



ADMINISTRATIVE DECISION APPEAL INFORMATION

WHAT IS AN ADMINISTRATIVE DECISION APPEAL?

An appeal is an opportunity to contest a permitting decision made by the Benton County Planning Manager. All decisions made by the Planning Manager are appealable to the Benton County Hearings Examiner.

THE PROCESS

No later than fourteen (14) days following the mailing of the written decision of the Planning Manager, the decision may be appealed to the Hearings Examiner. After a completed Appeal form is submitted, the Planning Division shall notify the applicant and all interested parties that an appeal has been filed. An open record appeal hearing will be scheduled and a written notice of the hearing shall be mailed to the appellant and all interested parties. Notice of the hearing shall be published in the newspaper at least ten days prior to the appeal hearing.

The Hearings Examiner shall review the written appeal, the record of the decision and receive written and/or verbal public testimony at the open record appeal hearing. After reviewing the record and any testimony presented, the Hearing Examiner shall either, deny the appeal and affirm the Planning Manager's decision; or amend, reverse, or remand the Planning Manager's decision. The Hearings Examiner shall enter findings of fact and conclusions of law in support of the decision.

APPEALS

The Planning Manager's decision may be appealed to the Benton County Hearings Examiner within fourteen (14) days following the issuance of the decision.



ADMINISTRATIVE DECISION APPEAL CHECKLIST

Applicant Staff

- | | | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Completed Administrative Decision Appeal Form – Incomplete applications will not be accepted. All documents must be completed in black ink . |
| <input type="checkbox"/> | <input type="checkbox"/> | \$800.00 Administrative Decision Appeal Fee – The fee must be paid at the time of application submittal, cash or checks accepted. Checks made payable to the <i>Benton County Treasurer</i> . All application fees are non-refundable. |

Applications may be submitted between the hours of 8am-12pm and 1pm-5pm Monday through Friday to the Planning Division at 102206 East Wiser Parkway Kennewick, WA 99338 or our office inside the Prosser Courthouse at 620 Market Street Prosser, WA 99350.



ADMINISTRATIVE DECISION APPEAL FORM

Application No. _____

APPLICANT INFORMATION

Name: _____

Mailing Address: _____ City: _____

State: _____ ZIP: _____ Phone: _____ Work: _____

Email Address: _____

Signature: _____ Date: _____

APPEAL INFORMATION

1. **File number of decision being appealed:** _____

2. **Applicant's name and address** (if different from Appellant):

Name: _____

Mailing Address: _____

3. **Please state the specific references to any portions of the written findings contained in the Planning Manager's decision alleged to be in error and any alleged errors of law:**

4. **Please state the relief sought, such as reversal of the Planning Manager's decision or modification of said conditions:** _____

If further explanation is needed for any of the questions please attach additional pages

(For Staff Use Only) Access: Y N

Application Complete: Y N

Critical Areas: N Y: _____

Zoning: _____

Reviewed by: _____

Date: _____