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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 REDUCTION IN SETBACK
VARIANCE PL06-0977

APPLICANT: Tom and Carol Sullivan

ADDRESS: 17041 Talbot Road
Edmonds, WA 98026

PROJECT LOCATION: The project is located at 9587 Samish Island Road, Bow, WA, within a portion of Section 27, Township 36, Range 02, W.M., situated within Skagit County, Washington.

PROJECT DESCRIPTION: The applicant requests an Administrative Reduction in Setbacks to reduce the front setback adjacent to Samish Island Road from 25' to 20'. The applicants are requesting this reduction in order to construct a house on a .52 acre lot in the Rural Intermediate zone.

Skagit County Code (SCC) 14.16.300 (5) (i) requires a 25' front setback on a minor access road in the Rural Intermediate zone.

ASSESSOR'S ACCOUNT NUMBERS: 4147-004-010-0022

PROPERTY NUMBER: P75219

ZONING/ COMPREHENSIVE PLAN: The proposed project is located within the Rural Intermediate/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 upland area of the subject property measures approximately 85' north to south by 140' east to west. The property is bordered on the south side by the right-of-way of Samish Island Road. The north side of the lot contains a beach and fronts on Samish Bay.
2. Part of the proposed residential structure will be built 5' into the 25' setback off of Samish Island Road, as shown on the preliminary site plan received with the application on November 1, 2006.
3. The application was declared complete on December 7, 2006. A Notice of Development was published, posted, and mailed the week of December 11, 2006, as 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 December 29, 2006. There was one public comment letter received in support of the proposal.
4. The proposal was reviewed by Skagit County critical areas staff. Staff indicated that critical areas review was completed with PL06-0175, and that the building height associated with the project must be no greater than 30' above average grade.
5. The proposal was reviewed by the Skagit County Public Works Department. Public Works had no comments.
6. The proposal was reviewed by County staff for septic issues. Staff indicated that at the time of building permit application, there may be septic issues such as size and as setbacks which may affect the building location. The preliminary sit plan shows little room for a septic system. Staff later reviewed a site plan dated as being received on 2/1/07 and determined that the proposal will not impact the septic system.
7. Staff finds that the proposed reduction in setback request is reasonable due to the small size of the lot (.52 acres) in relation to the required lot size (2.5 acres) in the Rural Intermediate zone. The developable area of the lot is further restricted on the north end of the property because of the 50' setback required from the ordinary high water mark of Samish Bay.



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.
9. 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.

Decision:

The Director hereby approves the Administrative Decision to allow a reduction in setbacks to reduce the front setback adjacent to Samish Island Road from 25' to 20', 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. Prior to the building permit being issued at the specified location, a septic system will need to be approved.
4. A copy of this decision shall be submitted with the building permit at time of application.
5. Prior to building permit approval, the applicant shall submit a copy of a current water bill.
6. The building height associated with the project must be no greater than 30' above average grade.

Date of approval:

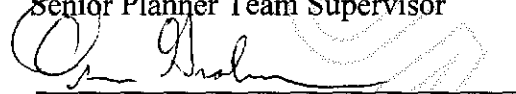
February 8, 2007

Prepared By:



Brent Morrow, MS, MPA
Senior Planner Team Supervisor


Reviewed By:



Oscar Graham, Deputy Director
Planning and Development Services

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 publication of this Notice pursuant to SCC 14.06.110.

Sullivan Administrative Variance PL06-0977


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