



**City of Seattle**  
Edward B. Murray, Mayor

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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 Numbers:** 3018638

**Applicant Name:** Sara Wise, for Lara Papadakis

**Addresses of Proposal:** 473 McGraw Street

**SUMMARY OF PROPOSED ACTION**

Land Use Application to allow the construction of a new front porch and open architectural frame above the garage façade of an existing single family home.

The following approvals are required:

**Variance** - To allow the expansion of a non-conforming structure (front porch) of an existing single family home to extend into a required front yard (Seattle Municipal Code Section 23.44.014.A.1). *Requirement: The front yard depth shall be 20 feet, or, by allowable formula, 14.8 feet - Proposed: principal structure with enlarged covered porch to encroach 14.25 feet into required front yard*

**Variance** – To allow an architectural open-frame feature, above the garage opening [compositionally tying the garage and dwelling together,] to encroach into a required front yard (Seattle Municipal Code 23.44.016.D.1)

**BACKGROUND DATA**

Subject Site and Vicinity

The subject property is zoned Single Family-5000 (SF-5000). It is a rectangular-shaped lot, approximately 116 feet along its street side and 50 feet in depth, bounded on the north by McGraw Street and on the east by the steep hillside of the Northeast Queen Anne Greenbelt controlled by the City of Seattle Department of Parks and Recreation. It is bounded on the west and south by existing residential structures.

The total site area is approximately 6,555 square feet. From the high point on the lot to the right-of-way of Aurora Avenue N., the land drops approximately 146 feet. The eastern third of the lot, a part of the steep slope area, drops rather precipitously some thirty feet from the high portion of the lot on which the house is constructed to the east property line. All improvements are crowded onto the western portion of the site.

The lot is currently occupied by a single-family residence built in 1919, which sits 10.2 feet from the front property line. A garage, at street level, slightly proud of the front façade of the house and extending to less than 2 feet from the west property line is an addition dating from the 1930s, to which an additional floor was added at still a later date, 1958.

The house has an existing flat canopy, suspended by chains, situated above the front, entry door. It sits too high above the door and is too small to offer shelter from the weather for anyone on the entry stoop. It provides inadequate protection for the door itself which shows significant damage from wind-driven rains.

### Proposal Description

The applicant proposes to demolish an existing entrance canopy and to construct a covered front porch for an existing single-family residence within the north, front yard portion of the site and to add a horizontal open-framed, trellis-like architectural feature across the top of the garage which would conceptually tie the afterthought of a garage and flat-roofed floor above more compositionally and conceptually to the house itself. The applicant is requesting variances to allow a new front porch attached to the non-conforming single-family residence which would extend into the required front yard and to allow an open-framed, trellis-like architectural feature sitting on two support brackets likewise to extend into the required front yard. Per SMC 23.44.014 the Code requirement for the front yard abutting McGraw Street is twenty feet from the McGraw Street property line, or the average of twenty feet plus the setback of the neighboring house to the west, which is 14.8 feet.

### Public Comment

Several comment letters were received during the official comment period that ended on March 11, 2015. All the letters expressed approval of the proposed improvements and of the grant of the variances to provide for their construction. Several of the writers noted that, in addition to failing to provide any real protection from the weather at the entry, the existing porch canopy was “awkward” and notably inconsistent with the architectural character of the house in question. It was noted by neighbors favoring the granting of the variances that the existing non-traditional excrescence to the façade redounded negatively on all the neighboring houses in the block and its replacement would benefit the entire neighborhood.

