



COUNTY COMMISSIONERS

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HEARING EXAMINER

Creating Solutions for Our Future

BEFORE THE HEARING EXAMINER FOR THURSTON COUNTY

In the Matter of the Application of)	NO. 2022104845
)	
James and Victoria Opsata)	
)	
for)	FINDINGS, CONCLUSIONS,
Shoreline Substantial Development Permit)	AND DECISIONS
and Shoreline Conditional Use Permit)	
_____)	

SUMMARY OF DECISIONS

The request for a shoreline substantial development permit and shoreline conditional use permit to authorize retaining walls that were constructed as emergency landslide repair is **GRANTED** subject to conditions.

SUMMARY OF RECORD

Request:

James and Victoria Opsata (Applicants) requested a shoreline substantial development permit (SSDP) and shoreline conditional use permit (SCUP) to authorize a previously constructed emergency landslide repair project, which included two retaining walls. The subject property is located at 9428 Maple Beach Lane NW, Olympia, Washington. A portion of the project extends onto the adjoining property at 9420 Maple Beach Lane NW.

Hearing Date:

The Thurston County Hearing Examiner conducted a virtual open record public hearing on the request on October 24, 2023. The record was held open through October 26, 2023 to allow any members of the public having difficulty joining the virtual hearing to submit written comments, with time scheduled for responses from the parties. No post-hearing public comment was submitted, and the record closed on October 26, 2023. No in-person site visit was conducted, but the Examiner viewed the site and its environs on Google Maps.

Testimony:

At the open record public hearing, the following individuals presented testimony under oath:

Findings, Conclusions, and Decisions
Thurston County Hearing Examiner
Opsata SSDP and SCUP, No. 2022104845

Lacy Garner, Associate Planner, Thurston County Community Planning & Economic Development Department

Victoria Opsata, Applicant

Patt Wheeler, Owner of 9420 Maple Beach Lane NW

Exhibits:

At the open record public hearing, the following exhibits were admitted into the record:

Exhibit 1 Development Services Department Staff Report including the following attachments:

- A. Notice of Public Hearing, dated October 13, 2023
- B. Master and JARPA Applications, received October 21, 2022
- C. Site Plans, received October 21, 2022
- D. Notice of Application, dated November 12, 2022
- E. Site photos, received November 2, 2022
- F. Topographic Survey, dated September 20, 2022
- G. Structural calculations by Mud Bay Geotechnical Services, dated June 9, 2022
- H. Geotechnical Report by Mud Bay Geotechnical Services, dated September 15, 2022
- I. Septic record drawing, approved by Thurston County Environmental Health, dated August 22, 2017
- J. Wastewater and Sewage system inspection report, dated June 7, 2023
- K. Work Invoice from Hatten & Sons Landworks LLC, dated January 18, 2023
- L. Technical Assistance Memo & Planting Plan by Thurston Conservation District, dated October 2021
- M. Purchased and Installed Plant List from TCD, received June 26, 2023
- N. Native Plant Purchase Confirmation List, dated November 14, 2022
- O. Site photos of new plantings, received June 26, 2023
- P. Comment Memorandum from Nisqually Indian Tribe, dated November 28, 2022
- Q. Comment email from Washington Department of Ecology, dated April 10, 2023
- R. Comment Memorandum from Environmental Health, dated September 29, 2023
- S. Communication Matrix #1, dated March 22, 2023
- T. Email from Mark Biever, Thurston County Geotechnical Engineer, dated October 6, 2022

Based on the record developed through the open record hearing process, the Hearing Examiner enters the following findings and conclusions.

