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SKAGIT COUNTY PLANNING & PERMIT CENTER

FINDINGS OF FACT

HEARING AUTHORITY: SKAGIT COUNTY PLANNING DIRECTOR

APPLICATION NUMBER: Administrative Special Use
PL 00-0554

APPLICANT: Terry & Fred Lienhard

ADDRESS: 3100 State Route 9
Sedro-Woolley, WA 98284

PROJECT LOCATION: The property is located at 3100 State Route 9, Sedro-Woolley, WA; a portion of "Tract F" of Slippers Acres; within a portion of the NW ¼ of the NE ¼ of Section 24, Township 36 North, Range 04 East, W.M., Skagit County, Wa.

PROJECT DESCRIPTION: Administrative Special Use Request P100-0554 for the placement of a temporary mobile home on a parcel of property with an existing residence for the close medical care of a family member

ASSESSOR'S ACCOUNT NUMBER: 4015-000-006-0314

P NUMBER: P69592

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 the 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 5, 2000. A Notice of

Development Application was posted on the subject property and published in a newspaper of general circulation on October 12, 2000 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. Thunder Creek is within 200 feet of the proposed home site. A Fish & Wildlife Site Assessment is required per SCC 14.24.520. Earth Systems Science, Inc prepared the Fish and Wildlife Assessment. The proposal complies with the 100' buffer requirement on Thunder Creek. Mitigation measures required for approval include:
 - A Protective Critical Area (PCA) site plan including figure 2 of the site assessment will need to be prepared and recorded with the Auditor's office per SCC 14.24.170 prior to issuance of the building permit.
 - Construction measures as necessary to prevent surface runoff from disturbed soils entering Thunder Creek by using erosion-control measures such as straw bales and/or silt fence.
5. A portion of the subject property along the western edge is located within a designated flood hazard area (Zone B) per FIRM 530151 0065 dated January 3, 1985. However, the area where the proposed mobile will be placed is outside of the flood hazard area.
6. The subject property is located within land designated as Natural Resources Land. The applicant shall comply with the provisions of Skagit County Code 14.16.870(1) Notification of Development Activities on or Adjacent to Designated Natural Resource Lands.
7. The subject property is according to the Assessor's records is approximately 1.25 acres in size and is located on the west side of Highway 9 approximately ¼ mile south of the Upper Samish Road and State Highway 9 intersection. The property lies in an east/west configuration and is basically rectangular in shape. The east (front) property line lying along Highway 9 measures approximately 167 feet, the north (side) property line measures approximately 400 feet, the west (rear) property line measures approximately 180 feet, and the south (side) property lines measures approximately 400 feet. The existing residence is located approximately 160 feet from the front property line in the southern half of the



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property. The proposed mobile will be located northeast of the existing residence. There is an existing driveway located in the southern half of the property line that will serve both the existing residence and the proposed residence. Onsite sewage systems and a private well serve the property.

8. The property is basically flat with Thunder Creek running along the southern boundary. There are several outbuildings on the property and a garden area towards the rear of the property. Trees border the property on the north, west, and south. The surrounding parcels are all developed with single-family residences, small farms, and forestland.
9. The applicant is requesting an Administrative Special Use Permit to allow for the placement of a manufactured home (14' x 70') on the property with an existing residence. The request is for Mrs. Lienhard's parents (James & Carol Bowen) to live in the manufactured home. The applicant has submitted a letter from Dr. Jonathan Gamson stating that due to Mr. and Mrs. Bowen's age and medical conditions they require assistance from a nearby family member. At such time as Mr. and Mrs. Bowen no longer need care or someone to live close by, one of the mobile homes will be removed.
10. The proposed manufactured home will be placed approximately 36 feet from the east (front) property line and approximately 18 feet from the north (side) property line. The proposed home will run in an east/west configuration. The proposed septic system for this home will be located on the southwest of the proposed home. An area for parking will be off the driveway south of the proposed site.
11. The application was routed to various county departments for review and their comments are as follows: **Public Works**—had no concerns; **Septic**—A septic site evaluation has been approved for this site. No design had been submitted at the time of this review. Staff notes that a design (SW00-0530) has since been submitted and is awaiting approval of this request; **Water**—A satisfactory bac-t has not been received. Prior to issuance of any building permit a drinking water evaluation for the existing well will need to be submitted and approved. **Farmland Legacy**—no response.
12. 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:



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A. The proposed use will be compatible with existing and planned land use and comply with the Comprehensive Plan.

