



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. 2021105076
)	
High Definition Homes LLC)	FINDINGS, CONCLUSIONS,
)	AND DECISION
For a Reasonable Use Exception)	
)	

SUMMARY OF DECISION

The request for a reasonable use exception to reduce the wetland buffer approved through reasonable use exception No. 2019103037 from 50 feet to 26 feet is **DENIED**.

SUMMARY OF RECORD

Request

Kellen Mangan of High Definition Homes LLC (Applicant) requested a reasonable use exception (RUE) to reduce the wetland buffer approved through RUE No. 2019103037 (Paul Bitar, Applicant) from 50 feet to 26 feet. The original RUE approval reduced the wetland buffer from the required 160 feet to 50 feet for development of a single-family residence, driveway, and septic system. The current RUE is requested because the residence as built encroaches into the approved 50-foot buffer, reducing the buffer to 26 feet. The subject property is located at 5747 Capitol Forest Loop SW, Olympia, Washington.

Hearing Date

The Thurston County Hearing Examiner conducted a virtual open record public hearing on the request on June 27, 2023. The record was held open through June 29, 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 June 29, 2023.

Testimony

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

Scott McCormick, Associate Planner, Thurston County

Dawn Peebles, Environmental Health Program Manager, Thurston County

Arthur Saint, Civil Engineer, Thurston County

Alexander Callender, Land Services Northwest, Applicant Representative

Kellen Mangan, Applicant

Exhibits

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

Exhibit 1 Community Planning and Economic Development report including the following attachments:

- A. Notice of Public Hearing, issued June 12, 2023
- B. Zoning/Site Map
- C. Master Application, received September 22, 2021
- D. Reasonable Use Exception application, received September 22, 2021
- E. Site plan, received March 2023
- F. Mitigation site plan, received March 2023
- G. Notice of Application for Reasonable Use Exception, dated June 15, 2022, with adjacent property owner list, dated June 14, 2022
- H. Mangan Single Family Residence – Wetland Functions Analysis and Mitigation Report, dated September 21, 2021
- I. Approval Memo from Dawn Peebles, Thurston County Environmental Health Division, dated June 20, 2023
- J. Email from Heather Tschaekofske, dated March 9, 2023
- K. Comment letter from the Nisqually Indian Tribe, Tribal Historic Preservation Office, dated October 11, 2021
- L. Hearing Examiner decision for the original RUE, project 2019103037
- M. Final approval letter, dated June 18, 2020, and approved site plan for RUE 2019103037

Exhibit 2 Public comment from L. Reiner, received June 22, 2023

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

FINDINGS

1. Kellen Mangan of High Definition Homes LLC (Applicant) requested a reasonable use exception (RUE) to reduce the wetland buffer approved through RUE No. 2019103037 (Paul Bitar, Applicant) from 50 feet to 26 feet. The original RUE approval reduced the wetland buffer from the Code-required 160 feet to 50 feet to allow development of a single-family residence, driveway, and septic system. The current RUE is requested because the residence subsequently built encroaches into the approved 50-foot buffer,

reducing the setback to the wetland edge to 26 feet. The subject property is located at 5747 Capitol Forest Loop SW, Olympia, Washington.¹ *Exhibits 1, 1.D, 1.E, 1.L, and 1.M.*

2. The RUE application was submitted on September 22, 2021 and determined to be complete for purposes of commencing project review on October 21, 2021. *Exhibit 1.G.*
3. The subject property is within the rural portion of the County and is zoned Residential LAMIRD 1/1 (RL 1/1). *Exhibits 1 and 1.B.* Primary permitted uses in the RL 1/1 zone include single-family and two-family residences, agriculture, and home occupations. *Thurston County Code (TCC) 20.11A.020.* At 1.4 acres, the subject property conforms to current RL 1/1 minimum lot area standards for residential development, which are 0.75 acres for single-family residential lots within a conventional subdivision, and 0.5 acres for single-family residential lots within a cluster subdivision. *Exhibit 1; TCC 20A.11A.040.* Surrounding parcels are developed with single-family residences. *Exhibit 1.*
4. Three wetlands and one stream were delineated either on or near the subject property during field work conducted in 2018 in conjunction with RUE 2019103037. Based on a wetland reconnaissance performed in June and September of 2021 performed in developing the current RUE request, there has been no change in the previously identified wetlands and the original delineation is still valid. *Exhibit 1.H.* As described in RUE 2019103037, the wetlands and stream are as follows:

Wetland A is located off site and to the north of the subject property, on public lands managed by the Washington State Department of Natural Resources. Wetland A is a large depressional wetland that drains west to McLane Creek, and there are walking trails and park facilities associated with the McLane Creek Demonstration Park in the area. Wetland A is classified as a Category II wetland with a habitat score of 6, requiring a standard buffer of 200 feet. The 200-foot buffer extends over the northwest portion of the subject property. No development was proposed within 200 feet of Wetland A as part of RUE 2019103037. *Exhibit 1.L and 1.M.*

Wetland B is an isolated wetland located wholly onsite, in the northeastern portion of the subject property. Wetland B is classified as a Category IV wetland with a habitat score of 5, requiring a standard buffer of 160 feet, which may be reduced to 120 feet with the mitigation measures specified in TCC 24.30.050. The standard 160-foot buffer covers nearly the entire parcel, with the unencumbered portion primarily consisting of front and side yard setbacks. A buffer reduction to 120 feet (as allowed administratively without need for a RUE) would not have been adequate for the proposed residential development due to the substantial area required for septic drainfields. As part of RUE 2019103037, the

¹ The legal description of the subject property is: Section 36 Township 18 Range 3W; Quarter SE SW Plat COUGAR RIDGE DIV 3 LT 66 Document 023/101; known as tax parcel number 42380006600. *Exhibits 1 and 1.C.*

prior applicant proposed to reduce the buffer to a minimum of 50 feet adjacent to the proposed development area. With the proposed reduction, the Wetland B buffer edge would coincide with the Wetland C buffer edge (described below). The residence was proposed to be set back an additional 15 feet from the reduced buffer edge, consistent with the construction setback requirement of TCC 24.01.035.G. *Exhibits 1.L and 1.M.*

Wetland C is a slope wetland that is located at the northeast property corner, with the majority of the wetland located off site. Wetland C is hydrologically connected to Wetland A and McLane Creek. Wetland C is classified as a Category IV wetland with a habitat score of 6, requiring a standard buffer of 200 feet, which may be reduced to 150 feet with the mitigation measures specified in TCC 24.30.050. Because Wetland B lies between Wetland C and the proposed development area, the buffers overlap. As part of RUE 2019103037, the prior applicant proposed to reduce the Wetland C buffer to a minimum of 150 feet adjacent to the proposed development area in the southwest corner of the property. A RUE was not required for that reduction. *Exhibits 1.L and 1.M.*

A seasonal Type Ns stream, which does not drain into Puget Sound, is located to the east of the subject property. The minimum stream buffer is 100 feet. No development was proposed within the stream buffer as part of RUE 2019103037. *Exhibits 1.L and 1.M.*

5. The site plan approved via RUE 2019103037 clustered all development in the southwest corner of the property to maximize the distance from the critical areas to the north and east. The approved site plan depicted that a stand of cedar trees would be retained at the southwest property corner, that the residence and driveway would be placed immediately east of the retained trees, that the septic drainfield would be placed northwest of the residence, and that the septic tanks and reserve drainfield would be placed north of the residence. With the development features at those locations, a 200-foot buffer could be retained from Wetland A, a 50-foot buffer (plus additional building setback) could be retained from Wetland B, and a 150-foot buffer could be retained from Wetland C. In approving the site plan, the Hearing Examiner concluded that no reasonable use with less impact on the critical area was possible, that the use was limited to the minimum needed to prevent denial of all reasonable use of the property, and that the use would result in minimal alteration of the critical area. *Exhibits 1.L and 1.M.*
6. Subsequent to approval of RUE 2019103037 the current Applicant developed the site. The as-built site plan depicts that the residence was placed centrally on the site, north and east of the approved location. The distance between the residence and Wetland B is 26 feet total (inclusive of the required construction setback). The 24-foot encroachment into the Wetland B buffer also represents a new encroachment into the Wetland C buffer, causing the Wetland C buffer to fall below the minimum of 150 feet. The residence does not encroach into the buffer of the off-site stream. *Exhibit 1.F; Scott McCormick Testimony.* The Applicant and his consultant submitted that the home placement was a result of a scaling error, due to changes in scale from photocopying plans. *Alex Calendar Testimony; Kellen Mangan Testimony.* However, it should be noted that the approved

site plan clearly identifies the required 50-foot buffer, provides a 50-foot scale marker, and uses the text “50’ WETLAND “B” REDUCED BUFFER” to indicate the approved distance. *Exhibit 1.M*. There is no information in the record that explains why a distance of 50 feet was not measured from the wetland edge to establish clearing limits, regardless of what was suggested by the scale on the site plan.

