



COUNTY COMMISSIONERS

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HEARING EXAMINER

Creating Solutions for Our Future

BEFORE THE THURSTON COUNTY HEARING EXAMINER

In the Matter of the Application of)	NO. 2016103911
)	
)	
Walter Milton)	FINDINGS, CONCLUSIONS,
)	AND DECISION
)	
For a Reasonable Use Exception)	
_____)	

SUMMARY OF DECISION

The requested reasonable use exception to construct a single-family residence on a 2.55-acre lot within a landslide hazard area and a marine bluff setback is **APPROVED** subject to conditions.

SUMMARY OF RECORD

Request

The Applicant requests a reasonable use exception to build a single-family residence on a 2.55-acre lot at 4935 Sunrise Beach Road NW, Olympia, Washington. The proposed development envelope is located in landslide hazard area and a marine bluff setback.

Hearing Date

The Thurston County Hearing Examiner conducted an open record public hearing on the request on July 17, 2017.

Testimony

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

Leah Davis, Thurston County Resource Stewardship Department, Associate Planner

Dawn Peebles, Thurston County Environmental Health

Arthur Saint, Thurston County Public Works

Chris Aldrich, Hatton Godat Pantier, Applicant Representative

Jeff Snyder, Applicant Architect

Walter Milton, Applicant

Exhibits

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

Exhibit 1	Land Use and Environmental Review Section Report with the following attachments:
Attachment A	Notice of Public Hearing
Attachment B	Master Application, dated August 10, 2016
Attachment C	Reasonable Use Exception Application, dated August 10, 2016
Attachment D	Revised site plan, dated May 5, 2017
Attachment E	Landscape plan, dated June 16, 2017
Attachment F	Notice of Application, dated February 8, 2017
Attachment G	Comment letter from Ecology, dated March 1, 2017
Attachment H	Comment memorandum from Kyle Overton, Thurston County Environmental Health Department, dated March 2, 2017
Attachment I	Comment letter from William Falling, dated February 15, 2017
Attachment J	Comment memorandum from Mark Biever, Thurston County Water Resources, dated June 8, 2017
Attachment K	Comment letters from Nisqually Indian Tribe, dated February 15 and March 20, 2017
Attachment L	Cultural Resources Survey, dated March 16, 2017
Attachment M	Steep Slope Report, dated August 3, 2016
Attachment N	Slope Stability Evaluation, dated May 25, 2017

Upon consideration of the testimony and exhibits submitted at the open record public hearing, the Hearing Examiner enters the following findings and conclusions:

FINDINGS

1. The Applicant requests a reasonable use exception to construct a single-family residence on a 2.55-acre lot located in landslide hazard area and a marine bluff hazard area. The

subject property is located at 4935 Sunrise Beach Road NW, Olympia, Washington.¹ *Exhibits 1, 1.B, and 1.C.*

