



**City of Bellevue
Development Services
Land Use Division Staff Report**

Proposal Name: Bell Residence Height Variance

Proposal Address: 1302 102nd Ave NE

Proposal Description: Land Use Code Variance to exceed the maximum height limit for undersized lots.

File Number: 15-130015-LS

Applicant: Madrona Custom Homes, Attn: Peter Strandell

Decisions Included: Administrative Variance (Process II)

Planner: Carol Orr

State Environmental Policy Act
Threshold Determination: **Exempt pursuant to WAC 197-11-800(6)(b)**

Director's Decision: **Approval with conditions**
Michael A. Brennan, Director
Development Services Department

By: 
Carol V. Helland, Land Use Director

Application Date: December 18, 2015
Notice of Application Date: January 20, 2016
Notice of Decision Date: June 23, 2016
Appeal Deadline: July 7, 2016

For information on how to appeal a proposal, visit the Development Services Land Use desk at City Hall or call 455-6800 (TTY (206) 462-4636). Appeal of the Decision must be made with the City Clerk by 5 PM on the date noted for appeal of the decision.

I. Project Description

The property owner proposes to demolish the existing single story single family residence at 1302 102nd Ave NE in order to build a new single family residence. As the lot is less than 70 percent of the minimum lot size for the R-3.5 zone, it is subject to the height restrictions in section 20.20.070.B of the Land Use Code. The applicant requests variance approval for a maximum height of 27 feet at the highest peak from average existing grade.

II. Site Description and Context

The property is located at a curve at the end of 102nd Ave NE. The lot was originally platted within King County in 1947 prior to the establishment of the City of Bellevue as its own jurisdiction. The lot is also subject to a plat condition requiring a 25 foot building setback from all street frontages. Based on the survey submitted by the applicant; the subject property measures 6,785 square feet in area. The existing home on site was built in 1962. When the area was annexed into the City of Bellevue it was designated as R-3.5 for Land Use zoning purposes. At 6,785 sq. ft. the existing lot is 67.85% of the minimum lot size for the R-3.5 zoning district. As the lot is less than 70% the minimum lot size, building height is calculated per Land Use Code (LUC) Section 20.20.070.B provides the following calculation for undersized lots:

$$\text{Building Height} = 2 \times C \times H$$

C = The ratio of potential building area (lot less the area of the lot's minimum setback requirements) to total lot area

H = the general height requirement otherwise applicable to the lot

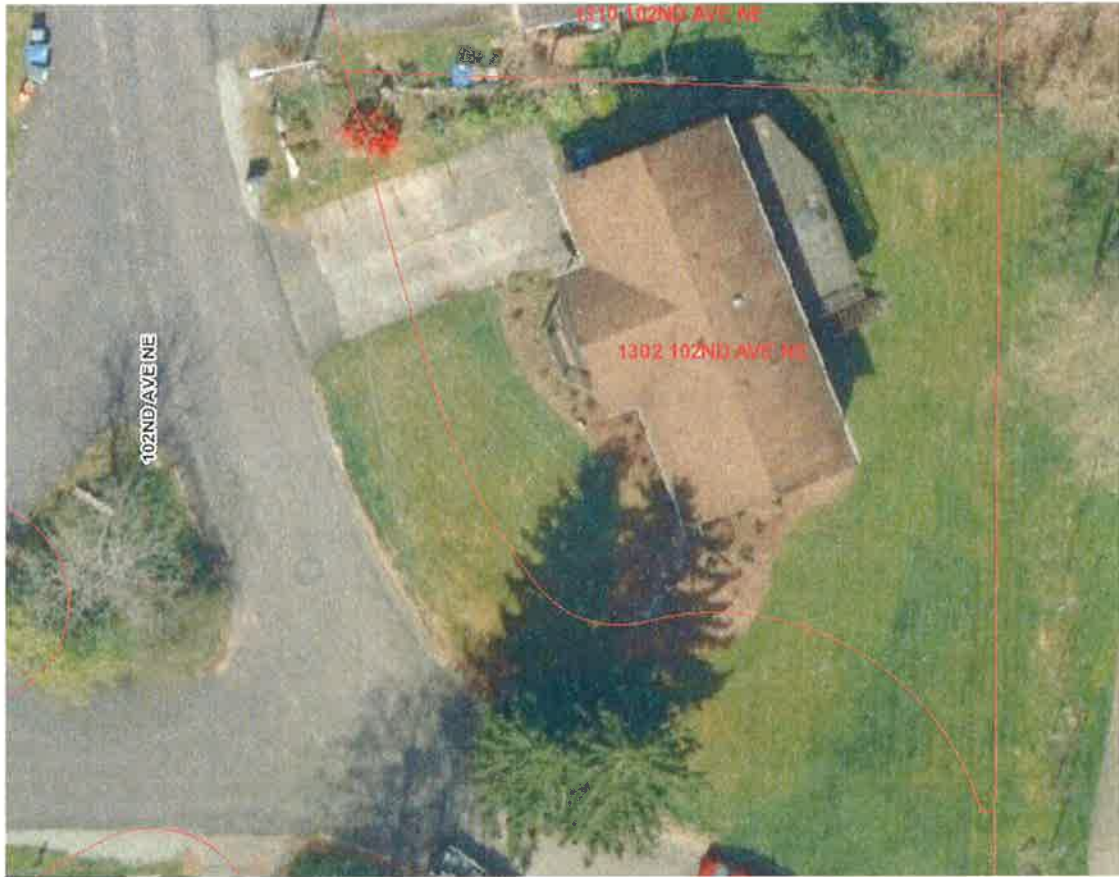
(In no event shall the building height imposed be less than 15 ft.)

