



Planning Department
Sedro-Woolley Municipal Building
325 Metcalf Street
Sedro-Woolley, WA 98284
Phone (360) 855-0771
Fax (360) 855-0733

MEMO:

To: Sedro-Woolley Hearing Examiner

From: Jack Moore,
Planning Director/ Building Official

Date: December 27, 2011

Subject: CUP-1-11 – Request for Reconsideration of Hearing Examiner Decision – Renting Indoor Space for Hydroponic Growing of Medical Marijuana

On December 27, 2011, the Sedro-Woolley Planning Department received a request from the applicant of conditional use permit application CUP-1-11 for a reconsideration of the Hearing Examiner's decision. On December 19, 2011, the Hearing Examiner issued a decision to DENY CUP-1-11. Attached is the application for reconsideration, which includes a narrative explaining the applicant's reasons for believing the Hearing Examiner decision is in error, a May 31, 2005 letter from the Planning Department regarding CUP#2569, photographs of the site and aerial photographs of the subject property. The application for reconsideration of the hearing was received in a timely fashion as required in SWMC 2.90.080(G)4. The applicant – Tom Swett – submitted the application for reconsideration document to the Planning Department in person.

SWMC 2.90.080(G)4 defines the procedure for reconsideration of the Examiner's Decision:

Any interested person who believes that the decision of the examiner is based on an erroneous procedure, errors of law or fact, error in judgment, or the discovery of new evidence which could not be reasonably available at the prior hearing may make a written application for review by the examiner within fourteen days after the written decision of the examiner has been rendered or within fourteen days of the publication of decision, if required. The application shall set forth the specific errors relied upon by such appellant, and the examiner may, after review of the record, take further action as the examiner deems proper. The examiner may request further information which shall be provided within ten days of the request. The examiner's written decision on the request for consideration shall be transmitted to all parties of record within ten days of receipt of the application for reconsideration or receipt of the additional information requested, whichever is later.

ATTACHEMENT

Letter dated December 27, 2011 RE: Reconsideration of Hearing Examiner Decision CUP-1-11 (no author identified)