



200503100109

Skagit County Auditor

3/10/2005 Page 1 of 5 1:57PM

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

DOCUMENT TITLE: ORDERS ON REQUESTS FOR RECONSIDERATION SU 04 0167
MODIFICATION

HEARING OFFICER: SKAGIT COUNTY HEARING EXAMINER

APPLICANT: PORT GARDNER TIMBER (Bow Hill Mill)

APPELLANTS: JAMES R. BUCKNELL, JOHN and GLENDA EVERETT, JAN GORDON,
ERIC STARK

ASSESSOR PARCEL NO: P48691; P48701

LEGAL DESCRIPTION: The proposed project is located at 16812 Colony Road; a portion of the west 1/2 of the northeast 1/4 of the northeast 1/4 of Section 35, Township 36 north, Range 3 east, W.M.; Skagit County, Washington.

SKAGIT COUNTY HEARING EXAMINER
STATE OF WASHINGTON

In the Matter of the Application of)
PORT GARDNER TIMBER)


For a Special Use Permit to)
modify SPU 92-006 for expansion of)
mill operating hours)

SU 04-0167

**ORDER ON REQUEST
FOR RECONSIDERATION**

1. On January 5, 2005, the Hearing Examiner, *pro tem*, issued a decision in the above-referenced matter.
2. On January 12, 2005, the Hearing Examiner received a timely request for reconsideration by **James R. Bucknell**.
3. The staff report misidentified Mr. Bucknell, as did the original decision. The decision should be modified to reflect his proper name.
4. SCC 14.06.180 states that: "Reconsideration should be granted only when a material legal error has occurred or a material factual issue has been overlooked that would change the previous decision."
5. The request for reconsideration does not meet the standard and is therefore denied, except as to be modified per paragraph number 3 above.

SO ORDERED, this 4th day of March 2005.



Bradford E. Furlong, Hearing Examiner *Pro Tem*



200503100109
Skagit County Auditor

3/10/2005 Page 2 of 5 1:57PM

SKAGIT COUNTY HEARING EXAMINER
STATE OF WASHINGTON

In the Matter of the Application of)
PORT GARDNER TIMBER)

For a Special Use Permit to)
modify SPU 92-006 for expansion of)
mill operating hours)

SU 04-0167

**ORDER ON REQUEST
FOR RECONSIDERATION**

1. On January 5, 2005, the Hearing Examiner, *pro tem*, issued a decision in the above-referenced matter.
2. On January 18, 2005, the Hearing Examiner received a timely request for reconsideration by **John and Glenda Everett**. Although the request was received thirteen days after the decision date, it was timely because the 10th after the date of decision fell on a weekend. This would ordinarily make the deadline the following Monday but that Monday was Martin Luther King Day, a legal holiday. Therefore Tuesday, January 18, 2005 at 4:30 p.m. was the effective deadline for filing a request for reconsideration.
3. SCC 14.06.180 states that: "Reconsideration should be granted only when a material legal error has occurred or a material factual issue has been overlooked that would change the previous decision."
4. The request for reconsideration does not meet the standard and is therefore denied.

SO ORDERED, this 4th day of March 2005.



Bradford E. Furlong, Hearing Examiner *Pro Tem*



200503100109

Skagit County Auditor

SKAGIT COUNTY HEARING EXAMINER
STATE OF WASHINGTON


In the Matter of the Application of)
PORT GARDNER TIMBER)
)
For a Special Use Permit to)
modify SPU 92-006 for expansion of)
mill operating hours)
_____)

SU 04-0167

**ORDER ON REQUEST
FOR RECONSIDERATION**

1. On January 5, 2005, the Hearing Examiner, *pro tem*, issued a decision in the above-referenced matter.
2. On January 13, 2005, the Hearing Examiner received a timely request for reconsideration by **Jan Gordon**.
3. SCC 14.06.180 states that: "Reconsideration should be granted only when a material legal error has occurred or a material factual issue has been overlooked that would change the previous decision."
4. The request for reconsideration does not meet the standard and is therefore denied.

SO ORDERED, this 4th day of March 2005.



Bradford E. Furlong, Hearing Examiner *Pro Tem*



200503100109

Skagit County Auditor

3/10/2005 Page

4 of

5 1:57PM

SKAGIT COUNTY HEARING EXAMINER
STATE OF WASHINGTON

In the Matter of the Application of
PORT GARDNER TIMBER


For a Special Use Permit to
modify SPU 92-006 for expansion of
mill operating hours

SU 04-0167

**ORDER ON REQUEST
FOR RECONSIDERATION**

1. On January 5, 2005, the Hearing Examiner, *pro tem*, issued a decision in the above-referenced matter.
2. On January 12, 2005, the Hearing Examiner received a timely request for reconsideration by **Eric Stark**.
3. SCC 14.06.180 states that: "Reconsideration should be granted only when a material legal error has occurred or a material factual issue has been overlooked that would change the previous decision."
4. The request for reconsideration does not meet the standard and is therefore denied.

SO ORDERED, this 4th day of March 2005.



Bradford E. Furlong, Hearing Examiner *Pro Tem*



200503100109

Skagit County Auditor

3/10/2005 Page

5 of

5 1:57PM