



CHELAN COUNTY HEARING EXAMINER

Chelan County Administration Building, Room 1,
400 Douglas Street, Wenatchee, WA 98801

December 4, 2019 , 9:00 am

Chelan County Hearing Examiner: Andrew Kottkamp

Chelan County Staff: Planning Director – Dave Kuhl, Planning Manager – RJ Lott, Planning Manager – Kirsten Larsen, Planner II – Emily Morgan, Planner- Jamie Strother, Assistant Planner- Alex White, Permit Technician II – Breanne Hensley, Permit Clerk – Lisa Ogle

Public/Agencies: Craig Davis, Richard Jones, Reava Davis, Jeanne Barnes, John Barnes, Dan Beardslee, LeRoy Farmer, Sean Lynn, Stan Winters, Patricia Ortiz, Ryan Walker, Nathan Newell, Steve Keene

AGENDA:

I. CALL TO ORDER

Hearing Examiner Kottkamp called the Hearing to order. 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 2019-005: An Administrative Appeal was submitted regarding file # AI 2019-001 for an interpretation of Chelan County Code Section 11.22.030(1) Peshastin Urban Growth Area (UGA) District Use Chart as it related to short-term rentals. The interpretation was concluded that being as short-term (vacation) rentals are not defined in the Chelan County Code and a similar use is not listed within the Peshastin UGA District Use Chart, the use is not allowed within the Peshastin UGA. The appeal was submitted on the basis that Finding of Facts #3 through 10 as related to Chelan County Code interpretations and that Conclusion of Law #1 allowing the Director of Community Development to render interpretations were erroneous. Project Location: 8208 Lynn St. and 8225 Riverview Rd. in Peshastin; Assessor's Parcel Numbers 24-18-21-770-110 & 24-18-21-688-100. **Planner – Kirsten Larsen**

Mr. Kottkamp opens hearing for AA2019-005.

Attorney, Richard Jones at P.O. Box 1548, Snohomish, Washington is sworn in to testify as is Craig and Reava Davis of 8211 Lynn Street, Peshastin, Washington, property owners.

Mr. Jones speaks of the Davis' three properties that are located in Peshastin, Washington. He speaks of their history of the properties as their primary residence as well as vacation rental properties.

Mr. and Mrs. Davis both speak in regards to the Peshastin community and the noise complaint that was made on a vacation rental property that they own.

Mr. Jones called Sean Lynn, 217 Cascade Street, Leavenworth, Washington to speak in regards to vacation rentals and regulations as he is vacation rental property manager.

Mr. Kottkamp asks Planner Larsen for any additional comments. She states that additional public comment was received.

Mr. Kottkamp will keep the record open until December 18, 2019 at 5 pm.

PA2019-005: An application for a Plat Alteration was submitted by Leroy Farmer to relocate a 6 ft. wide walkway easement. The application was submitted August 21, 2019 and deemed complete September 17, 2019. The subject property was originally Lots 9 & 10 of the Three Lakes Country Club Estates No. 2 Subdivision; a Boundary Line Adjustment, BLA 2017-314, was recorded which dissolved the shared property line to consolidate the two lots. With the BLA, the 6 ft. wide walkway easement that straddled the shared property line was not extinguished or altered. The proposed alteration would relocate the existing 6 ft. easement from the center of the combined lot to run adjacent to the southeastern property line. The subject property is located at 57 Lake Cortez Ln, Malaga, WA and further identified by Assessor's Parcel Number: 22-21-29-879-045. The subject property is located within the Rural Recreational/Residential (RRR) zoning district. Pursuant to WAC 197-11-800, this proposal is SEPA exempt. **Planner – Emily Morgan**

Mr. Kottkamp opens hearing for PA2019-005.

Planner Morgan presents application and requests approval.

Applicant, LeRoy Farmer is sworn in. His address is 57 Lake Cortez Lane, Malaga, Washington. Mr. Farmer speaks of how he learned of his easement when he applied for a permit for a garage addition. He learned it was still on the plat map.

Public Testimony: John and Jeanne Barnes are sworn in. Their address is 31 Lake Cortez Lane, Malaga, Washington. The Barnes' are neighbors are concerned of the application by Mr. Farmer.

Mr. Kottkamp closes the record and will have a decision in 10 working days.

RIPV2019-006/WV2019-002: An application for a Riparian and Wetland Variance was submitted by Grette Associates, LLC (agent) on behalf of the Sara Baughman/Bryan Crossley/Terrance Lynch (owners) to reduce the required riparian setbacks and wetland buffer for construction of a residence and septic system. The application was received August 26, 2019 and deemed complete September 24, 2019. The riparian variance is to reduce the 100 ft. riparian setback to 5 ft. from the ordinary high water mark (OHWM) of an Np-typed stream. The wetland variance is to reduce the 200 ft. buffer for a category I wetland to a 5 ft. to 8 ft. buffer. The proposed residence is to be approximately 1,600 sq. ft. of mitigation plantings are proposed with application. The subject site is located at NNA/18207 W. Dardanells Rd., Leavenworth and is located within the Rural Residential/Resource 10 (RR10) zoning district; further identified with Assessor's Parcel Number(s): 26-16-11-240-200 / 26-16-11-230-050. A wetland delineation was submitted with application.

Planner – Emily Morgan

Mr. Kottkamp opens hearing RIPV2019-006/WV2019-002.

Planner Morgan presents application and requests approval.

Agent for Applicant, Ryan Walker is sworn in. His address is 151 S. Worthen Street #101, Wenatchee, Washington. He speaks of the project and the staff report and condition #4 that states in regards to a building site in a floodplain would need a development permit and a surveyor.

Planner Morgan states that it would be a licensed surveyor.

Mr. Kottkamp closes the record and will have a decision in 10 working days.

III. ADJOURNMENT

Hearing Examiner Kottkamp adjourned the December 4, 2019, meeting.