



## PLANNING & DEVELOPMENT SERVICES

1800 Continental Place • Mount Vernon, WA 98273  
Inspections 360.336.9306 • Office 360.336.9410 • Fax 360.336.9416

### Comprehensive Plan Policy / Zoning Map Amendment Application Checklist

**Notice:** Applications to change a municipal urban growth area boundary must be submitted to Planning and Development Services by the last business day of March. The application will be forwarded to the appropriate City/Town Planning Department, which must return it to Planning and Development Services, with an official recommendation, by the last business day of July.

Applications for rural commercial/industrial designations will be accepted, with the understanding that the County may not be able to process or approve those applications until the Countywide Planning Policies are amended to remove the cap on rural commercial/industrial acreage allocations. The County is proposing this change through the 2005 Growth Management Comprehensive Plan Update.

#### All Applicants Must Submit the Following:

☒ ☒ **Fact Sheet**

The fact sheet must be fully completed, signed, dated and submitted prior to the last business day of July.

☐ ☐ **Fees \$** **SEPA \$**

Note: For review that requires more than 80 hours of staff time, the applicant will be billed at the hourly rate as shown on the fee schedule.

☐ ☐ **SEPA Checklist** *N/A at this point*

Note: This application may be considered complete without payment of the SEPA fee. The SEPA fee and checklist, if required, are due within 20 days of approval for further consideration by the Board of County Commissioners.

☒ ☒ **Completed Questionnaire** (See page 3)

#### Applicants for Map Amendments Must Also Submit the Following:

☒ ☒ **Full Scale Assessor's Map** *8 1/2 x 11 in. Check*

Please include a full scale (18" x 24") Assessor's section map. These can be purchased from the Assessor's Office. Please identify the subject parcel. Use black or red ink. Highlighters will not photocopy.

☒ ☒ **Land Use Map**

A map showing the subject property and property lines and the Comprehensive Plan/Zoning designations of all properties within 500 feet of the site.

☒ ☒ **Ownership Certificate**

A notarized ownership certificate is required.

☒ ☒ **Lot of Record Certification** (Not required for policy or area-wide map amendment requests)

#### Applicants for a Change to Commercial or Industrial Designations Must Also Submit the Following:

☐ ☐ **Commercial / Industrial Phasing Plan** (Optional - See SCC 14.16.900)

☐ ☐ **Site Plan**

A site plan drawn to scale of not less than 1" = 40' clearly showing dimensions of all property lines; location and dimensions of existing structures, proposed buildings and additions; access points; off street parking/ existing and proposed landscaping; location of sewer lines and connections, or septic tank and drain field including the distances from all structures (existing and proposed) from property lines and each other.

Black and white submittals on 8.5" x 11" paper preferred. 11" x 17" maximum. Color maps must be reproducible in black and white.

Date Received:

SNAGG  
PERMIT

JUL 27 2011

RECEIVED

GMR

Accepted by

PL1-0240

Permit Number

BRV

Zoning / Setbacks

Flood Plain/Floodway

Shoreline

Notes:

PL1-0144,

SW10-0217,

PL11-0143

JUL 27 2011

RECEIVED

# INSTRUCTIONS

Please complete Sections 1 through 4 of this application packet. Attach other required forms or information as necessary. For information on general requirements, application review process and frequently asked questions, turn to Sections 5 & 6 of this packet.

## APPLICATION TYPE [Please check the appropriate box below]

- ☐ Policy Amendment [A change to one or more comprehensive plan policies]
- ☒ Map Amendment [A change to a comprehensive plan/zoning designation]
- ☐ Check this box if you are proposing to change your property to a commercial or industrial designation/zoning district. If the phasing option is chosen under SCC 14.16.900(3)(c)(iii)(a), a phasing plan must be submitted as part of this application.
- ☐ Rezone [A change from one zoning designation to another within the same Comprehensive Plan Designation – rezones are only available within a the UGA]

## PERSONAL INFORMATION [Please Print]

Applicant/Contact Art Jensen

Mailing Address 13339 Bayview Road

City Mt. Vernon State WA Zip 98273 Email Address \_\_\_\_\_

Phone 360 913-7088 Alt Phone \_\_\_\_\_ Fax artandvickie@gmail.com

Are you the owner of the subject property? ☒ Yes ☐ No [if yes, complete Section 4, Ownership Certification]

If no, please indicate your interest in the subject property [e.g. neighbor, community resident, interested citizen, etc.]

Property Owners Art & Vickie Jensen AND Dan & Rebecca Peck (2 adjacent parcels)

Mailing Address Same as above AND 6859 Worline Rd.

City Bow State WA Zip 98232 Email Address peckrj@fidalgo.net

Phone (360) 766-6260 Alt Phone (360) 853-5326 Fax (360) 766-6260

## PROPERTY INFORMATION [Site-specific proposals only]

Site Address [or General Property Description – Attach separate sheet if necessary]:  
11991 Bayview-Edison Rd, Mt. Vernon WA 98273 AND 1139 Bayview Rd, Mt. Vernon, WA 98273

P-number(s) P35204 AND P112774 Assessor's Account # 350332-3-029-0203 AND 350332-3-029-0100

Section 32 Township 35 Range 03 Acreage/Lot Dimensions 5.89 acres AND 5.00 acres

Existing Zoning Designation Rural Reserve Requested Zoning Designation Rural Intermediate [see Section 3]

By signing this form, the applicant agrees to pay all application fees in accordance with the approved fee schedule posted in the Planning and Development Services. If the application is approved for further consideration by the Board of County Commissioners, the applicant may be required to submit a State Environmental Policy Act (SEPA) checklist and related fees. Applicants are encouraged to consult with Department staff in advance of application submittal to review all submittal requirements. Payment of fees does not guarantee final approval. The applicant acknowledges that a completed application must be submitted by the close of business on the last business day of July of each year. Incomplete or late applications will be returned to the applicant.

APPLICANT SIGNATURE: Art Jensen DATE: 7-27-11

## Section 3 Questionnaire

Prior to submittal, please answer all of the questions below that are applicable to your proposal. Provide your answers on separate attached sheets and reference the question numbers in your answer. Include maps, graphics and other information as necessary. Please be thorough. Incomplete or misleading information may cause unwarranted delays in processing and/or denial of the application. Answering these questions will require an understanding of the applicable provisions of the Skagit County Comprehensive Plan and Skagit County Code Title 14. Both are available at the Skagit County Planning & Development Services or online at [www.skagitcounty.net](http://www.skagitcounty.net).

**All Applicants** must answer the following:

1. Please provide a detailed statement of what is proposed and why. Include suggested amendatory language to the Comprehensive Plan, if applicable. For proposed map amendments to a commercial or industrial designation, include additional information relating to the proposed commercial or industrial use.

Note: If you are requesting a change in a Comprehensive Plan / Zoning designation, also indicate which designation you are requesting to change from (your existing designation) and which designation you wish to change to (requested designation). For your reference, a list of possible designations is included below.

