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Skagit County Auditor

5/3/2006 Page 1 of 5 2:59PM

SKAGIT COUNTY PLANNING & DEVELOPMENT SERVICES

**PLAT LOT OF RECORD CERTIFICATION**

File Number: 06-0397

Applicant Name: Tim Brown

Property Owner Name: George Seyler

The Department hereby finds that Lot(s) 15 & 16 & West 40 ft. of Lot 1, Block 7, of Plat of Montborne recorded on May 21, 1890, Volume 2, Page 80

Parcel Number(s): P 74585; 4135-007-016-0007

**1. CONVEYANCE**

**IS a** Lot of Record as defined in Skagit County Code (SCC) 14.04.020 and therefore **IS/ARE** eligible for conveyance.

**2. DEVELOPMENT**

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

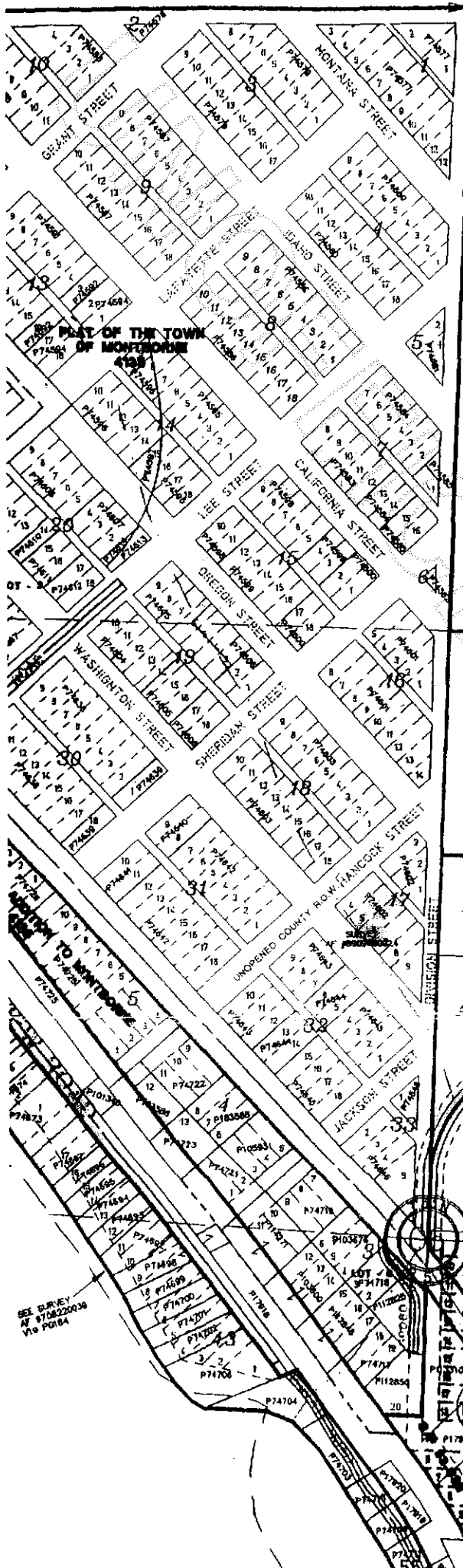
**IS/ARE NOT**, the minimum lot size required for the \_\_\_\_\_ zoning district in which the lot(s) is/are located, but does meet an exemption listed in SCC 14.16.850(4)(c) \_\_\_\_\_ and therefore **IS/ARE** eligible to be considered for development permits.

**IS NOT** the minimum lot size required for the Rural Village Residential zoning district in which the lot is located, does not meet an exemption listed in SCC 14.16.850(4)(c) and therefore **IS NOT** eligible to be considered for development permits.

Authorized Signature: Howe Roeder

Date: 5/1/2006

See Attached Map



P17924

LOT - 2

Lot Certification

57

**SURVEY  
10. 809**

PLO5-0745	P#	17924
PLO6-0397	P#	74585
PLO6-0398	P#	74582
PLO6-0399	PA	74600
PLO6-0400	PA	74601
PLO6-0401	PA	74606
PLO6-0402	PA	74603
PLO6-0403	P#	74581
PLO6-0404	PA	74584
PLO6-0405	PA	74599
PLO6-0406	PA	74605

P17505

P17961



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# PLANNING & DEVELOPMENT SERVICES

GARY R. CHRISTENSEN, AICP, DIRECTOR

OSCAR GRAHAM, DEPUTY DIRECTOR

PATTI CHAMBERS  
Administrative Coordinator

BILL DOWE, CBO  
Building Official

May 1, 2006

Re/Max Valley Homes  
Tim Brown  
1413 E. College Way  
Mount Vernon, WA 98273

RE: Seyler Lot Certifications

Dear Tim:

Thank you for meeting with me on April 4 to discuss the Lot Certifications for the George Seylor property at Big Lake. Also, Thank You very much for your patience during this lengthy review. This letter will attempt to reiterate some of our discussion. However, please feel free to contact me for any clarification.

