



City of Seattle

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Gregory J. Nickels, Mayor  
**Department of Planning and Development**  
D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR OF  
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 3005142  
**Applicant Name:** Debora Goodman  
**Address of Proposal:** 725 20<sup>th</sup> Avenue

**SUMMARY OF PROPOSED ACTION**

Land Use Application to subdivide one parcel into two parcels of land. Proposed parcel sizes are approximately: Parcel A) 3,007 square feet and Parcel B) 2,909 square feet. Both existing single family structures are to remain. At the time of this decision there was no building permit related to this subdivision.

The following approval is required:

**Short Subdivision** - to create two parcels.  
(Chapter 23.24, (23.24.046) Seattle Municipal Code)

**SEPA DETERMINATION:**  Exempt  DNS  MDNS  EIS

DNS with conditions

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

**BACKGROUND DATA**

Site Visit: September 8, 2006

Site & Area Description

The 5,916 square foot project site is located in an area zoned Residential Single Family 5000 (SF5000). The existing development on the site consists of two single family residences. The site is located on 20<sup>th</sup> Avenue between E Columbia Street and E Cherry Street. The entire

subject block and the surrounding area is zoned Residential Single Family 5000 (SF5000), with areas one-half block to the northwest and southwest zoned Neighborhood Commercial 1 with a 40 feet height limit (NC1-40). The architecture and development pattern of this project site is consistent with single family zoning.

### Proposal

Pursuant to SMC 23.24.046, multiple single-family dwelling units on a single-family lot may be subdivided when the provisions of the chapter are met. The proposal is to subdivide one parcel of land into two parcels. Proposed lot areas are indicated in the summary above. Proposed Parcel A will have pedestrian access to 20<sup>th</sup> Avenue. Proposed Parcel B will have pedestrian access to 20<sup>th</sup> Avenue and E. Columbia Street. There was no off-street parking for the existing structure on proposed Parcel B, therefore, none will be provided for Parcel B as part of this subdivision. Parcel A will have one surface parking stall located in the southwestern corner of the lot, with vehicular access from a driveway which runs north to E. Columbia Street. Both existing single family residences are to remain.

The subject of this analysis and decision is only the proposed division of land.

### Public Comment

During the public comment period which ended August 30, 2006, DPD received one written comment from the public related to the subdivision application.

### **ANALYSIS - SHORT SUBDIVISION**

Pursuant to SMC 23.24.040, the Director shall, after conferring with appropriate officials, use the following criteria to determine whether to grant, condition or deny a short plat:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees;*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, 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.*

8. *Conformance to the provisions of Section 23.24.046, Multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two (2) or more lots from one (1) lot with more than one (1) existing single-family dwelling unit.*

Based on information provided by the applicant, referral comments from the Department of Planning and Development, Drainage Section, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. *Conformance to the applicable Land Use Code provisions;*

The subject property is zoned for single-family residential. The allowed use in a single family zone is one dwelling unit per lot, with accessory dwelling units meeting the provisions of SMC 23.44.041 and multiple single-family dwelling units on a single-family lot meeting the provisions of SMC 23.24.046 notwithstanding. Maximum lot coverage is 35% or 1,750 sq. ft. whichever is greater or as modified by SMC 23.24.046. Front yard setbacks are an average of the neighboring adjacent lots, or twenty (20) feet, whichever is less. In this case, the front yard for the structure located on proposed parcel B is existing and the front yard for the structure located on proposed parcel A is 87', which meets current standards. The minimum side yard setbacks are five (5) feet, except as modified by 23.24.046-B5. Minimum rear yard setbacks are twenty-five (25) feet or if lot depth is less than one-hundred twenty five feet (125'), 20% of lot depth, or as modified by 23.24.046-B5. The principal structures associated with this subdivision will have some degree of non-conformity relevant to single family zone development standards and as a result will be subject to SMC 23.42.112 – Nonconformity to development standards. Table 1 below in this document outlines the extent of the non-conformities to both proposed parcels A and B of this subdivision.

2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*

Proposed parcels A and B will have pedestrian access to 20<sup>th</sup> Avenue, and additionally, Parcel B has access to E. Columbia Street. The Seattle Fire Department has no objection to the proposed short plat. All private utilities are available in this area. Seattle City Light provides electrical service to the proposed short plat. Proposed Parcel A will have one surface parking space located in the southwestern corner of the lot with vehicle access from E. Columbia Street. There was no off-street parking for the existing structure on proposed Parcel B, therefore, none will be provided for Parcel B as part of this subdivision.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

This area is served with domestic water, sanitary sewer, and stormdrain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. The Short Plat application has been reviewed by Seattle Public Utilities and a Water Availability Certificate was issued on August 8, 2006 (WAC ID No. 20061548). The parcels are adequate for sanitary sewage disposal and drainage requirements.

4. *Whether the public use and interests are served by permitting the proposed division of land;*

The proposed short subdivision will meet all the applicable Land Use Code provisions. The proposed development has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal. The proposal will meet all applicable criteria for approval of a short plat upon completion of the conditions in this analysis and decision. As a result, the public use and interest are served.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*

This site is not located in any environmentally critical area as defined in SMC 25.09.240. There are no environmentally critical areas mapped or otherwise observed on the site.

6. *Is designed to maximize the retention of existing trees;*

At the time of this decision, no related building permits have been applied for. The structures are proposed to remain, and no construction is proposed, as a result the plat is designed to maximize the retention of the existing trees.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, 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.*

This Short subdivision is not a unit subdivision. Thus, this section is not applicable to this short plat proposal.

