

**Benton County Board Of Adjustment
Regular Hearing – May 10, 2012– 7 P.M.
PLANNING ANNEX – 1002 DUDLEY AVENUE, Prosser, WA 99350**

CALL TO ORDER

PRESENT: Dean Burows
Brent Chigbrow
Bob Page
Aimee Bergeson

ABSENT: None

STAFF PRESENT: Clark A. Posey, Senior Planner
Carel Hiatt, Recorder

INTRODUCTION OF NEW BOARD OF ADJUSTMENT MEMBER:

Aimee Bergeson

APPROVAL OF MINUTES

April 5, 2012

MOTION

Dean Burows moved that the minutes for April 5, 2012 be approved as written, seconded by Bob Page.

Vote: 4-0
Yes: Dean Burows
Brent Chigbrow
Bob Page
Aimee Bergeson
No: None
Abstained: None
Absent: None

Motion Passed.

The public hearing was opened. Clark Posey, Planning Staff read to the Board ex parte issue questions and those wishing to testify during the meeting were sworn in. The Board members did not have a conflict of interest with the agenda items, except for SP 10-20 in which the Chairman had recused himself from the April 7, 2011 and May 5, 2011 hearings and would also for this Consent Agenda action to be conducted tonight by the Board.

Mr. Posey informed the Chairman that seeing this was a Consent Agenda item he could stay in the Hearing room, but the Vice-Chairman would conduct the hearing on this agenda item.

**CONSENT AGENDA:
EXTENSION REQUEST – CUP 10-20 - SCHLOTFELDT**

MOTION: Vice-Chairman Dean Burows moved that the Consent Agenda item – SP 10-20 be granted a one year extension and this was seconded by Bob Page.

<u>Vote:</u>	3-0
Yes:	Dean Burows Aimee Bergeson Bob Page
No:	None
Abstained:	Brent Chigbrow
Absent:	None

Motion Passed.

The Chairman resumed his position for the remaining actions presented to the Board of Adjustment tonight.

**NULL AND VOID
SP 11-05 – Rattlesnake Mountain Enterprises/Charles Evans**

MOTION: Bob Page made a motion to null and void SP 11-05 due to (1) inactivity with regards to the conditions of approval and (2) no correspondence between the applicant and the Benton County Planning Department, seconded by Brent Chigbrow.

Vote:	4-0
Yes	Brent Chigbrow Dean Burows Aimee Bergeson Bob Page
No:	None
Abstained:	None
Absent:	None

Motion passed.

**NEW BUSINESS:
VARIANCE REQUEST – VAR 12-02** – The applicant is requesting a variance of 25 feet from the required 55 foot setback from the centerline of any public road right of way BCC 11.16A.080(a)(1) for the construction of an accessory structure (garage). The application was deemed complete on April 13, 2012. The site is

located at 76205 North Grosscup Road – West Richland all on that portion of Tract 9 of Jones’ Plat of Benton County in the Southeast Quarter of the Northeast Quarter of Section 25, Township 10 North, Range 27 East, W.M., lying South of the Yakima River and North of Grosscup Road containing 1.45 acres more or less. Applicant: Charles A. Simpson – 76205 North Grosscup Road – West Richland, WA – 99353.

Mr. Posey summarized this action for the Board and entered into the record Exhibit Numbers BOAM 1.1 to BOAM 1.10, BOAR 1.1 to BOAR 1.3.

APPLICANT TESTIMONY: Charles A. Simpson – 76205 North Grosscup Road – West Richland stated that he wanted to convert the existing garage into a master bedroom/bathroom. He continued to state that to the south is overhead power lines and underground irrigation line with the ground being uneven. He did not want to locate closer to the shoreline area due to erosion problems and problems with the sanitation area.

Mr. Posey stated that the Benton County Public Works Department did not have a problem with the proposed variance request.

NO PROPONENT OR OPPONENT TESTIMONY.

The public portion of the hearing was closed and after Board discussion the Findings of Fact were completed.