Based on the above calculation without a Variance the maximum height for this lot would be 19.24 ft.

$$\text{Building Height} = (2 \times 1674/6785 \times 35)$$

$$\text{Building Height} = (2 \times .24 \times 35)$$

$$\text{Building Height} = 17.27 \text{ feet}$$



III. Community Input on the Proposal:

On January 20, 2016 the public notice for the project was published in the Weekly Permit Bulletin and mailed to property owners within 500 feet of the subject site. No comments were received from the public concerning the height of the home.

IV. Technical Review:

Transportation: On January 12, 2016 Transportation Review indicated there were no concerns with the application and imposed no conditions.

V. Purpose

A variance is a mechanism by which the City may grant relief from the provisions of the LUC where practical difficulty renders compliance with the provisions of that Code an unnecessary hardship, where the hardship is a result of the physical characteristics of the subject property, and where the purposes of that code and of the comprehensive plan can be fulfilled.

VI. Decision Criteria:

20.30G.140 Decision Criteria for a Variance

The Director may approve or approve with modifications an application for a Variance if all of the following criteria are met:

A. The variance will not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and land use district of the subject property.

Finding: Approval of a variance to the height limitations of undersized lots is consistent with the redevelopment of existing properties which are a mixture of two and three story homes. While 60% of the lots within this plat fall below the minimum lot square footage for the zone , only 9 of the 58 lots, or 16% are less than 70% of the required minimum of the zone. Three of the eight houses in the immediate vicinity of this home have structures measuring between 29 and 34 feet in height above grade. Allowing a home of 27 feet in height in this same neighborhood will not constitute a special privilege.

B. The variance is necessary because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property to provide it with the use rights and privileges permitted to other properties in the vicinity and in the land use district of the subject property.

Finding: The variance is necessary due to the configuration and size of the subject property. This property is located within the R-3.5 zoning district. The property is a triangular lot which with an elongated front yard. The lot is also 6,785 square feet which is 3,215 square feet smaller than the minimum lot size for the R-3.5 zone.

The applicant's proposed structure will need to comply with the required front setbacks. The new home will also be subject to plat condition which requires a 25 foot setback from all rights of way. This further restricts the buildable area on the site. The proposed building height of 26 feet 7 inches at the highest peak from average existing grade will achieve a building area consistent with new development within the immediate vicinity. The proposed residence will be required to conform to side yard and rear setbacks, lot coverage, and impervious surface, Floor Area Ratio and greenscape requirements. Approval of this variance would allow the applicant to achieve the developable area that is afforded to other similarly zoned and constrained sites in the area while keeping with the residential character of the Manor Hill Addition neighborhood.

- 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 land use district in which the subject property is located.**

Finding: The granting of a height variance will not be materially detrimental to the public welfare or injurious to land uses within the vicinity. The proposed height is consistent with the heights of newer homes in the neighborhood.

- D. The variance is not inconsistent with the Comprehensive Plan.**

Finding: This site is located within the North Bellevue subarea in the City of Bellevue Comprehensive Plan. The Comprehensive Plan designates the site as single-family medium density. The zoning density of R-3.5 along with this designation makes this proposal consistent with the subarea policies. The following policies apply to this proposal:

Policy LU-11: Maintain stability and improve the vitality of residential neighborhoods through adherence to, and enforcement of, the City's codes.

Policy LU-29: Help communities to maintain their local, distinctive neighborhood character, while recognizing that some neighborhoods may evolve.

Policy HO-3: Maintain the character of established single family neighborhoods, through adoption and enforcement of appropriate regulations.

Finding: The variance request will complement the neighborhood by

allowing the construction of a new house that it is to a size, scale, and character more consistent with the surrounding redevelopment.

VI. Conclusion and Decision:

After conducting the various administrative reviews associated with this proposal, including applicable Land Use consistency, and City Code and Standard compliance reviews, the Director of Development Services does hereby **APPROVE** the variance subject to the following conditions.

VI. Conditions of Approval:

1. The height is limited to the a maximum height of 26 feet – 7 inches from the average existing grade elevation to the highest peak shown on the exterior elevations sheet A2-1 dated December 18, 2015.

