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Skagit County Planning and Development Services



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Skagit County Auditor

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**SKAGIT COUNTY PLANNING AND DEVELOPMENT SERVICES  
FINDINGS OF FACT**

**HEARING AUTHORITY:** SKAGIT COUNTY PLANNING DIRECTOR

**APPLICATION NUMBER:** ADMINISTRATIVE DECISION PL05-0459

**APPLICANT:** JACKIE CHRIEST

**ADDRESS:** 33688 BAMBOO LANE  
MOUNT VERNON, WA 98274

**PROJECT LOCATION:** Located at 33474 West Shore Drive, Mount Vernon, within a portion of Section 22, Township 33 North, Range 6 East W.M., situated within Skagit County, Washington.

**PROJECT DESCRIPTION:** The applicant requests an Administrative reduction in setbacks for the construction of a 3,024 square foot house, and garage structure. The structure is proposed to be located approximately 20 feet off of the southwest (front) property line along West Shore Drive, approximately 100 feet off of the northwest (side) property line, approximately 32 feet off of the northeast (rear) property line, and approximately 30 feet off of the southeast (side) property line. Skagit County Code (SCC) section 14.16.310(5)(a) requires a minimum front setback of 35 feet for primary structures or 25 feet on a minor access and/or dead-end streets, 8 foot side yard setbacks on interior lots or a 20 foot side yard setback on street right-of-way, and a 25 foot setback off of the rear property line.

**ASSESSOR'S ACCOUNT NUMBERS:** 3939-001-177-0013

**PROPERTY NUMBER:** P66951

**ZONING/ COMPREHENSIVE PLAN:** The proposed project is located within a Rural Village Residential zoning/Comprehensive Plan designated area as identified within the Skagit County Comprehensive Plan and associated maps as adopted July 24, 2000 and as thereafter amended.

**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 measures approximately 203 feet in length along the north property line, approximately 158 feet width along the northeast property line, approximately 186 feet in length along the southeast property line, and approximately 262 feet in width along the southwest property line. The subject property is physically located along the east side of West Shore Drive, and west of Lake Cavanaugh.
2. The proposed accessory structure will not be able to meet the current front setback requirements due to the lots configuration and critical areas. SCC Section 14.16.310(5)(a) requires a 25 foot front setback on minor access and dead-end streets; this is a 5 foot reduction request at the closest point.
3. A letter of completeness was issued on July 29, 2005 per SCC Section 14.06.100. A Notice of Development was published and posted on the property on August 4, 2005 per SCC Section 14.06.150. All property owners within 300 feet of the property were sent the Notice of Development. There was a fifteen-(15) day public comment period associated with the Notice which ended on August 19, 2005. No public comments were received in regard to this proposal.
4. The proposal was reviewed by Skagit County critical areas staff. Staff indicated the following; "The initial review took place with PL01-0801 and subsequent reviews took place with PL02-0305 and PL02-0689. The review was nearly completed with those applications. The current proposal is not substantially different from the previous one. The consultant has addressed the current project and provided additional mitigation. The mitigation recommendations will be conditions of approval for this proposal and will be added to the list of building permit conditions. Any "Grasscrete" used onsite to reduce the amount of impervious surface shall be installed pursuant to the manufacturer's recommendations. In addition, a Protected Critical Area site plan must be recorded prior to approval of the building permit. The proposed dock and entry ramp must be reviewed and permitted by the Washington State Department of Fish and Wildlife. The Hydraulic Project Approval (HPA) must be obtained prior to dock or ramp construction."

5. The proposal was reviewed by Skagit County shorelines staff. Staff indicated the following; "The proposal must meet the shoreline setbacks and tabular requirements of SCC 14.26.7.13 Table RD for any of the property that is within 200 feet of the OHWM of Lake Cavanaugh. The shoreline designation is Rural Residential."
6. The proposal was reviewed by Skagit County Public Works Department. Public Works indicated that an access permit will be required.
7. Staff finds that the proposed reduction in setback request is reasonable due to the existing lot configuration and critical areas.
8. Staff finds that the requested setbacks would not create any problems with regard to the maintenance of public health, safety or welfare.

**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 permits for the proposed structures shall be issued in accordance with the approved reduction in setback as requested.
3. A copy of this decision shall be submitted with the building permit at time of application.
4. Prior to building permit approval, the applicant shall obtain an access permit.
5. The applicant shall provide and demonstrate that the mitigation recommendations have been met and approved by the Critical Areas Staff prior to Final approval of the building permit.
6. A Protected Critical Area site plan must be recorded prior to approval of the building permit.
7. The proposed dock and entry ramp must be reviewed and permitted by the Washington State Department of Fish and Wildlife. The Hydraulic Project Approval (HPA) must be obtained prior to dock or ramp construction.
8. The proposal must meet the shoreline setbacks and tabular requirements of SCC 14.26.7.13 Table RD for any of the property that is within 200 feet of the OHWM of Lake Cavanaugh.

Prepared By:

Michele Q. Szafran  
Michele Q. Szafran, Assistant Planner

Reviewed By:

Brandon Black  
Brandon Black, Senior Planner

Date of approval: August 26, 2005

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 Development Services within 14 calendar days of the publication of this Notice pursuant to SCC 14.06.110.



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