

UNOFFICIAL

OST 94003
APPLICATION FOR CHANGE OF CLASSIFICATION OR USE
(Chapters 84.33 & 84.34 RCW)

FILE WITH COUNTY ASSESSOR

9606140046

County Skagit

Tax Code -

Name of Applicant Randy Litke

Phone 206-422-5353

Address _____

Land Subject to This Application (Legal Description) See attached

Assessor's Parcel or Account Numbers See attached

Auditor's File No. on Original Application 850359

CHANGE OF CLASSIFICATION
(Check Appropriate Box)

The land is currently classified as farm and agricultural land under RCW 84.34.020(2) and I hereby request reclassification as:

Timber land as provided under RCW 84.34.020(3) (Attach completed FORM REV 64 64 0021 and a timber management plan)

Open Space land as provided under RCW 84.34.020(1) (Attach completed FORM REV 64 0021)

Forest Land classification under chapter 84.33 RCW (Attach FORM REV 62 0021)

Farm and Agricultural Conservation Land as provided in RCW 84.34.020(1)(c) (Attach FORM REV 64 0021)

The land is classified as Open Space Farm and Agricultural Conservation Land under RCW 84.34.020(1)(c) and I hereby request reclassification to:

Farm and agricultural land under RCW 84.34.020(2).

The land is currently classified as timber land under RCW 84.34.020(3) and I hereby request reclassification as:

Forest land classification under chapter 84.33 RCW (Attach FORM REV 62 0021)

Open Space land as provided under RCW 84.34.020(1) (Attach completed FORM REV 64 021)-

Farm and agricultural land as provided under RCW 84.34.020(2) (Attach completed FORM REV 64 0024)

Requests for transfer from Forest Land classification under provisions of Chapter 84.33 RCW to Current Use classification under Chapter 84.34 RCW should be made on FORM REV 64 0038.

- Attachment:
- FORM REV 62 0021
 - FORM REV 64 0021
 - FORM REV 64 0024
- 9606140046

NOTE: No additional tax, fee or penalty accrue from this change of classification or use.

GENERAL INFORMATION

Reclassifications: Are defined in RCW 84.34.070(2) as follows:

- (2) The following reclassifications are not considered withdrawals or removals and are not subject to additional tax under RCW 84.34.108:
 - (a) Reclassification between lands under RCW 84.34.020(2) and (3);
 - (b) Reclassification of land classified under RCW 84.34.020(2) or (3) or chapter 84.33 RCW to open space land under RCW 84.34.020(1);
 - (c) Reclassification of land classified under RCW 84.34.020(2) or (3) to forest land classified under chapter 84.33 RCW; and
 - (d) Reclassification of land classified as open space land under RCW 84.34.020(1)(c) and reclassified to farm and agricultural land under RCW 84.34.020(2) if the land had been previously classified as farm and agricultural land under RCW 84.34.020(2).
- (3) Applications for reclassification shall be subject to applicable provisions of RCW 84.34.037, 84.34.035, section 20 of this act, and chapter 84.33 RCW.
- (4) The income criteria for land classified under RCW 84.34.020(2)(b) and (c) may be deferred for land being reclassified from land classified under RCW 84.34.020(1)(c) or (3), or chapter 84.33 RCW into RCW 84.34.020(2)(b) or (c) for a period of up to five years from the date of reclassification. [1992 c 69 § 10]

Farm and Agricultural Conservation Land: Is defined in RCW 84.34.020(8)(a & b) as follows:

- (8) "Farm and agricultural conservation land" means either:
 - (a) Land that was previously classified under subsection (2) of this section, that no longer meets the criteria of subsection (2) of this section, and that is reclassified under subsection (1) of this section; or
 - (b) Land that is traditional farmland that is not classified under chapter 84.33 or 84.34 RCW, that has not been irrevocably devoted to a use inconsistent with agricultural uses, and that has a high potential for returning to commercial agriculture. [1992 c 69 § 4]

And also defined in RCW 84.34.037(2)(c) as follows:

- (c) Whether granting the application for land applying under RCW 84.34.020(1)(c) will (i) either preserve land previously classified under RCW 84.34.020(2) or preserve land that is traditional farmland and not classified under chapter 84.33 or 84.34 RCW, (ii) preserve land with a potential for returning to commercial agriculture, and (iii) affect any other factors relevant in weighing benefits to the general welfare of preserving the current use of property.