- |   |   |
|---|---|
| ✓ Urban Growth Area (UGA)                     | ✓ Aviation Related (AVR)                              |
| ✓ Rural Village Commercial (RVC)              | ✓ Airport Environs Overlay (AEO)                      |
| ✓ Rural Center (RC)                           | ✓ Rural Intermediate (RI)                             |
| ✓ Rural Freeway Services (RFS)                | ✓ Rural Village Residential (RVR)                     |
| ✓ Small Scale Recreation & Tourism (SRT)      | ✓ Rural Reserve (RRv)                                 |
| ✓ Cottage Industry/Small Scale Business (CSB) | ✓ Residential (R)                                     |
| ✓ Rural Business (RB)                         | ✓ Agricultural-Natural Resource Land (Ag-NRL)         |
| ✓ Natural Resource Industrial (NRI)           | ✓ Industrial Forest-Natural Resource Land (IF-NRL)    |
| ✓ Rural Marine Industrial (RMI)               | ✓ Secondary Forest-Natural Resource Land (SF-NRL)     |
| ✓ Bayview Ridge Industrial (BR-I)             | ✓ Rural Resource-Natural Resource Land (RRc-NRL)      |
| ✓ Bayview Ridge Heavy Industrial (BR-HI)      | ✓ Mineral Resource Overlay (MRO)                      |
| ✓ Master Planned Resort                       | ✓ Open Space of Regional/Statewide Importance (OSRSI) |

If you are requesting a rezone (only available within Urban Growth Areas) please indicate your current zoning designation as well as the zoning designation you are requesting. For your reference a list of designations is included below:

- ✓ Urban Reserve Reserve Commercial – Industrial (URC-I)
- ✓ Urban Reserve Residential (URR)
- ✓ Urban Reserve Public – Open Space (URP-OS)

### Response:

The proposal is to change the Comprehensive Plan/Zoning designation for two contiguous roughly 5 acre parcels—Jensen parcel #P35204 (5.89 acres) and Peck parcel #P112774 (5.00 acres). The current Comprehensive Plan/Zoning designation is Rural Reserve (RRv) and the requested designation is Rural Intermediate (RI). The parcels are adjacent to property designated Rural Intermediate (RI) along the northern border and Bayview Road along the Southern border. Bayview Road would seem to form a logical boundary between the designations. The requested change simply moves the Comprehensive Plan/Zoning boundary south over the width of the subject parcels—from their North property line to their South property line—thus reverting the boundary back to the historical and logical boundary that was in place prior to the GMA implementation.

The proposal is comprised of two parcels of roughly five acres each in separate ownership. Each parcel has one development right resulting in a total of two houses on 10.89 acres. The requested rezone would allow each owner to have two development rights instead of only one. This would result in a total of four single family homes on 10.89 acres.

The parcels are currently designated Rural Reserve (RRv) which has a minimum lot size of ten acres. The parcels are each roughly five acres in size and therefore are substandard to their current designation. They would exceed the 2.5 acre minimum allowed in the Rural Intermediate (RI) zone and are therefore more consistent with that designation.

The properties are located on non agricultural land, outside of the floodplain, with excellent access, and utility availability. In short, they are ideally suited for the limited infill intended for the Rural Intermediate (RI) district.

Synopsis of Proposal (detailed responses provided to each question below)

- A) The proposal is to redesignate two adjacent roughly five acre parcels west of the Bayview UGA from Rural Reserve (RRv) to Rural Intermediate (RI).
  - B) There is currently one single family residence located on the Jensen parcel (P35204)
  - C) Each parcel has 2 existing accesses for a total of four existing accesses.
  - D) Only two additional development rights would be created with the proposed redesignation.
  - E) The parcels are currently substandard to their existing designation (RRv) but would exceed the required minimum for the requested designation (RI).
  - F) Development on the parcels would constitute the infill development envisioned in areas already characterized by more intense development and would help reduce pressure for residential development on agriculture, floodplain, and resource lands.
2. Has there been a change in circumstances pertaining to the Comprehensive Plan or public policy that would justify this proposal? Or, in the case of site-specific Comprehensive Plan/Zoning map amendments, has there been a change in circumstances pertaining to the subject property that is beyond the control of the landowner?

**Response:**

Over the years, Skagit County has adopted Comprehensive Plan amendments and changes in its development regulations that have impacted the Comprehensive Plan. The results of these changes are a significant overall reduction in the number of dwelling units that could be created throughout the County. One specific example is the enlarged area of Mineral Resource Overlay (MRO) throughout the County. Where these new areas of MRO are adjacent to properties designated Rural Reserve (RRV) the result is a loss of available density bonus on those properties thus a reduction in the number of residential lots that can be created. Examples of changes to the development regulations include the currently pending changes to the Flood Damage Protection Ordinance as a result of the FEMA/NMFS Biological Opinion; the nearly certain expansion of the 100 year flood plain; the enlarged shoreline areas; and the Department of Ecology's recent closure of the Carpenter Creek/Fisher Creek basin. These code changes also result in significant reductions in the number of development rights available throughout the County.

The current designation of the subject parcels allows for a total of two homes. One home already exists on Jensen's 5.89 acres and another can be built on Peck's 5 acres. The proposed rezone would only allow for two additional dwelling units. The impact of allowing two additional parcels (a total of four parcels) that would accommodate two additional dwelling units (a total of four dwellings) is justified and more than offset by many orders of

magnitude by the reduction in the number of available development potential as a result of the previously cited code changes and Comprehensive Plan amendments.

3. For policy and map amendments, what do you anticipate will be the impacts resulting from the proposed change in policy or map amendment? What geographic areas may be affected? What other issues do you anticipate as a result of the proposal? (Note: If this application is approved for further consideration by the Board of County Commissioners, you may also be required to submit a State Environmental Policy Act (SEPA) checklist, which would require a more detailed analysis of the potential impacts, if any, of your proposal.)

**Response:**

No significant impacts would result from the addition of two additional homes in an already residential area with utilities available.

4. For policy and/or comprehensive plan/zoning map amendments, please state why existing Comprehensive Plan policies or map designations should not continue to be in effect or why they no longer apply.

**Response:**

The Comprehensive Plan/Zoning boundary line between Rural Reserve (RRv) and Rural Intermediate (RI) currently located on the northern property line of the subject parcels, should be moved to the southern property line—Bayview Road. The rationale for this follows.

Prior to the GMA Comprehensive Planning process, the zoning boundary line was Bayview Road. North of Bayview Road the zoning was one acre minimum lot size while south of Bayview Road the zoning was ten acre minimum lot size. Bayview Road has historically been the dividing line for the zoning districts and continues to be a logical physical boundary.

Throughout the GMA Comprehensive Planning process, the subject parcels were designated Rural Intermediate (RI), which is what the owners desired then and now. During the Comprehensive Planning process, the Pecks fully participated in the public meetings, as well as in the smaller community planning meetings that were held in private homes. During the planning process, the owner intentionally did not divide the property into smaller one acre parcels that the existing zoning allowed. The intent was to divide it into four 2.5 acre parcels upon the conclusion of the planning process which is what the owner was led to believe the process envisioned.

Bayview Road remained the zoning boundary between RI and RRv throughout the lengthy planning process, up until the final Comprehensive Plan/Zoning map was released 30 days prior to its adoption. It was only on that final map that the historical zoning boundary line was moved one parcel north, from the southern property line of the subject parcels to their northern property line. No rationale was given for moving the line from the logical boundary of Bayview Road to the subject parcels' northern property line. It seems unlikely that the three extra lots that could have been created if the parcels had remained RI would have been so significant countywide that it justified the creation of a much less logical boundary. But for the property owners, the result was tremendously significant. It meant that, despite the Rural Intermediate (RI) designation proposed throughout the Comprehensive Planning process, the owners had lost the chance to create the four 2.5 parcels they had always intended to create and had been led to believe would be able to create.



