



2. Physically, nothing on the ground will change as a result of the variance or lot line revision. Additional homes cannot be built, nor will density increase above existing density.

3. Section 19.04.1404(B) of the Mercer Island Zoning Code lists the following criteria for variance approval:

(a) That there are special circumstances applicable to the particular lot or tract, such as size, shape, topography, location or surroundings, trees or ground cover, or other physical conditions, installation of a solar energy system, or the orientation of a building for the purpose of providing solar access;

(b) 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;

(c) The granting of the variance will not alter the character of the neighborhood nor impair the appropriate use or development of adjacent property; and,

(d) The granting of the variance will not conflict with the general purposes and objectives of the Comprehensive Plan.

4. Section 19.04.1404, Mercer Island zoning code, sets forth procedures for rendering decisions on requests for zoning variances. In accordance with the procedural requirement of Section .1404(A). A public hearing on the subject variance was scheduled within 35 days of the date the request was received by the Planning Department. Notice of the public hearing was published in the Mercer Island Reporter on April 6, 1988, and sent to surrounding residents within 300 feet of the subject property on April 4, 1988.

5. The subject variance is categorically exempt from the threshold determination requirements of the State Environmental Policy Act (RCW 43.21C).

6. The Examiner will issue his written decision within 14 calendar days of the conclusion of the hearing. This decision may be appealed to the City Council within 10 days after the Examiner's written decision has been received by the City. See Zoning Code Section 19.04.1404(A)(9) for further information.

RECOMMENDED CONCLUSIONS:

1. The subject variance is consistent with all of the criteria for variance approval required in Section 19.04.1404(B), Mercer Island Zoning Code.

(a) Special circumstances applicable to the subject property which support approval of the requested variance are described in Exhibit 4.

(b) Granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity of the subject property. The proposed site plan is appropriate for the lot and neighborhood.

(c) The granting of the variance will not alter the single-family residential character of the neighborhood nor impair the single-family residential development of adjacent property.

(d) The granting of the variance will not conflict with the general purposes and objectives of the Mercer Island Comprehensive Plan. The subject property is zoned for single-family residential development. Density of the subject property and neighborhood will not be affected by the granting of the variance.

RECOMMENDED DISPOSITION

On the basis of the foregoing recommended Findings of Fact and Conclusions, the Department of Community Development recommends that the requested variance be APPROVED.

SG(4/14)