

# CITY OF MERCER ISLAND

## COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

PHONE: 206.275.7605 | [www.mercerisland.gov](http://www.mercerisland.gov)



### Pre-Application Meeting (PRE24-049)

*An Intake Screening is required in addition to a Pre-Application Meeting. A Pre-Application Meeting does not replace the required Intake Screening. This meeting is to provide guidance and information include prior to formal submittal.*

#### Summary:

<b>Site Location:</b>	5331 Forest Ave SE	<b>Parcel Number</b>	294890-0013
<b>Lot Size:</b>	15,070 SqFt	<b>Zoning:</b>	R-15 (Single Family)
<b>Brief Project Description:</b>	Proposal to add 900 SF 2 story attached accessory dwelling unit to an existing single-family residence.	<b>Documents Provided:</b>	<ul style="list-style-type: none"><li>• Project narrative and questions.</li><li>• Pre-application request form.</li><li>• Preliminary plan set.</li></ul>
<b>Applicant Information:</b>			
<b>Name:</b> Owner: Lin Kat & Greg Kicska Contact: David DiMarco	<b>Email:</b> architect@icloud.com	<b>Phone:</b> 206-355-6795	
<b>Second Pre-application Meeting Required:</b>	Not Applicable		

#### Applicant Questions:

1. Are the setbacks shown on sheet .1 accurate?  
**Staff Response:** Plans cannot be officially reviewed prior to an application. Side yard setbacks will be reviewed for compliance with [MICC 19.02.020\(C\)](#). Specifically the variable side yard setback section.
2. The main level conditioned space is 532 square feet. The lower-level conditioned space is 368 square feet. This totals 900 square feet. Is this correct?  
**Staff Response:** Plans cannot be officially reviewed prior to an application. See definition in MICC 19.16.010: *Gross floor area*: The total square footage of floor area bounded by the exterior faces of the building.
3. Within the front yard setback, we are proposing an extension of the existing driveway to accommodate an accessory dwelling unit car without blocking the main house car access. Is this type of improvement allowed within the front yard setback?  
**Staff Response:**  
Allowed intrusions into required yard setbacks can be found in MICC 19.02.020(C)(3)  
Per MICC 19.02.020(C)(3)(b): Hardscape and driveways not more than 30 inches above existing grade or finished grade, whichever is lower, may be located in any required yard; provided, that

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driveways may exceed the 30-inch limit when a permit applicant demonstrates the proposed height is the minimum feasible to meet the standards in MICC [19.09.040](#).

4. This new driveway extension would be a concrete slab on-grade with an existing driveway but would need to be supported by piers along its west side. Is this permissible?

**Staff Response:** Engineering has no comments on this since it is all inside the private property, however planning , building and fire might have comments.

5. Adjacent to this new driveway extension is a power pole in the north yard. Are there utility easements or other setback considerations that would prevent the proposed drive?

**Staff Response:** Engineering has no comments on this since it is all inside the private property, however planning , building and fire might have comments.

6. We understand that the footprint of the addition main level counts towards overall lot coverage, but the area of the newly proposed driveway does not. Please confirm this is correct.

**Staff Response:** The driveway will count towards lot coverage, the definition of lot coverage per MICC 19.16.020 is “The maximum area of a residentially zoned lot that may be covered by a combination of buildings, including eaves and roof overhangs, and vehicular driving surfaces.” The [Site Development Worksheet](#) is helpful to use when calculating lot coverage, hardscape, and gross floor area calculations.

7. Are there any other issues that we have not covered that are obvious to the reviewers that may prevent the proposed addition from being permitted?

**Staff Response:**

- 8.

## Review Comments:

### Fire Comments:

Fire Contact: [Jhicks@esf-r.org](mailto:Jhicks@esf-r.org) or by phone at 425-313-3323

1. Building Information
  - a. PRE-APPLICATION Number: **PRE24-049**
  - b. Address: 5331 Forest Ave
  - c. Use: Remodel/Alt
  - d. Construction Type: Wood Frame Type Vb
  - e. Square Footage: **unknown**
  - f. Deficiencies Noted: **4 +/-**

2. [Developer Handbook](#)

3. Applicant Questions:

- a. This new driveway extension would be a concrete slab on-grade with existing driveway but would need to be supported by piers along its west side. Is this permissible?

