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Skagit County Planning and Development Services



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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 #PL09-0381

APPLICANT/ OWNER: LOU ST. JOHN
516 N. LAVENTURE ROAD
MOUNT VERNON, WA 98273

PROJECT LOCATION: Located at 6353 Seashell Street, Anacortes, within a portion of Section 18, Township 34 North, Range 2 East W.M., situated within Skagit County, Washington (Parcel # P73208).

PROJECT DESCRIPTION: The applicant requests an Administrative Reduction in Setback (#PL09-0381) from the front (east) and rear (north) property lines for the placement of a new single family residential structure (manufactured home) not able to meet the required setbacks. The applicant is requesting to reduce the front (east) setback from 20 feet to 12 feet to allow for an open dining deck (8 foot by 13 foot). Additionally, the applicant is requesting to reduce the rear (north) property line from 25 feet to 8 feet. SCC 14.16.300(5) requires a minimum front setback of 25 feet off of a minor access road, a minimum side setback of 8 feet, and a minimum rear setback of 25 feet for structures. The parcel is intersected by Seashell Street and Washington Street. Seashell Street is the access location for the parcel and is considered the primary front property line. The property line fronting Washington Street is the secondary front property line and the setback requirement is 20 feet.

ASSESSOR'S ACCOUNT NUMBERS: 4101-148-013-0010

PROPERTY NUMBER: P73208

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.

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 is located along the north side of Seashell Street and along the west side of Washington Street. The applicant has begun the removal process of the existing substandard residential structure. The proposal includes the placement of a new triple wide manufactured home with an attached open dining deck and an attached new shop. The new structures are proposed to be attached to the existing garage. The applicant has proposed additional attached structures which will be 30 inches in height or less which include a small porch along the north side of the residence and a 30 inch high patio along Washington Street.
2. The proposed triple wide manufactured home (approximately 2,026 square feet) and attached shop (approximately 200 square feet in size) will be located approximately 8 feet from the rear (north) property line, approximately 19 feet from the side (west) property line, approximately 12 feet from the front (east) property line along Washington Street to the open dining deck (approximately 104 square feet), and approximately 34 feet off of the south (front) property line. This is a reduction request of 17 feet at the closest point along the north (rear) property line and 8 feet at the closest point along the east (front) property line.
3. A letter of completeness was not issued however the application was determined complete on October 19, 2009 per SCC Section 14.06.100. A Notice of Development was published and posted on the property on November 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 thirty-(30) day public comment period associated with the Notice which ended on December 4, 2009. Two public comment letters were received: November 25, 2009 from Thomas and Eileen Cobain, 14976 Washington Street, Anacortes, WA 98221, expressing concerns about the proposed structure. September 24, 2009 from Bill Halverson, 6337 Seashell Street, Anacortes, WA 98221, expressing concerns about the



shared well and the decommissioning of the well. The Department notes that the proposal is reasonable based on the existing lot size and configuration. The application has been reviewed by the Skagit County Health Department stating that the dug well has been decommissioned.

4. The proposal was reviewed by Skagit County critical areas staff. Staff indicated that there are no critical areas on or within 200 feet of the subject site.
5. The proposal was reviewed by the Skagit County Public Works Department. Public Works indicated that they have no objection to the variance as requested.
6. The application was routed to Skagit County Health Department. Staff indicated the following:
 - **NEED:** Supply a current letter of water availability from the water service company for review to comply with SCC 12.48. Any changes the public water service company may require shall be completed before the building permit is issued.
 - **Done:** Dug well has been successfully decommissioned per Lorna Parent at SCHD.
 - Applicant shall comply with WAC 173-60 and SCC 14.16.840 for noise, vibration and light conditions.
 - Applicant shall comply with Water Quality WAC's for surface and ground water quality, WAC's 173-201A and 173-200.

A PUD letter was submitted dated December 15, 2009 and routed to the Health Department for review; Staff indicated that the PUD letter stated that there is a line fronting the property for connection and that the dug well has been decommissioned per Lorna Parent.

7. Staff finds that the proposed "land use" reduction in setback request is reasonable due to the lots size, and configuration of the site which impacts the reasonable development of the property.
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 and allow for a 17 foot reduction from the rear property line for the residence/shop/deck and for an 8 foot reduction in setbacks from the front property line subject to the conditions and modifications listed below:



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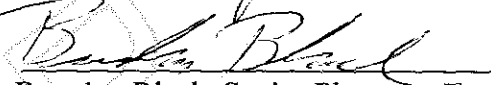
CONDITIONS

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(s) at time of application.
4. Any structures over 30 inches in height will need to meet setbacks in addition to what has been requested.
5. The Maximum lot coverage is 35% per SCC 14.16.300(7)(e).
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.
7. All fees, including recording fees, shall be paid prior to final approval.

Prepared By:


Michele Q. Szafran, Associate Planner

Reviewed By:


Brandon Black, Senior Planner – Team Supervisor

Date of approval: January 20, 2010

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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