Authority: Land Use Code 20.30G.140.A.1

Reviewer: Carol Orr, Development Services Department

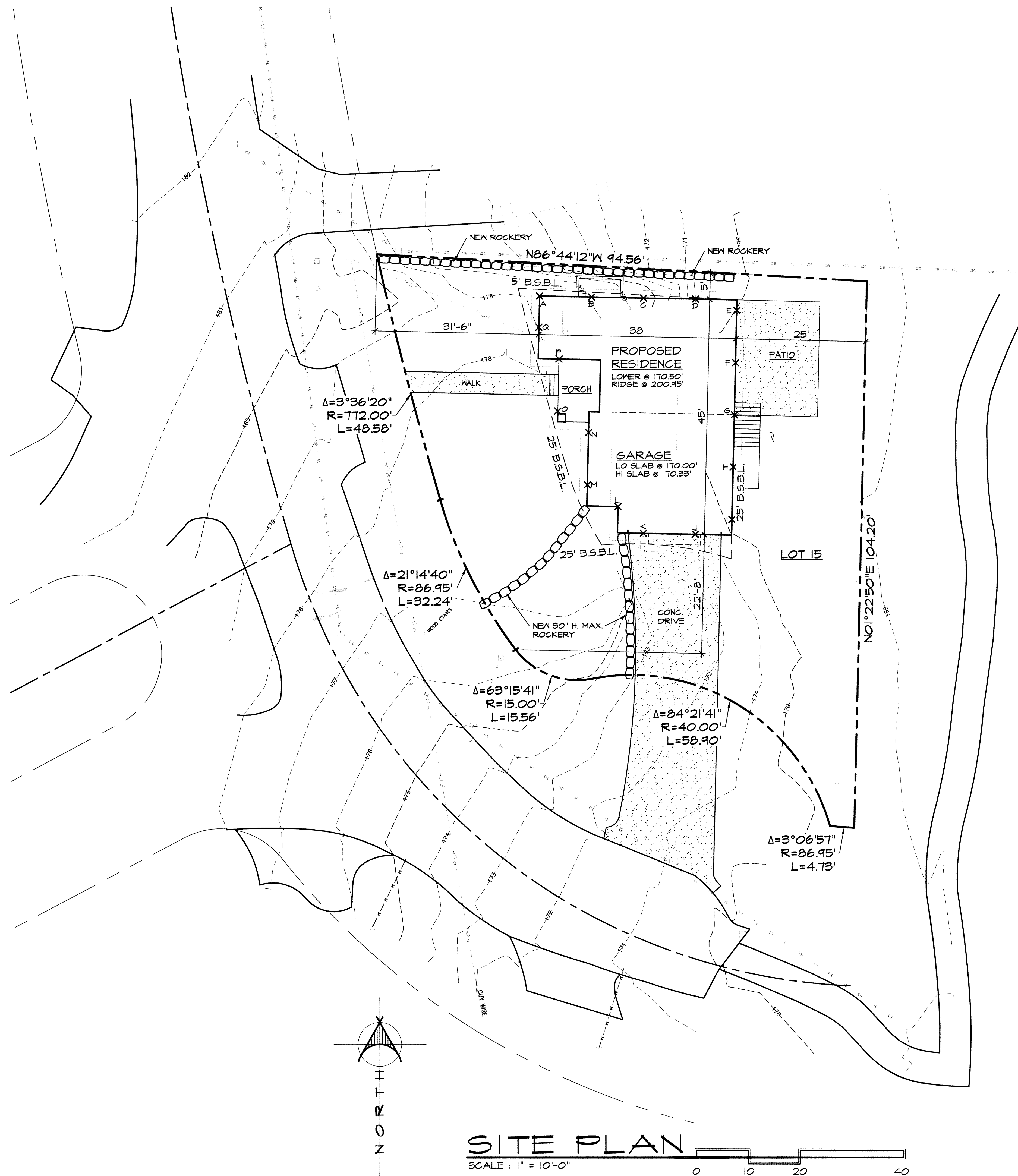
2. The approved variance shall be recorded with the King County Department of Records within 60 days from the date of variance approval. The document shall be submitted for Land Use review prior to recording and a copy of the recorded variance provided with the building permit application.

Authority: Land Use Code 20.40.500

Reviewer: Carol Orr, Development Services Department

VIII List of Attachments:

1. Plans and Drawings

**LOT COV'G**

LOT AREA:	6,785.00 SF
BUILDING FOOTPRINT:	1,330.0 SF
PORCH:	92.0 SF
TOTAL STRUCTURAL AREA:	1,422.0 SF
% OF LOT AREA:	=20.96%
35% MAXIMUM:	=2,374.75 SF

IMPERVIOUS COV'G

LOT AREA:	6,785.00 SF
ROOF AREA:	1,706.0 SF
CONC PATIOS & WALKS:	429.0 SF
(EXCLUDES AREA UNDER ROOF OVERHANGS)	
VEHICULAR USE AREA:	413.0 SF
(EXCLUDES AREA UNDER ROOF OVERHANGS)	
TOTAL IMPERVIOUS AREA:	2548.0 SF
% OF LOT AREA:	=37.6%
50% MAXIMUM:	=3,392.50 SF

F.A.R.

LOWER FLOOR AREA:	1,330.0 S.F.
(INCLUDES GARAGE)	
LOWER FLOOR EXCLUSION:	-683.0 S.F.
(WALLS < 5' ABV FIN GRADE)	
MAIN FLOOR AREA:	1,350.0 S.F.
UPPER FLOOR AREA:	1,274.0 S.F.
TOTAL FLOOR AREA:	3,271.0 S.F.
LOT AREA:	6,785.0 S.F.
	F.A.R. = 48.21%
50% MAXIMUM:	=3,392.50 SF

OWNER

ANDREW & BRENDA BELL
10225 SE 8th STREET
BELLEVUE, WA 98004

ARCHITECT

JEFFREY DeROULET / ARCHITECTS NW
18915 - 142ND AVE NE / SUITE 100
WOODINVILLE, WA 98072
PHONE: 425 485 4400
JEFFREY@ARCHITECTSNW.COM

STRUCTURAL ENGINEER

MITCHELL ENGINEERING, INC
MIKE MITCHELL, SE
7821 - 168th AVE NE REDMOND, WA 98052
PHONE: 425 747 1500
MITCHELLENGINEERING@COMCAST.NET

SITE ADDRESS

1302 - 102nd AVE.
BELLEVUE, WA. 98004-3504

PARCEL NUMBER

5078400075

ZONING

R-3.5 SINGLE FAMILY RESIDENTIAL

LEGAL DESCRIPTION

LOT 15 OF THE PLAT OF MANOR HILL
ADDITION;
A PORTION OF SECTION 29, TOWNSHIP 25
NORTH,
RANGE 5 EAST, W.M. ALL IN KING
COUNTY, WASHINGTON

BASIS OF BEARINGS

BASIS OF BEARINGS FOR THIS SURVEY IS
NAD83(2011) BASED ON A LINE BETWEEN
CITY OF BELLEVUE POINT H0072 AND
H0055 HELD AS N00°48'44"E

BASIS OF ELEVATION

BASIS OF ELEVATION FOR THIS SURVEY IS
NAVD88 PER OBSERVATION ON CITY OF
BELLEVUE V346 HELD AS 235.36'

