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OCT 06 2021

BEFORE THE CHELAN COUNTY HEARINGS EXAMINER

CHELAN COUNTY
COMMUNITY DEVELOPMENT

IN THE MATTER OF)	FINDINGS OF FACT,
)	CONCLUSIONS OF LAW,
CUPA 21-195)	DECISION AND CONDITIONS
HARMONY MEADOWS, LLC)	OF APPROVAL
)	

THIS MATTER, having come on for hearing in front of the Chelan County Hearing Examiner on October 6, 2021, the Hearing Examiner having taken evidence hereby submits the following Findings of Fact, Conclusions of Law, Decision and Conditions of Approval as follows:

I. FINDINGS OF FACT

1. This is an application for a Conditional Use Permit (CUP) Amendment has been submitted by Jeremy Jaech (agent) on behalf of Harmony Meadows LLC (owner) to amend CUP 2015-333. The proposed amendment to CUP 2015-333 is to reduce one proposed tennis building that contained four (4) tennis courts with the auxiliary functions, to two (2) courts with the auxiliary functions moved outside to an adjacent building and for the construction of a swimming pool.
2. The owner is Harmony Meadows LLC, Attn: Jeremy Jaech, PO Box 485, Manson, WA 98831.
3. The subject site is located at 4848 Green Ave and 4870 Manson Blvd.
4. The parcel number for the subject property is 28-21-22-612-135 / 28-21-15-612-130. The legal description is: Lot B of BLA 2016-001 and Lot A of BLA 2016-001.
5. The subject site is located in Chelan County, outside of an Urban Growth Area.
6. The Comprehensive Plan designation and Zoning designation for the subject site is Commercial Agricultural Lands (AC).
7. The property is currently in commercial use. Permits for this property have been issued per:
 - 7.1 Building:
 - 7.1.1 BP 150720 Remodel of existing storage building to include: new roof, new foundation and repair, new floor, new interior walls
 - 7.1.2 BP 160096 New 3 BDRM 3 BATH SFR to include: 1616 sq. ft main floor; 626 sq. ft 2nd floor; 996 sq. ft covered porches/decks
 - 7.1.3 MOD 160029 Update breezeway info; ADA requirements; Fire code updates; Remodel existing restrooms
 - 7.1.4 BP 160537 New brewery/office space building to include: 1,666 sq. ft main floor and 1,130 sq. ft second floor.

- 7.1.5 MOD 170018 Modification of BP 160537 to include: addition of tennis facility pro-shop into tenant area; change employee restroom into public restroom; change female Designated ADA restroom into unisex ADA restroom.
- 7.1.6 BP 210528 New 125-gallon propane tank and outdoor fire pit
- 7.1.7 FM 16-012 Fire alarm installation
- 7.1.8 FM 17-316 Fire alarm installation
- 7.2 Planning:
 - 7.2.1 CUP 08-008 Banjo Creek Farms
 - 7.2.2 CUP 15-333 Winery and Tennis Academy
 - 7.2.3 BLA 16-001 2 Lot BLA
- 8. The subject property is relatively flat. Stink Creek and its associated wetlands border the parcel's eastern property line.
- 9. Site characteristics:
 - Property to the north: Landing Road, public right-of-way; zoned Commercial Agricultural Lands (AC) and Rural Residential/Resource 5 (RR5).
 - Property to the east and south: Commercial Agricultural Lands (AC).
 - Property to the east: Orchards that are zoned Commercial Agricultural Lands (AC).
 - Property to the west: Manson Blvd, public right of way, and zoned Rural Residential/Resource 5 (RR5).
- 10. The applicant submitted an Aquifer Recharge Disclosure Form, date stamped May 12, 2021. The proposed project does not require a vulnerability report, pursuant to CCC Chapter 11.82.
- 11. Pursuant to the Washington State Department of Fish and Wildlife Priority Habitat Species Maps, the subject property not does contain Priority Habitat Species; therefore, the provisions of CCC Chapter 11.78, do not apply.
- 12. Pursuant to the Federal Emergency Management Agency (FEMA), panel number 5300150225A of the FIRM maps, the subject property does not contain identified 100 or 500-year flood plain or associated floodway; therefore, the provisions of CCC Chapter 11.84, Frequently Flooded Areas Overlay District Development, do not apply.
- 13. Pursuant to CCC Chapter 11.86, the subject property does not contain geologic hazards. Therefore, the provisions of CCC Chapter 11.86 Geologically Hazardous Areas Overlay District do not apply.
- 14. Pursuant to the National Wetlands Inventory Maps prepared by the US Department of Fish and Wildlife Services, wetlands are indicated on or adjacent to the subject property. Therefore, the provisions of Chelan CCC Chapter 11.80 Wetland Areas Overlay District does apply.
- 15. Based on comments from WA Dept. of Archaeology & Historic Preservation, the subject property is located within an area of having a high potential for archaeological resources. Pursuant to Revised Code of Washington (RCW) 27.53.020, if cultural resources are found, the applicant would be required to stop work and contact the Department of Archaeology and Historic Preservation, the Confederated Tribes of the Colville Reservation, and Chelan County Community Development.
- 16. Applicant plans to begin construction upon approval of application.