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- i. Staff response: Access would need to support the live load requirements of IFC Appendix D (75,000lbs)
4. Fire Valuation Form: [Found HERE](#)
  - a. Remodels less than 10% No Fire Review needed.
  - b. Remodels between 10% and 49% - Monitored Fire Alarm required (Chapter 29 of NFPA) if there are deficiencies related to access, grade, distances from hydrant or fire flow.
  - c. Remodels in excess of 50% are required to install a NFPA 13D Residential Fire Sprinkler System.
5. Sprinkler information
  - a. Remodels exceeding 50% valuation are required to install a NFPA 13d Fire Sprinkler System. An exterior bell is required to be installed and must activate upon water flow. Interior smoke detectors or sounders must also be interconnected with the water flow switch.
  - b. [Fire Sprinkler Requirement 13d \(minimum\)](#)
6. Fire Alarm information:- For remodels with 10-50% valuation (and deficiencies)
  - a. Fire Alarm (NFPA 72) may be required due to width of the fire access road.
  - b. No current deficiencies noted. This may change at building permit submittal.
  - c. [Fire Alarm Standard Link](#)
7. Hydrant and fire flow information (IFC Appendix A)
  - a. **The fire flow at the residence does not meet requirements. Hydrant WA-HY-F3-07**
    - **500gpm at 62psi**
    - **Fire flow is dependent on the residential square footage.**
  - b. Distance from hydrant to access= 14.5' (<250')
  - c. Distance from hydrant to furthest point of residence= 298' (<600' w/ sprinklers, 300'w/o sprinklers)
  - d. **Distance from access to furthest point of residence= 197' (<150')**
8. Access road (2018 IFC Appendix D) Turn Around. None provided, although the residence is within 150' of a cross street that could be considered as a turn-around.
  - a. **Width. All access roads under 500 feet in length are required to be 20 feet in width. Width at time of pre-application meeting was 12 feet.**
  - b. **Fire Access Road exceeds 150' (400')**
  - c. Slope. Slope at 10%.
  - d. **Turn-around = non present.**
  - e. [Fire Apparatus Road Standard Link](#)

*\*Subject to change pending submittal of plans and plan review. Plan approval/ Plan review does not relieve the designer/contractor from complying with all applicable codes and requirements as adopted by the City of Mercer Island and the State of Washington, nor does it abrogate the requirements of other authorities having jurisdiction.*

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For additional information please refer to this helpful webpage:

<https://www.mercerisland.gov/cpd/page/fire-permits-and-fire-prevention-information>

### Tree Comments:

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Tree Contact: [John.Kenney@mercerisland.gov](mailto:John.Kenney@mercerisland.gov) or 206-275-7713.

1. Please refer to MICC 19.10 for our tree code.
2. 30% of trees with a diameter of 10 inches or greater is required; additionally, development must be designed to minimize tree removal. If more than 500 square feet of new impervious surface or gross floor area is added.
3. Replacement is required for any trees that are removed, according to the replacement ratios in MICC 19.10.070.
4. Tree protection (typically at tree dripline) of retained trees will be required. If more than 500 square feet of new impervious surface or gross floor area is added.

For additional information please refer to this helpful webpage:

<https://www.mercerisland.gov/cpd/page/tree-permits>

### Civil Engineering Comments:

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Civil Contact: [Ruji.Ding@mercerisland.gov](mailto:Ruji.Ding@mercerisland.gov) or 206-275-7703.

1. Please refer to MICC Title 15 for our Water, Sewers, and Public Utilities code.
2. This project will result a net increase of the impervious surface area of 500 sf or more, a full drainage design and review will be required.

For more information on Stormwater Permits please visit here:

<https://www.mercerisland.gov/cpd/page/stormwater-permits>

### Building Comments:

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Building Contact: [gareth.reece@mercerisland.gov](mailto:gareth.reece@mercerisland.gov) or 206-275-7710.

Mapping and Design Criteria: Complete information on codes adopted by Mercer Island and available City mapping is available here: <https://www.mercerisland.gov/cpd/page/codes-design-criteria-research>

Mercer Island City Code 19.07.160 requires a geotechnical engineer's assessment of certain types of work if located within a mapped geologic hazard area. Please review city mapping to determine if landslide hazards, seismic hazards, or erosion hazards are mapped on the property.