**ANALYSIS – VARIANCE to allow a portion of a single-family residence (covered front porch) to project into the required front yard**

Variances from the provisions or requirements of the Land Use Code shall be authorized only when all of the following facts and conditions 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; and*

The subject property is not unusual in shape or size, but there are situational features of the lot as it is oriented to the street worth further consideration. The rectangular lot measures approximately fifty-seven feet in depth as measured from the street with 115 feet of street frontage. Approximately one third of the lot along its eastern property line lies within steep-slope, landslide prone Environmentally Critical Areas. While the existing single-family structure predates any environmentally critical areas ordinance, the desire to move the structure away from the precipitous slope on the east side undoubtedly weighted a decision to remove the bulk of the structure towards the east property line, and with the construction of the garage, provide vehicular access at the more stable side of the lot, even if that meant encroaching near the neighbor's east property line. The orientation of the structure to the street and within the western portion of the site resulted is a structure located on the lot practically without and rear yard and with diminished front yard. Existing yard requirements were dictated by changes in the Code subsequent to construction of the house in 1919. The house, attached garage and existing covered porch, while legally non-conforming, are located within the required front yard. Construction of the proposed new porch, which would provide shelter against the elements and offer a modicum of protection to the door and to those who would wait at the door, would require a platform and cover of increased dimensions. Photos and graphical studies supplied by the applicant show many other homes on the same block and others in the vicinity where porches sit as close or closer to the street than the applicant's proposal. The strict application of the Code in this instance would deprive the property of rights and privileges enjoyed by other properties 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; and*

The applicant is requesting the encroachment of a portion of a single-family residence into the required front yard in order to construct a front porch that will mark entry, offer a threshold and transition from the public street into the private domain of dwelling, and afford the relief of protection from rain and inclement weather. The proposed location of the new addition does not go beyond a reasonable minimum necessary to afford relief and does not appear to constitute a grant of special privilege, as demonstrated by the applicant, nor would it be inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is located.

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 proposed addition to the single family structure which already encroaches into the front yard does not infringe on any significant or protected public views nor will it obstruct neighbors' views. In addition, it re-enforces an established residential pattern on the lots in the same block and vicinity that are without conforming front yards. Letters from neighbors to the project affirm that the demolition of the existing porch canopy and the construction of a more traditional porch and shown in plans accompanying the proposal will enhance the neighborhood character. No detriment to the public welfare or injury to the property or improvements in the zone or vicinity is likely to occur by granting the requested variance.

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;*

A site review of the subject property and both the immediate and extended vicinity, photo evidence of prevailing patterns of porches in the immediate neighborhood and vicinity, plans showing the proposed new front porch and its location, as well as site plans indicating the alignment of adjacent and surrounding residences, indicate that the proposed porch addition would provide a reasonable fit with the neighborhood and vicinity. The literal interpretation and the strict application of the applicable front yard requirement would cause practical difficulties for the full realization of development of this residential lot. While it might be theoretically possible to design a porch on the lot where placement would not require a variance from the Land Use Code, for instance, by repositioning the principal entry to the east side of the structure, re-designating such an alternative covered entry would require significant revisions to normal floor plans, the functional layout of the domestic realm, as well as to the expectations of established custom. Furthermore, such radical displacement of the entry and porch would be injurious to the neighborhood character and the expectations and wishes of the neighbors.

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

The purpose of the Land Use Code is to protect and promote public health, safety and the general welfare through a set of regulations and procedures for the use of land which conforms to the City's land use policies. It is the responsibility of the City to preserve and protect areas that are currently in predominantly single-family residential use. The construction as proposed is in keeping with the character and patterns of surrounding development and preserves the existing neighborhood character. Regarding environmental impacts, the removal of the existing porch structure and the construction of a new, more traditional porch will occur over the more environmentally stable portion of the lot and involve little impact on the earth, while providing a positive benefit to the existing neighborhood. Any impacts resulting from this small construction project are relatively minimal and consistent with construction impacts of single-family structures within established single-family neighborhoods. No adverse effects on adjacent properties in the area are anticipated and the public interest will not suffer as a result of this variance.

**DECISION - VARIANCE to allow a portion of a single-family residence (covered front porch) to project into the required front yard**

The request for a variance to allow a new porch structure attached to the principal structure to extend further into the required front yard (Seattle Municipal Code Section 23.44.014.C), as shown on the submitted plans for the project, is **APPROVED**.

The approved covered porch shall be built as proposed on Sheet A1.1 of the submitted plans accompanying this application.

**CONDITIONS - VARIANCE PORCH**

None.

