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5 **BEFORE THE HEARING EXAMINER**  
6 **CITY OF SEATTLE**

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8 In the Matter of the Appeals of

9 **MAGNOLIA COMMUNITY COUNCIL**  
10 **AND OTHERS & FRIENDS OF THE**  
11 **LAST 6,000**

12 from decisions issued by the Director, Seattle  
13 Department of Construction and Inspections

Hearing Examiner Files:  
MUP-21-016 (CU) & MUP-21-017 (ECA)

Department References: 3028072-LU

**RESPONSE OF FRIENDS OF THE**  
**LAST 6,000 ON MOTION TO DISMISS**

14 I, Margaret Boyle, hereby declare that the following statements are true:

- 15 1. I am over eighteen years of age, and make the following statements based upon  
16 personal knowledge;
- 17 2. I am the attorney for appellant Friends of The Last 6,000 in the above matter;
- 18 3. Attached hereto as Exhibit 1 is a true and correct copy of the ECA Administrative  
19 Conditional Use ("ECA ACU") decision by the Director of Seattle Department of  
20 Construction and Design ("SDCI") for the Applicant's project;
- 21

22 DECLARATION OF MARGARET BOYLE IN  
23 OPPOSITION TO MOTION TO DISMISS – Page 1

BOYLE MARTIN THOENY, PLLC  
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SEATTLE, WASHINGTON 98119  
TELEPHONE: 206.217.9400  
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- 1 4. Attached hereto as Exhibit 2 is a true and correct copy of the Applicant's proposed  
2 site plan, obtained from the SDCI project portal;
- 3 5. Attached hereto as Exhibit 3 is a true and correct copy of the Applicant's additional  
4 proposed site plan, obtained from the SDCI project portal;
- 5 6. Attached hereto as Exhibit 4 is a true and correct copy of a July 8, 2017 email sent  
6 from Jerry Suder to Eric Drivdahl regarding the Applicant's proposed development,  
7 obtained from the SDCI project portal;
- 8 7. Attached hereto as Exhibit 5 is a true and correct copy of the minutes of an August  
9 16, 2017 meeting between Jerry Suder, Eric Drivdahl, and other individuals involved  
10 with the applicant's project, obtained from the SDCI project portal;
- 11 8. Attached hereto as Exhibit 6 is a true and correct copy of the Applicant's ECA ACU  
12 application, obtained from the SDCI project portal;
- 13 9. Attached hereto as Exhibit 7 is a true and correct copy of the Zoning Correction  
14 Notice dated January 15, 2020, and the Applicant's garage plans, obtained from the  
15 SDCI project portal;
- 16 10. Attached hereto as Exhibit 8 is a true and correct copy of the Applicant's response to  
17 the Zoning Correction Notice dated January 15, 2020, and the Applicant's adjusted  
18 garage plans, obtained from the SDCI project portal. The email referred to by the  
19 Applicant is not included in the public records available in the SDCI project portal;
- 20 11. Attached hereto as Exhibit 9 is a true and correct copy of the Revegetation Correction  
21 Notice dated July 28, 2020, obtained from the SDCI project portal;

1 12. Attached hereto as Exhibit 10 is a true and correct copy of the Applicant's response to  
2 the Revegetation Correction Notice dated July 28, 2020, obtained from the SDCI  
3 project portal;

4 13. Attached hereto as Exhibit 11 is a true and correct copy of the tree plan sheets and  
5 pertinent pages of the updated arborist report referenced in Exhibit 10, obtained from  
6 the SDCI project portal.

7 I declare under penalty of perjury under the laws of the State of Washington that the foregoing is  
8 true and correct.

9 SIGNED this 17<sup>th</sup> day of June, 2021 at Seattle, Washington.

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11 MARGARET BOYLE