



201005180017
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 in non-compliance with Skagit County Code Title 14 or 15, or both, pursuant to the attached 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 Number CE07-0140

Violator: Garrick and Tina Sager

Legal Description:

TITLE ELIMINATION) INCLUDING MANUFACTURED HOME 2002 SKYLINE LEXINGTON 68X41 SERIAL NUMBER 2T910482P BIG LAKE WATER FRONT TRACTS THE NORTHWESTERLY 56 FEET OF LOT 8

Address of Violation: 17643 West Big Lake Boulevard, Mount Vernon

Parcel Number: P61964

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

DATED this 14th day of May, 2010

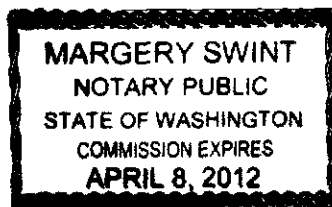
Skagit County Building Official

State of Washington, County of Skagit. On this 14 day of May, year of 2010, before me Margery Swint 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 Margery Swint

Notary Public in and for the State of Washington residing at Mount Vernon

My commission expires: 4/8/12





PLANNING & DEVELOPMENT SERVICES

GARY R. CHRISTENSEN, AICP, DIRECTOR

BILL DOWE, CBO, DEPUTY DIRECTOR

PATTI CHAMBERS
Administrative Coordinator

TIM DEVRIES, CBO
Building Official

CERTIFIED MAIL

December 9, 2009

SUPPLEMENTAL NOTICE AND ORDER TO ABATE

Garrick & Tina Sager
17643 West Big Lake Blvd
Mount Vernon, WA 98274

Case Number: CE07-0140

Subject property location: 17643 West Big Lake Blvd

Legal Description: Big Lake Waterfront Tracts, The Northwestern 56 feet of Lot 8 within a portion of the SW ¼ of Section 36, Township 36 N, Range 4 E.

Assessor's Tax Parcel: P61964

Tax I.D. Number: 3862-000-008-0003

Site visits by County staff and by the Washington State Department of Ecology on July 26, 2007, have confirmed that native wetland and buffer vegetation has been cleared and that fill has been placed within a wetland and waterward of the ordinary high water mark of Big Lake on parcel P61964. These activities are inconsistent with the policies of the Shoreline Management Act and requirement of the Skagit County Shoreline Master Program (SMP) and therefore constitute shoreline violations. These activities are also in violation of Skagit County Code (SCC) 14.24, the Critical Areas Ordinance (CAO).

The Supplemental Notice & Order to Abate, dated September 22, 2009, required all elements of the restoration plan to be completed no later than October 30, 2009. That deadline was extended to November 30, 2009 based on a brief meeting with Mr. Sager and a request received by email on October 30, 2009. The reason for the extension was due to the difficulty is obtaining the required plants for the restoration project. The November 30, 2009 deadline was not met and the request for an additional extension was not received until December 3, 2009 (by email).

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

1. SCC 14.24.060: Requires that any land use activity that can impair the functions and values of critical areas or their associated buffers through a development activity or by disturbance of the soil, water, and/or by removal or damage to, existing vegetation shall require critical

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Phone: (360) 336-9410 • Fax: (360) 336-9416

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areas review and written authorization pursuant to this Chapter. This authorization has not been obtained.

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

1. Complete installation of the fence along the PCA boundary no later than December 31, 2009.
2. Provide photo documentation of all restoration activities (fill removal, partial plant installation, fence along PCA boundary, etc) no later than December 31, 2009.
3. Complete the remaining elements of the restoration plan no later than April 30, 2010.
4. Provide photo documentation of remaining elements of the restoration plan no later than April 30, 2010.
5. Install and maintain all necessary erosion and sedimentation control measures for as long as necessary to prevent sediment from entering Big Lake and associated wetlands.
6. Pay the civil penalty of \$5000 no later than January 30, 2010. This penalty is reasonable given the landowner's failure to meet previous deadlines, the continued costs of enforcement, and the nature and extent of the violation (SCC 14.44.080(4)(b)).

A further civil penalty of one hundred dollars (\$100.00) is hereby assessed pursuant to SCC 14.44.030(2) for each day that any violation noted above continues past listed deadlines. All civil penalties will be enforced and collected as authorized by law.

Failure to comply with this order may result in referral to the Prosecuting Attorney's office for further enforcement action including court action and additional civil penalties.

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 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. 3456.


Bill Dowe, CBO
Deputy Director



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