

NOTICE OF DECISION

BEFORE THE SKAGIT COUNTY HEARING EXAMINER

Applicant: Richard Hoag
17109 West Big Lake Boulevard
Mount Vernon, WA 982274

Request/File No: Shoreline Variance, PL14-0005

Location: Shore of Big Lake, at 17109 West Big Lake Blvd., within
NW1/4 Sec. 36, T34N, R4E., W.M. Parcel #P67129.

Shoreline Designation: Rural Residential

Summary of Proposal: To convert approximately 90 square feet of deck at an existing residence into a second story bathroom addition to provide for handicap accessibility. The present building footprint will not be changed.

SEPA Compliance: Exempt

Public Hearing: June 25, 2014. Testimony by Staff and on behalf of Applicant. No public testimony. Planning and Development Services (PDS) recommended approval,

Decision/Date: The application is approved, subject to conditions. July 8, 2014.

Reconsideration/Appeal: A Request for Reconsideration may be filed with PDS within 5 days of this decision. The decision may be appealed to the Board of County Commissioners by filing an appeal with PDS within 5 days of the date of decision or decision on reconsideration, if applicable.

Online Text: The entire decision can be viewed at:
[www.skagitcounty.net/hearing examiner](http://www.skagitcounty.net/hearing_examiner)

FINDINGS OF FACT

1. Richard Hoag (applicant) seeks to convert 90 square feet of an existing deck into a second story bathroom addition at a residence within the shoreline of Big Lake

2. The residence is at 17109 West Big Lake Boulevard within the NW1/4 Sec. 36, T34N, R4E, W.M. The Parcel number is P67129. The shoreline environment designation is Rural Residential.

3. The planned bathroom addition is being built for handicap accessibility.

4. The house is located 73 feet from the Ordinary High Water Mark (OHWM) of Big Lake. The minimum shore setback for this shoreline environment is 50 feet. However, the local Shoreline Master Program (SMP) requires that residential structures be set back to the average of setbacks for existing dwelling units within 300 feet of side property lines if that average exceeds 50 feet. Here the average is approximately 102 feet. Thus, a variance is needed.

5. This minor remodel will not expand the existing footprint of the house. The present setback from the OHWM is 73 feet. The only change here will be to increase structural volume behind the current setback.

6. The area is already heavily developed with homes. Large residences, similar to that on the subject site, are common along this section of the shore. The proposal will not change the usage made of the property, and will not adversely affect shoreline aesthetics.

7. The project will have no adverse impact on critical areas or buffers.

8. There will be no impact on traffic or parking. Impervious surface will not increase. Public facilities are available to accommodate the development. County departments were consulted and none had concerns about this project.

9. The western portion of the property slopes up significantly to Big Lake Boulevard. Expansion in that direction is not practical.

10. The proposal and hearing were given notice as required by law. There were no public comments. There was no public testimony at the hearing.

11. The Staff Report analyzes this project in light of the applicable variance requirements of the local Shoreline Master Program (SMP) and finds that, as conditioned, the project will be consistent with approval criteria. The Hearing Examiner concurs with the Staff's analysis and adopts the same. The Staff Report is by this reference incorporated herein as though fully set forth.

12. Any conclusion herein which may be deemed a finding is hereby adopted as such.

CONCLUSIONS OF LAW

1. The Hearing Examiner has jurisdiction over the subject matter of this proceeding.
SMC 10.02
2. The proposal is exempt from the procedural requirements of the State Environmental Policy Act (SEPA).
3. The project, as conditioned, meets the Shoreline Variance criteria. SMP 10.03.
4. Any finding herein which may be deemed a conclusion is hereby adopted as such.

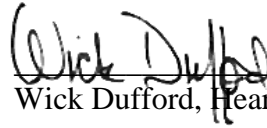
CONDITIONS

1. The project shall be carried out as described in the application materials, except as the same may be modified by these conditions.
2. The applicant shall obtain all other required approvals and abide by the conditions of same.
3. The applicant shall comply with all applicable state and local regulations.
4. This decision, if approved by the Department of Ecology, shall be submitted with the building permit application.
5. The project shall be commenced within two years of final approval of the variance and be completed within five years thereof.
6. If any modification of the project is contemplated, the applicant shall request a permit revision from PDS prior to the start of construction.
7. Failure to comply with any permit condition may result in permit revocation.

DECISION

The requested Shoreline Variance (PL14-0005) is approved, subject to the conditions set forth above.

DONE, this 8th day of July, 2014.



Wick Dufford, Hearing Examiner

Transmitted to Applicant July 8, 2014.

See Notice of Decision, Page 1, for appeal information