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Skagit County Planning and Development Services



200707130158

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 PL07-0142

APPLICANT: KIMBERLY OBBINK

ADDRESS: 8303 132ND ST.
KIRKLAND, WA 98034

PROJECT LOCATION: Located at 12 Sinclair Island, Sinclair Island, within a portion of Section 9, Township 36 North, Range 1 East W.M., situated within Skagit County, Washington.

PROJECT DESCRIPTION: The applicant requests an Administrative reduction in setbacks for the continued placement of an existing 12.25' x 30.2' utility building and a 10' x 12.25' addition to the existing building. The structure is currently located approximately 3 feet off of the east (front) property line off of the private road, approximately 16 feet off of the north (side) property line, approximately 62 feet off of the south (side) Ordinary High Water Mark (OHWM) line, and approximately 140 feet off of the west (rear) OHWM line. 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: 3944-000-012-0009

PROPERTY NUMBER: P67193

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 87 feet in width along the east property line, approximately 155 feet in width along the west property line, approximately 176 feet in depth along the north property line, and approximately 180 feet in depth along the south property line. The subject property is physically located off of a minor access road, within the plat of Leadbetter's on Sinclair Island.
2. The accessory structure can not meet the current front setback requirements due to the lots size, configuration and critical areas. SCC Section 14.16.320(5) requires a 35 foot front setback; this is a 32 foot reduction request at the closest point.
3. A letter of completeness was issued on April 30, 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. The following comment letters were received:
 - Ferdi Businger located at 10 Sinclair Island, Anacortes, letter received on May 14, 2007 in favor of the proposed reduction of setbacks.
 - Marc Schuldt located at Sinclair Island, Anacortes, Letter received on May 8, 2007 in favor of the proposed reduction of setbacks.
4. The proposal was reviewed by Skagit County critical areas staff. Staff indicated that the fish & wildlife habitat site assessment has been reviewed and approved for this proposal. Prior to approval, a Protected Critical Area (PCA) site plan must be recorded at the County Auditor's office. The PCA has been recorded under Auditor's file number 200705310101.
5. The proposal was reviewed by the Skagit County Shorelines Administrator. The Shorelines Administrator had no comments regarding the proposal.
6. The proposal was reviewed by the Skagit County Public Works Department. Public Works had no comments regarding the proposal.



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Reduction in setback request #PL07-0142

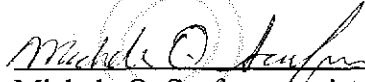
7. Staff finds that the proposed reduction in setback request is reasonable due to the existing lot size, configuration, and critical areas.
8. Staff finds that the requested setbacks would not create any problems with regard to the maintenance of public health, safety or welfare. Additionally, no traffic 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 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 20, 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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