17. The subject property is accessed off of Manson Boulevard and Green Avenue. Manson Blvd has a 40' right of way width and is classified as a Major Collector Road in the county road system. Green Avenue is a 60' right of way and is classified as a Rural Local Access Road in the county road system.
18. Domestic Water: No new comment regarding expansion.
19. The subject property is currently serviced with power by Chelan County PUD.
20. Sanitation: No new comment regarding expansion.
21. Noise should be similar to other residential uses as well as noise associated with a commercial orchard operation. The applicant must comply with CCC Chapter 7.35 Noise.
22. The use of the property is not changing.
23. The Notice of Application was referred to surrounding property owners within 1,000 ft. (excluding 60 ft. of right-of-way), jurisdictional agencies and departments of the County. These agencies and surrounding property owners were notified on June 8, 2021 with comments due June 22, 2021. Agency comments are considered in the staff report and, when appropriate, associated recommended Conditions of Approval. Public comments in support of the project were received for the proposed development. The following is a list of Agencies who received notice and the date comments were received:

Agencies	Response Date	Nature of Comment
Chelan County Fire Marshal	June 24, 2021	No objection to the project if subject to the recommended conditions; alternate fire flow provisions are necessary.
Chelan County Building Official		No Comment
Chelan County Public Works		No Comment
Chelan Douglas Health District	July 2, 2021	Recommends further approval if subject to the proposed conditions.
Manson Community Council	June 22, 2021	Has concerns regarding the draining of the proposed pool.
WDFW	June 22, 2021	Due to the fact that the proposed swimming pool is located in a disturbed area, WFDW has no comments.
WA Dept. of Archaeology and Historic Preservation	June 22, 2021	Due to the project being in an area of high potential for archaeological resources, a cultural resource study is requested.
Department of Ecology	June 18, 2021	Historical aerial photos indicate your property was occupied by orchard during the time period when lead arsenate was applied as a pesticide.

24. Public Comments:

Comment	Response Date	Nature of Comment
Aaron S Richmond	June 18, 2021	In strong support of Harmony Meadows and the facility.
Jeff Conwell	June 18, 2021	Support the expansion of the tennis facility to include indoor tennis facility and swimming pool.
Marilou Rolfe	June 20, 2021	In support of the expansion of the indoor tennis and swimming pool.
Kirk Mathewson	June 21, 2021	Supports to modify tennis court uses and the added swimming pool.
Dee Strecker	June 22, 2021	Supports the expansion of the tennis court and swimming pool.
Art Campbell	June 18, 2021	Supports the expansion of the tennis courts and addition of the swimming pool
John Gagon	June 18, 2021	Supports the expansion
Shawn Underwood	June 18, 2021	Supports the expansion
Hope Pettinger	June 17, 2021	Supports the expansion of tennis court and swimming pool.
Craig Johnson	June 17, 2021	Fully supports the indoor tennis courts.
Debbie Conwell	June 20, 2021	The Manson Chamber of Commerce support the expansion of the indoor tennis court and swimming pool.
Christine Cullison	June 21, 2021	Supports the expansion.

- 25. The application materials were submitted on May 12, 2021.
- 26. A Determination of Completeness was issued on June 2, 2021.
- 27. The Notice of Public Hearing was provided on September 25, 2021.
- 28. Pursuant to WAC 197-11-800 of the State Environmental Policy Act (SEPA), the proposed action is categorically exempt from environmental review.

29. **Chelan Comprehensive Plan - Land Use Designation/Siting Criteria: Commercial Agricultural Lands:**

- 29.1 Purpose: To assure the long-term conservation of commercial agricultural lands; to protect and preserve the farmers ability to farm; encourage existing and future agricultural land uses as a viable land use and significant economic activity within the community; and, to protect agricultural land of long-term commercial significance no already characterized by urban development from encroachment and incompatible uses.

