



City of Seattle

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Greg Nickels, Mayor  
**Department of Planning and Development**  
D. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR  
OF THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

**Application Number:** 3006640  
**Applicant Name:** Marc Brown for Portage Bay Condominium Association  
**Address of Proposal:** 3146 Portage Bay Place East

**SUMMARY OF PROPOSED ACTION**

Shoreline Substantial Development to replace and expand an existing parking structure in an environmentally critical area. Project includes variances from Land Use Code standards.

The following approvals are required:

**Shoreline Substantial Development Permit** – (SMC Chapter 23.60) to allow parking accessory to an existing floating home moorage.

**Variance** – (SMC Chapter 23.54.030.D.1b) to allow backing into right-of-way.

**Variance** – (SMC Chapter 23.44.016.B.3) to allow parking for more than three vehicles in a Single Family zone.

**Variance** – (SMC Chapter 23.54.030.F.1b) to exceed allowed curb cut width.

**Variance** – (SMC Chapter 23.44.014.A) to locate a structure in the required front yard.

**Variance** – (SMC Chapter 23.54.030.G) to allow less than the required sight triangle.

**Variance** – (SMC Chapter 23.42.011.2.B) to allow modification to existing non-conforming structure.

**SEPA - Environmental Determination** - (SMC 25.05)

**SEPA DETERMINATION:**  Exempt  DNS  MDNS  EIS

DNS with conditions\*

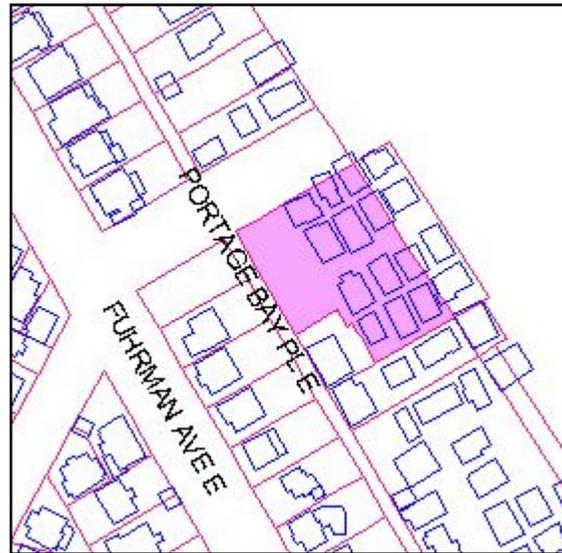
DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

\* The notice for this project was published on March 27, 2008.

**BACKGROUND DATA**

Subject Site and Vicinity

The subject property is zoned Single Family-5000 (SF-5000) and is located on the southern side of the Montake Cut between Lake Union and Lake Washington. The shoreline environment of the dry land portion of the lot is Urban Residential (UR). The existing moorage contains approximately 16 floating homes, which are accessed by Portage Bay Place NE to the south. The site has 103 feet of frontage along Portage Bay Place East and 200 feet of shore frontage.



Portage Bay Place NE and the proposed parking structure are situated considerably higher than the floating homes or the common open spaces that separates the right of way from the docks. Portage Bay Place NE is a narrow, substandard right-of-way approximately fifteen feet in width, bordered by a steep incline to the south and slope down to the north. The lot and floating homes are accessed by a foot via a stairway. Because of the narrow width of Portage Bay Place NE, there is no on-street parking in the area of the subject property. Development in the vicinity consists of floating homes, single and multi family residences.

The property includes an existing wood parking structure for six vehicles and a 183 square foot garbage and recycling area that is accessed at street level. There is also enclosed storage space below the parking structure that is accessed by foot from the level of the property at the shoreline elevation.

