

**SKAGIT COUNTY
OFFICE OF THE HEARING EXAMINER**

re: The application for a Shoreline Variance and a Critical Areas Variance Permit by **Catherine Janicki and David Moe**

**PL22-0273 (SVAR)
PL22-0507 (CVAR)**

FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND DECISION

SUMMARY OF APPLICATION AND DECISION

Application: The Applicant requests to reduce the required minimum 50-foot setback under the Shoreline Master Program and the standard 100-foot marine shoreline buffer under the Critical Areas Ordinance to a minimum of 36 feet to allow for construction of a new single-family residence with attached garage. The proposed home is also expected to exceed the maximum allowed 30-foot height above average grade.

Decision: The requested Shoreline Variance and Critical Area Variance permits are granted, subject to conditions of approval.

INTRODUCTION

The following Findings of Fact and Conclusions of Law are based upon consideration of the exhibits admitted and evidence presented at a properly noticed public hearing.

FINDINGS OF FACT

I.

Applicant: Catherine Janicki and David Moe
11613 SE 84th Street
Newcastle, WA 98056

Agent: Mark Christ, Architect

Site Address: 109XX Black Brant Lane
Bow, WA 98232

Legal Description: TH PTN GOVERNMENT LOT 1, SECTION 26, TOWNSHIP 36 NORTH,
RANGE 2 EAST, W.M., DAF BEG AT NE C GV LT 1 TH S 1-42-41 W 462.00FT TH DUE
W 256.72 FT TPOB TH W 122.78FT N 1-42-41 E 269.5 9FT TO SW C OF PROP
CONV AF#639294 TH N 82-3356 E 45.00FT TO SE C OF SD AF#639294 TH N 1-
42-41 E 150FT M/L TO HI WATER LI TH NELY 79FT M/L TO PT N 1-42-41 E FR TPOB
TH S 1-42-41 W 436FT M/L TPOB TGW ADJ TDLNDS.

Assessor's Account No.: 360226-0-016-0206

Parcel No: P47121

Lot Size: 1.1 Acre

Zoning: Rural Intermediate (RI).

Application Date: Shoreline Variance Application, June 13, 2022
Critical Areas Variance Application, October 11, 2022

Determination of Completeness: November 8, 2022

Shoreline Designation: Rural Residential

Statewide Significance: No

SEPA Review: Determined to be exempt from the requirements of SEPA under WAC
197-11-800(6)(e).

Notice Information: Notice of Application published in the Skagit Valley Herald, March 30,
2023 and April 6, 2023
Notice of Public Hearing published, January 9, 2025

Primary Authorizing Codes, Policies, Plans, and Programs:

- Revised Code of Washington (RCW)
 - RCW 36.70A, Growth Management Act
 - RCW 36.70B, Local Project Review
 - RCW 90.58, Shoreline Management Act of 1971 ("SMA")

- Washington Administrative Code (WAC)
 - WAC 197-11, SEPA Rules
 - WAC 246-272A, On-Site Sewage Systems
- Skagit County Code (SCC)
 - SCC 14 – Unified Development Code
 - SCC 14.02 – General Provisions
 - SCC 14.02.070 – Office of the Hearing Examiner
 - SCC 14.06 – Permit Procedures
 - SCC 14.10 – Variances
 - SCC 14.16 – Zoning
 - SCC 14.16.300, Rural Intermediate (RI).
 - SCC 14.24 – Critical Areas Ordinance
 - SCC 14.32 – Stormwater Management
- Skagit County Shoreline Master Program of 6/29/76, as amended by Skagit County Board of Commissioners through 7/10/95 (SMP)
- Skagit County Comprehensive Plan of 6/30/16, as amended by Skagit County Board of Commissioners through 12/19/23 (SCP or “Comprehensive Plan”)
- Skagit County Hearing Examiner’s Rules of Procedure (SCRE), as authorized by Skagit County Commissioners per Resolution #R20240280 on 12/16/24

Hearing Date: 1/24/25 at 9:00 AM

Testifying Parties of Record:

Leah Forbes,
 Skagit County Planning & Development Services
 1800 Continental Place
 Mount Vernon, WA 98273

David Moe
 11613 SE 84th Street
 Newcastle, WA 98056

Hearing Examiner Exhibit List:

