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Skagit County Planning and Permit Center



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

**HEARING AUTHORITY:** SKAGIT COUNTY PLANNING DIRECTOR

**APPLICATION NUMBER:** ADMINISTRATIVE SPECIAL USE REQUEST  
PL02-0398

**APPLICANT:** DALE AND MARILYN PINEDA

**ADDRESS:** 24893 HANSEN CREEK ROAD  
SEDRO-WOOLLEY, WA. 98284

**PROJECT LOCATION:** Located at 24893 Hansen Creek Road, Sedro-Woolley, within a portion of Sections 31 and 32, Township 36, Range 5 East W.M. Skagit County, Washington.

**PROJECT DESCRIPTION:** Administrative Special Use request PL02-0398 to permit the placement of a manufactured home on a parcel of property with an existing residence for the purpose of taking care of a disabled relative.

**ASSESSOR'S ACCOUNT NUMBER:** 360531-0-010-0137, P51140

**COMPREHENSIVE PLAN/ ZONING:** The proposed project is located within a Rural Reserve (RRv) and a Secondary Forest Natural Resource Land (SF-NRL) zoning/Comprehensive Plan designated area as identified within the Skagit County Comprehensive Plan and associated maps adopted July 24, 2000.

**STAFF FINDINGS:**

1. The subject property is located within a Rural Reserve (RRv) and a Secondary Forest Natural Resource Land (SF-NRL) zoning/comprehensive plan designated area as indicated in the Skagit County Comprehensive Plan and associated maps

as adopted July 24, 2000. The application was determined to be complete on August 19, 2002 and is vested under the Comprehensive Plan and zoning regulations in effect at that time.

2. Per Section 14.06.100 of the Skagit County Code, a letter of completeness was issued. A Notice of Development Application was posted on the subject property and published in a newspaper of general circulation on August 22, 2002 as required by Section 14.06.150(2) of Skagit County Code. The fifteen day comment period ended on September 6, 2002. No comment letters were received during the comment period.
3. The application has 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. Critical Areas staff conducted a site visit and recommended approval without conditions.
5. The subject property is not located within a designated flood hazard area.
6. The subject parcel is approximately 16 acres in size located to the east of Fruitdale Road off of Hanson Creek Road. The parcel is irregular (triangular) in shape and measures approximately 1,372 feet in width along the front (southwest) property line, approximately 1,250 feet in length along the rear (east) property line, and approximately 850 feet in width along the side (north and northwest) property line. The property is located to the east of Hanson Creek Road and the parcel is accessed off of a private driveway easement from Hanson Creek Road.

The existing residence is located approximately 150 feet off of the front (southwest) property line, approximately 600 feet off of the side (north) property line, and approximately 275 feet off of the rear (east) property line. The temporary manufactured home is proposed to be placed approximately 200 feet to the south of the existing residence and will be located approximately 100 feet off of the front (southwest) property line, approximately 160 feet off of the rear (east) property line, and approximately 400 feet off of the side (southern most) property line which is where the property comes to the point of the triangle shape. The subject property utilizes an individual drilled well and an existing on-site septic system. The proposal include installing a new septic system (permit #SW02-0448) for the proposed manufactured home utilizing the existing well water on site.

7. The applicant is requesting an Administrative Special Use Permit to allow the placement of a manufactured home on a parcel of property with an existing residence. The applicant has indicated that the manufactured home will be used for the caretaking of a disabled relative, Anthony Pineda. The applicants will reside in the existing residence and a proposed manufactured home will be set up



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on site as a residence to better accommodate the needs of Anthony Pineda, as well as keeping him close to family members who can provide daily assistance with the tasks that cannot be performed independently. A letter has been submitted, and signed by a physician, which indicates that the patient (Anthony Pineda) will benefit from additional supervisory care by this request.

8. The majority of the surrounding area is currently rural and residential in character with existing common uses. The surrounding area is mixed with stands of wooded areas with scattered residential parcels located throughout the area. There are other single family residential manufactured homes located throughout the surrounding area. This site contains enough space to place the proposed mobile home and meet required setbacks without creating a burden on the property or existing surrounding uses. When the mobile home is no longer needed for the caretaking of Anthony Pineda and/or he is no longer residing on site, the manufactured home shall be removed.
9. The application was routed to the Water Resources Division of the Skagit County Planning and Permit Center for review. In reviewing the application as submitted Water Resources indicated that the applicant has fulfilled the requirements related to the source of drinking water and there is no objection to the approval of this request.
10. The application was routed to the Public Works Department for comments. Public Works had no comments or concerns with the proposal and recommended approval without conditions.
11. The application was routed to the Environmental Health Unit of the Skagit County Planning and Permit Center for review. In the initial review, the Environmental Health Unit indicated that there will need to be some kind of septic approval. Since the time of the initial review, the applicant has submitted a soils site evaluation and is preparing the septic design for a new on-site septic system for the proposed manufactured home. With the approval of that design, the septic requirements will be met and environmental health will have no objection to approval of a building permit.
12. Skagit County Special Use Permit Criteria. Section 14.16.900 (2) Special Use Permit Requirements 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 Skagit County Comprehensive Plan does not specifically provide policies that either support or oppose the proposed project.



