



CITY OF KIRKLAND

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
123 FIFTH AVENUE, KIRKLAND, WA 98033
425.587.3225 - www.kirklandwa.gov

To: Hearing Examiner

From: Craig Salzman, CCEO
Code Enforcement Officer

Date: August 21, 2012

Subject: HEARING FOR ALEN GALOOSTIAN, NOTICE OF CIVIL VIOLATION FOR VIOLATION OF THE HOME OCCUPATION REGULATIONS, KZC 115.65, LOCATED AT 13205 122ND PL NE, KIRKLAND; PLANNING DEPARTMENT FILE NO. COM12-00213

I. INTRODUCTION

City of Kirkland staff ("staff") offer this staff report with regard to the above-referenced Code Enforcement matter. The person(s) responsible for the violation is Alen Galoostian.

II. ISSUES PRESENTED

- A. Is the owner, Alen Galoostian, operating an auto repair business from his residence in violation of the Kirkland Zoning Code (KZC) and Kirkland Municipal Code (KMC) at his residence at 13205 122nd PI NE, Kirkland?
- B. Is the owner responsible for fines of \$100.00 per day for each day that he continues to operate this business?
- C. Is the owner responsible for the costs of the Hearing if he fails to appear at the Hearing?

III. STATEMENT OF FACTS

- A. The site is zoned RSA 6.
- B. King County received a complaint about this same issue in 08/10.
- C. The City received a complaint about this on July 16, 2012. The complaint states that cars are regularly parked in the street as well as in the driveway and on the lawn.
- D. The complainant reports that there are cars delivered to the address by tow trucks and then repaired.
- E. The complainant also reported a vehicle having a windshield replaced in the driveway of the residence.
- F. On July 17, 2012 a site visit revealed a car being worked on in the garage, with the garage door open, and two cars parked on the lawn on the south side of the driveway.

- G. There were 4 cars parked on the site 3 of them were registered to owners with different addresses than on my first inspection in July.
- H. According to the complainant, on Sunday, August 19, the garage door was open and a Subaru was in the garage with the hood up. It appeared that it was being repaired.
- I. On Monday, August 20 a site visit revealed, there were 3 cars not registered to the address in the driveway and parked on the lawn to the south of the garage.
- J. When I delivered the Notice of Civil Violation a man was entering one of the cars in the driveway and drove it away.
- K. The owner has operated a commercial auto repair business in the past, the license issued by the State verifies this.

IV. LEGAL ANALYSIS

- A. KZC 115.65 allows a home occupation that is consistent with a residential setting. This business brings excessive traffic and does not provide adequate parking for the use.
- B. The owner claims he repairs cars for friends and family and it is not a business, this does not preclude it from being a business, and still might require compliance with the codes.
- C. The business does not have a City Business license.
- D. KMC 1.12.050 allows the City to collect fines for violations, as well as the cost of the Hearing for a failure to appear.

V. CONCLUSION

- A. The owner should stop all commercial car repair activities at his residence immediately.
- B. If the owner continues to repair cars other than those cars registered to his immediate family at his address, he should be required to pay fines of \$100.00 per day until the activity ceases.
- C. If the owner fails to appear at the hearing he should pay for the actual cost of the hearing.

Exhibit:

- A. Staff Report

Attachments:

- 1. Notice of Civil Violation
- 2. Affidavit of Service
- 3. Business licensing documents
- 4. Photo of car parked on lawn



CITY OF KIRKLAND
 Planning and Community Development
 Code Enforcement
 123 5th Avenue, Kirkland, WA 98033
 (425)587-3225 – Fax: (425)587-3232
www.kirklandwa.gov

NOTICE OF CIVIL VIOLATION
 (Kirkland Municipal Code 1.12.040)

Date: August 20, 2012	Case Number: COM12-00213
<u>Property Owner Information</u>	<u>Violation Information</u>
Name: Alen Galoostian	Site Address: 13205 122 nd PI NE
Address: 13205 122nd PI NE	City, State, Zip: Kirkland, WA 98034
City, State, Zip: Kirkland, WA 98034	Parcel #: 866326-0350

Code Provision(s) Violated:	KZC 115.65 115.115 KMC 7.02.040
Description of Violation:	Operating an auto repair business at a residential address, without a City business license and parking vehicles on the lawn in a required yard.
Inspection Dates:	July 17, August 19 and 20, 2012
Date(s) of Violation:	July 17, 2012 and continuing until corrected
Person(s) Responsible For:	Alen Galoostian
Request for Voluntary Compliance:	no
Corrective Action and Compliance Date:	Cease all automobile repair activities at the residence, park all vehicles at the residence in the garage or on the driveway
Hearing Date:	September 6, 2012

HEARING NOTICE: On September 6, 2012 at 9:00 A.M. the Kirkland Hearing Examiner shall hold a hearing in City Council Chambers, 123 5th Avenue, Kirkland, WA, 98033, 2nd floor, Kirkland City Hall relating to the above issued Notice of Civil Violation. If the required corrective action is completed AND written approval is obtained from the issuing party at least 48 hours prior to the hearing, the hearing shall be cancelled and no monetary penalty assessed. If you choose NOT to complete the required corrective action by that time, the hearing shall continue as scheduled.

HEARING EXAMINER HEARING: At the hearing, staff may request the Examiner to issue an order assessing the monetary penalties in the amounts described below. All costs and expenses of abatement incurred by the City pursuant to KMC 1.12.060(D) and monetary penalties in the amount per day for each violation as specified in KMC 1.12.040(E) may be assessed against the person responsible for the civil violation as listed above.

