



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 Wendy Lane, at Wendy.Lane@co.chelan.wa.us or 509-667-6231.

February 16, 2022, 1:00 pm

Chelan County Hearing Examiner: Andrew Kottkamp

Chelan County Staff: Assistant Director – Catherine Lorbeer, Senior Planner – Jamie Strother, Planner II – Alex White, Permit Clerk – Wendy Lane, Short-term Rental Manager – Kirsten Ryles, Deputy Prosecutor - Marcus Foster, Development Review Manager – Andrew Brunner

Public/Agencies: Carnan Bergren, iPhone, Maygan Hurst, DL Operations, Audrey, Division 9 Flooring, Robert Dodge, Kari Sorensen, MeganK-vacasa, Thomas' iPhone, Troy Pflugrath, Brenda Carlson, CherylA's iPhone, Maggie Boles, Liz Hemberry, Susan Shephard, Clay Gatens, Bob Bugert, Steve Hamel, Dan Beardslee, David Bricklin, Sean Lynn, John, Ramirez, Carl Blum, Ben Taylor, Brent Johnson

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

SP 21-214: The Development Agreement for Lance and Jodell Harvey to defer frontage improvements on Lakeshore Drive in accordance with the approved Conditions of Approval dated September 2, 2021. Project Location: 154 Lakeshore Drive, Manson, WA 98831; and identified by Assessor's Parcel No.: 28-21-35-696-644. **Presented by Public Works**

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. Development Review Manager, Andrew Brunner explained the development agreement. Staff recommends approval.

The applicant was not in attendance for the meeting.

With no members of the public present, Mr. Kottkamp closed the public portion of the record on the matter.

CUP 20-014: An application for a Conditional Use Permit has been submitted by Brent and Allison Johnson (owners) for the use of an existing accessory dwelling unit (ADU) as a two-bedroom bed and breakfast. The parcel is zoned RL-10 (Residential Low Density 10,000 District) within the City of Leavenworth Urban Growth Area. Project Location: 10212 Titus Road, Leavenworth, WA 98826; and identified by Assessor's Parcel No.: 24-17-01-550-195. **Planner – Alex White**

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 Alex White presented the application. Staff recommends approval as conditioned.

Brent and Allison Johnson were sworn in as the applicants. They explained their need for a Conditional Use Permit and had no objections to the staff-report and conditions of approval.

With no members of the public present, Mr. Kottkamp closed the public portion of the record on the matter.

VAR 21-431: An application for a Variance was submitted to reduce the required front yard setbacks of the subject property for the future construction of a detached garage. The variance request is to reduce the required 25 ft. building setback from the front line of the property to 1 ft. The subject property is located within the within the Rural Residential/Resource 2.5 (RR 2.5) zoning district. Project Location: 18741 River Road, Plain, WA and is further identified as Assessor's Parcel Number: 26-17-12-725-035. **Planner – Alex White**

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 Alex White presented the application. Staff recommends approval.

Ben Taylor was sworn in, on behalf of the applicant. He explained the need for the Variance and agrees with the staff-report and the conditions of approval.

With no members of the public present, Mr. Kottkamp closed the public portion of the record on the matter.

AR 21-536: An application for a Variance was submitted to reduce the required agricultural setback from the northern property line of the subject property for the future construction of a residence. The variance request is to reduce the required 100 ft. agricultural setback down to the required zoning setback of 10 ft. The subject property is located within the within the Commercial Agricultural Lands (AC) zoning district. Project Location: NNA, Apple Acres Road, Chelan, WA and is further identified as Assessor's Parcel Number: 28-23-33-410-340. **Planner – Alex White**

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 Alex White presented the application. Staff recommends approval.

Humberto Ramirez was sworn in as the applicant. He explained the need for the Variance and agrees with the staff-report and has no objections to the conditions of approval.

With no members of the public present, Mr. Kottkamp closed the public portion of the record on the matter.