Proposal Description

The proposed project includes the demolition of the 1,354 square foot existing elevated parking structure (including a 183 square foot garbage and recycling area) for and the construction of a new 2,444 square foot elevated parking structure (including a 130 square foot garbage and recycling area). Both the existing and proposed parking structures would include storage uses below the parking area. The existing structure can accommodate six vehicles and the proposed structure would accommodate 11 vehicles. The proposed structure will utilize the existing foundations. The project also includes native vegetation planting and removal of impervious surfaces as mitigation for shoreline habitat buffer impacts. The existing parking structure is presently nonconforming with respect to current to Land Use Code requirements for allowing backing into a right-of-way, parking for more than three vehicles in a Single Family zone (SMC 23.44), exceeding the allowed curb cut width, locating a structure in the required front yard and allowing less than the required sight triangle. The proposed structure would increase some of these non-conformities, as well as require a variance to allow modification to the existing non-conforming structure. The following table describes the existing and proposed non-conformities:

Standard	Existing	Proposed	Increased
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<b>1</b>	<i>Backing into ROW not allowed in SF zone</i>	Vehicles back into ROW	Vehicles will back into ROW	No change
<b>2</b>	<i>Maximum parking for 3 vehicles in SF zone</i>	6 vehicles (angled parking)	10 vehicles (90-degree parking)	+4 vehicles
<b>3</b>	<i>Curb cut width maximum of 40 ft.</i>	53 ft.	90 ft	+37 ft
<b>4</b>	<i>Structures not allowed in required front yard</i>	Structure within front yard and abutting front property line	Structure within front yard and abutting front property line	+Approx 3 ft deeper and 20 ft longer
<b>5</b>	<i>Sight triangle required</i>	None	None	No change
<b>6</b>	<i>Modification to non-conforming structure</i>	N/A	Yes	See above

Public Comment

One comment letter from the Muckleshoot Indian Tribe was received during the comment period, which ended on April 25, 2008. The letter requested a copy of the site plan and plans submitted as part of the Master Use Permit.

**ANALYSIS - SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT**

The proposal is located within the Urban Residential (UR) Shoreline Environment as designated by the Seattle Shoreline Master Program (SSMP). The Shoreline Master Program, Chapter 23.60 of the Seattle Municipal Code, regulates use and development in the City’s shoreline districts to implement the policy and provisions of the Shoreline Management Act of 1971 and the Shoreline Goals and Policies.

The SSMP requires that a shoreline permit be obtained prior to the undertaking of any substantial development within a shoreline environment. SMC Section 23.60.030 includes criteria for evaluating a shoreline permit. A substantial development permit shall be issued only when the development proposed is consistent with:

- A. The policies and procedures of Chapter 90.58 RCW;
- B. The regulations of this Chapter; and
- C. The provisions of Chapter 173-27 WAC.

Conditions may be attached to the approval of a permit as necessary to assure consistency of the proposed development with the Seattle Shoreline Master Program and the Shoreline Management Act.

**A. THE POLICIES AND PROCEDURES OF CHAPTER 90.58.RCW**

The State of Washington Shoreline policies (RCW Chapter 90.58) provide for the control of pollution and prevention of damage to the natural environment, and for the protection of the resources and ecology of the shoreline over the long term. It is the policy of the state to provide for the management of the shorelines of the state by planning for and fostering all reasonable and

appropriate uses. The Shoreline Management Act of 1971 provides definitions and concepts, and gives primary responsibility for initiating and administering the regulatory program of the Act to local governments. The Department of Ecology is to primarily act in a supportive and review capacity, with primary emphasis on insuring compliance with the policy and provisions of the Act. As a result of this Act, the City of Seattle adopted a local shoreline master program, codified in the Seattle Municipal Code at Chapter 23.60 that also incorporates the provisions of Chapter 173.27 WAC. Development on the shorelines of the State is not to be undertaken unless it is consistent with the policies and provisions of the Act, and with the local master program. The Act sets out procedures, such as public notice and appeal requirements, and penalties for violating its provisions.

The City of Seattle Shoreline policies incorporate these goals by reference and include area objectives pursuant to these goals. These policies contemplate protecting against adverse effects to the public health, the land and its vegetation and wildlife, and the waters of the state and their aquatic life, while protecting public rights of navigation and corollary incidental rights. Permitted uses in the shorelines shall be designed and conducted in a manner to minimize, insofar as practical, any resultant damage to the ecology and environment of the shoreline area and any interference with the public's use of the water.

