

DETERMINATION OF NON-SIGNIFICANCE (MDNS)

APPLICANT & APPLICATION NAME/NUMBER: Hoyer Land Clearing, PL16-113

PROJECT DESCRIPTION: The applicant wishes to clear portions of their property to allow the development of a single-family residential home. Less than one-half of the overall site will have timber removed (13,500 s.f. of timer removal will occur across the 31,000 s.f. site). The timber removal is expected to yield approximately 25,000 board feet of merchantable timber.

APPLICANT CONTACT INFORMATION: Keith Hoyer, 1801 Grove Street, Unit B, Marysville, WA 98270; (425) 879-2494; hooverhomes@gmail.com

PROJECT LOCATION: The site address is 3306 Comanche Drive. The Skagit County Assessor describes the site as parcel: P78110; located within a portion of the NE $\frac{1}{4}$ of Section 21, Township 34 North, Range 04 East, W.M.



LEAD AGENCY: Mount Vernon Community & Economic Development Department. The lead agency for this proposal has determined that this project does not have a probable adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency.

The lead agency has determined that the requirements for environmental analysis, protection, and mitigation measures have been adequately addressed in the development regulations and comprehensive plan adopted under chapter 36.70A RCW, and in other applicable local, state, or federal laws or rules, as provided by RCW 43.21C.240 and WAC 197-11-158.

ENVIRONMENTAL DETERMINATION APPEAL PROCESS: The City issued an optional DNS (per RCW 43.21C.110/WAC 197-11-355) on December 16, 2016 and provided notice that the comment periods for the project and the proposed DNS were integrated into a single comment period. Therefore, with the issuance of this final DNS appeals of the environmental determination must be filed in writing on or before 5 PM on **January 27, 2017**.

Appeals must be filed in writing together with the required \$100.00 application fee to: Hearing Examiner, City of Mount Vernon, PO Box 809, Mount Vernon, WA 98273. Appeals to the Examiner are governed by City of Mount Vernon Municipal Code Section 15.06.215. Additional information regarding the appeal process may be obtained from the staff 'Contact Person' listed below.

The application and supporting documentation are available for review at the Community & Economic Development Department located at City Hall. Copies will be provided upon request at the cost of reproduction.

City staff has created a page on the City's website where the site plans, technical reports, and other pertinent information can be viewed. This webpage can be viewed as follows: navigate to: www.mountvernonwa.gov; once here click on 'Departments' then 'Community & Economic Development' then 'Community Development' then 'News and Notices' and scroll down this page until you see this project name/number.

RESPONSIBLE PERSON: Bob Hyde, Community & Economic Development Director

DATE 1/13/17 SIGNATURE D. Howell for
BOB HYDE

ISSUED: January 13, 2017
PUBLISHED: January 18, 2017

SENT TO: SEPA REGISTER, DOE, COE, COMMERCE, CNG, WDFW, DNR, DIKE AND DRAINAGE DISTRICTS (as applicable), DOT, FRONTIER, FRONTIER NW, DAHP, NW CLEAN AIR AGENCY, PORT OF SKAGIT COUNTY, PSE, SAMISH TRIBE, SCOG, SKAGIT COUNTY PDS, PUD #1, SKAGIT RIVER SYSTEM COOPERATIVE, SKAGIT RIVER SYSTEMS, SVC, SKAT, SWINOMISH TRIBE, AND UPPER SKAGIT TRIBE



SEPA ENVIRONMENTAL REVIEW STAFF REPORT

A. BACKGROUND

APPLICANT & APPLICATION NAME/NUMBER: Hoyer Land Clearing, PL16-113

PROJECT DESCRIPTION: The applicant wishes to clear portions of their property to allow the development of a single-family residential home. Less than one-half of the overall site will have timber removed (13,500 s.f. of timer removal will occur across the 31,000 s.f. site). The timber removal is expected to yield approximately 25,000 board feet of merchantable timber.

APPLICANT CONTACT INFORMATION: Keith Hoyer, 1801 Grove Street, Unit B, Marysville, WA 98270; (425) 879-2494; hoyerhomes@gmail.com

PROJECT LOCATION: The site address is 3306 Comanche Drive. The Skagit County Assessor describes the site as parcel: P78110; located within a portion of the NE ¼ of Section 21, Township 34 North, Range 04 East, W.M.

PROJECT MANAGER: Rebecca S. Lowell, Senior Planner

B. RECOMMENDATION

Based on analysis of probable impacts from the proposal, the Responsible Official has made the following Environmental Determination:

DETERMINATION OF NON-SIGNIFICANCE	DETERMINATION OF NON - SIGNIFICANCE - MITIGATED.
<input checked="" type="checkbox"/> Issue DNS with a 10 day Appeal Period.	<input type="checkbox"/> Issue DNS-M with a 10 day Appeal Period.
	<input type="checkbox"/> Issue DNS-M with 15 day Comment Period followed by a 10 day Appeal Period.

ADVISORY NOTES TO APPLICANT

The following notes are supplemental information provided in conjunction with the environmental determination. Because these notes are provided as information only, they are not subject to the appeal process for environmental determinations.

C. ENVIRONMENTAL IMPACTS

In compliance with RCW 43.21C. 240, project environmental review addresses only those project impacts that are not adequately addressed under existing development standards and environmental regulations.

1. EARTH

Impacts: site development will include grading activities to construct the necessary driveway, the foundation for the new home, and to create usable yard areas. Land Clearing: site development includes harvesting approximately 25,000 board feet of timber from this site.

Mitigation Measures: Listed within the applicant's environmental checklist as well as required compliance with the City's existing standards and regulations for land disturbing and land clearing activities. Construction best management practices will be utilized to minimize potential impacts from earthwork grading and clearing timber from the site.

The applicant's contractor(s) will be required to comply with the City's code requirements related to stormwater runoff, grading excavation and fill, and land clearing. The applicant will also be required to obtain and comply with the WA State Department of Ecology's NPDES permit and their associated requirements.

Nexus: MVMC Chapters 13.33 (Storm Water Drainage Utility), 15.04 (Building Code), 15.06 (Environmental Policies) 15.08 (International Fire Code and Fire Prevention Bureau), 15.16 (Grading, Excavation and Fill), 15.18 (Land Clearing), Mount Vernon Engineering Standards, and 15.40 (Critical Areas).

2. STORMWATER

Impacts: site development will create new impervious surfaces that will create stormwater impacts.

Mitigation Measures: Listed within the applicant's environmental checklist and shown on their construction plans, as well as compliance with City, State and Federal regulations. Runoff during construction will be handled in conformance with the City's regulations and standards. A NPDES permit from the State of Washington Department of Ecology for construction activities will be required as part of this project.

