



200307230021

Skagit County Auditor

7/23/2003 Page

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AFTER RECORDING RETURN TO:
SKAGIT COUNTY HEARING EXAMINER
302 SOUTH FIRST STREET
MOUNT VERNON, WA 98273

DOCUMENT TITLE: ORDER DENYING REQUEST FOR RECONSIDERATION ON
SPECIAL USE PERMIT SU 02 0177

HEARING OFFICER: SKAGIT COUNTY HEARING EXAMINER

APPLICANT: BURLINGTON EDISON SCHOOL DISTRICT #100 (ALLEN SCHOOL)

ASSESSOR PARCEL NO: P68632, P68629, P34762

LEGAL DESCRIPTION: This project is located at the existing Allen Elementary School site, 17145 Cook Road, along the north side of Cook Road, approximately 1,200 feet west of Chuckanut Drive. The portion of the proposed project which includes the 3,000 square foot storage building is located south of Chuckanut Drive, east of Avon Allen Road, at 9101 Avon Allen Road, Burlington, WA; a portion of Section 23, Township 35 North, Range 3 East, W.M., Skagit County, Washington.

BEFORE THE SKAGIT COUNTY HEARING EXAMINER

In the Matter of the Application of)

PL02-0177

BURLINGTON-EDISON SCHOOL)
DISTRICT #100)

ORDER DENYING
REQUEST FOR
RECONSIDERATION

For a Special Use Permit to Remodel and)
Construct Improvements for Allen)
Elementary School.)

John Sandell, a party of record in the permit proceedings, filed a post-hearing request with the Planning and Permit Center on May 27, 2003. The form identified the request as an appeal to the Board of County Commissioners. Through subsequent communications between County personnel and Mr. Sandell it ultimately became apparent that his intention was not to appeal but rather to request reconsideration of the Hearing Examiner's decision. The filing was timely for a Request for Reconsideration pursuant to SCC 14.06.180.

The filing has therefore been forwarded to the Examiner for his ruling on reconsideration. The request states simply that the Examiner "never addressed problems of past and future flooding." In accompanying text, it is asserted that the Examiner did not consider a historical map that was submitted into evidence.

The Examiner states that he gave the map appropriate weight but ultimately agreed with the applicant's analysis of the potential impact of this project on flood waters. He respectfully refers to Findings 10, 11, 12, 13, 14 and 15 of the May 14, 2003 decision.

Upon reconsideration, the Examiner has determined that no material legal error has occurred and that no material factual issue has been overlooked that would change the previous decision.

Therefore, the Request for Reconsideration is denied.

SO ORDERED, this 30th day of June, 2003.



Wick Dufford, Hearing Examiner



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