

August 28, 2020

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

King County Courthouse  
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Seattle, Washington 98104  
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[www.kingcounty.gov/independent/hearing-examiner](http://www.kingcounty.gov/independent/hearing-examiner)

**SUMMARY ORDER**

SUBJECT: Department of Local Services file no. **ENFR200568 SWO**

**VINCENT AND SHIRLEY VAN NOSTRAND-MOSCA**

Code Enforcement Appeal

Location: [REDACTED] Renton

Appellants: **Vincent and Shirley Van Nostrand-Mosca**

[REDACTED]  
Renton, WA 98059

Telephone: [REDACTED]

Email: [REDACTED]

King County: Department of Local Services

*represented by* **Jeri Breazeal**

Department of Local Services

35030 SE Douglas Street Suite 210

Snoqualmie, WA 98065

Telephone: (206) 477-0294

Email: [jeri.breazeal@kingcounty.gov](mailto:jeri.breazeal@kingcounty.gov)

At some point leading up to June 24, Appellants hired landscapers to do work on their newly acquired lakefront home. Appellants were unaware, before they contracted for the work, that because of their proximity to the shoreline, of the critical area regulations that they could do, at least without a permit. After receiving a complaint, the Department served a stop work order on Appellants.

Appellants filed an appeal, not asserting that none of the work required permits, but explaining the backstory. They have since submitted a complete prescreen application packet to begin the process. There is no allegation that they have violated, nor intend to violate, the stop work order. By the conclusion of yesterday’s conference, it became apparent that there was no obvious advantage to us holding additional proceedings.

We thus DISMISS the appeal.

Our dismissal does not mean that all the work Appellants undertook (or plan to undertake) requires a permit, just that some of it does.

When the stop work order came down, Appellants were in the middle of replacing a pre-existing staircase. Ms. Breazeal committed to checking with critical area staff to see if Appellants can finish that stair work now (or at least before the rainy season starts) under the “maintenance” exception to the normal permit requirements. Ms. Breazeal noted that because Appellants were attempting to replace the stairway with a different type of stairway (i.e. not simply replacing rotted wood with newer wood), it may go beyond “maintenance” and need permit approval. She intends to get back to Appellants within the next two weeks with an answer on that.

If for some reason we have misunderstood the situation, by **September 21, 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 August 28, 2020.



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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. **ENFR200568 SWO**

**VINCENT AND SHIRLEY VAN NOSTRAND-MOSCA**  
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 28, 2020.



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Jessica Oscoy  
Office Manager

**Breazeal, Jeri**

Department of Local Services

**Lux, Sheryl**

Department of Local Services

**Van Nostrand-Mosca, Vincent/Shirley**

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