

Thomas Wenzl

From: Thomas Wenzl
Sent: Thursday, July 23, 2026 4:06 PM
To: Jason D'Avignon
Cc: Gregory Adams; Randy Johnson
Subject: RE: Kasko staff report

I've printed and signed it. Randy is gone for the day. I've put it on his desk and asked him to sign and scan back to you first thing in the morning.

Tom Wenzl

Code Compliance Officer

Skagit County Planning & Development Services
360-416-1320 Office
360-416-1340 Direct

Skagit County is changing it's email addresses. My new email is twenzl@skagitcountywa.gov All Skagit County email addresses are changing.

The Planning Department has a new Permit/Application Portal. SkagitCounty.net/portal

Email communications with county employees are public records and may be subject to disclosure, pursuant to Chapter 42.56 RCW

From: Jason D'Avignon <jasond@co.skagit.wa.us>
Sent: Thursday, July 23, 2026 4:04 PM
To: Thomas Wenzl <twenzl@co.skagit.wa.us>
Cc: Gregory Adams <gregorya@co.skagit.wa.us>
Subject: RE: Kasko staff report

Give this a try

From: Jason D'Avignon
Sent: Thursday, July 23, 2026 3:56 PM
To: Thomas Wenzl <twenzl@co.skagit.wa.us>
Cc: Gregory Adams <gregorya@co.skagit.wa.us>
Subject: Kasko staff report

Attached is a slightly modified version of the staff report drafted some time ago in the Kasko matter. I just deleted things that were contained in other documents, or unneeded for our particular purposes. I also corrected the exhibit numbers. I am going to file it tomorrow if you would be so kind as to sign it.

Jason D'Avignon | Sr. Civil Deputy Prosecuting Attorney | Skagit County Prosecutor's Office | 360.416.1638 | jasond@co.skagit.wa.us



Planning & Development Services

1800 Continental Place ▪ Mount Vernon, Washington 98273
office 360-416-1320 ▪ pds@co.skagit.wa.us ▪ www.skagitcounty.net/planning

Date: July 23, 2026

STAFF REPORT
re: APPEAL OF NOTICE AND ORDER TO PAY FINES

SUMMARY OF INVESTIGATION AND SUBSEQUENT ORDERS

Appeal Number(s): HE-Appeal-2026-0007

Code Compliance Number: CODE2025-0009

Permit(s): None

Recommendation: Sustain Notice and Order to Pay Fines

Investigative Lead: Tom Wenzl

GENERAL INFORMATION

Owner/Applicant:

Sergey Kasko (applicant & co-owner)
7530 Portal Way
Custer, WA 98240
sergekasko@yahoo.com

Vadim Kasko (co-owner)
656 Kline Rd
Bellingham, WA 98226
vadimkasko@gmail.com

Assessor Number(s):

350425-0-013-0001 (P37600) 7.03 ac Rural Business\Ag-NRL
350425-4-017-0007 (P37610) 1.20 ac Ag-NRL
350425-0-024-0008 (P37619) 2.15 ac Ag-NRL
350425-0-025-0007 (P37620) .21 ac Ag-NRL
350425-0-026-0006 (P37621) 2.04 ac Ag-NRL
350425-0-031-0009 (P37628) .24 ac Rural Business\Ag-NRL

Parcel Number(s): See Above P#'s

Lot Size: Cumulative 12.87 ac

Zoning Classification: See Above

Comprehensive Plan Designation: Ag-NRL

Other Development/Critical Area Overlays: Floodway FEMA panel 530151 0005

Topography: Generally flat.

Adjacent Land Uses: Ag-NRL zoned. Farm lands east and west. One residential parcel NW zoned Ag-NRL. Recreational properties south along river, also zoned Ag-NRL.

Shoreline Presence: The parcels lie within the Rural Conservancy – Skagit Floodway designation.

Critical Areas Presence: Properties lying within Floodway are designated as Critical Areas SCC 14.24.010

Administrative Order Information:

- Date Order Mailed: April 4th, 2025
- Date Order Posted at property: April 9th, 2025
- Date Received: May 5th, 2025
- Date to appeal Administrative Order to Abate extended to July 15th, 2025
- Date Appeal filed: July 14th, 2025
- Date decision rendered October 29th, 2025 upholding Order

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ACRONYMS

General:

AOA – Administrative Order of Abatement
BFE – Base Flood Elevation
BoCC – Board of County Commissioners
BO – Building Official
BP – Building Permit
CA – Critical Areas
CAO – Critical Area Ordinance
CCO – Code Compliance Officer
CE – Code Enforcement
CNC – Certificate of Non-Compliance
FM – Fire Marshal
FP – Flood Development Permit
HE – Hearing Examiner
IBC – International Building Code
NOA – Notice and Order to Abate
NOV – Notice of Violation
PCA(E) – Protected Critical Area (Easement)
PDS – Planning and Development Services
PR – Person Reporting
PREDEV – Pre-Development/Application meeting
PT – Permit Technician
SCC – Skagit County Code
SUP – Special Use Permit
SWO – Stop Work Order
VCA – Voluntary Compliance Agreement

Specific to this Case:

NOPF – Notice and Order to Pay Fines

GENERAL INVESTIGATIVE ANALYSIS AND FINDINGS LEADING TO ENFORCEMENT ACTION

FACTS & BACKGROUND

The parcels listed at the beginning of this report are cumulatively referenced in this report as being the former home of 'Arts Auto Wrecking', which was a business established in the 1950's. Art, and his subsequent heirs ran the wrecking yard until they shut the business down at the end of 2016.

