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Planning & Permit Center



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Skagit County Auditor

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## SKAGIT COUNTY PLANNING & PERMIT CENTER

### FINDINGS OF FACT

**HEARING AUTHORITY:** SKAGIT COUNTY PLANNING DIRECTOR

**APPLICATION NUMBER:** ADMINISTRATIVE SPECIAL USE  
PL04-0018

**APPLICANT:** Connie Weech

**ADDRESS:** 17926 Dunbar Road  
Mount Vernon, WA 98273

**PROJECT DESCRIPTION:** Administrative Special Use for a 5 unit Bed & Breakfast (The Grand Willow). The proposal will also include facilities for banquets, weddings and similar small parties of up to 125 people.

**PROJECT LOCATION:** The proposed project is located at 17926 Dunbar Road, Mount Vernon, WA; a portion of Lot 27 of Memorial Highway Tracts, within a portion of the SW ¼ of the SW ¼ of Section 18, Township 34, Range 04 E. W.M. Skagit County, WA.

**ASSESSOR'S ACCOUNT NUMBER:** 3955-000-027-0008

**P# Number:** P67461

**ZONING:** Rural Reserve

**COMPREHENSIVE PLAN:** Rural Reserve

**DECISION:** The Planning & Permit Center **approves** the application for an Administrative Special Use permit, subject to conditions and modifications.

### **BACKGROUND INFORMATION:**

1. The subject property has a zoning/comprehensive plan designation of Rural Reserve.
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2. The subject property is approximately .96 acres in size and is located at the northeast corner of the intersection of Dunbar Road and Webster Lane. The property is rectangular in shape and runs in an east/west configuration. The property measures approximately 270 feet along the north and south property lines and 155 feet along the east and west property lines. There is a 3 story approximately 11,000 square feet residence with an attached single story room, which at one time was a garage area that has been converted to a large assembly type room, and a separate shop building. The first floor consists of a large great room, kitchen, family room, 2 bathrooms (men and women's) and an office. The second floor is for personal use and includes three bedrooms, two bathrooms. The third floor consists of 5 bedrooms and bathrooms which will be used for the actual Bed and Breakfast.

The residential building is located approximately 110 feet from the front property line, 45 feet from the rear property line, 10-feet from the south property line and 45-feet from the north property line. The main 3 story house runs north/south and the single story room runs east/west. The detached accessory building is located slightly northeast of the larger building. The front part of the property consists of a lawn area with several large trees, and a wooden archway and gazebo. There is white vinyl fence that runs along Dunbar Road and a portion of the north property line. There is a laurel hedge along the Webster Lane portion of the front lawn. A circular gravel driveway serves the residence with access off of Dunbar Road and Webster Lane. This same driveway extends along the north side of the residence to the east property line. The applicant has indicated that cars can exit the property either by going along the back property line to the east out to Webster Lane or use the driveway that runs in front of the house out to Webster Lane or exit onto Dunbar Road.

3. The backyard has flower beds along the perimeter and an iron gazebo structure. There is a covered porch that runs along the front of the house and a deck along the back that connects the three story part of the house to the 1 story portion. The property is served by on site septic and public water through PUD. Currently the septic system is located in the rear of the property. A replacement area has been proposed for the front yard area.
4. The subject property is basically flat. Dunbar Road is a county paved road, Webster Lane, which comes off of Dunbar Road, is a private gravel road. The surrounding properties to the north, south, and west are all developed with single family residences and are similar in size. The property to the east has several outbuildings on it and is currently being leased to a construction and paving company.
5. The subject property is located in an AO Flood Hazard Zone per FIRM Map 530151 0250 dated January 3, 1985. The applicant may need to comply with SCC 14.34. The subject parcel is not located within or adjacent to a designated natural resource land.
6. The applicant is requesting a Special Use Permit for a 5 unit Bed and Breakfast. Skagit County Code Section 14.04.020 defines Bed & Breakfast as an owner-occupied and managed dwelling which is used to provide overnight guest lodging for compensation and which usually provides a morning meal, and/or may include facilities for banquet, weddings, and similar small parties. Guest lodging may be in a separate structure from the main dwelling. The applicant has indicated that in addition to the bed and breakfast rooms they will be having weddings and other events.
7. The applicant does not plan on having any additional employees but may have occasional contracted workers such as cleaners or caterers. The Bed and Breakfast will be available

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seven days a week however the applicant anticipates the majority of the bookings would be Friday and Saturday nights. A continental breakfast morning meal will be provided for the B&B customers.

8. The weddings and other events will usually be on weekends with music off by 10 pm and everyone not staying in the B&B gone by 11 pm. There may be an occasional meeting or party, lasting 2-4 hours maximum, during the week with probably no more than 50 people in attendance. The applicant has shown parking onsite for 42 sites including 1 handicap parking spot. Six of the parking areas are located within an existing shop. The remaining sites are along the north property line and along the north side of the house and back garden area.