HEIGHT CALCULATION

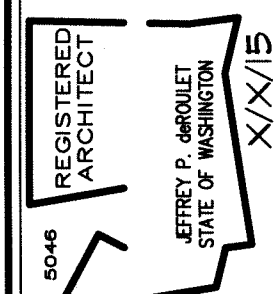
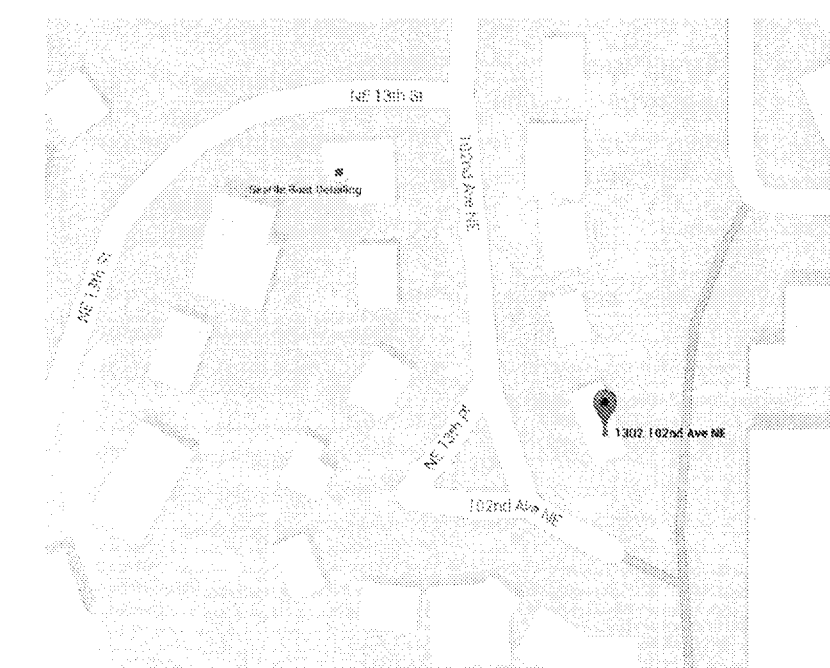
POINT	EXISTING GRADE
A	177.75
B	176.92
C	175.67
D	171.00
E	169.96
F	169.75
G	169.67
H	169.75
I	169.92
J	172.17
K	175.50
L	177.25
M	177.42
N	177.58
O	177.67
P	178.25
Q	177.92
TOTALS:	2964.15

AVERAGE ELEV. = TOTALS / NUMBER OF ELEV. POINTS

2964.15 / 17 =	174.36 AVG. EXIST. GRADE
2 x .247 x 35' =	+ 17.27
MAX RIDGE ELEVATION =	191.63
PROPOSED RIDGE ELEVATION =	- 200.95
	-9.32 FT. ABOVE HT. LIMIT

ALLOWABLE HEIGHT CALC.

LOT AREA:	6,785 S.F.
BUILDABLE AREA:	1,674 S.F.
1,674 / 6,785 =	.247
2 x .247 x 35' =	17.27' MAX. HEIGHT

VICINITY MAP

PAYMENT OF USE FEE IS DUE TO ARCHITECTS
NORTHWEST, INC. PRIOR TO CONSTRUCTION FOR
THESE PLANS. THESE PLANS ARE COPYRIGHTED IN ACCORDANCE
WITH THE ARCHITECTS ACT AND THE ARCHITECTS
BOARD OF ALL OR PARTS OF THESE PLANS OR
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CONSENT OF ARCHITECTS NORTHWEST, INC.
ARCHITECTS NORTHWEST, INC.

ARCHITECTS
NORTHWEST
18915-142ND AVE NE SUITE 100
WOODINVILLE, WA 98072
OFFICE: (425) 485-4400
FAX: (425) 487-6585
WWW.ARCHITECTSNW.COM

BELL RESIDENCE
1302 - 102nd AVE, BELLEVUE, WA.
HEIGHT VARIANCE REQUEST

DESIGNED BY: SW DATE: 12/15/15
DRAWN BY: DH DATE: 12/15/15

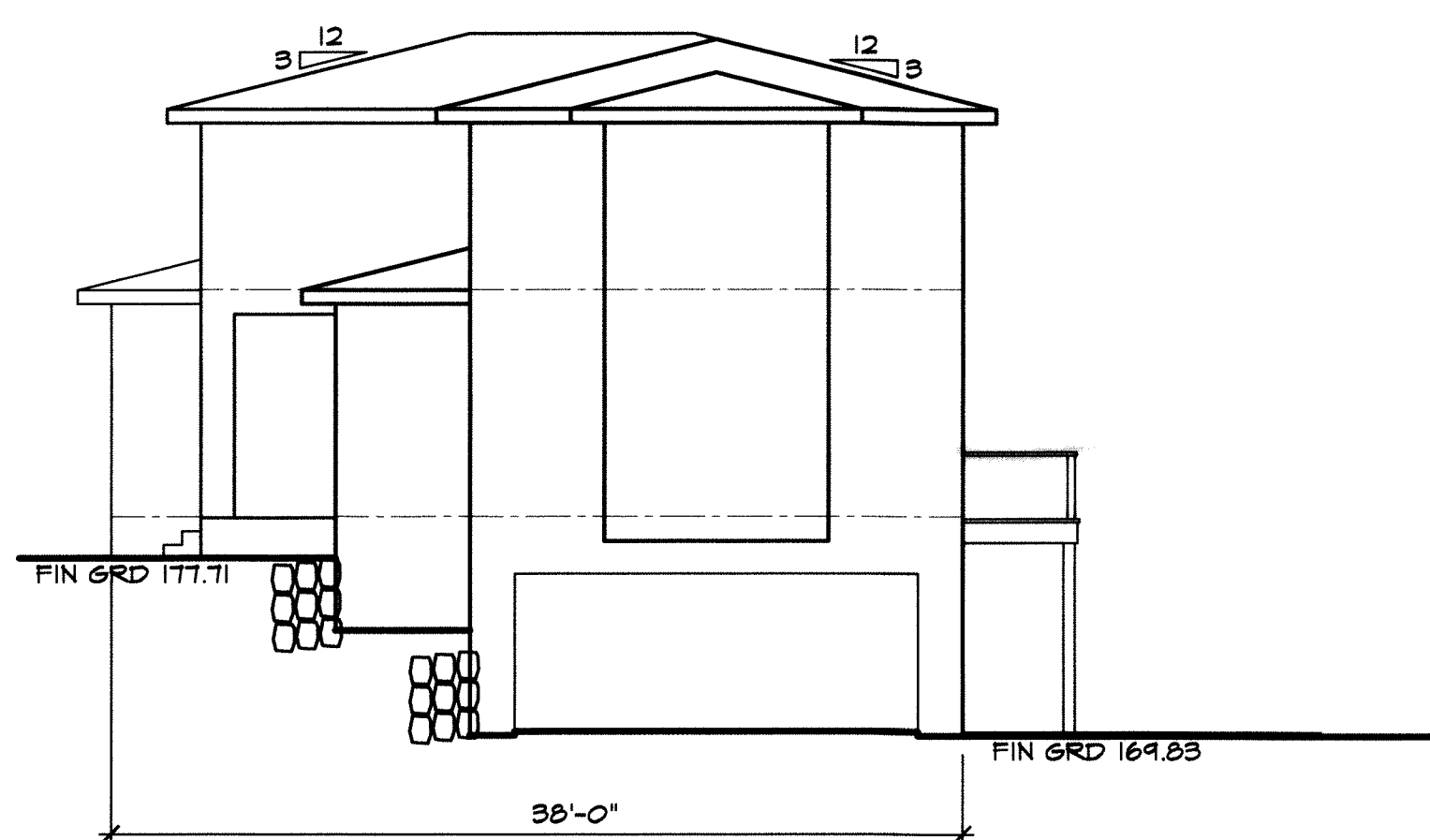
PROJECT MANAGER: SARAH HEIGHT
REVISED BY:

