SKAGIT COUNTY OFFICE OF THE HEARING EXAMINER

re: The application for a Zoning Variance by Schwetz

PLAN 4-25-0001 (BOCC VAR)

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND **RECOMMENDATION**

SUMMARY OF APPLICATION AND DECISION

Application: The Ag-NRL zone requires a minimum lot size of 40-acres. The Applicants, Peter

Travis Schwetz and Kelly Schwetz, request a variance to reduce the minimum lot size of a preexisting legal non-conforming 8.82-acre lot in order to divide it into two smaller non-conforming lots and construct an additional single-family

residence within the Agricultural Natural Resource Land (Ag-NRL) zone.

Recommendation: The requested Variance permit should be denied.

INTRODUCTION

The following Findings of Fact and Conclusions of Law are based upon consideration of the exhibits admitted and evidence presented at a properly noticed public hearing.

FINDINGS OF FACT

Page **1** of **15** HE Decision –PLAN4-2025-0001 – Schwetz Applicant/Owner: Peter Travis Schwetz and Kelly Schwetz

Site Address: 16387 Bradley Road

Bow, WA 98233

<u>Legal Description</u>: PTN TRACT 15 LWL SAMISH RIVER ACREAGE

Parcel No (s): P106339 / 3989-001-015-0400, P68672 / 3989-001-015-0000

Lot Size: 8.82 acres

Zoning: Agricultural – Natural Resource Lands (Ag-NRL)

Water Supply: Private well – existing

Sewage Disposal: Septic

Fire Protection: Fire District 5

Application Date: 5/30/2025

Notice of Incompleteness: 6/24/2025

Response to Notice of Incompleteness Rcvd: 7/08/2025

<u>Automatically Deemed Complete</u>: 7/21/2025

Shoreline Designation: N/A

Statewide Significance: No

<u>SEPA Review</u>: The proposed variances is a minor land use decision, therefore, are

exempt from SEPA review under WAC 197-11-800(6)(e).

Notice Information: Notice of Application, posted at property, August 20, 2025

Notice of Application, mailed, August 20, 2025 Notice of Application, published, August 21, 2025

Notice of Public Hearing, posted at property, November 5, 2025

Notice of Public Hearing, mailed, November 5, 2025 Notice of Public Hearing, published, November 6, 2025

Primary Authorizing Codes, Policies, Plans, and Programs:

- Revised Code of Washington (RCW)
 - o RCW 36.70A, Growth Management Act
 - o RCW 36.70B, Local Project Review
- Washington Administrative Code (WAC)
 - o WAC 197-11, SEPA Rules
- Skagit County Code (SCC)
 - o SCC 14 Unified Development Code
 - SCC 14.02 General Provisions
 - SCC 14.02.070 Office of the Hearing Examiner
 - SCC 14.06 Permit Procedures
 - SCC 14.07 Nonconforming Uses and Structures
 - Former SCC 14.10 Variances
 - SCC 14.13 Natural Resource Zones and Uses
 - SCC 14.13.100, Agricultural- Natural Resource Lands (Ag-NRL)
 - Former SCC 14.16
 - Former SCC 14.16.400, Agricultural- Natural Resource Lands (Ag-NRL)¹
 - SCC 14.18 Use Standards
 - SCC 14.18.102, Single Family Residence
 - SCC 14.24 Critical Areas Ordinance
 - SCC 14.32 Stormwater Management
 - SCC 14.48 Shorelines
 - SCC 14.58 Variances
- Skagit County Comprehensive Plan 2024-2025, as adopted by Skagit County Board of Commissioners on 6/23/25 (SCP or "Comprehensive Plan")
- Skagit County Hearing Examiner's Rules of Procedure (SCRE), as authorized by Skagit County Commissioners per Resolution #R20240280 on 12/16/24

Hearing Date: 11/21/25 at 8:30 AM continued through 12/1/25 at 5:00 PM

Testifying Parties of Record:

Daniel Hasenoehrl, Associate Planner Skagit County Planning & Development Services 1800 Continental Place Mount Vernon, WA 98273

Peter Travis Schwetz 16387 Bradley Rd Bow, WA 98233

¹ Repealed on 6/23/2025 by Skagit County Ordinance 020250005.

