



City of Seattle

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: 3014971
Applicant Name: Eric Roberson
Address of Proposal: 2222 East McGraw Street

SUMMARY OF PROPOSED ACTION

Land Use Application to allow an attached one-car garage in the required front yard of an existing single family residence.

The following approvals are required:

Variance – to allow parking in the required front yard. SMC 23.44.016.D.2

Variance – to allow a portion of the principle structure in the required front yard.
SMC 23.44.014 D.

SEPA DETERMINATION: Exempt DNS MDNS EIS

DNS with conditions

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

BACKGROUND DATA

Site and Vicinity

The site is located just west of 24th Avenue E, a few blocks south of the Montlake Blvd/SR 520 interchange. The site is zoned Single Family 5000 (SF 5000). The lot is approximately 5,000 square feet in size, rectangular in shape, and relatively flat. Similar single-family properties are located to the west, north and south, with a mix of residential and commercial properties along 24th Avenue E to the east. The Montlake Branch of the Seattle Public Library borders the site to

the east. Zoning around the site is predominantly SF 5000, with a small area of Neighborhood Commercial 1 (NC1-30) to the southeast.

The existing structure is a 1,306 square foot single-family residence on one level. Parking currently occurs on a concrete pad in the front yard. The house is set 13 degrees off of parallel from the property lines; the southwest corner of the house is approximately eight feet closer to the front property line than is the southeast corner. The site is not adjacent to an alley.

Description of Proposal

The applicant proposes to construct a four foot addition to the front of the existing building, and to add a new second floor. The four foot addition would include a one-car garage. As proposed, a portion of the garage would be located in the front yard. This proposal requires two variances from the Land Use Code: to allow parking in the required front yard, and to allow a portion of the principal structure in the required front yard.



for illustrative purposes only

Public Comment

Notice of the proposal was issued on March 20th, 2013. One comment letter was received, expressing concerns about loud late-night parties at the residence.

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;***

As noted above, the existing house is situated at a noticeable angle to the property lines. The lot does not abut an alley; all vehicle access must be taken from East McGraw Street. Historically, access to the rear yard was provided across the adjacent property to the east, connecting to 24th Avenue E. Redevelopment of this adjacent site several years ago eliminated this access. The siting of the house blocks access to both the rear and the east side of the property from East McGraw Street.

Most neighboring single-family structures have at least one on-site parking space. One such space also is required by the Land Use Code for properties over 3,000 square feet in this zone.

For these reasons, the strict application of the Land Use Code under these conditions would prevent the enjoyment of normal land use 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;***

The proposed garage is situated such that it is immediately adjacent to the western site yard, without encroaching into that side yard. The encroachment into the front yard is the minimum necessary to accommodate the proposed garage on the site. The dimensions of the garage are typical (20' x 10'); the garage would not be unreasonably large. The proposed addition 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 variance would allow one parking space in the required front yard, and would allow a portion of the principal structure to extend into the front yard. The proposed redevelopment would remove the existing concrete pad from the front yard, reducing the visual impact of on-site parking to neighboring properties. The granting of the variance for the proposed parking space is not anticipated to 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.

- 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;***

Removal of the existing parking pad in the front yard would eliminate current on-site parking for the residence, a loss which would cause practical difficulties if the parking were not relocate on-site. Due to the lack of an alley and the unusual orientation of the residence to the property lines, providing a parking stall that meets Land Use Code requirements would require the residence to be reoriented on the site, causing undue hardship.

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

The Land Use Code provides for a variance process for relief from unusual conditions and situations that the rules of the Code could not anticipate. At the same time, the spirit and intent of the Land Use regulations is to provide development compatible with environmental constraints, land development patterns, and existing neighborhood character.

The request for a variance is based on the unusual orientation of the house to the property lines, and to the lack of an alley providing access to the rear of the property. This variance application seeks to allow a one-car garage on the site without major structural modifications. On-site parking, typically in garages, is common for single-family residences in this area, and is required by Land Use Code development standards.

The proposed variance for a parking space in the required front yard is consistent with the spirit and purpose of the Land Use Code regulations for the area.

DECISION - VARIANCE

Variances to allow parking in the required front yard and a portion of the principal structure in the required front yard are **APPROVED**.

CONDITIONS – VARIANCE

None.

Signature: _____ (signature on file) Date: September 5, 2013
John Shaw, Senior Transportation Planner
Department of Planning and Development

JS:bg

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