

June 2, 2022

City of Mukilteo

Department of Planning & Community Development

11930 Cyrus WA, Mukilteo, WA 98275

RE: Request for Additional information parcel No. 00408600400300

File No's RUP-HE-2020-001; VAR-2021-001; ENG-2020-009; & SFR-2020-005

The purpose of this letter and accompanying documentation is to address the request for additional information sent May 27 2022.

### Reasonable Use Provisions

#### Title 17.52.025 Reasonable Use Provisions:

A. The standards and requirements of these critical area regulations are not intended and shall not be construed or applied in a manner to deny all reasonable use of private property. If the applicant demonstrates to the satisfaction of the planning director or his or her designee that strict application of these standards would deny all reasonable use of a property, development may be permitted subject to appropriate conditions. A reasonable use exception is intended as a "last resort" when no plan and/or mitigation can meet the requirements of this chapter and allow the applicant a reasonable viable use of his or her property.

B. The applicant must demonstrate to the planning director or his or her designee all of the following:

1. That no reasonable use with less impact on the critical area and/or the buffer is feasible and reasonable;

Due to the water districts acquisition of the lower portion of the lot and subsequent required setbacks of steep slope, and front lot setbacks. The only remaining portion of the lot that is usable is the lower western portion where the proposed footprint is shown. If taking full setback from side lot front setback and steep slope the remaining usable portion would be too small to construct a feasible single family residence.

2. There is no feasible and reasonable on-site alternative to the proposed activity or use that would allow reasonable use with less adverse impacts to the critical area and/or buffer. Feasible on-site alternatives shall include, but are not limited to: reduction in density or building size, phasing of project implementation, change in timing of activities, and revision of road or parcel layout or related site planning considerations;

As stated from the Geotech reports the proposed site has very little impact and is the best option on site.

3. There are no practical alternatives available to the applicant for development of the property. An alternative is practical if the property or site is available and the project is capable of being done

after taking into consideration existing technology, infrastructure, and logistics in light of the overall project purpose;

The only location on this lot that isn't part of the steep slope and setbacks or in the right of way of the water district is the proposed footprint on the lower west portion of the lot. More than 70% of the over 13,000 sq ft lot will be left undisturbed.

4. The proposed activity or use will be mitigated to the maximum practical extent and result in the minimum feasible alteration or impairment of functional characteristics of the site, including contours, vegetation and habitat, groundwater, surface water, and hydrologic conditions, and consideration has been given to best available science;

As per the Geotech reports we are using best available practices to minimize lot disturbance. We have located the driveway and subsequent utility connections to be as straight into the lot from the street as possible. We have eliminated the yard and are only disturbing the minimum lot area as will be required to safely construct the said SFR. Total lot coverage of structure will be approximately 14% the onsite disturbed area will be less than 30% of a lot of over 13,000 sq ft.

5. There will be no material damage to nearby public or private property and no material threat to the health or safety of people on or off the property;

As meticulously detailed in the CSWPPP best practices will be administered to reduce site impact, and ensure no material damage to nearby public or private property, or material threat to the health and safety of people on or off the property will occur.

6. The proposed activity or use complies with all local, state, and federal laws and the applicant has applied for or obtained all required state and federal approvals; and

We will ensure all activity complies with all local state and federal laws. As well as obtaining all require permits.

7. The inability to derive reasonable use is not the result of actions by the applicant in segregating or dividing the property and creating the undevelopable condition after March 23, 1992.

We purchased the property as is in 2019. We have made no adjustments to property boundaries or altered property to create any of the existing conditions.

Plans and Documents

VAR-2021-001 updated sq ft of lot to 13652 and resubmitting