FINDINGS

1. James and Victoria Opsata (Applicants) requested a shoreline substantial development permit (SSDP) and shoreline conditional use permit (SCUP) to authorize a previously constructed emergency landslide repair project, which included two retaining walls. The subject property is located at 9428 Maple Beach Lane NW, Olympia, Washington (Tax Parcel Number 51701600000).¹ A portion of the project extends onto 9420 Maple Beach Lane NW (Tax Parcel Number 51701800000). *Exhibits 1, 1.B, and 1.C.*
2. The application was received on October 21, 2022 and determined to be complete for purposes of commencing project review on November 11, 2022. *Exhibit 1.D.*
3. The subject property is 1.09 acres in area and, in addition to the structures added through the emergency landslide repair project, is developed with a single-family residence, a woodshed/outhouse, a septic system, a wood retaining wall, several concrete block walls, a concrete bulkhead, and a stairway to the beach. The subject property is bisected by Maple Beach Lane. The septic drainfields are on the west side of the road and the residence and other structures are on the east side of the road. *Exhibits 1.C and 1.H.* Surrounding land uses consist of single-family residences on parcels ranging from 0.5 to 1.5 acres in area. *Exhibit 1.*
4. The subject property is zoned Rural Residential/Resource – One Dwelling Unit per Five Acres (RRR 1/5). *Exhibit 1.*
5. The subject property is located on the Puget Sound shoreline, on the east side of the Steamboat Island peninsula. *Exhibits 1 and 1.C.* The Shoreline Master Program for the Thurston Region (SMPTR) designates the subject property shoreline as a Conservancy environment. Residential development is allowed in the Conservancy shoreline environment, subject to the applicable policies and regulations of the SMPTR. *Exhibit 1; SMPTR Section Three, Chapter XVI.*
6. The SMPTR does not contain a use category that is applicable to retaining structures (the closest category is “shoreline protection,”² which includes structures such as bulkheads), and the County does not consider it to be a standard appurtenance to a residential use. However, the SMPTR does not prohibit retaining structures. Pursuant to Washington Administrative Code (WAC) 173-27-160, an unclassified use may be authorized with a shoreline conditional use permit. *WAC 174-27-160; WAC 173-27-030(4); Exhibit 1.*
7. A SSDP is required for the project because it is within 200 feet of a regulated shoreline and the value exceeds the permit threshold of \$8,504.00. Based on Planning Staff’s analysis, the new primary load bearing retaining wall is approximately 55 feet from the

¹ The legal description of the property is the south half of Lot 15 and all of Lots 16 and 17 of Griffin Maple Beach, Division 1, as recorded in Volume 6 of Plats, page 101, together with all tidelands as conveyed by State of Washington lying in front of, adjacent to, and abutting said property. *Exhibit 1.C.*

² The SMPTR defines “shoreline protection” as “action taken to reduce adverse impacts caused by current, flood wake or wave action. ...” *SMPTR, Section 3, Chapter XVIII, Section A.*

ordinary high water mark of Puget Sound.³ *Exhibits I, I.B, I.C, and I.K; WAC 173-27-040; WSR 22-11-036.*

