

Subj: permit #06-00030
Date: 12/1/2006 10:41:17 AM Pacific Standard Time
From: PetPorcheman
To: sclauson@kirkland.wa.us

Stacy

My email address is petporcheman@aol.com I have no problem if the lower garage is placed on the setback as long as it stays below the existing retaining wall. I would oppose the upper garage since it changes the entrance to my house as far as view and openness. Since the north property has an old house with no setback adding another structure on the other side of the narrow driveway would give my entrance the appearance of an alley. This change of setting would definitely have a negative effect on my property. Please tell me what is necessary to arrive at a compromise on this permit so that the negative impact on my property is minimized. I think this is addressed in section 120.20 item #1. I am talking to an architect to help me compose a formal letter. I will also get a Realtor to document the negative impact. Sincerely,

michael j. deitch , 4613 lake washington blvd ne , kirkland washington 98033, 425 827 6623

emailed & handcarried

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DEC - 1 2006
PLANNING DEPARTMENT
BY
PM

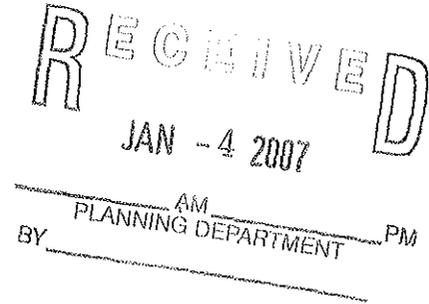
Friday, December 01, 2006 America Online: PetP

ATTACHMENT 5.A
ZONING-00030/SHE07-00004


Windermere
Karen Santa

December 11, 2006

Mr Michael Deitch
4613 Lake Washington BLVD NE
Kirkland WA 98033



Dear Mr. Deitch:

You have a beautiful piece of property along Lake Washington Boulevard and I can understand any concern you may have which may affect its "value".

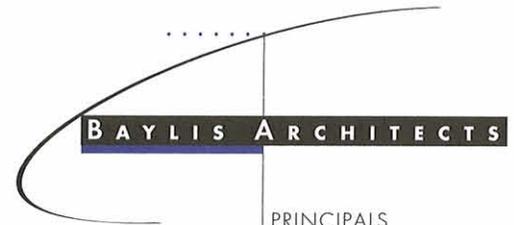
Thank you for contacting me for an evaluation of the "proposed" structure requested to the South of your driveway. It is has been my experience, narrowing an entrance to a property distracts from the serenity and beauty of the overall setting of the piece. Any structure built would devalue and take away from the openness as you make your approach. Ones driveway is the "window" to what any owner or guest may envision and is greatly important to the overall setting of each specific home. A narrowed entrance gives a feeling of being crowded and that is truly why we have "setbacks" established by the City of Kirkland in the first place. Setbacks protect us as individual homeowners and to "beautify" our community.

If you or your neighbors would care to discuss this any further, please do not hesitate to contact me at 206-915-8888.

Regards,


Karen Santa
Windermere

ATTACHMENT <u>5. B</u>
<u>2006-0030/SHRO-0004</u>



PRINCIPALS
Brian Brand, AIA
Richard L. Wagner, AIA
Thomas Frye, Jr., AIA

Ms. Stacy Clauson, Planner
Planning and Community Development
City of Kirkland
123 Firth Avenue
Kirkland, WA 98033

Subject: Request for Variance
Stephanus Residence, 4611 Lake Washington Blvd. #06-00030

Dear Ms. Clauson:

This letter is written to state our opposition to the requested Variance #06-00030, requested by Mr. John Stephanus to substantially reduce his north property line setback for his residence located at 4611 Lake Washington Boulevard.

Baylis Architects represents Mr. Michael Deitch who owns the property at 4613 Lake Washington Boulevard, a waterfront home just west of Mr. Stephanus's home and the street frontage and easement access to Mr. Deitch's property, is located just north of the subject site.

We have reviewed Mr. Stephanus's request for variance and disagree with his initial statements and do not believe his request meets the criteria for granting a variance as stated in KZC #120.20.

With regard to the initial statements provided in his request, we do not believe that the site's physical constraints nor the surrounding existing neighborhood provide the necessary hardships warranted for the granting of the variance requested. Specifically, a) the size of the existing garage(s) exceeds the minimum necessary to accommodate resident vehicles; b) the proposed stacked garage is not reasonably located; and c) the requested variance from the site setback is neither necessary nor appropriate. Let us elaborate:

- a) In reviewing the plans submitted, we have determined that the existing home currently includes two (2) garages, one at the street level and one in the basement below. The street level garage has an inside dimension of approximately 21'x21', more than the minimum necessary (20'x20') required for a two-car garage. The existing garage door is a 16'x7' door, which is a standard size for two-car garages which provides adequate space for two (2) passenger vehicles, including most SUV's.

