

Please return to:

Skagit County Planning and Development Services



200904170090

Skagit County Auditor

4/17/2009 Page

1 of

4 1:17PM

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

HEARING AUTHORITY: SKAGIT COUNTY PLANNING DIRECTOR

APPLICATION NUMBER: ADMINISTRATIVE VARIANCE PL08-0714

APPLICANT: STRANDBERG CONSTRUCTION INC.
C/O: JOSH SCHAFER
PO BOX 319
ANACORTES, WA 98221

OWNER: JAKE AND SUSAN OLLIFFE
2504 FIRCREST BLVD.
ANACORTES, WA 98221

PROJECT LOCATION: Located at 13874 Polaris Point Lane, Anacortes, within a portion of Section 00, Township 34 North, Range 1 East W.M., situated within Skagit County, Washington. *PL08322*

PROJECT DESCRIPTION: The applicant requests an Administrative reduction in setbacks off of the front setback from 25 feet to 17 feet for a new single family residential structure to replace the existing residential structure. The structure is proposed to be located approximately 17 feet off of the south (front) property line along Polaris Point Lane, and approximately 8 feet off of the west and east (side) property lines. The structure plus the garage is proposed to be approximately 3,534 square feet (57' x 63'). SCC 14.16.300(5) requires a minimum front setback of 25 feet for structures off a minor access or dead-end street, 8 foot side yard setbacks on interior lots, and a 25 foot setback off of the rear property line.

ASSESSOR'S ACCOUNT NUMBERS: 3974-000-125-0006

PROPERTY NUMBER: P68322

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 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 93 feet in width along the north property line, approximately 120 feet in width along the south property line, approximately 221 feet in depth along the west property line, and approximately 104 feet in depth along the east property line. The subject property is physically located on a minor access road, along the west side of Polaris Point Lane, south of Burrow 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 25 foot front setback off of minor access roads; this is a 8 foot reduction request at the closest point. The applicant has indicated that critical areas lot size, and configuration impacts the reasonable development of the property.
3. A letter of completeness was issued and the application was determined complete on January 28, 2009 per SCC Section 14.06.100. A Notice of Development was published and posted on the property on February 19, 2009 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 March 6, 2009. The following comment letter was received; William and Dorothy Bentley, located at 13884 Polaris Point Lane, Anacortes, letter received on March 4, 2009 in favor of the request for setbacks but concerned that the existing drain field does encroach on the 40 foot wide lane.
4. The proposal was reviewed by Skagit County critical areas staff. Staff indicated that review was completed with PL08-0387. A Protected Critical Area site plan is recorded under AF#200901140065.

Reduction in setback request #PL08-0714



200904170090
Skagit County Auditor

5. The proposal was reviewed by the Skagit County Shorelines Administrator. The Shorelines Administrator indicated the following:
1. "The Fish & Wildlife Site Assessment prepared by Edison Engineering and dated December 12, 2008 does not include several Dwelling Units that are located to the east and south of the subject property. This data must be corrected and re-submitted before it can be ascertained what the actual shoreline setback is for the property.
 2. Site coverage of developed area within 200 feet of the OHWM must be calculated. The maximum allowed in a Rural Residential shoreline is 30%.
 3. The height of the proposed structure cannot exceed 30 feet above Average Grade as defined in SCC 14.26.3.03."

The application has been reviewed under file number PL08-0158 for the Ordinary High Water Mark (OHWM) determination and was found to be exempt. The applicant shall comply with Skagit County Code (SCC) 14.26 the Shoreline section of code.

6. The proposal was reviewed by the Skagit County Public Works Department. Public Works will approve a front setback reduction with the following stipulation, that no portion of the building footprint will be placed any closer than 17.25 feet to the property line abutting Polaris Point Lane.
7. The proposal was reviewed by the Skagit County Health Department for septic review. The Health Department noted that there is an existing conforming three bedroom septic system that was installed in 2005 under file number SW04-0608 however there is concern of possible encroachment onto Polaris Point Lane which will need to be addressed prior to building permit approval.
8. Staff finds that the proposed reduction in setback request is reasonable due to the existing lot size, configuration, and critical areas.
9. 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.

Reduction in setback request #PL08-0714

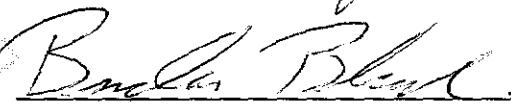


3. A copy of this decision shall be submitted with the building permit at time of application.
4. No portion of the building footprint shall be placed any closer than 17.25 feet to the property line abutting Polaris Point Lane.
5. Prior to building permit approval the septic issue shall be addressed.
6. The applicant shall comply with Skagit County Code (SCC) 14.26 the Shoreline section of code.
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: April 1, 2009

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 #PL08-0714


200904170090
Skagit County Auditor

4/17/2009 Page 4 of 4 1:17PM