

July 12, 2012

**OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON**
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REPORT AND DECISION

SUBJECT: Department of Development and Environmental Services File No. **E0901062**

CHERYL WEBBER-VELDWYK
Code Enforcement Appeal

Location: 16005 SE 144th Street

Appellant: **Cheryl Webber-Veldwyk**
5500 Rainier Avenue S
Seattle, WA 98118
Telephone: (206) 650-4645
Email: cw4645@aol.com

King County: Department of Development and Environmental Services (DDES)
represented by **Holly Sawin**
900 Oakesdale Avenue SW
Renton, WA 98057
Telephone: (206) 296-6772
Email: holly.sawin@kingcounty.gov

SUMMARY OF RECOMMENDATIONS/DECISION:

Department's Preliminary Recommendation:	Deny appeal
Department's Final Recommendation:	Deny appeal
Examiner's Decision:	Deny appeal

EXAMINER PROCEEDINGS

Hearing Opened:	March 20, 2012
Hearing Closed:	March 20, 2012

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 Hearing Examiner's Office.

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

FINDINGS:

1. On September 14, 2011, a notice and order was issued by the King County Department of Development and Environmental Services Code Enforcement Section (DDES) to Cheryl Webber-Veldwyk, Harry J. Veldwyk and Estate of Harry J. Veldwyk citing property located within the R-4 zone at 16005 SE 144th Street, Seattle. The property was cited for the construction of an enclosed breezeway connecting a residence to a detached garage without issuance of a building permit.
2. A timely appeal of the notice and order was filed on September 20, 2011 by Cheryl E. Webber-Veldwyk. The appeal statement does not contest the existence of the violation but requests more time to effect compliance, specifically a 90-day extension of the time limit stated in the notice and order. According to the staff report, a pre-application meeting on an Already Built Construction permit was held between the Appellant and DDES staff on November 21, 2011. After a continuance, a public hearing on this appeal was held by the King County Hearing Examiner's Office on March 20, 2012.
3. With the various continuances and delays, by the time the deadline stated within this order has passed it will be about 300 days since the filing of the Appellant's notice and statement of appeal. Mission accomplished.

CONCLUSIONS:

1. The Appellant has not contested the existence of the cited condition on the property. A building permit is required for the breezeway addition. The appeal must be denied.

DECISION:

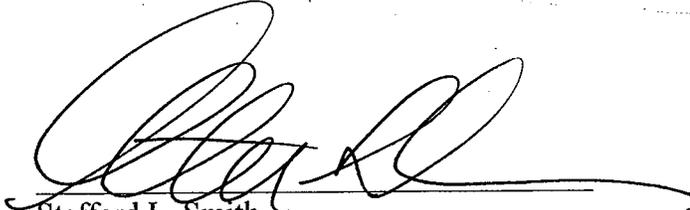
The appeal is DENIED.

ORDER:

No penalties or fines shall be assessed against the Appellant or her property if the following deadline is met:

1. A complete building permit application for the breezeway addition shall be submitted to DDES within 45 days of the date of this order.
2. If the 45-day deadline stated in condition no. 1 is not met, DDES may assess penalties and fines against the property retroactive to the date of this order.

ORDERED July 12, 2012.



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

APPEAL INFORMATION

Pursuant to King County Code Chapter 20.24, the King County Council has directed that the Examiner make the final decision on behalf of the county regarding code enforcement appeals. The Examiner's decision shall be final and conclusive unless proceedings for review of the decision are properly commenced in King County 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 MARCH 20, 2012, PUBLIC HEARING ON DEVELOPMENT AND ENVIRONMENTAL SERVICES FILE NO. E0901062.

Peter T. Donahue held the public hearing in this matter. Participating in the hearing were Holly Sawin for the Department and Cheryl Webber-Veldwyck, the Appellant.

The following Exhibits were offered and entered into the record:

- Exhibit no. 1 Development and Environmental Services staff report to the Hearing Examiner for file no. E0901062.
- Exhibit no. 2 Copy of the Notice and Order issued September 14, 2011
- Exhibit no. 3 Copy of the Notice and Statement of Appeal received September 21, 2011
- Exhibit no. 4 Copies of codes cited in the Notice and Order

SLS/vsm