



200506060148
Skagit County Auditor

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

DOCUMENT TITLE: ORDER REQUESTING RESPONSES TO PETITION CV 03 0663

HEARING OFFICER: SKAGIT COUNTY HEARING EXAMINER

PETITIONER: ROGER PEDERSON

APPLICANT: LUCILLE DODD

ASSESSOR PARCEL NO: P35022

PROPERTY LOCATION: The proposed project is located at along the west side of Bayview-Edison Road, within Sec. 30, T35N, R3E, W.M.. Skagit County, Washington.

BEFORE THE SKAGIT COUNTY HEARING EXAMINER

In the Matter of the Application of)
)
LUCILLE DODD)
)
For a Reasonable Use Exception to Allow) **ORDER REQUESTING**
A Single Family Residence on) **RESPONSES TO**
Parcel #35002 on Padilla Bay) **RECONSIDERATION**
) **PETITION**
)


On January 26, 2005, the Hearing Examiner issued Supplementary Findings, Conclusions and Decision on the Reasonable Use Exception request of Lucille Dodd. A Request for Reconsideration was filed by Roger E. Pederson, a party of record, on February 4, 2005, supplemented by a further communication dated February 7, 2005.

The Hearing Examiner has accepted these two filings and determined that further discussion and argument is needed before ruling on the Request. The Examiner was aware that certain issues regarding boundaries and easements exist among the applicant and the neighboring owners, but did not believe that the resolution of these issues was a necessary pre-requisite to his deciding on the permit applications before him. The Request asserts that this is not so. Bound up with this is the question of the County's role in creating the wetland conditions on the property – an issue that was not definitively adjudicated in the proceedings before the Examiner.

Before ruling on the Request for Reconsideration, the Examiner hereby asks for additional discussion and argument on these matters from the parties who participated in the proceedings. In particular, the Examiner would appreciate hearing from legal counsel for the County.

Parties shall file the responses sought on or before June 10, 2005.

SO ORDERED this 18th day of May, 2005.



Wick Dufford, Hearing Examiner

Cc: Roger E. Pederson, Leah Forbes, Don Anderson, Lucille Dodd, David Livingston, Craig E. Cammock



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