

RESOLUTION NO. 2174

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING ISSUANCE OF A CONDITIONAL USE PERMIT AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. CUP-73-13(P) BY CHARLES TINTLE FOR CONSTRUCTION OF A SINGLE FAMILY RESIDENCE WITHIN WATERFRONT DISTRICT II.

WHEREAS, the Kirkland Department of Community Development has received an application for Conditional Use Permit filed by Charles Tintle, owner of the property described in said application and located within Waterfront District II seeking to construct thereon a single family dwelling, and

WHEREAS, the application has been assigned for identification File No. CUP-73-13(P) and submitted to the Kirkland Planning Commission who held public hearing thereon on March 8, 1973, and

WHEREAS, the Kirkland Planning Commission did thereafter adopt certain findings, conclusions, conditions and recommendations approving issuance of the Conditional Use Permit,

NOW, THEREFORE, be it resolved by the City Council of the City of Kirkland as follows:

Section 1. The Conditional Use Permit applied for by the above-named applicant, being Conditional Use Permit No. CUP-73-13(P) shall issue subject to the conditions set forth in the findings, conclusions and recommendations of the Kirkland Planning Commission as signed by the chairman thereof and filed in said file, which findings, conclusions, recommendations and conditions are by this reference adopted by the Kirkland City Council as though fully set forth herein.

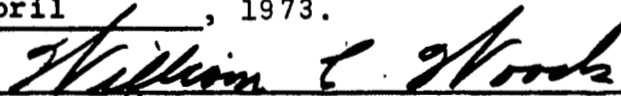
Section 2. A certified copy of this resolution shall attach to and become a part of the Conditional Use Permit, or evidence thereof delivered to the permittee.

Section 3. Failure on the part of the holder of the Conditional Use Permit to initially meet or to maintain strict compliance with said standards and conditions shall be grounds for revocation in accordance with Section 23.56.110 of Ordinance 2183, the Kirkland Zoning Code.


Section 4. Certified or conformed copies of this resolution shall be delivered to the following:

- (a) The applicant
- (b) The Kirkland Department of Community Development
- (c) The Kirkland Building Official
- (d) The Department of Public Services for the City of Kirkland
- (e) The Department of Fire Services for the City of Kirkland
- (f) The Police Department of the City of Kirkland

ADOPTED in regular meeting of the Kirkland City Council on the 2nd day of April, 1973.

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
Director of Administration and Finance  
(ex officio City Clerk)

CUP-73-13(P)  
Resolution # 2174

Mailing Address: Chuck Tintle  
12244 S.E. 25th St.  
Bellevue, Wa. 98004

TRANSMITTAL REPORT

Report Prepared:	March 27, 1973	File No.:	CUP-73-13(P)
Name:	Chuck Tintle	Hearing Body:	City Council
Property Location:	Waterfront Parcel W. of 1030-14th Pl. W.	Hearing Date:	April 2, 1973
Subject:	Conditional Use Permit		

To date, the following action has been taken on the applicant's property:

1. March 1, 1973: Board of Adjustment heard variance application to reduce the north side setback. The Board and applicant jointly concurred that the variance was not necessary.
2. March 8, 1973: Planning Commission heard conditional use permit application to locate a single family home in a W.D.II (Waterfront) Zone. They recommended approval.

For the background information on this application, please refer to the attached report prepared for the Kirkland Planning Commission.

Report prepared by:  
DEPARTMENT OF COMMUNITY DEVELOPMENT

Kim Stokes

- Attachments:
- (1) Report for Planning Commission
  - (2) Vicinity Map (Exhibit A)
  - (3) Site Plan (Exhibit B)
  - (4) Cross Section (Exhibit C)
  - (5) Proposed Resolution No. 2174

MAILING ADDRESS:  
Chuck Tinkle  
12214 S.E. 25th St.  
Bellevue, Wa. 98005

ADMINISTRATIVE REPORT  
February 25, 1973

NAME: Chuck Tinkle FILE NO.: CUP-73-13(P)  
PROPERTY LOCATION: Vacant property south HEARING BODY: Planning Commission  
of 1005 14th Pl. W. HEARING DATE: March 8, 1973  
SUBJECT: Conditional Use Permit Application

#### BACKGROUND ANALYSIS

The property owned by the applicant lies in a Waterfront District II zone which allows basically single family homes and accessory structures with the granting of a Conditional Use Permit. This is an application for such a permit to construct a single family home.

At the time of the writing of this report, the applicant has a variance request before the Board of Adjustment requesting a 10 foot north setback for a 20 foot high structure rather than the required 15 foot setback. This, due to the driveway running from a north south direction making access to the lake and sewer easement on the south side, no view impairment would occur to the public due to the high bank to the west, total side setbacks for both sides exceeds by two feet what would be required by code and there would be no sunlight reduced to the north property due to location of proposed home.