Date 4-4-94

Signatures of All Owner(s) or Contract Purchaser(s)

Randy Little

9606140046

PROPERTY ID: P29906
 TAX ACCT. NO.: 340436-0-033-0005
 SITUATION: ACRES 7.75 Eff: 18

OWNER NAME AND ADDRESS:
 LITKE RANDY L 03530014
 C/O WASH MUTUAL SUGS B
 1101 2ND AVE
 SEATTLE, WA 98101
 OWNER ID (18179)

DATE PRINTED: 01/04/94
 LAST APPRAISAL: 10/01/93
 APPRAISER: UW

PROPERTY DETAILS:
 LAND USE CODE: 982
 ZONE SKA-R
 NEIGHB CODE: 920
 REVAL AREA: 101
 PROPERTY CODE: 1200
 EXEMPTION: 1200

PIN COU LT 3 PIN LOT 2 OF S/P
 119-7 9AF #791040022 D/S #4 #850359
 1978

SKETCH NOTES

YEAR	IMPROVEMENT	LAND	ASSESSED	CLASS
1994	0	1200	1200	EX
1993	0	1200	1200	
1992	0	1200	1200	
1991		1300	1300	
1990		1400	1400	
		1400	1400	9820
		1400	1400	9820

APPRaisal: 1100

IMPROVEMENT:
 LAND: CONT 1, NBHD AVG

RECORD #	ROLL ID	STATUS	DECCO	DEC DATE	FINAL MKT

DATE: 10/01/72
 PRICE: 37500
 TYPE: Q

PERMIT NO. TYPE AMT ISSUED % COM

ELEMENT	DESCRIPTION
FOUNDATION	
EXTERIOR WALL	
ROOF COVER	
ROOF STYLE	
FLOORING	
INT FINISH	
PLUMBING	
HEATING	
FIREPLACE	
INT COMPONENT	
EXT COMPONENT	
ELECTRIC	
BEDROOMS	
SHAPE	
ADD FACTORY	
ADDFACTORY	

IMPROVE	TYPE	DESCRIPTION	MTD/BLD	QUAL	CLASS	AREA	UNIT PRICE	REPLACEMENT COST	EFF	VR	COND.	DEPR

TOTAL REPL COST NEW	TOTAL LVG AREA	TOTAL DEPRE	DEPRE TABLE	MISC CODE	APPRAIS ACRES	ZONING

ADJUSTMENTS	MKT MOO	TOTAL ADJ	FINAL VALUE

DESCRIPTION	LAND TYPE	VAL	MTID	UNITS	TAXABLE	RATES	MKT
WOODED	W	BLA	A	3.45A	4500		
WOODED	W	BLA	A	4.30A	4500		
				Total	7.75A		

ADJUSTMENTS	MKT MOO	TOTAL ADJ	MARKET VALUE	OS	MKT	OS	TABLE	MTHD	UNIT	PRICE	ASSESSED VALUE
	100	100	15,500	OS4	A	270					900
	100	100	19,300	OS6	A	80					300

MARKET VALUE	OS	MKT	OS	TABLE	MTHD	UNIT	PRICE	ASSESSED VALUE
15,500	OS4	A	270					900
19,300	OS6	A	80					300

BK1558PGU553

PROPERTY ID: P29762
 TAX ACCT. NO.: 340435-1-007-0006
 SITSU
 LEVY CODE 1300 ACRES 10.25
 COMMENTS

OWNER NAME AND ADDRESS
 LITKE RANDY 0399720319
 C/O WASH MUTUAL SVCS B
 1101 2ND AVE
 SEATTLE, WA 98101
 OWNER ID: (18022)

