

Exempt	<input checked="" type="checkbox"/>
DNS (EIS required)	<input type="checkbox"/>
Draft EIS Issued	<input type="checkbox"/>
Final EIS Issued	<input type="checkbox"/>
DNS w/15 day comment period	<input type="checkbox"/>
Revised DNS w/15 day comment period	<input type="checkbox"/>
DNS (Final)	<input type="checkbox"/>

FOR OFFICE USE ONLY

FOR OFFICE USE

Variance No. MIV-85-15

Filing Fee Receipt # 9129

CITY OF MERCER ISLAND
Department of Community Development

APPLICATION FOR VARIANCE

(Note to Applicant: Before preparing the application, please read information and instructions on Page 4.)

Name of Applicant: Shirley W. McGill

Mailing Address: 7421 West Mercer Way Mercer Is. WA 98040

Phone: 232 5428. Date of Filing: June 1, 1985

TO THE HEARING EXAMINER:

The undersigned applicant(s) is (is/are) the owner of the property described as follows: Gov't Lot 4, (NE-1/4 of SW-1/40, Sect. 25, T. 24 N., R. 4E., WM.

Known as mercer Island Short Plat MI-77-1-027, recorded under #7804240789 and revised under MI-83-03-06 and recorded under #8306299003
(Give legal description, including lot, block, tract, etc.)

The property for which this application is made is located at: (Give street address, if any, or location by reference to streets, alleys, property lines, etc.)

7421 West Mercer Way, Mercer Island WA--Lots B1, B2, and B3.

Above-described property was acquired by applicant on the _____ day of Sept., 1972. The present zoning of subject property is: R 15

REQUEST: Applicant request a variance on the above-described property for the following reasons. (State what is intended to be done on the property, why that action does not conform with existing zoning regulations, and what adjustment is sought.) In order to make a 4 lot Short Plat instead of a 3 lot Shot Plat. by dividing Lot B1 into two Lots. a variance is requested as the total sq. ft. is less than required, (Please see Map for figures and 1. Special Circumstances on following page) due to road easements granted to Villa Marbella ,property to the North, which are not needed for Ingress and Egress. Please see Exhibit 1. from Mr. Philip Keatley, Mercer Is Engineering Dept.

For the Hearing Examiner to grant a variance, the applicant must show that all the following criteria are satisfied: 1) that special or unique circumstances are present on the property, 2) that the neighborhood character would not be altered and, further, that the use or development of the adjacent property would not be impaired, 3) that the granting of the variance would not be materially detrimental to the public welfare or injure property or improvements in the vicinity or zone in which the property is located, and 4) that the granting of the variance would not conflict with the Mercer Island Comprehensive Land Use Plan.

Supply the following information accurately and completely. It is the applicant's responsibility to show the Hearing Examiner that the four variance criteria are satisfied.

1. Describe the special circumstances applicable to the lot or tract (e.g. size, shape, topography, or location of the lot; surroundings; trees or vegetation; other physical conditions).

57,970

While the total area of the Plat, exclusive of Road EAsements is --- Δ sq. ft.

(2,030 sq. ft. less than the required 60,000 sq. ft) An area of Δ sq. ft. (of the total road easements) is not used or needed for ingress and egress so that the actual area of the plat is over 60,000 sq ft, which is the requirement

Gross Plat area 63194

2. Explain why the variance would neither alter the character of the neighborhood nor impair the use or development of adjacent property.

Character of the neighborhood should not be altered as the adjacent property to the North was sub-divided in this-way - Open feeling would be maintained due to positions of houses on East and West and driveways on North and South.

3. Explain why the variance would not be detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated.

Every effort will be made to maintain Character of neighborhood. The engineering Dept would approve a 10' access road to enable a planting strip to the North. A new Home would be an asset to the vicinity and not at all injurious.

4. Explain why the variance would not conflict with the general purposes and objectives of the Mercer Island Comprehensive Land Use Plan. (Copies of the Comprehensive Plan - Ordinance #14 - are available in the Department of Community Development.)

The new lot which would be created would be beautiful, gently sloping and easy to build on. It is surrounded on the North and South by driveways which make the lot appear to be larger than it is. When the roadway easements are taken into consideration (the unused portions of the easements) the Sq. Footage exceeds the requirement of three lots to an acre.

A F F I D A V I T

STATE OF WASHINGTON)
) ss
COUNTY OF KING)

Shirley W. McGill, being duly sworn, depose and says that ~~we~~ I ^{am} the owner of the property involved in this application and that the foregoing statements and answers herein contained and the information herewith submitted are, in all respects, true and correct to the best of our knowledge and belief.

Shirley W McGill
Shirley W. McGill
(Owner)

(Owner)

2325428
(Telephone)

7421 West Mercer Way MI WA 98040
(Mailing Address)

Subscribed and sworn to before me this 5th day of June, 19 85.

Delores K. Eschinger
Notary Public
Residing on Mercer Island

C E R T I F I C A T I O N

This is to certify that the foregoing application has been inspected by me and found to be thorough and complete in every particular and to conform to the rules and regulations of the Hearing Examiner governing the filing of such application.

