



# INFORMATION BULLETIN No. 11

City of Blaine

Updated  
March 2009

## APPEAL OF ADMINISTRATIVE DECISION

### WHAT IS AN APPEAL OF A TYPE I-ADM DECISION ?

A final decision regarding an application may be appealed to different decision making bodies depending upon the type of land use review. A decision made by staff under a Type I-ADM Land Use Decision review may be appealed to the City's Hearing Examiner.

A Type I-ADM decision is a decision made by the Community Development Services Director or the Director's designee. It is what is typically referred to as a "staff decision."

### HOW IS THE APPLICATION PROCESSED?

Appeals before the Hearing Examiner are processed as follows:

A public hearing will be held for applications appealed to the Hearing Examiner. It is an "open record hearing" (RCW 36.70B.020), which means the reviewing body may accept testimony and submissions of evidence and information. Any individual may present testimony on the appeal. In making the decision, the Hearing Examiner or Planning Commission must determine if the decision was correctly based on the applicable sections of the Blaine Municipal Code (BMC). This decision is made after reviewing the application, the decision, and the appeal. After considering testimony from the public, the Hearing Examiner will approve, approve with conditions, or deny the appeal.

### ***When must the appeal be filed?***

Final decisions may be appealed only if a complete appeal application and appeal fee is submitted within 14 calendar days from the date of the written decision on the land use application.

### WHO CAN APPEAL A STAFF DECISION?

For Type I-ADM land use review decision, any in-

### HOW DO I APPEAL?

1. You must complete an Appeal of Administrative Decision Form and attach a statement including the following:

The case number designated by the City of Blaine and the name of the applicant;  
The name and signature of each petitioner and a statement showing that each petitioner is entitled to file the appeal under Blaine Municipal Code (17.06.180) and the Revised Code of Washington.

If multiple parties file a single petition for review, the petition shall designate one party as the contact representative for all contact with the Community Development Director.

The specific aspect(s) of the decision being appealed, the reasons why each aspect is in error as a matter of fact or law, and the evidence relied on to prove the error.

2. You must pay the applicable fee.

### **Applications are submitted by appointment.**

Interested party may appeal the decision, including the applicant, a department of the City or any aggrieved person.

### MORE QUESTIONS?

For further information, please call the Community Development Services Department at the City of Blaine (360) 332-8311.

The City of Blaine's Community Development Department has created customer information bulletins to inform the general public about the effect of codes and regulations on their projects. These bulletins are not intended to be complete statements of all laws and rules and should not be used as substitutes for them. If conflicts and questions arise, current codes and regulations are final authority. Because the codes and regulations may be revised or amended at any time, consult City of Blaine, CD staff to be sure you understand all requirements before beginning work. It is the applicant's responsibility to ensure that the project meets all requirements of applicable codes and regulations.