

NOTICE OF MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)

The City of Bainbridge Island has made the following determination on the below referenced application:

Date: November 13, 2013

Applicant: Hamilton, Thomas and Karen

Permit Request: Reasonable Use Exception and Variance (fn: RUE12063 and VAR12063)

Description of Proposal: The applicant requests a Reasonable Use Exception (RUE) to eliminate the minimum buffer requirement and building setback from the steep slope on the property to construct a single-family residence with a total lot coverage on the property not exceeding 1,200 square feet. The applicant is also requesting a major variance to reduce the front yard building setbacks from 25 feet to 15 feet in order to accommodate a future house on the property.

Location of Proposal: 5961 Rose Loop

Tax Parcel #: 342502-1-025-2004

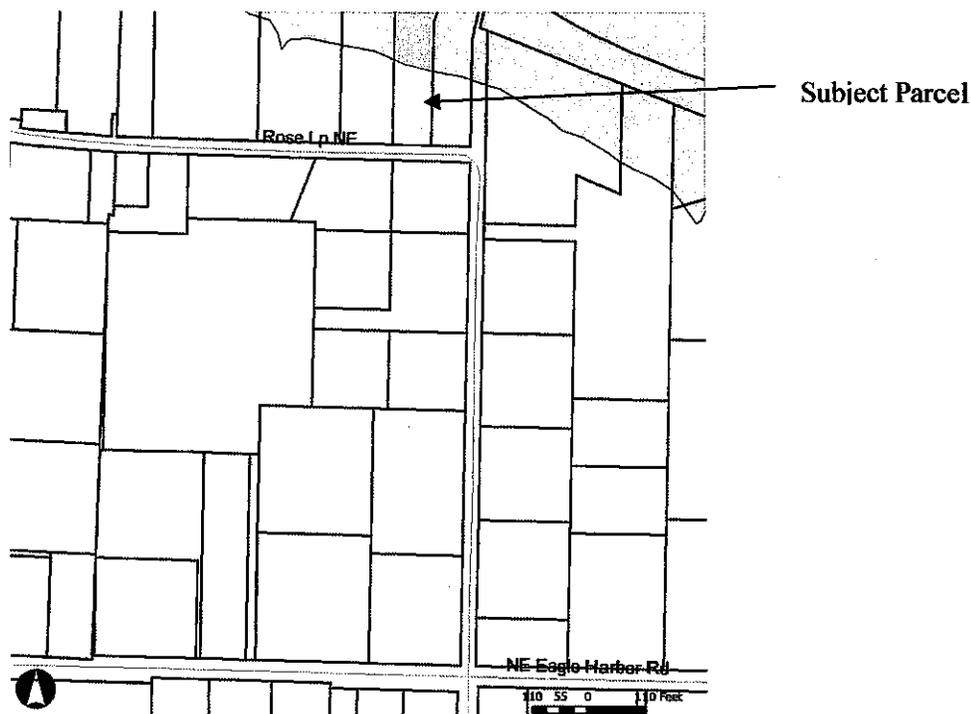
SEPA Decision: The City of Bainbridge Island (lead agency) has determined that the proposal does not have a probable significant impact on the environment if measures to mitigate this proposal are used. This MDNS is issued under WAC 197-11-355. This determination was made and mitigation measures were applied after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2) c.

Responsible Official: Katharine Cook, Director
Department of Planning & Community Development
Address: City of Bainbridge Island
280 Madison Avenue North
Bainbridge Island, WA 98110, (206) 842 - 2552

Katharine Cook
Signature

11-12-13
Date

Vicinity Map:



APPEAL:

You may appeal this determination by submitting a written appeal and paying a \$530.00 filing fee to the City Clerk, at 280 Madison Avenue North, Bainbridge Island, WA 98110, in accordance with the procedures set forth in the Bainbridge Island Municipal Code, Section 16.04.170 by no later than 4:00 p.m. on November 27, 2013. You should be prepared to make specific factual objections.

If you have any questions, contact:

Sean Conrad, Planner

Department of Planning & Community Development

280 Madison Avenue North

Bainbridge Island, WA 98110

(206) 780-3761 Fax: (206) 780-3754

Email: pcd@bainbridgewa.gov

General Conditions:

1. The project shall significantly comply with the site plan date stamped May 29, 2013. The total lot coverage shall not exceed 1,200 square feet.
2. The garage on the property shall be setback from the front setback as follows:
 - A one car garage shall be set back a minimum of 20 feet.
 - A two car garage may be constructed up to the 15 feet from the front setback line.

3. The property owner or contractor shall obtain a right-of-way permit prior to construction activities.
4. The height of the residence and attached garage shall not exceed 30 feet to the top of the building from average grade as defined in the Shoreline Master Program.

Prior to issuance of a building permit:

5. An executed indemnification agreement for construction in a geologically hazardous area and related buffers shall be provided to the city for recording.
6. A critical areas report with geotechnical analysis and third party review shall be submitted with the building permit application. House designs shall follow all recommendations in the approved critical areas report. **Note:** If the geotechnical analysis and/or third party review finds that the proposed construction cannot meet safety requirements listed in the Bainbridge Island Municipal Code, the building permit application will be denied.
7. A site plan shall be submitted identifying all proposed and existing structures that are planned to remain on the property, which would count towards the property's lot coverage at the time a building permit is submitted. The lot coverage shall not exceed 1,200 square feet, which is the maximum allowable under a Reasonable Use Exception.
8. A site plan shall be submitted showing all proposed and existing structures and impervious surfaces and their associated areas. The plan shall identify how the 30% side yard setbacks are or will be met with the building permit application. If additional permits and/or actions are needed to meet or vary the required 30% side yard setback requirement, the building permit shall not be issued until such permits are issued and/or a time frame has been approved for the necessary actions to meet the required side yard setbacks.
9. The owner shall submit a planting plan with their building permit application for the replanting of any vegetation anticipated to be removed or disturbed during construction activities. The planting plan shall be reviewed and approved by Planning Department staff.
10. The building permit shall be reviewed by the Fire Marshal for compliance with all applicable provisions of the adopted Fire Code.

Prior to issuance of a certificate of occupancy:

11. A geotechnical engineer shall verify footing depths to prescribed bearing strata prior to City footing inspection, to verify proper compaction of any structural fill and to verify proper installation of footing drains. Documentation of the geotechnical inspections shall be submitted to City/inspector for our records.
12. The owner shall plant the disturbed slope in accordance with the approved planting plan or an assurance device provided and approved by the Planning Department.
13. A maintenance assurance shall be provided to the Planning Department to cover the cost of monitoring the new plantings for 3 years after replanting has occurred. The monitoring report must include an inventory of plant species survival, percent survival of planted species, and images from established points. The planted area shall achieve 90% survival in 3 years. Vegetative coverage of mitigated area should show an increase over time, and cover not less than 100% of vegetated area after 3 years.