SKAGIT COUNTY
OFFICE OF THE HEARING EXAMINER

***re*:** Appeal of Bo Gardens, LLC, Chris Andersen, and Heidi Andersen of a Skagit County Planning & Development Administrative Order to Abate of 8/31/2026	**APL 2026-015** *of CODE-2024-0018* **PRE-HEARING ORDER** Required Actions by Parties at §§1(a), and 3(d) Required Actions by Clerk at §3(a)

The Hearing Examiner has received notice that an appeal has been filed and a request for a pre-hearing conference.

The Hearing Examiner, with the authority pursuant to the Skagit County Hearing Examiner's Rules of Procedure, as authorized by Skagit County Commissioners per Resolution #R20240280 on 12/16/24 ("SCRE") §10 and 24, the Hearing Examiner hereby orders:

ORDER

1. **Administrative**
   - **a.** The Department will file a declaration as to the timing of the receipt of the appeal or provide copies that were stamped as received with annotation as to the time and date of the receipt prior to **November 15, 2026**.
   - **b.** Any disclosure between the parties or filings, or pleadings, exhibits, comments, motions, and other material intended to be seen by the Hearing Examiner as part of any decision making process the Hearing Examiner is involved in, shall be filed by e-mail with the Hearing Examiner Coordinator

at HEhearings@co.skagit.wa.us, with copies to the other party or their counsel of record.

c. Parties will file documents with file names that reflect who is filing and the date filed (with the date being at the end of the file name).

d. Any party filing legal briefs, motions, or proposed orders shall submit them in both .pdf and a .doc/.docx format. The .pdf version will become part of the exhibit log, and the .doc/.docx version will be judicial working copies.

2. The Current Record

As identified by the Office of the Hearing Examiner the record of this case is as follows thus far:

1. Admin Order to Abate, *issued* 08/31/2026
2. Appellants' Appeal Letter, *dated* 09/09/2026
3. Appeal Email Wenzle & Jongsman Chain, *dated* 08/20/2026
4. DOR Registration Bo Gardens LLC, *dated* 08/19/2026
5. Appeal Signature Drew Davis, *dated* 09/09/2026
6. Appeal Agent Auth. Form C. Anderson, *dated* 09/18/2026
7. Appeal Agent Auth. Form H. Anderson, *dated* 09/18/2026
8. Appeal Agent Auth. Form C. Ng, *dated* 09/19/2026
9. Letter Wenzl to Ng, *dated* 12/23/2024
10. Letter LCB to Bo Gardens, *dated* 01/29/2025
11. Letter Wenzl to Anderson, *dated* 01/20/2026
12. AOA Cert. Mail Receipt Anderson & Ng, *filed* 10/21/26
13. Admin. Order to Abate, *dated* 03/05/2026
14. Cert. Mail Returned Anderson, *dated* 03/27/2026
15. Picture Posting of AOA, *dated* 03/31/2026
16. NOA Cert. Mail Anderson, *filed* 10/21/26
17. Notice and Order to Abate, *dated* 07/07/2026
18. USPS Mail Ng, *filed* 10/21/26
19. Recorded Cert. Non-Compliance, *filed* 07/08/2026
20. Picture Posted NOA, 07/08/2026
21. Mail Returned Ng, *dated* 07/29/2026
22. USPS Tracking Delivery, *dated 8*/18/2026
23. AOA Cert. Mail Anderson & Ng, *filed* 10/21/26
24. AOA Cert. Mail Anderson, *filed* 10/21/26
25. AOA Cert. Mail Bo Garden, *filed* 10/21/26
26. Activity Log Code 24-0018 of 10/19/26, *filed* 10/21/26

3. Pre-Hearing Conference

a. A **pre-hearing conference** of the parties will occur on **November 20, 2026** at **8:00 a.m.** to be held by video conferencing arranged by the Clerk of the Office of the Hearing Examiner;

b. The formal parties or their designated representatives must appear;

c. Parties will bring their calendars and schedules for date settings and briefing schedules;

d. The parties will file and exchange memos by **November 15, 2026** for the pre-hearing conference regarding, and be prepared to discuss at the hearing, the following:

i. An identification of the specific issue of law or fact being appealed;

ii. A list of the applicable and relevant bodies of law each party believes is applicable in this case, to determine what is procedurally agreed between the parties;

iii. A list of evidence (with accurate titles and dates) missing from the record, *if any*, as currently reflected in the Current Record, noted above; and

iv. A list of objections or questions of relevance to any of the evidence currently in the Identified Record, if any.

4. Final Hearing:

a. The Final Hearing on this matter: to be determined at the pre-hearing conference.

b. Briefing Schedule: to be determined at the pre-hearing conference.

5. Continuances and Setting other Hearings:

a. Before requesting a continuation, a change in the schedule, or requesting additional hearing dates the parties should attempt to reasonably confer and see if they can come to agreement with each other on a variety of agreed dates and any waivers of speedy hearing rights. Such joint requests will be viewed with a strong prejudice towards granting such requests, but presenting multiple options for dates will increase the chance of one working for the Office of the Hearing Examiner. Requests without agreement will be viewed with a prejudice to not granting such requests.

SO ORDERED this 22nd day of October 2026.



Rajeev D. Majumdar
Skagit County Hearing Examiner