

Return Name & Address:



200511040005  
Skagit County Auditor

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SKAGIT COUNTY PLANNING & DEVELOPMENT SERVICES  
**LOT OF RECORD CERTIFICATION**

File Number: PL\_05-0637

Applicant Name: Michael Perry

Property Owner Name: same

Having reviewed the information provided by the applicant, the Department hereby finds that the parcel(s) bearing Skagit County Parcel Number(s):

P#(s): 95986 & 101104; 360433-1-010-0407, 360433-1-010-0804; Ptn of SE ¼ of the NW ¼, Sec. 33, Twp 36, Rge 4

Lot Size: approximately 8 acres

**1. CONVEYANCE**

*IS*, a Lot of Record as defined in Skagit County Code (SCC) 14.04.020 or owned by an innocent purchaser who has met the requirements described in SCC 14.18.000(9) and RCW 58.17.210 and therefore IS eligible for conveyance.

*X IS NOT*, a Lot of Record as defined in SCC 14.04.020 or owned by an innocent purchaser who has met the requirements described in SCC 14.18.000(9) and RCW 58.17.210 and therefore IS NOT eligible for conveyance or development.

**2. DEVELOPMENT**

*IS*, the minimum lot size required for the \_\_\_\_\_ zoning district in which the lot is located and therefore IS eligible to be considered for development permits.

*IS NOT*, the minimum lot size required for the \_\_\_\_\_ zoning district in which the lot is located, but does meet an exemption listed in SCC 14.16.850(4)(c)(vii)A and therefore IS eligible to be considered for development permits.

*X IS NOT*, the minimum lot size required for the Agricultural-Natural Resource Land zoning district in which the lot is located, does not meet an exemption listed in SCC 14.16.850(4)(c) and therefore IS NOT eligible to be considered for certain development permits.

Authorized Signature: *Grace Roeder*

Date: 11/3/2005

See attached map for Lot of Record boundaries.





# PLANNING & DEVELOPMENT SERVICES

GARY R. CHRISTENSEN, AICP, DIRECTOR

OSCAR GRAHAM, DEPUTY DIRECTOR

PATTI CHAMBERS  
Administrative Coordinator

BILL DOWE, CBO  
Building Official

November 3, 2005

Mr. & Mrs. Michael Perry  
P.O. Box 162  
Lyman, WA 98263

RE: Lot of Record Certification PL05-0637  
Parcel P95986 and 101104

Dear Mr. & Mrs. Perry:

This office has completed review of the above noted Lot of Record Certification application. Based on the documents submitted as well as previous information from an application in 1995, the following determination has been made:

The Lot Certification in 1995 was Denied based on conveyances by Linda Van Esch, Personal Representative, from the Charles Tate Estate and individual parcels not having been delineated in the Charles Tate Will.

The review of Lot Certification PL05-0637 indicates that Parcels P95986 and 101104 originally separated by the Estate of Charles Tate in 1995 are now under a common ownership. The review also indicates that three other parcels, also from the Charles Tate Estate have been conveyed elsewhere.

The determination from 1995 indicating that the separation of the subject property, as well as the other parcels, from the Charles Tate Estate, was not correct is still valid. In reviewing the issuance of permits for the other parcels involved in the Charles Tate Estate, it appears that those permits were issued prior to the Lot Certification process.

In addition, in May 2005, Skagit County amended the Lot Certification criteria. The new criteria requirement is that a parcel either complies with the minimum lot size for a given zoning designation or complies with one of the many exceptions. However, in the Agricultural zone, there are no exceptions to complying with the minimum lot size. The subject property is currently zoned Agricultural-Natural Resource Land with a minimum lot size of 40 acres. Thus, a parcel in the Agricultural-Natural Resource Land designation either complies with the minimum lot size or has been Certified prior to May 20, 2005 in order to be able to obtain development permits.

1800 Continental Place ♦ Mount Vernon, WA 98273 ♦ Phone: (360) 225-2110

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Mr. & Mrs. Mike Perry  
November 3, 2005  
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In summary, Parcels P95986 and 101104 cannot be certified as Lots of Record, either individually or as a total unit. This is due to the initial situation of all of the parcels involved with the Charles Tate Estate having been conveyed apart in one form or another. If the current property owner is able to prove Innocent Purchaser, as indicated in the May 20, 2005 Amendment to the Skagit County Code, Sections 14.06 and 14.16.850, the subject property may be conveyed, however no development permits will be issued.

One method to correct the situation with the subject property would be, if Innocent Purchaser status can be obtained, to investigate a Boundary Line Adjustment with one or more of the adjacent property owners. A Boundary Line Adjustment would attach these parcels (in any configuration) to recognized Lots of Record.

Enclosed please find the originals of all documents submitted; an unrecorded copy of the Lot Certification and a copy of the referenced Lot Certification Ordinance. The original of the Lot Certification has been forwarded to the Skagit County Auditor's Office for recording. At such time as received by this office, the original and an invoice for recording will be mailed.

If you have any questions, please feel free to contact this office.

Sincerely,

  
Grace Roeder, Associate Planner  
Planning & Development Services

Enclosures



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