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Kathy Hill, Skagit County Auditor

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AFTER RECORDING RETURN TO:
SKAGIT COUNTY HEARING EXAMINER
302 SOUTH FIRST STREET
MOUNT VERNON, WA 98273

DOCUMENT TITLE: ORDER ON VARIANCE APPLICATION VA 99 0169 and
SHORELINE VARIANCE SL 99 0224

HEARING OFFICER: SKAGIT COUNTY HEARING EXAMINER

APPLICANT: MAXINE and DENNIS HANGER

ASSESSOR PARCEL NO: P66327

ABBREVIATED LEGAL DESCRIPTION: located at 34022 North Shore Drive, Mount
Vernon, Washington; within Section 26, Township 33 North, Range 06 East, W.M.,
Skagit County, Washington.

SKAGIT COUNTY HEARING EXAMINER
STATE OF WASHINGTON

In the Matter of the Application of)	
MAXINE AND DENNIS HANGER)	VA99-0169
)	SL99-0224
For Variances from the Side Setback,)	
from the Front Setback and from the)	Findings of Fact,
Shoreline Accessory Height)	Conclusions of Law
Limitation for a Garage at 34022)	And Decision
North Shore Drive, Lake Cavanaugh)	
<hr/>		

THIS MATTER relates to an application for variance filed by Maxine and Dennis Hanger. The application came on for hearing on January 26, 2000, after due notice. The Skagit County Planning and Permit Center was represented by Daniel Downs. Dennis Hanger appeared for the applicants. Members of the public were given an opportunity to be heard.

Testimony was taken, exhibits were admitted and argument was made. On the basis thereof, the following is entered:

FINDINGS OF FACT

1. Maxine and Dennis Hanger (applicants) seeks variances in order to build a garage within the applicable setbacks for front and side yards and exceeding the height limit for shoreline accessory structures.
2. The garage would measure 24 by 48 feet and reach a height of 23 feet. It would lie within three feet of County right of way in front and within five feet of the side property line. The applicable height limit is 15 feet. The front setback is 35 feet and the side setback is eight feet.
3. The proposed project is located at 34022 North Shore Drive, Mount Vernon, within a portion of Sec. 26, T33N, R6E. WM. The property is a platted parcel, bordering Lake Cavanaugh to the south. There is an existing single family residence. The lot measures 187/168 feet long by 60 feet wide. It is bordered on the north by a 30-foot County road easement.
4. The property is within the Lake Cavanaugh Rural Village as designated by the Skagit County Comprehensive Plan. The zoning is Residential. The shoreline designation is Rural Residential.



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5. The surrounding neighborhood is substantially developed with residential structures. There are numerous accessory and primary structures within the established front and side yard setbacks. A number of such structures are very close to the County road. This pre-existing development pattern reflects the size of the lots, the shape of the shoreline and the location of the road. The subject property is several feet lower than the County road.

6. The applicants plan to convert the house from vacation use to full-time residency. Because of the long annual period of rainy weather, a garage is needed to cover their cars and boat and to provide storage that the house lacks. The proposed additional height is to provide needed storage. The garage will be placed as far from other buildings as possible in the only area reasonably available, given the small lot size, the location of easements and the location of the septic system.

7. In light of the difference in elevation and the lack of developable land north of the County road, the height of the garage is not likely to adversely affect lake views.

8. The structure will be 140 feet from the ordinary high water mark of the lake and compatible with natural features. A Fish and Wildlife Assessment was prepared pursuant to the Critical Areas Ordinance, adding to a site assessment submitted for an earlier expansion of the house. As a result, the lake buffer from the residence lakeward is to be maintained and recorded as a Protected Critical Area. No vegetation will be removed within the lake/shore interface and appropriate sedimentation and erosion controls will be utilized during construction.

9. The Staff Report accurately describes the project, the setting, and the criteria for approval. The Examiner adopts Findings 1 through 12 as presented in that Report, a copy of which is attached.

