

BEFORE THE HEARING EXAMINER  
CITY OF SEATTLE

In the Matter of the Appeals of	)	Hearing Examiner File:
DAVID MOEHRING, NEIGHBOR	)	<b>MUP-18-001</b>
TO 3641 22 <sup>ND</sup> AVE W	)	
Of the SHORT PLAT SUBDIVISION	)	APPELLANT'S EX PARTE MOTION
to Create Two Parcels of Land from	)	TO SUBPOENA SEATTLE FIRE DEPARTMENT
the Lot at 3641 22 <sup>nd</sup> Ave West	)	AUTHORITY HAVING JURISDICTION
	)	

Pursuant to Hearing Examiner Rule 3.12, David Moehring, Neighbor to 3641 22nd Avenue West, moves for a subpoena to require the Seattle Fire Department, **Department-assigned Authority Having Jurisdiction for Station 41 within Seattle's Magnolia community**, 220 3rd Avenue South, Seattle, WA 98104, to appear and testify at the HE MUP-18-001 appeal hearing on SDCI 3028431 concerning the Short Plat Application of a lot at 3641 22<sup>nd</sup> Avenue West. The date of the subject hearing is April 12, 2018. The appearance includes cross examination by the Department, but excludes further testimony required of others.

The Seattle Fire Department-assigned Authority Having Jurisdiction (AHJ) for Station 41 are directly affected by any policies or discretionary decisions that the Seattle Department of Construction and Inspections may make relative to vehicular access requirements. The AHJ may be questioned on aspects of emergency vehicle access to the proposed subdivision. The AHJ should produce records of firefighting incidents within the last 10 years where access was provided via an alley compared to a street, especially within low-rise multifamily areas. This testimony is especially relevant given the applicant's stated intentions that fires to the rear lot do not need an access easement for emergency access vehicles from the street. The Captain of the

1 Fire Department has been consulted and advised of the proposed subdivision application  
2 number. The estimated duration of testimony, less the applicant's cross-examination, is  
3 expected to be less than 45 minutes.  
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5 Given the desire of the applicant to utilize a short plat on a Low-Rise in attempt to  
6 provide two townhouses behind three rowhouses and no vehicle access easement, this is a  
7 mutual item of concern. The Seattle Fire Department is a potential user of the required access  
8 easement, and it is thereby reasonable for the limited information requested relative to the  
9 administrative appeal to Short Plat subdivisions.  
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12 Respectfully submitted,

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15 David Moehring, Authorized Representative  
16 Neighbor to 3641 22nd Avenue West  
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