

To: [Lunde, Andrew](#); [Burns, Steve](#); [Hudacek, David](#)
Cc: [Mosteller, Cheryl](#); [Edwards, Darlene](#)
Subject: FW: 3410 23rd Ave W - BP Intake + 60% SIP
Date: Friday, October 05, 2018 2:16:20 PM
Attachments: [image001.png](#)

From: Brooke Friedlander <Brooke.Friedlander@MirraHomes.com>
Sent: Tuesday, October 02, 2018 2:03 PM
To: Wilburn, Bradley <Bradley.Wilburn@seattle.gov>
Subject: RE: 3410 23rd Ave W - BP Intake + 60% SIP

Hello Bradley,

We finally received our last CN number last week for our project! 2.5 months, oh boy. I am passing along the numbers and the dates we currently have scheduled for intakes (like we had talked about a month or so ago) in order to waive the 60% SIP requirement for BP intake. Clearly, the SIP will need to be approved before we may be approved for BP, but our concern is being in and vested on these projects before MHA is implemented as it will drastically affect, and likely stall each of these. Thank you for your help! Please let me know if there is any other information you need from us. I will reach back out later this week to check that you have received this. Thank you for your help!

3410 23rd Ave W	6690478-CN	11/8/2018	Mirra
3412 23rd Ave W	6689288-CN	11/8/2018	JWA
3416 23rd Ave W	6684561-CN	11/14/2018	Mirra
3418 23rd Ave W	6689291-CN	11/16/2018	JWA
3420 23rd Ave W	6689292-CN	11/7/2018	JWA
3424 23rd Ave W	6688712-CN	11/7/2018	Mirra

Best,
 Brooke Friedlander
 206-383-7095



From: Brooke Friedlander
Sent: Friday, August 3, 2018 10:15 AM
To: Wilburn, Bradley <Bradley.Wilburn@seattle.gov>
Subject: 3410 23rd Ave W - BP Intake + 60% SIP

Good morning, Bradley. Thank you for taking my call.

As we discussed we are pushing up against MHA fees with 60% SIP timelines. We are able to complete and submit our building permit set intakes early November, however, with the 60% SIP guidance meetings currently being scheduled out 2.5-3 months we do not anticipate 60% approval until mid, possibly late January. MHA/HALA has continued to be a moving target, but we know it is close to being implemented and these 6 projects will be greatly affected should we be hit with the fees. We have been told that if everything else is in place for BP intakes, 60% SIP approval can be waived and will not hold up submittals. Can you please confirm this is the case?

Below are the addresses and PA #s (they are taking more than 6 weeks to finalize PARs). Once the PARs are complete I can send on the 300 numbers.

3410 23rd Ave W	012603-18PA
3412 23rd Ave W	012893-18PA
3416 23rd Ave W	012652-18PA
3418 23rd Ave W	012895-18PA
3420 23rd Ave W	012896-18PA
3424 23rd Ave W	012598-18PA

Thank you for your help!

Brooke Friedlander

206-383-7095

brooke.friedlander@mirrahomes.com



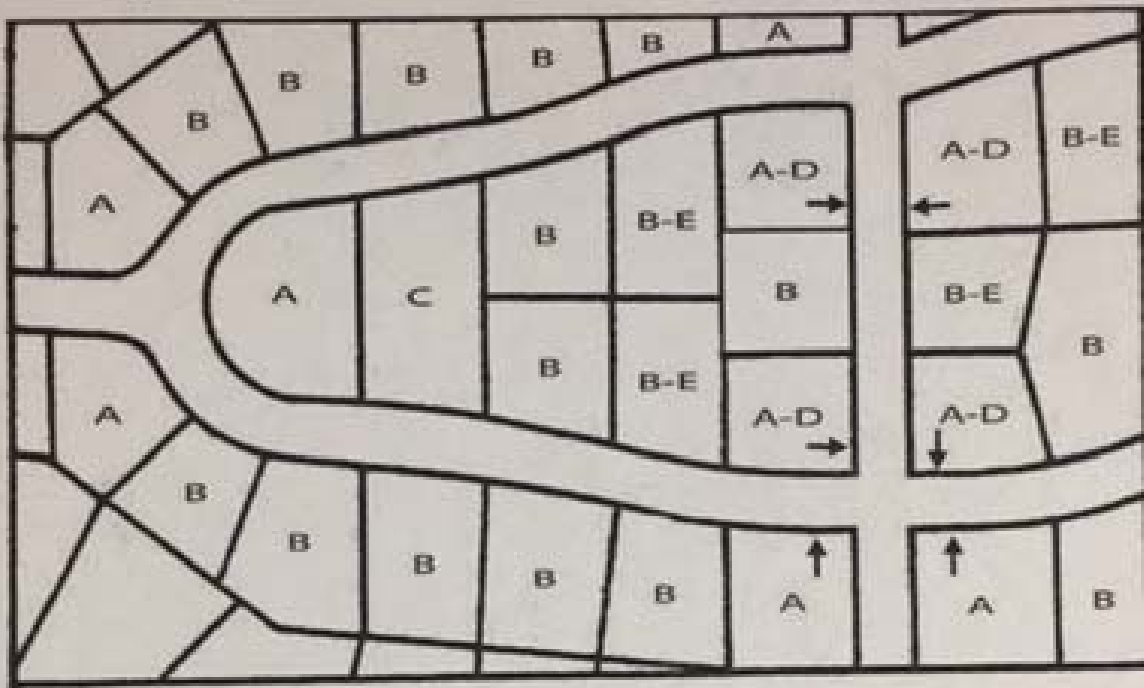
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see http://www.kingcounty.gov/council/legislation/kc_code/22_Title_19A.

“19A.08.180 Circumvention of zoning density prohibited. A legal lot, which has been subject to a boundary line adjustment or created through a legally recognized land segregation process and is of sufficient land area to be subdivided at the density applicable to the lot, may be further segregated. However, such further segregation of the lot shall not be permitted if the total number of lots contained within the external boundaries of the lots subject to the original boundary line adjustment or the total number of lots contained within the external boundary of the parcel subject to the original land segregation, exceed the density allowed under current zoning. (Ord. 13694 § 53, 1999).”

EXHIBIT 2

In order to have a legitimate lot from the short plat subdivision, vehicular access has been identified as a requirement in several applicable areas of the land-use code. The first example is referenced by the Applicant as Exhibit A of SMC 23.88A.024 (see Figure 5 below). Graphically



- A = Corner lot
- B = Interior lot
- C = Through (or double frontage) lot
- D = Reversed corner lot
- E = Key lot
- = Indicates front lot line

Figure 5- Exhibit A of SMC 23.84A.024 that shows how a "lot shall abut upon and be accessible from a private or public street sufficiently improved for vehicle travel or abut upon and be accessible from an *exclusive, unobstructed permanent access easement*."

this Land Use code Exhibit demonstrates how any lot (including those formed by a short plat subdivision) "shall abut upon and be accessible from a private or public street sufficiently improved for vehicle travel or abut upon and be accessible from an *exclusive, unobstructed permanent access easement*.(emphasis added.)

SEATTLE HEARING EXAMINER

In the Matter of the Appeal by

GERARD BASHEIN

From a decision by the Director of the
Department of Construction & Inspections

Hearing Examiner File
MUP-17-036(SD)

Department Reference:
3028370

APPELLANT'S STATEMENT OF
AUTHORITIES ON THE TERM
"EXCLUSIVE EASEMENT"

Dr. Bashein offers the following supplemental authorities on the meaning and scope of the term, exclusive easement:

Latham v. Garner, 105 Idaho 854, 856, 673 P.2d 1048 (Idaho 1983), and many decisions and authorities cited therein, for the proposition that: "The grant of an exclusive easement conveys unfettered rights to the owner of the easement to use that easement for purposes specified in the grant to the exclusion of all others[,]" including the servient estate owner.

Lowe v. Gulf Coast Dev., Inc., 1991 WL 220576, at 9, 1991 Tenn. App. LEXIS 860, at 28 (Tenn.App.,1991), and cited decisions and authorities therein for the proposition that: "If an easement is exclusive, the owner of the servient estate loses its right to use the easement along with the easement holder."

Gray v. McCormick, 167 Cal.App.4th 1019, 1021-22 (2008) in which the court concluded, "While as a general rule, the owners of a servient tenement, such as the McCormicks, are entitled to use the easement area in any manner not inconsistent with the specified use by the owners of the dominant tenement, such as the Grays, in this

APPELLANT'S STATEMENT OF SUPPLEMENTAL
AUTHORITIES - 1

ARAMBURU & EUSTIS, LLP
720 Third Avenue, Suite 2000
Seattle, Washington 98104
Tel. (206) 625-9515 Fax (206) 682-1376

1 case, any use of the surface of the easement area, by the owners of the servient
2 tenement, would be inconsistent with the exclusive use by the owners of the dominant
3 tenement.”

4 7 *Thompson on Real Property* §§ 60.04(b), Rights of the Servient Tenement to
5 non-exclusive and exclusive easements and 2013 Cumulative Supplement. At
6 §60.04(b)(2), the text provides: “An exclusive easement grants unfettered rights to the
7 owner of the easement to use the easement for purposes specified in the grant ‘to the
8 exclusion of all others’...”

9
10 In contradistinction, *George v. Coombes*, 278 Or. 3, 562 P.2d 200, 202 (1977),
11 which construed the term “a perpetual and exclusive easement for roadway purposes”
12 to mean “exclusively for roadway purposes,” rather than exclusively for grantee’s use.

13 A copy of the section from *Thompson on Real Property* is attached since it may
14 not be readily available to the Examiner. If the cited cases are not available to the
15 Examiner, they will be provided.

16
17 Dated this 9th day of March, 2018.

18 ARAMBURU & EUSTIS, LLP

19
20 By 

21 Jeffrey M. Eustis, WSBA #9262
22 Attorney for Gerard Bashein
23
24
25

THOMPSON ON REAL PROPERTY

SECOND THOMAS EDITION

DAVID A. THOMAS
Editor-in-Chief

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of the dominant estate and did not unreasonably burden the servient estate.⁵⁶¹ A prescriptive easement "must encompass some flexibility of use, and adapt to natural and foreseeable developments in the use of the surrounding land"; an increase in vehicular traffic due to residential development did not unreasonably burden the servient estate.⁵⁶² If a change in use is a change in degree, it can be permissible, if a change in quality it will be impermissible.⁵⁶³ The beneficiary of a prescriptive easement "may vary the use of the easement to a reasonable extent," a flexibility "limited, however, by concern for the degree to which the variance further burdens the servient estate."⁵⁶⁴ A federal court refused to permit an employer-lessee to expel peaceful union organizers from adjacent shopping-center sidewalks in a shopping center over which it had "something akin to an implied easement of necessity . . . to ensure access to its leased property" because such expulsions were not necessary to the use of leased property.⁵⁶⁵ Thus, to change from a single large agricultural enterprise to a residential development owned by several individuals would substantially alter the prescriptive easement.⁵⁶⁶ The prescriptive easement can itself be enlarged even to the extent that the servient estate is injured, but only by a further prescription.⁵⁶⁷

COMPUTER-ASSISTED RESEARCH

LEXIS: Easement W/3 Prescript! W/10 Increase or Expand or Change W/5 Use or Burden W/5 Servient Tenement or Servient Estate

§ 60.04(b) Rights of the Servient Tenement Owner.

§ 60.04(b)(1) The Non-exclusive Easement.

While the dominant tenement owner has the right to use the servient tenement according to the terms of the easement, the fee owner retains whatever uses do not interfere with the rights of the dominant owner.⁵⁶⁸ "The owner of the servient estate is entitled to use the estate in any manner not inconsistent with, or which does not materially interfere with, the use of the easement by the owner of the dominant estate."⁵⁶⁹ A servient tenement shopping center operator could make

⁵⁶¹ Mahoney, 587 A.2d at 1151.

⁵⁶² Gutcheon v. Becton, 585 A.2d 818, 822-823 (Me. 1991).

⁵⁶³ Gault v. Bahm, 826 S.W.2d 875, 883 (Mo. App. 1992).

⁵⁶⁴ Wright v. Horse Creek Ranches, 697 P.2d 384, 388-389 (Colo. 1985); Gault v. Bahm, 826 S.W.2d 875, 883 (Mo. App. 1992).

⁵⁶⁵ UFCW Local 400 v. NLRB, 222 F.3d 1030, 1037 (D.C. Cir. 2000) (citing this section).

⁵⁶⁶ Wright, 697 P.2d at 388-89.