Nexus: MVMC Chapters 13.33 (Storm Water Drainage Utility), 15.16 (Grading, Excavation and Fill), 15.18 (Land Clearing), Mount Vernon Engineering Standards, and 15.40 (Critical Areas).

D. COMMENTS

The proposal has been circulated to City Departmental / Divisional Reviewers for their review. Where applicable, comments received are incorporated into the text of this report as Mitigation Measures or Notes to Applicant.

Comments with regard to this project were received during the comment period.

Following is a list of comments received by the City. This list of comments also provides factual information to ensure those commenting on this project are provided factual information and made aware of the City's limitations with regard to development proposals.

#	DATE RECEIVE D	FROM	CITY RESPONSE
1.	1/3/17	Russell and Jacqueline Sears	<p>Clear cutting is defined as the removal of all the trees in a stand of timber within the boundaries of a lot. The Mount Vernon Municipal Code (MVMC) does not allow clear cutting.</p> <p>MVMC 15.18.040(C) states the “maximum area that can be cleared is one and one-half times the minimum lot size for the zone where the property is located”. The zoning of the subject site is R-1, 3.0 that has a minimum lot size of 9,000 s.f. This means that 13,500 square feet of the 31,000 s.f subject site can be cleared. Please note that this clearing limitation results in less than 50% of the site being cleared.</p> <p>Please see the accompanying clearing permit that requires the applicant to mark their property boundaries and areas where trees will be removed and have these areas inspected by the City before any land clearing can commence on this site.</p>
2.	12/28/16	Orvalle J. Huseby Mabel F. Huseby	<p>The City is prohibited by law from enforcing codes, covenants or restrictions of Homeowner’s Associations.</p> <p>Mr. Hoyer purchased a 31,000 s.f. lot within the Thunderbird plat from Bruce Wilson and Maxine Reynolds in August of 2016.</p>
3.	12/29/16	Tom and Dianne Ostheller	<p>City staff is bound by State law (RCW 36.70B) and City Code (MVMC 14.05) that contain timeframes in which we are required to provide public notice and process/approve permits.</p> <p>There was no intent to be sneaky or unfair by mailing a Notice of Application to the neighbors surrounding the subject site on December 16, 2016.</p> <p>The 31,000 s.f. lot that Mr. Hoyer purchased is similar in size to the lots created with the Thunderbird plats. Attached is a map showing the subject site and surrounding lots for your use.</p>
4.	12/29/16	Vernon and Nancy Blue	<p>Please see the City response under #1 with regard to clear cutting and the requirement for the identification of property lines and areas to be cleared prior to any additional work on the subject site.</p> <p>Accompanying this Environmental Report is a copy of Mr. Hoyer’s Land Clearing Permit that is conditioned such that he is required to identify all of the previously cut trees on this site because staff will be counting these trees/cleared areas towards the overall clearing that is allowed per MVMC 15.18.040(C).</p>
5.	12.19.16	Vernon and Nancy Blue	<p>Please see the letter dated 12/19/16 from Krista Jewett with my department that explains that the subject site does comply with the MVMC.</p>

ENVIRONMENTAL DETERMINATION APPEAL PROCESS: Appeals of the environmental determination must be filed in writing on or before 5:00 PM JANUARY 27, 2017 .

Appeals must be filed in writing together with the required \$100.00 application fee to: Hearing Examiner, City of Mount Vernon, P.O. Box 809, Mount Vernon, WA 98273. Appeals to the Examiner are governed by City of Mount Vernon Municipal Code Section 15.06.215. Additional information regarding the appeal process may be obtained from the City of Mount Vernon Community & Economic Development Department (306)336-6214. This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on this DNS. There is a 10 day appeal period.

Exhibits to this Staff Report:

Exhibit 1: Land Clearing Permit



January 14, 2017

Legend

-  County Boundary
-  Pre Tax Account Property
-  Address
-  Tax Parcels

1:4,514



Data Accuracy Warning: All GIS data was created from available public records and existing map sources. Map features have been adjusted to achieve a best-fit registration. While great care was taken in this process, maps from different sources rarely agree as to the precise location of geographic features. Map discrepancies can be as great as 300 feet.

3310 Comanche drive
Mount Vernon, WA 98273
December 27, 2016

RECEIVED
CITY OF MOUNT VERNON

JAN 03 2016

C.E.D. DEPARTMENT
BY _____

City of Mount Vernon
Community & Economic Development Department
910 Cleveland Avenue
Mount Vernon, WA 98273

Attention: Rebecca Lowell, Senior Planner

Dear Ms. Lowell,

We are the home owners at 3310 Comanche Dr. Hoyer construction has bought the property that borders the south and east side of our property (parcel 78110). We became aware that the property had sold when a gentleman came in and started cutting trees down. This was very concerning because one of the reasons our property appealed to us was the privacy and the quiet that the trees provided. Our next concern was this company had acquired no permits to cut the trees. We are now finding out that they will be cutting down more trees.

First, I was under the impression that Mount Vernon has a green belt law. Wouldn't clear cutting violate this law?

Second, we have a great deal of wild life in this area. Deer, owls, coyote, rabbit and a variety of song birds, just to name a few. A great deal of habitat would be lost for these animals.

My third concern is erosion due to the loss of trees. There will be very little holding the soil in place in rain storms, especially at first before lawn or other landscaping is done. Also, any trees remaining would be more susceptible to the winds that we get. I would hate to see a tree come down on my house or one of my neighbors.

Last, Hoyer Construction has been inconsistent in their planning and in getting permits, I think property lines should be double checked.

In conclusion, the clear cutting and development of this property will potentially cause difficulties for the neighborhood and the environment. This situation needs to be evaluated carefully before this company is allowed to go any further.

Thank you for considering this issue,

Sincerely,

Russell and Jacquelyne Sears
Phone: 360-899-5665

PETITION TO PREVENT HOYER CONSTRUCTION FROM CLEAR CUTTING 3306 COMANCHE DRIVE PROPERTY

NAME

ADDRESS

- | | | |
|-----|-------------------------|--------------------------|
| 1. | <i>jacqueline Sears</i> | <i>3310 Comanche Dr</i> |
| 2. | <i>Russell Sears</i> | <i>3310 Comanche Dr</i> |
| 3. | <i>Ethan Sears</i> | <i>3310 Comanche Dr.</i> |
| 4. | <i>ZACH SEARS</i> | <i>3310 COMANCHE DR.</i> |
| 5. | | |
| 6. | | |
| 7. | | |
| 8. | | |
| 9. | | |
| 10. | | |
| 11. | | |
| 12. | | |
| 13. | | |
| 14. | | |
| 15. | | |
| 16. | | |
| 17. | | |
| 18. | | |

RECEIVED
CITY OF MOUNT VERNON

DEC 30 2016

C.E.D. DEPARTMENT
BY _____

December 28, 2016

City of Mount Vernon
Community & Economic Development Department
910 Cleveland Avenue
Mount Vernon, WA 98273

Attention: Rebecca Lowell, Senior Planner

Dear Ms. Lowell,

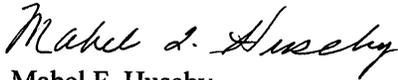
We are against the division of Lot 10 in Thunderbird I, the removal of trees on the property and the construction of another house on the lot.

