



CITY OF MERCER ISLAND

9611 SE 36th Street • Mercer Island, WA 98040-3732

(206) 275-7605 • www.mercergov.org

**IMPERVIOUS SURFACE DEVIATION
NOTICE OF DECISION
November 13, 2017**

I. PROJECT SUMMARY

File Number: DEV17-018

Property Owner: Dean Homes Incorporated

Location of Property: 8426 SE 37th Street, Mercer Island, WA 98040

Zoning District: R-8.4

Description of Application: The applicant has requested approval of a deviation from the maximum allowable impervious surface limit. Impervious surfaces are items that prevent water from penetrating into the soil, such as driveways and rooftops. A maximum of 40% of some lots in a residential zone can be covered with impervious surfaces (subject to certain allowances). The City Code allows for the lot to be covered with an additional 5% of impervious surface (for a total of 45% lot coverage) via a deviation application if certain deviation criteria are met.

Applicant Contact: Schaelier Chung (Dean Homes Incorporated)

Decision: The request for an impervious surface deviation of 4.18% over the maximum allowed lot coverage of 40% (for a total of 44.18%) is **Approved** subject to the conditions listed in the conditions of approval. A 4.18% deviation equals 352 square feet of additional land, totaling in 3,717 square feet available for lot coverage by the property owner.

Exhibits:

1. Criteria Response Form received September 26, 2017.
2. Project Cover Letter received September 15, 2017
3. Narrative Letter received September 15, 2017.
4. Development application received September 7, 2017.
5. Site Development Worksheet received September 14, 2017.

5. Site Plan received September 15, 2017.
6. Comment Letter from Christine and Doug Nakano received October 17, 2017.

II. **FINDINGS OF FACT**

1. Application Description:

The request is for approval of a deviation from the maximum allowable impervious surface limit. The subject property is currently allowed a maximum lot coverage of 40% (subject to certain allowances). The applicant is requesting a deviation that would allow for the lot to be covered with an additional 4.18% of impervious surface (for a total of 44.18% lot coverage) if certain deviation criteria are met.

The City of Mercer Island implemented a new residential development code on November 1, 2017. The applicant has applied for a building permit (permit number 1709-233) concurrently with the impervious surface deviation. The building permit was determined to be complete on September 7, 2017, which vests the development to the residential development standards that were in place prior to the new code implementation. As such, this impervious surface deviation application is being processed under the residential development standards that were in place prior to November 1, 2017.

The subject property is Lot 2 of an unrecorded short plat, as processed under file number SUB15-024. Lot 2 of SUB15-024 is proposed to have an area of 8,413 square feet. 40% of this lot area is 3,365 square feet. A 4.18% deviation would result in 352 square feet of additional land, totaling in 3,717 square feet of space available for impervious surface lot coverage by the property owner.

2. Zoning:

The subject site is within the Single Family Residential R-8.4 zone (8,400 square foot minimum lot area) and has an area of approximately 8,413 square feet.

3. Lot Slope:

As stated in Exhibit 5, the average lot slope for the property is 9.15%.

4. Lot Coverage Allowance:

Per Mercer Island City Code (MICC) 19.02.020(D)(1), lots with a slope less than 15% are allowed a maximum impervious surface coverage of 40%, except when a deviation is granted, pursuant to MICC 19.02.020(D)(3).

5. Consistency with Land Use Code/Zoning Requirements:

MICC 19.02.020(D)(3) permits the Code Official to grant a deviation for up to an additional five percent of lot coverage over the maximum requirements. MICC 19.02.020(D)(3) also provides criteria for impervious surface deviations that are listed and addressed in the Conclusions of Law below. MICC 19.15.010(E) requires that the impervious surface deviation application be processed as an administrative action with public notice.

5. State Environmental Policy Act (SEPA):

The proposal is categorically exempt from SEPA pursuant to WAC 197-11-800(6)(e).

6. Public Comments:

There is no public hearing requirement for an impervious surface deviation (an administrative action) per MICC 19.15.010(E) and 19.15.020(F)(1). Public notice of the deviation request was mailed to all residents within 300 feet of the subject property, published in the City Bulletin, and posted on the property on October 2, 2017 as required by MICC 19.15.020(D)(4), and 19.15.020(E)(4)(a). Per MICC 19.15.020(D), a 30-day comment period was provided from October 2, 2017 through November 1, 2017. One comment letter was received during the comment period:

Christine and Doug Nakano submitted a comment indicating their opposition to the impervious surface deviation. The Nakanos also expressed concern regarding the size of the proposed dwellings and the removal of trees associated with the development.

