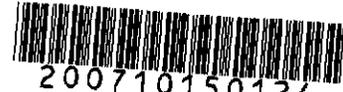


Please return To:

Skagit County Planning and Development Services



200710150124
Skagit County Auditor

10/15/2007 Page 1 of 7 10:01AM

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

HEARING AUTHORITY: SKAGIT COUNTY PLANNING DIRECTOR

APPLICATION NUMBER: ADMINISTRATIVE SPECIAL USE PL06-1000

APPLICANT: DAVID HELMS, SR.

ADDRESS: 26929 115TH AVE. N.E.
ARLINGTON, WA. 98223

PROJECT LOCATION: Located at 21618 Bulson RD., Mount Vernon, within a portion of Section 20, Township 33 N., Range 4 East W.M. situated within Skagit County, Washington.

PROJECT DESCRIPTION: Administrative Special Use request PL06-1000 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: 330420-4-001-0202

PROPERTY NUMBERS: P17015

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 December 4, 2006 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 December 7, 2006 as required by SCC 14.06. The required fifteen (15) day comment period ended on December 22, 2006. No comments were received.
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 the following: A Fish and Wildlife report and a Wetland site assessment report were submitted and reviewed. After much deliberation and review by both Skagit County and the Department of Ecology it has been found that there are no critical areas within 200 feet of the proposed site. A 50 foot buffer shall be provided from a type 4 stream. A Critical Areas site plan (PCA) has been recorded under AF#200708310031.
4. The subject property is not located within a designated flood hazard area.
5. The subject parcel is approximately 10 acres in size and is located approximately 640 feet west of Bulson Road. The subject property measures approximately 600 feet along the south, north, west and east property lines. Access to the site will be via the existing 15 foot driveway from Bulson Road.
6. The existing residence is located along the westerly portion of the property, approximately 30 feet off of the side (west) property line. There is also an existing mobile home located along the southerly portion of the property, approximately 40 feet off of the front (south) property line. The existing mobile home will be removed. The temporary manufactured home is to be placed to the east of the existing residence, approximately 350 feet from the existing residence, approximately 135 feet off of the south (front) property line, approximately 390 feet off of the north (rear) property line, and approximately 115 feet off of the east (side) property line.
7. 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, Carla Helms. Carla Helms will use the



proposed manufactured home as a residence to better help accommodate her needs by being in close proximity to family that can assist with the needed daily tasks that can no longer be performed independently. A letter from the family doctor has been provided stating the need for additional care of Carla Helms. The applicant is meeting the requirements of SCC 14.16.900(3)(a).

8. 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 Carla Helms and/or she is no longer residing on site, the manufactured home will be removed.
9. The application was routed to the Environmental Health Unit (septic) for review. In reviewing the application as submitted, the Health Unit indicated that a septic permit has been submitted for a new tank. Staff has no concerns with the proposal.
10. The application was routed to The Public Works Department for comments. Public Works had no concerns with the proposal.
11. 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 Low Flow mitigation document has been recorded under AF#200612220073.
 - Temporary medical special use permission is not to be considered as support for a future land division. When the medical temporary use need is no longer required, the manufactured home is to be removed.
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 applicant stated the following; "It is a single family residence in a residential neighborhood."



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 applicant stated the following; "The manufactured home is constructed to all state and federal HUD codes."

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 applicant stated the following; "The manufactured home and infrastructure will utilize and conform to the stated performance standards."

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.

The applicant stated the following; "The building lot is over 215,000 square feet. No shared access necessary."

This project appears to have a minimal chance of intrusion of privacy onto adjacent properties. The parcel is approximately 10 acres in size with the majority of the surrounding area rural 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.



The applicant stated the following; "No effects anticipated after initial move-in of manufactured home. All needed insurance, hauling permits, flaggers, etc. to be supplied by the dealer."

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 will be brought in and set up 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 applicant stated the following; "Special Use Permit is for Temporary Manufactured Home."

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.

The applicant stated the following; "Single family residence is compatible with the community."

There shall be no potential effects on the region. The proposed use is common to the surrounding area. 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 Carla Helms 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 applicant stated the following; "All public services are present and adequate for proposal."

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 Carla Helms, the manufactured home shall be removed within six (6) months of the vacation of the use.
3. A 50 foot buffer shall be provided from a type 4 stream. A Critical Areas site plan (PCA) has been recorded under AF#200708310031.
4. The existing mobile home located on the southerly portion of the property shall be removed prior to Building Permit final 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 (PL06-1000) 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, Assistant Planner

Reviewed By:


Brandon Black, Senior Planner

Date of approval: September 24, 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.