7. With respect to the other project elements, the as-built site plan depicts that while the primary septic drainfield was placed in the originally-approved location, the reserve drainfield was placed in the southwest corner of the site instead of to the north of the residence, and a level spreader (to manage groundwater that was not previously anticipated) was installed to the north of the residence where the reserve drainfield was originally proposed. At the time of the original RUE approval, neither the septic design nor engineered drainage plans had been approved. While Environmental Health and Public Works Staff identified discrepancies between the as-built drawings and the approved plans, Staff from both departments testified that they consider the as-built improvements to be consistent with applicable standards despite the changes in location of the improvements. Further, all of the septic and drainage improvements are consistent with the critical area setbacks established through RUE 2019103037. The septic and stormwater facility location changes in the field resulted in no further encroachment into critical area buffers. *Exhibits 1.E, 1.I, and 1.L; Testimony of Dawn Peebles, Arthur Saint and Alex Callender.*
8. The total area of buffer encroachment approved through RUE 2019103037 was 16,378 square feet, which was to be mitigated through enhancement of 35,365 of remaining on-site buffer. *Exhibit 1.L*. The current placement of the residence has resulted in an additional 634 square feet of encroachment. The Applicant submitted a mitigation planting plan (*Exhibit 1.F*) depicting the planting of shrubs within an 8,510 square foot area between the residence and Wetlands B and C and the planting of trees (Sitka spruce and hemlocks) within 1,622 square foot and 2,005 square foot zones within the Wetland A buffer to the northwest of the residence. Although no reduction in the Wetland A buffer occurred as a result of the development, the trees are expected to have environmental benefits and help screen the house from the McLane Creek trail system. Because the original mitigation plan is not part of this record, it is not clear the extent to which the planting areas depicted on the currently proposed mitigation planting plan (*Exhibit 1.F*) represent new planting areas or additional plantings within the previously approved mitigation areas. The wetland report (*Exhibit 1.H*) indicates that there would be a total of 35,999 square feet of mitigation (a number consisting of the original 35,365 square feet plus the additional impact of 634 square feet), suggesting an increase in geographic extent of 634 feet. Another discrepancy between the report and the mitigation planting plan is that the report indicates that planting would occur within Wetland B as well as the buffer, and that 1,155 square feet would be added to the Wetland A buffer as additional mitigation. However, these mitigation features are not explicit on the mitigation planting plan. *Exhibits 1.F and 1.H; Alex Callender Testimony.*
9. After reviewing the mitigation plan further, at hearing Planning Staff recommended an additional condition of approval requiring that additional trees be planted in an existing

lawn area north of the residence to provide screening, addressing the public comment objecting to the visibility of the residence from the trail system. *Exhibits 1.F, 1.H, and 2; Scott McCormick Testimony.*

10. The Applicant's environmental consultant submitted that the addition of high-quality vegetation as proposed would provide needed wetland functions, even without the requisite buffer width. He further submitted that discharge from the level spreader may result in wetland creation, thereby offsetting some of the impact of the intrusion into the wetland buffer. In his report, the Applicant's environmental consultant emphasized that Wetland B's large buffer requirement is the result of a standing snag within 300 feet of the wetland, which added to its habitat rating. Otherwise, the wetland is small and hydrologically isolated, with its limited functions resulting mostly from its position within the landscape. He argued that without the additional habitat points the wetland would potentially be eligible for a 50-foot buffer pursuant to TCC Table 24.30-1. The consultant submitted that there would be no net loss of wetland functions as a result of approval of the current RUE. *Exhibit 1.H; Alex Callender Testimony.*
11. The Applicant argued that his action in building the house at the wrong location should not be considered a self-created hardship pursuant to TCC 24.45.020 because the undevelopable condition was not the result of a subdivision, boundary line adjustment, or similar action. *Exhibit 1.H.*
12. When asked to further address what happens if the instant RUE is denied, the Applicant testified that the financial hardship associated with the delays resulting from the construction error have already severely impacted him, and asked if possible that the additional costs that would necessarily result from being required to modify or remove the residence be considered when determining whether a reasonable use with less impact on the critical area is possible. The Applicant submitted the position that any required modification or removal of the residence would result in more impacts to critical areas than maintaining the residence in its present location. *Testimony of Kellen Mangan and Alex Callender.*
13. No state or federally listed species of wildlife were observed on or near the site during field investigations. *Exhibits 1.H and 1.L.*
14. Notice of the open record hearing was mailed to property owners within 500 feet of the site on June 12, 2023 and published in *The Olympian* on June 16, 2023. *Exhibits 1 and 1.A.* The one public comment submitted on the instant RUE was an objection to its approval on the grounds that the residence is too close to/can be seen from the trail, and its presence ruins the hiker's experience. *Exhibit 2.*

CONCLUSIONS

Jurisdiction

The Hearing Examiner is granted jurisdiction to hear and decide applications for reasonable use exceptions pursuant to TCC 2.06.010(F) and TCC 24.45.030.

