



CHELAN COUNTY HEARING EXAMINER

Chelan County Administration Building, Room 1

This public hearing will be in a videoconferencing format due to the ongoing precautions associated COVID-19. Additional instruction to attend this hearing remotely will be posted on the website of Community Development. If you should have any questions, please contact the Planner, RJ Lott, at RJ.Lott@co.chelan.wa.us or 509-667-6515.

July 15, 2020, 1:00 pm

Chelan County Hearing Examiner: Andrew Kottkamp

Chelan County Staff: Director – Jim Brown, Building Official – David Spencer, Planner – Emily Morgan, Permit Clerk – Wendy Lane

Public/Agencies: Clay Gatens, Dan Beardslee, Jamie Strother, Ryan Kelso, Vince's iPad, ab, Chelan County, jb

AGENDA:

I. CALL TO ORDER

Hearing Examiner Kottkamp called the Hearing to order at 1:00 pm. 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

AA 20-004: An application for an Administrative Appeal was submitted to appeal the Chelan County Stop Work Order (SWO) issued on June 2, 2020 for building permits, BP 190765 and BP 190729. The SWO was issued for work that was noted to be occurring beyond the scope of the issued building permits. The issued building permits were for a residential addition and subsequent remodel of an existing residence; during inspection on May 19, 2020, the existing residence was observed to have been completely demolished. The appeal was submitted regarding Chelan County's determination that "...the home has previously been completely demolished..." Project Location: 8420 Heimbigner Road, Dryden, WA; and identified by Assessor's Parcel No.: 24-18-35-330-050. **Planner – Emily Morgan**

Mr. Kottkamp discussed the application details, and entered the staff-report, attachments to the staff-report, application materials, site plans, and entire planning staff files into the record. Planner Emily Morgan explained the application. She added public comments from Wayne

Reiman and Randy and Evelyn Arnold to the file. She also concluded that the Hearing Examiner should decide the outcome on this appeal.

Clay Gatens was sworn in on behalf of the appellant. He is questioning the scope of the Stop Work Order. He gave arguments on why the order was invalid. He stated the scope of the remodel should be determined by the Hearing Examiner. He also questioned the meaning of the word "remodel." He argued that the Chelan County Code is unclear on the definition of the word.

Mr. Kottkamp asked if the permit reflected the extent of the tear down for an interior remodel. Clay Gatens addressed the Hearing Examiner's questions. He referenced conversations with former County Staff Employees, Kirsten Larsen and David Kuhl. He also spoke on the sequence and scoping of the permits in general as well as life safety requirements.

Mr. Kottkamp asked questions about the square footage of the remodel. Clay Gatens answered his questions.

Ryan Kelso was sworn in, as an agent, on behalf of the applicant. Clay Gatens asked Mr. Kelso about obtaining the building permits for the project. Ryan Kelso explained how he had worked with County Staff to address the issue of a non-conforming structure and how the appellant wanted to live in the same location on the property. He also explained how the project was to be completed in phases.

Mr. Kottkamp asked questions about the projects existing foundation. Ryan Kelso answered his questions.

Mr. Kottkamp asked about demolition that took place on the project and whether Ryan Kelso had done demolitions to that extent on previous remodel projects. Mr. Kelso answered that it was consistent with other remodel projects.

Clay Gatens wanted to close in summary concerning matters that have been addressed during the meeting. He spoke on the existing project foundation and have argument on why the permits were consistent with the scope of the building permits. He asked that the Stop Work Order be overturned.

Jim Brown, Director of Community Development, was sworn in to testify. He wanted to clarify that the only staff notes pertaining to these permits were a site plan that was referenced as Exhibit B in the Staff-Report. No additional notes were located in a previous employee's desk or during an email search on the matter.

David Spencer, Chelan County Building Official, was sworn in to testify. He presented four points on why the Stop Work Order was issued. He explained each one and ended with an explanation on demo permits and if and when they are issued on a remodel.

Planner Emily Morgan stated, to support the Building Official arguments, a set of building plans would be sent to the Hearing Examiner to support comments made by David Spencer, Chelan County Building Official.

Clay Gatens made his rebuttal arguments. He explained the appellant's position with regard to the Stop Work Order and referenced previous communications between former County Staff and Ryan Kelso.

Mr. Kottkamp asked if Mr. Kelso if he had anything in writing, of such conversations, with former County Staff; he did not.

Clay Gatens continued his rebuttal comments now covering the foundation issues.

Mr. Kottkamp stated he would keep the record open until 5:00 pm for the County to submit the building plans. He also gave Clay Gatens the opportunity to comment on said plans.

III. ADJOURNMENT

Hearing Examiner Kottkamp adjourned the July 15, 2020, meeting.