These properties are in a designated Floodway, and have been subjected to major flooding over the years, and as recently as December of 2025 when Kasko's were forced to evacuate the properties that were inundated with several feet of water, as well as damaging structures and property left behind. Only the northern portion of parcel P37600 is out of the designated Floodway, but still remains in the Special Flood Hazard Area designated as A10 on the FEMA FIRM panels.

The properties were included in the Comprehensive plan adopted in July of 2000. Five of the six parcels were zoned as Ag-NRL, with only P37600 being designated as Rural Business & Ag-NRL. Rural Business is the zoning designation given to pre-existing non-conforming businesses per SCC 14.16.880. Aerial Photography from 2017 thru 2021 show the wrecking yard was no longer in business, and the land was now overgrown.

The property was purchased by the Kasko's in April of 2022.

On 1-14-2025, the Code Compliance office received a 'Request for Investigation' regarding dump truck loads of fill being brought to the properties. On 1-15-2025 a report was filed with the Department of Ecology regarding the same activity. Referred to as an ERTS.

On 1-17-2025, Code Compliance Officer Schrader made a visit to the property and observed that fill had been imported, and is piled on the property.

On 2/6/2025 a letter was sent to Sergey Kasko outlining the violation of importing fill to Floodway SCC 14.34.190, as well as citing a 'Junk storage' violation of SCC 14.16.945(2). There was no response to this letter, and Kasko contends he had moved and didn't get the letter.

On 4/4/2025, an Administrative Order to Abate was sent. On 4/9/2025, the Administrative Order was also posted at the property, with a compliance date of 5/11/2025. The Order cited SCC 14.34.190 and ordered him to remove the imported fill. (Exhibit 11)

On 7/14/2025 Kasko filed for an appeal of the Administrative Order to Abate. HE-APPEAL-2025-0008

On 10/29/2025 the Hearing Examiner found for Skagit County and upheld the Administrative Order to Abate. (Exhibit 12)

By 2/19/2026, no additional appeals were filed. Nor was the fill removed after a site visit by Building Official Randy Johnson, and Code Compliance Officer Greg Adams on 1/30/2026 for a flood damage assessment.

On 2/19/2026 a Notice and Order to Abate – Hearing Examiner Decision form was sent advising that the violation had not been resolved, and fines in the amount of \$1,000.00 per day would commence on March 1st, 2026. And would continue until the violation is abated, and the Administrative Official Notified. This Notice also has an appeal provision under part 7 of Disclosures stating, 'Any appeal of this supplemental order is limited to the issue of civil penalties.' Exhibit 13.

On 3/6/2026 Sergey Kasko emailed asking for a diagram of fill to be removed. The reply stated to 'Remove all imported fill. Thank You' Exhibit 10.

By 4/2/2026, we had not been notified that the violation had been corrected, and a Notice and Order to Pay Fines was sent for the Month of March totaling \$31,000.00 plus a \$303.50 recording fee for the Certificate of Non-Compliance. Exhibit 7.

On 4/16/2026, Sergey Kasko filed an appeal of the Notice and Order to Pay Fines. HE-APPEAL-2026-0007 Exhibit 8

DETERMINATIONS

The parcels of land listed in this report all lie fully within a Special Flood Hazard Area (SFHA) as determined by FEMA FIRM panel 530151 0255D. Additionally, this area is also a known Floodway as determined by FEMA FIRM panel 530151-0005. 3 of the parcels are completely within the Floodway, the main parcel P36700 has its north half out of Floodway, but still in the SFHA. P37619 and P37620 have a very small part of a corner out of Floodway, but still in the SFHA.

Skagit County issued an Administrative Order to Abate citing violations of SCC 14.34.190, importing of fill. This Administrative Order was appealed and upheld.

No appeal of the Hearing Examiners decision was submitted. A site visit was done in January 2026. A final notice based on the Hearing Examiners decision was issued and warning that daily Administrative Fees/Fines would commence March 1st, 2026 if the violation was not abated, and the Administrative Official notified.

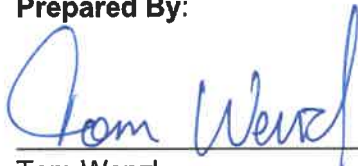
A Notice and Order to Pay Fines was issued April 2nd, 2026. Kasko has appealed that Notice.

WITNESSES

Greg Adams – Skagit County Code Compliance Officer
1800 Continental PI
Mount Vernon, WA 98273

Randy Johnson – Skagit County Flood Manager & Building Official
Skagit County Planning Dept
1800 Continental PI
Mount Vernon, WA 98273

Prepared By:



Tom Wenzl

Reviewed By:



Randy Johnson