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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 PL08-0107

APPLICANT: DESIGN INC.
C/O BRIAN J. NYESTE
1004 COMMERCIAL AVE #262
ANACORTES, WA 98221

OWNER: WAYNE AND LYNNE POLING
1710 CAY WAY
ANACORTES, WA 98221

PROJECT LOCATION: Located at 11953 Canyon Ridge Drive, Anacortes, within a portion of Section 31, Township 35 North, Range 2 East W.M., situated within Skagit County, Washington.

PROJECT DESCRIPTION: The applicant requests an Administrative reduction of the front setback off of the 50 foot access easement know as Canyon Ridge Drive from 25 feet to 8 feet for a single family residential structure. The structure is proposed to be located approximately 8 feet off of the north, northwest (front) property line along Canyon Ridge Drive, approximately 65 feet off of the west (side) property line, approximately 80 feet off of the south (rear) property line, and approximately 40 feet off of the east (side) property line. Skagit County Code (SCC) 14.16.300(5) requires a minimum front setback of 25 feet for structures located off of a dead-end street, 8 foot side yard setback, and a 25 foot setback off of the rear property line.

ASSESSOR'S ACCOUNT NUMBERS: 3841-028-040-0109

PROPERTY NUMBER: P101518

ZONING/ COMPREHENSIVE PLAN: The proposed project is located within a Rural Intermediate (RI) zoning/comprehensive Plan designated area as identified within the Skagit County Comprehensive Plan and associated maps as adopted October 10, 2007.

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 281 feet in width along the north property line, approximately 170 feet in width along the south property line, approximately 160 feet in depth along the west property line, and approximately 360 feet in depth along the east property line. The subject property is physically located on a minor access road, along the southeast side of Canyon Ridge Drive.
2. The applicant has indicated that due to the sites multiple lot constraints, the lot is limited to a very narrow pad where the structure can be built. Critical areas, topography, lot size and lot configuration present impacts for the reasonable development of the property. SCC 14.16.300(5) requires a minimum front setback of 25 feet for structures located off of a dead-end street, this is a 17 foot reduction request at the closest point.
3. A letter of completeness was issued on May 1, 2008 per SCC Section 14.06.100. A Notice of Development was published and posted on the property on May 15, 2008 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 30, 2008. The following comment letter was received;
 - John Miller located at 1102 – 7th street, Anacortes, letter received on May 27, 2008 in favor of the proposed project.
4. The proposal was reviewed by Skagit County critical areas staff. Staff indicated the following; “Critical areas approved with the requirement that the recommendations included in the Geotechnical Evaluation by JB Scott & Associates, dated November 25, 2000, are included as conditions of permit approval. Conditions include, but are not limited too, the following:
 1. The structure shall be located approximately 25 feet from slopes exceeding 40% for safety purposes.
 2. The foundation shall be placed directly on bedrock and pinned at 8 foot intervals.”

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The applicant provided a response letter dated April 17, 2008 stating the following;

1. "In a majority of areas the proposed structure has been relocated to maintain a 25 foot setback from slopes exceeding 40% for safety. Areas that are within 25 feet, a proposed 36 inch high half-wall and/or fence has been shown as a safety precaution, per telephone conversation and approval with John Cooper."
2. "As stated in the soils report, the foundation shall be pinned directly to bedrock at 8 foot intervals."

Based on review of the revised information and site plan dated April 17, 2008 Skagit County critical areas staff approves the proposed project request.

5. The proposal was reviewed by the Skagit County Public Works Department. Public Works indicated the following; "The applicant has requested a setback of 0 feet from the roadway easement. The approval of a 0 foot setback would not allow for the cul-de-sac to be constructed should someone attempt to build it in the future. A request for a 0 foot setback cannot be supported by Public Works. Should the applicant request a setback of 8 feet, Public Works would have no issue with approval of said proposal." The applicant submitted a revised site plan dated April 17, 2008 relocating the proposed residence 8 feet off of the 50 foot access easement and Public Works stated that they have no objection to the newly proposed setback.
6. Staff finds that the proposed reduction in setback request is reasonable due to the existing topography, critical areas, lot size, and lot configuration.
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. Applicant shall comply with Skagit County critical areas requirements as indicated under staff finding number four.
5. Applicant shall comply with Skagit County Public Works requirement as indicated under staff finding number five.


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6. *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.*

Prepared By:


Michele Q. Szafran, Associate Planner

Reviewed By:


Brandon Black, Senior Planner – Team Supervisor

Date of approval: July 21, 2008

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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