

**ORDINANCE NO. 112 - 01**

**AN ORDINANCE TO AMEND THE MASON COUNTY  
DEVELOPMENT REGULATIONS REGARDING SPECIAL USE PERMITS**

AN ORDINANCE to amend the Mason County Development Regulations (Ord. No. 82-96) to allow for the administrative review and approval of minor changes to existing Special Use Permits with the concurrence of the Mason County Board of Commissioners.

WHEREAS, the Mason County Board of Commissioners adopted Ordinance No. 82-96, which among other development regulations established a Special Use Permit review process to address those land uses which possesses unique characteristics due to size, nature, intensity of use, technological processes involved, demands upon public services, relationship to surrounding lands, or other factors which required consideration by the Board of County Commissioners;

WHEREAS, the existing Ordinance No. 82-96 makes no provisions for minor changes to an approved Special Use Permit, such as those provided in the Mason County Shoreline Master Program to address minor changes which are needed but are not significant;

WHEREAS, Mason County finds that the ability to make minor changes to an approved Special Use Permit without requiring a lengthy and expensive public hearing process is in the public interest as a savings to Mason County, the applicant, and the general public;

NOW, THEREFORE, the Mason County Board of Commissioners do hereby ordain that Ordinance No. 82-96 Chapter 1.05 be amended by the addition of Section 1.05.048 as follows:

**1.05.048      Minor Amendment**

A minor amendment may be made to an approved Special Use Permit, provided:

- A.     The Administrator determines the scope of the minor amendment, and any prior minor amendments, does not constitute a significant change in the scope of the approved permit or create any additional material or environmental impact on the site, adjacent properties, or access roadways.
- B.     The Administrator determines the minor amendment does not create a use which is inconsistent with the decision criteria detailed in Chapter 1.05.44.A to 1.05.44.F and the Mason County Resource Ordinance.
- C.     The Administrator's written determination regarding A and B above, the proposed minor amendment, and the notice of date of proposed action by the Board of County Commissioners are mailed to adjacent property owners at least ten days, but not more than thirty days, prior to action by the Board.

- D. On the date of scheduled action, after taking public comment, the Board concurs with the written determination and approves the minor amendment.

DATED this 16th day of October, 2001.

BOARD OF COUNTY COMMISSIONERS  
MASON COUNTY, WASHINGTON

ATTEST:

Debecca D Rogers  
Clerk of the Board

APPROVED AS TO FORM:

Dominick  
Prosecuting Attorney

Herb Baze  
Herb Baze, CHAIRPERSON

Robert Holter  
Robert Holter, COMMISSIONER

Wesley E. Johnson  
Wesley E. Johnson, COMMISSIONER



ALTERATION TO LYNCH COVE, DIVISION IV  
RESOLUTION 112-01

On September 9, 1969, the Plat of Lynch Cove, Division 4, located in Section 36, Township 23 North, Range 2 West, W.M., was recorded in Volume 8 page 43 records of Mason County, Washington.

WHEREAS, The Dedication included in Lynch Cove, Division 4, is as follows:

Know all men by these presents that Alan A. Bowden and Wanda L. Bowden, President and Secretary Treasurer respectively of M & A development corporation, a Washington Corporation, the undersigned, owners in fee simple of the land hereby platted and Sidney M Casteel, Marjorie D Casteel, his wife mortgagees, A.G. Goed and Harry Speiser, President and Secretary respectively of Pacific Small Business Investment Company, a Washington Corporation mortgagees, thereof hereby declare this plat and dedicate to the use of the public forever all streets, avenues, places and sewer easements or whatever public property there is shown on the plat and the use thereof for any and all public purposes not inconsistent with the use thereof for public high-way purposes. Also the right to make all necessary slopes for cuts & fills upon lots, blocks, tracts, etc., shown on this plat in the reasonable original grading of all the streets, avenues, places, etc. shown hereon. Also the right to drain all streets over and across any lot or lots where water might take a natural course after the streets are graded.

WHEREAS, The final plat contains EASEMENT PROVISIONS, which state:

Easements within 5 feet of all lot lines (or 10 feet where the property line is not common with another lot) are hereby reserved for drainage, water system lines, storm sewers, and utilities, including the right of maintenance.

WHEREAS, RCW 58.17.215 – Alteration of subdivision – Procedure, provides a method by which a person interested in the alteration of any subdivision or the altering of any portion thereof may proceed;

WHEREAS, William and Kathleen Shutters, owners of Lots 24, and 25 in the Plat of Lynch Cove, Division 4, has made application with the Mason County Board of County Commissioners requesting an alteration to the easement running approximately northwest to southeast 154 feet between these said lots, for the purpose of combining lots through a Declaration of Parcel Combination;

WHEREAS, the application contains the signatures of the majority of those persons having an ownership interest of lots, tracts, parcels, sites, or divisions in the subject subdivisions or portion thereof;

WHEREAS, Lynch Cove Home Owners Association, Aquarius Water Company, PUD #3, and Qwest Communications have relinquished their interests in the easement;

WHEREAS, the Mason County Board of County Commissioners did notify the affected landowners as required by RCW 58.17.215;

WHEREAS, a public hearing was held on October 9, 2001, at 9:15 am, in the Commissioners Chambers;

1741409

Page: 5 of 5  
10/16/2001 02:22P  
Mason Co., WA



WHEREAS, after due consideration it appears to be in the best public interest to approve the request made by William and Kathleen Shutters;

NOW THEREFORE BE IT RESOLVED that the Board authorizes the alteration of the previously described 5 foot easements between Lots 24 and 25 in the Plat of Lynch Cove, Division 4, with the understanding that the easement is being removed for the purpose of performing a Declaration of Parcel Combination.

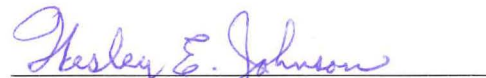
PASSED IN REGULAR SESSION this 9th day of <sup>October</sup>~~September~~ 2001.

APPROVED AS TO FORM

BOARD OF COUNTY COMMISSIONERS  
MASON COUNTY, WASHINGTON

  
Prosecuting Attorney

  
CHAIRMAN

  
COMMISSIONER

ATTEST:

  
CLERK OF THE BOARD

  
COMMISSIONER