

**SAN JUAN COUNTY
HEARING EXAMINER**

FINDINGS, CONCLUSIONS AND DECISION

Applicant: Tim and Elizabeth Hance
PO Box 354
Eastsound, WA 98245

Contact: Archipelago Surveying
PO Box 375
Eastsound, WA 98245

File No: HE29-09 (09ALT002)

Request: Plat Alteration

Location: 21 Pleasant Street and an unaddressed parcel
Orcas Island

Parcel Nos: 160250701 and 160250801

Summary of Proposal: This is a request to remove property lines between two parcels to create a single new parcel.

Land Use Designation: Rural Farm Forest

Public Hearing: After reviewing the report of the Community Development and Planning Department a public hearing was held on July 15, 2009.

General Policies And Regulations: SJCC 18.70.080 Subdivision Alterations

Decision: The application is approved with a condition.

S.J.C. COMMUNITY

JUL 24 2009

DEVELOPMENT & PLANNING

Findings of Fact

1. The plat of Doe Bay was established in 1913. The area generally is a neighborhood of small lots. Mr. and Mrs. Hance own two lots.
2. One of the two lots is a shoreline lot while the other is upland. The upland lot contains a single family residence.
3. A county road easement exists between the two lots. The road was never built. Currently there are plans for the county to vacate the easement.
4. There are no restrictive covenants as part of this application. There are no shoreline master program policies involved.
5. The purpose of the plat alteration is to establish a single lot which could not be subdivided because of current density requirements. The public interest would be served by this proposal.
6. No assessments will be impacted by this change. If the proposed road vacation is approved a new map showing the combined single lot will be recorded.
7. Notice of hearing was published on May 27, 2009. Mailing and site posting occurred on June 15, 2009.
8. The staff report is incorporated herein by reference as though fully set forth. The analysis and factual statements contained in the staff report are adopted as a finding herein.
9. 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 subject matter of this proceeding.
2. The proposal is exempt from State Environmental Policy Act review.
3. Notice was given in compliance with local and state requirements.
4. The proposal meets the requirements of SJCC 18.70.080.

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

Decision

The plat alteration is approved subject to applicant receiving a road easement vacation by San Juan County.

DONE this 24th day of July, 2009.


Wm. H. NIELSEN, Hearing Examiner

Appeal

Any appeal of this decision shall be to Superior Court pursuant to the Land Use Petition Act, Chapter 36.70 RCW, within 21 days of the issuance of the decision. See Home Rule Charter, Section 3.70.