

September 8, 2011

**OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON**
King County Courthouse, Room 1200
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ORDER DISMISSING APPEALS AND VACATING ADMINISTRATIVE DECISION

SUBJECT: Department of Development and Environmental Services File No. **B10M1225**

EDGEWICK ROAD NEIGHBORS
Temporary Use Permit Appeal

PAUL AND HEIDI MOON
Temporary Use Permit Appeal

Location: 44305 Southeast Edgewick Road

**Appellants/
Applicants:** Paul and Heidi Moon
represented by **Matthew Baker**
Joner Lindberg Baker PLLC
PO Box 1121
Snoqualmie, Washington 98065
Telephone: (425) 495-6273
Facsimile: (360) 687-9900
Email: mattbaker@jonerlaw.com

Appellants: Edgewick Road Neighbors
represented by **Dan Twohig**
44260 SE Edgewick Road
North Bend, Washington 98045
Email: dan@mastermaritime.com

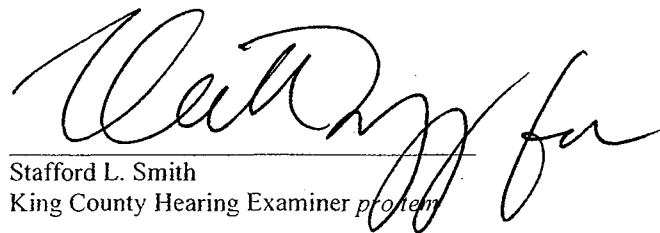
King County: Department of Development and Environmental Services (DDES)
represented by **Cristy Craig**
King County Prosecuting Attorney's Office
516 Third Avenue, W400
Seattle, Washington 98104
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1. At the public hearing held on these appeals on June 29, 2011 Matthew Baker, attorney for the Moons, orally withdrew both their appeal of the April 18, 2011 administrative decision by DDES granting them a Temporary Use Permit (TUP) and the underlying TUP application itself. Mr. Baker's action rendered the remaining Edgewick Road neighbors' TUP appeal moot. At DDES's request, a formal dismissal of the TUP appeals was delayed pending receipt by the Department of a written withdrawal of the TUP application.
2. By email correspondence received August 29, 2011, DDES has informed the Hearing Examiner's office that the Moons have not executed a timely written withdrawal of their TUP application.

ORDER

- A. The TUP appeals of Paul and Heidi Moon and the Edgewick Road Neighbors are DISMISSED.
- B. The April 18, 2011 DDES administrative TUP decision in file no. B10M1225 is VACATED and the underlying TUP application CANCELED.

DATED September 8, 2011.



Stafford L. Smith
King County Hearing Examiner *pro tem*

The examiner's summary dismissal order shall be final and conclusive unless proceedings for review of the decision are property commenced in Superior Court within 21 days of issuance of the Examiner's decision. (The Land Use Petition Act defines the date on which a land use final order or decision is issued by the HEx as three days after the written document is mailed.)

SLS/vsm