Staff Analysis:

Under MICC 19.02.020(D)(3)(b), an impervious surface deviation of up to 5% may be granted if the subject lot has a unique shape or proportions. As discussed in Conclusion 2 below, the subject property is a partial flag lot. Therefore, an impervious surface deviation may be granted for the subject lot.

The size of the dwellings and the removal of trees as a part of the development of the subject parcel is outside the scope of review for the impervious surface deviation. These issues are being reviewed as a part of the building permit for the dwelling, which is being processed under permit number 1709-233.

III. CONCLUSIONS OF LAW

Recognizing the decision criteria specified in the Mercer Island City Code for an impervious surface deviation, staff has made the following conclusions:

1. MICC 19.01.070 states the guidelines for the granting of variances and deviations.

- A. *Per MICC 19.01.070(B)(1), an applicant may request a deviation only from those numeric standards that have been specifically designated as being subject to a deviation.*

Staff Analysis:

Impervious surface deviations are authorized under MICC 19.02.020(D)(3), thus the applicant may request an impervious surface deviation, and is in compliance with MICC 19.01.070(B)(1).

- B. *A deviation may be granted if the applicant demonstrates that the criteria set out in MICC 19.15.020(G)(5), and any additional deviation criteria set out in the code section under which the permit would be issued, are satisfied.*

Staff Analysis:

MICC 19.15.020(G) requires compliance with the deviation criteria established in MICC 19.02.020(D)(3). Upon reviewing the application for compliance with the deviation criteria in MICC 19.02.020(D)(3), planning staff find that the criteria are met; additional analysis is provided below.

2. MICC 19.02.020(D)(3) states that the code official may grant a deviation, allowing an additional five percent of lot coverage over the maximum requirements; provided the applicant demonstrates through submittal of an application and supporting documentation that the proposal meets one of the following criteria:

a. *The proposal uses preferred practices, outlined in MICC 19.09.100, which are appropriate for the lot. MICC 19.09.100 states that the applicant must use reasonable best efforts to comply with the following preferred development practices:*

A. *Use common access drives and utility corridors.*

B. *Development, including roads, walkways and parking area in critical areas, should be avoided, or if not avoided, adverse impacts to critical areas will be mitigated to the greatest extent reasonably feasible.*

C. *Retaining walls should be used to maintain existing natural slopes in place of graded artificial slopes.*

Staff Analysis:

The applicant has not proposed to use MICC 19.02.020(D)(3)(a) as a part of this project.

b. *The lot has unique shape or proportions (i.e., a flag lot, with a circuitous driveway corridor).*

Staff Analysis:

The subject property has a partial flagpole that extends south toward SE 37th Street. This flagpole is used exclusively for the access drive to the proposed dwelling. This unique shape creates a situation in which a significant portion of the lot outside the buildable footprint counts against the impervious surface limit of the lot. Allowing for an impervious surface deviation helps to provide the applicant more flexibility in their development. This criterion is met.

c. *The proposal minimizes impacts to critical areas and provides the minimum extent possible for the additional impervious surfaces.*

Staff Analysis:

The applicant has not proposed to use MICC 19.02.020(D)(3)(c) as a part of this project.

3. MICC 19.15.020(K) states: Except for building permits or unless otherwise conditioned in the approval process, permits shall expire one year from the date of notice of decision if the activity approved by the permit is not exercised. Responsibility for knowledge of the expiration date shall be with the applicant.

Staff Analysis:

The applicant will be required to comply with 19.15.020(K) as a condition of approval.

IV. DECISION

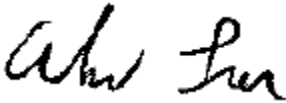
Based upon the above noted Findings of Fact and Conclusions of Law, Impervious Surface Deviation application DEV17-018, as depicted by Exhibit 3, is hereby **APPROVED WITH CONDITIONS**. This decision is final unless appealed in writing consistent with adopted appeal procedures.