Lora Claus, Executive Director Skagitonians to Preserve Farmland 414A Snoqualmie St. Mount Vernon, WA 98273

Mathew Bouzek 16571 Bradley Rd Bow, WA, 98232

Jan Edelstein 17173 West Big Lake Blvd. Mount Vernon, WA, 98274

Ellen Bynum, Executive Director Friends of Skagit County 110 N. 1st Street, Suite C Mount Vernon, WA 98273

Hearing Examiner Exhibit List:

- 0. Complete Application Materials, dated various dates, filed 11/25/25
 - **0.1.** 1994 VIRGIL TRUST TO EDWARD LOT D-2025-04-21_V1
 - **0.2.** 1995 VIRGIL TRUST TO EDWARD LOT D1-2025-04-21_V1
 - **0.3.** 16387 P68672 CRITICAL AREAS 2-3-2005-2025-04-21_V1
 - 0.4. FINE ISSUED & SIGNED PERMIT JULY 2020-2025-04-21_V1
 - 0.5. P 106339 300 FT NEIGHBORS-E1 V1
 - 0.6. SCHWETZ P68672 2025 RE TAX-2025-04-21 V1
 - **0.7.** SCHWETZ P106339 2025 RE TAX-2025-04-21_V1
 - 0.8. SEPA_ENVIRONMENTAL CHECKLIST SCHWETZ P106339-I1_V1
 - 0.9. Signature
 - 0.10. Variance Request Schwetz P68672 P106339 April 2025-K1_v1
 - **0.11.** SCC 14.16-2025-04-21_V1
 - **0.12.** Site Map 11X17 P106339-J1_v1
 - 0.13. FILE HISTORY FOR PLAN4-2025-0001
 - **0.14.** RECEIPT PLAN4-2025-0001
- 1. Permit Application Materials-Site Plan, dated May 30, 2025
- 2. Permit Application Materials-Code Reference, dated May 30, 2025
- 3. Determination of Incompleteness, dated June 24, 2025
- 4. Additional Materials in Response to Determination of Incompleteness, dated July 8, 2025
- 5. Skagit Publishing Advertising Proof for August 21, dated August 19, 2025
- 6. Notice of Development Application, dated August 19, 2025
- 7. Certificate of Posting, dated August 20, 2025
- 8. Photos of Posting, dated August 20, 2025
- 9. Certificate of Mailing with Attached List of Property Owners Within 300 feet, dated August 20, 2025

- 10. Public Comment: Rosann Wuebbels, September 1, 2025
- 11. Public Comment: Friends of Skagit County Comment 1, dated September 2, 2025
- 12. Public Comment: Jan Edelstein, dated September 2, 2025
- 13. Public Comment: Matthew Bouzek, dated September 2, 2025
- 14. Public Comment: Mikala Staples Hughes, dated September 2, 2025
- 15. Public Comment: Friends of Skagit County Comment 2, dated September 3, 2025
- 16. Public Comment: Skagit Conservation District, dated September 3, 2025
- 17. Public Comment: Andrea Xaver, dated September 5, 2025
- 18. Public Comment: Dean Wesen, dated September 5, 2025
- 19. Public Comment: Skagitonians to Preserve Farmland, dated September 5, 2025
- **20.** Certificate of Mailing with List of Property Owners within 300' and Parties of Record, dated November 5, 2025
- 21. Certificate of Posting for Public Hearing, dated November 5, 2025
- 22. Photos of Posting for Public Hearing, dated November 5, 2025
- 23. Skagit Publishing Advertising Proof for November 6
- 24. Parties of Record as of November 5, 2025
- 25. Notice of Public Hearing, dated November 5, 2025
- 26. Staff Report, dated November 13, 2025
- 27. Public Comments submitted through 11/19/25
- 28. Public Comments submitted through 11/21/25
- 29. PowerPoint Presentation of Applicant, filed 11/21/25
- **30.** Mid-Hearing Order, entered 11/21/25
- 31. Memorandum of Hasenoehrl re: Missing Record, filed 11/25/25
- 32. Memorandum of Hasenoehrl re: Vesting, filed 11/25/25

II.

The Agricultural Natural Resource Land (Ag-NRL) zone requires a minimum lot size of 40-acres.²

The Applicant owns a pre-existing legal non-conforming 8.82-acre lot in the Ag-NRL Zone that he does not use for agricultural purposes or uses, and which he has a residential home upon. Although the property which is 31.18-acres below the minimum lot size requirement thus being only 22 percent of the current required minimum lot size, it has been certified as a legal lot of record due to its pre-existing status. The current use of the subject property based on aerial photography and view from the street is a single-family home and what appears to be an open field.

