

SKAGIT COUNTY HEARING EXAMINER

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AFTER RECORDING RETURN TO:
SKAGIT COUNTY HEARING EXAMINER
302 SOUTH FIRST STREET
MOUNT VERNON, WA 98273

DOCUMENT TITLE: TIMBER OPEN SPACE PERMIT OT 97 0539

GRANTOR(S): SKAGIT COUNTY HEARING EXAMINER

GRANTEE: JRMTS TRUST

ASSESSOR PARCEL NOS: 350312-2-002-0105; P34131

ABBREVIATED LEGAL DESCRIPTION: a portion of the West 1/2 of the West 1/2 of the NE 1/4 of the NW 1/4 of Section 12, Township 35 North, Range 3 East, W.M., Skagit County, Washington

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SKAGIT COUNTY HEARING EXAMINER
STATE OF WASHINGTON

**Findings of Fact
Recommendation
No. OT 97 0539**

Assessor Account No: 350312-2-002-0105; P34131

FINDINGS OF FACT

1. January 27, 1999 was fixed as the date of the public hearing and the Hearing Examiner held a public hearing on that date.
2. All persons present at the Public Hearing were given an opportunity to present evidence and testimony, and all correspondence received was made a part of the record.
3. The Planning and Permit Center issued the attached Report and Findings of that Department. The Hearing Examiner adopts Findings one (1) through six (6) as presented in that Report, a copy of which is attached to this document.
4. The applicant has had a Forest Management Plan prepared by Anderson Forestry Consultants, Inc.
5. The Hearing Examiner has reviewed this application with respect to the requirements of the Skagit County Code and the Revised Code of Washington.

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CONCLUSIONS

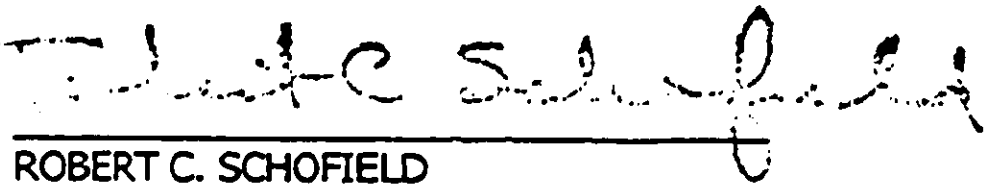
The Hearing Examiner, having duly considered the matter, including all the evidence presented and on file, comments from interested persons, information and comments from other county departments affected, independent studies of the Planning and Permit Center, and the evidence presented at the public hearing; finds that the application has been reviewed in accordance with the definitions and requirements referenced above and has been found to be compatible with those criteria.

RECOMMENDATION

The Hearing Examiner recommends **APPROVAL** of the application for inclusion of the subject property in the Timber Open Space Classification subject to the following conditions:

1. Applicant shall comply with Forest Management Plan as prepared by Anderson Forestry Consultants, Inc.
2. At the time of harvest, applicant shall comply with all requirements of the Department of Natural Resources regarding harvest of timber.

SKAGIT COUNTY HEARING EXAMINER


ROBERT C. SCHOFIELD

Date of Recommendation: February 1, 1999

Copies Transmitted to Applicant: February 1, 1999

Attachment: Staff Report and Findings

C: Applicant, Applicant File, Board of County Commissioners, Hearing Examiner

**SKAGIT COUNTY PLANNING AND PERMIT DEVELOPMENT
FINDINGS OF FACT**

HEARING AUTHORITY: SKAGIT COUNTY HEARING EXAMINER

HEARING DATE: JANUARY 27, 1999

APPLICATION NUMBER: OPEN SPACE # OST-97-0539

APPLICANT: JRMTS TRUST

ADDRESS: 17314 SAMISH HEIGHTS ROAD
BOW, WA 98232

PROJECT LOCATION: The subject property is located at 17314 Samish Heights Road (formerly 1514 Samish Heights Road), Bow, WA; within a portion of the West ½ of the West ½ of Section 12, Township 35 North, Range 3 East, W.M., Skagit County, Washington.

PROJECT DESCRIPTION: Timber Open Space Classification Request to allow the inclusion of approximately nine (9) acres in the Timber Open Space Program.

ASSESSOR'S ACCOUNT NUMBER: 350312-2-002-0105 P34131

STAFF FINDINGS:

1. The following items are submitted as exhibits:
 1. Staff report and attachments
 2. Application and site plan, received December 31, 1997
 3. Timber Management Plan
2. The subject property is zoned Rural and the Skagit County Comprehensive Plan adopted by the Board of Commissioners on May 19 and effective June 1, 1997 designates the area as Rural Reserve.
3. The public hearing has been advertised in accordance with the requirements of Chapter 14.04 of the Skagit County Code.
4. The subject property is approximately ten acres in size. The applicant has his home located on the property. The applicant has included a legal description excepting the house and yard from the Timber Open Space Application.

5. A Timber Management Plan has been submitted with the application. In reviewing the Timber Management Plan, it appears to comply with all required items as listed in R.C.W. 84.34.020. The Timber Management Plan is submitted as an exhibit.
6. At such time as the applicant intends to harvest the timber on the property, it will be necessary for the applicant to comply with all requirements of the Department of Natural Resources in regard to a Forest Practice Application for harvesting of timber.

RECOMMENDATION:

The Skagit County Planning and Permit Department would recommend approval of the request for inclusion into the Timber Open Space Program with the following conditions:

1. The applicant shall comply with the Timber Management Plan as submitted.
2. At the time of harvesting, the applicant shall comply with all requirements of the Department Natural Resources in regard to harvesting of timber.

Prepared by: G.R.
Approved by: