



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 15, 2023 1:00 PM

Chelan County Hearing Examiner: Andrew Kottkamp

Chelan County Staff: STR Manager- Kirsten Ryles, Permit Clerk – Torrey Herrington, Marcus Foster-County Prosecuting Attorney

Public/Agencies: Andrew DeLorenzon, Pat Schneider, Jay Subhash, Mat Morrison, Nikea, Craig, Chelan Trails, Leesa, Keith Heinzelman, Amaris Harris, Julie Norton

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 23-010 Morrison- A request for an Administrative Appeal was submitted to appeal the extension denial of an STR renewal.

24624 Spur St. Leavenworth WA, 98826 Also Identified by APN No. 26-17-24-793-420- 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 Manager Kirsten Ryles presents application Staff recommends that the denial be upheld based on the applicant meeting the renewal application deadline based on CCC 11.88.290.

Appearing to testify & Sworn in Amaris Harris, daughter of Owner Matthew Morrison. Ms. Harris states she was responsible for the renewal paperwork and states hardships which prevented the paperwork from being submitted on time. States they have a good relationship with the neighbors and they are involved with the city events. States that offering it as a rental is the only way for them to be able to afford the mortgage on the house. Had E-mail exchanges with county commissioners who states they were continuing to have conversations about the code.

Sworn in to testify is owner Matthew Morrison. Matthew also states hardships, and that there was confusion with the City of Chelan STR Paperwork as it looks similar to the Chelan County STR Paperwork. Also states they never received the reminder postcard for renewal paperwork.

After no further comment from staff, Mr. Kottkamp closed the public hearing.

AA 23-014 Subhash- A request for an Administrative Appeal was submitted to appeal the extension denial of an STR renewal.

19652 Nason Rd Leavenworth, WA 98826 Also Identified by APN No. 26-17-03-785-055- 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 Staff recommends that the denial be upheld based on the applicant meeting the renewal application deadline based on CCC 11.88.290.

Appearing to testify & Sworn in as an agent/attorney on behalf of the Applicant was Julie Norton of Ogdon, Murphy, Wallace, PLLC. Ms. Norton provides additional testimony to point out the hardships on behalf of her agents. Ms. Norton states her clients intended to accommodate short term rental use prior to the STR Code, and had no intent to abandon the STR use of the Property. Ms. Norton also speaks about the existence of a nonconforming use is based on the continued use of the property and not the licensing associated with the use.

Sworn in is property owner Jay Subhash who talks about their hardships that prevented them from submitting their paperwork on time. Also mentions they did not receive the reminder postcard for the renewal.

After no further comment from staff, Mr. Kottkamp closed the public hearing.

AA 23-013 DeLorenzo- A request for an Administrative Appeal was submitted to appeal the extension denial of an STR renewal. 23119 Lake Wenatchee HWY Leavenworth, WA 98826 Also identified by APN No. 27-16-14-700-050- 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 Staff recommends that the denial be upheld based on the applicant meeting the renewal application deadline based on CCC 11.88.290.

Mr. Schneider, Attorney for the appellant states he is going to ask Mr. DeLorenzo some questions and have him testify and present argument based on his testimony.

Sworn in to testify is Andrew DeLorenzo, Property Owner.

Mr. Schneider asked Mr. Kottkamp to go over his opening speech as they had a hard time logging onto the zoom call. After Mr. Kottkamp reviews the opening statement, Mr. Schneider gives an introductory statement and states his client did try to comply with the deadline and was one day late because of circumstances beyond his control. Their position is that denying the renewal based on these facts is inconsistent with state law and is abuse of discretion.

Mr. Schneider questions his client about the property was acquired.

Mr. DeLorenzo answers the question and states the property was purchased and the work that went into the property was done based on the property only being a vacation rental. Mr. Schneider and DeLorenzo state how much was invested into the property, and the hardships preventing them from getting the application in on time.

After questioning his client Mr. Schneider proceeds with argument about the issues with the county code. And how the code is difficult to comply with state law.

After argument Mr. Kottkamp asks for more comments from the public, or staff. After no further comment. Mr. Kottkamp closes the public hearing.

III. ADJOURNMENT

Hearing Examiner Kottkamp adjourned the March 15, 2023 at 2:29 PM