

Lot Size Variance

VAR0006-001

**CRITERIA FOR APPROVAL OF ZONING VARIANCE
DEVELOPMENT CODE, CHAPTER 19.15.020 (G)**

Your answers to the following questions will be used in the decision on your application. Please respond fully to all of the following questions (attach extra sheets, if necessary). It is the applicant's burden of proof to show the Code Official that all four of the variance criteria are satisfied.



Variance Criteria

- a. No use variance shall be allowed; (A use variance would be a variance granted for a use or structure that is not permitted in the zone.)
- b. There are special circumstances applicable to the particular lot such as the size, shape, topography, or location of the lot; the trees, ground cover, or other physical conditions of the lot and its surroundings; or factors necessary for the successful installation of a solar energy system such as a particular orientation of a building for the purposes of providing solar access;
- c. The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the property is situated;
- d. The granting of the variance will not alter the character of the neighborhood, nor impair the appropriate use or development of adjacent property; and
- e. The variance is consistent with the policies and provisions of the Comprehensive Plan and the Development Code.

a. **Is your request for a change in the type use allowed in the zoning district?**

Yes. The requested variance is a lot size variance only. The use will remain single-family residential.

b. **Describe the special circumstances applicable to the particular lot such as the size, shape, topography, or location of the lot; the trees, ground cover, or other physical conditions of the lot and its surroundings; or factors necessary for the successful installation of a solar energy system such as a particular orientation of a building for the purposes of providing solar access.**

This is a variance from the dimensional requirements of the R15 zone. It is part of an overall short plat application and critical lands variance previously submitted to the City on March 6, 2000. We believe that the arguments previously provided the City in support of the variance to the critical lands regulations also support the requested variance from the dimensional requirements of the R15 zone.

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Development Services

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The subject property is rectangular in shape and is located on the upgrade or northern side of West Mercer Way near the southern tip of Mercer Island. The site slopes up from the street to the north with a topographic change of about 50 feet over a distance of approximately 160 feet. There is an existing single family residence occupied by the property owners. This residence is approximately 2000 square feet in size and is located on the upgrade end of the property towards the northeast corner of the site. The lot has been substantially graded in the past, and the area where the existing residence is located is fairly level. However, there are steeper vegetated areas to the north and to the south on the lower southern half of the site.

The total lot area is actually 31,355 square feet which makes the property capable of subdivision into two lots each conforming to the 15,000 square foot requirement of the R15 zone. However, if platted in such a fashion, each lot would require its own separate driveway onto West Mercer Way. A short plat of the property configured in such a manner could be accomplished without the need for a variance from the dimensional requirements of the R15 zone. Lot 1 would be 16,313 square feet and Lot 2 would be 15,042 square feet. (See drawing previously submitted to the City labeled "Short Plat Configuration.")

The property owners desire to retain their existing residence on the northern portion of the site. They also wish to locate the second building pad on the southwestern portion of the site and serve both lots with one common driveway. (See drawing previously submitted to the City labeled "Preferred Alternative.") Locating the second building pad in the southwest corner of the site achieves several objectives. First, it allows retention of the existing owners' residence which, under the Short Plat Configuration would need to be removed. Second, it minimizes the clearing, grading and tree removal associated with construction of two new building pads, two new residences and two driveways as shown in the Short Plat Configuration drawing. Third, it allows for significantly greater retention of trees and ground cover on the southern half of the site. Finally, it would allow for creation of a permanent "no build" or conservation easement area in the north portion of the site, north of the existing residence, as depicted in the Preferred Alternative. However, configuring the two lots as shown in the Preferred Alternative and serving both lots with a common driveway requires a variance from the lot area requirements which, under MICC 19.04.060C, require a deduction from lot area for a driveway serving two or more lots. As a result, this variance is required.

- c. **Explain why the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the property is situated.**

Grant of the subject variance, which would result in two approximately 15,000 square foot lots served by a common driveway, would be consistent with neighboring improvements. The site is bordered on the north, east and west by single family residences located on primarily 15,000 (approximately) square foot lots. To the south,

1. The first part of the document discusses the importance of maintaining accurate records of all transactions. This is essential for ensuring the integrity of the financial data and for providing a clear audit trail. The records should be kept up-to-date and should be accessible to all relevant parties.

2. The second part of the document outlines the procedures for handling incoming payments. It is important to ensure that all payments are recorded promptly and accurately. This includes verifying the amount and the source of the payment, and ensuring that the appropriate accounting entries are made.

3. The third part of the document describes the process for issuing invoices. Invoices should be issued promptly and accurately, and should clearly state the amount due and the terms of payment. It is also important to keep a record of all invoices issued, and to follow up on any outstanding payments.

4. The fourth part of the document discusses the importance of regular reconciliations. Reconciliations should be performed on a regular basis to ensure that the financial records are accurate and up-to-date. This involves comparing the company's records with the bank statements and other external records.

5. The fifth part of the document outlines the procedures for handling outgoing payments. It is important to ensure that all payments are made accurately and on time. This includes verifying the amount and the recipient of the payment, and ensuring that the appropriate accounting entries are made.

6. The sixth part of the document describes the process for preparing financial statements. Financial statements should be prepared on a regular basis, and should provide a clear and accurate picture of the company's financial performance. This involves summarizing the financial data and presenting it in a clear and concise format.

across West Mercer Way, are also single family residences on similar size lots (i.e., 15,000 square foot lots).

The owners would prefer to use one common driveway for access to both lots and, as noted above, limit the grading and removal of significant trees and vegetation on the southern portion of the site. Limiting access onto West Mercer Way, a heavily traveled arterial street with bike lanes, to one rather than two driveways would actually be a benefit to the property and surrounding improvements.

- d. Explain how granting of the variance will not alter the character of the neighborhood, nor impair the appropriate use or development of adjacent property.

As noted above, development on surrounding properties is single family residential in character on similar sized lots and is fully consistent with this proposal.

- e. Explain how the variance is consistent with the policies and provisions of the Comprehensive Plan and the Development Code.

The requested variance is consistent with the Housing Element of the Mercer Island Comprehensive Plan and specifically Section II thereof which emphasizes the need to search for opportunities to increase the supply and diversity of housing. As noted in the Comprehensive Plan, Mercer Island has a very limited supply of undeveloped, buildable residential land. Creating a second lot on the site for a 3,000 square foot (approximately) home, while still meeting the minimum lot size, is consistent with this housing element. The Preferred Alternative development also is more consistent with the pattern of existing development in the neighborhood than, for instance, the alternative of leaving the property as a single 31,355 square foot lot which could accommodate a new residence of 7,500 square foot (plus) with the associated increase in impervious surface, tree removal and view blockage.

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:

David C. Ancey

Dated Submitted:

~~JUNE 12, 2008~~
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