V. CONDITIONS OF APPROVAL

The following conditions shall be binding on the “Applicant”, which shall include the owner or owners of the property, heirs, assign, and successors:

1. This permit approval (DEV17-018) allows for impervious surface development up to 44.18% of the total lot area at 8426 SE 37th Street. This permit is not an approval of the proposed site plan. The impervious surface lot coverage of the proposed development on the site shall be verified under the building permit.
2. The applicant shall obtain all required permits for construction.
3. Per MICC 19.15.020(K), this permit (DEV17-018) shall expire one year from the date of notice of decision if the activity approved by the permit is not exercised. Responsibility for knowledge of the expiration date shall be with the applicant.
4. The impervious surface lot coverage on this site shall be verified at the time of final inspection by the City Inspector. The City of Mercer Island may require impervious surface on this site to be verified by a Washington State licensed surveyor at the time of final inspection.

Approved this 13th day of November, 2017.



**Andrew Leon, Planner
Development Services Group
City of Mercer Island**

Parties of record have the right to appeal this decision. If you desire to file an appeal, you must submit the appropriate form, available from the Development Services Group, and file it with the City Clerk within fourteen (14) days from the date this decision is signed. Upon receipt of a timely complete appeal application and appeal fee, an appeal hearing will be scheduled. To reverse, modify or remand this decision, the appeal hearing body must find that there has been substantial error, the proceedings were materially affected by irregularities in procedure, the decision was unsupported by material and substantial evidence in view of the entire record, or the decision is in conflict with the city’s applicable decision criteria.

Please note that the City will provide notice of this decision to the King County Department of Assessment, as required by State Law (RCW 36.70B.130). Pursuant to RCW 84.41.030(1), affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation by contacting the King County Department of Assessment at (206) 296-7300.

CITY OF MERCER ISLAND

DEVELOPMENT SERVICES GROUP

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

PHONE: 206.275.7605 | www.mercergov.org

Inspection Requests: Online: www.MyBuildingPermits.com VM: 206.275.7730



Deviations to the Maximum Impervious Surface Requirements

APPLICATION FEE: See Development Application for current fees

The total percentage of a lot that can be covered by impervious surfaces (structures, including roof projections, impervious decks, and surfaces such as asphalt or concrete driveways, which substantially reduce and alter the natural infiltration characteristics of the soil) is limited by the slope of the lot for all single family developments as follows:

<u>Lot Slope</u>	<u>Maximum Lot Coverage</u> (limit for impervious surfaces)
Less than 15%	40%
15% – less than 30%	35%
30% – 50%	30%
Greater than 50%	20%

The Code Official may grant a deviation, allowing an additional five (5) percent of lot coverage over the maximum requirements. However, the applicant must demonstrate through the submittal of an application and supporting documentation that the proposal meets one of the criteria specified in MICC 19.02.020(D)(3).

Your application must include the following:

1. Select at least one of the three criteria listed below;
2. Give a complete statement of the reasons and conditions to support your request for a waiver in a cover letter;
3. Complete questions 1-4 regarding how this proposal addresses site issues;
4. Complete the attached site development worksheet;
5. Attach a detailed site plan or survey as determined by the Code Official; and
6. Provide calculations documenting total impervious surfaces

Please choose one of the following criteria and provide an explanation as to how the proposal meets the chosen criteria. City staff may grant a deviation (limited to 5% over the maximum lot coverage requirement based on one criterion). Please be as encompassing as you can in responding to the following criteria; remember, the burden of proof is on the applicant to show that they meet the minimum requirements for a deviation. Please feel free to attach additional sheets.

- Criterion 1** – The proposal uses Preferred Practices, outlined in MICC 19.09.100, which are appropriate for the lot
- Construction - Preferred Practices (MICC 19.09.100):
1. Use common access drives and utility corridors where feasible.

2. Development, including roads, walkways and parking areas in critical areas, should be avoided, or if not avoided, adverse impacts to critical areas will be mitigated to the greatest extent reasonably feasible.
3. Retaining walls should be used to maintain existing natural slopes in place of graded artificial slopes; or,
 - Criterion 2** – The lot has a unique shape or proportions (i.e., a flag lot, with a circuitous driveway corridor); or,
 - Criterion 3** – The proposal minimizes impacts to Critical Areas and is the minimum extent possible for the additional impervious surfaces.

