

**EXHIBIT LIST FOR CUP 2014-008
 APPLICANT: MIKE/MICHELLE LABEAF**

The Exhibit Numbers are located in the top right hand corner of each document.
 BOAM – Board of Adjustment Memo Exhibits
 BOAR – Board of Adjustment Record Exhibits
 BOAH – Board of Adjustment Hearing Exhibits

BOARD OF ADJUSTMENT STAFF MEMO EXHIBIT LIST			
BOAM INCLUDES	EXHIBIT #	DOCUMENT NAME	DATE
	BOAM 1.1	Staff Memo	November 17, 2014
	BOAM 1.2	Notice of Open Record Hearing	November 18, 2014
	BOAM 1.3	Benton County Fire Marshal's comments	November 7, 2014
	BOAM 1.4	Benton PUD comments	November 7, 2014
	BOAM 1.5	Benton County Bld. Dept. comments	November 10, 2014
	BOAM 1.6	Kennewick Irrigation Dist. comments	November 14, 2014
	BOAM 1.7	Benton County Public Works comments	November 24, 2014
	BOAM 1.8	Site map by Benton County Pln. Dept.	November 5, 2014
	BOAM 1.9	Aerial of the site – Benton County Pln	November 5, 2014
BOARD OF ADJUSTMENT RECORD EXHIBIT LIST			
BOAR INCLUDES	EXHIBIT #	DOCUMENT NAME	DATE
	BOAR 1.1	Conditional Use Permit	November 4, 2014
	BOAR 1.2	Plot Plan	November 4, 2014
BOARD OF ADJUSTMENT HEARING EXHIBIT LIST DECEMBER 4, 2014			
BOAH INCLUDES	EXHIBIT #	DOCUMENT NAME	DATE

Benton County Planning Department

BOAM 1.1

Planning Annex, P.O. Box 910, 1002 Dudley Avenue, Prosser WA 99350, Phone: (509) 786-5612 or (509) 736-3086, Fax (509) 786-5629

MEMO DATE: NOVEMBER 17, 2014
MEETING DATE: DECEMBER 4 2014
TO: BENTON COUNTY BOARD OF ADJUSTMENT
FROM: BENTON COUNTY PLANNING DEPARTMENT
CLARK A. POSEY
ASSISTANT PLANNER MANAGER 
RE: CONDITIONAL USE PERMIT APPLICATION
CUP 2014-008

**APPLICANTS/
PROPERTY OWNERS:** MIKE & MELISSA LaBEAF
191616 E. GAME FARM ROAD
KENNEWICK, WA 99337

SPECIFIC REQUEST

The applicants are requesting approval of a Conditional Use Permit for the operation as a contractor for glass windows and glazing, with no customers or retail sales to take place on site.

BACKGROUND

The site is located at 191616 E. Game Farm Road, Kennewick, WA 99337 in the Southwest Quarter of the Southwest Quarter of Section 19, Township 8 North, Range 30 East, W.M.

LAND USE

The site is currently developed with a single-family dwelling and an accessory building with the surrounding areas being a mixture of residential dwellings, pastures and agricultural uses.

ZONING

The site and surrounding properties are Rural Lands 5.

COMPREHENSIVE PLAN

The Benton County Comprehensive Plan designated the site and surrounding area as "Rural Lands 5".

WASHINGTON STATE ENVIRONMENTAL POLICY ACT

This project is categorically exempt from SEPA requirements.

APPLICABLE DEVELOPMENT REGULATIONS

The Benton County Code Section 11.16A.06 (In the Rural Lands 5 District) states that: "Any use not authorized or approved pursuant to BCC 11.16A.030, .040, and .050 is prohibited by laws of Benton County or the State of Washington,

1. BCC 11.16A.050 (w). Business Activities that are compatible with the principal uses and purpose of the underlying zone and the surrounding land uses may be conducted from an approved accessory building detached from all dwelling units if the following criteria as well as any other conditions required by the Board of Adjustment are satisfied BCC 11.16A.050(w).
2. Benton County Code Section 11.52.090(a) states:
"Conditional Use/Special Permit General Standards. The conditional use/special permit application process allows the Board of Adjustment to review the location and design of certain proposed uses, the configuration of improvements, and the potential impacts on the surrounding area. The application process also allows the Board of Adjustment to ensure development in each zoning district protects the integrity of that district. The notice, hearing, decision and enforcement procedures are as set forth herein and in BCC 11.52.089.

Certain uses are classified as conditional uses/special uses because of their unusual nature, infrequent occurrence, special requirements, or potentially significant impacts to the environment, public infrastructure or adjacent properties, and/or possible safety hazards and other similar reasons.

3. Benton County Code Section 11.52.090(d) states:
"Conditional Use/Special Permit—Permit Granted or Denied. A conditional use/special permit shall be granted only if the Board of Adjustment can make findings of fact based on the evidence presented sufficient to allow the Board of Adjustment to conclude that, as conditioned, the proposed use:
 - (1) is compatible with other uses in the surrounding area or is no more incompatible than are any other outright permitted uses in the applicable zoning district;
 - (2) Will not materially endanger the health, safety, and welfare of the surrounding community to an extent greater than that associated with any other permitted uses in the applicable zoning district;
 - (3) Would not cause the pedestrian and vehicular traffic associated with the use to conflict with existing and anticipated traffic in the neighborhood to an extent greater than that associated with any other permitted uses in the applicable zoning district;
 - (4) Will be supported by adequate service facilities and would not adversely affect public services to the surrounding area;

(5) would not hinder or discourage the development of permitted uses on neighboring properties in the applicable zoning district as a result of the location, size or height of the buildings, structures, walls, or required fences or screening vegetation to a greater extent than other permitted uses in the applicable zoning district; and

If reasonable conditions cannot be imposed so as to allow the Board of Adjustment to make the conclusions required above, the conditional use/special permit application shall be denied.”

FINDINGS OF FACT

Based on the application and information received the planning staff makes the following findings.

1. The applicants/owners of the property are Mike & Melissa LaBeaf 191616 E. Game Farm Road Kennewick, WA 99337. The site is located in the Southwest Quarter of the Southwest Quarter of Section 19, Township 8 North, Range 30 East, W.M. The lot size is 2.5 acres.
2. The applicants are requesting approval of a Conditional Use Permit to operate a Business Activity as a Contractor for glass windows and glazing. No customers or retail sales will take place on site.
3. The application for CUP 2014-008 was submitted to the Benton County Planning Department on October 31, 2014 and was deemed complete for processing on November 5, 2014. **Exhibit No. BOAR 1.1 and BOAR 1.2**
4. The notice for the Benton County Board of Adjustment Open Record Hearing for Conditional Use Permit application CUP 2014-008 was published on November 20, 2014 in the Tri-City Herald and mailed to property owners of record within 300 feet of the outer boundaries of the parcel. The Open Record Hearing is scheduled for December 4, 2014. **Exhibit No. BOAM 1.2**
5. Conditional Use Permit Application CUP 2014-008 is categorically exempt from the requirements of the Washington State Environmental Policy Act.
6. The site is currently developed with a single-family residence and outbuildings on the property.
7. The Benton County Comprehensive Plan designates the site and surrounding areas as “Rural Lands 5”.
8. The surrounding areas have been developed with residential structures and agricultural uses.
9. **The Benton-Franklin Health District had not submitted comments as of the date of this memo.**

10. The Benton County Fire Marshal stated at this time there are not requirements. But should the existing 2,400 sq. ft. shop be added onto an onsite water storage for firefighting will be required. **Exhibit No. BOAM 1.3**

11. The Benton PUD stated that the customer will need to contact Benton PUD if he will require additional electrical service from the padmount transformer. **Exhibit No. BOAM 1.4**

12. The Benton County Building Department commented that Building Permits will be required and change of use permit for the building will be needed. **Exhibit No. BOAM 1.5**

13. Kennewick Irrigation District did not have any comments on this conditional use permit. **Exhibit No. BOAM 1.6**

14. The Benton County Public Works Department stated that there is an existing paved approach onto Game Farm Road which is permit Number 2007-282. **Exhibit No. BOAM 1.7**

15. The applicant has requested the following hours of operation: Monday thru Friday with the hours of 8:00 a.m. to 4:30 p.m.

