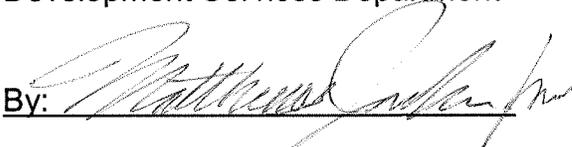




**City of Bellevue
Development Services
Land Use Division Staff Report**

Proposal Name: Tu Residence Height Variance
Proposal Address: 1425 102nd Ave NE
Proposal Description: Land Use Code Variance to exceed the maximum height limit for undersized lots.
File Number: 14-129306-LS
Applicant: David Reed Cahill
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: April 17, 2014
Notice of Application Date: May 15, 2014
Notice of Decision Date: September 4, 2014
Appeal Deadline: September 18th, 2014

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 1425 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 is requests variance approval for a maximum height of 25 feet at the highest peak from existing grade.

II. Site Description and Context

The corner lot is property is located at the corner of NE 14th St and 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 6,763 square feet in area. The existing home on site was built in 1954. When the area was annexed into the City of Bellevue it was designated as R-3.5 for Land Use zoning purposes. At 6,763 sq. ft. the existing lot is 67.63% 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

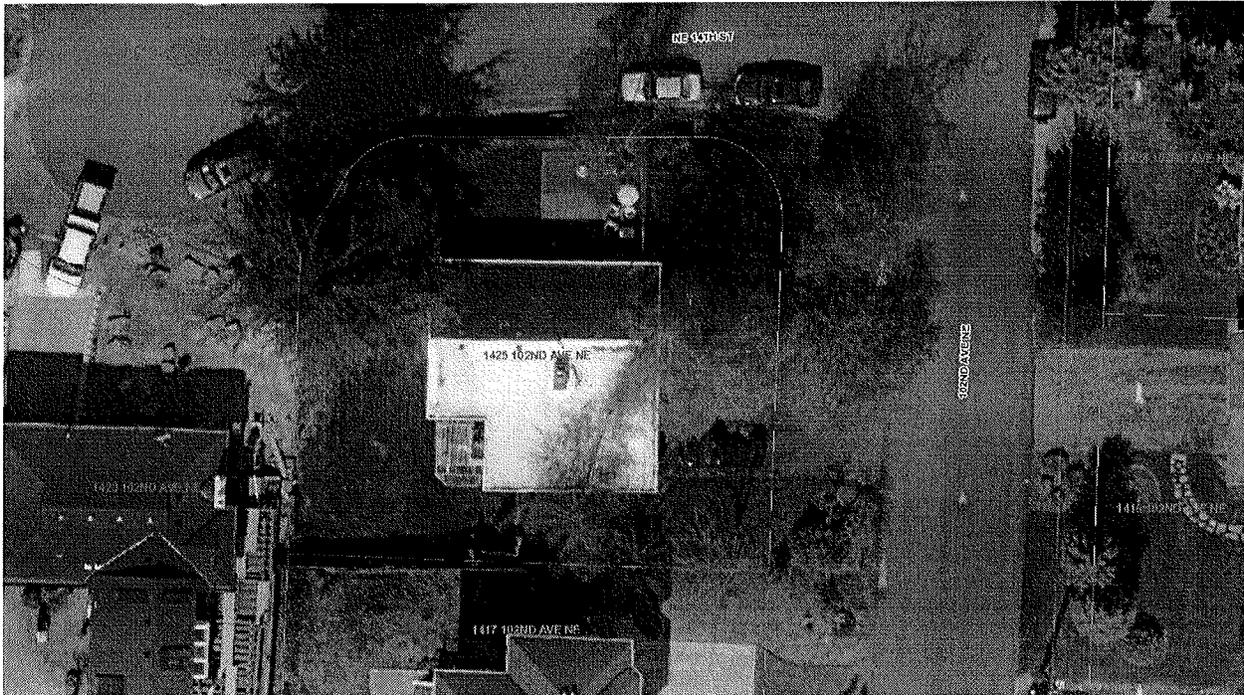
(In no event shall the building height imposed be less than 15 ft.)

