



City of Bellevue  
 Department of Development Services  
 P.O. Box 90012, Bellevue, WA 98009-9012  
 (425) 452-6800 Fax (425) 452-5225

**Shoreline Management Act of 1971**  
**Permit for Shoreline Management Substantial**  
**Development**  
**Conditional Use and/or Variance**

Application No. 08-115670-WG

Date Received 5/14/2008

Approved / Date 08/14/2008  
 Denied / Date \_\_\_\_\_

Type of Action:

- Substantial Development Permit
- Conditional Use Permit
- Variance Permit

Pursuant to Chapter 90.58 RCW, a permit is hereby granted/denied to: **Steve Hughes**

to undertake the following development:

The applicant is proposing the addition of front porch roof extensions on the street side of existing multifamily condominium buildings D, E, F, and G. The proposal will add 885 square feet total of additional lot coverage and 440 square feet of impervious surface area to the site which is located on Lake Washington. Normal maintenance and repair of existing carports and stairwells will also be occurring within the Shoreline Overlay District. Additional work, including new dumpster enclosures and replacement of signs will be occurring outside the Shoreline Overlay District.

upon the following property: 331 101<sup>st</sup> Ave SE

within Lake Washington  
 and/or its associated wetlands. The project will be located within Shorelines of Statewide  
 Significance (RCW 90.58.030). The project will be located within a Shoreline Overlay District  
 designation. The following master program provisions are applicable to this development:

- Land Use Code(LUC) Section 20.25E.080(B)General Regulations Applicable to all Land Use Districts & Activities:
  1. Where applicable, all federal and state water quality and effluent standards shall be met.
  2. If a property extends into the Shoreline Overlay District, the Shoreline Master Program Policies and these use regulations shall apply only to that portion of the property lying within the Shoreline Overlay District.
  3. All development within the Shoreline Overlay District shall be accompanied by a plan indicating methods of preserving shoreline vegetation and for control of erosion during and following construction in accordance with Part 20.25H LUC, City of Bellevue Clearing and Grading regulations, Chapter 23.76 BCC, and the Comprehensive Plan.
  4. Special care shall be exercised to preserve vegetation in wetland, shoreline and stream corridor bank areas in order to prevent soil erosion. Removal of vegetation from or disturbance of shoreline critical areas and shoreline critical area buffers, and from other critical area and critical area buffers shall be prohibited, except in conformance with Part 20.25H LUC and the specific performance standards of this section.
  5. Maximum height limitation for any proposed structure within the Shoreline Overlay District shall be 35 feet, except in land use districts with more restrictive height limitations. The method of measuring the maximum height is described in WAC 173-14-030(6). Variances to this height limitation may be granted pursuant to Part 20.30H LUC.
  6. The Bellevue Shoreline Master Program, in conjunction with existing Bellevue land use ordinances and Comprehensive Plan policies, shall guide all land use decisions in the Shoreline Overlay District.
  7. Any development within the Shoreline Overlay District shall comply with all applicable Bellevue ordinances, including but not limited to the Bellevue Land Use Code, Sign Code, and clearing and grading regulations.
  8. The dead storage of watercraft seaward of the ordinary high water mark of the shoreline is prohibited.
  9. Where applicable, state and federal standards for the use of herbicides, pesticides and/or fertilizers shall be met, unless superseded by City of Bellevue ordinances. Use of such substances in the shoreline critical area and shoreline critical area buffer shall comply with the City's "Environmental Best Management Practices."
  10. Adequate storm drainage and sewer facilities must be operational prior to construction of new development within the Shoreline Overlay District. Storm drainage facilities shall be separated from sewage disposal systems.
- LUC Section 20.25E.080 (Q) Residential Development Regulations:
  1. For purposes of this section, accessory structures shall include swimming pools, tennis courts, spas, greenhouses and similar facilities.
  2. No boat, houseboat or watercraft moored seaward of the ordinary high water mark shall be used as a permanent residence.
  3. All structures, accessory buildings and ancillary facilities, other than those related to water use (such as moorage) shall be located outside of the shoreline critical area and shoreline critical area buffer, except stairs, handrails, and a trail or path providing access to the shoreline. The requirements of this subsection may be modified through a critical areas report, LUC 20.25H.230.
  4. Fences essentially parallel with the shoreline are not permitted within critical area buffer or critical area structure setback.
  5. Maximum building height in those areas of the Shoreline Overlay District which are zoned for residential uses shall be 35 feet, except in land use districts where more restrictive height limitations exist.
  6. All residential development shall be accompanied by a plan indicating methods for preserving shoreline vegetation and control of erosion during and following construction as required by City of Bellevue clearing and grading regulations, Chapter 23.76 BCC, and the Comprehensive Plan.
- LUC Section 20.30R.155.B Shoreline Substantial Development Permit:
  1. The applicant has carried the burden of proof and produced evidence sufficient to support the conclusion that the application merits approval or approval with modifications; and
  2. The applicant has demonstrated that the proposal complies with the applicable decision criteria of the Bellevue City Code; and
  3. The applicant has demonstrated that the proposal is consistent with the policies and procedures of the Shoreline Management Act and the provisions of Chapter 173-14 WAC and the Master Program.
- Bellevue Comprehensive Plan, Shoreline Management Program Element, Policy SH-1:  
**POLICY SH-1.** Plan for reasonable and appropriate shoreline uses.

The proposal has been reviewed and is in compliance with the above provisions.

Development pursuant to this permit shall be undertaken in accordance with the following terms and conditions:

**Conditions of Approval (Land Use Division)**

1. To mitigate noise impact to adjacent residents and the natural environment, construction shall utilize electric tools when feasible. Hours of construction are limited to 7:00 a.m. to 6:00 p.m. on weekdays, and 9:00 a.m. to 6:00 p.m. on Saturdays which are not legal holidays.

**Authority:** Bellevue City Code 9.18

---

---

This permit is granted pursuant to the Shoreline Management Act of 1971 and nothing in this permit shall excuse the applicant from compliance with any other federal, state or local statutes, ordinances or regulations applicable to this project, but not inconsistent with the Shoreline Management Act (Chapter 90.58 RCW).

This permit may be rescinded pursuant to RCW 90.58.140(8) in the event the permittee fails to comply with the terms and conditions hereof.

Construction pursuant to this permit, or substantial progress toward construction, must be undertaken within two years of the date of final approval. This permit shall expire five years from the date of local approval.

Construction pursuant to this permit will not begin or is not authorized until twenty-one (21) days from the date of filing, as defined in RCW 90.58.140(6) and WAC 173-27-130, or until all review proceedings initiated within twenty-one (21) days from the date of such filing have terminated; except as provided in RCW 90.58.140(5) (A) (B) (C).

8/12/08  
Date

  
City of Bellevue, Land Use Division

CC: Attorney General, Department of Ecology, Northwest Region  
Dept. of Fish and Wildlife, c/o Dept. of Ecology, 3190 160th Ave SE, Bellevue, WA 98008-5452 attn: Stewart Rienbold  
DOE, Joe Burcar, 3190 160<sup>th</sup> Avenue SE, Bellevue, WA 98008-5452