As discussed below, the City's Shoreline policies encourage public access and discourage disrupting the shoreline environment. This proposal is consistent with the policies and procedures of the RCW Chapter 90.58.

## **B. THE REGULATIONS OF CHAPTER 23.60**

The regulations of SSMP Section 23.60.064 require that the proposed use: 1) conform to all applicable development standards of both the shoreline environment and underlying zoning; 2) be permitted in the shoreline environment and the underlying zoning district 3) satisfy the criteria of shoreline variance, conditional use, and/or special use permits as may be required and 4) SMC 23.60.014 C. for standards applicable to environmentally critical areas as provided in Seattle Municipal Code Chapter 25.09, Regulations for Environmentally Critical Areas, shall apply in the Shoreline District. If there are any conflicts between the Seattle Shoreline Master Program and Seattle Municipal Code Chapter 25.09, the most restrictive requirements shall apply.

The policies support and encourage the establishment of water dependent uses. Floating homes, because of their historic role in Seattle, are designated as a water dependent use, but the increase of floating home moorages or the increase in use of the shoreline or water area by floating homes, however, is not necessarily encouraged. The intent is to recognize the existing floating home community in Lake Union and Portage Bay, while protecting natural areas, preserving public access to the shoreline, and preventing the displacement of water dependent commercial and manufacturing uses by floating homes. Areas with substantial concentrations of existing floating homes shall be given a designation that preserves residential uses. The proposal site is located in an area designated as Urban Residential, the purpose of which is to protect residential areas in a manner consistent with the Single family and Multi-family Residential Area Policies. Therefore, the proposed project would conform to the policies of the comprehensive plan and would be consistent with the purpose of the UR designation.

Development Standards

The proposal to install a new accessory parking structure is permitted outright in SMC 23.60.540 Governing the UR shoreline environment. The proposed action is therefore subject to:

1. *the general development standards for all shoreline environments (SSMP 23.60.152); and*
2. *the development standards for uses in the UR environment (SSMP 23.60.540);*

General Development Standards for all Shoreline Environments (SSMP 23.60.152)

These general standards apply to all development and uses in all shoreline environments. They require that all shoreline activity be designed, constructed, and operated in an environmentally sound manner consistent with the Shoreline Master Program and with best management practices for the specific use or activity. These measures are required to prevent degradation of land or water. The general development standards state, in part, that all shoreline development and uses must: 1) not release oil, chemicals or other hazardous materials onto or into the water; 2) minimize and control any increase in surface water runoff so that receiving water quality and shoreline properties are not adversely affected; 3) be located, designed, constructed, and managed in a manner that minimizes adverse impact to surrounding land and water uses and is compatible with the affected area; and 4) be located, constructed, and operated so as not to be a hazard to public health and safety. Construction materials, such as wood used in the aquatic environment poses a risk of introducing toxins into the environment through the leaching of chemicals used to preserve the material. Common chemicals used to preserve wood are copper, zinc, and arsenic. In high levels copper can negatively impact aquatic organisms. Additionally, an inherent risk that exists when humans live over the water is the potential for debris and other deleterious material to enter the aquatic environment. Therefore to ensure conformance with these general development standards, no treated wood shall be allowed in decking material, if treated wood is used in other structural elements of the floating home this treated wood shall meet or exceed the Western Wood Preservers Standards for use of treated wood in the aquatic environment. The applicant and owner shall be required to notify contractors and subcontractors of these requirements.

In response to the information described above, the following conditions are imposed:

1. The applicant and owner shall be required to notify contractors and subcontractors of the requirements listed above.
2. The construction staging area shall be confined to that area shown on Sheet A1.0 of the submitted plan set. Any damage to vegetation caused by construction shall be mitigated/replaced at the completion of the project. Any vegetation must be replaced with native vegetation per SMC 25.09.200.
3. The proposed landscaping mitigation plan shown on Sheet L-0 of the submitted plan set shall be installed at the completion of the project.

Development Standards for UR Shoreline Environments (SSMP 23.60.570)

The replacement and expansion of the existing nonconforming accessory parking structure conforms to all of the shoreline development standards of this zone.

