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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 PL06-0322

APPLICANT: DONALD AND SHARON HAZE

ADDRESS: 698 DESCARTES
HENDERSON, NV 89015

PROJECT LOCATION: Located at 7511 Holiday Blvd., Anacortes, within a portion of Section 8, Township 35 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 approximately (12'x22') 264 square foot detached single car garage structure. The structure is proposed to be located approximately 3 feet off of the east (side) property line, and approximately 36 feet off of the north (front) property line. Skagit County Code (SCC) section 14.16.300(5)(iv) requires a 35 foot front setback, 8 foot side yard setbacks, and a 25 foot setback off of the rear property line.

ASSESSOR'S ACCOUNT NUMBERS: 3926-006-082-0003

PROPERTY NUMBER: P66043

ZONING/ COMPREHENSIVE PLAN: The proposed project is located within a Rural Intermediate 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 70 feet in width along the north and south property line, and approximately 350 feet in depth along the east and west property line. The subject property is physically located along the south side of Holiday Boulevard, north of the Guemes Channel.
2. The proposed garage structure will not be able to meet the current side setback requirements due to the lots configuration and topography. SCC Section 14.16.300(5) requires an 8 foot side yard setback; this is a 5 foot reduction request at the closest point.
3. A letter of completeness was issued on April 14, 2006 per SCC Section 14.06.100. A Notice of Development was published and posted on the property on April 20, 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 May 5, 2006. The following comment letters were received;
 - Fred and Susan Wintermantel located at 7881 Evergreen Lane, Anacortes, letter received on May 5, 2006 in opposition of the proposed reduction of setback.
4. The proposal was reviewed by Skagit County critical areas staff. Staff indicated that a Critical Areas review was completed and approved with PL05-0076. Protected Critical Area (PCA) A.F# 200507270038.
5. The proposal was reviewed by the Skagit County Shorelines Administrator. The Administrator indicated that the site plan must show the Ordinary High Water Mark (OHWM) and the distance from the OHWM to the proposed structures, and the site plan must also indicate the proposed building height. A revised site plan was submitted on May 25, 2006 and the Shoreline Administrator indicated the following; "As long as the average of the setbacks of the adjacent dwelling units within 300 feet of the side property lines is under 185 feet I do not see any problem with this proposal from a shoreline regulatory point of view."
6. The proposal was reviewed by the Skagit County Public Works Department. Public Works indicated that an access permit will be required to access Holiday Boulevard.
7. Staff finds that the proposed reduction in setback request is reasonable due to the existing lot configuration and topography.

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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:

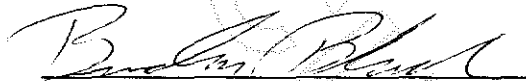
The Director hereby approves the Administrative Decision to allow reasonable use of the property subject to the conditions and modifications listed below:

1. The applicant shall obtain all necessary permits.
2. The building 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. Prior to building permit approval, an access permit will be required to access Holiday Boulevard.
5. Any structures within 200 feet of the OHWM or the average of the setbacks of the adjacent dwelling units within 300 feet of the side property lines shall comply with shoreline jurisdiction requirements.
6. 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.
7. 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: June 2, 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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