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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 PL05-0848

**APPLICANT:** LESLIE AND ROXANN CLARK

**ADDRESS:** P.O. BOX 1919  
MOUNT VERNON, WA 98273

**PROJECT LOCATION:** Located at 25661 Lake Cavanaugh Road, Mount Vernon, within a portion of Section 17, Township 33 North, Range 5 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 40 feet off of the west side of the easement along Lake Cavanaugh Road, approximately 132 feet off of the northwest property corner, approximately 150 feet off of the southwest property corner, and 30 feet from the top of slope along the eastern portion of the property. Skagit County Code (SCC) section 14.16.420(5)(a) requires a 100 foot front, side and rear setback.

**ASSESSOR'S ACCOUNT NUMBERS:** 330517-1-001-0020  
330517-1-001-0200

**PROPERTY NUMBER:** P18097  
P123293

**ZONING/ COMPREHENSIVE PLAN:** The proposed project is mostly located within a Secondary Forest-Natural Resource Lands (SF-NRL) and a portion along the

northeast of the property is within a Industrial Forest-Natural Resource Lands (IF-NRL) 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 655 feet in width along the west property line, approximately 455 feet in width along the east property line, approximately 1,810 feet in depth along the north property line, and approximately 1,710 feet in depth along the south property line. The subject property is physically located along the east side of Lake Cavanaugh Road.
2. The proposed structure will not be able to meet the current front setback requirements due to the lots topography and critical areas. SCC Section 14.16.420(5)(a) requires a 100 foot front setback; this is a 60 foot reduction request at the closest point.
3. A letter of completeness was issued on December 20, 2005 per SCC Section 14.06.100. A Notice of Development was published and posted on the property on December 29, 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 January 13, 2006. No public comments were received in regard to this proposal.
4. The proposal was reviewed by Skagit County critical areas staff. Staff indicated that a review was completed with BP00-1139. Project meets required 30 foot setback from top of slope.
5. The proposal was reviewed by the Skagit County Public Works Department. Public Works indicated that the 40 foot setback must be from the property line not the edge of asphalt as indicated on the site plan dated on December 12, 2005. A revised site plan was submitted on January 18, 2006 requesting the 40 foot setback off of the easement line and 30 feet from the top of slope. Public works reviewed the revised site plan and had no comments.
6. Staff finds that the proposed reduction in setback request is reasonable due to the existing lots topography and critical areas.

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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:**

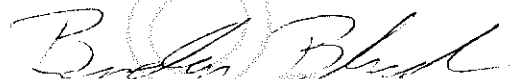
The Director hereby approves the Administrative Decision to allow reasonable use of the property subject to the conditions and modifications listed below:

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.
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.
5. All fees must be paid prior to final approval.

Prepared By:

  
Michele Q. Szafran, Assistant Planner

Reviewed By:

  
Brandon Black, Senior Planner

Date of approval: January 25, 2006

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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