8. The subject property slopes down from west to east. The centrally located residence is approximately 50 feet above sea level. The steepest slopes on site, exceeding 40% gradient, are to the west of the residence, with elevations reaching 147 feet above sea level. The slope to the west of the residence is part of a historic large landslide complex, the head scarp of which is over 40 feet in height. The residence is built within the debris of the historic landslide. *Exhibit I.H.*
9. The slope failure necessitating the emergency repair occurred in early January 2022 following heavy rain. Based on geotechnical evaluation, the combined effect of heavy precipitation and bare soil surfaces on an over-steepened slope caused a slope failure within the landslide deposits from the historic landslide. The active head scarp of the failure was 110 feet across and resulted in a crack in the ground extending from the neighboring property to the south to the northern edge of the deck attached to the residence on the subject property. An area along the shared property line was denuded of vegetation. *Exhibits I.H and I.E.*
10. The Applicant submitted a geotechnical report outlining the recommended repair, including installation of parallel retaining walls with a new soldier pile wall near the top of the slope on the east side of the residence and extending onto the adjacent property to the south, with the piles embedded 20 feet below final grade at the toe of the wall, and the lagging embedded at least two feet below final grade at the toe of the wall. A second wall was built parallel to the first, a few feet down slope. *Exhibits I.E and I.H.* The Applicant received County emergency authorization to proceed with the work. *Exhibits I and I.T.* Consistent with the geotechnical report, the Applicant constructed the soldier pile wall and parallel wall, backfilled the area behind the walls, re-graded the slope below, and planted the slope with native species based on technical input and plants purchased from the Thurston Conservation District. The plants are now well established, and the Applicant is adding plants as needed to address deer foraging. The Applicant has also installed improved drainage downspouts, which discharge stormwater farther from the residence. Prior to completion of the work and consistent with geotechnical recommendations, the Applicant used plastic sheeting and straw wattles to prevent stormwater from reaching and further destabilizing the slope. *Exhibits I, I.E, I.H, I.L, I.M, I.N, and I.O; Victoria Opsata Testimony.*
11. The subject property is classified as a geologic hazard area under the Thurston County critical areas ordinance (CAO) (Title 24 Thurston County Code). *Exhibit I.* The CAO allows slope stabilization if necessary to protect a lawfully established existing structure, provided the project satisfies the requirements of the SMPTR and the selected stabilization technique is supported by a geological assessment. *TCC 24.15.150.* A critical area permit is also required. *TCC Table 24.15-1.* The Applicant submitted a

³ Scaling on the site plan would place it farther, approximately 75 feet from the OHWM, but these findings assume Staff's 55-foot placement as a more "conservative" analysis.

report and engineering details prepared by a geotechnical engineer supporting the appropriateness of the technique used. *Exhibits I, I.G, and I.H.* The critical area permit review process would be completed in conjunction with review of the building permit. *Exhibit I; Lacy Garner Testimony.*

12. The retaining walls were built into the hillside, and the project has not had any impacts on shoreline views. *Exhibit I.E.*
13. The project is categorically exempt from review under the State Environmental Policy Act. *Exhibit I; WAC 197-11-800.*
14. The Applicant had the septic tank evaluated for potential damage after the landslide. The inspection did not reveal any damage. The Thurston County Environmental Health Division reviewed the project and did not identify any conditions needed to comply with the Thurston County Sanitary Code. *Exhibits I.I, I.J, I.R, and I.S.*
15. The Nisqually Indian Tribe reviewed the project and did not identify any issues of concern, but requested to be informed if there are any inadvertent discoveries of cultural resources. *Exhibit I.P.* Although all work is complete, Planning Staff incorporated this request into recommended conditions of permit approval in the event of any future work on the structures. *Exhibit I; Lacy Garner Testimony.*
16. The Washington Department of Ecology reviewed the proposal and did not have any comments. *Exhibit I.Q.*
17. Notice of the open record hearing was mailed to property owners within 500 feet of the site on October 11, 2023 and published in *The Olympian* on October 13, 2023. There was no public comment on the proposal. *Exhibits I and I.A.*
18. Although the landslide repair work and revegetation are complete, an after-the-fact building permit and critical areas review are still required. Consequently, Planning Staff recommended construction-related conditions of approval. *Lacy Garner Testimony; Exhibit I.* The Applicants did not object to the recommended conditions. *Victoria Opsata Testimony.*

CONCLUSIONS

Jurisdiction:

The Hearing Examiner is granted jurisdiction to hear and decide applications for shoreline permits pursuant to RCW Chapter 36.70, WAC 173-27, TCC 19.04.010, and Section One, Part V of the Shoreline Master Program for the Thurston region. Pursuant to WAC 173-27-200, decisions to approve a Shoreline Conditional Use Permit must be submitted to the Department of Ecology for a final decision to approve, approve with conditions, or disapprove the permit.

Criteria for Review:

Shoreline Substantial Development Permit (WAC 173-27-150)

To be approved by the Hearing Examiner, the proposed shoreline substantial development permit must be consistent with:

- A. The policies and procedures of the Shoreline Management Act;
- B. The provisions of applicable regulations; and
- C. The Shoreline Master Program for the Thurston Region.