- 29.2 Uses appropriate for these areas include: agriculture; open space; residential; and forestry. Additional use may be considered with supplemental provisions. These provisions shall address performance standards, impacts to the surrounding area, and be consistent with the goals and policies of the comprehensive plan. Such uses may include: natural resource support facilities and services; mineral resource activities; intensification of existing small scale recreational or tourist uses that rely upon a rural setting but that do not include a new residential component; intensification of development on lots containing existing isolated nonresidential uses; home occupations; bed and breakfasts; and community facilities.
- 29.3 The proposal is consistent with the Chelan County Comprehensive Plan.
30. **Chelan County Code, Section 11.93.040, Conditional Use Permit Criteria:** A conditional use permit may be approved only if all of the following review criteria and any special criteria listed in this chapter are met:
- 30.1 All criteria required for a specific use by this chapter can be satisfied.
- 30.1.1 Criteria for place of public and private assembly has been addressed below.
- 30.1.2 Based on review of the application materials submitted, the criteria for place of public and private assembly would be satisfied.
- 30.2 The design standards of the zoning district within which the lot is located, critical area regulations, and all other applicable development standards and regulations can be met.
- 30.2.1 The proposed development is located in the Commercial Agricultural Lands (AC) zoning district. The AC zoning district permits places of public and private assembly as a Conditional Use, and any alterations would require an amendment to a conditional use permit. The proposed expansion/CUP amendment would replace a tennis building that contained four courts with auxiliary functions with a building holding two courts with the auxiliary functions. No vegetation would be removed.
- 30.2.2 Hearing Examiner Finding: Based on the site plan of record, the proposed development would meet applicable zoning and critical areas regulations.
- 30.3. Compatibility with the adjacent uses and the protection of the character of the surrounding area.
- 30.3.1 The subject property and surrounding properties are operating as orchards.
- 30.3.2 The Hearing Examiner finds the proposed use of the property would not change from its existing use, and as conditioned, is compatible with the surrounding area.
- 30.4 Detrimental impacts on the natural environment and productive use of surrounding natural resource lands can be mitigated or avoided.
- 30.4.1 The proposed development of places of public and private assembly would not be detrimental to the agricultural resource land as the property is already cleared for the development.
- 30.4.2 Hearing Examiner Finding: The proposed development would not be detrimental to agricultural resource land.
- 30.5 No conditional use permit shall be issued without a written finding that:

- 30.5.1 After adequate opportunity for review and comment, all providers of water, sewage disposal, schools, and fire/police protection serving the development have issued a letter that adequate capacity exists or arrangements have been made to provide adequate services for the development.
 - 30.5.1.1 Chelan County provided a Notice of Application to all providers; received comments are included in the file of record.
 - 30.5.1.2 Hearing Examiner Finding: Through the process of public and agency noticing, opportunity for review and comments were provided for the proposed development.
- 30.5.2 No county facilities will be reduced below adopted levels of service as a result of the development.
 - 30.5.2.1 Hearing Examiner Finding: The proposed development, as conditioned, would not result in county facilities reduced below adopted levels of service.
- 30.6 The proposed use shall not result in undue adverse impacts affecting the public health, safety and welfare.
 - 30.6.1 Hearing Examiner Finding: The proposed development, as conditioned, would not have an adverse impact on public health, safety and welfare.
- 30.7 Adequate provisions have been provided for roads, ingress and egress, stormwater, parking and loading, domestic and irrigation water, sanitary facilities, power, fire protection, and other necessary facilities, improvements or services consistent with the requirements of Titles 11 and 15 of the Chelan County Code.
 - 30.7.1 Roads, ingress and egress: The subject property fronts and accesses off Apple Acres Road, a public county right-of-way.
 - 30.7.2 Stormwater: The applicant shall comply with CCC Title 13; Chelan County Stormwater Guidelines and Procedure.
 - 30.7.3 Domestic and Irrigation Water: Lake Chelan Reclamation District
 - 30.7.4 Sanitary Facilities: On-site septic systems are to be utilized; septic permits approved by Chelan Douglas Health
 - 30.7.5 Power: Power is provided by Chelan County PUD.
 - 30.7.6 Fire Protection: Fire protection is provided by Chelan County Fire District 5.
 - 30.7.7 Hearing Examiner Finding: All necessary facilities, improvements and services are consistent or conditioned per the requirements of Titles 11, 13 and 15 of the Chelan County Code.
- 30.8 Noise, light, heat, steam, erosion, water quality, glare, odors, air pollution, smoke, wastes, dust, vibration, electrical disturbance, physical hazards and related impacts on adjacent properties and to the vicinity can be mitigated or avoided.
 - 30.8.1 Noise and Vibration: Noise and vibration would be temporary during construction of the improvements. Construction noise is regulated by CCC Section 11.88.190 and CCC Chapter 7.35.
 - 35.8.2 Light and Glare: Lights appurtenant to residential development are regulated by CCC Section 11.88.080.

