

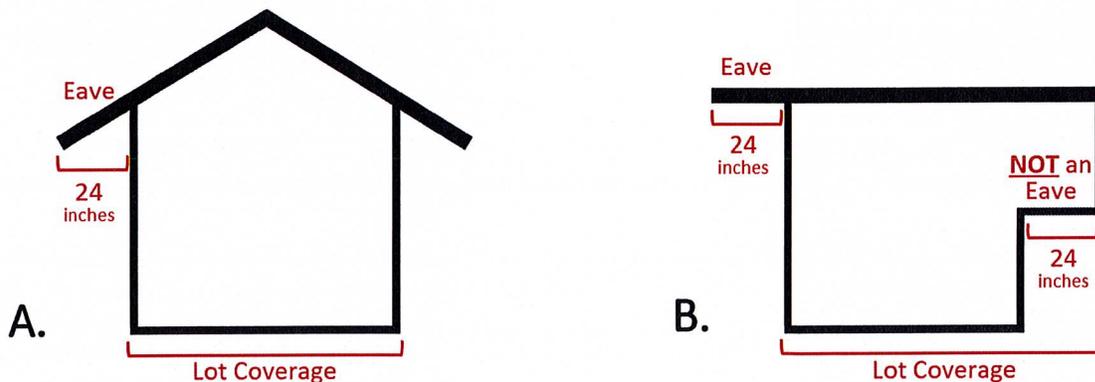
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

MEMORANDUM

**DATE:** November 9, 2018  
**TO:** Gary R. Christensen, AICP, Director of Planning & Community Development  
**FROM:** Olivia Sontag, Planner  
**SUBJECT:** Administrative Code Interpretation, PLN51292 ADM

The applicant, Russell Yee, submitted the following Administrative Code Interpretation request on September 28, 2018.

**REQUEST:** The applicant is requesting an Administrative Code Interpretation of the Bainbridge Island Municipal Code (BIMC) 18.12.050.K Rules of Measurement, Lot Coverage as it pertains to eaves. The definition of Lot Coverage in the BIMC excludes up to 24 inches of eaves on each side of the building from the calculation of lot coverage. "Eaves" are not defined in the BIMC, the International Building Code (IBC) or the International Residential Code (IRC). Illustration A. below, demonstrates a common example of eaves being excluded from Lot Coverage calculation. The applicant specifically asks if the Lot Coverage calculation can be interpreted to exclude up to 24 inches of any area under cover such as the example in illustration B. below.



**AUTHORITY:** This administrative code interpretation is provided pursuant to BIMC 18.03.090, "Interpretation by the director", which states in part:

The director has the authority to provide interpretations of provisions, uses, or definitions in BIMC Titles 16, 17 and 18 and related provisions in BIMC Title 2, and will make these interpretations available to the public. Any person may apply to the director for an interpretation of any provision in these titles.

**RESPONSE:** Per BIMC 18.12.050.K Rules of Measurement, “Lot Coverage” is defined as, “that portion of the total lot area covered by buildings, excluding up to 24 inches of eaves on each side of the building, any building or portion of building located below predevelopment and finished grade. Any portion of a slatted or solid deck located more than five feet above grade shall be counted towards lot coverage. Also excluded are ground-mounted accessory small wind energy generators, solar panels, composting bins, rain barrels/cisterns, and covers designed to shade ground-mounted heat pumps and air conditioners to increase their efficiency.” (Reference 1) The area as depicted in illustration B. is a “building” and would be included in the lot coverage calculation.

**ANALYSIS:** The BIMC and IBC/IRC do not contain definitions for “eaves.” Per BIMC 1.04.030 Interpretation of Language, “all words and phrases not defined in the ordinances of the city shall be construed according to the common usage of the language, but technical words and phrases and such others as may have acquired a specific and appropriate meaning in the law shall be construed and understood according to such technical or specific meaning.” (Reference 1) Similarly, per IBC/IRC 201.4 Terms not Defined, where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context applies. (Reference 2 & 3)

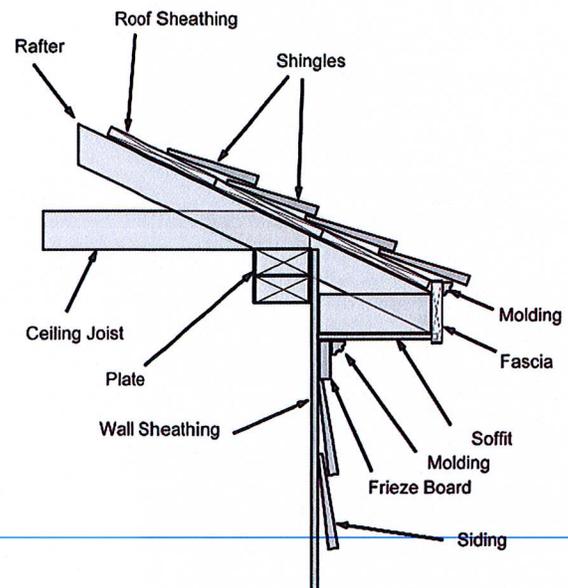
The Merriam-Webster Dictionary defines “eave” as the following:

*Eave (noun): the lower border of a roof that overhangs the wall.* (Reference 4)

An eave is formed when the ends of rafters extend past the exterior walls and hang over the side of the house. As illustrated in the diagram to the right, eaves are comprised of two main elements: the fascia and the soffit. (Reference 5)

As stated in *Architectural Design & History*, “Eaves have a long history of use in architecture because they have a practical purpose. They allow water to run off roofs and away from the structure, which helps protect buildings from damage and rot in wet climates. To encourage water runoff, eaves sometimes have hollowed channels called gutters along their edges or attached to the soffit on their undersides.” (Reference 6)

Per BIMC 18.36.030.40 Definitions, “Building” is defined as, “any structure having a roof, designed for shelter of persons, animals, or property.” (Reference 1) The area as depicted in illustration B. meets the definition of a “building.”





The City of Seattle published a guidance sheet on the application of Lot Coverage. The publication states, "This calculation is made on the footprint of all structures on the entire lot. Balconies, bay windows, and architectural projections must be included in calculating the footprint even though they do not actually touch the ground. However, the first 36 inches of eaves and gutters are exempted from this calculation." (Reference 6)

**APPEAL:** Any decision of the director may be appealed to the hearing examiner in accordance with the procedures of BIMC 2.16.020.P.

**ATTACHMENTS:**

- A. Applicant's Narrative and Diagrams

**REFERENCES:**

1. BIMC (<https://www.codepublishing.com/WA/Bainbridgelsland>)
2. IRC (<https://codes.iccsafe.org/content/IRC2018/chapter-2-definitions>)
3. IBC (<https://codes.iccsafe.org/content/IBC2018/chapter-2-definitions>)
4. Merriam Webster (<https://www.merriam-webster.com/dictionary/eave>)
5. Eave Diagram (<http://thewiringdiagram.today/diagram-of-cornice.html>)
6. *Architectural Design & History* (<https://study.com/academy/lesson/what-are-eaves-in-architecture-definition-design.html>)
7. Seattle Department of Construction and Inspections (<http://www.seattle.gov/DPD/Publications/CAM/cam220.pdf>)

A handwritten signature in blue ink that reads "Gary R. Christensen".

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Gary R. Christensen, AICP

11/09/18  
Date

Director of Planning & Community Development