



CITY OF MERCER ISLAND
HEARING EXAMINER

STAFF REPORT

APPLICANT: Albert Perret

LOCATION: 4661 Forest Ave SE.

ZONING: R-15 (15,000 square feet minimum lot size)

APPLICABLE SECTION OF CODES: Zoning Code Ordinance #15, Section 18.02

HEARING DATE: June 15, 1979

PREVIOUS ACTION: None

EXHIBITS: STAFF REPORT, VICINITY MAP, APPLICATION

RESPONSIBLE STAFF: David P. GUILLEN Principle Planner
Alan L. Wallace, Planning Technician

REQUEST: A variance of 10 feet from the minimum lot depth requirement of 80 feet, and a variance of 834 square feet from the minimum square footage requirement of 15,000 square feet. Variances are requested to create a three-lot short plat in an R-15 zone.

STAFF SUMMARY:

SEPA COMPLIANCE: The variances requested are categorically exempt pursuant to the State Environmental Policy Act of 1971, as amended by RCW 42.21C and WAC 197-10-170.

STAFF SUMMARY:

1. Lot Description: The subject property is located along the western shoreline of Mercer Island in the 4600 block of Forrest Ave. SE. The site is 150 feet in width, 323.5 feet in length along the north property line, 305.8 feet in length along the south property line, and contains approximately 46,486 square feet. The average slope of the site slopes from the east down to the Lake Washington shoreline on the west an average of 27%. The two adjoining lots north of the subject property are 15,012 and 15,035 square feet respectively, and the adjoining lot south of the subject property is approximately 15,250 square feet.
2. Proposed Action: The applicants desire to subdivide the existing two lots to create three lots, and therefore must obtain a variance of 10 feet to create a lot with a depth of 70 feet on the southwest portion of the property (Lot C.) Section 7.04 of the zoning code requires that lot width-depth shall be not less than 80 feet. Additionally, the applicant requests a variance of 834 square feet from the minimum square footage requirement of 15,000 square feet in an R-15 zone to

2. (Cont.)

create a lot of 14,166 square feet (Lot B).
 A ten foot wide road easement is proposed along an existing private roadway to allow access to lots A and C. The part of any lot subject to an easement ^{for use by motor vehicles} is excluded in computing lot width ~~to~~ lot area requirements.
 (Ord. # 219)

3. Effect of Zoning Envelope: Existing residential structures are located on proposed lots A and B, and would comply with applicable zoning setback requirements. When the applicable zoning setback requirements are applied to proposed lot C, a rectangle of ~~100~~ feet in width and ~~90~~ feet in length is available for the building area. Steep site topography would restrict the nature of construction of a dwelling unit within this area.

4. Previous Action: Two square footage variance requests ~~denied~~ have been denied in the adjacent area of the subject property, however ~~they were~~ both variance requests were for substantially larger deviations from minimum lot size requirements of 15,000 square feet in an R-15 zone. A request for variance for property located at 4714 Forest Ave SE. for 6,900 square feet in lot area ~~and~~ and for 30 feet in lot width

4 (cont.)

Commission on each of two lots was denied by the Planning City Council upon appeal on April 17, 1968.

A request for variance for property located at 4628 of 4,000 square feet in lot area was denied by the Planning Commission on November 16, 1966.

STAFF ANALYSIS:

1. Special Circumstances:

The applicant has failed to detail the existence of special circumstances applicable to the subject property which warrant the granting of variance. The burden of proof rests with the applicant to demonstrate that special circumstances exist.

2. Not materially detrimental to public welfare or injurious to property in the vicinity.

The additional dwelling unit would result in additional traffic directly onto a local access street.

3. Not alter neighborhood character nor impair the use of adjacent property.

Development of an additional residence on proposed lot C would result in a significant loss of open space along the Lake Washington shoreline, and could result in substantial visual obstruction of visual access to the shoreline for the adjoining residence located south of the subject parcel.

4. Not in conflict with the Comprehensive Plan.

The requested variances would result in an increase in density which would conflict with the Comprehensive Plan, which projects a density of approximately two families per acre in areas zoned R-15.

RECOMMENDATION:

Staff recommends denial of the variances requested as submitted in the application plans dated May 5, 1979.