2. Roughly rectangular in shape, the long, narrow subject property abuts Eld Inlet of the Puget Sound to the east/southeast. It is transected by Sunrise Beach Road, which basically parallels the shoreline through the eastern quarter of the site. The majority of the site, located west of the road, is vacant and forested. The project is proposed on the 0.23 acres east of the road, from which three large fir trees outside the shoreline buffer were cleared in the fall of 2016. *Exhibits 1 and 1.D.*
3. Shorelands within 200 feet of the ordinary high water mark (OHWM) of Puget Sound are subject to the jurisdiction of the state Shoreline Management Act as implemented through the Shoreline Master Program for the Thurston Region (SMPTR). The SMPTR designates the site's shoreline as Rural shoreline environment. An additional 50-foot riparian management zone is required to be provided beyond the 200-foot shoreline jurisdiction, which means that all of the site east of Sunrise Beach Road is within the shoreline jurisdiction. Rural shorelines require a 50-foot development setback from the ordinary high water mark. *Exhibits 1, 1.D, and 1.M.*
4. The subject property is located in the Sunrise Beach landslide, an active, major, deep-seated landslide that severely damaged numerous homes in 1999. A considerable mitigation project was completed in 2000 to stabilize the site in order to repair Sunrise Beach Road and prevent future damage. The Nisqually earthquake in 2001, with its epicenter 15 miles to the east, caused additional minor slope movement. The subject property contains slopes greater than 40% in grade, averaging about 55% in the eastern portion, and has a history of groundwater issues with seeps at the toe of the slope. *Exhibits 1.J and 1.M.* These features make the site a landslide hazard area regulated pursuant to the Thurston County critical area ordinance (CAO). *See TCC 24.03.010.* While there is no defined marine bluff on the parcel, the subject property is also considered to contain a marine bluff hazard area because the Coastal Zone Atlas Map lists it as unstable. *TCC 24.15.015.B.2.* The geologic hazards with associated buffers, the front and side yard zoning setbacks, and the 50-foot setback from the ordinary high water mark act to eliminate any buildable area on the subject property outside of critical areas, buffers, and/or setbacks. The reasonable use exception is the process established in the CAO by which property owners may seek to develop a land use that is prohibited by the ordinance. *Exhibits 1 and 1.C.*
5. Surrounding parcels also within the landslide are developed with single-family residences, including those adjacent to the north and south of the site, and others east of Sunrise Beach Road along the water. *Exhibits 1 and 1.M; Leah Davis Testimony.*
6. The subject property is zoned Residential LAMIRD one dwelling unit per two acres (RL 1/2).² *Exhibit 1.* The purpose of the RL 1/2 zone is to assure that infill residential

¹ The legal description of the property is known as Tax Parcel No. 12931230200. *Exhibit 1.*

² LAMIRD means limited areas of more intensive rural residential development. *TCC 20.11A.010(1).*

development is consistent with surrounding uses and can be accommodated without new urban level services. *Thurston County Code (TCC) 20.13A.010(3)*. Uses permitted outright in this zoning district are single-family residences, duplexes, and agriculture. *TCC 20.13A.020*.

7. The site was surveyed in 2016 to identify existing structures, topography, grade breaks, and Sunrise Beach Road in relation to the lot boundaries. A sea wall is located along the waterfront. Remnants of former foundation walls were found, together with slope protection, short retaining walls, and a finger drainage system that captures and conveys stormwater flows from the site to the ordinary high water mark. It appears that the site was prepared for residential development at some point, but the project was not completed. *Exhibits I, I.C, and I.M*. The property contains an existing on-site septic system. *Exhibit I.H*.
8. In order to develop a residence on-site, the Applicant identified a building envelope of 2,807 square feet outside of the front and side yard setbacks and outside of the shoreline setback. The structure would be approximately 13 feet inside the landslide hazard area (below top of slope) in the previously disturbed and filled area, and up to six feet inside the marine bluff hazard area in an area that is terraced and above the top of that slope. *Exhibit I.C, page 3*. The existing foundation walls, which the application materials indicated were proposed for removal, are no longer planned to be removed; their retention reduces slope disturbance. The proposed residence would be designed with a daylight basement configuration with possible upper floors to work with the existing grades to minimize excavation and disruption to the slope. The proposal includes removing the existing retaining walls and installing new residential utilities including a well, an on-site septic system, and a drainage system including protection of and modifications to the existing finger drain system that was installed in 2000. The well was proposed to be installed waterward of the residence, while the septic drainfield would be on the upland portion of the parcel, west of Sunrise Beach Road. No significant clearing of vegetation is proposed; the small area proposed to be cleared would be revegetated with native plants for stability. *Exhibits I.C and I.D; Testimony of Chris Aldridge and Jeff Snyder*.
9. The proposal calls for drainage improvements intended to dewater the site and surrounding properties, decreasing the hydraulic loading in the slope and increasing resisting forces within the slide mass. *Exhibits I.C and I.N*.
10. The Applicant obtained geotechnical evaluation of the site by qualified geotechnical engineers, assessing the capacity of the site to safely support construction of the proposed residence. During the site visit, the Applicant's consultants determined that the geologic materials underlying the site consistent of sand and gravel. They observed no slump blocks, back-tilted slopes, or ponded water on the slope. There was no evidence of recent slope failure, aside from the drainage system previously installed to reduce groundwater in the slope, which the determined to be operating as intended. The geotechnical consultants conducted an evaluation of slope stability using a computer model, which resulted in a factor of safety for deep soil failure in the vicinity of 1.35, which is within