⁵⁶⁷ Merrill v. Penrod, 704 P.2d 950, 956 (Idaho App.), *rev. denied*, 776 P.2d 828 (Idaho 1985).

⁵⁶⁸ Skow v. Goforth, 618 N.W.2d 275, 278 (Iowa 2000) (citing this sentence). Skidmore v. First Bank of Minneapolis, 773 P.2d 587, 589 (Colo. App. 1988), *cert. denied*, 790 P.2d 843 (Colo. 1990).

⁵⁶⁹ Nampa & Meridian Irrigation Dist. v. Washington Federal Savings, 20 P.3d 702, 706 (Idaho 2001).

parking lot improvements that diminished the number of spaces available to a parking easement holder because the grant did not specify how the lot was to be accessed, did not guarantee a particular number of spaces and stated that easement would be subject to the regulation of the shopping center.⁵⁷⁰ Unless the grant establishing the easement specifically states that the easement is exclusive, the servient estate owner "retains the right to use the property in common with the grantee."⁵⁷¹ Thus, an agricultural easement can co-exist with recreational uses by the fee owners.⁵⁷² The holder of a non-exclusive easement may not interfere with the servient owner's use of the freehold, so long as the servient owner's use does not interfere with the right granted in the easement. The owner of a servient estate must "abstain from acts interfering with or inconsistent with the proper enjoyment of the easement by the owner of the dominant estate."⁵⁷³ If it is necessary for reasonable use of the servient tenement and does not interfere with the easement, a servient owner may place a gate across the easement.⁵⁷⁴ Grant of a right of way for ingress and egress "without any limiting language" does not prevent the owner of the servient estate from constructing gates or fences.⁵⁷⁵ In West Virginia, a servient owner, absent contractual provision to the contrary, by statute may maintain an unlocked gate across an easement.⁵⁷⁶ The Mississippi Supreme Court permitted a servient owner to keep gates on a private way of access; absent language in the grant either way, where the locked gate was important to the servient owner's use and not overly burdensome on the dominant owner's use, the gate was acceptable.⁵⁷⁷ In Idaho, absent a showing that it was "unreasonable" or "unduly restrictive," the servient owner of land burdened by a prescriptive easement was permitted to maintain a gate.⁵⁷⁸ The Illinois Appellate Court, however, noted a modern increase of respect for an easement owner's rights and held that placing a gate

⁵⁷⁰ Thomas v. Farrell, 568 A.2d 409 (Vt. 1989).

⁵⁷¹ Bergen Ditch & Reservoir Co. v. Barnes, 683 P.2d 365, 367 (Colo. App. 1984).

⁵⁷² State Dep't of Fish & Wildlife v. Kortge, 733 P.2d 466, 469 (Or. App. 1987), *rev. denied*, 738 P.2d 977 (Or. 1987).

⁵⁷³ Magna, Inc. v. Catranis, 512 So. 2d 912, 913 (Ala. 1987).

⁵⁷⁴ Ericsson v. Braukman, 824 P.2d 1174, 1178 (Or. App. 1992), *rev. denied*, 830 P.2d 595 (Or. 1992) and *rev. denied*, 830 P.2d 596 (Or. 1992); Wallner v. Johnson, 730 S.W.2d 253, 258-259 (Ark. App. 1987).

⁵⁷⁵ Skow v. Goforth, 618 N.W.2d 275, 277-281 (Iowa 2000) (after surveying cases and Restatements, adopting liberal approach to building of fence, so long as there is no demonstrated harm to dominant tenement owner). *Contra* Johnson v. Godonis, 631 N.E.2d 370, 372-373 (Ill. App. 1994) (though inconvenience of fence controlling lake access is slight, fence is unreasonable burden on easement absent proof of necessity by servient owner). Tanaka v. Sheehan, 589 A.2d 391, 396 (D.C. 1991).

⁵⁷⁶ Ridgwell v. Brasco Bay Corp., 493 S.E.2d 123, 125 (Va. 1997) (*citing* Va. Code § 33.1-202).

⁵⁷⁷ Rowell v. Turnage, 618 So. 2d 81, 86-87 (Miss. 1993).

⁵⁷⁸ Marshall v. Blair, 946 P.2d 975, 982 (Idaho 1997).

or fence across a right-of-way, even though the gate was accessible to the dominant owner, is an unreasonable interference with the dominant owner's use of the easement absent demonstration of necessity by the servient owner.⁵⁷⁹

§ 60.04(b)(2) The Exclusive Easement.

An exclusive easement grants unfettered rights to the owner of the easement to use the easement for purposes specified in the grant "to the exclusion of all others"; because the exclusive easement, in effect, strips the servient owner of the right to use the land for certain purposes, thus limiting the fee, and itself has been called almost a conveyance of the fee, this type of easement is generally not favored by the courts.⁵⁸⁰ Where the exclusive easement grants to the easement holder exclusive use for *all* purposes, the easement more closely resembles a fee interest and, some courts say, should not be considered an easement.⁵⁸¹ Absent language in the grant showing a specific intention to create an exclusive easement, a Florida court states that the resulting easement must be construed as non-exclusive.⁵⁸² When confronted with an "exclusive easement of way," the Virginia Supreme Court cited this section in interpreting the easement as non-exclusive, leaving to the owner of the servient tenement the right to use the easement in any way "not inconsistent with the uses granted to the owner of the easement," access to the highway.⁵⁸³

§ 60.04(c) Location and Size of the Easement.

§ 60.04(c)(1) By the Terms of the Grant.

§ 60.04(c)(1)(i) Establishing the Location.

Ordinarily the placement of an easement is established by the grant, as to specific width, length and location. This location usually cannot be changed without the agreement of both parties, no matter arguments of necessity and reasonableness: the grant controls.⁵⁸⁴ If the grant does not specify the location of the easement, courts grant either party the right to locate the easement, so long as the location is reasonable. In New York, for example, a servient owner could designate a route that avoided the easement owners crossing the center

⁵⁷⁹ Johnson v. Godonis, 631 N.E.2d 370, 372-373 (Ill. App. 1994).

⁵⁸⁰ Latham v. Garner, 673 P.2d 1048, 1050 (Idaho 1983) (contains extensive case authority on the exclusive easement).

⁵⁸¹ Latham, v. Garner, 673 P.2d at 1050 n.1.

⁵⁸² Stephens v. Dobbins, 511 So. 2d 652, 653 (Fla. App. 1987).

⁵⁸³ Walton v. Capital Land, Inc., 477 S.E.2d 499, 500 (Va. 1996) (owner of servient tenement may use in manner that will not interfere with ingress and egress to highway).

⁵⁸⁴ Herren v. Pettengill, 538 S.E.2d 735, 736 (Ga. 2000) (adhering to majority rule). Consolidated Amusement Co. v. Waikiki Bus. Plaza, Inc., 719 P.2d 1119, 1123 (Haw. App. 1986).

of Right or Hostile.

pp. 2011) (existence of an express easement in a larger area in the neighboring servient parcel

a. 2010) (for prescriptive easements in this and uninterrupted use of another's land for

) (existence of an express easement did not in area in the neighboring servient parcel was

Excellence Public Charter School, 32 A.3d 101 (N.H. 2005) (easement could not be established on land dedicated to

pp. 2006) (claimed easement use was open

and the Public Trust," 22 *Tul. Envtl. L.J.* 315 (2009) (doctrine used in the Halverson case).

or of the Dominant Tenement.

ark, LLC, 270 P.3d 719 (Alaska, 2012) (easement within specified boundaries).

d 1014 (D. Mont. 2006) (appurtenances to the easement).

l. Cl. 529 (2011) (the use of the easement when it was granted to

012) (easement did not permit servient owners to authorize the dominant owners to pave the

(1) Overburdening the Servient Tenement.**(ii) Using the Easement to Benefit a Different Piece of Land Than the Dominant Tenement.**

Page 529: Add to note 519:

⁵¹⁹ Grygiel v. Monches Fish & Game Club, Inc., 787 N.W.2d 6 (Wis. 2010) (a member of a hunting club could not use the club's easement to access property other than the dominant tenement); Boerschig v. Southwestern Holdings, Inc., 322 S.W.3d 752 (Tex. App. 2010) (easement holder could not use the road to access other, nonappurtenant property).

(iii) Increasing the Frequency or Changing the Type of Use of the Servient Tenement.

Page 533: Add to note 549:

⁵⁴⁹ Brannon v. Boldt, 958 So. 2d 367 (Fla. App. 2007) (an implied easement for ingress and egress could not also be used for fishing or scenic viewing).

(b) Rights of the Servient Tenement Owner.**(1) The Non-exclusive Easement.**

Page 535: Add to note 568:

⁵⁶⁸ Smith v. Beesley, 247 P.3d 548 (Ariz. App. 2011) (an easement for drainage left other uses of the servient tenement possible); Knight v. Nyara, 248 P.3d 36 (Ore. App. 2011) (the easement in this case did not bar all use of the land by the servient owners); Sawyers v. Beller, 384 S.W.3d 107 (Ky. 2012) (easement did not permit servient owners to maintain a gate across the road, and did authorize the dominant owners to pave the road).

Page 536: Add to note 569:

⁵⁶⁹ Tidwell v. Bezner, 245 P.3d 620 (Okla. App. 2010) (a cattle gate placed on the servient tenement by the servient tenement holder constituted an undue burden on the dominant owner's use of the easement).

(2) The Exclusive Easement.

Page 537: Add to note 580:

⁵⁸⁰ Gray v. McCormick, 84 Cal. Rptr. 3d 777 (2009) (easement precluded the owner of the servient tenement from making any use of the easement area).

(c) Location and Size of the Easement.**(1) By the Terms of the Grant.****(i) Establishing the Location.**

Page 537: Add to note 584:

⁵⁸⁴ Beery v. Shinkle, 193 S.W.3d 435 (Mo. App. 2006) (action by owners of dominant estate to establish location of a permanent easement).

Page 538: Add to note 590:

⁵⁹⁰ Brumbaugh v. Mikelson Land Co., 185 P.3d 695 (Wyo. 2008) (lot owners had "floating easements" for utilities and access).

Deputy Hearing Examiner Barbara Dykes Ehrlichman

BEFORE THE HEARING EXAMINER
CITY OF SEATTLE

In the Matter of the Appeal of:)	Hearing Examiner File:
)	MUP-19-019 – MUP-19-020
Neighbors to Mirra Homes)	
)	DECLARATION OF DAVID
from a Short Subdivision decision issued)	MOEHRING IN SUPPORT OF THE
by the Director, Seattle Department of)	APPELLANTS' ARGUMENTS
Construction and Inspections.)	
_____)	

I, David Moehring, declare and state as follows:

1. I am over 18 years of age, and am competent to make this declaration, and I am a citizen of the United States. I have professional knowledge of the facts set forth herein, have the requisite expertise to provide the opinions expressed herein and am competent to testify.
2. I live at 3444B 23rd Avenue West, which is a few properties away from 3410 to 3416 23rd Ave West - the properties of the appeal (or "Subject Properties") - and I have visited the site from the street, alley, and adjacent property owners.
3. I have reviewed most of the documents available for the proposed short subdivisions and ten-dwelling development at the Subject Property¹.

¹ Referenced Public Records Request and SDCI's Electronic Data Management System at <http://web6.seattle.gov/dpd/edms/>

DECLARATION of DAVID MOEHRING in
SUPPORT OF THE APPELLANTS' ARGUMENT
AGAINST MTD & SJ – 1
MUP-19-019 – MUP-19-020

David Moehring AIA NCARB
3444B 23rd Ave WEST
Seattle WA 98199

1 4. I am quite familiar with the Seattle land use code, Title 23 and the environmental code, Title 25.

2 I am a licensed architect within the State of Illinois since 1989 (#001.012961) and registered
3 with the National Council of Architectural Registration Boards (record number 95148).

4
5 5. I have testified on land-use height, bulk, and scale issues relative to the Mandatory Housing
6 Affordability and declared in expert for this testimony by the City's representing attorney and
7 confirmed by the Hearing Examiner relative to Case Details for HE File Number: W-17-006.
8 The testimony was presented on August 20, 2018 (day 11), and recorded with the City Closing
9 Brief Volume 9-12, transcript pages 201 – 220.
10

11 <https://web6.seattle.gov/Examiner/case/document/10852>

12 6. Without any distortion of the facts, I have prepared the reply in Opposition to the Applicants'
13 and Owner's motions to dismiss land use appeal and for Summary Judgment.
14

15 **I. Arguments and Statements of Fact**

16 1. I support the Appellants' arguments in reply to the Motion to Dismiss and Summary
17 Judgment.
18

19 2. I support the Appellants' evidence that proves there exists at least two solutions to
20 provide equitable size of dwellings while at the same time retaining all of the significant trees.
21

22 3. Contrary to the motion for dismissal, the use of the short subdivision is for the sole
23 purpose to increase the Floor Area Ratio (FAR) and number of family-sized market-rate dwelling units.

