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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 PL06-1119

APPLICANT: SCOTT MANGOLD & RENEE BOURGAULT

ADDRESS: 14083 GILMORE AVE
BOW, WA 98232

PROJECT LOCATION: Located at 14083 Gilmore Ave, Bow, within a portion of Section 33, Township 36 North, Range 3 East W.M., situated within Skagit County, Washington.

PROJECT DESCRIPTION: The applicant requests an Administrative reduction in setbacks for the construction of a two story 16' x 31' storage/studio structure. The structure is to replace the existing garage structure. The structure is proposed to be located approximately 16 feet off of the south (front) property line along Gilmore Avenue, and approximately 7 feet off of the west (side) property line. Skagit County Code (SCC) section 14.16.310(5) requires a 35 foot front setback, 8 foot side yard setback, and a 25 foot setback off of the rear property line.

ASSESSOR'S ACCOUNT NUMBERS: 4099-007-010-0007

PROPERTY NUMBER: P72985

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.

DEPARTMENTAL 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 110 feet in depth along the east and west property lines, and approximately 62 feet in width along the north and south property lines. The subject property is physically located south of McCoy's Court, north of Gilmore Avenue, and west of Ewing's Court.

2. The proposed accessory structure will not be able to meet the current front setback requirements due to the lot size and configuration. SCC Section 14.16.310(5) requires a 35 foot front setback and an 8 foot side setback. This is a 19 foot reduction request off of the front property line and a one foot reduction request off of the side property line at the closest point.

3. A letter of completeness was issued on February 7, 2007 per SCC Section 14.06.100. A Notice of Development was published and posted on the property on February 15, 2007 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 2, 2007. 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 map review and site visit was conducted and no critical area indicators were found within 200 feet of the project area.

5. The proposal was reviewed by the Skagit County Public Works Department. Public Works indicated that they do not recommend approval of a front yard setback of 16 feet for a garage structure. Public works recommends a minimum 20-foot setback in front of garage doors to provide an area for a vehicle to park outside of the County right-of-way. The applicant revised the site plan to address the comments raised by Public Works and illustrated that the new structure is to be used as a storage/studio structure only, parking has been addressed by the applicant. The applicant has stated that parking will not occur in front of the new structure and that parking will remain on Ewing Court or on the back of the property off of McCoy's Court. The revision was reviewed and Public Works has no objection to the proposal.

6. Staff finds that the proposed reduction in setback request is reasonable due to the existing lot size and configuration.

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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 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. ***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.***
5. All fees must be paid prior to final approval.

Prepared By: _____
Michele Q. Szafran, Assistant Planner

Reviewed By: _____
Brandon Black, Senior Planner

Date of approval: March 15, 2007

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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