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

$$\text{Building Height} = (2 \times 1859/6763 \times 35)$$

$$\text{Building Height} = (2 \times .27 \times 35)$$

$$\text{Building Height} = 19.24 \text{ feet}$$



III. Community Input on the Proposal:

On May 15, 2014 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.

Two comments were received from the public concerning the height of the home. There were some concerns about the re-development of the neighborhood and the height of recently constructed homes.

Response: The proposed height is less than the maximum permitted on lots which conform to the dimensional requirements of the zone. The proposed height is consistent with the heights of newer homes in the neighborhood, and less high than those homes in the neighborhood developed prior to the Neighborhood Livability initiative as adopted in 2009.

IV. Technical Review:

Transportation: On April 22, 2014 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. Several houses in the immediate vicinity of this home have structures measuring between 28 and 32 feet in height above the finished floor. Allowing a home of 25 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 corner lot which contains two front yards. The lot is also 6,763 square feet which is 3,237 square feet smaller than the minimum lot size for the R-3.5 zone.

The applicant's proposed structure will need to comply with both of 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 25 feet 0 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 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-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.

Policy S-NC-11: Promote infill development at a density consistent with the existing character of established neighborhoods.

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 25 feet from the average existing grade elevation to the highest peak shown on the exterior elevations sheet ST-1 dated 6-24-14.

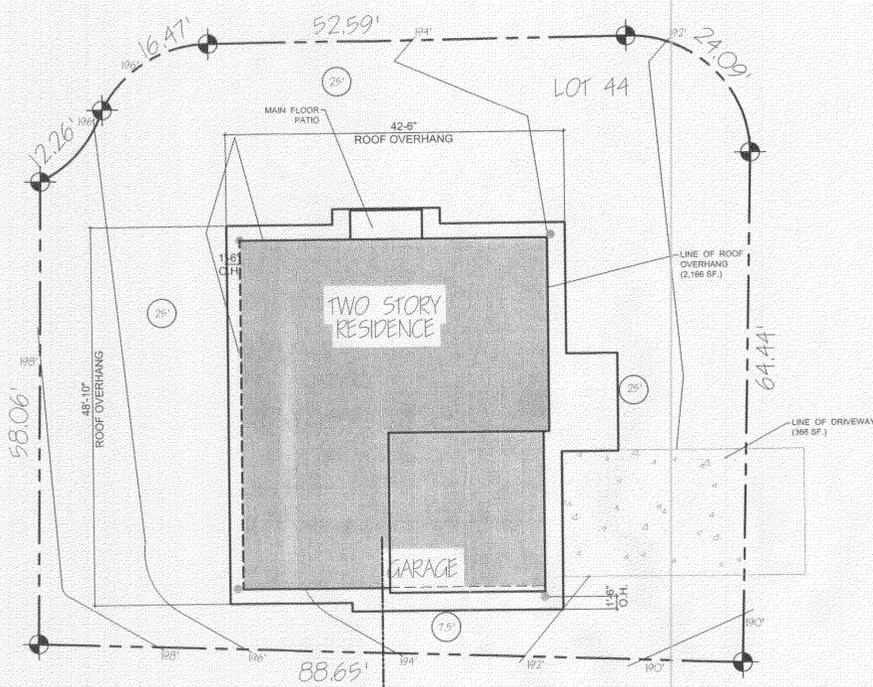
Authority: Land Use Code 20.30G.140.A.1
Reviewer: Carol Orr, Development Services Department