16. The applicants stated that no signage would be used or requested for this business activity.

DISPOSITION OF THE APPLICANT'S REQUEST

A conditional use/special permit shall be granted only if the Board of Adjustment can make findings of fact based on the evidence presented sufficient to allow the Board of Adjustment to conclude that, as conditioned, the proposed use:

(1) is compatible with other uses in the surrounding area or is no more incompatible than are any other outright permitted uses in the applicable zoning district;

(2) Will not materially endanger the health, safety, and welfare of the surrounding community to an extent greater than that associated with any other permitted uses in the applicable zoning district;

(3) Would not cause the pedestrian and vehicular traffic associated with the use to conflict with existing and anticipated traffic in the neighborhood to an extent greater than that associated with any other permitted uses in the applicable zoning district;

(4) Will be supported by adequate service facilities and would not adversely affect public services to the surrounding area;

(5) would not hinder or discourage the development of permitted uses on neighboring properties in the applicable zoning district as a result of the location,

size or height of the buildings, structures, walls, or required fences or screening vegetation to a greater extent than other permitted uses in the applicable zoning district; and

CONDITIONS OF APPROVAL

If the Board of Adjustment decides to approve Conditional Use Permit Application CUP 2014-008, based on the information presented at the public hearing and after making such findings that support that decision, the Planning Department recommends that the following conditions be included:

1. Applicants shall not conduct any of the activities within the scope of Conditional Use Permit CUP 2014-008 until the applicants are in compliance with the following conditions. The applicants shall notify the Benton County Planning Department in writing when the conditions set forth herein have been completed. The Planning Department shall not issue the conditional use permit until those conditions have been met. The conditional use permit shall not become effective until issued by the Planning Department.
2. If the conditions of approval have not been met and the Planning Department does not issue the conditional use permit within one (1) Year from the time the Board of Adjustment conditionally approved the conditional use permit, the Board of Adjustment may declare its approval null and void at a regular Board of Adjustment meeting. Prior to doing so, the applicants shall be notified in writing at the applicant's last known address at least twelve (12) days in advance of the upcoming Board of Adjustment meeting.
3. There must be a residence on site, and at least one (1) of the proprietors of the business must be the owner or lessee of the property where the business and the residence are located and must reside in said residence.
4. For zoning restrictions, all of the business activities must be contained to the areas located within the site plan submitted with the application.
4. That the applicants continue to comply with the Benton Franklin Health District codes and regulations and any changes or modifications to the originally submitted plan must be approved by the Health District and verification provided to the Benton County Planning Department. The applicants shall continue to meet all such requirements while Conditional Use Permit CUP 2014-008 is in effect.
5. No parking within any part of the road right of way will be allowed. The applicants shall continue to meet all such requirements while Conditional Use Permit CUP 2014-008 is in effect.
6. The business activity, including all storage space, shall not occupy more than eighteen hundred (1800) square feet of total floor area within the detached accessory building. Per BCC 11.16A.050(u)(4) only one (1) approved detached accessory building on a parcel may be used for business activities. If more than one (1) business will be conducted within an approved detached accessory building, then

a separate application must be submitted for each business activity, provided that the total area used by all business activities shall not exceed 1800 sq. ft.

7. That the presence of customers/clients and non-resident employees at the business activity shall be limited to 8:00 am until 4:30 Monday through Friday. The applicants shall continue to meet the requirements while Conditional Use Permit CUP 2014-008 is in effect.

8. That any proposed outdoor lighting associated with this conditional use permit is deflected downward to avoid unnecessary glare on neighboring parcels. The applicants shall continue to meet all such requirements while Conditional Use Permit CUP 2014-008 is in effect.

9. That the property owners and the proprietor(s) of the business shall comply with all the requirements of the Benton County Building Department, the Benton County Fire Marshal, the Benton-Franklin District Health Department, and all other local, state and federal regulations pertinent to the conditional use permit pursued. The requirements of or permission granted by the Board of Adjustment shall not be construed as an exemption from such regulations.

10. The Benton County Planning Department, Benton County Building Department, the Benton County Fire Marshal and the Benton-Franklin District Health District must approve any changes or modifications to the original submitted application. The applicants shall continue to meet all such requirements while Conditional Use Permit CUP 2014-008 is in effect.

11. That any waste created in association with the business as a result of this conditional use permit must be disposed of off-site in a timely manor and in compliance with all local, state and/or federal regulations. The applicants shall continue to meet all such requirements while Conditional Use Permit CUP 2014-008 is in effect.

12. As the applicants utilize an access easement established by a short plat for ingress and egress to their residence and will also utilize the same access easement for the business activity.

Note: The Board cannot give approval to use the access easement for a business or commercial use.

Benton County Planning Department

BOAM 1.2

Planning Annex, P.O. Box 910, 1002 Dudley Avenue, Prosser WA 99350, Phone: (509) 786-5612 or (509) 736-3086, Fax (509) 786-5629

NOTICE OF OPEN RECORD HEARING(S)

NOTICE IS HEREBY GIVEN that the following application(s) has been proposed to the Benton County Board of Adjustment, Benton County, Washington.

CONDITIONAL USE PERMIT – CUP 2014-008: The applicants are requesting approval to operate a glass window and glazing business to be located at 191616 E Game Farm Road, Kennewick in the southwest Quarter of the Southwest Quarter of Section 19, Township 8 North, Range 30 East, W.M. Applicants: Mike/Melissa LaBeaf

CONDITIONAL USE PERMIT – CUP 2014-009: The applicant is requesting approval to operate a pre-school – Country Kidz Clubhouse – for up to eight children. The site is located at 26406 E Ruppert Road – Benton City, Red Mountain Estates Lot 16, Block 1 in Section 33, Township 10 North, Range 27 East, W.M. Applicant: Nicole Hooper

VARIANCE REQUEST – VAR 2014-004: The applicant is requesting a variance of 6 feet from the 25 foot access easement setback which would leave a 19 feet setback from the access easement (BCC 11.16A.080) in order to construct a cover addition for an existing patio. Location: Northeast Quarter of the Northeast Quarter of Section 8, Township 9 North, Range 28 East W.M of Willamette Heights Lot 63. Applicant Thomas Marty

NOTICE IS GIVEN that said application(s) will be considered by the Board of Adjustment of Benton County, Washington at the public hearing(s) on **Thursday, December 4, 2014 beginning at the hour of 7 p.m. in the Planning Annex – 1002 Dudley Avenue – Prosser, WA 99350.** All concerned persons may appear and present any support for or objections to the application(s) or provide written testimony to the Board of Adjustment in care of the Planning Department on or before the date of the hearing(s). More information concerning these actions can be obtained by contacting Clark A. Posey, Assistant Planning Manager at the Benton County Planning Department, 1002 Dudley Avenue, P O Box 910, Prosser, WA 99350 or by calling 736-3086 (Tri-Cities) or 786-5612 (Prosser). Note: Any information submitted to Benton County is subject to the public records disclosure law for the State of Washington (RCW Chapter 42.17) and all other applicable law that may require the release of the documents to the public. It is suggested that if you plan on attending the hearing that you call the Benton County Planning Department the afternoon of the hearing by 4 p.m. to confirm that the hearing will be conducted as scheduled.

It is Benton County's policy that no qualified individual with a disability shall, by reason of such disability be excluded from participation in or be denied the benefits of its services, programs, or activities or be subjected to discrimination. If you wish to use auxiliary aids or require assistance to comment at this public meeting, please download and submit the Accommodation Request Form 48 hours prior to the date of the meeting. The form is located on the Benton County website which is www.co.benton.wa.us under the Personnel Department or contact the Benton County Planning Department at the numbers noted above for assistance.

Dated this 18th day of November, 2014.