24 4. Appeal Attachment 'J1' – Evidence the a tree inventory has been completed including
25 an Exceptional, good condition, and healthy 38" DBH Scot's Pine and a neighboring property 26"
26 DBH Douglas Fir.
27
28
29
30

1 5. Appeal Attachment 'J2' – Evidence that architect has considered Exceptional tree while
2 reducing up to one third of the dripline; but no response to City staff inquiry that the Douglas fir will be
3 protected.

4
5 6. Appeal Attachment 'K' – Building Plans Examiner Supervisor requiring the effect that for east
6 shoring to provide “global site stability”.

7 7. Appeal Attachment 'L1' – Planners reviewing the condition to stabilize the upslope lot
8 with “site stabilization” on the downslope lot.
9

10 8. Appeal Attachment 'L2' - Geotechnical Engineering Group identifying a “huge stability issue”
11 for the Subject Properties. Usually, this would be addressed first within a SEPA review.
12

13 9. Appeal Attachment 'M' – The development set for 3410 23rd Ave W that includes the
14 short subdivision documents, landscape drawings, standards, floors plans, elevations and sections.
15 These documents are missing ant wording or locations of vehicular access easements – especially for
16 emergency use.
17

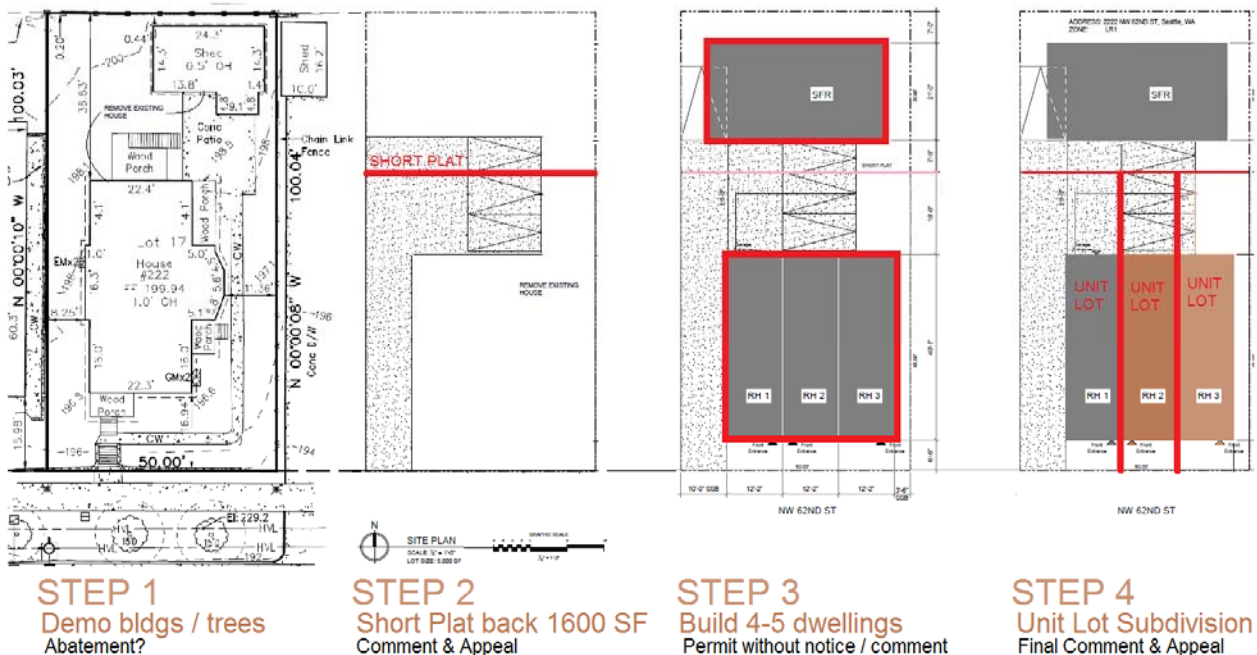
18 10. Appeal Attachment 'N' – The development set for 3418 23rd Ave W that includes the
19 short subdivision documents, landscape drawings, standards, floors plans, elevations and sections.
20 These documents are missing ant wording or locations of vehicular access easements – especially for
21 emergency use.
22

23 11. Appeal Attachment 'O' – Example of alternative platting for a similar lot on a steep
24 slope at 345214th Ave W. with a similar unopened alley.
25

26 12. Appeal Attachment 'P' – June 27, 2019 confirmation from the Fire Prevention Division
27 of the Seattle Fire department that they have no documentation for any of the applicable SDCI project
28 numbers. This evidence indicates the Department did not follow the decision criteria relative to
29 vehicular access easements especially for emergency use.
30

13. Appeal Attachment 'Q' – August 10 2017 Code analysis “Rowhouse Developments on LR1-Zoned Lots Code Analysis”, by David Moehring.

14. The traditional non-compliant policy endorsed by the Department is a series of permits – usually running in tandem, that take a typical lot, subdivide it as if it were two separate projects, and then bypass rowhouse development rules of SMC23.84A.032.R.20. The Seattle Municipal Code does not allow exceptions to the rowhouse development rules through the use of lot segregation.



I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Signed this 1st day of July, 2019 in Seattle, Washington

David Moehring
David Moehring AIA NCARB

DECLARATION of DAVID MOEHRING in
SUPPORT OF THE APPELLANTS' ARGUMENT
AGAINST MTD & SJ – 4
MUP-19-019 – MUP-19-020

David Moehring AIA NCARB
3444B 23rd Ave WEST
Seattle WA 98199

From: [Landry, David](#)
 To: megan@meganwhalin.com; dan_monahan@yahoo.com
 Subject: 3032834-LU Short Plat application and public comment
 Date: Monday, February 25, 2019 7:56:00 AM
 Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)
[image002.png](#)

Hello,

I am the Land use planner for this and several other companion projects that I have either taken over or was re-assigned. I saw that you had requested a public hearing for this project. However I did not see the 50 signatures submitted prior to the close to the public comment period of November 7, 2018 so I wouldn't be able to take steps in setting up such a meeting.


Also just to share with you I have included the following;

- I. Street trees are not considered exceptional, no matter what their size unfortunately. Only trees on private property can be exceptional. However Street trees do have to be protected since their removal is prohibited unless approved by SDOT Urban Forestry.
- II. There is no upzone as part of this application. The applicant is doing short plats so they can build rowhouses on the street facing lots and townhouses on the alley facing lots. Townhouses are only prohibited behind rowhouses if they are on the same lot. With the short plats they will be on different lots.

I hope this helps in answering some of your questions.

Thank you for your responses.



David L. Landry MCP-AICP, MLA, LEED® AP+ND
 Senior Land Use Planner
 City of [Seattle Department of Construction and Inspections](#)
 P: 206.684.5318 | F: 206.233.7902 | david.landry@seattle.gov


"As stewards and regulators of land and buildings, we preserve and enhance the equity, livability, safety and health in our communities".

David M Moehring

From: Roberts, Ben
Sent: Friday, June 07, 2019 9:08 AM
To: Brooke Friedlander
Cc: Jeremy Anderson; Morgan, Darren
Subject: RE: SIP #398337 - 3410 23rd Ave W - Meeting Notes

Hi Brooke,
 Apologies for the delayed response, I've been in high demand this week.

It is standard SDOT Urban Forestry procedure to retain tree removal permits associated with private development until the demo permit has been issued by SDCI.
 Until then, the guidance and directions given are on a conceptual basis.
 When your demo permit has been issued by SDCI, please let me know and I'll make sure to get the tree posted.



Ben Roberts
 SDOT Forester, Landscape Architect Office
 ISA Certified Arborist PN5759A
 ISA Certified Tree Risk Assessor #297
 City of Seattle [Department of Transportation](#)
 O: 206.233.8735 | M: 206.423.3685 | Ben.Roberts@seattle.gov

"If there is any one duty which more than another we owe it to our children and our children's children to perform at once, it is to save the forests of this country"
 Theodore Roosevelt

From: Brooke Friedlander <Brooke.Friedlander@MirraHomes.com>
Sent: Thursday, June 06, 2019 2:14 PM
To: Roberts, Ben <Ben.Roberts@seattle.gov>
Cc: Jeremy Anderson <Jeremy.Anderson@MirraHomes.com>; Morgan, Darren <Darren.Morgan@seattle.gov>
Subject: RE: SIP #398337 - 3410 23rd Ave W - Meeting Notes

CAUTION: External Email

Hello Ben, I left a voicemail to check the status of this. Following up with an email, again. Please call back, or email since it's "always in your face". 😊 Thanks.

Hello Ben,

Thank you for reaching out. I was not aware that applying for removal of a dying tree in the right of way would need to be linked to an issued demo permit. Can you point me to where in code this is located? What I see is that an Urban Forestry Permit is needed, which is what we thought we were working through with you:

<https://www.seattle.gov/transportation/permits-and-services/permits/street-tree-permits>
[https://www.seattle.gov/Documents/Departments/SDOT/Services/Landscaping/UF Permits Requirements.pdf](https://www.seattle.gov/Documents/Departments/SDOT/Services/Landscaping/UF_Permits_Requirements.pdf)

Please advise where we can look to confirm a demo permit is required for a ROW tree to be permitted for removal.

Brooke Friedlander
206-383-7095



MIRRA
H O M E S

From: Brooke Friedlander
Sent: Monday, June 3, 2019 2:18 PM
To: 'Roberts, Ben' <Ben.Roberts@seattle.gov>
Cc: Jeremy Anderson <Jeremy.Anderson@MirraHomes.com>
Subject: RE: SIP #398337 - 3410 23rd Ave W - Meeting Notes

Hello Ben, I'm following back up on this. Can you please point me to where in code it states that the removal of a ROW tree must be tied to a demo permit? I'd like to address this as best we can to continue the process moving forward. Thank you.

Brooke Friedlander
206-383-7095



MIRRA
H O M E S

From: Brooke Friedlander
Sent: Thursday, May 30, 2019 9:20 AM
To: Roberts, Ben <Ben.Roberts@seattle.gov>
Cc: Jeremy Anderson <Jeremy.Anderson@MirraHomes.com>
Subject: RE: SIP #398337 - 3410 23rd Ave W - Meeting Notes

Hello Ben,

Thank you for reaching out. I was not aware that applying for removal of a dying tree in the right of way would need to be linked to an issued demo permit. Can you point me to where in code this is located? What I see is that an Urban Forestry Permit is needed, which is what we thought we were working through with you:

<https://www.seattle.gov/transportation/permits-and-services/permits/street-tree-permits>
https://www.seattle.gov/Documents/Departments/SDOT/Services/Landscaping/UF_Permits_Requirements.pdf

Please advise where we can look to confirm a demo permit is required for a ROW tree to be permitted for removal.

Thank you,
Brooke Friedlander
206-383-7095



From: Roberts, Ben <Ben.Roberts@seattle.gov>
Sent: Thursday, May 30, 2019 7:45 AM
To: Brooke Friedlander <Brooke.Friedlander@MirraHomes.com>
Cc: Jeremy Anderson <Jeremy.Anderson@MirraHomes.com>
Subject: RE: SIP #398337 - 3410 23rd Ave W - Meeting Notes

Brooke,

It came to my knowledge that the Demo plan for this site has yet to be issued from SDCI. Without the Demo plan issued, we (SDOT Urban Forestry) cannot initiate the tree removal process. Please let me know when the permit has been issued and I'll get the removal placard posted to the tree to begin the process.



Ben Roberts
SDOT Forester, Landscape Architect Office
ISA Certified Arborist PN5759A
ISA Certified Tree Risk Assessor #297
City of Seattle [Department of Transportation](#)
O: 206.233.8735 | M: 206.423.3685 | Ben.Roberts@seattle.gov

"If there is any one duty which more than another we owe it to our children and our children's children to perform at once, it is to save the forests of this country"
Theodore Roosevelt

From: Brooke Friedlander <Brooke.Friedlander@MirraHomes.com>
Sent: Thursday, May 23, 2019 1:41 PM
To: Roberts, Ben <Ben.Roberts@seattle.gov>; Devin Peterson <Devin@rootofdesign.com>; Frederick, Tammy <Tammy.Frederick@seattle.gov>
Cc: Jeremy Anderson <Jeremy.Anderson@MirraHomes.com>
Subject: RE: SIP #398337 - 3410 23rd Ave W - Meeting Notes

CAUTION: External Email.

