



200910300097

Skagit County Auditor

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After Recording Return to:  
Skagit County Planning and Development Services  
1800 Continental Place  
Mount Vernon WA 98273

## CERTIFICATE OF NON-COMPLIANCE

Skagit County Planning and Development Services has found the property listed below has not fully complied with Skagit County Code Title 14 or 15, or both, pursuant to the attached Supplemental Notice and Order to Abate. The property owner has been notified. This certificate of Non-Compliance will remain in effect until compliance is achieved.

Case Numbers CE06-0214, CE07-0103 & CE09-0059

Violator: David Allan

Legal Description: (8.0400 ac) (BLFC) ACREAGE ACCOUNT, ACRES 8.04, LOT 1 OF SKAGIT COUNTY SHORT PLAT PL05-0258 RECORDED AF#200601060080, BEING A PORTION OF THE NE1/4 SW1/4.

Address of Violation: 15547 Flinn Road, Bow

Parcel Number: P123887

I, Tim DeVries, CBO, do hereby certify under penalty of perjury that the above information, to the best of my knowledge, is correct.

DATED this 29 day of OCTOBER 2009.

Skagit County Building Official



State of Washington, County of Skagit. On this 29th day of October, year of 2009, before me MARY JOANNE OSTLUND Notary Public, personally appeared TIM DEVRIES personally known to me to be the person whose name is subscribed to this instrument, and acknowledged that he/she executed it. Witness my hand and official seal:

Notary's Signature Mary Joanne Ostlund

Notary Public in and for the State of Washington residing at

Burlington

My commission expires: 2-5-2011



# PLANNING & DEVELOPMENT SERVICES

GARY R. CHRISTENSEN, AICP, DIRECTOR

BILL DOWE, CBO, DEPUTY DIRECTOR

PATTI CHAMBERS  
Administrative Coordinator

TIM DEVRIES, CBO  
Building Official

CERTIFIED MAIL

July 8, 2009

Deleted: 1

## SUPPLEMENTAL NOTICE & ORDER TO ABATE

David Allan  
P.O. Box 98  
Bow, WA 98232

Case Numbers: CE06-0214, CE07-0103 & CE09-0059

Subject: Property location: 15547 Flinn Road, Bow, WA 98232

Legal Description: (BLFC) ACREAGE ACCOUNT, ACRES 8.04, LOT 1 OF SKAGIT COUNTY SHORT PLAT PL05-0258 RECORDED AF#200601060080, BEING A PORTION OF THE NE1/4 SW1/4.

Assessor's Tax Parcel: 360322-0-002-0300

Tax I.D. Number: P123887

Pursuant to Titles 14 and 15 of the Skagit County Code (SCC), Building Inspector, Paul Erickson, conducted a site visit on May 15, 2009.

The Administrative Official has found that you are in violation of Titles 14 and/or 15 of the Skagit County Code (SCC) and land use regulations or statutes as follows:

1. **SCC 14.16.810(1) Setback requirements.** - Your building, issued under permit #BP06-0131, does not meet the setback requirements of Skagit County Code or of the site plan approved with this building permit. The location of the building is a violation of Skagit County Code.
2. **SCC 14.16.320(3) Administrative Special Uses.** - Your activity, specifically your septic business with advertising signage and outside storage of materials, requires an Administrative Special Use Permit for a Home-Based Business 2 if the public comes to the site or a Hearing Examiner Special Use Permit for a Home-Based Business 3 if you have employees on site, in this zoning district. Your activity without this permit is a violation of Skagit County Code.

Mailing Address: 1800 Continental Place • Mount Vernon, WA 98273  
Temporary Physical Location: 1700 E. College Way, Mount Vernon  
Phone: (360) 336-9410 • Fax: (360) 336-9416

*"Helping You Plan and Build Better Communities"*



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3. **SCC 14.24.060.** - Activities that can impair the functions and values of critical areas or their buffers, including geologically hazardous areas, through a development activity or by disturbance of the soil or water, and/or by removal of, or damage to, existing vegetation, shall require critical areas review and written authorization. Your activity without the required authorization violates this section of Skagit County Code.
4. **SCC 15.04 and IBC 105.1.** - Construction shall not occur without first making application and obtaining the required building permit. Your construction of accessory or agricultural buildings without a permit violates these code sections.

**You are hereby ordered to take the following action to abate the above violations:**

1. **SCC 14.16.810(1) Setback requirements** - Remove the structure to a location that complies with the setbacks for the applicable zone within 15 days, and if different than the approved site plan a revised site plan must be submitted to this Department for review and approval.
2. **SCC 14.16.320(3) Administrative Special Uses** - Provide a complete application, including fees, for the required pre-application meeting and the required Special Use permit within 15 days from the date of this notice, and obtain the required permit. Unpermitted activities must cease until the required permit has been obtained, or

Permanently cease all activities related to this violation.

3. **SCC 14.24.060** - Provide a completed application, including fees, for Critical Area review for your activity within 15 days from the date of this notice, and comply with all requirements of the review.
4. **SCC 15.04 and IBC 105.1** - Provide a completed application, including fees, for a building permit for your structure within 15 days from the date of this notice, and obtain the required permit, or

Remove or dismantle the structure.

A failure to comply with this order may result in referral to the Prosecuting Attorney's office for further enforcement action including commencing a court action for criminal and civil penalties.

A civil penalty of one hundred dollars (\$100.00) is hereby assessed for each day that any violation noted above continues past the required compliance date of July 23, 2009. All civil penalties will be enforced and collected as authorized by law.

If the required corrective work is not commenced or completed within the time allotted, the Administrative Official may cause the work to be done. Any county costs incurred to abate the violation(s) will be charged as a public nuisance lien against the property. A public nuisance lien may violate the terms of your real estate loan and Deed of Trust or Mortgage. It may cause your



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lender to start foreclosure proceedings against your property. If you have any questions about that, please contact your lender.

Appeal to the Skagit County Hearing Examiner: This order becomes final fifteen (15) days after service unless you file a timely appeal with the Skagit County Hearing Examiner. Applications for appeals are available from Skagit County Planning and Development Services. Appeals must be made in writing and submitted, along with the required fees, to Planning and Development Services within fourteen (14) calendar days of service of this Notice and Order to Abate. Appeals will be processed under Chapter 14.06 SCC.

If you have any questions regarding this order, please contact me at (360) 336-9410, ext. 3489.

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Bill Dowe, CBO, Deputy Director for  
Tim DeVries, CBO  
Building Official



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