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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 PL05-0853

APPLICANT: MARNIE AND CHARLES PENNINGTON

ADDRESS: 1622 46TH AVE. S.W.
SEATTLE, WA 98116

PROJECT LOCATION: Located at 5096 Roney Road, Bow, within a portion of Section 35, Township 36 North, Range 2 East W.M., situated within Skagit County, Washington.

PROJECT DESCRIPTION: The applicant requests an Administrative reduction in setbacks for the construction of a new single family residence. The structure is proposed to be located approximately 20 feet off of the south line of the 60 foot easement along Karry Lane (minor access), approximately 74 feet off of the west (side) property line, approximately 210 feet off of the east (front) property line along Roney Road (major access), and approximately 30 feet off of the south (side) property line. A detached garage is to be constructed 20 feet west of the single family residence and meets all the required setbacks. Skagit County Code (SCC) section 14.16.300(5) requires a 35 foot front setback; 25 feet on minor access and dead-end streets, an 8 foot side yard setback on interior lots, and a 25 foot setback off of the rear property line.

ASSESSOR'S ACCOUNT NUMBERS: 360235-1-004-0100

PROPERTY NUMBER: P104875

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 318 feet in length along the south and north property line, and approximately 132 feet in width along the west and east property line. The subject property is physically located along the west side of Roney Road, and the south side of Karry Lane.
2. The proposed accessory structure will not be able to meet the current front setback requirements due to the lot size and configuration. SCC Section 14.16.300(5) requires a 25 foot front setback of off minor access or a dead-end street; this is a 5 foot reduction request at the closest point.
3. A letter of completeness was issued on December 28, 2005 per SCC Section 14.06.100. A Notice of Development was published and posted on the property on January 12, 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 27, 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 the initial critical areas review took place with PL05-0428 and was approved.
5. The proposal was reviewed by the Skagit County Public Works Department. Public Works stated the following; "SP93-032 provides a 60 foot easement for road and utility purposes. This easement width does not change, or decrease to 50 feet in width, because the requirements changed after the plat was done. Therefore, the set back must be measured from the easement line as shown on the face of the plat (S93-032). The site plan reflects a 20 foot setback and this does not correspond with the proposal in the narrative which indicates 25 foot setback. The request should just refer to a 5 foot reduction."
6. Staff finds that the proposed reduction in setback request is reasonable due to the existing lot size and configuration. The reduction of the north front setback by 5 feet is necessary to locate the residence and preserve the mature trees along the

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south property line. The location of the residence also allows adequate room for the septic system.


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:

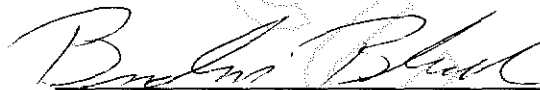
The Director hereby approves the Administrative Decision to allow reasonable use of the property subject to the conditions and modifications listed below:

1. The applicant shall obtain all necessary permits.
2. The building 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. The easement remains 60 feet and the reduction shall be measured from the easement line for the placement of the residence as shown on the site plan.
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: February 3, 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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