

ISLAND COUNTY HEARING EXAMINER

re: Appeal by Gebert and Hodge of S-
VAR Type II Decision (Permit 351/22)

APL 401-23
SVAR 352/22

SECOND PRE-HEARING ORDER

Required Actions by Parties

The Hearing Examiner, having reviewed the pleadings and submissions of the parties and the record specifically for this hearing, and seeing a number of issues that should be made clear before a hearing, with the authority Pursuant to §2.4 of the Rules of Procedure for the Proceedings Before The Hearing Examiner of Island County (RPPBHE), as authorized by ICC 16.13.100, the Hearing Examiner hereby orders further, supplementing the First Pre-Hearing Order:

ORDER

- 1. Issues Identified and Agreed to by the Parties as to the Scope of Appeal and Hearing to take place at the same time:**
 - a.** Denial of Shoreline Variance Application based on the legal criteria.
- 2. Issues of Evidence**
 - a.** The Parties had no objections to the evidence put forward by the respective parties.
 - b.** The Parties should submit updated witness lists and potential evidence for pre-marking when possible prior to the hearing.

3. A 2nd pre-hearing on this matter will be noticed and set for: April 11, 2024 at 9:00am

to be facilitated virtually through the Office of the Hearing Examiner.

a. This is being set by agreement of the parties, for the appellant's benefit in order to review potential ordinance changes.

b. The Appellant has waived their speedy hearing right, and said 90-day period will re-start on the of April 11, 2024.

SO ORDERED this 8th day of January 2024.



Rajeev D. Majumdar, Hearing Examiner