Thank you, Ben. Plans will be incorporated. We'll look for the placard next week. Thanks again!

Brooke Friedlander
206-383-7095



From: Roberts, Ben <Ben.Roberts@seattle.gov>
Sent: Thursday, May 23, 2019 1:30 PM
To: Devin Peterson <Devin@rootofdesign.com>; Brooke Friedlander <Brooke.Friedlander@MirraHomes.com>; Frederick, Tammy <Tammy.Frederick@seattle.gov>
Cc: Jeremy Anderson <Jeremy.Anderson@MirraHomes.com>
Subject: RE: SIP #398337 - 3410 23rd Ave W - Meeting Notes

Thank you for that Devin,

Ensure these current landscape plans are in the next/final SIP packet.

Brooke,
I'll get that placard process started Tuesday.



Ben Roberts
SDOT Forester, Landscape Architect Office
ISA Certified Arborist PN5759A
ISA Certified Tree Risk Assessor #297
City of Seattle [Department of Transportation](#)
O: 206.233.8735 | M: 206.423.3685 | Ben.Roberts@seattle.gov

"If there is any one duty which more than another we owe it to our children and our children's children to perform at once, it is to save the forests of this country"
Theodore Roosevelt

From: Devin Peterson <Devin@rootofdesign.com>
Sent: Thursday, May 23, 2019 1:09 PM
To: Brooke Friedlander <Brooke.Friedlander@MirraHomes.com>; Roberts, Ben <Ben.Roberts@seattle.gov>; Frederick, Tammy <Tammy.Frederick@seattle.gov>
Cc: Jeremy Anderson <Jeremy.Anderson@MirraHomes.com>
Subject: Re: SIP #398337 - 3410 23rd Ave W - Meeting Notes

CAUTION: External Email.

Ben,

So you don't have to search for the most current landscape plans I have attached them. Also, the tree replacement calculation for the Pine removed are on Sheet L2 of the 3422 address.

Thanks,

Devin Peterson

Landscape Architect

Root of Design LLC

206.491.9545

From: Brooke Friedlander <Brooke.Friedlander@MirraHomes.com>

Sent: Thursday, May 23, 2019 12:59:18 PM

To: Roberts, Ben; Frederick, Tammy

Cc: Jeremy Anderson; Devin Peterson

Subject: RE: SIP #398337 - 3410 23rd Ave W - Meeting Notes

Hello Ben, Thank you for responding. I believe our LA has already reached out to you and you have been working through this. See attached email.

I have attached Devin (Root of Design) to this email as well. If you need further information, please let us know. Thank you!

Brooke Friedlander

206-383-7095



MIRRA
H O M E S

From: Roberts, Ben <Ben.Roberts@seattle.gov>

Sent: Thursday, May 23, 2019 12:45 PM

To: Brooke Friedlander <Brooke.Friedlander@MirraHomes.com>; Frederick, Tammy <Tammy.Frederick@seattle.gov>

Cc: Jeremy Anderson <Jeremy.Anderson@MirraHomes.com>

Subject: RE: SIP #398337 - 3410 23rd Ave W - Meeting Notes

Brooke,

Apologies for the late response.

We can get the process started early next week. I'd like to get in contact with your LA of Record to begin the process of designing a replacement plan to be incorporated into the SIP packet.

Can you make that connection for me?

I have put down on my schedule to draft up placard and start the process next Tuesday the 28th. Removal date will be tentatively set for Tuesday June 11th.



Ben Roberts
SDOT Forester, Landscape Architect Office
ISA Certified Arborist PN5759A
ISA Certified Tree Risk Assessor #297

City of Seattle [Department of Transportation](#)

O: 206.233.8735 | M: 206.423.3685 | Ben.Roberts@seattle.gov

"If there is any one duty which more than another we owe it to our children and our children's children to perform at once, it is to save the forests of this country"
Theodore Roosevelt

From: Brooke Friedlander <Brooke.Friedlander@MirraHomes.com>

Sent: Wednesday, May 22, 2019 1:20 PM

To: Roberts, Ben <Ben.Roberts@seattle.gov>; Frederick, Tammy <Tammy.Frederick@seattle.gov>

Cc: Jeremy Anderson <Jeremy.Anderson@MirraHomes.com>

Subject: RE: SIP #398337 - 3410 23rd Ave W - Meeting Notes

CAUTION: External Email.

Hello Ben,

Checking back in on this. Do you have an expected date of when might be expect the 14 day notice to begin for tree removal? Thanks.

Brooke Friedlander
206-383-7095



MIRRA
H O M E S

From: Brooke Friedlander

Sent: Monday, May 20, 2019 11:36 AM

To: Roberts, Ben <Ben.Roberts@seattle.gov>; Frederick, Tammy <Tammy.Frederick@seattle.gov>

Cc: Jeremy Anderson <Jeremy.Anderson@MirraHomes.com>

Subject: RE: SIP #398337 - 3410 23rd Ave W - Meeting Notes

Hello Ben, I'm checking back in on this. You mentioned below "Moving forward, I intend to post the tree with an SDOT Tree removal placard to begin the 14 day public notice, at that time we'll convert the originally approved and issued Urban Forestry permit from a pruning permit to a removal permit." Could you please let me know what the status of the 14 day notice is? Thank you.

Brooke Friedlander



From: Roberts, Ben <Ben.Roberts@seattle.gov>

Sent: Wednesday, May 1, 2019 3:30 PM

To: Frederick, Tammy <Tammy.Frederick@seattle.gov>; Brooke Friedlander <Brooke.Friedlander@MirraHomes.com>

Cc: Jeremy Anderson <Jeremy.Anderson@MirraHomes.com>

Subject: RE: SIP #398337 - 3410 23rd Ave W - Meeting Notes

Tammy,

Please see the attached Arborist report regarding the ROW tree originally proposed for retention and protection. This tree has not survived well over the winter. SDOT Urban Forestry agrees the tree should now be called out for removal and a replacement plan be incorporated into the SIP plan set.

Brooke,

Tammy is out on vacation until May 14th, if possible could you forward this information onto the engineer/design team to get these changes included in the next SIP submittal?

Please feel free to contact me directly if any questions regarding the tree or replacement plan come about.

Moving forward, I intend to post the tree with an SDOT Tree removal placard to begin the 14 day public notice, at that time we'll convert the originally approved and issued Urban Forestry permit from a pruning permit to a removal permit.

Again if you have any questions, please feel free to reach out.



Ben Roberts

SDOT Forester, Landscape Architect Office

ISA Certified Arborist PN5759A

ISA Certified Tree Risk Assessor #297

City of Seattle [Department of Transportation](http://www.seattle.gov/transportation)

O: 206.233.8735 | M: 206.423.3685 | Ben.Roberts@seattle.gov

"If there is any one duty which more than another we owe it to our children and our children's children to perform at once, it is to save the forests of this country"
Theodore Roosevelt

From: Frederick, Tammy <Tammy.Frederick@seattle.gov>

Sent: Thursday, April 25, 2019 6:20 AM

To: Brooke Friedlander <Brooke.Friedlander@MirraHomes.com>; Roberts, Ben <Ben.Roberts@seattle.gov>; Dewald, Shane <Shane.Dewald@seattle.gov>

Subject: RE: SIP #398337 - 3410 23rd Ave W - Meeting Notes

Ben and Shane,

See below. Please respond to all with direction. I am off on vacation starting tomorrow through 5-14.



TAMMY FREDERICK, PE

Street Improvement Permitting Project Manager
City of Seattle, Department of Transportation
Street Use Division
206-615-0927 (Tel) tammy.frederick@seattle.gov

From: Brooke Friedlander <Brooke.Friedlander@MirraHomes.com>

Sent: Wednesday, April 24, 2019 3:47 PM

To: Frederick, Tammy <Tammy.Frederick@seattle.gov>

Subject: RE: SIP #398337 - 3410 23rd Ave W - Meeting Notes

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Tammy. Our PM applied for a ROW Permit to prune the tree at 3424 23rd Ave W (see attached email). A permit was issued. When he and the tree service went out to prune they noticed the tree is in much worse condition now. They are contacting Stephanie Helm with SDOT to get her intake on how to proceed. I want to check in with you to see if there are any issues with this if SDOT suggests the tree be removed. Please let me know ASAP.

Thanks.

Brooke Friedlander
206-383-7095



MIRRA
HOMES

From: Frederick, Tammy <Tammy.Frederick@seattle.gov>

Sent: Tuesday, April 16, 2019 6:47 AM

To: Mehraein, Mehrnaz <Mehrnaz.Mehraein@seattle.gov>; Brooke Friedlander <Brooke.Friedlander@MirraHomes.com>; Colt Boehme <Colt.Boehme@MirraHomes.com>; Kozak, Cindy <Cindy.Kozak@seattle.gov>; Gravell, Thomas <Thomas.Gravell@seattle.gov>; Mahady, Jim <Jim.Mahady@seattle.gov>; Ramos, Ray <Ray.Ramos@seattle.gov>; erinpoor@dcgengr.com; Tim Gabelein <tim@dcgengr.com>

Subject: RE: SIP #398337 - 3410 23rd Ave W - Meeting Notes

Attached are the final meeting notes from the meeting that was held on 3-26. The edits are highlighted in yellow.



TAMMY FREDERICK, PE

Street Improvement Permitting Project Manager
City of Seattle, Department of Transportation
Street Use Division
206-615-0927 (Tel) tammy.frederick@seattle.gov



Arborist Report

April 30, 2019

Prepared for:

Jeremy Anderson
Mirra Homes
3420 23rd Ave W
Seattle, Wa 98199

Prepared by:

Seattle Tree Consulting
Douglas Smith (Certified Arborist PN 6116-A/TRAQ)
117 E. Louisa St. #731
Seattle, Wa. 98102
(206)457-5706
doug@seattletreeconsulting.com

Discussion

I was contacted originally by Jeremy Anderson in early April, 2019. He was looking for assistance in obtaining a pruning permit for a Ponderosa Pine (*Pinus ponderosa*) at the address on the cover page. There is a construction permit that is open for the site and the tree was scheduled to be retained. When I visited the tree to obtain the data to apply for the pruning permit I noticed that it was declining. The tree was full of large dead limbs, and the foliage was browning throughout the canopy. When I return to see the tree closer to the end of April, about two weeks after the first time I saw it, the browning of the foliage had increased. About half of the foliage on the tree is dead at this time and I expect that it will all be dead by the end of the summer. The clearance pruning for the construction, the pending compaction issues in the root zone, in combination with the pathogen that is already threatening the tree, will result in a dead or hazardous tree in a short interval. The best approach is to remove the tree, have the stump ground out, and plant a new tree post-construction in the same location. The client has suggested a Thuja plicata 'Excelsa' as a replacement tree.



Assumptions and Limiting Conditions

Any legal description provided to the consultant/appraiser is assumed to be correct. Any titles and ownership to any property are assumed to be good and marketable. No responsibility is assumed for matters of legal character. Any and all property is appraised or evaluated as though free and clear, under responsible ownership and competent management.

It is assumed that any property is not in violation of any applicable codes, ordinances, statutes, or other government regulations.

