

**BENTON COUNTY BOARD OF ADJUSTMENT
REGULAR HEARING – MARCH 6, 2014 -7 P.M.
PLANNING ANNEX – 1002 DUDLEY AVENUE
PROSSER, WA 99350**

THESE MINUTES ARE A SUMMARY OF THE BOARD OF ADJUSTMENT HEARING AND NOT A VERBATIM TRANSCRIPT

CALL TO ORDER

PRESENT: Aimee Bergeson
Dean Burows
Bob Page

ABSENT: Brent Chigbrow

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

APPROVAL OF MINUTES:

MOTION: It was moved by Bob Page and seconded by Aimee Bergeson to approve the minutes of the January 9, 2014 and upon vote the minutes were approved.

Clark A. Posey, Senior Planner, read to the Board ex parte questions for all actions and those wishing to testify during the hearing on actions presented to the Board of Adjustment tonight were sworn in. Members stated that they had no ex parte communication with regards to any of the actions being presented to the Board tonight.

The Vice-Chairman opened the public portion of the Board of Adjustment Hearing.

CONSENT AGENDA ITEMS: None.

NEW BUSINESS:

CONDITIONAL USE PERMIT – CUP 13-13/EA 13-32 – The applicant is requesting a conditional use permit for the construction of a 7,200 square foot building for wine production, tasting room, storage and event center for wine events, weddings and meetings. Location: 40504 N Demoss Road Benton City on Lot 4 of Short Plat 1521 in Section 18, Township 9 North, Range 27 East, W.M. Applicant: Phillip Warren.

The Planner summarized said action for the Board of Adjustment members and entered into the record by reference the following exhibits: BOAM 1.1 to 1.18, BOAR 1.1 to BOAR 1.4.

APPLICANT TESTIMONY: Phillip Warren – 12316 Hillcrest Drive – Pasco, WA 99301 stated that he wanted to construct a 7,200 square foot building to be utilized as an event center and wine production facility. The building will be constructed to look like a barn and will blend in with the surrounding properties and existing wineries. The applicant continued to state that he would be removing the old railcars. The applicant submitted in a picture of the proposed construction style of the barn – Exhibit No. BOAH 1.1

Mr. Burows asked the applicant if he had read and understood the conditions of approval affixed to the conditional use permit. The applicant replied that he did and was working with Shawn from the Benton Franklin Health District with regards to their requirements.

Mr. Burows also informed the applicant that no events would be allowed to be held at the site until such time as the conditions of approval had been satisfied and the permit issued. The applicant understood and would abide by the requirements.

Mr. Page asked the applicant if food would be cooked or catered at the event center. The applicant replied that only catering would be permitted.

Mr. Page also noted that Condition No. 10 did not permit the on-site sale or consumption of alcoholic beverages. The applicant understood Condition No. 10.

PROPONENT TESTIMONY: NONE

OPPONENT TESTIMONY: NONE

APPLICANT REBUTTAL: NONE

The Vice-Chairman closed the public portion of the hearing.

MOTION: Bob Page moved and motion seconded by Aimee Bergeson that the Board of Adjustment, pursuant to the aforementioned controlling factors, finds that the application of CUP 13-13 Phillip Warren should be approved with conditions and that the Vice-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 Vice-Chairman opened the public portion of the Board of Adjustment Hearing.

CONDITIONAL USE PERMIT – CUP 13-14: The applicants are requesting approval of a Conditional Use Permit for the operation of an animal veterinary clinic. The site has been operating as a mobile clinic under a Home Occupation HO 09-02 since March of 2009. Location: 2508 N. 543 PR NE, WA 99320 in the East Half of the Northwest Quarter of the Southwest Quarter of Section 36, Township 9 North, Range 27 East, W.M. Applicants: Tanja Menks & Jeff Barrows.

The Planner summarized said action for the Board of Adjustment members and entered into the record by reference the following exhibits: BOAM 1.1 to 1.14, BOAR 1.1 to BOAR 1.6.

APPLICANT TESTIMONY: JEFF BARROWS – 2508 N 543 PR NE – BENTON CITY, WA 99320 stated that they had been operating a mobile vet business from this site for over five years as an approved Home Occupation HO 09-02. The proposal was for a stationery vet clinic to be constructed while still operating the mobile vet business. The applicant stated that in the five years of operation from this site there had been no complaints registered.

The Vice Chairman asked the applicant to expand on the type of shop building to be constructed. The applicant replied that it would be a pole building with wood siding. No special lighting would be installed. He continued to state that occasionally there might be an emergency visit to the clinic after hours.

Mr. Page asked the applicant about the hours of operation. The applicant replied Monday thru Friday, 8 a.m. to noon and Saturday also.

The Planner interjected that adding additional hours would need to be conditioned and approved by the Board of Adjustment tonight.

Mr. Page asked the applicant if he would be boarding any animals. The applicant replied that he would not.

The applicant replied that the hours of operation on Saturday would be for the mobile unit, but emergencies do crop up, so 8 a.m. to noon on Saturday would be adequate.

PROPONENT TESTIMONY: NONE.

OPPONENT TESTIMONY:

TONI RUCKER 2703 N 543 PR NE – BENTON CITY WA 99320 stated she wasn't really opposed to the location of a stationery vet clinic; but she did express concerns over the increase in traffic that this business might generate. She continued to state that nearly every day delivery trucks frequent the applicants' site. Perhaps the applicants could install speed bumps or pave the road. She lives directly across from the applicant for five years.

The Vice-Chairman informed Ms. Rucker that the Board of Adjustment did not have any jurisdiction regarding private roads.

BRIAN GUNNING 55705 E BADGER ROAD – BENTON CITY, WA 99320 also expressed concern over the potential for increased traffic due to the applicants' construction a vet clinic at this site. He had lived in the immediate area for over ten years.

APPLICANT REBUTTAL:

JEFF BARROWS stated that he would install a sign on his property notifying customers with regards to the exact location of the vet clinic. He would even pave the road and install speed bumps.

The Vice-Chairman closed the public portion of the hearing.

The Vice-Chairman felt that the applicant had an acceptable business approach. The applicant stated that he would improve the road.

Mr. Page replied that signage would be allowed, but only on the applicant's property.

MOTION: Bob Page moved and motion seconded by Aimee Bergeson that the Board of Adjustment, pursuant to the aforementioned controlling factors, finds that the application of CUP 13-14 Tanya Menks/Jeff Barrows should be approved with conditions with the modification to Condition No. 7 that the hours of operation be expand to include Saturday – 8 a.m. to noon and that the Vice-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.

PLANNING DEPARTMENT REPORTS AND DISCUSSION: NONE

There being no further business before the Board of Adjustment the meeting was adjourned at 7:30 p.m.



DEAN BUROWS, VICE-CHAIRMAN

5-1-2014
DATE SIGNED