



City of Seattle

Department of Planning and Development

Diane M. Sugimura, Director

December 20, 2013

Dave Biddle
2701 California Ave SW, Suite 208
Seattle WA 98116

RE: 4043 and 4045 California Avenue SW, Opinion Letter; Project No. 3016341

Dear Mr. Biddle:

You have asked for a letter affirming that a portion of the property at 4045 California Avenue SW qualifies for development as a separate legal building site. The property consisting of Lots 30 and 31, Block 4, J. Walter Hainsworth's Second Addition to West Seattle is currently held as a single tax account, King County Assessor's Parcel No. 301030-1055. However, a portion of the property consisting of the east 36 feet of Lot 30 and the south 5 feet of the east 36 feet of Lot 31 was the subject of a separate building permit in 1955. The question raised is whether this effectively subdivided the property, so that the remainder of the property may now be redeveloped as a separate building site.

The property is currently in an LR3 RC zone: Lowrise-3 Multifamily Residential, with a Residential-Commercial Overlay. Although a density limit applies in this zone to certain types of residential development, there is no minimum lot area requirement. Lots 30 and 31 are each 25' by 115', so the total area of the property is 5,750 square feet.

Three small houses were built on the rear portion of Lots 30 and 31 in 1927. In October, 1927, Permit No. 271416 was issued for the middle house, then addressed 4043 California Avenue SW. The site description on that permit included both Lots 30 and 31. The same month, Permit No. 271759 was issued for the southernmost house, then addressed 4045 California Avenue SW. The legal description included only Lot 30. Finally, in November, 1927, Permit No. 272127 was issued for the northernmost house, then addressed 4041 California Avenue SW. The site description on that permit included only Lot 31. The completed middle house received its final inspection in November, the northern house received its final inspection in December, and the completed southern house received its final inspection in January, 1928. These three houses were under construction more or less concurrently, with one of them straddling the lot line between Lots 30 and 31. Despite the differing site descriptions on the permits, we would conclude, as of completion of the third house, there were then three legal residences on a single building site consisting of Lots 30 and 31. (The property was then in a B-C zone, a Business District where the standards did not preclude multiple houses on a single lot.) Abstracts of property transactions maintained by the City indicate that Lots 30 and 31 were under common ownership when these houses were built, and have remained under common ownership, in their entirety.

Dave Biddle
December 20, 2013
Page 2

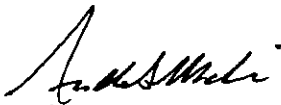
In 1955, still under B-C zoning, a commercial building (store and office) was built under Permit No. 433819. The site description on that permit included only the east 36 feet of Lot 30 and the south 5 feet of the east 36 feet of Lot 31.

The City did not adopt a formal process for review and approval of short plats until 1972. In 1955, a property could be effectively divided by obtaining a permit for separate development of a portion of that property. We conclude that the 1955 permit for the commercial structure achieved this. I have found no subsequent permit that may have had the effect of recombining the parcels.

In conclusion, we recognize the parcel developed with the commercial structure – the east 36 feet of Lot 30 and the south 5 feet of the east 36 feet of Lot 31 – as a legal building site, and the remainder of Lots 30 and 31 as a separate legal building site, which may legally be separately redeveloped.

This letter represents my opinion based on the facts available to me and based on current code language, which is subject to change. I hope this information is helpful to you. If you have further questions, please email me at andy.mckim@seattle.gov, or call me at (206) 684-8737.

Sincerely,



Andrew S. McKim
Land Use Planner – Supervisor



October. 5th, 2013
To: Andy Mckim
Dept of Construction and Land Use
700 5th Ave #2000
Seattle, WA. 98104

RECEIVED
OCT 10 2013
DEPT OF PLANNING AND
DEVELOPMENT

4039
RE: (4041-4045) California Ave SW

Dear Andy,

This letter is to request a legal building site letter for a property located at 4045 California Ave SW in Seattle. The property is currently carried under King County Assessors Tax Id#301030-1055 and is legally described as: Lot 30-31, Block 4, J. Walter Hainsworth's Second Addition to the City of West Seattle, Volume 14 of Plats, Page 9, RCW. There are no ECA areas on the lot. The site is zoned LR-3C and contains three small cottages, 2 detached garages and one small office building.

