



COUNTY COMMISSIONERS

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District One

Gary Edwards  
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District Three

**HEARING EXAMINER**

*Creating Solutions for Our Future*

**BEFORE THE HEARING EXAMINER  
FOR THURSTON COUNTY**

In the Matter of the Application of	)	NO. 2021106187
	)	
<b>Nancy and Brian Muirhead</b>	)	
	)	
For Approval of a Shoreline Substantial	)	
Development Permit	)	FINDINGS, CONCLUSIONS,
	)	AND DECISION
	)	

**SUMMARY OF DECISION**

The requested shoreline substantial development permit to approve a previously constructed recreational dock on Pattison Lake and previously installed landscaping and landscape wall within the regulated shoreline is **GRANTED** subject to conditions.

**SUMMARY OF RECORD**

**Request:**

Nancy and Brian Muirhead requested a shoreline substantial development permit to approve a previously constructed recreational dock on Pattison Lake and previously installed landscaping and landscape wall within the regulated shoreline. The subject property is located at 6527 Alternate Lane SE, Olympia, Washington.

**Hearing Date:**

The Thurston County Hearing Examiner conducted a virtual open record public hearing on the request on October 11, 2022. The record was held open through October 13, 2022 to allow members of the public who experienced technology-based barriers to joining the virtual hearing to submit written comments, with time scheduled for responses from the parties. No post-hearing public comment was submitted and the record closed on October 13, 2022.

**Testimony:**

At the hearing the following individuals presented testimony under oath:

Scott McCormick, Associate Planner, Thurston County  
Brian Muirhead, Applicant

Lisa Palazzi, CPSS, PWS, SCJ Alliance (Applicant representative)

**Exhibits:**

At the 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
  - B. Master and JARPA Application Form, received November 15, 2021
  - C. Vicinity & Zoning Map
  - D. Site Plan with landscape plans
  - E. Dock plans
  - F. Critical Area Ordinance (CAO) Wall Addendum by Quality Geo NW, dated December 3, 2021
  - G. Technical Memorandum by SCJ Alliance, dated April 25, 2022
  - H. Final Mitigated Determination of Non-Significance, issued on August 5, 2022 with adjacent property owners list, dated June 8, 2022
  - I. Combined Notice of Application and SEPA determination, dated June 10, 2022 with adjacent property owners list, dated June 8, 2022
  - J. SEPA Environmental Checklist, received November 15, 2021
  - K. Approval Memo from Amy Crass, Thurston County Environmental Health, dated January 21, 2022
  - L. Comment email from the Squaxin Island Tribe, dated November 29, 2021
  - M. Comment letter from the Nisqually Indian Tribe, dated August 8, 2022
  - N. Comment letter from the Washington Department of Ecology, dated July 11, 2022
  - O. Critical Area Review Permit, dated May 25, 2022

Based on the record developed through the open record hearing process, the following findings and conclusions are entered in support of the decision of the Hearing Examiner:

**FINDINGS**

1. Nancy and Brian Muirhead (Applicants) requested a shoreline substantial development permit (SSDP) to approve a previously constructed recreational dock on Pattison Lake and previously installed landscaping and landscape wall within the regulated shoreline. The subject property is located at 6527 Alternate Lane SE, Olympia, Washington.<sup>1</sup>  
*Exhibits 1 and 1.B.*

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<sup>1</sup> The legal description of the subject property is a portion of Section 02, Township 17, Range 1W Quarter, NW SE