ASCE-7 wind design for structures involves topographic and exposure effects. The City has mapping available for accepted values to be used in design. Please refer to the link above for design criteria.

1. No building-specific questions submitted, please reach out with any questions.

### Planning Comments:

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Planning Contact: [grace.manahan@mercerisland.gov](mailto:grace.manahan@mercerisland.gov) or 206-275-7764

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1. A [Critical Area Review 1](#) would be required if the proposed development meets the criteria in [MICC 19.07.120](#) for Exemptions or [MICC 19.07.130](#) for Modifications. If none of these criteria apply, then a [Critical Area Review 2](#) meeting the standards in [MICC 19.07.160](#) for Geologically Hazardous Areas is required.
2. An [Accessory Dwelling Unit](#) permit application will be required.
3. Residential Zoning Standards:
  - a. Yards
    - i. Front yard: 20 feet
    - ii. Rear yard: 25 feet
    - iii. Side yards:
      1. Requirements based on lot width: 15 feet total; no side yard less than five feet - **OR**- Total side yards must be at least 17% of the lot width; no side yard less than 33% of the total side yard requirement.
      2. Variable Side Yard Depth Requirement:
        - a. Variable Side Yard Depth Requirements apply to interior lot lines only.
        - b. A minimum side yard of 7.5 feet is required for 1) nongabled roof ends where the height is more than 15 feet; or 2) gabled roof ends more than 18 feet. Both measurements are taken from existing or finished grade, whichever is lower, to the top of the gabled roof end adjoining the side yard.
        - c. A minimum side yard of 10 feet is required for single-family dwellings with a height of more than 25 feet measured from the existing or finished grade, whichever is lower, to the top of the exterior wall facade adjoining the side yard.
    - iv. Eaves may only protrude up to 18 inches into yards; note that no protrusion is allowed within *minimum* side yard setbacks.
    - v. No eave and minor building element protrusion is allowed into the minimum side yard setback established by either the requirements based on lot width or Variable Side Yard Depth Requirement. (MICC 19.02.020(C)(3)).
  - b. Height:
    - i. 30 feet maximum above the Average Building Elevation (ABE) to the highest point of the roof.
    - ii. 30 feet on the furthest downhill extent of the proposed building to the top of the exterior wall façade supporting the roof framing, rafters, trusses, etc.
  - c. Lot Coverage:
    - i. Calculated by totaling the following:
      1. All drivable surfaces (driveway, parking pad, turn-arounds, etc. regardless the material type; e.g. pervious driveway counts towards lot coverage)
      2. Roof line (includes eaves and covered decks)
    - ii. Lot Coverage is limited to a percentage of net lot area; this percentage varies between 20-40% depending on the slope of the lot. Lot slope is calculated by subtracting the lowest existing elevation from the highest existing elevation and dividing the resulting number by the shortest horizontal distance between these two points.
    - iii. Allowed a maximum of 9% of the lot area can be hardscape
      1. Hardscape includes: patios, uncovered steps, walkways, decks, retaining walls, rockeries, and other hardened surfaces other than drivable surfaces or roofs.

