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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 PL06-0371

**APPLICANT:** DAVID R. WELSH

**ADDRESS:** 13323 EAGLE STREET  
ANACORTES, WA 98221

**PROJECT LOCATION:** Located at 13323 Eagle Street, Anacortes, within a portion of Section 8, Township 34 North, Range 2 East W.M., situated within Skagit County, Washington.

**PROJECT DESCRIPTION:** The applicant requests an Administrative reduction in setback for the construction of a retaining wall along the front property line, beginning at the northwest front property line, ranging from 6 to 10 feet in height and approximately 30 feet long along Eagle Street. Skagit County Code (SCC) section 14.16.300(5) requires a 35 foot front setback.

**ASSESSOR'S ACCOUNT NUMBERS:** 4005-002-020-0009

**PROPERTY NUMBER:** P69366

**ZONING/ COMPREHENSIVE PLAN:** The proposed project is located within a Rural Intermediate 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 100 feet in width along the north and south property lines, and approximately 180 feet in length along the east and west property lines. The subject property is physically located along the east side of Eagle Street.
2. The proposed structure will not be able to meet the current front setback requirements due to the lots topography. SCC Section 14.16.300(5) requires a 35 foot front setback; this is a 35 foot reduction request at the closest point.
3. A letter of completeness was issued on April 21, 2006 per SCC Section 14.06.100. A Notice of Development was published and posted on the property on April 27, 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 May 12, 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 with PL06-0161. Critical areas staff approves this application but there may be additional requirements with the building permit.
5. The proposal was reviewed by the Skagit County Public Works Department. Public Works indicated that the applicant will need a Trail Permit from Public Works to use Eagle Street right of way beyond the county road. The footing must be 1 foot from the property line and all material on the low side shall be excavated to the elevation of the lower driveway.
6. Staff finds that the proposed reduction in setback request is reasonable due to the existing topography, and the size of the existing lots in the immediate vicinity.
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.

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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. A Trail Permit from the Public Works department is required to use Eagle Street right of way beyond the county road. The footing must be 1 foot from the property line and all material on the low side shall be excavated to the elevation of the lower driveway.
5. 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.
6. 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 25, 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.