

September 29, 2017

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

King County Courthouse  
516 Third Avenue Room 1200  
Seattle, Washington 98104  
Telephone (206) 477-0860  
Facsimile (206) 296-0198  
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**ORDER OF DISMISSAL**

SUBJECT: Department of Permitting and Environmental Review file no. **CDUP170002**

**WHITE CENTER TC INDUSTRIES**

Conditional Use Permit Appeal

Location: 9803 16th Avenue SW, Seattle

Appellants' Co- **Liz Giba**  
Representative: 10230 10th Avenue SW  
Seattle, WA 98146  
Telephone: (206) 605-3824  
Email: [liz\\_giba@comcast.net](mailto:liz_giba@comcast.net)

Appellants' Co- **Mark Johnston**  
Representative: 5580 S Langston Road  
Seattle, WA 98178  
Email: [question.mark@comcast.net](mailto:question.mark@comcast.net)


Applicant: James Weimann  
*represented by* **Skyler Bonser**  
1936 1st Avenue S  
Seattle, WA 98134  
Telephone: (206) 274-8020  
Email: [sbonser@urbanadd.com](mailto:sbonser@urbanadd.com)

King County: Department of Permitting and Environmental Review  
*represented by* **Kevin LeClair**  
35030 SE Douglas Street Suite 210  
Snoqualmie, WA 98065  
Telephone: (206) 477-2717  
Email: [kevin.leclair@kingcounty.gov](mailto:kevin.leclair@kingcounty.gov)

By email of September 27, Applicant served notice of its desire to pursue alternative locations for its intended business. We held a brief status conference yesterday on the topic. This morning, the Applicant emailed “notice that TC Industries hereby withdraws its Conditional Use Permit No. CDUP17-0002 for parcel number 300480-0445.” That withdrawal effectively renders moot the CDUP, the Determination of Non-Significance (DNS) that accompanied the CDUP, and Appellants’ appeal of the CDUP and DNS.

We will thus DISMISS as MOOT Appellants’ appeal. By **October 23, 2017**, 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 appealing our dismissal.

DATED September 29, 2017.



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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/vsm

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**CERTIFICATE OF SERVICE**

SUBJECT: Department of Permitting and Environmental Review file no. **CDUP170002**

**WHITE CENTER TC INDUSTRIES**  
Conditional Use Permit Appeal

I, Vonetta Mangaoang, certify under penalty of perjury under the laws of the State of Washington that I transmitted the **ORDER OF DISMISSAL** 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.
- caused to be 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 29, 2017.

*Vonetta Mangaoang*

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Vonetta Mangaoang  
Clerk/Manager

**Bonser, Skyler**

Urbanadd Architects  
Hardcopy

**Brown, Jim**

Urbanadd Architects  
Hardcopy

**Carlson, Joanne**

Department of Permitting and Environmental Review

**Casey, Laura**

Department of Permitting and Environmental Review

**Dobkin, Barbara**

Hardcopy

**Dodge, Michal Ann**

**Eichelsdoerfer, Robert**

Department of Transportation

**Gavery, Brock**

Law Offices of Brock Gavery  
Hardcopy

**Giba, Liz**

Hardcopy

**Goll, Shirley**

Department of Permitting and Environmental Review

**Johnston, Mark**

**LeClair, Kevin**

Department of Permitting and Environmental Review

**Loring, Gilbert**

**Peterson, Ty**

Department of Permitting and Environmental Review

**Price, Pat and Bob**

Hardcopy

**Scidmore, Terry**

Hardcopy

**Tracy, Nancy**

Hardcopy

**Weimann, James**

TC Industries  
Hardcopy

**Wells, Rebecca**

Hardcopy