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**SKAGIT COUNTY PLANNING AND PERMIT CENTER
FINDINGS OF FACT**

HEARING AUTHORITY: SKAGIT COUNTY PLANNING DIRECTOR

APPLICATION NUMBER: ADMINISTRATIVE DECISION PL03-0592

APPLICANT: PETER AND LAUREL BROWNING

ADDRESS: 3906 FOX GLOVE CIRCLE
MOUNT VERNON, WA 98274

PROJECT LOCATION: Located at 17258 Lake View Boulevard, Mount Vernon, within a portion of Section 36, Township 34 North, Range 4 East W.M., situated within Skagit County, Washington.

PROJECT DESCRIPTION: Administrative Decision for the reduction in setbacks pursuant to SCC 14.16.810(4) to allow for the remodel and addition to an existing residence that does not currently meet the side yard setback requirement of Skagit County Code Section 14.16.310. The project proposal is to remodel and add on to an existing structure that currently varies from 9 feet, to 4 inches in distance along the side yard (south) property line. The existing residence does not meet the current setback requirements; however the proposed addition will meet the current setback requirements along the property lines where the structure is being expanded.

ASSESSOR'S ACCOUNT NUMBERS: 3882-000-055-0001

PROPERTY NUMBER: P64456

ZONING/ COMPREHENSIVE PLAN: The proposed project is located within a Rural Village Residential zoning/Comprehensive Plan designated area as identified within the Skagit County Comprehensive Plan and associated maps as adopted July 24, 2000 and as thereafter amended.

STAFF 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 119.45 feet in width along the north and south property lines and approximately 101.2 feet in depth along the east and west property line. The subject property is physically located on a minor access road off of Lake View Boulevard along the east side of Big Lake.
2. The existing residence does not meet the current setback requirements; however, the proposed addition will meet the current setback requirements along the property lines where the structure is being expanded. The applicant is proposing to remodel and add on to an existing structure that currently varies from 9 feet, to 4 inches in distance along the side yard (south) property line. Based on Skagit County Code Section 14.16.310(5)(a), this is an 8-inch reduction at the closest point from the required 8-foot setback.
3. A letter of completeness was issued on August 11, 2003 per Skagit County Code Section 14.06.100. A Notice of Development was published and posted on the property on August 21, 2003 per Skagit County Code 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 September 5, 2003. No public comments were received in regard to this proposal.
4. The proposal was reviewed by Skagit County critical areas staff for compliance with Skagit County Code Section 14.24. Critical areas staff noted that the initial critical areas review was completed with Shoreline Exemption #PL98-0236 for the bulkhead. Further, critical areas staff stated the following:

"The fish and wildlife site assessment for that project only addresses the bulkhead. A new site assessment, or addendum to the original report, is required pursuant to SCC 14.24.510. Following review and approval of the report, a Protected Critical Area (PCA) site plan will need to be recorded with the County Auditor's office (SCC 14.24.170)."
5. The proposal was reviewed by the Skagit County Public Works Department. Public Works had no concerns with the proposal.
6. Staff finds that the proposed reduction in setback request is reasonable due to the existing topography, existing lot size, and the size of the existing lots in the

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immediate vicinity. The addition to the existing residence will not intrude into the side yard setback, and the remodel of the existing footprint will not further increase the nonconformity of the structure.

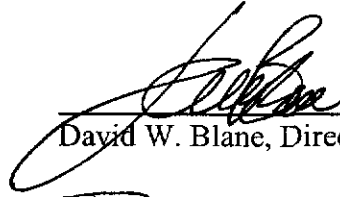
7. Staff finds that the requested setbacks would not create any problems with regard to the maintenance of public health, safety or welfare. Additionally, no traffic safety concerns were identified with the proposal.

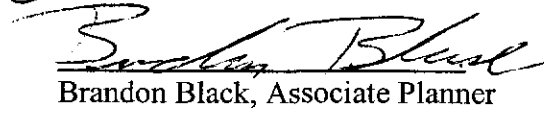
Decision:

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

1. The applicant shall obtain all necessary permits.
2. The building permits for the proposed residence and detached garage 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. Prior to building permit approval, a new site assessment, or addendum to the original report reviewed with Shoreline Exemption #P198-0236, is required pursuant to SCC 14.24.510. Following review and approval of the report, a Protected Critical Area (PCA) site plan will need to be recorded with the County Auditor's office (SCC 14.24.170).
5. Prior to building permit approval, demonstrate the site coverage percentages for the buildings and access areas on site. Please itemize those percentages (house vs. access).
6. Prior to building permit approval, the applicant shall check the setbacks of the neighboring properties which are located within 300 feet from the side property lines. This measurement must be from the ordinary high water mark (OHWM) as defined by WAC 173-26 and Skagit County Shoreline Management Master Program 14.26.




David W. Blane, Director


Brandon Black, Associate Planner

Date of approval: October 10, 2003
Prepared by: BB

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 Permit Center within 14 calendar days of the publication of this Notice pursuant to SCC 14.06.110.

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