**C. THE PROVISIONS OF CHAPTER 173-27 WAC**

Chapter 173-27 WAC sets forth permit requirements for development in shoreline environments, and gives the authority for administering the permit system to local governments. The State acts in

a review capacity. The Seattle Municipal Code Section 23.60 (Shoreline Development) incorporates the policies of the WAC by reference. These policies have been addressed in the foregoing analysis and have fulfilled the intent of WAC 173-27.

### Summary

In conclusion, minimal additional adverse impacts to the lake bed or water quality are expected, and the proposed parking structure will be consistent with the provisions set forth by 90.58 RCW, 173-27 WAC, and Chapter 23.60 SMC also known as the Seattle Shoreline Master Program (SSMP).

### **DECISION - SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT**

The Shoreline Substantial Development Permit is **CONDITIONALLY GRANTED** subject to the conditions listed at the end of this report.

### **ANALYSIS - VARIANCE**

Variances from the provisions or requirements of the Land Use Code shall be authorized only when all of the following facts and conditions are found to exist:

1. *Because of unusual conditions applicable to the subject property including size, shape, topography, location or surroundings, which were not created by the owner or applicant, the strict application of this Land Use Code would deprive the property of rights and privileges enjoyed by other properties in the same zone or vicinity; and*

The limited dry land area of the lot along with the topographic difference of approximately ten feet between the street and property constitute natural conditions which constrain the site. Further exacerbating this condition, the street and right of way are undersized at 15 feet in width with limited opportunity for turning maneuvers and no on street parking supply. All of the neighbors across the street are situated approximately 22 feet above the street elevation have frontage onto Fuhrman Avenue East and take their access from that street instead of Portage Bay Place East. Only those neighbors along the north side of Portage Bay Place East take access from this street and all of them include parking directly off of the street, as well as a variety of principal and accessory structure within the required front yard. Additionally, many of these residences include parking on site whereas the subject lot does not have on site parking. The subject site currently leases six stalls located at the base of the private property across the street which contains a small section of flatter topography.

Portage Bay Place was platted more like an alley instead of a street in terms of its width, level of improvements, access and termination a few lots to the east of the subject site. As a named street, Portage Bay Place East is subject to the development standards applied to street right-of-ways and not alley right-of-ways. As an alley, many of the requested departures, such as curbcut width, sight triangle and the ability to back into the right of way would be allowed outright and not require variances. Many properties in Single Family zones enjoy both street and alley access; however these properties along Portage Bay Place are limited by only one point of access that is substandard in terms of width and improvements.

Therefore, the strict application of the Land Use Code would deprive the property of the rights and privileges – specifically that of topography, street platting and on-street parking– enjoyed by others in the immediate zone and vicinity.

2. *The requested variance does not go beyond the minimum necessary to afford relief and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is located; and*

The proposed structure will continue to be level with the roadway and will not be any taller than the existing structure. The structure depth (25 feet) is also the minimum necessary to create 90-degree parking stalls. The finished structure would provide ten stalls, still less than the minimum one stall per dwelling unit standard required by the Land Use Code. However, along with the six stalls leased by the condominium association across the street, there will be one parking space per dwelling unit, bringing the subject site in closer compliance with the Land Use Code. Parking provisions for those residential uses along the north side of Portage Bay Place East is a challenge for most of the property owners in this vicinity and zone due to the lack of on-street parking and topographical constraints and undersized street width. Finally, development in the immediate vicinity is characterized by residences constructed very close to or at the property edge with Portage Bay Place E., many of which also do not observe the front yard setback standards. It is not unusual for lots along this street to be nonconforming with respect to one or more of the required yards and parking standards.

Thus, the requested variance does not go beyond the minimum necessary to afford relief, nor is it a grant of special privilege inconsistent with the surrounding area.

