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Skagit County Planning and Development Services



200605230075
Skagit County Auditor

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**SKAGIT COUNTY PLANNING AND DEVELOPMENT SERVICES
FINDINGS OF FACT**

HEARING AUTHORITY: SKAGIT COUNTY PLANNING DIRECTOR

APPLICATION NUMBER: ADMINISTRATIVE DECISION PL06-0104

APPLICANT: WINSTON R. BUNN

ADDRESS: 19064 SULFER SPRINGS ROAD
MOUNT VERNON, WA 98274

PROJECT LOCATION: Located at 19064 Sulfer Springs Road, Mount Vernon, within a portion of Section 7, 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 garage/bonus-room. The structure is proposed to be located approximately 25 feet east off of the edge of pavement along Sulfer Springs Road, approximately 8 feet off of the south (side) property line, approximately 25 feet off of the north (side) property line, and approximately 80 feet off of the east (rear) 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: 4025-000-006-0007

PROPERTY NUMBER: P69877

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 300 feet in length along the south property line, approximately 290 feet in length along the north property line, and approximately 80 feet in width along the west and east property lines. The subject property is physically located along the east and west side of Sulfer Springs Road, east of Big Lake.
2. The proposed structure will not be able to meet the current front setback requirements due to the lots topography, and configuration. 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 February 27, 2006 per SCC Section 14.06.100. A Notice of Development was published and posted on the property on March 2, 2006 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 March 17, 2006. 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 critical areas review was completed and approved for this project location with BP03-0949.
5. The proposal was reviewed by the Skagit County Shorelines Administrator. Staff indicated that the applicant must meet all the shoreline requirements of SCC 14.26.7.13(2)(c) Table RD. The site plan shows the proposed building at 19 feet in height but the use implies accessory development (i.e. garage, storage room etc.). Accessory uses can only be 15 feet in height in a shoreline jurisdiction. The applicant revised the site plan showing the proposed structure is a garage/bonus-room and not a garage/storage building. The bonus room is considered a residential use rather than a non-residential use per the Shoreline Management Manual. The allowed height can not exceed 30 feet above the average grade at the peak of the roof.
6. The proposal was reviewed by the Skagit County Public Works Department. Public Works indicated that the site plan must show the location of Sulfer Springs Road and the location of the 20 foot easement corners in accordance with Legal Survey recorded under Auditor File No. 200011010045. The private portion of

Reduction in setback request #PL06-0104



Sulfer Springs Road does not meet current County Road Standards (or Fire Marshal regulations): 50 foot easement width; 20 foot wide roadway if providing access to three or more residence. The request should be denied unless the applicant can show compliance with current County regulations. Since the time of the initial review, the applicant submitted a revised siteplan showing the easement corners and the existing roadway. The revised site plan was submitted to Public Works for review. Public Works staff indicated that the setback must be measured from the east edge of the existing roadway.

7. The proposal was reviewed by the Skagit County Fire Marshal. The Fire Marshal indicated that he has no comments regarding the request.
8. Staff finds that the proposed reduction in setback request is reasonable due to the existing topography, lot configuration, and the existing setbacks of structures in the immediate vicinity.
9. 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 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. The allowed height can not exceed 30 feet above the average grade at the peak of the roof per Shoreline requirements.
5. The applicant shall be setback 25 feet from the east edge of the existing pavement for the structure.
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 must be paid prior to final approval.



Prepared By:

Michele Q. Szafran
Michele Q. Szafran, Assistant Planner

Reviewed By:

Brandon Black
Brandon Black, Senior Planner

Date of approval: May 8, 2006

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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