

**BEFORE THE HEARING EXAMINER  
CITY OF BAINBRIDGE ISLAND**

In the Matter of the Application for  
Conditional Use Permits by

**SEATTLE YACHT CLUB**

**SCUP/CUP13042**

and the Appeal of the Director's  
Threshold Determination (MDNS) by

**ORDER CORRECTING  
CONDITION 31**

**MALLUM/FRANZ et al.**

The Applicant has correctly observed that Condition #31(b) indicates "16 students" as maximum sailing class size, but that the Findings and Conclusions refer to a 20 student maximum. The number 16 is a scrivener's error and **CONDITION 31(B) SHOULD BE AND HEREBY IS CORRECTED** to read as follows:

- b. Have a **maximum limit of 20 students** per class.

The parties are also advised that although the postscript to the decision is correct, a more detailed note concerning further review of a Shoreline Conditional Use Permit decision would be:

The decision of the Hearing Examiner is the final decision of the City in this matter. The Washington State Department of Ecology (DOE) reviews decisions of this type and the City shall notify DOE of this decision to initiate that review. Within 30 days of notification, DOE is to approve, approve with condition or deny a Shoreline Conditional Use Permit approved by the City. The DOE decision is appealable to the Washington State Shorelines Hearings Board as provided by RCW 90.58.180 (or its successor); to be timely, petition for review must be filed within the 21-day appeal period [see BIMC 16.12.380].

Entered this 21<sup>st</sup> day of September 2006.

-signed in original-

Meredith A. Getches  
Hearing Examiner