10. For development landward of the ordinary high water mark, the criteria for approval of a variance under the Shorelines Master Program (SMP) are set forth at SMP 10.03(1). The applicant must prove:

- a. That the strict application of the bulk, dimensional or performance standards set forth in this Master Program precludes or significantly interferes with a reasonable use of the property not otherwise prohibited by this Master Program.
- b. That the hardship described above is specifically related to the property and is the result of unique conditions such as irregular lot shape, size or natural features and the application of this Master Program and not, for example, from deed restrictions or the applicant's own actions.
- c. That the design of the project will be compatible with other permitted activities in the area and will not cause adverse effects to adjacent properties or the shoreline environment designation.



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d. That the variance does not constitute a grant of special privilege not enjoyed by the other properties in the same area and will be the minimum necessary to afford relief.

e. That the public interest will suffer no substantial detrimental effect.

In the granting of variance permits, the cumulative impact of additional requests for like actions in the area is to be considered.

11. The variance criteria of the zoning code are substantially similar to those of the SMP -- perhaps slightly less stringent. SCC 14.04.233(1)(e).

12. No critical agency comments were received. No adverse testimony was presented. Two neighbors wrote letters of opposition. The easterly neighbors asked that the eight-foot side setback be observed. In an attempt at compromise, the applicants moved the garage to five feet from this side property line, rather than three feet as initially proposed. There are accessory structures on the neighbors' lot within five feet of the line.

13. The other letter objected to the proposal on the basis that it is too large and too tall to fit harmoniously with the structures around it. The Staff, after visiting the site, did not agree with this evaluation.

14. The Staff's analysis applying the variance criteria to the instant application is set forth in the Staff Report under Findings 10 and 11 therein. The Examiner concurs in and adopts that analysis. Many homes in the Lake Cavanaugh area have been converted into full time residences over the last 20 years. The need for storage facilities has spawned numerous accessory structures within the shoreline zone. The structure will be compatible with the substantially built-out character of the area.

15. The reasons set forth in the application justify the granting of the variances sought. The variances are the minimum that will make possible the reasonable use of the property. The variances will not be contrary to the purpose and intent of the SMP or the zoning code and will not injure the neighborhood or otherwise be detrimental to the public welfare.

16. Any conclusion herein which may be deemed a finding is hereby adopted as such.

CONCLUSIONS OF LAW

1. The Examiner has jurisdiction over the parties and the subject matter of this proceeding.

2. The proposal is exempt from the procedural requirements of the State Environmental Policy Act. WAC 197-11-800(6).



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3. The proposed height conflicts with the SMP's height limitations for residential accessory development. The side setback proposed conflicts with the requirements of both the zoning code and the SMP. The proposed front setback conflicts with the zoning code. See SMP 7.13(C)Table RD and SCC 14.04.090(5)(b)(ii).

4. Subject to the following conditions, the garage as proposed will meet the relevant variance approval criteria of SMP 10.03(1) and SCC 14.04.223:

1. All construction debris shall be properly disposed of on land in such a manner that it cannot enter the water or cause water quality degradation.

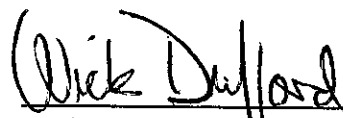
2. The applicant shall obtain a building permit and all other necessary approvals.

3. The applicant shall record the site plan Addendum prepared by Graham Bunting and Associates, dated December 13, 1999, showing the dimensions of the developed and undeveloped areas within the buffer of the Protected Critical Area (Lake Cavanaugh). The site plan must be recorded at the County Auditors Office within 120 days of approval of this permit or the permit will become null and void. SCC 14.06.145(2).

5. Any finding herein which may be deemed a conclusion is hereby adopted as such.

DECISION

The requested front, side and height variances are granted, subject to the conditions set forth in Conclusion 4 above.