The Applicant is requesting approval for a variance to reduce the minimum lot size of in order to divide the 8.82 acre lot into two smaller lots (approximately ~4.2 and ~4.5 acres) and construct an additional single-family residence on the new proposed southern lot, while the existing home would remain in the northern lot, both lots being within the Ag-NRL zone.

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² SCC Table 14.13.030-1

III.

The applicant testified that the land was not being used for agricultural purposes and that the soil was of too poor quality to do so; he did concede that he knew the zoning regulations applicable to the land when he purchased it in 2013, and that there was a blueberry operation across the street, a horse breeding facility to the north, and a tree farm to the south of the property. The applicant also testified to harvesting timber with a permit on his land including 100-year-old trees.³

The applicant also testified to the interesting and fairly well documented history of the land.⁴ The land divisions were established in June of 1908 by the Lake Whatcom Logging Company; and history shows that at least prior 1953 there was a residential home on the property reserved for the use of an unnamed "old gentleman" residing there;⁵ later there was migrant farm worker housing on the lots established by Thulin Farms;⁶ and eventually was divided up in 1994 into 5 parcels without a short plat through an unknown process;⁷ and then later the two lots that the applicant seeks to have separated, were merged together and with the northern portion split off of another lot along with other nearby lots.⁸ Specifically, the applicant identified that the two existing tax parcel numbers that lay on the property correspond with the lot lines and tax parcel numbers as they were in 1996 when the two lots were merged via a boundary line adjustment.⁹

There were two general themes in the closing arguments of the applicant:

- 1. That the lots were likely merged in 1996 to allow the construction of the residence, and as that should not have been necessary or required it should not be construed as valid and they should continue to remain construed as sperate lots; and
- 2. That it was not just or equitable that other non-property owners should dictate the highest best uses of a person's land, and for that reason and the fact that the land was unsuitable for agriculture, that the BOCC should grant him permission to sperate the land to its pre-1996 consolidated state along the existing tax parcel boundaries.

³ Ex. 29 and testimony of Schwetz

⁴ See generally Ex. 29

⁵ Ex. 29 at 2 and 10

⁶ Testimony of Ellen Bynum

⁷ Ex. 29 at 12

⁸ Ex. 29 at 13

⁹ Ex. 29 at 15

There also exists, however, a 1994 recorded Lot Certification makes it very clear to any prospective purchaser thereafter that "...any such division would be subject to any and all rules and regulations relating to land divisions in effect at the time such division is propose" 10

IV.

The Skagit County Planning and Development Services Staff (the "Department") have recommended denial of the requested Variance permit in a "Staff Report" dated November 13, 2025 ("Staff Report" **Ex. 26**).

The Applicant has indicated there are no factual or legal inaccuracies in the Staff Report's findings or conclusions, and in fact admitted that their application did not meet the requirements of the law – but that the law was wrong or developed too narrowly (outside of "common sense") and was bringing this action so that ultimately it would be heard by the Board of County Commissioners so that he could raise the issue to them directly.

The Findings of Fact and Conclusions of Law in the Staff Report, a copy of which is attached hereto and incorporated herein, are supported by the record as a whole and are hereby adopted and incorporated herein by this reference, except where explicitly contradicted by the findings herein.

V.

There were numerous written public comments received during the public comment period for the Notice of Application. These comments were for various legal, policy, and equitable reasons in opposition to the variance request.¹¹

All public testimony received at the hearing orally was also against the project for substantive legal and policy reasons.

VI.

SCHE §14 grants parties the right to object to evidence and to cross-examine. In the case at hand, with full knowledge of the evidence being admitted, no objection by the applicant or the

¹⁰ Skagit County Recording #94-12029981; see also multiple copies and references in public comments.

¹¹ See generally Exs. 27 and 28

Department was made to any of the 30 exhibits (Exs. 1 thru 30) that were admitted into the record, and Exs. 0, 31, and 32 were filed prior to the close of the hearing.

VII.

Any Conclusion of Law below which is deemed a Finding of Fact is hereby adopted as such.

Based on the foregoing Findings of Fact, now are entered the following:

CONCLUSIONS OF LAW

I.

