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Skagit County Auditor

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11:44AM

Please return To:

Skagit County Planning and Permit Center

**SKAGIT COUNTY PLANNING AND PERMIT CENTER
FINDINGS OF FACT**

HEARING AUTHORITY: SKAGIT COUNTY PLANNING DIRECTOR

APPLICATION NUMBER: ADMINISTRATIVE DECISION PL02-0312

APPLICANT: CHARLES HARRAH
CHRISTIE HOUSTON

ADDRESS: 20960 LAKE 16 ROAD
MOUNT VERNON, WA 98273

PROJECT LOCATION: Located at 9594 Flagstaff Lane, LaConner, within a portion of Section 22, Township 34 North, Range 2 East, W.M., Skagit County, Washington.

PROJECT DESCRIPTION: Administrative reduction in setback request to construct a single family residence on five (5) acres and locate the structure approximately 50 feet off of the east property line in a Secondary Forest designated area that requires a minimum setback of 100 feet on all sides. The applicant is requesting to reduce the required setback by 50 feet on one side. This request is being made pursuant to SCC 14.16.810(4).

ASSESSOR'S ACCOUNT NUMBER: 340222-1-002-0107

PROPERTY ID NUMBER: P20642

ZONING/ COMPREHENSIVE PLAN: The proposed project is located within a Secondary Forest-Natural Resource Lands (SF-NRL) zoning/Comprehensive Plan designated area as identified within the Skagit County Comprehensive Plan and associated maps as adopted July 24, 2000.

STAFF FINDINGS: Pursuant to 14.16.810(4), the Administrative Official may reduce the required front, side or rear setbacks where topography or critical areas or the lot's size and configuration impact the reasonable development of the property. To reduce the front or rear setback, the Administrative Official must determine that the public health, safety and welfare will be maintained. Consultation with the Public Works Department concerning traffic safety may be solicited during this analysis.

1. The subject property is approximately 5 acres in size measuring approximately 670 feet in length along the east and west property lines and approximately 325 feet in width along the north and south property lines. The proposed residential structure will be located approximately 270 feet off of the front yard property line, to the south of Flagstaff Lane, and the garage structure is proposed to be located approximately 60 feet off of the east property line, to the east of the proposed residential structure. The topography of the site is such that the land slopes downward from the east to the west at an approximate 8 degree slope. The site contains a shallow swale running through much of the property in a north/south configuration at approximately mid property. This reduces the land available for development and creates a situation where the applicant will not be able to meet the 100 foot setback requirement. The subject property will be serviced water by a proposed drilled well and the residence will utilize an on-site septic system.
2. The applicant is proposing to construct an approximate 1,536 square foot single family residence and locate the residence approximately 90 feet off of the east property line, approximately 270 feet off of the north property line and approximately 180 feet off of the west property line. The applicant is also proposing to construct an approximate 600 square foot garage structure located directly to the east of the proposed residence approximately 50 or 60 feet off of the east property line and approximately 20 or 30 feet to the east of the proposed residence. The parcel is 5 acres in size and was platted in approximately 1974. Since that time the zoning has changed and the parcel has since been designated as a Secondary-Forest Natural Resource Land designated area with a lot size requirement of 20 acres in size and a setback requirement of at least 100 feet on all sides.
3. Skagit County Code section 14.16.420 (5)(a) states that the required setback off of all property line is a minimum of 100 feet.
4. A letter of completeness was issued on June 19, 2002. A Notice of Development was published in a newspaper of general circulation and was posted on the property on June 27, 2002. All property owners within 300 feet of the property were sent the Notice of Development. The fifteen day comment period ended on July 12, 2002 and there were no comments received in regard to this proposal.
5. The proposal was reviewed by Skagit County critical areas staff. Staff indicated that the critical areas review was conducted earlier with related permits (#PL02-0249 and SW02-0185). Critical Areas staff approved the proposal without conditions.



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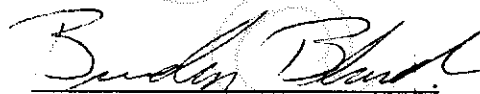
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6. The application was reviewed by the Skagit County Environmental Health Unit. Environmental Health had no concerns with the proposal.
7. The proposal was reviewed by Public Works. Public Works had no concerns with the proposal.
8. Staff finds that the proposal to construct a single family residence and accessory structure on this five (5) acre site and deviate from the required setback is reasonable due to the topography of the site and the timing of the land designation in relationship to when the parcel was legally created.
9. Staff finds that the request would not create any problems with regard to the maintenance of public health, safety or welfare. Additionally, no traffic safety concerns were identified with the proposal. The proposed project will fit in with the surrounding area. There are existing houses on both sides of this property which do not meet the required 100 foot setback. Staff finds that based on the lot size, the configuration of the existing neighborhood, and the topography of the lot there will be no negative impact related to the reduction in the setback requirement for this site.

Decision:

The Director hereby approves the Administrative Decision to allow reasonable use of the property subject to the conditions and modifications listed below:

1. The applicant shall obtain all necessary permits.
2. The building permit for the proposed residential modification shall be issued in accordance with the approved administrative decision as requested.



Brandon Black, Associate Planner

Date of approval: July 18, 2002

Prepared by: BB

The applicant and/or a party of record may appeal the decision of the Administrative Official to the Skagit County Hearing Examiner pursuant to the provisions of Section 14.06.110(7). Parties with standing to appeal must submit the appeal form and appeal fees to the Planning and Permit Center within 14 calendar days of the publication of this Notice pursuant to SCC 14.06.110.



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