

Please return To:

Skagit County Planning and Permit Center



200308270038
Skagit County Auditor

8/27/2003 Page 1 of 6 9:40AM

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

HEARING AUTHORITY: SKAGIT COUNTY PLANNING DIRECTOR

APPLICATION NUMBER: ADMINISTRATIVE SPECIAL USE
MODIFICATION REQUEST PL03-0521

APPLICANT: KAREN A. KIMSEY

ADDRESS: P.O. BOX 701
MOUNT VERNON, WA. 98273

PROJECT LOCATION: Located at 23725 Gunderson Road, Mount Vernon, within a portion of Section 24, Township 34N, Range 4 East W.M. Skagit County, Washington.

LEGAL DESCRIPTION: Tract 1, of Skagit County Short Plat No. 19-89, approved May 8, 1990, and recorded May 15, 1990, under Auditor's File No. 9005150010, in volume 9 of Short Plats, Page 227, records of Skagit County, Washington, being a portion of the Northwest ¼ of the Southeast ¼ of Section 24, Township 34 North, Range 4 East, W.M. Together with an easement across the South 60 feet of Tract 2 of said Short Plat.

PROJECT DESCRIPTION: Administrative Special Use request PL03-0521 to allow a previously placed manufactured home to remain on site as a temporary dwelling unit for Leah Forbes in order to help care for an aging/disabled family member, Leslie A. Kimsey. The home was placed under building permit #99-1104 and ASPU#PL99-0378.

ASSESSOR'S ACCOUNT NUMBER: 340424-4-002-0200, P103105

ZONING/COMPREHENSIVE PLAN DESIGNATION: The parcel is located within a Rural Reserve (RRv) zoning/comprehensive plan designated area as identified within the Skagit County Comprehensive Plan and associated maps as adopted July 24, 2000.

STAFF FINDINGS:

1. The subject property is located within a Rural Reserve (RRv) zoning/comprehensive plan designated area as identified within the Skagit County Comprehensive Plan and associated maps as adopted July 24, 2000. The application was determined to be complete on June 30, 2003 and is vested under the zoning regulations in effect at that time.
2. Per Section 14.06.100 of the Skagit County Code, a letter of completeness was issued and the application was determined to be complete on June 30, 2003. A Notice of Development Application was posted on the subject property and published in a newspaper of general circulation on July 3, 2003 as required by Section 14.06 of Skagit County Code. The required fifteen (15) day comment period ended on July 18, 2003. No comments were received.
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 14.24 of the Skagit County Code. Critical Areas staff recommended approval without conditions. Critical Areas review was completed with S99-0187 and a copy of the PCA site plan has been submitted with this application. This proposal does not include additional structures onsite and/or any expansion of the existing structures.
5. The subject property is not located within a designated flood hazard area.
6. The subject parcel is approximately 12 acres in size located off of the east side of Gunderson Road. The subject property measures approximately 804 feet in length along the north and south property lines and approximately 671 feet in width along the east and west property lines. The property is located east of Gunderson Road and access is gained from a single family driveway off of Gunderson Road.

The existing residence is located along the southwesterly side of the property situated approximately 144 feet off of the front yard (west) property line, approximately 400 feet off of the east (rear) property line, approximately 120 feet off of the south side property line, and approximately 450 feet off of the north (side) property line. The temporary manufactured home is to be placed along the southwest property line, located approximately 73 feet to the north of the existing residence and will be situated approximately 231 feet off of the west (front) property line, approximately 195 feet off of the north (side) property line and approximately 456 feet off of the east (rear) property line.

7. The applicant is requesting an Administrative Special Use Permit to allow the continued placement of a manufactured home on a parcel of property with an



200308270038

Skagit County Auditor

existing residence. The applicant has indicated that the manufactured home will be used for the caretaking of an elderly relative, Leslie A. Kimsey. Leah Forbes will use the proposed mobile home as a residence to better accommodate and care for the needs of Leslie A. Kimsey, as well as being in close proximity of family members who can provide the needed daily assistance with the tasks that can no longer be performed independently. A letter from the family doctor has been provided stating the need for additional care of Leslie A. Kimsey.