MOTION

Dean Burows moved that the Chairman in conjunction with the Secretary of the Board of Adjustment, prepare and adopt written findings and conclusions that articulate and are consistent with the findings, conclusions and decisions made by the Board of Adjustment to approve the variance to BCC 11.16A.080(a)(1) for a 25 foot reduction from the required 55 foot front yard setback from the centerline of the county road for the construction of an accessory building (garage) seconded by Bob Page.

<u>Vote:</u>	4-0
Yes:	Dean Burows Brent Chigbrow Bob Page Aimee Bergeson
No:	None
Abstained:	None
Absent:	None

Motion Passed

VARIANCE REQUEST – VAR 12-03 – The applicant is requesting a variance from BCC 3.24.030(b) for a four foot three inch reduction to the required five foot setback from the edge of a swimming pool to a building. The application was deemed complete on April 26, 2012. The site is located at 2100 S Larch PR SE – Kennewick in the West Half of the East Half of the Southwest Quarter of the Northeast Quarter of the Southeast Quarter of Section 7, Township 8 North, Range

30 East, W.M. Applicant: Dwayne M. Widener – 2100 S. Larch PR SE – Kennewick, WA 99337.

Mr. Posey summarized this action for the Board and entered into the record Exhibit Numbers BOAM 1.1 to BOAM 1.7, BOAR 1.1 to BOAR 1.3.

APPLICANT TESTIMONY: Dwayne M. Widener – 2100 S Larch PR SE – Kennewick, WA 99337 stated that he wanted to install an exercise (health) pool inside of a proposed building. The applicant submitted a picture of the proposed pool – Exhibit BOAH 1.1.

BENTON COUNTY BUILDING DEPARTMENT – STEVE BROWN – BENTON COUNTY BUILDING OFFICIAL stated that there was a concern with regards to safety being an issue around the pool. Mr. Brown was not opposed to the Board of Adjustment granting the applicant this variance for the installation of the exercise (health) pool.

NO PROPONENT/OPPONENT TESTIMONY

The public portion of the hearing was closed and after Board discussion the Findings of Fact were completed.

MOTION: Dean Burows moved that the Chairman in conjunction with the Secretary of the Board of Adjustment, prepare and adopt written findings and conclusions that articulate and are consistent with the findings, conclusions and decisions made by the Board of Adjustment to approve the variance to BCC 3.24.030(b) for a four foot three inch reduction to the required five foot setback from the edge of a swimming pool to a building, seconded by Brent Chigbrow.

<u>Vote:</u>	4-0
Yes:	Dean Burows Brent Chigbrow Bob Page Aimee Bergeson
No:	None
Abstained:	None
Absent:	None

Motion Passed

PLANNING DEPARTMENT REPORTS AND DISCUSSION:

Due to the lack of agenda items, there will not be a Board of Adjustment Hearing on June 7, 2012.

The July 5, 2012 Board of Adjustment Hearing falls on a day after a holiday. The Board of Adjustment discussed moving the Hearing date to July 12, 2012.

MOTION: Dean Burows made a motion which was seconded by Brent Chigbrow that the July 5 Board of Adjustment Hearing date be moved to July 12, 2012, due to the lack of a quorum. Motion carried.

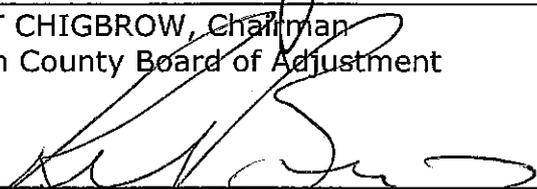
Dean Burows will be unavailable for the Board of Adjustment Hearing on August 2, 2012.

There being no further business before the Board of Adjustment the Hearing was adjourned at 7:52 p.m.



BRENT CHIGBROW, Chairman
Benton County Board of Adjustment

8/2/2012
Date Signed



DEAN BUROWS, Vice-Chairman
Benton County Board of Adjustment

7-12-12
Date Signed

Recorder: Carel Hiatt