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Skagit County Auditor

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

**HEARING AUTHORITY:** SKAGIT COUNTY PLANNING DIRECTOR

**APPLICATION NUMBER:** ADMINISTRATIVE DECISION PL07-0697

**APPLICANT:** THOMAS & GINA MINIFIE

**ADDRESS:** 28218 NE 148<sup>TH</sup> PL  
DUVALL, WA 98019-8160

**PROJECT LOCATION:** Located at 23154 Lanyard Lane, Mount Vernon, within a portion of Section 36, Township 34 North, Range 04 East W.M., situated within Skagit County, Washington.

**PROJECT DESCRIPTION:** The applicant requests an Administrative reduction in setbacks for the construction of a 2,669 square foot single family residential structure. The residential structure is proposed to be located 20 feet off of the west (front) property line along Lanyard Lane, 107.9 feet off of the east (rear/lakeside) property line, and 8 feet off of the north and south (side) property lines. Skagit County Code (SCC) section 14.16.310(5)(a)(i) requires a minimum front setback of 25 feet for primary structures from minor access and dead end streets, 8 foot side yard setbacks on interior lots or a 20 foot side yard setback on street right-of-way, and a 25 foot setback off of the rear property line.

**ASSESSOR'S ACCOUNT NUMBERS:** 340436-0-039-0017

**PROPERTY NUMBER:** P29913

**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 85 feet in width along the north and south property line, approximately 127.5 feet in depth along the east and west property line. The subject property is physically located on a minor access road, along the west side of Lanyard Lane;
2. The proposed residential structure will not be able to meet the current front setback requirements due to the lot configuration and shoreline Fish & Wildlife Habitat Buffer. SCC Section 14.16.310(5)(a)(i) requires a 25 foot front setback, this is a 5 foot reduction request at the closest point;
3. A letter of completeness was issued on November 22, 2007 per SCC Section 14.06.100. A Notice of Development was published and posted on the property on November 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 December 7, 2007. No public comments were received in regard to this proposal;
4. The proposal was reviewed by Skagit County critical areas staff. Critical Areas staff indicated that a site visit was conducted on September 7, 2007 and that critical areas were found within 200 feet of the project area. Critical areas staff review was conducted via PL07-0696. The proposal was approved with conditions of recorded PCA under Auditor's File Number 200711140065;
5. The proposal was reviewed by the Skagit County Shorelines Administrator. The Shorelines Administrator indicated that the site must meet tabular requirements of SCC 14.26.7.13. The percent of developed area must be demonstrated within the lot east of Lanyard Lane. Indicate driveways, parking areas "developed areas" per shoreline regulations;
6. The proposal was reviewed by the Skagit County Public Works Department. Public Works indicated that the request to have the front setback reduced from 25 feet to 20 feet for the purpose of placement of a residential structure is approved;
7. Staff finds that the proposed reduction in setback request is reasonable due to the existing lot configuration, existing lot size, and the size of the existing lots in the immediate vicinity;

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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(s) 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(s) at time of application;
4. 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);
5. Two (2) off-street parking spots shall be provided in addition to the existing residential parking prior to issuance of a certificate of occupancy. Additionally, per SCC 14.16.850(5) in no zoning district shall any portion of articles or vehicles be permitted to be stored in public rights-of-way. All vehicles placed in setbacks shall be currently licensed and registered;
6. Shall comply with SCC 14.16.800 Performance standards in relation to vibration, heat, glare & steam, electrical disturbance and noise;
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.

Prepared By:

  
Lori J. Wight, Associate Planner

Reviewed By:

  
Brandon Black, Senior Planner

Date of approval: December 10, 2007

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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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