

**OFFICE OF THE HEARING EXAMINER**

**THURSTON COUNTY**

**REPORT AND DECISION**

**PROJECT NO.:** 2020103198  
REASONABLE USE EXCEPTION

**SEQUENCE NO.:** 20 108371 XI

**TAX PARCEL NO.:** 12622211100

**LOCATION ADDRESS:** 241-156<sup>th</sup> Lane S.E., Tenino, WA 98589

**LEGAL DESCRIPTION:** 22-16-2W PT SE4 NW4 KA LOT 36 LL-0637 DIV #4 5/661

**OWNER/APPLICANT:** Eldon Bell Estate  
Attn: Nancy Morris  
PO Box 672  
Tenino, WA 98589

**PLANNER:** Richard Felsing, Associate Planner

**SUMMARY OF REQUEST:**

The Applicant seeks approval of a Reasonable Use Exception to construct a 3-bedroom single-family residence on a 5.46-acre parcel with critical areas, with a reduced 90' wetland buffer.

**SUMMARY OF DECISION:** Request Approved

**DATE OF DECISION:** December 6, 2021

**PUBLIC HEARING:**

After reviewing the Community Planning and Economic Development Department Staff Report and examining available information on file with the application, the Examiner conducted a public hearing on the request as follows:

The hearing was opened on November 16, 2021, at 10:00 a.m.

Parties wishing to testify were sworn in by the Examiner.

The following exhibits were submitted and made a part of the record as follows:

- EXHIBIT 1** - Land Use and Environmental Review Section Staff Report
- Attachment a** - Notice of Public Hearing; November 5, 2021
- Attachment b** - Master and Reasonable Use Applications; July 27, 2020
- Attachment c** - Site Plan
- Attachment d** - Septic Design and Site Map
- Attachment e** - Bell Wood Lakes Subdivision Map – LL 0637 Div. 4
- Attachment f** - Notice of Application, September 10, 2021
- Attachment g** - Review Letters; the Confederated Tribes of the Chehalis Reservation, the Nisqually Indian, and Squaxin Island Tribes; August 31, 17, and 14, 2020, Respectively
- Attachment h** - Comment letter, Dept. of Ecology, August 27, 2020
- Attachment i** - Memorandum Recommending Approval, A. Crass, Thurston County Environmental Health, August 28, 2020
- Attachment k** - WDFW Priority Habitat & Species Data Report; Accessed Sept. 21, 2021
- Attachment l** - Tilley Road Property Critical Areas Report
- Attachment m** - US Department of Interior Mazama Pocket Gofer Report

**The Minutes of the Public Hearing set forth below are not the official record and are provided for the convenience of the parties. The official record is the recording of the hearing that can be transcribed for purposes of appeal.**

RICHARD FELSING, Associate Planner, appeared and testified that the Applicant seeks approval of a Reasonable Use Exception to construct a three bedroom single-family residence on a 5.46-acre parcel with critical areas with a reduced 90-foot wetland buffer. The construction of a single-family home is exempt from review under the State Environmental Policy Act. The parcel is entirely encumbered by critical area wetlands and 300-foot wetland buffers; the proposed home site is located in a wetland buffer. The existing building pad is immediately adjacent to the 156<sup>th</sup> Lane S.W. cul-de-sac which were both constructed at the time of the original subdivision. The building site sits several feet higher than adjacent land outside the requested reduced 90-foot buffer and is the farthest possible location from a wetland and the closest possible location to road access. The building site is also outside any potential "no development zone" (NDZ) in distance and in elevation. The proposed home site involves the minimum impact possible. No development is proposed that would alter the land, its overall drainage patterns or associated wetlands beyond that approved in the original subdivision. The only impacts from this Reasonable Use Exception project are increased stormwater run-off from the new impermeable rooftop and driveway surfaces and removal of the Douglas fir stand. Mitigation measures are recommended to ensure no net loss of wetland habitat or function and to offset the increased stormwater runoff; no net loss of wetland habitat or function could potentially

occur from construction of the single-family home. Any disturbance to drainage patterns and wetland function occurred at the time of subdivision.