Wick Dufford, Hearing Examiner

Date of Action: March 8, 2000

Copies transmitted to Applicant: March 8, 2000

Attachment: Staff Report



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RECONSIDERATION/APPEAL

The shorelines decision shall become final five (5) days from the date of this Order unless a request or reconsideration or an appeal is filed in accordance with Section 13.01 of the Skagit County Shoreline Management Master Program.

When a decision approving a shoreline variance becomes final at the County level, it is subject to approval or disapproval by the State Department of Ecology.



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B.

REVIEWING AUTHORITY: Skagit County Hearing Examiner

PUBLIC HEARING DATE: January 26, 2000

APPLICATION FOR: Shoreline Variance SHL PL#99-0224 and Zoning Variance PL# 99-0169.

APPLICATION DATE: March 16 - April 9, 1999

APPLICANT: Maxine & Dennis Hanger
8905 60th Drive N.E.
Marysville, WA 98270

PARCEL NUMBER 66327

PROJECT DESCRIPTION: Variance from SCSMMP 7.13© Table RD and S.C.C 14.04.090(5)(b)(ii) setback requirements for the construction of an 24' X 48' garage. The Variances requested are as follows:

Variance from side property line. 8 feet standard - 5 feet requested.

Variance from Shoreline maximum accessory structure height limitation of 15 feet - 23 feet high requested.

Variance from front yard setback of 35 feet - 3 feet requested.

PROJECT LOCATION: The proposed project is located at 34022 North Shore Drive, Mount Vernon, within a portion of Section 26, Township 33 North, Range 6 East, W.M., Skagit County.

RECOMMENDATION: **Approval**, with conditions stated at the end of the report.

EXHIBITS:

1. Staff Report.
2. The shorelines application, site plans, owner certificate and assorted information.
3. The zoning variance application and assorted information.
4. November 11 & 18, 1999 Notice of Development.
5. May 12, 1999 Letter of concern from John & Beverly Rothermel.
6. October 8, 1996 Fish & Wildlife Site Assessment prepared by Graham-Bunting & Associates.
7. December 13, 1999 Addendum to the Fish & Wildlife Site Assessment prepared by Graham-Bunting & Associates.
8. Interoffice routing form from Dave Sheridan from the Skagit County Department of Public Works.
9. Interoffice routing form from Greg Geleynse from the Skagit County Department of Health.
10. Interoffice e-mail from Allison Mohns dated April 14, 1999.



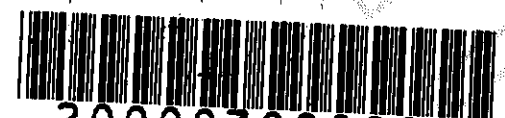
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1 11. January 3, 2000 letter from Dennis Hanger to Daniel Downs
2

3 STAFF FINDINGS:
4

- 5 1. The application has been advertised in accordance with Section 9.04 of the Skagit
6 County Shoreline Master Program (SCSMMP) and WAC 173-14-070.
7
- 8 2. The application is not "Substantial Development" as defined in the SCSMMP
9 Chapter 3.03 because residential structures and appurtenances are exempt as defined
10 in WAC 172-27-040(2)(g).
11
- 12 3. The parcel is very flat with a composition of lawn and buildings and the access
13 driveway being the only major features.
14
- 15 4. The subject proposal is located on the shoreline of a property with a single-family
16 residence on Lake Cavanaugh. The area is designated as the Lake Cavanaugh
17 Rural Village under the Skagit County Comprehensive Plan and is located within
18 the Residential District under the Skagit County Zoning Ordinance. The property
19 is designated as Rural Residential in the SCSMMP.
20
- 21 5. One letter of concern was received regarding the proposal from John & Beverly
22 Rothermal. The Rothermal's are the property owners of the lot directly adjacent to
23 east side property line where the proposed structure would be located. The letter
24 stated that a eight foot setback was acceptable but not a lesser one.
25
- 26 6. Staff determined that proposal required a Fish & Wildlife site Assessment was
27 required per S.C.C 14.06.520 of the Skagit County Critical Areas Ordinance
28 (CAO). An Addendum to an original Critical Areas Site Assessment that was
29 submitted for an expansion of the existing residence was submitted on December
30 14, 1999. Staff found that the Addendum was necessary because the current
31 proposal had not been identified in the earlier report. The report Addendum
32 addresses changes in the CAO ordinance since 1996 including requiring that the
33 lake buffer from the residence lakeward be recorded as a Protected Critical Area
34 (PCA), that no vegetation be removed within lake shore interface, and that the
35 appropriate sedimentation and erosion controls be utilized during the wet season
36 (November through April).
37
- 38 7. The proposal is not located within a Shoreline of Statewide Significance.
39
- 40 8. Staff has determined that the subject proposal shall be reviewed for consistency
41 with SMP Chapter 7.13 Residential Development based on the definition of
42 Residential Development located in Chapter 3.03 Definitions. The relevant
43 portions of the chapter are included here with staff comments in *italics*.
44



