

Please return to:

Skagit County Planning and Development Services



200605170101
Skagit County Auditor

5/17/2006 Page 1 of 3 2:07PM

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

HEARING AUTHORITY: SKAGIT COUNTY PLANNING DIRECTOR

APPLICATION NUMBER: ADMINISTRATIVE DECISION PL06-0185

APPLICANT: RYAN D. LAVINE

ADDRESS: 11297 HAVEKOST ROAD
ANACORTES, WA 98221

PROJECT LOCATION: Located at 11297 Havekost Road, Anacortes, within a portion of Section 35, Township 35 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 1,568 square foot single family residential structure. The structure is proposed to be located approximately 18 feet to 20 feet off of the east (rear) property line, approximately 170 feet off of the south (side) property line, and approximately 100 feet off of the north (side) and west (front) property line located off of an access road from Havekost Road. An existing residence will be removed to allow the placement of the new residence, and the existing infrastructure will be used for the new residence. Skagit County Code (SCC) section 14.16.430(5)(a) requires a 50 foot front, side and rear setback.

ASSESSOR'S ACCOUNT NUMBERS: 350135-1-014-0108

PROPERTY NUMBER: P32565

ZONING/ COMPREHENSIVE PLAN: The proposed project is located within a Rural Resource 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 50 feet in depth along the north property line, approximately 250 feet in depth along the south property line, approximately 400 feet in width along the west property line, and approximately 330 feet in width along the east property line. The subject property is physically located along the east side of Havekost Road.
2. The proposed residential structure will not be able to meet the current rear setback requirements due to the lots topography and configuration. SCC Section 14.16.430(5)(a) requires a 50 foot rear setback; this is a 32 foot reduction request at the closest point.
3. A letter of completeness was issued on March 22, 2006 per SCC Section 14.06.100. A Notice of Development was published and posted on the property on March 30, 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 April 14, 2006. The following comment letter was received;
 - Dennis and Patricia Knoch located at 11286 Havekost Road, Anacortes, letter received on April 14, 2006 stating that they have no objection to this specific issue but have concerns on several other issues.
4. The proposal was reviewed by Skagit County critical areas staff. Staff indicated that a review has been completed and approved with BP05-0283.
5. The proposal was reviewed by the Skagit County Public Works Department. Public Works staff had no comments.
6. Staff finds that the proposed reduction in setback request is reasonable due to the existing topography, and lot configuration.
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:

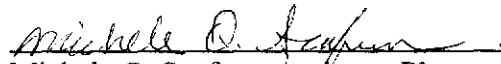
Reduction in setback request #PL06-0185



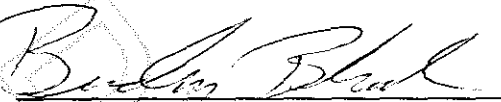
The Director hereby approves the Administrative Decision to allow reasonable use of the property subject to the conditions and modifications listed below:

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. The existing residence shall be removed.
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: May 1, 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.

Reduction in setback request #PL06-0185



200605170101
Skagit County Auditor