BRENT CHIGBROW, Chairman
BENTON COUNTY BOARD OF ADJUSTMENT
CLARK A. POSEY, ASSISTANT PLANNING MANAGER
BENTON COUNTY PLANNING DEPARTMENT

PUBLISH: THURSDAY, NOVEMBER 20, 2014

Benton County Fire Marshal's
Review of Proposed Planning Applications

TO: Clark Poesy

CUP 14- 08

Date Received 11-7-14 Date Returned 11-14-14

Comments: Mike and Melissa LaBeaf, 191616 E. Game Farm Road, 947-4749 propose to operate a glass and glazing business at their residence on parcel 1-1980-401-2766-003. There is an existing 2,400 sq.ft. shop. Applicant's application states "...location will be used for storage and minimal shop work. Most work is preformed on construction site. There will be no customers or retail sales."

Fire Marshal's Comments:

At this time there are no requirements. But, should the existing 2,400 sq.ft. shop be added onto an onsite water storage for firefighting will be required.



RECEIVED

NOV 14 2014

Benton County
Planning Department

Donna Hutchinson

From: Rick Sunford <sunfordr@bentonpud.org>
Sent: Friday, November 07, 2014 1:12 PM
To: Planning Department
Subject: RE: CUP 2014-008 Agency Review Requested

Customer will need to contact Benton PUD if he will require additional electrical service from the padmount transformer.

From: Planning Department [<mailto:Planning.Department@co.benton.wa.us>]
Sent: Friday, November 07, 2014 10:37 AM
To: Benton Clean Air-Tyler Thompson; Benton Clean Air-Rodger ; Benton Clean Air-Priddy; Benton Clean Air - Alex Sligar ; Benton Franklin District Health - Shawn Brown; Benton-Franklin Dist. Health Dept.; Fire District #1-Billie ; Fire District #1-Chief Lonnie Click; Fire District #1-Staff; Kennewick Irrig. Dist.-Seth Defoe; Kennewick Irrigation District - Ben Woodard; Wash. St. Dept. of Health; Cathy Reed ; Sally Gale; Bob Roe; David Smith; Jeff Vosahlo; Ken Klander; Rick Sunford; Dale Wilson; Ken Williams; Michelle Johnson; Rick Hall; Rod Worthington; Steve Brown; Tomi Chalk
Subject: CUP 2014-008 Agency Review Requested

Attached is a copy of a proposed conditional use permit application for the operation of a glass/glazing business by Mike & Melissa LaBeaf. Please submit your comments to this email address by November 14, 2014. If you have any questions please contact Steve Donovan at Stephen.donovan@co.benton.wa.us.

Benton County Planning Department
P.O. Box 910
1002 Dudley Avenue
Prosser WA 99350
509-786-5612/509-736-3086
Fax: 509-786-5629

Disclaimer: Public documents and records are available to the public as required under the Washington State Public Records Act (RCW 42.56). The information contained in all correspondence with a public entity may be disclosable to third party requesters under the Public Records Act.

RECEIVED

NOV 10 2014

Benton County
Planning Department

Donna Hutchinson

From: Steve Brown
Sent: Monday, November 10, 2014 8:54 AM
To: Planning Department
Subject: RE: CUP 2014-008 Agency Review Requested

Change of use permit required.
Steve Brown, Building Dept. Manager

From: Planning Department
Sent: Friday, November 07, 2014 10:37 AM
To: Benton Clean Air-Tyler Thompson; Benton Clean Air-Rodger ; Benton Clean Air-Priddy; Benton Clean Air - Alex Sligar ; Benton Franklin District Health - Shawn Brown; Benton-Franklin Dist. Health Dept.; Fire District #1-Billie ; Fire District #1-Chief Lonnie Click; Fire District #1-Staff; Kennewick Irrig. Dist.-Seth Defoe; Kennewick Irrigation District - Ben Woodard; Wash. St. Dept. of Health; Cathy Reed ; Benton PUD; Benton PUD Bob Roe; Benton PUD Dave Smith; Benton PUD Jeff Vosahlo; Benton PUD Ken Klander; Benton PUD Rick Sunford; Dale Wilson; Ken Williams; Michelle Johnson; Rick Hall; Rod Worthington; Steve Brown; Tomi Chalk
Subject: CUP 2014-008 Agency Review Requested

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Benton County Planning Department
P.O. Box 910
1002 Dudley Avenue
Prosser WA 99350
509-786-5612/509-736-3086
Fax: 509-786-5629

RECEIVED

NOV 10 2014

Planning Department

Carel Hiatt

From: Daniel Tissell <DTissell@kid.org>
Sent: Friday, November 14, 2014 11:29 AM
To: Planning Department
Subject: RE: CUP 2014-008 Agency Review Requested

KID has no comment regarding this matter.

Daniel Tissell
Staff Engineer, EIT
Kennewick Irrigation District
12 W. Kennewick Avenue
Kennewick, WA 99336
(509) 586-9111

From: Planning Department [<mailto:Planning.Department@co.benton.wa.us>]
Sent: Friday, November 07, 2014 10:37 AM
To: Benton Clean Air-Tyler Thompson; Benton Clean Air-Rodger ; Benton Clean Air-Priddy; Benton Clean Air - Alex Sligar ; Benton Franklin District Health - Shawn Brown; Benton-Franklin Dist. Health Dept.; Fire District #1-Billie ; Fire District #1-Chief Lonnie Click; Fire District #1-Staff; Seth Defoe; Ben Woodard; Wash. St. Dept. of Health; Cathy Reed ; Benton PUD; Benton PUD Bob Roe; Benton PUD Dave Smith; Benton PUD Jeff Vosahlo; Benton PUD Ken Klander; Benton PUD Rick Sunford; Dale Wilson; Ken Williams; Michelle Johnson; Rick Hall; Rod Worthington; Steve Brown; Tomi Chalk
Subject: CUP 2014-008 Agency Review Requested

Attached is a copy of a proposed conditional use permit application for the operation of a glass/glazing business by Mike & Melissa LaBeaf. Please submit your comments to this email address by November 14, 2014. If you have any questions please contact Steve Donovan at Stephen.donovan@co.benton.wa.us.

Benton County Planning Department
P.O. Box 910
1002 Dudley Avenue
Prosser WA 99350
509-786-5612/509-736-3086
Fax: 509-786-5629

RECEIVED

NOV 14 2014

Planning Department

Carel Hiatt

From: Lazaro Lopez
Sent: Monday, November 24, 2014 2:51 PM
To: Planning Department
Subject: RE: CUP 2014-008 Agency Review Requested

Clark/Carel,

There is an existing paved approach onto Game Farm Road. It's Permit #2007-282.
If you need a copy, I can give you one?

Thanks,

Lazaro Lopez
Benton County Public Works
Office: 509-786-5611
Fax: 509-786-5627
lazaro.lopez@co.benton.wa.us

From: Planning Department
Sent: Monday, November 24, 2014 2:25 PM
To: Lazaro Lopez
Subject: FW: CUP 2014-008 Agency Review Requested

RECEIVED

This is for the glass/glazing business Mike/Michelle LaBeaf

NOV 24 2014

Thanks

Benton County
Planning Department

Carel

From: Planning Department
Sent: Friday, November 07, 2014 10:37 AM
To: Benton Clean Air-Tyler Thompson; Benton Clean Air-Rodger ; Benton Clean Air-Priddy; Benton Clean Air - Alex Sligar ; Benton Franklin District Health - Shawn Brown; Benton-Franklin Dist. Health Dept.; Fire District #1-Billie ; Fire District #1-Chief Lonnie Click; Fire District #1-Staff; Kennewick Irrig. Dist.-Seth Defoe; Kennewick Irrigation District - Ben Woodard; Wash. St. Dept. of Health; Cathy Reed ; Benton PUD; Benton PUD Bob Roe; Benton PUD Dave Smith; Benton PUD Jeff Vosahlo; Benton PUD Ken Klander; Benton PUD Rick Sunford; Dale Wilson; Ken Williams; Michelle Johnson; Rick Hall; Rod Worthington; Steve Brown; Tomi Chalk
Subject: CUP 2014-008 Agency Review Requested

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Benton County Planning Department
P.O. Box 910
1002 Dudley Avenue
Prosser WA 99350
509-786-5612/509-736-3086



BENTON COUNTY PUBLIC WORKS DEPARTMENT
P.O. Box 1001 - Courthouse, Prosser, Washington 99350-0954
Phone (509) 736-3084 / 786-5611 Fax (509) 786-5627

Application No. 2007-282

APPLICATION FOR ENCROACHMENT PERMIT
ROAD APPROACH

SECTION 1.

