

FINDINGS AND RECOMMENDATION

OF THE HEARING EXAMINER FOR THE CITY OF SEATTLE

In the Matter of the Application of

ERIC PILZ

FILE NO. CC-81-018
C.F. NO. 291019

for a council conditional use
pursuant to the provisions of
Title 24, Seattle Municipal Code,
(Zoning Ordinance 86300, as amended)

Recommendation: The application should be GRANTED.

Introduction

The applicant proposes to convert an existing single family residence located in the General Commercial zone at 1205 East Olive Street to a duplex.

No correspondence or testimony in opposition was entered in the record.

For purposes of this recommendation, all section numbers refer to the Seattle Municipal Code, Title 24, as amended, (Ordinance 86300, as amended) unless otherwise indicated.

The Director's report, submitted by the Department of Construction and Land Use recommended that the application be granted.

This matter was heard before the Hearing Examiner on December 9, 1981.

After due consideration of the evidence presented by the applicant, the information provided by the Director's report, all evidence elicited during the public hearing, the following findings of fact and conclusions shall constitute the recommendation of the Hearing Examiner on this application.

Findings of Fact

1. The subject property is located in the General Commercial (CG) zone at 1205 E. Olive Street. The 2,220 sq. ft. area lot is currently developed with a two story, single family residence. The west adjacent lot is also located in the CG zone and is developed residentially as is the east adjacent lot, beyond which begins the RM zone. The most immediate development in this neighboring zone is that of an apartment building located at E. Olive Street and 13th Avenue. An auto repair establishment is located at 12th and E. Olive Street. BC zoning lies immediately north of the CG zone in which the subject property is located.
2. The Department of Engineering had no objection to the proposal "so long as" the development provided the required off-street parking for a duplex. Currently there is one parking space at the subject property and two are proposed.
3. The legal description of the subject property is the west 37 ft. of the east 85 ft. of Lot 6, Block 22, Nagles Addition.
4. According to the applicant, a proposal will make positive use of an existing delapidated structure which should herald additional vicinity restoration and renewal.

5. With regard to the State Environmental Policy Act of 1971 (SEPA) and Ordinance 105735, as amended, Chapter 25.04, Seattle Municipal Code, the action proposed in this subject application has been determined by the responsible official to be categorically exempt pursuant to the provisions of WAC 197-10-170.

Conclusions

1. The application should be granted. The subject property's nearby or associated uses are primarily residential, although the presence of an auto repair establishment in the immediate vicinity has been noted. The subject dwelling is currently in use as a residential dwelling.

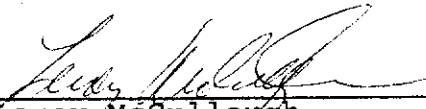
2. The land has no special attributes such as railroad access or proximity to established commercial development such that the conditional use application should be denied. The proposal would add to the housing stock of the City of Seattle and have a positive effect on the character of the immediate area. Off-street parking as desired by the Department of Engineering is proposed. Section 24.52.100.

Decision

For each of the above reasons, the recommendation of the Hearing Examiner to the City Council is as follows:

The application should be GRANTED.

Entered this 22nd day of December, 1981.



Leroy McCullough
Hearing Examiner

NOTICE OF RIGHT TO PETITION FOR FURTHER CONSIDERATION

Pursuant to 24.72.090, Seattle Municipal Code, as amended, (Section 27.51 of the Zoning Ordinance 86300, as amended) any party affected by a recommendation of the Hearing Examiner may submit a petition in writing to the City Council requesting further consideration. The petition must be submitted within fourteen days after the date of mailing the recommendation of the Hearing Examiner and addressed to: City Council, Urban Development and Housing Committee, Municipal Building, Seattle, Washington 98104.

The petition should state clearly and concisely the reason(s) why further consideration is necessary, and should refer specifically to any errors alleged to exist in the Hearing Examiner's Findings and Conclusions. The City Council's consideration of the petition will be based upon the record of the Hearing Examiner's hearing, and new exhibits or other evidence in support of the petition should not be submitted. In its discretion the Council may allow oral or written arguments based on the record when it considers the petition.