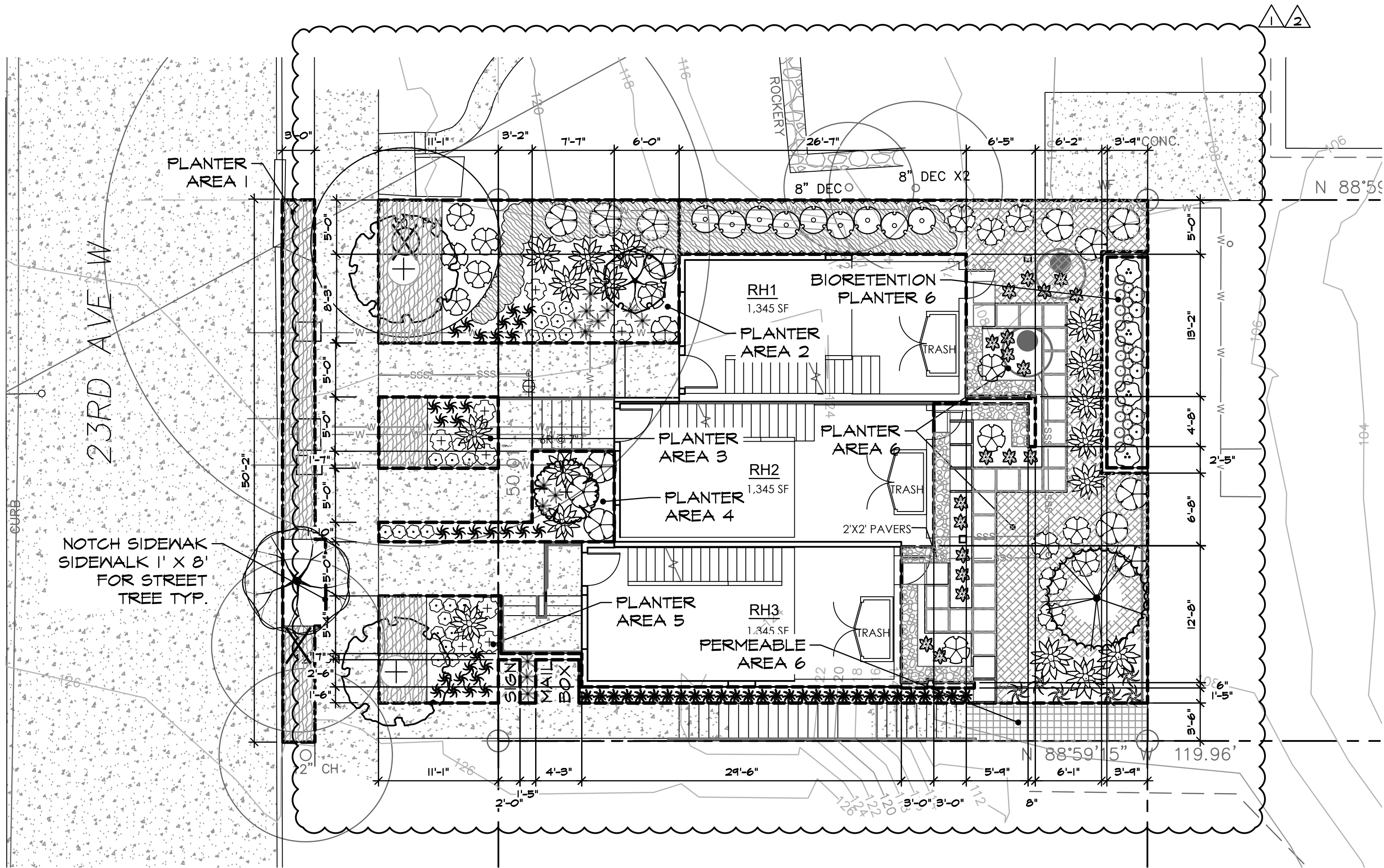
Care has been taken to obtain all information from reliable sources. All data has been verified so far as possible, however, the consultant/appraiser can neither guarantee nor be responsible for accuracy of information provided by others.

The consultant/appraiser shall not be required to give testimony or attend court by reason of this report unless subsequent contractual arrangements are made, including payments of additional fees for such services as described in the fee schedule and contract engagement.

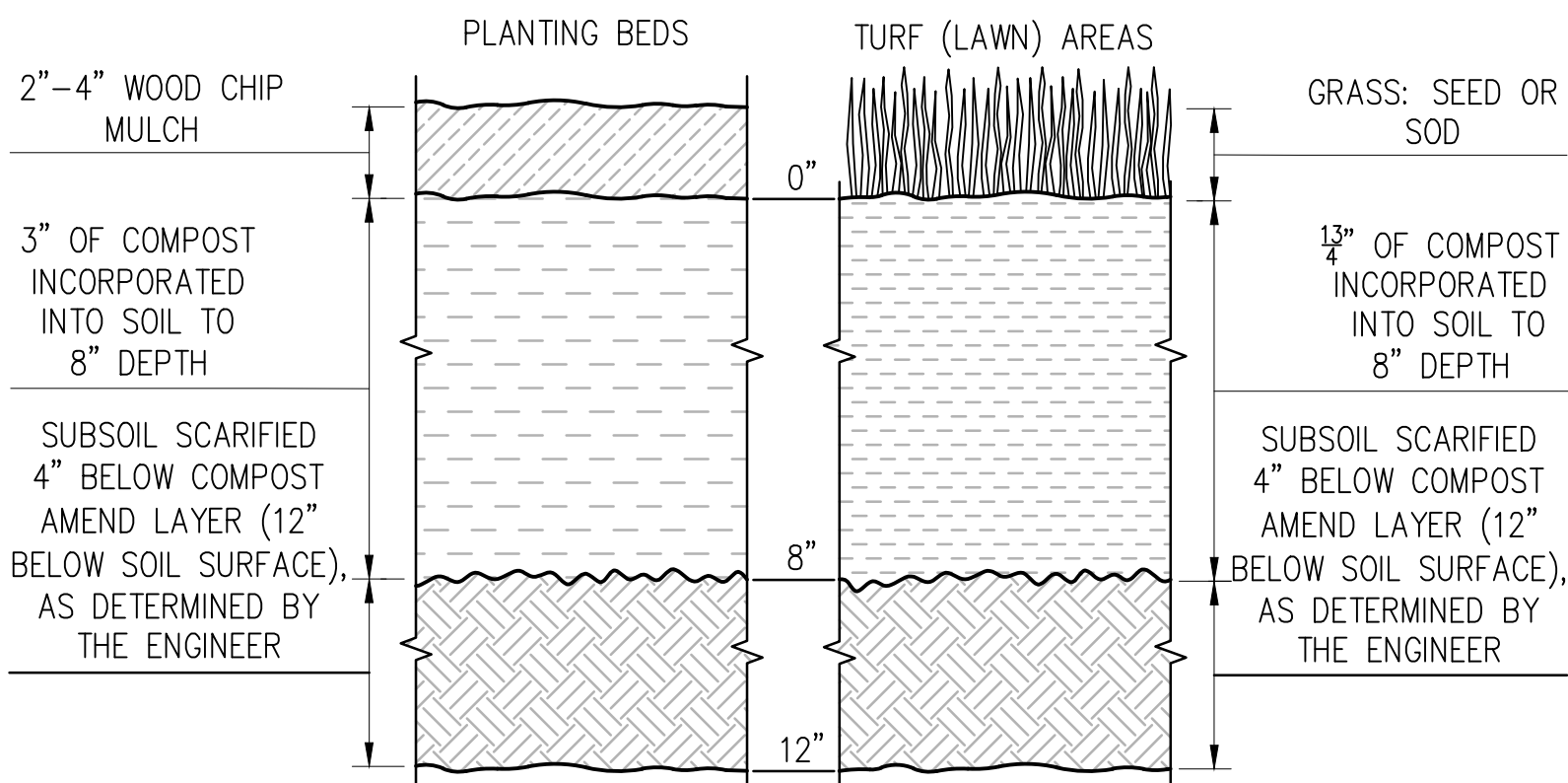
Loss or alteration of any of this report invalidates the entire report.

Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any person other than to whom it is addressed, without prior written consent of the consultant/appraiser.

Neither all nor any part of the content in this report, nor copy thereof, shall be conveyed by anyone, including the client, to the public through advertising, public relations, news, sales or other media, without the prior expressed written consent of the consultant/appraiser--particularly as to value conclusions, identity of the consultant/appraiser, or any reference to any professional society or institute or to any initialed designation conferred upon the consultant/appraiser as stated in his qualification.



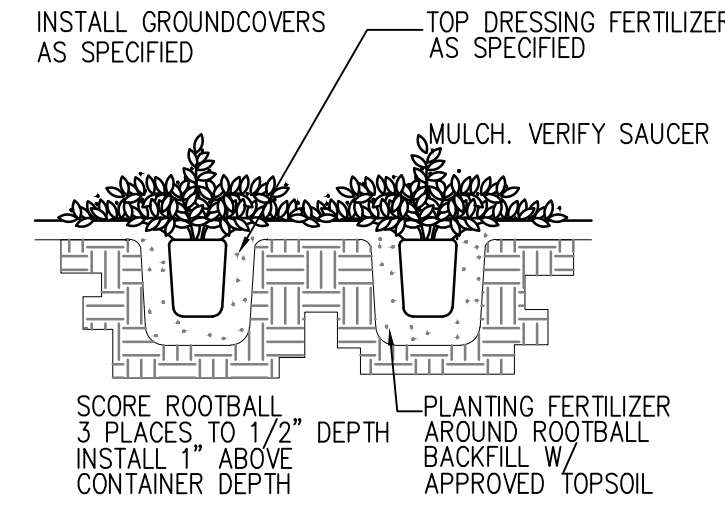
GREEN FACTOR PLAN



- NOTES:
- ALL SOIL AREAS DISTURBED OR COMPACTED DURING CONSTRUCTION, AND NOT COVERED BY BUILDINGS OR PAVEMENT, SHALL BE AMENDED WITH COMPOST AS DESCRIBED BELOW.
 - SUBSOIL SHOULD BE SCARIFIED (LOOSENEED) 4 INCHES BELOW AMENDED LAYER, TO PRODUCE 12-INCH DEPTH OF UN-COMPACTED SOIL, EXCEPT WHERE SCARIFICATION WOULD DAMAGE TREE ROOTS OR AS DETERMINED BY THE ENGINEER.
 - COMPOST SHALL BE TILLED IN TO 8 INCH DEPTH INTO EXISTING SOIL, OR PLACE 8 INCHES OF COMPOST-AMENDED SOIL, PER SOIL SPECIFICATION.
 - TURF AREAS SHALL RECEIVE 1.75 INCHES OF COMPOST TILLED IN TO 8-IN DEPTH, OR MAY SUBSTITUTE 8" OF IMPORTED SOIL CONTAINING 20-25% COMPOST BY VOLUME. THEN PLANT GRASS SEED OR SOD PER SPECIFICATION.
 - PLANTING BEDS SHALL RECEIVE 3 INCHES OF COMPOST TILLED INTO 8-INCH DEPTH, OR MAY SUBSTITUTE 8" OF IMPORTED SOIL CONTAINING 35-40% COMPOST BY VOLUME. MULCH AFTER PLANTING WITH 2-4 INCHES OF ARBORIST WOOD CHIP OR APPROVED EQUAL.
 - SETBACKS: TO PREVENT UNEVEN SETTLING, DO NOT COMPOST-AMEND SOILS WITHIN 3 FEET OF UTILITY INFRASTRUCTURES (POLES, VAULTS, METERS, ETC.). WITHIN ONE FOOT OF PAVEMENT EDGE, CURBS AND SIDEWALKS SHOULD BE COMPACTED TO APPROXIMATELY 90% PROCTOR TO ENSURE A FIRM SURFACE.

