

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

Tuesday, September 29, 1992

- 9:00 a.m. - 10:00 a.m. Planning Department - Scott Kirkpatrick, Director.
- 1) Contract Amendments for the Lower Skagit River Basin Monitoring Project - Proposed Extensions.
 - 2) Discussion - City of LaConner Request to Review INCA Engineering Study, Skagit Beach, Inc. Water System.
 - 3) Miscellaneous.
- 10:00 a.m. - 11:00 a.m. Water System Wavier Request of Steve Barron to Allow a Reduced Set-back Between a New Drilled Well and a County Road.
- 11:00 a.m. - 11:30 a.m. Hearing Examiner Recommendation - Approval - Agricultural Variance #VAR-92-033 for Flossie Hobson Maynard - 2808 S. Skagit Highway, Sedro-Woolley.

The Skagit County Board of Commissioners met in regular session on Tuesday, September 29, 1992, with Commissioners Ruth Wylie, W. W. Vaux and Robby Robinson present.

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT - SCOTTKIRKPATRICK, DIRECTOR:

For the convenience of the audience, items #1 and #2 were reversed.

2) Discussion - City of LaConner Request to Review INCA Engineering Study, Skagit Beach, Inc., Water System.

Kraig Olasen, Assistant Director, stated that the Department of Planning and Community Development was requested by Town of LaConner to review the water flow rates both for domestic service and fire flow for the water system on Skagit Beach near LaConner. The Town of LaConner currently operates the water system which serves the Skagit Beach area. It was believed that the present system was not adequate to meet these service and fire flow requirements and a study was commissioned by the Town of LaConner. The completed study was reviewed by County staff, with a resulting determination that the system is well short of minimum requirements. The study provided options to solve this problem.

One option was to upgrade the system to meet fire flow requirements by replacing an existing 2 inch water line with an 8 or a 10 inch line, which would cost just under \$600,000. A second option was to instigate improvements to domestic service. The cost for this would be just under \$80,000. By establishing a Local Utility District, each customer would pay about \$1,000 for the domestic service upgrade. It would cost between \$6,000 and \$7,000 per customer for the fire flow upgrades.

The Town is now asking the County Planning Department to set a policy regarding the future issuance of building permits for property that would utilize this water system.

Dan O'Donnell, LaConner Mayor, indicated that these problems have existed since 1982. He stated that the potential for in-fill is as many as 20 additional lots. Mr. O'Donnell confirmed that the present agreement with between the City and the system users states that the City will not be responsible for the cost of any upgrades, therefore, the residents would be responsible for establishing a local utility district and taxing themselves for the upgrades.

Mayor O'Donnell indicated that the present 2 inch line still allows the residents to receive a fair break on fire

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insurance. The basic fire flow requirements for fire insurance are met by use of tanker and pumper fire fighting equipment.

Mayor O'Donnell stated that the chairman of the homeowners' association, Bert Wells, had been notified of today's meeting. He was not present.

Mayor O'Donnell stated that the residents of Skagit Beach are interested in forming an LID to upgrade their system. The next homeowners meeting is scheduled for November, and more information will be available on how the LID will be established after the November meeting. Mayor O'Donnell stated that the Town is unsure if they will be the lead agency on the LID.

Mr. Olasen was unaware if there were any building permits pending for the Skagit Beach area. Mayor O'Donnell stated that four water hook ups had recently been sold to persons who had heard that the integrity of the system was being questioned.

John Thayer, Supervisor of the Environmental Health Division, stated that the Health Department has reviewed the study commissioned by the Town and would recommend that no further building permits be issued until the system is brought up to appropriate standards.

Mayor O'Donnell suggested that he provide the Planning Department with the names of those four water hook ups recently sold and that these persons be exempt from the building moratorium.

Mr. Olasen agreed that in-process projects should be exempted. Commissioner Vaux suggested that these four individuals should be warned that they must begin construction within a certain period of time in order to qualify for the exemption.

Mr. Olasen suggested that if the property owners set a goal of upgrading the system by a certain date that is not too far in the future, it may not be necessary to refuse permits; however, if there is no timely resolution, it may be necessary to prevent additional capacity demand on the system by refusing building permits.

The Board wished to have more information prior to making a decision. At least the following information is needed:

1. Names of four individuals with recent water connections paid and report on how many permits are in process.
2. Information regarding plans for the LID.
3. Contact with chairman of homeowners' association.

Mr. Olasen was directed to follow up on these points.

- 1) Contract Amendments for the Lower Skagit River Basin Monitoring Project - Proposed Extensions.

Mr. Olasen explained that it is necessary to extend the existing contracts for the Lower Skagit Project due to the late rains we experienced this year. The late sampling caused by the rains causes the delay of the analysis of the samples.

Mr. Olasen explained that the contract extensions involve no increase in monetary payments.

