

RECORD OF THE PROCEEDINGS
SKAGIT COUNTY BOARD OF COMMISSIONERS

Tuesday, December 8, 1987

Flag Salute

9:00 a.m. Consideration of Appeal of Hearing Examiner Decision on the Linc Huff Variance Request #V-87-027.

MISCELLANEOUS ITEMS

10:00 a.m. Executive Session - Personnel, Labor Negotiations.

2:00 p.m. 1. Bid Opening - Concrete Senior Center Remodel.
2. Discussion - Public Works/Planning Department Alterations.

MISCELLANEOUS ITEMS

The Skagit County Board of Commissioners met in regular session on Tuesday, December 8, 1987, with Commissioners Walberg, Vaux and Rohrer present.

CONSIDERATION OF APPEAL OF HEARING EXAMINER DECISION ON THE LINC HUFF VARIANCE REQUEST #V-87-027.

Grace Roeder, Associate Planner, presented the record of survey, as submitted by the applicant, and staff photos. Ms. Roeder informed the Board that in April of 1987, the Planning Commission recommended approval of Special Use Permit #SP-87-027 to allow the construction and operation of mini storage units at the intersection of Highway 20 and District Line Road, subject to a number of conditions. On approximately May 1, 1987, the Board of Commissioners accepted the Planning Commission's recommendation and approved Special Use Permit #SP-87-027, subject to nine conditions.

Ms. Roeder stated that in September of 1987, Linc Huff applied for a variance to not comply with the landscaping requirements as attached to Special Use Permit #SP-87-027; and also to not comply with the required sections of the Skagit County Flood Damage Prevention Ordinance. The Hearing Examiner found the variance to not comply with the landscaping requirements as attached to Special Use Permit #SP-87-027 would not be adverse to the public health, safety and general welfare, and therefore he granted that portion of the variance, subject to five conditions. The Hearing Examiner denied the variance request to not floodproof or elevate the structures.

Ms. Roeder reviewed Mr. Huff's appeal of the Hearing Examiner's decision. He felt since he was using containers built for shipping and storage (wind and water tight and stackable) then they should be considered for what they are.

Mr. Huff explained to the Board how the containers could be sealed at a time of eminent flood. Mr. Huff stated he had the containers inspected on June 17, 1987. In many cases, the containers were not declared unserviceable. He has

30 units, and cut doors 7 1/2 feet tall by 4 feet wide in the units.

Mr. Huff explained his second option is to stack the containers with a forklift at a time of eminent flood. The containers are made to float and made to stack.

With regard to the conditions of landscaping, Mr. Huff explained that on February 4, 1987, he received a stop work order after clearing the land and placing the containers. He explained the history of his project, noting he was in constant contact with City and County officials. He felt the County was trying to force him to comply with landscaping regulations which did not become effective until after his project was completed.

Joe Morgan, 1077 District Line Road, stated that he lives across from the development. He felt it was ridiculous to require compliance with floodplain regulations for tin boxes. Mr. Morgan stated that the railroad acts as a dike to protect their properties.

Commissioner Rohrer explained that the Board has no authority to dispute the floodplain maps and regulations.

Steve Wood, Director of the Department of Planning and Community Development, stated that the Federal Emergency Management Agency (FEMA) was of the opinion the boxes could not be anchored so they wouldn't float off.

Paul Thompson stated he is the realtor who sold the property to Mr. Huff. Mr. Thompson stated the County maps show the property is zoned Commercial, however the County required a Special Use Permit to build a commercial business.

Chairman Walberg advised Mr. Thompson to invest in a copy of the County Zoning Ordinance to determine which uses are permitted in a Commercial zone.

Mr. Huff stated he asked what permits would be necessary for his project, but no one would tell him.

Discussion followed regarding Mr. Huff's initial plan to build a building for the mini storage units. He later changed his plan and decided to use surplus storage containers instead.

Steve Wood explained if Mr. Huff was trying to place mobile homes on the property, they would be required to be elevated.

Mike Anderson, 1024 Raby Drive, Sedro-Woolley, pointed out that if it does flood, Mr. Huff will be sued and the County would be liable for allowing the business in the floodplain.

Commissioner Vaux concurred with Mr. Wood that the units would have to be anchored and floodproofed or elevated.

Lee Wiggins, 1863 Highway 20, Sedro-Woolley, stated he has lived in Sedro-Woolley for 49 years. He has seen Highway 20 unpassable at that very location.

