

**RECORD OF THE PROCEEDINGS  
SKAGIT COUNTY BOARD OF COMMISSIONERS**

**Thursday, January 9, 1992**

10:00 a.m. - 11:00 a.m. Public Hearing - Agricultural Variance Request #VAR-91-047 of Kendra Smith, 1553 Cook Road, Burlington.

The Skagit County Board of Commissioners met in regular session on Thursday, January 9, 1992, with Commissioners W. W. Vaux, Robby Robinson and Ruth Wylie present.

**PUBLIC HEARING - AGRICULTURAL VARIANCE REQUEST #VAR-91-047 OF KENDRA SMITH, 1553 COOK ROAD, BURLINGTON.**

Chairman Robinson waived the reading of the notice of public hearing, as published in The Skagit Argus.

Jeff Morgan, Associate Planner, gave information. He provided staff photographs and photographs submitted by the applicant, as well as property diagrams and maps of 1553 Cook Road. Mr. Morgan explained that the subject property is zoned agricultural, is approximately 10 acres in size, and is located in an A-7 flood zone. Ms. Smith is proposing to subdivide the parcel into two substandard lots. Since the minimum lot size in the agriculture zone is 40 acres, Ms. Smith will require a variance.

Mr. Morgan explained that the Smith property is adjacent to the Plat of Samish River Acreage, where the dividing line between the agricultural district and the rural intermediate district occurs. To the north, south and east, the land is in agricultural production. To the west, the land is zoned for rural intermediate use. Mr. Morgan explained that the Department of Planning and Community Development recommended denial of the application, as did the Hearing Examiner, because they felt that the granting of the variance would confer a special privilege on the applicant not commonly enjoyed by other properties in the district.

Bradford Furlong, 904 South Third, Mount Vernon, represented Ms. Smith. He asked that Ms. Smith sketch her property on a white board in the hearing room, which she did. An approximation of the sketch is attached to this record.

Mr. Furlong explained that Ms. Smith is divorcing her husband. They believe they will be able to accomplish better parenting if Ms. Smith can build a home on the property behind the existing house where she can raise her children in close proximity to their father. Mr. Furlong stated that the divorce court may divide the property as part of the divorce decree anyway, but that both he and Ms. Smith feel it is appropriate to follow the proper procedure for a land division through a variance process.

Mr. Furlong stated that the property has not been farmed for 30 years. A total of 17,000 square feet is currently taken up by buildings. There is substantial vegetation on the property as well as extensive ornamental landscaping in the front. Water sits on some of the property during wet seasons. Mr. Furlong stated that the inclusion of the property in the agricultural zone to begin with was a "freak" anomaly.

Mr. Furlong likened Ms. Smith's situation to that of Mrs. Vandegrift, who on December 4, 1991, through Resolution #14067, received a variance to subdivide her property under similar circumstances where her property was located on the edge of an agricultural zone, but was of no agricultural value.

Finally, Mr. Furlong suggested that the provisions of the Right-to-Farm Ordinance could be placed on the face of the plat.

The audience was then given an opportunity to comment.

Marjorie Pearson, 944 Chuckanut Drive, asked Ms. Smith to show where the proposed home would be

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located. This was accomplished.

Miles Learnin, Chuckanut Drive, had no objection to the variance.

There being no further comment, Commissioner Wylie motioned to close the public hearing. Commissioner Vaux seconded the motion, which passed unanimously.

Commissioner Vaux commented that the property had never been part of the "ag program".

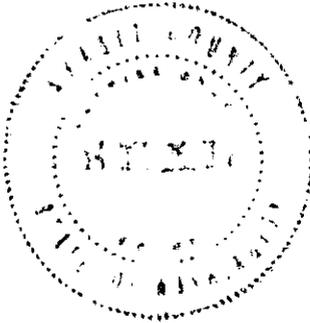
Mr. Learnin verified that the property was cleared of trees in 1945 or 1946, and had never been farmed or cultivated. It was used for horses only.

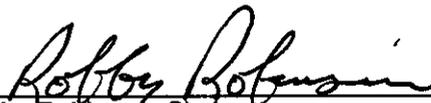
Commissioner Vaux motioned approval of the variance, and Commissioner Wylie seconded the motion. The motion passed unanimously.

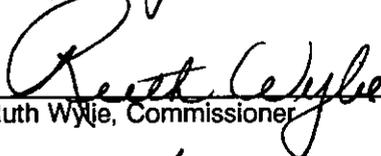
**ADJOURNMENT:**

Commissioner Wylie motioned to adjourn the proceedings. Commissioner Vaux seconded the motion. The motion was carried unanimously.

BOARD OF COUNTY COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON

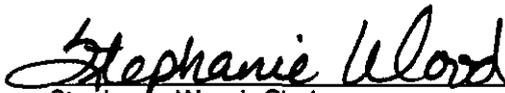


  
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Robby Robinson, Chairman

  
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Ruth Wylie, Commissioner

  
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W. W. Vaux, Commissioner

ATTEST:

  
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Stephanie Wood, Clerk  
Skagit County Board of Commissioners