Vesting

During the course of this matter, after its initial permit filing, the Skagit County Code (SCC) was changed. The changes to the SCC in Ordinance O20250005 "An Ordinance Adopting Amendments to SCC Title 14 to Reorganize the Unified Development Code" ¹² had two potential ramifications on this project:

- A. Chapter 14.58 "Variances" replaced the former Chapter 14.10 "Variances"; and
- **B.** SCC 14.13.100, Agricultural- Natural Resource Lands (Ag-NRL) replaced the Former SCC 14.16.400, Agricultural- Natural Resource Lands (Ag-NRL).

The intention of the ordinance was to "improve the organization of Title 14, make substantive updates to comply with the 2025 Comprehensive Plan update, rewrite several chapters for clarity and accessibility, and remove content that is not development regulations."

Application was filed initially on May 30, 2025, but was deemed incomplete on June 24, 2025, ¹³ and was not deemed complete until July 21, 2025 after the ordinance took effect. ¹⁴

Applications only vest after they are complete, ¹⁵ and therefore the new laws in effect after June 23, 2025 is in force on this matter. However, it does not appear that applying the old laws would have a different outcome in the recommendation.

¹⁴ Ex. 32

¹² Adopted on June 23, 2025

¹³ Ex. 3

¹⁵ SCC 14.06.190 and 14.06.310

Scope of Hearing, Jurisdiction, & Concurrency

Whenever possible, development applications are consolidated and reviewed according to the

highest standard of all of the permits, with some exceptions outlined in the law. 16 Variance proposals that

involve Ag-NRL land must be heard by the Board of County Commissioners as a Type 4 hearing. 17 The

BOCC closed record final decision comes after an open record hearing is conducted by the Hearing

Examiner and a recommendation made by the Hearing Examiner to the BOCC.¹⁸ As the BOCC is the

highest final decision maker in all of the permits associated with this project they are the final decision

maker, and the Hearing Examiner is merely making a recommendation with an organized and cohesive

structuring of the materials for the BOCC's review.

There was discussion at the hearing and a conclusion by the Hearing Examiner that in order to avoid

piecemealing this application should have been brought in conjunction with the ultimately desired lot-line

adjustment action and been consolidated.

Zoning Applicability

The purpose of the AG-NRL zone is articulated in the zoning code:

...to provide land for continued farming activities, conserve agricultural land, and reaffirm agricultural use, activities and operations as the primary use of the district. Nonagricultural uses are allowed only as accessory uses to the primary use of the land

for agricultural purposes. The district is composed mainly of low flat land with highly

productive soil and is the very essence of the County's farming heritage and character. 19

Ag NRL is also defined, not inconsistently, in SCC 14.04.020, meaning land:

...which is primarily devoted to the commercial production of horticultural (including fiber production such as hybrid cottonwoods), viticultural, floricultural, dairy, apiary,

vegetable or animal products or of berries, grain, hay, straw, turf, seed, Christmas trees, finfish in upland hatcheries, or livestock (including livestock raised for personal use),

and that has long-term commercial significance for agricultural production...²⁰

The Ag-NRL zone requires a minimum lot size of 40-acres. 21

¹⁶ SCC 14.06.160

¹⁷ SCC 14.58.020(c)

¹⁸ SCC 14.06.150-1

¹⁹ SCC 14.13.100(1)

²⁰ SCC 14.04.020 at "Agricultural Natural Resource Land"

²¹ SCC Table 14.13.030-1

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Single family residential development is an accessory use²² in the An-NRL Zone only as an accessory to agricultural uses, and no conversions of agricultural land are allowed for accessory uses.²³ In the Ag-NRL zone an applicant for a single-family residence must:

- i. Be engaged in the ongoing commercial production of crops or livestock;
- ii. Submit a signed affidavit verifying that:
 - a. The applicant is the owner of the parcel;
 - **b.** The applicant has generated gross income of at least \$100 per acre per year on average over the past three years through the applicant's use of the subject parcel for the commercial production of crops or livestock on the subject parcel;
 - **c.** That the proposed single-family residence will be used only as accessory to the ongoing commercial production of crops or livestock.
- **iii.** Record a title notice for the parcel, on forms provided by the Department, that the single-family residence was permitted only as an accessory to the principal agricultural use.²⁴

Further division of the existing substandard certified legal lot into two separate parcels would result in two lots each roughly 35.5 acres smaller than the minimum lot size requirement of 40-acres established for this zone, about 11 percent of the required size in the Ag-NRL zone; this world further the non-conformity in minimum lot sizes in the Ag-NRL zone. The applicant cannot show he has generated a gross income of at least \$100 per acre per year on average over the past three years through agriculture purposes.

