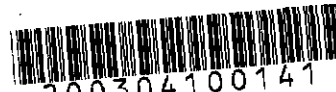


Please return To:

Skagit County Planning and Permit Center



200304100141

Skagit County Auditor

4/10/2003 Page

1 of

3 11:17AM

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

HEARING AUTHORITY: SKAGIT COUNTY PLANNING DIRECTOR

APPLICATION NUMBER: ADMINISTRATIVE DECISION PL03-0077

APPLICANT: JAMES LEUENBERGER

ADDRESS: 1461 MARIETTA AVE.
BELLINGHAM, WA 98226

PROJECT LOCATION: Located at 17087 Lake View Blvd., Mount Vernon, within a portion of Section 36, Township 34 North, Range 4 East, W.M., Skagit County, Washington.

PROJECT DESCRIPTION: The applicant requests an administrative reduction in setback for the construction of a deck off of the front of an existing residence. The request is to locate the proposed deck approximately 28 feet off of the front property line. The required setback in this area is 35 feet from the front property line. The applicant is requesting a seven (7) foot reduction from the standard setback requirement. This request is being made pursuant to SCC 14.16.810(4) to allow for the addition of a deck to an existing single family residence that will not meet the required setbacks within a Rural Village Residential (RVR) designated area as per SCC 14.16.310(5)(a).

ASSESSOR'S ACCOUNT NUMBER: 3941-000-038-0002

PROPERTY ID NUMBER: P67101

ZONING/ COMPREHENSIVE PLAN: The proposed project is located within a Rural Village Residential (RVR) zoning/Comprehensive Plan designation 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 0.22 acres in size located to the east of Lake View Boulevard. The existing residence is located approximately mid property, along the westerly portion of the parcel. The existing residence is located approximately 33 feet off of the south property line, approximately 30 feet off of the north property line, and approximately 38 feet off of the west property line. The topography of the site is such that the house is elevated in height long the front of the residence, and the rear of the residence is slightly below the existing ground level. The proposed deck would be extending off of the front of the residence at an elevation that is level with the first living floor, and would extend over exiting lawn and driveway area. The existing driveway is bordered by existing retaining walls with flowerbeds and existing lawn area that is elevated above the roadway.
2. The applicant is proposing to construct a deck off of the front of an existing residence and locate the proposed deck approximately 28 feet from the front property line. The required setback in this area is 35 feet off of the front property line. The applicant is requesting a seven (7) foot reduction from the standard setback requirement.
3. Skagit County Code section 14.16.310 (5)(a) states that the required front yard property line setback within a Rural Village Residential (RVR) designated area is 35 feet.
4. A letter of completeness was issued on February 18, 2003. A Notice of Development was published and posted on the property on February 20, 2003. All property owners within 300 feet of the property were sent the Notice of Development. The fifteen day comment period ended on March 3, 2003 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 a site visit was conducted on February 19, 2003 and critical areas review was approved with the condition that the "Low Flow" form must be recorded prior to the approval of the building permit application (BP03-0116).
6. The proposal was reviewed by Public Works. Public Works had no concerns with the proposal.



200304100141
Skagit County Auditor

4/10/2003 Page

2 of

3 11:17AM

7. Staff finds that the proposal to add a deck on to an existing single family residence and reduce the required setback by seven (7) feet, locating the structure 28 feet off of the front yard property line, is reasonable due to the lot size and configuration.
8. Staff finds that the requested addition to the residential structure 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. Staff finds that based on the lot size, the configuration of the existing neighborhood, and the location of the existing structures and infrastructure on this lot, the proposal shall be approved.

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 applicant shall record the "Low Flow" form prior to the approval of the building permit application (BP03-0116).
3. 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: March 25, 2003
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.