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200408030112
Skagit County Auditor

8/3/2004 Page 1 of 6 11:47AM

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

HEARING AUTHORITY: SKAGIT COUNTY PLANNING DIRECTOR
APPLICATION NUMBER: ADMINISTRATIVE SPECIAL USE PL04-0019
APPLICANT: LEANNE HICKMAN
ADDRESS: 811 ALEXANDER ST.
SEDRO-WOOLLEY, WA 98284

PROJECT LOCATION: Located at 33641 Hamilton Cemetery Road east of Sedro-Woolley; within a portion of Section 10 Township 35 North, Range 6 East W.M., Skagit County, Washington.

PROJECT DESCRIPTION: Administrative Special Use request pursuant to Skagit County Code (SCC) 14.16.320(3)(d) to allow for the placement of a temporary manufactured home, for the close medical care of a family member, 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 Richard Bear. At such time that Mr. Bear no longer requires care or resides in the manufactured home, it shall be removed from the property.

ASSESSOR'S ACCOUNT NUMBER(s): 350610-4-005-0008

PROPERTY ID NUMBER(s): P40985

ZONING / COMPREHENSIVE PLAN: Rural Reserve

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 great uncle, Richard Bear, to live in close proximity of and receive necessary care from his great niece and family Gina and Jeff Colglazier who will occupy the existing residence. The placement of the manufactured home can only be considered on a temporary basis and must be removed at such time that Mr. Bear no longer requires care or resides in the home.
2. The subject property is approximately rectangular in shape with the exception of a 1.63 acre lot in separate ownership in the center of the property along Hamilton Cemetery Road. The property has a total acreage of approximately 18.63 acres. The property is accessed along the south property line which abuts Hamilton Cemetery Road and joins other similarly-sized Rural Reserve and Secondary Forest – Natural Resource Land parcels on each remaining side. The adjacent parcels are developed in a rural residential manner.
3. According to the applicant's site plan, the existing residence is located along the south property line approximately 15 feet from the west side property line. 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 50 feet from the existing residence and will also utilize the existing access. The new manufactured home is proposed to be 50 feet from the south (front) property line. These setbacks are in keeping with the dimensional standards outlined in SCC 14.16.320(5).
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 Paul Creelman, M.D., stating that Mr. Bear has multiple medical problems and would benefit from living in close proximity to his family for his health care assistance.
6. The subject property is not located in a flood hazard designation according to the FIRM panel maps.
7. The application was submitted on January 14, 2004, and was determined complete on February 11, 2004 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 April 22, 2004. 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



200408030112

Skagit County Auditor

had been issued for the property which should be adequate. Water Resources staff reviewed the project and had the following comments:

1. Is the current source of water for the proposed temporary medical special use mobile home the well on the property? Is this well to be shared with the current residence on the property? A satisfactory Bact-t test is required for the Medical Special Use Temporary Mobile home. No information is available at the Permit Center for the well on the property that is indicated as being present on the application by the owner/contact. A complete water application and file is required before the building permit for the temporary medical special use mobile home can be issued.
2. Temporary medical special use permission is not to be considered as a future land division.
3. Please include a site plan that **shows the distances from the well** to the existing house's septic tank and existing drainfield, and the proposed mobile home's septic tank and proposed drainfield. Also include the distances from the property lines to the well.
4. A water application packet has been attached for completion and return to the Permit Center.
5. A \$50 water review time fee has been attached to the WA04-0048 file for time spent on 2-10-04.

All items were satisfied and Water Resources Staff recommended approval for the project.

9. Critical Areas staff reviewed the project and reported that critical areas review was approved. Staff noted that future development on other areas of the parcel may require additional review.
10. Public Works staff reviewed the proposal and had no comments on the project.
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 Comprehensive Plan states the Rural Area designation (which includes Rural Reserve) is intended to provide for a variety of rural residential land use densities while maintaining overall lower than urban densities at rural service levels, encourage rural activities such as farming, forestry, mining and aquatic resources, and retain rural character and open space.

The subject property is 18.63 acres in size and is currently maintained in a rural fashion. The applicant's proposal includes placing the manufactured home in the direct vicinity of the existing residence on the property, near the front and side property lines and adjacent to the County road serving the property. The proposed location minimizes the amount of developed area on the property.



200408030112

Skagit County Auditor

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

The subject property and surrounding area are designated as Rural Reserve. The purpose of the Rural Reserve zone, as written in Skagit County Code section 14.16.320, is to allow low-density development and to preserve the open space character of those areas not designated as resource lands or as urban growth areas. Lands in this zoning district are transitional areas between resource lands and non-resource lands for those uses that require moderate acreage. They establish long-term open spaces and critical area protection using CaRDs as the preferred development pattern.

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 by a doctor and/or physician of the need for nearby care is required. SCC 14.16.320(3)(d) allows for the placement of a temporary manufactured home through the Administrative Special Use Application process. The application is then reviewed on its own merits.

The proposal will be in keeping with all zoning requirements of the Rural Reserve district.

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 along Hamilton Cemetery Road and appears to have minimal chance of intrusion of privacy on the adjacent properties. The subject property and surrounding properties are developed in a rural fashion with 1 single family residence per parcel. The Rural Reserve zoning district has a minimum lot size of 10 acres; therefore, no lots shall be created less than 10 acres in size unless they are divided through the CaRD process.

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.



200408030112

Skagit County Auditor

The subject property is not designated as a natural resource land; and the placement of a temporary manufactured home will not have an impact 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.

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 PL04-0019 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. No transfer of this special use is allowed. At such time that Richard Bear no longer requires care or resides in the manufactured home it shall be removed from the property within 6 months.
3. 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.
4. 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 PL04-0019.



Carly Ruacho, Associate Planner



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



200408030112

Skagit County Auditor

Date of approval: May 18, 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).

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200408030112

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