



City of Seattle

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: 3005239

Applicant Name: Bruce Lomer

Address of Proposal: 13211 37th Avenue NE

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide two parcels into three parcels of land. Proposed parcel sizes are: A.) 6,105 sq. ft., B.) 6,123 sq. ft. and C.) 7,284 sq. ft. Existing structures on proposed Parcel A and proposed Parcel B to remain.

The following approval is required:

Short Subdivision – To subdivide two parcels into three lots.
(Chapter 23.24, 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: February 25, 2007.

Zoning: Residential, Single-Family 7200 (SF7200).

Uses on Site: Two single-family residences and detached carport.

Substantive Site Characteristics:

The subject site is comprised of two parcels with a total area of 19,512 square feet, and the site fronts on 37th Avenue NE to the east. The two single-family residences are located in the eastern portion of the two lots, and the carport is located in the northern area of the northern lot. The site slopes from the east down to the west, with the steepest slope in the eastern region of the lot. There is an elevation change of about 22 feet along the 195 foot length of the lot, from the eastern boundary down to the western boundary. There is a variety of deciduous and some evergreen trees on the site, ranging in size from 6" diameter at breast height (dbh) to 36" dbh. The majority of the trees are located on the western portion of the lot.

Proposal Description:

The applicant proposes to subdivide two parcels with a total area of 19,512 square feet into three parcels of: A.) 6,105 sq. ft., B.) 6,123 sq. ft. and C.) 7,284 sq. ft. Parcel A will be created in the southeastern portion of the original lot, where one existing single-family residence is located. Parcel B will be created in the northeastern portion of the original lot, where the other existing single-family residence is located. The existing single-family residences will be retained, however, the detached carport will be removed. Parcel C will be created on the western portion of the two lots. Parcels A and B have street frontage for both pedestrian and vehicle access. Pedestrian and vehicle access to proposed Parcel C will be provided by a 10' wide easement that runs west from 37th Avenue NE along the northern boundary of the most northern lot.

Public Comment:

The comment period for this proposal ended on January 24, 2007. During this period, two comment letters were received.

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; and*
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.*

Summary - Short Subdivision

Based on information provided by the applicant, referral comments from DPD, Water (SWD), Fire Department (SFD), Seattle City Light, the Building Plans Examiner, the Drainage Section of DPD, and review by the Land Use Planner, the above cited criteria have been met subject to the conditions imposed at the end of this decision.

The lots to be created by this short subdivision will meet all minimum standards or applicable exceptions set forth in the Land Use Code and are consistent with applicable development standards. As conditioned, this short subdivision can be provided with vehicular access, public and private utilities and access (including emergency vehicles). Adequate provisions for drainage control, water supply, and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions. The site is not within a mapped critical area; therefore, SMC 25.09.240 is not applicable. The proposed plat maximizes the retention of existing trees. The public use and interest are served by the proposal since all applicable criteria are met and the proposal creates the potential for additional housing opportunities in the City.

DECISION –SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS – SHORT SUBDIVISION

Conditions of Approval Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Include on the final plat the corrections noted in the Correction Notice for Ordinance review dated March 14, 2007.
2. Include the following notation for the carport on the final plat: “To be legally removed prior to sale and/or transfer of ownership.”
3. Include any required easement description by Seattle City Light on the face of the final plat and in the legal descriptions of the affected lots.
4. Add the conditions of approval after recording on the face of the plat or on a separate page. If the conditions are on a separate page, insert on the plat “For conditions of approval after recording see page ___ of ___.”
5. 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. The lot areas of each parcel shall be shown on the recording documents.

6. Submit the recording fee and final recording forms for approval.

For the Life of the Project

7. The owner(s) and/or responsible party(s) shall attach a copy of the recorded short subdivision to all permit application plans for any application for a permit to construct, demolish, or change use.

Signature: _____ (signature on file)
Janet L. Wright, Land Use Planner
Department of Planning and Development

Date: March 29, 2007