

RESOLUTION NO. R-2608

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING THE ISSUANCE OF A ZONING CONDITIONAL USE PERMIT AS APPLIED FOR IN DEPARTMENT OF COMMUNITY DEVELOPMENT FILE NO. ZCUP-SDP-78-95(P) BY EUGENE A. HOS TO REPAIR AND EXTEND AN EXISTING, UNUSEABLE DOCK AT 1027 14TH PLACE WEST, BEING WITHIN A WATERFRONT DISTRICT II ZONE, AND SETTING FORTH CONDITIONS TO WHICH SUCH ZONING CONDITIONAL USE PERMIT SHALL BE SUBJECT.

WHEREAS, the Department of Community Development has received an application for a Zoning Conditional Use Permit filed by Eugene A. Hos, the owner of said property described in said application and located within a Waterfront District II zone.

WHEREAS, the application has been submitted to the Kirkland Planning Commission who held public hearing thereon at their regular meeting of March 22, 1979, and

WHEREAS, pursuant to City of Kirkland Ordinance No. O-2319 concerning environmental policy of the State Environmental Policy Act, an environmental checklist has been submitted to the City of Kirkland, reviewed by the responsible official of the City of Kirkland and a negative declaration reached, and

WHEREAS, said environmental checklist and declaration have been available and accompanied the application through the entire review process, and

WHEREAS, the Kirkland Planning Commission after their public hearing and consideration of the recommendations of the Department of Community Development and having available to them the environmental checklist and negative declaration did adopt certain Findings, Conclusions and Recommendations and did recommend approval of the Zoning Conditional Use Permit subject to the specific conditions set forth in said recommendations.

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

Section 1. The Findings, Conclusions and Recommendations of the Kirkland Planning Commission as signed by the Chairperson thereof and filed in the Department of Community Development File No. ZCUP-SDP-78-95(P) are adopted by the Kirkland City Council as though fully set forth herein.

Section 2. The Zoning Conditional Use Permit shall be issued to the applicant subject to the conditions set forth in the Recommendations hereinabove adopted by the City Council.

Section 3. A certified copy of this Resolution, together with the Findings, Conclusions and Recommendations therein adopted shall be attached to and become a part of the Zoning Conditional Use Permit or evidence thereof delivered to the permittee.

Section 4. Nothing in this Section shall be construed as excusing the applicant from compliance with any federal, state or local statutes, ordinances or regulations applicable to this project, other than expressly set forth herein.

Section 5. Failure on the part of the holder of the Zoning Conditional Use Permit to initially meet or maintain strict compliance with the standards and conditions to which the Zoning Conditional Use Permit is subject shall be grounds for revocation in accordance with Ordinance No. 2183, the Kirkland Zoning Ordinance.

Section 6. Certified or conformed copies of this Resolution shall be delivered to the following:

- (a) Applicant
- (b) Department of Community Development of the City of Kirkland
- (c) Fire and Building Department of the City of Kirkland
- (d) Parks Department of the City of Kirkland
- (e) Police Department of the City of Kirkland
- (f) Public Service Department of the City of Kirkland
- (g) The Office of the Director of Administration and Finance
(ex officio City Clerk) for the City of Kirkland

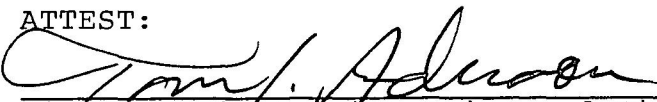
ADOPTED in regular meeting of the City Council on the 2nd day of April, 1979.

SIGNED IN AUTHENTICATION thereof on the 2nd day of April, 1979.



Mayor

ATTEST:



Director of Administration and Finance
(ex officio City Clerk)



DEPARTMENT OF COMMUNITY DEVELOPMENT

ADVISORY REPORT
FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

___ PREPARED BY _____ DATE _____

XX RECOMMENDED BY _____ DATE March 22, 1979

___ ADOPTED BY _____ DATE _____

___ STAFF _____

___ BOARD OF ADJUSTMENT _____

___ HOUGHTON COMMUNITY COUNCIL _____

X PLANNING COMMISSION _____
Kay Haengg
Kay Haengg, Chairperson

___ CITY COUNCIL AS INCORPORATED IN _____

___ RESOLUTION _____ ORDINANCE

NUMBER _____

DATE _____

FILE NUMBER ZCUP-SDP-78-95(P)

APPLICANT EUGENE AND MARIE HOS

PROPERTY LOCATION 1027 14th Place West

SUBJECT Application for Zoning Conditional Use Permit and Substantial Development Permit to Repair and Extend Existing Dock