When the property owners saw the final map that moved the zoning line from Bayview Road to their north property line, the Pecks went to the Planning Department to ask if it was a mapping error and learned that it was not. No justification was given for moving the line to the north.

The Pecks then testified at the final public hearing and wrote a letters to the Planning Department and Commissioner Hart, the Commissioner for that area, requesting to be allowed to have the four 2.5 acre parcels that had been proposed throughout the entire process. Meanwhile, the County opened a six month "window of opportunity" to give people a chance to divide property into five acre parcels. Commissioner Hart wrote a letter in response to the Pecks request stating that the "window of opportunity" provided the relief that they had requested. Commissioner Hart was mistaken, as the "window of opportunity" only allowed the property to be divided into two five acre parcels, not four 2.5 acre parcels. The Pecks did divide the property into two roughly five acre parcels during the "window of opportunity". Those two parcels are the subject of this request.

Bayview Road was the historical and logical zoning division line. This was recognized throughout years of the Planning Process and only moved at the eleventh hour with a result of only three fewer homes on a countywide basis and a less logical boundary. The logical boundary of Bayview road should be reestablished as has historically been the case. The additional two lots that could be created would not have a significant impact countywide as they are more than offset by reductions in the number of lots that can be created due to other changes that have occurred over time.

5. How would the proposal comply with the community vision statements, goals, objectives, and policies of the Comprehensive Plan? (The community vision statements are discussed in Chapter 1 of the Comprehensive Plan. Goals, objectives and policies are described in Chapter 2, and are found throughout the Comprehensive Plan.)

**Response:**

A key theme that emerged in the 2005 update to the Comprehensive Plan reads: (intro page 12)

**"More emphasis on the preservation of the resource land base – Farming, forestry and other resource activities are threatened by the loss of the land to non-resource uses. In particular, the transfer of resource lands to non-profit corporations and other agencies for purposes of habitat protection or enhancement results in farm and forest land being taken out of natural resource production."**

According to 1.11: **(bold added)**

"In 2003, elected officials serving as the Growth Management Act Steering Committee adopted a county population target of 149,080 for 2025, or 46,100 new residents over the next 20 years.... The target was further broken down into numbers for the cities, towns and their municipal UGAs (96,500), the County and tribal UGAs (9,250), and the **rural area population (43,330).**"

The subject parcels are not critical areas; they are not farmland, forest land, or other resource land; and they are not located in the floodplain. The properties have excellent access and utilities are readily available. They are situated precisely where rural residential homes on small acreage should be built. Adding two more houses on the subject parcels, will help to put homes where they belong while also avoiding impacts on critical areas, floodplains, and resource lands.

The re-zone request meets the intention of Comprehensive Plan Elements 1.8 and 2.3 and 4.6:

*"All growth outside the urban growth boundary shall be rural in nature as defined in the Rural Element, not requiring urban governmental services except in those limited circumstances shown to be necessary to the satisfaction of both the County and the affected city to protect basic public health, safety and the environment, and when such services are financially supportable at rural densities and do not permit urban development." (CPP 1.8)*

*"Rural development shall be allowed in areas outside of the urban growth boundaries having limited resource production values (e.g. agriculture, timber, and mineral) and having access to public services. Rural development shall have access through suitable county roads, have limited impact on agricultural, timber, mineral lands, critical areas, shorelands, historic landscapes or cultural resources and must address their drainage and ground water impacts." (CPP 2.3)*

*"Comprehensive Plan provisions for the location of residential development shall be made in a manner consistent with protecting natural resource lands, aquatic resources, and critical areas." (CPP 4.6)*

The addition of two 2.5 acre parcels with a single family home on each retains the rural nature while matching the zoning and development pattern of the adjacent homes to the north. The parcels to the north of the subject property are all Rural Intermediate. The proposal would not create any noticeable change in the area. In addition, no urban governmental services are required for this rezone to occur. PUD water already serves the area including the home that is currently located on the Jensen parcel.

6. How does this proposal comply with the results of any benchmarking and growth management indicators assessment completed by the County as described in Chapter 2 of the Comprehensive Plan?

**Response:**

We are unaware of any benchmarking that has been done. As discussed previously, current code changes, as well as those that have occurred over the years since the property was initially designated Rural Reserve (RRv), have resulted in a significant loss in the development potential within the county that would more than offset—by many orders of magnitude—the addition of the two additional homes that would result from this proposal.

7. How is this proposal supported by functional plans and Capital Improvement Plans? In other words, would the proposed policy, designation and/or land use be consistent with the capital improvement plans of the various service purveyors (water, roads, fire, parks, schools, etc.) and not adversely affect their ability to provide these services.

**Response:**

There would be minimal additional services required as a result of the proposal. PUD is currently serving the Jensen parcel and is available throughout the area. The Fire district would have 2 more homes in their area. The PSE power already serves the Jensen parcel and the power lines are adjacent to the Peck parcel. The Burlington-Edison School District is also able to serve 2 more homes.

8. How would this proposal affect implementing land-use regulations found in Skagit County Code Titles 14 & 15? What changes would be necessary to bring the implementing land-use regulations into compliance with the Comprehensive Plan as proposed to be amended? (For

example, a proposed new policy relating to historic preservation may require corresponding zoning code amendments to regulate the use and reuse of historic structures.)

**Response:**

This proposal would have no impact on implementing land-use regulations. No changes to implementing regulations would be necessary.

9. What measures have you taken to solicit public review or inform the public of this proposal?

**Response:**

No measures have been taken to date.

**Applicants for Map Amendments** must also answer the following:

10. Describe how the proposed map change complies with applicable land-use designation criteria in the Land Use Element of the Comprehensive Plan.

**Response:**

The Comprehensive Plan 3B-1.2 and 3C 1.3 discuss logical outer boundaries for LAMIRDs, including those within Rural Intermediate areas.

**3B-1.2** The GMA establishes three basic types of LAMIRD. The first is authorized by RCW 36.70A.070(5)(d)(i) and consists of commercial, industrial, residential, or mixed use areas that were in existence on July 1, 1990, and that are surrounded by logical outer boundaries. The Skagit County rural land use designations created and placed on the Comprehensive Plan/Zoning Map using these criteria are:

- a) *Rural Village Residential.*
- b) *Rural Intermediate.*

**3C-1.3**

Areas may be considered for designation as RI by identifying clearly-contained logical boundaries that are delineated predominantly by the built environment existing on July 1, 1990, per policy 3B-1.2 above.

We believe that **3C-1.3** above clearly applies to our situation. Bayview Road is the clearly-contained logical boundary that is delineated by the built environment and it did exist on July 1, 1990. That is why we believe that our request to move the zoning boundary line to our South property line is an allowable and logical change. Our property is also on the corner of two roads. We believe that Bayview Road and Bayview- Edison Road provide a logical outer boundary for the Edge of the Rural Intermediate Zone.

Additionally, LAMIRD's were created to allow for some infill of zoning density that is lost in other zoned areas due to a variety of reasons, such as the code changes discussed previously. The proposed parcels are ideal for such zoning infill because they are not in the flood plain, they are not resource land, and they are not a critical area.

11. Provide a detailed statement of how the proposal meets the detailed standards in SCC 14.16 applicable to the proposed zone.