NANCY MORRIS, Applicant's Representative, appeared and testified that her father had purchased the property in 1986 and had created the original subdivision in 1994 when he had built his personal home. She stated that she had read the Staff Report which she agreed with as well as with Mr. Felsing's presentation. She was also in agreement with the requested conditions of approval.

No one spoke further in this matter and the Hearing Examiner took the matter under advisement. The hearing was concluded at 10:20 a.m.

**NOTE:** A complete record of this hearing is available in the office of the Thurston County Resource Stewardship Department.

### **FINDINGS, CONCLUSIONS, AND DECISION:**

#### **FINDINGS:**

1. The Hearing Examiner has admitted documentary evidence into the record, heard testimony and taken this matter under advisement.
2. The construction of a single-family home is exempt from review under the State Environmental Policy Act (SEPA) (WAC 197-11-800(1)(b)(i)).
3. Written notice of the public hearing was mailed to all property owners within 500 feet of the site on October 29, 2021 and notice was published in The Olympian on November 5, 2021, at least ten (10) days prior to the hearing. (att. a)
4. The Applicant has requested a Reasonable Use Exception (RUE) for the reduction of the wetland buffer greater than allowed in the Thurston County Code (TCC) to construct a single-family residence within the reduced buffer for the wetland. The home will utilize an existing building pad.
5. The subject property is located at 241-156<sup>th</sup> Lane S.E., Tenino, WA, 98589. Tax Parcel Number 12622211100, within S22 T16 2W; 22-16-2W PT SE4 NW4 KA LOT 36 LL-0637 DIV #4 5/661.
6. The subject parcel was established by Large Lot Subdivision LL-0637 in 1994 and is one of the last undeveloped parcels in the Bell Wood Lakes Subdivision. (Att. e) Most of the other parcels in the subdivision were developed with modest single-family homes. The original subdivision involved constructing and extending 156<sup>th</sup> Avenue East from Tilley Road to its terminating cul-de-sac, located immediately in front of the subject parcel. The building pad and cul-de-sac were constructed at the

time of the original subdivision. The Bell family had farmed large parcels abutting to the north and west for many years, and, following standard practice of the time, had altered the drainage patterns and hydrology of the area to facilitate agricultural operations.

7. The former farm operations had drained fields for pastures and other agricultural uses north of the subject parcel resulting in a very gently sloping agricultural pasture that drains from north to south into the subject parcel. Though delineated as wetlands, the lands to the north are in pasture and devoid of wetland vegetation. The subject parcel has the wetland plant cover as the drainage patterns follow the historic ditching for agriculture and grading completed to prepare the Bell subdivision.
8. The 5.46-acre parcel is entirely encumbered by critical area wetlands and 300-foot wetland buffers. Although the proposed home site is located in a wetland buffer, it is situated at the farthest possible location from the actual wetland and at the closest possible location to road access of the 156<sup>th</sup> Lane S.W. cul-de-sac.
9. The 100-year floodplain base flood elevation (BFE)) occurs 190-feet from the perimeter of the building pad which is approximately four feet higher in elevation than the existing terrain to the north, east, and south and level with the 156<sup>th</sup> Avenue cul-de-sac. The Thurston County Floodplain Manager determined that the mapped flood zone appears to be within the wetland area but that the proposal building site is outside the flood zone and also outside the High Ground Water area.
10. The building site is also outside any potential "No Development Zone" (NDZ) in distance and elevation (TCC 24.20.020) as it is more than 50-feet from a high groundwater flood hazard and more than two feet higher in elevation than the HGW base flood elevation. Consequently, the site is not subject to further high groundwater hazard review.
11. No development is proposed that would alter the land, its overall drainage patterns or associated wetlands beyond that approved in the original subdivision. The only impacts from this Reasonable Use Exception project are increased stormwater runoff from the new impermeable surfaces of the house roof and driveway and from the removal of the Douglas fir stand.
12. The subject parcel is located in the Rural Residential/Resource-One Dwelling Unit per Five Acres. (RRR 1/5) (TCC 20.09A). A purpose of this zone is to encourage residential development that maintains the County's rural character. (TCC 20.09A.020) Single-family and two-family residences, limited to one primary residential structure per lot, are permitted outright in the RRR 1/5 zone.
13. Thurston County did not receive any public comments regarding the proposed RUE. In an email dated August 14, 2020, (Att. g) the Squaxin Island Tribe stated they had no specific cultural resource concerns for the project but would concur with any