1 9. Staff have determined that the application is "categorically exempt" from the
2 State Environmental Policy Act procedure as described in WAC 197-11-
3 800(1)(a).
4
5

6 **7.13 RESIDENTIAL DEVELOPMENT**

7

8 **B. Single Family Residences**

9 Although single family residences are exempt from shoreline permit procedure (RCW
10 90.58.030 (3vi)), the county, for the benefit of the lot owner, adjacent properties, and
11 other shoreline and water body users, should review all proposals for construction to
12 determine if:

13 (1) The proposal is or is not exempt from permit procedures.

14 *The proposal is not exempt from permit procedures for the following reasons:*

- 15 a) *The applicant requests a side yard setback of 5 feet on the east side property*
16 *line in a Rural Residential shoreline designation and a Residential zoning*
17 *district which require an 8 foot setback. Therefore a variance would be*
18 *required according the side setbacks stated in SCSMMP 7.13 (C) Table RD*
19 *and S.C.C 14.04.090.(5)(b)(ii).*
20 b) *The applicant requests a front setback reduction from 35 feet (S.C.C*
21 *14.04.090.(5)(b)(ii)) to 3 feet which would also require a variance.*
22 c) *The applicant requests to build a structure with a height of 23 feet. The*
23 *SCSMMP has a maximum height limitation of 15 feet for an accessory*
24 *structure (SCSMMP Chapter 7.13(C) Table RD), therefore requiring a*
25 *variance to achieve a height of 23 feet.*
26

27 (2) The proposal is suitably located and designed and that all potential adverse impacts to
28 the shoreline and water bodies have been recognized and mitigated.

29 *The proposal required a Fish & Wildlife Report as discussed in item #4 above and is*
30 *suitably located on the most removed portion of the property from the shoreline.*

31 (3) The proposal is consistent with the intent, policies, and regulations of the Act and this
32 program (RCW 90.58.140 (1)).

33 **C. Location**

34 **(1) Existing and designated areas**

35 New substantial developments should locate in existing developed areas or in officially
36 designated residential areas providing development in these areas is consistent with this
37 program.

38 *The current proposal is located in an area designated for residential use.*

39 **(2) Geohydraulics**

40 Residential development should be located:

- 41 a. so as not to interfere with geohydraulic processes.
42 b. inland from feeder bluffs, drift sectors, and accretion shore forms.
43 c. to avoid or minimize the need for shore defense, stabilization, and flood protection
44 works.
45 d. to utilize and protect the integrity of the shore resources for the benefit of present and
46 future residents and users.



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1 (3) Services, utilities, and access

2 Shoreline residential development of a density and nature requiring substantial public
3 services, roads, and utilities should locate where such services are adequately or feasibly
4 available and officially planned.

5 (4) Geologically hazardous, sensitive, and unique areas

6 Shoreline areas subject to geologic hazards such as, but not limited to, bank and bluff
7 stuffing, failure, or excessive erosion, and other shorelines sensitive to adverse impact
8 from development should not be subject to residential development.