II.

BOCC Variance Criteria

Any person wishing to deviate from the terms and standards outlined in SCC Title 14, can seek a variance where in specific cases that will not be contrary to the public interest, and where, due to special conditions, literal enforcement of the provisions of this Code would result in unnecessary hardship, that is otherwise permittable in the zoning.²⁵ There are three levels of variances in Skagit County, "Hearing Examiner Variances," "Administrative Variances," and "Board of Commissioner Variances." ²⁶ All variances default to the hearing examiner as the default final decision maker unless

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²² Accessory uses are "use[s], building or structure which is dependent on, and subordinate or incidental to, and located on the same lot with a principal use, building, or structure. SCC 14.04.020 at "Accessory Use"

²³ SCC 14.18.102(3)

²⁴ SCC 14.18.102(3)(b)

²⁵ SCC 14.58.010

²⁶ SCC 14.58.020

they meet the exception criteria associated with the other variances. Variance proposals that involve Ag-NRL land must be heard by the Board of County Commissioners as a Type 4 hearing.²⁷

Unlike Hearing Examiner Variance criteria which serves as a 4th prong of the variance test, ²⁸ BOCC variance criteria are smaller in scope only consisting of the first three prongs:

- (a) The variance complies with any relevant variance criteria found in other sections of Skagit County Code.
- **(b)** The variance is the minimum variance that will make possible the reasonable use of land, building, or structure.
- **(c)** The granting of the variance will be in harmony with the general purpose and intent of this Title and other applicable provisions of the Skagit County Code, and will not be injurious to the neighborhood, or otherwise detrimental to public welfare.²⁹

Prong (a) is not appliable to this analysis.

This is not an enhanced variance with additional criteria such as a critical area variance or shoreline variance criteria that are applicable.

Prong (b) is applicable to this analysis.

The evidence raised at the hearing did not reveal a lack of agricultural related opportunities that land could be used for, though the applicant did testify that the costs and amount of irrigating the soil to be usable for growing plants would be unfeasible. However, there was substantive testimony about adjacent lot us that was agricultural in nature, including the horse farm, tree farm, and adjacent blueberry fields. The applicant argued that when he bought the land, a farmer could have bought the land but did not and that the applicant should not be judged on how a farmer would use the land.

It appears that the applicant does have reasonable use of the land; the applicant has been using the land as a residence since 2013 and has also carried out timber harvesting operations which is notable as tree harvesting is agricultural use in the code that the applicant could ostensibly use the land for. The applicant has reasonable use of the land, and it also appears that through not desired by the applicant, there are potential agricultural supporting uses.

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²⁷ SCC 14.58.020(c)

²⁸ SCC 14.58.040(2) as §§ (d)

²⁹ SCC 14.58.040(2)(a-c)

Prong (c) is applicable to this analysis.

Title 14 encompasses all development in Skagit County in order to "implement the Revised Code of Washington (RCW) and the Skagit County Comprehensive Plan on matters concerning land and building development and other related issues…" as well as other Skagit County policies outlined in Title 14.³⁰ It is "applicable to all land within unincorporated Skagit County except as allowed by law." ³¹

The proposed variance to reduce the minimum lot size in the Ag-NRL zone is inconsistent with the stated purpose and intent of the Ag-NRL zoning district, as the end goal is to create a new legal lot for the primary purpose of constructing a single-family residential home rather than for agricultural production or support activities. Allowing the variance would introduce a non-agricultural use as the primary use and create new smaller non-conforming lots, undermining the long-term viability and preservation of agricultural lands in Skagit County which are the stated policy under the comprehensive plan.

Further, this variance request is also incompatible with other applicable provisions of the Skagit County Code, as the applicant's intended outcome would be incompatible with the following:

1. Determination of legal lot (SCC 14.70.040)

The existing lot is a legal lot per SCC 14.70.040(2)(a), however, to divide this existing legal lot, the applicant would either need to:

- i. Complete a land division to meet criterion (b) of SCC 14.70.040(2), or
- **ii.** Obtain a variance from this requirement. There is no variance pathway for this listed under Types of variances (SCC 14.58.020).
- 2. Eligibility for project permits (SCC 14.70.050(1)(c))

The resulting lot of a proposed land division would not meet the requirements for project permits under this section. There is no variance pathway listed under Types of variances (SCC 14.58.020) and overall, no code path to be eligible for project permits.

