



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. 2020102903
)	
Richard and Lianne Glatthaar)	FINDINGS, CONCLUSIONS,
)	AND DECISION
For a Reasonable Use Exception)	
_____)	

SUMMARY OF DECISION

The request for a reasonable use exception to construct a 1,344 square foot accessory pole building within a wetland buffer is **GRANTED** subject to conditions.

SUMMARY OF RECORD

Request

Richard and Lianne Glatthaar (Applicants) requested a reasonable use exception to construct a 1,344 square foot accessory pole building for shop and garage use within a wetland buffer. The subject property is located at 8825 Libby Road NE, Olympia, Washington.

Hearing Date

The Thurston County Hearing Examiner conducted a virtual open record public hearing on the request on November 23, 2021. The record was held open until November 29, 2021 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 comments were submitted, and the record closed on November 29, 2021.

Testimony

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

Richard Felsing, Associate Planner, Thurston County Community Planning & Economic Development Department

Richard Glatthaar, Applicant

Kim Burdette, 5521 James Place SE, Olympia

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, dated August 27, 2021
 - B. Master & Reasonable Use Exception Applications, dated July 10, 2020
 - C. Project Narrative, dated July 10, 2020
 - D. Property Map with wetlands and buffers
 - E. Revised Site Plan, dated September 20, 2020; Revised Site Plan, dated November 9, 2021 showing >10 foot septic setback
 - F. Mitigation Planting Site Map
 - G. Notice of Application, dated January 15, 2021 (4 pages)
 - H. Wetland Buffer Mitigation Plan, ACERA LLC, dated Jul 2017, received September 2, 2020
 - I. Critical Areas Analysis Report, ACERA LLC, dated July 2017
 - J. Notice of Application, dated December 2, 2020
 - K. Review Letter from Nisqually Indian Tribe and Squaxin Island Tribes, dated July 21, 2020 and July 22, 2020, respectively
 - L. Department of Ecology Review Letter, dated August 4, 2020
 - M. Memorandum Recommending approval from Amy Crass, Thurston County Environmental Health, dated August 7, 2020
 - N. Public Comment: Kim Burdette email, dated December 10, 2020 with Staff response on December 11, 2020

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

FINDINGS

1. Richard and Lianne Glatthaar (Applicants) requested a reasonable use exception (RUE) to construct a 1,344 square foot accessory pole building for shop and garage use within a

wetland buffer. The subject property is located at 8855 Libby Road NE, Olympia, Washington.¹ *Exhibits 1, 1.B, 1.C, and 1.E.*

2. The RUE application was submitted on July 10, 2020 and determined to be complete for purposes of commencing project review on September 12, 2020. *Exhibits 1, 1.A, 1.B, and 1.J.*
3. The subject property is in the rural portion of the County and is zoned Rural Residential Resource One Dwelling Unit per Five Acres (RRR 1/5). *Exhibit 1.* Primary permitted uses in the RRR 1/5 zone include single- and two-family residences, agriculture (including forest practices), home occupations, and accessory farm housing. *TCC 20.09A.020.* Planning Staff indicated that accessory buildings such as the proposed shop and garage are typical, customary residential uses in the zone. *Richard Felsing Testimony.*
4. The Applicants purchased the 7.36-acre subject property in 2005. The parcel is rectangular, 330 feet wide and 970 feet deep, and is densely forested. In 2006, the Applicants had the existing single-family residence built in the approximate center of the site.² Other existing development on the parcel includes a well/well house, septic system, and a driveway that connects with Libby Road NE at the eastern site boundary. In approximately 2010, the Applicants installed a level graveled parking pad for a motor home just north of the residence and looped driveway. As submitted by the Applicants, only 4.4% of the parcel is covered by impervious surfaces. *Exhibits 1, 1.C, and 1.E; Richard Glatthaar Testimony.*
5. The subject property contains three delineated wetlands. Between the residence and Libby Road (south of the home) is 0.73-acre Wetland A, a Category II depressional wetland. West of the residence, 1.64-acre Category II depressional Wetland B bisects the parcel, segregating approximately one-quarter to one-third of the western end of the property such that it can't be accessed without crossing the wetland. In the extreme southeast corner of the subject property is 0.3-acre Wetland C, another Category II depressional wetland. All three wetlands require a 240-foot buffer. Their placements on the property and ratings mean that the entire subject parcel is encumbered by either wetland or regulated buffer. Any further development of the property would be in a wetland buffer. *Exhibits 1 and 1.H (see Figure A).*
6. The Applicants propose to build a 28- by 48-foot, 1,344 square foot accessory structure, which would be a "pole barn" to be placed on the existing graveled parking pad north of the residence and driveway loop. The structure would be used as a shop for personal/hobby use and storage. This proposed placement would put the structure 120 feet from

¹ The legal description of the subject property is 6-19-1W 7.36A S2-N2-E3/4-SE4-SE4 LESS E 20F FISHTRAP ROAD; also known as Parcel No. 11906440200.