Waterfront District II is defined to be a low density waterfront use area, primarily due to the precedents set by existing developments. Basic development standards are as follows:

1. No over water construction except for moorages and other elements consistent with public enjoyment of the waterfront.
2. No landfill in submerged land areas except in the public interest.
3. Provision for a pedestrian way along public rights-of-way.
4. No commercial or industrial uses are permitted.
5. All waterfront developments shall be evaluated in terms of how much visual access to the water is provided for the enjoyment of the public.

Further, uses allowed in this district are:

1. Public waterfront parks
2. Single family dwelling units
3. Unclassified waterfront uses

FINDINGS:

The following findings are also included:

1. If the Variance to the north setback requirement is granted, proposed structure meets all setback requirements of the zone.
2. No construction in the water is proposed.
3. No landfill is proposed.
4. The provision for a pedestrian way along the public right-of-way is not applicable since street is approximately 400 feet to the east and separated by private ownerships.
5. There is no commercial use proposed.
6. No visual access to the lake is lost by the public due to steep bank to the east.
7. The use (single family) fits within the allowed uses with the issuance of a Conditional Use Permit.
8. Adequate off-street parking will be provided.
9. Lot area exceeds the required 12,500 square feet required.
10. Building height will not exceed a height of 25 feet.

CONCLUSION:

This application meets all the requirements of the newly adopted Waterfront District III.

RECOMMENDATION:

Based upon the above findings and conclusions, we recommend this Conditional Use Permit be granted as requested.

ACTION OF THE PLANNING COMMISSION:

The Planning Commission hereby makes the following decision: Adopt as is, or as modified, the findings, conclusions and recommendation set forth above.

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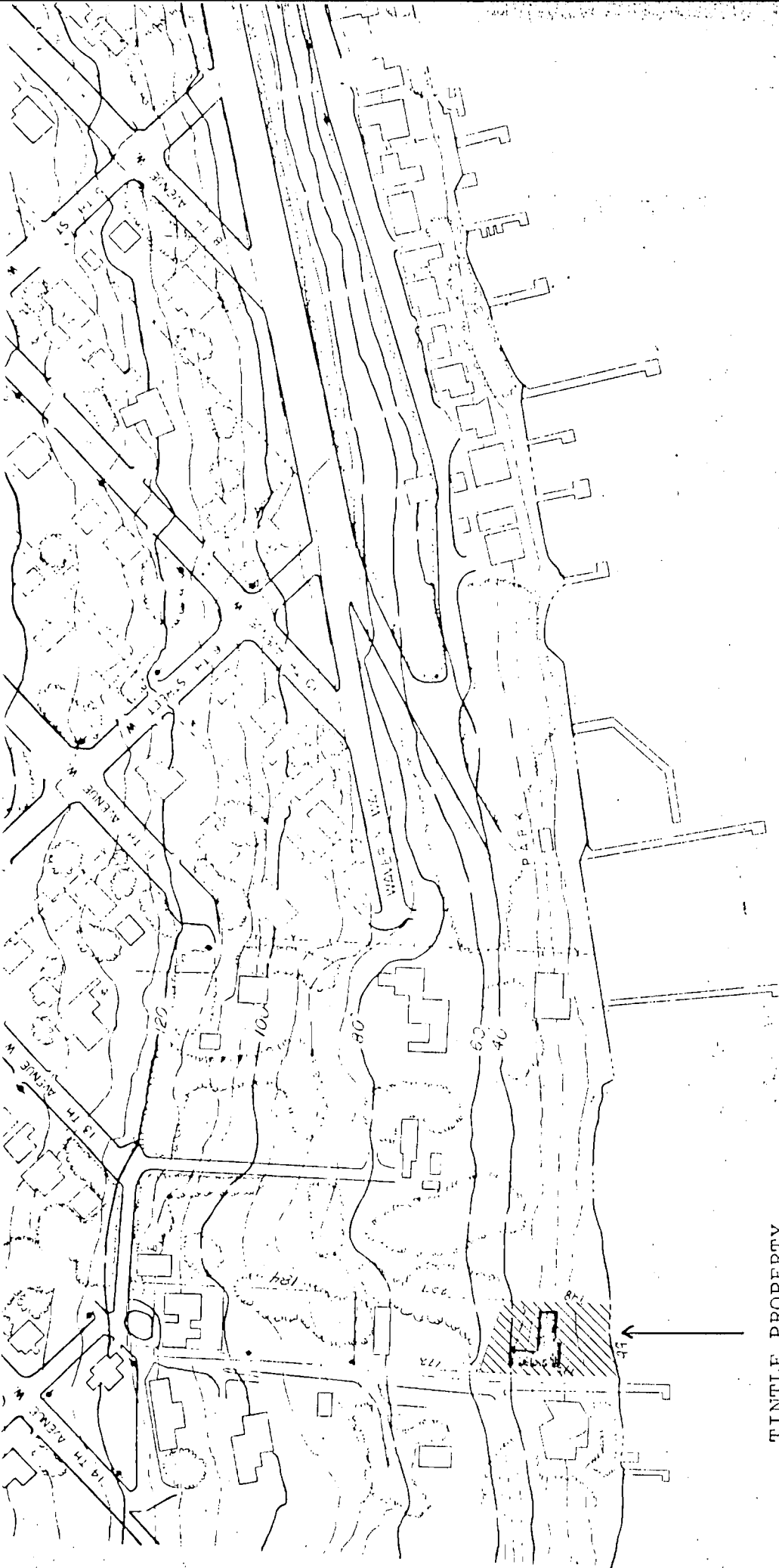
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Chairman