1. Short plat 59-73, December 11, 1973
2. Survey AF#795314, January 8, 1974
3. Shoreline Hearings Board Conclusions of Law and Order SHB No. 99-005
4. Septic site evaluation application SW21-0288, July 23, 2021
5. Fish and Wildlife Site Assessment, February 2022
6. Shoreline Variance application PL22-0273, submitted June 13, 2022

7. Critical Areas Variance application PL22-0507, submitted October 11, 2022
8. Notice of Development Application, published March 30, 2023 and April 6, 2023
9. Correspondence with SRSC, April 7, 2023
10. Revised Site Plan, October 31, 2023
11. Geologic Hazard Site Assessment, June 2024
12. Aerial photographs of the site
13. Notice of Public Hearing, published January 9, 2025
14. Staff Report, January 14, 2025

II.

The Applicants, Catherine Janicki and David Moe, proposes construction of a new single-family residence with an attached garage. The foundation of the home is proposed 36 feet from the OHWM with a pervious paver patio between the home and the shoreline. The initial request was for the foundation of the home to be located 35 feet from the OHWM with a deck extending to within 23 feet of the shoreline as well as a detached shop building. The applicant has since modified the project to move it farther landward and condense the buildings into one structure. The proposed home will meet the required 8-foot side setbacks and the overall developed area within shoreline jurisdiction will not exceed 30%. Although the details of the home have not been completed, given the current floodplain elevation requirements for the base of the home, it is expected that the home will exceed the maximum allowed 30-foot height limit above average grade allowed .

The request also includes installation of a new septic system for the proposed residence which would also be a replacement septic system within an easement to serve a neighboring home, whose outdated septic system is also on the applicant's property and in a location closer to the water (see **Ex. 10**).

The applicant does not intend to construct a formal driveway from Black Brant Lane to the home since the soils around the proposed structure are stable and sandy. Many homes along the northern side of the island do not include formal driveways. If a driveway is ultimately constructed, the overall developed area within shoreline jurisdiction will meet the standards of Table RD and applicable stormwater requirements

III.

Residential development is a permitted use with the Rural Residential shoreline area and the Rural Intermediate zoning designation.

IV.

The Skagit County Planning and Development Services Staff (the “Department”) have recommended approval of the requested Shoreline Variance and the Critical Areas Variance permit in a “Skagit County Planning and Development Services Findings of Fact” (“Staff Report” **Ex. 14**).

The Applicant has indicated there are no factual or legal inaccuracies in the Staff Report’s findings or conclusions, and that they agreed with the conditions proposed, except for on one point which was proposed condition #1 regarding the planting of new trees as well as preservation of an existing cluster of conifers. The proposal for condition #1 was proposed by the applicant’s own expert witness in **Ex. 5** as appropriate mitigation for this scenario.

The Findings of Fact and Conclusions of Law in the Staff Report, a copy of which is attached hereto and incorporated herein, are supported by the record as a whole and are hereby adopted and incorporated herein by this reference, except where explicitly contradicted by the findings herein.

V.

SCHE §14 grants parties the right to object to evidence and to cross-examine. In the case at hand, with full knowledge of the evidence being admitted, no objection by the applicant or the Department was made to any of the 14 exhibits that were admitted into the record

VI.

Any Conclusion of Law below which is deemed a Finding of Fact is hereby adopted as such. Based on the foregoing Findings of Fact, now are entered the following:

CONCLUSIONS OF LAW

I.

Shoreline Variances

The Hearing Examiner is authorized to hear, review and pass consideration on variance permits from the regulations of this SMP.¹

¹ SMP §10.02(1)

Variations from the application of specific bulk, dimensional or performance standards set forth in the SMP may be permitted where there are extraordinary or unique circumstances relating to the property; this is for circumstances where the strict implementation of the SMP would impose unnecessary hardship and such compliance with the SMP would prohibit reasonable use of the property.²

As the dimensions of the lot prevent locating a reasonably sized replacement residence outside of the minimum 50-foot setback under the Shoreline Master Program, a variance would be required.³ Similarly a shoreline variance is required as the proposal contemplates violating the 30-foot height restriction for residential structures.⁴

Shoreline Variations fall into two categories, those for uses that fall above the OHWM and those that are located either waterward of the OHWM or within marshes, bogs or swamps as designated pursuant to WAC 173-22. The latter have an additional requirement to meet such “[t]hat the public rights of navigation and use of the shorelines will not be adversely affected by the granting of the variance.”⁵

