

Please return to:

Skagit County Planning and Development Services



200510190167

Skagit County Auditor

10/19/2005 Page

1 of

4 3:28PM

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

HEARING AUTHORITY: SKAGIT COUNTY PLANNING DIRECTOR

APPLICATION NUMBER: ADMINISTRATIVE DECISION PL05-0610

APPLICANT: JOHN & ELIZABETH WALGAMOTT

ADDRESS: 12692 MARINE DRIVE
ANACORTES, WA 98221

PROJECT LOCATION: Located at 12692 Marine Drive, Anacortes, within a portion of Section 2, Township 34 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 single family residential structure. The structure is proposed to be located approximately 27 feet off of the east (front) property line along Marine Drive, approximately 8 feet off of the south (side) property line, approximately 30 feet off of the north (side) property line, and approximately 30 feet off of the west (rear) high bank line. Skagit County Code (SCC) section 14.16.300(5)(a)(i) requires a 35 foot front setback, 25 feet on minor access and dead-end streets, 8 foot side yard setbacks, and a 25 foot setback off of the rear property line.

ASSESSOR'S ACCOUNT NUMBERS: 3973-000-002-0005

PROPERTY NUMBER: P68242

ZONING/ COMPREHENSIVE PLAN: The proposed project is located within a Rural Intermediate 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 is approximately 2.2 acres in size, located on the east and west side of Marine Drive. The parcel measures approximately 700 feet in depth along the south property line, approximately 750 feet in depth along the north property line, and approximately 190 feet in width along the east and west property line. The building site west of Marine Drive measures approximately 190 feet in width along the east and west property line, and approximately 250 feet in depth along the south and north property line. The building site is physically located, along the west side of Marine Drive, east of Burrows Bay.
2. The proposed structure will not be able to meet the current front setback requirements due to the lots critical areas and the lots size and configuration. SCC Section 14.16.300(5)(a)(i) requires a 35 foot front setback; this is a 8 foot reduction request at the closest point.
3. A letter of completeness was issued on September 12, 2005 per SCC Section 14.06.100. A Notice of Development was published and posted on the property on September 15, 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 30, 2005. No public comments were received in regard to this proposal.
4. The proposal was reviewed by Skagit County critical areas staff. Staff indicated that the site review was initially completed with BP05-0104. The project is located outside of the Protected Critical Areas (PCA). A second Geotech report from Dr. Threet was submitted for review. Based on the content of the report, Geohazard is tentatively approved with the requirement that the recommendations included in the Geohazard Site Assessment by Dr. Threet, dated March 10, 2005, and reports submitted by J.B. Scott and Associates, are included as conditions of permit approval. Conditions include, but are not limited to, the following;
 - 1) A 30-foot setback from slopes exceeding 40%.
 - 2) Installation of a "shear block".
 - 3) Installation of a surface water collection system.
5. The proposal was reviewed by Skagit County shorelines staff. Staff indicated that the proposal is outside of shoreline jurisdiction.



6. The proposal was reviewed by the Skagit County Public Works Department. Public Works had no comments.
7. The department finds that the proposed reduction in setback request is reasonable due to the existing lot size and configuration and the critical areas. The reasonable development of the property is impacted by the 200 foot shoreline jurisdiction to the west of the property and a 30 foot easement and ravine which is located on the eastern portion of the property.
8. The department 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. Geohazard is tentatively approved with the requirement that the recommendations included in the Geohazard Site Assessment by Dr. Threet, dated March 10, 2005, and reports submitted by J.B. Scott and Associates, are included as conditions of permit approval. Conditions include, but are not limited to, the following;
 - A 30-foot setback from slopes exceeding 40%.
 - Installation of a "shear block".
 - Installation of a surface water collection system.
4. Please be advised that this approval for reduction of setback is based on a limited review specific to the criteria for this application (14.16.810 (4) SCC). Other County requirements may alter your proposal and require revision to your plan to comply with all jurisdictional requirements for development.



Prepared By:

Michele Q. Szafran
Michele Q. Szafran, Assistant Planner

Reviewed By:

Brandon Black
Brandon Black, Senior Planner

Date of approval: October 5, 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.

Reduction in setback request #PL05-0610



200510190167
Skagit County Auditor

10/19/2005 Page 4 of 4 3:28PM