



CHELAN COUNTY HEARING EXAMINER

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

November 6, 2019, 9:00 am

Chelan County Hearing Examiner: Andrew Kottkamp

Chelan County Staff: Planner – Emily Morgan, Planner – Jamie Strother, Permit Clerk - Wendy Lane, Fire Marshall – Bob Plumb, Public Works – Andrew Brunner

Public/Agencies: Dan Beardslee, Stan Winters, Anne Hessburg, Kelly Jones

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 continued this application until December 4, 2019.

SDP 2019-011/SCUP 2019-011/SCUP 2019-012/SCUP 2019-013/RIPV 2019-005/SV 2019-004: An application for a shoreline substantial development permit, three (3) shoreline conditional use permits, a riparian variance and a shoreline variance for the construction of a new 320 square foot pier, installation of a set of stairs up-land to the pier, installation of a boatlift, mooring buoy and swimfloat. The proposed new pier would be constructed in an "L" shape, attached to a new concrete abutment landward of the OHWM, the pier would extend approximately 40 feet waterward of the OHWM to a water depth of approximately 12 feet and would encompass approximately 320 square feet of overwater coverage. The stairs and elevated landing would be constructed off-site and brought to the site for installation by crane or barge. The proposed boatlift would be installed on the landward side of the "L" pier, with an approximate footprint of 10 feet x 12.5 feet, 32 feet waterward of the OHWM at a water depth of approximately 9 feet. The proposed buoy would be installed approximately 55 feet from the OHWM at a water depth of 16 feet. The proposed swimfloat would have an approximate footprint of 10 feet x 10 feet and would be installed approximately 40 feet waterward of the OHWM, within a water depth of approximately 12 feet. The subject property is located within the Rural Waterfront (RW) zoning district and the 'rural' shoreline environment designation

for Lake Chelan, a shoreline of statewide significance. Project Location: 18684 S. Lakeshore, Chelan, WA 98816; and identified by Assessor's Parcel No.: 29-21-29-130-110. **Planner- Jamie Strother**

Mr. Kottkamp discussed the application details, and entered the staff-report, attachments to the staff-report, application materials, site plans, and entire planning staff files into the record. Planner Jamie Strother explained the application. Staff recommends approval.

Anne Hessburg was sworn in to testify on behalf of the applicant. She has read the staff-report and asked why Condition 5 was a condition of approval. She would like clarification on the matter. All other conditions, listed in the staff-report were acceptable.

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

P 2019-007: An application to subdivide approximately 3.5 acres into 12 residential lots was submitted by Dan Beardslee (agent) on behalf of Chelan Butte Estates, LLC (owner). The application was received on August 2, 2019 and deemed complete on August 27, 2019. The smallest lot is proposed at approximately 12,499 sq. ft. and the largest lot is proposed at approximately 13,963 sq. ft. The subject property is located in the Rural Waterfront (RW) zoning district. Access is to be off of Stayman Flats Rd. onto private access easements proposed with development. Domestic water is to be supplied by a Group B water system and sanitation is proposed as individual on-site septic systems. The subject property is located at NNA Stayman Flats Rd., Chelan, WA 98816 and further identified as a portion of Assessor's Parcel Number: 26-22-04-515-005. Pursuant to WAC 197-11-800(6), this proposal is not SEPA exempt; a SEPA checklist was provided with application. **Planner - Emily Morgan**

Mr. Kottkamp discussed the application details, and 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. Staff recommends approval as conditioned.

Dan Beardslee was sworn in to testify on behalf of the applicant. He has read the staff-report. He has been working with Community Development and Public Works staff and has a minor change to the application. He summarized the water plan and the number of lots allowed on the property. He pointed out that to the east of the property, some mobile homes have been removed and the existing ones will be removed at a future date. The property owner would like to phase the development where the remaining mobile homes would be removed later in the process so he has housing for his workers.

Mr. Kottkamp asked if mobile homes will still be on the property when the lots are developed. Mr. Beardslee answered that they would be removed before that phase of the development was completed.

Dan Beardslee submitted the modification to the application and it was marked as Exhibit 1.

Mr. Kottkamp asked Mr. Beardslee if he agreed with the conditions of approval in the staff-report. Mr. Beardslee stated that the conditions of approval to be altered do to the modification. That being said, Mr. Beardslee's only objection was the condition that pertained to Page 2, of the county engineer's report. He believes it to be unnecessary.

Andrew Brunner, Chelan County Public Works, stated that any concerns he has with the project have been address in the conditions of approval.

Mr. Kottkamp verified with Dan Beardslee that he agreed with the conditions of approval. Mr. Beardslee explained that the engineers report, within the condition of approval, is what he was deeming as unnecessary. He agreed with all other conditions of approval.

Planner Emily Morgan stated that in her conversation with the agent, if the number of lots were reduced from 12 to 11, she would ask for an Administrative Mortification for a paper trail.

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

III. AJOURNMENT

Hearing Examiner Kottkamp adjourned the November 6, 2019, meeting.