



## **ADMINISTRATIVE ORDER #301294**

### **INTERPRETATION OF DEVELOPMENT CODE**

#### **SHORELINE MUNICIPAL CODE (SMC) SECTION: 20.50.040**

Request for interpretation of appropriate setbacks and/or use of aggregate setbacks for a 200 square foot, one-story garden house on a lot that contains a house of historic interest. Applicant wishes to place the garden house six feet from the south property line.

#### **FINDINGS:**

The site is an irregularly shaped flag lot accessed from NW 195<sup>th</sup> St. by a private access road. It contains an historic home, the Hawthorne House, built in 1912. It was part of a short plat under King County (KCSP 482028).

An historic report is on file for this property (field site #0294). The historic report states that the Hawthorne House is associated with the second wave of development in the Richmond Highlands. It goes on to state that ... "*Recent development of the original lot has compromised the integrity of the site as an historic rural residence.*"

Front yard setback in irregular lots or on interior lots fronting on a dead-end private access road shall be designated by the Director (SMC 20.50.040.A).

Current setback standards are 20 feet for front yard, 15 feet for rear yard, 5-foot minimum for side yard with a 15-foot total side yard setback. (SMC 20.50.020)

The front of the house originally faced 8<sup>th</sup> Ave NW, or west. Currently, the front door faces east where the access drive comes in. The garden structure is proposed to be placed six feet from the south property line.

The house is +8 feet from a north property line, 13 feet from the west property line, +40 feet from the south property line, and +35 feet from the east property line. A garage sits on the east

side of the property, approximately 5 feet from the north and east property lines and 20 feet from the south property line.

At the time of the short plat where the development took place under King County, the interior (side and rear) setbacks were five feet. The structures on the site and structures on the neighboring properties reflect these setbacks.

Aggregate setbacks may be used for lots with unusual geometry, flag lots with undesignated setbacks, or site conditions, such as steep slopes, an existing cluster of significant trees, or other unique natural or *historic features* that should be preserved without disturbance (from SMC 20.50.040.F).

**CONCLUSIONS:**

Currently, the front of the house faces east. If the eastern yard were to be designated the front yard, the western yard would be the rear yard and the south yard would be a side yard with a minimum five-foot setback. The current west setback is 13 feet, which is close to the minimum 15-foot rear yard setback that is required under the current code. The designation of the front yard is in the purview of the Director because it is an irregularly shaped lot that is accessed off of a private access drive.

Aggregate setbacks would be appropriate for this site as it is an irregularly shaped flag lot that contains an historic feature. The historic report indicates that development in the vicinity has compromised the historic integrity of the site. It could be inferred from this that additional construction close to the house would further compromise the historic integrity of the site. Siting the new structure further from the house, instead of closer, would help to preserve the area immediately around the house.

**DECISION:**

The Director designates the eastern yard as the front yard for this property, therefore the south yard is a side yard (see attached diagram for yard designations). The aggregate setback option is not required. The detached garden house is subject to a five-foot minimum setback under SMC 20.50.020. It may be located as proposed, six feet from the south property line and a minimum of 15 feet from the west property line. Note that no projections are allowed in the five-foot setback. If the structure is greater than 200 square feet, a building permit is required.

*original signed by Tim Stewart 05/24/05*

---

Director's Signature

---

Date