The Board approved for signature an addendum extending the contract with Skagit System Cooperative to December 31, 1992, for collection of water samples in conjunction with the Lower Skagit River Basin

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Monitoring Project. (Contract #00990)

The Board approved for signature an addendum extending the contract with Entranco Engineers, Inc., to March 1, 1993, for sample analysis and technical review in conjunction with the Lower Skagit River Basin Monitoring Project. (Contract #01162)

3) Miscellaneous.

- A. The Board approved for signature a letter of appreciation to George Smith, a trainee who recently finished a course with the Code Compliance Officer within the Planning Department.
- B. Mr. Olasen provided a copy of the Planning Commission's decisions from the previous evening. *These items are to be scheduled at a later date.*

WATER SYSTEM WAIVER REQUEST OF STEVE BARRON TO ALLOW A REDUCED SET-BACK BETWEEN A NEW DRILLED WELL AND A COUNTY ROAD.

Lorna Haycox, Environmental Health Specialist, explained that Mr. Barron is subdividing a 20-acre parcel north of Gripp Road into 4 lots. The parcels are to be served by individual wells. Skagit County Code requires that wells be placed at least 100 feet from County roads. Mr. Barron's well is only 58 feet from the road.

The well driller responsible for the drilling of the well, Hayes Drilling, states in a letter to the Health Department that the lot is an older lot, and the driller believed that it had previously been short platted under prior ordinances allowing a closer setback. The well driller admits his error, but asks that the well be allowed to remain because of the vertical separation, the 18 foot surface seal, and the protective action of several clay layers totaling more than 100 feet in an area protected from flooding and sources of contamination.

Mrs. Haycox stated that the Health Department is recommending approval of this variance, with a single condition that a plat note should be affixed to the short plat stating, "the well located on Lot 4 of Short Plat # _____ does not meet the 100 foot radius-well-protection zone specified in SCC 12.48.240(5). Prospective purchasers are advised to contact the Skagit County Health Department if they have questions about this well."

Commissioner Vaux motioned to approve the water system waiver request of Mr. Barron for a decreased setback from a County road with the plat note recommended by Mrs. Haycox. Commissioner Wylie seconded the motion, which passed unanimously.

HEARING EXAMINER RECOMMENDATION - APPROVAL - AGRICULTURAL VARIANCE #VAR-92-033 FOR FLOSSIE HOBSON MAYNARD - 2808 S. SKAGIT HIGHWAY, SEDRO-WOOLLEY.

Grace Roeder, Associate Planner, provided an Assessor's Map and site plan for the subject property. She stated that the property is located at 2808 South Skagit Highway near Walberg Road. The property is approximately 17 acres in size, and is zoned Agricultural Reserve. Mrs. Maynard would like to divide it into two parcels, one 13 acres in size, and one 4 acres containing existing buildings, including a mobile home. Part of the property, 4 acres, is located on the south side of South Skagit Highway. Mrs. Maynard is proposing to divide the property at South Skagit Highway. Mrs. Maynard feels that the property is not, nor has it ever been, useable for farming purposes, and that the Highway provides a natural division of the property.

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Ms. Roeder stated that minimum lot size in the Agricultural Reserve Zone is 20 acres, therefore Mrs. Hobson needs a lot size variance in order to divide her property. Ms. Roeder stated that the Planning Department does not believe Mrs. Hobson's request and justification indicate a unique condition which justifies her request; however, the Hearing Examiner feels Mrs. Hobson's justification indicates an unnecessary hardship or a practical difficulty that should be approved.

Ms. Roeder read a narrative statement submitted by the applicant, which indicates that each portion of property on the north and south side of the Highway has its own tax parcel number. Mrs. Maynard states that the property is bequeathed to her daughter in her will, and she would like to allow her daughter to enjoy this property while Mrs. Hobson still lives.

Dee Dobson, Mrs. Hobson's property manager, was present and stated that the property on the north side of the Highway is mainly used for recreational purposes. This is the side that is bequeathed to the daughter. Mrs. Hobson is afflicted with bone cancer and feels she does not have long to live. She wishes to sell the 4 acre parcel to help pay some of her medical bills. The north side of the property is treed, and the 4 acre parcel abuts 5-acre zoning. Ms. Dobson gave examples of other parcels that were allowed to divide in a fashion similar to Mrs. Hobson's request.

Commissioner Vaux motioned to follow the recommendation of the Hearing Examiner and approve the Agricultural Variance Request #VAR-92-033 of Flossie Hobson Maynard. Commissioner Wylie seconded the motion, which passed unanimously.

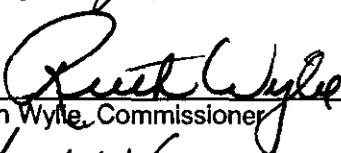
ADJOURNMENT:

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

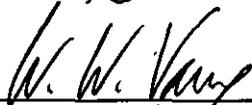
BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



Robby Robinson, Chairman



Ruth Wylie, Commissioner



W. W. Vaux, Commissioner

ATTEST:



Stephanie Wood, Clerk
Skagit County Board of Commissioners

