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Skagit County Planning and Development Services



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

**HEARING AUTHORITY:** SKAGIT COUNTY PLANNING DIRECTOR

**APPLICATION NUMBER:** ADMINISTRATIVE SPECIAL USE PL04-0795

**APPLICANT:** ARMANDO & MARIA PEREZ

**ADDRESS:** 18437 CARDINAL LANE  
MOUNT VERNON, WA. 98274

**PROJECT LOCATION:** Located at 18437 Cardinal Lane, Mount Vernon, within a portion of Section 6, Township 33 N., Range 5 East W.M. situated within Skagit County, Washington.

**PROJECT DESCRIPTION:** Administrative Special Use request PL04-0795 for the placement of a manufactured home on a parcel of property with an existing residence for the purpose of taking care of a relative.

**ASSESSOR'S ACCOUNT NUMBERS:** 330506-1-001-0007

**PROPERTY NUMBERS:** P17943

**ZONING/COMPREHENSIVE PLAN:** The parcel is located within a Rural Reserve (RRv) 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.

**DEPARTMENTAL FINDINGS:**

1. A letter of completeness was issued on November 16, 2005 per SCC Section 14.06.100. A Notice of Development 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 24, 2005 as required by SCC 14.06. The required fifteen (15) day comment period ended on December 9, 2005. One comment letter was received from Michael Brown, 18485 SR 9, Mount Vernon, on December 9, 2005 in opposition of the proposed special use.
2. 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.
3. The proposal was reviewed by Skagit County critical areas staff. Staff indicated that a site visit confirmed the presence of wetland indicators within 200 feet of the manufactured home. Per SCC 14.24, a wetland site assessment must be completed by a qualified professional prior to permit approval. The Wetland site assessment was submitted for review on 10-23-2006 by Gribble Environmental Consulting Company. Staff reviewed the site assessment and approved the report. A PCA (Protected Critical Areas) packet was sent to the applicant. Critical areas is tentatively approved pending the recording of the PCA easement.
4. The application was routed to The Shoreline Administrator for comments. The Shoreline Administrator had no comments for the proposal.
5. The subject property is not located within a designated flood hazard area.
6. The subject parcel is approximately 4.51 acres in size located off of the east side of State Route 9. The subject property measures approximately 245 feet in width along the south property line, approximately 1,000 feet along the northeast to northwest property line, and approximately 650 feet along the east property line. Access to the site will be via the existing single family driveway off of Cardinal Lane.
7. The existing residence is located along the northerly portion of the property. The temporary manufactured home is to be placed to the south of the existing residence, approximately 350 feet from the existing residence, approximately 85 feet north of Hwy 9 and, approximately 80 feet east off of Cardinal Lane.
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



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residence. The applicant has indicated that the manufactured home will be used for the caretaking of an elderly relative, Maria Perez. The family member will use the proposed manufactured home as a residence to better help accommodate the needs of Maria, by being in close proximity to 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 Maria Perez. The applicant is meeting the requirements of SCC 14.16.900(3)(a).

9. The surrounding area is currently rural in character with existing common uses. The surrounding area is mixed with open pastures and stands of wooded areas 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 Maria Perez 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 the following; "There is an approved septic system on site. The manufactured home will either need to connect to this system or have a new system approved for use. This will need to be addressed at the time of building permit application."
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 noted that the Doctors note and PUD water letter has been submitted and nothing else is needed.
12. 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 Rural Reserve (RRv). The surrounding parcels are rural in character. Per SCC 14.16.320, temporary manufactured homes for elderly or disabled relatives, requires an Administrative Special Use in Rural 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 4.51 acres in size with the majority of the surrounding area rural in character. The proposed placement of the manufactured home will be to the south of the existing residential structure.

- 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 and is a manufactured home that will be on site. 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 located within a Natural Resource zone.

- 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 Maria Perez 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 Maria Perez, the manufactured home shall be removed within six (6) months of the vacation of the use.
3. The manufactured home will either need to connect to the approved on site septic system or have a new system approved for the use. This will need to be addressed at the time of building permit application.
4. A PCA (Protected Critical Areas) packet needs to be completed and recorded prior to building permit approval.
5. The permit shall be void if not started within two years of the date of this order.
6. 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 (PL04-0795) when submitting the letter.



7. Temporary medical special use permission is not to be considered as a future land division.
8. Applicant shall be responsible for placing the manufactured home to maintain, at a minimum, the required setback for the RRv zoning designation (front setback is 35 feet or 25 feet on a minor or dead end street, 8 foot side, 25 foot rear).
9. All fees must be paid prior to final approval.

Prepared By:

Michele Q. Szafran  
Michele Q. Szafran, Assistant Planner

Reviewed By:

Brandon Black  
Brandon Black, Senior Planner

Date of approval: February 8, 2007

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.