AA 21-564: A request for an Administrative Appeal was submitted to appeal the denial of a short-term rental permit as an existing non-conforming short-term rental. Project Location: 12195 Emig Dr, Leavenworth, WA 98826 and is further identified as Assessor's Parcel Number: 24-17-01-550-160. **Short-term Rental Manager – Kirsten Ryles**

This application was continued to the March 16, 2022 Hearing Examiner Meeting at 1:00 pm.

AA 22-004: A request for an Administrative Appeal was submitted to appeal the denial of a short-term rental permit as an existing non-conforming short-term rental. Project Location: 202 Parkway Dr, Manson, WA 98831; and identified by Assessor's Parcel No.: 28-21-35-940-020. **Short-term Rental Manager – Kirsten Ryles**

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. Short-term Rental Manager Kirsten Ryles explained the application. Staff recommends that the denial be upheld.

Sandra Sexton was sworn in as the applicant. She explained why she believes the short-term rental permit should be granted.

Mr. Kottkamp closed the record on the matter.

AA 22-012: A request for an Administrative Appeal was submitted to appeal the denial of a short-term rental permit as an existing non-conforming short-term rental. Project Location: 9752 E Leavenworth Rd, Leavenworth, WA 98826; and identified by Assessor's Parcel No.: 24-17-12-543-465. **Short-term Rental Manager – Kirsten Ryles**

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. Short-term Rental Manager Kirsten Ryles explained the application. Staff recommends that the denial be upheld.

Clay Gatens, as an agent on behalf of the appellants, gave arguments on why the denial should be reversed.

Mr. Kottkamp made comments with regard to Mr. Gatens' arguments.

Mr. Gatens clarified his arguments to Mr. Kottkamp.

Mr. Kottkamp closed the record on the matter.

AA 22-013: A request for an Administrative Appeal was submitted to appeal the denial of a short-term rental permit as an existing non-conforming short-term rental. Project Location: 9764 E Leavenworth Rd, Leavenworth, WA 98826; and identified by Assessor's parcel No.: 24-17-12-543-467. **Short-term Rental Manager – Kirsten Ryles**

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. He asked both parties if the arguments for the previous application could be considered for this application and both parties agreed.

Short-term Rental Manager Kirsten Ryles introduced a new document, to be marked as Exhibit 1 and it was entered into the record.

Clay Gatens gave additional arguments for the reversal of the denial.

Mr. Kottkamp kept the record open until Tuesday, February 22, 2022, at 5:00 pm, so the appellant can give rebuttal to the document Exhibit 1, entered into the record during the meeting.

Mr. Gatens asked that the decision for AA 20-012 to be granted the same time frame.

PD 20-001 / PLAT 20-001: An application for a Planned Development (PD) pursuant to Chelan County Code Section 11.22.050 was submitted by Dan Beardslee (agent) on behalf of the applicant. The proposed PD consists of a 134-lot residential development that would be located on approximately 42.1 acres. This development would include private roads, pedestrian paths and open space tracts.

Lots would be subdivided for detached single-family residences, accessory dwelling units, duplexes, and zero-lot line townhouses. Upon approval of the PD, the applicant shall submit a subdivision application as required in Title 12, Land Divisions. The subject properties are located in the R-1 zoning district within the Peshastin Urban Growth Area. Potable water would be supplied by the Peshastin Water District and sanitation would be operated by the Chelan PUD. Access is proposed from Larson Road and access to the lots would be provided by a new internal public roadway system. The subject properties are located within a potential Geologic Hazard area. Project Location: 8480 Larson Road and identified by Assessor's Parcel Nos.: 24-18-16-772-428, 24-18-16-320-350, 24-18-16-320-300, 24-18-16-320-250, 24-18-16-310-255, 24-18-16-310-100, and 24-18-16-310-150 respectively. **Planner – Alex White**

Mr. Kottkamp did not open this application due to an appeal that was filed, February 15, 2022, against the SEPA Determination.

A pre-conference hearing was scheduled for March 8, 2022 at 2:00 pm, via Zoom, to decide the specifics on the appeal.

III. ADJOURNMENT

Hearing Examiner Kottkamp adjourned the February 16, 2022, meeting.