We are aware that the City of Mount Vernon does not recognize the Protective Covenants of Thunderbird I, II and III which state one house per lot. However, many residents of Thunderbird I, II and III purchased homes in the area because of the spacious lots and wooded setting. Allowing the division of lots and adding more houses is contrary to the expectations of the residents of the three long-established neighborhoods.

We have lived in our home on Lot 12, Thunderbird I for almost 48 years and do not want to see the character of the neighborhood changed by having additional houses placed or built on existing single lots.



Orvalle J. Huseby



Mabel F. Huseby

700 Comanche Drive
Mount Vernon, WA 98273

511 Shoshone Dr.
Mount Vernon, WA 98273
December 25, 2016

RECEIVED
CITY OF MOUNT VERNON

DEC 29 2016

C.E.D. DEPARTMENT
BY _____

City of Mount Vernon
Community & Economic Development Department
912 Cleveland Avenue
Mount Vernon WA 98273

Attention: Rebecca Lowell, Senior Planner

Dear Ms. Lowell,

We are writing in regards to the proposed new construction of a residence at 3306 Comanche in Mt. Vernon. The parcel is a sub-divide and is going to accommodate a 3000 sq.ft. house plus a 675 sq.ft. garage.

In order for this to happen, a lovely, long-standing greenbelt, home to many animals such as gray squirrels, deer, owls and many birds will be destroyed. We even saw a bobcat a few years ago.

Tom & I have lived here for almost 30 years and have enjoyed "the woods". If we had wanted close neighbors and no trees we would have purchased in that type of neighborhood.

We learned about the sale of the property a few months ago, but only a few days ago learned about the changes to the "original deal". Apparently the city posts such legal notices in the days before the most Christian holidays etc. when folks are busy and not having time to read and respond. Pretty sneaky and none too fair!!

We would like to see the entire property surveyed because we believe the new driveway is on city property and not on the property line.

The trees already cleared for the site have left quite an opening. What will it be like when they cut down nearly all the remaining trees?

We feel this is an inappropriate location to build a house, especially so large. It will be larger than most homes in the immediate area built on a much smaller lot. More noise and traffic with loss of privacy.

We appreciate your help and cooperation.

Thank you,

Tom Ostheller
Dianne Ostheller

Tom & Dianne Ostheller
424-9499

Copy to Mayor Jill Boudreau

521 Shoshone Drive
Mount Vernon, WA 98273
December 21, 2016

RECEIVED
CITY OF MOUNT VERNON

DEC 29 2016

C.E.D. DEPARTMENT

BY 

City of Mount Vernon
Community & Economic Development Department
910 Cleveland Avenue
Mount Vernon, WA 98273

Attention: Rebecca Lowell, Senior Planner

Dear Ms. Lowell,

I received notice that Hoyer Construction wants to cut down an additional fifteen trees on Parcel 78110 (3306 Comanche Drive). Hoyer Construction has already cut down nine trees to clear the property to construct a 3000 square foot house and 675 square foot garage. A stop work order was issued by the City of Mount Vernon in early October (October 9, 2016 approximately) as he was cutting down trees that he did not have permission to cut down after the lot was cleared.

A new building permit should not be issued for the reasons stated below.

1. He has already cleared the land for the house and garage area. Hoyer wants to cut down fifteen more trees. He has already removed nine trees.
2. He has flipped the house plans from the original permit. The garage is now on the South East side of the house. If the permit is issued, we will lose four more trees. The original permit had the garage on the west side of the house.
3. Hoyer Construction needs to have an official survey to indicate the exact property line. Our former neighbors to the North had six trees marked to cut down on our property and said they did not know where the lot line was located. It is too late after the tree is lying on the ground.
4. The City of Mount Vernon has a green belt ordinance to prevent contractors from clear cutting areas.
5. The animals, birds and owls will lose their habitat. It is a critical area for habitat for wild life.
6. The trees that are removed will change the wind pattern. We could have trees fall on our home as happened several years ago on Allison Street. Trees fell on homes when the trees were removed from the adjacent property. The next windstorm could cause the remaining trees adjacent to our lot to fall on our home.
7. Before issuing a new permit additional restrictions should be added. Hoyer is to have a professional survey of the property lines to ensure that the lines are clearly marked to prevent errors when building fences and cutting down trees. The number of trees to be removed needs to be stated and the trees marked on the permit map and the property. The City of Mound Vernon needs to monitor the tree removal & property to make sure Hoyer follows the permit rules.
8. Hoyer is clear-cutting the parcel 78110 to make more profit and is helping to destroy the environment.
9. The removal of the trees will change the view we have had for 42 years of the green belt. The tree removal will make our home hotter in the summer and colder in the winter as we will lose the shade of the trees and the shelter from the wind.

Thank you for your consideration in this permit issue.

Warm Regards,





Vernon and Nancy Blue
Phone: 424-6317

RECEIVED
COUNTY OF MOUNT VERNON

OCT 04 2016

16-113

9/28/16

C.E.D. DEPARTMENT
BY _____

Narrative for Clearing permit on P78810 3306 Comanche Dr. Mount Vernon

Keith Hoyer – Hoyer Homes, LLC

13,500 square feet of land will be cleared for the preparation of one single family home site located at 3306 Comanche Dr. in Mount Vernon representing 43% of the total parcel. The site is currently vacant land with two small sheds that will be removed and approximately 25,000 board feet of merchantable timber will be cut down. A licensed tree service will be used to limb the trees and cut them into 16-20' lengths and a skid steer loader will be used to move the logs, remove stumps and clear the site. Clearing activities will last approximately a week in duration. A vegetated buffer will be maintained around the majority of the site to provide privacy for the new and existing residence and maintain the current forest feel of the neighborhood. Only trees necessary to provide a building site, driveway / utility access and backyard will be removed.