- 30.8.3 Heat, Steam, Odors, Smoke and Dust: The proposed development would not generate heat, steam or odors.
- 30.8.4 Erosion: Pursuant to CCC Chapter 11.86, the subject property does not contain geologic hazards. Therefore, the provisions of CCC Chapter 11.86 Geologically Hazardous Areas Overlay District do not apply.
- 30.8.5 Water Quality: As conditioned, the proposed development would have to meet standards as required by Chelan Douglas Health District.
- 30.8.6 Wastes and Physical Hazards: No hazards identified.
- 30.8.7 Electrical Disturbance: The proposal would not result in electrical disturbances.
- 30.8.8 Hearing Examiner Finding: Based on the above facts, noise, light, heat, steam, erosion, water quality, glare, odors, air pollution, smoke, wastes, dust, vibration, electrical disturbance, physical hazards and related impacts on adjacent properties can be avoided or mitigated as conditioned.
- 30.9 The granting of the proposed conditional use permit is consistent and compatible with the intent, goals, objectives and policies of the comprehensive plan, and any implementing regulation.
 - 30.9.1 The proposed amendment to the places of public and private assembly CUP is consistent with the goals and policies of the Resource Element of the Comprehensive Plan.
 - 30.9.2 Hearing Examiner Finding: The development is consistent with the Chelan County Comprehensive Plan.
- 31. **Chelan County Code 11.93.315 Places of public and private assembly.** The following minimum conditions shall apply to places of public and private assembly:
 - 31.1 The applicant shall submit for review and approval an operation plan and vehicle/pedestrian circulation plan.
 - 31.1.1 The site plan of record, date stamped May 12, 2021, shows the parking lots with formal parking spaces. The site plan shows pedestrian path providing walkways to the parking areas.
 - 31.1.2 Hearing Examiner Finding: Being as the subject property is currently being used as a place private and public assembly (tennis court event hall, residence, retail building) under CUP 2015-333, the proposed amendment will continue to satisfy this requirement.
 - 31.2 The use shall be landscaped per the requirements of Chapter 15.50, and comply with the parking provisions pursuant to Chapter 11.90.
 - 31.2.1 Based on the application materials, staff finds that there are no adverse impacts to the subject property.
 - 31.2.2 The Hearing Examiner finds that as conditioned, the proposed use would not result in adverse impacts.
 - 31.3 The operation shall include adequate sanitary facilities based on proposed capacity.
 - 31.3.1 Hearing Examiner Finding: The proposed use and plans submitted to the county did not indicate the addition of any restrooms. Therefore, the requirement would not apply.

- 31.4 The proposal will not reduce county facilities below adopted levels of service as a result of the development.
 - 31.4.1 The proposed use is not proposing to reduce county facilities below adopted levels of service; therefore, the requirements would not apply.
- 31.5 Administrative review of the operation to determine compliance with conditions of approval shall be performed in the first and fifth year of operation, or upon receipt of a written complaint.
 - 31.5.1 The review of the Conditional Use Permit helps ensure compliance with the requirements.
 - 31.5.2 The Hearing Examiner sets as a condition that the applicant submit a review letter the Chelan County in the first and fifth year after the date of this decision.
- 31.6 All events and activities shall comply with Chapter 173-60 WAC, Noise.
 - 31.6.1 The Hearing Examiner is not aware of any complaints regarding noise. Staff is recommending that noise be reviewed as part of the one- and five-year compliance review.
- 31.7 The proposal shall include the maximum number of attendees (baseline) which shall be used minimally to determine the number of parking spaces, traffic flow estimates, review occupancy load and building standards including restroom requirements.
 - 31.7.1 Hearing Examiner Finding: The proposed amendment does not intend to increase the number of attendees that would change the traffic flow for both pedestrians and automobiles, parking, occupancy or any building standards.
- 31.8 If a school is to be included in the facility as a separate structure, the criteria of Section 11.93.190 shall be met in addition to any other applicable criteria.
 - 31.8.1 Hearing Examiner Finding: The proposed use is not a school. Therefore, the requirement of this section would not apply.
- 31.9 If a daycare center/preschool is to be included in the facility, the criteria of Section 11.93.160 shall be met in addition to any other applicable criteria.
 - 30.9.1 Hearing Examiner Finding: The proposed use is not a daycare center/preschool. Therefore, the requirement of this section would not apply.
- 31.10 For churches and religious facilities, one single-family dwelling unit may be included in addition to the facility for the residence of the cleric/priest/pastor/etc.
 - 31.10.1 Hearing Examiner Finding: The proposed use is not a church or religious facility. Therefore the requirement of this section would not apply.
- 32. An open record public hearing after due legal notice was held on October 6, 2021, via Zoom video conference.
- 33. Appearing and testifying was Jeremy Jaech. Mr. Jaech testified that he was the applicant and property owner. He indicated that all of the proposed conditions of approval were acceptable. He stated the pool would not be opened to the general public.

