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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 PL08-0256

**APPLICANT/CONTACT:** CUSTOM BUILT STRUCTURES  
ATTN: JIM LAMKE  
6520 212<sup>TH</sup> ST. SW. #205  
LYNNWOOD, WA 98036

**OWNER:** DARYL HUFF  
20912 DAMSON ROAD  
LYNNWOOD, WA 98036

**PROJECT LOCATION:** Located at 9493 Colony Lane, Concrete, within a portion of Section 20, Township 35 North, Range 9 East W.M., situated within Skagit County, Washington. **PL08-0256**

**PROJECT DESCRIPTION:** The applicant requests an Administrative reduction in setbacks for the construction of approximately 1,224 square foot (34' x 36') garage structure. The structure is proposed to be located approximately 22 feet off of the west (front) 30 foot access easement road, adjacent to Concrete Sauk Valley Road, approximately 8 feet off of the north (side) property line, and approximately 75 feet off of the south (side) property line. Skagit County Code (SCC) section 14.16.320(5)(b) requires a minimum front setback of 35 feet for structures, a minimum side setback of 8 feet, and a minimum rear setback of 25 feet.

**ASSESSOR'S ACCOUNT NUMBERS:** 4011-000-025-0000  
4011-000-026-0009


**PROPERTY NUMBER:** P69477  
P69478

**ZONING/ COMPREHENSIVE PLAN:** The proposed project is located within a Rural Reserve (RRv) 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 120.5 feet in width along the east and west property lines, approximately 214 feet in depth along the north property line, and approximately 227 feet in depth along the south property line. The subject property is physically located along the east side of Concrete-Sauk Valley Road, west of the Skagit River.
2. The proposed accessory structure will not be able to meet the current front setback requirements due to critical areas and lot configuration. SCC Section 14.16.320(5)(b) requires a 35 foot front setback; this is a 13 foot reduction request at the closest point.
3. A letter of completeness was issued on July 10, 2008 per SCC Section 14.06.100. A Notice of Development was published and posted on the property on July 24, 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 August 8, 2008. No public comments were received in regard to this proposal.
4. The proposal was reviewed by Skagit County critical areas staff. Staff indicated that "Critical areas review was being done with PL08-0159. A fish & wildlife report has been received and is under review by Daniel Downs." Review was completed for critical areas review under PL08-0159 and was approved on June 6, 2008.

Reduction in setback request #PL08-0256

  
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5. The proposal was reviewed by the Skagit County Shorelines Administrator. The Shorelines Administrator indicated the following in a memo dated May 8, 2008;

- The proposed garage can not exceed 15 feet above average grade as defined in SCC 14.26.3.03 within 200 feet of the Ordinary High Water Mark (OHWM). If the proposal has a second floor that is classified in the IRC as of a residential in nature, the maximum height allowed is 30 feet above average grade.
- Site coverage of developed area within 200 feet of the OHWM must be calculated. The maximum allowed in a Rural Residential shoreline is 30%.
- The OHWM must be clearly mapped on the site plan and the distance of the proposal from the OHWM must be mapped also.

Review was completed for shoreline review under PL08-0159 and was approved on June 6, 2008.

6. The proposal was reviewed by the Skagit County Public Works Department. Public Works indicated that they have no objection to the proposed front setback reduction.
7. Staff finds that the proposed reduction in setback request is reasonable due to critical areas and lot configuration.
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 proposed garage can not exceed 15 feet above average grade as defined in SCC 14.26.3.03 within 200 feet of the Ordinary High Water Mark (OHWM). If the proposal has a second floor that is classified in the IRC as of a residential in nature, the maximum height allowed is 30 feet above average grade.
5. Site coverage of developed area within 200 feet of the OHWM must be calculated. The maximum allowed in a Rural Residential shoreline is 30%.

Reduction in setback request #PL08-0256



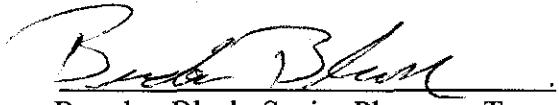
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6. The OHWM must be clearly mapped on the site plan and the distance of the proposal from the OHWM must be mapped also.
7. ***Please be advised that this approval for reduction of setback is based on a limited review specific to the criteria for this 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.***

Prepared By:

  
Michele Q. Szafran, Associate Planner

Reviewed By:

  
Brandon Black, Senior Planner -- Team Supervisor

Date of approval: October 2, 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.