9 These areas, if a part of development ownership, should be reserved for less intense,
10 nondevelopmental uses.

11 *Staff determined that the proposal meets the intent of the SCSMMP regarding location.*

12
13 D. Design and Construction

14 (1) Residential shoreline development structures, services, and
15 facilities should be sited and designed to preserve, enhance, and wisely use the natural
16 features and resources of the shoreline environment.

17 (2) Site compatibility

18 Arrangement, density, setback, lot coverage, and height of dwelling units should be
19 appropriate and compatible with the local and surrounding natural and cultural features.

20 *Staff took a window survey of the surrounding area and noted the presence of numerous*
21 *accessory and primary structures located closer to the county right of way and side yard*
22 *property lines that are most likely due to the shape of the lake shoreline in relation to the*
23 *location of the roadway in the area and the overall reduced size of the lots. Height*
24 *concerns of the proposal are minimal due to the lack of developable land north of the*
25 *County road (and owned by the property owner) and because the subject lot is several*
26 *feet lower than the County road as well. The proposal would not exceed the 30% lot*
27 *coverage requirement.*

28
29 (3) Open Space

30 a. Residential development should provide ample, multipurpose open space between
31 structures and water bodies or wetlands, along site boundaries, and between conflicting
32 uses.

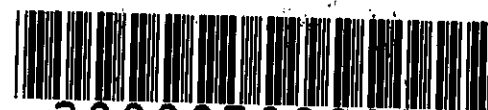
33 b. Hazardous or sensitive shoreline areas or segments not suitable for intensive or
34 developmental use should be utilized as open space.

35 (7) Accessory uses, unless clearly shoreline dependent (such as docks and floats), should
36 be set back from shoreline areas, be reasonable in size and purpose, and be compatible
37 with onsite and adjacent structures, uses, and natural features.

38 *The proposed structure is 140 feet away from the OHWM, and is compatible with natural*
39 *features. The proposed garage is a size needed by the applicant for sufficient storage,*
40 *and would be compatible with a largely "built out" area recently adopted as a Rural*
41 *Village in the 1997 Skagit County Comprehensive Plan.*

42
43 (10) Construction and maintenance

44 All phases of construction and land maintenance activities should be scheduled and
45 designed to minimize and control all runoff, erosion, and other potential adverse water
46 quality and quantity impacts.



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1 *Temporary sedimentation control will be required during construction.*

2 (11) Aesthetics

3 All residential development structures, accessory uses, and facilities should be arranged
4 and designed so as to preserve views and vistas to and from shorelines and water bodies
5 and be compatible with the aesthetic values of the area.

6 *The applicants own the high bank property directly behind the lot with the proposal and*
7 *no negative impacts to neighboring views is expected.*

8 E. Impacts

9 (1) Review of proposed residential developments should adhere to applicable local, state,
10 and federal environmental impact statement (EIS) procedures and guidelines.

11 (2) Residential developments and activities should mitigate adverse impacts to the
12 shoreline and aquatic environment and to adjacent and nearby land and water uses.

13 *See the CAO recommendations in item #6.*

14
15 **2. REGULATIONS**

16 A. Shoreline Area

17 (2) Rural Residential

18 Residential development is permitted subject to the General and Tabular Regulations.

19 B. General

20 (1) Other plans, ordinances

21 Proposals for residential development shall comply with applicable Skagit County plans,
22 and ordinances and any revisions or amendments thereto. In the case of conflicting
23 standards or requirements, the stricter shall apply.

24 (3) Accessory uses and facilities

25 Accessory facilities common to residential development shall meet the setback
26 requirements of Table RD, EXCEPT for docks, floats, boat launch ramps, and other uses
27 determined to be shoreline dependent. For docks, floats, and ramps, see "Piers and
28 Docks," Chapter 7.

