

BEFORE THE SKAGIT COUNTY HEARING EXAMINER

FINDINGS, CONCLUSIONS AND DECISION

Applicant: Word Of Grace Ministeries
c/o Tammie Gelis and Kathleen Huang
93030 Dandy Place
Rockport, WA 98283

File No: PL04-0559

Request: Special Use Permit

Location: South side of SR 20 at 9303 Dandy Place near
Marblemount, within a portion of Sec 23, T35N,
R10E, W.M.

Land Use Designation: Rural Intermediate

Summary of Proposal: To operate a Christian retreat facility using existing cabins
and house.

Public Hearing: After reviewing the report of the Planning and Permit
Center, the Hearing Examiner conducted a public hearing
on January 12, 2005.

Decision: The application is approved, subject to conditions.

FINDINGS OF FACT

1. Word of Grace Ministries (applicant) seek a Special Use Permit to operate a retreat facility (Grace Haven) on property located off of SR 20 near Marblemount.
2. The site is a 4.5 acre area at 9303 Dandy Place, within a portion of Sec. 23, T35N, R10E, W.M.
3. The property is accessed from SR 20 and contains an existing well and on-site septic facilities. There are five existing cabins in the middle of the property and a main house situated within the north half of the parcel. There are trees and scattered open grass areas.
4. The proposal is to use the existing structures as a Christian ministry retreat center. Individuals and groups would rent the existing cabins and use the common meeting room (on the ground level of the main house) for retreat/study purposes.
5. The hours of operation would vary according to the rental frequency. The only employees are the director and a volunteer helper. The expected use of the meeting room, when rented, would be between the hours of 9:00 a.m. and 10:00 p.m. Each cabin can accommodate up to four guests, so a maximum of 20 guests could stay at the facility if all cabins were booked at once. The meeting room is about 12' by 24' in size.
6. No changes in the entry or parking would need to be made to accommodate the proposed change of use. Each cabin has its own parking and there is space at the main house for an additional 8-10 cars. The meeting room is to be used for those renting the cabins. No increase in vehicle traffic is expected beyond the current potential.
7. The facility is in a rural area surrounding by scattered residential structures and natural vegetation. Since meetings on site would be indoors, noise is not expected to present a problem.
8. The existing structures have been rented as recreational cabins for several decades. The only significant physical change proposed is the conversion of a large room in the house into a meeting room. There would be little change in the appearance of the development.
9. Environmental review resulted in the issuance of a Determination of Non-Significance (DNS) under the State Environmental Policy Act (SEPA) on September 30, 2004. The DNS was not appealed.
10. No public comments were received on this application.

11. Review by County agencies brought routine concerns which are reflected in conditions of approval. Questions about the water system were resolved during the permit process, and a provisional approval of the system was issued by the Health Department. The approval means that the system is adequate for existing services but may not be expanded to supply additional services without upgrading.

12. The existing septic system for a four bedroom residence is considered to have adequate capacity to handle the demands of the meeting room.

13. The criteria for Special Use Permit issuance 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 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 or services and will not adversely affect public services to the surrounding areas, or conditions can be established to mitigate adverse impacts on such facilities.

14. The Staff reviewed the application in light of the above criteria and found that, as conditioned, the proposal will comply 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.

15. 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.
2. The requirements of SEPA have been met.

3. In reviewing the application, the Staff determined that the proposed use is a “church” use. Under SCC 14.16.300(4)(g), “church” is a use allowed in the Rural Intermediate district with a Hearing Examiner Special Use Permit.

4. The findings support a conclusion that the standards for Special Use Permit issuance will be met if the conditions set forth below are imposed. See SCC 14.16.900(2)(b)(v).

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

CONDITIONS

1. The applicant shall operate and maintain the retreat center as described in the application materials, except as the same may be changed by these conditions.

2. The applicant shall obtain all other necessary permits and approvals.

3. The applicant shall comply with all Health Department requirements. No expansion of the existing water system shall occur without approval from the Health Department.

4. The applicant shall maintain the septic system and take care not to stress this system beyond its capacity.

5. The applicant shall comply with all relevant provisions of the Skagit County Code, including Chapter 14.24 – Critical Areas Ordinance – and Chapter 14.16 Skagit County Code – Zoning Ordinance.

6. The permit shall be invalid if the project is not started within two years from the date of final approval.

7. If the use is abandoned for a period of one year, the Special Use Permit shall become null and void.

8. The Planning and Permit Center shall be notified with 30 days after any change in ownership of the subject parcel.

9. The applicant shall submit a copy of this decision with any required building permit applications.

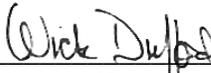
10. If any significant change occurs in the intensity of the use, further review will be needed by the Planning and Permit Center and Health Department. A significant change in intensity of use includes the use of additional structures associated with the

use, an increase in the number of people using the site, activities in addition to those listed in the application.

11. Failure to comply with any condition of approval may result in permit revocation.

DECISION

The requested Special Use Permit is approved, subject to the conditions of approval set forth above.



Wick Dufford, Hearing Examiner

Date of Approval: February 10, 2005

Date Transmitted to Applicant: February 10, 2005

RECONSIDERATION/APPEAL

As provided in SCC 16.06.180, a request for reconsideration may be filed with the Planning and Permit Center 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 the Planning and Permit Center within 14 days after the date of the decision, or decision on reconsideration, if applicable.