an acceptable range for the proposal. They submitted their professional opinion that the site is stable and that standard construction methods can be used to build the proposed residence without additional slope mitigation and without adverse impacts to off-site properties. The consultants noted that care must be taken during and after construction to maintain positive drainage from all impervious surfaces, discharging at the foot of the slope. *Exhibits 1.M and 1.N.*

11. The County's hydrogeology reviewing staff, Mark Biever, reviewed the two submitted geotechnical reports and found that together they provided adequate analysis of the slope's stability and that the slope stability calculations provided are consistent with information from the previous 1999 site study. Mr. Biever determined that the reports' conclusions were reasonable, that the factor of safety arrived at supports residential construction on-site, and that the Applicant had provided adequate geotechnical review in support of the proposal. *Exhibit 1.J.*
12. The site plan references a 1,331 square foot residence, with an attached 387 square foot deck and a 624 square foot garage. At hearing, the Applicant representative testified that because the home would be built into the slope, the figure given is intended to represent the footprint area, not the finished total floor area of the residence. Further, the Applicant hopes not to be restricted to exactly a 1,331 square foot footprint for the residence; the figures on the site plan are intended to be conceptual. *Exhibits 1.C and 1.D; Jeff Snyder Testimony.*
13. Planning Staff submitted the position that the 2.55-acre site is too small for use in agriculture, which leaves residential development as the only reasonable use of the property. Staff also asserted that because the entire lot is encumbered by the landslide hazard, there is no place for development on the subject property that would have less impact on the critical area than the proposed building envelope. Planning Staff determined that the proposal minimizes disruption to the critical area by placing construction in the already disturbed area. The Applicant's revegetation plan includes replacing the three large fir trees removed from the eastern portion of the property at a 3:1 ratio and removal of the English ivy that dominates the shoreline buffer, choking out native trees, and replacement with native shrubs appropriate for the site. Staff submitted that the geotechnical information submitted show no net loss of critical area functions and values, e.g., loss of slope stability; on the contrary, the revegetation of the steep slope and the marine bluff could be expected to improve critical area functions over the current condition. *Exhibits 1, 1.E, 1.M, and 1.N; Leah Davis Testimony.*
14. The Washington Department of Fish and Wildlife Priority Habitats/Species (PHS) website show that the subject shoreline and immediate vicinity contain breeding grounds for Surf Smelt and that the protected species Little brown bat (*Myotis lucifugus*) is known to inhabit the upland areas. Planning Staff submitted that, conditioned to comply with geotechnical recommendations, the proposal should have no impact on marine species or habitat. Also, the revegetation plan replanting the removed trees at a 3:1 ratio is expected to improve habitat for all species. *Exhibits 1 and 1.E; Leah Davis Testimony.*