29 *The applicant is seeking a variance from the side and front setback.*

30 (4) Hazardous and unstable areas

31 a. Floodway

32 Residential structures and primary facilities of a permanent nature as part of
33 development subject to this program shall be located out of the officially mapped
34 floodway of the Skagit River, its tributaries, and the Samish River.

35 b. Residential structures and accessory facilities are prohibited on accreting, eroding,
36 slumping, or geologically unstable shorelines and where extensive shore defense and/or
37 flood or storm protection structures would be necessary. Proposals for such development
38 shall meet shoreline setbacks, other than those of Table RD, that are deemed suitable to
39 site conditions by the Planning Department.

40 (5) Shore defense and flood protection works

41 Residential development shall be located and designed to avoid the need for structural
42 shore defense and flood protection works.

43 (8) Shoreline resources and fragile/unique areas

44 Shoreline resources such as but not limited to fresh and salt water marshes, accretion
45 beaches, estuaries, and floodways shall be utilized for nonstructural, nonextractive
46 residential related uses.



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1 Such resources may qualify as meeting open space requirements of Table RD.

2 (12) Drainage and runoff

3 Residential developments shall utilize effective measures to control, treat, and release
4 surface water runoff so that receiving water quality and shore properties and features are
5 not adversely affected. Such measures shall meet the standards and criteria of the Skagit
6 County Code.

7 *The proposal will be 140 feet away from the OHWM on a very flat lot.*

8 (13) Sewage and waste disposal

9 Residential development shall meet all state and local guidelines and standards for solid
10 waste and sewage disposal.

11 *The applicant will need to designate a reserve drain field area prior to issuance of a*
12 *Building Permit.*

13 (14) Screening and/or buffer areas

14 Setbacks for shoreline residences shall serve as screening and/or buffer areas between
15 properties and between dwelling units and water bodies. Planned Unit Developments
16 (PUD) and residential recreational developments of five (5) or more dwelling units shall
17 comply with screening and/or buffer standards as determined by the Planning Department
18 at time of application review.

19 *The proposal includes recording a PCA (Protected Critical Area) for the land waterward*
20 *of the existing deck of the residence.*

21 d. Accessory development.

22 Such setbacks shall be measured from the OHWM, EXCEPT for officially mapped or
23 recognized critical areas (erosion bluffs or shores, wetlands, marshes), whereby setbacks
24 shall be measured from the top of the bluff or cliff or nearest wetland edge.

25
26 10. Master Program, Chapter 10 Variances, sets forth the criteria for granting Shoreline
27 Variance Permits. Section 10.03(1) - Criteria for granting shoreline variance permits
28 reads:

29
30 Variance permits for development to be located landward of the ordinary high
31 water mark (OHWM), except within areas designated marshes, bogs or swamps
32 pursuant to Chapter 173-22 WAC, may be granted provided the applicant can meet
33 all the following criteria; the burden of proof shall be on the applicant.

34
35 a. **That the strict application of the bulk, dimensional or performance**
36 **standards set forth in this Master Program precludes or significantly**
37 **interferes with a reasonable use of the property not otherwise**
38 **prohibited by this Master Program.** *The lot is only 187/168' X 60' wide*
39 *in size, and is bordered by a 30' County easement. The applicant seeks to*
40 *occupy the existing residence fulltime thereby creating the necessity of*
41 *adequate garage/storage building. Other dimensional constraints include*
42 *the access road, and a small existing storage building.*

43
44 b. **That the hardship described above is specifically related to the**
45 **property and is the result of unique conditions such as irregular lot**
46 **shape, size or natural features and the application of this Master**



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1 **Program and not, for example, from deed restrictions or the applicant's**
2 **own actions. The hardship is specifically related to the dimensional width**
3 **of the lot which limits the building location to the site proposed and the**
4 **desire to increase the use of the residence from a temporary recreational**
5 **use to a full-time residential use.**