HEARING/MEETING DATE April 2, 1979

BEFORE KIRKLAND CITY COUNCIL

EXHIBITS ATTACHED "A" Applications "B" Vicinity Map "C" Proposal

"D" Environmental Information "E" Letter from Mr. Heaverlo

SUMMARY:

A. DESCRIPTION OF THE PROPOSED ACTION:

1. This is an application for a Zoning Conditional Use Permit and a Substantial Development Permit to repair and extend an existing, unuseable dock. The new dock would extend approximately 79 feet from High Water Line and would have a draw of approximately 7 feet. The purpose is for private boat moorage.
2. The location of the proposed action is 1027 14th Place West.

B. RECOMMENDATIONS:

Based upon the following Statements of Fact, Conclusions and Exhibits "A" through "E" included with this report, we hereby recommend approval of this application subject to the following conditions:

1. The dock shall extend no further waterward than the existing docks immediately to the north and south.
2. The pier shall be designed by a licensed structural engineer.
3. A single low light, no more than 3 feet above the elevation of the deck, shall be installed at the west end of the pier.
4. Components used in the construction of the dock should be materials which will not have significant adverse physical or chemical effects on the water quality, vegetation, fish or wildlife.
5. The address shall be posted on the western edge of the dock.

II. MAJOR STATEMENTS OF FACT AND CONCLUSIONS:

A. HISTORICAL BACKGROUND: (Not applicable)

B. GOVERNMENTAL COORDINATION:

1. Statements of Fact.

- a. Fire Department. Per Operating Policy No. 2 (City of Kirkland): If the distance from the end of a pier to an area where a fire truck can rest safely exceeds 250 feet a horizontal dry standpipe will be required.

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- II. B. 1. b. Police Department. Lighting should be required on end of dock, as well as an address on the end of the dock facing the water.
- c. Building Department. The pier should be constructed in accordance with UBC Chapter 56 as amended. The pier should be designed by a licensed structural engineer. Elevation 23.81 feet to top of dock - Corps Datum.
- d. Public Service Department. (No comment)
- e. Parks Department.
Need justification for extending beyond 6 foot depth.
- f. SEPA. A Declaration of Non-Significance was made by the Responsible Official on January 11, 1979.
2. Conclusions. A low light, not exceeding a height of 3 feet above the deck, should be placed at the western end of the pier. In addition, the pier should be designed by a licensed structural engineer.

C. CITIZEN INPUT:

1. Statements of Fact.

- a. A letter dated March 9, 1979, was received from James Heaverlo. "To esthetically conform to neighboring docks, we would request that the Hos dock not extend beyond a line between the docks to the north and south at their furthestest point in the Lake."

2. Conclusions.

The length of the dock should be determined by the draw at high water line. Justification is required for a draw in excess of 6 feet. The applicant has stated that they do not know at this time what type of boat they will eventually moor, but that it will probably be a sailboat. Most sailboats require a draft exceeding 6' at high water.

D. EXISTING PHYSICAL CHARACTERISTICS: (Not applicable)

II. E. PUBLIC UTILITIES: (Not applicable)

F. NEIGHBORHOOD CHARACTERISTICS:

1. Statements of Fact.

- a. Zoning. The subject property is zoned Waterfront District II, which allows for Single Family homes with a minimum lot size of 12,500 square feet. Properties to the east, south and north of the subject property are similarly zoned.
- b. Land Use. A single family residence currently exists on the property. Single family residences exist on all sides of the subject property.

2. Conclusions.

A pier for the purpose of moorage for the single family residence would not be inconsistent with the zoning or land use.

G. LOCAL ZONING AND/OR LAND USE POLICIES AND PLANS:

1. Statements of Fact.

- a. The following excerpts from the Shoreline Master Program are applicable to this proposal:

"The size and extent of a pier should not exceed that which is required for the water-dependent purposes for which it was constructed." (Page 41)

"Components in or near the water should not be constructed from materials which have significant adverse physical or chemical effects on water quality, vegetation, fish and/or wildlife." (Page 37)

Page 45 of the Shoreline Master Program enumerates those uses requiring a Conditional Use Permit. "The exception will not apply to any single family residence where a bulkhead is proposed to be constructed waterward of the high water line, or if a pier is to be constructed in conjunction with the residence whose maximum waterward extension exceeds a dimension providing for a draft of 6 feet (from high water)...".

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II. G. 2. Conclusions.

Justification should be required for a pier length that exceeds 6 feet in draw.

III. APPENDICES:

Exhibits "A" through "D" are attached.