NAME OF APPLICANT Jody Davey DATE 8/26/07

The undersigned hereby applies for permission to encroach upon County road right of way by constructing and maintaining an approach to E. Game Farm Road in accordance with RCW 36.75.130, .140, and .150, and Benton County Resolution 72.219. Planned starting date (construction). If an encroachment permit is issued, the applicant agrees to strictly comply with the provisions, conditions, and specifications therein, commence construction within thirty (30) days of issuance, and will diligently prosecute the work to completion within the time for completion specified in the permit.

LEGAL DESC.: Lot 3 Blk. Subd. 1-1980-401-2766-003 1/4 1/4, Sec. T. R.

Address of property (if known): E. Game Farm Rd Property Use:

Address of applicant: 191708 E. Game Farm Rd. Phone: 308-7668

Signed: Jody Davey Title: Owner

PLEASE ATTACH SKETCH OF PROPOSED APPROACH SHOWING COUNTY ROADS

SECTION 2.

Subject to all the terms, conditions, and provisions written or printed below or any part of this form, including the reverse side, PERMISSION IS HEREBY GRANTED the above applicant to: construct and maintain an approach for the property described above. Layout and construction shall conform with attached Benton County Standard Plan Nos. 96-05 and the current edition of "State of Washington Standard Specifications for Road, Bridge, and Municipal Construction". A bond in the amount of N/A is required to insure compliance with the above conditions, said bond to be kept in full force and effect for a period of N/A following completion of work authorized by this permit. No work shall be done under this permit until the party or parties to whom it is granted shall have communicated with and received instruction from Norman W. Childress, Traffic Engineer, phone 786-5611 or 736-3084. This permit shall be void unless work herein contemplated shall have been completed before. EXISTING 20 A \$50.00 fee will be required for re-issuance of this permit.

APPROVED BY: [Signature] Date: SEPT. 12, 2007

Special requirements or specifications not shown on attached standard plan sheet(s).

EXISTING ACCESS EASEMENT APPROACH ONTO E. GAME FARM RD. BUILT TO 96-05

Contact the Benton County Public Works Department for final inspection of approach at least 10 days prior to expected occupancy.

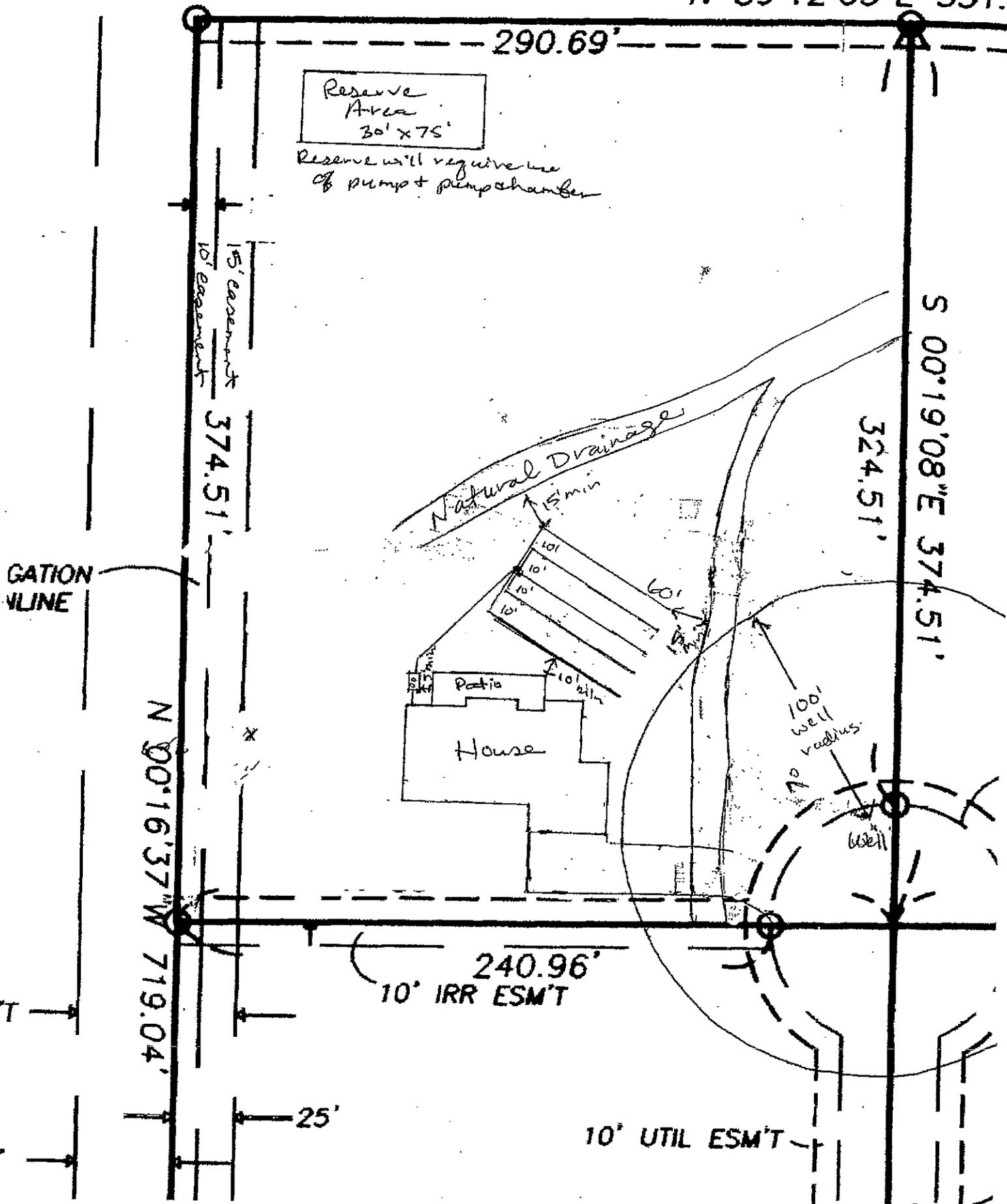
SECTION 3.

