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Skagit County Auditor

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AFTER RECORDING RETURN TO:  
SKAGIT COUNTY HEARING EXAMINER  
302 SOUTH FIRST STREET  
MOUNT VERNON, WA 98273

DOCUMENT TITLE: Order on Special Use Modification Request SU 01 0895  
For Permit SU 00 0504

HEARING OFFICER: SKAGIT COUNTY HEARING EXAMINER

APPLICANT: Roger and Larry Seese

ASSESSOR PARCEL NO: P1109075

ABBREVIATED LEGAL DESCRIPTION: The proposed project is located at 17695 Colony Road, Bow, WA; Lot 4 of S/P 96-056, a portion of the NE 1/4 of Section 25, Township 36 North, Range 03 East, W.M. Skagit County, Washington

**BEFORE THE SKAGIT COUNTY HEARING EXAMINER**

**FINDINGS, CONCLUSIONS AND DECISION**

**Applicant:** Roger & Larry Seese  
17695 Colony Road  
Bow, WA 98232

**File No:** SU 01-0895

**Request:** Special Use Permit Modification  
(Permit # PL 00-0504)

**Location:** 17695 Colony Road; Lot 4 of SP96-056, within a portion  
of the NE1/4, Sec. 25, T36N, R3E, WM.

**Summary of Proposal:** To add an archery target range to the previously permitted  
retail sales of archery hunting equipment and supplies.  
The activity will be conducted in a 110' by 32' building.

**Land Use Designation:** Rural Reserve

**Public Hearing:** After reviewing the report of the Planning and Permit  
Center, the Hearing Examiner conducted a public hearing  
on March 13, 2002. Due notice of the hearing was given.

**Decision:** The application is approved, subject to conditions.



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## FINDINGS OF FACT

1. Roger and Larry Seese (applicants) seek to modify a previously issued Special Use Permit that allowed archery equipment sales as a home occupation. They wish to add an archery target range to the list of approved uses. They also wish to modify the hours of operation to be 9:00 a.m. to 9:00 p.m.

2. The proposal will involve the erection of new building, measuring 110' by 32'. The existing archery shop will be moved into the front of the structure, along with the office. The remainder of the building will house the archery target range where customers can both practice and try out new equipment.

3. There will be a walk-through area between the archery shop area and the range. Within the range will be benches for observation and a three-foot-high safety gate that will activate range lighting when closed. When the gate is open, the lights will be shut off. The range itself will consist of "pop-up" plastic animal targets that will be individually lit when activated. Each will remain up for several seconds.

4. The site is a five-acre parcel developed with a residence, a garage and a small 10' by 20' shop building. The location is at 17695 Colony Road; Lot 4 of SP96-056, within a portion of the NE1/4, Sec. 25, T36N, R3E, WM. Views of the parcel are buffered by vegetation along the north, south, and west property lines.

5. The parcel is long and narrow, running east to west. The frontage on Colony Road to the east is just 212 feet.

6. The original Special Use Permit is PL 00-0504. It authorized an archery sales business in the existing shop building, located about 100 feet back from Colony Road. The approved hours of operation were 7:00 a.m. to 7:00 p.m.

7. The new building will be located 40 feet from the front property line on Colony Road, and about 15 feet from the northern property line. The existing shop. will be moved to another location on the property.

8. The zoning for the area is Rural Reserve. The new building will be compatible with the rural setting.

9. The house lies about 50 feet to the west of the new building site. It is served by an on-site septic system designed for four bedrooms. A new bathroom will be added to the new building. This bathroom apparently can be accommodated by the septic system so long as it is not made available to the public. The new bathroom is proposed to be restricted to use by family members (employees) only.



10. The applicants propose occasional special events, such as target shoot competitions. Port-o-potties will be placed onsite for public use during such events. Bottled water will be made available for customers.

11. The parking area and driveway lie directly to the south of the new building site. They will be expanded to accommodate increased traffic that is anticipated during special events. There is ample room for this expansion.

12. The application was circulated to various County agencies and the responsive comments are reflected below in conditions of approval.

13. The Planning and Permit Center notes that the modified use will encourage the public to stay at the facility for longer periods of time. The property is not located close to any public facilities. Because of this, the staff has encouraged the applicant to make the new bathroom available to the public. The Health Department, however, has not required this at present. The applicants state that their future plans call for a public bathroom, but that they want to try to get by with port-o-potties for the present.

14. An engineered drainage plan will be provided with the building permit. The lighting will be typical residential lighting. No additional external noise is anticipated. No change in signage is proposed.

15. On a daily basis, the anticipated traffic is 15 vehicle trips at maximum. About 10 customers a day were estimated for the original permit. Only two to three customers are expected to be present at a time. Special events will, of course, generate higher traffic and customer numbers, but no concern was expressed that these occasional events will cause negative off-site effects.

16. Nothing appears in the record that indicates any likelihood of problems created by the revised hours of operation.

17. A Determination of Non-Significance (DNS) was issued for the initial permit. Staff determined that the instant application raises no new environmental issues.

18. The Staff Report analyzes this modification request under both the Home Occupation criteria and the Special Use Permit criteria, and determines that it will meet the prescribed requirements. The Hearing Examiner concurs in this analysis and adopts the same. The Staff Report is by this reference incorporated herein as though fully set forth.

19. There was no public comment or testimony in opposition to this request. One neighbor testified that there are other businesses in the neighborhood and that this new building will not be out of character with others along Colony Road.

20. Any conclusion herein which may be deemed a finding is hereby adopted as such.

### CONCLUSIONS OF LAW

1. The Hearing Examiner has jurisdiction over the parties and the subject matter of this proceeding. SCC 14.06.050(1)(b).

2. The requirements of SEPA have been met.

3. The proposal as conditioned is consistent with the criteria for a Home Occupation 2 and for a Special Use Permit. SCC 14.16.900(3)(e), SCC 14.16.900(2)(b).

4. The following conditions should be imposed:

a. The conditions of the original Special Use Permit (PL 00-0504) shall remain in force and effect, except as changed or modified by these conditions.

b. The applicant shall obtain all other permits required for the new structure..

c. Hours of operation may be Sunday through Saturday, 9:00 a.m. to 9:00 p.m.

d. The water file (W96-0162) shall be updated with current satisfactory bac-t, conductivity, nitrates, and chloride tests.

e. All target shooting activity by clients shall be conducted within the indoor shooting range.

f. If the public is given access to the restroom, the septic system shall be enlarged as necessary to accommodate the added use.

g. If the public is given access to the restroom, the applicant shall obtain Health Department approval of the water system as a public water system.

h. The permit shall be void if the project is not started within two (2) years of the date of this decision and if abandoned for a period of one (1) year.

i. Prior to the start of operations, all planning review fees shall be paid in full.



5. Any finding herein which may be deemed a conclusion is hereby adopted as such.

### DECISION

The requested Modification to Special Use Permit PL 00-0504 is hereby approved, subject to the conditions set forth in Conclusion 4 above. The terms and conditions of this approval shall be incorporated into and become a part of said permit.

*Wick Dufford*

Wick Dufford, Hearing Examiner

Date of Action: April 8, 2002

Copy Transmitted to Applicant: April 8, 2002

### RECONSIDERATION/APPEAL

As provided in SCC 14.06.180, a request for reconsideration may be filed with the Planning and Permit Center within 10 days after the date of this decision. As provided in SCC 14.06.120(9), the decision may be appealed to the Board of County Commissioners by filing a written Notice of Appeal with the Planning and Permit Center within 14 days after the date of the decision, or decision on reconsideration, if applicable.



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