1 SOIL AMENDMENT AND DEPTH

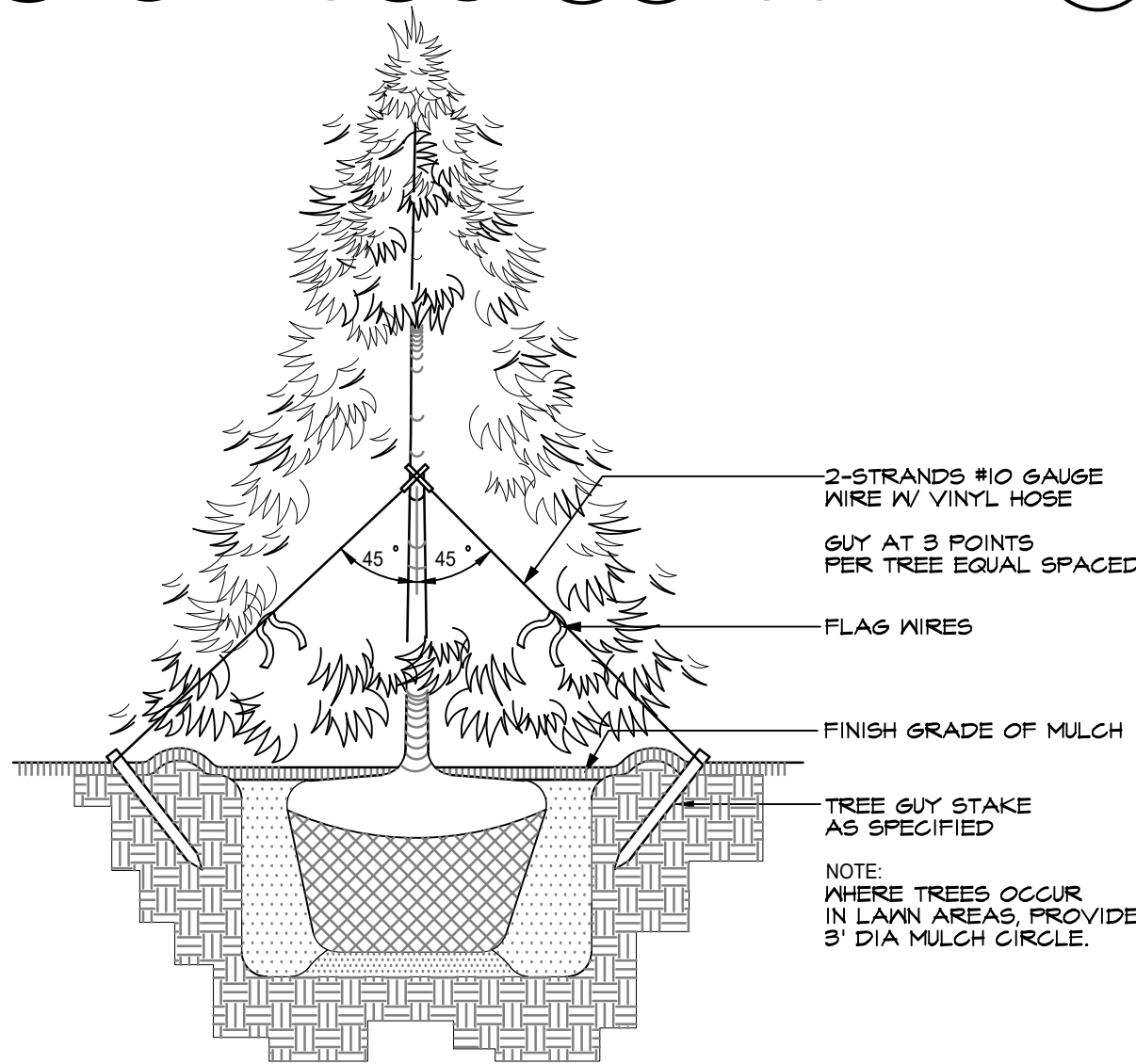
NTS STANDARD PLAN NO 142, CITY OF SEATTLE



PLAN VIEW OF SPACING

2 TYPICAL GROUNDCOVER PLANTING DETAIL

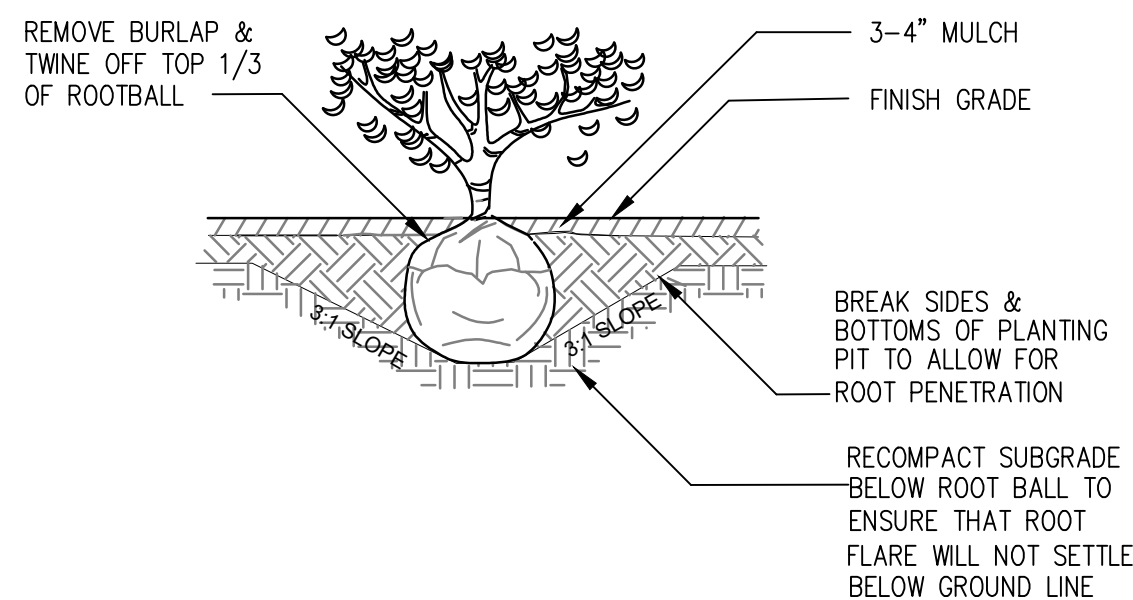
NTS



- 2-STRANDS #10 GAUGE WIRE IV VINYL HOSE
GUY AT 3 POINTS PER TREE EQUAL SPACED
FLAG WIRES
FINISH GRADE OF MULCH
TREE GUY STAKE AS SPECIFIED
NOTE: WHERE TREES OCCUR IN LAWN AREAS, PROVIDE 3' DIA MULCH CIRCLE.

3 TYPICAL EVERGREEN TREE PLANTING DETAIL

NTS



- 3-4" MULCH
FINISH GRADE
BREAK SIDES & BOTTOMS OF PLANTING PIT TO ALLOW FOR ROOT PENETRATION
RECOMPACT SUBGRADE BELOW ROOT BALL TO ENSURE THAT ROOT FLARE WILL NOT SETTLE BELOW GROUND LINE

4 TYPICAL SHRUB PLANTING DETAIL

NTS

Green Factor Score Sheet			
Project title:		enter sq ft of parcel	
Parcel size (enter this value first)		3,000	SCORE 0.882
Landscape Elements**		Totals from GF worksheet	Factor Total
A Landscaped areas (select one of the following for each area)			
1 Landscaped areas with a soil depth of less than 24"	enter sq ft	0	0.1 -
2 Landscaped areas with a soil depth of 24" or greater	enter sq ft	1792	0.6 1,075.2
3 Bioretention facilities	enter sq ft	73	1.0 73.0
B Plantings (credit for plants in landscaped areas from Section A)			
1 Mulch, ground covers, or other plants less than 2' tall at maturity	enter number of plants	1865	0.1 187
2 Shrubs or perennials 2'-4' at maturity - calculated at 12 sq ft per plant (typically planted no closer than 18" on center)	enter number of plants	220	0.3 792
3 Tree canopy for "small trees" or equivalent (canopy spread 8' to 15') - calculated at 75 sq ft per tree	enter number of plants	3	0.3 68
4 Tree canopy for "small/medium trees" or equivalent (canopy spread 16' to 20') - calculated at 150 sq ft per tree	enter number of plants	1	0.3 45.0
5 Tree canopy for "medium/large trees" or equivalent (canopy spread 21' to 25') - calculated at 250 sq ft per tree	enter number of plants	0	0.4 -
6 Tree canopy for "large trees" or equivalent (canopy spread 26' to 30') - calculated at 350 sq ft per tree	enter number of plants	0	0.4 -
7 Tree canopy for preservation of large existing trees with trunks 6" in diameter - calculated at 20 sq ft per inch diameter	enter inches DBH	0	0.8 -
C Green roofs			
1 Over at least 2" and less than 4" of growth medium	enter sq ft	0	0.4 -
2 Over at least 4" of growth medium	enter sq ft	0	0.7 -
D Vegetated walls			
1 Over at least 2" and less than 4" of growth medium	enter sq ft	0	0.7 -
E Approved water features			
1 Permeable paving over at least 6" and less than 24" of soil or gravel	enter sq ft	0	0.2 -
2 Permeable paving over at least 24" of soil or gravel	enter sq ft	0	0.5 -
G Structural soil systems			
1 Permeable paving over at least 6" and less than 24" of soil or gravel	enter sq ft	0	0.2 -
H Bonuses			
1 Drought-tolerant or native plant species	enter sq ft	2628	0.1 262.8
2 Landscaped areas where at least 50% of annual irrigation needs are met through the use of harvested rainwater	enter sq ft	0	0.2 -
3 Landscaping visible to passersby from adjacent public right of way or public open spaces	enter sq ft	1,437	0.1 144
4 Landscaping in food cultivation	enter sq ft	0	0.1 -
Green Factor numerator = 2,648			
sub-total of sq ft = 6,745			
Do not count public rights-of-way in parcel size calculation.			
** You may count landscape improvements in rights-of-way contiguous with the parcel. All landscaping on private and public property must comply with the Landscape Standards Director's Rule (DR 6-2009)			

Green Factor Worksheet							
		Planting Area					
		1	2	3	4	5	6
A1	square feet						0
A2	square feet	157	367	73	89	121	985
A3	square feet						73
B1	square feet	157	367	73	89	121	1058
B2	# of trees		42	13	20	26	119
B3	# of trees		1				1
B4	# of trees					1	1
B5	# of trees						0
B6	# of trees						0
B7	# of trees						0
C1	square feet						0
C2	square feet						0
D	square feet						0
E	square feet						0
F1	square feet						0
F2	square feet						0
G	square feet						0
H1	square feet		492	156	240	312	1428
H2	square feet						0
H3	square feet		504	156	315	462	1437
H4	square feet						0

LANDSCAPE REQUIREMENTS SUMMARY PLAN

3422 23RD AVE W SEATTLE, WA

DRAWN EK DATE 10.10.18
REVISED ELK DATE 03.25.19
NH DATE 05.03.19

1/8" = 1'-0"

L2

APPEAL ATTACHMENT '6'



Seattle Permits

— part of a multi-departmental City of Seattle series on getting a permit

Application Requirements for Short Subdivisions and Unit Lot Short Subdivisions

Updated February 10, 2016

A short subdivision or short plat is a process that divides land into nine or fewer parcels of land (see Chapter 23.24 of the Seattle Municipal Code). The short subdivision process is less complicated than the more formal subdivision process. There is not a specific limit on the number of parcels that can be created through a subdivision (see Tip 213C, *Subdivision Process and Requirements*).

You can do a typical short subdivision to create separate legal building lots, but not a unit lot subdivision. A unit lot subdivision divides a specific development proposal on a parent lot into separate unit lots that allow for separate ownership. SDCI will evaluate the development standards for any future changes for the entire parent lot.

SDCI administers short plat applications and processes them as Master Use Permits, which allows for public comments and appeals. Your short plat application may also have other Master Use Permit components, such as environmental review (SEPA) and/or variances.

A Washington state licensed land surveyor must prepare or supervise a survey of the land that you are subdividing. The licensed surveyor can also certify on the plat that it is a true and correct representation of the lands actually surveyed. You must submit the completed, stamped, and signed survey with your application (see attached sample template).

Application Instructions

1. **Getting help:** For assistance with fees and procedural requirements relating to your application, contact staff at the Public Resource Center (PRC), located on the 20th floor of Seattle Municipal Tower at 700 Fifth Ave., (206) 684-8467.
2. **Scheduling an appointment:** To schedule an intake appointment you must:
 - a. Receive a project number by:
 - Submitting a Preliminary Application Form (PAF)
 - Submitting a Pre-Application Site Visit Request (PASV Request) (This requirement is waived if we have conducted a site visit on the development site within the last 18 months.
 - Pay the PASV fee
 - b. Calculate the "75/80 Rule" using the methods in SMC 23.44.010(B)(3) if your proposed parcels are smaller than the minimum lot size for the single-family zone.
 - c. Have a Preliminary Assessment Report (PAR). This multi-departmental report identifies any major problems or requirements that may prevent or delay your project.
4. **Scheduling your application appointment:** All plat applications must now be submitted electronically. You need to submit your short plat application via an appointment using the Seattle Services Portal at <https://cosaccela.seattle.gov/Portal/welcome.aspx>.
5. **Completing your survey:** The surveyor may wish to download a short plat template in AutoCAD format from our tip summary page <http://web6.seattle.gov/dpd/cams/CamDetail.aspx?cn=213A>. The survey must include: a surveyed plat, legal descriptions, owner's name(s), and contact person. The surveyed plat should accurately show the existing structures, eaves, fences, accessory structures, easements and other site improve-



ments to illustrate that the proposed new parcels will meet all required development standards. Please use the attached checklist and sample as guides to accurately complete the survey. Your survey does not need to be notarized to be submitted with your application.

