



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.

March 01, 2023 9:00 AM

Chelan County Hearing Examiner: Andrew Kottkamp

Chelan County Staff: Celeste Barry STR Manager- Kirsten Ryles, Senior Planner- Jamie Strother, Permit Clerk – Torrey Herrington,

Public/Agencies: Christy, Emily, RonGus, Julie Norton, Bobs ipad pro, Kait & Erin, T.C Hyatt, Trent Stewart, Larry Epstein, 14256774501, Samsung SM- G99OU, John Courlter, Kait Schilling, Tonias ipad, Keiths iphone

AGENDA:

I. CALL TO ORDER

Hearing Examiner Kottkamp called the Hearing to order at 9:00 am. 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 23-007 Hyatt Homes, LLC- A request for an Administrative Appeal was submitted to appeal the denial of a renewal extension request for a short-term rental.

105 Wall ST, Manson, WA 98831 Also Identified by Assessor's Parcel No.: 28-22-31-691-010- **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 based on the applicant not meeting the requirements of the short term rental code.

Appearing to testify & Sworn in as an agent/attorney on behalf of the Applicant was Julie Norton of Ogdon, Murphy, Wallace, PLLC.

Julie Norton presents case on the basis that the property owner applied and obtained a permit for a non-conforming STR which means they were legally operating in the zone prior to the STR code. They are recognized by the county as an existing non-conforming use. The client met all the standards and was treated like he had a final permit. The county never raised the issue that he may have not finalized his permit. States that there is conflicting authority within the code.

AA 23-006 Gustafson A request for an Administrative Appeal was submitted to appeal the denial of a renewal extension request for a short-term rental.

580 IVAN MORSE RD, MANSON, WA 98832 also identified as Assessor Parcel NO. 28-21-25-410-050- STR Manager- Kirsten Ryles

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

STR Manger Kirsten Ryles presents application and recommend that the denial be upheld based on the applicant not meeting the requirements of the short term rental code to remain operational.

Appearing to testify & Sworn in as an agent/attorney on behalf of the Applicant was Julie Norton of Ogdon, Murphy, Wallace, PLLC.

Hearing Examiner Kottcamp states for simplicity he will incorporate the arguments made that are consistent with arguments made in AA 23-007. He will incorporate those into the record for this case.

Julie Norton states most of the arguments are identical to the arguments previously made in AA 23-007. Points out a few of the differences with this case.

ZC 22-371 N Cascade sportsman Club- The applicant, North Cascades Sportsman Club, is requesting an amendment to Condition of Approval #6 from Resolution 93-121, which states 'Hours of operation will be limited to 6 days a week, from 10:00am through 5:00pm with the exception of a 10:00pm closing time one weekday night'. The applicant is requesting to change the hours of operations by adding 2 additional hours in the morning so that Condition of Approval #6 would read 'Hours of operation will be limited to 6 days a week, from 8:00am through 5:00pm with the exception of a 10:00pm closing time one weekday night'.

Project Location: 401 Washington Creek Rd, Chelan WA also identified by Assessor's Parcel No.: 28-23-16-200-000- 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 approval.

Rocky Libby representative/Agent for N Cascade sportsman Club is sworn in to testify. Rocky explains that this is to accommodate better shooting hours, and to prevent fire.

Trent Stewart neighbor who shares the west boundary line of the Sportsman Club is sworn in. Shares concerns about the traffic and the rural county road maintenance, as well as the fire danger.

John Coulter owner of property adjacent to Trent Stewart is sworn in expresses concern with nuisance noise in the AM with earlier morning hours.

Keith Johnson with property approx.. 1300 FT. from the entrance to the north of the club is sworn in. States concern about the rural road which is deteriorating, also states concern with the fire danger.

Agent for N Cascade sportsman Club states that the new hours should not change the traffic. Also states they have done some sound mitigation, put in a 10,000 gallon water system for fire safety measures, as well as checking response time for fire department.

Cup 22-086 Lawler- An application for a Conditional Use Permit has been requested for a Bed and Breakfast by James Lawler (property owner). The applicant is not proposing any new structures associated with this development. The applicant would reside on the first floor and (2) rooms would be rented in the basement. The subject property is located in the Single-Family Residential District (R-L), within the Urban Growth Area of the City of Chelan. Access is off Chelan Butte Road, domestic water is provided by a private well, sanitation is provided by septic system.

88 Chelan Butte Road, Chelan, WA also identified by Assessor's Parcel No.: 27-22-15-430-162-
Senior Planner- Jamie Strother

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.

Senior Planner Jamie Strother presents the application, recommends conditional approval.

James Lawler Property Owner and applicant is sworn in. States he did not see staff approval or conditions of approval.

Hearing Examiner Kottkamp offers a continuance so he can see the staff report and conditions of approval, but staff does recommend approval.

James Lawler chooses to continue and speaks about his proposed bed & breakfast.

Hearing examiner Kottkamp reviews the conditions of approval for Mr. Lawler.

Mr. Lawler does not object to any of the proposed conditions of approval.

With no other comment from the public, or staff Mr. Kottcamp closes the public record portion of the hearing.

III. ADJOURNMENT

Hearing Examiner Kottkamp adjourned the March 15, 2023 at 1:00 PM