

BEFORE THE SKAGIT COUNTY HEARING EXAMINER

FINDINGS AND RECOMMENDATION

Applicant: William and Patsey Blunt

Address: 30714 Lyman-Hamilton Highway
Sedro Woolley, WA 98284

File No: Current Use Open Space #04-2014

Request: To include 11.49 acres in the Current Use Open Space program

Location: North of Lyman off Prevedal Road, a portion of the
NW1/4SE1/4 Sec. 7, T35N, R6E., W.M.

Assessor's Nos: P40811 and P128191

Public Hearing: After reviewing the report of the Assessor's Office, the Hearing
Examiner conducted a public hearing on October 29, 2014

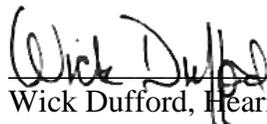
Recommendation: Approval for all but access road portion. Denial for access road.

FINDINGS

1. On July 8, 2014, William and Patsey Blunt filed an application for the inclusion of approximately 11.49 acres in the Current Use Open Space program.
2. The property is located north of Lyman, off of Prevedal Road, within a portion of NW1/4SE1/4 Sec. 7, T35N, R6E, W.M. The Parcel Numbers are P40811 and P128191. .
3. The request relates to the remaining portion of Short Plat 07-0919 (excluding building lots) of which 55.69 acres are already included in open space.
4. The request includes the paved access road (Tract B - Blossomberry Lane) which comprises approximately 1.65 acres.
5. The area which is not within the access road is appropriate for inclusion in the Current Use Open Space Program. As to that area, the classification would conserve natural resources.
6. However, inclusion of the access road apparently presents a question not previously decided by the County. After reviewing records for the past several years, the County Assessor's Office found no instances in which a road has been accorded an open space classification.
7. There is nothing in the Washington Administrative Code (WAC) that covers this question. The County Assessor's Office asked the State Department of Revenue for its view on the matter and was advised that it is up to the legislative authority of the County to adopt a policy to be consistently followed.
8. The County Assessor's Office questions whether the improved, paved surface is within the intent of the open space program which is largely concerned with the preservation of natural, recreational or scenic features.
9. The hearing was held after due notice. The applicants were present. Mr. Blunt testified. He asserted that the road is in fact open space. He pointed out that the road improvement was required in the approval of the short plat and urged that access through open space property should be included in the open space category.
10. The Hearing Examiner concludes that inclusion of the access road would be contrary to the intent of the open space statute.

RECOMMENDATION

The Examiner recommends approval of the application with the exception of the access road area.


Wick Dufford, Hearing Examiner

Date: November 20, 2014

Copies transmitted to Applicant: November 20, 2014