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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 DECISION PL05-0191

APPLICANT: BJORN NYMARK

ADDRESS: 18912 SULFER SPRINGS ROAD
MOUNT VERNON, WA 98273

PROJECT LOCATION: Located at 18912 Sulfer Springs Road, Mount Vernon, within a portion of Section 6, Township 33 North, Range 5 East W.M., situated within Skagit County, Washington.

PROJECT DESCRIPTION: The applicant requests an Administrative reduction in setbacks for the construction of a 1,440 square foot (36' x 40') accessory structure. The structure is proposed to be located approximately 25 feet off of the west (front) property line along Sulfer Springs Road, approximately 8 feet off of the north (side) property line, approximately 38 feet off of the east (rear) property line, and approximately 58 feet off of the south (side) property line. Skagit County Code (SCC) section 14.16.310(5)(a)(iv) requires a 35 foot front setback, 8 foot side yard setbacks on interior lots or a 20 foot side yard setback on street right-of-way, and a 25 foot setback off of the rear property line.

ASSESSOR'S ACCOUNT NUMBERS: 4024-000-014-020634
4024-000-016-0006

PROPERTY NUMBER: P69835
P69837

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 109 feet in width along the north property line, 81 feet in width along the south property line, approximately 85 feet in depth along the west property line, and 95 feet in depth along the east property line. The subject property is physically located on a minor access road, along the east side of Sulfer Springs Road, east of Big Lake.
2. The proposed accessory structure will not be able to meet the current front setback requirements due to the lots topography. SCC Section 14.16.310(5)(a)(iv) requires a 35 foot front setback, this is a 10 foot reduction request at the closest point.
3. A letter of completeness was issued on April 4, 2005 per SCC Section 14.06.100. A Notice of Development was published and posted on the property on April 7, 2005 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 April 22, 2005. No public comments were received in regard to this proposal.
4. The proposal was reviewed by Skagit County critical areas staff. Staff indicated that a site visit was conducted on April 6, 2005 and no critical area indicators were found within 200 feet of the project area. Critical areas staff approved the proposal without conditions.
5. The proposal was reviewed by Skagit County shorelines staff. Staff indicated that the site must meet tabular requirements of SCC 14.26.7.13. The percent of developed area must be demonstrated within the lot east of Sulfer Springs Road. Indicate driveways, parking areas "developed areas" per shoreline regulations.
6. The proposal was reviewed by the Skagit County Public Works Department. Public Works indicated that the property line (road ROW) must be identified in the field.
7. 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 immediate vicinity.

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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 subject to the conditions and modifications listed below:

1. The applicant shall obtain all necessary permits.
2. The building permits for the proposed structure(s) 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 the applicant shall demonstrate the site coverage percentages for the building(s) and access areas on site. Please itemize those percentages (structure vs. access).
5. Prior to building permit approval, the applicant shall identify in the field the property line (Road Right of Way).

Prepared By:


Michele Q. Szafran, Assistant Planner

Reviewed By:


Brandon Black, Senior Planner

Date of approval: April 27, 2005

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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