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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 PL06-0501

**APPLICANT:** DAVID BUCHAN

**ADDRESS:** 19844 10<sup>TH</sup> AVE. N.W .  
SHORELINE, WA 98177

**PROJECT LOCATION:** Located at 15376 Channel Drive, LaConner, within a portion of Section 24, Township 34 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 an addition to an existing residential structure and a new garage structure. The project proposal also includes the reconstruction of a portion of the existing residence on site within the existing footprint. The addition and garage structures are proposed to be located approximately 25 feet off of the east (front) property line along Channel Drive, approximately 25 feet off of the west (rear) property line, and approximately 50 feet off of the south (side) property line. The existing structure which is proposed to be rebuilt currently does not meet the rear setback requirement of 25 feet. The current setback is 20 feet from the rear property line and the replacement structure is proposed to be rebuilt on the existing footprint. Skagit County Code (SCC) section 14.16.320(5) 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:** 4341-000-001-0009

**PROPERTY NUMBER:** P79563

**ZONING/ COMPREHENSIVE PLAN:** The proposed project is located within a Rural Reserve 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.

**DEPARTMENTAL 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 179 feet in length along the west (rear) property line, approximately 80 feet in width along the south (side) property line, approximately 190 feet in length along the east (front) property line, and approximately 111 feet in width along the north (side) property line. The subject property is physically located along the west side of Channel Drive, and east of the Swinomish Channel.
2. The proposed structures will not be able to meet the current front setback requirements due to the lots size and configuration. SCC Section 14.16.320(5) requires a 35 foot front setback; this is a 10 foot reduction request at the closest point.
3. A letter of completeness was issued on June 7, 2006 per SCC Section 14.06.100. A Notice of Development was published and posted on the property on June 29, 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 July 14, 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 Fish and Wildlife Assessment dated May 26, 2006 was reviewed and was incomplete. A revised Fish and Wildlife Assessment was received on August 14, 2006 and the information submitted has satisfied the Critical Areas Review for this proposal.
5. The proposal was reviewed by the Skagit County Shorelines Administrator. The Shorelines Administrator indicated in the initial review that there are discrepancies between the site plan, Map 1-setbacks, and the Fish and Wildlife Assessment in regards to lot calculations and setbacks of the existing residences from the OHWM. A revised site plan was received dated July 21, 2006 addressing lot coverage and setbacks from the OHWM. A site visit was conducted on August 17, 2006 and the Shoreline Administrator noted that there are several developed areas on site that are not illustrated on the site plan. The

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site plan must show all developed areas and site coverage calculations must reflect all developed areas.

- The setback locations of adjacent residences from the OHWM will need to be verified per Map 1.

Since the time of initial review, the site plan has been modified in conjunction with the building permit application (#BP06-0544). The Shoreline Administrator has determined that the proposal meets the requirements of the Shoreline Management Act and has recommended approval of this proposed setback reduction.

6. The proposal was reviewed by the Skagit County Public Works Department. Public Works had no concerns with the proposal.
7. Staff finds that the proposed reduction in setback request is reasonable due to the existing lot size and 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 permit at time of application.
4. All fees must be paid prior to final approval.
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.***