² The existing residence and appurtenances were legally built under the previous Thurston County critical areas ordinance. *Exhibit 1.*

Wetland A and 105 feet from Wetland B; it would be setback 40 feet from the north property line. Vehicular access to the building pad already exists from the driveway. As stated in the critical areas study, the proposed distances to the two wetlands would satisfy minimum buffer requirements to maintain buffer water quality and habitat screening functions. (See Exhibit 1.C, pages 8-9) Electric power would be extended to the structure, but no plumbing or sanitary services are proposed. The Applicants indicated that natural daylight would provide much of the required interior lighting due to the proposed "daylight roof" design. Because the graveled pad already exists and would not be enlarged, there would be no vegetation cleared and no additional impervious surfacing placed from the existing buffers. Exhibits 1, 1.B, 1.C, and 1.E; Richard Glatthaar Testimony.

7. As mitigation for the additional development within the buffers of Wetlands A and B, the Applicant proposes to plant native vegetation in two 1,000 square foot areas, one northwest and one northeast of the proposed pole building, for a total of 2,000 square feet of impact mitigation. Mitigation would include invasive species removal and soil amendment prior to planting. Plantings would be comprised of Vine maple, Pacific crabapple, Indian plum, Sword fern, cluster rose, Snowberry, Cascara, and shore pine. After planting, the mitigation area would be mulched and thoroughly watered. The long term goal of the mitigation plan is to restore these previously cleared areas to undisturbed wetland buffer condition over time. Native species selection was tailored to select plants most capable of surviving in natural conditions. Monitoring post-planting is proposed to be comprised of a "walk through" survey to ensure plantings are placed consistent with the approved mitigation plan. While no long term monitoring is proposed, the plan does call for watering the plantings between June and September for the first two years following installation. Exhibits 1, 1.F, and 1.G.
8. According to the Applicants' consultant, the proposed mitigation plantings would provide increased performance in the following buffer functions: species diversity; wildlife forage, cover, and nesting; screening from human disturbance; stormwater attenuation and infiltration; soil stabilization; and water quality. Exhibit 1.G. Planning Staff agreed that the proposed mitigation would ensure no net loss of wetland functions and values and recommended a condition requiring compliance with the mitigation plan as proposed. Exhibit 1.
9. Planning Staff submitted that the proposed structure is a typical accessory use for rural properties and that it meets the definitions for accessory use and accessory structure in the critical areas ordinance.

"Accessory use, residential" means an accessory use to a primary residence as defined in this chapter, including but not limited to keeping household pets, private pools, docks, boathouses, detached accessory structures, private green houses, and agriculture or gardening for personal consumption which is secondary to the use of the property as a residence, including no employees.

"Accessory structure" means a structure detached from the principal building located on the same lot and customarily incidental and subordinate to the principal building.

TCC 24.03.010 – Definitions. Further, Staff asserted that the proposal would be consistent with rural land use as established in the Thurston County Comprehensive Plan, which expressly acknowledges that accessory uses “foster traditional rural lifestyles” and “maintain the rural character of the county” while “buffer[ing] environmentally sensitive areas . . . from incompatible activities.” *Thurston County Comprehensive Plan, Land Use, pages 2-18.* Staff asserted that review and approval of accessory structures through the reasonable use exception process can contribute to fulfilling the objectives of the Rural Area Designations by providing an opportunity to strike a “balance between the natural environment and human uses.” *Thurston County Comprehensive Plan, Land Use, pages 2-11.* Staff submitted that both the underlying zoning and Comprehensive Plan land use designation support properly sited accessory structures and uses in the rural portions of the County. *Exhibit 1; Rich Felsing Testimony.*

