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KATHY HILL
SKAGIT COUNTY AUDITOR

'99 JUL -7 P2:07

RECORDED ____ FILED ____
REQUEST OF _____

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

DOCUMENT TITLE: TIMBER OPEN SPACE PERMIT OT 97 0540

GRANTOR(S): SKAGIT COUNTY HEARING EXAMINER

GRANTEE: LISLE BROWN and WENDY PANDA

ASSESSOR PARCEL NO: 109095

ABBREVIATED LEGAL DESCRIPTION: located at 17421 Turtle Lane, Bow, WA; within the Northeast 1/4 of the Southwest ¼ of Section 13, Township 36 North, Range 3 East W.M., Skagit County, Washington.

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OT 97 0540.REC

SKAGIT COUNTY HEARING EXAMINER
STATE OF WASHINGTON

In the matter of: Application OT 97 0540 Of LISLE BROWN and WENDY PANDA for Timber Open Space for inclusion of 7 acres in the Timber Open Space Classification	)	Findings of Fact Recommendation No. OT 97 0540

THIS MATTER having come regularly before the Skagit County Hearing Examiner for a Public Hearing under an application filed with the Skagit County Planning and Permit Center on behalf of the Applicant requesting an Open Space Timber Classification as described in the attached Report and Findings of that Department and located at 17421 Turtle Lane, Bow, WA; within the Northeast ¼ of the Southwest ¼ of Section 13, Township 36 North, Range 3 East, W.M., Skagit County, Washington

Assessor Account No: 360313-3-001-0200; P109095

And, notice having been given to all property owners within 300 feet of said property, the property having been posted in accordance with Section 14.04 of the Skagit County Code, the public hearing advertised in accordance with Section 14.104 of the Skagit County Code, and all matters in the file having been considered together with the testimony, evidence, and exhibits in open hearing and made a part of the record in this matter; the Hearing Examiner makes the following findings of fact.

FINDINGS OF FACT

1. March 31, 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.

4. The applicant has had a Forest Management Plan prepared for the subject property.

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 the Forest Management Plan prepared for the subject property.

2. At 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

ROBERT C. SCHOFIELD

Date of Recommendation: April 14, 1999

Copies Transmitted to Applicant: April 14, 1999

Attachment: Staff Report and Findings

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

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SKAGIT COUNTY PLANNING AND PERMIT CENTER
FINDINGS OF FACT

HEARING AUTHORITY: SKAGIT COUNTY HEARING EXAMINER

HEARING DATE: MARCH 31, 1999

APPLICATION NUMBER: OPEN SPACE # OST-97-0540

APPLICANT: LISLE BROWN & WENDY PANDA

ADDRESS: 17421 TURTLE LANE
BOW, WA 98232

PROJECT LOCATION: The subject property is located at 17421 Turtle Lane (formerly 264-B Barrel Springs Road), Bow, WA; Lot 2, Short Plat # 95-0036; within a portion of the Northeast ¼ of the Southwest ¼ of Section 13, Township 36 North, Range 3 East, W.M., Skagit County, Washington.

PROJECT DESCRIPTION: Timber Open Space Classification Request to allow the inclusion of approximately 7 acres in the Timber Open Space Program.

ASSESSOR'S ACCOUNT NUMBER: 360313-3-001-0200, P109095

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.

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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:

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