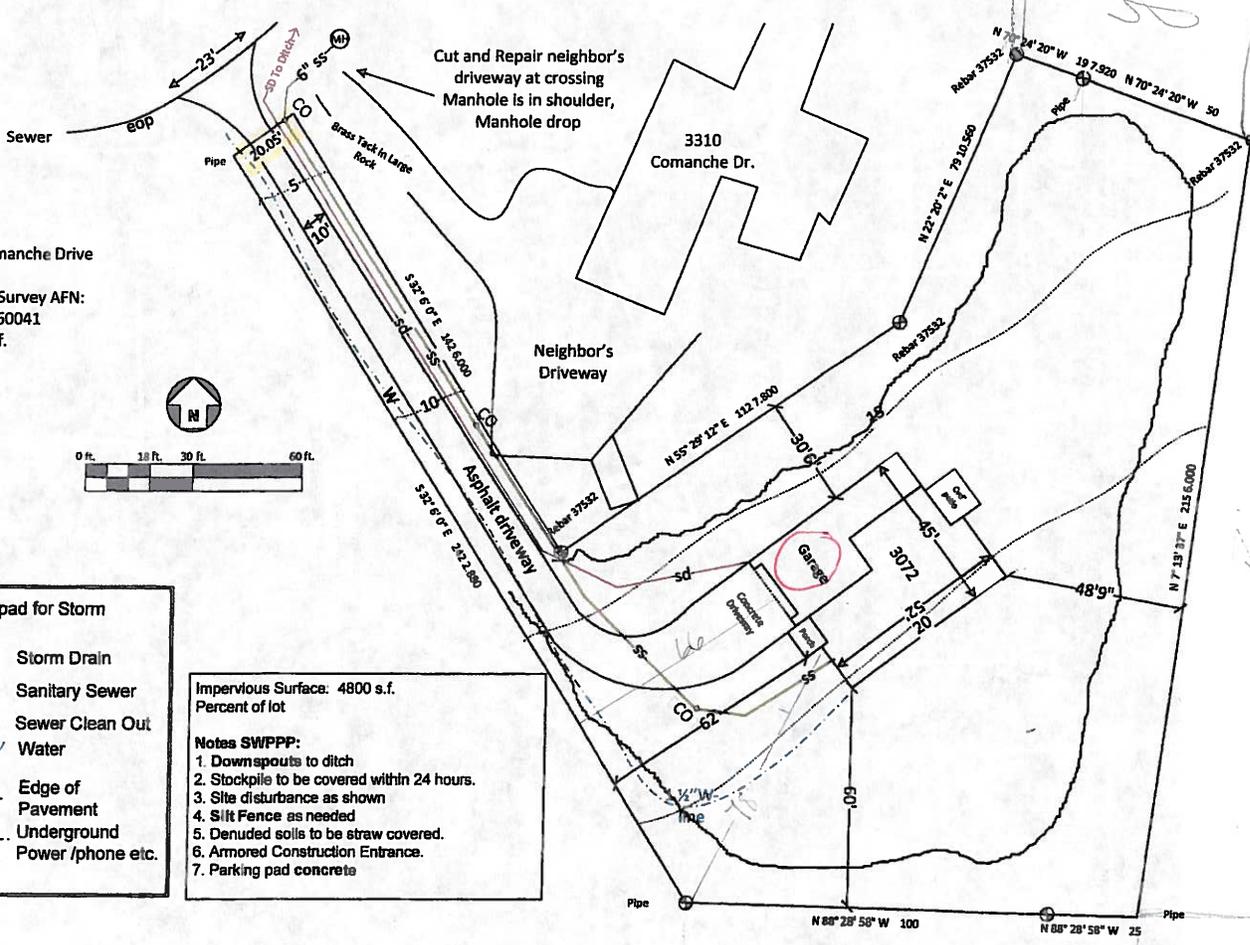
old plan

Spring

File

April

XXXX Comanche Drive
 P78110
 Lot 10-A Survey AFN:
 200809160041
 31,923 s.f.



- Rock pad for Storm
- Storm Drain
- Sanitary Sewer
- Sewer Clean Out
- Water
- Edge of Pavement
- Underground Power /phone etc.

Impervious Surface: 4800 s.f.
 Percent of lot

Notes SWPPP:

1. Downspouts to ditch
2. Stockpile to be covered within 24 hours.
3. Site disturbance as shown
4. Silt Fence as needed
5. Denuded soils to be straw covered.
6. Armored Construction Entrance.
7. Parking pad concrete



521 Shoshone Drive
Mount Vernon, WA 98273
December 22, 2016

Skagit Valley Herald Newspaper
1215 Anderson Road
Mount Vernon, WA 98273

Attention: Colette Weeks, Director of Content
Dan Ruthemeyer, Assignment Editor

Dear Ms. Weeks and Mr. Ruthemeyer,

I am enclosing information for you about an article that maybe would be of interest to your readers. It is of personal interest to me. As the City of Mount Vernon is issuing permits to build new houses for newcomers and the builders see fit to clear-cut the property of all trees on a single lot or several acres to sell the timber for profit.

The green belts of the city are disappearing. Behind my home is a large lot that the heirs of the original owners sub-divided into two lots. The heir sold the parents' home to a family. The heirs sold the other lot to a developer from Marysville. Thunderbird I, II, & III have a covenant that stated one home per lot. The city says they do not honor covenants. He plans to cut down 24 trees to build a 3000 square foot house and 675 square foot garage. His original permit was to clear the land for the house, which he did. He started to cut down more trees and the city issued a stop work order. The neighbor told me he did not do an environment impact study before he started cutting down the trees.

He now has changed the permit from the original permit. One item he changed was to flip the house over so the garage is now on the east side of the house and four more trees will be cut down. Originally, the garage was on the west side of the house. The new permit is written so it appears to be he is starting all over again on virgin land. He states that he needs to clear the land for the house construction. The land is already cleared for the house and garage. When he finishes all the large trees will be gone and only Oregon grape, vine maples and shrubs will be standing where 24 trees stood. I have lived here for 42 years and have enjoyed the wooded area and the many animals, owls, squirrels and birds that live in the green belt.

My concern is there is a large stand of trees on the land that Higgins is developing on the north side of Division near the new water tank. Will Higgins cut down all the trees to make a profit over and above the profit from the sale of the houses? The environment will be harmed and the oxygen that the trees release will be lost forever. Small animals, birds, deer, squirrels, and owls will lose their habitat. An article would inform the citizens of Mount Vernon about what developers are doing to our environment. Informing the citizens in Mount Vernon of the effect of clear-cutting land and the problems it causes to the environment is important.

Please consider writing an article about this problem of growth and the effect on our environment. Thank you for your consideration.

Warm Regards,

Vernon and Nancy Blue
Phone: 424-6317

Enclosure: Packet of Information About Permits for Developing Land for New Buildings

Site Search

December 8, 2016

Select Language



Property Search

Assessor Information, Taxes, Land Improvements, Value History, Permits

[Directory](#)

[Find It Here](#)

[Records](#)

[Contact](#)

[Assessor Home](#)

[Treasurer Home](#)

Select a search option below:

Address Parcel # Owner Name (Last First) Road XrefID

Enter Parcel #:

[Clear](#)

[Help](#)

[Print](#)

Prior Searches

[Details](#) [Improvements](#) [Land](#) [Transfers](#) [History](#) [Taxes](#) [Permits](#) [Sales Comps](#)

[Clear Prior Searches](#)

P78110

HOYER HOMES LLC

P27288

MOSEBAR ANDREW
2600 E DIVISION STREET
MOUNT VERNON, WA 98...