Please provide an explanation as to how your proposal meets at least one of the above criteria to support a deviation request

DEAN HOME INCORPORATED DEVELOPMENT PLAN WAS DESIGNED TO USE
COMMON ACCESS DRIVES AND COMMON UTILITY CORRIDORS. THE PLACEMENT
OF HOMES ON EACH LOT WAS SET TO AVOID CRITICAL AREAS ALONG
WITH THE USE OF MINIMUMIZING IMPACT TO EXISTING TREES.
RETAINING WALLS WILL NOT BE NEEDED OR USED, NATURAL SLOPES
TO REMAIN UNTOUCHED.

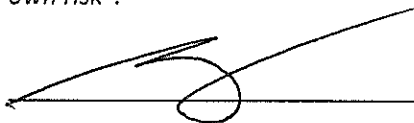
PLEASE ANSWER HOW YOUR PROPOSAL ADDRESSES THE FOLLOWING QUESTIONS:

1. How is the proposed development associated or related to the site?
PROPOSED DEVELOPMENT TO BUILD SINGLE FAMILY RESIDENCE.

2. What is the minimum amount of impervious surface necessary to fulfill the request?
44.2%

3. Are there other relevant physical or environmental factors that support the requested deviation?
PAVED ACCESS EASEMENT.

Application for a deviation involves substantial time, expense, and risk for a property owner. Application does not guarantee approval. Request must meet difficult criteria, and applicants are proceeding "at their own risk".



Signature of Property Owner

SEPT. 26, 2017

Date

8426 SE 37TH ST. MERCER ISLAND, WA 98040

Site Address

Date: September 15, 2016

To: City of Mercer Island Development Services Group / Planning Division
9611 SE 36th ST
Mercer Island, WA 98040

RE: Request IAD for Dean Homes @ L2 SUB 15-204: 8426 SE 37th ST; Mercer Island

Dear Sir or Madam,

I hereby request an impervious area deviation to allow my clients to increase the allowable impervious area on their property from 40.00% to 44.18%, for the development of a future new SFR on the newly subdivided lot at 8426 SE 37th ST.

The 8,413sf subject lot is accessed via an easement across Lot 1, which contacts Lot 2 on a 1020sf (20'w x 51'l) panhandle/flag, which contains the 16'w driveway. This condition provides the justification for the impervious area deviation under Criterion #2: "The lot has a unique shape or proportions; i.e., a flag lot, with a circuitous driveway corridor." The flag adds 816sf impervious area to the lot in excess of a standard, street-accessed lot, which is 9.70% of the lot area; or 24.23% of the 40.00% lot coverage available. The amount of lot coverage taken by the panhandle access drive restricts the lot coverage available for construction of a residence, resulting in a smaller footprint, parking, garage and building area than is consistent with other new developments in the same zone and vicinity.

The combination of an access easement on Lot 1 and a panhandle on Lot 2 creates a substantial encumbrance on the lot, by limiting the lot coverage available for the construction of a new residence on the subject lot. This limitation justifies administrative relief via an impervious area deviation for an additional 4.18% lot coverage (352sf impervious area), which will allow development consistent with other lots in the same zone and vicinity.

Thank you in advance for your consideration of this request.

Sincerely,

Jeffrey deRoulet, Architect/President
Architects Northwest, Inc

Impervious Area Deviation for Dean Homes - L2 SUB 15-204 @ 8426 SE 37th ST, MI

Please provide an explanation as to how your proposal meets at least one of the above criteria to support a deviation request:

Criterion 2: The lot has a unique shape or proportions; i.e., a flag lot, with a circuitous driveway corridor.

The 8413sf vacant lot is the rear (northern) lot of a 2-lot short plat. The lot has a 20'w x 51'l panhandle on its SE corner that joins with a 20'w access easement across Lot 1 to provide access to SE 37th ST. This panhandle contains a 16'w driveway that totals 816sf of impervious area, or 9.70% of the subject lot's area. The existence of the panhandle access corridor creates an access situation that requires an excessive amount of impervious area to access the building pad, thereby justifying partial relief in the form of an impervious area deviation. The lot slope is only 9.15%, which allows 40.00% of impervious lot coverage. The available building footprint is restricted to only 3100sf, due to nearly half the site being occupied by an unbuildable panhandle containing an access easement that serves the two lots below the subject lot.

