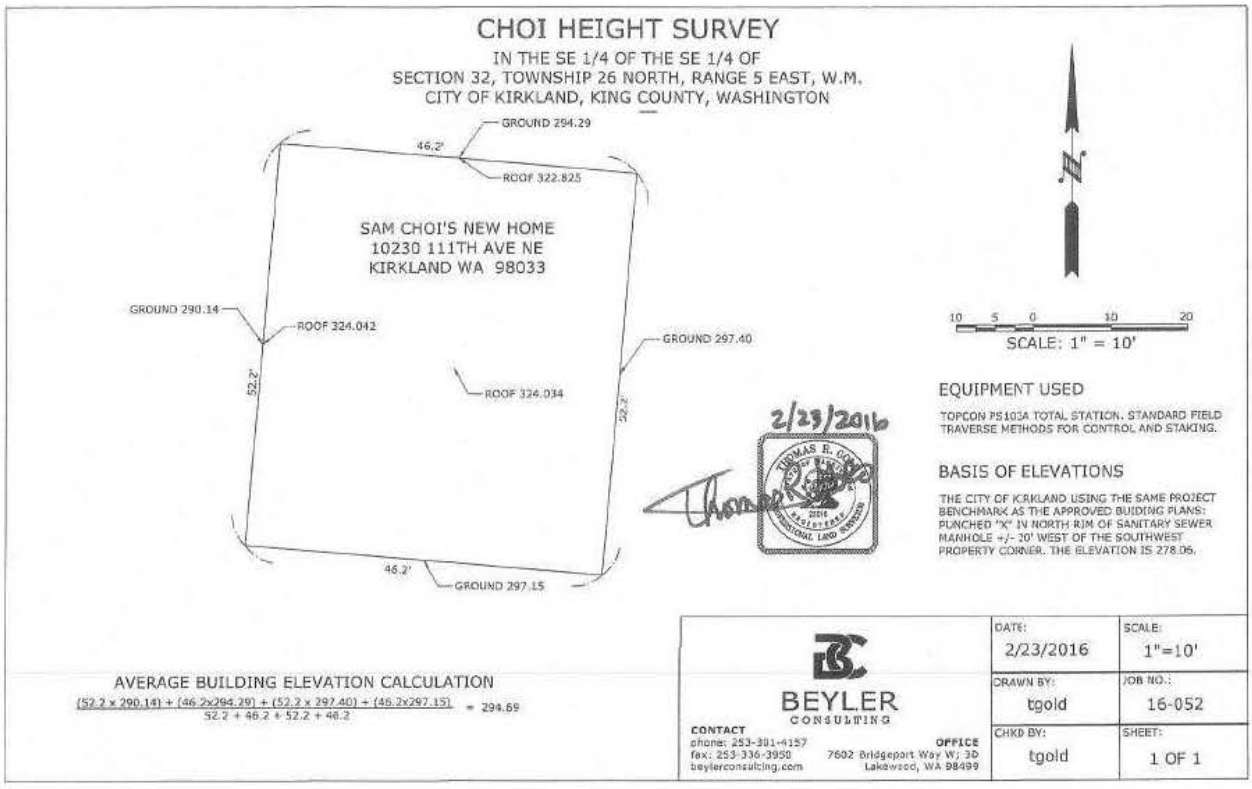
3. The 2nd survey conducted by Norman Larson on 2/4/2016 represents a detailed view of the elevation however this still failed to show the data that City of Kirkland was requesting.
4. Because neither elevation surveys seem to reflect true representation of the elevation associated with the property, City made the request to conduct 3rd survey with guideline specified by Ms. Zike.

