



Lewis County Community Development

2025 NE Kresky Ave, Chehalis, WA 98532
Phone: (360) 740-1146 • Fax: (360) 740-1245

APPEAL OF TYPE I OR II ADMINISTRATIVE DECISION

After an administrative decision is made by Lewis County, the public has the right to appeal based on the Lewis County Code. The appeal information is listed on the written administrative decision made.

After submitting the petition to appeal, the request will be forwarded to the Lewis County Hearing Examiner. Unless the petition is dismissed, the Hearing Examiner will hold a hearing in accordance with Lewis County Code 2.25.

The following items are required to be submitted for the Appeal of Administrative Decision application to begin the process:

STAFF

APPLICANT

- | | | | |
|--------------------------|-------------------------------------|--|----------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 'Appeal of Administrative Decision' form | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Copy of written decision being appealed | |
| <input type="checkbox"/> | <input type="checkbox"/> | Application Fees | |
| | | Appeal fee: | \$450.00 |
| | | Legal publication fee: | \$250.00 |
| | | Hearing Examiner fee: | \$750.00 |



Other: _____

TRN-017104124059

For Official Use Only:	
Date of Received: <u>3-27-24</u>	Application Number: <u>APL24-0001</u>
Associated Permits: _____	Permit Technician: <u>Tara</u>
Date forwarded to Hearing Examiner: _____ / _____ / _____	
Copy sent to Appeals Coordinator: _____ / _____ / _____ Original sent to _____	

Lewis County Community Development

2025 NE Kresky Ave, Chehalis, WA 98532 Phone: (360) 740-1146 • Fax: (360) 740-1245

APPEAL OF TYPE I OR II ADMINISTRATIVE DECISION

Decision Information

Name of Applicant/Owner: Daniel J Zwickl (BCRMA HOA President)
Address: 227 Birchfield Commons Onalaska WA. 98570
Tax Parcel Number: 017104011014 Application Number (if applicable): _____
Phone Number: 206-930-0306 Email: djzwickl@comcast.net

Appeal Information

Specific identification of decision being appealed:

- SEPA Determination
(Appeal authorized per LCC 17.110.130)
- Type I Administrative Decision as identified in LCC 17.05.040(2) Table 17.05-2
(Appeal authorized per LCC 17.05.040(2) Table 17.05-1)
- Type II Administrative Decision as identified in LCC 17.05.040(2) Table 17.05-2
(Appeal authorized per LCC 17.05.040(2) Table 17.05-1)

Specific grounds for petition, concise statement of the factual reason for the appeal, and identification of the policies, statutes, codes or regulations that the petitioner claims are violated (*attach additional sheets if necessary*):



Petitioner Information (*attach additional sheets if necessary*)

Name and address of Petitioner
Daniel J Zwickl
Attached

Attorney for Petitioner (if applicable):

Daytime Telephone: 206-930-0306

Daytime Telephone: _____

Email: djzwickl@comcast.net

Email: _____

trust_ Digitally signed by trust_ Date: 2024.03.27 10:53:05 -07'00'

Signature of Petitioner

Signature of Attorney

Covenants and Restrictions for Birchfield Commons and Surrounding properties

3599199 COV

07/09/2021 09:51:01 AM Page 2 of 13

Appeal: SEPA 202401055 application for Parcel 01704124059 (link below) Birchfield Commons vs. Birchfield Commons Community

<https://apps.ecology.wa.gov/separ/Main/SEPA/Record.aspx?SEPANumber=202401055>

Parcel number 01704124059, also known as Plot 5 is included in the Homeowners Covenants and Restrictions and Amendments per agreement of the community. Under file number 351999 (Exhibit A&B). The proposed 20 mobile home project to include a private road violates the Covenants and Restrictions of the Birchfield community as follows:

1. CC&R Para 1_Use: The parcels shall be used exclusively for single family residential purposes.
2. CC&R Para 2_Residences: Only one residence plus one ancillary dwelling shall be constructed on a parcel.
3. CC&R Para 4_Square Footage: The residence shall contain at least 1700 square feet of heated floor space, excluding garage, any ancillary dwelling unit and decks.
4. CC&R Para 25_Architectural Review Committee: "The guiding principle for the Architectural Review Committee shall be to preserve architectural harmony and to that end unusual architectural, and unusual decoration schemes, including but not limited to paint color patterns may be denied. Owners agree to maintain the real property and improvements in a neat, clean, and well-maintained condition in accordance with the directions of the Architectural Committee.

Note: The current plot 5 proposal does not preserve the architectural harmony of Birchfield Commons and Birchfield Parkway housing communities. Examples of the current homes throughout the Birchfield Community are shown in Exhibits E-G. Current land use of Plot 5 (01704124059) will be submitted as Exhibit H-K. This will demonstrate the stark difference in the property use and design and clear differences within the plots listed in this appeal.

Exhibit C_ Roadway Maintenance Agreement

The parcel proposal for plot 5 (01704124059) if exempt from the Covenants and Restrictions will result in the lack of funds from plot 5 to contribute to the roadway maintenance agreement putting the burden and associated cost on the remaining Birchfield plots.

Plot 5 (Parcel # 01704124059) Is identified via Lewis County GIS in exhibit D

List of petitioners' will be included as exhibit L.

Sincerely,

Birchfield Commons HOA

