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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 PL06-0110

**APPLICANT:** Susan P. Harris

**ADDRESS:** 2927 Brook Lane  
Sedro-Woolley, WA 98284

**PROJECT LOCATION:** The proposed project is located at 10501 Chuckanut Drive, Mount Vernon, WA; within a portion of the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 30, Township 35 North, Range 04 East, W.M., Skagit County, WA.

**PROJECT DESCRIPTION:** Administrative Decision pursuant to SCC 14.16.810(4) for the reduction of setbacks to allow for an addition to a pre-existing nonconforming structure located approximately 25 feet from the rear property line instead of the required 35 feet.

**ASSESSOR'S ACCOUNT NUMBER:** 350430-2-005-0208

**PROPERTY ID NUMBER:** P#38116

**COMPREHENSIVE PLAN/ZONING:** Agriculture-Natural Resource Lands

**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 designated as Agriculture-NRL. Per Skagit County Code 14.16.400 (5)(a) (i)(A-C) sets the setbacks for a residential structure at 35 feet from the front and rear property line and 8 feet from the side.
2. The subject property is a rectangular shaped approximately .25 acre parcel located on the east side of Chuckanut Drive. The property runs in an east/west configuration and measures approximately 100 feet on the west (front) along Chuckanut Drive and east (rear) property lines and approximately 110 feet along the north/south (side) property line. There is an existing single family residence on the property which currently is being remodeled. According to the site plan submitted with this request, the home is located, at its closest point, approximately 30 feet from the front property line, 25 feet from the north side property line, 27 feet from the south side property line and 25 feet, at its closest point, from the rear property. The on site septic system is located along the rear property line. The property is served by public water.
3. The subject property is located within a natural resource land designated area. The applicant will need to comply with SCC 14.18.870 Notification of Development Activities on or Adjacent to Designated Natural Resource Lands. The subject property is located within an A7 flood hazard zone per FIRM Map 530151 0235D with a base flood elevation of 25.5 feet. The applicant will need to comply with SCC 14.34 Flood Damage Prevention.
4. The applicant is in the process of renovating the existing residence. As part of this process, the southern half of the home was demolished and is being replaced with a 2 story addition. The new addition is within the same bottom footprint of the original home with the addition of the 2<sup>nd</sup> story. The new addition is 37 feet from the front property line, 27 feet from the south property line and 25 feet from the rear property line.
5. A letter of completeness was issued on February 27, 2006. A Notice of Development was published and posted on the property on March 2, 2006. Property owners within 300 feet of the property were sent the Notice of Development. Four letters in opposition to this request were received.
6. The application was routed to the appropriate County offices for review. **Public Works**—no concerns; **Septic Division**—no concerns; **Critical Areas**—no review was completed as there is no expansion of the original footprint.
7. Without a reduction in setbacks, the Department finds that the size of the lot with the location of the original residence would preclude reasonable development of the property. The building is positioned on the parcel to maximize the living area.
8. Staff has determined 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 request.



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**Decision:**

The Director hereby approves the Administrative Decision to allow for a reduction in the rear setback subject to the conditions and modifications listed below:

1. The applicant shall obtain all necessary permits.
2. The building permit shall be issued in accordance with the approved reduction in setback as requested.
3. The applicant will need to comply with SCC 14.18.870 Notification of Development Activities on or Adjacent to Designated Natural Resource Lands.
4. The applicant will need to comply with SCC 14.34 Flood Damage Prevention.

  
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Oscar Graham, Deputy Director

  
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Marge Swint,  
Associate Planner

Date of approval: *April 3, 2004*  
End of Appeal period: *April 17, 2004*

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 Planning and Development Services within 14 calendar days of the date of decision of this Notice pursuant to SCC 14.06.110.



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