ACTIVITY
 DATE PRINTED 01/04/94
 LAST NOTICES 06/04/92
 LAST APPRAISAL 11/10/93
 APPRAISER JS

PROPERTY DETAILS
 LAND USE CODE 982
 ZONE SK9-RU
 NEIGHB CODE 920
 REVAL AREA 101
 PROPERTY CODE
 EXEMPTION

TAXABLE VALUE
 IMPROVEMENT 0
 LAND 800
 TOTAL 800

PTN SE1/4 NE1/4 AKA PTN LT 2 OF S/P
 119 -79 OPEN SPACE#4 #850359 1978

SKETCH NOTES
 9606140046

ROLL VALUE HISTORY

YEAR	IMPROVEMENT	LAND	ASSESSED	CLASS	EX
1994	0	800	800	982	
1993	0	800	800	982	
1992	0	900	900	982	
1991		1100	1100	982	
1990		1200	1200	982	

APPRaisal:
 IMPROVEMENT:
 LAND: CONT 1, FAIR VIEW
 DATE: 10/01/77 PRICE: 37500 AF: Q
 PERMIT NO.: TYPE AMT ISSUED: % COM

RECORD # ROLL ID STATUS DECCD DECDATE FVAL MKT

ELEMENT DESCRIPTION

ELEMENT	CONSTRUCTOR DE VAL	DESCRIPTION
FOUNDATION		
EXTERIOR WALL		
ROOF COVER		
ROOF STYLE		
FLOORING		
INT FINISH		
PLUMBING		
HEATING		
FIREPLACE		
INT COMPONENT		
EXT COMPONENT		
ELECTRIC		
BEDROOMS		
SHAPE		
ADD FACTOR 1		
ADD FACTOR 2		

IMPROVEMENT VALUATION

IMPROVE	TYPE	DESCRIPTION	UNIT PRICE	AREA	DIMENSION	QUAL	MTHD	BLD CLASS	CLASS

ADJUSTMENTS

TOTAL REPL COST NEW	TOTAL LVG AREA	TOTAL DEP RE	DEPRE TABLE	MISC CODE	APPRAS ACRES	ZONING

LAND VALUATION

DESCRIPTION	LAND TYPE	LAND TABLE	VAL MTHD	UNITS TAXABLE	MKT RATES
WOODED	W	BLA	A	9.25A	6500
WOODED	W	BLAA	LT	1.00A	30000
				Total	10.25A

ADJUSTMENTS

MKT MOD	TOTAL ADJ	MARKET VALUE	OS	MKT OS	TABLE MTHD UNIT PRICE	ASSESSED VALUE
100	100	60,100	OS6	A	80	700
100	100	30,000	OS6	A	80	100

BK1558PG0554

APPLICATION FOR CLASSIFICATION OR RECLASSIFICATION AS OPEN SPACE LAND OR TIMBER LAND FOR CURRENT USE ASSESSMENT UNDER CH. 84.34 RCW

FILE WITH THE COUNTY LEGISLATIVE AUTHORITY

Name of Applicant Randy Litke Phone 206-422-5353
Address 1736 W. Big Lake Blvd. MT Vernon WA 98273
Property Location See attached

1. Interest in property: Fee Owner Contract Purchaser Other (Describe) _____
2. Assessor's parcel or account number: See attached
Legal description of land to be classified: See attached
3. Land classification that is being sought? Open Space Timber Land
NOTE: A single application may be made for both open space and timber land, but a separate legal description must be furnished for each area that classification is being sought.
4. Total acres in application 18