A. *Shoreline Management Act*

Chapter 90.58 RCW, the Washington State Shoreline Management Act (SMA) of 1971, establishes a cooperative program of shoreline management between the local and state governments with local government having the primary responsibility for initiating the planning required by the chapter and administering the regulatory program consistent with the Act. The Thurston County Shoreline Master Program (SMPTR) provides goals, policies, and regulatory standards for ensuring that development within the shorelines of the state is consistent with the policies and provisions of Chapter 90.58 RCW.

The intent of the policies of RCW 90.58.020 is to foster “all reasonable and appropriate uses” and to protect against adverse effects to the public health, the land, and its vegetation and wildlife. The SMA mandates that local governments adopt shoreline management programs that give preference to uses (in the following order of preference) that: recognize and protect the statewide interest over local interest; preserve the natural character of the shoreline; result in long term over short term benefit; protect the resources and ecology of the shoreline; increase public access to publicly owned areas of the shorelines; and increase recreational opportunities for the public in the shoreline. The public’s opportunity to enjoy the physical and aesthetic qualities of natural shorelines of the state is to be preserved to the greatest extent feasible consistent with the overall best interest of the state and the people generally. To this end, uses that are consistent with control of pollution and prevention of damage to the natural environment, or are unique to or dependent upon use of the state’s shoreline, are to be given preference.

B. *Applicable regulations from the Washington Administrative Code*

WAC 173-27-140 Review criteria for all development.

- (1) No authorization to undertake use or development on shorelines of the state shall be granted by the local government unless upon review the use or development is determined to be consistent with the policy and provisions of the Shoreline Management Act and the master program.
- (2) No permit shall be issued for any new or expanded building or structure of more than thirty-five feet above average grade level on shorelines of the state that will obstruct the view of a substantial number of residences on areas adjoining such shorelines except where a master program does not prohibit the same and then only when overriding considerations of the public interest will be served.

WAC 173-27-190 Permits for substantial development, conditional use, or variance.

- (1) Each permit for a substantial development, conditional use or variance issued by local government shall contain a provision that construction pursuant to the permit shall not

begin and is not authorized until twenty-one days from the date of filing as defined in RCW 90.58.140(6) and WAC 173-27-130, or until all review proceedings initiated within twenty-one days from the date of such filing have been terminated; except as provided in RCW 90.58.140 (5)(a) and (b).

C. Shoreline Master Program for the Thurston Region
SMPTR Section Two, Chapter V. Regional Criteria.

- A. Public access to shorelines shall be permitted only in a manner which preserves or enhances the characteristics of the shoreline which existed prior to establishment of public access.
- B. Protection of water quality and aquatic habitat is recognized as a primary goal. All applications for development of shorelines and use of public waters shall be closely analyzed for their effect on the aquatic environment. Of particular concern will be the preservation of the larger ecological system when a change is proposed to a lesser part of the system, like a marshland or tideland.
- C. Future water-dependent or water-related industrial uses shall be channeled into shoreline areas already so utilized or into those shoreline areas which lend themselves to suitable industrial development. Where industry is now located in shoreline areas that are more suited to other uses, it is the policy of this Master Program to minimize expansion of such industry.
- D. Residential development shall be undertaken in a manner that will maintain existing public access to the publicly-owned shorelines and not interfere with the public use of water areas fronting such shorelines, nor shall it adversely affect aquatic habitat.
- E. Governmental units shall be bound by the same requirements as private interests.
- F. Applicants for permits shall have the burden of proving that a proposed substantial development is consistent with the criteria which must be met before a Permit is granted. In any review of the granting or denial of an application for a permit as provided in RCW 90.58.18.180 (1), the person requesting the review shall have the burden of proof.
- G. Shorelines of this Region which are notable for their aesthetic, scenic, historic, or ecological qualities shall be preserved. Any private or public development which would degrade such shoreline qualities shall be discouraged. Inappropriate shoreline uses and poor quality shoreline conditions shall be eliminated when a new shoreline development or activity is authorized.
- H. Protection of public health is recognized as a primary goal. All applications for development or use of shorelines shall be closely analyzed for their effect on the public health.