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The applicant indicated that the temporary manufactured home will be used as a residence to better accommodate the needs of a disabled relative. The intent is create an environment that will help to nurture the necessary abilities of Anthony, to become a productive and self-sufficient individual, while still living in an environment that will provide any help or supervision that may be needed by his immediate family.

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

The subject parcel is zoned/designated as Rural Reserve (RRv) and a Secondary Forest Natural Resource Land (SF-NRL) as identified within the Skagit County Comprehensive Plan and associated maps as adopted July 24, 2000. The surrounding parcels are rural and residential in character. The existing residence is currently located within the Secondary-Forest Natural Resource Land designated area, and the proposed placement of the manufactured home, if approved, will be located within the Secondary Forest Natural Resource land designated area of the parcel. Staff notes that this parcel contains two separate zoning designations and Skagit County Code section 14.16.420 (3) Administrative Special Uses, does not specifically list temporary manufactured homes for the caretaking of elderly or disabled relatives, as an allowable use within the Secondary Forest NRL zone. However, staff notes that even though the applicant could locate the temporary manufactured home on the Rural Reserve portion of the parcel and have the proposal considered for approval under the Administrative Special Use permit section of Skagit County Code 14.16.320 (3), that placement would be unreasonable for the intended "caretaking" use needed by this proposal. Further, staff notes that they believe the intent of the code is to allow temporary manufactured homes in this zoning designation as this would be associated with an existing single family residence on a temporary basis for caretaking purposes only.

The applicant indicated that the proposed use will comply with Skagit County Code.

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 standards of SCC 14.16.840.

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. Noise impacts may be a factor only during the time period of setting up the structure. This impact will be limited noise that is common with the placement of a manufactured home.

The applicant indicated that there will be no undue noise, odor, heat, vibration, air or water pollution created by this temporary residence, as it will be well-kept, and used only as a residence.



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

This project appears to have a minimal chance of intrusion of privacy onto adjacent properties. The parcel is approximately 16 acres in size and the applicant has indicated that there is a maintained vegetative buffer of at least 75 feet wide between the proposed location and the southwest property line which will not cause prevent any intrusion on the privacy of the adjacent neighbors.

Staff notes that the placement of the proposed manufactured home will be located to the southeast of the existing residence in a location where there will be no increase in the intrusion of privacy on adjacent properties.

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

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 typical residential manner. The proposal is to use a manufactured home as a temporary dwelling unit to care for a disabled relative. This proposal will be beneficial to the welfare and safety of the family member. The existing residence is connected to an existing on site septic system and the proposed manufactured home will be connected to a new on site septic system that is to be installed. Both residences will be serviced water from the existing individual drilled well on site.

Staff notes that the proposal does not appear to have any potential effects regarding the general public health, safety or welfare on the surrounding neighbors.

- 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.

There will be impacts on natural resource management or production as a result of the proposed project.

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

The proposed use will not create a conflict with the health and safety of the community provided the site is maintained in a typical residential manner.

- 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.



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

DECISION

The Director hereby **approves** the application for a Special Use Permit, to allow for the temporary placement of a manufactured home subject to the conditions and modifications listed below:

1. The applicant shall obtain all necessary land use approvals from the appropriate jurisdiction.
2. At such time that the use is no longer needed for the caretaking of Anthony Pineda, the manufactured home shall be removed. Occupation by another party shall not be allowed.
3. The permit shall be void if not started within two years of the date of this order pursuant to SCC 14.16.900(2)(b)(v)(d).
4. The applicant shall submit a letter to the Planning and Permit Center from a physician, in three years from the date of approval, indicating that the use is still needed. Please refer to the Special Use permit number (PL02-0398) when submitting the letter.

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 14.06. Every appeal to the Hearing Examiner shall be filed with the Planning and Permit Center within fourteen (14) calendar days after the date of the decision.

  
Brandon Black, Associate Planner

Date of Preliminary Approval: 9-27-02

Date of Final Approval: 10-11-02

Prepared By: BB

Approved By:



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