**Response:**



According to 14.16.300, the purpose of the Rural Intermediate district is “to provide and protect land for residential living in a rural atmosphere, taking priority over, but not precluding, limited nonresidential uses appropriate to the density and character of this designation. Long-term open space retention and critical area protection are encouraged. CaRDs are the preferred development pattern within this district.” As discussed previously the parcels are ideally situated to meet the intent of the Rural Intermediate zoning district. In addition the property is configured to meet all required geometry for lot configuration including setbacks, lot width and depth requirements, and lot coverage requirements. Any future land divisions on the properties would be subject to the use and bulk restrictions included in 14.16.300 Rural Intermediate.

In their current configuration, the parcels are substandard to the Rural Reserve (RRv) provisions of SCC 14.16 that require a minimum lot size of ten acres.

12. For Urban Growth Area Boundary changes, demonstrate how your proposal will be supported by and dependent on population forecasts and allocated urban population distributions, existing urban densities and infill opportunities, phasing and availability of adequate services, proximity to designated natural resource lands and the presence of critical areas.

**Response:**

Not applicable. The proposal does not include a change to an Urban Growth Area.

13. For Rural area and Natural Resource Land map designation changes, demonstrate how your proposal will be supported by and dependent on population forecasts and allocated non-urban population distributions, existing rural area and natural resource land densities and infill opportunities.

**Response:**

The projected population growth for Skagit County's rural areas indicates an increase of 43,330 people by 2025. While the proposed rezone will only provide additional two homes to help absorb the expected growth, those two home sites are ideally suited for residential infill in the rural area as has been discussed previously.

## Section 4 Ownership Certification

I, Daniel H Peck, hereby certify that I am the major property owner or officer of the corporation owning property described in the attached application, and I have familiarized myself with the rules and regulations of Skagit County with respect to filing this application, and that the statements, answers and information submitted present the argument on behalf of this application and are in all respects true and correct to the best of my knowledge and belief.

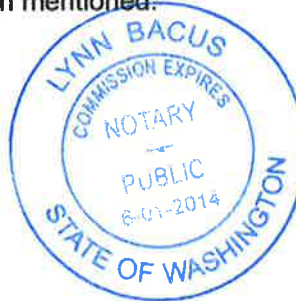
Address 6859 Worline Rd  
City and State Bow, WA Phone 360-766-6260  
Signature Daniel H Peck for N/A  
(give corporation or company name)

### ACKNOWLEDGMENT

State of Washington )  
ss. )  
County of Skagit )

On this day personally appeared before me Daniel H. Peck  
known to be the individual described in and who executed the within and foregoing instrument  
and acknowledged to me that he signed the same as his free and  
voluntary act and deed for the uses and purposes therein mentioned.

Lynn Bacus  
Notary Public in and for the State of Washington  
Residing at Mount Vernon  
Date: 7/27/11



Other property owners in this application must be listed below:

Name \_\_\_\_\_  
Address \_\_\_\_\_ City/State \_\_\_\_\_ Zip \_\_\_\_\_

## Section 4

## Ownership Certification

I, VICKIE S. JENSEN, hereby certify that I am the major property owner or officer of the corporation owning property described in the attached application, and I have familiarized myself with the rules and regulations of Skagit County with respect to filing this application, and that the statements, answers and information submitted present the argument on behalf of this application and are in all respects true and correct to the best of my knowledge and belief.

Address 13339 Bayview Rd

City and State MT VERNON WA 98273

Phone 360-913-7087

Signature Vickie S. Jensen for \_\_\_\_\_  
(give corporation or company name)

### ACKNOWLEDGMENT

State of Washington )

ss. )

County of Skagit )

On this day personally appeared before me Vickie S. Jensen  
known to be the individual described in and who executed the within and foregoing instrument  
and acknowledged to me that she signed the same as her free and  
voluntary act and deed for the uses and purposes therein mentioned.

Kim A. Fair  
Notary Public in and for the State of Washington

Residing at Burlington

Date: 07/26/11



Other property owners in this application must be listed below:

Name Arthur D. JENSEN

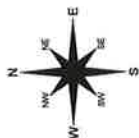
Address 13339 Bayview Rd City/State MT VERNON WA Zip 98273

# SKAGIT COUNTY

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T 35 N R 03 E

ATTENTION  
THIS MAP CONTAINS A PARCEL ACCOUNT  
AND A PARCEL INDEX. FOR THE MOST  
RECENT AVAILABLE INFORMATION, SEE  
THE EXACT LOCATION OF THIS PARCEL  
IN THE INDEX.

