

Please return to:

Skagit County Planning and Development Services



200704250092
Skagit County Auditor

4/25/2007 Page 1 of 4 1:39PM

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

HEARING AUTHORITY: SKAGIT COUNTY PLANNING DIRECTOR

APPLICATION NUMBER: ADMINISTRATIVE DECISION PL07-0023

APPLICANT: JAMES AND BETTE ROBBINS

ADDRESS: 14059 MACTAGGART AVE
EDISON, WA 98232

PROJECT LOCATION: Located at 14059 MacTaggart Ave, Edison, within a portion of Section 33, Township 36 North, Range 3 East W.M., situated within Skagit County, Washington.

PROJECT DESCRIPTION: The applicant requests an Administrative reduction in setbacks for the construction of a garage structure. The structure is proposed to be located approximately 30 feet off of the south (front) property line along MacTaggart Ave., and approximately 8 feet off of the east (side) property line. Skagit County Code (SCC) section 14.16.310(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: 4099-002-005-0005

PROPERTY NUMBER: P72954

ZONING/ COMPREHENSIVE PLAN: The proposed project is located within a Rural Village Residential (RVR) 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 60 feet in width along the north and south property line, and approximately 155 feet in depth along the east and west property line. The subject property is physically located north of MacTaggart Avenue and south of Edison Slough.
2. The proposed accessory structure will not be able to meet the current front setback requirements due to the lots size and configuration. SCC Section 14.16.310(5) requires a 35 foot front setback; this is a 5 foot reduction request at the closest point.
3. A letter of completeness was issued on February 8, 2007 per SCC Section 14.06.100. A Notice of Development was published and posted on the property on February 22, 2007 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 March 9, 2007. No public comments were received in regard to this proposal.
4. The proposal was reviewed by Skagit County critical areas staff. Staff indicated that a Fish and Wildlife site assessment must be submitted prior to approval of this application. The Fish and Wildlife Habitat Assessment by Edison Engineering was submitted on March 7, 2007. Staff reviewed and approved the report. No mitigation is required for this proposal however a Protected Critical Area (PCA) must be recorded prior to approval of the building permit for this project.
5. The proposal was reviewed by the Skagit County Shorelines Administrator. The Shorelines Administrator indicated that all proposed residential development within 200 feet of the shoreline of Edison Slough or an associated wetland will need to meet the dimensional requirements of SCC 14.26.(2)(C) Table RD, in order to not require a Shoreline Variance. The subject property is located within the Rural shoreline designation so that portion of the table should be utilized. The lot was created prior to November 22, 1978 and shall maintain a side-yard setback of at least eight feet.
6. The proposal was reviewed by the Skagit County Public Works Department. Public Works indicated that they have no comments.



200704250092

Skagit County Auditor

4/25/2007 Page

2 of

4 1:39PM

7. Staff finds that the proposed reduction in setback request is reasonable due to the existing lot size and configuration, and the size of the existing lots in the immediate vicinity.
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 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. Protected Critical Area (PCA) must be recorded prior to approval of the building permit.
5. Must meet the dimensional requirements of SCC 14.26.(2)(C) Table RD, in order to not require a Shoreline Variance.
6. Prior to building permit approval the applicant shall demonstrate the site coverage percentages for the building(s) and access areas on site. Please itemize those percentages (structure vs. access).
7. ***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.***
8. All fees must be paid prior to final approval.

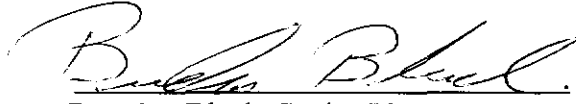


200704250092
Skagit County Auditor

Prepared By:


Michele Q. Szafran, Assistant Planner

Reviewed By:


Brandon Black, Senior Planner

Date of approval: April 9, 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 the Planning and Development Services within 14 calendar days of the publication of this Notice pursuant to SCC 14.06.110.



200704250092
Skagit County Auditor

4/25/2007 Page

4 of

4 1:39PM