recommendations made by the Washington State Department of Archaeology and Historic Preservation (DAHP). In a letter dated August 17, 2020, (Att. g) the Nisqually Indian Tribe indicated they had no comments or concerns regarding the proposal but did request being informed if there are any Inadvertent Discoveries of Archaeological Resources/Human Burials. In a letter dated August 31, 2020, (Att. g) the Confederate Tribes of the Chehalis Reservation stated they had no concerns for the proposal. The DAHP did not provide any comments. Therefore, without specific archaeological and/or cultural concerns, the County has recommended the Thurston County Inadvertent Discovery Plan as a condition of approval instead of a cultural resource investigation.

14. The Washington State Department of Ecology in a letter dated August 27, 2020, provided comments regarding the protection of the wetland buffer from intrusion, the use of clean fill only during grading and filling and procedures on suspected or discovered contamination of soil or groundwater and erosion control. (Att. h)
15. The United States Department of the Interior, Fish and Wildlife Service, in a letter filed August 1, 2017, with the County, noted that the Service and the County Planning representatives had conducted one or more site visits of various locations in the County including the location herein, 241-156<sup>th</sup> Lane S.E., Tenino, for screening for the federally listed Mazama pocket gopher and determined that no mounds characteristic of Mazama pocket gophers were detected on the subject parcel. (Att. m)
16. The Thurston County Public Health and Social Services Department reviewed the proposal, approved the onsite sewage system application and design and recommended approval of the application for the RUE. (Att. i)
17. The proposed construction is consistent with the Zoning Classification, RRR 1/5 zone: the single-family residence is permitted outright; the 5.46-acre parcel meets the five acre minimum; the proposed building site provides sufficient area to allow the minimum required setbacks; and the proposed home as confined to the existing building pad would be well under the ten percent maximum impervious surface allowed.
18. The proposal is consistent with the Thurston County Comprehensive Plan as the original subdivision provides for low-density residential that meets the goals of maintaining the area's rural character and buffering the environmentally sensitive areas.
19. The proposal is also consistent with the Thurston County Critical Areas Ordinance, TCC 24, as the subject parcel is entirely encumbered by several critical area wetlands and wetland buffers and therefore, no location on the subject parcel could yield a larger wetland buffer and any other onsite location would result in a decreased wetland buffer.

20. The authority for a RUE is expressed in TCC 24.45.010:

A reasonable use exception is required when adherence to the provisions of this title would deny all reasonable use of the subject property as a whole, due to the property's size, topography, or location relative to the critical area and any associated buffer. A reasonable use exception shall only be granted if no other reasonable alternative method of development is provided under this title and the Thurston County Code.

21. TCC 24.45.030, Review criteria, provides that the hearing examiner shall approve, or approve with conditions, the reasonable use exception if the following criteria are met:

- A. No other reasonable use of the property as a whole is permitted by this title;

The Applicants' proposal is for a single-family residence. The primary permitted uses under RRR1/5 zoning are agriculture, single-family and duplex residences, home occupations, and accessory farm housing (TCC 20.09A.020). The subject property is too small to support agriculture, and agriculture is not feasible in wetlands or on wetlands soils. Residential uses are the only alternative land use.

