



ADMINISTRATIVE ORDER #301383

INTERPRETATION OF DEVELOPMENT CODE

CODE SECTION: 20.50.090 – Additions to non-conforming setbacks

Question as to whether a non-conforming front façade can be continued up to the height limit under Shoreline Municipal Code (SMC) Section 20.50.090.

FINDINGS:

The house is in the R-6, Residential, 6 units per acre zoning district. Required front yard setback is typically 20 feet (SMC Section 20.50.020).

SMC 20.50.090 Additions to existing single-family house – Standards.

A. Additions to existing single-family house may extend into a required yard when the house is already nonconforming with respect to that yard. The length of the existing nonconforming facade must be at least 60 percent of the total length of the respective facade of the existing house (prior to the addition). The line formed by the nonconforming facade of the house shall be the limit to which any additions may be built as described below, except that roof elements, i.e., eaves and beams, may be extended to the limits of existing roof elements. The additions may extend up to the height limit and may include basement additions. New additions to the nonconforming wall or walls shall comply with the following yard requirements:

3. Front Yard. When the addition is to the front facade of the existing house, the existing facade line may be continued by the addition, except that in no case shall the addition be closer than 10 feet to the front lot line; and

When the nonconforming facade of the house is not parallel or is otherwise irregular relative to the lot line, then the Director shall determine the limit of the facade extensions on case by case basis.

Figure 20.50.090(A) shows examples of additions to existing single-family houses and into already nonconforming yards. The example for the front yard states:

Addition may extend into front yard if at least 60% of existing facade is already within the nonconforming front yard.

Section 20.20.020 Defines facade as: *The front or face of a building emphasized architecturally.*

Based on the site plan (with surveyor signature) submitted with the code interpretation application, the existing house has a front wall that is 9.5 feet from the property line for about 50% of the length of the respective facade; while the remainder of the front facade is 13 feet from the property line. The entire facade, or face of the building is within the required 20 foot front yard setback.

City GIS information shows the house being much closer to the property line than the application materials show.

CONCLUSIONS AND DECISION:

Since the entire front facade is within the required 20 foot setback, an addition up to the height limit is allowed, although no addition can be no closer than 10 feet from the property line.

This provision of the code applies to additions only, not to re-builds. Any re-build of the property would have to comply with the regulations, with exceptions for non-conforming structures under S.M.C. 20.30.280.

This interpretation is based upon materials submitted by the applicant stating the location of the house in relation to the property line. It will be imperative for the property owner to verify with a survey the actual location of the existing structure from the property line at time of building permit application.

original signed by Joe Tovar 5/22/06

Director's Signature

Date