Parcel P 17924, Government Lot 2, is designated Rural Resource-Natural Resource Land. Rural Resource has a minimum lot size of 40 acres. This parcel is in compliance with the required minimum lot size. This parcel has a subdivision potential of four additional lots under the CaRD Subdivision Ordinance.

The current zoning designation of the Montborne Plat area is Rural Village Residential. The Rural Village Residential designation has a minimum lot size of one acre with **public water** and onsite sewage disposal or 2.5 acres with onsite sewage disposal and private water (well). Although, portions of certain Blocks appear to be a "Lot of Record", it will be necessary to combine adjacent "lots of record" in an attempt to attain the required minimum lot size. If the resulting "lot" still does not comply with either of the required minimum lot sizes the resulting parcel is eligible to apply for the Reasonable Use Exemption (RUE) in order to allow residential development.

It appears that none of the platted roads between the platted blocks have been vacated and absorbed into the lots and blocks. The Plat of Montborne was recorded in 1890. Roads within a plat that old that were not constructed within the first five years are by "operation of law" not considered County road right-of-way. The non-vacating of those roads allows each block or respective block portion as described in each description to be considered a "lot of record". At

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Skagit County Auditor

5/3/2006 Page

3 of

5 2:59PM

Tim Brown  
May 1, 2006  
Page Two

this time, each "lot of record" not in compliance with either of the noted required minimum lot size is eligible for "conveyance only".

Please review Block 19 as an example: P74606 is a "Lot of Record". P74605 is also a "Lot of Record". However, neither "lot" complies with either of the required minimum lot sizes. The Seyler ownership of Block 19 appears to be a total of approximately 1.5 acres in size. In this instance, if public sewer and public water were available, and the two "lots" were combined, the resulting lot would not need a RUE. However, by contrast, if the water supply would need to be a well, a RUE would be required for residential development due to not complying with the required minimum lot size for on-site water.

Block 15 has 2 "Lots of Record". The total area of Seyler ownership for Block 15 is approximately 1.2 acres. Again, if public sewer and **public water** were available, and the two "lots" were combined, it would not be necessary to apply for a RUE.

Block 18 is approximately 2 acres in size. Block 16 is approximately one acre in size.

Block 7 has 2 "Lots of Record". Combined, the area of the 2 "Lots" is approximately 18,000 sq. ft. Even combined, these two "Lots" do not comply with either required minimum lot size. Thus, Block 7 with the "lots combined" will require a RUE for residential development.

Block 5, P74581 is approximately 7,800 sq. ft. It might be possible to do a Quiet Title Action on adjacent roads in order to obtain additional area. However, it appears that a RUE may be required for residential development on Block 5.

It may be advisable to create a site plan with potential building sites as well as first the type of water supply and then the type of on-site sewage disposal. The lot size requirement is dependent on the type of water supply utilized. A RUE may be obtained for a lot not complying with the required minimum lot size, however if on-site water is proposed for a certain lot, it would be advisable to determine the area available in order to comply with the required protection area for the well. On-site water (well) requires a 100 ft. radius protection area, or possible protective area easements. This information



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Tim Brown  
April 25, 2006  
Page Three

will help in determining how much physical land area is required for a "lot" and whether or not well-protection easements are necessary.

At such time as one or more RUE's are proposed, it will be necessary to combine the respective "lots" through the Boundary Line Adjustment (BLA) process. There is no application fee for these types of BLA's.

It should be noted that if the original platted roads are proposed to be utilized for access, the type of road construction will be determined by the Department of Public Works depending on the number of lots accessing a given "road". Even if the original platted roads are not utilized, Department of Public Works will determine the type of road construction required, again based on the number of lots accessing a given "road". Road construction will require a Grading Permit and construction can vary from gravel to asphalt. It may be advisable to have a preliminary proposal with lots and roads depicted and schedule a pre-application meeting.

Critical area review will also be required. Critical areas could also have an impact on the amount of lot area required for potential residential development.

This letter is very general in nature. However, I hope the information is enough to at least "get started". Please feel free to contact this office for further, detailed information.


Enclosed please find copies of the unrecorded Lot Certifications. The originals have been forwarded to the Auditor's for recording. When the recorded originals are received, they and invoices for recording fees be forwarded to you.

Sincerely,

*Grace Roeder*  
Grace Roeder, Associate Planner  
Planning & Community Development

Cc: George Saylor

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Skagit County Auditor  
5/3/2006 Page 5 of 5 2:59PM