

Please return to:  
Skagit County Planning & Permit Center



200408030110  
Skagit County Auditor

8/3/2004 Page 1 of 5 11:46AM

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

**HEARING AUTHORITY:** SKAGIT COUNTY PLANNING DIRECTOR

**APPLICATION NUMBER:** ADMINISTRATIVE SPECIAL USE PL03-0862

**APPLICANT:** EDWARD AND BEVERLY PINNEY

**ADDRESS:** 23524 BUCHANAN STREET  
CLEAR LAKE, WA 98235

**PROJECT LOCATION:** Located at 9264 Soren Road east of Sedro-Woolley; within a portion of Section 20 Township 35 North, Range 5 East W.M., Skagit County, Washington.

**PROJECT DESCRIPTION:** Administrative Special Use request to allow for the placement of a temporary manufactured home, for the close medical care of family members, on a parcel of property with an existing residence. The manufactured home shall remain on the property only for such time that it is needed for the purpose of providing necessary medical care for Edward and/or Beverly Pinney. At such time that the Pinney's no longer require care or reside in the manufactured home, it shall be removed from the property.

**ASSESSOR'S ACCOUNT NUMBER(s):** 3966-001-023-0015

**PROPERTY ID NUMBER(s):** P67902

**ZONING / COMPREHENSIVE PLAN:** Agricultural-Natural Resource Lands (Ag-NRL)

**STAFF FINDINGS:** The Administrative Official may allow, through the special use process, the placement of a temporary manufactured home to accommodate the housing needs of disabled or elderly family members.

1. The manufactured home would be placed in order to allow the applicants Edward and Beverly Pinney to live in close proximity of and receive necessary care from

2. their daughter and family James and Debra Wisely who will occupy the existing residence. The placement of the manufactured home can be considered on a temporary basis and must be removed at such time that the Pinney's no longer require care or reside in the home.
3. The subject property is square in shape with a total acreage of approximately 10 acres. The property is accessed along the easterly property line and abuts other similarly sized agricultural and residential properties on each remaining side. According to the applicant's site plan, the existing residence is located along the eastern property line in the approximate center of the property. All development including the well and septic systems are located in close proximity of the residence. The applicant indicated on the site plan that the proposed new manufactured home will be located approximately 35 feet from existing residence and will also utilize the existing access. The new manufactured home is proposed to be 85 feet from the east (front) property line. These setbacks are in keeping with the Agricultural siting criteria outlined in SCC 14.16.400(6). The proposed placement of the new manufactured home also allows for the preservation of critical areas on the property.
4. Both the existing residence and proposed manufactured home will be served by an existing well. Each will also be served by individual septic systems. The existing driveway will serve both the existing residence as well as the manufactured home.
5. The applicant submitted a letter from Tracey Thompson, M.D., stating that Beverly and Edward Pinney would benefit from living closer to their family as they do require additional care.
6. The subject property is located in a Zone B flood hazard designation according to the FIRM map panel #530151 0255 D dated September 29, 1989.
7. The application was submitted on November 3, 2003, and was determined complete on December 15, 2003 pursuant to SCC 14.06.100. A Notice of Development Application was posted on the property, published in the Skagit Valley Herald, and mailed to all property owners within 300 feet of the subject property on December 18, 2003 as required by SCC 14.06.150(2). No comments were received in regard to this proposal.
8. The application was reviewed by Skagit County Environmental Health and Water Resources staff. Environmental Health staff reported that a septic system permit had been issued for the property which should be adequate. Staff indicated that details of how the ADU will be connecting into the system would need to be addressed in conjunction with the building permit for the manufactured home. Water Resources staff reviewed the project and had the following comments:
  - 1) *The source of water for the proposed temporary medical special use mobile home is a well on the property. Water file*



200408030110  
Skagit County Auditor

and has current test results in the file. No additional bacteriological testing is required for the medical temporary special use file. The owner should be aware the Arsenic levels were found in the initial sampling, 8 ppb (parts per billion). While the federal levels for Arsenic in drinking water will soon change from 50 ppb to 10 ppb, Arsenic has been found to contribute health problems.