RECEIVED
DEC 18 2015

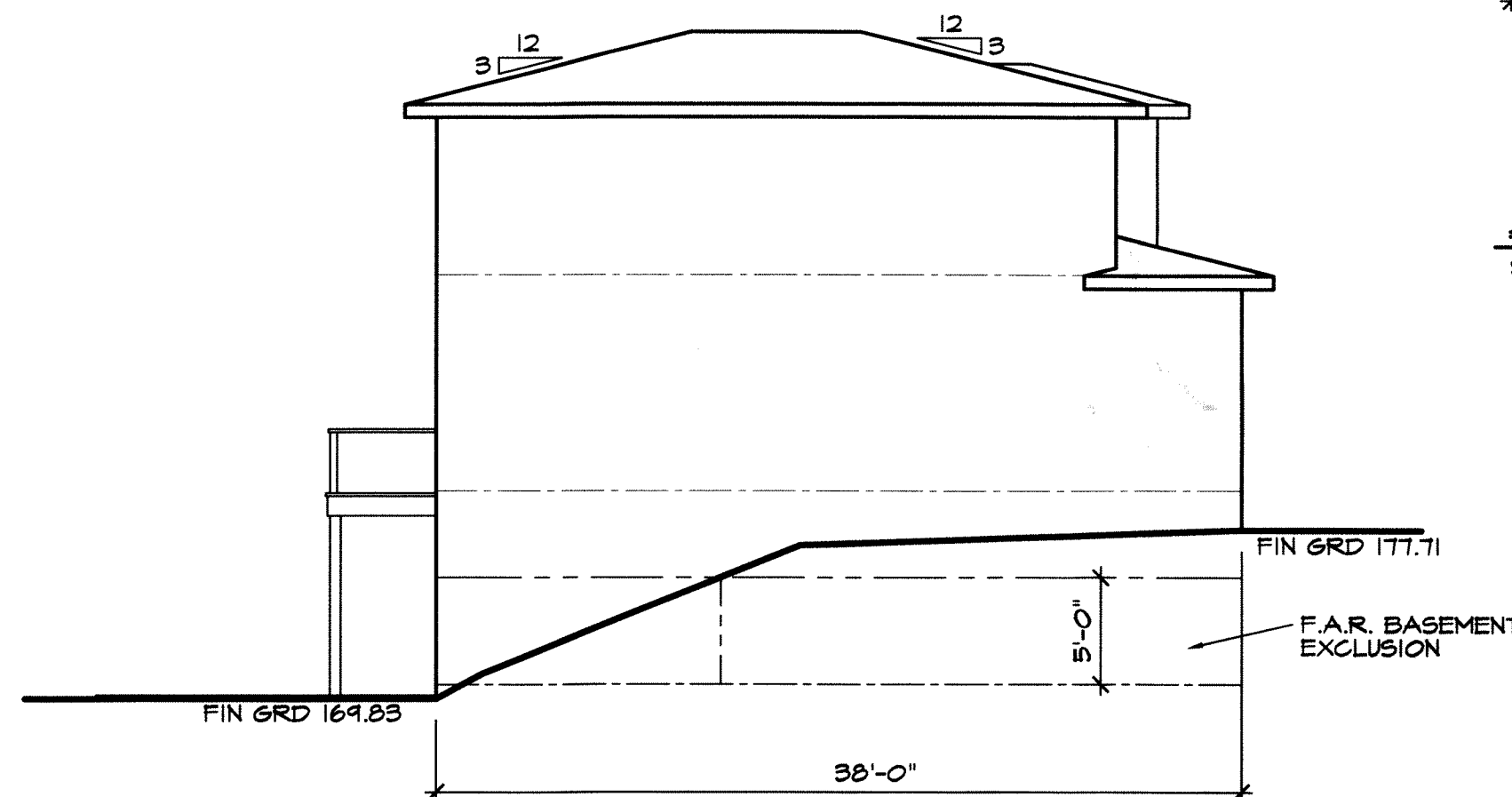
LATERAL BY: MEI DATE: 12/15/15
LATERAL JOB NUMBER: 15-XXX