15. The application was filed on August 10, 2016 and deemed complete on September 8, 2016. Notice of the application was sent to reviewing agencies and surrounding property owners within 500 feet on February 8, 2017. *Exhibits I and I.F.*
16. In response to notice of application, the County received public comment from neighboring property owner William Falling (4931 Sunrise Beach Road), who noted he had no objection to the RUE so long as the policy is equally applied to all landowners in the area. Mr. Falling had comments about the proposed well location, which is adjacent to his, and noted that he had discussed a shared well arrangement with the Applicant. *Exhibit I.I.*
17. The Nisqually Indian Tribe also responded to the notice of application, requesting that a cultural resources survey be conducted by a qualified archeologist prior to ground disturbance, and also requested that an inadvertent discovery plan be implemented. *Exhibit I.K.* The Applicant commissioned a professionally prepared cultural resources survey of the site. *Exhibit I.L.* Upon review of the survey, the Tribe notified the County that they had no further concerns about impacts to archeological resources and requested to be notified in the event of inadvertent discoveries during construction. *Exhibit I.K.*
18. The Development Review Division section of the Thurston County Public Works Department reviewed the project for access, traffic, and stormwater control requirements and offered no comments regarding this proposal. *Exhibit I.*
19. The Department of Ecology submitted comments indicating that the project must be consistent with the Shoreline Management Act, the Shoreline Management Program Thurston Region, and requirements for toxics cleanup, water quality, and water resources as applicable. The DOE comments indicated that the proposed well would not be permitted in a floodway and must be protected from a 100 year flood. *Exhibits I and I.G.*
20. The Thurston County Environmental Health Division (EHD) reviewed the project for compliance with the County's health codes. EHD Staff noted that the existing septic system must be properly abandoned, and recommended that the Applicant consult with the Department of Ecology regarding the well location. Although at the time of hearing, the final location of the well was not known, EHD Staff acknowledged that the residence would not be able to be occupied prior to state approval of the well location and construction of the well. *Exhibits I and I.H; Dawn Peebles Testimony.*
21. Reasonable use exceptions are non-project actions that are exempt from the requirements of the State Environmental Policy Act (SEPA). *WAC 197-11-800.*
22. Notice of the public hearing was posted on-site on July 6, 2017, mailed to all owners of parcels within 500 feet of the site on June 29, 2017, and published in The Olympian on July 7, 2017. *Exhibits I and I.A.* There was no public comment at hearing.

23. At the conclusion of testimony, Planning Staff continued to recommend approval with conditions. *Leah Davis Testimony; Exhibit 1*. The Applicant representatives waived objection to the recommended conditions, aside from the request not to be restricted to specific size of building footprint. *Testimony of Chris Aldridge and Jeff Snyder*.

CONCLUSIONS

Jurisdiction

The Hearing Examiner is granted jurisdiction to hear and decide applications for reasonable use exception pursuant to Chapter 36.70.970 of the Revised Code of Washington and Chapters 2.06 and 24.45 of the Thurston County Code.

Criteria for Review

Pursuant to TCC 24.45.030, the Hearing Examiner shall grant the reasonable use exception if all of the following specific findings can be made:

- A. No other reasonable use of the property as a whole is permitted by this title; and
- B. No reasonable use with less impact on the critical area or buffer is possible. At a minimum, the alternatives reviewed shall include a change in use, reduction in the size of the use, a change in the timing of the activity, a revision in the project design. This may include a variance for yard and setback standards required pursuant to Titles 20, 21, 22, and 23 TCC; and
- C. The requested use or activity will not result in any damage to other property and will not threaten the public health, safety or welfare on or off the development proposal site, or increase public safety risks on or off the subject property; and
- D. The proposed reasonable use is limited to the minimum encroachment into the critical area and/or buffer necessary to prevent the denial of all reasonable use of the property; and
- E. The proposed reasonable use shall result in minimal alteration of the critical area including but not limited to impacts on vegetation, fish and wildlife resources, hydrological conditions, and geologic conditions; and
- F. A proposal for a reasonable use exception shall ensure no net loss of critical area functions and values. The proposal shall include a mitigation plan consistent with this title and best available science. Mitigation measures shall address unavoidable impacts and shall occur on-site first, or if necessary, off-site; and
- G. The reasonable use shall not result in the unmitigated adverse impacts to species of concern; and
- H. The location and scale of existing development on surrounding properties shall not be the sole basis for granting or determining a reasonable use exception.

Conclusions Based on Findings

1. Considering the uses allowed by the zoning ordinance and surrounding existing residential development, residential use is arguably the highest and most reasonable

use of the site. Given the site's total encumbrance by critical areas, there is no way to reasonably use the site without a reasonable use exception. *Findings 4, 5, 6, and 13.*

