



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

Proposal Name: Carport Addition

Proposal Address: 12648 NE 4th St.

Proposal Description: Application for a Land Use Code variance to reduce the minimum 20-foot front yard setback in the R-3.5 Land Use District. The variance will allow a 13-foot 5-inch setback in order to construct a carport onto the front of a single-family home which currently does not have enclosed automobile storage.

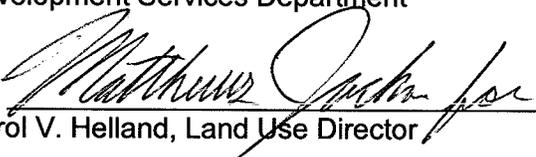
File Number: 10-118225-LS

Applicant: Dr. Uday Mehta

Decisions Included: Administrative Variance (Process II)

Planner: Christina Behar, Assistant Land Use Planner

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

Director's Decision:
Michael A. Brennan, Director
Development Services Department
By: 
Carol V. Helland, Land Use Director

Application Date: July 23, 2010
Notice of Application: August 12, 2010
Notice of Decision: August 26, 2010
Bulletin Publication Date: September 9, 2010
Appeal Deadline: 14 days following the date of publication of the decision of the Director

For information on how to appeal a proposal, visit Development Services 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 applicant is requesting a Land Use Code (LUC) variance to reduce the minimum 20 foot front yard setback in the R-3.5 Land Use District. The variance will allow a 13-foot 5-inch setback in order to construct a carport. The variance will accommodate the addition of a 200 square foot carport onto an existing home that currently does not have a garage. The proposed addition is to be one-story and located off the front northeast corner of the structure. The addition will extend approximately 10-feet towards the front property line resulting in a front yard setback of 13-feet, 5 inches. See Section VIII for related Condition of Approval.

II. Site Description and Context

The site is located in the R-3.5 zoning district in the Wilburton subarea. The parcel is located off of a private road in a residential neighborhood surrounded by lots of similar size to the north, south, east, and west. The site is generally flat and it gains access from a 20-foot wide private access tract.

III. Community Input on the Proposal

The Notice of Application for this proposal was published in the Seattle Times and the City's Weekly Permit Bulletin on August 12, 2010. Notice of this proposal was also mailed to property owners within 500 feet of the site. No comments have been received from the public as of the writing of this staff report.

IV. Technical Review

The City of Bellevue Transportation Department reviewed this variance application and has no concerns with the proposal.

V. Purpose

A variance is a mechanism by which the City may grant relief from the provisions of the Land Use Code 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: According to the King County Department of Assessments every home located along the private drive (NE 4th Street) either has a garage or attached carport as one of its features. Additionally, the property immediately adjacent to the west enjoys a front yard setback of approximately 13 feet.

- 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 single family structure on this site, built in 1959, had an attached carport at least as early as 1963, as the picture below shows (see picture A). This is consistent with the garages and carports included as part of the surrounding homes. This site is the only one within the vicinity without a structure for sheltered vehicle storage. The original carport was demolished under a different owner as part of a bedroom and bathroom addition in 2003 (City of Bellevue permit number 03-108546-BR). This site is also constrained by the unusual lot configuration of the immediate vicinity due to the homes having access off of a 20-foot tract rather than a fully developed public road.

A. Original carport structure



- 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 home is located on a private road and the addition will have a minimal impact on the scale of the existing structure and the structure will continue to be compatible with surrounding homes. The original carport was approximately 3-feet away from the front (north) property line (see attachment 2). The new proposed carport would be approximately 13 feet, 5 inches from the front property line.

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

The site is located within the Wilburton subarea of the City of Bellevue Comprehensive Plan. The Subarea Land Use Plan designation of the site is Single-Family Medium (SF-M), consistent with the R-3.5 zoning designation. The following policies apply to this proposal:

Policy LU-21: Develop land use strategies to encourage the maintenance and updating of the city's older housing stock, so that neighborhoods are well-maintained and existing housing is preserved, updated, or modified to meet the evolving needs of residents.

Finding: The variance request will enhance the neighborhood by allowing the addition to an existing house so that its look and function is more in character with the surrounding homes. The variance also supports the maintenance and re-investment of existing housing stock.

VII. 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 Development Services Director does hereby **APPROVE** the variance, subject to the following conditions.

VIII. Conditions of Approval

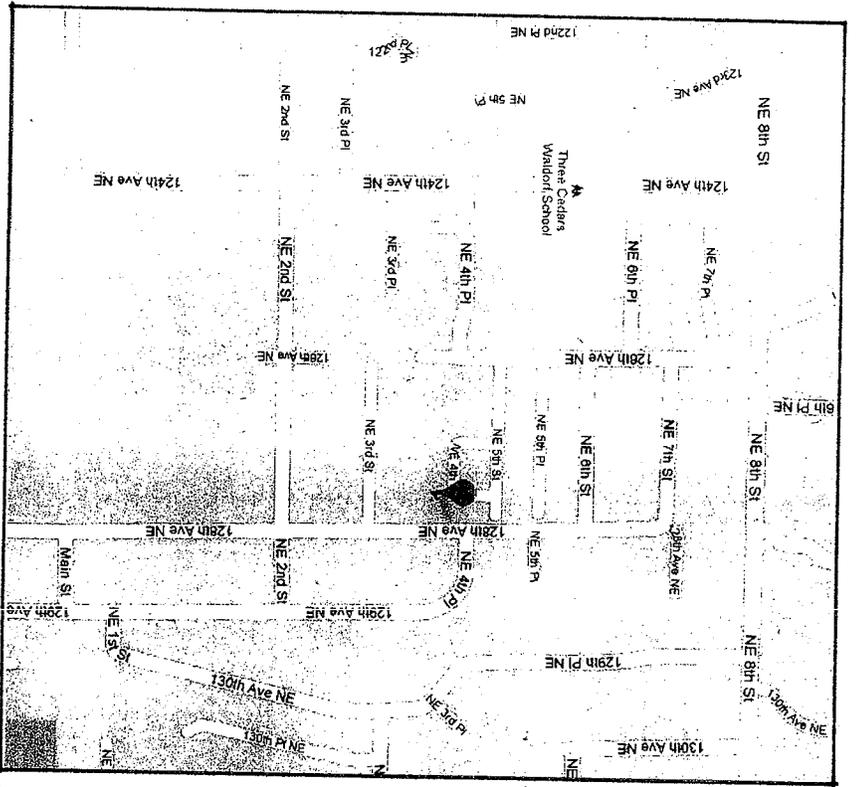
1. **VARIANCE LIMITATION:** The variance approval is limited to decrease in the front yard setback from 20 feet to 13, feet 5 inches. All other applicable R-3.5 zoning district dimensional standards must be met.