Chairman Walberg informed Mr. Huff that the Board cannot do anything about the floodplain variance. With regard to landscaping regulations, the first condition of the Special Use Permit states:

The applicant shall comply with all applicable sections of the Landscape Ordinance for Skagit County.

Chairman Walberg stated Mr. Huff will be required to comply with all applicable permits, however he will not be required to comply with requirements effective after he received approval of the Special Use Permit.

Discussion followed.

Commissioner Vaux motioned to deny the appeal of the Hearing Examiner's decision on Variance #V-87-027 for Linc Huff. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

MISCELLANEOUS ITEMS

Commissioner Vaux motioned to deny an out-of-state travel request for Steve Wood, Director of the Department of Planning and Community Development, to attend the International Conference on Urban Planning in Beijing (Peking), China. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

1. BID OPENING - CONCRETE SENIOR CENTER REMODEL.

Chairman Walberg waived the reading of the Notice of Call for Bids, as published in the Skagit Argus on November 17, 24, and December 1, 1987; in the Skagit Valley Herald on November 20, 27, and December 4, 1987; in the Concrete Herald on November 19, 26, and December 3, 1987; and in the Daily Journal of Commerce on November 20, 27, and December 4, 1987.

The following bids were received:

1. James G. Falconer General Contracting
4858B Sauk Valley Road
Concrete, WA 98237

Bid deposit enclosed.

Base Bid:	\$26,050.00
Alternate #1:	1,812.50
Alternate #2:	10,560.00

Alternate #3: \$19,611.53

2. North Sound Construction, Inc.
1902 South 17th
Mount Vernon, WA 98273

Bid deposit enclosed.

Base Bid: \$35,998.00
Alternate #1: 723.00
Alternate #2: 7,056.00
Alternate #3: 16,943.00

3. Westcoast Roofing and General Contracting, Inc.
1144 South Garl Street
Burlington, WA 98233

Bid deposit enclosed.

Base Bid: \$54,520.00
Alternate #1: 779.70
Alternate #2: 7,814.25
Alternate #3: 11,851.06

4. K. Ellestad Construction
1409 West Division
Mount Vernon, WA 98273

Bid deposit enclosed.

Base Bid: \$35,858.00
Alternate #1: 960.00
Alternate #2: 6,991.00
Alternate #3: 13,486.00

Roger Howard, Facilities Manager, will review the bids, and make a recommendation to the Board at a later date.

2. DISCUSSION - PUBLIC WORKS/PLANNING DEPARTMENT ALTERATIONS.

Roger Howard, Facilities Manager, reviewed the proposed plans for the Public Works Department and Planning and Community Development Department remodel project. He presented a cost estimate for the Board's review. The estimated cost of the project is \$84,000.

The Board authorized Mr. Howard to proceed with the project.

MISCELLANEOUS ITEMS

Roger Howard, Facilities Manager, informed the Board that the estimated cost

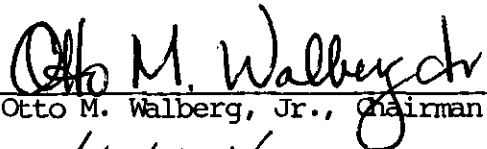
for improving the restrooms at the existing fairgrounds site is \$13,500.

The Board did not approve of this project, as the cost was too high for a temporary fair site.

ADJOURNMENT

Commissioner Vaux motioned to adjourn the proceedings. Commissioner Rohrer seconded the motion. The motion was carried unanimously.

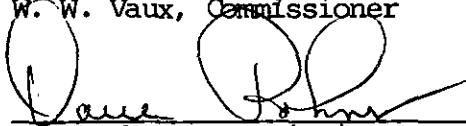
BOARD OF COUNTY COMMISSIONERS
SKAGIT COUNTY, WASHINGTON



Otto M. Walberg, Jr., Chairman

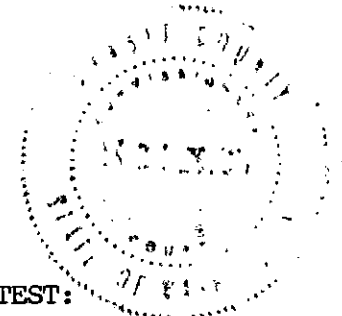


W. W. Vaux, Commissioner



Dave Rohrer, Commissioner

ATTEST:




Megan Cheney, Clerk
Skagit County Board of Commissioners