The requested deviation of 4.18% of additional impervious surface area (total of 44.18%) is to mitigate the impact of the panhandle access configuration, which requires that nearly 25% of the allowable impervious area ($9.7\% / 40.00\% = 24.23\%$) be allocated to the driveway on the 51'd panhandle. Furthermore, the panhandle access configuration requires an onsite turnaround to avoid backing down a 112'l driveway to the street. The turnaround adds another 300sf (3.57%) of impervious area above and beyond the standard 18'w driveway that would be utilized on a conventional street-access lot.

The requested deviation represents the minimum impervious area necessary to construct the desired new residence and site improvements consistent with the scale of residences in the immediate vicinity.

1. How is the proposed development associated or related to the site?

The proposal allows for a roof area of 2374sf (less than 44'w x 54'w to the gutters) plus 1343sf of driveway and auto court/turnaround. The proposed roof area and driveway area will allow for a 2-story residence of approximately 3200sf with a 2-car garage, storage, porches and decks. This size and scale of development is consistent with new and existing residences in the vicinity. The 4.18% additional impervious area equals 352sf.

2. What is the minimum amount of impervious surface necessary to fulfill this request?

The requested increase to 44.18% impervious lot area is 352sf over the 40.00% lot coverage allowed. Strict compliance with the 40.00% limit would restrict the potential home size to 2500sf + 2-car garage, which is far below what is normal for an 8413sf lot in this vicinity. Therefore, the request for an additional 352sf (4.18%) of impervious area is the minimum necessary to fulfill this request.

3. Are there other relevant physical or environmental factors that support the requested deviation?

The subject lot's 1020sf of unbuildable panhandle both limits the usable portion of the lot's 8413sf area, and accounts for 9.70% of the allowed 40.00% impervious lot coverage. If the lot was a more conventional, street-access lot, or if the lot did lose 816sf of lot coverage to the panhandle, the requested relief via an impervious area deviation would not be necessary.

The subject lot connects into a new storm retention/drainage system construction for the 2-lot short plat, and therefore granting the impervious area deviation will not create any drainage, erosion, or landslide issues or hazards for the subject lot or any adjacent lots.

CITY OF MERCER ISLAND
DEVELOPMENT SERVICES GROUP
 9611 SE 36TH STREET | MERCER ISLAND, WA 98040
 PHONE: 206.275.7605 | www.mercergov.org



CITY USE ONLY		
PERMIT #	RECEIPT #	FEE
Date Received:		

DEVELOPMENT APPLICATION	Received By:
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STREET ADDRESS/LOCATION 8426 - SE 37TH STREET (LOT 2)	ZONE
COUNTY ASSESSOR PARCEL #'S 5021900090	PARCEL SIZE (SQ. FT.)

PROPERTY OWNER (required) DEAN HOMES INCORPORATED	ADDRESS (required) P.O. BOX 3545 BELLEVUE, WA 98009	CELL/OFFICE (required) 206-423-3048 E-MAIL (required) SCHAEЛИER@DEANHOME.COM
PROJECT CONTACT NAME SCHAEЛИER CHUNG	ADDRESS P.O. BOX 3545 BELLEVUE, WA 98009	CELL/OFFICE E-MAIL
TENANT NAME	ADDRESS	CELL PHONE E-MAIL

DECLARATION: I HEREBY STATE THAT I AM THE OWNER OF THE SUBJECT PROPERTY OR I HAVE BEEN AUTHORIZED BY THE OWNER(S) OF THE SUBJECT PROPERTY TO REPRESENT THIS APPLICATION, AND THAT THE INFORMATION FURNISHED BY ME IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

SIGNATURE _____ DATE 5/5/2017

PROPOSED APPLICATION(S) AND CLEAR DESCRIPTION OF PROPOSAL (PLEASE USE ADDITIONAL PAPER IF NEEDED):
 Impervious surface deviation (5% lot overage) for proposed single family residence at 8426-SE 37th St. (Lot 2)

