



## CHELAN COUNTY HEARING EXAMINER

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

**November 20, 2019, 1:00 pm**

**Chelan County Hearing Examiner:** Andrew Kottkamp

**Chelan County Staff:** Planning Director – Dave Kuhl, Planning Manager – RJ Lott, Planning Manager  
- RJ Lott, Planner II – Emily Morgan, Permit Clerk - Wendy Lane, Public Works – Josh Patrick

**Public/Agencies:** Ron Colwell, Todd Eggers

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### **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**

The Development Agreement for Squilchuck Creek Community, LLC, for the Squilchuck Slope Repair project located within the Wenatchee Urban Growth Area. **Presented by Public Works**

Mr. Kottkamp discussed the agreement details, and entered it into the record. Public Works Assistant Director, Josh Patrick, explained the development agreement.

Mr. Kottkamp asked about the repairs to be done in the area. Mr. Patrick answered his questions.

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

**PA 2019-004:** An application for a Plat Amendment was submitted by Ron Colwell to remove a note on the face of the Three Lakes Country Club Estates No. 3 Plat. The note to be removed states, "No building shall be located nearer than 25 ft. to front and side street line". The proposed note removal amendment will apply to all lots located within the Three Lakes Estates No. 3 subdivision; signatures of the majority of those persons having an ownership interest of lots in the subject subdivision were provided with application. The subject subdivision is located off of Bermuda St. /Flamingo St. /Monterey Dr. /Conarty Rd. /Sands St. /Riviera Blvd. in Malaga, WA and is zoned Rural Recreational/Residential (RRR). Pursuant to WAC 197-11-800, this proposal is SEPA exempt. **Planner – Emily Morgan**

This Application was continued from September 18, 2019.

Mr. Kottkamp discussed the application details, and explained why the application was continued. He entered the staff-report, attachments to the staff-report, application materials, site plans, and entire planning staff files into the record. Planner Emily Morgan explained the application.

Ms. Morgan stated that the applicant went to the HOA and got a letter, dated November 14, 2019, from the Association. It was submitted as Exhibit 1. An additional page, submitted with the letter, was marked as Exhibit 2.

Planner Emily Morgan stated that Mr. Colwell reached the 50% mark for the signatures required for a Plat Amendment.

Mr. Kottkamp is not sure the letter from the HOA complies with code requirement.

Ron Colwell was sworn in to testify. He went over this history of the application and all of the steps he has taken in order to have the application granted. He followed through with gathering of the signatures. He and Mr. Kottkamp had an exchange on what is required with regard to the covenants in order to approve the application. Mr. Colwell expressed his frustration with the process.

Mr. Kottkamp went through the Chelan County Code to explain, to Ron Colwell, the process needed to get approval for his application. Mr. Colwell continued to express his frustration on the matter.

Planner Emily Morgan recommended that prior to finalization; have the new covenant recorded, to allow Mr. Colwell to move forward in the process.

Mr. Kottkamp explained the suggestion would be difficult to do as he would not know the exact process that the HOA Board would follow. He gave Planner Emily Morgan options on how to proceed on the matter.

Planner Emily Morgan explained the process of recording the Plat Amendment if the application was approved.

Mr. Kottkamp will keep the record open until Friday with staff supplying additional information with regard to the covenants.

Mr. Colwell wanted more clarification on what will happen if the application is not continued and the decision is a negative one. Mr. Kottkamp explained that the outcomes could be in various directions.

Mr. Colwell asked about the keeping the record open until Friday and what that meant. Mr. Kottkamp answered his concerns.

Mr. Kottkamp advised Mr. Colwell to close the record on Friday, November 22, 2019.

Emily Morgan pointed out that the covenants are marked as Exhibit C in the staff report.

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

**PA 2019-002/SP 2019-006:** An application for a Plat Amendment and a two (2) lot short plat was submitted. The plat amendment is to remove note #5 on St. Brendan Place Phase 1 reading "No further subdivision of lots is allowed with the exception of lot 15 & 16. The subject properties are within the Rural Recreational/Residential (RRR) zoning district. Primary access is from Hummingbird Hill Lane, a private road. Project Location: 14 Hummingbird Hill Lane, Malaga, WA; Parcel No: 22-21-29-830-080. **Planner - Jamie Strother**

The application was withdrawn by the applicant; therefore no decision will be rendered.

**III. ADJOURNMENT**

Hearing Examiner Kottkamp adjourned the November 20, 2019, meeting.