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

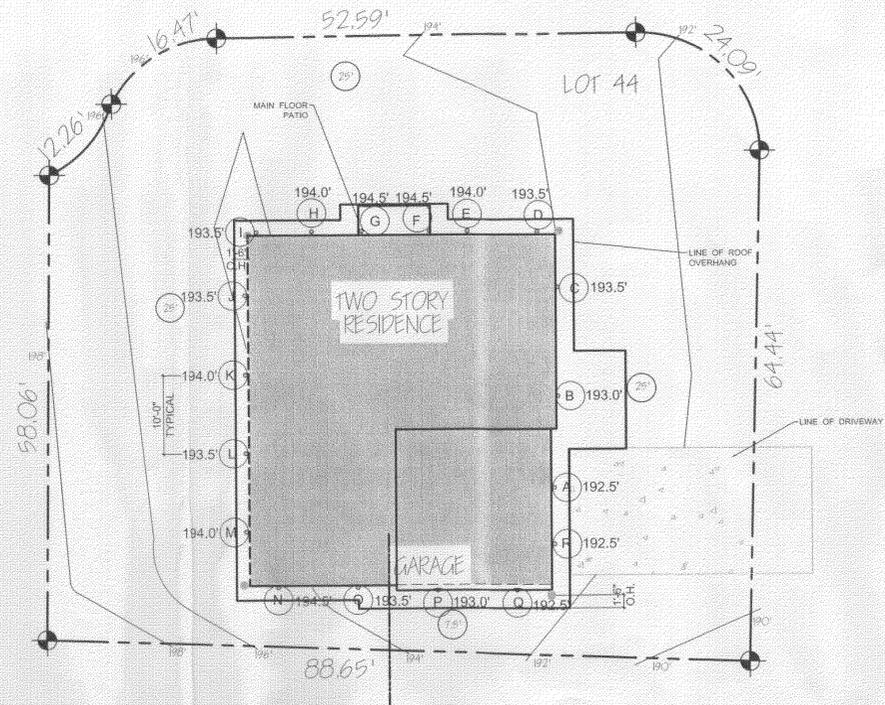
VIII List of Attachments:

1. Plans and Drawings



IMPERVIOUS SURFACE CALCULATION

SCALE: 3/32" = 1'-0" IMPERVIOUS SURFACE AREA = 2,646 SF (39.1%)



AVERAGE GRADE CALCULATION

SCALE: 3/32" = 1'-0" AVERAGE EXISTING GRADE = 193.55'

SHEET INDEX

S-1 SITE PLAN / PROJECT NOTES / BUILDING SECTION A-A
N-1 MAIN FLOOR PLAN / UPPER FLOOR PLAN

PROJECT INFORMATION

LEGAL DESCRIPTION: LOT 44, MANOR HILL ADD.
ZONING: R-55
TAX PARCEL NUMBER: 907840-0220
LOT AREA: 6,765 SF.
OCCUPANCY: R (RESIDENTIAL), U (PRIVATE GARAGE)
CONSTRUCTION TYPE: TYPE 1B

AVERAGE GRADE CALCULATION

POINT A.	192.5'
POINT B.	193.0'
POINT C.	193.5'
POINT D.	193.5'
POINT E.	194.0'
POINT F.	194.5'
POINT G.	194.5'
POINT H.	194.0'
POINT I.	193.5'
POINT J.	193.5'
POINT K.	194.0'
POINT L.	193.5'
POINT M.	194.0'
POINT N.	194.5'
POINT O.	193.5'
POINT P.	193.0'
POINT Q.	192.5'
POINT R.	+ 192.5'
	= 3,484.0'

SUM OF TOTAL ELEVATIONS = 3,484'
NUMBER OF TOTAL ELEVATIONS = 18
AVERAGE EXISTING GRADE = 193.55'

