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Skagit County Planning and Development Services



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

HEARING AUTHORITY: SKAGIT COUNTY PLANNING DIRECTOR

APPLICATION NUMBER: ADMINISTRATIVE DECISION PL05-0392

APPLICANT: CATHERINE A. ABDELRASSOUL

ADDRESS: P.O. BOX 2711
REDMOND, WA 98073

PROJECT LOCATION: Located at Plat of Rancho San Juan Del Mar, Subdivision 10, Lot 12 along McCorkle Place, Anacortes, within a portion of Section 35, Township 35 North, Range 1 East W.M., situated within Skagit County, Washington.

PROJECT DESCRIPTION: The applicant requests an Administrative reduction in setbacks for the construction of a 1,112 square foot house and a 460 square foot attached garage. The topography, the lot's size and configuration impact the reasonable development of the property. The structure is proposed to be located approximately 10 feet off of the east (front) property line along McCorkle Place, approximately 27 feet off of the northwest (rear) property line, approximately 38 feet off of the southwest (rear) property line, approximately 80 feet off of the south (side) property line, and approximately 32 feet off of the north (side) property line. Skagit County Code (SCC) section 14.16.300(5)(a) requires a 25 foot front setback off of a minor access road, 8 foot side yard setbacks, and a 25 foot setback off of the rear property line.

ASSESSOR'S ACCOUNT NUMBERS: 3981-000-012-0003

PROPERTY NUMBER: P68427

ZONING/ COMPREHENSIVE PLAN: The proposed project is located within a Rural Intermediate (RI) 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 69 feet in depth along the north (side) property line, approximately 59 feet in width along the northwest (rear) property line, approximately 100 feet in width along the southwest (rear) property line, approximately 65 feet in depth along the south (side) property line, approximately 168 feet in width along the east (front) property line. The subject property is physically located on a minor access road, along the west side of McCorkle Place.
2. The proposed single family structure will not be able to meet the current front setback requirements due to the lots size, configuration, and topography. SCC Section 14.16.300(5)(a)(i) requires a 25 foot front setback; this is a 15 foot reduction request at the closest point.
3. A letter of completeness was issued on July 8, 2005 per SCC Section 14.06.100. A Notice of Development was published and posted on the property on August 18, 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 September 2, 2005. The following comment letters were received;
 - Del LaFace located at 4242 Olympic View Lane, Anacortes, letter received on July 21, 2005, and a second letter on August 29, 2005 for the second notice of development, opposing the requested variance because it is too close to the road and will not conform with the rest of the neighborhood.
 - Betty Sturgis located at 11776 McCorkle Place, Anacortes, letter was received on July 26, 2005, opposing the requested variance because it is too close to the road and will not conform to the rest of the neighborhood.
 - Adam and April Jones located at 4072 San Juan Blvd., Anacortes, letter received on August 8, 2005, opposing the requested variance because it will not conform to the rest of the neighborhood.
 - Wo M. (Lee) Kue located at 11792 McCorkle Place, Anacortes, letter received on July 27, 2005, stating concern of the septic runoff which is upslope from their house. The plat map does not reflect utility or drainage easements for this particular lot as like the adjacent and neighboring lots have.

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- Richard Pease located at 4092 San Juan Blvd., Anacortes, letter received on July 22, 2005, opposes the requested variance because it is too close to the road and will not conform to the rest of the neighborhood.
 - Sandra Johnson located at 11746 McCorkle Place, Anacortes, letter received on July 26, 2005, opposes the requested variance because it is too close to the road and will not conform to the rest of the neighborhood.
4. The proposal was reviewed by Skagit County critical areas staff. Staff indicated that CAO has been approved with SW05-0277.
 5. The proposal was reviewed by the Skagit County Public Works Department. Public Works indicated the following; "Due to the configuration of the proposed garage, Public Works does not recommend approval of this request. Public Works does not recommend a setback of less than 20-feet from the road right-of-way when garage doors are forward facing. Twenty feet allows a full size vehicle to pull off of the right-of-way. Public Works would not object a reduced front setback if the design was reconfigured with side-facing doors." The department notes that since the time of the initial review the applicant revised the house design to accommodate the requirements of Public Works. Public Works reviewed the revised site plan and approved the request with no further comments.
 6. Staff finds that the proposed reduction in setback request is reasonable due to the existing topography, existing lot configuration and lot size. The reasonable development of the property is impacted, and this is the only feasible building location on the property.
 7. Staff finds that the requested setbacks 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.

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 structure 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.



Prepared By:

Michele Q. Szafran
Michele Q. Szafran, Assistant Planner

Reviewed By:

Brandon Black
Brandon Black, Senior Planner

Date of approval: September 14, 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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