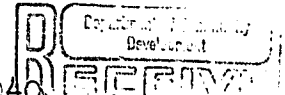


7653 78th Ave. S.E.
Mercer Island WA. 98040
July 20, 1983



Department of Community Development
City of Mercer Island
3505 88th S.E.
Mercer Island, WA. 98040

JUL 20 1983

Re: Application for Variance by Mr. and Mrs. John Smock
dated April 7 1983.

Dear Sirs:

I am the sole owner of a home situated at 8424 Benotho Place, Mercer Island. I have owned the property since 1963. The property is adjacent to the property owned by Mr. and Mrs. John Smock.

A variance for minor adjustments to dimensions of a "Lot" certainly should be considered. The subject lots at 8440 Benotho Place, however, are so far short of the required area that they would seem to be beyond consideration for a variance. Lot 19, for instance, at 6459 square feet is only 77% of the required 8400 square feet and Lot 20 at 6800 square feet is only 81% of 8400 square feet.

If the variance is not rejected on the basis of gross shortages from the required area I would like to submit the following objections for your consideration:

1. Each lot would have only forty feet frontage on the road. I doubt that there is another residential lot on Mercer Island with only forty feet of road frontage for garage and/or parking. These lots are so steep that road access to parking area deeper down the lot is not possible.

2. Although Benotho Place may charitably be called a street it is more like a one way alley. At present any visitor to my house in a standard or larger size car is advised to back up Benotho Place to 85th instead of attempting to turn around in the confined crowded quarters of the street. Another residence would compound the problem.

3. The Smocks have stated that if the variance is granted they will build a garage together with living space on Lot 19 and adjacent to my property line. Such a structure would seriously interfere with the view from my house and would impact the appearance of my side yard and entrance way.

4. The pie shaped dimensions of the two lots would encourage the placement of any new home constructed on either lot to be as close to the water as possible in order to gain maximum structural width. The closer the houses are to the water the more impact there will be on the view from existing houses. Also, the closer the houses are to the water the greater the departure from the existing norm of the neighborhood in which houses are set back on their lots with large yards on the water side of each house.

5. In the past placement of newer homes in the neighborhood was done in consultation with the neighbors to insure that views were not obstructed. At the time Williams house was designed and built, for instance, it was assumed that zoning standards would be adhered to and that there was no threat of an additional house being crowded in on Lot 20. Generous window exposure, therefore, was provided in the Williams house toward Lot 20.

6. The subject application for variance states that Lot 20 is an undeveloped lot. The two story garage is a substantial structure and has been in existence for over thirty years. It quite properly complements the house on Lot 20 as a detached garage. Also, part of the improvements to Lot 19 extend over the line to Lot 20.

7. The subject application for variance states that the variance will not alter the character of the neighborhood. The fact is that crowding another house in on Lot 20 would be a case of "Lot Busting" in an unbroken line of lots that are ninety feet or more in width, at the water line, including my house and extending to the southwest for about seven houses.

8. If subject variance is approved would a variance from the variance be granted to me if I were to tear down my garage and build a house on my Lot 17 with only thirty seven feet frontage on the street?

9. "Location, location, location" is the cry of the real estate community when discussing property value. I am sure that good location means an absence of crowding. The crowding of two houses on Lots 19 and 20 are bound to depress the values of adjacent properties.

10. An additional house on Lot 20 would not only cause additional crowding on the street of Benotho Place but it would also cause crowding on the water. The construction of another dock at Lot 20 would restrict maneuvering room to existing docks. If the Smocks were to sell Lot 20 with the provision that the existing dock could be used by the new owners I would object. The existing dock is centered on the property line between my property and the Smock's. I would be reluctant to approve the use of the dock by a third household.

Due to prior commitments I will not be able to attend the hearing concerning subject variance on August 5, 1983. My son, Gary Jacobson and attorney, Marywave Van Deren will attend and represent me on all matters presented at the hearing.

Yours Truly,


Arthur L. Jacobson