



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

Application Number: 3009233
Applicant Name: Mark Travers
Address of Proposal: 10346 Rainier Ave South

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a detached 570 sq. ft. 2-car garage in the required front yard.

The following approvals are required:

Variations - To allow parking for two vehicles in a required front yard.
(SMC 23.44.016.D.10.b and SMC 23.44.016.D.12)

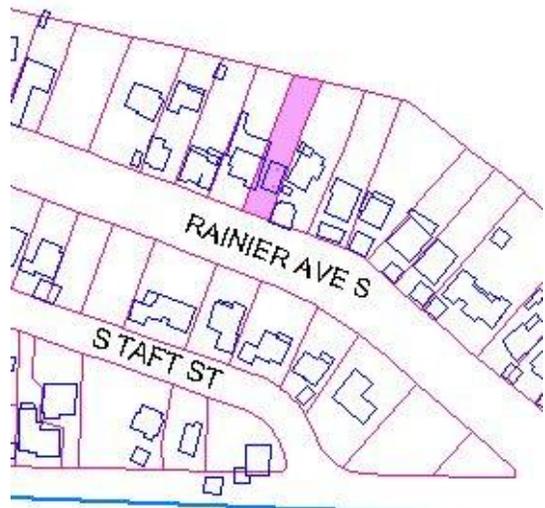
SEPA DETERMINATION: Exempt DNS MDNS EIS
 DNS with conditions
 DNS involving non-exempt grading, or demolition,
or another agency with jurisdiction.

BACKGROUND DATA

Site and Vicinity Description

The subject site is located on a waterfront lot on Rainier Avenue South near the southern Seattle City Limits. A map of the site is provided below.

The site is zoned Single Family 5000 (SF 5000), and is also located within the Urban Residential Shoreline Environment (UR).



Surrounding properties are also zoned SF 5000, and are developed consistent with the single family residential zoning. Rainier Avenue South is a principal arterial adjacent to the site, and is developed with curbs and sidewalks.

Proposal Description

The proposal is for a two-car garage accessory to an existing single family residence. The proposed garage measures 22 feet deep by 24 feet wide (528 sq. ft.), and is located almost entirely in the front yard. The garage door will face Rainier Ave. S. The area where the garage is located is relatively flat and has been used for parking.

Public Comments

The initial public comment period for this project began on June 19, 2008 and ended on July 2, 2008. One comment letter was received.

ANALYSIS - VARIANCES

Pursuant to SMC 23.40.020 C, variances from the provisions or requirements of this Land Use Code shall be authorized when all the facts and conditions listed below are found to exist. Analysis of the variance(s) requested follows each statement of the required facts and conditions, below.

The following variances from development standards have been requested:

Parking for vehicles is generally prohibited in required front yards in single family zones, except under specific circumstances described in the code (none of which apply here). Per SMC 23.44.016.D.10.b, parking for one vehicle may be located in a required front yard if there is: "... a vertical drop of at least 20 feet in the first 60 feet." According to the plans, the site has been previously graded and a retaining wall constructed 23'- 9" north of the street lot line. The existing paved, level area in the front yard does not meet the vertical drop requirement, and the applicant has requested a variance from this standard to allow parking in the front yard. Per SMC 23.44.016.D.12, parking for *two* vehicles may be located in a required front yard if (in addition to meeting D.10, above) it is found that: "... uninterrupted parking for 24 hours is prohibited on at least one side of the street within 200 feet of the lot line over which access is proposed." This condition does not exist for the subject property. The applicant has requested a variance from this standard, to allow parking for *two* vehicles in the front yard.

- 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 subject property is a waterfront lot with street frontage along Rainier Ave. S. The lot is 39 feet wide, with a side yard of five feet on the east and ten feet on the west. The house to the west (10342 Rainier Ave. S.), encroaches about three feet onto the subject property for a length of about 40 feet. This encroachment into the subject property's west side yard reduces the usable

area of the site. The wall-to-wall dimension between the two houses is about six feet. The subject residence is located about 35 feet from Rainier Ave. S., but only the first 23'-9" has been graded and leveled. The location and configuration of the existing development including the existing residence and retaining walls, as well as the encroachment of the neighbor's house, together with the topography, are unusual conditions applicable to the subject property that allow no alternative location for parking that would meet code standards without variance relief. Front yard parking, including garage parking, is enjoyed by other properties in the vicinity. The strict application of the Land Use Code would deprive the applicant of front yard garage parking which is enjoyed by many neighbors. This criterion is met for both variances.

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***

Aerial photos of the neighborhood demonstrate that parking of multiple vehicles in the front yard is a very common circumstance for waterfront lots along this section of Rainier Ave. S. Some of this parking is open, and some is located within garages. This department has previously granted variances for front yard parking for more than one vehicle in the vicinity of this site. Granting variance relief for a detached two-car garage in the front yard would not constitute a special right or privilege that is inconsistent with rights and privileges enjoyed by other properties in the vicinity and zone.

The proposed, unheated garage measures 24 feet wide by 22 feet deep. The garage door faces Rainier Ave. S., and a person-door is located on the rear (northern) façade. Parking space standards found in the Land Use Code at SMC 23.54.030.A provides for small, medium and large spaces, with a large space measuring a minimum of 8.5 feet wide by 19 feet deep. Additional space is needed for garage parking to allow for opening of car doors, maneuvering around the vehicles when the garage doors are closed, and clearance for the person-door. At only 528 sq. ft., the proposed garage is adequate to accommodate two vehicles, but is not excessively large. Due to the development constraints described above (in response to criterion No.1), the requested variances do not exceed the minimum necessary to provide for parking that has similar characteristics to other parking garages in the immediate 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; and***

The granting of the requested variances will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or vicinity, since it will allow for the continuation of the existing front yard parking at this location.

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***

The literal and strict application of the Land Use Code would prevent the applicant from enclosing their parking, and therefore deny them the use of a two-car garage as enjoyed by many

other property owners in the vicinity. Denial of the requested variances would result in undue and unnecessary hardship.

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

The requested variances are consistent with the spirit and purpose of the Land Use Code regulations for single family zones (in particular the requirement for onsite parking for single family residences) for the reasons given in the foregoing analysis.

DECISION - VARIANCES

Variances to allow parking for two vehicles in a required front yard (SMC 23.44.016.D.10.b and SMC 23.44. 016.D.12) are **GRANTED**.

VARIANCES – CONDITIONS

None.

Signature: _____ (signature on file) Date: February 17, 2011
Molly Hurley, Senior Land Use Planner
Department of Planning and Development

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