

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

MOTION NO. 23-192

ORDER SUMMARILY DISMISSING THE CLOSED RECORD APPEAL OF HUSAYNIA
ISLAMIC SOCIETY OF SEATTLE, FILE NO. 20-114230 CUP

WHEREAS, on May 1, 2023, the Snohomish County Council received an appeal from a decision of the Snohomish County Hearing Examiner in the matter of Husaynia Islamic Society of Seattle, File No. 20-114230 CUP; and

WHEREAS, chapter 30.72 of the Snohomish County Code (SCC) establishes the procedures for appealing a Snohomish County Hearing Examiner decision to the County Council; and

WHEREAS, SCC 30.72.080 identifies requirements that must be included in an appeal to the County Council for the appeal to be complete; and

WHEREAS, under SCC 30.72.080(1)(a) an appeal must be in writing and contain a detailed statement of the grounds for appeal and the facts upon which the appeal is based, including references to specific hearing examiner findings or conclusions, and to exhibits or oral testimony in the record; and

WHEREAS, in their appeal appellants did not refer to a single Hearing Examiner finding or conclusion that they believed to be in error or unsupported by the record; and

WHEREAS, under SCC 30.72.080(1)(b) an appeal must contain argument in support of the appeal, including all legal arguments on which the appeal is based; and

WHEREAS, the appeal was not based upon legal argument and instead is composed of appellants' general disagreement with the Hearing Examiner's approval of the conditional use permit; and

WHEREAS, under SCC 30.72.080(1)(c) an appeal must include the name, mailing address, and daytime telephone number of each appellant, or each appellant's representative, together with the signature of at least one of the appellants or of the appellants' representative; and

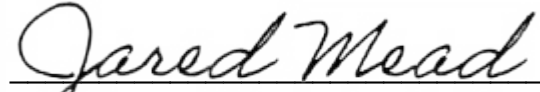
WHEREAS, none of the 16 appellants or their representatives included their daytime telephone numbers; and

WHEREAS, SCC 30.72.075 provides the County Council may summarily dismiss an appeal in whole or in part without a hearing if it determines the appeal is incomplete;

NOW, THEREFORE, ON MOTION, that the County Council summarily dismisses the appeal in its entirety for being incomplete because the appeal fails to include the requirements identified in SCC 30.72.080(1).

DATED this 10th day of May, 2023.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington



Council Chair

ATTEST:



Clerk of the Council