5. OPEN SPACE CLASSIFICATION Number of acres _____
6. Indicate what category of open space this land will qualify for: (See reverse side for definitions)
- Open space zoning
 - Conserve and enhance natural or scenic resources
 - Protect streams or water supply
 - Promote conservation of soils, wetlands, beaches or tidal marshes
 - Enhance public recreation opportunities
 - Enhance value to public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space.
 - Preserve historic sites
 - Preserve visual quality along highway, road, and street corridors or scenic vistas.
 - Retain in natural state tracts of one (1) or more acres in urban areas and open to public use as reasonably required by granting authority
 - Farm and agricultural conservation land as defined in RCW 84.34.020(8)

7. TIMBER LAND CLASSIFICATION Number of acres 18
- Definition: "Timber land" means any parcel of land that is five or more acres or multiple parcels of land that are contiguous and total five or more acres which is or are devoted primarily to the growth and harvest of forest crops for commercial purposes. A timber management plan shall be filed with the county legislative authority at the time (a) an application is made for classification as timber land pursuant to this chapter or (b) when a sale or transfer of timber land occurs and a notice of classification continuance is signed. Timber land means land only.
8. Submit a copy of your timber management plan with this application. Guidelines for a timber management plan are available from the county assessor.

A timber management plan will include the following:

- a) a legal description or assessor's parcel numbers for the property,
 - b) date of acquisition of land,
 - c) a brief description of timber or if harvested, the owners plan for restocking,
 - d) if land is used for grazing,
 - e) whether land and applicant are in compliance with restocking, forest management, fire protection, insect & disease control, etc.,
 - f) a summary of past experience and current and continuing activity,
 - g) a map of property outlining current use of property and indicating location of all buildings.
9. Describe the present improvements on this property (buildings, etc.) None
10. Is this land subject to a lease or agreement which permits any other use than its present use? Yes No
If yes, attach a copy of the lease agreement.

NOTICE: The assessor may require owners to submit pertinent data regarding the use of classified land.

FORM REV 64 0021-1 (2-93)

9606140046

BK1558PGU555

OPEN SPACE LAND MEANS:

- (a) Any land area so designated by a comprehensive land use plan adopted by a city or county authority, or
- (b) Any land area, in which the preservation in its present use would:
 - (i) Conserve and enhance natural or scenic resources,
 - (ii) Protect streams or water supply,
 - (iii) Promote conservation of soils, wetlands, beaches or tidal marshes,
 - (iv) Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space,
 - (v) Enhance recreation opportunities
 - (vi) Preserve historic sites,
 - (vii) Preserve visual quality along highway, road, and street corridor or scenic vistas, or
 - (viii) Retain in its natural state tracts of land not less than one acre situated in an urban area and open to public use on such conditions as may be reasonably required by the granting authority.
- (c) Or, any land meeting the definition of "farm and agricultural conservation land".

STATEMENT OF ADDITIONAL TAX, INTEREST, AND PENALTY DUE UPON REMOVAL OF CLASSIFICATION

1. Upon removal of classification, an additional tax shall be imposed which shall be due and payable to the county treasurer 30 days after removal or upon sale or transfer, unless the new owner has signed the Notice of Continuance. The additional tax shall be the sum of the following:
 - (a) The difference between the property tax paid as "Open Space Land" or "Timber Land" and the amount of property tax otherwise due and payable for the last seven years had the land not been so classified; plus
 - (b) Interest upon the amounts of the difference (a), paid at the same statutory rate charged on delinquent property taxes.
 - (c) A penalty of 20 % shall be applied to the additional tax if the classified land is applied to some other use, except through compliance with the property owner's request for withdrawal process, or except as a result of those conditions listed in (2) below.
2. The additional tax, interest, and penalty specified in (1) above shall not be imposed if removal resulted solely from:
 - (a) Transfer to a governmental entity in exchange for other land located within the State of Washington.
 - (b) A taking through the exercise of the power of eminent domain, or sale or transfer to an entity having the power of eminent domain in anticipation of the exercise of such power.
 - (c) A natural disaster such as a flood, windstorm, earthquake, or other such calamity rather than by virtue of the act of the landowner changing the use of such property.
 - (d) Official action by an agency of the State of Washington or by the county or city where the land is located disallowing the present use of such land.
 - (e) Transfer of land to a church when such land would qualify for property tax exemption pursuant to RCW 84.36.020.
 - (f) Acquisition of property interests by State agencies or agencies or organizations qualified under RCW 84.34.210 and 64.04.130 (See RCW 84.34.108(5)(f)).
 - (g) Removal of land classified as farm & agricultural land under RCW 84.34.020(2)(d) (farm homestead).