10. Planning Staff noted that the project as proposed satisfies applicable zoning setback, height, and impervious surface coverage standards. Further, Staff submitted that due to extensive coverage by wetlands and wetland soil types, the subject property is not suitable for the other primary permitted use in the RRR 1/5 zone, which is agriculture. *Exhibit 1; Rich Felsing Testimony.*
11. No occurrences of priority habitats or species of concern have been documented on this property. County Geodata mapping software shows no reports of species of concern, nor any other category of rare or threatened species. The Washington Department of Fish & Wildlife Priority Habitats & Species database identified two very common bat species (Little Brown Bat *Myotis lucifugus* and Yuma myotis *Myotis yumanensis*) as being in the vicinity due to a large maternity colony approximately five miles away. The project would not affect either species, nor is either a species of concern. *Exhibit 1.*
12. The Thurston County Environmental Health Division reviewed the proposal and did not identify any issues of concern. Environmental Health recommended approval of the reasonable use exception subject to conditions requiring: the provision of a minimum 10-foot setback from septic system components; preventing of staging equipment or materials, or operation construction equipment, over septic system components; and testing for soil contamination resulting from being located within the former Asarco Smelter Plume. *Exhibit 1.M.*
13. The Washington Department of Ecology reviewed the environmental checklist and provided recommendations concerning solid waste management, toxic cleanup, and water quality. *Exhibit 1.L.*
14. The proposed development is categorically exempt from review pursuant to the State Environmental Policy Act. *TCC 17.09.055.B.*

15. Notice of the open record hearing was mailed to property owners within 500 feet of the site on November 4, 2021 and published in *The Olympian* on November 12, 2021. *Exhibits 1 and 1.A.*
16. One public comment was received with inquiry as to the purpose and intended use of the structure. Planning Staff replied to the inquiry, forwarding information submitted by the Applicants indicating that the structure would be used for private hobby and storage use. *Exhibit 1.N.* At the virtual hearing, the same neighbor testified in support of approval. *Kim Burdette Testimony.*
17. Having heard all testimony, Planning Staff submitted that approval as conditioned would not result in any property damage or hazards to on-site or off-site public health, safety, and welfare and maintained their recommendation of approval of the RUE subject to the conditions stated in the staff report. *Exhibit 1; Richard Felsing Testimony.* The Applicants waived objection to the recommended conditions. *Richard Glatthaar Testimony.*

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 the application materials succeed in demonstrating the following criteria can be satisfied:

- 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. No other reasonable use of the property as a whole is permitted by the critical areas ordinance. The extensive on-site wetlands and associated buffers, and the underlying wetland soils, are not conducive to agricultural use; nor is any proposed. Single-family residential use is thus the only reasonable use of the property considering the zoning. The proposed pole barn structure to be placed on an existing graveled pad is a commonplace and reasonable accessory structure considering the site's size and location. *Findings 3, 4, 5, 6, 9, 10, and 17.*
2. No reasonable use with less impact on the critical area or buffer is possible. Because the three wetlands and the associated buffers encumber the entire parcel, and because the building pad was legally installed and already exists, alternate placement for an accessory structure would cause greater buffer impacts. *Findings 4, 5, 6, 10, and 17.*
3. As conditioned, construction of the 1,344 square foot accessory structure on an existing gravel pad would not result in damage to other property and would not increase public safety risks on or off the subject property. Conditioned to provide the required protections for the existing on-site septic system, the proposal would not result in any issues of concern relating to public health, safety, or welfare were identified by review agencies or by members of the public. A condition of approval includes a stop work/notice requirement if cultural resources are uncovered during development. *Findings 5, 6, 9, 12, 13, and 17.*
4. The proposed shop building has been sited to minimize impacts to wetland buffers. Denial of an accessory structure on a parcel greater than seven acres in the RRR 1/5 zone would deprive the Applicants of the right to a typical residential appurtenance that can be constructed without significantly impacting critical areas. *Findings 3, 4, 5, 6, 7, 8, 9, 10, and 17.*
5. The proposed reasonable use would not result in alteration of a critical area; no direct wetland impacts are proposed. The proposed shop building would be set back 105 feet from the nearest wetland. The project site has already (legally) been cleared of vegetation and graveled. Dense vegetation to be planted within the reduced buffer would provide enhanced wetland functions compared to the existing condition. *Findings 5, 6, 7, 8, and 17.*

6. Conditioned to require implementation of the proposed mitigation plan, the proposal ensures no net loss of critical area functions and values and in fact would provide enhanced functions and values over the existing condition. *Findings 7, 8, and 17.*
7. The record contains no evidence that the proposed use would result in unmitigated adverse impacts to species of concern. *Finding 7, 8, 11, and 17.*
8. The location and scale of existing development on surrounding was not directly considered. The RUE is required because wetlands and their associated buffers encumber the entire 7.36-acre parcel, precluding development of a reasonable accessory building. *Findings 4, 5, 6, 9, 10, and 17.*