- First violation \$100.00
- Second violation..... \$200.00
- Third violation..... \$300.00
- Additional violation in excess of three..... \$500.00

Payment of a monetary penalty pursuant to Chapter KMC 1.12.040 does not relieve the person to whom the Notice of Civil Violation was issued of the continued duty to correct the violation.

ISSUED BY: Craig Salzman, CCEO, Code Enforcement Officer
 Phone: (425)587-3289 - Email: csalzman@kirklandwa.gov

METHOD OF SERVICE:

- Hand Delivered
- Postal Mail
- Posted at Subject Property Site



CITY OF KIRKLAND
PLANNING AND COMMUNITY DEVELOPMENT

123 Fifth Avenue, Kirkland, WA 98033

Phone: 425.587-3225 – fax: 425.587.3232 ~ www.kirklandwa.gov

DECLARATION OF SERVICE

I am an employee of the City of Kirkland, over eighteen years of age and competent to be a witness herein. On the date written below, I served copies of the Notice of Civil Violation upon the following parties by:

Alen Galoostian 13205 122 nd PI NE Kirkland, WA 98034	<input checked="" type="checkbox"/> U.S. Mail <input type="checkbox"/> Posted on-site <input checked="" type="checkbox"/> Served to person
--	--

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED: August 20, 2012

 Craig Salzman, CCEO

Report of neighbor on cars seen at the subject property since she filed the complaint

7/16- Older navy blue dodge pickup truck
7/17- newer black jaguar sedan
7/17- newer white nissan truck
7/17- newer charcoal saturn
7/17- newer white coupe (celica ish)
7/17- older maroon chrysler sebring
7/17- 2000's white toyota van
7/18- older white chevy van---unload a bunch of stuff from the van
Some guys come over to work on white car in driveway
7/21- Older (mid 90's) teal ford explorer
7/22- tow truck drops off old yellow pickup truck
8/08 black truck
8/10 silver nissan car
8/10 white older van
8/11 black large suv
8/12 older neon
8/13 dark blue explorer
8/18 newer mercedes
8/18 older truck
8/18 older volkswagen
8/21 Silver explorer
8/21 Black Jag
8/21 black volvo v70
8/21 Silver jetta
8/24 newer jag khaki color parked in front of MY driveway
8/27 white jeep cherokee

- **United State Post Service** 

Alen Galoostian - *Technical Information Specialist*

iATN Member Directory for Seattle, Washington

 [Doing business](#) [Register my business](#) [Lookup business information](#)
[Lookup business information](#)
[Back to search results](#)

If "Non-revenue" appears after Tax Registration Number, the account is not registered with the Department of Revenue. However, it may be registered with other agencies in the state.

**Washington State Department of Revenue
 State Business Records Database Detail**

TAX REGISTRATION NO: 602726238	ACCOUNT OPENED: 05/01/2007
UBI: 602726238	ACCOUNT CLOSED: 11/01/2008
ENTITY NAME: GALOOSTIAN ENTERPRISES LLC	
BUSINESS NAME: ECONO LUBE N TUNE	
MAILING ADDRESS: 13205 122ND PL NE KIRKLAND, WA 98034-5400	BUSINESS LOCATION: 13205 122ND PL NE KIRKLAND, WA 98034-5400
ENTITY TYPE: LIMITED LIABILITY	RESELLER PERMIT NO: N/A
	PERMIT EFFECTIVE: N/A
NAICS CODE: 811191	PERMIT EXPIRES: N/A
NAICS DEFINITION: AUTOMOTIVE OIL CHANGE AND LUBRICATION SHOPS	

FOR NON-COMMERCIAL USE ONLY

08/20/2012 1:28 PM

If you are unable to find the reseller permit you are looking for, try searching by tax registration/UBI number.

Contact Us | Connect:



Search OSOS Web Sites

SEARCH

Corporations and Charities Division

Corporations Home	Nonprofit Home	Charities Home	Awards	Public Notices	Contact Info
-----------------------------------	--------------------------------	--------------------------------	------------------------	--------------------------------	------------------------------

Corporation Detail

Neither the State of Washington nor any agency, officer, or employee of the State of Washington warrants the accuracy, reliability, or timeliness of any information in the Public Access System and shall not be liable for any losses caused by such reliance on the accuracy, reliability, or timeliness of such information. While every effort is made to ensure the accuracy of this information, portions may be incorrect or not current. Any person or entity who relies on information obtained from the System does so at his or her own risk.

GALOOSTIAN ENTERPRISES, LLC

UBI Number 602726238
 Category LLC
 Active/Inactive Inactive
 State Of Incorporation WA
 WA Filing Date 05/15/2007
 Expiration Date 05/31/2011
 Inactive Date 09/01/2011
 Duration Perpetual

Registered Agent Information

Agent Name WILLIAM P. MCARDEL III
 Address 1826 114TH AVENUE NE
 SUTIE 101
 City BELLEVUE
 State WA
 ZIP 98004

Special Address Information

Address
 City
 State
 Zip

Governing Persons

Title	Name	Address
Member	GALOOSTIAN, ALEN	13205 122ND PL NE KIRKLAND, WA

[« Return to Search List](#)

Phone Numbers | Privacy Policy | Accessibility | Mobile
 Washington Secretary of State · Corporations Division
 801 Capitol Way South
 PO Box 40234, Olympia WA 98504-0234
 (360) 725-0377

Translate our site into:

Select Language

Powered by Google Translate

