



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

Application Number: 3022069
Applicant Name: Julian Weber
Address of Proposal: 711 26th Avenue South

SUMMARY OF PROPOSED ACTION

Land Use Application to establish use for driveway access to parking, accessory to three single family homes. This project revises the curb cut and driveway approved under building permit 6450189.

The following approvals are required:

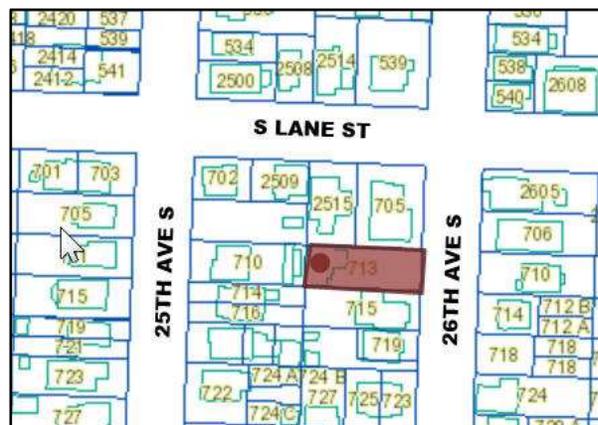
Variance – To not provide required sight triangle. SMC Section 23.54.030.G.

BACKGROUND

Site and Vicinity Description

Site Location: 711 26th Avenue South
Zoning: Lowrise One (LR1)
Parcel Size: 5,040 sq. ft. (0.11 acres)
Existing Use: Single family home
ECA: No Environmentally Critical Areas (ECAs) are located on the site.

Subject Property



The subject property is located on a mid-block site about 90 feet south of the intersection of South Lane Street and 26th Avenue South, on the west side of 26th Avenue South. It is within the Central District Neighborhood, on a tree-lined street containing both one and two-story single family homes. The existing site has a single family home located toward the rear of the property with a curb cut and access from 26th Avenue South, similar to many homes located on this street.

Proposal Description

The applicant has requested variance to allow for a reduction in the required sight triangle requirements. The applicant is proposing redevelopment of the site, which will include 3 single family homes and retention of the existing curb cut along 26th Avenue South to accommodate vehicular access and on-site parking for the new homes. There are no changes being made to the existing curb cut location, sight triangle condition, or street trees adjacent to the property. In order to maintain these conditions with the proposed redevelopment a variance is required.

Public Comments

The public comment period ended on 11/04/2015 and no comments were received.

ANALYSIS - VARIANCE

As provided in SMC 23.40.020, variances from the provisions or requirements of Title 23 shall be authorized only when all of the facts and conditions stated in the numbered paragraphs below are found to exist. Analysis for the variance requested follows each statement of required facts and conditions.

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;*

The location of a large street tree and narrow lot creates an unusual condition for the property related to access. In order to avoid disturbance and preserve the existing significant street tree as required by Seattle Department of Transportation, maintaining the existing curb cut condition is warranted. This criterion is met.

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 requested variance will maintain the existing curb cut and access conditions on the subject property. The surrounding homes also have similar curb cut conditions, as such, the requested variance would not grant special privilege inconsistent with surrounding properties. This criterion is met.

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 requested variance would allow the applicant to maintain existing conditions, as such, no detrimental impacts are anticipated. The variance would avoid disturbance of the significant street tree and maintain continuity along the block of the street tree canopy. This criterion is met.

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;*

Requiring the applicant to relocate the existing driveway and curb cut would result in disturbance of the mature street tree, which would likely impact the integrity of the root system. Preservation of the tree contributes to the character of the neighborhood and existing streetscape along 26th Avenue South. The literal interpretation and strict application of the applicable provisions and requirements of the Land Use Code would cause an impractical solution to redevelopment of the subject property. This criterion is met.

5. *The requested variance would be consistent with the spirit and purpose of the Land Use Code and adopted Land Use Policies or Comprehensive Plan component, as applicable.*

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 character with the surrounding development, preserves the existing neighborhood character and minimizes impacts along the street frontage of the subject property. No adverse effects on adjacent properties in the area are anticipated and the public interest will not suffer as a result of these variances.

DECISION - VARIANCE

The request for a variance to allow less than the required sight triangle (SMC Chapter 23.54.030.G) is **APPROVED**.

Crystal Torres, Land Use Planner
Department of Planning and Development

Date: December 14, 2015

CT:rgc
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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 or to our message line at 206-684-8467.