6
7 **c. That the design of the project will be compatible with other permitted**
8 **activities in the area and will not cause adverse effects to adjacent**
9 **properties or the shoreline environment designation. Lake Cavanaugh is**
10 **basically "built out" and is recognized as such in the Skagit County**
11 **Comprehensive Plan (Lake Cavanaugh Rural Village), no adverse effects**
12 **have been identified that would be caused by the structure being located at**
13 **a distance of 140' from the OHWM. The proposal seeks to be within 5 feet**
14 **of the eastern property line where several existing structures are set at 5**
15 **feet from the property line on the adjacent lot. Adverse effects to the**
16 **shoreline are addressed by the Critical Areas Review (see item #6).**

17
18
19 **d. That the variance authorized does not constitute a grant of special**
20 **privilege not enjoyed by the other properties in the same area and will**
21 **be the minimum necessary to afford relief. Many homes in the Lake**
22 **Cavanaugh area have been converted into full time residences over the last**
23 **20 years thereby increasing the need for storage facilities. The applicant**
24 **hopes to store his 17-foot boat with a 3-foot outboard and two cars within**
25 **the structure as well as a small workshop. Numerous accessory structures**
26 **in the area are within the 200 foot shoreline buffer due to the relationship**
27 **between the shoreline and the County road.**

28
29 **e. That the public interest will suffer no substantial detrimental effect. No**
30 **detrimental effect has been identified.**

31
32 **11. Section 14.04.223 (1) (e) Variances of the Skagit County Code states that certain**
33 **items will be reviewed when approving or denying Variances. Staff comments as**
34 **they relate to the Variance criteria are as follows:**

35
36 **a. That special conditions and circumstances exist which are peculiar to**
37 **the land, structure or building involved and which are not applicable**
38 **to other lands, structures, or buildings in the same district.**

39
40 *See 10(a) above.*

41
42
43 **b. That literal interpretation of the provisions of this chapter would**
44 **deprive the applicant of rights commonly enjoyed by other properties**
45 **in the same district under the terms of this chapter.**
46



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1 *Staff notes that the literal interpretation of the provisions of this chapter*
2 *would deprive the applicant of rights commonly enjoyed by other*
3 *properties in the same district under the terms of this chapter.*

4
5
6 **c. That the special conditions and circumstances do not result from the**
7 **actions of the applicant.**

8
9 *The applicant has indicated that the conditions did not result from his actions*
10 *but were caused when the lot was created.*

11
12 **d. The granting of the variance requested will not confer on the applicant**
13 **any special privilege that is denied by this chapter to other lands,**
14 **structures, buildings in the same district.**

15 *See 10 (d) above).*

16
17
18 12. The Skagit County Department of Public Works has no comment on the proposal.

19
20 **RECOMMENDATION**

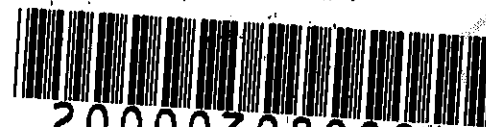
21
22 Based on the above findings, the Skagit County Planning and Permit Center would
23 recommend for **approval** of a Shoreline Variance Permit and zoning variance, subject to the
24 following conditions:

- 25
26 1. All construction debris shall be properly disposed of on land in such a manner that it
27 cannot enter in to the waterway or cause water quality degradation.
28
29 2. The applicant must obtain a Skagit County Building Permit and receive all the
30 necessary approvals incorporated within the said permit.
31
32 3. The applicant shall record the site plan Addendum prepared by Graham Bunting
33 & Associates and dated December 13, 1999 showing the dimensions of the
34 developed and undeveloped areas within the buffer of the Protected Critical Area
35 (Lake Cavanaugh). The site plan must be recorded at the County Auditors (SCC
36 14.06.145(2) office within 120 days of approval of this permit or the permit will
37 become null & void.
38
39
40

41 Prepared By: DD

42 Approved By:

43 Date: January 25, 2000



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