Shoreline Conditional Use Permit (WAC 173-27-160)

- 1. Uses which are classified or set forth in the applicable master program as conditional uses may be authorized provided that the applicant demonstrates all of the following:

- A. That the proposed use is consistent with the policies of RCW 90.58.020 and the master program;
 - B. That the proposed use will not interfere with the normal public use of public shorelines;
 - C. That the proposed use of the site and design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and shoreline master program;
 - D. That the proposed use will cause no significant adverse effects to the shoreline environment in which it is to be located; and
 - E. That the public interest suffers no substantial detrimental effect.
2. In the granting of all conditional use permits, consideration shall be given to the cumulative impact of additional requests for like actions in the area. For example, if conditional use permits were granted for other developments in the area where similar circumstances exist, the total of the conditional uses shall also remain consistent with the policies of RCW 90.58.020 and shall not produce substantial adverse effects to the shoreline environment.
3. Other uses which are not classified or set forth in the applicable master program may be authorized as conditional uses provided the applicant can demonstrate consistency with the requirements of this section and the requirements for conditional uses contained in the master program.
4. Uses which are specifically prohibited by the master program may not be authorized pursuant to either subsection (1) or (2) of this section.

Conclusions Based on Findings:

1. With conditions of approval, the project satisfies the criteria for a shoreline substantial development permit. It is consistent with Shoreline Management Act policies to protect against adverse effects to public health and the land and to preserve the character of the shoreline. The project is consistent with the shoreline regulations, in that the project is being reviewed under the appropriate criteria and the structure does not obstruct views. The project is consistent with the regional criteria contained in the SMPTR. The project protects water quality by reducing the potential for erosion, and it does not degrade the scenic qualities of the shoreline. Further critical area review would occur in conjunction with the building permit. No public health issues were identified during the review process. *Findings 6, 10, 11, 12, 14, 15, 16, and 18.*
2. The project satisfies the criteria for a shoreline conditional use permit. As described above, the project is consistent with the policies of RCW 90.58.020 and the SMPTR. The project is on private, residentially developed parcels and would not affect public use of public shorelines. The project is compatible with authorized uses in that it is protective of the existing single-family residential use of the property, which use is allowed under the adopted zoning and shoreline designations. Due to its location above

the ordinary high water mark and its potential for reducing erosion, the project will not cause significant adverse effects to the shoreline environment. The public interest will not suffer as a result of the project. No evidence was submitted that the cumulative impact of the retaining structures and any similar projects would adversely affect the shoreline. *Findings 3, 4, 5, 7, 8, 9, 10, 12, and 15.*

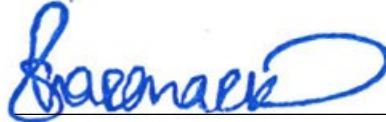
DECISIONS

Based on the preceding findings and conclusions, the requested shoreline substantial development permit and shoreline conditional use permit to authorize a previously constructed landslide repair project including retaining walls on the marine shoreline of parcels addressed as 9428 and 9420 Maple Beach Lane NW are **GRANTED** subject to the following conditions:

