

**SAN JUAN COUNTY
HEARING EXAMINER**

FINDINGS, CONCLUSIONS AND DECISION

Applicants: Russ Cole
#23 Decatur Island
Anacortes, WA 98221

Agent: Teri Williams
PO Box 1001
Eastsound, WA 98245

File No: HE37-09 (09CU016)

Request: Conditional Use Permit (CUP)

Parcel No: 152232001

Location: at the southwest corner of Bowers and Armitage Roads
Decatur Island

Summary of Proposal: An application to construct up to four pole buildings for storage of boats, building materials and similar goods.

Land Use Designation: Rural General Use 5

Public Hearing: After reviewing the report of the Community Development and Planning Department a public hearing was held on December 2, 2009.

Applicable Policies and Regulations: SJCC 18.40 Performance Standards
SJCC 18.80.100(D) CUP Criteria

Decision: The application is approved subject to conditions.

S.J.C. COMMUNITY

DEC 14 2009

DEVELOPMENT & PLANNING

Findings of Fact

1. The site is located on Decatur Island and has the applicant's residence on the southerly portion. The north and east boundaries are wooded and the current vegetation along the entire boundary is to be retained for screening purposes.
2. The proposed buildings are for storage of boats, building materials and similar goods. A maximum of four pole buildings are to be developed.
3. The neighborhood consists of the Decatur School, a small utility building belonging to the telephone company and a county equipment storage yard.
4. The proposal is small scale and low impact which is consistent with the Rural General Use designation.
5. There will be very little visual impact, traffic or noise production.
6. The site is not adjacent to an airfield.
7. A Determination of Non-significance was issued October 21, 2009. No comments were received.
8. Notice of public hearing was published on October 21, 2009 and mailed and posted on October 21, 2009. A public hearing was held on December 2, 2009.
9. 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.
10. 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 has complied with the requirements of the State Environmental Policy Act.

3. Proper notice was given in compliance with local and state requirements.
4. With the imposition of a condition the proposal is consistent with UDC requirements.
5. Any finding herein which may be deemed a conclusion is hereby adopted as such.

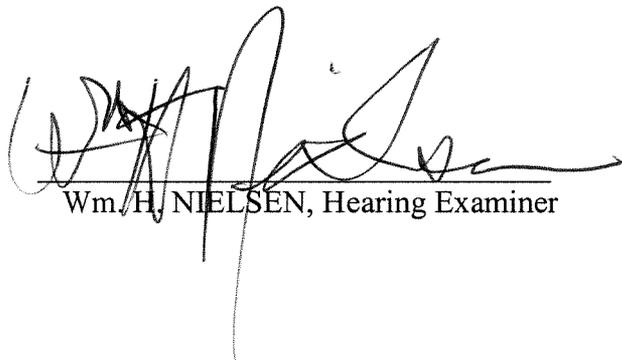
Conditions

1. All existing vegetative screening along the north and east boundaries shall be retained. The same screening shall be retained on the south side of the development. The screening area is accurately located on the site plan.

Decision

The CUP is approved subject to the condition set forth above.

DONE this 14th day of December, 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.