Land Segments for Parcel: P78110

LAND SEGMENT 1

Land Segment Size: 31923.00 Square Feet

Appraisal Method: LOT

Description: **CLEARED**

Market Value: \$62,500.00

Comment: LARGE UNDEVELOPED BUILDING SITE W/ PIPESTEM STREET ACCESS.

[Top](#)

[Back](#)

[Home](#)

[Privacy & Terms of Use](#)

© 2016 Skagit County

Site Search

December 8, 2016

Select Language ▼



Property Search

Assessor Information, Taxes, Land Improvements, Value History, Permits

[Directory](#) [Find It Here](#) [Records](#) [Contact](#)

Select a search option below:

Address Parcel # Owner Name (Last First) Road XrefID

[Assessor Home](#)

[Treasurer Home](#)

Enter Parcel #: [Clear](#) [Help](#) [Print](#)

Prior Searches

[Clear Prior Searches](#)

P78110
HOYER HOMES LLC

P27288
MOSEBAR ANDREW
2600 E DIVISION STREET
MOUNT VERNON, WA 98...

[Details](#) [Improvements](#) [Land](#) [Transfers](#) [History](#) [Taxes](#) [Permits](#) [Sales Comps](#)

Details for Parcel: P78110



Jurisdiction: MOUNT VERNON
Zoning Designation: Please contact the city of MOUNT VERNON for MOUNT VERNON zoning information.

Recorded Documents *Documents scanned and recorded by the Auditor's office*
Excise Affidavits *Document scans of excise affidavits*

Parcel Number P78110
XrefID 3762-000-010-0100
Quarter NE **Section** 21 **Township** 34 **Range** 04

Owner Information
HOYER HOMES LLC
1801 GROVE ST UNIT B
MARYSVILLE, WA 98270

Site Address(es)

Map Links
[Open in iMap](#)
[Assessor's Parcel Map: PDF | DWF](#)

Current Legal Description [Abbreviation Definitions](#)

THAT PORTION OF LOT 10, PLAT OF "THUNDERBIRD", AS PER PLAT RECORDED IN VOLUME 9 OF PLATS AT PAGES 34 AND 35 UNDER AUDITOR'S FILE NO. 693440, RECORDS OF SKAGIT COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 10, SAID POINT BEING ALSO THE NORTHWEST CORNER OF TRACT "A", PLAT OF "THUNDERBIRD II", AS PER PLAT RECORDED IN VOLUME 10 OF PLATS, PAGES 39 AND 40 UNDER AUDITOR'S FILE NO. 784799, RECORDS OF SKAGIT COUNTY, WASHINGTON; THENCE NORTH 70 DEGREES 24' 20" WEST ALONG THE NORTHEASTERLY LINE OF SAID LOT 10, A DISTANCE OF 19.66 FEET THENCE SOUTH 22 DEGREES 20' 02" WEST, A DISTANCE OF 79.88 FEET THENCE SOUTH 55 DEGREES 29' 12" WEST, A DISTANCE OF 112.65 FEET TO A POINT WHICH BEARS NORTH 57 DEGREES 54' 00" EAST, A DISTANCE OF 20.00 FEET FROM, WHEN MEASURED PERPENDICULAR TO, THE SOUTHWESTERLY LINE OF SAID LOT 10; THENCE NORTH 32 DEGREES 06' 00" WEST ALONG A LINE PARALLEL TO AND 20.00 FEET NORTHEASTERLY OF; WHEN MEASURED AT RIGHT ANGLES TO, THE SOUTHWESTERLY LINE OF SAID LOT 10, A DISTANCE OF 142.50 FEET TO A POINT ON THE CURVE OF THE SOUTHERLY RIGHT-OF-WAY LINE OF COMANCHE DRIVE; THENCE SOUTHWESTERLY ALONG SAID SOUTHEASTERLY STREET RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 160.00 FEET AND A CENTRAL ANGLE OF 7 DEGREES 10' 32", AN ARC DISTANCE OF 20.04 FEET TO THE COMMON CORNER BETWEEN LOTS 9 AND 10 OF SAID PLAT OF "THUNDERBIRD"; THENCE SOUTH 32 DEGREES 06' 00" EAST ALONG THE SOUTHWESTERLY LINE OF SAID LOT 10, A DISTANCE OF 242.24 FEET TO THE SOUTHWEST CORNER OF SAID LOT 10; THENCE SOUTH 88 DEGREES 28' 56" EAST ALONG THE SOUTH LINE OF SAID LOT 10, A DISTANCE OF 100.00 FEET TO THE SOUTHEAST CORNER THEREOF, SAID POINT BEING ALSO THE SOUTHWEST CORNER OF TRACT "A" OF SAID PLAT OF "THUNDERBIRD II" THENCE NORTH 1 DEGREES 14' 53" EAST ALONG THE EAST LINE OF SAID LOT 10, A DISTANCE OF 230.00 FEET TO THE TRUE POINT OF BEGINNING TOGETHER WITH TRACT "A", PLAT OF "THUNDERBIRD II", AS PER PLAT RECORDED IN VOLUME 10 OF PLATS, PAGES 39 AND 40 UNDER AUDITOR'S FILE NO. 784799, RECORDS OF SKAGIT COUNTY, WASHINGTON. SURVEY AF#200809160041

2016 Values for 2017 Taxes*

Building Market Value \$.00
Land Market Value +\$62,500.00
Total Market Value \$62,500.00
Assessed Value \$62,500.00
Taxable Value \$62,500.00

Sale Information

Deed Type WARRANTY DEED
Sale Date 2016-08-08
Sale Price \$59,900.00
Sale requires NRL disclosure (more info)

2017 Property Tax Summary

2017 Taxes will be available after 2/15/2017
Use the Taxes link above for 2016 taxes

* Effective date of value is January 1 of the assessment year (2016)

Legal Description at time of Assessment

*Land Use	(111) HOUSEHOLD, SFR, INSIDE CITY	WAC 458-53-030	
Neighborhood	(20MVTBIRD) MOUNT VERNON RESIDENTIAL THUNDERBIRD AREA		
Levy Code	0930	Fire District	
School District	SD320	Exemptions	

Nancy

0001 LEGAL NOTICES

**CITY OF MOUNT VERNON
NOTICE OF APPLICATION & PROPOSED OPTIONAL DETERMINATION OF NON-SIGNIFICANCE (DNS)**

APPLICANT & APPLICATION NAME/NUMBER:
Hoyer Land Clearing, PL16-113

PROJECT DESCRIPTION:
The applicant wishes to clear portions of their property to allow the development of a single-family residential home. Less than one-half of the overall site will have timber removed (13,500 s.f. of timer removal will occur across the 31,000 s.f. site). The timber removal is expected to yield approximately 25,000 board feet of merchantable timber.