AFFIRMATION

As owner(s) of the land described in this application, I hereby indicate by my signature that I am aware of the potential tax liability involved when the land ceases to be classified under provisions of CH. 84.34 RCW. I also declare under the penalties for false swearing that this application and any accompanying documents have been examined by me and to the best of my knowledge it is a true, correct, and complete statement.

Signatures of all Owner(s) or Contract Purchaser(s)

Randy Little 4-4-94

All owners and purchasers must sign.

FOR LEGISLATIVE AUTHORITY USE ONLY

Date application received _____ By _____
Amount of processing fee collected \$ _____ Transmitted to _____ Date _____

FOR GRANTING AUTHORITY USE ONLY

Date received _____ By _____
Application approved _____ Approved in part _____ Denied _____ Owner notified of denial on _____
Agreement executed on _____ Mailed on _____

9606140046

PROPERTY ID: P29762
TAX ACCT. NO.: 340435-1-007-0006
SITUS
LEVY CODE 1300 ACRES 10.25
COMMENTS

OWNER NAME AND ADDRESS
LITKE RANDY D399720319/
C/O WASH MUTUAL SUGS B
1101 2ND AVE
SEATTLE, WA 98101

ACTIVITY
DATE PRINTED 01/04/94
LAST NOTICES 06/04/92
LAST APPRAISAL 11/10/93
APPRAISER JS

PROPERTY DETAILS
LAND USE CODE 982
ZONE SK8-RU
HEIGHT CODE 920
REVAL AREA 101
PROPERTY CODE
EXEMPTION

IMPROVEMENT
LAND
TOTAL
H011
800

YEAR	IMPROVEMENT	LAND	ASSESSED	CLASS	EX
1994	0	800	800	982	
1993	0	800	800	982	
1992	0	900	900	982	
1991		1100	1100	9820	
1990		1200	1200	9820	

RECORD #	ROLLID	STATUS	DECCO	DECDATE	FINAL MKT

ELEMENT	DESCRIPTION
FOUNDATION	
EXTERIOR WALL	
ROOF COVER	
ROOF STYLE	
FLOORING	
INT FINISH	
PLUMBING	
HEATING	
FIREPLACE	
INT COMPONENT	
EXT COMPONENT	
ELECTRIC	
BEDROOMS	
SHAPE	
ADD FACTOR 1	
ADD FACTOR 2	
TOTAL REPL	
COST NEW	

DATE	PRICE	AF #	TYPE
10/01/77	37500		Q

PERMIT NO. TYPE AMT ISSUED % COM

IMPROVE SEGMT.	TYPE	DESCRIPTION	MTHD	BLD CLASS	QUAL CLASS	AREA	UNIT PRICE	REPLACEMENT COST NEW	EFF YR	COND	DEPR	ADJUSTMENTS	MKT MOD	TOTAL ADJ	FINAL VALUE

DESCRIPTION	LAND TYPE	LAND TABLE	VAL MTHD	UNITS	TAXABLE RATES	MKT RATES	ADJUSTMENTS	MKT MOD	TOTAL ADJ	MARKET VALUE	OS TABLE	MKT OS TABLE	OS MTHD	OS VALUE	ASSESSED VALUE
WOODED	W	BLA	A	9.25A	6500			100	100	60,100	OS6	A	HU	700	
WOODED	W	BLAA	LT	1.00A	30000			100	100	30,000	OS6	A	HU	100	
Total															
10.25A															

BK1558160553

OPEN SPACE TAXATION AGREEMENT
RCW 84.34

#15969

(TO BE USED FOR "OPEN SPACE" OR "TIMBER LAND" CLASSIFICATION ONLY)

This Agreement between RANDY LITKE

hereinafter called the "Owner", and SKAGIT COUNTY

hereinafter called the "Granting Authority".

