



201608250064

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: Jonathan Jones and Kenneth Jones

Legal Description: ACRES 10.25, A PORTION OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 34 NORTH, RANGE 1 EAST, W.M., DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SUBDIVISION; THENCE SOUTH 89 DEGREES 38' EAST ALONG THE NORTH LINE OF SAID SUBDIVISION 779.45 FEET TO THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE SOUTH 0 DEGREES 48'30" WEST ALONG AN EXISTING FENCE LINE 330.0 FEET; THENCE SOUTH 89 DEGREES 38' EAST 660.0 FEET; THENCE NORTH 0 DEGREES 48'30' EAST 330.0 FEET TO THE NORTH LINE OF SAID SUBDIVISION; THENCE NORTH 89 DEGREES 38' WEST 660.0 FEET TO THE TRUE POINT OF BEGINNING; EXCEPT COUNTY ROAD ALONG THE NORTH BOUNDARY THEREOF, KNOWN AS GINNETT ROAD OR DECEPTION PASS BURROWS BAY ROAD. TOGETHER WITH THAT PORTION OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 34 NORTH, RANGE 1 EAST, W.M. DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTH HALF; THENCE SOUTH 88 DEGREES 10'52" EAST ALONG THE NORTH LINE OF SAID NORTH HALF A DISTANCE OF 779.45 FEET; THENCE SOUTH 01 DEGREES 45'38" WEST, A DISTANCE OF 330.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 88 DEGREES 40'52" WEST, 70.69 FEET; THENCE SOUTH 89 DEGREES 05'50" WEST, A DISTANCE OF 346.32 FEET TO THE SOUTH LINE OF SAID NORTH HALF; THENCE SOUTH 89 DEGREES 03'50" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 633.63 FEET TO THE SOUTHEAST CORNER OF THE NORTH HALF; THENCE NORTH 00 DEGREES 09'45" WEST ALONG THE EAST LINE OF SAID NORTH HALF, A DISTANCE OF 342.12 FEET; THENCE NORTH 88 DEGREES 40'52" WEST, A DISTANCE OF 561.46 FEET TO THE TRUE POINT OF BEGINNING. A PORTION OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 34 NORTH, RANGE 1 EAST, W.M., DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SUBDIVISION; THENCE SOUTH 89 DEGREES 38' EAST ALONG THE NORTH LINE OF SAID SUBDIVISION 779.45 FEET TO THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE SOUTH 0 DEGREES 48'30" WEST ALONG AN EXISTING FENCE LINE 330.0 FEET; THENCE SOUTH 89 DEGREES 38' EAST 660.0 FEET; THENCE NORTH 0 DEGREES 48'30' EAST 330.0 FEET TO THE NORTH LINE OF SAID SUBDIVISION; THENCE NORTH 89 DEGREES 38' WEST 660.0 FEET TO THE TRUE POINT OF BEGINNING; EXCEPT COUNTY ROAD ALONG THE NORTH BOUNDARY THEREOF, KNOWN AS GINNETT ROAD OR DECEPTION PASS BURROWS BAY ROAD. TOGETHER WITH THAT PORTION OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 34 NORTH, RANGE 1 EAST, W.M., DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTH HALF; THENCE SOUTH 88 DEGREES 10'52" EAST ALONG THE NORTH LINE OF SAID NORTH HALF, A DISTANCE OF 779.45 FEET; THENCE SOUTH 01 DEGREES

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Address of Violation: 4203 Thunder Lane and 4126 Ginnett Road

Assessor's Property No(s): P19369

Code Enforcement Case No: CE15-0018

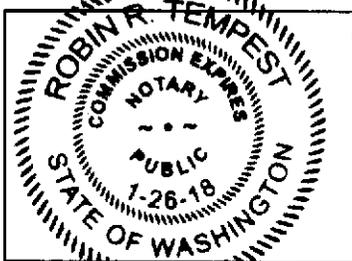
Skagit County Planning and Development Services has found the property described above in non-compliance with Skagit County Code Title 14 or 15, or both, pursuant to the attached Notice and Order to Abate. The property owner has been notified. This Certificate of Non-Compliance will remain in effect 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 8/24/16
Code Compliance Officer 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: 8-24-16



(Notary seal is stamped above)

Robin R. Tempest
Signature of Notary Public

Robin R. Tempest
Printed Name of Notary Public

My appointment expires 1-26-18



Supplemental 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
CE15-0118

Property Owner

Name Jonathan and Kenneth Jones Mailing Address 4126 Ginnett Rd.
City Anacortes Zip 98221 Phone _____

Additional Responsible Persons No additional persons known

Name Kenneth Jones Mailing Address 4092 Ginnett Rd.
City Anacortes Zip 98221 Phone _____

Site of Violation Same as Owner Mailing Address

Address 4126 Ginnett Rd. City Anacortes Zip 98221
Parcel No(s) P19369 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.
2. On October 20, 2015, site visit was conducted and a contact letter was sent to the above property owners regarding multiple recreational vehicles parked in the County right of way, and a (red) accessory structure that has allegedly been converted to a dwelling space without a building permit or the required inspections.
3. On December 14, 2015, a call was received by Code Compliance, reporting that one or more people are allegedly living in another small structure with a smokestack, near the road and pond. On January 5, 2016, a report was received of two (2) tents being lived in near the pond area.
4. On December 15, 2015, another site visit was performed. It was observed that the recreational vehicles have been removed from the property. Smoke was observed coming from the smokestack in the roof of the small structure near the road and pond. There are no building permits or inspections on file for this accessory dwelling structure either. Please be aware that a second accessory dwelling is not permitted in the Rural Reserve zoning designation. During the site visit it was also noted that there is more than 500 square feet of "junk" on the property.
5. On March 11, 2016, a site visit was performed. The RV's formerly parked on the County right of way have been removed. The small green structure by the road does not appear to be currently used as a dwelling (no lights, smoke from chimney or activity). The red structure at the end of the driveway although possibly built before 1989, still needs a permit to convert to an accessory dwelling unit.
6. On May 25, 2016, a new Request for Investigation was received concerning a third unpermitted accessory dwelling structure, being used as a residence. This is a 2 story structure on the same parcel; address is 4203 Thunder Lane. There are no records of a septic system and there may be an illegal water hook-up. A site visit was performed which confirmed that this structure appears to be a dwelling unit. There is in excess of 500 sq. ft. of junk near this structure.

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 construction of at least two accessory dwelling structures (the small red structure on the driveway and the 2 story structure on Thunder Ln.) without permits violates these code sections.*

Violation 2:

SCC 14.04 Accessory Dwelling Use, Residential. *Residential accessory dwelling units are limited to one per lot or property.*

Violation 3:

SCC 14.04. *Junkyard means the use of more than 500 square feet of area of a parcel of land for the sorting, dismantling, or storage of junk. Junk means scrap metals, discarded household appliances, furnishings and fixtures, or unlicensed and/or inoperable vehicles, etc. The zoning of your parcel does not permit or allow junkyards and therefore you are in violation of Skagit County Code for this unpermitted use.*

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 for **ONE** accessory dwelling structure by **July 15, 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 **July 15, 2016**,*

or,

*Discontinue the use of all other accessory structures as dwellings, and convert these structures to an approved use (ie: storage only), and contact Code Compliance for an inspection by **July 15, 2016**; or remove or dismantle the structures by **July 15, 2016**.*

Correction 2:

*Remove all items of junk, as defined by SCC 14.04, to a combined area that is 500 square feet or less in size, by **July 15, 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

6/15/16