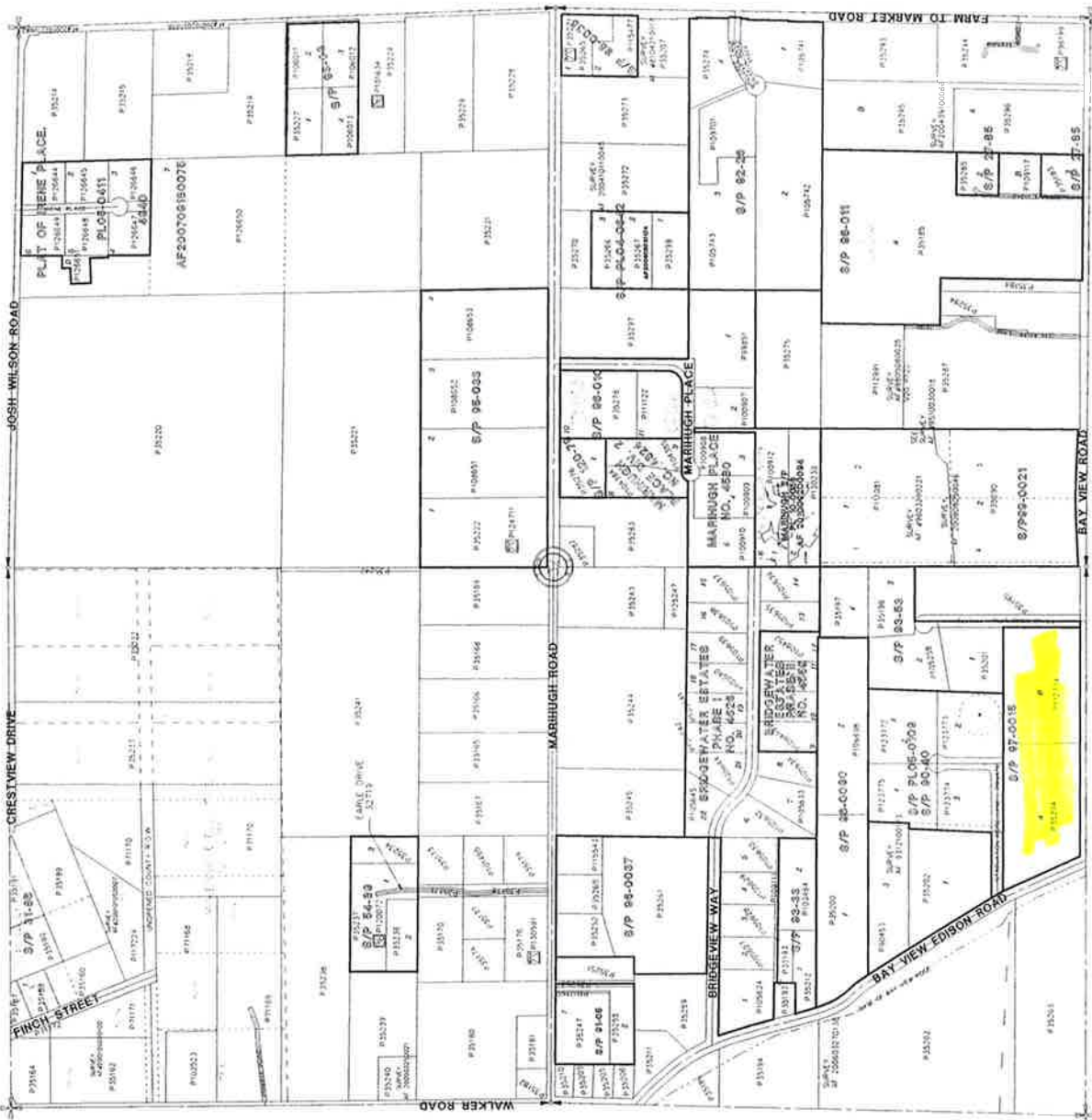


THIS MAP WAS DRAWN FROM AERIAL PHOTOGRAPHY  
TAKEN IN 1984. THE PARCEL BOUNDARIES SHOWN  
HEREIN ARE BASED ON THE BEST AVAILABLE INFORMATION  
AT THE TIME THIS MAP WAS DRAWN. THE SKAGIT COUNTY  
ENGINEERING DEPARTMENT DOES NOT WARRANT THE  
ACCURACY OF THE INFORMATION SHOWN ON THIS MAP.  
THE USER OF THIS MAP SHALL BE RESPONSIBLE FOR  
OBTAINING THE NECESSARY SURVEY DATA TO  
VERIFY THE ACCURACY OF THE INFORMATION SHOWN  
ON THIS MAP.

| DATE     | INIT    |
|----------|---------|
| DRAWN BY | 8/12/95 |
| REVISED  | 4/17/91 |
| PLOTTED  | 4/17/91 |
| CHECKED  | 8/12/95 |

Section 32

T 35 N R 03 E





Search by:

[Section](#)

[Parcel Number](#)

[Address](#)

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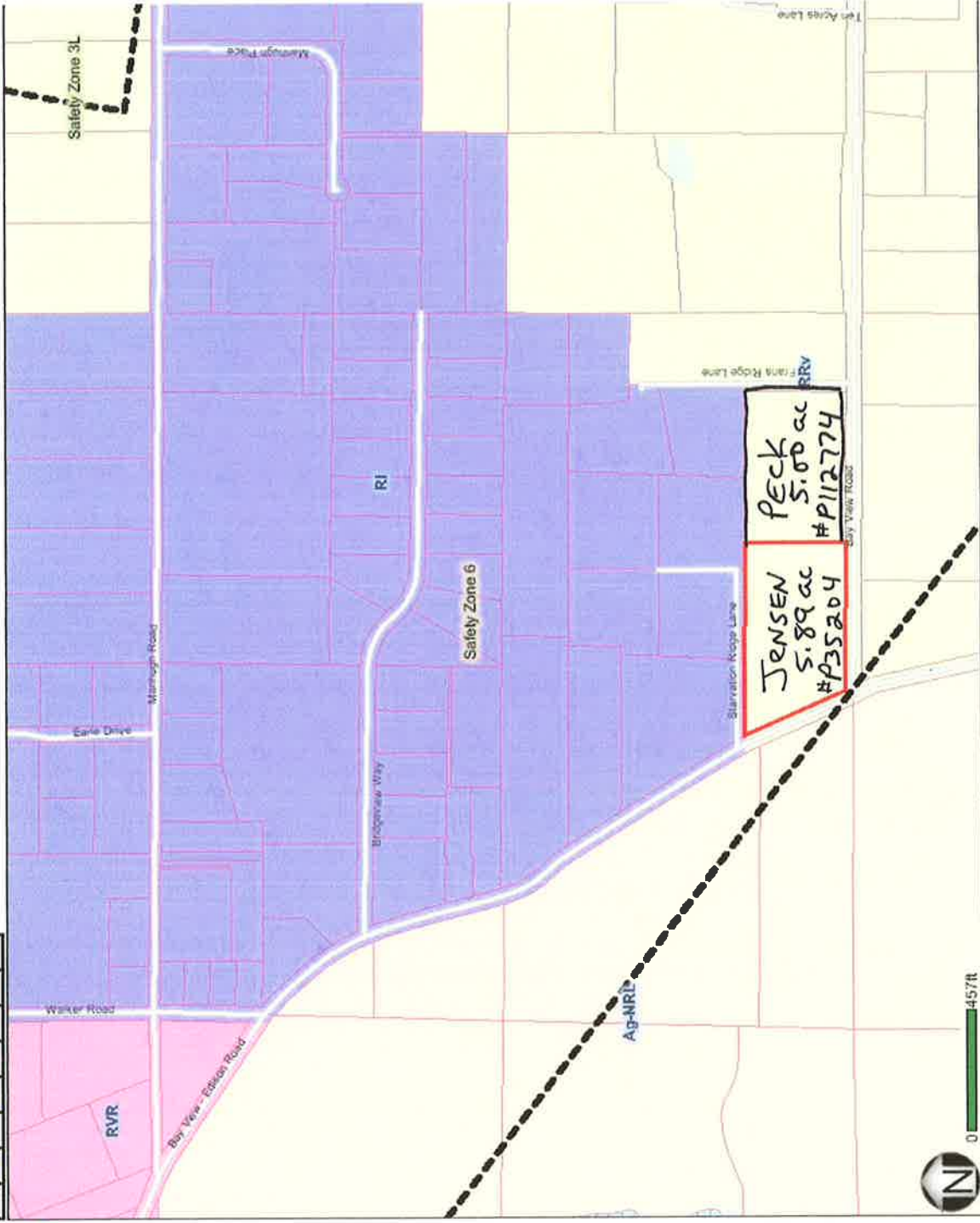
Search by:

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- [Parcel Number](#)
- [Address](#)
- [Xref ID](#)
- [Road Name](#)



Select Region

Select View





Return Name & Address:

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201105180051  
Skagit County Auditor

5/18/2011 Page 1 of 2 1:36PM

SKAGIT COUNTY PLANNING & DEVELOPMENT SERVICES

**LOT OF RECORD CERTIFICATION**

File Number: PL\_11-0143

Applicant Name: \_\_Daniel Peck\_\_

Property Owner Name: \_\_same

Having reviewed the information provided by the applicant, the Department hereby finds that the parcel(s) bearing Skagit County Parcel Number(s):

P#(s): \_112774; 350332-3-029-0100; within a Ptn of the South ½ of the SW ¼ of Sec. 32, Twp. 35, Rge 3. AKA Lot B Short Plat 97-0015, AF 9709300100.

Lot Size: \_\_approximately 5 acres

**1. CONVEYANCE**

X **IS**, a Lot of Record as defined in Skagit County Code (SCC) 14.04.020 or owned by an innocent purchaser who has met the requirements described in SCC 14.18.000(9) and RCW 58.17.210 and therefore IS eligible for conveyance.

**IS NOT**, a Lot of Record as defined in SCC 14.04.020 or owned by an innocent purchaser who has met the requirements described in SCC 14.18.000(9) and RCW 58.17.210 and therefore IS NOT eligible for conveyance or development.

**2. DEVELOPMENT**

**IS**, the minimum lot size required for the \_\_\_\_\_ zoning district in which the lot is located and therefore IS eligible to be considered for development permits.

X **IS NOT**, the minimum lot size required for the \_Rural Reserve zoning district in which the lot is located, but does meet an exemption listed in SCC 14.16.850(4)(c)(i) and therefore IS eligible to be considered for development permits.