1. The Applicant must obtain a building permit from the Thurston County Building Department.
2. All construction shall be in substantial compliance with the plans included in the project JARPA application and shall comply with all applicable general policies and use regulations of the Shoreline Master Program for the Thurston Region (SMPTR).
3. Washington State Water Quality Laws, Chapter 90.48 RCW Water Pollution Control, and WAC 173-201A Water Quality Standards for Surface Waters of the State of Washington, define quality of state waters. Any discharge of sediment-laden runoff or of other pollutants to waters of the state is in violation of these state laws and may be subject to enforcement action.
4. A construction stormwater permit from the Washington State Department of Ecology may be required. Information about the permit and the application can be found at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/permit.html>. It is the Applicant's responsibility to obtain this permit if required.
5. Land disturbance and site preparation shall be limited to the project area, and adequate provisions for erosion control shall be implemented throughout the life of the project and until the work area has been revegetated. All areas disturbed or newly created by construction activities shall be seeded, vegetated, or given some other equivalent type of protection against erosion. Best management practices shall be employed, and there shall be no additional disturbance of vegetation or trees within the critical area without approval from Thurston County Community Planning and Economic Development.
6. The Applicant shall remove construction debris and any other debris related to project to an approved site (landfill or recycling center) outside of the shoreline area to avoid degradation of state waters.
7. The Applicant must comply with all requirements of state and/or federal law to avoid disturbance and alteration of artifacts, remains, or other cultural resources found on-site during development. In the event of inadvertent disturbance or alteration, the Applicant

must immediately stop work and contact the commenting Tribes and the State Department of Archaeology and Historic Preservation.

DECIDED November 9 2023.



Sharon A. Rice
Thurston County Hearing Examiner

NOTE: Pursuant to TCC 22.62.020(C)10, affected property owners may request a change in valuation for property tax purposes.

THURSTON COUNTY
PROCEDURE FOR RECONSIDERATION AND APPEAL
OF HEARING EXAMINER DECISION TO THE BOARD

NOTE: THERE MAY BE NO EX PARTE (ONE-SIDED) CONTACT OUTSIDE A PUBLIC HEARING WITH EITHER THE HEARING EXAMINER OR WITH THE BOARD OF THURSTON COUNTY COMMISSIONERS ON APPEALS (Thurston County Code, Section 2.06.030).

If you do not agree with the decision of the Hearing Examiner, there are two (2) ways to seek review of the decision. They are described in A and B below. Unless reconsidered or appealed, decisions of the Hearing Examiner become final on the 15th day after the date of the decision.* The Hearing Examiner renders decisions within five (5) working days following a Request for Reconsideration unless a longer period is mutually agreed to by the Hearing Examiner, applicant, and requester.

The decision of the Hearing Examiner on an appeal of a SEPA threshold determination for a project action is final. The Hearing Examiner shall not entertain motions for reconsideration for such decisions. The decision of the Hearing Examiner regarding a SEPA threshold determination may only be appealed to Superior Court in conjunction with an appeal of the underlying action in accordance with RCW 43.21C.075 and TCC 17.09.160. TCC 17.09.160(K).

A. RECONSIDERATION BY THE HEARING EXAMINER (Not permitted for a decision on a SEPA threshold determination)

1. Any aggrieved person or agency that disagrees with the decision of the Examiner may request Reconsideration. All Reconsideration requests must include a legal citation and reason for the request. The Examiner shall have the discretion to either deny the motion without comment or to provide additional Findings and Conclusions based on the record.
2. Written Request for Reconsideration and the appropriate fee must be filed with the Resource Stewardship Department **within ten (10) days of the written decision**. The form is provided for this purpose on the opposite side of this notification.

B. APPEAL TO THE BOARD OF THURSTON COUNTY COMMISSIONERS (Not permitted for a decision on a SEPA threshold determination for a project action)

