

Benton County Board of Adjustment
Planning Annex – 7 p.m. October 6, 2011
1002 Dudley Avenue - Prosser, WA 99350

Chairman Brent Chigbrow opened the Board of Adjustment Hearing and roll call was conducted.

Members Roll Call:	Present:	Absent:
	Chairman Brent Chigbrow	Dean Burows – Vice-Chairman
	Herb Everett - Member	
	Bob Page - Member	

Planning Staff:	Present
	Clark A. Posey – Senior Planner – Current
	Carel Hiatt - Recorder

NOTE: The September 1, 2011 Board of Adjustment minutes could not be approved or signed at the October 6, 2011 hearing as the Vice-Chairman was absent and he presided at the September 1, 2011 hearing.

NOTE: All persons present that wished to testify on any actions presented to the Board of Adjustment tonight had been sworn in.

NOTE: The Board members were asked by the Planner and each responded with a “No” that they did not have a personal Conflict of Interest with any of the actions presented to the Board of Adjustment tonight regarding: Consent Agenda: SP 07-18 – Steve Westermeyer- SP 08-14 – Walter Bear, Variance Request – VAR 11-03 – Jesus Coria Madrigal.

**EXTENSION REQUESTS:
SPECIAL USE PERMIT – SP 07-18 – STEVE WESTERMEYER**

The Planner summarized said action to the Board of Adjustment.

TINA GREGORY – 5208 W 10th Avenue – Kennewick, 99338 – co-owner of the project and gave to the Board documentation dated October 6, 2011 addressing the phasing plan and progress made to date. She addressed Condition No. 3 with regards to BFHD requirements if an office was constructed on site stating that no office was being constructed at this point in time and would be addressed when the economy improves. Condition No. 7 – regarding the office being noted on the site plan – On-site office is coming after Phase 2, when the economy improves and was noted on the submitted site plan. Condition No. 8 – Final occupancy of the mini-storages currently located on site was attached to the documents given to the Planning Department and Board of Adjustment members, Condition No. 9 – Addressed fencing – security poles are installed, all material is purchased; the fence will be completed by November. Condition No. 10 – Signage – We will purchase our sign and get the permits as the economy permits after more units are built. The only permit we will need when we are ready is the one the Benton County Building Department requires. The Public Works Department does not require one. Condition No. 11 – paving – the road has been paved. She then discussed the proposed phasing plan to the Board.

MOTION: Mr. Everett moved and motion seconded by Mr. Page that a one-year extension requested be granted to SP 07-18. Motion carried.

SPECIAL USE PERMIT – SP 08-14 – WALTER BEAR

The Planner summarized this action to the Board and the reasoning for another one-year extension request.

MOTION: Mr. Everett made a motion, which was seconded by Mr. Chigbrow that the applicant be granted a one-year extension on this Special Use Permit – SP 08-14. Motion carried.

NEW BUSINESS:

VARIANCE REQUEST- VAR 11-03- The applicant is requesting a variance from the 55' (55) foot setback from SE First Street on the North side of his property –BCC 11.10.080(1) leaving a 30 foot setback. In addition the applicant is also requesting a variance on the South side of his property of 7' (7) feet from the 55' (55) foot setback leaving a 48' (48) foot setback, to allow for the placement of a 25X44 Manufactured Home to fit on the property and meet Health District requirements of the existing septic and drain field. Location: Re-plat of Tracts 2, 4, 6, & 8 of Plymouth Block 8 in Section 7, Township 5, North Range 28 East, WM. Plymouth, WA. Applicant is Jesus/Madrigal Coria - P O Box 128, Plymouth, WA 99346.

The Chairman opened the public portion of the hearing. The Planner summarized said action for the Board of Adjustment members and entered into the record all exhibits listed on Exhibit E-1 and entered into the record Exhibit No. BOAH 1.1 – Large aerial of the site taken in 2008.

APPLICANT TESTIMONY: RAUL MADRIGAL – P O BOX 128 – PLYMOUTH, WA 99346 stated that his dad wanted to place a manufactured home on this lot which required a variance. The applicant continued to state that his father had placed earnest money down on the manufactured home. The applicant was just awaiting Board approval, prior to moving forward on this action.

OBDULIA CHAVEZ – REALTOR – 1906 WEST 36TH AVENUE – KENNEWICK, WA 99336, who was assisting them in the purchase of the manufactured home and variance process. She explained the process with the Benton Franklin Health District and septic system requirements.

The Chairman asked if the septic tank, drainfield and Health District requirements have been approved. Ms. Chavez replied that to be correct.

Mr. Everett commented that from the aerial it looked like several other properties in the immediate vicinity of the applicant's had similar setback issues.

The Chairman closed the public portion of the hearing and then Findings were completed.

MOTION: Mr. Everett made a motion which was seconded by Mr. Page that the Board of Adjustment, pursuant to the aforementioned controlling factors, finds that the application for Jesus Madrigal Coria – VAR 11-03 be approved should be approved with the conditions as outlined in the staff report dated, September 16, 2011 and 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/or decisions made by the Board of Adjustment tonight. Motion carried.

The Chairman will table the review and signage of the Board of Adjustment's Rules of Procedure due to the absence of the Vice-Chairman at tonight's meeting. The Rules of Procedure will be placed on the November 3, 2011 agenda.

PLANNING DEPARTMENT REPORTS AND DISCUSSION – none

The Chairman adjourned the Board of Adjustment hearing at 7:27.46 p.m.

A handwritten signature in black ink, appearing to read "Brent Chigbrow", is written over a horizontal line.

BRENT CHIGBROW, CHAIRMAN

Recorder: Carel Hiatt