2. The subject property is on the southeast shore of Pattison Lake. The Shoreline Master Program for the Thurston Region (SMPTR) designates the subject shoreline as Rural shoreline environment. *Exhibit 1*. Boating facilities are allowed in the Rural environment subject to the standards contained in the SMPTR. *Exhibit 1; SMPTR, Section 3, Chapter IV(D)*. Residential development, including landscaping and landscape walls, are allowed in the Rural environment. *Exhibit 1; SMPTR, Section 3, Chapter XVI (D)*. The subject dock, landscaping, and landscape wall require an SSDP because the value of the project (\$50,000 or more) exceeds the exemption limits set forth in Washington Administrative Code (WAC) 173-27-040. *Exhibits 1 and 1.B; WAC 173-27-040*.
3. The subject property is 2.91 acres in area and is zoned McAllister Geologically Sensitive Area (MGSA). Development on the property includes a single-family residence, which was constructed in 1998 approximately 110 feet from the shoreline edge, and a recreational dock, which was constructed without shoreline permits in 2021. The dock in question was built by the Applicants to replace a deteriorated wood dock constructed in 2002 by a previous property owner. An access ramp and two sets of stairs lead from the residence down the hillside to the shoreline. Although the Applicants also made improvements to the stairs, the Community Planning and Economic Development Department (CPED) classifies those improvements as repairs that are exempt from the shoreline permit process. There is also a decorative landscaping block wall along the upslope side of the ramp, which the Applicant constructed in an area where no wall previously existed. The wall varies from one to 3.5 feet in height and spans a distance of 43 feet. In preparing the instant after the fact applications, the Applicants asked a licensed engineering geologist to evaluate the site, and this consultant confirmed that the wall is not load-bearing, meaning it does not function as a retaining wall. *Exhibits 1, 1.C, and 1.G*.
4. The slope between the residence and the shoreline had been previously cleared and landscaped, and at the time the Applicant acquired the property the vegetation consisted predominately of Himalayan blackberry. The Applicant cleared this vegetation and mulched and partially replanted the hillside to control erosion, and then completed the planting consistent with a landscape plan designed to increase native species. The Applicant submitted an as-built planting plan for the work, depicting a predominately native buffer for the first 30 to 40 feet from the lake, including a dense band of snowberry and sword fern at the toe of the slope. In some previously planted areas, non-natives were replaced by native species. *Exhibits 1.B, 1.D and 1.G; Brian Muirhead Testimony*.
5. The dock consists of a galvanized steel frame with encapsulated flotation. The surface is fiberglass grating with 40% to 50% open space, which allows for light penetration. The dock ends in an “L,” and the area of the segment that is perpendicular to the ramp is 160 square feet (consistent with the 200-foot limitation for floats set forth in the SMPTR).

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BLA-1494 TR B Document 015/301; also known as Parcel no. 11702420100. *Exhibit 1*.

Also consistent with the SMPTR, the width of the dock to that point is four to six feet, and the overall length of the structure is 34 feet, or 32 feet as measured from the ordinary high water mark. The dock is supported by four metal pilings spaced 10 feet apart. Consistent with the setback standards of the SMPTR for freshwater docks, the dock is more than 10 feet from each side property line, and the distance to the opposite shore exceeds 150 feet. Overall, while the area of the dock is 92 square feet larger than the dock it replaced, the impacts to the lake are less due to the light penetration of the materials, the use of encapsulated instead of Styrofoam flotation, and the reduced number of pilings (of which the original dock had nine). The dock was designed to meet current Washington Department of Natural Resources standards for marine docks, which exceed the County's standards for freshwater docks. *Exhibits 1, 1.D, 1.E, and 1.G; Testimony of Brian Muirhead and Lisa Palazzi.*

6. The SMPTR requires docks to be painted, marked with reflectors, or otherwise identified to prevent hazardous conditions for water surface users. Because the application does not disclose whether the dock would include markings, Planning Staff recommended a condition of approval to address the requirement. *Exhibit 1.*
7. County Staff submitted that there is no evidence to suggest that the previously performed work resulted in water quality impacts. *Scott McCormick Testimony.*
8. Within the shoreline at the toe of the slope is a Category III lake fringe wetland with a habitat score of 7 (HMM), requiring a buffer of 240 feet. The Applicant's clearing and replanting occurred within the wetland buffer. On May 25, 2022, the County issued a critical area permit approving the submitted landscaping plan. *Exhibits 1.G and 1.O.*
9. Mazama pocket gopher mounds have been detected on the subject property, but these are located in the southern portion of the subject property, upland from the residence, and not in the shoreline area where the work was performed. *Exhibit 1.G; Scott McCormick Testimony.*
10. The Thurston County Environmental Health Division reviewed the permit request and did not identify any issues of concern. *Exhibit 1.K.*
11. The Thurston County CPED Department acted as lead agency for review of the project under the State Environmental Policy Act (SEPA) and issued a combined notice of application and of likely issuance of a mitigated determination of non-significance (MDNS) on June 10, 2022. The final MDNS was issued on August 5, 2022. The conditions of the MDNS address archaeological protection, containment of any releases of hazardous materials, and erosion and stormwater control. *Exhibits 1.H and 1.I.*
12. Notice of the public hearing was mailed to all property owners within 500 feet of the site on September 26, 2022 and published in The Olympian on September 30, 2022. There was no public comment on the application. *Exhibits 1 and 1.A.*
13. Having heard all testimony and considered all Applicant submittals, Planning Staff

maintained their recommendation for approval of the after the fact permit subject to the conditions in the staff report. *Exhibit 1; Scott McCormick Testimony*. The Applicants waived objection to the recommended conditions. *Lisa Palazzi Testimony*.

## CONCLUSIONS

### Jurisdiction

The Hearing Examiner is granted jurisdiction to hear and decide applications for shoreline substantial development permits pursuant to RCW Chapter 36.70, WAC 173-27, and Section One, Part V of the Shoreline Master Program for the Thurston Region.

