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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 PL07-0356

APPLICANT: JAMES CARLSEN

ADDRESS: 13526 42ND CT.
MUKILTEO, WA 98275

PROJECT LOCATION: Located at 23928 North Westview Road, Mount Vernon, within a portion of Section 1, Township 33 North, Range 4 East W.M., situated within Skagit County, Washington.

PROJECT DESCRIPTION: The applicant requests an Administrative reduction in setbacks for a new single family residential structure which will replace the existing residence. The structure is proposed to be located approximately 20 feet off of the northeast (front) property line along North Westview Road Right-of-way, approximately 8 feet off of the northwest and southeast (side) property lines, and approximately 50 feet off of the southwest Ordinary High Water Mark (OHWM) line. Skagit County Code (SCC) section 14.16.310(5) requires a 25 foot front setback off of a minor access and/or dead-end street, 8 foot side yard setbacks, and a 25 foot setback off of the rear property line.

ASSESSOR'S ACCOUNT NUMBERS: 4137-000-020-0004

PROPERTY NUMBER: P74759

ZONING/ COMPREHENSIVE PLAN: The proposed project is located within a Rural Village Residential 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 190 feet in depth along the northwest property line, approximately 198 feet in depth along the southeast property line, approximately 48 feet in width along the northeast property line, and approximately 55 feet in width along the southwest property line. The subject property is physically located on a minor access road, along the west side of Sulfer Springs Road, east of Big Lake.
2. The proposed structure will not be able to meet the current front setback requirements due to the lots size, configuration and critical areas. SCC Section 14.16.310(5)(a) requires a 25 foot front setback off of minor access and/or dead-end streets, this is a 5 foot reduction request at the closest point.
3. A letter of completeness was issued on April 26, 2007 per SCC Section 14.06.100. A Notice of Development was published and posted on the property on May 3, 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 May 18, 2007. No public comments were received in regard to this proposal.
4. The proposal was reviewed by the Skagit County Shorelines Administrator for shoreline and critical areas compliance. The Shorelines Administrator indicated the following: "Fish and Wildlife report dated March 23, 2007 by Edison Engineering, leaves the issue of site coverage percent of developed area unresolved." A new site plan was submitted on May 24, 2007 showing the proposed and existing lot coverage calculations. The new site plan was approved on May 24, 2007.
5. The proposal was reviewed by the Skagit County Public Works Department. Public Works indicated that they have no objection to the proposed reduced building setbacks at a 20 foot front-yard setback from North Westview Road right-of-way.
6. Staff finds that the proposed reduction in setback request is reasonable due to the existing lot size, configuration and critical areas, as well as the size of the existing lots in the immediate vicinity.

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7. 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:

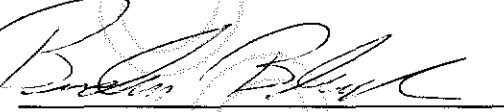
The Director hereby approves the Administrative Decision to allow reasonable use of the property subject to the conditions and modifications listed below:

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. ***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.***
5. 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 11, 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.

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