

NOTICE OF DECISION

BEFORE THE SKAGIT COUNTY HEARING EXAMINER

Applicant: Clearlake Historical Association
P. O. Box 333
Clearlake, WA 98235

Request: Special Use Permit, PL15-0425

Location: 12655 State Route 9, within a portion of the NW1/4SE1/4 Sec. 1,
T34N, R4E. W.M. Parcel #P74931

Land Use Designation: Rural Village Residential (RVR)

Summary of Proposal: To relocate and rebuild a 192 square-foot historic cabin for use
as a museum exhibit for the Clearlake Community & Historical
Association.

SEPA Compliance: Determination of Non-Significance (DNS), dated October 15,
2015. No appeals.

Public Hearing: April 27, 2016. Testimony by Staff and Applicant. No public
Testimony.

Decision/Date: The application is approved, subject to conditions. May 5, 2016.

Reconsideration/Appeal: Reconsideration may be requested by filing with PDS within 10
days of this decision. Appeal is to the Board of County
Commissioners by filing within 14 days of this decision or
decision on reconsideration, if applicable.

Online Text: The entire decision can be viewed at:
www.skagitcounty.net/hearing examiner

FINDINGS OF FACT

1. The Clearlake Historical Association (Applicant) seeks a Special Use Permit to locate a historic cabin next to its current museum in Clearlake.

2. The site is at 12655 State Route 9, within a portion of the NW1/4SE1/4 Sec. 1, T34N, R4E, W.M. The parcel is the south 20 feet of Lot 2 and all of lots 3 & 4 of the First Addition to Mountain View Clear Lake Plat. The parcel number is P74931. The zoning is Rural Village Residential (RVR).

3. The site is south of Bartel Avenue and north of Jackson Street, directly south of the Clearlake Post Office. Mud Lake is approximately 150 feet to the west. Evelyn's Tavern is to the south. The site is a grass-covered area on a relatively flat square parcel to the south of the museum building.

4. The existing museum building is a 3,512 square-foot structure built in 1892. It was formerly a lodge for the Independent Order of Odd Fellows.

5. Parking for the museum is on the north side of the building, with overflow spaces in the Community Covenant church lot off Bartel Road. No new parking will be required for the cabin, but buses and vehicles for groups will be required to use the church's lot.

6. There is a fence and mature vegetation along the east side of the museum property, separating it from adjacent residences. No special landscaping will be required. There are no critical areas or buffers within 250 feet of the proposed cabin location.

7. The cabin, which dates from the 1880's, will be dismantled at its current location near Beaver Lake and reassembled on the Clear Lake site. As much of the original lumber as possible will be used in the reconstruction. The proposal calls for a reinforced concrete foundation. Electricity will be installed

8. The restored cabin will approximate the original footprint of 12 feet by 16 feet. It will not be plumbed. Bathroom facilities are available at the museum which has a septic system behind the existing building. Water is provided by the Skagit PUD.

9. Visitors will access the cabin exhibit via a pathway extending from a door on the south side of the museum building. The cabin will be 35 feet from the west/front yard property line, 10 feet from the south/side property line, 36 feet from the east/rear property line and about 20 feet from the south wall of the existing museum. All required setbacks will be met.

10. The cabin will function as an additional museum exhibit. It will be open on Saturdays and otherwise when the museum is open – probably one or two days a week from 10 a.m. to 2 p.m. Special openings will be made on request if a school class or other group wishes to visit. A small plaque will be placed on the front of the cabin providing information on its history and the artifacts inside.

11. The museum is staffed by volunteers, usually two to five persons during hours of operation. The level staffing will not change with the addition of the cabin exhibit.

12. A flood plain permit will be required. The finished floor of the structure must be a minimum of one foot above the base elevation (45 feet). A building permit for a structure this small is optional, but the building must comply with all structural and non-structural code requirements.

13. The application was deemed complete on September 18, 2015. Notice of Development Application was posted, published and mailed to neighbors as required by law. No public comments were received.

14. The application was reviewed under the State Environmental Policy Act (SEPA). An Environmental Checklist was prepared. A Determination of Non-Significance (DNS) was issued and published on October 15, 2015. No appeals were submitted.

15. The application was circulated to various County and State departments. There were no objections to the proposal. The Washington State Department of Transportation advised that the parallel parking on the west side, adjacent to Route 9, is not to be used for museum parking.

16. The Staff of Planning and Development Services (PDS) reviewed the proposal for conformity to the criteria for Special Use Permit approval. They concluded that, as conditioned, the proposal will be consistent with the criteria. The Hearing Examiner concurs with this analysis and adopts the same. The Staff Report is hereby incorporated herein as though fully set forth.

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

CONCLUSIONS OF LAW

1. The Hearing Examiner has jurisdiction over this proceeding. SCC 14.06.050(1)(b)(ii).
2. The requirements of SEPA have been met.
3. In the Rural Village Residential (RVR) zone, the proposed use requires a Special Use Permit. SCC 14.16.310(4)(c).
4. As conditioned, the project meets the approval criteria for a Special Use Permit. SCC 14.16.900(1)(b)(v).
5. Any finding herein which may be deemed a conclusion is hereby adopted as such.

CONDITIONS

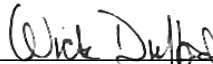
1. The proposal shall be constructed and operated as described in the application, except as may be modified by these conditions.

2. The applicant shall obtain all other applicable permits and abide by the conditions of same.
3. A floodplain permit is required per SCC 14.34.100 for the placement of the cabin on site.
4. A building permit for the cabin is optional. It shall be the responsibility of the property owner to ensure compliance with all structural and non-structural code requirements.
5. No museum parking shall be permitted on the west side of the building (museum entrance).
6. Vehicles transporting large groups of museum visitors, such as schools/clubs or tour groups shall be parked in the Community Covenant Church parking lot.
7. The applicant shall comply with all applicable state and local regulations, including but not limited to the performance standards outlined in SCC 14.16.840.
8. This permit shall be void if the use permitted has not been established or a complete building permit filed within two years of permit approval.
9. PDS shall be notified of any change of ownership within 30 days of the change.
10. A copy of this decision shall be submitted with any building permits associated with this Special Use Permit.
11. Failure to comply with any conditions may result in permit revocation. SCC 14.16.900(1)(b)(iii).

DECISION

The requested Special Use Permit (PL15-0425) is approved, subject to the conditions set forth above.

DONE, this 5th day of May, 2016.



Wick Dufford, Hearing Examiner

Transmitted to Applicant: May 5, 2016.

See Notice of Decision, page 1, for appeal information.