

September 4, 2020

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

King County Courthouse
516 Third Avenue Room 1200
Seattle, Washington 98104
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www.kingcounty.gov/independent/hearing-examiner

SUMMARY ORDER

SUBJECT: Department of Local Services file no. **ENFR140899**

RONALD AND JANIS SMITH

Code Enforcement Appeal

Location: [REDACTED] Redmond

Appellants: **Ronald and Janis Smith**

[REDACTED]
Redmond, WA 98053

Telephone: [REDACTED]

Email: [REDACTED]

King County: Department of Local Services
represented by **LaDonna Whalen**
Department of Local Services
35030 SE Douglas Street Suite 210
Snoqualmie, WA 98065
Telephone: (206) 477-5567
Email: ladonna.whalen@kingcounty.gov

This is a rather involved case. In the 90s, the Smiths applied for a permit to legalize a new, 3500 ft.² structure and plan to eventually link into a remodeled version of their pre-existing residence. After the permit was reviewed for many, many years, Department cancelled the permit. In 2016, the Smiths reapplied, and have received a few extensions, the latest until March 21, 2021.

The Department wants this finalized. Mr. Smith is confident he will have the “new” (circa 1994) building mostly completed by March 21.

The problem is that, as the 2016 permit apparently describes (we have not seen it), the new structure is linked to plans for their pre-existing house. Once they complete enough work on the new structure to get a temporary occupancy and move into that, they will then begin remodeling the original home (including turning the first floor into a garage), before eventually linking up the two buildings. So, there are certain elements of the new structure they cannot completely finalize, lest they need to rip those out after they remodel the old home and are ready to combine the two structures.

There is no real advantage to us holding more conferences on to the current appeal. However, writing a summary order is trickier than in past scenarios where items in the sequence (say, clean up the inoperable vehicles by date X, then apply for a clearing permit by date Y) were conceptually distinct. Nevertheless, we will try our hand at an order here.

Thus, we UPHOLD the Department’s June 10 Notice and Order, except that the Smiths have:

- until **March 17, 2021**, to wrap up the 3500 ft.² square-foot building to the point where the Smiths obtain temporary occupancy to move in and where the outstanding items barring final approval of that building directly link to later tying in that building to their pre-existing (and to-be-remodeled) residence; and
- until **October 31, 2021**, to obtain final approval for occupancy on the entire building permit.

No penalties shall be assessed provided the above deadlines are met. If not, the Department may assess penalties.

If for some reason we have misunderstood the situation, by **September 28, 2020**, 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 September 4, 2020.



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.

DS/jo

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CERTIFICATE OF SERVICE

SUBJECT: Department of Local Services file no. **ENFR140899**

RONALD AND JANIS SMITH
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 September 4, 2020.



Jessica Oscoy
Office Manager

Breazeal, Jeri

Department of Local Services

Lux, Sheryl

Department of Local Services

Smith, Ronald/Janis

Hardcopy

Whalen, LaDonna

Department of Local Services

Williams, Toya

Department of Local Services