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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 PL06-0927

APPLICANT: Rocky Lohoff

ADDRESS: 20457 Curran Place
Mount Vernon, WA 98274

PROJECT LOCATION: The proposed project is located at 23263 Pioneer Hwy. Mount Vernon, WA; within a portion of the SE¼ of the NW ¼ of Section 31, Township 33 North, Range 04 East, W.M., Skagit County, WA.

PROJECT DESCRIPTION: Administrative reduction of setbacks to allow for an 84 square foot addition to a preexisting nonconforming building to be located 14 feet from the front property line (Milltown Road) instead of the required 35 feet.

ASSESSOR'S ACCOUNT NUMBER: 330431-2-023-0003

PROPERTY ID NUMBER: P17549

ZONING/COMPREHENSIVE PLAN: Agriculture-NRL

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) (ii) sets the setbacks for a nonresidential structure at 35 feet from

the front, 15 feet side and 35 feet rear. In addition, per SCC 14.04 corner lots have more than 1 front lot line.

2. The subject property is located at the southeast intersection of Pioneer Highway (SR 530) and Milltown Road. The property is rectangular in shape and is approximately .75 acres in size. There are two preexisting nonconforming structures located on the property. According to the applicant one is a residence, the other is used as a store and storage. It is the store/storage building located at the corner which is the subject of this request. The residential building is south of the subject building. The septic tank and drainfield are located west and south of the residence.
3. The subject property is located within an A-2 flood hazard zone per FIRM Map 530151 0425. The applicant will need to comply with SCC 14.34 Flood Damage Prevention.
4. According to the site plan submitted with this request, the subject building is approximately 40 feet long by 24 feet wide and lies in a north/south configuration. The building is shown to be approximately 30 feet from the driving surface of Pioneer Highway and approximately 14 feet from Old Milltown Road. According to the submitted building plans the bottom portion of the building is a store and the upper floor is used for storage.
5. The applicant is in the process of making upgrades to the building and as part of this upgrade the building is being raised to meet flood requirements. A 21-foot long by 4-foot (84 square feet) wide concrete footing and wall addition was added to the east side of the building at the north end to help maintain the building structural integrity.
6. 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.
7. A letter of completeness was issued on November 6, 2006. A Notice of Development was published and posted on the property on November 9, 2006. Property owners within 300 feet of the property were sent the Notice of Development. No correspondence was received.
8. The application was routed to the appropriate County offices for review. The following comments were received. **Public Works**—no parking shall be allowed along the north side (Milltown Road) of the building. Future parking along the west side (Pioneer Highway) of the building will require additional review from Skagit County Public Works. **Critical Areas**—reviewed and approved under building permit review (BP06-0596).



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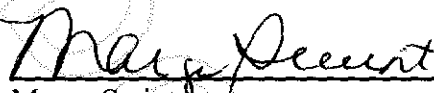
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9. Without a reduction in setbacks, the Department finds that the size of the lot with the location of the preexisting nonconforming building (built prior to setback requirements) would preclude reasonable development of the property. The property is further restricted as it is a corner lot with two 35 feet front setbacks.
10. Staff has determined that the requested setbacks with conditions would not create any problems with regard to the maintenance of public health, safety or welfare.

Decision:

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

1. The applicant shall obtain all necessary permits.
2. No parking shall be allowed along Milltown Road.
3. Future parking along Pioneer Highway side of the building will require additional review from Skagit County Public Works.
4. The applicant will need to comply with SCC 14.34 Flood Damage Prevention.
5. The applicant will need to comply with SCC 14.18.870 Notification of Development Activities on or Adjacent to Designated Natural Resource Lands.
6. The building permit shall be issued in accordance with the approved reduction in setback as requested and the site plan dated October 12, 2006.


Marge Swint,
Senior Planner


Brent Morrow, MS, MPA
Senior Planner, Team Supervisor

Date of approval: January 10, 2007

End of Appeal period: January 24, 2007

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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