



City of Seattle

Gregory J. Nickels, Mayor

**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 Number: 3003165  
Applicant Name: Ruoxi Zhange  
Address of Proposal: 13305 25<sup>th</sup> Ave N

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to subdivide one parcel of land containing two existing single family residences into two parcels of land with one single family residence on each lot. Proposed parcel sizes are A) 3,911 sq.ft. B) 4,190.9 sq.ft.

The following approval is required:

**Short Subdivision** – To create two parcels of land.  
(Chapter 23.24, (23.24.046) Seattle Municipal Code)

**SEPA DETERMINATION:**       Exempt     DNS     MDNS     EIS  
  
 DNS with conditions  
  
 DNS involving non-exempt grading or demolition,  
or involving another agency with jurisdiction.

**BACKGROUND DATA**

Zoning:                      Single family residential 7200  
Date of Site Visit:      November 20, 2005  
Uses on Site:              Two single-family residential dwelling units.

Substantive Site Characteristics:

The subject site is an 8,101.9 square foot rectangular lot that is situated on the northeast corner of 25<sup>th</sup> Ave NE and NE 133<sup>rd</sup> St. The surrounding zoning is Single Family Residential 7200, and the uses are single-family residences.

There are two existing residential structures on the property divided by a wood fence. One residence is accessed off of 25<sup>th</sup> Ave. NE and the second residence is accessed off NE 133<sup>rd</sup>. The site is flat. Vegetation on the site is that of typical residential landscaping. The site is not located in any mapped or observed critical areas.

Proposal Description:

The applicant proposes to subdivide one parcel with a total area of 8,101.9 square feet into two (2) parcels with the following areas: Parcel A) 3,911 square feet and Parcel B) 4,190.9 square feet. Parcel A will continue to have access off 25<sup>th</sup> Ave. NE. Parcel B will have frontage on NE 133<sup>rd</sup> St. Each parcel will contain one existing single family residence.

The subject of this analysis and decision is limited to the subdivision of land.

Public Comment:

The comment period for this proposal ended on September 28, 2005. During this period, no comment letter were received.

**ANALYSIS - SHORT SUBDIVISION**

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;*
2. *Adequacy of access for vehicles, utilities and fire protection, as provided in Section 23.53.005;*
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 SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas; and*
6. *Is designed to maximize the retention of existing trees.*
7. *Conformance to 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 townhouses, cottage housing, clustered housing, or single-family housing.*
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) existing single-family dwelling unit.*

Summary - Short Subdivision

Based on information provided by the applicant, referral comments from DPD, Water (SWD), Fire Departments (SFD), Seattle City Light, the Building Plans Examiner, the Drainage Section of DPD, and review by the Land Use Planner, the above cited criteria have been met subject to the conditions imposed at the end of this decision.

The lots to be created by this short subdivision will meet all minimum standards or applicable exceptions of the set forth in the Land Use Code and are consistent with applicable development standards. As conditioned, this short subdivision can be provided with vehicular access, public and private utilities and access (including emergency vehicles). Adequate provisions for drainage control, water supply, and sanitary sewage disposal have been provided for each lot and service is assured, subject to SPU's requirement for service requirements (see WAC 20060269, revised 2/24/06). The proposal site is not located in an environmentally critical area; therefore SMC 25.09.240 is not applicable. 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.

Summary of SMC 23.24.046 Multiple single-family dwelling units on a single-family lot

- B. *A lot in a single-family zone containing more than one (1) existing single-family dwelling unit may be divided in accordance with this chapter as long as each of the following conditions is satisfied:*
1. Each existing single-family dwelling unit was legally established by permit or is eligible to be established as a non-conforming development in accordance with Section 23.42.102 (dwelling existed before 1957).
  1. *Each existing single-family dwelling unit was constructed prior to February 20, 1982*
  2. *Each resulting lot has one (1), but no more than one (1), existing single-family dwelling unit*
  3. *Parking is provided in accordance with Section 23.44.016*
  4. *Each resulting lot conforms 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.*
- C. Structures on lots for which the Director has waived or modified development standards according to subsection B of this section will be treated as nonconforming and be subject to Section 23.42.112.
- ◆ The single family dwelling on Parcel A was constructed in 1940. The single family dwelling on Parcel B was constructed in 1939.
  - ◆ Each of the resulting lots will contain only one existing single family dwelling unit.
  - ◆ Parking is available for Parcel A with access from 25<sup>th</sup> Ave. NE. Parking for Parcel B is accessible from NE 133<sup>rd</sup>.

The proposed project meets the requirements for front, side, and rear yards, is legally non conforming, or can be approved based on the criteria of SMC 23.24.046 for each of the proposed parcels as conditioned. See Table 1 below.

- ◆ The lots meet the minimum Lot Size of 1,800 s.f.
- ◆ The front yard shall be either the average of the front yards of the single-family structures on either side or twenty (20) feet, whichever is less. The front yards are greater than 20 feet.
- ◆ The minimum required rear yard for a lot having a depth of less than one hundred twenty-five (125) feet shall be twenty (20) percent of the lot depth and in no case less than ten (10) feet.
- ◆ Each existing house meets the 3-foot setback requirement from the common lot line.

Table 1. Yard and Lot Size Requirements

Parcel	Size (1,800 s.f. min)	Front Yd. Setback (20 ft min)	Side Yd. Setback (5 ft. min)	Rear Yard (12 ft min)
Parcel A: Frontage on 25 <sup>th</sup> St	3,911.0	28.7 ft	3.6 ft/15.4 ft	12.2 ft
Parcel B: Frontage on 133 <sup>rd</sup> ST	4,190.9	20.4 ft	3.4 ft /46.5 ft*	3.5 ft.*Non-conforming

\* This does not meet the minimum rear yard setback requirement of 12 feet or the side yard requirement of five ft. Therefore, a condition has been placed upon this lot restricting development of future alterations, additions or new construction.

**DECISION – SHORT SUBDIVISION**

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

**CONDITIONS – SHORT SUBDIVISION**

*Conditions of Approval Prior to Recording*

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

1. Add the conditions of approval after recording on the face of the plat or on a separate page. If the conditions are on a separate page, insert on the plat “For conditions of approval after recording see page \_\_\_ of \_\_\_.”
2. 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. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. The lot areas of each parcel shall be shown on the recording documents.
3. Submit the recording fee and final recording forms for approval.