34. No member of the public testified at the hearing.
35. The Chelan County Hearing Examiner considered all evidence within the record in rendering this decision.
36. Any Conclusion of Law that is more correctly a Finding of Fact is incorporated herein as such by this reference.

II. CONCLUSIONS OF LAW

1. The Hearing Examiner has authority to render this Decision.
2. Based on review of the application materials submitted, the criteria for place of public and private assembly would be satisfied.
3. Based on the site plan of record, the proposed development would meet applicable zoning and critical areas regulations.
4. The proposed use of the property would not change from its existing use, and as conditioned, is compatible with the surrounding area..
5. The proposed development would not be detrimental to agricultural resource land
6. Through the process of public and agency noticing, opportunity for review and comments were provided for the proposed development.
7. The proposed development, as conditioned, would not result in county facilities reduced below adopted levels of service.
8. The proposed development, as conditioned, would not have an adverse impact on public health, safety and welfare.
9. All necessary facilities, improvements and services are consistent or conditioned per the requirements of Titles 11, 13 and 15 of the Chelan County Code.
10. Based on the above facts, noise, light, heat, steam, erosion, water quality, glare, odors, air pollution, smoke, wastes, dust, vibration, electrical disturbance, physical hazards and related impacts on adjacent properties can be avoided or mitigated as conditioned
11. Any Finding of Fact that is more correctly a Conclusion of Law is incorporated herein as such by this reference.

III. DECISION

Based upon the above noted Findings and Fact and Conclusions, Conditional Use CUPA 21-195 is hereby **APPROVED**, subject to the following Conditions of Approval.

IV. CONDITIONS OF APPROVAL

All conditions imposed by this decision shall be binding on the applicant, which includes the owner or owners of the properties, heirs, assigns, and successors.

1. Pursuant to Chelan County Code Section 11.93.080, the granting of a conditional use permit and the conditions set forth runs with the land; compliance with the conditional use permit is the responsibility of the current owner of the property, whether that is the applicant or a successor.
2. Comments received from the Washington State Department of Archaeology and Historic Preservation (DAHP) on June 22, 2021, the subject property is located within an area of high probability for containing cultural resources, and therefore, a cultural resource survey is required.