APPLICANT CONTACT INFORMATION: Keitr Hoyer, 1801 Grove Street, Unit B, Marysville, WA 98270; (425) 879-2494; hoyehomes@gmail.com

PROJECT LOCATION:
The site address is 3306 Comanche Drive. The Skagit County Assessor describes the site as parcel: P78110; located within a portion of the NE ¼ of Section 21, Township 34 North, Range 04 East, W.M.

OPTIONAL DETERMINATION OF NON-SIGNIFICANCE (DNS): As the Lead Agency, the City of Mount Vernon has determined that significant environmental impacts are unlikely to result from the proposed project. Therefore, as permitted under the RCW 43.21C.110, the City of Mount Vernon is using the Optional DNS process to give notice that a DNS is likely to be issued. Comment periods for the project and the proposed DNS are integrated into a single comment period. There will be no comment period following the issuance of the Threshold Determination of Non-Significance (DNS). A 10-day appeal period will follow the issuance of the DNS.

To receive additional information regarding this project contact the CEDD Department and ask to become a party of record:
Rebecca Lowell,
Senior Planner
Community & Economic Development Department

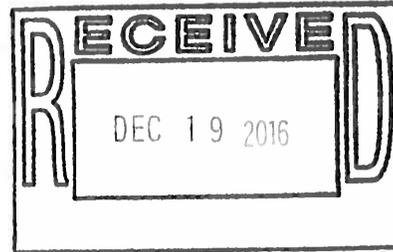
City of Mount Vernon
910 Cleveland Avenue,
Mount Vernon WA 98273
Telephone - 360-336-6214;
Facsimile - 360-336-6283

Comments on the Notice of Application and Proposed Determination of Non-Significance (DNS) must be submitted, in writing, no later than **5:00 p.m. on December 30, 2016**. Comments should be as specific as possible. Any person may comment on the application, receive notice of and participate in the public hearing, and request a copy of the decision once it is made.

City staff has created a page on the City's website where the site plans, technical reports, and other pertinent information (as applicable) can be viewed. This webpage can be viewed as follows: navigate to: www.mountvernonwa.gov; once here click on 'Departments' then 'Community & Economic Development' then 'Community Development' then 'News Notices' then click the subject project name/number.

**Published
December 19, 2016
SVH-1559533**

521 Shoshone Drive
Mount Vernon, WA 98273
December 5, 2016



The Honorable Jill Boudreau
Mayor of Mount Vernon
P.O. Box 809
Mount Vernon, WA 98273

Dear Mayor Boudreau,

Lot parcel 78110, 3306 Comanche Drive has been sold to a developer. This parcel was sub-divided by the heirs of Rex & Irene Wilson.

The parcels in the Thunderbird subdivision was developed by Keith Johnson and were to be a minimum of 13,000 square feet when the property was developed. When the family decided to sub-divide the parcel the clerk at the city building department informed me the family would have enough land to sub-divide the parcel if the driveway was shared with the 3310 Comanche Drive parcel. The daughter of the Wilson's was living in the house and the family decided to sell the house. The new owner will not share the driveway with the parcel under development. If the clerk I spoke with was correct, the developer does not have enough square feet to build a 3000 square foot house plus a 675 square foot garage on the property.

How can the city issue a building permit to a developer to build a 3000 square foot house and a 675 square foot garage on a lot that does not meet city municipal code? Please advise me if this information is correct. I have received conflicting information in the past from the city clerk.

Thank you for your help in this matter.

Warmest regards,

Vernon Blue

Nancy Blue

Vernon and Nancy Blue

December 19, 2016

Re: P78110-3306 Comanche Drive

Dear Vernon and Nancy Blue,

The Mayor received your letter and has asked that our department, Community and Economic Development, answer your questions. The Community and Economic Development Department includes Building, Planning and Engineering Divisions.

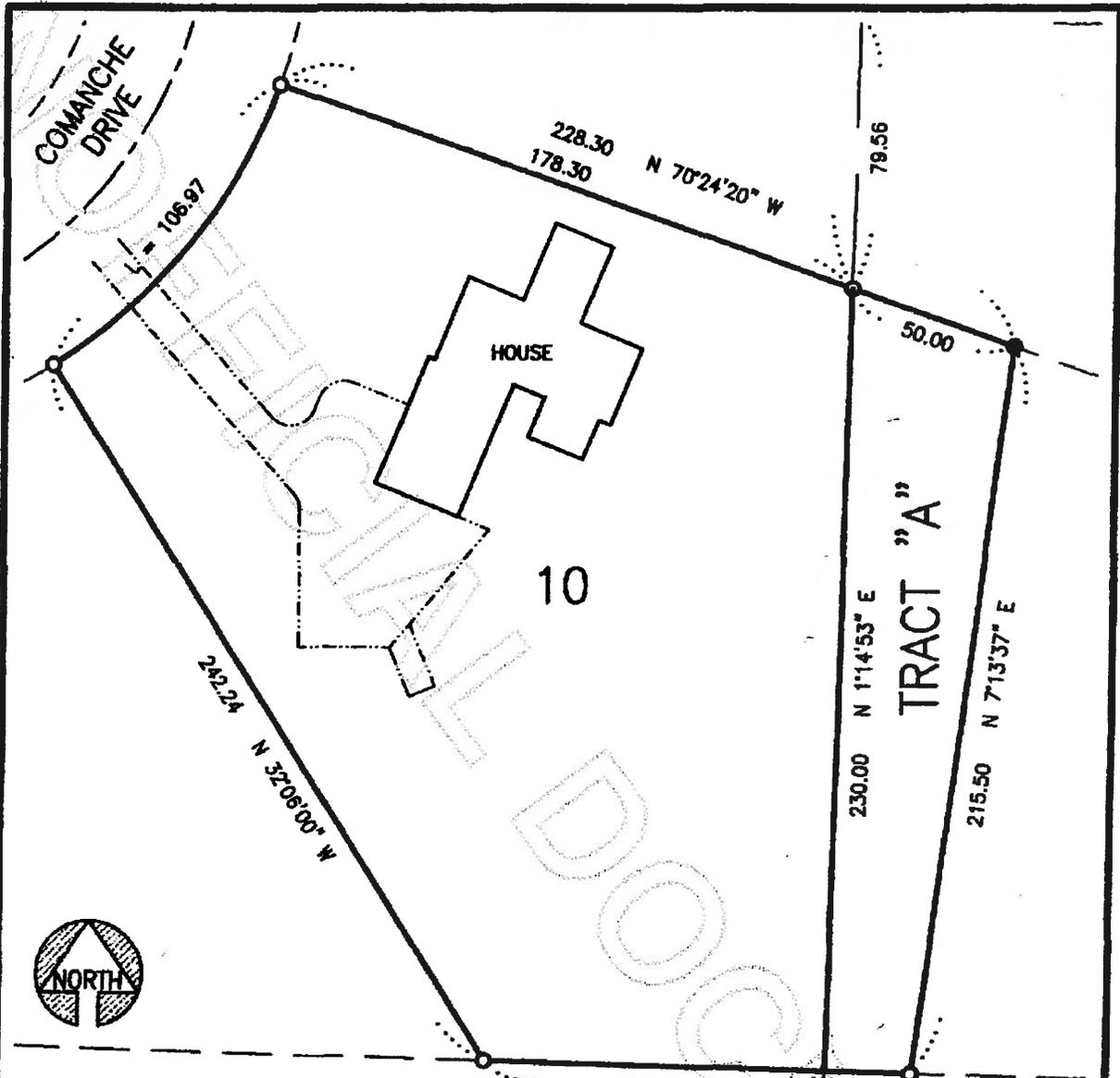
The property that you are asking about went through a process, in 2008, called a Boundary Line Adjustment. The included paperwork explains that the property originally owned all together was lot 10 of Thunderbird and Tract A of Thunderbird II. There are maps included in the paperwork that show the before and after.