3. Allowed Uses in Natural Resource Zones (SCC Table 14.13.020-1)

A variance would be required to allow a single-family residence as a primary use, since in the Ag-NRL zone single-family residences are only permitted as Accessory Uses.

4. Use Standards for Single-Family Residences (SCC 14.18.102(3))

³⁰ SCC 14.02.010

³¹ SCC 14.02.040

A variance would also be necessary from the specific use standards for single-family residences in the Ag-NRL zone, or the applicant would need to demonstrate they meet the requirements of SCC 14.18.102 as shown in the relevant section above. There is no variance pathway for this listed under Types of variances (SCC 14.58.020).

Finally, the proposal could have negative impacts on public services and infrastructure, including increased demand on the local fire district, schools, Drainage District 25, and the roadway network without adequate conditioning. Additionally, a unique variance driven subdivision of the parcel for residential purposes would be inconsistent with the surrounding pattern of agriculturally zoned properties and uses, potentially altering the rural character and cohesiveness of the neighborhood.

Variance Criteria Conclusion

In this case, after reviewing the files and testimony, and having made the findings above, the Hearing Examiner finds that even with additional conditions of approval, the project would not be compliant with the above applicable BOCC variance criteria.

Consequently, as the project does not meet the BOCC Variance criteria the Variance should not be approved.

III.

Specific Discussion about Undoing the BLA of 1996 and Grandfathered Uses

The purpose of the 1996 BLA to consolidate the lots for the purpose of building a residence was admittedly speculation on the part of the Applicant, and there was no evidence to support that. In any case, the time to appeal that decision is long past, and was long the state of affairs when the applicant purchased the property with knowledge of the zoning restrictions.

Further the Applicant has essentially argued as a potential defense to the lack of conformity with the current zoning regime, that building a residence on the southern tax parcel which they argue never should have been consolidated, of being a preexisting nonconforming use, commonly known as a "grandfathered" use. Looking at historical use patterns of the land from the 1950s or even early 1990s are irrelevant as any uses that would have been considered legal preexisting uses have long since expired. A lawful preexisting nonconforming use

Means any use, improvement or structure established in conformance with Skagit County rules and regulations in effect at the time of establishment that no longer conforms to the range of uses permitted in the site's current zone or to the current development standards of the Code due to changes in the Code or its application to the subject property.³²

Such uses are "allowed to continue consistent with the limitations [in the SCC Chapter 14.07]" ³³ Such uses are not allowed to expand or be altered.³⁴ There is, however, no evidence of continued lawful pre-existing permitted use, and there are no stays or pending appeals of the 1996 BLA otherwise. It appears to meet the definition of "overtly abandoned" under the code: "an overt act disclaiming an interest in the nonconforming use is presumed if the nonconforming use of land or building or structure ceases for any reason whatsoever for a period of one year." ³⁵

Regardless of whether there was, at some time, a preexisting use or not, such a pre-existing use has not existed any time in recent history, and the Ag-NRL zone code does not deny the appellant a reasonable use of the property for any permitted or allowed use in this zone.

IV.

Any Conclusion of Law deemed to be a Conclusion of Fact is hereby adopted as such. Based on the foregoing Findings of Fact and Conclusions of Law, now is entered the following:

RECOMMENDATION

The application for a variance permit should be denied. It does not meet the criteria, and if it did it should have been consolidated with other land division permits; however, the only avenue that is apparent which could grant relief to the applicant would be a re-zone of the lots in question.

NOT A FINAL DECISION

This action of the Hearing Examiner is not a final decision, but a recommendation to the Board of Commissioners per SCC 14.06.150-1.

³² See generally 14.04.020 at "Nonconformance" and SCC 14.07.020(1)

³³ SCC 14.07.020(2)

³⁴ SCC 14.07.020(2)(c) and 14.07.030, et. al.

³⁵ SCC 14.07.050(3)

As it is not a final decision it cannot be appealed, though the SCHE may have other remedies for error.

More detailed information about reconsideration and appeal procedures are contained in the Skagit County Code Title 14.06 and which is available at https://www.codepublishing.com/WA/SkagitCounty/

DATED December 2nd, 2025

Rajeev D. Majumdar

Skagit County Hearing Examiner