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AM _____ PM
PLANNING DEPARTMENT

ATTACHMENT 5.C
2006-00030/5 HR07-0004

10801 Main Street
Bellevue, WA 98004
454 0566
425 453 8013
www.baylisarchitects.com

The basement garage appears to have a clear inside dimension of approximately 20'x24', and includes a 16'x7' garage door; again more than the minimum required for an average two-car garage. Although maneuvering vehicles in and out of the basement garage is difficult due to the existing retaining walls, access can be made using a 2- or 3-point turn.

In addition to the enclosed parking, the street level garage includes a large driveway that will accommodate two (2) additional vehicles and the basement driveway will accommodate an additional two (2) vehicles.

Therefore, the existing garages provide covered parking for up to four (4) vehicles and the driveways provide parking for an additional four (4) vehicles for a total of eight (8) parking spaces on site; well above the KZC requirement for three (3) spaces (two for the residence, one for the duplex).

- b) The location of the stacked garage greatly reduces the open space on the north side of the subject property from 34'-6" to 21'. This side yard includes a 15' access easement to Mr. Deitch's home and this proposed reduction in side yard creates a substantial impact to Mr. Deitch. The location of the proposed stacked garage creates a constrained entry to his waterfront home and will greatly impact the view from Lake Washington Boulevard to his home. In addition, the location of the proposed stacked garage in the required setback greatly reduces a required "view corridor" for the public to Lake Washington.
- c) The proposed variance is not necessary as adequate parking is already available with four (4) enclosed spaces and four (4) unenclosed spaces. The variance is not appropriate as there has not been any demonstration of a required hardship necessary for granting such variance and such approval would constitute a special privilege to the subject property inconsistent with the general rights the code provides other property owners in the same zone.

The subject proposal does not satisfy the criteria necessary for granting a variance as specified in KZC 120.20 as follows:

- 1) ***Special circumstances*** – No special circumstances exist on the subject site to substantiate the variance request. As stated above, the existing home provides adequate space for eight (8) vehicles, four (4) enclosed spaces plus four (4) unenclosed spaces well above the three (3) spaces

required by KZC, two (2) for the residence and one (1) for the duplex. In addition, the KZC does not specify that parking spaces need to be enclosed.

- 2) ***Not materially detrimental*** – The construction of the proposed stacked garage in the required setback would be detrimental to Mr. Deitch and the community. Mr. Deitch currently enjoys a 34'-6" open space, which includes the 15' access easement to his waterfront home. The proposed stacked garage would reduce the total open space to just 21'. This would greatly impact his property by constricting the access drive to Mr. Deitch's home and by impacting the view to the front of his home from the street. This would have a very detrimental impact on the value of his property and the visual feeling of arrival.

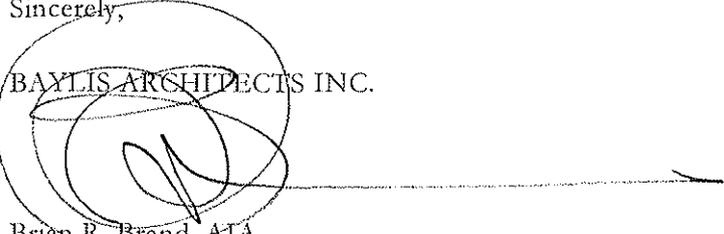
In addition, reducing this required setback would constrict an existing view corridor for the public from the sidewalk to Lake Washington and Seattle.

- 3) ***Will not constitute a grant of special privilege*** – Mr. Stephanus does not suffer any hardship as to the adequate and reasonable parking for his personal home and duplex. On the contrary, Mr. Stephanus has enclosed parking for up to four (4) vehicles and unenclosed parking for an additional four (4) vehicles, well more than required by KZC and more than most properties in this zoning district. Granting this variance would constitute a grant of special privilege which would be inconsistent with the general rights of other property owners in the same zone. In fact if this variance were granted Mr. Stephanus, Mr. Deitch should have a right to the reduction in his setback on his waterfront property.

