
2/19/2014	2933 74th AVE SE	4,823
4/24/2014	4517 90th AVE SE	3,787
4/4/2014	4803 90th AVE SE	3,478
10/13/2014	6833 SE 32nd ST	6,058
5/12/2014	7416 SE 32nd ST	4,509
12/30/2013	8426 SE 39th ST	3,923
4/17/2014	6041 77th AVE SE	7,240
4/15/2014	6314 SE 28th ST	4,353
9/22/2014	4646 81st AVE SE	4,176
2/21/2014	7265 87th AVE SE	3,246
3/7/2014	3838 E Mercer Way	4,938
4/17/2014	7805 SE 22nd PL	4,912
5/20/2014	4525 90th AVE SE	3,787
5/5/2014	4521 90th AVE SE	4,319
6/6/2013	4551 87th AVE SE	3,854
12/23/2013	7621 W Mercer Way	4,981
3/7/2013	2712 60th AVE SE	4,390
5/23/2013	6408 E Mercer Way	5,717
4/10/2013	2030 82nd AVE SE	6,621
2/14/2013	9948 SE 38th ST	3,879
8/19/2013	9204 SE 42nd ST	3,928
4/25/2013	4344 E Mercer Way	5,864
5/30/2013	3421 72nd AVE SE	4,303
5/28/2013	3703 88th AVE SE	4,637
5/10/2013	7646 SE 72nd PL	4,299
6/18/2013	7835 SE 42nd ST	5,160
6/3/2013	2212 71st AVE SE	2,876
5/28/2013	9976 SE 38th ST	5,342
1/17/2013	7611 SE 22nd ST	4,090
7/24/2013	9815 SE 42nd PL	6,925

Exhibit "A"

**MERCER ISLAND BUILDING PERMIT SUMMARY
SINGLE FAMILY - NEW CONSTRUCTION
2013-2014**

4/30/2013	5075 W Mercer Way	3,754
1/10/2013	8423 SE 46th ST	4,642
1/30/2013	4216 85th AVE SE	4,262
1/29/2013	3935 92nd PL SE	5,261
2/14/2013	9960 SE 38th ST	3,960
2/27/2013	8835 SE 39th ST	4,037
3/24/2014	1 Eden LN W	5,633
1/2/2013	3011 61st AVE SE	5,800
2/11/2013	2809 72nd AVE SE	3,380
4/1/2013	9608 SE 40th ST	3,588
2/22/2013	8612 SE 36th ST	4,278
1/30/2013	3031 61st AVE SE	3,422
3/8/2013	9940 SE 38th ST	3,852
1/2/2013	2410 63rd AVE SE	2,768
10/31/2013	2227 77th AVE SE	4,901
11/26/2013	3075 70th AVE SE	4,694
9/22/2014	6002 E Mercer Way	3,712
11/1/2013	6410 E Mercer Way	5,010
10/11/2013	5210 90th AVE SE	4,071
2/11/2014	6316 77th AVE SE	7,020
7/12/2013	4201 92nd AVE SE	4,051
4/15/2014	6753 W Mercer Way	8,188
9/6/2013	5235 88th AVE SE	3,698
10/28/2013	2405 84th AVE SE	3,506
3/5/2014	4821 Island Crest Way	3,570
10/23/2013	8703 SE 44th ST	3,144
11/13/2013	8814 SE 39th ST	3,896
5/20/2014	7016 E Mercer Way	3,191
12/12/2013	2411 84th AVE SE	3,508
12/17/2013	8845 SE 39th ST	3,274
5/15/2014	7225 W Mercer Way	4,112
12/13/2013	3629 88th AVE SE	4,817
8/26/2013	4212 88th AVE SE	4,460
9/20/2013	4215 89th AVE SE	5,452
9/5/2013	2748 71st AVE SE	3,389
9/20/2013	8620 SE 46th ST	3,689
10/9/2013	8849 SE 39th ST	3,114
11/22/2013	4807 90th AVE SE	3,609
11/25/2013	2229 77th AVE SE	4,900
7/1/2014	2936 74th AVE SE	4,674
10/16/2013	5045 Forest AVE SE	4,400
4/1/2014	4635 Forest AVE SE	4,945
11/22/2013	3732 86th AVE SE	3,902
10/28/2013	6117 SE 30th ST	4,198
1/29/2014	8237 SE 36th ST	3,353
6/17/2013	4610 87th AVE SE	3,928

**MERCER ISLAND BUILDING PERMIT SUMMARY
SINGLE FAMILY - NEW CONSTRUCTION
2013-2014**

8/21/2013	5818 80th AVE SE	3,015
7/11/2014	7623 W Mercer Way	3,981
10/8/2014	9020 SE 44th ST	3,430
7/15/2014	8091 W Mercer Way	6,674
10/21/2014	8853 SE 39th ST	5,120
11/7/2014	8620 SE 47th ST	3,909
10/3/2014	9852 SE 42nd PL	4,657
11/18/2014	3725 77th AVE SE	3,483
7/7/2014	4815 90th AVE SE	3,906
10/10/2014	3318 W Mercer Way	3,886
10/23/2014	2449 63rd AVE SE	2,233
9/26/2014	4021 91st AVE SE	3,537
9/9/2014	6822 96th AVE SE	3,610
8/28/2014	8426 SE 36th ST	2,955
11/4/2014	7656 Ridgecrest LN	6,732
8/7/2014	2240 71st AVE SE	3,455
8/18/2014	8822 SE 40th ST	3,440
10/2/2014	2432 63rd AVE SE	2,505
10/10/2014	4811 90th AVE SE	3,690
Total		475,270
AVG./Home		(4,360/AVG.)