

FINDINGS AND DECISION  
OF THE HEARING EXAMINER FOR THE CITY OF SEATTLE

In the Matter of the Appeal of

JAMES WIESS

FILE NO. S-76-013

from a ruling of the  
Superintendent of Buildings

The appeal is Denied and the Findings and Decision  
of the Superintendent of Buildings are affirmed.

Introduction

The appellant, James Wiess, filed an appeal challenging the sufficiency of a declaration of no significant impact relating to an application for a building/use permit.

The appellant exercised his right to appeal pursuant to Section 25.40, Ordinance 86300, as amended by Ordinance 104795.

This matter was heard before the Hearing Examiner on May 5, 1976.

After due consideration of the evidence elicited during the public hearing, the following findings of fact and conclusions shall constitute the decision of the Hearing Examiner on this appeal.

Findings of Fact

1. On December 31, 1975, James C. Y. Koh (hereinafter the permittee) filed an application for a building/use permit for property located at 4234-40 8th Avenue N.E. The permittee plans to demolish two single-family dwellings and construct a 13-unit multiple dwelling in a Multiple Residence High Density Variable Height Zone (RMV 200).

2. The proposed building is designed with four bedrooms or three bedrooms and a living room around a core kitchen and is intended primarily for occupancy by unrelated individuals. The Superintendent requested the Board of Adjustment to rule on the parking requirements for such a structure. The Board held that the proposed structure for purposes of off-street parking was not a group student house but more closely resembled an apartment. Only one off-street parking space is required for each dwelling unit in a multiple dwelling and therefore 13 off-street spaces would be required in this case.

3. The Superintendent, with regard to the building/use permit application, entered on April 5, 1976 a written declaration of no significant impact pursuant to the State Environmental Policy Act of 1971 (RCW 43.21C).

4. The appellant in an appeal filed on April 21, 1976, alleged that the declaration of no significant impact was incomplete and inaccurate. Specifically the appellant claims that by not requiring more off-street parking that there will be a detrimental environmental impact. In his testimony the appellant cited the heavy bus and auto traffic on 8th Avenue N.E. and the potential problems created by an increase in density.

5. In support of his appeal, the appellant cited recent legislation approved by the City of Eugene, Oregon that requires 2.5 off-street parking spaces for each quad unit.

#### Conclusions

1. The appeal is denied. The appellant has failed to show that the declaration of no significant impact was incomplete or inaccurate in any substantial or significant degree.

2. Although the proposed project will result in an increase in density, the proposed building meets the requirements of the RMV 200 zone.

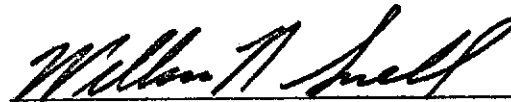
3. The standard for the number of off-street parking spaces required by the proposed building has been established by legislation. The arguments for requiring more off-street parking spaces for a quad style building should be addressed to the City Council. The off-street parking requirements established in Eugene, Oregon were the result of legislative action and not administrative interpretation.

4. Pursuant to the procedural requirements of the State Environmental Policy Act of 1971 (SEPA) (RCW 43.21C), the action proposed in this appeal is not considered a major action having significant environmental impact.

#### Decision

The appeal is DENIED and the Findings and Decision of the Superintendent of Buildings are affirmed.

Entered this 11th day of May, 1976.



William N. Snell  
Hearing Examiner