



CITY OF MERCER ISLAND, WASHINGTON
DEPARTMENT OF COMMUNITY DEVELOPMENT

September 14, 1988

Mr. Christopher J. Soelling
2760 60th Avenue Southeast
Mercer Island, WA 98040

RE: Variance Request File No. MIV-88-09

Dear Mr. Soelling:

On September 12, 1988, the Mercer Island Hearing Examiner approved your variance request. Any aggrieved party may appeal this decision to the City Council, or request that the Hearing Examiner reconsider his decision by filing a written request with the City Clerk no later than 5:00 p.m., September 26, 1988. Please see the attached decision for more information on appeals and reconsideration.

Your variance is valid until September 14, 1989. You must file a complete lot line revision and building permit application with the City prior to that date.

If you have any questions, please call me at 236-3586.

Sincerely,

Scott Greenberg, AICP
Principal Planner

SG:si

Attachment

RECEIVED

SEP 14 1988

DEPARTMENT OF
COMMUNITY DEVELOPMENT

CITY OF MERCER ISLAND

VARIANCE HEARING EXAMINER

FINDINGS CONCLUSIONS AND DECISION:

APPLICANT: Christopher J. Soelling

APPLICATION: Variance to allow reduction of lot area from 7,500 square feet to 7,443 square feet.

SUMMARY OF RECOMMENDATION AND DECISION:

Department of Community Development: Approve

Variance Hearing Examiner: Approve

PUBLIC HEARING:

After reviewing the official file which included the Department of Planning and Community Development Advisory Report; and after visiting the site, the Hearing Examiner conducted a public hearing on the application. The hearing on the Soelling application was opened at 1:56 p.m., August 31, 1988, and was closed at 1:57 p.m. Participants at the public hearing and the exhibits offered and entered are listed in the attached minutes. A verbatim recording of the hearing is available in the Department of Community Development.

FINDINGS CONCLUSIONS AND DECISION:

Having considered the entire record in this matter, the Hearing Examiner now makes and enters the following:

I. FINDINGS:

- A. The Findings of Fact recommended on pages 1 and 2 of the Department of Community Development Advisory Report (Hearing Examiner Exhibit 1) are found by the Hearing Examiner to be supported by the evidence presented during the hearing, and by this reference are adopted as the Hearing Examiner's Findings of Fact. A copy of said report is attached hereto as Exhibit 1.

II. CONCLUSIONS:

The conclusions recommended by the Department of Community Development as set forth on pages 2 and 3 of the Department's report accurately set forth the conclusions of the Hearing Examiner and by this reference, are adopted as the Hearing Examiner's conclusions. A copy of said report is attached hereto as Exhibit 1.

III. DECISION:

Based upon the foregoing Findings of Fact and conclusions, the requested variance is approved.

Entered this 12th day of September, 1988, pursuant to authority granted under 19.04.1404 (A) of the City Zoning Code, Ordinance #A-47 as amended.

A handwritten signature in cursive script, appearing to read "Ron McConnell".

Ron McConnell
Variance Hearing Examiner

NOTICE OF RIGHT TO REQUEST RECONSIDERATION OR TO APPEAL:

1. Request for Reconsideration. Pursuant to Section 19.04.1404 (A) (9) of the City Zoning Code, any party to the proceeding who is aggrieved by the decision of the Examiner may submit a written request with the City Clerk within ten (10) calendar days of the date of the Examiner's written decision. Such request shall specify the error of law or fact, procedural error, or new evidence which could not have been reasonably available at the time of the hearing conducted by the Examiner, which is the basis for the request.
2. Appeal. Pursuant to Section 19.04.1404 (A) (10) of the City Zoning Code, any party to the proceeding who is aggrieved by the decision of the Examiner may submit a written appeal to the City Council by filing the appeal with the City Clerk within ten (10) calendar days of the date of the Examiner's written decision. Such appeal shall specify the error of law or fact, procedural error, or new evidence which could not have been reasonably available at the time of the hearing conducted by the Examiner, which is the basis for the request.
3. Any request for Reconsideration by the Variance Hearing Examiner or Appeal to the City Council shall be filed with:

City Clerk
City of Mercer Island
3505 - 88th Avenue S.E.
Mercer Island, WA 98040

NOTICE OF TIME LIMITATION UPON APPROVAL OF VARIANCE:

Pursuant to Section 19.04.1404 (A) (8) of the City Zoning Code, a variance authorized by the Examiner shall become void after the expiration of one (1) year from the date of the decision unless:

1. A building permit application conforming to the approved variance is filed with the City; or
2. A subdivision application conforming to the approved variance is filed with the City; or
3. The approved variance specifically provides for a greater authorization period.

MINUTES OF THE AUGUST 31, 1988

VARIANCE HEARING ON THE

SOELLING APPLICATION:

Ronald L. McConnell was the Hearing Examiner for this matter. Participating in the hearing was: Scott Greenberg, representing the Department of Community Development; and Christopher Soelling, the applicant.

The following exhibit was offered and entered into the record:

1. Department of Community Development Advisory Report
2. Vicinity Map
3. Site Plan
4. Application

PARTIES OF RECORD:

Christopher Soelling
2760 60th Ave. S.E.
Mercer Island, WA 98040