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Skagit County Planning and Development Services



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Skagit County Auditor

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**SKAGIT COUNTY PLANNING AND DEVELOPMENT SERVICES
FINDINGS OF FACT**

HEARING AUTHORITY: SKAGIT COUNTY PLANNING DIRECTOR

APPLICATION NUMBER: ADMINISTRATIVE DECISION PL05-0723

APPLICANT: RICHARD DALPONTE

ADDRESS: 1910 SOUTH 13TH STREET
MOUNT VERNON, WA. 98274

PROJECT LOCATION: Located at 8743 Green Road, Burlington, within a portion of Section 17, Township 35 N., Range 4 East W.M. situated within Skagit County, Washington.

PROJECT DESCRIPTION: Administrative Special Use request PL05-0723 for the placement of a manufactured home on a parcel of property with an existing residence for the purpose of taking care of relatives.

ASSESSOR'S ACCOUNT NUMBERS: 350417-3-002-0008

PROPERTY NUMBERS: P36821

ZONING/COMPREHENSIVE PLAN: The parcel is located within an Agricultural-Natural Resource Lands (Ag-NRL) zoning/comprehensive plan designated area as identified within the Skagit County Comprehensive Plan and associated maps as adopted July 24, 2000 and as thereafter amended.

STAFF FINDINGS:

1. The subject property is located within a Agricultural-Natural Resource Lands (Ag-NRL) zoning/comprehensive plan designated area as identified within the Skagit County Comprehensive Plan and associated maps as adopted July 24, 2000, and as thereafter amended. The application was determined to be complete on November 7, 2005 and is vested under the zoning regulations in effect at that time.
2. Per Section 14.06.100 of the Skagit County Code (SCC), a letter of completeness was issued and a Notice of Development Application was posted on the subject property, mailed to all neighboring property owners within 300 feet, and published in a newspaper of general circulation on November 10, 2005 as required by SCC 14.06. The required fifteen (15) day comment period ended on November 25, 2005. 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 proposal was reviewed by Skagit County critical areas staff. Staff indicated that there were no critical areas indicators observed on or within 200 feet of the subject site. Staff approves the proposal.
5. The subject property is located within a A7 designated flood hazard area as identified by FEMA on the Flood Insurance Rate map (FIRM) panel # 5301510235D with the effective date of September 29, 1989.
6. The subject parcel is approximately 2.75 acres in size located off of the east side of Green Road. The subject property measures approximately 420 feet along the south and north property lines, and approximately 286 feet along the east and west property lines. Access to the site will be via the existing gravel driveway off of Green Road.
7. The existing residence is located along the westerly portion of the property, approximately 35 feet off of the front (west) property line. The temporary manufactured home is to be placed to the east of the existing residence, approximately 40 feet from the existing residence, approximately 141 feet off of the west (front) property line, approximately 220 feet off of the east (rear) property line, approximately 163 feet off of the north (side) property line, and approximately 108 feet off of the south (side) property line.
8. The applicant is requesting an Administrative Special Use Permit to allow the placement of a manufactured home on a parcel of property with an existing residence. The applicant has indicated that the manufactured home will be used



for the caretaking of an elderly relative, Betty Adamson. Betty Adamson will use the existing manufactured home as a residence to better accommodate her needs, 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 Betty Adamson. The applicant is meeting the requirements of SCC 14.16.900(3)(a).

9. The surrounding area is currently agricultural in character with existing common uses. The surrounding area is open pastures with scattered residential parcels located throughout the area. There are other single family residential manufactured homes located throughout the surrounding area. This site contains enough space to place 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 Betty Adamson and/or she is no longer residing on site, the manufactured home will be removed.
10. The application was routed to the Environmental Health Unit (septic) for review. In reviewing the application as submitted, the Health Unit indicated that there are two approved septic systems on site S80-162 and S82-232.
11. The application was routed to The Public Works Department for comments. Public Works had no concerns with the proposal.
12. The application was routed to the Water Resources Division of the Skagit County Planning and Development Services for review. Water Resources comments are as follows:
 - A complete water application is required before the building permit BP05-1429 for the temporary medical special use manufactured home can be issued on the existing well. *The "existing in use well" application materials, with fees, is due for the building permit to place the approved Special Use home.*
 - Supply a correct site plan showing distances from the well to septic drainfields and septic tanks, distances to property lines, distance from barn and animal pens, and distances from house outfall of septic-plumbing lines carrying effluent to septic tank(s).
13. Skagit County Special Use Permit Criteria. SCC 14.16.900 (2)(b)(v) Special Use Permit Requirements 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.

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

The subject parcel is designated as Agricultural-Natural Resource Lands (Ag-NRL). The surrounding parcels are Agricultural. Per SCC 14.16.400, temporary manufactured homes for elderly or disabled relatives, requires an Administrative Special Use in Agricultural 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 2.75 acres in size with the majority of the surrounding area Agricultural in character. The proposed placement of the manufactured home will be to the east of the existing residential structure where there is minimal chance of intrusion of privacy on adjacent properties.

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 will be used as caretaker housing. The character of the surrounding area is such that a manufactured home will not have an impact.

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 site is not currently used for resource purposes. There is an existing established residence on site and the proposal is to use a temporary manufactured home for care taking. When the use is no longer needed the manufactured home will be removed. The proposal will have no impact on the natural resource management of the area.

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 manufactured home as a temporary dwelling unit to care for an elderly relative. This proposal will be beneficial to the welfare and safety of Betty Adamson due to her current condition.

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 facilities and services with no adverse affect on the surrounding area.

DECISION

The Director hereby approves the application for an Administrative Special Use Permit 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 Betty Adamson, the manufactured home shall be removed within six (6) months of the vacation of the use.
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 Planning and Development Services 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 (PL05-0723) when submitting the letter.

5. A complete water application is required before the building permit BP05-1429 for the temporary medical special use manufactured home can be issued on the existing well. *The "existing in use well" application materials, with fees, is due for the building permit to place the approved Special Use home.*
6. A revised site plan shall be supplied showing distances from the well to septic drainfields and septic tanks, distances to property lines, distance from barn and animal pens, and distances from house outfall of septic-plumbing lines carrying effluent to septic tank(s).
7. Temporary medical special use permission is not to be considered as a future land division.
8. Applicant shall be responsible for making sure the manufactured home is placed to maintain, at a minimum, the required setback for the Agricultural zoning designation (Front: 35' minimum, 200' maximum from public road; Side: 8' and Rear: 35')
9. All fees must be paid prior to final approval.

Prepared By:


Michele Q. Szafran, Assistant Planner

Reviewed By:


Brandon Black, Senior Planner

Date of approval: December 14, 2005

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 Development Services within 14 calendar days of the publication of this Notice pursuant to SCC 14.06.110.