### Criteria for Review

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

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

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

#### *A. Shoreline Management Act*

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

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

#### *B. Applicable regulations from the Washington Administrative Code WAC 173-27-140 Review criteria for all development.*

- (1) No authorization to undertake use or development on shorelines of the state shall be granted by the local government unless upon review the use or development is

determined to be consistent with the policy and provisions of the Shoreline Management Act and the master program.

- (2) No permit shall be issued for any new or expanded building or structure of more than thirty-five feet above average grade level on shorelines of the state that will obstruct the view of a substantial number of residences on areas adjoining such shorelines except where a master program does not prohibit the same and then only when overriding considerations of the public interest will be served.

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

- (1) Each permit for a substantial development, conditional use or variance issued by local government shall contain a provision that construction pursuant to the permit shall not begin and is not authorized until twenty-one days from the date of filing as defined in RCW 90.58.140(6) and WAC 173-27-130, or until all review proceedings initiated within twenty-one days from the date of such filing have been terminated; except as provided in RCW 90.58.140 (5)(a) and (b).

*C. Shoreline Master Program for the Thurston Region*

The Shoreline Master Program for the Thurston Region designates the shoreline jurisdiction on the subject property as Rural. Docks, piers, and floats are covered in the “Boating Facilities” chapter, Section Three, Chapter IV, and are allowed subject to standards contained in the specific regulations of the chapter and a permit review process.

SMPTR Section Three, Chapter IV, Part B. Policies

*Piers and Docks:*

12. Pier and docks should be designed and located to minimize obstructions to scenic views, and conflicts with recreational boaters and fishermen.
13. Cooperative uses of piers, docks and floats are favored especially in new subdivisions.
14. Moorage buoys are preferred over piers and docks especially in tidal waters.

SMPTR Section Three, Chapter IV, Part C. General Regulations

*Piers and Docks:*

13. [N/A]
14. All pier and dock development shall be painted, marked with reflectors or otherwise identified so as to prevent unnecessarily hazardous conditions for water surface users during day or night.
15. Docks and piers are prohibited on lakes or marine water bodies where the distance to the opposite shore is one hundred fifty (150) feet or less. This is to insure the maintenance of navigation.

16. [N/A]
17. [N/A]
18. [N/A]
19. The width of recreational docks or piers shall not exceed eight (8) feet.
20. In fresh water areas, new docks shall not exceed the average length of the existing docks within one hundred (100) feet of the property lines. If there exists a dock on one side of a new proposed one but not on the other, the average to be used for the side without a dock shall be fifty (50) feet. If there are no docks within one hundred (100) feet, the length shall not exceed fifty (50) feet as measured from the ordinary high water mark.
21. At the terminus of a dock or pier, a float is normally attached for purposes of a landing and for moorage of watercraft. These floats may either be parallel to the dock or pier, or form a tee. The float cannot exceed four hundred (400) gross square feet for a piling dock/pier in tidal waters, two hundred fifty (250) gross square feet for a floating dock/pier on tidal water, and two hundred (200) gross square feet for docks/piers on fresh water. The total length of the dock/pier with an attached float cannot exceed the total length allowed under General Regulations #17 and #20.
22. Docks and piers shall be set back ten (10) feet on fresh and twenty (20) feet on tidal water from the side property line. These setbacks may be waived if two single-family property owners wish to construct a joint pier on the common property line under the following conditions: a. Both property owners must record a non-exclusive easement granting each other the right to use the pier. b. The easement must acknowledge that each property owner is giving up the right to construct a separate single-family pier.
23. Span between pilings for piers or docks on pilings shall be eight (8) feet or greater.

SMPTR Section Three, Chapter IV, Part D. Environmental Designations and Regulations

2. Rural Environment. Marinas, boat ramps, piers, docks, boathouses, mooring buoys, recreational floats and marine railways are permitted subject to the Policies and General Regulations.

SMPTR Section Two, Chapter V. REGIONAL CRITERIA

The Shoreline Master Program for the Thurston Region contains regional criteria that apply to the proposal. All development within the jurisdiction of this Master Program shall demonstrate compliance with the following criteria:

- A. Public access to shorelines shall be permitted only in a manner which preserves or enhances the characteristics of the shoreline which existed prior to establishment of public access.