Criteria for Review

Pursuant to TCC 24.45.030, the Hearing Examiner shall grant the reasonable use exception if:

- 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. The County's critical areas ordinance establishes a "reasonable use" exception to the requirements of the ordinance which may be available when adherence to the provisions of this title would deny all reasonable use of the subject property as a whole. A reasonable use exception can only be granted if no other reasonable alternative method of development is allowed under the code. *TCC 24.45.010*. Applicants cannot obtain approval of reasonable use exceptions if their inability to derive reasonable use is the result of a self-created hardship, such as subdividing the property, adjusting a boundary line, or other actions creating the undevelopable condition of the parcel. *TCC 24.45.020*. Unless otherwise prohibited by this chapter, any property owner may apply for a reasonable use exception to carry out a use or activity not permitted by this title, including development on a parcel wholly encumbered by critical areas and associated buffers, on legally created lots, including but not limited to lots created through subdivisions, short subdivisions, large lot subdivisions, binding site plans, and other legal

property divisions. *TCC 24.45.025*. To obtain reasonable use exception approval, an applicant must satisfy all criteria for RUE approval at *TCC 24.45.030*.

2. As concluded in RUE 2019103037, single-family residential use is the only reasonable use of the property considering the size and zoning of the property and the residential development of surrounding parcels. *Finding 3*.
3. A reasonable use with less impact on the critical area or buffer is possible. The site plan approved through RUE 2019103037 provided a 50-foot buffer for Wetland B, plus the required additional construction setback from the buffer edge, while allowing for reasonable residential use of the property, including a four-bedroom residence, driveway, and septic system, and allowing for tree preservation at the southwest property corner. The as-built site plan shows that the residence is 26 feet from the edge of Wetland B with no additional construction setback provided. Although the Hearing Examiner is mindful of the Applicant's arguments regarding the environmental impact of removing existing development, as well as the significant unbudgeted expense, if the presence of existing illegal development were considered the baseline for determining impact, property owners would be rewarded for ignoring critical areas permitting requirements. The Hearing Examiner's authority is limited to application of the criteria as adopted by the legislative body. Washington courts have held expressly that hearing examiners lack equity jurisdiction.² Because it would have been possible to establish reasonable use of the property with less encroachment into critical area buffers, the criterion is not satisfied, and the RUE must be denied. *Findings 4, 5, 6, and 12*.
4. The requested development would not result in damage to other property and would not threaten the public health, safety, or welfare on or off the development site, or increase public safety risks on or off the property. The current site design provides for needed stormwater management, and the septic system complies with sanitary code requirements. Although this decision is to deny the RUE, if the RUE were to be approved on appeal, the Hearing Examiner recommends that Staff's suggested condition requiring additional trees to be planted between the residence and the McLane Creek natural area be adopted. This mitigation is appropriate because the residence is farther north (closer to the natural area) than originally approved. *Findings 7 and 9*.
5. As described in Conclusion 3, the proposed use is not limited to the minimum encroachment necessary to prevent denial of all reasonable use of the property. *Findings 5 and 6*.
6. The use would result in minimal alteration of the critical area. No direct impacts to any wetlands or streams have occurred, and additional mitigation was proposed to address the new buffer encroachment. *Findings 6, 7, and 8*.
7. The mitigation plan would ensure no net loss of critical area functions and values. Although this decision is to deny the RUE, if the RUE were to be approved on appeal, the

² *Chaussee v. Snohomish County Council*, 38 Wn. App. 630, 636 (1984).

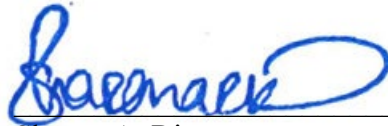
Hearing Examiner recommends that the mitigation planting plan be updated to correct discrepancies between it and the written report prior to planting, that the site be inspected after planting to ensure all proposed mitigation is provided, and that the plan be updated to include maintenance and monitoring of the all plantings for the maximum monitoring period allowed. *Findings 8 and 10.*

8. The use would not result in unmitigated adverse impacts to known species of concern. *Findings 8, 10, and 13.*
9. The location and scale of existing development on surrounding properties is not the basis for this RUE decision.

DECISION

Based on the preceding findings and conclusions, the request for a reasonable use exception must be **DENIED**.

DECIDED July 13, 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__.