

December 14, 1998

OFFICE OF THE HEARING EXAMINER  
KING COUNTY, WASHINGTON  
850 Union Bank of California Building  
900 Fourth Avenue  
Seattle, Washington 98164  
Telephone (206) 296-4660  
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REPORT AND RECOMMENDATION TO THE KING COUNTY COUNCIL.

SUBJECT: Department of Natural Resources,  
Water and Land Resources Division File No. **E98CT032**  
Proposed Ordinance No. **98-679**

Open Space Taxation (Current Use Assessment) for Timber Land

Application of **ROGER C. DOUGLAS**  
21951 - 107th Avenue SW  
Vashon, WA 98070

Location: 21951 - 107th Avenue SW, Vashon

SUMMARY OF RECOMMENDATIONS:

Department's Preliminary:	Approve 8.59 acres
Department's Final:	Approve 8.59 acres
Examiner:	Approve 8.59 acres

PRELIMINARY REPORT:

The Department of Natural Resources, Water and Land Resources Division Report on Item No. E98CT032 was received by the Examiner on November 17, 1998.

PUBLIC HEARING:

After reviewing the Department of Natural Resources, Water and Land Resources Division Report and examining available information on file with the application, the Examiner conducted a public hearing on the subject as follows:

The hearing on Item No. E98CT032 was opened by the Examiner at 1:30 p.m., December 7, 1998, in the Fifth Floor Conference Room, Union Bank of California Building, 900 Fourth Avenue, Seattle, Washington, and closed at 2:30 p.m. 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 & RECOMMENDATION: Having reviewed the record in this matter, the Examiner now makes and enters the following:

FINDINGS:

1. General Information:

Owner: See "SUBJECT" above  
 Location: See "SUBJECT" above  
 Zoning: RA5  
 Acreage:  
     Property Total: 9.39 acres  
     Requested for Timber: 8.59 acres  
     Recommended: 8.59 acres  
 STR: 07-22-03

2. Except as modified herein, the facts set forth in the King County Department of Natural Resources, Water and Land Resources Division Preliminary Report to the King County Hearing Examiner for the December 7, 1998, public hearing are found to be correct and are incorporated herein by this reference. Copies of the said Report will be attached to the copies of this Report submitted to the King County Council.

3. The value of the subject property as timber land is estimated to be \$36,485.

CONCLUSIONS:

The property proposed for current use valuation meets the requirements of KCC 20.36.110, and the subject application for current use taxation as timber land should be approved.

RECOMMENDATION:

APPROVE the subject application for current use classification of 8.59 acres as timber land, as recommended by the Water and Land Resources Division.

RECOMMENDED this 14th day of December, 1998.

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James N. O'Connor  
 King County Hearing Examiner

TRANSMITTED this 14th day of December, 1998, to the following parties and interested persons:

Roger C. Douglas  
 George Kritsonis

Monica Clarke  
 Charlie Sundberg

Ted Sullivan

Tom Beavers

**NOTICE OF RIGHT TO APPEAL  
AND ADDITIONAL ACTION REQUIRED**

In order to appeal the recommendation of the Examiner, written notice of appeal must be filed with the Clerk of the King County Council with a fee of \$125.00 (check payable to King County Office of Finance) *on or before December 28, 1998*. If a notice of appeal is filed, the original and 6 copies of a written appeal statement specifying the basis for the appeal and argument in support of the appeal must be filed with the Clerk of the King County Council *on or before January 4, 1999*. Appeal statements may refer only to facts contained in the hearing record; new facts may not be presented on appeal.

Filing requires actual delivery to the Office of the Clerk of the Council, Room 403, King County Courthouse, prior to the close of business (4:30 p.m.) on the date due. Prior mailing is not sufficient if actual receipt by the Clerk does not occur within the applicable time period. The Examiner does not have authority to extend the time period unless the Office of the Clerk is not open on the specified closing date, in which event delivery prior to the close of business on the next business day is sufficient to meet the filing requirement.

If a written notice of appeal and filing fee are not filed within 14 days calendar days of the date of this report, or if a written appeal statement and argument are not filed within 21 calendar days of the date of this report, the Clerk of the Council shall place a proposed ordinance which implements the Examiner's recommended action on the agenda of the next available Council meeting. At that meeting, the Council may adopt the Examiner's recommendation, may defer action, may refer the matter to a Council committee, or may remand to the Examiner for further hearing or further consideration.

Action of the Council Final. The action of the Council on a recommendation of the Examiner shall be final and conclusive unless within twenty (20) days from the date of the action an aggrieved party or person applies for a writ of certiorari from the Superior Court in and for the County of King, State of Washington, for the purpose of review of the action taken.

**MINUTES OF THE DECEMBER 7, 1998 PUBLIC HEARING ON DEPARTMENT OF NATURAL RESOURCES FILE NO. E98CT032 - ROGER C. DOUGLAS:**

James N. O'Connor was the Hearing Examiner in this matter. Participating in the hearing were George Kritsonis and Roger Douglas.

The following exhibits were offered and entered into the record:

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| Exhibit No. 1 | Not offered  |
| Exhibit No. 2 | Not offered  |
| Exhibit No. 3 | Not offered  |
| Exhibit No. 4 | Department of Natural Resources Preliminary Report to the King County Hearing Examiner for the December 7, 1998 public hearing |
| Exhibit No. 5 | Legal Notice to Council  |
| Exhibit No. 6 | Introductory Ordinance to Council  |
| Exhibit No. 7 | Affidavit of Publication   |

Exhibit No. 8	Notice to Applicant of Hearing
Exhibit No. 9	Application, signed/notarized
Exhibit No. 10	Not offered
Exhibit No. 11	Legal Description of designated timber land
Exhibit No. 12	Assessor Map
Exhibit No. 13	King County Situs Report
Exhibit No. 14	King County Assessor's Database
Exhibit No. 15	Site map (please refer to Exhibit No. 17)
Exhibit No. 16	Arcview map
Exhibit No. 17	Forest Management Plan
Exhibit No. 18	Notice of Hearing, Office of the Hearing Examiner

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