



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: 3005433
Applicant Name: Terry Cramer
Address of Proposal: 5428 16th Avenue Southwest

SUMMARY OF PROPOSED ACTION

Land Use application to subdivide one parcel into two parcels of land. Proposed parcel sizes are: Parcel A) 7,173 sq.ft. and Parcel B) 6,564 sq.ft. The existing single-family residence will remain after the removal of its carport roof. The “75/80” rule of SMC 23.24.010 is being utilized to allow platting of lots with less square footage than nominally allowed by this zone.

The following approval is required:

Short Subdivision – to create two parcels of land (SMC Chapter 23.24).

SEPA DETERMINATION: Exempt DNS MDNS EIS
 DNS with conditions
 DNS involving non-exempt grading, or demolition, or another agency with jurisdiction.

BACKGROUND DATA

Zoning: SF 7200

Date of Site Visit: September 12, 2006

Uses on Site: Single-Family Residence

Site and Vicinity Characteristics: The subject site is located to the east side of 16th Avenue SW north of South Seattle Community College and between SW Findlay and SW Brandon Streets in West Seattle. Vehicular and pedestrian access is from this street. The site is a roughly rectangular shape with the exception of an approximately 10 foot by 88 foot northwest corner section that is attached to the neighboring northern parcel.

The surrounding neighborhood is comprised of approximately 12,000 to 13,000 square foot “garden tract” lots, many that have been divided to similar sizes as the proposed parcels. These lots contain a mixture of older and newer single-family structures.

The parent site is bordered on the east by unimproved 15th Avenue SW. Further to the east is an undeveloped and wooded hill side extending downhill to West Marginal Way SW and the Duwamish River.

Public Comment

No comment letters were received during or after the comment period that ended September 28, 2006.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following applicable facts and conditions are found to exist.

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;*

Summary - Short Subdivision

Based on information provided by the applicant, referral comments from DPD, Seattle Public Utilities (SPU) for water availability, Fire Department (SFD), Seattle City Light (SCL), 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 and applicable exceptions set forth in the Land Use Code, and are consistent with applicable development standards. As proposed, this short plat utilizes the “75/80” rule of SMC 23.44.010 that allows the creation of a lot with less than the normally required size for a particular zone provided the proposed lots are a minimum of 75% of the required lot size for the zone and at least 80% of the mean lot area of the lots on the same block face and within the same zone in which the lot is located.

There are eight other lots on the 16th Avenue SW block face. Eighty percent of the mean lot area of these lots is 6,864 square feet. There are eight other lots on the 15th Avenue SW block face. Eighty percent of the mean lot area of these lots is 6,335 square feet. Seventy-five percent of the 7,200 square foot required lot size for this zone is 5,400 square feet. Proposed Parcel A would be 7,173 square feet; Proposed Parcel B would be 6,564 square feet, therefore both proposed parcels meet the requirement of this rule.

This short subdivision provides access for pedestrians and vehicles, public and private utilities, and emergency personal and vehicles. Access for proposed Parcel A would continue from 16th Avenue

SW. Proposed Parcel B will not have street frontage on 16th Avenue SW but will have access from this street across an access easement on proposed Parcel A. Because there will be no street frontage for proposed Parcel B a proposed *ingress, egress, and utility easement* across proposed Parcel A for the benefit of proposed Parcel B shall be amended to allow the placement of address signage clearly visible from 16th Avenue SW. This is a non-appealable **Condition** of plat approval.

The minimal access road required by the Seattle Fire Code (SFC) is 12 feet in width with 14 feet of vertical clearance and constructed to support the imposed loads of City fire apparatus (see 2003 SFC Sect 503.2.3). To assure the required horizontal distance between the existing house (modified by the removal of its northern carport roof) and the northern property boundary, the existing hedge along the 88-foot northern property boundary, and extending onto proposed Parcel B, must be cut back to provide this 12-foot distance. This is a non-appealable **Condition** of plat approval.

The proposed side lot line between proposed Parcels A and B along the north side of the house on proposed Parcel A will be 2.9 feet from this structure. The Land Use Code requires a minimum 5 foot side yard on each lot with a resulting 10 foot distance between any structures on separate lots. SMC 23.44.014.D.2 allows a structure to extend into a required side yard (i.e. be less than 5 feet from the property boundary) if a side-yard easement is recorded with the County assuring no neighboring structure is built within 10 feet of the structure extending into the side yard. This has been proposed by the applicant and will be a non-appealable **Condition** of plat approval.

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 storm water control, utility extensions, and the provision of required easements. Easements across proposed Parcel A are provided for the benefit of proposed Parcel B.

The public use and interest are served by this proposal. One additional building lot will be created for the future construction of an additional housing unit in the City. The use of the “75/80” rule allows a lot to be created that is compatible with the existing platting pattern and that would otherwise not be allowed.

This site is not located in an environmentally critical area; therefore SMC 25.09.240 is not applicable.

There are seven deciduous trees on proposed Parcel B. Proposed Parcel B’s configuration will likely require the removal three of these trees as they are in the buildable / footprint area of any likely future structure. None of these trees are *Exceptional* as defined by the Seattle Tree Protection Ordinance. The removal of some trees is unavoidable given the existing platting pattern and parent lot configuration. For future development on proposed Parcel B, the tree planting or preservation requirements of SMC 23.44.008 will be applied.

DECISION - SHORT SUBDIVISION

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

CONDITIONS - SHORT SUBDIVISION

Conditions of Approval Prior to Recording

1. Submit the final recording forms for approval along with any required fees
2. Include City Light and Seattle Public Utilities easements as required in the legal descriptions and on the face of the plat.
3. Include an easement or covenant for the location of address signage on the driveway access easement on Parcel A for the benefit of proposed Parcel B. This signage should be clearly visible from 16th Avenue Southwest.
4. Include a side yard easement providing a no build area of at least 7.1 feet on proposed Parcel B (10 foot separation required – 2.9 foot distance from house to proposed Parcel A property line = minimum 7.1 foot distance required on proposed Parcel B).

After Recording and Prior to Issuance of Any Building Permits

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

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

Prior to the Final Approval (Certificate of Occupancy) of a Building Permit for Proposed Parcel B

6. Prune or remove the hedge along the 88-foot northern property boundary of the access easement on Parcel A, and extending onto Parcel B, to ensure the access easement road maintains a 12 foot width and 14 foot vertical clearance to within 150 feet of the furthest portion of any future structure on proposed Parcel B. Please consult with the Seattle Fire Marshall's Office, 386-1449, if there are questions.

Signature: (signature on file) Date: December 14, 2006
Art Pederson, Land Use Planner