In the case at hand, the proposed use involves development landward of OHWM. This means a Shoreline Variance can only be granted if it meets the less stringent criteria as follows:

- a. That the strict application of the bulk, dimensional or performance standards set forth in the Master Program precludes a reasonable use of the property not otherwise prohibited by this Master Program.
- b. That the hardship described above is specifically related to the property and is the result of unique conditions such as irregular lot shape, size or natural features and the application of this Master Program and not, for example, from deed restrictions or the applicant's own actions.
- c. That the design of the project will be compatible with other permitted activities in the area and will not cause adverse effects to adjacent properties or the shoreline environment designation.
- d. That the requested variance will not constitute a grant of special privilege not enjoyed by the other properties in the area and will be the minimum necessary to afford relief.
- e. That the public interest will suffer no substantial detrimental effect.⁶

² SMP §10.01

³ SMP §7 at “Table RD” on 7-110

⁴ *Id.*

⁵ Compare SMP §§10.03(1) and (2)

⁶ SMP 10.03(1)

And, in addition to the above criteria the Hearing Examiner must consider the cumulative impact of additional requests for like actions in the area.⁷

The strict application of the bulk, dimensional or performance standards set forth in the SMP precludes a reasonable use of the property not otherwise prohibited; and that hardship is specifically related to the property's unique conditions. The granting of this decision is not likely to result in additional neighboring development that would not be permitted otherwise.

In this case, after reviewing the files and testimony, and having made the findings above, the Hearing Examiner finds that with appropriate conditions of approval, the project would be compliant with all of the above applicable Shoreline Variance criteria. Consequently, subject to proposed conditions of approval, the Shoreline Variance Permit should be approved.

III.

Critical Areas Variance

Any person wishing to deviate from the terms and standards outlined by the Critical Areas Ordinance ("CAO"),⁸ can seek a Critical Areas Variance where the strict application of that ordinance is found to deprive the subject property of rights and privileges enjoyed by other properties in the vicinity, due to special circumstances applicable to the subject property, including size, shape, and topography.^{9, 10}

Given the standard 100-foot marine shoreline buffer and the location of the lot, it is impossible to use this lot with the setback requirements. The CAO also has septic setback requirements, that are not met by this proposal, including a 100 foot setback from surface water, and 5 foot setback from property lines, which this proposal violates. As the proposal does not meet those requirements and is in fact in the critical area, and thus a critical areas variance is required for the construction of any of the proposed additions.

⁷ SMP 10.03(3)

⁸ SCC 14.24

⁹ SCC 14.24.140

¹⁰ "Provided however, that those surrounding properties that have been developed under regulations in effect prior to the effective date of [SCC 14.24] shall not be the sole basis for the granting of the variance." *Id.*

Critical area variance proposals that contemplate a 50% or greater reduction of standard buffer widths must be heard by the Hearing Examiner.¹¹ To approve a Critical Areas Variance, the Hearing Examiner must find:

- a) The issuance of a zoning variance by itself will not provide sufficient relief to avoid the need for a variance to the dimensional setback and other requirements for the critical areas regulated by this Chapter; and
- b) Preparation of a site assessment and mitigation plan by a qualified professional pursuant to the requirements of SCC 14.24.080 and all other applicable sections of this Chapter. The site assessment and mitigation plan shall be prepared utilizing best available science; and
- c) The conclusions of the site assessment must utilize best available science to support a modification of the dimensional requirements of this Chapter; and
- d) The site assessment and mitigation plan demonstrate that the proposed project allows for development of the subject parcel with the least impact on critical areas while providing a reasonable use of the property; and
- e) The reasons set forth in the application justify the granting of the variance, and the variance is the minimum variance that will make possible the reasonable use of the land, building or structure; and
- f) The granting of the variance will be consistent with the general purpose and intent of this Chapter, and will not create significant adverse impacts to the associated critical areas or otherwise be detrimental to the public welfare; provided, that if the proposal is within the special flood hazard area (SFHA), the applicant must demonstrate that the proposal is not likely to adversely affect species protected under the Endangered Species Act, or their habitat; and
- g) The inability of the applicant to meet the dimensional standards is not the result of actions by the current or previous owner in subdividing the property or adjusting a boundary line after the effective date of the ordinance codified in this Chapter; and
- h) The granting of the variance is justified to cure a special circumstance and not simply for the economic convenience of the applicant.¹²

