



City of Seattle

Gregory J. Nickels, Mayor

Department of Planning and Development

Diane M. Sugimura, Director

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

Application Number: 3007634
Applicant Name: Mark Travers for Paul Labellarte
Address of Proposal: 4412 S Myrtle St

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one parcel into three parcels of land. Proposed parcel sizes are: A) 5,896 sq. ft.; B) 5,897 sq. ft.; and C) 5,917 sq. ft. Existing structures are to be removed.

The following approval is required:

Short Subdivision – to create three parcels of land pursuant to Seattle Municipal Code 23.24.

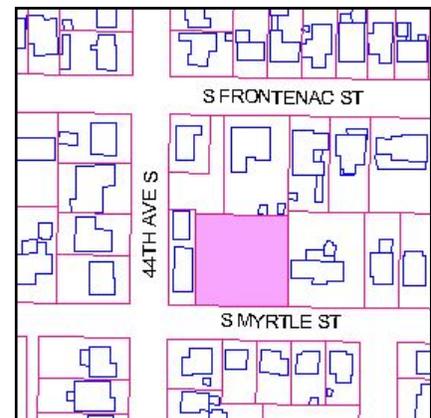
SEPA DETERMINATION: Exempt DNS MDNS EIS
 DNS with conditions
 DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

BACKGROUND DATA

The subject property is 17,711.2 square feet in size and is zoned Single Family 5000 (SF5000). The existing lot has 133.87 feet of street frontage along S Myrtle St and a lot depth of 132.18 feet. S Myrtle St at this location is developed with curbs, gutters, and sidewalks on the abutting side of the street pavement. There is no mapped or observed designated Environmentally Critical Area (ECA) on the site.

Proposal Description

The applicant proposes to short subdivide one parcel into three lots (parcel sizes are: A) 5,896 sq. ft.; B) 5,897 sq. ft.; and C) 5,917 sq. ft.).



Note that any proposed structures will be reviewed for consistency with the applicable provisions of the Seattle Municipal Code under a separate application. The subject of this analysis and decision is only the proposed division of land.

Public Notice and Comment Period

Public notice of the Land Use Application was given on August 30, 2007. The public comment period ended on September 12, 2007. The Land Use Application file is available for review at the Public Resource Center located at 700 Fifth Ave, Suite 2000 (<http://www.seattle.gov/dpd/prc/location.htm>).

ANALYSIS - SHORT SUBDIVISION

Pursuant to Seattle Municipal Code (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 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 use with a minimum lot size of 5,000 square feet (SF5000) or as provided in SMC 23.44.010B.1.b. The allowed use in a single family zone is one dwelling unit per lot, with accessory dwellings permitted within the principal structure in accordance with SMC 23.44.041. Maximum lot coverage is 35% or 1,750 square feet, whichever is greater. Front setbacks are an average of the neighboring adjacent lots, or 20 feet, whichever is less. The minimum side yard setback is 5 feet. Minimum required rear yard is 25 feet or 20 percent of the lot depth and in no case less than 10 feet. The lots created by this proposed division of land will conform to all development standards of the SF 5000 zoning designation. The proposed parcels meet the minimum lot size requirement of the zone and provide adequate buildable area to meet applicable yards, lot coverage requirements, and other Land Use Code development standards.

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

The proposed parcels will have direct vehicle and pedestrian access from S Myrtle St.

The Seattle Fire Department has no objection to the proposed short plat.

Seattle City Light provides electrical service to the proposed short plat and may require an easement to provide for electrical facilities and service to the proposed lots.

All private utilities are available in this area. This short plat provides for adequate access for vehicles, utilities, and fire protection.

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

This area is served with domestic water, sanitary sewer, and storm drain facilities by the City of Seattle. Availability of water service is subject to conditions as imposed by Seattle Public Utilities Water Availability Certificate No. 20071465, issued on August 20, 2007.

New construction with discharge to the sanitary sewer requires a side sewer permit. Plan review requirements regarding stormwater will be made at the time of building permit application.

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

One objective of the short subdivision process is to increase opportunities for new housing development in order to ensure that there will be adequate capacity for future housing need. 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 public use and interest will be served with this proposal because additional opportunities for housing would be provided within the City limits as a result of this subdivision.

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;*

Future construction will be subject to the provisions of SMC 23.44.008 and SMC 25.11 which sets forth tree planting requirements and tree preservation regulations on single family lots. Based on the applicant's information, there are no significant trees located on the site.

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.*

This Short Subdivision is not a multiple single-family dwelling unit subdivision. Thus, this section is not applicable to this short plat proposal.

DECISION - SHORT SUBDIVISION

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

CONDITIONS - SHORT SUBDIVISION

Prior to Recording

1. 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.
2. Submit the final recording forms for approval and any necessary fees.

Prior to Building Permit Issuance

3. At the time of a building permit application intake, the applicant shall submit a permanent drainage control plan. If the proposed method of stormwater control is on-site infiltration, the design must be stamped and signed by a geotechnical engineer.
4. A copy of this short subdivision shall be attached to all related building permit applications or revisions.

Signature: _____ (signature on file) _____ Date: September 24, 2007
Colin R. Vasquez, Senior Land Use Planner
Department of Planning and Development

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