

November 12, 2010

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

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**STIPLATED REPORT AND DECISION**

**SUBJECT:** Department of Development and Environmental Services File No. **E06G0021**

**T. RYAN BING**  
Code Enforcement Appeal

Location: 14626 SE Jones Place

Appellant: **T. Ryan Bing**  
14626 SE Jones Place  
Renton, Washington 98058

King County: Department of Development and Environmental Services (DDES)  
*represented by* **Holly Sawin**  
900 Oakesdale Avenue SW  
Renton, Washington 98055-1219  
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**SUMMARY OF RECOMMENDATIONS/DECISION:**

Department's Preliminary Recommendation:	Sustain Notice and Order with revised compliance schedule
Department's Final Recommendation:	Sustain Notice and Order with revised compliance schedule
Examiner's Decision:	Sustain Notice and Order with revised compliance schedule

**EXAMINER PROCEEDINGS:**

Hearing opened:	December 21, 2006
Hearing continued on-call:	December 21, 2006
Hearing reconvened:	October 28, 2010
Hearing closed:	October 28, 2010

Participants at the public hearing and the exhibits offered and entered are listed in the attached minutes. A verbatim recording of the hearing is available in the office of the King County Hearing Examiner.

**FINDINGS, CONCLUSIONS & DECISION:** Having reviewed the record in this matter, the Examiner now makes and enters the following:

**FINDINGS OF FACT:**

1. This matter comes forward as a code enforcement appeal hearing continued from December 21, 2006 pending the Appellant's attempts to gain compliance with the Notice and Order.
2. Appellant Bing testified at the October 28, 2010 hearing session that he was very close to obtaining the necessary building permit, and the parties mutually agreed to a stipulated order that would impose a revised compliance schedule. Appellant Bing and DDES noted that the next meeting of the Appellant with DDES, a permit intake meeting (a pre-application meeting has already been conducted), was scheduled for November 10, 2010.
3. The parties stipulated to an order that requires a complete permit application to be submitted by December 2010.
4. The Notice and Order on appeal, the Appellant's appeal and related evidentiary exhibits demonstrating the violations found by the Notice and Order are in the record as formal exhibits.

**CONCLUSIONS:**

1. By stipulation, the Notice and Order is to be sustained as correct, with a stipulated revised compliance schedule.

**DECISION:**

As stipulated, the instant Notice and Order is sustained, with the exception that the COMPLIANCE SCHEDULE for correction is REVISED as set forth in the order below.

**ORDER:**

1. *By no later than **December 31, 2010**, a *complete* building permit application for correction of the subject construction work shall be formally filed with DDES.*
2. Once the permit is approved by DDES, the permit shall be obtained by the Appellant within the time period requested by DDES.
3. DDES is authorized to grant deadline extensions for any of the above requirements if warranted, in DDES's sole judgment, by circumstances beyond the Appellant's diligent effort and control. DDES is also authorized to grant extensions for seasonal and/or inclement weather reasons (potential for erosion, other environmental damage concerns, etc.).
4. No fines or penalties shall be assessed by DDES against Mr. Bing and/or the property if the above compliance requirements and deadlines are complied with in full (noting the possibility of deadline extension pursuant to the above allowances). However, if the above compliance

requirements and deadlines are not complied with in full, DDES may impose penalties as authorized by county code retroactive to the date of this decision.

ORDERED November 12, 2010.



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Peter T. Donahue  
King County Hearing Examiner

### NOTICE OF RIGHT TO APPEAL

The Examiner's decision shall be final and conclusive unless proceedings for review of the decision are properly 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 decision is issued by the Hearing Examiner as three days after a written decision is mailed.)

MINUTES OF THE DECEMBER 21, 2006, PUBLIC HEARING ON THE CODE ENFORCEMENT APPEAL OF T. RYAN BING, DEPARTMENT OF DEVELOPMENT AND ENVIRONMENTAL SERVICES FILE NO. E06G0021.

Peter T. Donahue was the Hearing Examiner in this matter. Participating in the December 21, 2006 hearing were Duana Kolouskova representing the Appellant and Bill Turner representing the Department.

MINUTES OF THE OCTOBER 28, 2010, PUBLIC HEARING ON THE CODE ENFORCEMENT APPEAL OF T. RYAN BING, DEPARTMENT OF DEVELOPMENT AND ENVIRONMENTAL SERVICES FILE NO. E06G0021.

Peter T. Donahue was the Hearing Examiner in this matter. Participating in the October 28, 2010 hearing were Appellant T. Ryan Bing and Holly Sawin representing the Department.

The following Exhibits were offered and entered into the record:

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|---------------|---|
| Exhibit No. 1 | DDES staff report to the Hearing Examiner for November 28, 2006 |
| Exhibit No. 2 | Copy of the Notice and Order issued June 29, 2006               |
| Exhibit No. 3 | Copy of the Appeal Statement received July 25, 2006             |
| Exhibit No. 4 | Copies of codes cited in the Notice and Order                   |
| Exhibit No. 5 | Copy of DDES case log entries                                   |
| Exhibit No. 6 | Photographs of subject property                                 |
| Exhibit No. 7 | Copy of overlay maps depicting environmentally critical areas   |
| Exhibit No. 8 | Copy of property information from King County Assessor's Office |

PTD:gao  
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