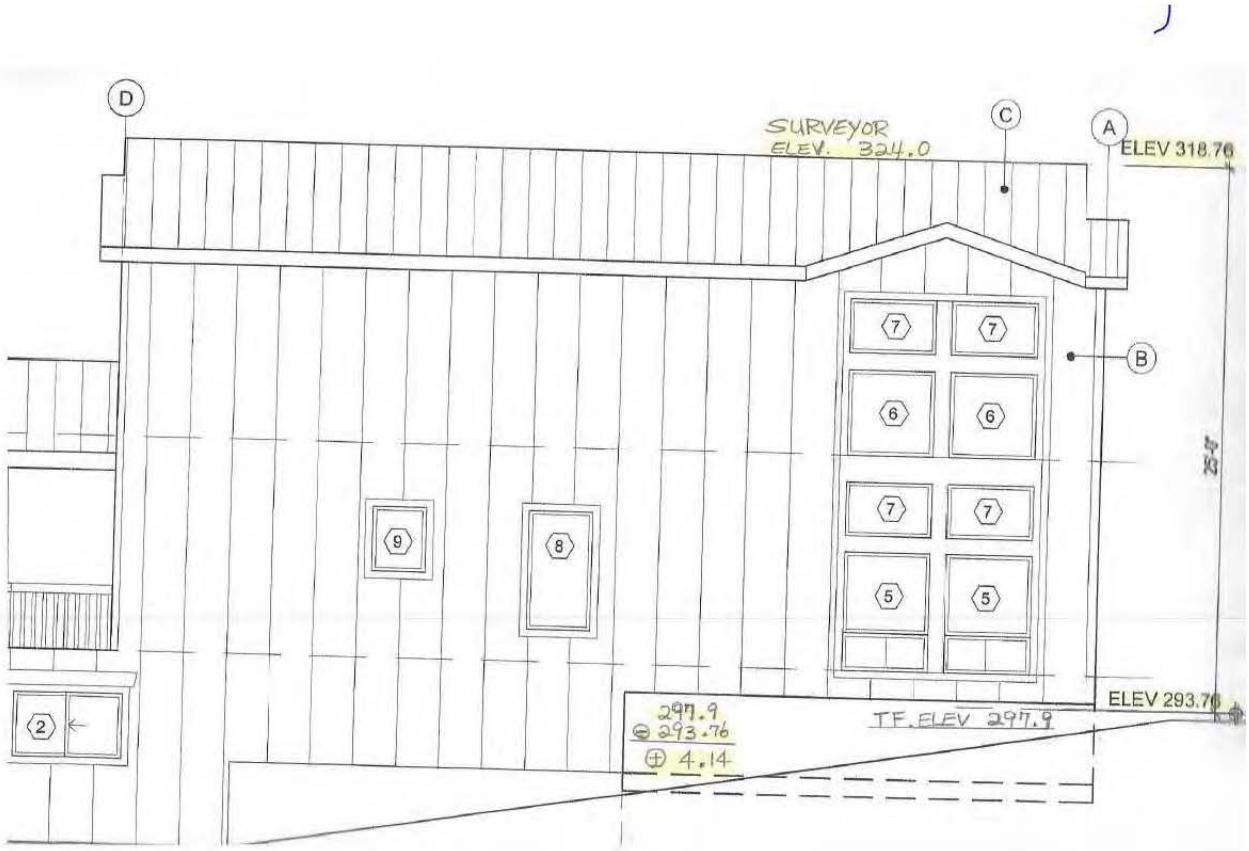
The result of the 3rd elevation survey that was conducted on 2/23/16 is as follows:
(Please see below image)

1. The average building elevation was concluded as 294.69 ft.
   This is 0.93ft higher than the 1st elevation survey average.
2. The east side of the ground was concluded as 297.40 ft.
   This is consistent with the 1st survey (297.36ft GRND) and somewhat consistent with 2nd survey (297.9ft TF).
3. The roof ridgeline was concluded as 324.04 ft (consistent with 2nd survey)



With the conclusion that top roof ridge line being 324.04ft and the average elevation being 294.69ft, this meant that the structure was 29.35 ft in height, 4.35ft higher than maximum allowed. At this stage, we knew the issue wasn't related to average elevation anymore and this is when my contractor and I decided to review all the data from the beginning of the project as we were confident that there was NO WAY that we would have built a property that was 4.35ft higher than allowed.

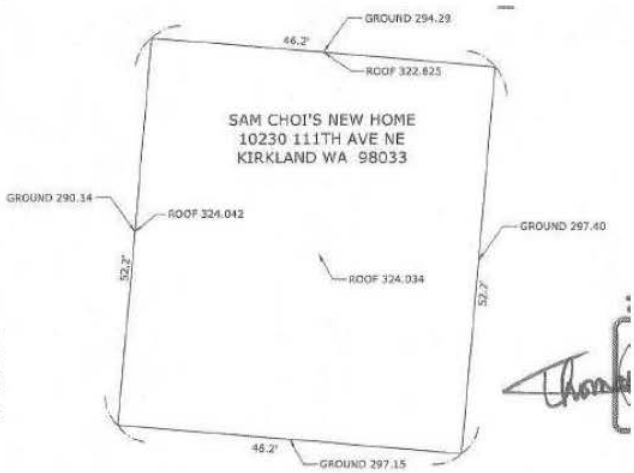
Fortunately, my contactor and I were able to come up with critical data that starts to explain the 4.35ft gap. Let's take a look at the planning drawing (shown below) that my architect prepared during planning stage which was approved/permitted by City of Kirkland planning department



