



*City of Shoreline*

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## **ADMINISTRATIVE ORDER# 112135-020508**

### **SITE – SPECIFIC DETERMINATION**

#### **CODE SECTION: 20.40.100 Permitted Uses**

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

Can an accessory structure be located on an adjacent tax parcel when a single family use for a dwelling has been established over and across both parcels?

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

The following definitions occur in the Shoreline Municipal Code (SMC) (*emphasis added*):

###### 20.20.050 - Use:

An activity or function carried out on an *area of land*, or in a building or structure located thereon. Any use subordinate or incidental to the primary use on a site is considered an accessory use.

###### 20.20.032 - Lot:

A designated parcel, tract, or area of land established by plat, subdivision, or as otherwise permitted by law, *to be separately owned, used, developed, or built upon*.

###### 20.20.010 - Accessory Structure:

A structure detached from a principal building located on the same lot and *customarily incidental and subordinate to the principal building or use*.

###### 20.20.010 - Accessory Use:

A use of land or building or portion thereof customarily incidental and subordinate to the principal use of the *land* or building and located on the same lot with the principal use.

Both parcels are zoned Residential 6 units per acre. The location proposed for the structure is currently maintained in lawn.

A single family home is an allowed use in the Residential 6 units per acre zone. A garage is allowed as an accessory structure provided it meets all other provisions of the Code such as setbacks, height, etc.

Historical evaluation of the property indicates single ownership for a number of years and the site has been a singular use associated with the existing residence since at least 1953. An existing driveway is located on the “vacant” parcel where the accessory structure is proposed and the driveway currently serves the existing primary structure on the adjacent tax parcel and is connected to the residence by an established walkway.

### III. CONCLUSIONS

The two tax parcels comprise a site when considering how the property is used. A use can occupy an area of land and is not necessarily restricted by lot or parcel lines (e.g. a site). The single family use extends over an area of two un-platted tax parcels. The proposed garage is an accessory structure to the primary structure on the adjacent lot. Both the single family home and the garage are single family uses and may be permitted in the R-6 zone.

### IV. DECISION:

The single family accessory structure may be located on the adjacent tax parcel as the use of the area has already been established as accessory to the primary use through the maintenance of lawn, recreation area, and a driveway. The proposed garage to serve a single family home is considered a single family use and allowed in the R-6 zone. The location of a detached garage under these conditions is consistent with the provisions of the SMC.

*original signed by Rachael Markle 2/5/08*

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Director's Signature

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Date

*Jeff Forry*

*2/1/2008*

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Prepared by

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Date