By: Shannon Hart
Staff for the Hearing Examiner

PLEASE READ:

A variance is the means by which property owners are granted modifications from the strict application of zoning code provisions. On Mercer Island, the Hearing Examiner reviews situations where the uniform application of the Zoning Code would unfairly burden one property more than other similar properties in the area.

The Hearing Examiner holds one public hearing per month on Friday at 1:30 p.m. Applications must be filed with the Department of Community Development at least 30 days prior to the scheduled hearing days.

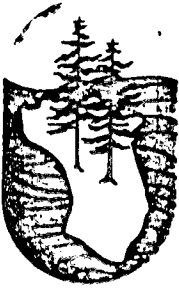
- a. The next Public Hearing date is: _____
- b. The last day to file for this Public Hearing is: _____

REQUIREMENTS FOR FILING AN APPLICATION FOR VARIANCE

- 1. Filing Fee (Ordinance No. 447)
 - 2. Application Form
 - 3. Assessor's Map or Maps
 - 4. Plot Plans (2 copies)
 - 5. Photographs, and other exhibits are optional
-
- 1. The City of Mercer Island requires the applicant to pay a fee when a variance application is filed. This fee helps defray advertising and other administrative costs associated with processing the application.
 - 2. In preparing your application, all questions must be answered accurately and neatly. This is an official document and must be kept in good order. The application must be filled out completely and signed by the owner(s) of property before a Notary Public. Signatures of contiguous property owners may be secured if the applicant feels this will help substantiate his/her request. However, submittal of such evidence shall not infringe upon the powers vested in the City of Mercer Island to hear the application.
 - 3. An Assessor's map or maps, showing each lot with 300 feet of the exterior boundaries of subject property, must accompany the application. These maps may be purchased for a nominal fee at the Department of Public Works, Ninth Floor, King County Administration Building, Seattle. Do not mutilate by cutting or drawing on these maps.
 - 4. Two (2) PLOT PLANS showing the exact dimensions of the property to an appropriate engineer's scale (1"= 50', etc.), all existing and proposed buildings or improvements and their setbacks, tree and ground cover, adjoining streets, watercourses, roads and highways, access points, fencing, and any other information that will illustrate your proposal must be included with the application. If new building construction is involved, a floor plan showing conditions and proposed changes should be submitted. Plot plans should be done in ink or blue-lined on good quality unruled paper. Five (5) foot contours and a profile (cross-section) must be shown on each plot plan when an alleged topographical hardship exists.
 - 5. PHOTOGRAPHS of the subject property on a scale large enough to illustrate the variance request are helpful to the Hearing Examiner and may be submitted with this application.

When the above requirements are met, file the APPLICATION, MAP, PLOT PLANS AND FILING FEE with the Hearing Examiner representative, City Hall, 3505 88th Avenue SE, Mercer Island, WA. This should be done in person and not by mail. The application must be complete in every respect (ALL questions answered) before it can be received and certified.

The Hearing Examiner has authority to take final action on all variances under Mercer Island Ordinance No. 492. Any action may be appealed to the City Council under procedures set up by the Council.



MEMORANDUM

TO: Shannon Hart

FROM: Philip Keighley

SUBJECT: McGill Short Plat (proposed)

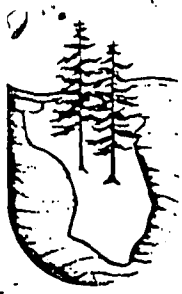
DATE: 2/1/85

I do not have a problem with the release of the green marked easements for ingress and egress on Bob Jones's 1/9/85 drawing providing the easement under AF # 7903130959 is satisfied. The easement was recorded on the Villa Marbella Plat to the north and the release of this easement may require release from all property owners on that Plat and the property owners of the previous McGill Short Plat.

Please ask Bob Jones to research this issue and provide us with a copy of the AF # 7903130959 when he submits the proposed new McGill short plat.

The proposed short Plat should have utility easements that reflect as built utility locations. The N 10' strip may not be sufficient.

file



CITY OF MERCER ISLAND, WASHINGTON

Department of Community Development
January 15, 1980

Mr. George J. Kipper
2616 Western Ave.
Seattle, WA 98121

Dear Mr. Kipper:

It is my understanding that you are reaching completion in the construction of improvements for the plat of Via Marbella. Because you are reaching finalization, the City authorized the issuance of a building permit for construction of one single family residence prior to final inspection and approval of all the required plat improvements.

As I reminded Mike Miller of Long Brothers Engineering a number of months ago, the City will not authorize further building permits, nor allow occupancy of the single family unit under construction until the short subdivision of Gordon McGill is modified to reflect the improvements of the Via Marbella Sub-division. The two parcels have been viewed essentially as one subdivision and the City of Mercer Island Staff considered, at one time, incorporating the McGill property under the umbrella of the Via Marbella preliminary and final plats. The City has allowed modifications of these two properties to take place separately with the understanding that the modifications of the McGill Short Subdivision would be done promptly and properly.

So, to reiterate, no further building permits nor occupancy permits will be allowed on the Via Marbella property until the City of Mercer Island has approved the revisions to the McGill Short Subdivision. Please have Mike Miller contact me to complete this process.

Sincerely,

David P. Guillen
Principal Planner

DPG:ms

cc: Mike Miller, Long Brothers Engr. Inc.
Gordon McGill
Larry McAndrews, Systems Engineering Inspector

