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Skagit County Planning and Permit Center

**SKAGIT COUNTY PLANNING AND PERMIT CENTER
FINDINGS OF FACT**

HEARING AUTHORITY: SKAGIT COUNTY PLANNING DIRECTOR

APPLICATION NUMBER: ADMINISTRATIVE SPECIAL USE REQUEST
PL99-0445

APPLICANT: MYRTLE REX

ADDRESS: 13141 AVON ALLEN ROAD
MOUNT VERNON, WA. 98273

PROJECT LOCATION: Located at 13141 Avon Allen Road, Mount Vernon, within a portion of Section 12, Township 34N, Range 3 East W.M. Skagit County, Washington.

PROJECT DESCRIPTION: Administrative Special Use request PL99-0445 for the temporary placement of a mobile home on a parcel with an existing residence. The project proposal is to locate a temporary mobile home on a 40 acre parcel with an existing residence for the caretaking of an elderly relative.

ASSESSOR'S ACCOUNT NUMBER: 340312-2-003-0105, P99165

LEGAL DESCRIPTION: (19.00 AC) ACREGE ACOUNT, ACRES 19, 00 OPEN SPACE #300 #761121, 1973 N ½ OF NW ¼ LESS 1 AC TR AND HOUSE.

ZONING: The parcel is located within a Agricultural zoning district.

COMPREHENSIVE PLAN: The Comprehensive Plan designates the area as Agricultural Natural Resource Land (AG-NRL) as indicated in the Skagit County Comprehensive Plan and associated maps as adopted June 1, 1997.

RECOMMENDATION: The Skagit County Planning and Permit Center would recommend **approval** of the Administrative Special Use permit request.

STAFF FINDINGS:

1. The subject property is zoned Agricultural and the Comprehensive Plan designates the area as Agricultural Natural Resource Land as indicated in the Skagit County Comprehensive Plan and associated maps as adopted June 1, 1997. The application was determined to be complete on July 19, 1999 and is vested under the Comprehensive Plan and zoning regulations in effect at that time.
2. Per Section 14.01.033 of the Skagit County Code, a letter of completeness was issued on July 19, 1999. A Notice of Development Application was posted on the subject property and published in a newspaper of general circulation on July 22, 1999 as required by Section 14.01.040(2) of Skagit County Code.
3. The applications have been reviewed in accordance with the State Environmental Policy Act guidelines WAC 197-11-800 and has been found to be exempt.
4. The subject parcel was reviewed with the respect to the Skagit County Critical Areas Ordinance 14.06 of the Skagit County Code. Staff comments indicates that critical area review was conducted with the septic permit #S99-0298. Staff recommended approval without conditions.
5. The subject property is located within a designated A0 flood hazard area as identified by FEMA on Flood Insurance Rate Map (FIRM) map 530151 0250 C with the effective date of January 3, 1985.
6. The subject parcel is approximately 40 acres in size located to the east of Avon Allen Road. There is a parcel between the subject parcel and Avon Allen Road and the subject parcel is accessed via a private driveway from Avon Allen Road which enters the parcel along the southwest property line. The existing single family residence and associated agricultural accessory structures are located along the southwest portion of the parcel approximately 130 feet off of the west side property line. The proposal is to place the proposed mobile home approximately 68 feet to the northwest of the existing residence and locate the structure approximately 32 feet off of the west (side) property line. The proposed structure will be located to the west of the existing barns and agricultural structures on site. The parcel is relatively flat and both existing residence and the proposed mobile will be serviced water from by Public Utility District #1. The structures will both utilize individual on-site septic systems.
7. The applicant is requesting an Administrative Special Use Permit to allow the placement of a mobile home on a parcel of property with an existing residence. The applicant has indicated that the mobile home will be used by Myrtle Rex.



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Douglas Rex will reside in the existing residence. The relative will use the proposed mobile home as a residence to better accommodate her needs as well as keeping family members close who can provide daily assistance with the tasks that can no longer be performed independently.

The applicant has submitted a letter from a Doctor indicating that Mrs. Rex has Arthritis of the knees and needs someone close by 24 hours a day due to medical problems.

8. The majority of the surrounding area is currently rural and agricultural in character with existing common uses. The surrounding area is mostly open agricultural fields with scattered residential parcels located throughout the area and along Avon Allen Road. The site contains enough space to maintain the placement of the mobile home without creating a burden on the property or existing surrounding uses. When the mobile home is no longer needed for the caretaking of Myrtle Rex and/or she is no longer residing on site, the mobile home will be removed.
9. The application was routed to the health unit for review. In reviewing the application as submitted it has been noted that a septic permit has been applied for and there are no concerns with the proposal.
10. The application was routed to the Water Resources Division of the Skagit County Planning and Permit Center for review. Water Resources comments are as follows:

“The letter of February 25, 1999 from Public Utility District #1 of Skagit County confirms that water is available to the site. We have no objection to approval of ASPU PL99-0445 with the use of PUD #1 as the method of water supply”.
11. The application was routed to Skagit County Public Works for review. Public Works had no concerns with the proposal.
12. The application was routed to the Agricultural Advisory Committee (Conservation Futures) for review and comment. Conservation Futures comments are as follows:

“The Conservation Futures Committee remains concerned about the cumulative impact to farmland from these types of residential conversions. There is little assurance that the residence approved for the benefit of an aging relative will not be converted to housing for a stranger. This has a definite negative impact on agriculture, since it increases the conflict between growers and non-growers. The best neighbor to a farmer is another farmer”.