Authority: Land Use Code 20.30G.115 & 20.20.010

Reviewer: Christina Behar, Development Services Department

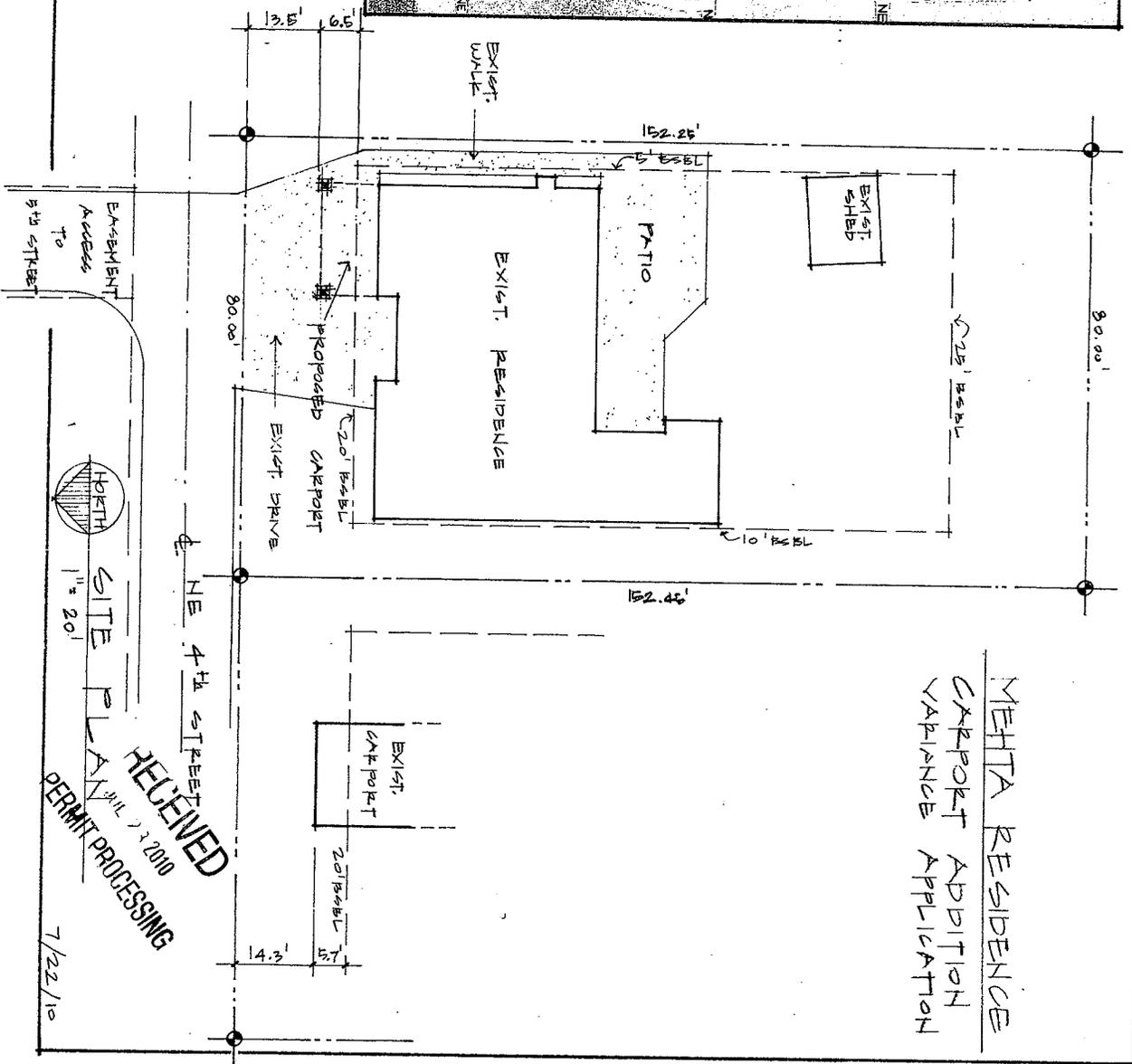
IX. List of Attachments:

1. Site plan
2. Aerial Map



VICINITY MAP
 NO SCALE

E I F F E R T
 A R C H I T E C T U R E
 9027 NE 39th STREET
 KIRKLAND WASHINGTON 98034
 JEFFREY@EIFFERT.COM
 425.821.9817



MEHTA RESIDENCE
 CARPORT ADDITION
 VARIANCE APPLICATION

RECEIVED
 JUL 23 2010
 PERMIT PROCESSING

7/22/10

EMBAEMENT
 Access
 to
 5th STREET



NE 4th STREET

SITE PLAN

1" = 20'

12648 NE 4th ST

NE 5TH ST

128TH AVE NE