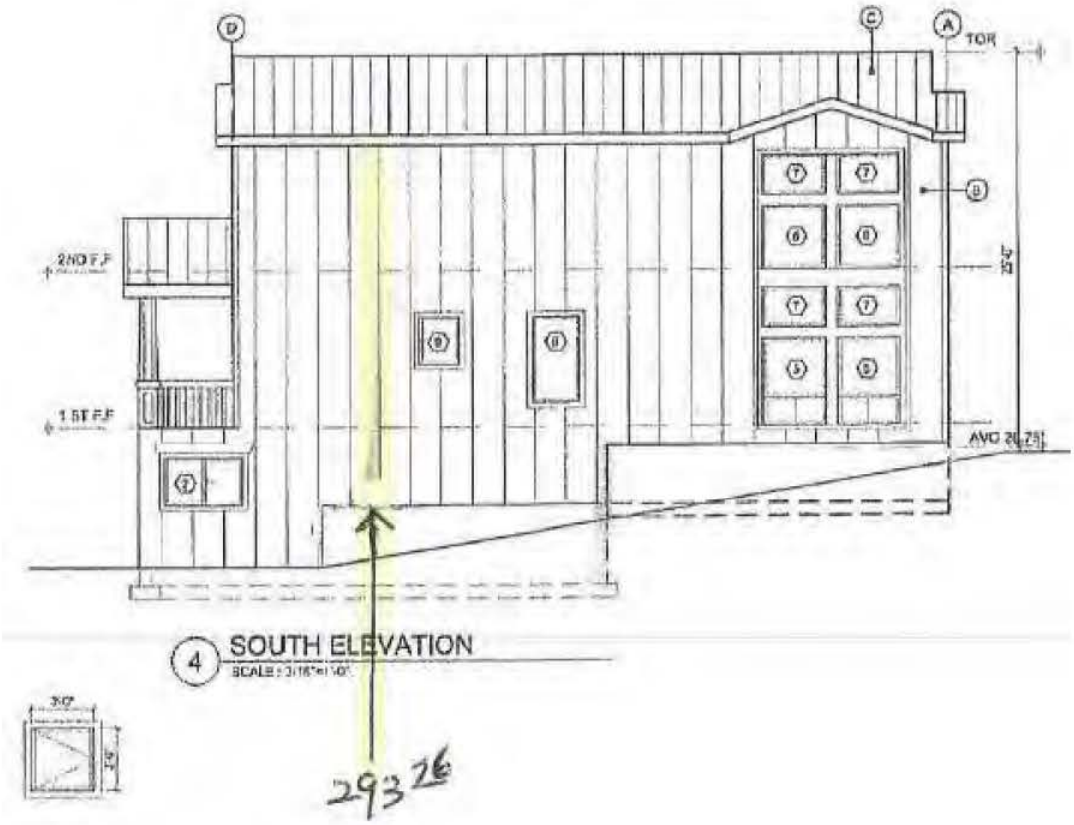
On the right side of the diagram (where the east and south end of the property meet), it shows the elevation as 293.76ft and when you add 25ft of max. height, you reach the 318.76ft shown on the top right hand corner.

However 293.76ft shown on the diagram is incorrect. We are able to see that the corner where East and South end meet is not 293.76ft but 297.9ft TF (from 2nd elevation survey) or 297.40ft GRND (from 3rd elevation survey). Therefore 293.76ft stated on the drawing is 4.14ft lower than what the elevation is supposed to be and the drawing should have reflected 297.90ft TF.

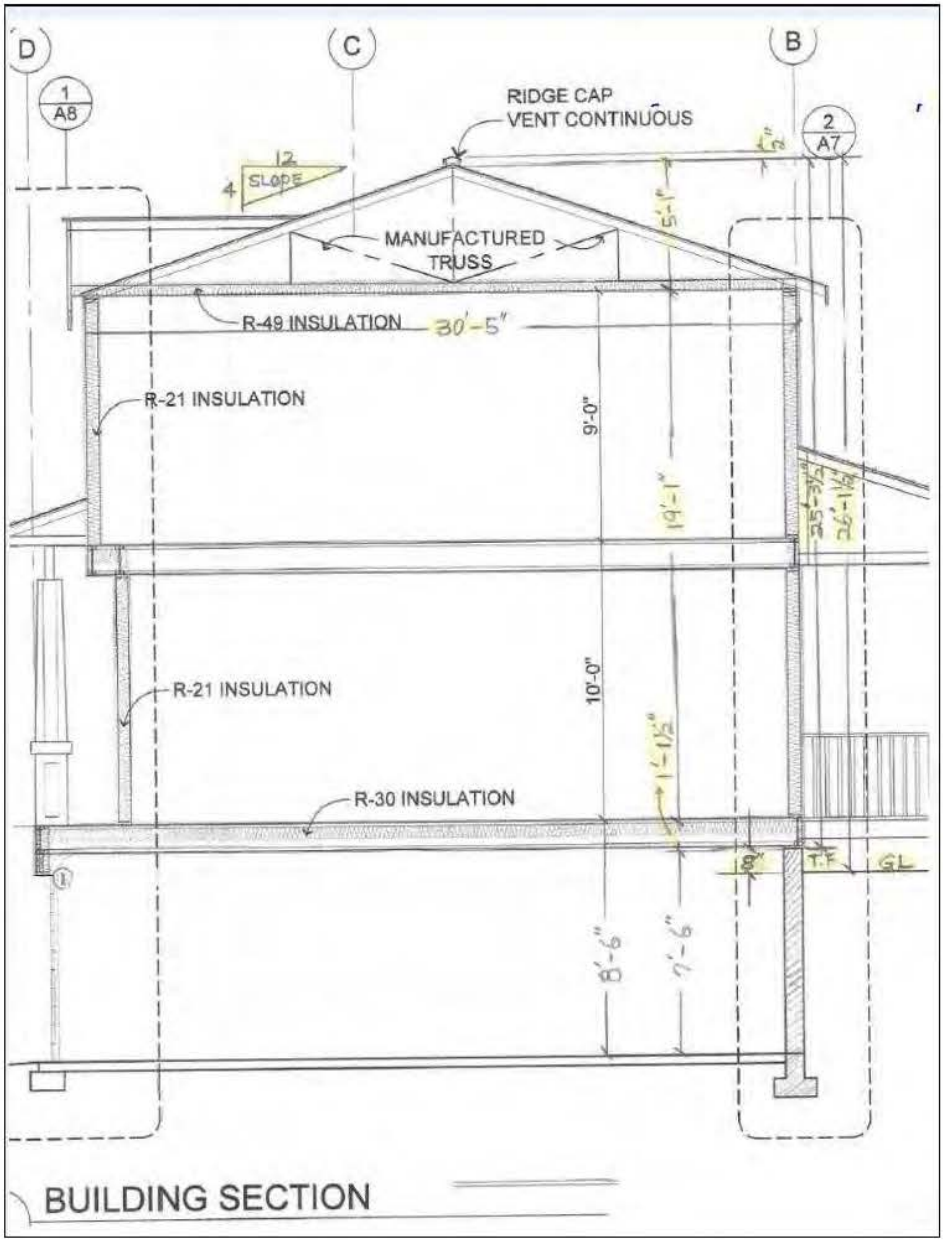
I am referencing the elevation surveys once again to highlight the importance of this corner.



