

**BEFORE THE HEARING EXAMINER  
FOR THE CITY OF BAINBRIDGE ISLAND**

In the Matter of a Variance Request )  
regarding property at 15198 )  
Washington Ave )  
 )  
**THAD VAN WINKLE,** )  
 )  
Applicant. )  
\_\_\_\_\_ )

File No: VAR18493

**ORDER OF REMAND**

The Hearing Examiner Pro Tempore issued a decision dated October 15, 2013, denying variances requested by the Applicant respecting lot coverage and a front setback on property at 15198 Washington Ave within historic Port Madison.

The Examiner is convinced that the case was rightly decided. However, as the decision suggested, there are assuredly alternative house designs that would accommodate the Applicant's desire to build a home on the lot without occupying so much space and without encroaching so much on the setback from State Street.

The Examiner's perception is that the Applicant's project was not presented to and thoughtfully discussed with neighbors in the area before the variances were pursued. Attention is directed to Conclusion of Law 5. The Applicant and the neighbors, approaching the matter in a spirit of accommodation, might very well be able to find a size and placement for the house that would be acceptable to all.

Accordingly, the Examiner has determined to grant the request for remand, so that an alternative design and placement can be pursued without requiring the Applicant to re-apply. Prior to a report and recommendation by Staff in response to this remand, mediation among the nearby residents and the Applicant is strongly recommended.

The Examiner is persuaded that the Applicant can come up with a design that meets the objections of the neighbors while still achieving his own objectives. To survive Hearing Examiner review, however, such a design must protect the two great trees on the public right of way, create a front setback from State Street more generous than five feet, and reduce the proposed lot coverage.

The Staff shall evaluate whatever alternative design may be submitted and make a report to the Examiner Pro Tem. Then another public hearing shall be scheduled before the Examiner Pro Tem on the new plan.

**SO ORDERED**, this 31st day of October, 2013



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Wick Dufford, Hearing Examiner Pro Tempore