The new larger lot does have its own driveway access and is over 31,000 square feet which is larger than the required 9,000 square feet minimum lot size for the current R-1, 3.0 zoning. This lot is more than adequate for a 3,600 square foot house.

I hope this information has answered your questions.

Sincerely,

Krista Jewett- Senior Permit Tech



PLAN

Scale: 1" = 50'



PREPARED BY:

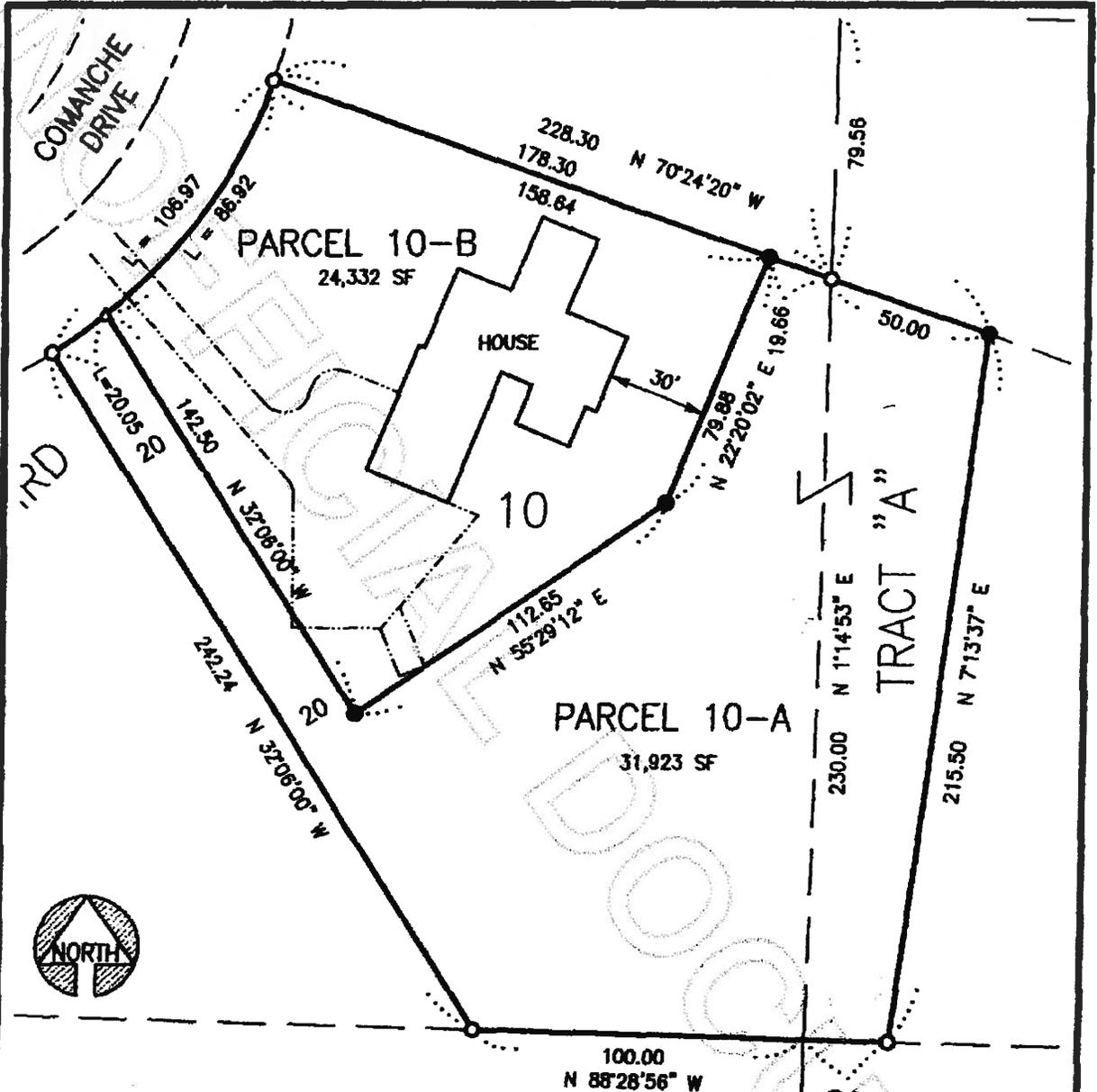
LEGRO & ASSOCIATES
ENGINEER & LAND SURVEYORS
1321 SOUTH 2ND STREET
MOUNT VERNON, WA 98273
PHONE: (360) 336-3220

**ESTATE OF IRENE G. WILSON BEFORE
BOUNDARY LINE ADJUSTMENT SKETCH**

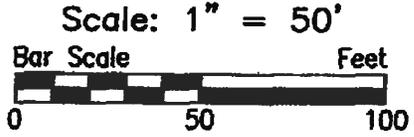
LOT 10 "THUNDERBIRD" &
TRACT "A" "THUNDERBIRD II"
SEC. 21, T. 34 N., R. 4 E.W.M.
AUGUST 12, 2008



200809100045
Skagit County Auditor



PLAN



PREPARED BY:
 LEGRO & ASSOCIATES
 ENGINEER & LAND SURVEYORS
 1321 SOUTH 2ND STREET
 MOUNT VERNON, WA 98273
 PHONE: (360) 336-3220

**ESTATE OF IRENE G. WILSON AFTER
 BOUNDARY LINE ADJUSTMENT SKETCH**

LOT 10 "THUNDERBIRD" &
 TRACT "A" "THUNDERBIRD II"
 SEC. 21, T. 34 N., R. 4 E.W.M.

