

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Thursday, March 3, 1988

Flag Salute

9:30 a.m. Public Hearing - Frederick Chrysler Variance Request #V-87-037.

MISCELLANEOUS ITEMS

The Skagit County Board of Commissioners met in regular session on Thursday, March 3, 1988, with Commissioners Vaux and Rohrer present. Commissioner Walberg's absence was excused.

PUBLIC HEARING - FREDERICK CHRYSLER VARIANCE REQUEST #V-87-037.

Since Commissioner Walberg was unable to attend this public hearing, Chairman Vaux asked Fred and Kathleen Chrysler and their attorney, Colonel Betz, if they wanted to continue this matter until Commissioner Walberg could be present.

Colonel Betz stated they wished to proceed with the public hearing at this time.

Chairman Vaux waived the reading of the Notice of Public Hearing, as published in the Skagit Argus on February 9, 1988.

Grace Roeder, Associate Planner, presented Assessor's maps, staff photos, the entire variance file, and staff findings #1 through #9 for the record. Ms. Roeder explained this request was for a variance to allow the division of 6 1/2 acres of Agriculturally zoned land into two parcels allowing one additional home building site. The two parcels were proposed as follows: one of approximately 1 3/4 acres containing a residence, and the other of approximately 4 3/4 acres to be considered as a separate buildable parcel. Ms. Roeder noted that it is not indicated in the Guidelines for the Division of Agricultural Land that a substandard parcel be considered a buildable parcel. She reported that no correspondence regarding this public hearing had been received by the Department of Planning and Community Development.

Colonel Betz, attorney for Fred and Kathleen Chrysler, asked Mr. Chrysler to speak at this time.

Mr. Chrysler explained the property had been in Mrs. Chrysler's family for 44 years. In 1976, they obtained an option to purchase the property, and in 1986, they exercised that option. He noted they erroneously applied for a rezone. They never had any intention of creating many lots out of the parcel. The majority of the parcels in the vicinity of their property were smaller parcels than they would be creating. Mr. Chrysler stated they felt

discriminated against, because others in the vicinity had been allowed to build. He noted their sole intention with regard to the variance was to build a house.

Mr. Betz explained the Chrysler's want to build their retirement home on a portion of the property. He noted a rezone was requested initially for four lots, even though they only intended to build on one lot. Mr. Betz questioned the Hearing Examiner's findings. He believed this request was compatible with the surrounding area, and he presented a map showing the various parcels.

Willard Hanson, 1483 Avon Allen Road, stated he had been in agriculture all of his life, which gave him a broad perspective of the farming industry. Mr. Hanson felt the Chrysler's property was not economically suited for farming. He felt this variance request would improve the area and improve the tax base.

Mr. Hanson also stated some neighbors, Mr. and Mrs. Phillips, were out of town, but asked Mr. Hanson to convey their support for the variance as well.

Earl Angevine stated he owned the parcel immediately to the east of the Chrysler's property. He pointed out that the present zoning is Agricultural, which has a minimum lot size of 40 acres. Mr. Angevine submitted the Planning Commission's recorded motion, because he felt the Planning Commission's findings were appropriate. Mr. Angevine also submitted a copy of the neighboring property owners' petition against the Chrysler's rezone application of last year. He presented a map designating the 52 property owners who signed the petition. Although the petition contained signatures of property owners opposed to the rezone, Mr. Angevine felt this was indicative of the neighborhood's feeling toward the variance as well.

Additionally, Mr. Angevine presented a copy of the Statutory Warranty Deed and Real Estate Excise Tax Affidavit by which the Chrysler's purchased the property in 1986 for the price of \$40,000. Mr. Angevine felt the property, house and barn could be easily sold again for \$40,000.

Mr. Angevine pointed out that today represented the fifth time this matter had come before the Hearing Examiner, Planning Commission or Board of Commissioners. He urged the Board to deny this variance request; however, should the Board decide to approve the request, Mr. Angevine recommended the following conditions be placed on the variance:

1. No multifamily residences would be permitted, and
2. No further subdivision of either parcel would be allowed.

Mr. Angevine noted the burden is upon the Chrysler's to show there are special conditions which would justify approval of this variance.

Mr. Angevine also submitted a letter from Dr. Robert Norton, of the

Northwestern Washington Research and Extension Unit, to testify to the agricultural quality of the property and its suitability for farming.

Mr. Angevine stated there are a total of six building lots in the area which have been for sale for a considerable amount of time. He noted that if the property were divided, there would be a house and a barn with no pasture, or an existing farmhouse with no barn. Mr. Angevine concluded this proposal was not compatible with the area, and urged the Board to deny the requested variance.

Pat Ozretich, 1519 Dunbar Road, stated he had lived on Dunbar Road since 1957. He felt nobody should be living on Dunbar Road.

Mr. Grant felt the people who signed the petition against the rezone were also against this variance proposal.

Mr. Betz read letters from the following individuals, which were received for last year's hearing:

1. William A. Roozen felt the property was not suitable for farming.
2. Mike Youngquist (Mike and Jean's Berry Farm) concurred the property was not suitable for farming.
3. Bill White concurred the property was not suitable for farming.

Mr. Betz concluded that the property owners opposing the variance request were selfish. He felt the Chrysler's proposed lot division would be more compatible than several other lots in the area.

Mr. Chrysler explained the selling price of the property was established in 1976.

As there were no further comments, Commissioner Rohrer motioned to close the public hearing. Chairman Vaux seconded the motion. The motion was carried and so ordered.

Commissioner Rohrer stated the Chryslers should have the opportunity to build one dwelling on their own property. He motioned to grant the variance to allow the division of the 6 1/2 acre parcel into two parcels, one of approximately 1 3/4 acres, and the second of approximately 4 3/4 acres to be considered as a buildable parcel for a single family dwelling.

Chairman Vaux felt the Board was not addressing the difference between commercial agriculture and neighborhood agriculture. He noted there have been homes down Dunbar Road for many years. Chairman Vaux concluded that this parcel fell somewhere between commercial agriculture and residential.

At Chairman Vaux's suggestion, Commissioner Rohrer amended his motion to contain the following conditions:

1. An approved short plat shall be obtained prior to the conveyance of any parcel.
2. There shall be no further subdivision of the property.
3. There shall be no multi family dwellings built on the property; only one single family residence shall be built.

Chairman Vaux seconded the motion to approve Variance #V-87-037, subject to the above listed conditions. The motion was carried and so ordered.


MISCELLANEOUS ITEMS

Commissioner Rohrer motioned to approve the Record of the Proceedings for Tuesday, March 1, 1988. Chairman Vaux seconded the motion. The motion was carried and so ordered.

ADJOURNMENT

Commissioner Rohrer motioned to adjourn the proceedings. Chairman Vaux seconded the motion. The motion was carried and so ordered.

BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



W. W. Vaux, Chairman



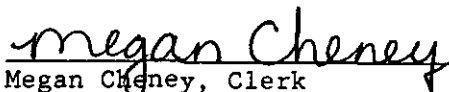
Otto M. Walberg, Jr., Commissioner



Dave Rohrer, Commissioner



ATTEST:



Megan Cheney, Clerk
Skagit County Board of Commissioners