Secretary



TINTLE PROPERTY

N



W

E

K

A

L

EXHIBIT

A

LAKE WASHINGTON

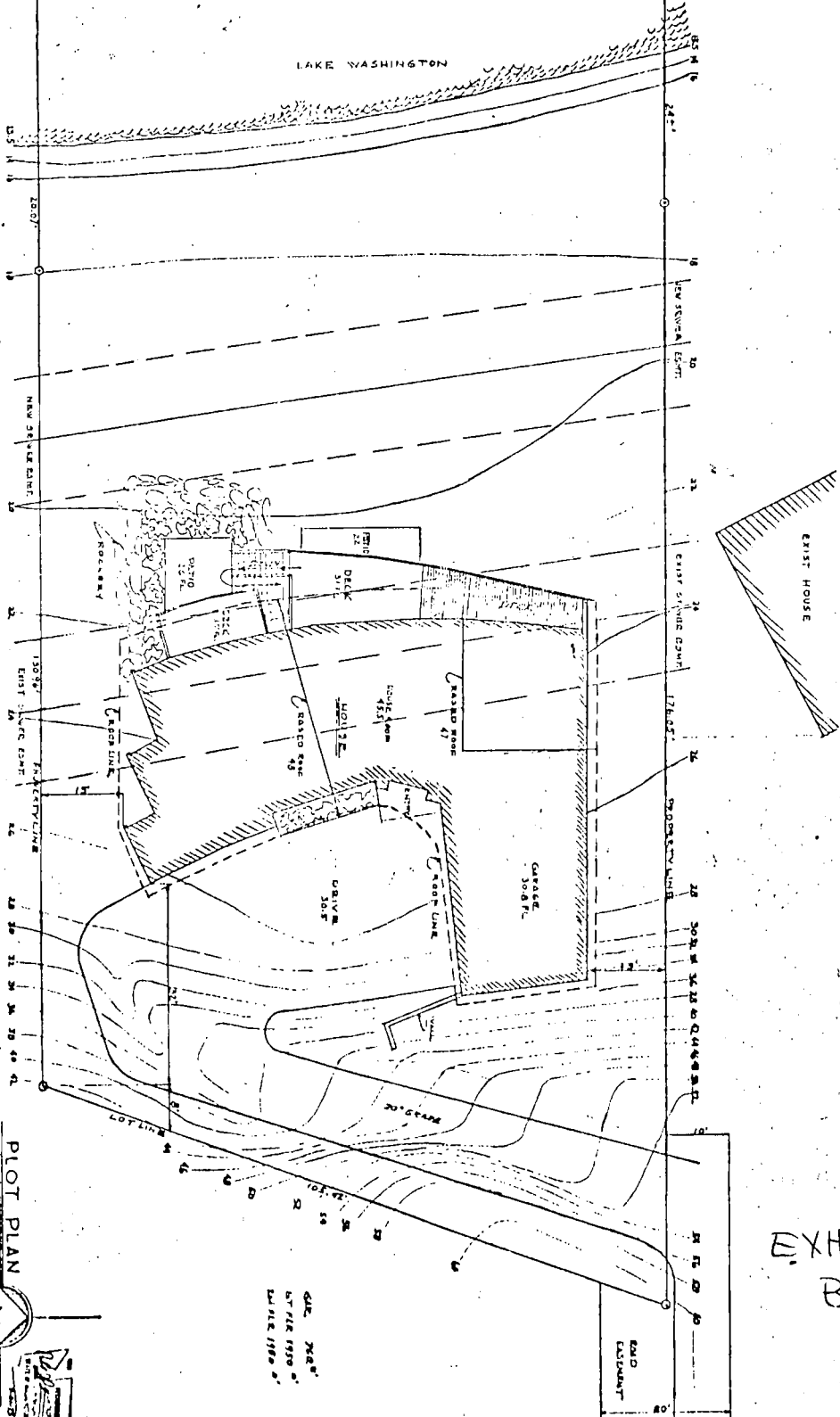


EXHIBIT B

CHUCK & MARY TINTLE  
RESIDENCE

ROBERT J. PETERSON  
ARCHITECT

2-18-73 54 72/81

PLOT PLAN  
1/8" = 1'-0"



