



City of Seattle

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Department of Planning and Development  
D. M. Sugimura, Director

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

**Application Number:** 3014309  
**Applicant Name:** Julie LeDoux  
**Address of Proposal:** 1238 Northeast 102<sup>nd</sup> Street

**SUMMARY OF PROPOSED ACTION**

Land Use Application to subdivide one parcel containing two existing single family residences into two parcels of land. Proposed parcel sizes are 3,372 square feet and 3,109 square feet. Existing carport to be removed.

The following approval is required:

**Short Subdivision – Multiple single family dwelling units on a single family lot.**  
To divide one existing parcel into two parcels of land (SMC Chapter 23.24.046)

**BACKGROUND DATA**

Zoning: Single Family 5000 (SF 5000).

Uses on Site: Two single family residences.

Substantive Site Characteristics:

The rectangular shaped lot totals 6,380 square feet. The site fronts NE 102<sup>nd</sup> Street midway between 12<sup>th</sup> Avenue NE on the west and 15<sup>th</sup> Ave. NE on the east. The lot has a total of 44 linear feet of frontage on NE 102<sup>nd</sup> St and a depth of approximately 146'. Two single family structures occupy the lot. One sits at the southern portion of the site set back approximately 24 feet from the front property line. The second structure lies near the rear property line on the site's northern portion. The site terrain descends approximately 12 feet from the south to the north. The property does not contain an environmentally critical area.

Public Comment: DPD received several comment letters in addition to several calls. The communication focused on the preservation of the mature trees on site and formation of undersized lots with the possibility that future construction of two large houses will negatively impact the neighbors. One tree, a Pink Silk (*Albizia julibrissin*), originally misidentified as an Ash, may qualify as an exceptional or heritage tree.

**ANALYSIS - SHORT SUBDIVISION—Multiple single family dwelling units on a single family lot.**

Pursuant to SMC 23.24.046, the following code criteria will determine if a lot with multiple dwelling units can be short platted.

A. *The provisions of this section apply exclusively to the short subdivision of a lot in a single-family zone containing more than one (1) existing single-family dwelling unit.*

Currently there are two residential structures on the lot, each permitted to be a single family residence.

B. *A lot in a single-family zone containing more than one (1) existing single-family dwelling unit may be divided in accordance with this chapter as long as each of the following conditions is satisfied:*

1. *Each existing single-family dwelling unit was legally established by permit or is eligible to be established as a nonconforming development in accordance with Section 23.42.102, Establishing nonconforming status;*

The houses were constructed approximately in 1948 and 1952 per King County tax records.

2. *Each existing single-family dwelling unit was constructed prior to February 20, 1982*

The structures containing the dwelling units were constructed prior to February 20, 1982.

3. *Each resulting lot has one (1), but no more than one (1), existing single-family dwelling unit;*

The proposal is for only one single family dwelling unit on each lot.

4. *Parking is provided in accordance with Section 23.44.016, Parking location and access, unless the Director determines that at least one (1) of the following conditions is present:*
  - a. *Providing parking accessory to an existing single-family dwelling unit is undesirable or impractical because of the location of an environmentally critical area, existing drainage patterns, natural features such as significant trees, or access to a resulting or adjacent lot; or*
  - b. *The short subdivision cannot be configured to provide parking in compliance with Section 23.44.016; If the Director determines that at least one (1) of the foregoing conditions is present, the Director may waive or modify the parking requirements of Section 23.44.016 as long as the short subdivision does not reduce the number of off-street parking spaces existing prior to the short subdivision. In connection with such waiver or modification, the Director may require access and parking easements as conditions of approval of the short subdivision; and*

The site is configured to add a second parking space so that each lot will have one parking space as is typically required of short plats approved under SMC 23.24.046.

5. *Each resulting lot conforms to all other development standards of the zone unless the Director determines that the short subdivision cannot be approved if such standards are strictly applied and modification or waiver of some or all of such standards would further the public interest. If the Director makes such determination, then the Director may waive or modify development standards, provided that:*
  - a. *Each existing single-family dwelling unit shall be set back at least three (3) feet from each common lot line in the short subdivision; and*
  - b. *No resulting lot shall be smaller than one thousand eight hundred (1,800) square feet.*

The proposal meets a. and b. above as “a.” applies to the proposed lot line and is therefore eligible to receive development standard waivers for the non-conforming yards that will be created or maintained. Each proposed lot cannot meet the single-family development standards in that the existing buildings do not anticipate the current development standard requirements. The City of Seattle provides opportunities for various housing types and ownership configurations. Short plats are one such vehicle to provide home ownership. It furthers the public interest to waive any applicable Seattle Municipal Code development standards.

- C. *Structures on lots for which the Director has waived or modified development standards according to subsection B of this section will be treated as nonconforming and be subject to Section 23.42.112.*

#### Summary - Short Subdivision

Based on information provided by the applicant, referral comments from DPD, Water (SPU) (WAC 20110201), Fire Department (SFD), Seattle City Light (SCL), and review by the Land Use Planner, the above-cited criteria have been met. This short subdivision can be provided with public and private utilities and access (including emergency vehicles). Adequate provisions for drainage control, water supply and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions if any are needed. The existing structures are proposed to remain. No tree removal is proposed or anticipated as a result of this plat; therefore the plat maximizes the retention of trees. The proposal is compliant with SMC 23.24.046. The public use and interest are served by the proposal since all applicable criteria are met and the proposal creates the potential for additional housing ownership opportunities in the City.

#### **DECISION - SHORT SUBDIVISION**

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

#### **CONDITIONS - SHORT SUBDIVISION**

Conditions of Approval Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Unless otherwise approved by Seattle Public Utilities, demonstrate that each lot has its own water meter.
2. Comply with City Light requirements for an easement.

Signature: \_\_\_\_\_ (signature on file) \_\_\_\_\_ Date: February 7, 2013  
Bruce P. Rips, Sr. Land Use Planner  
Department of Planning and Development

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