Authorized Signature: \_\_\_\_\_

Date: \_\_5/17/2011\_\_

**See attached map for Lot of Record boundaries.**



5/18/2011 Page 2 of 2 1:36PM

Return Name & Address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



201105180052

Skagit County Auditor

5/18/2011 Page

1 of

2 1:37PM

SKAGIT COUNTY PLANNING & DEVELOPMENT SERVICES

**LOT OF RECORD CERTIFICATION**

File Number: PL\_11-0144

Applicant Name: \_\_Arthur Jensen\_\_

Property Owner Name: \_\_same

Having reviewed the information provided by the applicant, the Department hereby finds that the parcel(s) bearing Skagit County Parcel Number(s):

P#(s): \_35204; 350332-3-029-0203; within a Ptn of the South ½ of the SW ¼ of Sec. 32, Twp. 35, Rge 3.  
AKA Lot A Short Plat 97-0015, AF 9709300100.

Lot Size: \_approximately 5.8 acres

**1. CONVEYANCE**

☒ **IS**, a Lot of Record as defined in Skagit County Code (SCC) 14.04.020 or owned by an innocent purchaser who has met the requirements described in SCC 14.18.000(9) and RCW 58.17.210 and therefore IS eligible for conveyance.

**IS NOT**, a Lot of Record as defined in SCC 14.04.020 or owned by an innocent purchaser who has met the requirements described in SCC 14.18.000(9) and RCW 58.17.210 and therefore IS NOT eligible for conveyance or development.

**2. DEVELOPMENT**

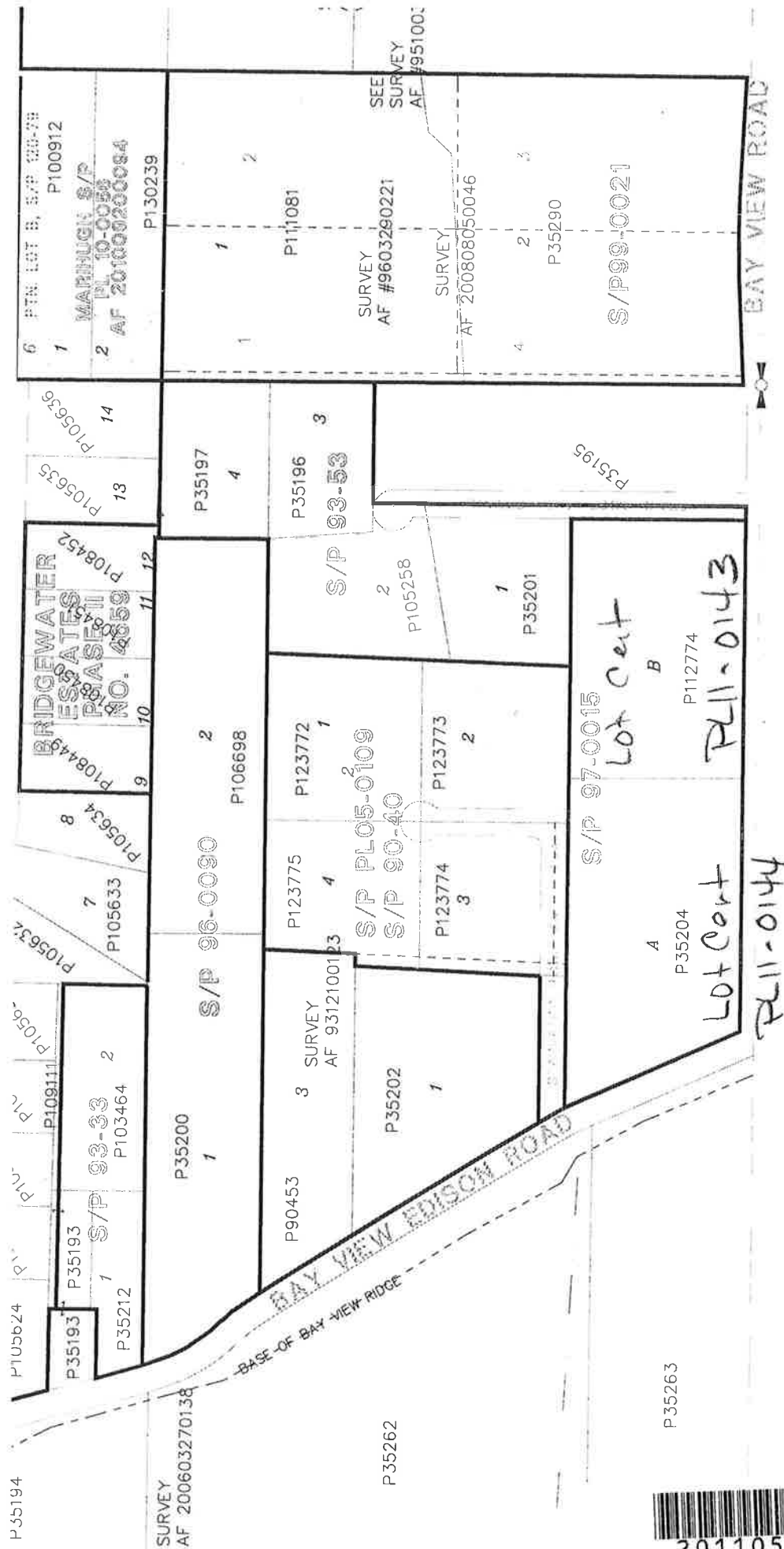
**IS**, the minimum lot size required for the \_\_\_\_\_ zoning district in which the lot is located and therefore IS eligible to be considered for development permits.

☒ **IS NOT**, the minimum lot size required for the \_Rural Reserve zoning district in which the lot is located, but does meet an exemption listed in SCC 14.16.850(4)(c)(i) and therefore IS eligible to be considered for development permits.

Authorized Signature: \_\_\_\_\_

Date: \_\_5/17/2011\_\_

**See attached map for Lot of Record boundaries.**



11/01/2/96

Copy

To the Planning Dept. and County Commissioners,

This is regarding the proposed zoning of our property. We understand that some people will have to sacrifice some in order that all will be able to enjoy the quality of life that Skagitonians are blessed with. We personally agreed with the proposed zoning change of our property. However, this final proposal is not at all what we were led to expect.

When we purchased our house with 10.7 acres it was zoned one-acre. When the Growth Management Plan process began we learned that the proposed zoning was to be 2.5 acre. This suited us as we do not like the one acre parcels that are in our neighborhood. We chose not to subdivide because we had followed the zoning proposal closely and as recently as last spring were assured by the planning office that our zoning was to be 2.5 acres. However, this last proposal suddenly excludes our parcel from the 2.5 acres and shows it as 10 acre zoning. If we had known this would happen we would have at least divided our land into two 5 acre lots so that we could build our planned home on our hill.

This zoning shift seems somewhat arbitrary in that the parcels north of us are still at 2.5 acres, and the dividing line has moved from being Bay View road to being our parcel. When asked why the change had occurred, we were told that the 2.5 zoning was not intended to allow for that size lot to be created but was used to cover areas with lots that were mostly already smaller than five acres. We feel our parcel is in this type of area, just as the ten acre parcel which borders us that is still in 2.5 and another which borders it. Furthermore, we are only three parcels from a development of one acre parcels, Bridgewater Estates.

We wish to have the zoning brought back and kept at 2.5 acres. We will not be able to build our home on the top of our hill if it's not 2.5 zoning. Our land is not farm, flood, or forest. We are more than willing to go from 10 lots to 4, but to lose zoning from 10 to 1 lot in an area that is developed is not right, especially when our neighbors are still allowed to develop their land.