MSI

DATE: MAR 81  
BY: RJP  
DATE: 1980  
SCALE: 1/8" = 1'-0"

END  
EXHIBIT

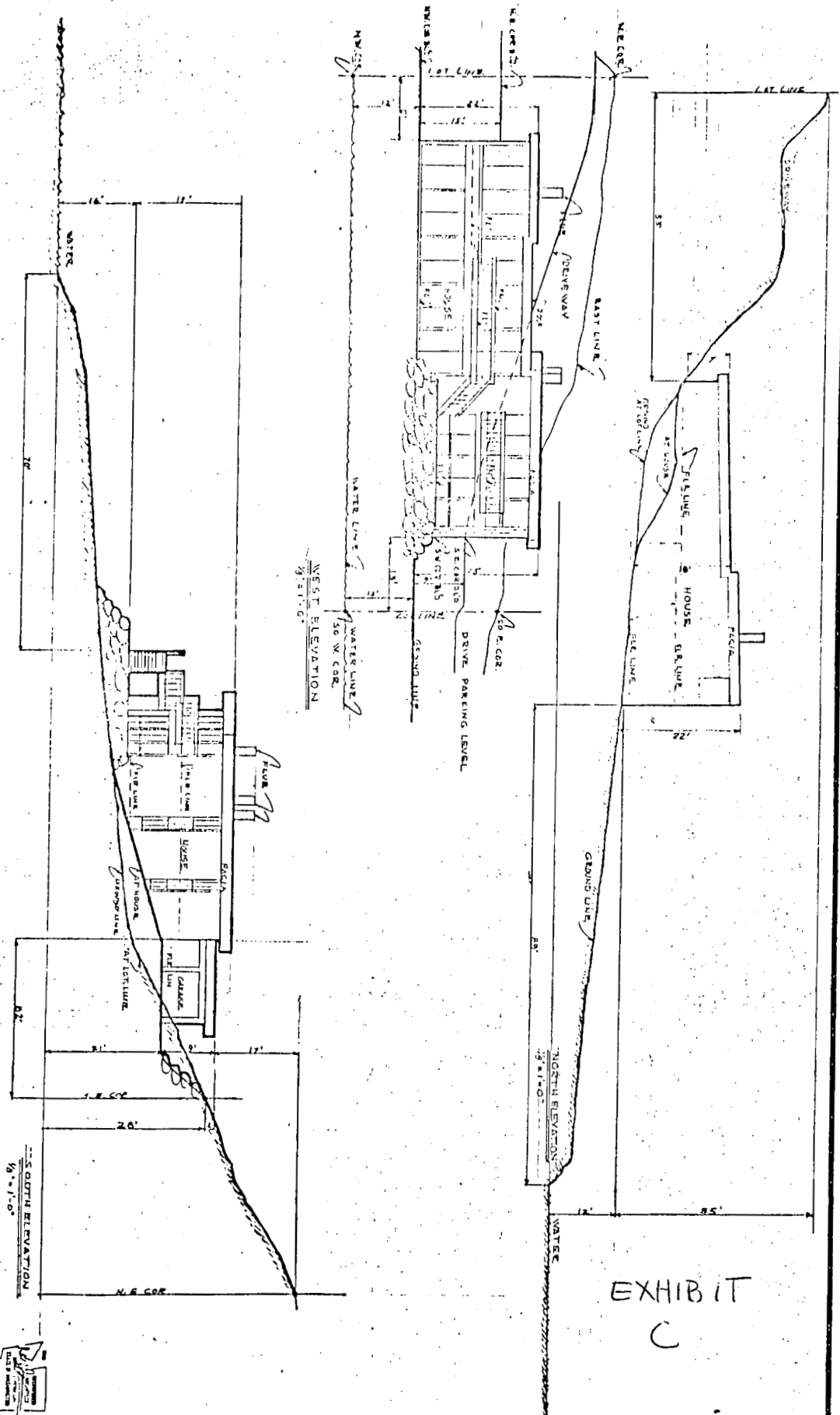


EXHIBIT  
C

CHUCK & MARY TINTLE  
RESIDENCE

ROBERT J PETERSON  
ARCHITECT  
2-28-75  
SMT0151

No 2  
1/8" = 1'-0"