6. **Paying your fees:** You must pay all fees at your intake appointment. Once we have begun our analysis or research on an application, none of our fee is refundable. Depending on the scope of your proposal, we may charge you additional fees if other Master Use Permit components, such as SEPA or a variance, are involved. You also need to pay King County recording fees at your intake. The recording fee is refundable if your project is not approved. Your project may also accrue charges during our review that will be due at the end of the application process. Examples of those fees include drainage, geotechnical, Land Use, and/or ordinance or structural reviews.
7. **Complying with environmentally critical areas rules:** If your proposed short plat is located within an environmentally critical area, we will require that you submit additional information, including a SEPA checklist, a topographic survey (as defined in Tip 103B, *Environmentally Critical Area Site Plan Requirements*), a geo-technical report, and **Steep slope Environmentally Critical Area Covenant** (as specified in the Regulations for Environmentally Critical Areas, Section 25.09.060). Short Plats in riparian corridor buffers, wetlands, wetland buffers, and steep slopes have specific requirements for building sites, access, and development credit for lot area (as defined in the Seattle Municipal Code, Section (SMC) 25.09.240). You should provide a separate site plan showing the environmentally critical area, or buffer, and your building footprint.
8. **Complying with shoreline rules:** If your proposed short subdivision, full subdivision, or long plat is located near a shoreline, you must comply with the shoreline rules unless you are proposing a unit lot subdivision (SMC 23.60A.168).
 - Each of your lots must have an area for the principal and accessory structures, necessary walkways, and access that is outside the shoreline setback for the applicable environment and outside priority habitat. For short and long plats, you must comply with 23.60A.156K.
 - You must divide your lots to prevent the need for

shoreline stabilization for the life of the development. Your development must allow natural processes, such as erosion, to occur without threatening the stability of the development.

- You must configure your lots to protect ecological functions, including priority habitat by establishing separate tracts or by recording non-disturbance areas and a covenant.
 - If you create new lots that have new water frontage in the shoreline environment, those lots are restricted to water-dependent, water-related, or single-family uses. You must record this restriction on the plat and in a covenant.
 - You are required to have regulated public access if you subdivide land into more than 4 parcels.
9. **Preparing your application:** If all the information that we require to be shown on your site plan (lot lines, structures, distance of structure to lot lines, topographic lines, utilities, etc.) cannot be clearly read, you may split the information into two or more site plans. Prepare your site plan as explained in Tip 103, *Site Plan Requirements*, and Tip 106, *General Standards for Plans and Drawings*. You need to include:
 1. A survey drawing that:
 - a. Identifies the parent lot and shows existing lot lines
 - b. Identifies the new unit lot lines
 - c. Shows all existing improvements on the site
 - d. Notes structures and features to be removed
 - e. Identifies any critical areas on the site
 - f. Provides a legal description of the parent lot and new unit lot lines
 - g. Indicates any easements, covenants or deed restrictions that may affect development
 - h. Bears the licensed surveyors stamp/signature
 2. A separate site plan (does not need to bear a surveyor's stamp/signature) for the proposed structure(s) that shows:
 - a. Parent lot boundary lines with dimensions
 - b. Unit lot lines with dimensions
 - c. Proposed structure footprint(s) with the dimensions of roof overhangs, bay win-

dows, chimneys, etc.

- d. Required private open space/private amenity space
- e. Dimensions of any parking spaces located outside of a structure
- f. Existing curb cuts to be altered or removed

7. **Applying for a building permit:** If your application is for a unit lot subdivision, you must submit a building permit application, or a Master Use Permit application to develop the residential project, before we accept your unit lot subdivision application.

Review Process

After we accept your short plat application, we will install a small land use sign on the property. Once we have determined that your application is complete (which may take up to 28 days), we will publish a notice of application in our Land Use Information Bulletin (available online at <https://cosaccela.seattle.gov/Portal/welcome.aspx>) within 14 days of when we determine your application is complete. We will also prepare and send a notice to all properties within 300 feet of the property that will be subdivided.

A 14-day public comment period begins on the date we publish the notice. We may extend the comment period an additional 14 days if we receive a written request to do so on or before the last day of the initial 14-day comment period.

We will review your application for conformity to land use, zoning, addressing, drainage, ordinance/structural, and environmentally critical areas regulations. During this review you will receive corrections from all review units. You must address each correction. We will also send your application to other City departments for their comments (if applicable).

When reviewing your application, we will decide to grant, condition, or deny your short plat based on whether it:

1. Conforms to the applicable land use policies and Land Use Code provisions.
2. Provides adequate access for vehicles, utilities, and fire protection as provided in SMC 23.53.005.
3. Provides adequate drainage, water supply, and sanitary sewage disposal.
4. Serves the public use and interests
5. Conforms to the applicable provisions of Seattle Municipal Code Section 25.09.240, Short sub-

divisions and subdivisions, in environmentally critical areas.

6. Maximizes the retention of existing trees.
7. Conforms to the provisions of SMC Section 23.24.045, Unit lot subdivision, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.

Unless your short plat is a unit lot subdivision or for individual live-work units, every lot must conform to the following standards for lot configuration. There are some special exceptions authorized under SMC 23.24.040.B:

- If one of your lots is proposed with street frontage, then one lot line shall abut the street for at least 10 feet.
- None of your lots shall be less than 10 feet wide for a distance of more than 10 feet at any point.
- None of your proposed lots may have more than six separate lot lines. The lot lines shall be straight lines, unless the irregularly shaped lot line is caused by an existing right-of-way or an existing lot line.
- If the property you are proposing to subdivide is adjacent to an alley, and the adjacent alley is either improved or required to be improved according to SMC Section 23.53.030, then all new proposed lots must provide alley access. However, you are not required to change a street access to an existing use or structure to an alley access. Your proposed new lots must have sufficient alley frontage to meet access standards.

A short plat application may include an application for a special exception to modify some of the standards for lot configuration. This special exception is also subject to public notice, comment, and appeal processes, and may be included as part of the short plat application. See further explanation of appeal processes below.

Approval Process

If your proposed short subdivision meets all the criteria mentioned above, we will approve your application. Our approval may include conditions that must be resolved prior to recording, or may need to be recorded with your plat. We will publish our decision and notify those who had requested copies of our decision.

Appealing Our Decision

Anybody that disagrees with our decision may appeal in writing to the City Hearing Examiner, 40th floor, Seattle Municipal Tower, within 14 days following the date we published our decision. The appeal must state the explicit exceptions and objections to our decision. A filing fee must accompany the appeal. Contact the Office of the Hearing Examiner at (206) 684-0521 for further details of the appeal procedure.

The Hearing Examiner will conduct a public hearing on the appeal and may affirm, modify, or reverse our decision. The Hearing Examiner may also remand the application for reconsideration. The Hearing Examiner will give at least 20 days' notice before the scheduled hearing date.

After the two-week appeal period is over and if no appeal is filed or the appeal is resolved, the applicant is required to submit three prints of the short plat to the Plans Routing desk on the 20th floor of the Seattle Municipal Tower, 700 Fifth Ave. The prints must be signed by the surveyor and clearly show corrections and conditions of approval.

Recording your Plat

Before you can record a short plat for new unit lots, the dwelling units must exist on the parent lot or your permit application for the new structure(s) has to be approved and ready to be issued. Your proposed unit lot must be consistent with the approved permit application in order to record with King County.

For both unit lots and regular short subdivisions, we will send a letter outlining the recording process to the designated contract person with a copy of our Director's decision. When you prepare your documents for recording, check with the King County Recorders' office to ensure the final platting documents meet the King County formatting requirements. See www.kingcounty.gov/depts/records-licensing/Recorders-Office/recording-documents.aspx.

Your short plat and unit lot subdivision "final plat" plan set, which we will record with King County Division of Records and Elections and file it with the King County Assessor's office, will include all the material you prepared for your application.

Once you have addressed any remaining conditions, we will issue your short plat permit. Your short plat permit must be issued before you can request a final inspection to authorize occupation of structures on any of the new lots.

Access to Information

Links to electronic versions of SDCI **Tips**, **Director's Rules** and **Forms** are available on the "Tools & Resources" page of our website at www.seattle.gov/sdci. Paper copies of these documents, as well as additional regulations mentioned in this Tip, are available from our Public Resource Center, located on the 20th floor of Seattle Municipal Tower at 700 Fifth Ave. in downtown Seattle, (206) 684-8467.

Department of Construction and Inspections

Checklist for Short Plat Application Intake

Applicant/Surveyor,

Please use the following checklist for your short plat application. Items numbered (1) through (9) are keyed to the attached sample. Note: This list may not include everything required in a particular case. The attached sample must be modified as necessary to show all conditions of plat approval.

(1) SHORT SUBDIVISION NO.

(2) GRANTOR & GRANTEE (if applicable)

Grantor: List all of the owners of the properties to be subdivided. Grantee: City of Seattle, King County, Washington or other partner.

(3) CONTACT PERSON

List the person who will be SDCI's contact for corrections and correspondence. Provide a mailing address and a telephone number.

(4) ABBREVIATED LEGAL DESCRIPTION

Insert the short legal description using either Lots, Block, Subdivision, Vol. and Page, or Section, Township and Range.

(5) ASSESSORS PROPERTY TAX PARCEL NUMBER (ACCOUNT NO.)

Provide the 10 or 12 digit code(s) that identifies the property to be subdivided.

(6) SCALED DRAWING (SURVEY) OF THE SITE(S) TO BE SHORT PLATTED

Use standard cartographic practice. All line lengths should be to scale and dimensioned. Use pen weight and/or lettering style for clear differentiation of lines. The plat survey must include:

- ☐ North arrow and references
- ☐ Scale notation (e.g., 1" = 50') and bar scale (see sample)
- ☐ Existing lot lines (lighter pen weight, dashed)
- ☐ Proposed lot lines or unit lot lines (heavier pen weight, solid)
- ☐ Bearings (if metes and bounds) and distances of lot lines
- ☐ Width of rights-of-way and condition (paved, curb/gutter/sidewalk) of any abutting street/alley and/or easements; if the right-of-way is not improved with a hard surface, show proposed improvements to nearest street within 100 feet of property meeting this requirement)
- ☐ Existing and proposed lots or unit lots identified and labeled (using Parcel A, Parcel B, etc.): Standard labels for short plats are Parcel A, Parcel B, etc. Standard labels for unit lot subdivisions are Unit Lot A, Unit Lot B, etc.
- ☐ Area in square feet of each proposed parcel
- ☐ Relationship of property to established street monuments
- ☐ Dimensions of existing/proposed easements/turnaround (use lighter pen weight and different lettering)
- ☐ Dimensions and location of existing/proposed driveways, curb cuts, turnarounds, and off-street parking
- ☐ Dimensions of all structures and distances to the property lines
- ☐ Dimensions of eaves and other architectural features
- ☐ Indicate proposed removal of structures

- ☐ Grading plans if existing/proposed vehicle access to lots exceeds 15 percent grade
- ☐ Addresses of existing structures
- ☐ Location of water and sewer lines in the street rights-of-way on property
- ☐ Location, size, and species (common name) of all trees at least 6 inches in diameter, measured 4-1/2 feet above ground
- ☐ For a unit lot subdivision, show designated amenity areas and designate as private or shared with size, dimensions, and location.
- ☐ For a unit lot subdivision, notation as required by SMC 23.24.045.F.

(7) LEGAL DESCRIPTIONS

You need to provide full legal descriptions of existing parcels and of each new lot or unit lot. Identify the parcels by letters (A, B, C, etc.). For unit lot subdivisions, label the legal description for the entire parcel "parent lot legal description." If this short plat subdivides a parcel of a previous short plat or lot boundary adjustment (LBA), provide the complete legal description of the original parcel with a reference to the short plat or LBA parcel (AKA Parcel C of Short Subdivision #890-----, recorded under K.C.Recording #89XXXX.) You also need to include recorded easements as part of the legal description, including ingress/egress, pedestrian, and parking easements.

(8) SURVEYOR'S CERTIFICATE

The surveyor will complete these two boxes with date, certificate number, signature, and surveyor stamp/address.

(9) REFERENCE BOX

Complete the appropriate items in the box.

(10) EVIDENCE OF OWNERSHIP OR AUTHORIZATION FROM THE PROPERTY OWNER TO APPLY

If owner's agent, provide a written authorization from the owner/s to allow the agent to act as representative to apply for this project action.

(11) A SIGNED STATEMENT OF FINANCIAL RESPONSIBILITY BY THE APPLICANT AND/OR OWNER (See SDCI Director's Rule 5-2003)

(12) IF THE SITE IS WITHIN AN ENVIRONMENTALLY CRITICAL AREA

If the site is within a known slide area, steep slope, a potential slide area, a riparian corridor buffer, a wetland, or a wetland buffer, you need to provide a topographic survey that complies with code requirements, as summarized in Tip 103B, *Environmentally Critical Area Site Plan Requirements*, as well as a geotechnical (soils) report and a completed, signed environmental checklist (SEPA). In addition, you must show how each of the proposed lots meets minimum requirements in the above environmentally critical areas (see SMC 25.09.240).