Whereas the owner of the following described real property having made application for classification of that property under the provisions of RCW 84.34:

Assessor's Parcel or Account Numbers: 340436-0-033-0005; 340435-1-007-0006

Legal Description of Classified Land: See Attachment "A"

And whereas, both the owner and granting authority desire to limit the use of said property, recognizing that such land has substantial public value as open space and that the preservation of such land constitutes an important physical, social, esthetic, and economic asset to the public, and both parties agree that the classification of the property during the life of this Agreement shall be for:

OPEN SPACE LAND TIMBER LAND

Now, therefore, the parties, in consideration of the mutual covenants and conditions set forth herein, do agree as follows:

1. During the term of this Agreement, the land shall only be used in accordance with the preservation of its classified use.
2. No structures shall be erected upon such land except those directly related to, and compatible with the classified use of the land.
3. This Agreement shall be effective commencing on the date the legislative body receives the signed Agreement from the property owner, and shall remain in effect for a period of at least ten (10) years.
4. This Agreement shall run with the land described herein and shall be binding upon the heirs, successors and assigns of the parties hereto.
5. **Withdrawal:** The land owner may withdraw from this Agreement if after a period of eight years the land owner makes a withdrawal request, which request is irrevocable, to the assessor. Two years from the date of that request the assessor shall withdraw the land from the classification, and the applicable taxes and interest shall be imposed as provided in RCW 84.34.070.
6. **Breach:** After land has been classified and as Agreement executed, any change of use of the land, except through compliance with items (5) or (7) of this Agreement, shall be considered a breach of this Agreement, and subject to applicable taxes, penalties and interest as provided in RCW 84.34.080 and 84.34.108.
7. A breach of Agreement shall not occur and the additional tax shall not be imposed if the removal of designation resulted solely from
 - (a) Transfer to a government entity in exchange for other land located within the State of Washington;
 - (b) A taking through the exercise of the power of eminent domain, in anticipation of the exercise of such power;
 - (c) Sale or transfer of land within two years after the death of the owner of at least fifty percent interest in such land.
 - (d) A natural disaster such as a flood, windstorm, earthquake, or other such calamity rather than by virtue of the act of the landowner changing the use of such property.
 - (e) Official action by an agency of the State of Washington or by the county or city within which the land is located which disallows the present use of such land.
 - (f) Transfer to a church and such land would qualify for property tax exemption pursuant to RCW 84.36.020.
 - (g) Acquisition of property interests by State agencies or agencies or organizations qualified under RCW 84.34.210 and 64.04.130 (See RCW 84.34.108 (5g)).
8. The county assessor may require classified land owners to submit pertinent data regarding the use of the land, and such similar information pertinent to continued classification and appraisal of the land.

UNRECORDED



This Agreement shall be subject to the following conditions:
Applicant shall comply with the provisions of the Timber Management Plan prepared for this property by Anderson Forestry Consultants. A copy is attached to this agreement.

It is declared that this Agreement contains the classification and conditions as provided for in RCW 84.34 and the conditions imposed by this Granting Authority.

Granting Authority: [Signature]
City or County

Dated 11-28-95

CHAIRMAN, SKagit COUNTY BOARD
Title OF COMMISSIONERS

As owner(s) of the herein described land I (we) indicated by my (our) signature(s) that I (we) are aware of the potential tax liability hereby accept the classification and conditions of this Agreement.

