

RESOLUTION NO. R- 4169

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND; CONSIDERING AN APPEAL BY KIM KIRCHOFFNER AS APPLIED FOR IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE A-98-76; AND DENYING THE ISSUANCE OF A PROCESS IIA PERMIT AS APPLIED FOR IN DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT FILE NO. IIA-97-93 BY KIM KIRCHOFFNER BEING WITHIN AN RSX 7.2 ZONE.

WHEREAS, the Department of Planning and Community Development has received an application for a Process IIA permit, filed by Kim Kirchoffner, the owner of the property described in the application and located within an RSX 7.2 zone; and

WHEREAS, the application was submitted to the Hearing Examiner, who held a hearing on the application on July 28, 1998; and

WHEREAS, the Hearing Examiner, after his public hearing and consideration of the recommendations of the Department of Planning and Community Development, adopted certain Findings, Conclusions, and Decision and denied the Process IIA permit subject to the specific conditions set forth in the decision; and

WHEREAS, the City Council, in regular meeting of November 17, 1998, and continued to January 5, 1999, held an appeal hearing and reviewed the record of the decision of the Hearing Examiner, as well as a timely filed appeal of the decision;

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

Section 1. The findings, conclusions, and decision of the Hearing Examiner, as filed in the Department of Planning and Community Development File No. IIA-97-93, is adopted by the Kirkland City Council as though fully set forth herein; except that the Department of Planning and Community Development Advisory Report Findings, Conclusions and Recommendations, section I.B.2, is amended to read as follows:

Within 30 days following the Notice of Decision of the City Council, the recreational vehicle and the carport shall be removed, demolished or relocated in compliance to all city codes, enforcement procedures and the Uniform Building Code.

Section 2. The Process IIA permit shall be denied.

Section 3. Nothing in this resolution shall be construed as excusing the applicant from compliance with any federal, state, or local statutes, ordinance, or regulations applicable to this project, other than expressly as set forth herein.

Section 4. A certified copy of this resolution, together with the Findings, Conclusions, and Decision herein adopted and modified shall be delivered to the applicant.

Section 5. Certified or conformed copies of this resolution shall be delivered to the following:

- (a) Department of Planning and Community Development of the City
- (b) Fire and Building Departments of the City
- (c) Public Works Department of the City
- (d) City Clerk for the City

PASSED by majority vote of the Kirkland City Council on the 5th day of January, 1999.

SIGNED IN AUTHENTICATION thereof on the 5th day of January, 1999.


Mayor

Attest:


Deputy City Clerk