For sites in critical areas, you also need to include a separate site plan showing proposed maximum building footprints outside of the environmentally critical areas and any required buffer(s).

(13) SMC 23.44.010(B)(3) [the "75-80 Rule"]

If any of your proposed parcels are smaller than the minimum lot size for the single-family zone, and you intend to rely on the "75-80 Rule" (the proposed lots must be at least 75 percent of the minimum lot size of the single-family zone and also must be at least 80 percent of the average of the area of the lots on the same block front), calculating for the purposes of 75/80 Rule is subject to the following:

- 1) To be counted as a separate lot for the purposes of calculating the mean area of the lots on a block front, a lot must be entirely within a single-family zone. The lot must be currently developed as a separate building site or else currently qualify for separate development based on information filed with SDCI as of the date of a building permit or a full or short subdivision application. Existing structures on property may be removed or demolished under the "75/80" rule. Also existing structures are to be removed on your application and the application will be reviewed with that understanding.
- 2) To be counted as a separate lot on the block front for the purposes of calculating the mean area of the lots on the block front, each lot in the calculation must have at least 10 feet of street frontage.
- 3) Lots developed with institutional uses, parks, or nonconforming nonresidential uses may be excluded from the 75/80 Rule cal-

ulation. There must, however, be at least one lot on the block front used for the calculation other than the property that is the subject of the platting, lot boundary adjustment, or building permit application that this exception is being applied to.

- 4) If property is to be subdivided or its lot lines are modified by a lot boundary adjustment that increases the number of lots that qualify for separate development, the property subject to the subdivision, or the lots modified by the lot boundary adjustment, shall be excluded from the block front mean area calculation.
- 5) For purposes of this SMC subsection 23.44.010.B.1.a, if the platting pattern is irregular, our Director will determine which lots are included within a block front.
- 6) If an existing or proposed lot has frontage on more than one street, the lot may apply 75/80 rule will be calculated on the street on which the lot has at least 30 feet of frontage. If a proposed lot has frontage on multiple streets but does not have 30 feet of frontage on any street, the exception may be applied based on the street on which the lot has the most frontage, provided the lot has at least 10 feet of frontage on that street. If the lot has less than 30 feet of frontage on any one street but equal frontage on multiple streets, the rule may be applied based on the calculation along any one of the streets, provided the lot has at least 10 feet of frontage on that street.

You will need to attach a copy of the King County Assessor's map and include your 75/80 rule calculations with your application to prove that the lots meet the standards.

- (14) WATER AVAILABILITY CERTIFICATE (WAC) REQUEST FORM IS RECEIVED BY THE SEATTLE PUBLIC UTILITIES

SHORT SUBDIVISION NO.

GRANTOR (Owners)

CONTACT PERSON

GRANTEE: CITY OF SEATTLE
KING COUNTY, WASHINGTON

7-10
LOTS
(SECTION)

4
BLOCK

HALLERS
ADDITION
SUBDIVION
(TOWNSHIP)

2-27
VOL. PG.
(RANGE)

FOR COMPLETE LEGAL DESCRIPTIONS, SEE PAGE 1 OF 3 ASSESSOR'S PROPERTY TAX PARCEL/ACCOUNT #303720-0106

REFERENCE NUMBERS FOR RELATED PROJECTS:

DECLARATION:

We the undersigned, owner(s) in fee simple [and contract purchaser(s)] of the land herein described do hereby make a short subdivision thereof pursuant to RCW 58.17.060 and declare this short plat to be the graphic representation of same, and that said short subdivision is made with free consent and in accordance with the desire of the owner(s).
In Witness whereof we have set our hands and seals.

NAME _____ NAME _____

STATE OF WASHINGTON,
County of _____ ss.

On this day personally appeared before me _____

to me known to be the individuals described in and who executed the within and foregoing instrument and acknowledged that signed the same as free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this ____ day of 201____.

Signature

Printed Name _____
NOTARY PUBLIC in and for the State of
Washington, residing at _____

Commission Expires _____

APPROVAL
CITY OF SEATTLE
DEPARTMENT OF CONSTRUCTION AND INSPECTIONS
NATHAN TORGELSON, DIRECTOR

Examined and approved this day of _____

201____. By: _____ Director

Examined and approved this _____ day of 201____.

Assessor _____

Existing Legal Description

THAT PORTION OF LOTS 7 THROUGH 10, BLOCK 4, HALLER'S ADDITION TO SEATTLE, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 2 OF PLATS, PAGE 27, RECORDS OF KING COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 10;
THENCE S 00°01'13" W ALONG THE EAST MARGIN OF SAID LOTS, 147.94 FEET;
THENCE N 89°49'15" W, 79.53 FEET;
THENCE N 00°00'37" E, 29.75 FEET;
THENCE N 89°49'15" W, 20.53 FEET TO THE WEST MARGIN OF SAID LOTS;
THENCE N 00°00'37" E ALONG SAID MARGIN, 117.88 FEET TO THE NORTH MARGIN OF SAID LOT 1 0;
THENCE S 89°59'42" E ALONG SAID MARGIN, 100.09 FEET TO THE POINT OF BEGINNING;


CONTAINING IN ALL XXXXXXXX SQUARE FEET.

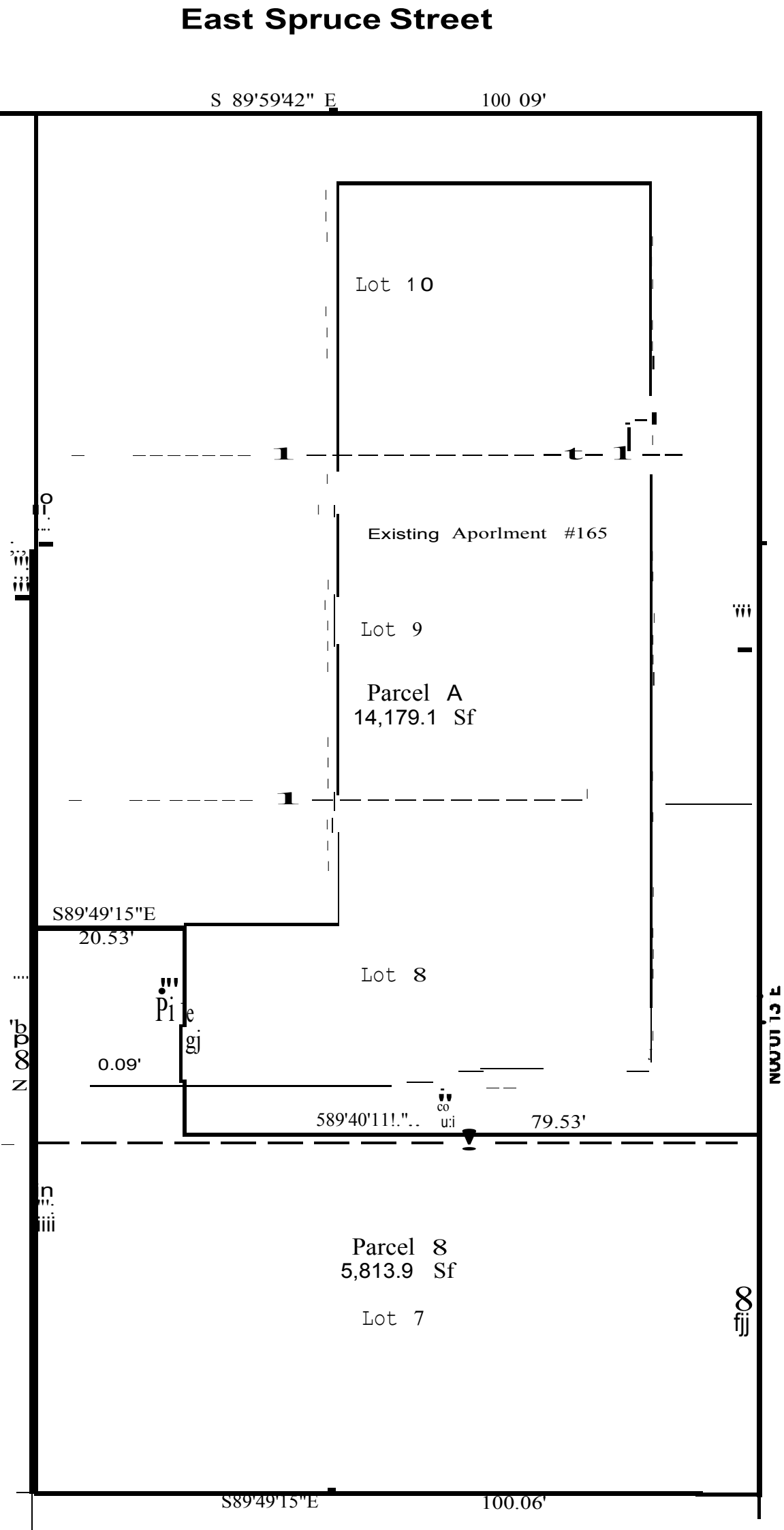
Proposed Legal Description

THAT PORTION OF LOTS 7 THROUGH 10, BLOCK 4, HALLER'S ADDITION TO SEATTLE, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 2 OF PLATS, PAGE 27, RECORDS OF KING COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE N 89°49'15" W, 20.53 FEET TO THE WEST MARGIN OF SAID LOTS;
THENCE N 00°00'37" E ALONG SAID MARGIN, 117.88 FEET TO THE NORTH MARGIN OF SAID LOT 1 0;
THENCE S 89°59'42" E ALONG SAID MARGIN, 100.09 FEET TO THE POINT OF BEGINNING;

CONTAINING IN ALL XXXXXXXX SQUARE FEET.

RECORDING CERTIFICATE Filed for record this day of _____ 20__ at _____ M in Book _____ of Surveys at Page _____ Records of KING County, Washington at the request of _____ _____ Auditor Deputy Auditor	SURVEYOR'S CERTIFICATE This map represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act at the request of <u>xxxxxxx, LLC</u> in OCTOBER , 2013 xxxxxxxx Certificate Number 2222222		RECORD OF SURVEY		
			SURVEY IN N.W. 1/4, N.W. 1/4, SEC. 4, T. 24N., R. 4E.		
			OWN. BY:	DATE:	JOB NO.
			CHK. BY:	SCALE: 1 " = 20'	SHEET 1 OF 2



MERIDIAN
ASSUMED
GRAPHIC SCALE

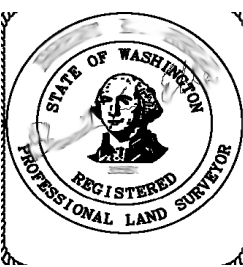


(IN FEET)
1 inch = 20 ft.

RECORDING CERTIFICATE
Filed for record this day of _____ 20__ at _____ M in
Book _____ of Surveys at Page _____ Records of KING
County, Washington at the request of _____

Auditor Deputy Auditor

SURVEYOR'S CERTIFICATE
This map represents a survey made by me or under my direction
in conformance with the requirements of the Survey Recording Act
at the request of xxxxxxx, LLC
in OCTOBER, 2013 xxxxxxxx
Certificate Number 2222222



RECORD OF SURVEY

SURVEY IN N.W. 1/4, N.W. 1/4,
SEC. 4, T. 24N., R. 4E.

OWN. BY:	DATE:	JOB NO.
CHK. BY:	SCALE: 1" = 20'	SHEET 1 OF 2



SINCE 1828 MENU

EXHIBIT

8

: exclusive

adjective | ex·clu·sive | \ik-'sklü-siv, -ziv\

Popularity: Top 20% of words | Updated on: 17 Feb 2018

Examples: EXCLUSIVE in a Sentence ▾

Editor's Note: Did You Know? ▾



Definition of EXCLUSIVE

- 1 a : excluding or having power to exclude
b : limiting or limited to possession, control, or use by a single individual or group
- 2 a : excluding others from participation
b : snobbishly aloof
- 3 a : accepting or soliciting only a socially restricted patronage (as of the upper class)
b : STYLISH, FASHIONABLE
c : restricted in distribution, use, or appeal
LEARN MORE FROM MPW
- 4 a : SINGLE, SOLE • *exclusive jurisdiction*
b : WHOLE, UNDIVIDED • *his exclusive attention*