¹¹ SCC 14.24.140(1)(b)

¹² SCC 14.24.140(3)

And, the Hearing Examiner may prescribe such conditions and safeguards as are necessary to secure adequate protection of critical areas from adverse impacts and to ensure that impacts to critical areas or their buffers are mitigated to the extent feasible utilizing best available science.¹³

In this case, after reviewing the files and testimony, and having made the findings above, the Hearing Examiner finds that with appropriate conditions of approval, the project would be compliant with all of the above applicable Critical Areas Variance criteria. Additionally, moving the existing septic field to the proposed location will increase the level of compliance with the CAO and WAC 246-272A. Consequently, subject to conditions of approval, the Critical Areas Variance Permit should be approved – IF the project also meets the general variance criteria of SCC 14.10, as discussed below.

IV.

General Variance Criteria

In seeking a Critical Areas Variance, the General Variance criteria must also be met. This is clear because SCC 14.10.020(1)(h) specifically refers to critical area variances at the administrative level and limits them to 50% or under though this is also recited in SCC 14.24; consequently SCC 14.10 is meant to encompass all of SCC Title 14,¹⁴ and also directs additional criteria that may be outlined in SCC §§ 14.16, 14.24, etc.¹⁵ So, in addition to the Critical Areas Variance Criteria, the project must also meet the General SCC 14.10 Variance Criteria.

Title 14 encompasses all development in Skagit County in order to “implement the Revised Code of Washington (RCW) and the Skagit County Comprehensive Plan on matters concerning land and building development and other related issues...” as well as other Skagit County policies outlined in Title 14.¹⁶ It is “applicable to all land within unincorporated Skagit County except as allowed by law.”¹⁷

Any person wishing to deviate from the terms and standards outlined in SCC Title 14, can seek a variance where in specific cases that will not be contrary to the public interest, and where, due to special conditions, literal enforcement of the provisions of this Code would result in unnecessary

¹³ SCC 14.24.140(4)

¹⁴ SCC 14.10.010 “Variances from the terms of this Title” does not mean only Chapter 14.10, but all of Title 14

¹⁵ SCC 14.10.020

¹⁶ SCC 14.02.010

¹⁷ SCC 14.02.040

hardship, that is otherwise permissible in the zoning.¹⁸ There are three levels of variances in Skagit County, Level 1 “Administrative Variances,” Level 2 “Hearing Examiner Variances,” and Level 3 “Board of Commissioner Variances.” To approve a variance, the deciding body must find:

- a. The variance complies with any relevant variance criteria found in other sections of Skagit County Code.
- b. The variance is the minimum variance that will make possible the reasonable use of land, building, or structure.
- c. The granting of the variance will be in harmony with the general purpose and intent of this Title and other applicable provisions of the Skagit County Code, and will not be injurious to the neighborhood, or otherwise detrimental to public welfare.
- d. For all Level II variances and all setback variances:
 - i. The requested variance arises from special conditions and circumstances, including topographic or critical area constraints, which are peculiar to the land, structure, or building involved and which are not ordinarily found among other lands, structures, or buildings in the same district.
 - ii. The special conditions and circumstances do not result from the actions of the applicant.
 - iii. Literal interpretation of the provisions of this Chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Title and SCC Title 15.
 - iv. The granting of the variance requested will not confer on the applicant any special privilege that is denied by this Title and SCC Title 15 to other lands, structures, or buildings in the same district.¹⁹

As the same basis that requires the Critical Areas Variance is a violation of the standards of Title 14, a satisfaction of the 14.10 variance requirements are required for the proposed use.

In this case, after reviewing the files and testimony, and having made the findings above, the Hearing Examiner finds that with appropriate conditions of approval, the project would be compliant with all of the above applicable general variance criteria.

Specifically, this project would utilize the property as a single-family residence, which will be consistent with the existing Rural Intermediate zoning designation; and embraces and carries forwards the goals in the SCP of using RI zoning “to provide and protect land for residential living in a rural

¹⁸ SCC 14.10.010

¹⁹ SCC 14.10.040

atmosphere, taking priority over, but not precluding, limited non-residential uses appropriate to the density and character of this designation...”²⁰

Consequently, subject to conditions of approval, having met the General Variance criteria, the underlying Critical Areas Variance should be approved.