[Signature]
Owner(s)

Dated 12-15-95

[Signature]
(Must be signed by all owners)

Date signed Agreement received by Legislative Authority MAY 23, 1996

Prepare in triplicate with one completed copy to each of the following:
Owner(s)
Legislative Authority
County Assessor

9606140046

BK 1558 PG 0560

UNRECORDED

UNOFFICIAL DOCUMENT

Attachment "A"

LEGAL DESCRIPTION
PTN SE1/4 NE1/4 AKA PTN LT 2 OF S/P
119 -79 OPEN SPACE#4 #850359 1978

LEGAL DESCRIPTION
PTN GOV LT 3 AKA PTN LOT 2 OF S/P
119-7 9AF#7912040022 O/S#4 #850359
1978

9606140046

RESOLUTION NO. 15969

A RESOLUTION CONCERNING A TIMBER OPEN SPACE APPLICATION OF RANDY LITKE

WHEREAS, the Skagit County Hearing Examiner held a public hearing on September 13, 1995 to review the Open Space Timber application of RANDY LITKE and adopted Findings of Fact and a Recommendation which were submitted to the Board of Skagit County Commissioners; and

WHEREAS, in open session, the Skagit County Board of Commissioners has reviewed the application and Findings and Recommendation of the Hearing Examiner, now therefore,

BE IT RESOLVED, that the Board of Skagit County Commissioners hereby adopts the Findings and Recommendation of the Hearing Examiner and approves the Timber Open Space application of RANDY LITKE subject to any conditions listed in the Hearing Examiner Recommendation.

WITNESS our hands and official seal this 28th day of November, 1995.



BOARD OF COMMISSIONERS
SKAGIT COUNTY, WASHINGTON

Robert Hart
ROBERT HART, Chairman

Harvey Wolden
HARVEY WOLDEN, Commissioner

Ted W. Anderson
TED W. ANDERSON, Commissioner

ATTEST:

Debby Sims
Debby Sims
Clerk of the Board

9606140046

BK1558PG0562

cc: APPLICANT, PLANNING, ASSESSOR



OFFICIAL

cc

OST 94 003.REC

SKAGIT COUNTY HEARING EXAMINER
STATE OF WASHINGTON

In the matter of:)	
Application OST 94 003)	Findings of Fact
of RANDY LITKE)	Recommendation
for Timber Open Space)	No. OST 94 003
for inclusion of 18 acres in the)	
Timber Open Space Classification)	
_____)	

THIS MATTER having come regularly before the Skagit County Hearing Examiner for a Public Hearing under an application filed with the Skagit County Department of Planning and Community Development on behalf of the Applicant requesting an Open Space Timber Classification as described in the attached Report and Findings of that Department and located at 1736 West Big Lake Blvd., Mount Vernon, WA; Lot 2 of short plat 119-79, within a portion of Section 35 & 36, Township 34 North, Range 4 East, W.M., Skagit County, Washington;

Assessor Account No: 340436-0-033-0005; 340435-1-007-0006

And, notice having been given to all property owners within 300 feet of said property, the property having been posted in accordance with Section 14.04 of the Skagit County Code, the public hearing advertised in accordance with Section 14.104 of the Skagit County Code, and all matters in the file having been considered together with the testimony, evidence, and exhibits in open hearing and made a part of the record in this matter; the Hearing Examiner makes the following findings of fact.

FINDINGS OF FACT

1. September 13, 1995 was fixed as the date of the public hearing and the Hearing Examiner held a public hearing on that date.
2. All persons present at the Public Hearing were given an opportunity to present evidence and testimony, and all correspondence received was made a part of the record.
3. The Department of Planning and Community Development issued the attached Report and Findings of that Department. The Hearing Examiner adopts Findings one (1) through eight (8) as presented in that Report.
4. The subject property is not located in an area of flood hazard.
5. The applicant has had a Timber Management Plan prepared by Anderson Forestry Consultants.
6. The Hearing Examiner has reviewed this application with respect to the requirements of the Skagit County Code and the Revised Code of Washington.

