



*Planning & Development Services Dept.*

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## **ADMINISTRATIVE ORDER #111361-101807**

### **SITE – SPECIFIC DETERMINATION**

#### **CODE SECTION: SMC 20.30.280 (C)4**

##### **I. ISSUE**

The applicant proposes to modify/enclose an existing carport that was constructed in conjunction with the residence. The side yard setback is non-conforming at 6 feet.

##### **II. FINDINGS:**

The residence and carport were constructed in 1955.

The carport setback conformed to the minimum code requirements of King County when constructed.

The incorporation of the City of Shoreline and subsequent adoption of certain standards enumerated in Title 20 of the SMC created the nonconformity as detailed in section 20.30.280 of the SMC.

Section 20.30.380 (C) of the SMC provides that:

“A nonconformance may be continued or physically maintained as provided by this Code”.

Subsection (C)4 permits modifications to existing nonconforming structures:

“**Modifications to Nonconforming Structures.** Modifications to a nonconforming structure may be permitted; provided, the modification does not increase the area, height or degree of an existing nonconformity.”

**III. CONCLUSIONS**

The SMC permits the continuation of a nonconformance.

The structure meet the criteria for a nonconforming structure.

The proposal is to enclose a legal nonconforming structure.

Modifying the structure by enclosing it does not increase the area or degree of nonconformity (i.e. lessen the setback).

The proposal does not constitute an expansion of a nonconforming use (which is addressed sepearately in section D of 20.30.280).

**IV. DECISION:**

To the extent that the wall line established by the existing posts is maintained and the setback of the carport eave and wall line is not altered/reduced then the carport may be enclosed.

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Prepared by

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Date

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Director's Signature

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Date