

RESOLUTION NO. 2049

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND REVOKING SPECIAL USE PERMIT NO. SP-1/68-1.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KIRKLAND AS FOLLOWS:

WHEREAS, on October 20, 1969 in regular meeting of the Kirkland City Council, hearing was held on the complaint of the Kirkland Planning Department to revoke special use permit SP-1/68-1 theretofore issued to Loron L. Hayes for operation of a coin-operated car wash at the southeast corner of 5th Street and 4th Avenue in Kirkland, Washington, and

WHEREAS, the Planning Department through Gerald Link, Planning Director, appeared at said hearing and presented photographic and other evidence, and the holder of said permit, Loren L. Hayes, failed to appear, although notice of said hearing had theretofore been given to said permittee,

NOW, THEREFORE, the City Council does make the following Findings:

1. The property for which special use permit SP-1/68-1 was issued is and has been zoned C-2 (Commercial), and the operation of a coin-operated carwash at the southeast corner of 5th Street South and Fourth Avenue, within the said land use classification is a permitted use only upon issuance of a special use permit.

2. Pursuant to Sec. 5.6 of Ordinance 709, the City of Kirkland Zoning Code, a special use permit was issued February 19, 1968 to Loron L. Hayes, for the purpose of operating a coin-operated carwash at the southeast corner of 5th Street South and Fourth Avenue. The said special use permit was issued conditioned upon the following:

(a) Sight screening with solid planting effective within two years after planting. Said screening to be planted between 4th Avenue and the service area and to extend southerly along 5th street and the easterly property line for approximately twenty-five (25) feet, respectively.

(b) Adequate lighting of the lot and service area during the evening and night-time hours of operation.

(c) Limited hours of operation - between 6:00 A.M. and 10:00 P.M. daily.

(d) The site filled to conform with street grade and adjacent property levels.

(e) The disposal of wastes be subject to the regulations of the State Health Department and comply with the requirements of the Washington Pollution Control Commission.

3. The permittee has failed to meet the following conditions of said special use permit, although ample time has been given by the Planning Department: Conditions (a), and (b).

4. Pursuant to the provisions of Sub-Section 5.6.2 of Ordinance 709, the Zoning Administrator for the City of Kirkland revoked the occupancy permit for said premises on October 7, 1969, and requested the City Council to revoke the special use permit.

FROM THE FOREGOING FINDINGS, THE COUNCIL CONCLUDES:

1. The special use permit heretofore issued under application No. SP-1/68-1 should be revoked.

2. That upon revocation of the special use permit, the use of said property for a coin-operated carwash is an illegal, non-conforming use.

3. That the City Council should ratify the action of the Zoning Administrator in revoking the occupancy permit.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF KIRKLAND:

1. The special use permit issued to Mr. Loren L. Hayes for operation of a coin-operated carwash located at the southeast corner of 5th Street and 4th Avenue on February 19, 1968, under application No. SP-1/68-1, is hereby revoked.

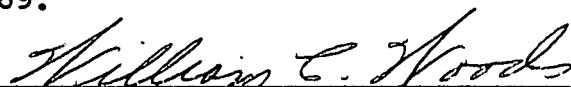
2. The use of said premises and the structures thereon as a coin-operated carwash shall forthwith cease.

3. The action of the Zoning Administrator in revoking the occupancy permit is hereby ratified.


4. A certified copy of this resolution and order shall be served upon Loren L. Hayes, the permittee, by certified mail with return receipt.

ADOPTED in regular meeting of the Kirkland City Council the 3rd day of November, 1969.

Attest:



Mayor



Director of Administration and Finance
(ex officio City Clerk)