A1
A2

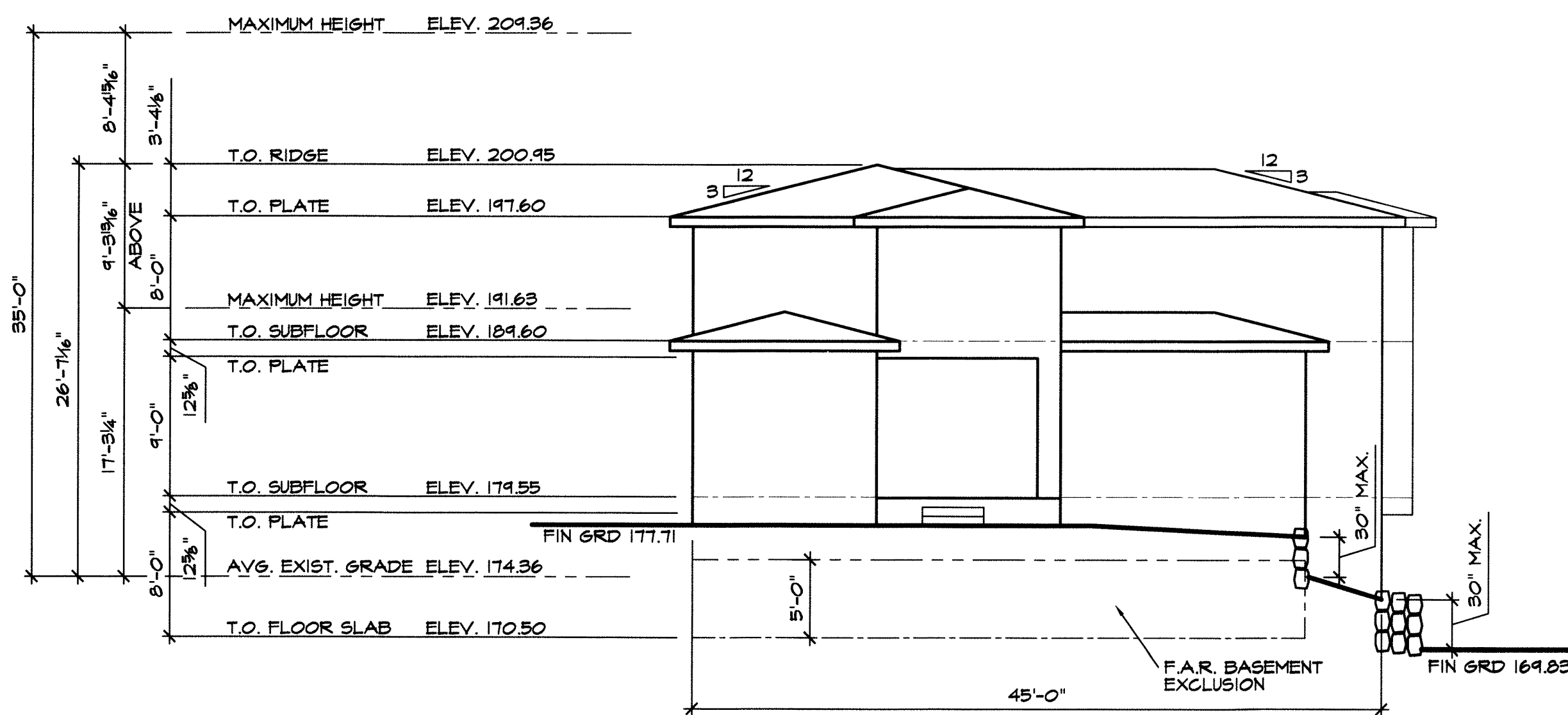
ANW WOODINVILLE OFFICE
JOB NUMBER:
150308



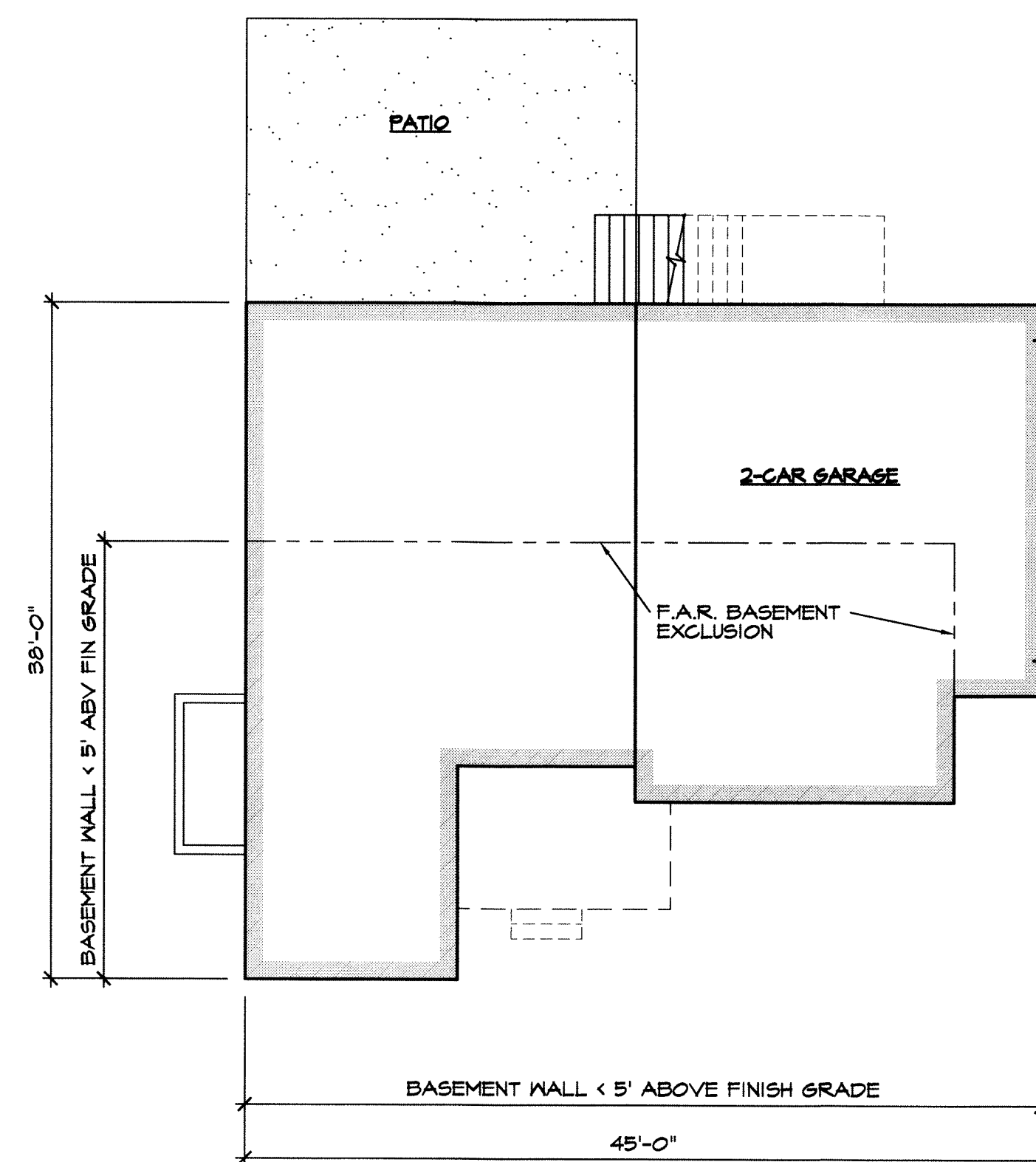
RIGHT (SOUTH) ELEVATION
SCALE: 1/8" = 1'-0"