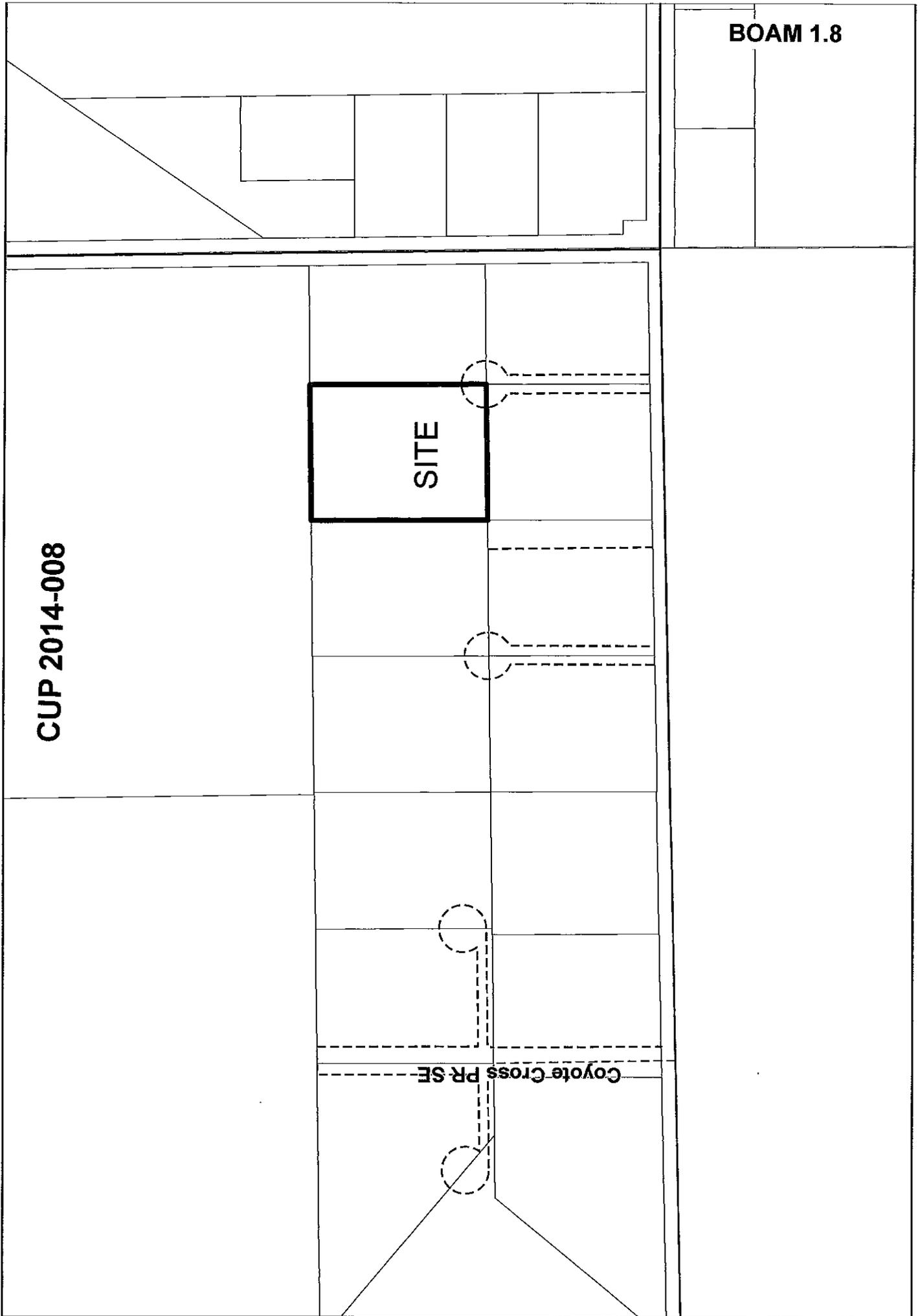
FINAL PERMIT - ROAD APPROACH
A final inspection has been completed and the applicant has completed the approach described in the above application in accordance with all applicable design and construction standards.
ENCROACHMENT PERMIT NO. 2007-282 IS HEREBY GRANTED TO JODY DAVEY
APPROVED BY [Signature] DATE: SEPT. 12, 2007
Engineering Services Manager

Jody + K Chand Wavy
191404 E Game Farm Road
L-1980-401-2766-003

Scale 1:50

N 89°12'03"E 551.



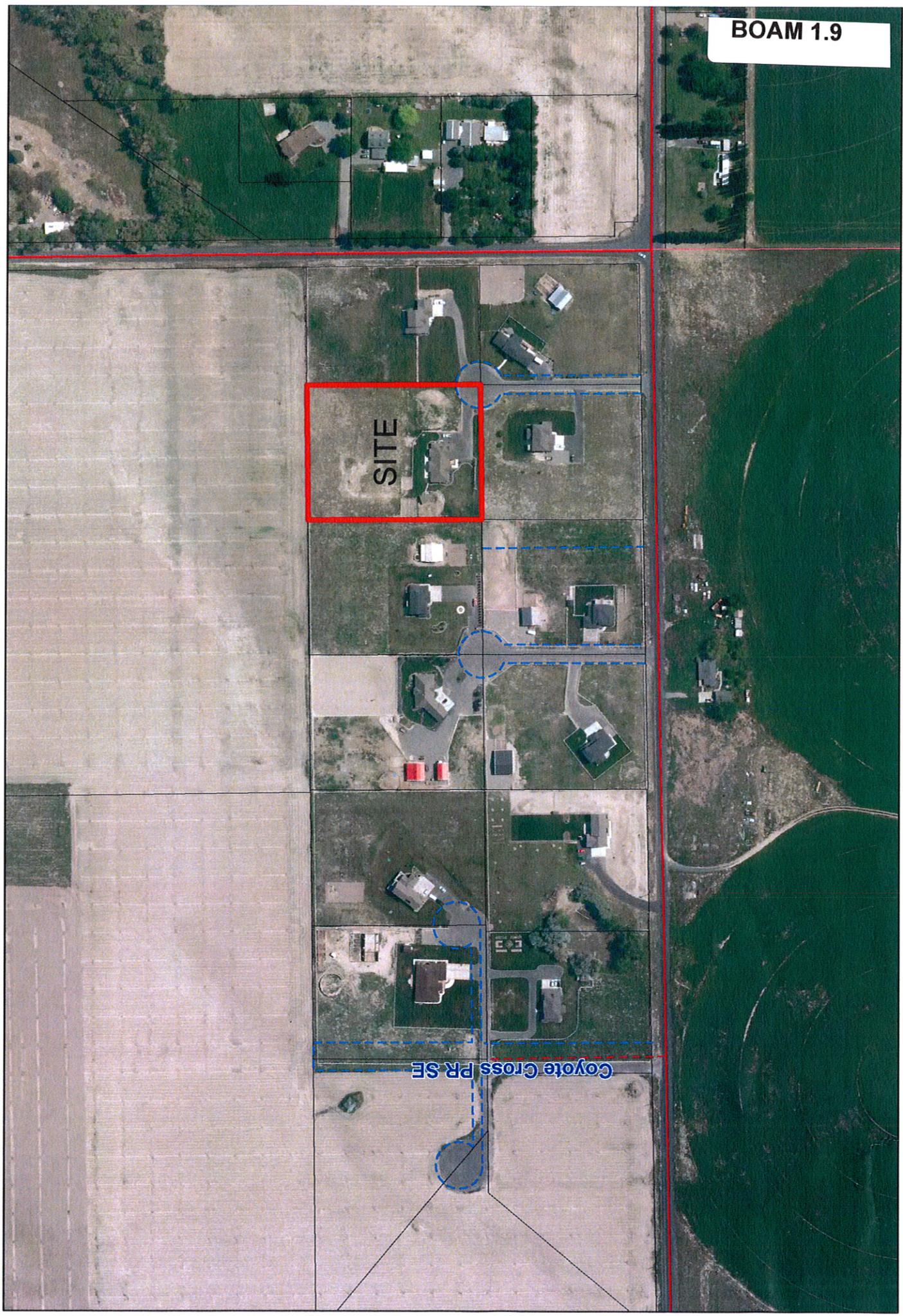




BENTON COUNTY
PLANNING
DEPARTMENT

SECTION 19, TOWNSHIP 8 NORTH, RANGE 30 EAST, W.M.
CONDITIONAL USE PERMIT CUP # 2014-008
MIKE & MELISSA LaBEAF 1-1980-401-2766-003
MAP PRINTED: NOVEMBER 5, 2014

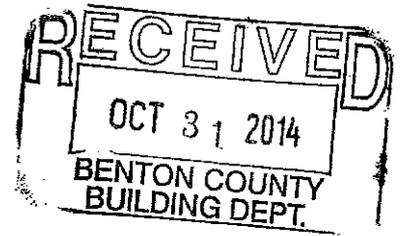
Benton County does not warrant, guarantee, or
accept liability for accuracy of the information shown
herein. This information is a product of the Benton County
Geographic Information Systems and is prepared
for presentation purposes only.



BOAM 1.9

BOAR 1.1

BENTON COUNTY PLANNING DEPARTMENT
CONDITIONAL USE/SPECIAL PERMIT APPLICATION



FILE NO CUP 2014-008

1. Applicant's Name Mike & Melissa LaBeaf

Address 191616 E. Game Fram Road

Phone Number 947-4749

RECEIVED

NOV 4 2014

2. Owners Name Mike & Melissa LaBeaf

Address 191616 E. Game Farm Rd

Phone Number 947-4749

Benton County
Planning Department

3. Parcel Number or Legal description of property for which permit is for:

1-1980-401-2766-003

4. If you are amending a previous conditional use/special use permit - please list the file number(s): _____

5. The Conditional Use/Special Permit is requested to conduct the following use:
(Please be as specific and detailed as possible. Use additional paper if necessary.)

