



City of Seattle

Department of Planning and Development  
Diane Sugimura, Director

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

**Application Number:** 3010987  
**Applicant Name:** Ken Sommers  
**Address of Proposal:** 5738 East Green Lake Way N

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow a detached 576 sq. ft. 2-car garage with a workshop basement in the required front yard.

The following approvals are required:

**Variance** - To allow parking for two vehicles within a detached garage with a workshop basement in a required front yard pursuant to Seattle Municipal Code (SMC) 23.40.020.

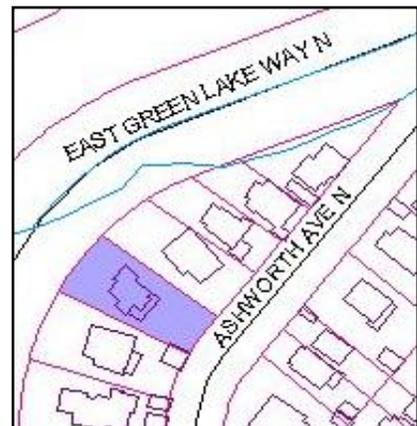
**SEPA DETERMINATION:**  Exempt  DNS  MDNS  EIS  
 DNS with conditions  
 DNS involving non-exempt grading, or demolition, or another agency with jurisdiction.

**BACKGROUND DATA**

Site and Vicinity Description

The subject site is a through lot addressed on East Green Lake Way N, with additional street frontage on Ashworth Ave N near Green Lake. A map of the site is provided.

The site is zoned Single Family 5000 (SF 5000), and is mapped as an Environmentally Critical Area (liquefaction prone and steep slope >= also located within 40%).



Surrounding properties are also zoned SF 5000, and are developed consistent with the single family residential zoning. East Green Lake Way N, a secondary arterial adjacent to the site, is developed with curbs and sidewalks. The Ashworth Ave N right of way is also developed with curbs and sidewalks.

### Proposal Description

The proposal is for a detached two-car garage with a basement workshop, accessory to an existing single family residence. The proposed garage measures 24 feet deep by 24 feet wide (576 sq. ft.), and is located almost entirely in the front yard abutting Ashworth Ave N. The garage door will face Ashworth Ave N. The area where the garage is located slopes down from the street.

### Public Notice and Comment Period

Public notice of the project application was given on March 31, 2011 and the comment period ended on April 13, 2011. The Land Use Application file is available for review at the Public Resource Center located at 700 5<sup>th</sup> Ave, Ste 2000 (<http://seattle.gov/dpd/PRC/LocationHours/default.asp>).

### 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 grade only drops only 7 feet in the first 60 feet. The existing 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 exist for the subject property. The applicant has requested a variance, 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 through lot with street frontage along East Green Lake Way N and Ashworth Ave N. The lot is 74 feet wide along East Green Lake Way N and reduces to 50 feet wide along Ashworth Ave N, with a median depth of approx. 152 feet. The subject residence is located about 40 feet from East Green Lake Way N and about 68 feet from Ashworth Ave N. The vertical drop from the street and the existing location of the residential structure — as well as the pattern of vehicle parking for neighboring houses — 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***

Information provided by the applicant and aerial photos of the neighborhood demonstrates that parking of multiple vehicles in the front yard is a very common circumstance for through lots along this blockfront of Ashworth Ave N. Some of this parking is open, and some is located within garages. 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 24 feet deep. The garage door faces Ashworth Ave N. 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 and maneuvering around the vehicles when the garage doors are closed. At only 576 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 vehicle parking in the existing front yard 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**

Variance to allow parking for two vehicles within a detached garage with a workshop basement in a required front yard is **GRANTED**.

**VARIANCES – CONDITIONS**

None.

Signature: (signature on file) Date: May 9, 2011  
Colin R. Vasquez, Senior Land Use Planner  
Department of Planning and Development