



**Department of Community Development**

801 - 228th Ave. SE, Sammamish, WA. 98075 - Phone: 425-295-0500 - Fax: 425-295-0600 - Web: [www.sammamish.us](http://www.sammamish.us)

**NOTICE OF PUBLIC HEARING  
NOTICE OF ISSUANCE OF SEPA THRESHOLD DETERMINATION OF  
NONSIGNIFICANCE  
ISSUANCE OF STAFF REPORT AND RECOMMENDATION TO CITY HEARING  
EXAMINER  
SHORELINE VARIANCE/ZOING VARIANCE/SHORELINE SUBSTANTIAL  
DEVELOPMENT PERMIT  
CITY OF SAMMAMISH PERMIT NUMBER SVAR2016-00053  
BAERWALD RESIDENTIAL DEVELOPMENT**

**Date of Notice: January 20, 2017  
Appeal Period: Ends February 9, 2017 at 5 PM**

**NOTICE IS HEREBY GIVEN** that the City of Sammamish Hearing Examiner will conduct a public hearing March 2, 2017 at 9:00 am, or soon thereafter, regarding the Baerwald Shoreline Variance, Zoning Variance, Shoreline Substantial Development Permit, City of Sammamish Permit SVAR2016-00053. The Public Hearing will take place at 801 - 228th Ave SE, Sammamish, WA (Council Chambers).

**NOTICE IS FURTHER GIVEN** that the City of Sammamish Community Development Department has issued a staff report in conjunction with recommendation to the Hearing Examiner to approve the proposed Shoreline Variance, Zoning Variance, and Shoreline Substantial Development Permit (SSDP) under file SVAR2016-00053. The City of Sammamish has consolidated the project review process for these proposals. The proposals were reviewed under the higher level permit type pursuant to SMC20.05.020(2).

**Project Description:** The applicant requests a Zoning Variance and Shoreline Variance to accommodate the development of a single family residence within the Urban Conservancy shoreline environment associated with Lake Sammamish and within the R-4 Zoning District. The proposal is for a building footprint of approximately 2,215 square feet and associated improvements (e.g. driveway, perimeter access to the house). A Zoning Variance was requested to reduce standard 10-foot street setback to a minimum of 2 feet from the northeastern property line for a detached single family home. Due to the severity of the site constraints, reasonable use of the property requires the reduction of the standard shoreline setback through a Shoreline Variance. The shoreline setback within the Urban Conservancy shoreline environment is 50 feet and cannot be reduced (SMC 25.06.020.9 and 25.06.020.11). Thus, a Shoreline Variance is requested to reduce the setback beyond that allowed by code in order to obtain reasonable use of the property. The proposal includes a reduction in the setback to a minimum of 20-feet along a majority of the property. The applicant has also requested a Shoreline Substantial Development Permit and State Environmental Policy Act (SEPA) Determination for an approximately 424 square feet dock and access footpath.

The applicant applied for the above project on February 22, 2016. The project was deemed complete for the purpose of review on March 18, 2016. The City issued a Notice of Application on April 5, 2016, which identified a public comment period from April 5, 2016 through May 5, 2016 (30 days). This Notice of Public Hearing was issued on January 20, 2017 and public notice has been provided via: mailed notice to property

owners within 1,000 feet of the subject site, a sign posted on the subject site, and by placing a legal notice in the local newspaper.

**Applicant:** Dennis Baerwald 7611 NE 198<sup>th</sup> Place Kenmore, WA 98028

**Environmental Consultant:** The Watershed Company, c/o Kenny Booth, AICP, Principal/Senior Planner, Phone: 425-822-5242, Email: [kbooth@watershedco.com](mailto:kbooth@watershedco.com), Address: 750 Sixth Street South, Kirkland, WA 98033

**Environmental Review:** The proposed development for a dock and access footpath was reviewed under the provisions of the State Environmental Policy Act (SEPA). The proposal of Shoreline Variance and Zoning Variance are exempt from the provisions of SEPA per WAC 197-11-800(6)(e). The development of single family residences and their appurtenances are exempt from substantial development per WAC 173-27-040(2)(g). However, the City of Sammamish issued a Determination of Non-Significance (DNS) for this project on January 20, 2017 for the proposed development for a dock and access footpath. The proposed single family home project is exempt from the provisions of shoreline substantial development per WAC 173.27.040(2)(g).

**Public Comment Period:** September 2 through October 2, 2015 (30 days – not closed)

**Project Location:** The proposed single family residence is located just south of 3228 East Lake Sammamish Parkway NE, Sammamish, WA 98074. Further identified as King County Assessors Tax Parcel Number 2025069071, within the NW 1/4 of Section 20, Township 25 Range 06 East, W.M., Sammamish, WA

**Possible Permits Required:** Building Permits, Hydraulic Project Approval (HPA), Army CORPS approval, Zoning Variance, and Ecology approvals.

**Existing Documents:** Application for SVAR2016-00053, dated February 22, 2016, Determination of Complete Application/Letter of Completeness, dated March 18, 2016, Notice of Application/Mailing list, Application for SVAR2016-00053, dated April 5, 2016, Baerwald Critical Areas Study January 2017, Baerwald Shoreline Variance Letter of Description January 2017, Baerwald Zoning Variance Letter of Description January 2017, Baerwald Mitigation Plan Set (includes preliminary dock design) January 2017, Baerwald Shoreline Variance Compliance Report January 2017, Baerwald Zoning Variance Compliance Letter January 2017, Letter from Kenny Booth, Watershed Company August 25, 2016, Tree Replacement – Baerwald Shoreline Variance, Letter from Kenny Booth, Watershed Company August 25, 2016, Offsite Wetland Buffer - Baerwald Shoreline Variance, Legal Description, critical Areas Affidavit, Acceptance of Financial Responsibility.

**Appeal Deadline:** Per SMC 20.10.080 and 20.15.130, Appeals must be submitted in writing with the appropriate filing fee (\$250.00) and received by 5pm on the last day of the appeal period at City Hall, located at 801 228th Ave SE, Sammamish, WA, 98075. Appeal instructions are available at City Hall, or are available upon request at 425.295.0500. Appeals must be received at the address above by: February 9, 2017 at 5:00 PM per SMC 20.15.130.

**Staff Project Planner Assigned:** Sung H. Lee, Associate Planner, Phone: 425-295-0526, Email: [slee@sammamish.us](mailto:slee@sammamish.us) Address: City of Sammamish City Hall, 801 228th Avenue SE, Sammamish, Washington 98075

*Inquiries regarding the application, revised decision, and appeal process, as well as requests to view documents pertinent to the proposal, may be made at the City of Sammamish City Hall, 801 – 228th Avenue SE, Sammamish, Washington 98075, (Tel: 425.295.0500) during normal business hours, Monday through Friday, 8:30 a.m. to 5:00 p.m.*

*Mediation of disputes is available pursuant to SMC 20.20. Requests for mediation should be made as soon as it is determined the disputed issue(s) cannot be resolved by direct negotiation. Please contact the Department of Community Development for additional information on the Land Use Mediation Program.*