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Skagit County Planning and Development Services



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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 PL07-0365

APPLICANT: SERGE LETORGEON

ADDRESS: 13431 N. GREEN STREET
ANACORTES, WA 98221

PROJECT LOCATION: Located at 13431 N. Green Street, Anacortes, within a portion of Section 8, Township 34 North, Range 2 East W.M., situated within Skagit County, Washington.

PROJECT DESCRIPTION: The applicant requests an Administrative reduction in setbacks to allow for an alteration and an addition to an existing single family residential structure. The proposal includes reducing the side (north and south) setback from 8 feet to 3 feet and the rear (east) setback from 25 feet to 20 feet. The existing residence currently is located 3 feet off of the north and south side property lines, 39 feet off of the west front property line, and 26 feet off of the east rear property line. Skagit County Code (SCC) section 14.16.300(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: 4001-003-002-0011

PROPERTY NUMBER: P69231

ZONING/ COMPREHENSIVE PLAN: The proposed project is located within a Rural Intermediate 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 30 feet in width along the east and west property lines, and approximately 110 feet in depth along the north and south property lines. The subject property is physically located along the east side of North Green Street.
2. The proposed alteration and addition to the existing structure will not be able to meet the current side and rear setback requirements due to the lots topography, lot size and configuration. SCC Section 14.16.300(5) requires an 8 foot side setback, and a 25 foot rear setback, this is a 5 foot reduction request at the closest point.
3. A letter of completeness was issued on May 2, 2007 per SCC Section 14.06.100. A Notice of Development was published and posted on the property on May 10, 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 25, 2007. No public comments were received in regard to this proposal.
4. The proposal was reviewed by Skagit County critical areas staff. Staff indicated the following: "The County has completed a critical areas site visit as part of the standard project review. The site visit confirmed the presence of wetland indicators within 200 feet of the proposal. Per SCC 14.24, a wetland site assessment must be completed by a qualified professional prior to permit approval. The Skagit County Critical Areas Ordinance, SCC 14.24, requires that you retain a qualified consultant to create a plan that assesses the potential impacts of your proposal on any nearby critical areas (please see the enclosed list of qualified consultants). If you are unable to avoid impacts to the critical area(s) and/or buffer(s), your consultant will need to design a mitigation plan."

A Fish and Wildlife Site Assessment was received by the department on June 8, 2007 and was reviewed and approved as noted; "No development may occur within 7 feet of the rear property line."

5. The proposal was reviewed by the Skagit County Public Works Department. Public Works indicated that they have no comments regarding the reduced side yard and rear yard setbacks.



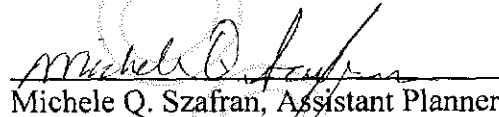
6. Staff finds that the proposed reduction in setback request is reasonable due to the existing topography, existing lot size, and configuration, and the size of the existing lots in the immediate vicinity.
7. Staff finds that the requested setbacks would not create any problems with regard to the maintenance 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: July 16, 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.

Reduction in setback request #PL07-0365



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