



City of Seattle

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Gregory J. Nickels, Mayor  
**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:** 2407399  
**Applicant Name:** Terry Wilson  
**Address of Proposal:** 11531 7<sup>th</sup> Avenue NE

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to subdivide one parcel into two parcels of land. Proposed parcel sizes are: Parcel A) 7,446 sq. ft. and Parcel B) 7,200 sq. ft. Existing single family residence to remain. Existing accessory structures to be removed.

The following approval is required:

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

**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 subject property is located in a Single-Family 7200 (SF-7200) zone on the west side of 7<sup>th</sup> Avenue NE. The trapezoid-shaped, 14,647-sq. ft. site has approximately 110 lineal ft. of frontage on 7<sup>th</sup> Avenue NE and approximately 136 feet lot depth. 7<sup>th</sup> Avenue NE at the project location is paved with asphalt but not developed with curb, gutter and sidewalk.

The subject site is currently developed with a single-family residence, an attached carport and a shed. There is no alley. Direct vehicular access is available from 7<sup>th</sup> Avenue NE into an existing carport located on the northern portion of the lot next to the north property line. There several small to medium sized trees located on the subject site. Most of the trees are located along the front property line within the front yard of the existing lot. The topography of the site is relatively flat from the front of the existing lot but slopes gradually towards the extreme southwestern corner of the lot to the rear. The site is not located within any mapped or observed Environmentally Critical Area (ECA). Properties to the north, east, west and south are zoned SF 7200 and development in the vicinity is predominantly single family residential.

### Proposal

The applicant proposes to subdivide one existing 14,646-square feet lot into two parcels of land. Proposed parcel sizes would be as follows: Parcel A) 7,446 square feet and Parcel B) 7,200 square feet. The existing single-family residence will remain but the attached carport overhang and shed would be removed. Proposed Parcels A and B would have street frontage on 7th Avenue NE and Parcel B will have access to the street by an easement over Parcel A (southern end of site).

No development or construction activities are associated with the current proposal; the subject of this analysis and decision is restricted to the proposed division of land.

### Public Comments

Notice of the proposed project was published on October 28, 2004. The public comment period ended on November 11, 2004. One comment letter was received. The respondent expressed concerns regarding the type of structure and the location of access for proposed Parcel B.

### **ANALYSIS - SHORT SUBDIVISION**

Based on information provided by the applicant, referral comments from DPD's Drainage Section, Seattle Fire Departments, and Seattle Public Utilities (Seattle City Light and Water Department); and review by the Land Use Planner, the following findings are made with respect to the applicable criteria:

Pursuant to SMC 23.24.040, The Director shall, after conferring with appropriate officials, use the following (applicable) criteria to determine whether to grant, condition, or deny a short plat.

1. *Conformance to the applicable Land Use Code provisions;*

The site is located within the Single Family 7200 zone (SF-7200).

This proposal will divide the subject lot into two parcels of land as follows:

- Parcel A: 7,378 square feet
- Parcel B: 7,269 square feet.

The resulting lot areas exceed the 7,200 square foot minimum lot size for each of the proposed lots. The existing residence on Parcel A will continue to comply with Land Use Code development standards. Therefore, the parcels created by the proposed subdivision of land satisfy the minimum lot area requirement of the underlying zone.

The lots created by the proposed short subdivision will conform to all development standards of the SF 7,200 zone. The lot configuration provides an adequate buildable area to meet applicable yards, lot coverage requirements and other land use code development standards. Any new development must conform to land use code requirements at the time of application.

2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005.*

DPD has circulated this proposed short subdivision to all city agencies with jurisdiction for review of utilities, access, and fire protection. All utilities are presently extended to Parcel A, and any changes in services would require approval of the respective utility.

Parcel A has street frontage on 7<sup>th</sup> Avenue NE to the east of the site. The existing single family residence on Parcel A will have approximately 83 feet of street frontage on 7<sup>th</sup> Avenue NE and Proposed Parcel B would have an easement of approximately 29 feet on 7<sup>th</sup> Avenue NE. Both Parcels A and B will have adequate vehicle, pedestrian, utility and fire protection access. The Seattle Fire Department has reviewed and approved this proposal for adequacy of emergency vehicle access. The applicant must record a no protest agreement to allow future street improvement in this area. Seattle City Light does not require any additional easements to provide electricity.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal.*

This area is served with domestic water, sanitary sewer, and storm drain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. The short plat application has been reviewed by Seattle Public Utilities and a Water Availability Certificate was issued on October 25, 2004 (WAC ID No. 2004-1633).

