

BEFORE THE SKAGIT COUNTY HEARING EXAMINER

FINDINGS, CONCLUSIONS AND DECISION

Applicant: Samish Island Community Center Inc.
c/o Gail Hopley
P. O. Box 268
Bow, WA 87232

File No: PL05-0243

Request: Special Use Permit

Location: 11292 Blue Heron Road, within a portion of Sec 25,
T36N, R2E, W.M.

Land Use Designation: Rural Intermediate (RI)

Summary of Proposal: To add a 360 square foot addition to the south side of the existing Samish Island Community Center to be used for storage.

Public Hearing: After reviewing the report of Planning and Development Services, the Hearing Examiner conducted a public hearing on July 13, 2005.

Decision: The application is approved, subject to conditions.

FINDINGS OF FACT

1. The Samish Island Community Center (applicant) seeks to build a small addition to their existing building.
2. The building is located at 11292 Blue Heron Road, within a portion of Sec. 25, T36N, R2E, W.M. (Parcel #47021). The zoning of the site is Rural Intermediate. The Community Center was built in 1947 before the zoning was adopted.
3. In the Rural Intermediate zone, a community club or grange hall is a use allowed with an approve Hearing Examiner Special Use Permit. SCC 14.16.300(4)(h). The long-established structure and use has existed all these years without land use permit. Therefore, the requested Special Use Permit is not only for the addition but for the use and building as a whole.
4. The property is a flat parcel, about 20,000 square feet in size. The width along the Blue Heron Road is approximately 110 feet. The depth is about 200 feet. The Community Center building contains about 1,800 square feet. There is a septic tank and drainfield and a gravel parking area. The building is in the northeast part of the parcel, about 30 feet back from Blue Heron Road. There is a 10 foot setback from the eastern property line, a 70 setback from the western property line and a 110 foot setback from the southern property line.
5. Access to the parking lot is from Blue Heron Road on the north. The parking lot is west and southwest of the building.
6. The existing building is 30 feet wide. The proposal is to add a 30-foot-wide by 12-foot deep storage area at the south end. The 360 square-foot addition will be used for storing tables, chairs, decorations, and children's toys.
7. The proposed addition will have little or no effect on the parking, traffic, drainage or demands on utilities. The building is used for community events about three times a month, usually in the evenings. The building is maintained by volunteer labor and the club operates as a non-profit organization.
8. No changes in operations will result from the project. The extra storage area will have no negative aesthetic impacts. The compatibility of the use and building with the surrounding rural and residential neighborhood will not change.
9. The applicant has applied for a building permit (BP04-0348) which is on hold pending the approval of the Special Use Permit.

10. Environmental review of the site was conducted. No critical areas were observed. A Determination of Non-Significance (DNS) under the State Environmental Policy Act (SEPA) was issued on June 2, 2005. The DNS was not appealed.

11. Consulted agencies had no concerns with the project. There was no public comment.

12. The criteria for Special Use Permit approval are set forth at SCC 14.16.900(2)(b)(v), as follows:

- (a) The proposed use will be compatible with existing and planned land use and comply with the Comprehensive Plan.
- (b) The proposed use complies with the Skagit County Code.
- (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.
- (d) The proposed use will not generate intrusions on privacy of surrounding uses.
- (e) Potential effects regarding the general public health, safety, and general welfare.
- (f) For special uses in ... Natural Resource Lands ..., the impacts on long-term natural resource management and production will be minimized.
- (g) The proposed use is not in conflict with the health and safety of the community.
- (h) The proposed use will be supported by adequate public facilities and services and will not adversely affect public services to the surrounding areas, or conditions can be established to mitigate adverse impacts on such facilities.

13. The Staff Report analyzes the application against these criteria and finds that it is consistent with them. The Hearing Examiner concurs with this analysis and adopts the same. The Staff Report is by this reference incorporated herein as though fully set forth.

14. Any conclusion herein which may be deemed a finding is hereby adopted as such.

CONCLUSIONS OF LAW

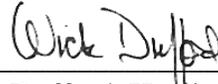
1. The Hearing Examiner has jurisdiction over the persons and the subject matter of this proceeding. SCC 14.06.050(1).
2. The requirements of SEPA have been met.
3. The facts support a conclusion that the proposal will be consistent with the applicable approval criteria. SCC 14.16.900(2)(b)(v).
4. The conditions set forth below should be imposed and complied with.
5. Any conclusion herein which may be deemed a finding is hereby adopted as such.

CONDITIONS

1. The project shall be built and used as described in the application materials.
2. The building permit shall be obtained.
3. The applicant shall obtain all other necessary approvals, if any.
4. The applicant shall comply with all relevant provisions of the Skagit County Code, including the performance standards of SCC 14.16.840.
5. The Special Use shall be developed consistent with the time requirements of SCC 14.16.900(2)(d).

DECISION

A Special Use Permit is approved for the Samish Island Community Center, including addition of a 30' x 12' storage area at the end. The addition project shall be subject to the conditions set forth above.



Wick Dufford, Hearing Examiner

Date of Action: July 29, 2005

Date Transmitted to Applicant: July 29, 2005

RECONSIDERATION/APPEAL

As provided in SCC 14.06.180, a request for reconsideration may be filed with Planning and Development Services within 10 days after the date of this decision. As provided in SCC 14.06.120(9), the decision may be appealed to the Board of County Commissioners by filing a written Notice of Appeal with Planning and Development Services within 14 days after the date of the decision, or decision on reconsideration, if applicable.