ATTACH RESPONSE TO DECISION CRITERIA IF APPLICABLE

CHECK TYPE OF LAND USE APPROVAL REQUESTED:

APPEALS	DEVIATIONS Continued	SUBDIVISION SHORT PLAT Continued
<input type="checkbox"/> Building (+cost of file preparation)	<input checked="" type="checkbox"/> Impervious Surface (5% Lot overage)	<input type="checkbox"/> Short Plat Amendment
<input type="checkbox"/> Land use (+cost of verbatim transcript)	<input type="checkbox"/> Shoreline	<input type="checkbox"/> Final Short Plat Approval
<input type="checkbox"/> Code Interpretation	<input type="checkbox"/> Wet Season Construction Moratorium	VARIANCES (Plus Hearing Examiner Fee)
CRITICAL AREAS	ENVIRONMENTAL REVIEW (SEPA)	<input type="checkbox"/> Type 1**
<input type="checkbox"/> Determination	<input type="checkbox"/> Checklist: Single Family Residential Use	<input type="checkbox"/> Type 2***
<input type="checkbox"/> Reasonable Use Exception	<input type="checkbox"/> Checklist: Non-Single Family Residential Use	OTHER LAND USE
DESIGN REVIEW	<input type="checkbox"/> Environmental Impact Statement	<input type="checkbox"/> Accessory Dwelling Unit
<input type="checkbox"/> Administrative Review	SHORELINE MANAGEMENT	<input type="checkbox"/> Code Interpretation Request
<input type="checkbox"/> Design Review – Major	<input type="checkbox"/> Exemption	<input type="checkbox"/> Comprehensive Plan Amendment (CPA)
<input type="checkbox"/> Design Review – Minor	<input type="checkbox"/> Semi-Private Recreation Tract (modification)	<input type="checkbox"/> Conditional Use (CUP)
WIRELESS COMMUNICATIONS FACILITIES	<input type="checkbox"/> Semi-Private Recreation Tract (new)	<input type="checkbox"/> Lot Line Revision
<input type="checkbox"/> Wireless Communications Facilities- 6409 Exemption	<input type="checkbox"/> Substantial Dev. Permit	<input type="checkbox"/> Lot Consolidation
<input type="checkbox"/> New Wireless Communications Facility	SUBDIVISION LONG PLAT	<input type="checkbox"/> Noise Exception
DEVIATIONS	<input type="checkbox"/> Long Plat	<input type="checkbox"/> Reclassification of Property (Rezoning)
<input type="checkbox"/> Changes to Antenna requirements	<input type="checkbox"/> Subdivision Alteration to Existing Plat	<input type="checkbox"/> ROW Encroachment Agreement (requires separate ROW Use Permit)
<input type="checkbox"/> Changes to Open Space	<input type="checkbox"/> Final Subdivision Review	<input type="checkbox"/> Zoning Code Text Amendment
<input type="checkbox"/> Fence Height	SUBDIVISION SHORT PLAT	
<input type="checkbox"/> Critical Areas Setback	<input type="checkbox"/> Short Plat	
	<input type="checkbox"/> Deviation of Acreage Limitation	

**Includes all variances of any type or purpose in all zones other than single family residential zone: B,C-O,PBZ,MF-2,MF2L,MF-2L, MF-3,TC,P)
 ***Includes all variances of any type or purpose in single family residential zone: R-8.4, R-9.6, R-12, R-15)

Site Development Information

Worksheet for single family residential development

Project description: _____ Address: _____

Owner Name: _____ Phone No. _____ Date _____

Signature & phone number of Individual who Completed this Worksheet _____
 (I hereby state that the information provided by me is true and correct to the best of my knowledge)

Will any large trees be removed as a result of this development activity? _____ Yes _____ No

Large tree—conifers ≥ 6' tall, deciduous with diameter > 6".

Do you have an Accessory Dwelling Unit? _____ New ADU _____ Existing ADU _____ None _____

*This is intended as a worksheet and is not a substitute for the Mercer Island Development Regulations. Please consult the Mercer Island City Code.
 City of Mercer Island — Development Services Group 9611 S.E. 36th Street, Mercer Island, Washington 98040 — (206) 275-7605*

DEVELOPMENT INFORMATION

LOT SLOPE—According to the Mercer Island City Code, slope is a measurement of the average incline of the lot or other piece of land calculated by subtracting the lowest elevation of the property from the highest elevation, and dividing the resulting number by the shortest horizontal distance between these two points. The resulting product is multiplied by 100.