**ANALYSIS – VARIANCE to allow an architectural feature (open frame structure above the attached garage) to project into a required front yard (SMC 23.44.016.D.1).**

The proposed horizontal, open architectural framework, running along the top of the flat-roofed room set above the garage, might be described as “trellis-like” or “arbor-like,” but would not appear to qualify as an “arbor” as regulated by SMC 23.44.014.D.16., and whose height and footprint size is restricted in required yards. By definition a trellis or an arbor are *landscape* structures, whether freestanding or attached to another structure. While it’s open, by-pass composition gives it a trellis-like appearance, the proposed device serves as an *architectural feature* of the structure, intended to aesthetically graft and to perceptively integrate the original, traditional vernacular style of the house to the modernist-appearing garage and featureless above-garage addition. Given that it is proposed to be built over the existing garage structure below, it does not function as a landscape structure/feature, despite its appearance, and the restricted footprint of SMC 23.44.014.D.16 does not apply.

Employing a relatively simple, open structure, consisting of a pair of rails supported by knee-brackets and topped with outriggers, varying in number and dimension, is a not uncommon architectural device to mark garage entries and to graft garage appendages of a later era into the predominant vernacular style of the house itself. One can find examples of these architectural devices over the entries of both single and double vehicle garages in the area.

The open framework of the proposed architectural feature is roughly 48 square feet in overall footprint, and approximately 38.3 square feet of this structure would not extend beyond the face of the garage below. The height of the feature is well within the allowed height of the zone, and the requested variance would be for the 9.7 square feet of structure that protrudes 5.25 inches, in places, beyond the front of the existing legally non-conforming garage into the required front yard.

Variances from the provisions or requirements of the Land Use Code shall be authorized only when all of the following facts and conditions 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; and*

The subject property is not unusual in shape or size, but there are situational features of the lot as it is oriented to the street worth further consideration. The rectangular lot measures approximately fifty-seven feet in depth as measured from the street with 115 feet of street frontage. Approximately one third of the lot along its eastern property line lies within steep-slope, landslide prone Environmentally Critical Areas. While the existing single-family structure predates any environmentally critical areas ordinance, the desire to move the structure away from the precipitous slope on the east side undoubtedly weighted a decision to remove the bulk of the structure towards the east property line, and with the construction of the garage, provide vehicular access at the more stable side of the lot, even if that meant encroaching near the neighbor's east property line. The orientation of the structure to the street and within the western portion of the site results in a structure located on the lot practically without and rear yard and with diminished front yard. Existing yard requirements were dictated by changes in the Code subsequent to construction of the house in 1919. The location of the house on the lot and location of the attached garage and garage-top addition, each added later, are nonconforming in terms of existing Code provisions. The unusual orientation of the lot to the street and the steep topography of the eastern third of the lot which have dictated earlier decisions regarding placement of structures on the lot are unusual conditions, not created by the owner, that limit the alternatives, both for providing adequate sheltered entry into the house and for softening the effect of the garage as perceived from the street. Because the entire front façade, which includes the garage portion proud of the house itself, already sits within the required front yard as dictated by current Land Use Code, any alteration consisting of any kind of expansion would require a variance. The addition of the trellis-like architectural feature above the protruding garage entry is an attempt to minimize the appearance of the garage located on the street-side of the house which is the intent of current Land Use Code provisions. The strict application of the Code in this instance would deprive the property of rights and privileges enjoyed by other properties 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; and*

The applicant is requesting the encroachment of a portion of a single-family residence into the required front yard in order to construct a front porch that will mark entry, offer threshold and afford the relief of protection from rain and inclement weather. Additionally, the applicant proposes the application of an architectural addition on the façade above the garage with a minimum open-frame design to better integrate the garage and upper floor addition to the house and reduce their perceptual dominance as perceived from the street. Only .26 square feet of the open-frame architectural feature would extend beyond the existing face of the garage. The proposed location of this addition does not go beyond a reasonable minimum necessary to afford relief and does not appear to 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.