1. Appeals may be filed by any aggrieved person or agency directly affected by the Examiner's decision. The form is provided for this purpose on the opposite side of this notification.
2. Written notice of Appeal and the appropriate fee must be filed with the Community Planning & Economic Development Department **within fourteen (14) days of the date of the Examiner's written decision**. The form is provided for this purpose on the opposite side of this notification.
3. An Appeal filed within the specified time period will stay the effective date of the Examiner's decision until it is adjudicated by the Board of Thurston County Commissioners or is withdrawn.
4. The notice of Appeal shall concisely specify the error or issue which the Board is asked to consider on Appeal, and shall cite by reference to section, paragraph and page, the provisions of law which are alleged to have been violated. The Board need not consider issues, which are not so identified. A written memorandum that the appellant may wish considered by the Board may accompany the notice. The memorandum shall not include the presentation of new evidence and shall be based only upon facts presented to the Examiner.
5. Notices of the Appeal hearing will be mailed to all parties of record who legibly provided a mailing address. This would include all persons who (a) gave oral or written comments to the Examiner or (b) listed their name as a person wishing to receive a copy of the decision on a sign-up sheet made available during the Examiner's hearing.
6. Unless all parties of record are given notice of a trip by the Board of Thurston County Commissioners to view the subject site, no one other than County staff may accompany the Board members during the site visit.

C. STANDING All Reconsideration and Appeal requests must clearly state why the appellant is an "aggrieved" party and demonstrate that standing in the Reconsideration or Appeal should be granted.

D. FILING FEES AND DEADLINE If you wish to file a Request for Reconsideration or Appeal of this determination, please do so in writing on the back of this form, accompanied by a nonrefundable fee of **\$821.00** for a Request for Reconsideration or **\$1,112.00** an Appeal. Any Request for Reconsideration or Appeal must be **received** in the Building Development Center at 3000 Pacific Ave SE, Suite 100 no later than 4:00 p.m. per the requirements specified in A2 and B2 above. **Postmarks are not acceptable**. If your application fee and completed application form is not timely filed, you will be unable to request Reconsideration or Appeal this determination. The deadline will not be extended.

* Shoreline Permit decisions are not final until a 21-day appeal period to the state has elapsed following the date the County decision becomes final.



Project No. _____
Appeal Sequence No.: _____

☐ Check here for: **RECONSIDERATION OF HEARING EXAMINER DECISION**

THE APPELLANT, after review of the terms and conditions of the Hearing Examiner's decision hereby requests that the Hearing Examiner take the following information into consideration and further review under the provisions of Chapter 2.06.060 of the Thurston County Code:

(If more space is required, please attach additional sheet.)

☐ Check here for: **APPEAL OF HEARING EXAMINER DECISION**

TO THE BOARD OF THURSTON COUNTY COMMISSIONERS COMES NOW _____
on this _____ day of _____, 20____, as an APPELLANT in the matter of a Hearing Examiner's decision
rendered on _____, 20____, by _____ relating to _____

THE APPELLANT, after review and consideration of the reasons given by the Hearing Examiner for his decision, does now, under the provisions of Chapter 2.06.070 of the Thurston County Code, give written notice of APPEAL to the Board of Thurston County Commissioners of said decision and alleges the following errors in said Hearing Examiner decision:

Specific section, paragraph and page of regulation allegedly interpreted erroneously by Hearing Examiner:

1. Zoning Ordinance _____
2. Platting and Subdivision Ordinance _____
3. Comprehensive Plan _____
4. Critical Areas Ordinance _____
5. Shoreline Master Program _____
6. Other: _____

(If more space is required, please attach additional sheet.)

AND FURTHERMORE, requests that the Board of Thurston County Commissioners, having responsibility for final review of such decisions will upon review of the record of the matters and the allegations contained in this appeal, find in favor of the appellant and reverse the Hearing Examiner decision.

STANDING

On a separate sheet, explain why the appellant should be considered an aggrieved party and why standing should be granted to the appellant. This is required for both Reconsiderations and Appeals.

Signature required for both Reconsideration and Appeal Requests

APPELLANT NAME PRINTED _____

SIGNATURE OF APPELLANT _____

Address _____

Phone _____

Please do not write below - for Staff Use Only:

Fee of ☐ \$821.00 for Reconsideration or \$1,112.00 for Appeal. Received (check box): Initial _____ Receipt No. _____
Filed with the Community Planning & Economic Development Department this _____ day of _____, 20____.