So then, where exactly is 293.76ft~294.69ft elevation level? We believe 293.76ft ~ 294.69ft elevation level is extremely close to where you see the yellow highlight in the below image. Had my architect and City of Kirkland catch this error during planning stage, we would not have built a property that has a 1st floor of 8 ft in height and 2nd floor of 7 ft in height and would have re-designed the property.



Let's now review the vertical view of the planning diagram which helps us understand the height of the structure.



Important items to consider in this diagram are as follows:

1. From the ground level of the garage to the top of the garage door was measured at exactly 7 feet.
2. From the ground level of the garage (on the rear side of the garage) to the top of the ceiling was measured at 7 feet 6 inches.
3. R-30 insulation between the garage and 1st floor is 1ft and 1.5inches.
4. The elevation delta between the Top of Foundation (TF) and Ground is approximately 8 inches.
5. From the 1st floor to 2nd floor is 10ft

6. From 2nd floor to bottom of the truss is 9ft.
7. The truss height is 5ft 1inch and the ridge cap is additional2 inches.
8. Let's add all the variables here.
   From the top of the foundation as the reference point
   13.5 inches [insulation/flooring] + 120 inches [1st floor] + 108 inches [2nd floor] + 61 inches [truss] + 2 inches [ridge cap] results in 304.5 inches or 25.38ft.
9. This validates that the height of the property is closer to 25ft, not 4.35ft higher than originally anticipated from the elevation surveys.

Let's summarize all the key info here:

1. In complying with City of Kirkland's request, we've conducted multiple elevation surveys to come up with the most accurate elevation information associated with this property. Key items are:
   A. Using 1st elevation survey with existing foundation, the average elevation is 293.76ft
   B. Max allowed height was determined as 318.76ft
   C. 3rd survey (conducted with proposed foundation) resulted in new average elevation of 294.69ft.
   D. Using this new value, the max height allowed should have been 319.69ft.
2. From the 3rd survey, the ridge roof line (with the ridge cap for ventilation purpose) came up to be 324.04ft. This is 4.35ft higher than max height allowed of 319.69ft.
3. However, the discrepancy in the planning drawing (explained on Page 7-8) shows that there was an error of 4.14ft which roughly explains why the property was built approximately 4.35ft higher than allowed.
4. It seems no one (both our architect Mr. Ki Nam and/or City of Kirkland) was able to identify this mistake. Had anyone noticed this error in planning, we would have considered:
   A. Redesign of the property as no customer would have wanted a 1st floor of 8ft and 2nd floor of 7ft
   B. Consider implementing a flat style roof to reduce the overall height by approximately 5 ft.
5. Before the permit was granted, this error (shown on Page 8) should have been corrected in order to avoid such situations.
6. The calculation on Page 9 and 10 shows that the building height is 25.38ft from the TF reference point. This is 0.38ft higher than the proposed maximum height of 25ft however we believe that this delta should fall within the margin of error.