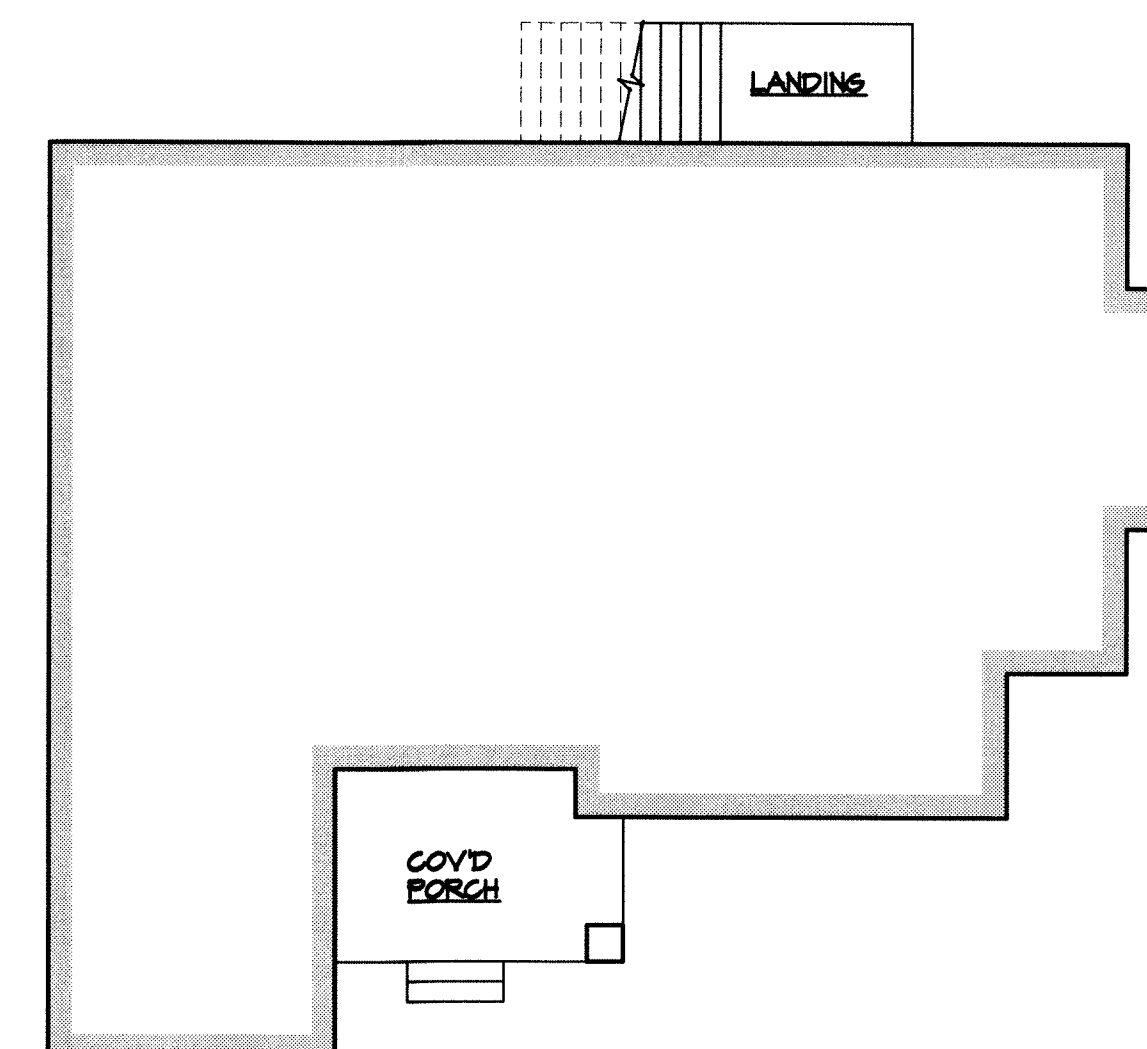
LEFT (NORTH) ELEVATION
SCALE: 1/8" = 1'-0"