3. *The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or vicinity in which the subject property is located; and*

No detriment to the public welfare or injury to the property or improvements in the zone or vicinity is likely to occur by granting the requested variances. The proposed structure will be level with the roadway and will therefore have minimal visual impact. A code required guardrail will be the only feature of the structure that will extend above the roadway level. The existing structure is in poor condition and the proposed structure and guardrail will be stronger and will result in improved safety for vehicles along Portage Bay Place East. A letter from a Structural Engineer dated October 16, 2006 confirms that the existing parking deck and portions of the retaining wall have failed and are unsafe for use. The additional on street parking will help relieve congestion on the narrow roadway. Finally, the 90-degree configuration of the parking stalls will improve the vehicle maneuvering from the current angled parking that requires a wide turn to enter the stalls.

By providing a parking structure that encroaches into the front yard in order to accommodate greater on-site parking, the public welfare will likely be improved by providing parking off of a narrow undersized right-of-way, enabling the opportunity for better circulation of emergency and other vehicles alike in the immediate area.

4. *The literal interpretation and strict application of the applicable provisions or requirements of this Land Use Code would cause undue hardship or practical difficulties;*

By limiting the amount of on-street parking to the existing six stalls provided by the non conforming structure, most of the residents of the 16 dwelling units will not have on site parking as stipulated in the Land Use Code for this zone and will be forced to park elsewhere on the street. Given that there is no on-street parking in this vicinity, residents would be forced to walk at least one block away and walk along a narrow roadway without sidewalks. The ten space parking platform, along with the six stalls leased by the condominium association across the street, will provide one parking space per dwelling unit.

The literal interpretation and strict application of the applicable provisions and requirements of the Land Use Code would not reasonably allow the proposed structure the ability to provide for the required on site parking. The current configuration and lack of parking in the vicinity is a practical difficulty for the property and the granting of this variance from the parking and front yard standards would allow for the provision of more on-site parking.

5. *The requested variance would be consistent with the spirit and purpose of the Land Use Code regulations for the area.*

The purpose of the Land Use Code is to protect and promote public health, safety and the general welfare through a set of regulations and procedures for the use of land which conforms to the City's land use policies. It is the responsibility of the City to preserve and protect areas that are currently in predominantly single-family residential use. The construction as proposed is in character with the surrounding development, preserves the existing neighborhood character and brings the parking requirements of the subject site in closer compliance with Code standards. No adverse effects on adjacent properties in the area are anticipated and the public interest will not suffer as a result of these variances.

### **DECISION - VARIANCE**

1. The request for a variance to allow backing into right-of-way (SMC Chapter 23.54.030.D.1b) is **APPROVED**.
2. The request for a variance to allow parking for more than three vehicles in a Single Family zone (SMC Chapter 23.44.016.B.3) is **APPROVED**.
3. The request for a variance to exceed allowed curb cut width (SMC Chapter 23.54.030.F.1b) is **APPROVED**.
4. The request for a variance to locate a structure in the required front yard (SMC Chapter 23.44.014.A) is **APPROVED**.
5. The request for a variance to allow less than the required sight triangle (SMC Chapter 23.54.030.G) is **APPROVED**.
6. The request for a variance to allow modification to existing non-conforming structure (SMC Chapter 23.42.011.2.B) is **APPROVED**.

### **ANALYSIS – SEPA**

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated March 10, 2008. The information in the checklist and

the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SSMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in part: “*where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation,*” subject to some limitations. Under such limitations/circumstances (SSMC 25.05.665 D1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

### Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from construction activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction materials hauling, equipment and personnel; increased noise; and consumption of renewable and non-renewable resources. Several adopted codes and/or ordinances provide mitigation for some of the identified impacts:

- The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction.
- The Street Use Ordinance requires watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way.
- Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general.
- Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the city.

Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment. However, given the amount of demolition and building activity to be undertaken in association with the proposed project, additional analysis of soils, aquatic habitat, and air quality is warranted.

### Soils

A steep slope exemption was granted on February 27, 2008 that waived the steep slope development standards. Specifically, the exemption read that based on the submitted documents, the proposed development appeared to be located within the steep slope areas that were created by previous grading and/or construction activities. Further, the submitted soil report by Pan Geo, Inc dated December 6, 2006 implied that granting this exemption will not result in adverse impacts on this site and adjacent sites. In this respect, the ECA Steep Slope development standards were waived for the development associated with this application (Building Permit No 6125752). The subject site is also designated as a Potential Landslide Area due to geologic conditions. All other ECA development standards will apply.