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“Consequently, permit requirements should seek to preserve and maintain the intended use of the application. It is strongly recommended that the following conditions be included:

1. Site the mobile within 100 feet of the road in accordance with existing dimensional requirements of the zoning code.
2. Require shared access. Common driveway access reduces the impermeable surface and maintains the temporary nature of the residence.
3. Require shared water line hookup under the same meter.
4. Require the mobile to be placed within 50 feet of the existing house and at the same distance from the road as the existing building”.

13. Section 14.04.150 Unclassified Special Uses of the Skagit County Code indicates that certain items will be reviewed when approving or denying Special Use permits. Those items are as follows:

- A. Conformity to the Comprehensive Plan in respect to the compatibility with existing and future land use and circulation.

The Skagit County Comprehensive Plan does not specifically provide policies that either support or oppose the proposed project. County-wide regional comprehensive plan policies adopted in July 1992 offer policies in support of this type of activity with respect to the compatibility with existing and future land use and circulation.

- B. The zoning of the subject property and surrounding properties and the conformance of the application with the Zoning Ordinance.

Section 14.04.150 Unclassified Special Uses of the Skagit County Code states that Unclassified Special Uses to be considered are specifically listed together with other uses determined by the Administrative Official to be similar. Temporary mobile homes for elderly or disabled parents require an Administrative Special Use Permit in Residential (R), Residential Reserve (RR), Rural Intermediate (RI), and Rural (RU) zoning districts. Staff notes that this property is currently zoned Agricultural and Skagit County Code 14.04.150 does not specifically state temporary mobile homes may be placed in an Agricultural zone with a Special Use permit. Staff notes that they believe the intent of the code is to allow temporary mobile homes in this zoning designation as this would be associated with an existing single family residence, which is an accessory use in the Agricultural zone.

- C. Automobile or truck traffic and parking and its effect on surrounding community.



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The proposed project will generate traffic that is typical of a single-family residence and should have little effect on the surrounding community. The traffic impact may be reduced due to reduced trips to the site, for caretaking purposes, that would otherwise be generated from residing off site. There will be no parking impacts related to this activity. The parking will be on site as common with residential structures.

D. Noise, odors, heat, vibration, air and water pollution potential of the proposed use.

There will be no odors, heat, vibration, air and water pollution potential of the proposed project provided the site is maintained in a typical residential manner.

E. Intrusion of privacy.

This project appears to have a minimal chance of intrusion of privacy onto adjacent properties. The parcel is approximately 40 acres in size with a private drive accessing the site off of Avon Allen Road. The property is an existing dairy farm with several existing agricultural accessory structures. The parcel is located to the east of an existing residence, on a separate parcel, adjacent to Avon Allen Road and sits approximately 1,200 feet from Highway 20 to the north. The area to the east is currently open agricultural fields under production. There are no structures located on other parcels directly adjacent to the proposed location of the mobile home and this proposal should create no negative impact or intrusion of privacy provided the site is maintained in a typical residential manner.

F. Design of site and structures as to possible effects on the neighborhood.

The structure to be used as caretaker housing is a mobile home that is to be set up on site to the west of the existing residence. There will be no effects on the neighborhood because the uses in the surrounding areas are similar. There are currently mobile homes located on adjacent sites throughout the area which clearly identifies that similar structures and uses are located in the neighborhood with no effects on the surrounding community. Therefore the character of the surrounding area is such that a mobile will not have an impact.

G. In addition to possible effects on the neighborhood in which the use is to be located, the potential effects on the region shall be considered.

There should be minimal effects on the neighborhood or region as a result of the design of the proposal. The proposed use is common to the surrounding area and the design of the structure complies with the surrounding neighborhood uses.

H. Potential effects regarding the general public health, safety, and general welfare.



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There will be no negative effects on the neighborhood, region, general public health, safety, or welfare as a result of this project provided the site is maintained in a residential manner. The proposal is to use a structure as a temporary dwelling unit to care for an elderly relative. This proposal will be beneficial to the welfare and safety of the relatives due to the current family condition. With more space available to care for this individual the quality of care will improve for the family as a whole.

DECISION

The Director hereby **approves** of the requested Administrative Special Use permit.

1. At such time that the use is no longer needed for Caretaking of Myrtle Rex, and/or she is no longer residing on site, the mobile home shall be removed.
2. Applicant shall obtain all permits and approvals from the appropriate jurisdiction.
3. The permit shall be void if not started within one year of the date of this order.
4. The proposal shall utilize the existing access to the site.
5. The proposed mobile shall not be setback more than 200 feet from the front yard property line (front is determined from where the access comes in) in accordance with the Agricultural Natural Resource zoning designation SCC 14.04.112.

The applicant and/or party of record may appeal the decision of the Administrative Official to the Skagit County Hearing Examiner pursuant to the provisions of Section 14.01.060. Every appeal to the Hearing Examiner shall be filed with the Planning and Permit Center within fifteen (15) calendar days after the date of the decision.


Brandon Black, Assistant Planner

Date of Preliminary Approval: 9-22-99
Date of Final Approval: 10-8-99
Prepared By: BB



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