



## 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

**Project Number:** 3015024  
**Applicant Name:** John Benavente for Trevor Johnson  
**Address of Proposal:** 8336 Mary Ave NW

#### **SUMMARY OF PROPOSED ACTION**

Land Use Application to subdivide one parcel containing two single family residences into two parcels of land. Proposed parcel sizes are: A) 4,227.5 sq. ft. and B) 2,125.2 sq. ft. Existing structures to remain.

The following approval is required:

**Short Subdivision** - to subdivide one existing parcel into two parcels of land.  
(Seattle Municipal Code (SMC) Chapter 23.24)

#### **BACKGROUND INFORMATION**

Zoning: Single Family 5000 (SF5000)

Uses on Site: Two single family residences.

#### **Site Description**

This 6,352.7 square foot (sq. ft.) project site is located in a Single Family (SF5000) zone in the northwest area of the City of Seattle in the Ballard neighborhood. The parcel is located on the east side of Mary Avenue Northwest one-half block south of Northwest 85<sup>th</sup> Street. Two existing single family residences are located on the site.

Vehicular access to the site is via Mary Avenue Northwest which is an improved non-arterial street with a paved roadway, with curbs, gutters, street trees and sidewalks.

The topography of the site is nearly flat. Existing vegetation consists of grass, shrubs and some mature trees. The subject property is not located within any identified or designated Environmentally Critical Areas (ECA).

Surrounding property to the south and north also zoned SF5000. Existing development in the area consists of single family homes varying in age and architectural style on a variety of lot sizes.

### Proposal

The proposal is to subdivide one parcel of land into two parcels. Proposed parcel sizes are indicated in the summary above. Proposed Parcels A and B will have direct vehicular and pedestrian access to Mary Avenue Northwest.

The subject of this analysis and decision is restricted to the proposed division of land.

### Public Comment

The required public comment period for this project ended on May 1, 2013 but was extended to May 15, 2013 at the request of a neighbor. DPD received several written comments regarding this proposal.

### **ANALYSIS – SUBDIVISION**

General short subdivision standards: Pursuant to SMC 23.24.040, the Director shall, after conferring with appropriate officials, use the following criteria to determine whether to grant, condition, or deny a short plat:

1. *Conformance to the applicable Land Use Code provisions, as modified by this chapter;*
2. *Adequacy of access for pedestrians, vehicles, utilities and fire protection as provided in Section 23.53.005, Access to lots, and Section 23.53.006, Pedestrian access and circulation;*
3. *Adequacy of drainage, water supply and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of Section 25.09.240, Short subdivisions and subdivisions, in environmentally critical areas;*
6. *Whether the proposed division of land is designed to maximize the retention of existing trees;*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouse, rowhouse, and cottage housing developments as permitted in Single-Family, Residential Small Lot, and Lowrise zones and for single-family dwelling units in Lowrise zones, or any combination of the above types of residential development, as permitted in the applicable zones; and;*
8. *Conformance to the provisions of Section 23.24.046, Multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two or more lots from one lot with more than one existing single-family dwelling unit.*

Pursuant to SMC 23.24.046-B5, the structures on the proposed lots will not meet all applicable development standards for single-family zoning. Pursuant to SMC 23.24.046-B5 each resulting lot will conform 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 proposed subdivision will be in concurrence with the above criteria (23.24.046-B5(a)(b)). The single-family dwellings will not be closer than 3 feet to any proposed common lot line. The smallest lot size of the proposed parcels is 2,125.2 square feet (parcel B). As a result, the proposed lots meet the criteria for waiver or modification of the development standards. DPD recognizes the two existing single-family dwellings as meeting the provisions of SMC 23.24.046-B1, 2, and 3.

This short subdivision was submitted on the basis of SMC 23.24.046, which allows for a lot in a single-family zone containing more than one (1) existing single-family dwelling unit to be divided in accordance with SMC 23.24.046-B, as long as each of the required conditions are satisfied. The analysis of the required criteria and or modification is examined in the relevant criteria for short plat approval above.

#### Conclusion

DPD permit records show both structures established as single family residences. The applicant provided a copy of the permit history for both houses. Seattle Building Permit No. 8405383, originally applied for in 1984 was completed in 2013 under permit No. 6351438 issued in February 1, 2013 that established two residential uses.

It appears that, although these proposed parcels are non-conforming to some of the development standards, the intent of the ordinance allowing subdivision of two houses on one single family zoned lot was clearly intended for short plats similar to this one.

9. *Every lot except unit lots and lots proposed to be platted for individual live-work units in zones where live-work units are permitted shall conform to the following standards for lot configuration, unless a special exception is authorized under subsection 23.24.040.B:*
  - a. *If a lot is proposed with street frontage, then one lot line shall abut the street for at least 10 feet; and*
  - b. *No lot shall be less than 10 feet wide for a distance of more than 10 feet as measured at any point; and*
  - c. *No proposed lot shall have more than six separate lot lines. The lot lines shall be straight lines, unless the irregularly shaped lot line is caused by an existing right-of-way or an existing lot line; and*

- d. *If the property proposed for subdivision is adjacent to an alley, and the adjacent alley is either improved or required to be improved according to the standards of Section 23.53.030, then no new lot shall be proposed that does not provide alley access, except that access from a street to an existing use or structure is not required to be changed to alley access. Proposed new lots shall have sufficient frontage on the alley to meet access standards for the zone in which the property is located.*

Conclusion

Based on information provided by the applicant, referral comments from DPD and other City Departments, and review and analysis by the Land Use Planner, the above criteria have been met. The short subdivision meets all minimum standards or applicable exceptions set forth in the Land Use Code. This short subdivision will provide pedestrian and vehicular access (including emergency vehicles), and public and private utilities. Adequate provisions for drainage control, water supply and sanitary sewage disposal will be provided for each lot and service is assured, subject to standard conditions governing utility extensions. The proposed plat maximizes the retention of existing trees. 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 opportunities in the City.

**DECISION –SHORT SUBDIVISION**

The proposed Short Subdivision is **GRANTED**.

**CONDITIONS**

None required.

Signature: \_\_\_\_\_ (signature on file) Date: June 17, 2013  
Marti Stave, Senior Land Use Planner  
Department of Planning and Development

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