

**BEFORE THE HEARING EXAMINER
FOR CITY OF REDMOND**

In the Matter of the Appeal of)	NO. DEVREQ-2017-00148/
)	BPLN-2015-02128
)	
Thomas and Andrea Short, and)	
Hamid Korasani, PE)	
)	
)	
of the March 3, 2017 City denial of a)	
Request for Deviation relating to code)	ORDER DISMISSING APPEAL
Provisions requiring undergrounding of)	
Utilities for a project at 13404 NE 100th St.)	
<u>Redmond, Washington</u>)	

On March 16, 2017, Thomas and Andrea Short and Hamid Korasani, PE (Appellants), timely appealed a March 3, 2017 decision by the City of Redmond Technical Review Committee denying a requested deviation from the requirements of the Redmond Zoning Code to underground utilities associated with a development proposed at 13404 NE 100th Street in Redmond.

Through a series of emails between counsel for the Appellants, Technical Review Committee representatives, and the Hearing Examiner Clerk, the parties agree to proceed to hearing without an in-person pre-hearing conference; however Appellants' counsel requested pre-hearing confirmation in writing that the correct deviation criteria were addressed in the notice of appeal. The parties agreed to a May 17, 2017 hearing date.

Subsequently, on April 12, 2017, the Technical Committee withdrew the decision to deny the deviation request for undergrounding (DEVREQ-2017-00148) as expressed in the letter dated March 3, 2017. The Technical Committee will take up the deviation request at a future meeting. At the conclusion of this matter before the Technical Committee, the Applicant will receive a written letter outlining the Committee's decision. This letter will be an appealable action.

At the request of the undersigned, the Hearing Examiner Clerk attempted to confirm with Appellants that because the decision appealed from had been rescinded, the appeal would be withdrawn. Communication received in response did not confirm withdrawal of the appeal. However, the undersigned lacks jurisdiction in an appeal where the decision appealed from has been rescinded. Should the Appellants object to the Technical Review Committee's eventual decision in the deviation request, they will have a new opportunity to appeal.

Order

The above-captioned appeal is dismissed.

Issued April 19, 2017.

By:



Sharon A. Rice
Redmond Hearing Examiner