



201606150073

Skagit County Auditor

6/15/2016 Page

1 of

\$78.00

6 2:15PM

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

## Certificate of Non-Compliance

Recorded By: **Skagit County, a political subdivision of the State of Washington**  
Skagit County Planning & Development Services  
1800 Continental Place  
Mount Vernon WA 98273

Property Owner: **Luke Lumina, Thelma Palmer Lumina and Dennis Palmer**

Legal Description: (TITLE ELIMINATION) INCLUDING MANUFACTURED HOME 2004 MARLETTE SERIAL NUMBER H022603ABC; THE NORTH HALF OF THAT PORTION OF THE NE1/4 OF THE SW1/4 OF SECTION 12, TOWNSHIP 34 NORTH, RANGE 1 E, W.M., DESCRIBED AS FOLLOWS: BEGINNING 566 FEET WEST AND 466 FEET SOUTH OF THE CENTER OF SAID SECTION 12; THENCE SOUTH 460 FEET; THENCE EAST, 100 FEET;; THENCE NORTH TO A POINT EAST OF THE POINT OF BEGINNING; THENCE WEST TO THE POINT OF BEGINNING, EXCEPT COUNTY ROAD RIGHT-OF-WAY; TOGETHER WITH ALL AND SINGULAR THE TENEMENTS, HEREDITAMENTS AND APPURTENANCES THEREUNTO BELONGING OR IN ANY WISE APPERTAINING. ALSO KNOWN AS A PORTION OF SURVEY AF#200307310093 TOGETHER WITH THE NORTH 200 FEET OF THE FOLLOWING DESCRIBED TRACT OF LAND: BEGINNING AT A POINT 466 FEET WEST AND 466 FEET SOUTH OF THE CENTER QUARTER CORNER OF SECTION 12, TOWNSHIP 34 NORTH, RANGE 1 EAST, W.M.; THENCE SOUTH 87-13-21 EAST PARALLEL WITH THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 12, A DISTANCE OF 1.5 FEET, MORE OR LESS, TO THE FENCE SHOWN ON THAT CERTAIN SURVEY FILED UNDER AF#200307310093; THENCE SOUTHERLY ALONG SAID FENCE, A DISTANCE OF 110 FEET, MORE OR LESS, TO AN EXISTING DRIVEWAY; THENCE CONTINUING SOUTHERLY ACROSS SAID DRIVEWAY, A DISTANCE OF 28 FEET, MORE OR LESS, TO THE END OF A NORTH-SOUTH FENCE; THENCE SOUTHERLY ALONG THE FENCE LAST MENTIONED, A DISTANCE OF 174 FEET, MORE OR LESS, TO A FENCE CORNER AT AN EXISTING DRIVEWAY; THENCE CONTINUING SOUTHERLY, ACROSS THE DRIVEWAY LAST MENTIONED, A DISTANCE OF 50 FEET, MORE OR LESS, TO THE END OF A NORTH-SOUTH FENCE; THENCE CONTINUING SOUTHERLY ALONG THE FENCE LAST MENTIONED, A DISTANCE OF 100 FEET, MORE OR LESS, TO THE NORTH RIGHT OF WAY LINE OF THE CAMPBELL LAKE ROAD; THENCE WESTERLY ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 9.7 FEET, MORE OR LESS, TO A POINT ON SAID RIGHT OF WAY LINE THAT LIES SOUTH 00-52-00 ESAT OF THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 00-52-00 WEST, A DISTANCE OF 455.88 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION, PER SKAGIT CO.06-2-01242-1.

Address of Violation: 5475 Campbell Lake Road, Anacortes 98221

Assessor's Property No(s): P19253

Code Enforcement Case No: CE15-0117

Skagit County Planning and Development Services has found the property described above 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 and a release is recorded.

