

August 21, 2019

**OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON**

King County Courthouse
516 Third Avenue Room 1200
Seattle, Washington 98104
Telephone (206) 477-0860
hearingexaminer@kingcounty.gov
www.kingcounty.gov/independent/hearing-examiner

SUMMARY ORDER

SUBJECT: Department of Local Services file no. **ENFR180615**

CHARLES STEWART
Code Enforcement Appeal

Location: 8221 293rd Ave SE, Issaquah

Appellant: **Charles Stewart**

[REDACTED]
Kent, WA 98031

Telephone: [REDACTED]

Email: [REDACTED]

King County: Department of Local Services
represented by **Holly Sawin**
Department of Local Services
35030 SE Douglas Street Suite 210
Snoqualmie, WA 98065
Telephone: (206) 477-0291
Email: holly.sawin@kingcounty.gov

On July 19, the Department issued an order requiring Charles Stewart to, within 30 days (i.e., August 19), apply for a permit to address his clearing and grading. Mr. Stewart timely appealed, but did not dispute that there was a violation that needed a permit to remedy. Instead, he requested an additional 90 days (beyond August 19) to start that process. If we granted Mr. Stewart's request today, that would mean his prescreening meeting request would be due by November 18, 2019.

Conversely, if we went the hearing route to decide the matter, we would start by trying to schedule hearing for about four weeks from today.¹ If scheduling went smoothly and we held that hearing on time, we would have two weeks after the close of that hearing to issue a decision. Thus, if today we started down the hearing route, we would expect to issue a decision around October 2. It is hard to see how, in that decision, we would require Mr. Stewart to submit a prescreening meeting request much before November 18, given that 30 days is typically the *minimum*. Thus we would have wasted everyone's time and resources to essentially arrive at the same point we can get by issuing a summary order today.

We GRANT Mr. Stewart's appeal, upholding the violation and the need for a permit, but extending the deadline for starting that permit process.

By **November 18, 2019**, Mr. Stewart shall submit a complete prescreening meeting request to the Department.

Within **30 days** of that preapplication meeting, Mr. Stewart shall submit a complete clearing/grading permit.

Thereafter, Mr. Stewart shall meet all deadlines for requested information associated with the permit, pick up the permit within the required deadlines, and obtain all final permit approvals within a **one-year timeframe** (unless otherwise noted).

The Department may not assess penalties, provided Mr. Stewart meets the above deadlines and requirements. If not, the Department may assess penalties retroactive to today.

If for some reason we have misunderstood the situation, by **September 16, 2019**, either party is free to file, with the examiner, a motion for reconsideration explaining why the examiner should not be dismissing this appeal. Filing a timely motion for reconsideration postpones the deadline (described below the signature line) for lodging an appeal.

DATED August 21, 2019.



David Spohr
Hearing Examiner

NOTICE OF RIGHT TO APPEAL

King County Code 20.22.040 directs the Examiner to make the County's final decision for this type of case. This decision shall be final and conclusive unless proceedings for review of the decision are timely and properly commenced in superior court. Appeals are governed by the Land Use Petition Act, Chapter 36.70C RCW.

¹ The parties usually need about two weeks to prepare their exhibits and other materials, and those materials are due two weeks before the scheduled hearing.

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CERTIFICATE OF SERVICE

SUBJECT: Department of Local Services file no. **ENFR180615**

CHARLES STEWART
Code Enforcement Appeal

I, Jessica Oscoy, certify under penalty of perjury under the laws of the State of Washington that I transmitted the **SUMMARY ORDER** to those listed on the attached page as follows:

- EMAILED to all County staff listed as parties/interested persons and parties with e-mail addresses on record.
- placed with the United States Postal Service, with sufficient postage, as FIRST CLASS MAIL in an envelope addressed to the non-County employee parties/interested persons to addresses on record.

DATED August 21, 2019.



Jessica Oscoy
Legislative Secretary

Breazeal, Jeri

Department of Local Services

Deraitus, Elizabeth

Department of Local Services

Lux, Sheryl

Department of Local Services

Sawin, Holly

Department of Local Services

Stewart, Charles

Hardcopy

Williams, Toya

Department of Local Services