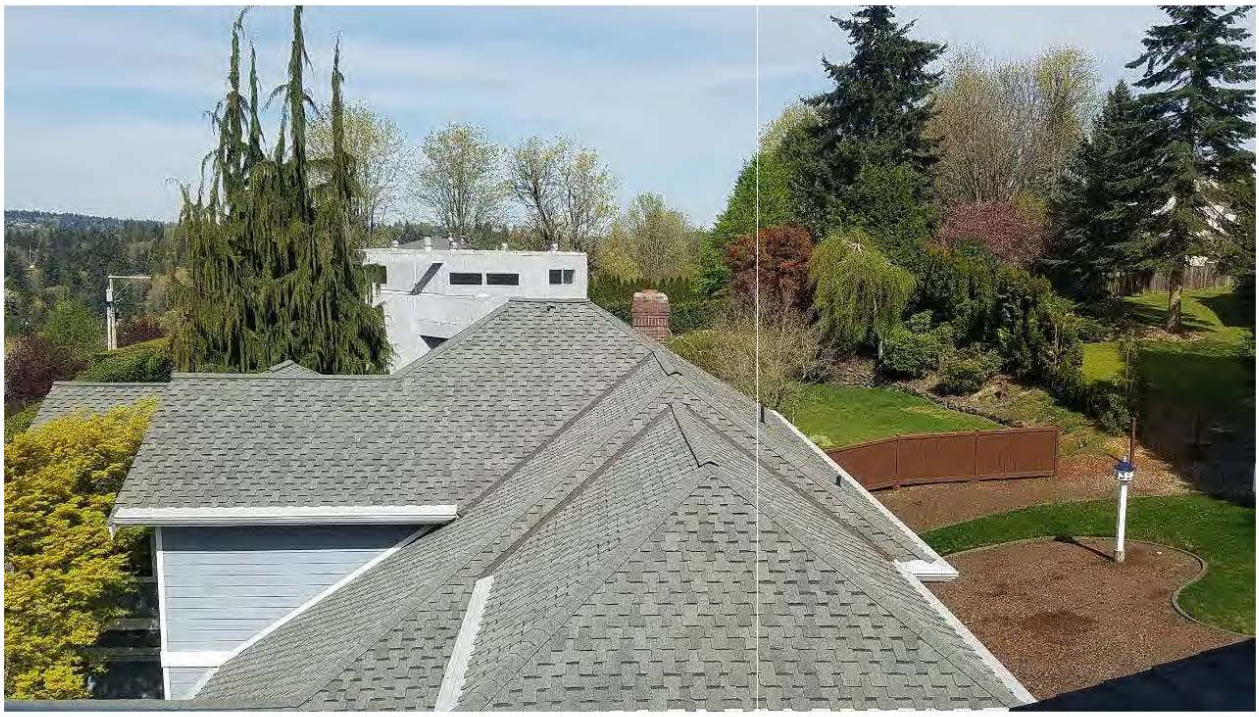
Additional Variance Criteria

1. The variance will not be materially detrimental to the property or improvements in the area of the subject property or to the City in part or as a whole; and

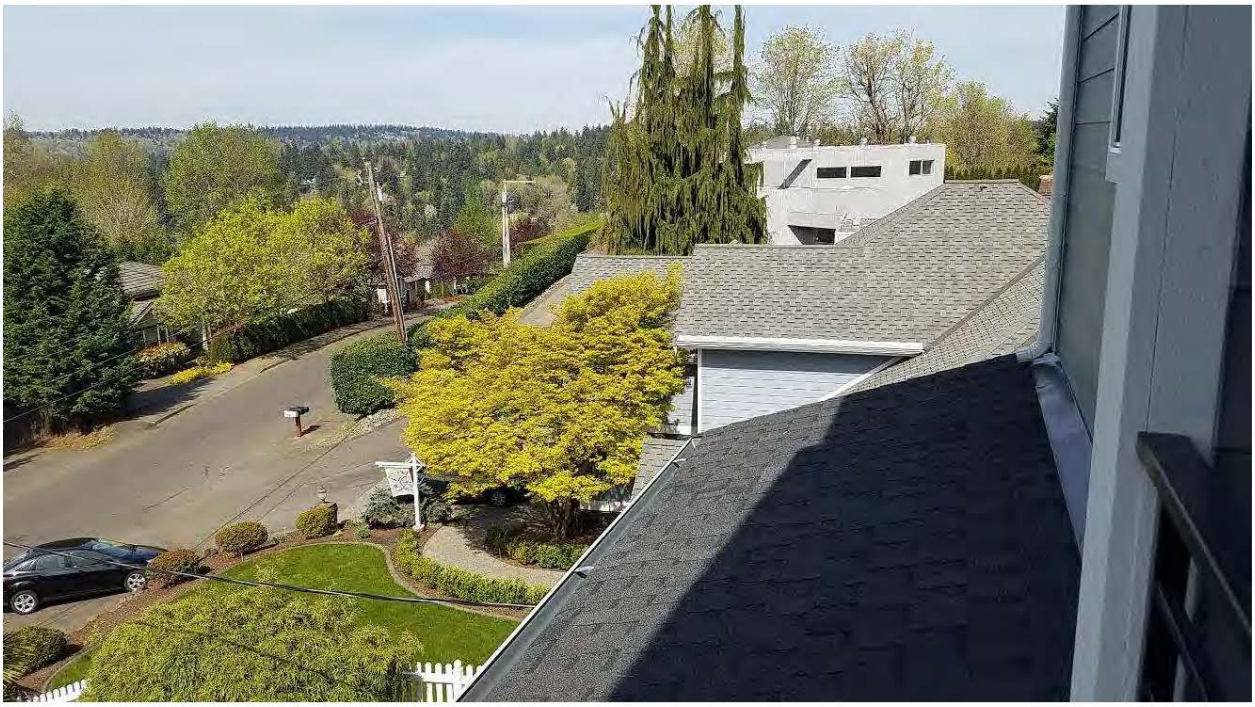
City Notes: What is the relation between the subject property and neighbors? Is the subject property screened from neighbors by any existing topography and/or vegetation? What is the grade difference between the subject property and its adjacent neighbors to the north, east and south? How will the increased height affect the neighboring properties in terms of views, shadowing, etc.? Are these neighbors supportive of the proposed variance? Is the subject home setback from any property lines more than the minimum requirement?