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

B. The proposed use complies with the Skagit County Code.

The subject property and surrounding area has an Agriculture-NRL zoning designation. Skagit County Code Section 14.04.020 defines Temporary Manufactured Home: a temporary placement of a manufactured home to accommodate the housing needs of disabled or elderly family members or to house 1 farm worker and his immediate family. Documentation by a doctor and/or physician of the need for nearby care is required. SCC 14.16.400(3)(h) requires an Administrative Special Use for a temporary manufactured home. The applicant is then reviewed on its own merits.

C. The proposed use will not create undue noise, odor, heat, vibration, air and water pollution impacts on surrounding, existing, or potential dwelling units, based on the performance standard of SCC 14.16.840.

Provided the site is maintained in a typical residential manner, the proposed project will not create any undue noise, odors, heat, vibration, air and water pollution on surrounding, existing, and potential dwelling units.

D. The proposed use will not generate intrusions on privacy of surrounding uses.

The proposed project site appears to have minimal chance of intrusion of privacy onto the adjacent properties. The subject property is approximately 2.19 acres in size. The surrounding area is full developed with single-family residences. The subject property is bordered by Highway 9 to the east and Thunder Creek to the south. The remainder of the property is landscaped with trees and shrubs. The proposed mobile will be located approximately 18 feet from the closest property with a residence. There are several ornamental shrubs located along the property line. Both the existing house and the proposed mobile will use the same driveway.

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

There will be no should be no effect on the general public health, safety, or welfare as a result of this project provided the site is maintained in a typical residential manner.



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F. For special uses in Industrial Forest-NRL, Secondary Forest-NRL, Agricultural-NRL, and Rural Resource-NRL, the impacts on long-term natural resource management and production will be minimized.

Although the subject property approximately 1.25 acres in size is zoned Agricultural-NRL it is not being utilized as a natural resource land. The proposed project will have no impact on long-term natural resource management and production.

G. The proposed use is not in conflict with the health and safety of the community.

The proposed project will not conflict with the health and safety of the community. The proposed mobile will be served by its own onsite sewage system and private well. A private driveway will serve both the existing residence and the proposed mobile.

H. The proposed use will be supported by adequate public facilities or services and will not adversely affect public services to the surrounding areas, or conditions can be established to mitigate adverse impacts on such facilities.

The proposed use will be supported by adequate public facilities and will not adversely affect public services to the surrounding areas.

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 approvals (i.e. building permit, on-site septic, potable water).
2. Prior to issuance of the building permit, a drinking water evaluation for the existing well will need to be submitted and approved.
3. The septic design (SW00-0530) will need to be approved prior to issuance of the building permit.
4. Prior to issuance of the building permit a Protective Critical Area (PCA) site plan including figure 2 of the site assessment will need to be prepared and recorded with the Auditor's office per SCC 14.24.170.
5. During construction, measures will need to be taken as necessary to prevent surface runoff from disturbed soils



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entering Thunder Creek by using erosion-control measures such as straw bales and/or silt fence.

6. Per SCC 14.16.900(2)(d) The permit shall be void if not started within two (2) years of the date of this order.
7. At such time as Mr. and Mrs. Bowen no longer requires care or someone to be nearby, the manufactured home shall be removed.
8. Prior to issuance of the building permit, the applicant shall comply with the provisions of Skagit County Code 14.16.870(1) Notification of Development Activities on or Adjacent to Designated Natural Resource Lands.
9. The applicant must submit documentation from a medical doctor every three-(3) years from the date of this decision regarding the status of the continued need for the temporary manufactured home or the status of its removal. This documentation shall be forwarded to the Planning and Permit Center Director and shall reference the original application number PL00-0554.

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 SCC Section 14.06.110(7). Every appeal to the Hearing Examiner shall be filed with the Planning & Permit Center within fourteen (14) calendar days after the date of the decision.

Inde Kulle (for)

Tom Karsh, Planning Director

Marge Swint

Marge Swint, Associate Planner

Date of Preliminary Approval: *Dec 8, 2000*

Date of Final Approval: *Dec 22, 2000*



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