The existing structure is connected by means of a single side-sewer to an 8-inch public Sanitary sewer (PSS) located in 7<sup>th</sup> Avenue NE.

Due to a lack of suitable infrastructure in the vicinity, storm-water will need to be managed on site. Plan review requirements would be made at the time of building permit application in accordance with any applicable stormwater ordinances in effect at that time. If the project proposes more than 5,000 square feet of new or replaced impervious surface, a comprehensive drainage control plan, prepared in accordance with SMC 22.802.015(D) and 22.802.020, may be required.

4. *Whether the public use and interests are served by permitting the proposed division of land.*

One objective of the short subdivision process is to increase opportunities for new housing development in order to ensure that there will be adequate capacity for future housing need. The proposed short subdivision will meet all the applicable Land Use Code provisions. The proposed development has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal. The public use and interest will be served with this proposal because additional opportunities for housing would be provided within the City limits as a result of this subdivision.

5. *Conformance to the applicable provisions of SMC Section 25.09.240, Short Subdivisions and Subdivisions, in Environmentally Critical Areas.*

The site is not located in an environmentally critical area as defined in SMC 25.09.240. There are no environmentally critical areas mapped or otherwise observed on the site.

6. *Is designed to maximize the retention of existing trees:*

There are approximately thirteen trees (Fir, Cedar, Pine and Apple) located upon the development site. Most of these trees are located along the site's perimeter along 7<sup>th</sup> Avenue NE within the proposed Parcel A would be preserved. Driveway access to Parcel B would necessitate the removal of 3 to 4 fir (18" to 24") trees in the right-of-way leading to proposed Parcel B. Mike Schnad, City Forester, Seattle Department of Transportation, has determined after a site visit that the existing four fir trees located in the 7<sup>th</sup> Avenue NE right-of-way are in good and healthy condition and should be preserved. Applicant would locate a curb cut on the 20-foot portion of the street north of the trees to provide access to Parcel B as a condition of the short plat in order to preserve the trees in the right-of way. Future construction would be subject to the provisions of SMC 23.44.008, which sets forth the tree planting requirements on single-family lots.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivision, when the subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, cluster housing, or single family housing:*

This short subdivision is not a unit subdivision. Thus, this section is not applicable to this short plat application.

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 (2) or more lots from one (1) lot with more than one (1) existing single family dwelling unit:*

This short subdivision is not a multiple single-family dwelling unit subdivision. Thus, this section is not applicable to this short plat proposal.

#### **DECISION - SHORT SUBDIVISION**

The proposed short plat is **CONDITIONALLY APPROVED.**

## **CONDITIONS - SHORT SUBDIVISION**

### Conditions of Approval Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. Show the side yard setback for the existing house from the new lot line. The property corners set shall be identified on the plat and encroachments such as fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat and their distances to the proposed property lines dimensioned. The boundaries shall be adjusted if necessary to meet the requirements of the Land Use Code.
2. Add the conditions noted below, to the plat. These may be added to the face of the plat, or may be attached as a separate page.
3. Submit the final recording forms and fee for approval.
4. Applicant must submit a signed recorded no protect agreement to allow future street improvements in this area.
5. Applicant must show on the plan proposed ingress and egress point for access to proposed Parcel B. Provide a note on the final recording documents: "The four trees in the street right-of-way shall not be removed or damaged as a result of access to Parcel B."

### After Recording and Prior to Issuance of a Building Permit

6. Attach copy of the recorded short plat with the plans upon application for a construction permit.

### Non-Appealable Zoning Condition

1. Prior to recording, the owner/responsible party shall obtain a permit and remove the shed and portion of the carport overhang located in the proposed side yard.

Signature: (signature on file)  
Christopher A. Ndifon, Land Use Planner  
Department of Planning and Development

Date: February 2, 2006

