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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 PL05-0846

APPLICANT: GARY R. BEST

ADDRESS: 25455 LAKE CAVANAUGH ROAD
MOUNT VERNON, WA 98274

PROJECT LOCATION: Located at 25455 Lake Cavanaugh Road, Mount Vernon, within a portion of Section 8, 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 placement of a new manufactured home. The structure is proposed to be located approximately 25 feet off of the north (front) property line, approximately 360 feet off of the west (front) property line, approximately 330 feet off of the east (side) property line, and approximately 660 feet off of the south (side) property line. Skagit County Code (SCC) section 14.16.420(5)(a) requires a 100 foot front, side, and rear setback off of the property lines.

ASSESSOR'S ACCOUNT NUMBERS: 330508-4-006-0004

PROPERTY NUMBER: P18056

ZONING/ COMPREHENSIVE PLAN: The proposed project is located within a Secondary Forest-Natural Resource Lands (SF-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 is approximately 10 acres in size, measuring approximately 775 feet in depth along the north property line, approximately 638 feet in depth along the south property line, approximately 750 feet in width along the west property line, and approximately 730 feet in width along the east 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 configuration. Lot configuration is defined as follows; "means the shape of the lot and its infrastructure, structural and vegetation elements." The applicant has indicated the following as factors for the placement of the new manufactured home; "the existing septic will be used, and there will be the least amount of disturbed area." SCC Section 14.16.420(5)(a) requires a 100 foot front setback; this is a 75 foot reduction request at the closest point.
3. A letter of completeness was issued on December 21, 2005 per SCC Section 14.06.100. A Notice of Development was published and posted on the property on January 5, 2006 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 20, 2006. The following comment letter was received;
 - Jim and Stephanie Cress located at 25315 Lake Cavanaugh Road, Mount Vernon, letter received on January 17, 2006 requesting to be notified of the action taken on this application, concerning the setback variance in regard to the shared easement.

The proposal is located approximately 12,050 feet south of Mr. and Mrs. Cress's property. The proposal is to utilize the exiting access in the same manner for the new manufactured home. The existing residence will be removed.
4. The proposal was reviewed by Skagit County critical areas staff. Staff indicated that the initial review took place with PL05-0828, and stated that a change in location may require additional review.
5. The proposal was reviewed by the Skagit County Public Works Department. Public Works indicated that the applicant will need to provide a copy of their easement for access. The applicant submitted a copy of the easement on January 9, 2006 and Public Works staff approves the request.

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6. The proposal was reviewed by the Skagit County Building Department. Building staff indicated that the applicant will need a building permit.
7. Staff finds that the proposed reduction in setback request is reasonable due to the existing lot configuration.
8. 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 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 permits at time of application.
4. The existing home shall be removed prior to final approval of the building permit.
5. 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.
6. 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 31, 2006

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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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