



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 or 509-667-6231.

April 7, 2021, 9:00 am

Chelan County Hearing Examiner: Andrew Kottkamp

Chelan County Staff: Planner – Jamie Strother, Planner – Alex White, Permit Clerk – Wendy Lane

Public/Agencies: Angela Allred, Josie Rutherford, Julie and Lucas Szmania, Leonard and Kelly Silva, Ryan Walker, Amanda Barg, Garth Brender, Julie Norton, Dick, Dan Beardslee, Jim Willems

AGENDA:

I. CALL TO ORDER

Hearing Examiner Kottkamp called the Hearing to order at 9:00 am. 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

SP 20-011: The Development Agreement for Leonard and Kelly Silva is to defer frontage improvements on #1 Canyon Road in accordance with the approved Conditions of Approval dated September 29, 2020. Project Location: 2700 Number 1 Canyon Rd., Wenatchee, WA; Assessor's Parcel No.: 22-20-06-730-020. **Presented by Public Works**

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.

Public Works was not in attendance.

Leonard Daniel Silva was sworn in to testify as the applicant. He agrees with the Development Agreement proposed by Chelan County Public Works.

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

WV 20-003, VAR 20-002, & VAR 20-003: An application for a wetland variance, a front yard setback variance, and an agricultural setback variance was submitted for the construction of a single-family and detached garage on the subject parcel. The subject property is intersected by Brender Creek and an unnamed tributary, both F-typed streams, and also contains a mapped Category I slope wetland, which holds a protective buffer of 200 ft. The applicant is requesting a variance to reduce the wetland buffer from 200 ft. to a minimum width of 5 ft. in order to accommodate construction of the residence and detached garage. As part of the proposed project, the applicant included a Habitat Management & Mitigation Plan for the installation of roughly 1,932 sq. ft. of native mitigation plantings within both the buffer and wetland areas that are currently degraded due to historic human influences. The applicant is also requesting a reduction to the front yard setback from 55 ft. and a reduction of the agricultural setback from 100 ft. to 24 ft. in order to construct the proposed residence and detached garage as far from the documented Category I wetland as possible. The subject property is located within the Commercial Agricultural (AC) zoning district. Project Location: 7925 Brender Canyon Road, further identified by Assessor's Parcel No.: 23-18-02-440-055. **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.

Ryan Walker of Grette Associates, LLC was sworn in on the applicant's behalf. He explained the history of the property and why the variances were needed.

Mr. Kottkamp asked about a non-conforming structure (a packing shed) on the property and Mr. Walker stated that the variances would still be needed even if the structure was removed.

James Willems was sworn in to testify as the applicant. Mr. Kottkamp asked him about the packing shed. Mr. Williams stated it was around 100 years old.

Ryan Walker continued with a reasonable use argument and explained that building on the property was going to be challenging even with the variances.

Mr. Kottkamp had questions of Mr. Walker with regard to the comments made by Washington State Department of Ecology. Mr. Walker stated that the applicant's plan

was a better fit for the parcel. However, he also stated that if the Hearing Examiner wanted to address the issue with a condition of approval, they would not object.

Amanda Barg was sworn in to testify on behalf of the Washington State Department of Fish and Wildlife. She recognizes the hardship of building on the parcel in question and would approve if the remainder of the buffer is fortified. Ryan Walker agreed with that position.

Julie Norton was sworn in, on behalf of her clients Julie and Lucan Szmania. She gave arguments on why the variances should be denied.

Julie Szmania was sworn in to testify on her behalf. She also spoke on the history of the property and her interaction with James Willems. During her testimony, Mr. Kottkamp made comments and asked questions, which Ms. Szmania answered.

Planner Alex White interjected with additional information on the packing shed and inquiries about a code enforcement case.

Jim Willems and Ryan Walker gave rebuttal to arguments against the requested variances.

Mr. Kottkamp closed the public portion of the record on the matter.

PLAT 20-003: An application was submitted to cluster subdivide approximately 129.87 acres into (39) residential lots with (3) dedicated open space tracts; the development is proposed to occur in (4) phases. The smallest lot is proposed at approximately 0.34 acres and the largest lot is proposed at approximately 0.64 acres. The dedicated open space tracts are to be privately owned and retained as agricultural production, totaling 110.75 acres. The subject property is located in the Rural Residential/Resource 5 (RR5) zoning district. Access is to be off of Navarre Coulee Road onto a private internal roadway proposed with development. Domestic water is proposed via a new public water system with sanitation proposed as individual on-site septic systems. The subject property is located in a potential geological hazard area; a geologic site assessment was submitted with application. Project Location: NNA Navarre Coulee Road, WA also identified as a portion of Assessor's Parcel Number 26-21-10-100-050. **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.

Mr. Kottkamp asked about the open space within the plat and Ms. Strother addressed his concerns.

Dan Beardslee was sworn in to testify on behalf of the applicant. He agrees with the staff report and conditions of approval.

Planner Jamie Strother told the Hearing Examiner that she would forward a Cultural Resource Study that was submitted by Dan Beardslee on the project.

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

III. ADJOURNMENT

Hearing Examiner Andy Kottkamp adjourned the April 7, 2021, meeting.