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2. Hardscape improvements can be within the maximum lot coverage allowance. That is, if the proposed lot coverage is less than the maximum lot coverage, the difference between the maximum and proposed areas can be used for hardscape.
- d. Gross Floor Area:
- i. Gross Floor Area includes:
    1. The main building, including but not limited to attached accessory buildings.
    2. All garages and covered parking areas, and detached accessory buildings with a gross floor area over 120 square feet.
    3. That portion of a basement which projects above the lower of existing grade or finished grade as defined and calculated in Appendix B of this development code.
    4. Staircases.
    5. Decks that are attached to the second or third level of a single-family dwelling and are covered by a roof. For the purposes of calculating the gross floor area of covered decks, the entire deck area covered by the roof shall be accounted for as floor area, provided an 18-inch eave extending beyond the edge of the deck shall not be included in the gross floor area.
    6. Space under stairways or stairwells that is used, for example, as a closet or storage space if that space meets the definition of "Floor."
  - ii. Based on ceiling height, additional GFA may be applied
    1. The gross floor area shall be **150 percent** of the floor area of that portion of a room(s) with a ceiling **height of 12 feet to 16 feet**, measured from the floor surface to the ceiling.
    2. The gross floor area shall be **200 percent** of the floor area of that portion of a room(s) with a ceiling height of **more than 16 feet**, measured from the floor surface to the ceiling.
    3. Staircases shall be counted as a single floor for the first two stories accessed by the staircase. For each additional story above two stories, the staircase shall count as a single floor area. For example, a staircase with a 10-foot by 10-foot dimension that accesses three stories shall be accounted as 200 square feet (100 square feet for the first two stories, and 100 square feet for the third story).
  - iii. Second or third level covered decks count towards GFA, only uncovered or covered decks on the main level don't count towards GFA
4. Critical area constraints (on and off-site)
- a. Potential slide, steep slope, erosion, and seismic.
  - b. MICC 19.07.160.
  - c. Critical area study
  - d. Geotechnical reports must address the criteria in MICC 19.07.160, which include an analysis documenting that the subject property, neighboring properties, and other critical areas will not be adversely impacted. A statement of risk must also be provided. Please review this code section for full details.
5. Shoreline
- a. Development is limited within 50 feet of the Ordinary High Water Mark (OHWM): 10% lot coverage and impervious surface is allowed within 0-25 feet of OHWM and 30% is allowed within 25-50 feet from the OHWM).
  - b. No structures are allowed within 25 of the OHWM.
  - c. During building permit application, apply for a Shoreline Substantial Development Permit, or a Shoreline Exemption Permit demonstrating that the proposed development meets one of

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- the criteria in [WAC 173-27-040](#) for developments exempt from substantial development permit requirement. Include a signed and notarized Shoreline Exemption Affidavit with the Shoreline Exemption Permit application.
6. State Environmental Policy Act (SEPA) Review
    - a. The proposed scope of work requires SEPA review/is exempt pursuant to WAC 197-11-800(1).
    - b. If the scope of work changes, SEPA Review may be required. Please refer to WAC 197-11-800 or consult with planning staff to SEPA requirements.
    - c. If wetlands or watercourses are found on site (i.e. lands covered by water), SEPA Review will likely be required.
  7. Underlying Plat limits
    - a. Conditions
    - b. Covenants
    - c. Easements
  8. Non-conforming issues / items
    - a. MICC 19.01.050.
  9. Vesting: Please see the standards in MICC 19.15.170.
  10. Application fees
    - a. Deposit due at time of application
    - b. Review time is billed hourly against the deposit; additional fees may be requested if additional review time is required.
    - c. When third-party technical review is required (e.g. geotechnical, wetland, watercourse etc.), this is billed separately, in addition to staff review time.
  11. Land Use Application Process and Estimated Timeline:
    - a. Required land use approvals
      - i. Describe options and the required land use approvals for each option
    - b. Prompt for consolidated review
    - c. Summary of procedural steps
      - i. Pre-Application meeting
      - ii. Submit application electronically
      - iii. Application Completeness Check
      - iv. Notice of Application (incl. public notice via sign on site, mailing, notice in bulletin) beginning 30-day comment period; review begins
      - v. Review comments may be sent out if needed
      - vi. Notice of Decision
      - vii. Appeal period
    - d. Land use approvals are valid for a period of 3 years from the date of approval.

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## Land Use Decisions

Type of Review	Target
Completeness Review	4 weeks
First review	8-12 weeks
Second and subsequent reviews	6 weeks
Staff Report / Decision (following completion of review)	3-4 weeks

  

Single Family Residential	
First Review	8-12 weeks
Second Review	3 weeks
Third and subsequent reviews	2 weeks
Revisions	2-3 weeks
Express Reviews (see note below)**	4 weeks

For more information on Land Use and Planning please refer to this useful webpage:  
<https://www.mercerisland.gov/cpd/page/land-use-application-forms-and-submittal-requirements>

### Pre-Application Fees:

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The minimum fee for the pre-application meeting must be paid to initiate the pre-application process. If staff time exceeds the minimum hours allotted, the applicant will be invoiced via email for additional staff hours at the current hourly rate. Note: All involved staff members track time spent researching and preparing, attending the meeting, corresponding, responding to questions pre and post meeting, and/or on any other activity related to the pre-application process for the project. Applicants who continue to discuss the meeting with staff should expect to be invoiced for additional staff time.

Regards

Grace Manahan  
 Code Compliance Planner  
 Community Planning & Development  
 City of Mercer Island

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