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*

No detriment to the public welfare or injury to the property or improvements in the zone or vicinity is likely to occur by granting the requested variance for the proposed architectural feature. Given the width of the right-of-way, the narrowness of improved street and the absence of sidewalk, the improvements proposed are perceptually unobtrusive. The improvements are tight to the house and generally open (neither the entry canopy nor the architectural feature are enclosed structures) would have impact little or no existing impacts on views of neighbors. The No detriment to the public welfare or injury to the property or improvements in the zone or vicinity is likely to occur by granting the requested variance.

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;*

A site review of the subject property and of both the immediate and extended vicinity, as well as review of plans showing the proposed new entry porch with canopy and open-frame architectural feature extending above the face of the garage, each extending into the front yard, indicate that the proposed improvements space would enhance the fit of the existing structure into the neighborhood and vicinity. In the case of the expanded canopy and porch, the undue hardship and practical difficulties of prohibition without grant of a variance is possibly clearer—the inability to expand the cover of a porch means a failure to provide needed shelter from inclement weather and actual physical damage that is visited upon the door and doorway. The hardship of disallowing the aesthetic fix provided by the proposed architectural feature is less describable as a hardship in practical terms, they are especially given the steep upward slope of lots south and southwest of the site, located between Portage Bay Pl E. and Fuhrman Avenue E. The literal interpretation and the strict application of the applicable front yard requirement would cause undue hardship and practical difficulties for the full realization of single family development of this SF 5000 zoned residential lot.

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

The purpose of the Land Use Code is to protect and promote public health, safety and the general welfare through a set of regulations and procedures for the use of land which conforms to the City's land use policies. It is the responsibility of the City to preserve and protect areas that are currently in predominantly single-family residential use. The construction as proposed is in keeping with the character and patterns of surrounding development and preserves the existing neighborhood character. Any impacts resulting from this small construction project are relatively minimal and consistent with construction impacts of single-family structures within established single-family neighborhoods. No adverse effects on adjacent properties in the area are anticipated and the public interest will not suffer as a result of this variance.

**DECISION - VARIANCE to allow an architectural feature (open frame with brackets above attached garage) to project into a required front yard**

In making this decision the Director also makes the determination that the architectural feature proposed for above the garage is not a bower, lattice, arbor, or other landscape feature that may be subject to the limitations of SMC 23.44.014.D.16. No further variances regarding height or size of footprint or percentage of openness or minimum distance between crosspieces are warranted. The architectural feature shall be built as proposed on Sheet A1.1 of the submitted plans accompanying this application.

The request for a variance to allow an architectural feature (open frame above attached garage) to project into a required front yard (Seattle Municipal Code Section 23.44.014.C) is **APPROVED.**

**CONDITIONS - VARIANCE ARCHITECTURAL FEATURE ABOVE GARAGE**

None.

Signature: retagonzales-currenautabby for \_\_\_\_\_ Date: June 4, 2015  
Michael Dorcy, Senior Land Use Planner  
Department of Planning and Development

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**IMPORTANT INFORMATION FOR ISSUANCE OF YOUR MASTER USE PERMIT**

Master Use Permit Expiration and Issuance

The appealable land use decision on your Master Use Permit (MUP) application has now been published. At the conclusion of the appeal period, your permit will be considered “approved for issuance”. (If your decision is appealed, your permit will be considered “approved for issuance” on the fourth day following the City Hearing Examiner’s decision.) Projects requiring a Council land use action shall be considered “approved for issuance” following the Council’s decision.

The “approved for issuance” date marks the beginning of the **three year life** of the MUP approval, whether or not there are outstanding corrections to be made or pre-issuance conditions to be met. The permit must be issued by DPD within that three years or it will expire and be cancelled (SMC 23-76-028). (Projects with a shoreline component have a **two year life**. Additional information regarding the effective date of shoreline permits may be found at 23.60.074.)

All outstanding corrections must be made, any pre-issuance conditions met and all outstanding fees paid before the permit is issued. You will be notified when your permit has issued.

Questions regarding the issuance and expiration of your permit may be addressed to the Public Resource Center at [prc@seattle.gov](mailto:prc@seattle.gov) or to our message line at 206-684-8467.