GROSS FLOOR AREA

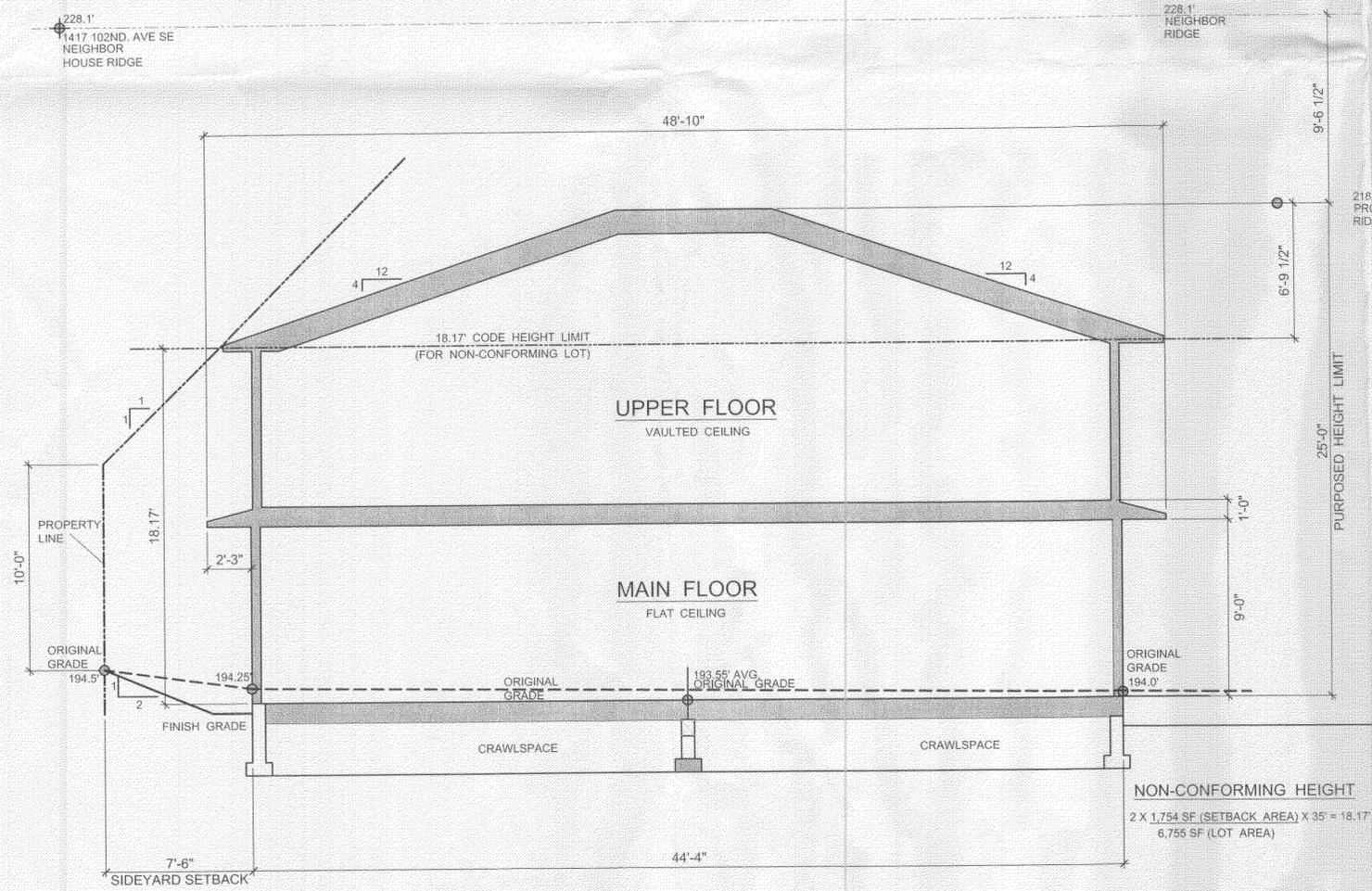
MAIN FLOOR AREA = 1,315 SF
UPPER FLOOR AREA + 1,685 SF
FINISH FLOOR AREA = 3,000 SF
GARAGE SLAB AREA + 396 SF
TOTAL FAR AREA = 3,396 SF (50.3%)

IMPERVIOUS SURFACE

MAIN ROOF AREA = 2,166 SF
DRIVEWAY AREA + 366 SF
TOTAL IMPERVIOUS = 2,532 SF (37.5% ACTUAL)
ALLOWABLE IMPERVIOUS = 3,382 SF (50% ALLOW.)

