



## 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 [Wendy.Lane@co.chelan.wa.us](mailto:Wendy.Lane@co.chelan.wa.us) or 509-667-6231.**

**January 20, 2021, 1:00 pm**

**Chelan County Hearing Examiner:** Andrew Kottkamp

**Chelan County Staff:** Assistant Director – Catherine Lorbeer, Planner – Jamie Strother, Planner - Alex White, Planner – Molly McGuire, Planner Jordan Prouty, Permit Clerk – Wendy Lane, Plans Examiner – Ginger Pennington

**Public/Agencies:** Todd Smith, Chelsea, Cathleen Bruske, Jessica Parks, Heather Erdmann, Bob's iPad, BH, Phil

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### **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**

**PA 20-003:** An application for a Plat Alteration was submitted to remove plat note #7 on the River Bend Subdivision – Phase 2 Plat, which says "There shall be no development whatsoever waterward of the 100-foot riparian setback. This includes, but is not limited to all structures, septic systems and their components. This prohibition does not apply to properly permitted docks, buoys, boatlifts, and piers." The application also includes removal of the 100' setback that is shown on the face of the plat. The subject subdivision is located off of 1st Street in Chelan Falls, WA and is zoned Rural Waterfront (RW). Project Location: 931, 923, 917, 911, and 905 1st Street, Chelan Falls, WA 98817; parcel numbers 27-23-31-810-070, 27-23-31-810-060, 27-23-31-810-050, 27-23-31-810-040, and 27-23-31-810-030 respectively. **Planner – Alex White**

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 Alex White explained the application. Staff recommends approval as conditioned.

Mr. Kottkamp asked Planner Alex White to clarify the zoning on this project and Mr. White did so.

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

**AA 20-006:** An Administrative Appeal was submitted by Michelle Green, of Gatens, Green, Weidenbach, PLLC (applicant) on behalf of Aleksandr and Tanya Drigailo ('Drigailo') of a Notice and Order of Code Violation dated October 14, 2020 and served October 16, 2020. The violation was issued for the operation of a lodging facility without the proper permits. The subject property is located at 23336 Lake Wenatchee Highway, Leavenworth, WA, with assigned assessor parcel number 27-16-14-210-100 and is within the Rural Residential/Resource 2.5 (RR2.5) zoning designation. **Planner – Jamie Strother**

Mr. Kottkamp continued this application until the February 3, 2021, Hearing Examiner meeting, at 9:00 am.

**AA 20-007:** An application for an Administrative Appeal was submitted to appeal the Building Permit Denial for the Construction of a Single-Family Residence Addition, BP-200242. Project Location: 1401 Nighthawk Ridge Lane, Leavenworth, WA; Assessor's Parcel Number: 24-18-07-310-000. **Planner – Alex White**

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 Alex White explained the application. Staff recommends the denial of Building Permit #200242 be upheld.

Todd Smith was sworn in to testify on behalf of the owner. He read a document that went through the staff-report, point by point, and stated whether or not he agreed with each section and why.

Planner Alex White gave a rebuttal to several points Todd Smith presented.

Ginger Pennington, Plans Examiner and acting Building Official for Chelan County, explained how word definitions were concluded if not found directly in the Code.

Todd Smith reiterated his position with regard to rebuttal statements made by Planner Alex White.

Ginger Pennington asked Mr. Kottkamp if emails between former Chelan County Building Official David Spencer and Todd Smith were included in the record. Mr. Smith verified that they were.

Mr. Kottkamp entered in, as Exhibit 1, the letter Todd Smith read earlier in the hearing.

Mr. Kottkamp closed the record for AA 20-007.

### **III. ADJOURNMENT**

Hearing Examiner Andy Kottkamp adjourned the January 20, 2021, meeting.