As you can see from planning documents, the 10230 111TH AVE NE Kirkland property is located on an elevated lot. To prove that subject property is not materially detrimental, I have captured some pictures to show that the 4.35ft of height is not relevant to the neighbors.

Pic.1 Taken from subject property on 2nd floor bathroom facing north.
The north neighbor house (10302 111th AVE NE) is seen from the picture. As you can see, there should be no reason why the 4.35ft of additional height should be detrimental to this property. The 10302 property sits much lower than the subject property right at street level.



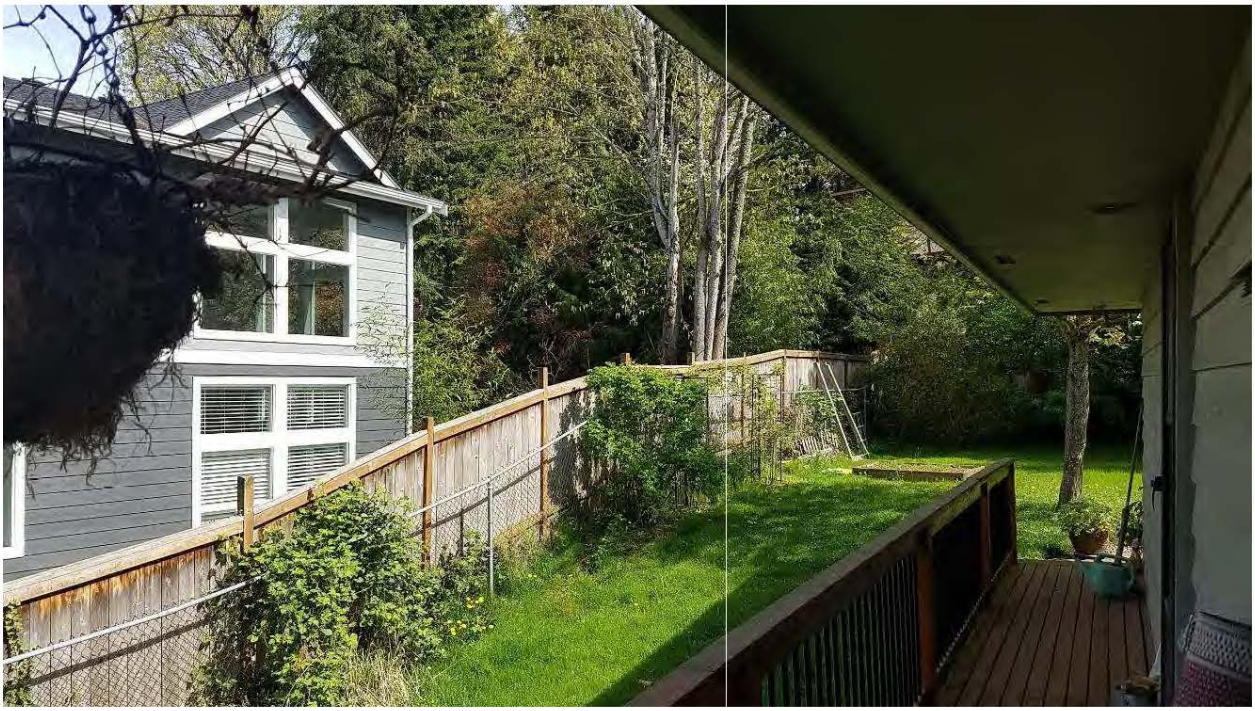
Pic 2. Taken from the subject property balcony on the 2nd floor. The camera is facing north-west.



Pic 3. Taken from south neighbor (10226 111TH AVE NE) 1st floor deck facing north at the subject property. Again, the subject's roof is not materially detrimental to any views. Even if the subject property lowered the structure by 4.35ft (by implementing flat styled roof), the view from this location would most likely remain unchanged. The only way to make dramatic changes to the view from this location would be to lower the structure by at least 10 feet which would provide skyline view.

Pic 4. Taken from south neighbor (10226 111TH AVE NE) 1st floor deck facing north-west

