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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 PL07-0428

APPLICANT: HOWARD AND CAROL PELLETT

ADDRESS: 5293 GUEMES ISLAND ROAD
ANACORTES, WA 98221

PROJECT LOCATION: Located on Lot 44 of Alverson's Camp Tracts, Guemes Island Road, Anacortes, within a portion of Section 36, Township 36 North, Range 1 East W.M., situated within Skagit County, Washington.

PROJECT DESCRIPTION: The applicant requests an Administrative reduction in setbacks in order to provide a future building envelope for a residential structure. The building envelope is proposed to be located approximately 8 feet off of the east (front) property line along the unopened public access right-of-way, approximately 8 feet off of the west (side) property line, approximately 25 feet off of the south (side) property line, and approximately 35 feet off of the north (front) property line along Guemes Island Road. Skagit County Code (SCC) section 14.16.300(5) requires a 35 foot front setback off of a property line and or off of a right-of-way or a 25 foot front setback off of a minor access and or dead-end street, and an 8 foot side yard setback. This parcel consists of two front property lines and two side property lines.

ASSESSOR'S ACCOUNT NUMBERS: 3856-000-044-0007

PROPERTY NUMBER: P61744

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 75 feet in width along the north and south property lines, and approximately 100 feet in depth along the east and west property lines. The subject property is physically located along the south side of Guemes Island Road, south of Padilla Bay.
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 14.16.300(5) requires a 35 foot setback off of the front property line and or Right-of-way line; this is a 27 foot reduction request off of the east property line at the closest point.
3. A letter of completeness was issued on June 6, 2007 per SCC Section 14.06.100. A Notice of Development was published and posted on the property on June 21, 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 July 6, 2007.

The following comment letter was received during the "Notice" comment period;

- Leslie Larsen, located at 4677 Guemes Island Road, Anacortes, letter received on July 2, 2007 in opposition of the proposed reduction of setback.

4. The proposal was reviewed by Skagit County critical areas staff. Staff indicated the following: "CAO review was initiated with PL07-0426. A wetland site assessment was reviewed with that application and additional information was requested." Review was completed with PL07-0426 and a PCA was approved and recorded on August 23, 2007 under AF#200708230085.
5. The proposal was reviewed by the Skagit County Shorelines Administrator. The Shorelines Administrator indicated that the site is not within a shoreline jurisdiction.
6. The proposal was reviewed by the Skagit County Public Works Department. Public Works indicated that they have no objection to rear and side setbacks.

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7. 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.
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:

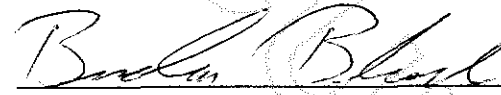
The Director hereby approves the Administrative Decision to allow reasonable use of the property subject to the conditions and modifications listed below:

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. The gross building area shall not be greater than 35% of the lot area per SCC14.16.300(5)(e).
5. ***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.***
6. 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: September 24, 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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