LOT COVERAGE—On Mercer Island, the overall degree of lot slope governs total lot coverage. When calculating maximum allowable lot coverage, include all impervious surfaces, such as roof areas of primary and accessory buildings, impervious decks, patios, sidewalks, driveways and access easements. Refer to page 3 for more information about Pavers and Other Impervious Surfaces and Exemptions.

*The applicant shall note that impervious surface exemptions to lot coverage do not apply to stormwater runoff calculations or to critical areas.

The table below offers basic guidelines on lot slope and allowable lot coverage:

Lot Slope	Allowed Lot Coverage
Less than 15%	No more than 40%
15% - less than 30%	No more than 35%
30% - 50%	No more than 30%
Greater than 50%	No more than 20%

A steep slope is any slope of 40 percent or greater calculated by measuring the vertical rise over any 30-foot horizontal run.

Please refer to page 3 for materials that are exempt from lot coverage calculations per MICC 19.02.020(D)(2).

Pavers and gravel surfaces for vehicular access are **ALWAYS** considered 100% impervious.

LOT INFORMATION

LOT SLOPE

Highest Elevation Point of Lot _____ feet
 Lowest Elevation Point of Lot _____ feet
 Elevation Difference _____ feet
 Horizontal Distance Between High and Low Points _____ feet
 Lot Slope* _____ %

**Lot slope is the elevation difference divided by horizontal distance multiplied by 100*

LOT COVERAGE

Allowed Lot Coverage _____ % of Lot
 Gross Lot Area _____ Sq. Ft.
 Main Structure Roof Area _____ Sq. Ft.
 Accessory Building Roof Area _____ Sq. Ft.
 Impervious Deck, Patio, Walkway Area _____ Sq. Ft.
 Vehicular Use (Driveway, Access Easements, Parking) _____ Sq. Ft.
 Total Existing Impervious Surface _____ Sq. Ft.
 (Total Area Removed) (_____) Sq. Ft.
 Total New Impervious Surface Area _____ Sq. Ft.
 Total Project Impervious Surface Area (Existing plus new) _____ Sq. Ft.
 Proposed Lot Coverage _____ % of Lot

Lot Coverage equals total impervious surface area divided by the gross lot area multiplied by 100

BUILDING AREA—All building areas must be identified and labeled on the site plan. Please distinguish all new construction from existing areas on both your drawing and in the calculations you complete to the right.

Will you be excluding a portion of the basement floor area?

Yes No

If yes, you must provide basement floor area calculations, with your building permit application, that show how you determined what portion of the basement will be excluded. Refer to page 4.

BUILDING AREA	Existing Area	Removed Area	New/Addition Area	Total
Upper Floor	Sq. Ft.	Sq. Ft.	Sq. Ft.	Sq. Ft.
Main Floor	Sq. Ft.	Sq. Ft.	Sq. Ft.	Sq. Ft.
Gross Basement Area	Sq. Ft.	Sq. Ft.	Sq. Ft.	Sq. Ft.
Garage/Carport	Sq. Ft.	Sq. Ft.	Sq. Ft.	Sq. Ft.
Total Floor Area	Sq. Ft.	Sq. Ft.	Sq. Ft.	Sq. Ft.
Accessory Buildings	Sq. Ft.	Sq. Ft.	Sq. Ft.	Sq. Ft.
Basement Area Excluded	() Sq. Ft.	() Sq. Ft.	() Sq. Ft.	() Sq. Ft.
TOTAL Building Area	Sq. Ft.	Sq. Ft.	Sq. Ft.	Sq. Ft.

GROSS FLOOR AREA—Gross Floor Area (GFA) is the total square footage of floor area bounded by the exterior faces of a building.

The gross floor area of a single-family dwelling includes:

- The main building, including but not limited to attached accessory buildings.
- All garages and covered parking areas, and detached accessory buildings with a gross floor area over 120 square feet.
- That portion of a basement which projects above existing grade as defined and calculated in Appendix B of this development code.