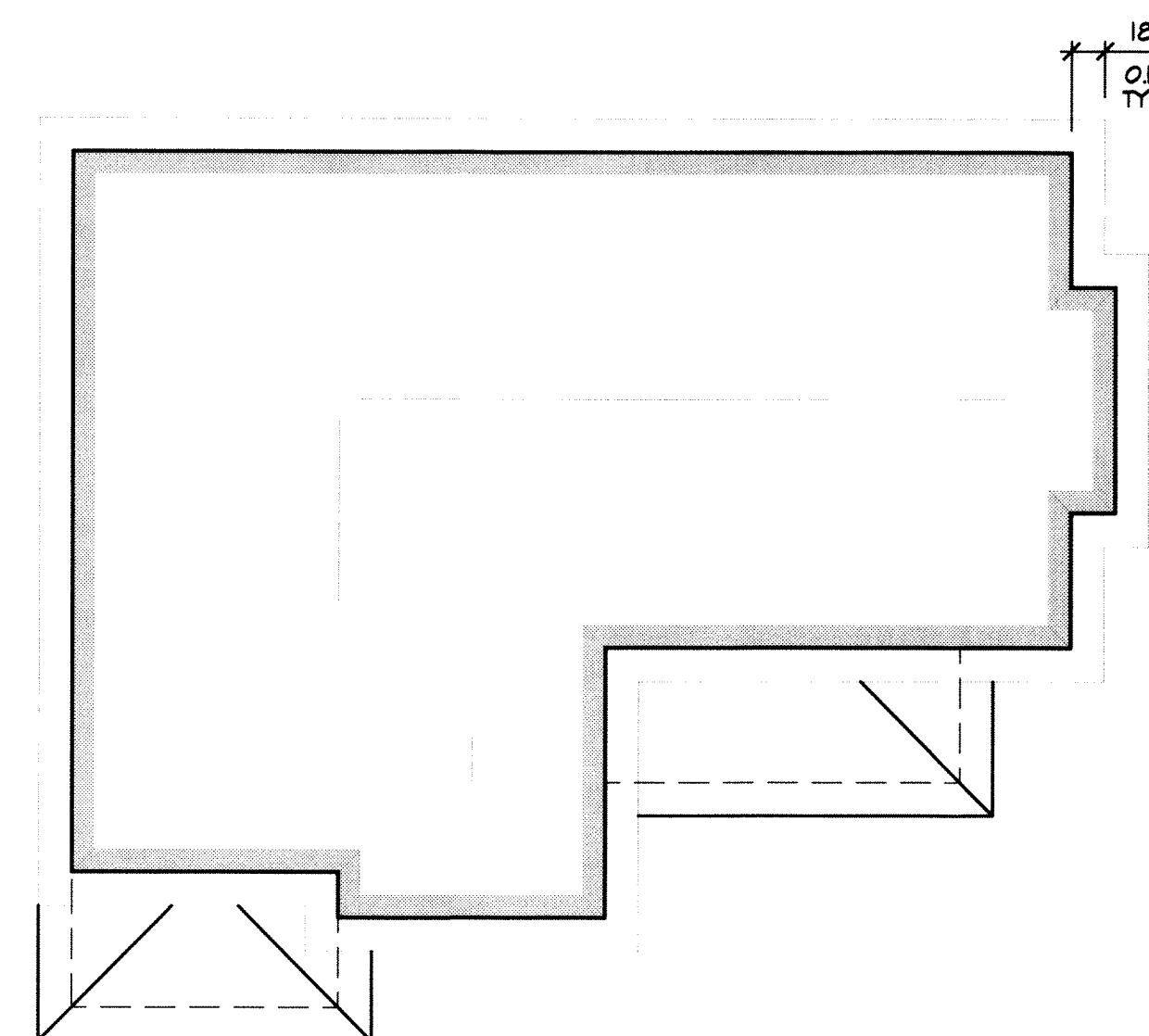
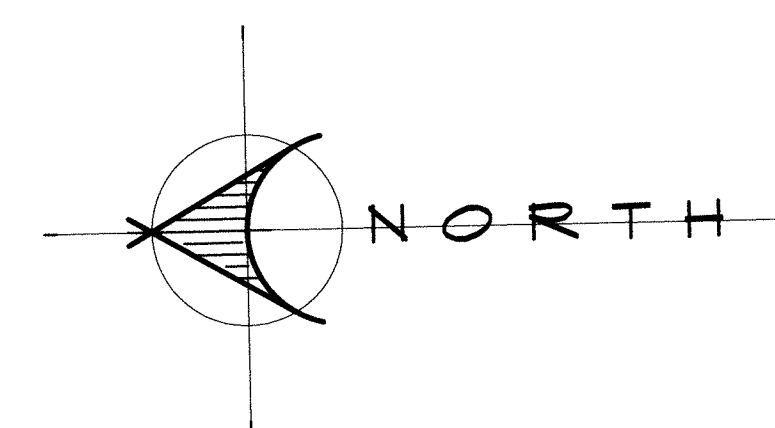
FRONT (WEST) ELEVATION
SCALE: 1/8" = 1'-0"



LOWER FLOOR PLAN
SCALE: 1/8" = 1'-0"



MAIN FLOOR PLAN
SCALE: 1/8" = 1'-0"



UPPER FLOOR PLAN
SCALE: 1/8" = 1'-0"

F.A.R. AREA	
LOWER FLR & GARAGE:	1330 S.F.
EXCLUSION:	-683 S.F.
MAIN FLOOR:	1350 S.F.
UPPER FLOOR:	1274 S.F.
TOTAL F.A.R. AREA:	3271 S.F.
LOT AREA:	6785 S.F.
FLOOR AREA RATIO	48.21%

AREA SUMMARY	
LOWER FLOOR:	716 S.F.
MAIN FLOOR:	1350 S.F.
UPPER FLOOR:	1274 S.F.
TOTAL HEATED AREA:	3340 S.F.
GARAGE AREA:	614 S.F.
COVERED AREA:	42 S.F.



Permit # 15-130015-LS
Bell Residence Height Variance
1302 102nd Ave NE

0 154 307
 Scale 1: 1,844 Feet