- 2) Temporary medical special use permission is not to be considered as support for a future land division.
  - 3) Fees of \$25 for water review time were attached to file BP03-1283.
9. Critical Areas staff reviewed the project and reported that critical areas review was approved with BP03-1283. The project is in accordance with the PCA.
  10. Public Works staff reviewed the proposal and commented that a trail permit would be required for access on the un-opened right-of-way of Soren Road, a County road. Subsequently, the applicant filed and was granted quiet title acquisition of the unopened right-of-way. The requirement for a trail permit was therefore eliminated.
  11. SCC 14.16.900(2)(v) 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 subject property is zoned Agriculture-Natural Resource Land and is not currently involved in an active farming operation. According to the Comprehensive Plan for Skagit County, lands designated Ag-NRL indicate areas where the County will promote long-term, commercially significant agriculture. The applicant's proposal includes placing the manufactured home in the direct vicinity of the existing residence on the property, near the front property line which is adjacent to the access serving the property. The proposed location minimizes the amount of developed area on the property. As the property is currently maintained for residential use and not involved in on-going agriculture, no land will be taken out of production for this project.

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

The purpose of the Ag-NRL zone, as written in Skagit County Code section 14.16.400, is to provide land for continued farming activities, conserve agricultural land, and reaffirm agricultural use, activities and operations as the primary use of the district. The district is composed mainly of low flat land with highly productive soil and is the very essence of the County's farming heritage and character.

SCC 14.04.020 defines Temporary Manufactured Home as: the 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 of the need for nearby ca...



200408030110  
Skagit County Auditor

employees work requires said employee to be immediately available to the job site is required by a doctor and/or physician or by the farm owner/lessee. SCC 14.16.320(3)(d) requires an Administrative Special Use for the placement of a temporary manufactured home, the application is then reviewed on its own merits.

Based on documentation provided, the proposed project appears to be in compliance with all pertinent Skagit County Codes including CAO, Health and Zoning.

**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 is located on a minor access road and appears to have minimal chance of intrusion of privacy on the adjacent properties. The majority of the surrounding properties are undeveloped and actively farmed. The Ag-NRL zoning designation has a minimum lot size of 40 acres; therefore, no lots shall be created less than 40 acres in size unless they are divided through the CaRD process. The subject parcel is bordered on all sides by agricultural and/or residential parcels of 10 acres in size. According to the site plan, the proposed manufactured home will meet the setback requirements (8 feet side, 35 feet minimum 200 feet maximum front, and 35 feet rear) from the adjacent parcels.

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

There will 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 designated as a natural resource land but is not currently farmed. The placement of a temporary manufactured home is in compliance with the required siting criteria in order to minimize any impacts on long-term natural resource management or 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 manufactured home will be served by its own onsite sewage system and connection to an existing well.



200408030110

Skagit County Auditor

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.

**Decision:**

The Director hereby **approves** Administrative Special Use PL03-0862 to allow for a temporary manufactured home, subject to the conditions listed below:

1. The applicant shall obtain all necessary permits and comply with all jurisdictional requirements for development.
2. The manufactured home shall meet all setback requirements and siting criteria for the Agricultural-Natural Resource Land zoning district.
3. No transfer of this special use is allowed. At such time that Edward and/or Beverly Pinney no longer require care or reside in the manufactured home it shall be removed from the property within 6 months.
4. All special uses shall require a development project be commenced for the entire parcel within 2 years of the permit approval, unless development is phased.
5. The applicant must submit documentation from a medical doctor every three (3) years following 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 PL03-0862.



Carly Ruacho, Associate Planner



Brent Morrow, Senior Planner  
On behalf of: Gary R. Christensen, AICP,  
Administrative Official & Assistant Director of Planning

Date of approval: May 11, 2004

Prepared by: CR

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 Section 14.06.110(7). Parties with standing to appeal must submit the appeal form and appeal fees to the Planning and Permit Center within 14 calendar days of the date the decision was issued pursuant to SCC 14.06.110(7).



200408030110  
Skagit County Auditor

8/3/2004 Page

5 of

5 11:46AM