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Skagit County Planning & Permit Center



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SKAGIT COUNTY PLANNING & PERMIT CENTER

FINDINGS OF FACT

HEARING AUTHORITY: SKAGIT COUNTY PLANNING DIRECTOR

APPLICATION NUMBER: Administrative Special Use
PL 00-0717

APPLICANT: Junji Doerner

ADDRESS: 40783 Challenger Road
Concrete, Wa 98237

PROJECT LOCATION: The property is located at 40783 Challenger Road, Concrete, WA; within a portion of the SE ¼ of the NE ¼ of Section 11, Township 35 North, Range 07 East, W.M., Skagit County, WA.

PROJECT DESCRIPTION: Administrative Special Use Request 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: 350711-0-005-0004

P NUMBER: P42422

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 Natural Resource Industrial and the Comprehensive Plan designates the area as Natural Resource Industrial.
2. The application was submitted on November 7, 2000. After the initial review, a letter of incompleteness was sent on November 20, 2000 requesting additional information. The

applicant submitted the necessary information on December 8, 2000 and the application was then routed for review by the different departments/divisions.

3. Per Section 14.06.100 of the Skagit County Code, a letter of completeness was issued on January 5, 2001. A Notice of Development Application was posted on the subject property, published in a newspaper of general circulation, and mailed to property owners within 300 feet of the subject property on January 11, 2001 as required by Skagit County Code Section 14.06.150(2) of the Skagit County Code.
4. 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.
5. The subject property has been reviewed with respect to the Skagit County Critical Areas Ordinance Chapter 14.24 of the Skagit County Code. No indicators were found and no further review is necessary.
6. The subject property is not located within a flood hazard zone. The subject property is located adjacent to 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 approximately 3.9 acres in size and is located on the north side of Challenger Road. The property is basically square in shape and lies in a north/south configuration. The property measures approximately 400 feet along the south (front) property line, approximately 420 feet along the east property line, approximately 380 feet along the north property line, and approximately 540 feet along the west property line. The existing residence is located in the middle of the property approximately 170 feet north of Challenger Road. The property was the site of an old shake mill that is currently not in production. Many of the outbuildings involved with the shake mill are still present on the site. There is a circular 20 ft. wide driveway serving the property. Onsite sewage and private water serves the property.
8. The applicant is requesting an Administrative Special Use Permit to allow for the placement of a manufactured home on the property with an existing residence. The request is for the applicant, Junji Doerner to live in the manufactured home while his uncle, Mr. Burrell Cook, lives in the residence. The applicant has submitted a letter from Dr. Stacia A. Smith stating that Mr. Cook has back problems and has been unable to return to work. At such time as Mr. Cook no longer need care or someone to live close by the mobile



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home will be removed.

9. The proposed manufactured home will be located on a concrete slab where an existing hut is currently located. The proposed home will need to be placed a minimum of 50 feet from all property. The proposed home will run in an east/west configuration. The proposed drain field for this home will be located northwest the proposed home with the septic tank approximately 30 feet north of the home. The proposed home will use the same circular driveway that serves the existing residence.

10. 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. **Water**—Payment of water review fee of \$25. (Staff notes this has been paid 2/6/2001). Prior to issuance of any building permit a complete Individual Drilled Well Permit Application must be approved for the indicated "proposed new" well that will serve the new modular.

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. 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 a Natural Resource Industrial. The surrounding properties are designated as Rural Reserve and Rural Resource. 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 14.16.160 does not specifically state that temporary mobile homes may be placed in a Natural Resource Industrial designation with a special use permit. Staff notes 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 this zone. The application is then reviewed on its own merits.



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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 3.9 acres in size. The surrounding area is basically vacant with open fields to the east, north, and west. Trees border the north property area. Challenger Road is along the south property line and on the south side of Challenger Road are trees that provide a buffer between Challenger Road and Highway 20.

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.

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.

The subject property is zoned Natural Resource Industrial and is the site of an old mill. The mill is currently not in operation. If the mill should ever operate again, the location of the proposed home might have an impact on production. Staff feels this issue would need to be addressed at such time.

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 complete Individual Drilled Well Permit Application must be approved.
3. Prior to issuance of the building permit, an on site sewage system design must be approved.
4. 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.
5. 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.
6. At such time as Mr. Cook no longer requires care or someone to be nearby, the manufactured home shall be removed.
7. 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 PL00-0717.



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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.

Tom Karsh (for)

Tom Karsh, Planning Director

Marge Swint

Marge Swint, Associate Planner

Date of Preliminary Approval: 2/14/01

Date of Final Approval: 2/25/01



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