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

**Conclusions Based on Findings**

1. Approval of the project is consistent with the policies and procedures of the Shoreline Management Act. The subject dock allows for water-based recreational activities, and the landscaping replaced invasive species with native species. The dock allows for light penetration and reduced the number of pilings, both of which actions benefit the ecological functions and values of the shoreline. *Findings 3, 4, and 5.*
2. Approval of the project is consistent with the applicable regulations in the Washington Administrative Code. The dock and landscape wall have low profiles and do not obstruct any views. All construction is already completed. *Findings 3 and 4.*
3. As conditioned, the existing dock is consistent with the applicable Boating Facilities policies and regulations of the Shoreline Master Program for the Thurston Region. The



dock does not affect scenic views or conflict with recreational boaters, fishermen, or navigation. The distance to the opposite shore exceeds 150 feet. The dock's width is less than eight feet, and its length is less than 50 feet. The area of the "L" portion of the dock is less than 200 feet and does not add to the length of the dock. The placement of the dock complies with the side setback standard of the SMPTR. The span between pilings is more than eight feet. The conditions of approval address the requirement for reflectors or other markings. *Findings 5 and 6.*

4. As conditioned, the project is consistent with the applicable regional criteria. Consistent with the SMPTR's water quality goals, the slope between the residence and the shoreline was landscaped and/or treated (including with mulch) to control erosion. The record contains no evidence showing that installation of the dock adversely affected water quality. The dock's grated surface is protective of aquatic habitat. Located on private shoreline, the project does not affect public access to shorelines. No evidence was presented that the subject shoreline is notable for aesthetic, scenic, historic, or ecological reasons; however, based on the record submitted, the project did not degrade such qualities. The project resulted in replacement of a poorer-quality, older dock with a more ecologically sensitive dock, and the replacement of invasive species with native species. Protected Mazama pocket gophers were not affected by the project. No public health issues were identified during the review process. *Findings 3, 4, 5, 7, 8, 9, 10, 11, and 13.*

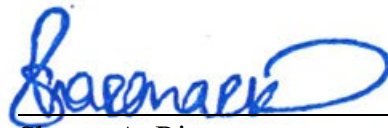
### **DECISION**

Based on the preceding findings and conclusions, the requested shoreline substantial development permit is **GRANTED** subject to the following conditions:

1. Stormwater runoff shall be controlled through all phases of the project by facilities designed to control the quality and quantity of discharges and shall not alter nor impact the existing drainage or other properties. The stormwater management system shall conform to the current Thurston County Drainage Design & Erosion Control Manual and Title 15.05 Thurston County Code.
2. Proper erosion and sediment control practices shall be used on the construction site and adjacent areas to prevent upland sediments from entering the shoreline environment. All areas disturbed or newly created by construction activities shall be seeded, vegetated, or given some other equivalent type of protection against erosion. Erosion control shall be maintained until the site has been fully revegetated and surface soils are sufficiently stabilized.
3. All development shall be in substantial compliance with drawings and site plans submitted and made part of this staff report.
4. The dock shall be painted, marked with reflectors, or otherwise identified so as to prevent unnecessarily hazardous conditions for water surface users during day or night

5. The proposed project must be consistent with all applicable policies and other provisions of the Shoreline Management Act, its rules, and the Shoreline Master Program for the Thurston Region.
6. Washington State Water Quality Laws, Chapter 90.48 RCW Water Pollution Control and WAC 173-201A, Water Quality Standards for Surface Waters of the State of Washington, define quality of state waters. Any discharge of sediment-laden runoff or of other pollutants to waters of the state is in violation of these state laws and may be subject to enforcement action.
7. No invasive species, such as English ivy, shall be used in the project.
8. A Construction Stormwater Permit from the Washington State Department of Ecology may be required. Information about the permit and the application can be found at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/permit.html>. It is the Applicant's responsibility to obtain this permit if required.
9. For any outstanding work to be completed, construction pursuant to the permit shall not begin and is not authorized until twenty-one days from the date of filing as defined in RCW 90.58.140(6) and WAC 173-27-130, or until all review proceedings initiated within twenty-one days from the date of such filing have been terminated; except as provided in RCW 90.58.140 (5)(a) and (b).

Decided November 1, 2022.



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Sharon A. Rice  
Thurston County Hearing Examiner

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

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

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

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

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

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

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

1. Appeals may be filed by any aggrieved person or agency directly affected by the Examiner's decision. The form is provided for this purpose on the opposite side of this notification.
2. Written notice of Appeal and the appropriate fee must be filed with the 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 **\$804.00** for a Request for Reconsideration or **\$1,093.00** 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.



<b>Project No.</b> _____ <b>Appeal Sequence No.:</b> _____
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**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  \$804.00 for Reconsideration or \$1,093.00 for Appeal. Received (check box): Initial \_\_\_\_\_ Receipt No. \_\_\_\_\_  
 Filed with the Community Planning & Economic Development Department this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_.