



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: 3008518
Applicant Name: David Vandervort for Margaret Coles
Address of Proposal: 830 West Armour Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a second story addition to an existing single family residence. The addition will include approximately 525 square feet of building area onto the existing single story structure.

The following approval is required:

Variance – to allow a portion of the principal structure to extend into the required rear yard (12 foot rear yard required; 6.2 foot rear yard proposed), SMC 23.44.014.B;

Variance - to allow expansion of a nonconforming structure (SMC 23.42.112).

SEPA DETERMINATION: Exempt DNS EIS

DNS with conditions

DNS involving non-exempt grading or demolition or involving another agency with jurisdiction

BACKGROUND DATA

The subject site is located on West Armour Street in the northwest section of Seattle's Queen Anne neighborhood. The site is a rectangular shaped lot with a 50 foot wide front property line facing West Armour Street, extending 60 feet in depth to the rear of the lot. The total lot size is 3,000 square feet in area. There is no alley access to the site. The site slopes slightly from north to south with approximately 4 feet of elevation change across the property. The parcel is developed with a single story structure and a below-grade garage accessed via a curb cut from West Armour Street. West Armour Street is a 60 foot wide residential access street with a 25 foot roadway.



The site is zoned Single Family (SF 5000), as are all properties in the immediate vicinity. This block of development is characterized by one and two-story single family Craftsman-style structures generally constructed at the turn of the 20th Century. The residential structure developed on the subject site was constructed in 1907.



Proposal

The applicant proposes to add a partial second story to an existing single story structure. The existing residence is entirely a single story structure with a walk-up front porch and below-grade parking garage. The northern half of the house is built on a 6 inch concrete foundation; the southeast quarter of the original 1907 structure is built on a post and pier foundation. The 525 square foot addition will be added to the northern half of the building – the portion of the house most apt to support the load of a second story.

The existing structure has had two additions constructed since 1938, and is currently non-conforming to the current development standards related to side and rear yard setbacks. At issue is the rear yard; the required rear yard for the lot is 12 feet, the applicant proposes to construct an addition that reduces the required rear yard for this single family lot to 6.2 feet. The variance is required because the proposal would not meet the requirements of SMC 23.42.112, Nonconformity to development standards.

Public Comment

The extended public comment period ended February 25, 2008. The Department received one comment letter suggesting that the variance(s) not be granted because the addition would present a scale of building inconsistent with the current character of the neighborhood. Comment letters, application documents, and associated materials may be found in the Land Use Application file, which is available for review at DPD's Public Resource Center (PRC), 700 Fifth Ave, Suite 2000 (<http://www.seattle.gov/dpd/PRC/LocationHours/default.asp>).

ANALYSIS - VARIANCE

As provided in SMC 23.40.020, variances from the provisions or requirements of Seattle Municipal Code Title 23 shall be authorized only when all of the facts and conditions stated in the numbered paragraphs below 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;

The applicant is seeking to expand a legal nonconforming single family house. The subject property is unusual due to a smaller size than nearby properties, smaller than minimum lot area dimensions in the Single Family zone (SF 5000), and smaller in width and depth than the majority of homes within a 600 foot radius of the subject site. The lot size is a preexisting condition not created by the owner. The rear yard is 2.7 feet in depth from the rear property line, whereas the required rear yard is 12 feet. The west side yard is also nonconforming to development standards at 4.6 feet when the requirement is for a width of 5 feet.

This parcel is similar to approximately 20 percent of properties within 600 feet of the site, in that it contains less than 3,000 square feet in land area. The subject site is also limited in that it is not adjacent to an alley. If the site were adjacent to an alley, as is the case for several of the surrounding platted blocks, the alley could be used for the purposes of measuring some of the required yard area.

A rectangular lot of 5,000 square feet would have a building area of 3,600 square feet once the yards were subtracted from the lot size, which provides 72 percent of buildable area. The project site has only 3,000 square feet of lot area and when the required yards are applied to this lot the buildable area is only 1,120 square feet, or 37 percent of the lot area. Placing development standards intended for a larger parcel on a smaller lot would deprive the subject site of expansion privileges allowed in the same 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;

Plans indicate that the proposed variance for the building addition is minor. The applicant proposes to add 525 square feet in area above the northwestern-most portion of the existing structure. The proposed upper level addition would setback from the 2.7 foot rear yard to a total of 6.2 feet, minimizing the newer bulk and scale of the addition.

The proposed upper story addition will provide a master bedroom and bathroom to the existing residence. The main floor would include a guest bedroom, two offices, living room, dining room, kitchen, and bathroom. The below-grade portion of the residence includes approximately 330 square feet of finished basement area, crawl space and a single vehicle garage.

The style of the addition is in keeping with the existing architecture and takes into account the surrounding context in relation to scale and character of the neighborhood. The design along West Armour Street applies a pitched roof, and gabled forms and dormers to further relate to the surrounding architectural context.

Only 4 parcels within 600 feet of the site are the same size as the subject site, and each of those four parcels have an average of 1,485 square feet of development on-site. According to the applicant's plan documents, the proposal would increase the total area of on-site development to 1,375 square feet – below the average of similarly sized developed properties in the surrounding vicinity.

The building area is warranted and would not go beyond the minimum necessary to afford relief. It does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and 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;

The proposed upper story addition extends approximately 6 feet into the required 12 foot rear yard, for a total proposed development area in the rear yard of 146 square feet. The height of the addition will extend to 29.1 feet in height. Several buildings in the immediate vicinity are two story structures, including the structures immediately north and west of the subject site.

The proposed building addition would include sets of windows on each elevation of the building. The windows would create some impact to the privacy of the adjacent lots, but the height of the windows proposed and the area between each structure, most notably the residence to the north, would provide some separation (approximately 20 feet).

No detrimental impacts to public welfare are anticipated beyond short term construction-related impacts, which do not warrant further mitigation. The granting of the variance for the addition is not anticipated to be materially detrimental to the public welfare or injurious to properties in the 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 proposed building addition would be located within the footprint of the existing residence. The applicant has stated in submitted materials that locating the addition over areas other than the northern half of the structure would be structurally unsound and economically infeasible. The northern half of the existing structure is built on a concrete foundation which will support an upper level addition. Strict application of the requirements of the Land Use code would result in a significant reduction in the design, flexibility, size, and massing of the structure in addition to creating structural design challenges. Therefore, literal interpretation of the requirements of the Land Use Code would result in undue hardship to the applicant.

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

The applicant is seeking two variances, that, if granted would allow the expansion of a legal nonconforming single family home. The applicant proposes to add a second story addition above the northern half of the existing single story structure. Currently, the existing structure has a rear yard of 2.7 feet when the required rear yard is 12 feet. The addition would setback above from the existing rear yard to 6.2 feet. The proposed addition will maintain (not increase) the existing nonconformity of the west side yard.

The request for a variance is due to the small lot size and lack of an alley. This variance application seeks to provide flexibility for a minor modification to add building area in a situation constrained by past platting actions. The proposal for an enclosed building addition is consistent with the spirit and purpose of the Land Use code and adopted Land Use Comprehensive Policies as applicable, and as conditioned below.

DECISION - VARIANCE

Based on the above findings and analysis, all of the facts and conditions stated in the numbered criteria of SMC 23.40.020, *Variances*, are found to exist. The requested variance is **APPROVED**.

Signature: _____ (signature on file) _____ Date: August 18, 2008
Catherine McCoy, Land Use Planner
Land Use Services, Department of Planning and Development

CRM:lc

I:\McCoyCA\DOC\Decisions\Variance\3008518_SF_830W ArmourST\3008518_830W ArmourST.doc