AUGUST 12, 2008



200809100045
 Skagit County Auditor

**NOTICE OF DECISION:
LAND CLEARING PERMIT PER MVMC CHAPTER 15.18**

A. BACKGROUND INFORMATION:

PROJECT ADDRESS: 3306 Comanche Drive **PROJECT PARCEL NUMBERS:** P78110

APPLICANT: Keith Hoyer

PROJECT DESCRIPTION: The applicant wishes to clear portions of their property to allow the development of a single-family residential home. Less than one-half of the overall site will have timber removed (13,500 s.f. of timer removal will occur across the 31,000 s.f. site). The timber removal is expected to yield approximately 25,000 board feet of merchantable timber.

APPLICABLE MVMC MVMC 15.18

B. APPROVAL CRITERIA:

The approval criteria found in the MVMC 15.18.040 for land clearing permits is provided below.

1. Land clearing shall not be permitted until all required land use or building permits are approved. Yes No
Staff Note: see condition #1.
2. Land clearing shall be permitted until SEPA review of the project is complete, including the issuance of the final environmental impact statement if required. Yes No
Staff Note: the SEPA DNS was issued on 1.13.17; the Clearing Permit is not valid until the SEPA appeal period is up with no appeals filed.
3. Fencing is provided where necessary and other methods of property management will be implemented to prevent damage to adjacent land and natural resources. Yes No
Staff Note: see condition #2.
4. The maximum area being cleared is one and one-half times the minimum lot size for the zone where the property is located. Yes No
Staff Note: see condition #8.
5. An appropriate erosion and sedimentation control plan is provided and will be implemented before, during and after clearing. Yes No
Staff Note: see condition #4.
6. The activity complies with the requirements of Chapters 15.06, 15.07 and 15.40 MVMC. Yes No

C. DECISION & CONDITIONS:

The Land Clearing Permit for Keith Hoyer, file number: PL16-113 has been **APPROVED** by the Community & Economic Development subject to compliance with the standards of the Mount Vernon Municipal Code and the following specific requirements placed on this action that allow this permit to be issued:

1. This Land Clearing Permit is not valid until such time that the SEPA appeal period for this permit has tolled (1.27.17) with no appeals filed and until such time that the CEDD approves the Fill & Grade and Building Permits for the subject site.
2. Prior to initiating any clearing activities on the site, trees to be protected and preserved shall be protected from potentially damaging activities as follows. Once the following tree protection measures are in place the CEDD will complete an inspection of these measures to ensure compliance. No clearing activities can commence until the CEDD has approved the tree protection measures below.
 - a. Trees to be left on the subject site, along with their associated critical root zones, shall be identified and fenced. The critical root zone surrounding each tree that will remain on the site shall also be identified. The critical root zone is defined as an areas that is no less than the area of a circle with a radius that extends one foot out from the tree for every inch of trunk DBH or the area of a circle with a radius extending from a tree's trunk to a point no less than the end of the tree's longest branch, whichever is greater.
 - b. Three inches of composted woodchips shall be placed over the critical root zone of the trees to be retained. The purpose of this is to retain moisture, increase organic matter, and visually establish the critical root zone.
 - c. The protective fence surrounding the trees to be left on the site along with their above-described critical root zones shall be a minimum of four feet high and may be higher if needed to ensure clear visual delineation. Chain-link fence fastened to steel stakes/posts driven securely into the ground shall be required to discourage easy movement. Chain-link fence is not required along the entire length of proposed roadways.
3. Prior to initiating any clearing activities on the site the applicant shall have all property lines located and flagged by either finding the property corners or having a Professional Land Surveyor complete this work. Once the property lines are identified the CEDD will complete an inspection to ensure compliance.
4. Prior to initiating any clearing activities on the site the applicant shall have the CEDD Engineering Division approve the stormwater control BMPs to be utilized on this site. The BMPs shall be in compliance with DOE Stormwater Manual and all other stormwater regulations adopted by the City. The applicant shall be required to comply with all conditions of approval that the Engineering Division places on the proposed clearing activities that ensure compliance with the DOE Stormwater Manual and the MVMC.
5. With regard to the tree protection and critical root zones that are required to be protected throughout the clearing activities; the following additional conditions shall apply:
 - a. The tree/CRZ protection fence shall remain in place until the city authorizes removal or issues a final certificate of occupancy whichever occurs first.
 - b. No clearing, grading, filling, or other development activities shall occur within the tree protection areas.
 - c. No vehicles, construction materials, fuel, or other materials shall be placed in tree protection areas.
 - d. No nails, rope, cable, signs, or fencing shall be attached to any tree within the tree protection areas.
 - e. The grade within the tree protection area shall not be altered.
 - f. No impervious surface shall be installed within the tree protection area.
 - g. Utility trenches shall be located outside of the tree protection area. Boring or tunneling under the critical root zone may be considered an alternative but shall require advanced written approval from the city.
6. Dust from clearing activities shall be minimized at all times. Impervious surfaces on or near the construction area shall be swept, vacuumed, or otherwise maintained to suppress dust entrainment. Any dust suppressants used shall be approved by the director or designee. Petrochemical dust suppressants are prohibited. Watering the site to suppress dust is also prohibited unless it can be done in a way that keeps sediment out of the drainage system.
7. Native soil (duff and topsoil) shall be stockpiled and reapplied to cleared areas.
8. Revised site plans need to be submitted to the City demonstrating compliance with the following items before any land clearing activities can commence on the project site:
 - a. Show where native duff and topsoil will be stockpiled and reapplied on the site.
 - b. Identify the tree and CRZ protection areas and provide details of the required fencing, and additional performance standards outlined above. Please note that the clearing notes on the site plan that was submitted do not satisfy these requirements.
 - c. Identify the location and board feet of the previously cut trees on this site and verify that the maximum clearing limits are not being exceeded.

Rebecca Lowell

Rebecca Lowell, Senior Planner
Community & Economic Development Department

1/13/17
Date

D. EXPIRATION/APPEALS/NOTES TO APPLICANT:

Minor modifications are Process II decisions per MVMC Chapter 14.05; where a final decision is made by the director or the director's designee without a public hearing.

This decision may be appealed in an open record appeal hearing to the hearing examiner within 14 days of the date this document was signed by the approval authority, as noted above. The hearing examiner decision may be appealed in a closed record appeal to the city council.

Consistent with MVMC 15.18.040(N) this approval shall be valid for two consecutive years following the date of issuance.

Further information may be obtained by contacting the Community & Economic Development Department at: 910 Cleveland Ave / P.O. Box 809, Mount Vernon, WA 98273, (360) 336-6214.