CONCLUSIONS

The Hearing Examiner, having duly considered the matter, including all the evidence presented and on file, comments from interested persons, information and comments from other county departments affected, independent studies of the Planning Department, and the evidence presented at the public hearing; finds that the application has been reviewed in accordance with the definitions and requirements referenced above and has been found to be compatible with those criteria.

RECOMMENDATION

The Hearing Examiner recommends APPROVAL of the application for inclusion of the subject property in the Timber Open Space Classification subject to the following conditions:

1. Applicant shall comply with the provisions of the Timber Management Plan prepared for this property by Anderson Forestry Consultants.

SKAGIT COUNTY HEARING EXAMINER


ROBERT C. SCHOFIELD

Date of Recommendation: September 25, 1995

Copies Transmitted to Applicant: September 25, 1995

Attachment: Staff Report and Findings

C: Applicant, Applicant File, Board of County Commissioners, Hearing Examiner

#4

SKAGIT COUNTY PLANNING AND COMMUNITY DEVELOPMENT
FINDINGS OF FACT

HEARING AUTHORITY: SKAGIT COUNTY HEARING EXAMINER
HEARING DATE: SEPTEMBER 13, 1995
APPLICATION NUMBER: OPEN SPACE TIMBER OST-94-003
APPLICANT: RANDY LITKE
ADDRESS: 1736 WEST BIG LAKE BOULEVARD
MT. VERNON, WA 98273

PROJECT LOCATION: The subject property is located at 1736 West Big Lake Boulevard, Mt. Vernon; also known as Lot 2 of short plat 119-79, within a portion of Section 35 & 36, Township 34 North, Range 4 E. W.M., Skagit County, Washington.

PROJECT DESCRIPTION: Transfer of approximately 18 acres from Open Open Space into the Timber Open Space Program.

ASSESSOR'S ACCOUNT NUMBER: 340436-0-033-0005/340536-1-007-0006

STAFF FINDINGS:

1. The following documents are entered into the record as exhibits:
 1. Application dated May 1994.
 2. Assessor's map
 3. Timber management plan prepared by David Anderson, Anderson Forestry Consultants, Inc.
2. The subject property is zoned Residential and Rural and the South Central District Comprehensive Plan designates the area as Residential and Rural.
3. The public hearing has been advertised in accordance with the requirements of Chapter 14.04 of the Skagit County Code.
4. The application has been reviewed in accordance with the State Environmental Act Guidelines and has been found to be exempt.
5. The subject property is located out of any designated flood hazard areas.
6. The subject property is located at 1736 West Big Lake Blvd., Mt. Vernon; The subject property is approximately 18 acres in size. The applicant has indicated that the family home is located on Lot (1) one of the short plat 119-79. The applicant has a separate legal description for the parcel with the

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residence that will not be included in the Timber Open Space Program.

7. The applicant has had a Timber Management Plan prepared for the subject property, which is attached for reference.
8. The following are staff comments in regard to the Timber Open Space criteria as outlined in RCW 84.34.041 as they apply to this request: The applicant has attached a legal description and Assessor's map for the site. A Timber Management plan prepared by David Anderson, of Anderson Forestry Consultants, Inc. has been submitted. The applicant has indicated that the property has been managed as forest land since 1978. The area has four (4) separate timber stands. The majority of the property is forested with Red Alder with the remainder of the property forested with Douglas Fir. The applicant is proposing harvesting the timber at a later date. The applicant is fully aware of the potential tax liability involved when the land ceases to be classified as timber land.

RECOMMENDATION:

Based on the above findings the Department of Planning and Community Development would recommend approval of the request for inclusion into the Open Space Timber program with the following conditions:

1. The applicant shall comply with the Timber Management plan as submitted.

Prepared by: N.N.
Approved by: JNM