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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 VARIANCE #PL08-0636

APPLICANT/ OWNER: RICHARD M. SYBRANDY
20703 DIKE ROAD
MOUNT VERNON, WA 98273

PROJECT LOCATION: Located at 20703 Dike Road, Mount Vernon, within a portion of Township 33N, Range 4E, Section 18, W.M., situated within Skagit County, Washington. Parcel # P16781.

PROJECT DESCRIPTION: Skagit County Code (SCC)14.16.400(5) requires a 35 foot minimum setback from the front property line. The applicant requests a 15 foot reduction from the requirement in order to allow a residential accessory structure to be located 20 feet from the front property line.

ASSESSOR'S ACCOUNT NUMBERS: 330418-0-029-0004/ P16781

ZONING/ COMPREHENSIVE PLAN: The subject property is located within the Agricultural Natural Resource lands (Ag-NRL) zoning/comprehensive plan designated areas as indicated in the Skagit County Comprehensive Plan and associated maps 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 is approximately .7 acres in size and is physically located along the east side of Dike Road in the Conway area. The property is a triangular shape and contains an existing single family residence along the north east portion of the property, a septic drainfield along the eastern portion of the property and an extensive drainage infrastructure system throughout the western portion of the property (lawn area).
2. The applicant requests a 15 foot reduction from the requirement in order to allow a residential accessory structure to be located 20 feet from the front property line.
3. The applicant has indicated that the special circumstances that exist with the property are due to the location of the existing septic system drainfield and the location of the existing surface water drainage infrastructure.
4. A letter of completeness was not issued and the application was determined to be complete on June 11, 2009 per SCC Section 14.06.100. A Notice of Development was published and posted on the property on June 25, 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 July 10, 2009. No public comments were received.
5. The proposal was reviewed by Skagit County critical areas staff. Staff indicated that Critical Areas was approved and there were no critical areas found within 200 feet of the structure.
6. The proposal was reviewed by the Skagit County Shorelines review staff. The Shorelines review staff indicated that there were no concerns with the proposal.
7. The proposal was reviewed by Planning and Development Services Environmental Health Unit (water and septic review). Water review stated that *"if the pole building has water lines, it requires a PUD sign off in a current letter of water availability."* Septic review comments initially stated:

"There is no record of the existing septic drainfield. I doubt it's as big as shown on the site plan. A permit for a septic was issued in 1997 but not installed. The building might be able to be moved a bit further north, but it's pretty well placed in regard to septic requirements."

The applicant had replied as follows:

"I would agree with Mr. Geleynse, what he says makes sense, however when I did a little landscaping and groundwork further south of where I (and Mr. Geleynse) think it terminates, I detected evidence that the drainfield actually did extend further. I stopped the ground work immediately and now am simply being cautious to not disturb it."

8. The proposal was reviewed by the Skagit County Public Works Department. Public Works indicated that they have no objection to the above referenced application.



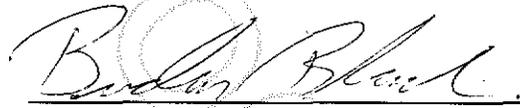
9. Staff finds that the proposed reduction in setback request is reasonable due to topography, lot size and configuration, and the location of the existing septic drainfield as well as the surface water drainage infrastructure.
10. The Department finds that the requested setbacks would not create any problems with regard to the maintenance of public health, safety or welfare. Additionally, no traffic safety concerns were identified with the proposal.

Decision:

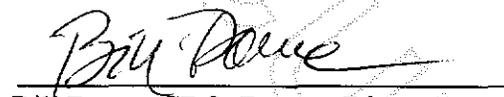
The Director hereby approves the Administrative Decision to allow reasonable use of the property subject to the conditions and modifications listed below:

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. If the building will have water supplied to it, a Public Utility District #1 sign off will be required (current letter of water availability).
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.***

Prepared By:


Brandon Black, Senior Planner – Team Supervisor

Reviewed By:


Bill Dowe, CBO, Deputy Director

Date of approval: August 12, 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 #PL08-0636

