City of Seattle
Edward B. Murray, Mayor

Department of Construction and Inspections
Nathan Torgelson, Director

CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE SEATTLE DEPARTMENT OF CONSTRUCTION AND INSPECTIONS

Application Number: 3023351

Applicant Name: Elizabeth Maher

Address of Proposal: 2345 NE 95th Street

SUMMARY OF PROPOSED ACTION

Land Use Application to subdivide one parcel into two parcels of land. Proposed parcel sizes are: Y) 7, 218 sq. ft. and Z) 5,376 sq. ft. Existing structure 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.

Uses on Site: One single family residence with detached garage.

Site Description This project site is located in a Single Family 5000 zone. The parcel is a flagged lot property located between 23rd Avenue NE and 24th Avenue NE on NE 95th Street.

Two of the five mature trees on the property are Exceptional trees. A western hemlock and Douglas fir. During the review of this application and arborist report three existing trees including the two significant trees are in good condition. Seattle DCI tree expert affirmed the above tree information and concludes the existing trees on the site will not be affected by this land use action since no new development is proposed. However, during future building permit application for both Parcels, applicant will be required to provide additional tree preservation plan. The subject site is not located within any identified or designated Environmentally Critical Areas.

Northeast Ninety-fifth Street is an arterial street however improved street without curbs, gutters or sidewalks. Surrounding properties and blocks are also zoned single family 7200 and Lowrise 2 multifamily residential zones. Development in the area consists of a variety of one and two-story houses of varying age and architectural style on a variety of lot sizes, consistent with the zoning designations.

Public Comment

The required public comment period ended on April 10, 2016. One public comment letter was received during the comment period. The respondent asked that the integrity of the fence along the east property line, the western hemlock and Douglas fir trees also along the east property line are protected from construction impact. In addition, the respondent requested that construction activity should not start prior to 8:00 a.m. on any morning.

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.*
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 Seattle DCI 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 because the parcels were recognized as existing platted lots prior 1957. A legal site letter site was also submitted with this application. 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 WITH CONDITIONS**

CONDITION OF APPROVAL PRIOR TO RECORDING

1. Add a note on the face of the plat that: Existing structure on the property will remain. (Note: Do not add this condition on the survey)

2. Tree preservation plan will be required during building permit application on Parcel Y and Z. (Note: Do not add this condition on the survey)

Onum Esonu, Land Use Planner
Seattle Department of Construction and Inspections

Date: September 29, 2016

OE:drm

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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 Seattle DCI 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.