Weddings may take place either in the house, outside or both. In the house there is a large room (known as the Grand Room) located in the front of the house that is approximately 47 feet deep by 31-feet wide with an 18-foot high ceiling, spiral staircase and balconies. There is a variety of things this room could be used for—ceremonies, receptions, meeting rooms. Towards the rear of the house is another room (known as the Carriage Room) approximately 37-feet wide by 53-feet deep with 9-foot ceilings. This room can serve as a reception area with dancing available or as a meeting room. Both of the rooms lend themselves to multiple configurations, so it really depends on the amount of people and personal preference as to how it is set up.

If the wedding ceremony is to be outside, it could be either in the front or back yard gardens and gazebos. The reception and buffet tables would be inside. All music is required, by the applicant, to be inside the building. If necessary, the applicant plans to have porta potties available.

#### **DEPARTMENTAL FINDINGS:**

1. Per Skagit County Code (SCC) 14.06.100 a letter of completeness was issued on June 24, 2004. A Notice of Development Application was posted on the subject property, published in a newspaper of general circulation, and mailed to property owners within 300 feet of the subject property on July 01, 2004 as required by SCC 14.06.150(2).
2. The application has been reviewed in accordance with the State Environmental Policy Act guidelines (WAC 197-11 and RCW 43.21C). A Determination of Nonsignificance (DNS) was issued on July 29, 2004, becoming effective following the fifteen-day comment period ending August 13, 2004 and 14-day appeal period ending August 27, 2004.
3. The application was routed to the various county departments for review and comments. Their comments are as follows:  
**Public Works**—No parking is allowed in the County right-of-way, posting of NO PARKING and NO TRESSPASSING signs will help to contain parking on site, attendance at events should be limited to an average of three guests per vehicle and 42 parking sites available on site; if any additional impervious areas are created, drainage will have to be addressed,( note—no new impervious surfaces are proposed);



**Septic**—The existing system is functioning per a licensed O & M person and designer. An area has been approved for a reserve area should this system falter; however no formal design has been submitted. Prior to issuance of a building permit, the septic system will need to be upgraded or a maintenance contract needs to be recorded.

**Building**—At least one bedroom and all areas available to guests must be handicapped accessible, a change of use permit is needed for both the Bed and Breakfast rooms and the rooms used for the weddings and other events, handicapped parking and path of travel is required, the proposed elevator must meet handicapped standards;

**Environmental Health (Water)**—A current letter of water availability or a copy of a current connection receipt is supplied from PUD. *(a connection receipt has been submitted)* Operation of equipment/construction and daily operations shall comply with Maximum Environmental Noise Levels Chapter 173-60 WAC and address noise and vibration limitations, and Skagit County Code 14.16.840 for light and noise conditions. This includes ventilation for heating and cooling of any office and storage/garage buildings. Washington State WAC 173-201A and 173-200 shall be complied with, as required to address surface water quality issues and ground water issues. Best management practices shall be utilized to prevent interference and/or degradation from point, non-point or conditions which could lead to degradation of water quality.

**Health Department**--The Health Department will need to complete a plan review and annually license the operation as a Bed and Breakfast.

**Fire Marshal**—If the building permit application is received prior to July 1, 2004 this project will be reviewed under the 1997 Uniform Building Code (UBC) and Uniform Fire Code (UFC). If received on or after July 1, 2004, this project will be reviewed under the 2003 IBC and IFB

4. Skagit County Code 14.16.900(3)(c) states that Bed and Breakfast special use permits are subject to the following requirements:

- (i) **They are owner occupied and managed.** The applicant, Connie Weech, is the owner of the property and maintains the home as her residence.
- (ii) **Parking is on-site and a minimum of 10 feet away from neighboring residences.** The applicant has indicated a total of 42 parking places are available on the property including one handicapped. Six (6) of the places are shown within an existing building at the east property line. Parking is located on the north side of the residence and along the north property line. The applicant has shown a 10 foot wide strip of landscaping along the property line before the parking spaces.
- (iii) **All lighting is directed away from neighboring residences.** The existing lighting on the subject property is in connection with the existing residence. No new lighting is proposed.
- (iv) **It is demonstrated that the impacts will be no more obtrusive than a residence.** The proposed Bed and Breakfast use will be in an existing structure and is substantially similar to a single-family use. Currently the structure is being used for weddings and other events which by nature attract more people than a normal residence. It will be mandatory that all activities including parking be limited to the subject property to minimize the impacts on the surrounding neighbors.



(v)

**5 bedrooms or less are available for guest use.** There are a total of 8 bedrooms in the residence and the applicant may choose to only have three available or may use the entire five that the code allows.

5. SCC 14.16.900(2)(b)(v) Special Uses indicates that certain criteria 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 approximately .96 acres in size and is zoned Rural Reserve. The proposed business is secondary to the use of the property as a residence. **Chapter 12 Economic Development Element** of the Comprehensive Plans has several goals, objectives, and policies that support the proposed project. **Goal A**—Create and maintain diverse employment opportunities that meet the changing income needs of Skagit County residents. **Objective 1:** Encourage diverse job options and entrepreneurial opportunities for persons interested in full-time and part-time employment or desiring to own their own business. **Policies—12A-1.1** Business investments that provide economic and employment opportunities to meet the employment needs of all county residents should actively be encouraged. **Goal C:** Encourage a range of commercial retail and service businesses to meet local resident needs and serve visitors to Skagit County. **Goal D:** Support Skagit County as a visitor destination by preserving and enhancing the unique qualities of both rural areas and urban communities. **Objective 4:** Encourage attractions which would enable Skagit County to capture destination as well as pass-through visitor traffic.