- 2.1 If notification is received from the Washington State Department of Archaeology and Historic Preservation or the Yakama Nation that the requested cultural resource survey is waived, the applicants must submit an Inadvertent Discovery Plan to Chelan County Community Development prior to commencing any development authorized by this Shoreline Development Permit. A copy of the plan must be kept on site during ground disturbing activities.
3. Pursuant to Chelan County Code Section 11.93.080, the granting of a Conditional Use Permit and the amendments set forth runs with the land; compliance with the Conditional Use Permit is the responsibility of the current owner of the property, whether that is the applicant or a successor.
 - 3.1 All Conditions of Approval from the approved Conditional Use Permit 2015-333 decision approved by the Hearing Examiner on May 3, 2016, shall be in full force and effect unless modified by this decision.
4. Pursuant to Chelan County Code Section 11.93.090, upon final action of the hearing examiner to deny an application for a conditional use permit, the department shall not accept filing of an application for substantially the same matter within one year from the date of the final denial of the application.
5. Pursuant to the requirements of the Chelan-Douglas Health Department and the Washington State Department of Health state that additional approval because of the proposed swimming pool.
 - 5.1 The applicant would need to contact the Washington State Department of Health's Water Recreation Facility program. Once the plans have been approved the applicant would need to contact Chelan-Douglas Health Department for permitting requirements.
6. Pursuant to the requirements of the International Building Code and International Fire Code:
 - 6.1 The minimum fire flow and flow duration for buildings other than one and two-family dwellings shall be as specified in Table B105.1(2) of the IFC, except that a reduction in required fire flow of up to seventy-five percent as approved, is allowed when the building is provided with an approved automatic sprinkler system. The resulting fire flow shall not be less than one thousand five hundred gallons per minute. Table B105.2
 - 6.2 The Fire Marshal may modify Fire-flow requirements downward by apply fire protection credits for isolated buildings or a ground of buildings in rural areas or small communities where the development of full fire-flow requirements is impractical.
 - 6.3 Fire hydrants serving commercial developments shall have a maximum lateral spacing of three hundred feet with no lot or parcel in excess of one hundred fifty feet from a fire hydrant.
 - 6.4 All fire hydrants shall be accessible to the fire department by roadways or accesses meeting the requirements of Chapter 15.30, Road Standards, and meet the requirements of 15.40, minimum Standard for Water Mains and Fire Hydrants.
 - 6.5 Class A roofing/noncombustible roof covering, as defined in the International Building Code, shall be used on all new construction in all areas of Chelan County.
 - 6.6 New construction permitted after February 1, 2021 is subject to WAC 51-54A-8200 International Wildland-Urban Interface Code. There include possible defensible space (Firewise) requirements for the property landscape and possible construction requirements for new buildings. "All buildings that require a building permit plat shall comply with the portions of the International Wildland-Urban Interface Code adopted by the State of Washington and Chelan County."

7. Pursuant to Chelan County Code Section 11.88.080, security lights or any exterior lighting shall be low-intensity, non-flashing and designed to project toward the property or shall be shielded to keep light from directly projecting over property lines.
8. Pursuant to Chelan County Code Section 11.93.310(5), the applicant shall submit a compliance report to Community Development one year and five years after the date of this decision. The report shall include documentation regarding how each condition of approval is being met.
9. Pursuant to Chelan County Code Section 11.93.040(10), the final Conditional Use Permit Amendment shall be in conformance with the submitted application of record, including site plan date stamped May 12, 2021.
10. Pursuant to Chelan County Code Section 11.93.110, a conditional use permit shall become void if not acted upon, including but not limited to submitting a building permit or the placement of all infrastructure, within three years after approval or such other time period as established by the hearing examiner. The applicant may request a one-year extension, to be reviewed administratively, if the applicant submits a written request with community development thirty days prior to expiration.
11. Pursuant to Chelan County Code Section 11.93.120, action of the Hearing Examiner is final, unless appealed pursuant to the judicial appeal provisions of Title 14 of the Chelan County Code.

Dated this 6th day of October, 2021.

CHELAN COUNTY HEARING EXAMINER



Andrew L. Kottkamp

Anyone aggrieved by this decision has twenty-one (21) days from the issuance of this decision, to file an appeal with Chelan County Superior Court, as provided for under the Judicial Review of Land Use Decisions, RCW 36.70C.040(3). The date of issuance is defined by RCW 36.70C.040 (4)(a) as “(t)hree days after a written decision is mailed by the local jurisdiction or, if not mailed, the date on which the local jurisdiction provides notice that a written decision is publicly available” or if this section does not apply, then pursuant to RCW 36.70C.040(3) (c) “...the date the decision is entered into the public record.” Anyone considering an appeal of this decision should seek legal advice.

Chelan County Code Section 1.61.130 provides that any aggrieved party or agency may make a written request for reconsideration by the Hearing Examiner within ten (10) days of the filing of the written record of decision. The request for reconsideration shall be submitted to the Community Development Department. Reconsideration of the decision is wholly within the discretion of the Hearing Examiner. If the Hearing Examiner chooses to reconsider, the Hearing Examiner may take such further action deemed proper and may render revised decision within five (5) days after the date of filing of the request for reconsideration. A request for reconsideration is not a prerequisite to filing an appeal under Section 1.61.160.

The complete case file, including findings, conclusions, and conditions of approval (if any) is available for inspection during the open office hours at Chelan County Department of Community Development. Their address is 316 Washington Street, Suite 301, Wenatchee, WA 98801. Their telephone number is (509) 667-6225.