Glass and Glazing Contractor, Location will be used for storage and minimal shop work. Most work is preformed on construction site. There will be no customers or retail sales.

6. The Conditional Use/Special Permit Will be Served by:

Water Individual Wells Sewer Septic Tank

Power Benton County PUD Natural Gas No

Telephone _____ Irrigation Kennewick

7. Total Acres of property 2.5 Zoning Classification of Property RL-5

Comprehensive Plan Designation _____

8. Describe existing structures and/or uses currently existing on your property such as well, septic, residential dwelling, garage, etc:

3000 s/f Residential Home, 2400 s/f Shop, 390 s/f Shed, Well & Septic System.

9. Describe existing structures and present land uses in the surrounding area of your property.

2.5 Acre Residential Homes, Commercial Farming, Commercial Orchards.

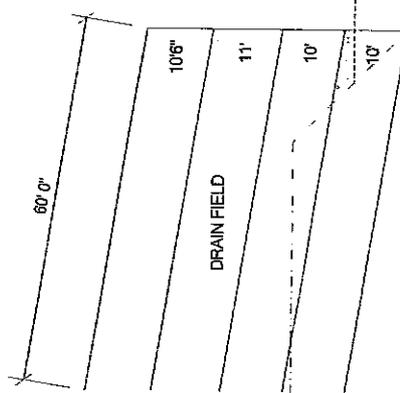
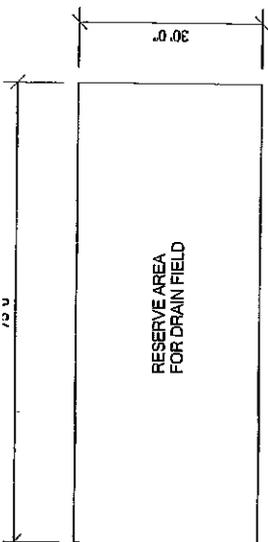
10. Please answer the following questions. PLEASE BE SPECIFIC - USE ADDITIONAL PAPER IF NECESSARY.

- a. Is there a residence on site? Yes No
- b. Does at least one of the proprietors of the business own or lease the property where the business and the residence are located? Yes No
- c. Does at least one of the proprietors live in said residence? Yes No
- d. List the number of non-resident employees. 3
- e. What is the total square footage of the detached building to be used for the business? 2400
- f. What is the total square footage that will be used for the business activity? 1200
- g. Is only one detached building to be used for the business activity? Yes No
- h. Are any signs going to be used with the business activity? Yes No
If Yes, give the number, height and sizes of the sign(s) include a drawing of the sign to be used. _____
- I. State the number of vehicles marked to identify the business to be stored on site.
1 Truck, 1 Trailer

WEI

378.3'

CUP 2014-008



SLOP GREATER THAN 10%

33' 4-1/2"

40' 0"

15' 0"

SHOP

EXISTING SEPTIC TANK

COVERED PATIO

EXISTING HOUSE

EXISTING GARAGE

EXISTING SHED

FENCE TYP.

10' PRIVATE IRRIGATION EASEMENTS

38' 6"

33' 4-1/2"

22' 6"

60' 0"

25' 0"

CONCRETE DRIVE WAY

**EXHIBIT LIST FOR CUP 2014-009
APPLICANT: NICOLE HOOPER**

The Exhibit Numbers are located in the top right hand corner of each document.
 BOAM – Board of Adjustment Memo Exhibits
 BOAR – Board of Adjustment Record Exhibits
 BOAH – Board of Adjustment Hearing Exhibits

BOARD OF ADJUSTMENT STAFF MEMO EXHIBIT LIST			
BOAM INCLUDES	EXHIBIT #	DOCUMENT NAME	DATE
	BOAM 1.1	Staff Memo	November 21, 2014
	BOAM 1.2	Notice of Open Record Hearing	November 18, 2014
	BOAM 1.3	Benton County Fire Marshal's comments	November 13, 2014
	BOAM 1.4	Benton REA comments	November 13, 2014
	BOAM 1.5	Benton County Building Dept. comments	November 14, 2014
	BOAM 1.6	Benton Franklin Health Dist. comments	November 24, 2014
	BOAM 1.7	Benton County Public Works comments	November 24, 2014
	BOAM 1.8	Site Map – Planning Department	November 18, 2014
	BOAM 1.9	Aerial Map – Planning Department	November 18, 2014
BOARD OF ADJUSTMENT RECORD EXHIBIT LIST			
BOAR INCLUDES	EXHIBIT #	DOCUMENT NAME	DATE
	BOAR 1.1	Conditional Use Permit	November 7, 2014
	BOAR 1.2	Floor Plan of residence submitted by applicant	November 7, 2014
	BOAR 1.3	Plot plan	November 7, 2014
	BOAR 1.4	Fire Evacuation Plan	November 7, 2014
	BOAR 1.5	Professional Qualifications of applicant	November 7, 2014
	BOAR 1.6	Letter from Benton Franklin Health District	April 6, 2006
	BOAR 1.7	NIT Test Panel	March 12, 2014
	BOAR 1.8	BFHD Coliform Bacterial Analysis	November 5, 2014
	BOAR 1.9	Country Kidz Clubhouse Pre-School Schedule	November 7, 2014
	BOAR 1.10	Country Kidz Clubhouse's Mission	November 7, 2014
	BOAR 1.11	Picture of Proposed Pre-School Area	November 7, 2014
	BOAR 1.12	Picture of Parking Lot/Play Areas	November 7, 2014
	BOAR 1.13	Pictures Showing the following: (1) Key locked Bedrooms – Non-lockable door on bathroom, (2) Carbon Monoxide/Smoke Detector, (3) Shatter proof lights with protective sleeve, (4) Doors equipped with security chimes	November 7, 2014

BOAR 1.14	Picture of children's cubbies and Entrance to residence	November 7, 2014
BOAR 1.15	Picture of kitchen outlining safety proofing	November 7, 2014
BOAR 1.16	Picture (1) Carbon Monoxide/Fire Alarm (2) Key locked Bedroom/Laundry Room	November 7, 2014
BOAR 1.17	Picture of kitchen/dead bolts and other important aspects.	November 7, 2014

BOARD OF ADJUSTMENT HEARING EXHIBIT LIST DECEMBER 4, 2014

BOAH INCLUDES	EXHIBIT #	DOCUMENT NAME	DATE

Benton County Planning Department

Planning Annex, P.O. Box 910, 1002 Dudley Avenue, Prosser WA 99350, Phone: (509) 786-5612 or (509) 736-3086, Fax (509) 786-5629

MEMO DATE: NOVEMBER 21, 2014

MEETING DATE: DECEMBER 4, 2014

TO: BENTON COUNTY BOARD OF ADJUSTMENT
CLARK A. POSEY,
ASSISTANT PLANNING MANAGER 

FROM: BENTON COUNTY PLANNING DEPARTMENT

RE: CONDITIONAL USE PERMIT APPLICATION – CUP 2014-009

APPLICANT: NICHOLE HOOPER
26406 E RUPPERT ROAD
BENTON CITY, WA 99320

PROPERTY OWNERS: CHRIS/NICOLE HOOPER
26406 E. RUPPERT ROAD
BENTON CITY, WA 99320

SPECIFIC REQUEST

The applicant, Nicole Hooper, is requesting approval of a Conditional Use Permit Application for the operation of a pre-school for up to eight (8) children on a 2.38 acre parcel.

BACKGROUND

Site Location: The parcel is located at 26406 E. Ruppert Road. Benton City, WA 99320 in the Southwest Quarter of the Northeast Quarter of the Northeast Quarter of the Northwest Quarter of Section 33, Township 10 North, Range 27 East, W.M.

Land Use: The site is currently developed with a single-family dwelling. The surrounding properties are developed with single-family dwellings.

Zoning: The site and surrounding areas are zoned Rural Lands 5.

Comprehensive Plan: The Benton County Comprehensive Plan designated the site and surrounding areas as RL-5.