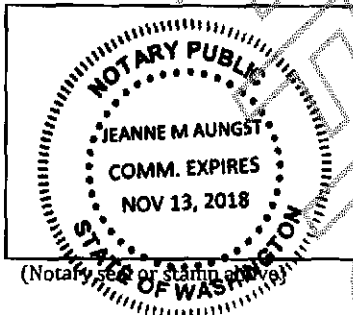
I, Sandra Perkins, hereby certify that the information above is correct to the best of my knowledge.

Sandra Perkins  
Code Compliance Officer

6/14/16  
Date

I certify that I know or have satisfactory evidence that Sandra Perkins is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledged it as the Code Compliance Officer of Skagit County Planning & Development Services to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 6/14/16



Jeanne M Aungst  
Signature of Notary Public

Jeanne M Aungst  
Printed Name of Notary Public

My appointment expires 11/13/18



## Administrative Order to Abate Violation

Planning & Development Services · 1800 Continental Place · Mount Vernon WA 98273  
voice 360-416-1320 · www.skagitcounty.net/planning

Case Number  
CE15-0117

### Property Owner

Name Luke Anthony Paul Lumina,  
Thelma Lois Palmer Lumina and  
Dennis Wayne Palmer

Mailing Address 5473 Campbell Lake Road

City Anacortes

Zip 98221

Phone

### Additional Responsible Persons

☒ No additional persons known

Name

Mailing Address

City

Zip

Phone

### Site of Violation

☐ Same as Owner Mailing Address

Address 5475 and 5473 Campbell Lake Road

City Anacortes

Zip 98221

Parcel No(s) P19253 and P19252

Zoning Rural Reserve

### Background

The Administrative Official has issued the following findings of fact relating to code violations on your property:

1. On October 5, 2015, a Request for Investigation was received by Planning & Development Services. On October 8, 2015, a site visit was performed.
2. On October 9, 2015, a contact letter was sent to the above property owners concerning the following:
  - a. The conversion of unfinished space to finished residential space at 5475 Campbell Lake Rd.
  - b. The conversion of a garage to a dwelling
  - c. The addition to a garage
  - d. The addition in progress at 5473 Campbell Lake Rd.The contact letter requested that the property owner apply for a building permit for these structures by November 9, 2015.
3. As of January 19, 2016, no building permits have been applied for.

### Description of Violation(s)

Based on our investigation, the Administrative Official has found you in violation of the following specific provision(s) of Skagit County Code.

#### Violation 1:

**SCC 15.04 and IBC 105.1.** Construction shall not occur without first making application and obtaining the required building permit. Your conversion of unfinished space to finished residential space at 5475 Campbell Lake Rd. without a permit violates these code sections.

#### Violation 2:

**SCC 15.04 and IBC 105.1.** Construction shall not occur without first making application and obtaining the required building permit. Your addition to a garage/shed and its conversion to a dwelling unit without a permit violates these code sections.

**Violation 3:**

**SCC 15.04 and IBC 105.1.** Construction shall not occur without first making application and obtaining the required building permit. Your addition to a garage without a permit violates these code sections.

**Violation 4:**

**SCC 15.04 and IBC 105.1.** Construction shall not occur without first making application and obtaining the required building permit. Your addition in progress at 5473 Campbell Lake Rd. without a permit violates these code sections.

**Corrective Action Ordered**

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

**Correction:**

1. Provide a completed application, including fees, for a building permit to convert your triplex at 5475 Campbell Lake Rd. back to a single family dwelling by **February 29, 2016**, and obtain the required permit inspection approval up to current stage of construction **90 days** from the date your building permit is approved; or remove or dismantle the unpermitted improvements by **February 29, 2016**.
2. The converted garage/shed building may not be a dwelling unit and must be converted back to a garage or shed only by **February 29, 2016**.
3. Provide a completed application, including fees, for a building permit for the modifications to the 2<sup>nd</sup> garage by **February 29, 2016**, and obtain the required permit inspection approval up to current stage of construction **90 days** from the date your building permit is approved; or remove or dismantle the structure by **February 29, 2016**.
4. Provide a completed application, including fees, for a building permit for the modifications to the accessory dwelling unit at 5473 Campbell Lake Rd. by **February 29, 2016**, and obtain the required permit inspection approval up to current stage of construction **90 days** from the date your building permit is approved; or remove or dismantle the structure by **February 29, 2016**.

