



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 Numbers:** 3005335  
**Applicant Name:** Dick Causey  
**Address of Proposal:** 531 31<sup>st</sup> Avenue S.

**SUMMARY OF PROPOSED ACTIONS**

Land Use Application to allow a 45 sq. ft. porch addition to a single family home (already built).

The following approval is required:

**Variance** – to allow a portion of the principal structure to extend into required front yard.  
[23.44.014A](#).

**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 and Vicinity Description**

The property is located in a South Seattle neighborhood on 31<sup>st</sup> Avenue S. between S. King St. and S. Lane St. just a block up from S. Dearborn St. The property is approximately 3,600 sq. ft. in area and is rectangular in shape. The site has 40-feet of street frontage and is 90-feet deep. The surrounding neighborhood is comprised primarily of single-family residences. The site is mapped an Environmentally Critical Area (Steep Slope).

The site measures 3,600 square feet and is currently developed with a single family home. The property is zoned Single Family residential with a minimum lot area of 5000 sq. ft. (SF 5000). All surrounding properties are similarly zoned.

### Proposal

The project proposal is to build a 45 sq. ft. covered porch addition to an existing single family residence in the required front yard (already built).

This project proposal is part of a revision to a remodel to the house that includes a second story addition and alteration to portions of the first floor and basement of the existing single family residence. The addition of the covered porch, that was already built, requires a variance, specifically relief from the front yard requirements.

The required front yard on this lot is 20 feet per SMC 23.44.014 BA. Through front yard averaging the required front yard for this site is 14'10'. The applicant seeks to extend the covered porch into this area by approximately 10 feet. As drawn, on the plans, and is nonconforming with regard to development standards, and the proposal would increase that nonconformity.

### Public Comment

No written comment letters were received during the comment period that ended September 13<sup>th</sup>, 2006.

### ANALYSIS - VARIANCE

**Variations from the provisions or requirements of the Land Use Code shall be authorized only when all of the following facts and conditions are found to exist:**

- 1. Because of unusual conditions applicable to the subject property including size, shape, topography, location or surroundings, which were not created by the owner or applicant, the strict application of this Land Use Code would deprive the property of rights and privileges enjoyed by other properties in the same zone or vicinity; and***

The existing lot size of 3,600 sq. ft. is approximately 72% of the minimum requirement of 5,000 sq. ft. and is presumed to have been created in the early 1900's as the house was constructed in 1924 after zoning regulations were implemented but prior to minimum lot size requirements. This unusual condition was not created by the owner/applicant of this proposal. The existing front yard setback for the site is 14'10' and in the immediate vicinity of the proposal the front yard setbacks vary between 10'6" to 15'6" with the adjacent houses being approximately 14'10'. The Land Use Code requires that the structure be set back 20 feet as provided for in section 23.44.014A1. The pattern of existing front yard setbacks of the adjacent single family structures has allowed for the front setback to be continued by using the front yard averaging option (SMC 23.44.014A1). Strict application of the Land Use Code would deprive the owner of expansion opportunities that may be enjoyed by other properties in this zone and vicinity.

2. ***The requested variance does not go beyond the minimum necessary to afford relief and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is located; and***

The requested variances to allow a portion of the principal structure into the required front yard does not go beyond the minimum necessary to afford relief nor does it constitute a grant of special privilege. An unusual condition existing for this site, which was not created by the owner or applicant, is the presence of a steep sloped front yard on the property. The area of steep slope to the west of the existing structure is considered by the land use code definition to contain areas of 40% or greater slope. The presence of ECA slope on the site limits the direction of expansion available to the applicant for a flat porch and/or patio. In order to construct the covered porch addition and the west retaining wall in a steep slope the applicant is requesting a variance. Currently the front yard does not meet the code required size. The proposed covered porch expansion/remodel which is already built, does not meet the Land Use Code requirements. The covered porch, planter, stairs, driveway and retaining walls cover the entire 14'10". Many homes in the neighborhood have similar situations. Thus the proposal would relieve the owners without granting a privilege not enjoyed by others in the same zone.

3. ***The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or vicinity in which the subject property is located; and***

No significant impacts to the neighborhood character are anticipated as a result of this proposal. Many homes in the neighborhood and adjacent houses also have covered porches that extend beyond the Land Use Code requirements. Several homes are built to the front property lines and many have elevated stairs to covered porches that extend beyond the requirement.

Granting these variances will not be materially detrimental to the public welfare or injurious to the property or improvements in zone or vicinity in which the subject property is located.

4. **The literal interpretation and strict application of the applicable provisions or requirements of this Land Use Code would cause undue hardship or practical difficulties;**

The literal interpretation and strict application of the applicable provisions or requirements of this Land Use Code would not allow for the covered porch addition to create a structure that would be out of character with the existing single family structures in the neighborhood. The new addition will not be out of character with the rest of the neighborhood. The proposal would not create much additional appearance of bulk as the porch would be approximately 45 sq. ft. and many neighboring houses have similar sized covered porches.

5. ***The requested variance would be consistent with the spirit and purpose of the Land Use Code regulations for the area.***

In general the porch cover should not extend further than the steps that lead to the porch and because the posts supporting the porch cover should not block the steps, the porch cover will be allowed to extend to the end of the width of the porch steps which are approximately 5 feet 6

