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Skagit County Planning and Development Services



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Skagit County Auditor

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**SKAGIT COUNTY PLANNING & DEVELOPMENT SERVICES
BEFORE THE ADMINISTRATIVE OFFICIAL**

ADMINISTRATIVE DECISION

Findings, Conclusion and Decision

HEARING AUTHORITY: SKAGIT COUNTY PLANNING DIRECTOR

APPLICATION NUMBER: ADMINISTRATIVE VARIANCE PL09-0412

APPLICANT/OWNER: ROBERT AND JEAN PASS

ADDRESS: 15879 BOW CEMETERY ROAD
BOW, WA 98232

PROJECT LOCATION: Located at 15879 Bow Cemetery Road, Mount Vernon, within a portion of Section 3, Township 35 North, Range 3 East W.M., situated within Skagit County, Washington.

PROJECT DESCRIPTION: The applicant requests an Administrative reduction in setbacks off of the front (south) setback from 35 feet to 20 feet for the construction of an approximate 24 x 29 (696) square foot addition to an existing single family residential structure. Additionally, the applicant requests a setback reduction from 35 feet to 32 feet for an approximate 16 x 23 (368) square foot by an approximate 3 x 48 (144) square foot attached wrap around deck along the new addition and existing residential structure. SCC 14.16.400(5) requires a minimum front setback of 35 feet for structures.

ASSESSOR'S ACCOUNT NUMBERS: 350303-0-005-0008

PROPERTY NUMBER: P33717

ZONING/ COMPREHENSIVE PLAN: The proposed project is located within a Agricultural Natural Resource Lands 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.

JURISDICTION

The Director of Planning and Development Services or his/her designee has jurisdiction to make a decision on this application without a public hearing. Skagit County Code (SCC) 14.06.050(1)(a)(xii) or SCC 14.06.050(1)(a)(xiii).

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 936 feet in width along the north property line, approximately 569 feet in width along the south property line, approximately 679 feet in depth along the west property line, and approximately 435 feet in depth along the east property line. The subject property is physically located north of Bow Cemetery Road, west of Worline Road, and south of Bow Hill Road.
2. The proposed structure will not be able to meet the current front setback requirements due to the lots topography, configuration and critical areas. SCC Section 14.16.400(5) requires a 35 foot front setback; this is a 15 foot reduction request at the closest point. The applicant has indicated that critical areas and lot configuration impacts the reasonable development of the property.
3. A letter of completeness was not issued but the application was determined complete on October 22, 2009 per SCC Section 14.06.100. A Notice of Development was published and posted on the property on November 5, 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 November 20, 2009. 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 Area review of this proposal was completed and approved with BP09-0527.



5. The proposal was reviewed by the Skagit County Public Works Department. Public Works indicated that they have no objection to the requested variance as is proposed.
6. Staff finds that the proposed reduction in setback request is reasonable due to the existing lots topography, configuration and critical areas.
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.

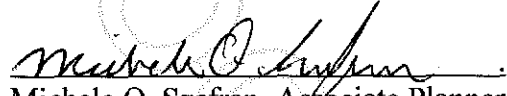
DECISION

The Director hereby approves the Administrative Decision to allow reasonable use of the property and allow for a 15 foot reduction from the front property line for the addition to the existing residence subject to the conditions and modifications listed below: The request is approved.

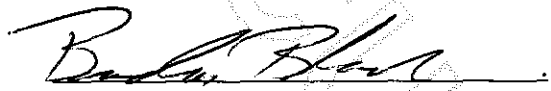
CONDITIONS

1. The applicant shall obtain all necessary permits.
2. The building permits for the proposed structures 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. ***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: December 16, 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 #PL09-0412

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