## Civil Penalties

**You are hereby ordered to pay the following civil penalties:**

- ☒ \$100 per day, per violation, from date violation occurred until the violation is abated and you have notified the Administrative Official. SCC 14.44.330(2)(a)
- ☐ For flood hazard violation, \$1,000 per day per violation from date violation occurred until the violation is abated and you have notified the Administrative Official. SCC 14.44.330(2)(c)
- ☐ For critical areas or drainage violations, the amount of \_\_\_\_\_. SCC 14.44.330(2)(b)

**If you do not take the corrective action described above to abate the violations by the specified deadlines, you will be liable for the following additional civil penalties:**

- ☒ \$100 per day, per violation, until the violation is abated and you have notified the Administrative Official. SCC 14.44.330(2)(a)
- ☐ For flood hazard violation, up to \$1,000 per day per violation. SCC 14.44.330(2)(c)
- ☐ For critical areas or drainage violations, the amount of \_\_\_\_\_. SCC 14.44.330(2)(b)

**Due to a new and separate violation within one year of resolution of prior violation:**

- ☐ All penalties normally imposed are doubled. SCC 14.44.330(2)(d)

## Disclosures

**Voluntary Compliance Agreement.** The County and the violator may enter into a binding Voluntary Compliance Agreement to correct the violation by a specified deadline with a reduction or waiver of civil penalties. Contact the Department for more information. SCC 14.44.310.

**Reduction in civil penalties.** The Administrative Official may reduce a civil penalty if the violator cooperates with efforts to correct the violation. SCC 14.44.330(2)(e).

**Failure to comply with this order.** If you do not fully comply with this order by the deadlines, Skagit County may do the following:

- Issue supplemental orders to pay accrued civil penalties. SCC 14.44.330(3)(b).
- Refer unpaid civil penalties to a collection agency 30 days after service of this order. Per RCW 19.16.500, Skagit County or collection agency may add a reasonable fee, payable by the debtor, to the outstanding debt for the collection agency fee incurred or to be incurred. SCC 14.44.330(3)(c).
- Record a certificate of non-compliance against your property, which may make it difficult to sell your property.
- Refer this matter to the Prosecuting Attorney's office for further enforcement action including criminal charges, an injunction, or the collection of civil penalties.
- If you do not fully correct the violation, Skagit County may do the work itself. Any County costs incurred to abate the violation(s) may be charged as a public nuisance lien against your 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.

### Additional Disclosures.

- You may have to pay additional enforcement fees equal to 100% of the cost of the application fees, and 200% of the cost of critical areas fees, for any permits required by code enforcement actions. Resolution R20110111.
- Skagit County may deny any other permits you apply for on the same site until the violation is corrected and payment of any civil penalties is complete. SCC 14.44.360
- If you commit a new and separate violation within a year after the resolution of a prior violation, you may be subject to double the civil penalties normally imposed for such violation. SCC 14.44.330(2)(d).

**Effective date.** This order is effective upon service. Service is the date of mailing via certified mail. SCC 14.44.220(2)(e) and (3)(b).

**Appeal.** This order becomes final unless you file an appeal to the Skagit County Hearing Examiner, with the required fees, within 14 days of service. Appeal forms are available from, and must be submitted to Skagit County Planning and Development Services. Appeals are processed as appeals of Level I decisions under Skagit County Code 14.06.110. Failure to appeal may constitute waiver of all rights to appeal the order.

**No verbal agreements.** The Administrative Official may only rescind or modify this order in writing.

If you have any questions regarding this order, please contact the undersigned at (360) 416-1343.

Issued By

Sandra Perkins  
Sandra Perkins, Code Compliance Officer

Date

1/26/16