DECISION

Based on the preceding findings and conclusions, the request for a reasonable use exception is **GRANTED** subject to the following conditions:

1. Inadvertent Discovery. The Applicant and subsequent property owners must comply with all requirements of state and/or federal law to avoid disturbance and alteration of artifacts, remains, or other cultural resources on site during development. In the event of inadvertent disturbance or alteration, the Applicant must immediately stop work and contact the Tribes and the State Department of Archaeology and Historic Preservation at 360-586-3065.
2. Prior to issuance of any building permit, all applicable regulations and requirements of Thurston County Public Health and Social Services, Public Works, and Thurston County Planning Departments shall be met. All required permits shall be obtained prior to commencing construction.
3. Substantial Compliance. 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.
4. Erosion Control. Prior to any earth disturbing activities, erosion control best practices shall be implemented. 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 control best practices shall be monitored and approved through the Building Site review associated with the building permit application.

Washington Department of Ecology

5. Water Quality/Watershed Resources. 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 surface water or storm drains that lead to waters of the state. Sand, silt, clay particles, and soil will damage aquatic habitat and are considered to be pollutants. Any discharge of sediment-laden runoff or other pollutants to waters of the state is in violation of Chapter 90.48 RCW, Water Pollution Control, and WAC 173-201A, Water Quality Standards for Surface Waters of the State of Washington, and is subject to enforcement action. For assistance contact Morgan Maupin at (360) 407-7320.

6. Construction Stormwater Permit may be required from the Washington State Department of Ecology. Permit information and applications can be found at the link below. It is the Applicant's responsibility to obtain this permit if required.
<http://www.ecy.wa.gov/programs/wq/stormwater/construction/permit.html>.
7. Solid Waste Management. 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 the local jurisdictional health department prior to filling. All removed debris resulting from this project must be disposed of at an approved site. Contact the local jurisdictional health department for proper management of these materials. For assistance contact Derek Rockett at (360) 407- 6287.
8. Toxics Cleanup. If contamination is suspected, discovered, or occurs during the construction, testing of the potentially contaminated media must be conducted. If contamination of soil or groundwater is readily apparent, or is revealed by testing, the Department of Ecology must be notified. Contact the Environmental Report Tracking System Coordinator at the Southwest Regional Office at (360) 407-6300. For assistance and information about subsequent cleanup and to identify the type of testing that will be required, contact Jackson Barnes with the Toxics Cleanup Program at the Southwest Regional Office at (360) 407-6248.

Environmental Health

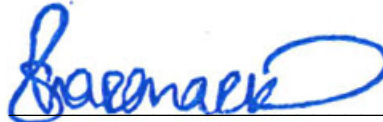
9. The proposed shop must be located a minimum of 10 feet from any existing or reserve on-site septic system drainfield area, as reflected by the most recent revised site map.
10. Caution should be taken to prevent any equipment travel over the existing septic system components. There should be no staging of materials and no parking of vehicles or equipment over any portion of the existing septic system or future drainfield reserve areas.
11. Soil Contamination. As the property is located within a mapped area of possible soil contamination with heavy metals from the former Tacoma Asarco Smelter Plume <https://fortress.wa.gov/ecy/smeltersearch/>, Community Planning & Economic Development Department recommends that the property owner contact the Washington on State Department of Ecology prior to conducting any future excavation or grading. If

contamination is discovered or occurs during the project, contact Jackson Barnes with the Toxics Cleanup Program at (360) 407-6248.

Planning Department

12. Mitigation Planting Plan. Prior to final building inspection, the Applicant shall install the mitigation plantings and shall meet and implement the proposed mitigation measures, as specified in the *Wetland Buffer Mitigation Plan* (Exhibit 1.G); and the project proponent shall adhere to the findings, mitigating measures, monitoring programs and financial surety stipulated in the Mitigation Plan as specified (Exhibit 1.G).
13. Surety Bond/Irrevocable Assignment of Savings. Prior to building permit issuance, the Applicant/ property owner shall submit a surety agreement consistent with Thurston County Code chapter 24.70, for the mitigation measures and planting plan. The surety agreement shall cover 125% of the cost of the planting plan (Exhibit 1.G, page 5).

DECIDED December 13, 2021.



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 **\$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___.