

**CENTRAL PUGET SOUND
GROWTH MANAGEMENT HEARINGS BOARD
STATE OF WASHINGTON**

JODY L. McVITTIE)	
)	Case No. 01-3-0025
)	
Petitioner,)	<i>(McVittie IX)</i>
)	
v.)	ORDER OF DISMISSAL
)	
SNOHOMISH COUNTY,)	
)	
Respondent.)	

I. Background

On November 28, 2001, the Central Puget Sound Growth Management Hearings Board (the **Board**) received a Petition for Review (**PFR**) from Jody McVittie (**Petitioner or McVittie**). The matter was assigned Case No. 01-3-0025, and captioned *McVittie (IX) v. Snohomish County*. Petitioner alleged that Snohomish County’s adoption of Ordinance Nos. 01-011, 013, 014, and 015 failed to be guided by and substantively comply with certain of the goals of the Growth Management Act (the **GMA** or the **Act**) and did not comply with certain of the GMA’s requirements.

On December 7, 2001, the Board issued the Notice of Hearing (the **Notice**) in this case. The Notice set January 9, 2002 as the date for the prehearing conference.

On December 28, 2001, the Board issued an “Amended Notice of Hearing” which revised the date for the prehearing conference.

The Board conducted the prehearing conference in this matter on January 14, 2002 beginning at 10:00 a.m. in Suite 1022 of the Financial Center, 1215 Fourth Avenue in downtown Seattle. Present were Board members Lois H. North and Joseph W. Tovar, presiding officer. Representing the County was Courtney Flora. Petitioner Jody McVittie represented herself, *pro se*. Also present was Gary Watkins, the Boards’ legal intern. After discussing the record, the schedule and the issues as set forth in the PFR, the presiding officer asked the Petitioner to confer with the County and to then submit a revised statement of legal issues by no later than January 18, 2002.

On January 15, 2002, the Board received from Petitioner a “Reworded Petition for Review” (the **Reworded Petition**). Later on this date, the Board received a letter from counsel for the County stating that the County had no objection to the legal issues as framed in the “Reworded Petition.” while not waiving rights to contest the validity of the issues. Attached to the letter from the County was “Core Documents and Revised Index of the Record.”

On January 28, 2002, the Board received a letter from Ms. McVittie stating her desire to withdraw her PFR.

II. FINDINGS OF FACT – CONCLUSIONS OF LAW

The Board finds:

1. Petitioner filed a PFR, which challenged the Snohomish County adoption of Ordinance Nos. 01-011, 013, 014, and 015.
2. The Petitioner filed a letter withdrawing her PFR.

The Board concludes:

Because the Petitioner has withdrawn her PFR, it is appropriate for the Board to dismiss in its entirety Case No. 01-3-0025.

III. ORDER

Based on the above findings and conclusions, the Board enters the following ORDER:

1. Petitioner’s Petition for Review (CPSGMHB Case No. 01-3-0025), challenging the County’s adoption of Ordinance Nos. 01-011, 013, 014, and 015, is **dismissed with prejudice** and without costs to either party.
2. The hearing on the merits for CPSGMHB Case No. 01-3-0025, tentatively scheduled for April 8, 2002, is **canceled**.

So ORDERED this 29th day of January 2002.

CENTRAL PUGET SOUND GROWTH MANAGEMENT HEARINGS BOARD

Edward G. McGuire, AICP

Board Member

Lois H. North
Board Member

Joseph W. Tovar, AICP
Board Member

Note: This Order constitutes a final order as specified by RCW 36.70A.300 unless a party files a motion for reconsideration pursuant to WAC 242-02-832.