GENERAL NOTES

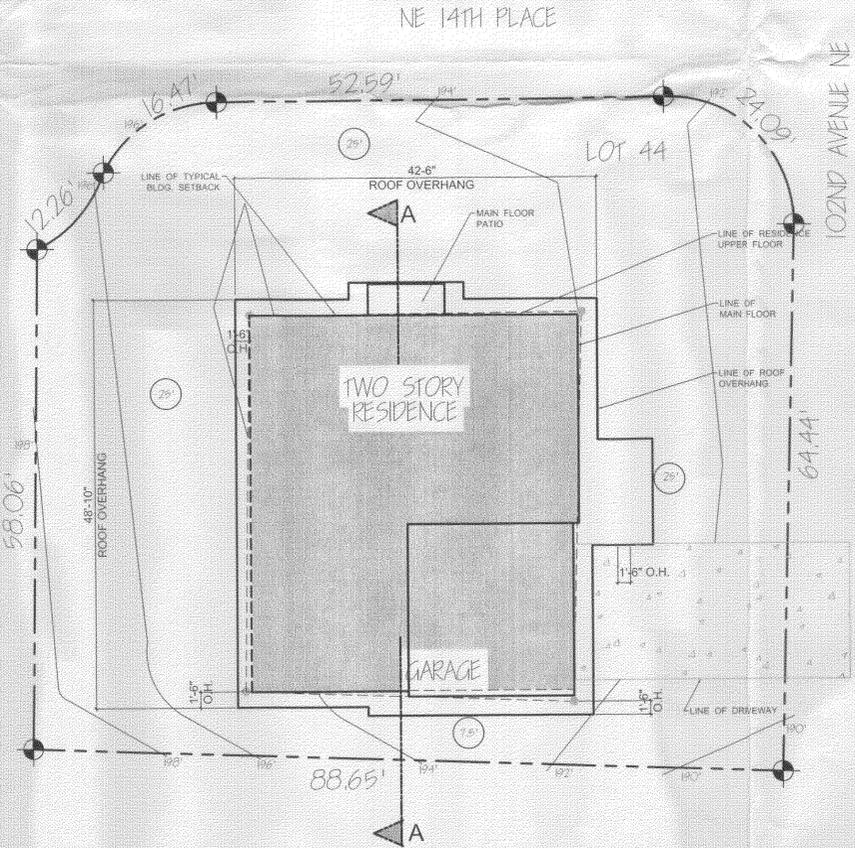
- ASSUME SOIL BEARING CAPACITY IS 2000 P.S.F.
- FOUNDINGS ARE TO REST ON UNDISTURBED SOIL
- WOOD IN CONTACT WITH CONCRETE TO BE PRESURE TREATED
- POSTS ARE TO BE ANCHORED AGAINST LATERAL MOVEMENT
- PROVIDE 6 MIL. BLACK VAPOR BARRIER IN ENTIRE CRAWLSPACE
- MIN. CLEARANCE FROM BEAMS TO SOIL IS 12"
- MIN. CLEARANCE FROM JOISTS TO SOIL IS 18"
- EXTEND FOUNDATION WALL 6" HIGHER THAN ADJACENT GRADE
- DIMENSIONS ARE TO FACE OF FOUNDATION OR CENTERLINE OF BEAM UNLESS NOTED OTHERWISE
- ALL CRAWLSPACE BEAMS ARE TO BE 4X12 OR #2 UNLESS NOTED OTHERWISE
- ANCHOR BOLT SPACING PER SHEAR WALL SCHEDULE
- PROVIDE SOLID BLOCKING AT ALL POINT LOADS FROM ABOVE
- PROVIDE SOLID BLOCKING AT ALL SPANS GREATER THAN 10'-0"



BUILDING SECTION A - A

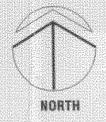
SCALE: 1/4" = 1'-0"

REVISED : 5-27-2014



SITE PLAN

SCALE: 1" = 10'-0"



DAVID REED CAHILL ARCHITECT
DESIGN - CONSTRUCTION MANAGEMENT
P.O. BOX 1071, MERCER ISLAND, WASHINGTON 98040

NO.	DATE	REVISION
1	1/22/14	SITE FLOOR PLAN FOR MISC. USE

BELLEVUE VARIANCE PROPOSAL

1425 102ND AVENUE NE, BELLEVUE, WASHINGTON 98004

SITE - BSMT PLAN

ST-1

Received JUN 24 2014 Permit Processing City of Bellevue