

Please Return to:

Skagit County Planning & Permit Center



200006120096

Kathy Hill, Skagit County Auditor  
6/12/2000 Page 1 of 7 10:49:32AM

**SKAGIT COUNTY PLANNING & PERMIT CENTER**

**FINDINGS OF FACT**

**HEARING AUTHORITY:** SKAGIT COUNTY PLANNING DIRECTOR

**APPLICATION NUMBER:** Administrative Special Use  
PL 99-0592

**APPLICANT:** Miles W. Jackson

**ADDRESS:** 3586 Legg Road  
Bow, WA 98232

**CONTACT:** Kathie Anderson  
1104 Jameson Street  
Sedro-Woolley, WA 98284

**PROJECT LOCATION:** The property is located at 3586 Legg Road, Bow, WA; within a portion of the NW ¼ of the SW ¼ of Section 22, Township 36 North, Range 03 East, W.M., Skagit County, Wa.

**PROJECT DESCRIPTION:** Administrative Special Use Request PL99-0592 for the placement of a small cottage on a parcel of property with an existing mobile home to allow close medical care of family members.

**ASSESSOR'S ACCOUNT NUMBER:** 360322-0-013-0004

**P NUMBER:** P47991 & P47986

**RECOMMENDATION:** The Director hereby **approves** the application for a Special Use Permit, subject to conditions and modifications.

**STAFF FINDINGS:**

1. The subject property is zoned Agriculture-NRL and Comprehensive Plan designates the area as Agriculture-NRL.

2. Per Section 14.01.033 of the Skagit County Code, a letter of completeness was issued on October 26, 1999. A Notice of Development Application was posted on the subject property and published in a newspaper of general circulation on November 11, 1999 as required by Section 14.01.040(2) of the Skagit County Code.
3. The application has been reviewed in accordance with the State Environmental Policy Act guidelines (WAC 197-11 and RCW 43.21C) and was found to be exempt.
4. The subject property has been reviewed with respect to the Skagit County Critical Areas Ordinance Chapter 14.06 of the Skagit County Code. A site visit was conducted on November 1, 1999. This visit confirmed that critical area indicators are present and that the project area may include or be adjacent to designated critical areas. Based on the site visit a wetlands site reconnaissance/assessment report was required before the special use permit could be approved.

A wetlands reconnaissance prepared by Washington Wetlands and Mitigation Company, Inc. (WAMCO) dated November 22, 1999 was submitted. Based on the results of the reconnaissance, it appeared that the proposed building footprint within the critical area might prohibit development at that location. A wetland delineation was conducted on the site and a small Category IV wetland (approximately 1600 sq. ft) was identified. According to Skagit County critical areas regulations, a category IV wetland less than 10,000 sq. ft. is not regulated. Given this analysis, the critical areas staff approved the proposal without critical area conditions.

5. The subject property is located within a designated flood hazard area (Zone A-8) per FIRM 530151 00050C dated January 3, 1985 with a base flood elevation of 8 ft. mean sea level. Section 15.20.190 Flood Damage Prevention Ordinance states new construction and substantial improvements of any residential structure shall have the lowest floor (existing & proposed), elevated one foot or more above the base flood elevation.
6. The subject property is located in a designated Natural Resource Land according to the Comprehensive Plan and Zoning Ordinance. Skagit County Code 14.04.190 (15)(a) states that the owner of any site within this designation for which an application for a "development" activity is submitted as defined in SCC 14.01 shall record a title notice (Notification of Development Activities on or Adjacent to Designated Natural Resource Lands) with the Skagit County Auditor.



7. The subject property is located in the Blanchard area lying between Legg Road and the railroad tracks. The property is approximately .6 acre in size, is rectangular in shape and lies in a north/south configuration. The property measures approximately 115 feet wide at the south end, approximately 330 ft. long, and narrows to approximately 70 feet at the north end. The existing residence (mobile home) is located in the south half of the property approximately 45 feet from the south (side) property line and approximately 55 feet from the (Legg Road) front property line. There are two small sheds and a large lavender garden lying west of the existing residence. The property is flat and is the location of the former downtown of Blanchard. Vegetation on site consists of traditional residential landscaping in the area of the home and the remainder of the site with the exception of the lavender garden consists of lawn. The surrounding parcels contain single-family residences, abandoned buildings, and the Blanchard Community Club. There is an existing driveway located in the middle of the property that will serve both the existing residence and the proposed residence. Individual septic systems and community water will serve the property.

8. The applicant is requesting an Administrative Special Use Permit to allow for the placement of a small cottage on the property with an existing residence (mobile home). The applicant has submitted letters from Dr. Shawna L. Laursen and Dr. John R. Mathis stating that Mr. and Mrs. Jackson have multiple medical conditions and they would benefit having someone living close by. Mr. and Mrs. Jackson occupy the existing mobile and their daughter Kathie Anderson will occupy the proposed small cottage. At such time as the applicants no longer need care or someone to live close by, the mobile home will be removed.

9. The cottage will be located approximately 50 feet northwest of the existing mobile, and approximately 40 feet from the front property line. The cottage shall meet the required setback requirements of the agricultural zone.

