

**NOTICE OF AMENDED DECISION**

**BEFORE THE SKAGIT COUNTY HEARING EXAMINER**

**Application:** Skagit Farmers Supply                      **Agent:** Ravnik & Associates  
c/o Tom Boland, Gen., Mgr.                              c/o John Ravnik  
P. O. Box 266    P.O. Box 361  
Burlington, WA 98233                                      Burlington, WA 98233

**Request:** Administrative Setback Reduction Request, PL16-0174  
Hearing Examiner Variance Request, PL 16-0175

**Location:** 12939 Avon Allen Road, within a portion of Sec. 2, T34N, R3E,  
W.M.

**Summary of Decision:** On August 5, 2016, the Hearing Examiner entered a decision approving setback, height and lot coverage variances for Skagit Farmers Supply’s Agronomy Center in connection with building upgrades and site redevelopment: (1) Structures were allowed to maintain zero setback off the south property line and to approach the north property line, (2) A new bucket elevator extending 112 feet high was allowed, (3) Lot coverage of 32.4% was permitted.

**Summary of Amendment:** By mistake, the conditions of approval attached to the original decision were conditions meant apply to a different project. The correct conditions are hereby inserted via this amendment.

**Amended Decision Date:** September 15, 2016

**Reconsideration/ Appeal:** Reconsideration may be requested by filing with PDS within 10 days of this amended decision. Appeal is to the Board of County Commissioners by filing with PDS within 14 days of this amended decision or decision on Reconsideration, if applicable.

**Online Text:** The original decision and the text of this amendment decision can be viewed at: [www.skagitcounty.net/hearingexaminer](http://www.skagitcounty.net/hearingexaminer)

**SKAGIT COUNTY HEARING EXAMINER**

In re Application of:	)	
	)	
<b>SKAGIT FARMERS SUPPLY</b>	)	<b>AMENDMENT TO DECISION</b>
	)	
For Administrative Setback Reduction	)	<b>PL16-0174. PL16-0175</b>
And Hearing Examiner Variance	)	
_____	)	

The original decision issued August 5, 2016 contained a set of conditions applicable to another project and not intended to apply to the requests under the above-noted case numbers.

The conditions set forth in that original decision are hereby stricken. In their place, the following conditions are inserted:

**CONDITIONS**

The requested variances are **APPROVED**, subject to the following conditions:

1. The proposed modernization shall be constructed and operated as described in the application, except as modified by these conditions.
2. The applicant shall obtain all other applicable permits and approvals from the appropriate jurisdiction and shall abide by the conditions of same.
3. The applicant shall abide by the conditions set forth in the MDNS, dated June 2, 2016.
4. Except as authorized by the variances granted, the applicant shall comply with all applicable conditions of the Skagit County Zoning Ordinance, Chapter 14.16 SCC.
5. A copy of this decision shall be submitted with all subsequent building permits.
6. A building permit shall be required for demolition of buildings and for all new and remodeled buildings.
7. An accurate site plan will be provided with the building permit(s) showing all building setbacks to property lines and between all buildings.
8. A licensed Washington State architect shall provide a non-structural code analysis per the 2015 IBC. The issues of concern are determining the use of each building, the allowable area based on use and type of construction, separations if any between uses, exiting, path of travel, etc.

9. Building permits shall comply with the requirements of Chapter 14.34 SCC, the Flood Damage Prevention Ordinance.

10. From the information provided, the project will constitute an H-2 occupancy with explosive dust and fertilizer production.

11. Fire access will be provided within 150 feet of all parts of the structures.

12. The applicant's desire to avoid installing water based sprinklers for fire suppression shall be discussed further and a decision reached at the building permit level. Any approved alternative fire suppression and explosion protection shall be designed by a Licensed Fire Protection Engineer.

13. A fire alarm notification system with monitoring will be included in the design of the approved suppression system.

14. Fire hydrants shall provide fire flow consistent with the tables within the Comprehensive Water Plan.

15. If present, bulk fuel and gas storage on site shall be included in submitted plans.

16. Fire areas with high pile storage (over 12 feet) shall be identified with commodity, height and total amount for each area.

17. A hazardous materials response plan shall be completed and maintained. A copy shall be provided to the local fire department responsible for response to the site (5001.3.3).

18. Submitted plans shall clearly describe structures and features.

19. A liquefaction evaluation shall be submitted with future building permit applications.

20. No encroachment on existing septic drainfield area(s) is allowed.

21. The parameters for noise, light and vibration of SCC 14.16.840 shall not be exceeded. State noise regulations of Chapter 173-60 WAC shall be met. Ventilation by doors and windows is not an approved method.

22. Degradation of surface and ground water quality shall not be allowed. Chapters 173-200 and 173-201A WAC shall not be violated. The State Department of Ecology and the Skagit County Department of Public Works shall be contacted to determine if any discharge permits are required.

23. Water quality and run-off issues shall be addressed in relation to parking facilities.

24. The applicant shall supply a hydro-geologists letter of opinion that no degradation of surface and ground water will occur. All liquid and solid fertilizers that are transferred or mixed

shall require hard floors and full containment. MSD sheets and quantities of chemicals maintained on site shall be supplied.

25. This proposal is in a watershed basin identified by the State Department of Ecology as: 3 -- Lower Skagit. Expansion of ground water use is not allowed at this time.

26. Title notices may be required with building permit applications (e.g., SCC 14.16.210 – Airport Environs Overlay; SCC 14.16.870 – notification on or adjacent to natural resource lands, etc.)

27. Landscaping shall comply with SCC 16.16.830.

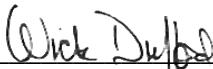
28. All outstanding planning and review fees shall be paid prior to final approval.

29. Failure to comply with any condition of approval may result in permit revocation.

### **ORDER**

The setback reductions (PL160-174) and variance requested (PL16-0175) are approved, subject to the conditions set forth above.

**DONE**, this 15<sup>th</sup> day of September, 2016.

  
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Wick Dufford, Hearing Examiner

Transmitted to Applicant and interest parties: September 15, 2016.

See Amendment to Decision, page 1 for appeal information.