Pic 5. Taken from south neighbor (10226 111TH AVE NE) 1st floor deck facing east

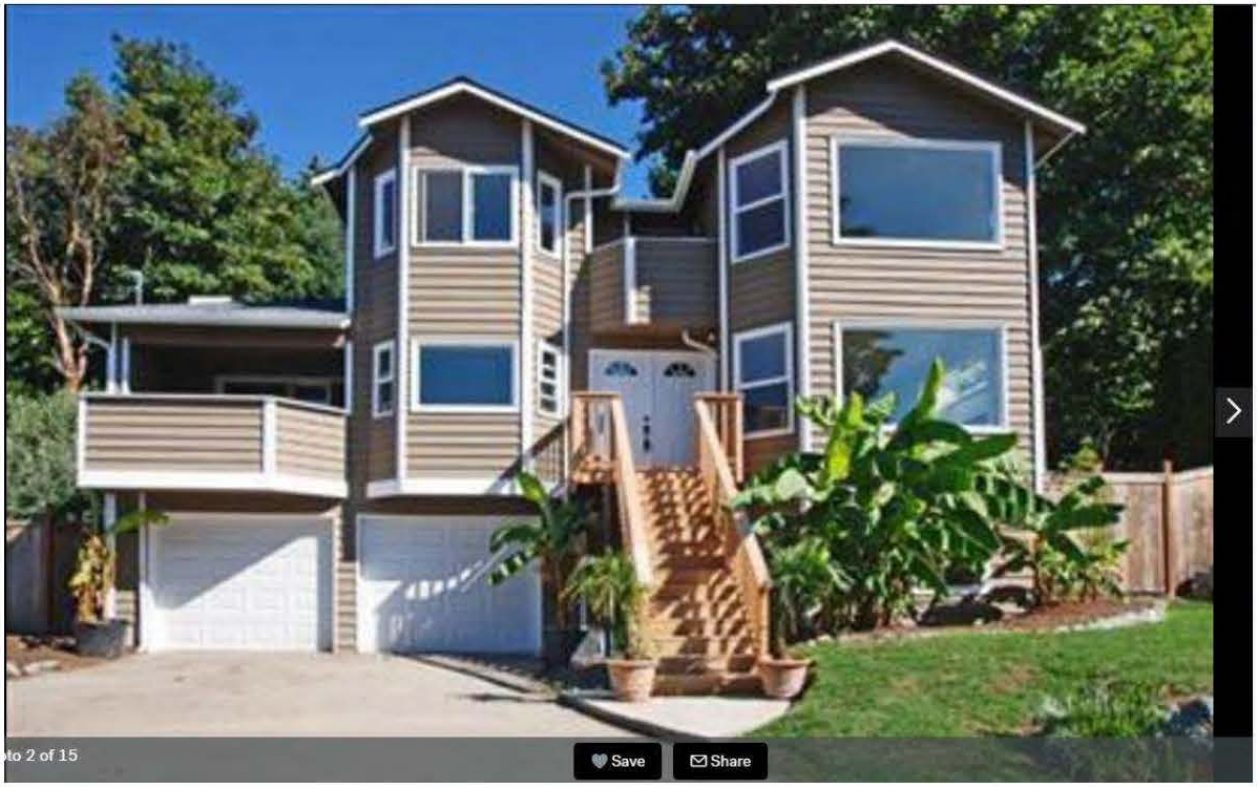


Pic 6. Taken from 111th AVE NE street facing the subject property.
This also validates that the roof is not causing detriments to any view from neighbors on the west.

PS: Please note that the pictures taken are from the owner of the subject property's smartphone camera. The pictures were taken in order to provide the City with views of different angles and have NOT been altered/manipulated in any ways.

OLD structure vs NEW structure

Please take a look at the image of the old structure that was built on 1986.
It's important to note the height of the property against the neighboring fence that you see on the right.



Let's take a look at the new structure and once again, let's reference the fence on the right hand side of the picture.

While this is not the most scientific way to compare the height of the 2 properties, it seems from the picture that the height of the OLD and NEW structure is similar for following reasons:

A. Garage level is maintained as the lower level

B. The new structure maintains the similar height of the 1st and 2nd floor

C. The roof designs on the OLD and NEW both have similar styling (slanted design).

I have requested Kirkland Public records to provide me with a copy of the permit that was granted in 1986 for the old structure. After reviewing the permit thoroughly, unfortunately I was unable to find any records that indicate the top ridge height for the old structure. Therefore I wanted to use the pictures to show that OLD and NEW structure height shows similarity in the height of the structure.

One interesting note that I did find from the old permit document is that the HEIGHT LIMIT is clearly stated as 25 feet. Now, I (SEUNG IL) used live in the old structure and I am certain that the 1st level floor elevation was extremely similar to the 1st level floor of my current property. The reason why I am certain of this is because the elevation of the backyard in relation to my OLD and NEW structure is very similar. With this said, the OLD structure was also built with 1st floor and 2nd floor with slanted roof style therefore it is a realistic possibility that the OLD structure could have maximized the height limit of 25" from the 1st floor level. It is truly unfortunate that the old permit document does not contain information of the top ridge height elevation.

CITY OF KIRKLAND

BUILDING PERMIT

BUILDING DEPT 828-1138

PERMIT NO. 850418 OWNER'S NAME Doug & Judith Bartholomew JOB ADDRESS 10230 111th Ave NE
CONTRACTOR Woodcraft Homes Inc ADDRESS 23106 100th Ave W Edmonds CONT. PHONE 775-1591
CONT. REG. NO. WOODCHI186QX OWNER'S PHONE 771-5221 OWNER'S ADDRESS 1010 Main St.
TYPE CONST.: NEW RESIDENCE X ADDITION ___ NEW INDUSTRIAL ___ NEW COMMERCIAL ___ COMMERCIAL ADD. ___ INDUSTRIAL ADD. ___
NEW MULTI-FAMILY ___ (UNITS ___) ROOF ___ OTHER ___
TAX ACCOUNT NO. ___ LEGAL DESCRIPTION Lot2, Dogwood View Addition to the City of Kirkland.
ISSUED BY ___ DATE OF ISSUE 8/14/85 DATE OF APPLICATION 8/17/85 DCD PSD FD