### Aquatic Habitat

No disturbance of the lake bed sediments is expected since all work will be done on land. There is potential for debris to enter the water during the process of demolition and construction of the retaining wall and parking structure with storage space below, so construction best management practices (BMPs) will have to be taken to prevent this from occurring. The project includes mitigation in the form of 912 square feet of native vegetation planting and removal of 201 square feet of impervious surfaces. Without this mitigation, the project would have resulted in a net increase in impervious surface of 1090 square feet, which could have adversely impacted aquatic habitat for salmon and other species that utilize the nearshore environment due to reduced filtration of stormwater runoff and increased siltation and pollutant runoff directly into the nearshore environment. These measures as detailed in the plan sets (Sheet L 1.0) and conditioned below effectively address these potential negative impacts.

### Air Quality

The indirect impact of construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project. No potential short term adverse impact to air is anticipated and therefore air quality mitigation is not necessary.

### Long-term Impacts

Long-term or use-related impacts associated with approval of this proposal include stormwater and erosion potential on site. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically, the Stormwater, Grading and Drainage Control Code which requires on-site detention of stormwater with provisions for controlled tightline release to an approved outlet and may require additional design elements to prevent isolated flooding; and the City Energy Code which will require insulation for outside walls and energy efficient windows. Compliance with all other applicable codes and ordinances is adequate to achieve sufficient mitigation of most long term impacts and no further conditioning is warranted by SEPA policies.

Due to the type, size and location of the proposed project, additional analysis of air quality impacts is warranted.

### Air Quality

The number of vehicular trips associated with the project construction is expected to increase from the amount currently generated by the various sites and the projects' overall electrical energy and natural gas consumption is expected to increase. Together these changes may result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project.

## **CONDITIONS -- SHORELINE**

### During Construction

1. The applicant and owner shall be required to notify contractors and subcontractors of the requirements discussed on pages 5 and 6 of this document, which state:

*“...all shoreline development and uses must: 1) not release oil, chemicals or other hazardous materials onto or into the water; 2) minimize and control any increase in surface water runoff so that receiving water quality and shoreline properties are not adversely affected; 3) be located, designed, constructed, and managed in a manner that minimizes adverse impact to surrounding land and water uses and is compatible with the affected area; and 4) be located, constructed, and operated so as not to be a hazard to public health and safety. Construction materials, such as wood used in the aquatic environment poses a risk of introducing toxins into the environment through the leaching of chemicals used to preserve the material. Common chemicals used to preserve wood are copper, zinc, and arsenic. In high levels copper can negatively impact aquatic organisms. Additionally, an inherent risk that exists when humans live over the water is the potential for debris and other deleterious material to enter the aquatic environment. Therefore to ensure conformance with these general development standards, no treated wood shall be allowed in decking material, if treated wood is used in other structural elements of the floating home this treated wood shall meet or exceed the Western Wood Preservers Standards for use of treated wood in the aquatic environment. The applicant and owner shall be required to notify contractors and subcontractors of these requirements.”*

2. The construction staging area shall be confined to that area shown on Sheet A1.0 of the submitted plan set.

### Prior to Permit Final

3. Any damage to vegetation caused by construction shall be mitigated/replaced at the completion of the project. Any vegetation must be replaced with native vegetation per SMC 25.09.200.

4. The proposed landscaping mitigation plan shown on Sheet L-0 of the submitted plan set shall be installed at the completion of the project. Please contact the Land Use Planner to at least three days prior to Final Approval of the Building Permit for review and approval of the landscaping installation.

**CONDITIONS – VARIANCE**

None.

**CONDITIONS -- SEPA**

None.

Signature: \_\_\_\_\_ (signature on file) Date: November 6, 2008

Lisa Rutzick, Planning and Development Analyst  
Department of Planning and Development  
Land Use Services

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