Please feel free to call if you have any questions or comments regarding the contents of this letter. I would like to be kept informed as to dates of public hearings and decisions regarding this request.

Sincerely,

BAYLIS ARCHITECTS INC.


Brian R. Brand, AIA
Vice President

cc: Michael Deitch
BRB:brb/amp

8-17-07

RECEIVED
AUG 21 2007

MS. STACY CLAUSON, PLANNER
CITY OF KIRKLAD
123 FIFTH AVE
KIRKLAND, WA 98033

AM _____ PM
PLANNING DEPARTMENT
BY _____

RE: RESPONSE TO STEPHANUS VARIANCE

DEAR MS CLAUSON:

1. IN MY CASE IT NOT ONLY IS THE LOSS OF VIEW COMING DOWN MY DRIVEWAY I AM CONCERNED ABOUT, BUT THE CONFINEMENT THAT ADDITIONAL UTILIZATION OF THE PROPERTY WILL CAUSE. THIS DOESN'T LEAD TO MORE PRIVACY FOR ME. THAT IS AN ATTORNEY TALKING. PLEASE SEE THE LETTER ATTACHED FROM KAREN SANTA, WINDERMERE REAL ESTATE. THE BOTTOM LINE IS ALLOWING MR. STEPHANUS TO BUILD ON THE SET BACK WILL HAVE A NEGATIVE IMPACT TO THE VALUE OF MY HOUSE.
2. CURRENTLY MR. STEPHANUS USES THE BUILDING AS A SINGLE FAMILY HOME. THE UPPER GARAGE PRESENTS NO PROBLEM ACCESSING, AND CURRENTLY HAS A PORSCHE TURBO, AND A LAMBORGINI. IT ALSO HAS A WORKBENCH AND ETC. THE LOWER GARAGE HAS A WIDEBODY PORSCHE, SEVERAL MOTORCYCLES, VARIOUS CAR TIRES AND ETC. HE ALSO HAS THREE AUTOMOBILES PARKED ON THE PROPERTY. THIS MAKES A TOTAL OF 6 AUTOMOBILES AND ABOUT THAT MANY MOTORCYCLES. THIS NECESSATATES HIS DOMESTIC HELP PARKING IN MY PARKING, MAKING IT DIFFICULT OR IMPOSSIBLE TO TURN AROUND, DEPENDING ON THE SIZE OF THE VECHICLE. WHEN A VECHILE CANNOT TURN AROUND IT MEANS IT MUST BACK UP THE HILL AND ONTO LAKE WASHINGTON BLVD. .
3. EIGHT GARAGE SPACES DOES NOT JUSTIFY THE VARIANCE IN MY OPINION. I WOULD ALSO LIKE TO HAVE MORE GARAGE SPACE AND HAVE A SIMULAR SETBACK. DOES THAT MEAN ALL OF USE IN THE AREA CAN HAVE A VARIANCE AND AVOID SETBACKS?
4. SETBACKS ARE FOR MORE THAN FIRE PROTECTION. IT IS MY UNDERSTANDING THAT WHEN THE HOUSE WAS BUILT THAT SETBACK WAS NECESSARY BECAUSE OF THE HEIGHT OF MR. STEPHANUS'S HOUSE.
5. THESE TWO HOUSES ARE BUILT ON A GRADE WITH WATER RUNNING DOWN TOWARD MY HOUSE. AS IT IS WHEN THERE IS A LARGE RAINFALL THE DRAINS WILL NOT ACCOMMODATE THE

ATTACHMENT 5.d
2006-0003051267-0004

- WATER AND WATER GOES UNDER MY GARAGE DOOR. ELIMINATING ANY ADDITIONAL LANDSCAPING WILL WORSEN THIS SITUATION.
6. LAST MR. STEPAHANUS, CURRENTLY HAS A DEALERS LICIENCE WITH NO OFFICIAL SITE FOR AUTOS. THE SIZE OF THE LOTS, AND THE SMALL AREA TO MANAUVER THAT THE SITE AFFORDS IS NOT CONDUCIVE TO MORE AUTOMOBLIES.

My Debit



Karen Santa

December 11, 2006

Mr Michael Deitch
4613 Lake Washington BLVD NE
Kirkland WA 98033

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If you or your neighbors would care to discuss this any further, please do not hesitate to contact me at 206-915-8888.

Regards,


Karen Santa
Windermere

Windermere Real Estate/East, Inc.

13000 N.E. 20th Street • Bellevue, WA 98005 • 425/883-1800 • Fax 425/885-0100