10. The application was routed to various county departments for review and their comments are as follows: **Public Works**—one access will be approved for both houses; **Septic**—no comments; **Water**—Prior to building permit issuance, a public drinking water signoff is needed from the Skagit County Health Department unless the Blanchard Edison Water Association will allow a water connection through a single meter; **Farmland Preservation**—The Conservation Futures Advisory Committee reviewed the application and offered the following conditions a)The special use permit is non-



200006120096

Kathy Hill, Skagit County Auditor

transferable and applies only to the applicants Miles and Kathleen Jackson; b)The special use permit and occupancy for the mobile home are valid for as long as it is the principal residence for Miles and Kathleen Jackson; renting the mobile home is not permitted; c)The Planning & Permit Center shall review the permit conditions with the applicants not less than every three years from the date of the permit approval.

11. 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 Comprehensive Plan does not specifically provide policies that either support or oppose the proposed project.

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

The subject property and surrounding area has an Agriculture-NRL zoning designation. Section 14.04.150 Unclassified Special Uses of the Skagit County Code indicates that "certain uses which, because of their unique characteristics or rare occurrence, require special review to insure compatibility..." Per section 14.04.150 Unclassified Special Uses of the Skagit County Code temporary mobile homes for the elderly or disabled parents, or relatives required an Administrative Special Use in Residential (R), Residential Reserve (RR), Rural Intermediate (RI), and Rural (RU) zoning districts.

Staff notes that this property is currently zoned Agricultural-NRL and Skagit County Code 14.04.150 does not specifically state that temporary mobile homes may be placed in an Agriculture zone with a special use permit. The Planning and Permit Center has made an interpretation that 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, an accessory use in the Agriculture-NRL zone.

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

The proposed project will generate, upon completion, little traffic to the site and should have little effect on the



200006120096

Kathy Hill, Skagit County Auditor

6/12/2000 Page 4 of 7 10:49:32AM

surrounding community. The existing mobile home and proposed cottage will share a common driveway.

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

There will be no noise, 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.**

The proposed project site appears to have minimal chance of intrusion of privacy onto the adjacent properties. The subject property is approximately 27,000 square feet and is bordered by Burlington Northern Railroad, Legg Road, Blanchard Community Club, and a single-family residence. The property across the street consists of an abandoned single-family residence and an open field.

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

**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 effect on the neighborhood or region as a result of the design of the proposal. The area adjoining the subject property is developed with a mix of single-family residences and small open fields.

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

There should be no effect on the general public health, safety, or welfare as a result of this project as there is already an existing residence on the property and provided the site is maintained in a typical residential manner.

**RECOMMENDATION**

The Director hereby approves the application for a Special Use permit, subject to the conditions and modifications listed below:

1. The applicant shall obtain all necessary land use approvals (i.e. building permit, on-site septic, water, floodplain)
2. Prior to building permit issuance a public drinking water signoff from the Skagit County Health Department is required or approval from the Blanchard Edison Water.



200006120096

Kathy Hill, Skagit County Auditor

Association allowing a water connection through a single meter.

3. The permit shall be void if not started within one year of the date of this order.
4. At such time as the applicants no longer require care or someone to be nearby, the mobile home shall be removed.
5. Prior to issuance of any building permit per Section 14.04.190(15) Notification of Development Activities on or Adjacent to Designated Natural Resource Lands must be recorded with the Auditors office.
6. The applicant must submit documentation every three (3) years from the date of this decision regarding the status of the continued need for the temporary manufactured home or status of its removal. This documentation shall be forwarded to the Planning and Permit Center Director and shall reference the original application number PL99-0529.

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 14.01.060. Every appeal to the Hearing Examiner shall be filed with the Planning & Permit Center within fifteen (15) calendar days after the date of the decision.

Linda Kuller (for)  
Tom Karsh, Planning Director

Marge Swint  
Marge Swint, Associate Planner

Date of Preliminary Approval: May 23, 2000

Date of Final Approval: June 7, 2000

Prepared by: MS

Approved by:





# PLANNING AND PERMIT CENTER

*TOM KARSH, DIRECTOR*

GARY R. CHRISTENSEN, AICP  
Assistant Director  
Community Planning

KENDRA SMITH, ASLA  
Assistant Director  
Community Development

COREY SCHMIDT, CE  
Assistant Director  
Permit Center/Building Office

May 23, 2000

Mr. and Mrs. Miles W. Jackson  
3586 Legg Road  
Bow, Wa 98232

RE: Administrative Special Use PL99-0529

Dear Mr. and Mrs. Jackson:

Enclosed is a copy of the written order approving your Administrative Special Use request for a temporary mobile home. Approval is given subject to any conditions listed with the order.

If you have not already applied for your building permit, you can do so at this time. We will be able to issue you this permit after the date of final approval, June 7, 2000, as noted in the written order.

If you have any questions, please don't hesitate to contact me.

Sincerely,

Marge Swint  
Associate Planner

CC: Kathie Anderson

enc.



200006120096

Kathy Hill, Skagit County Auditor

6/12/2000 Page 7 of 7 10:49:32AM