Thank you for your consideration and all the work you have done on the GMP.

Sincerely,

1199 Bay View-Edison Rd.  
Mt. Vernon, Wa. 98273. 757-8415

4/13/97

To the Skagit County Planning Department,

Copy

This letter is a follow-up to our request about maintaining the proposed 2.5 acre zoning. After notice that the public could find out whether their requests had been approved we came to your office to find out about our request. There was no one at the office who seemed to know the status of our request. Finally, they showed us a map which indicated our property was still in the recently proposed 10 acre zoning. No reason was given and no individual comments made to us as to why our property was the only parcel of original 1 acre zoning that was suddenly in October put into 10 acre zoning. No reason was given as to why the zoning division line, which has historically been Bay View Road, was moved just one parcel North in order to include our parcel.

We would still like to be reconsidered into 2.5 acre zoning which is in keeping with all the property which borders us. All the neighbors to our North are still proposed into 2.5 acres. Our neighbors to the East, even if put into 10 acre zoning, have already divided into 5 acres or smaller. In fact if forced to 10 acre zoning, we would be the only large acreage that was originally 1 acre zoning for a few miles.

We are not farm, flood, or forest land. Our land is precisely the type of land where homes should be. We do not mind going from a possible 10 lots to 4 lots, but to go from 10 to only 1 lot is asking a lot of us. Our property is just 3 parcels South of Bridgewater Estates and 2.5 zoning would be in keeping with the transition from 'downtown' Bay View (city lots), through Bridgewater Estates (1 acre lots), to our area of 2.5 acres. Then South of our property line (Bay View Road, the historical zoning boundary) the proposed zoning is 10 acre (originally it was 5 acre minimum). To have four homes on 10 acres will still maintain a rural feel, especially when all the neighbors are 2.5 acres.

Please reconsider our property into 2.5 zoning. If you have any questions, please don't hesitate to contact us. Thank you again for your time and consideration.

Property is on corner of  
Bay View & Bay View-Edison Roads  
Assessor # \_\_\_\_\_

Daniel and Rebecca Peck  
1199 Bay View-Edison Rd.  
Mt. Vernon, Wa. 98273



Copy

4/13/97

To Commissioner Bob Hart,

We have tried to get this resolved by using the procedures within the planning department, but have gotten no satisfaction, and so are now asking for your help. We own 10.8 acres of property at the corner of Bay View-Edison Rd and Bay View Rd. Our property is zoned 1 acre minimum at present. We had been assured by persons in the planning dept. for the last couple of years that it would be in the 2.5 acre zoning category after the revisions due to the growth plan. We hadn't checked since last summer, and then when we checked after the last public hearing, we found that in October they had moved the line between the 10 acre and the 2.5 zoning one parcel North from Bay View Rd. to include our property. We requested in the last public comment period that our parcel be included with those zoned 2.5, but were obviously turned down, as ours is still zoned 10 acres on the new map. Nobody at the planning dept. could give us any more information than that.

If left as is, our parcel will be the only piece of view property in the area that was originally 1 acre minimum that is downgraded to 10 acre instead of 2.5. All of our neighbors to the north will be zoned 2.5, and our neighbors to the east have already divided their property. Before this is all written in stone for the next 17 years, we would like to have our property changed back to 2.5 acre zoning.

Thank you for your time and for considering our request. If you have any questions or comments, please call and we will be happy to talk it over.

Property is on the corner of  
Bay View & Bay View-Edison Roads  
Assessor # \_\_\_\_\_

Daniel and Rebecca Peck  
1199 BayView-Edison Rd.  
Mt. Vernon, WA 98273  
757-8415

ROBERT HART  
FIRST DISTRICT

HARVEY WOLDEN  
SECOND DISTRICT

TED W. ANDERSON  
THIRD DISTRICT



# SKAGIT COUNTY

BOARD OF COMMISSIONERS  
Skagit County Administration Building  
700 S. Second, Room 202  
Mount Vernon, Washington 98273  
(360) 336-9300  
FAX # (360) 336-9307

April 30, 1997

Copy

Daniel & Rebecca Peck  
1199 BayView-Edison Road  
Mount Vernon, WA 98273

Dear Mr. & Mrs. Peck:

Thank you for your letter of April 13, 1997 regarding the zoning designation of your property. There will be a window of opportunity for you to request a change in designation at no cost to you.

The Planning Commission Comprehensive Plan Recorded Motion dated March 20, 1997 has the following finding which is expected to be adopted by the Board of County Commissioners. This finding reads as follows:

It may be possible that an individual's property receives a comprehensive plan land use designation based on a technical mapping error or by inadvertent application of designation criteria to the subject property. To address inadvertent mapping errors in the first year of comprehensive plan review, a property owner may present the County with information through July 31, 1997 indicating that its property did not meet the land use designation criteria and was therefore designated in error. The County shall review this information as part of its first annual review of the comprehensive plan. The property owner shall not be required to pay the fees otherwise required for a comprehensive plan amendment, if the sole reason for the request is to correct an error in applying the designation criteria. This comprehensive plan land use designation review process is not intended to change any of the land use designation criteria approved by the County, including, but not limited to those criteria that allow inclusion of some parcels that may not individually meet a land use designation criteria if they are contained within a larger area of parcels that do meet the designation criteria. First year amendments to the comprehensive plan should be primarily limited to comprehensive plan land use designation mapping errors. The procedures and timelines for processing the amendments will follow those as prescribed in the comprehensive plan, unless otherwise stated above.



TRICO CONTRACTING, INC.  
OVERWAY BAYVIEW WATERLINE  
BURLINGTON, WA

INVOICE NO. 5380-1  
DATE: 4/25/06

| ITEM<br>NUMBER | DESCRIPTION             | QTY.     | UNIT | UNIT<br>PRICE | TOTAL<br>PRICE | TOTAL<br>QUANTITY | TOTAL<br>AMOUNT | PREVIOUS<br>QUANTITY | PREVIOUS<br>AMOUNT | CURRENT<br>QUANTITY | CURRENT<br>AMOUNT |
|----------------|-------------------------|----------|------|---------------|----------------|-------------------|-----------------|----------------------|--------------------|---------------------|-------------------|
| 1              | Mobilization            | 1.00     | EA   | \$ 950.00     | \$ 950.00      | 1.00              | \$ 950.00       | -                    | -                  | 1.00                | \$ 950.00         |
| 2              | D.I. Waterline          | 1,486.00 | LF   | \$ 34.00      | \$ 50,524.00   | 1,486.00          | \$ 50,524.00    | -                    | -                  | 1,486.00            | \$ 50,524.00      |
| 3              | 2" Blow-Off Assy        | 1.00     | EA   | \$ 900.00     | \$ 900.00      | 1.00              | \$ 900.00       | -                    | -                  | 1.00                | \$ 900.00         |
| 4              | 1" Air/Vac Assy         | 1.00     | EA   | \$ 1,200.00   | \$ 1,200.00    | 1.00              | \$ 1,200.00     | -                    | -                  | 1.00                | \$ 1,200.00       |
| 5              | Fire Hydrant Assy       | 1.00     | EA   | \$ 3,250.00   | \$ 3,250.00    | 1.00              | \$ 3,250.00     | -                    | -                  | 1.00                | \$ 3,250.00       |
| 6              | Service                 | 4.00     | EA   | \$ 900.00     | \$ 3,600.00    | 4.00              | \$ 3,600.00     | -                    | -                  | 4.00                | \$ 3,600.00       |
| 7              | Pit Run Backfill        | 1,100.00 | TN   | \$ 8.00       | \$ 8,800.00    | 1,100.00          | \$ 8,800.00     | -                    | -                  | 1,100.00            | \$ 8,800.00       |
| 8              | Crushed Rock Shoulder   | 60.00    | TN   | \$ 25.00      | \$ 1,500.00    | 301.22            | \$ 7,530.50     | -                    | -                  | 301.22              | \$ 7,530.50       |
| 9              | Asphalt Patch as Needed | 1.00     | TN   | \$ 165.00     | \$ 165.00      | -                 | -               | -                    | -                  | 0.00                | -                 |
| 10             | Service Stub            | 3.00     | EA   | \$ 350.00     | \$ 1,050.00    | 3.00              | \$ 1,050.00     | -                    | -                  | 3.00                | \$ 1,050.00       |
| TOTAL          |                         |          |      |               | \$ 71,939.00   |                   | \$ 70,087.86    |                      | \$ -               |                     | \$ 70,087.86      |