2. No other reasonable use could have less impact on the landslide and marine bluff hazards. The Applicant proposes a modest building footprint and a daylight basement design, which would allow more floor area with less impact to the ground surface and thus result in less encroachment into the critical areas. The geotechnical evidence in the record shows that the proposed residence should be able to be constructed without impact to the slope. The proposed revegetation would mitigate impacts to the critical areas. *Findings 4, 7, 8, 9, 10, 11, 12, 13, and 14.*
3. The Applicant's geotechnical reports were reviewed and accepted by the County's engineering geologist. The proposal would result in development consistent with that on adjacent lots that contain single-family residences and, according to the geotechnical reports in the record, would create no risk to public health, safety, or welfare. *Findings 5, 10, and 11.*
4. The proposal calls for a residence with a modest footprint, designed as a daylight basement to maximize floor area while minimizing footprint. Conditioned to comply with the geotechnical recommendations in Exhibits 1.M and 1.N, the proposal represents the least encroachment into the critical areas possible. *Findings 7, 8, 9, 10, 11, 12, 13, and 14.*
5. Because the building envelope is proposed to occupy the previously disturbed area on-site and would not remove the foundation walls or finger drains previously built in the site, the proposal would result in the minimum alteration to the critical areas that is possible if the site is to be developed. Conditions would ensure compliance with the geotechnical recommendations of the Applicant's consultants. *Findings 7, 8, 9, 10, 11, 12, and 13.*
6. Conditions of approval would ensure that the project conveys all stormwater runoff from new impervious surfaces safely to the foot of the marine bluff and that no disruption of the existing drainage would occur, preventing adverse impacts to marine habitat and slope stability. The three large trees outside the shoreline buffer that were removed in 2016 would be replaced at a 3:1 ratio. The replanting of trees and removal of English ivy would enhance wildlife habitat on the site. Engineered construction in compliance with the geotechnical recommendations is anticipated to result in no net loss of slope stability or critical area function. *Findings 13 and 14.*
7. No adverse impacts to species of concern are anticipated. As noted above, replanting of large trees and removal of English ivy should enhance wildlife habitat over the existing condition. *Finding 13 and 14.*
8. The location and scale of existing development on surrounding properties is not a basis for granting approval. *Findings 5, 6, 7, 10, and 13.*

DECISION

Based on the preceding findings and conclusions, the requested reasonable use exception to construct a single-family residence at 4935 Sunrise Beach Road is **APPROVED** subject to the following conditions:

- A. Prior to or in conjunction with the issuance of any building permit, all applicable regulations and requirements of the Thurston County Public Health and Social Services Department, Public Works Department, and Thurston County Resource Stewardship Department shall be met.
- B. Based on the location of construction near the shoreline, erosion control measures shall be implemented prior to earth disturbing activities. The erosion control methods must be maintained to ensure ongoing protection throughout construction until there is no longer risk of erosion polluting waters of the state. Erosion methods shall be proposed and approved through the Building Site review associated with the building permit application.
- C. 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.
- D. The Applicant shall complete all mitigation proposed on the revegetation plan dated June 16, 2017. All of the invasive species eradication and subsequent plantings shall be completed prior to final occupancy inspection of the residence.
- E. Development shall be consistent with all recommendations in the site-specific geotechnical evaluations in the record at Exhibits 1.M and 1.N, including (but not limited to) the recommendation to maintain good, positive drainage from all impervious surfaces and to convey all stormwater to the base of the slope at the shoreline for discharge.
- F. All development on the site shall be in substantial compliance with the approved reasonable use exception application, as conditioned. Any alteration to the proposal will require approval of a new or amended reasonable use exception. The Land Use and Environmental Review Section will determine if any proposed amendment is substantial enough to require Hearing Examiner approval.

DECIDED July 31, 2017.

By:



Sharon A. Rice
Thurston County Hearing Examiner

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 Resource Stewardship 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 **\$669.00** for a Request for Reconsideration or **\$890.00** an Appeal. Any Request for Reconsideration or Appeal must be **received** in the Permit Assistance Center on the second floor of Building #1 in the Thurston County Courthouse complex 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 ☐ \$669.00 for Reconsideration or \$890.00 for Appeal. Received (check box): Initial _____ Receipt No. _____

Filed with the Resource Stewardship Department this _____ day of _____, 20__.

Q:\Planning\FORMS\Current Appeal Forms\2016.Appeal-Recon-form.he.doc