- 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.

The Applicants' proposal is to locate the single-family residence on an existing building pad which is ready for construction. The entire parcel is encumbered by wetlands and wetland buffers. No other location would have less impact on the wetland buffer than the existing building site. Any other location other than the original building pad would require intrusion into the wetland buffer or even into the actual wetland to conduct additional site preparation.

- 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;

The proposed residential use would be consistent with the single-family homes on nearby lots, would not alter existing hydrology, and would not result in any

damage to other property, nor threaten the public health, safety or welfare on or off-site, nor could it increase public safety risks.

- 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;

The proposal will have the minimum encroachment into the wetland buffer to prevent the denial of all reasonable use of the property. There is no location that could encroach less; any other location would encroach farther into the critical area wetland buffer. The proposed site is the closest possible location to road access and is on the highest ground available (the existing building pad). Any other location would involve fresh ground-disturbing activity to grade a larger driveway to a new building pad that would have to be constructed further from the cul-de-sac on existing wetlands or wetland buffers. Further, with the proposed mitigation plan yielding a 'no net loss' in functions and values, the impacts to the critical area are minimized.

- 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;

The proposed single-family home would result in no new or additional alteration of any critical areas on or near the parcel. Stormwater runoff from new impermeable surfaces (rooftop, driveway) will be addressed through mitigation plantings. Alterations accounting for stormwater and drainage patterns occurred at the time of subdivision.

- 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;

The proposed mitigation plan is for plantings equal to the area of the new impermeable surfaces around the perimeter of the building pad to slow and filter stormwater runoff before it enters adjacent wetlands. The plantings would also offset the loss of the small stand of Douglas firs occupying the proposed building pad. Some of the mitigation plantings may need to be placed off-site in similar locations in and around the subdivision. Any development activity that could result in the loss of critical area functions and values occurred at the time of original subdivision, or prior to that during a period of intensive agricultural usage. There will

be “no net loss of critical area functions or values” resulting from this project as the development will be confined to the existing building pad.

- G. The reasonable use shall not result in the unmitigated adverse impacts to species of concern; and

Previous studies of the area indicates the RUE will not result in adverse impacts to the Mazama pocket gopher as the nearest documented occurrence of this gopher is 8.7 tenths-of-a-mile southeast of the project site. (Att. m) The historic earthmoving activity to manipulate drainage patterns and hydrology for agricultural purposes is readily evident, primarily in the relationship of the building pad to the overall parcel. Therefore, the habitat systems are primarily seasonally-flooded scrub-shrub and forested wetland systems and are not considered sensitive, nor in a sensitive location. (Att. l)

- 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.

The proposed construction and mitigation plan herein is compatible with the surrounding single-family residences and vacant land but is not the sole basis for the RUE. The nearby lots in this subdivision were developed in a similar manner, but the scale, location, and manner of development were not cited by the Applicant nor considered by County staff.

22. TCC 24.45.020 entitled “Reasonable use exception – Certain properties not eligible” prohibits a RUE if the 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 thereby creating the property undevelopable.

Herein, the sole basis for the RUE is the presence of the wetland and the wetland buffer and not from any “self-created” hardship created by the Applicant.

### **CONCLUSIONS:**

1. The Hearing Examiner has the jurisdiction to consider and decide the issues presented by this request.
2. The Applicant has demonstrated that the proposal will be consistent with all applicable codes; therefore, the request for the Reasonable Use Exception should be approved subject to the following conditions:




1. Inadvertent Discovery. In the event that this project uncovers or encounters archaeological deposits, cultural material, or features of burial or interment, all work in the vicinity of the discovery area must stop immediately and contact must be made with the relevant Tribe and its THPO (Tribal Historic Preservation Officer), the DAHP (Washington Dept. of Archaeology & Historic Preservation), any other affected Tribe, and Thurston County Community Planning and Economic Development (CPED).
2. Prior to 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.
3. Mitigation Measures:
  - a. Mitigation Planting. Prior to final building inspection, the applicant shall establish a mitigation planting equal to the size of new impermeable surfaces, around the perimeter of the building pad to catch and filter stormwater runoff. The plantings shall consist of native wetland species consistent with the on-site shrub-scrub wetlands. Off-site locations may be necessary to offset new impervious surfaces.
    - i. Prior to building plan submittal, the applicant shall submit a mitigation planting plan to County Planning for review.
  - b. The applicant shall post two critical area signs, south and east of the dwelling, to demarcate buffers and wetlands for new residents, at the edge of the building pad.
  - c. A copy of this staff report shall be provided to new owners to furnish subsequent residents with locations of critical areas on the subject parcel.
4. During construction all releases of oils, hydraulic fluids, fuels, other petroleum products, paints, solvents, and other deleterious materials must be contained and removed in a manner that will prevent their discharge to waters and soils of the state. The cleanup of spills should take precedence over other work on the site.
5. Best Practices - Erosion & Stormwater Control. Best Practices meeting Thurston County standards (TCC 15.05) shall be employed during all phases of the project. Proper erosion and sediment control practices shall be used on the construction site and adjacent areas to prevent upland sediments from entering wetlands or surface waters. All areas disturbed or newly created by construction activities shall be seeded and vegetated to prevent erosion.

6. Erosion control measures must be in place prior to any clearing, grading, or construction. These control measures must be effective to prevent stormwater runoff from carrying soil and other pollutants into wetlands or surface waters. Sand, silt, clay particles, and soil will damage aquatic habitat and are considered to be pollutants.
7. NPDES Permit – National Pollutant Discharge System. A Construction Stormwater Permit from the Washington State Department of Ecology is required. It is the applicant's responsibility to obtain this permit. Information about NPDES permits can be found at: <https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Stormwater-general-permits/Construction-stormwater-permit>
8. Clean Fill / Solid Waste. All grading and filling of land must utilize only clean fill. All other materials may be considered solid waste and permit approval may be required from Thurston County Environmental Health prior to filling. All removed debris resulting from this project must be disposed of at an approved site. Contact TC Environmental Health for proper management of these materials.
9. Toxics Cleanup. If contamination is suspected, discovered, or occurs during the proposed SEPA action, testing of the potentially contaminated media must be conducted. If contamination of soil or groundwater is readily apparent, or is revealed by testing, Ecology must be notified. Contact the Environmental Report Tracking System Coordinator for the Southwest Regional Office (SWRO) at (360) 407-6300. For assistance and information about subsequent cleanup and to identify the type of testing that will be required, contact Thomas Middleton with the SWRO, Toxics Cleanup Program at (360) 407-7263.
10. 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.

**DECISION:**

The request for the Reasonable Use Exception to construct a three bedroom single-family residence on a 5.46-acre parcel encumbered by critical areas with a reduced 90-foot wetland buffer is hereby approved.

ORDERED this 6th day of December, 2021.

  
\_\_\_\_\_  
**STEPHEN R. SHELTON**  
Deputy Hearing Examiner

TRANSMITTED this 6th day of December, 2021, to the following:

**OWNER/APPLICANT:** Eldon Bell Estate  
Attn: Nancy Morris  
PO Box 672  
Tenino, WA 98589

**OTHERS:**

THURSTON COUNTY



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

<b>NOTE:</b> 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).
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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 **\$777.00** for a Request for Reconsideration or **\$1,054.00** an Appeal. Any Request for Reconsideration or Appeal must be **received** in the Building Development 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 ☐ \$777.00 for Reconsideration or \$1,054.00 for Appeal. Received (check box): Initial \_\_\_\_\_ Receipt No. \_\_\_\_\_  
Filed with the Community Planning & Economic Development Department this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.