Exterior decks and below existing grade areas are excluded. The amount of living space, garages and other accessory buildings on a single family lot is limited to 45% of the net lot area. Please refer to Pages 4 and 5 for details.

GROSS FLOOR AREA

Net Lot Area _____ Sq. Ft.

Net Lot Area Gross = Lot area minus ingress/egress easement

Net Lot Area x 45% equals:

Allowed Gross Floor Area _____ Sq. Ft.

Proposed Gross Floor Area _____ Sq. Ft.

Proposed % of Lot Area _____ %

BUILDING HEIGHT – All building height measurements must be taken from existing grade. Existing grade refers to ground surface as it exists at the proposed building perimeter before grading or other alterations take place.

The Average Building Elevation (ABE) is a calculated reference elevation from which the allowable building height is measured. It is a weighted-average of the mid-point elevations of the building's wall segments and is established by the following formula:

$$\frac{(\text{Mid-point elevation of individual wall segment}) \times (\text{Length of wall segment})}{(\text{Total length of wall segments})}$$

Single family new construction and additions are limited to a maximum height of 30 ft. above the ABE. The height is measured to the top of the structure. On the downhill side of a sloping lot, the building may extend to a height of 35 feet measured from existing grade to the top of the exterior wall facade supporting the roof framing, rafters, trusses, etc.; provided, the roof ridge does not exceed 30 feet in height above the average building elevation.

A topographic survey is required at permit application when the proposed building height is within 2 ft. of the allowable building height. The survey must include a statement that attests the average contour elevation within the vicinity of the building footprint to be accurate within 6 inches vertically and horizontally from actual elevations.

BUILDING HEIGHT

Average Building Elevation (ABE) calculations located on sheet #: _____

Allowable Building Height (ABE + 30 ft.): _____

Proposed Building Height (ft.): _____

Benchmark elevation (ft.)* : _____

Describe Benchmark location (must be undisturbed throughout project): _____

Sloping lot (Downhill side) – maximum height of top exterior wall façade above lowest existing grade (35-ft. max.): _____

ABE and allowable building height shown on elevations-plan sheet #: _____

Topo-survey accuracy attested on plan sheet #: _____

(Note- survey must attest to accuracy when proposed building height is within 2 ft. of the allowable building height)

Please see page 6 for more information about calculating Average Building Elevation (ABE):

*The bench mark elevation is a fixed elevation point on or off site that will not be disturbed during development activity and is used to verify final building height.

Andrew Leon

From: Christine Nakano <psalm1tree@gmail.com>
Sent: Tuesday, October 17, 2017 2:54 PM
To: Nicole Gaudette
Cc: Doug Nakano
Subject: File Nos 1709-120 & 1709-233

Dear Ms. Gaudette,

We reside at 8427 SE 36th St, the lot directly north of where new residences are being built by Dean Homes at 8420 & 8426 SE 37th St. For the record, we are not in favor of allowing the impervious surface area to deviate beyond 40%, even though we understand that the applicant meets criterion #1 of the deviation permit.

One of the things we enjoy most about our home is our spacious back yard. We spend a great deal of time there and up until recently, did so with a considerable amount of privacy. Earlier this year, two new gargantuan homes were constructed next to us. Where we once looked out toward the east and saw beautiful foliage, we now see modern bedroom windows and a rooftop patio. Where previously, we did not need to worry about people being able to see into the back of our home, we must now consider adding costly window treatments.

Our fear with the construction taking place behind us is that once again, we will lose our natural looking surroundings and desired privacy. According to the mailings we have received, a lot that had only a single residence with a nice back yard is being replaced by two new monstrosities that will be tightly packed together and tower over us.

Currently, there is a "green wall" of tall plants that does offer a nice shield between our lot and the one being developed. It is not clear to us based on the plans which have been made available whether or not the builder intends to leave or remove these plants. *It is our plea that those plants be left in tact!* We suspect that the new residents of 8426 SE 37th will be grateful for this natural barrier as well. Please let the builder know that there is more to be desired than simply greater square footage! A large, beautiful and private yard can also be a selling point.

We hope that the City of Mercer Island will stop making exceptions to our building codes and work toward preserving the aspects of our neighborhood which make it inviting and special!

Thank you,
Christine & Doug Nakano
206.295.7329
8427 SE 36th St, 98040