|                   |              |              |
|-------------------|--------------|--------------|
| MATERIALS ON-HAND | \$ -         | \$ -         |
| SUB TOTAL         | \$ 70,087.86 | \$ 70,087.86 |
| WSSI 8.00%        | \$ 5,607.03  | \$ 5,607.03  |
| TOTAL AMOUNT      | \$ 75,694.89 | \$ 75,694.89 |

Copy  
Proof of  
POD water  
brought across West of Jensen's

7600 MAREY  
20000<sup>00</sup> JENSEN  
24001745 OVERWAY  
24001745 OVERWAY  
75694.90

TRICO Contracting, Inc.  
P.O. Box 409  
15066 Josh Wilson Road  
Burlington, WA 98233  
(360) 757-2373

Invoice:

5380-1..

Sold  
to

JAY OVERWAY AND LARRY QUESNELL  
13341 BRIDGEVIEW WAY  
11858 FRANS RIDGE LANE  
MOUNT VERNON, WA 98273-7271

Ship  
to

Overway Bayview Waterline  
Bayview Edison Rd  
Bow, WA 98232

Account  
OVERWAYJ

P.O. Num

Ship Via

Ship Date

Terms  
Net 30

Invoice  
Date Page  
04/25/2006 1

Item  
LUMP SUM BID

Quantity Description  
1 Pay Estimate No. 1  
Taxable Work April 1, 2006  
through April 25, 2006

Unit Extended  
Price Price  
70087.86 70,087.86

Copy  
Full bid of  
PUD MAN

Thank You For Your Business!

Subtotal 70,087.86  
Tax 5,607.03  
Total \$75,694.89



# PUBLIC UTILITY DISTRICT NO. 1 OF SKAGIT COUNTY

## NEW WATER SERVICE APPLICATION

Date: 6/30/10 Taken By: [Signature] Plant: Bayview Customer #: \_\_\_\_\_

**Applicant Information:**

Name: Art Jensen  
 Service Address: 13339 Bayview Rd  
MOUNT VERLON, WA

**Billing Information:**

Billing Address: 11134 VIEW RIDGE DR.  
BURLINGTON, WA 98233  
 Telephone #: 360-757-2721

Lot \_\_\_\_\_ Development \_\_\_\_\_

Parcel # 735204

**Fees:**

Service Type: I \$ 515<sup>00</sup>

SDF: \$ 2,880<sup>00</sup>

Lien: \$ \_\_\_\_\_

Latecomer (PUD): \$ \_\_\_\_\_

Refund (Developer): \$ \_\_\_\_\_

Permit: \$ \_\_\_\_\_

Recording: \$ \_\_\_\_\_

TOTAL: \$ 3,395<sup>00</sup>

**Service Information:**

Service Size: 3/8"

☐ Seal ☒ Unseal

☐ Service Agreement

☐ Service Contract

☐ Irrigation Agreement

☐ Cross Connection

C.O.# \_\_\_\_\_ W.O.# \_\_\_\_\_

Comments: \_\_\_\_\_

- ☒ Residential (A)  
☐ Multiple (B) #Units: \_\_\_\_\_  
☐ Commercial/Industrial/Nonprofit (C)  
☐ Farms (D)  
☐ Governmental (E)  
☐ Resale (F)  
☐ Irrigation (G)  
☐ Deduct Irrigation-Only (I)  
☐ Deduct Non-Irrigation (N)  
☐ Master Meters (J)  
☐ Statement No Bill (K)  
☐ Fire Sprinkler Service (L)  
☐ Tribal Sales (Reservation/Trust Land Only)

Copy  
of  
Water  
Meter

☒ The pressure at the service location is greater than 80 pounds per square inch (psi). It is recommended that the applicant install a pressure reducing valve to reduce the pressure to less than 80 psi. Consult your plumber and/or building official.

☐ The pressure at the service location is less than 40 pounds per square inch (psi). The applicant may wish to install a booster pump and pressure tank, and/or oversize your piping and household plumbing. Consult your plumber and/or building official.

For new water services, 2-inch and smaller, a dual check valve will be included in the meter assembly. The check valves will create a closed pressure zone within the customer's plumbing system. Installation and maintenance of a thermal expansion tank and pressure/temperature relief valve are necessary to satisfy building regulations. Consult your plumber and/or building official and the Uniform Plumbing Code for the specific requirements.

Meter Size: \_\_\_\_\_ Make: \_\_\_\_\_

Route #: \_\_\_\_\_ Stop #: \_\_\_\_\_

Reading: \_\_\_\_\_

Property #: \_\_\_\_\_

|         |                                |                                       |              |
|---------|--------------------------------|---------------------------------------|--------------|
| AMR Id# | Place<br>AMR Id#<br>label here | Place<br>Meter Serial #<br>label here | Mtr Serial # |
|---------|--------------------------------|---------------------------------------|--------------|

Installed By \_\_\_\_\_ Date Installed \_\_\_\_\_ Time Installed \_\_\_\_\_ Pressure at Meter psi Keyed By & Date \_\_\_\_\_

The undersigned hereby applies for water service at the premises described above and in consideration therefore agrees to pay for water service at the established rates and fees that are now in effect or hereafter amended. The undersigned also agrees to abide by all present and future District rules concerning such service. Service will continue until the District is notified by the undersigned to terminate or upon action taken by the District for non-payment or violation of District code, policies and/or rules. Venue for any action shall rest in Skagit County, Washington, and the undersigned agrees to pay all amounts due, including but not limited to, late charges, interest, and a reasonable sum for attorney fees and costs associated with any such action as outlined in the credit and service policy.

It is understood and agreed that the District is not liable for damages due to the interruption of service, whether caused by accident, construction or any other cause, including the District's own negligence. Any interruption shall not relieve applicant from the obligation to pay the District's standard service fees.

It is understood and agreed that the above fees and charges are for units of water and/or service only, and the applicant is not buying a water meter or other material from the District. The District is and shall remain the owner of all meters, pipes and appurtenances. However, the District has no responsibility beyond the water meter. The service line and all appurtenances from the water meter to the house are owned by the applicant, and the applicant is responsible for repair and maintenance of same.

The District's water contains chlorine or chloramines. This treated water can be dangerous to aquatic life. The water must be neutralized prior to discharge to an environmentally sensitive area.

Applicant: \_\_\_\_\_

Signature

Printed Name

☒ Owner  
☐ Builder