

RESOLUTION NO. 2107

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF CONDITIONAL USE PERMIT NO. CUP-71-7(H) SUBJECT TO CERTAIN CONDITIONS AND PROVIDING FURTHER THAT SUCH CONDITIONAL USE PERMIT SHALL BE REVOKED IN THE EVENT OF FAILURE TO MEET SAID CONDITIONS.

BE IT RESOLVED by the City Council of the City of Kirkland as follows:

WHEREAS, Bittman, Sanders, Hasson & Associates has made and filed proper application for Conditional Use Permit for installation of a moorage facility to be located at:

The North 121.69 feet of Government Lot 4 in Section 8-25-5, W.M. and of the shorelands fronting thereon, lying west of Lake Washington Boulevard as now established, lying south of the north line produced west of Lot 1, in Block 2 of French's Homestead Villa, together with the south 43.31 feet of second class shorelands lying westerly of Lake Washington Boulevard and easterly of the inner harbor line and between the north line of Lot 1, Block 1 and the north line of Lot 1, Block 2, French's Homestead Villa; according to plat recorded in Volume 20 of Plats, Page 24, in King County, Washington, said lines being extended westerly to the inner harbor line of Lake Washington.

WHEREAS, pursuant to Section 5.6 of Ordinance 709 of the Kirkland Zoning Code, the Planning Commission, following public hearing held October 14, 1971, has recommended to the City Council, approval of the request for said Conditional Use Permit, and

WHEREAS, on November 1, 1971, in regular meeting the City Council did consider said application, the report and recommendation of the Planning Department, Planning Commission and Houghton Community Council and the statements and assurances of the applicant or his representative in attendance at said Council meeting.

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

1. The proposed site is located in a R-4 Land Use Classification, which, by Section 22-20 of Ordinance 134, the Houghton Zoning Ordinance, allows moorage facilities (boat basins) upon the issuance of a Conditional Use Permit.

2. Access to the site is from Lake Washington Boulevard, an improved street and a major arterial.

3. Utilities are available in the form of sewer and water with a twelve inch sanitary sewer line and a 10 inch water main to serve the property.

4. All the surrounding property to the north and south is within the R-4 Land Use Classification, and the property to the east and across Lake Washington Boulevard is in an R-3, multiple family Land Use Classification.

5. This Conditional Use Permit shall be conditioned upon:

A. The proposed moorage facility being developed and maintained for the exclusive use of the occupants of the multi-family residents structures located upon the real property described in Appendix A attached hereto, or;

B. The applicant shall provide 1.2 parking stalls per berth, Section 72-202 of Ordinance No. 132 (H).

6. A detailed site plan has been submitted to the City and was shown to the City Council at the time of its regular meeting. Said site plan is by this reference included within the findings of the City Council. Construction and maintenance must conform to the detailed site plan.

7. The height of the breakwater to be limited to a height of approximately 30 inches above the mean high water level.

8. The accessory boat building shall be as low as possible.

9. All the requirements of Ordinance No. 132(H), the Houghton Zoning Ordinance shall be conformed to.

10. A failure to meet and maintain any of the conditions included in these findings would result in a use and structure in violation of the zoning and land use regulations and would further appear to result in the creation of a public nuisance.

Based upon the foregoing Findings, the Council makes the following Order:

1. The Conditional Use Permit applied for by Bittman, Sanders, Hasson & Associates, being Conditional Use Permit No. CUP-71-7(H) shall be issued subject to the conditions set forth or included by reference in the foregoing Findings.

2. Failure on the part of the holder of said Conditional Use Permit to initially meet or continue to maintain strict compliance with said standards and conditions shall be grounds for revocation of any occupancy permit and the Conditional Use Permit in accordance with the procedures set forth in Section 5.6.2 of Ordinance 709.

3. A certified copy of this Resolution and Order shall be attached to and become a part of the Conditional Use Permit or evidence thereof delivered to the Permittee.

ADOPTED in regular meeting of the Kirkland City Council on the 15th day of November, 1971.

William C Woods
Mayor

Attest:

Tom J. Anderson
Director of Administration and Finance
(ex officio City Clerk)

APPENDIX A

LEGAL DESCRIPTION

Government Lot 4 in Section 8-25-5, W. M. and of the shorelands fronting thereon, lying west of Lake Washington Boulevard as now established, lying south of the north line produced west of Lot 1 in Block 2 of French's Homestead Villa, together with the second class shorelands lying westerly of Lake Washington Boulevard and easterly of the inner harbor line and between the north line of Lot 1, Block 1 and the north line of Lot 1, Block 2, French's Homestead Villa; according to plat recorded in Volume 20 of Plats, page 24, in King County, Washington, said lines being extended westerly to the inner harbor line of Lake Washington.