8. The majority of the surrounding area is currently rural and residential in character with existing common uses. The surrounding area is mixed with open pastures and stands of wooded areas with scattered residential parcels located throughout the area. There are other single family residential mobile homes located throughout the surrounding area. This site contains enough space to maintain the continued placement of the manufactured home and meet required setbacks without creating a burden on the property or existing surrounding uses. When the manufactured home is no longer needed for the caretaking of Leslie A. Kimsey and/or he is no longer residing on site, the manufactured home will be removed.
9. The application was routed to the Health Unit for review. In reviewing the application as submitted, the Health Unit indicated that a new septic permit had been submitted under S99-0187. The Health Unit recommended approval without conditions. The existing septic system (S99-0187) was approved for use by both homes and will continue to be used.
10. The application was routed to The Public Works Department for comments. Public Works had originally indicated that the driveway to the proposed house needs to be shown on the site plan. Since the time of initial review the applicant submitted a new site plan which identifies where the access is to the proposed manufactured home. Since the existing access and parking area will be used for the proposal, Public Works had no concerns.
11. The application was routed to the Water Resources Division of the Skagit County Planning and Permit Center for review. Water Resources had no concerns with the proposal however noted that the approval of this proposal does not constitute support for a future land division.
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.



200308270038
Skagit County Auditor

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

The subject parcel is designated as Rural Reserve (RRv). The surrounding parcels are rural and residential in character. Per section 14.16.320 of the Skagit County Code, Temporary mobile homes for elderly or disabled relatives, requires an Administrative Special Use in Rural Zones.

- 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.

The proposal will not create undue noise, odor, heat, vibration, air or water impacts on the surrounding area provided the site continues to be maintained in a typical residential manner. The proposed project will generate traffic that is typical of a single-family residence and should have little effect on the surrounding community. The traffic impact may be reduced due to reduced trips to and from the site, for caretaking purposes, that would otherwise be generated from residing off site. There will be no parking impacts related to this activity. The parking will be on site as common with residential structures.

- 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 12 acres in size with the majority of the surrounding area rural and residential in character. The placement of the mobile home is located west of the existing residential structure where there is minimal chance of intrusion of privacy on adjacent properties. No complaints of privacy intrusion have been received to date.

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

There will be no potential negative effects regarding the general public health, safety, and general welfare. The structure to be used as caretaker housing is a newer manufactured home that is currently on site located to the north of the existing residence. There is an existing similar residence on the parcel and there are other similar structures located in the surrounding area. There will be no effects on the neighborhood because the uses in the surrounding areas are similar. The character of the surrounding area is such that a mobile home will not have an impact.



200308270038

Skagit County Auditor

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.

Not applicable.

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

There shall be no potential effects on the region. The proposed use is common to the surrounding area and the design of the structure complies with the surrounding neighborhood uses. 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 newer manufactured home as a temporary dwelling unit to care for an elderly relative. This proposal will be beneficial to the welfare and safety of Leslie A. Kimsey due to the current family condition. With more space available to care for this individual the quality of care will improve for the family as a whole.

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 manufactured home currently exists and has been used for caretaking purposes in the past. The proposed use is supported by adequate facilities and services with no adverse affect on the surrounding area.

DECISION

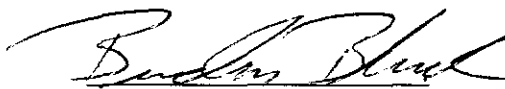
The Director hereby **approves** the application for an Administrative Special Use Permit Modification, subject to the conditions listed below:

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 Leslie A. Kimsey, the mobile home shall be removed.
3. The permit shall be void if not started within two years of the date of this order.
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 (PL03-0521) when submitting the letter.

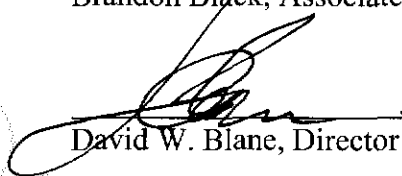


200308270038
Skagit County Auditor

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 of the Skagit County Code. 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



David W. Blane, Director

Date of Preliminary Approval: 8-11-03

Date of Final Approval: 8-25-03

Prepared By: BB

Approved By: DB



200308270038

Skagit County Auditor

8/27/2003 Page

6 of

6 9:40AM