The homes at 4041-A, B and C were constructed in 1927 under permits 271416 (lots 30-31), 271759 (lot 30) and 272127 (lot 31). On 2/11/55 a permit to construct an office and barber shop was issued and finalized under 433819. Included in this permit was a variance and subdivision of the lot. Later that year, another permit for the same building to maintain and install a sign was also issued for this building under permit 438854. Both permits call out a 30x36 foot parcel described as: The East 36 feet of Lot 30 and the South 5 feet of the East 36 feet of Lot 31.

The entire property was owned by Ed and Betty Grad at the time of issuance of the building permit in 1955 (still in the Grad Family Trust). It is our intent to redevelop the remaining parcel of land and keep the commercial building on the Parcel mentioned herein.

If I can be of any assistance to you please feel free to give me a call at 206-437-6340.

Sincerely,

Dave Biddle, Manager Blueprint Services

cc. Andrea Grad

cc. Grad Family Trust



City of Seattle
 Department of Planning and Development (DPD)
 Attn: Public Resource Center
 700 Fifth Ave., Suite 2000
 P.O. Box 34019
 Seattle, WA 98124-4019

Phone 206-684-8467
 E Mail prc@seattle.gov
 www.seattle.gov/dpd

Andy

DPD Project # 3016341

Request for Miscellaneous DPD Services

Property Address: 4039 (4041-4045) CALIFORNIA AVE SW Related to DPD Project No: _____
 Assessor's Parcel No: 301030-1055

Applicant Name: DAVE BIDDLE
 Mailing Address: 2701 CALIFORNIA AVE SW # 208
SEATTLE, WA 98116

RECEIVED
 OCT 10 2013

Email Address: DAVE@BLUEPRINTCAP.COM
 Phone Number: 206.437.6340

DEPT OF PLANNING AND DEVELOPMENT

Service Requested & Initial Fees required:

- Land Use Code Interpretation (\$2500 deposit for the first 10 hrs)*
- Legal Building Site Letter (\$1000 for first 4 hrs)*
- Letters for detailed Zoning Analysis or Research (\$1000 for the first 4 hrs)*, examples below:
 Development Potential letters, Reasonable Accommodation requests,
 Transfer of Development Rights letters, or other similar requests
- Consultation on Technical/Policy Issues (\$500 for the first 2 hrs)*
- Letter for Preliminary Zoning Analysis on a single development standard prior to project application (\$250 for the first hour)*
 Examples include Decisions on alley vs. street access to off-street parking; measurement of sf garage width on facades; determining queuing spaces for drive-in businesses, departures from street-level development standards in commercial zones.
- Reasonable Accommodation Request (\$250 for the first hour)*
- Special Accommodation Request (\$500 for the first 2 hours)*
- Rebuild Letter (1 x DPD base fee)**
- Records Research (1 x DPD base fee)**
- Tow lot Confirmation (1 x DPD base fee)**

*Payment of the initial minimum fee for the service requested must accompany a request for any of the services above. The request will not be processed until payment is made. Some services will require more research or follow-up time, which will be charged to the financially responsible party at the current Land Use rate of \$250/hr, as shown in the DPD Fee Ordinance, section 22 900 C010 and Table C-1. **All Requests must be accompanied by a completed, signed "Statement of Financial Responsibility/Agent Authorization" form.** This form can be found on the DPD Website at http://www.seattle.gov/dpd/Publications/Forms/Land_Use/default.asp

**The current fee ordinance can be found on the DPD Website at <http://www.seattle.gov/dpd/About/Fees/default.asp>. The fee ordinance is updated annually and is normally effective January through December of each calendar year.

Description of Service Request (include related code section and drawings, survey or plans if applicable):

REQUEST LETTER AND PERMIT HISTORY INCLUDED.