V.

Ex. 3 and any other decisions by the Shoreline Hearings Board are not precedent setting for the Skagit County Hearing Examiner, and while could provide persuasive logic, in this case they were disregarded and not needed based on the facts at hand.

VI.

Any Conclusion of Law deemed to be a Conclusion of Fact is hereby adopted as such. Based on the foregoing Findings of Fact and Conclusions of Law, now is entered the following:

DECISION

A Shoreline Variance and a Critical Areas Variance permit shall be granted to the applicant Catherine Janicki and David Moe to reduce required minimum setbacks to allow for construction of a new single-family residence with attached garage, at a site addressed as 109XX Black Brant Lane, Bow, WA, subject to the following conditions:

1. The mitigation recommendations of the Fish and Wildlife Habitat Site Assessment prepared by Cooper GeoSciences, are considered conditions of approval. A minimum of 60 native shrubs and 10 native trees will be planted between the home and the OHWM. The plants will be installed in clusters to mimic a natural plant distribution within the remaining approximate 3000 square foot buffer area.
2. The recommendations of the Geologic Hazard Site Assessment prepared by Cooper GeoSciences are considered conditions of approval. These conditions include but are not limited to maintaining a minimum 50-foot setback from the base of the bluff and avoid any disturbance of vegetation on the slope.
3. The applicant will submit a stormwater management plan in compliance with the current stormwater management manual as part of the building permit application.

²⁰ SCP at Chap. 3 “RI”, Policy 3C-1.4

4. The applicant will submit an as-built site plan of the mitigation plantings as well as provide photographs of the installed plants. This must be submitted within 30 days of plant installation.
5. All mitigation plants must maintain a survival rate of 100% following the first year and 80% following years three and five. If the plants do not meet that survival rate, a qualified professional must assess the site and determine the best method to improve the rate of survival for additional native plants.
6. A Protected Critical Area (PCA) site plan must be recorded with the County Auditor's office prior to approval of the building permit application. The PCA must include the area between the home and the shoreline, the 50-foot setback from the toe of the slope to the south, and the grove of mature conifers near the center of the parcel.
7. The critical areas variance shall expire if the use or activity for which it is granted is not commenced within three years of final approval. Knowledge of the expiration date is the responsibility of the applicant. (SCC 14.24.140(6)).
8. If this request is approved, the applicant must submit a copy of the Hearing Examiner's written decision with the building permit application.
9. The project must be commenced within 2 years of the shoreline variance approval and completed within 5 years.
10. The applicant shall strictly adhere to the project information (site diagram) submitted for this proposal. If the applicant proposes any modification of the subject proposal, he/she shall notify Planning & Development Services prior to the start of construction, or otherwise as soon as possible, in order for the Administrator to make decisions in accord with SMP §9.13.
11. Inadvertent Discovery Plan. Compliance with all applicable laws pertaining to archaeological resources (RCW 27.53, 27.44 and WAC 25-48) and human remains (RCW 68.50) is required. Should archaeological resources (e.g. shell midden, faunal remains, stone tools) be observed during project activities, all work in the immediate vicinity should stop, and the area should be secured. The Washington State Department of Archaeology and Historic Preservation (Local Government Archaeologist, 360-586-3088) and the following Nations' Tribal Historic Preservation Offices should be contacted immediately in order to help assess the situation and to determine how to preserve the resource(s):

Upper Skagit Indian Tribe
Scott Schuyler, Cultural Resources
sschuyler@upperskagit.com / Phone: 360-854-7009

Swinomish Indian Tribal Community
Josephine Jefferson, THPO
jjefferson@swinomish.nsn.us / Phone: (360) 466-7352

Samish Indian Nation
Jackie Ferry, THPO
jferry@samishtribe.nsn.us / Phone: 360-293-6404 ext. 126

Compliance with all applicable laws pertaining to archaeological resources is required. If ground disturbing activities encounter human skeletal remains during the course of construction, then all activity will cease that may cause further disturbance to those remains. The area of the find will be secured and protected from further disturbance. The finding of human skeletal remains will be reported to the county medical examiner/coroner and local law enforcement in the most expeditious manner possible. The remains will not be touched, moved, or further disturbed. The county medical examiner/coroner will assume jurisdiction over the human skeletal remains and make a determination of whether those remains are forensic or non-forensic. If the county medical examiner/coroner determines the remains are non-forensic, then they will report that finding to the Department of Archaeology and Historic Preservation (DAHP) who will then take jurisdiction over the remains. The DAHP will notify any appropriate cemeteries and all affected tribes of the find. The State Physical Anthropologist will make a determination of whether the remains are Indian or Non-Indian and report that finding to any appropriate cemeteries and the affected tribes. The DAHP will then handle all consultation with the affected parties as to the future preservation, excavation, and disposition of the remains.

