



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 Torrey.Herrington@co.chelan.wa.us or 509-667-6231.

January, 25, 2023 1:00 PM

Chelan County Hearing Examiner: Andrew Kottkamp

Chelan County Staff: Planner II- Alex White, Celeste Barry STR Manager- Kirsten Ryles, Interim Director- Deanna Walter, Permit Clerk – Torrey Herrington,

Public/Agencies: Keith Hendershot, Ron Colkas, Moke, John, Lee Miller, Brae Runnels, Shon Smith, Scott Swiontek, MG, Sansung SM, Ryan Walker, Rich, Eric, John Line, Dan Beardslee, Alexandre, Graham Simon, Christina Owen, Igor Malcevski, John McQuaig, Wilhelms iphone, Chris Hardin, Edrie, Darren, Donna Malcevski, Eric Anderson, Jeff ount, Jim & Kelly, Rich Adamson, Randy P , Robert Sealby, Andrea Walheim, Sean Reamy, Courtne McSean, Tracy Jeffries, Stephen Buck, +13606294646, +14257548769, Sam Pettibone, Nan, Marcus Foster

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 23-001 Swiontek- A request for administrative appeal was submitted to appeal the denial of a renewal extension request for a short-term rental.

149 Nevadelle LN, Leavenworth, WA 98826 and identified by Assessor's Parcel No.: 25-18-19-340-200. **Short-Term Rental Manager- Kirsten Ryles**

Mr. Kottkamp discussed the application details, and entered staff report, application materials, site plans, entire planning staff files into record.

STR Manager Kirsten Ryles presents application Recommended the denial be upheld Per WAC Code 11-88-290.

Appearing to testify & Sworn in Property Owner/Appellant John Swiontek. States the denial should be overturned due to the reasons outlined in their hardship letter.

Appearing to testify & Sworn in Property Owner/Appellant John Line. States Owners have done everything in good faith with the new STR Guidelines, but acknowledges the missed deadline. States they never got the reminder postcard with the STR deadline of October 31st.

STR Manager Kirsten Ryles offers to submit mailing affidavit into the record showing the address in which Postcard was mailed to.

Mr. Kottkamp leaves the record open until Friday at 5:00 PM for the owners to respond to the affidavit that is being submitted into the record.

With no further comment from staff or the public, Mr. Kottcamp ends the hearing, but leaves the record open until 5:00 PM.

SDP 22-394 Baylink Underwater Cable- An application for a Shoreline Substantial Development Permit and a Shoreline Conditional Use Permit has been submitted for a regional submerged fiber optic line. The proposal involves installation of fiber optic cables that will traverse through the Columbia River, beginning in Douglas County and exiting the Columbia River in Chelan County at 1476 Nixon Rapids Ln, Malaga WA 98828, on the north side of Rock Island Dam. Approximately 75,000 feet of cable will be installed within the Columbia River and will tie into terrestrial landing concrete vaults. A conduit system armored with iron split pipe will serve as a protected transition between the aquatic and terrestrial landing components. On land, a combination of subsurface cable and pre-existing aerial cable lines will be used. The subject property is zoned Rural Industrial (RI) and is within both the Aquatic and Urban Shoreline designations.

1476 Nixon Rapids Ln, Malaga WA 98828 and identified as Assessor's Parcel No.: 21-22-05-000-050- **Planner II Celeste Barry**

Mr. Kottkamp discussed the application details, and entered staff report, application materials, site plans, entire planning staff files into record.

Planner II Celeste Barry Presents the application, and recommends conditional approval.

Darren Dofher is sworn in as the agent to speak on behalf of the applicant. States there are no issues with the staff report and no objections to conditions of approval. States they have worked extensively with agencies for cultural preservation. States there is spare capacity in the fiber count, and there is an opportunity for commercializing the spare capacity.

With no further comment from staff or the public, Mr. Kottkamp closes the hearing.

PL 21-054 Waterworks Properties, LLC- An application was submitted to subdivide approximately 11.1 acres into 9 lots. The smallest lot is proposed at approximately 0.42 acres (18,295 sq. ft) and the largest lot is proposed at approximately 4.00 acres (174,240 sq. ft.). The subject property is located in the Rural Waterfront (RW) zoning district. Access is to be off US 97A onto a private internal roadway proposed with the development. Domestic water would be provided by a Group B water system using a permit exempt well with sanitation proposed as individual on-site septic systems.

17001 Hwy. 97A, Entiat, WA also identified as Assessor's Parcel Number 26-21-29-110-000-
Planner II Alex White

Mr. Kottkamp discussed the application details, and entered staff report, application materials, site plans, entire planning staff files into record.

Planner II Alex White presents the application and recommends Conditional approval.

Dan Beardslee Agent on behalf of the applicant is sworn in to testify. Speaks on the projects, and states a few concerns with the conditions of approval.

With no other comments from the Agent, Applicant, staff, and the project. Mr. Kottkamp closes the hearing.

AA 22-464 Buck-An application for an Administrative Appeal with fees was submitted to appeal the Notice and Order to Abate Violations issued on November 8, 2022 for Code Enforcement file # CE 22-0070 (Exhibit A). The appeal was submitted on the basis that the appellant believes that the County has not provided consistent information in a timely manner about the permits needed to operate Plain Brewing

18692 Alpine Acres Road, Plain, WA 98826 also identified as Assessor's Parcel Number 26-17-13-720-015- **Planner II Alex White**

Mr. Kottkamp discussed the application details, and entered staff report, application materials, , entire planning staff files into record, as well as the owners rebuttal materials.

Planner II Alex White presents application Recommended the denial be upheld.

Mike Buck the property owner and applicant was sworn in to testify. Goes over some of the key important information in the rebuttal E-mail. States that the denial should be turned over as he is not violating Chelan County Code (CCC) 11.04 District Use Chart Places of Public and Private Assembly which requires a Conditional use Permit, and lack of communication with employees of Community Development.

With no further comment from staff, or the Appellant Mr. Kottkamp closes the hearing.

III. ADJOURNMENT

Hearing Examiner Kottkamp adjourned the January 25, 2023 Hearing at 1:00 PM