



City of Seattle

Gregory Nichols, Mayor
Department of Planning and Development
D. Sugimura, Director

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

Application Number: 3007302
Applicant Name: Geoffrey Prentiss
Address of Proposal: 1216 6th Avenue West

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 400 sq. ft. detached garage accessory to an existing single family residence.

Variance - to allow parking in the required front and side yards
(Seattle Municipal Code 23.44.016.D1 & 3)

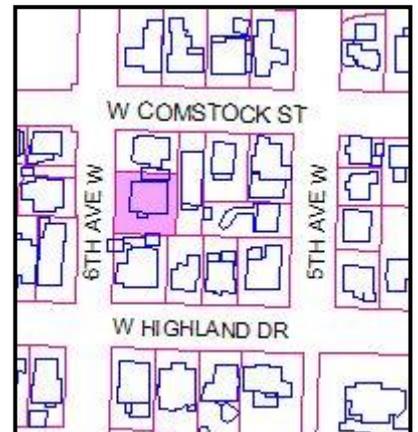
SEPA DETERMINATION: Exempt DNS MDNS EIS
 DNS with conditions
 DNS involving non-exempt grading or demolition or
involving another agency with jurisdiction.

BACKGROUND DATA

Site and Vicinity Description

The site measures approximately 8,100 square feet and is zoned Single Family residential with a 5000 square foot minimum lot size (SF 5000). The SF zoning designation applies to all surrounding properties in the immediate vicinity, and all adjacent structures are single family homes.

The subject site, located on Upper Queen Anne, is relatively flat on the northern portion of the site and then slopes steeply downward toward the abutting property located on West Highland Drive. Sixth Avenue West dead ends at this location and access to West Highland Drive is by a pedestrian stairway.



Proposed Action

The applicant has requested a variance to allow the construction of a 400 square foot garage/car port to be located in the front and north side yards of the site. Because of the steep slope and location of the pedestrian stairway access to the southern portion of the site is impossible. The proposed structure would be accessed through a garage door which would become part of the existing fence. The structure is proposed to be just large enough for a standard vehicle and a small “smart” car.

Public Comment

No comments were received during the public comment period, which ended on August 20, 2008.

ANALYSIS - VARIANCE

Variances from the provisions or requirements of this Land Use Code shall be authorized only when all of the following facts and conditions (stated in *italics*) 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 variance has been requested because of unusual conditions applicable to the subject property, including lack of access to the majority of the property because of slope conditions on the site and the adjoining right-of-way. The front property line is approximately 90 feet on 6th Avenue West, however, only the northern 15 feet of the frontage is accessible from the right of way. The right of way in this location ends in a semi-circular street end then continues down to West Highland Drive via a pedestrian stairway. In addition, because of the site topography, the residence is located within five feet of the north property line making access to the rear of the site infeasible.

There house was built in 1902, and there is no record that a garage was ever built on the site. There is one other residence on this dead end street which was rebuilt in 1955 with an attached garage also accessed from the north ten feet of the property.

The surrounding neighborhood is characterized by homes that are well above the street level and many have garages that are located at the sidewalk. Though the subject residence is not above street level, a garage located at the front property line is not an unusual condition in this neighborhood. It appears that strict application of the Land Use Code would deprive the property of rights and privileges enjoyed by other properties in the same zone or vicinity.

Considering the above arguments, the application meets the first variance criterion.

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 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.

The proposal is for a 375 sq. ft. concrete slab covered by a 250 sq. ft. flat roof, 9 feet in height. The north portion of the structure would be enclosed on three sides with a half wall down the middle. The proposed garage door would replace a portion of the existing corrugated metal fence. The garage is proposed to be large enough for a standard vehicle and one small “smart” car. This proposal does not constitute a grant of special privilege but is rather much less than other typical garages in the immediate area.

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 material detriment to the public welfare or injury to property or improvements in the zone or vicinity is likely to occur by granting the requested variance. The garage would allow the property owner covered parking for his vehicles. The design of the structure blends well with the current look of the property.

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; and*

Strict application of the Code would require parking only in the required rear yard or the required side yard to the south. The rear yard is inaccessible due to the location of the primary residence built in 1902. The south side yard is inaccessible because the right of way ends and the site slopes steeply to the south. In addition, the literal interpretation of the applicable provisions and requirements of the Land Use Code, which generally requires parking to not be located in a front yard, would cause an undue hardship and practical difficulty of providing off-street parking in an area other than that where it has been quite comfortably located for the last 30 – 40 years.

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

The spirit and purpose of the Land Use Code provides for preservation and maintenance of the physical characteristics of single-family neighborhoods. It is the responsibility of the City to preserve and protect areas which are currently in predominantly single-family residential use. The granting of the variance will not adversely affect the physical characteristics or use of the surrounding neighborhood because it is only slightly altering existing conditions of the subject property, which is already well integrated into the established residential character of the surrounding environment.

DECISION - VARIANCE (Based upon approved plans in the file).

The proposed variance to allow surface parking for one vehicle in the required front yard is **GRANTED**.

Signature: _____ (signature on file) Date: April 30, 2009
Marti Stave, Land Use Planner
Department of Planning and Development

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