BUILDING INFORMATION
ZONE RSC-5 OCCUPANCY R3/M1 TYPE OF CONSTRUCTION VB BLDG. SQ. FT. 3090
SET BACKS: FRONT 20' SIDE 5/15 REAR 10' STORIES 3 HEIGHT LIMIT 25' VALUATION 78,046.50

PLUMBING	NO.
WATER CLOSETS	3
BATHTUBS	1
SHOWERS	1
LAVATORIES	4
SINKS	1
DISHWASHERS	1
ELC. HOT WATER HEAT.	1
LAUNDRY DRAINS	1
URINALS	
DRINK.FOUNTAINS	
MISC.	
TOTAL FIXTURES	13 12

MECH. APPL.	NO.
GAS PIPING(FEET)	2.00
COMPRESSOR	
FORCED AIR FURNACE	6.00
GAS HOT WATER HEAT.	
CONVERSION BURNER	
UNIT HEATER	
GAS PIPING O.K.	

MECH. APPL.	NO.
BOILER	
TANK(S)	
AIR HANDLING UNIT	
OTHER	
TOTAL MECHANICAL	8.00
WATER LINE O.K.	

PERMIT FEE	370.00
PLAN CHECK FEE	240.50
PLUMBING FEE	39.00
MECHANICAL FEE	8.00
OTHER FEE(S)	*15.50
TOTAL BLDG. FEES	657.50
PART.P/C REC.	(101.30)
SEPA REVIEW	
WATER SERVICE	259.00
WATER MAIN CHRG.	838.00
AMOUNT DUE	1,669.70

REMARKS:

Must meet conditions recommended by soils report dated August 5, 1985 by Shanon & Wilson Inc. Pages 3-6. Provide adequate drainage protection for adjacent properties. Roof drains must be connected to the storm drain system. That portion of driveway within City Right-of-Way shall be asphalt. Pressure reducing valve required on domestic water line. Any public improvements damaged during construction shall be replaced prior to final building inspection. Concomitant agreement on file may be called anytime within 15 years.

*State surcharge

BUILDING INSPECTIONS
SET BACKS AND FOOTINGS — DATE ___ BY ___
O.K. TO POUR FOUNDATION WALLS — DATE ___ BY ___
PLUMBING GROUNDWORK — DATE ___ BY ___
PLUMBING ROUGH IN — DATE ___ BY ___
MECHANICAL INSPECTION — DATE ___ BY ___
O.K. TO ENCLOSE FRAMING — DATE ___ BY ___
WALL BOARD AND FIRE WALL — DATE ___ BY ___
FINAL O.K. TO OCCUPY — DATE ___ BY ___

ALL PERMITS EXPIRE 180 DAYS AFTER ISSUANCE IF NO WORK IS STARTED. RESIDENTIAL PERMITS EXPIRE ONE YEAR AFTER DATE OF ISSUANCE.

I CERTIFY THAT THE INFORMATION FURNISHED BY ME IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND THE APPLICABLE CITY OF KIRKLAND REQUIREMENTS WILL BE MET:

OWNER OR AGENT M.B. Kinnear DATE 8-15-85

Closing statement

I have been working very closely with Ms. Allison Zike from City of Kirkland to resolve this matter in the most efficient manner possible. Hopefully the City was able to recognize that we have fully complied with the City's request to investigate this issue and have complied by conducting multiple surveys to find the most accurate information.

While we feel fortunate that we have identified a root cause, it is unfortunate that no one was able to pin-point the mistake that was made during planning stage. We believe that this was truly an honest mistake.

At this stage, all my savings and stocks have been liquidated to complete the construction and I am in a situation where I cannot afford to make revisions to the property to meet the 319.69ft requirement for monetary (not much savings left after liquidating all my assets) and emotional reasons (I had to rebuild this property as a result of major fire damage in Aug 2013 and went through a lot of emotional rides).

From what I understand, there has not been any neighbor complaint on my property and while I understand that this irrelevant in your decision making, I hope this is also contributing favorably in City's decision making. Once again, I would like to emphasize that:

1. We have spent a lot of money and time/effort to comply with City's request and to obtain the most accurate information related to elevation surveys.
2. We have tried our best to create a document that portrays all of the events that took place and pin-point where we believe the errors were made (although honest mistake).
3. Hopefully, my contractor and I have supplied enough information for City of Kirkland to carefully review this variance application.
4. Additional Variance Criteria
   A. The subject property is not causing detriments from neighbor's view
   B. OLD structure (built in 1986) and the new structure (built in 2015) shows similarity in house design and elevation structure
   C. Permit (granted in 1985) also states the max height limitation as 25".
   1st floor elevation of old and new structures are very similar (if not the same) and both structures show similarity in house design and elevation structure.

I am desperately looking forward to a decision that allows the property to remain as-it-is. If you have any questions, please feel free to contact me via email (samchoi1@gmail.com) or via phone (425 749 1322) and I will do my best to respond in a timely manner.

Sincerely
Sam Choi.