8. *Conformance to the provisions of Section 23.24.046, multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two (2) or more lots from one (1) lot with more than one (1) existing single-family dwelling unit.*

SMC 23.24.046

Subsection B of the SMC 23.24.046 outlines the requirements for the subdivision of a lot in a single-family zone containing more than one existing single-family dwelling as detailed below.

1. *Each existing single-family dwelling unit was legally established by permit or is eligible to be established as a nonconforming development in accordance with Section 23.42.102, establishing nonconforming status;*

Based on records on file with King County Assessor's Office, the single-family structure on the eastern portion of the lot was built in 1901 and the single-family structure on the eastern portion of the lot was built in 1913. The legal description on the applicant's Assessor's data matches the proposed subdivision site's legal description. As a result, the two residences are eligible to be established as a non-conforming development.

2. *Each existing single-family dwelling unit was constructed prior to February 20, 1982;*  
King County Assessor's data shows that these two homes were constructed in 1901 and 1913. Therefore the provisions of this section are met.
3. *Each resulting lot has one (1), but no more than one (1), existing single-family dwelling unit;*  
Each resulting lot will have one (1) single family residence located on it as evidenced by the proposed plat configuration showing separate structures on each proposed parcel. Therefore the provisions of this section are met.
4. *Parking is provided in accordance with Section 23.44.016, Parking location and access, unless the Director determines that at least one (1) of the following conditions is present:*
  - a. *Providing parking accessory to an existing single-family dwelling unit is undesirable or impractical because of the location of an environmentally critical area, existing drainage patterns, natural features such as significant trees, or access to a resulting or adjacent lot; or*
  - b. *The short subdivision cannot be configured to provide parking in compliance with Section 23.44.016;*

*If the Director determines that at least one (1) of the foregoing conditions is present, the Director may waive or modify the parking requirements of Section 23.44.016 as long as the short subdivision does not reduce the number of off-street parking spaces existing prior to the short subdivision. In connection with such waiver or modification, the Director may require access and parking easements as conditions of approval of the short subdivision;*

Parcel A will have one (1) parking space located in the southwestern corner of the proposed lot which will meet the requirements of SMC 23.44.016. This parking will be accessed via the driveway easement which runs north to E. Columbia Street. The parking requirement for Parcel B is waived because: a.) there was no pre-existing off-street parking for this structure; b.) the limitations of the length and width of the existing driveway easement; and c.) the potential removal of street trees if vehicular access was established off of 20<sup>th</sup> Avenue.

5. *Each resulting lot conforms to all other development standards of the zone unless the Director determines that the short subdivision cannot be approved if such standards are strictly applied and modification or waiver of some or all of such standards would further the public interest. If the Director makes such determination, then the Director may waive or modify development standards, provided that:*
  - a. *Each existing single-family dwelling unit shall be set back at least three (3) feet from each common lot line in the short subdivision; and*
  - b. *No resulting lot shall be smaller than one thousand eight hundred (1,800) square feet.*

The proposed subdivision will be in concurrence with the above criteria (23.24.046-B5 (a) (b)). The single-family dwelling located on proposed Parcel A is proposed to be 3.3’ feet at the closest point to the proposed common lot line. The single-family dwelling located on proposed Parcel B is proposed to be 13.8’ feet at the closest point to the proposed common lot line. The proposed parcels are 3,007 and 2,909 square feet. As a result, the proposed lots meet the criteria for waiver or modification of the development standards. DPD recognizes the two existing single-family dwellings as meeting the provisions of SMC 23.24.046-B5. Below is a table that summarizes the development standards that if strictly applied would preclude the approval of this subdivision.

This short subdivision was submitted on the basis of SMC 23.24.046, which allows for a lot in a single-family zone containing more than one (1) existing single-family dwelling units to be divided in accordance with SMC 23.24.046-B5, as long as each of the required conditions are satisfied. The analysis of the required criteria and or modification is examined in the relevant criteria for short plat approval above.

The proposed short subdivision will meet all the applicable Land Use Code provisions. The proposed development has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal. The proposal will meet all applicable criteria for approval of a short plat upon completion of the conditions in this analysis and decision. As a result, the waiver of the following yard standards will further the public interest.

**Analysis of Required Yards**

	<b>Front Yard</b>	<b>Side Yard (south)</b>	<b>Side Yard (north)</b>	<b>Rear Yard</b>
<b><i>Proposed Parcel A – 723 20<sup>th</sup> Avenue</i></b>	Conforming at <b>87’</b> (existing)	Non-conforming at <b>3.1’</b> (existing)	Non-conforming at <b>14.9’</b> (existing)	Non-conforming at <b>11.7’</b> (existing)
<b><i>Proposed Parcel B – 725 20<sup>th</sup> Avenue</i></b>	Conforming at <b>24.8’</b> (existing)	Conforming at <b>8.9’</b> (proposed)	Non-conforming at <b>1.7’</b> (existing)	Non-conforming at <b>13.8’</b> (proposed)

**Table 1**

The above yard waivers are granted, as a result the proposed subdivision is conditionally granted.

**DECISION - SHORT SUBDIVISION**

The proposed short plat is **CONDITIONALLY GRANTED.**

**CONDITIONS - SHORT SUBDIVISION**

*Prior to Recording*

1. Include on the final plat all of the corrections noted in the Land Use Correction Notices dated September 1 and September 21, 2006.
2. Have final recording documents prepared by or under the supervision of a Washington state licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.
3. Include any required easement description provided by Seattle City Light on the face of the final plat.
4. Submit the final recording forms for approval and any necessary fees.

*For the Life of this Project:*

5. Attach a copy of the recorded subdivision to all future building permit application plans.

Signature: \_\_\_\_\_ (signature on file) Date: January 8, 2007  
Janet Hyde-Wright, Land Use Planner  
Department of Planning and Development

JHW:bg