NOTICE OF POTENTIAL REVOCATION & PENALTIES

This Approval is subject to all of the above-stated conditions. Failure to comply with them may be cause for its revocation.

Complaints regarding a violation of this permit's conditions should be filed with Skagit County Planning and Development Services. Violations of permit conditions may result in revocation (or modification) of the permit, administrative action under SCC 14.44 (including monetary penalties), and the violations being declared a public nuisance.

Critical Areas Variance Warnings

A variance shall expire if the use or activity for which it is granted is not commenced within three years of final approval by the Approving Authority. Knowledge of the expiration date is the responsibility of the applicant.²¹

²¹ SCC 14.24.140(6)

Shoreline Warnings

THIS PERMIT IS NOT VALID (AND NO CONSTRUCTION NOR OPERATION AUTHORIZED BY THIS PERMIT SHALL BEGIN) UNTIL THIRTY (30) DAYS AFTER THE DATE OF FILING AS DEFINED BY RCW 90.58.140(6) OR UNTIL ALL REVIEW PROCEEDINGS INITIATED WITHIN THIRTY (30) DAYS FROM THE DATE OF SUCH FILING HAVE TERMINATED; EXCEPT AS PROVIDED IN RCW 90.58.140(5)(A)(B)(C) and WAC 173-27-190.

Any shoreline substantial development, conditional use or variance permit may be rescinded by Skagit County and/or the Department of Ecology upon the finding that a permittee is in non-compliance with the permit and any conditions, terms or standards attached thereto. Procedure shall follow those outlined in SMMP §9.13.

FURTHER, in addition to incurring civil liability under SCC Ch. 14.44 and RCW 90.58.210, pursuant to RCW 90.58.220 any person found to have willfully engaged in activities on shorelines of the state in violation of the provisions of the act or the Shoreline Management Program or other regulations adopted pursuant thereto shall be guilty of a gross misdemeanor and shall be punished by a fine of not less than \$25 or more than \$1,000 or by imprisonment in the county jail for not more than 90 days, or by both such fine and imprisonment; provided that the fine for the third and all subsequent violations in any five year period shall not be less than \$500 nor more than \$10,000.

Any person who willfully violates any court order, regulatory order or injunction issued pursuant to the Shoreline Management Program shall be subject to a fine of not more than \$5,000, imprisonment in the county jail for not more than 90 days, or both. This approval does not release the applicant from any regulations and procedures required of any other public agency, or any County requirements other than the requirement to obtain a Shoreline Substantial Development Permit and Shoreline Conditional Use Permit. This permit may be rescinded pursuant to RCW 90.58.140(8) in the event the permittee fails to comply with the terms or conditions thereof.

Pursuant to WAC 173-27-190(2) this permit shall expire within two years of the date of its approval and a new permit will be required if the permittee fails to make substantial progress toward completion of the project for which it was approved. Pursuant to WAC 173-27-190(3) it shall expire if the project is not completed within five years of the date of the approval, unless the permittee has requested a review, and upon good cause shown, been granted an extension of the permit.

NOTICE OF APPEAL PROCEDURES FROM FINAL DECISIONS OF THE SKAGIT COUNTY HEARING EXAMINER

This action of the Hearing Examiner is final.

The applicant, any party of record, or any county department may appeal any final decision of the hearing examiner to the Skagit County Board of Commissioners pursuant to the provisions of SCC 14.06.110. The appellant shall file a written notice of appeal within 14 calendar days of the final

decision of the hearing examiner, as provided in SCC 14.06.110(13) or SCC 14.06.120(9), as applicable; for shoreline permit applications, by filing notice of appeal within five days of the decision.

More detailed information about reconsideration and appeal procedures are contained in the Skagit County Code Title 14.06 and which is available at <https://www.codepublishing.com/WA/SkagitCounty/>

DATED January 30, 2025,



Rajeev D. Majumdar
Skagit County Hearing Examiner