State Environmental Policy Act: Exempt from the requirements of the Washington State Environmental Policy Act.

APPLICABLE DEVELOPMENT REGULATIONS

The Benton County Code Section 11.16A.060 (In the Rural Lands 5 District) states that: "Any use not authorized or approved pursuant to BCC 11.16A.030, .040, and .050 is prohibited by laws of Benton County or the State of Washington,

1. 11.16A.050 USES REQUIRING A CONDITIONAL USE PERMIT. The following uses may be permitted on a single parcel of record within the Rural Lands Five Acre District (RL-5) if a conditional use permit is issued by the Board of Adjustment after notice and public hearing as provided by BCC 11.52.090.

(a) A school. BCC 11.16A.050

2. Benton County Code Section 11.52.090(a) states:
"Conditional Use/Special Permit General Standards. The conditional use/special permit application process allows the Board of Adjustment to review the location and design of certain proposed uses, the configuration of improvements, and the potential impacts on the surrounding area. The application process also allows the Board of Adjustment to ensure development in each zoning district protects the integrity of that district. The notice, hearing, decision and enforcement procedures are as set forth herein and in BCC 11.52.089.

Certain uses are classified as conditional uses/special uses because of their unusual nature, infrequent occurrence, special requirements, or potentially significant impacts to the environment, public infrastructure or adjacent properties, and/or possible safety hazards and other similar reasons.

3. Benton County Code Section 11.52.090(d) states:
"Conditional Use/Special Permit—Permit Granted or Denied. A conditional use/special permit shall be granted only if the Board of Adjustment can make findings of fact based on the evidence presented sufficient to allow the Board of Adjustment to conclude that, as conditioned, the proposed use:

(1) is compatible with other uses in the surrounding area or is no more incompatible than are any other outright permitted uses in the applicable zoning district;

(2) Will not materially endanger the health, safety, and welfare of the surrounding community to an extent greater than that associated with any other permitted uses in the applicable zoning district;

(3) Would not cause the pedestrian and vehicular traffic associated with the use to conflict with existing and anticipated traffic in the neighborhood to an extent greater than that associated with any other permitted uses in the applicable zoning district;

(4) Will be supported by adequate service facilities and would not adversely affect public services to the surrounding area;

(5) would not hinder or discourage the development of permitted uses on neighboring properties in the applicable zoning district as a result of the location, size or height of the buildings, structures, walls, or required fences or screening vegetation to a greater extent than other permitted uses in the applicable zoning district; and

If reasonable conditions cannot be imposed so as to allow the Board of Adjustment to make the conclusions required above, the conditional use/special permit application shall be denied."

FINDINGS OF FACT

Based on the application and information received the planning staff makes the following findings.

1. The property owners are Nichole & Chris Hooper, 26406 E. Ruppert Rd. Benton City, WA 99320
2. The applicant is requesting approval of a Conditional Use Permit Application for the operation of a preschool for up to 8 children on a 2.38-acre parcel. The hours of operation would be Monday thru Thursday 8:00 a.m. to 11:45 a.m. **Exhibit No. BOAR 1.1 to BOAR 1.17**
3. The parcel is located at 26406 E. Ruppert Rd. Benton City, WA 99320 in Red Mountain Estates Block 1, Lot 16 of Section 33, Township 10 North, Range 27 East, W.M.
4. The application for CUP 2014-009 was submitted to Benton County on November 7, 2014 and declared complete on November 13, 2014.
5. Conditional Use Permit 2014-009 did not require that a Notice of Application be published. This project is categorically exempt from (SEPA) State Environmental Policy Act of Washington State.
6. The notice for the Benton County Board of Adjustment Open Record Hearing for application CUP 2014-009 was published on November 20, 2014 in the Tri-City Herald and mailed to property owners of record within 300 feet of the outer boundaries of the parcel. The Open Record Hearing is scheduled for December 4, 2014. **Exhibit No. BOAM 1.2**
7. The site is currently developed with a single-family dwelling and accessory building. The surrounding properties are developed with single-family dwellings.
8. The Benton County Comprehensive Plan designated the site and surrounding areas as "Rural Lands 5".
9. The applicant is proposing to utilize a manufactured home to operate a pre-school for up to eight children on site.
10. The Benton County Fire Marshal's comments are attached to this Staff Memo as **Exhibit No. BOAM 1.3**
11. The Benton REA commented that they have reviewed the plan and have no comments. The existing building has power.
12. Then Benton County Building Department will require a building permit.

13. The Benton Franklin Health District comments are: The Benton Franklin Health District commented: The office recently performed an Existing Septic Evaluation on this property for the proposed pre-school. The existing residence is served by an on-site septic system that was approved for a maximum of three bedrooms. It is also served by an approved community well – Clark Boyer Water System. This office has the following comment regarding the proposed preschool. (1) Continued use of this septic system is appropriate for the existing three bedroom home containing the proposed pre-school. With the home having 4 full-time residents the pre-school shall be approved for up to a maximum of eight (8) preschool children. (2) The approved existing septic evaluation paperwork is attached – Account # 0314-8404. **Exhibit No. BOAM1.6**
14. The Benton County Public Works Department comments are: Since a daycare is considered a business. The approach onto Ruppert Road will need to be paved with Hot Mix Asphalt, built to Benton County Standard Plan 96-05. **Exhibit No. BOAM 1.7**
15. The applicant will need to install a 6-foot tall fenced around the play area for safety.
16. The State of Washington requires that the proposed pre-school facility meet the requirements of WAC 388-295 and obtain a license from Washington State.
17. The applicant will need to provide an adequate and unobstructed area for children's drop-off and pick up.

DISPOSITION OF THE APPLICANT'S REQUEST

A conditional use/special permit shall be granted only if the Board of Adjustment can make findings of fact based on the evidence presented sufficient to allow the Board of Adjustment to conclude that, as conditioned, the proposed use:

- (1) is compatible with other uses in the surrounding area or is no more incompatible than are any other outright permitted uses in the applicable zoning district;
- (2) will not materially endanger the health, safety, and welfare of the surrounding community to an extent greater than that associated with any other permitted uses in the applicable zoning district;
- (3) would not cause the pedestrian and vehicular traffic associated with the use to conflict with existing and anticipated traffic in the neighborhood to an extent greater than that associated with any other permitted uses in the applicable zoning district;
- (4) will be supported by adequate service facilities and would not adversely affect public services to the surrounding area;
- (5) would not hinder or discourage the development of permitted uses on neighboring properties in the applicable zoning district as a result of the location, size or height of the buildings, structures, walls, or required fences or screening

vegetation to a greater extent than other permitted uses in the applicable zoning district; and

CONDITIONS OF APPROVAL

If the Board of Adjustment decides to approve Conditional Use Permit Application CUP 2014-009, based on the information presented at the public hearing and after making such findings that support that decision, the Planning Department recommends that the following conditions be included:

1. Applicant shall not conduct any of the activities within the scope of Conditional Use Permit 2014-009 until the applicant is in compliance with Conditions 3 through 10 set forth herein. The applicant shall notify the Benton County Planning Department in writing when the conditions set forth herein have been completed. The Planning Department shall not issue the conditional use permit until those conditions have been met. The conditional use permit shall not become effective until issued by the Planning Department.
2. If the conditions of approval have not been met and the Planning Department does not issue the conditional use permit within one (1) year from the time the Board of Adjustment conditionally approved the conditional use permit, the Board of Adjustment may declare its approval null and void at a regular Board of Adjustment meeting. Prior to doing so, the applicant shall be notified in writing at the applicant's last known address at least twelve (12) days in advance of the upcoming Board of Adjustment meeting.
3. The applicant provides written verification to the Benton County Planning Department that all requirements of the Benton County Fire Marshal and Benton County Building Office have been complied with. The applicant shall continue to meet all such requirements while Conditional Use Permit CUP 2014-009 is in effect.
4. The Benton Franklin Health District commented: The office recently performed an Existing Septic Evaluation on this property for the proposed pre-school. The existing residence is served by an on-site septic system that was approved for a maximum of three bedrooms. It is also served by an approved community well – Clark Boyer Water System. This office has the following comment regarding the proposed preschool. (1) Continued use of this septic system is appropriate for the existing three bedroom home containing the proposed pre-school. With the home having 4 full-time residents the pre-school shall be approved for up to a maximum of eight (8) preschool children. (2) The approved existing septic evaluation paperwork is attached. BFHD Acct. Number 0314-8404 September 18, 2014. **Exhibit BOAM 1.6**
5. The applicant is to install a fence to be located around the children's play area. The applicant shall continue to meet this requirement while Conditional Use Permit CUP 2014-009 is in effect.
6. The proposed use meets the Washington State Pre-School Facility licensing requirements. The applicant provides written verification from the State of Washington to the Benton County Planning Department that the applicant has complied with the State's requirements. The applicant shall continue to meet all such requirements while Conditional Use Permit CUP 2014-009 is in effect.

