



## CHELAN COUNTY HEARING EXAMINER

Chelan County Administration Building, Room 1,  
400 Douglas Street, Wenatchee, WA 98801

**January 8, 2020 9:00**

**Chelan County Hearing Examiner:** Andrew Kottkamp

**Chelan County Staff:** Planning Manager - RJ Lott, Planning Manager – Kirsten Larsen, Planner I – Jamie Strother, Permit Clerk – Ana Cortes

**Public/Agencies:**

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### **AGENDA:**

#### **I. CALL TO ORDER**

Hearing Examiner Kottkamp called the Hearing to order at 9:00. No objections were given to Mr. Kottkamp running today's hearing. Instruction was given to attendees on how the hearing is conducted and how to participate, testify, and appeal a decision.

#### **II. PUBLIC HEARINGS**

**SDP 2019-010/ SCUP 2019-010/ AM 2019-005:** An application for a shoreline substantial development permit, shoreline conditional use permit and administrative modification for the installation of an approximately 448 square foot single-use pier with gangway, floating dock, install an at grade access trail from the up-land property to the proposed pier and an administrative wetland buffer reduction. The proposed pier would be approximately 4 feet x 35 feet and would extent 32 feet perpendicular from the OHWM of Roses Lake, the gangway is approximately 4 feet x 25 feet grated aluminum running from the pier to the floating dock and the dock would be approximately 8 feet x 26 feet and would extend to a water depth of approximately 8.7 feet below the OHWM. The applicant is proposing to install a 296 foot at-grade access trail between the upland property and the proposed pier, the trail would be constructed by placed field stones where necessary. An administrative wetland buffer reduction is requested for the construction of a single-family residence, pool, hot tub and detached garage with ADU on the subject property. A native vegetation planting within the wetland and riparian buffer is proposed as mitigation for the impacts the wetland buffer. The subject property is located within the Rural Waterfront (RW) zoning district and the 'rural' shoreline environment designation for the Roses Lake, a shoreline of statewide significance. **Planner – Jamie Strother**

Mr. Kottkamp discussed the application details and entered the staff-report and entire planning staff files into the record. Planner Jamie Strother explained the application.

Applicant Ryan Walker, 151 S Worden St, Wenatchee, WA 98801 was sworn and testified regarding his proposal.

With no members of the public to testify, Mr. Kottkamp closed the public portion of the record on the matter and a decision would be made within the next 10 working business days.

**SDP 2019-012/ SCUP 2019-014/ SCUP 2019-015:** An application for a shoreline substantial development permit and shoreline conditional use permits, for the modification of the existing community dock, stabilization of the shoreline, extension of the existing sewer line laterals, install seven (7) boatlifts, install seven (7) mooring buoys and remove man-made debris/rip rap. The approximate footprint of the boatlifts are 10 feet x 12.5 feet each and would be installed on the downlake side of the dock at the approximate water depth 6.5 feet to 12 ft. The mooring buoys would be located approximately 210 feet to 260 feet from the OHWM at water depth of approximately 14 feet to 19 ft. The subject property is located within the Rural Waterfront (RW) zoning district and the 'urban' shoreline environment designation for Lake Chelan, a shoreline of statewide significance. **Planner: Jamie Strother**

Mr. Kottkamp discussed the application details and entered the staff-report and entire planning staff files into the record. Planner Jamie Strother explained the application.

Anne Hessburg was sworn and testify on behalf of the applicant.

Mr. Kottkamp requested clarification regarding the lot proposal. Ms. Hessburg clarified on the matter.

With no members of the public to testify, Mr. Kottkamp closed the public portion of the record on the matter and a decision would be made within the next 10 working business days.

**AA 2019-007:** An Administrative Appeal with fees was submitted regarding file # AI 2019-003 for an interpretation of Chelan County Code (CCC) Section 11.88.170 Accessory Uses and Structures, to determine if a detached accessory structure can be used as bedrooms, bathrooms, home offices, art studios, secondary living rooms, or similar uses is allowed. The appellant was the applicant for the Administrative Interpretation give file # AI 2019-003 the interpretation was concluded that an accessory structure that meets the definition of a guest house would need to comply with the applicable provisions within the Chelan County Code for an Accessory Dwelling Unit. The interpretation does not limit uses such as a bathroom, office, art studio, canning kitchen, or similar type use from being within an accessory structure so long as it does not also contain sleeping accommodations. The appeal was submitted on the basis that the appellant believes the Analysis and Interpretation for AI 2019-003 are inconsistent and incorrect based on the Findings of Fact. The appellant is seeking for the interpretation to be revised to include an accessory building containing a bedroom as an allowed "Accessory Use/Structure", and not as an "Accessory Dwelling Unit". **Planner: Kirsten Larsen**

Mr. Kottkamp discussed the application details, and admitted the staff-report, administrative interpretation dated 10/18/2019, appeal dated 10/25/2019 and request dated 09/12/20219.

Appellant Steven Buohar and Todd Smith, were sworn and testified. Comments were made regarding the definitions of an accessory structure and ADU. Further clarification was made regarding the appeal.

Mr. Kottkamp stated how the code was written and understands the appellants concerns. He would need to figure out how the code was written in order to give it a meaning.

As a member of the public Ryan Walker returned to comment regarding the appeal and code definitions, who was previously worn in to testify.

Planning Manager Kirsten Larsen commented on definition 11.04.010. Mr. Kottkamp also commented on 11.04.010.

With no further comment from the public, Mr. Kottkamp closed the public portion of the record on the matter and a decision would be made within the next 10 working business days.

### **III. AJOURNMENT**

Hearing Examiner Kottkamp adjourned the January 8, 2020, meeting.