



## 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 the Planner, Wendy Lane, at [Wendy Lane@co.chelan.wa.us](mailto:Wendy.Lane@co.chelan.wa.us) or 509-667-6515.**

**September 22, 2021, 1:00 pm**

**Chelan County Hearing Examiner:** Andrew Kottkamp

**Chelan County Staff:** Assistant Director Catherine Lorbeer, Planner – Jamie Strother, Planner – Alex White, Permit Clerk – Wendy Lane

**Public/Agencies:** Nozi Youssef, Roger Collins, Robert Misenar, Lyman Boyd, Bill S, Todd Smith, Christopher & Michelle Epping, Joann Hurley, Chelsea, Maureen Hensley, Brandon Gribben

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### **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 21-116:** A Development Agreement for Short Plat #21-116 for Robert and Holly Misenar is to defer frontage improvements on South Harris Avenue in accordance with the approved Conditions of Approval dated July 13, 2021. Project Location: 102 S. Harris Ave., Manson, WA 98831; and identified by Assessor's Parcel No.: 28-21-35-696-087. **Presented by Public Works**

Mr. Kottkamp discussed the application details, application materials, site plans, and entire planning staff files into the record. Public Works was not in attendance to present the Development Agreement.

Robert Meisner was sworn in as the applicant. He explained his short plat and the development agreement. He agrees with the document.

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

**VAR 21-163:** The variance proposes to reduce the front setback on Cedar Brae Road from 55 feet from the street centerline to 2 feet from the front property line to construct a garage on the property. The proposed location of the garage would be the most feasible location for development due to the 40% downward slope of the property toward the lake. The property is zoned Rural Waterfront (RW) and holds an 'urban' shoreline environment designation for Lake Wenatchee, a shoreline of statewide significance. Project Location: 15580 Cedar Brae Road, Lake Wenatchee, WA 98826; and identified by Assessor's Parcel No.: 27-17-29-510-210.

**Planner – Molly McGuire**

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 Molly McGuire explained the application. Staff recommends approval as conditioned.

Anne Hessburg was sworn in, as an agent, on behalf of the applicant. She disagrees with areas of the staff-report and gave arguments supporting her position. Mr. Kottkamp asked her questions about her statements. She finds the rest of the staff-report acceptable.

Lyman Boyd was sworn in as the applicant. He verified the time frame in which the property was built.

The record on this application will be held open until 5:00 pm today for the county to submit AD 15-085 and BP 150597, which are two applications directly related to this matter.

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

**CUP 21-081:** An application for a Conditional Use Permit has been submitted by Syndicate Smith, LLC (agent) on behalf of Chris and Michelle Epping (owners) for the construction of a new detached garage within the Icicle Valley Design Review District. Proposed uses in the structure include a two-car garage, shop area with sink, along with a home gym, office space, and storage on the second floor. Accessory uses to single-family residences within the Icicle Valley Design Review District require a Conditional Use Permit per Chelan County Code (CCC) 11.72.050. The subject property is zoned Rural Residential/Resource 20 (RR20). Project Location: 7001 Icicle Rd., Leavenworth, WA 98826; and identified by Assessor's Parcel No.: 24-17-27-000-055. **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 as conditioned.

Todd Smith was sworn in, as an agent, on behalf of the applicant. He described the project and agrees with the staff-report.

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

**CUPA 21-336:** An application for a Conditional Use Permit (CUP) Amendment has been submitted by William Swayne (agent) on behalf of Chelan Ridge Holdings LLC (owner) to amend the CUP 2004-020. The proposed amendment to CUP 2004-020 is for an 800 sq.ft. open-air pavilion along with a 600 sq.ft. deck to be used for a pizza oven as well as additional wine tasting and food sales. The subject property is zoned Commercial Agricultural Lands (AC). Project Location: 900 Swartout Road, Manson, WA and further identified as Assessor's Parcel No: 28-22-32-607-255. **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.

Bill Swayne was sworn in as an agent, on behalf of the applicant. He approves of the conditions of approval in the staff-report.

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

**AA 21-251:** An application for an Administrative Appeal was submitted to appeal the denial of a building conversion permit associated with the operation of a commercial winery, tasting room and a place of public and private assembly (event center). Project Location: 568 Rio Vista Lane, Chelan, WA 98816; and identified by Assessor's Parcel Nos.: 28-23-13-310-250; and 28-23-13-310-050. **Planner- Jamie Strother**

This application was continued to November 17, 2021

**AA 21-259:** An application for an Administrative Appeal with fees was submitted to appeal the Building Permit (BP 210396) Denial to demolish the existing single-family residence (BP 950273) and the construction of a new single-family residence. The appeal was submitted on the basis that the agent believes both the Chelan County Code (CCC) and the Shoreline Master Program

(SMP) prohibits the property owner from building a new single-family residence on the subject property. Project Location: 20477 Beaver Valley Rd, Leavenworth, WA 98826: and identified by Assessor's parcel No: 27-17-36-340-085. **Planner – Jamie Strother**

This application has been continued to a Pre-hearing Conference on September 29, 2021.

**AA 21-162:** An application for an Administrative Appeal was submitted to appeal the Revised Shoreline Administrative Determination for the modification of the 50 ft. shoreline buffer on Lake Chelan. The appellant is the applicant. The appeal was submitted on the basis that the appellant objects to the determination because: 1) demolition of the existing single-family residence is not a reconstruction, but rather a remodel within the existing footprint; and 2) the shoreline buffer may be reduced below 25 feet. Project Location: 904 South Lakeshore Drive, Chelan, WA 98816; Parcel Number: 27-22-08-430-100. **Presented by Assistant Director Catherine Lorbeer**

This application has been continued to January 19, 2022 per Pro-tem Gary McLean

### **III. ADJOURNMENT**

Hearing Examiner Andy Kottkamp adjourned the September 22, 2021, meeting.