

June 20, 1996

OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON

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REPORT AND DECISION ON APPLICATION FOR
REASONABLE USE EXCEPTION FROM SENSITIVE AREAS ORDINANCE CODES

SUBJECT: Department of Development and Environmental Services File No. **L96RU004**

MICHAEL & JOYCE TREAT

Application for Reasonable Use Exception
to the Sensitive Areas Ordinance

Location: Between 205th Avenue NE and 206th Avenue NE, 250 feet south of NE 16th Street; Parcel No. 357530-0965

Applicant: Michael and Joyce Treat
4135 - 169th Court NE
Redmond, WA 98052

Owner: Steve Losorwith
c/o Mark Murray
Windermere Real Estate
16701 Cleveland Street, #201
Redmond, WA 98053

SUMMARY OF RECOMMENDATIONS:

Division's Preliminary:	Grant application
Division's Final:	Same as above
Examiner:	Same as above

PRELIMINARY MATTERS:

Application or petition submitted:	March 7, 1996
Department Preliminary Report issued:	June 3, 1996

EXAMINER PROCEEDINGS:

Hearing Opened:	June 17, 1996
Hearing Closed:	June 17, 1996

Participants at the proceedings 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 adopts and incorporates herein by this reference the Findings, Conclusions and Recommendation made by the Land Use Services Division as set forth in its Preliminary Report to the King County Hearing Examiner for the June 17, 1996 public hearing (Exhibit "C" in the record of these proceedings).

ORDERED this 20th day of June, 1996.

James N. O'Connor
King County Hearing Examiner

TRANSMITTED this 20th day of June, 1996, to the following parties and interested persons:

Rob Bricel	Craig Johnson
Quan Lee	Steve Losorwith
Matt Miller	Robert Reich
Ken L. Ross	Joyce and Michael Treat

Steve Bottheim, DDES/Land Use Services Division
 Lisa Pringle, DDES/Land Use Services Division
 Sherie Sabour, DDES/Land Use Services Division
 Bob Wood, DDES/Land Use Services Division

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 twenty-one days of issuance of the decision.

MINUTES OF THE JUNE 17, 1996 PUBLIC HEARING ON DEPARTMENT OF DEVELOPMENT AND ENVIRONMENTAL SERVICES FILE NO. L96RU004 - TREAT:

James N. O'Connor was the Hearing Examiner in this matter. Participating in the hearing were Sherie Sabour, Joyce Treat, Michael Treat, Ken L. Ross, and Rob Bricel.

The following exhibits were offered and entered into the record:

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| Exhibit No. C | Department of Development and Environmental Services Preliminary Report to the King County Hearing Examiner for the June 17, 1996 public hearing |
| Exhibit No. D-1 | Application, received March 7, 1996 |
| Exhibit No. D-2 | Legal description, received March 7, 1996 |
| Exhibit No. D-3 | Justification/Criteria for Approval, received March 7, 1996 |
| Exhibit No. D-4 | Record of Sensitive Area Review, March 7, 1996 |
| Exhibit No. D-6 | Project plans, March 7, 1996 |
| Exhibit No. D-8 | Assessor Maps |
| Exhibit No. D-9 | Certificate of Water Availability |
| Exhibit No. D-10 | Certificate of Sewer Availability |
| Exhibit No. D-12 | Geotechnical Report dated June 16, 1992 |
| Exhibit No. D-13 | Zoning Variance Report - L92VA045 |
| Exhibit No. E | Agenda prepared May 9, 1996, sent to agencies |
| Exhibit No. F | Legal Notice to papers for publication, sent May 8, 1996, published May 29, 1996 |
| Exhibit No. G | Affidavits of Publication |
| Exhibit No. H | Notice Board/Posting Notices, sent May 10, 1996, affidavit received May 20, 1996, date posted May 17, 1996 |
| Exhibit No. J | 500-foot radius notices: dated and sent May 10, 1996 |
| Exhibit No. N | Memo to Hearing Examiner from Lisa Pringle re: readiness for hearing, dated April 30, 1996 |
| Exhibit No. O | Notice of Hearing, Office of the Hearing Examiner, May 14, 1996 |
| Exhibit No. 1 | Memo from Sherie Sabour dated March 26, 1996 |
| Exhibit No. 2 | Staff Photos, dated May 23, 1996 |