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

The subject property is zoned Rural Reserve. SCC Section 14.04.020 defines Bed & Breakfast as an owner-occupied and managed dwelling which is used to provide overnight guest lodging for compensation and which usually provides a morning meal, and/or may include facilities for banquet, weddings, and similar small parties. Guest lodging may be in a separate structure from the main dwelling. SCC 14.16.320(3)(a) lists Bed and Breakfasts as an administrative special use subject to SCC 14.16.900(3)(c). The application is then reviewed on its own merits.

**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.**

There will be no additional odors, heat, vibration, air and water pollution created as a result of this proposal. With the addition of guests coming to the site extra noise may be generated as a result of this proposal. The residence has been completely remodeled with upgraded insulated walls and drywall to help reduce the noise impact from the music and



additional people attending the weddings and other events. As required by the applicant, all music will be inside the house. All of these impacts can be monitored to be within the performance standards listed in SCC Section 14.16.840.

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

The subject property is a corner lot with landscaping and fencing around the perimeter so trespassing onto the neighbors' property should be limited. In addition, the neighboring properties also are fenced. In regard to the special events "NO PARKING & NO TRESPASSING" signs for the surrounding properties will be posted on days of the events. According to the applicant, the special events contract has a clause stating that "parking is allowed only on the subject property and there shall be no trespassing on neighboring properties, violation will mean forfeiture of the entire deposit." In regards to the Bed and Breakfast, the applicant has not indicated whether pets would be allowed or not. If pets were to be allowed, they would need to be kept within a designated area on the subject property and not allowed to "run free".

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

If the Special Use is approved, there will be minimal effects on the general public health, safety and general welfare as a result of this proposal. To insure that guests arriving for a special event are safe, it might be advantageous to have a "designated parking attendant".

**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 property is not located in or adjacent to a Natural Resource designated area therefore there will be no impact.

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

As long as the traffic is managed in a responsible way the health and safety of the community will not be affected by this proposal.

**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 used will be supported by adequate public services and will not adversely affect public services to the surrounding areas.



## **DECISION:**

The Skagit County Planning & Permit Center **approves** the application for an Administrative Special Use for a 5 unit Bed & Breakfast (The Grand Willow). The proposal will also include facilities for banquets, weddings and similar small parties of up to 125 people and is subject to the conditions and modifications listed below:

1. The applicant shall obtain all applicable permits prior to the renting of the Bed and Breakfast rooms.
2. A change of use permit and a certificate of occupancy is required for both the Bed and Breakfast rooms and the rooms used for the weddings and other events.
3. For the rooms used for the weddings and other events within one (1) year from the date of this order, the applicant shall obtain an approval to occupy under the provisions of the International Building Code Section 110.1.
4. SCC 14.16.840 Performance Standards referring to noise and light shall be complied with. WAC 173-60 shall be complied with for noise and light.
5. The applicant shall provide information identifying the boundaries of their ownership to all guests.
6. Any pets shall be kept within a designated area on the subject property or be leashed when walking and not allowed to "run free".
7. No parking is allowed in the County right-of-way,
8. Parking for any event will be required to be onsite only (subject property).
9. The applicant shall post "NO PARKING and NO TRESSPASSING" signs on the days of any special events.
10. Prior to issuance of a building permit, the septic system will need to be upgraded or a maintenance contract needs to be recorded.
11. The applicant may need to comply with SCC 14.34. Flood Damage Prevention.
12. Per Skagit County Code 14.16.820(7)(a) signage shall be limited to one (1) non illuminated "on premise" sign not to exceed 4 (four) square feet.
13. Prior to the renting of the Bed and Breakfast rooms, the Health Department will need to complete a plan review and annually license the operation as a Bed and Breakfast. A copy of this license shall be placed in the planning file (PL04-0018).
14. The special use permit shall be void if not started within (2) two years of the date of this order and if abandoned for a period of 1 (one) year.
15. The County Planning and Permit Center shall be notified within 30 days after any change in ownership of the parcel by submitting a letter to the Planning Director referencing the permit number (PL04-0018).

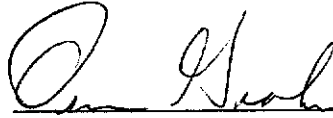
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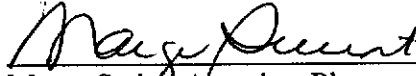
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The applicant and/or a party of record may appeal the decision of the Administrative Official to the Skagit County Hearing Examiner pursuant to the provisions of Section 14.06.110(7). Every appeal to the Hearing Examiner shall be filed with the Planning & Permit Center within fourteen (14) calendar days after the date of the decision.



Oscar Graham, Deputy Director,  
Planning and Permit Center



Marge Swint, Associate Planner

Date of Preliminary Approval: *November 17, 2004*

Date of Final Approval: *December 1, 2004*

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