7. The applicant obtains the appropriate building permits. All proposed buildings must meet the setback requirements for the Rural Lands 5, Zoning District. The applicant must submit written documentation to the Benton County Planning Department that all the required permits and approvals have been obtained.
8. If a sign is installed on-site, the sign shall not be located on or in the County right of way. The sign shall meet all setback requirements and the location shall be approved by the Benton County Department of Public Works. The applicant shall obtain a building permit, if required for the construction of the sign.
9. The applicant must provide written verification to the Benton County Planning Department that the applicant has obtained all encroachment permits and has installed the road improvements as required by the Benton County Department of Public Works as noted in their comment letter dated November 24, 2014.
10. Outdoor lighting fixtures and accent lighting must be shielded and aimed downward. The shield must mask the direct horizontal surface of the light source. The light must be aimed so the illumination is downward onto the ground surface with no light trespass. For the purpose of the above, the following items are defined: a) **light trespass** — means any light emitted by an outdoor lighting fixture that shines beyond the property on which the fixture is installed, or indirectly shines beyond the property on which the fixture is installed at a brightness that exceeds 0.1 foot candles at the property line. b) **Outdoor Lighting Fixture** —means a luminaire outside of an enclosed building or structure or any fixture directed such that it primarily illuminates private outdoor areas. (c) **Shielding** — means that no light rays are emitted by a fixture above the horizontal plan running through the lowest point of the fixture. (d) Means a complete lighting unit including lamps, together with parts required to distribute the light and connect the lamps to the power supply whether located on public or private property. The applicant shall continue to meet all such requirements while Conditional Use Permit CUP 2014-009 is in effect.
11. That the property owner, contractor and any sub-contractors shall comply with all the requirements of the Benton County Building Department, the Benton County Fire Marshal, the Benton-Franklin District Health Department, Benton County Department of Public Works and all other local, state and federal regulations pertinent to the conditional use permit pursued. The requirements of or permission granted by the Board of Adjustment shall not be construed as an exemption from such regulations. The applicant shall continue to meet all such requirements while Conditional Use Permit CUP 2014-009 is in effect.
12. No parking within any part of the road right of way will be allowed. The applicant shall continue to meet all such requirements while Conditional Use Permit CUP 2014-009 is in effect.
13. Parking spaces and parking lots must be in compliance with the American Disability Act (ADA) requirements as implemented by Benton County Building Department.
14. The site for the proposed pre-school facility shall be landscaped in such a manner as to be compatible with the surrounding uses. The applicant shall continue to meet this requirement while Conditional Use Permit CUP 2014-009 is in effect.

Benton County Planning Department ^{BOAM 1.2}

Planning Annex, P.O. Box 910, 1002 Dudley Avenue, Prosser WA 99350, Phone: (509) 786-5612 or (509) 736-3086, Fax (509) 786-5629

NOTICE OF OPEN RECORD HEARING(S)

NOTICE IS HEREBY GIVEN that the following application(s) has been proposed to the Benton County Board of Adjustment, Benton County, Washington.

CONDITIONAL USE PERMIT – CUP 2014-008: The applicants are requesting approval to operate a glass window and glazing business to be located at 191616 E Game Farm Road, Kennewick in the southwest Quarter of the Southwest Quarter of Section 19, Township 8 North, Range 30 East, W.M. Applicants: Mike/Melissa LaBeaf

CONDITIONAL USE PERMIT – CUP 2014-009: The applicant is requesting approval to operate a pre-school – Country Kidz Clubhouse – for up to eight children. The site is located at 26406 E Ruppert Road – Benton City, Red Mountain Estates Lot 16, Block 1 in Section 33, Township 10 North, Range 27 East, W.M. Applicant: Nicole Hooper

VARIANCE REQUEST – VAR 2014-004: The applicant is requesting a variance of 6 feet from the 25 foot access easement setback which would leave a 19 feet setback from the access easement (BCC 11.16A.080) in order to construct a cover addition for an existing patio. Location: Northeast Quarter of the Northeast Quarter of Section 8, Township 9 North, Range 28 East W.M of Willamette Heights Lot 63. Applicant Thomas Marty

NOTICE IS GIVEN that said application(s) will be considered by the Board of Adjustment of Benton County, Washington at the public hearing(s) on **Thursday, December 4, 2014 beginning at the hour of 7 p.m. in the Planning Annex – 1002 Dudley Avenue – Prosser, WA 99350.** All concerned persons may appear and present any support for or objections to the application(s) or provide written testimony to the Board of Adjustment in care of the Planning Department on or before the date of the hearing(s). More information concerning these actions can be obtained by contacting Clark A. Posey, Assistant Planning Manager at the Benton County Planning Department, 1002 Dudley Avenue, P O Box 910, Prosser, WA 99350 or by calling 736-3086 (Tri-Cities) or 786-5612 (Prosser). Note: Any information submitted to Benton County is subject to the public records disclosure law for the State of Washington (RCW Chapter 42.17) and all other applicable law that may require the release of the documents to the public. It is suggested that if you plan on attending the hearing that you call the Benton County Planning Department the afternoon of the hearing by 4 p.m. to confirm that the hearing will be conducted as scheduled.

It is Benton County's policy that no qualified individual with a disability shall, by reason of such disability be excluded from participation in or be denied the benefits of its services, programs, or activities or be subjected to discrimination. If you wish to use auxiliary aids or require assistance to comment at this public meeting, please download and submit the Accommodation Request Form 48 hours prior to the date of the meeting. The form is located on the Benton County website which is www.co.benton.wa.us under the Personnel Department or contact the Benton County Planning Department at the numbers noted above for assistance.

Dated this 18th day of November, 2014.

BRENT CHIGBROW, Chairman
BENTON COUNTY BOARD OF ADJUSTMENT
CLARK A. POSEY, ASSISTANT PLANNING MANAGER
BENTON COUNTY PLANNING DEPARTMENT

PUBLISH: THURSDAY, NOVEMBER 20, 2014

**Benton County Fire Marshal's
Review of Proposed Planning Applications**

BOAM 1.3

TO: Planning Department

CUP 14-09

Date Received 11-13-14 Date Returned 11-25-14

Comments: Nichole Hooper 26406 E. Ruppert Rd. Benton City, 308-5433, proposes to operate a pre-school at her residence for up to eight kids.

Fire Marshal's Comments:

A \$65.00 Special Inspection Permit Fee is charged. This fee encompasses both the Building Inspector and the Fire Marshal. After obtaining the permit from the Building Dept. at either the Kennewick Office, on Canal Drive, or at the **Planning Dept. in Prosser on Tuesdays or Thursday at 9 AM** (See maps), call Fire Marshal's Office 735-3500 to schedule an inspection. The inspection will include the following requirements

Requirements

Child Care facilities with rooms that do not have a door directly to the outside, and in which children are resting, or sleeping must comply with the following:

1. A window must have a finished sill height of not more than 44" above the floor.
2. A window must have a minimum net clear openable are of 5.7 sq. ft. (See figure 1 and table 1.)
3. A window must have a net minimum clear openable width dimension of 20".
4. A window with a finished sill height that is below the adjacent grade must comply with:
 - a. The window shall be capable of being fully opened and provide a minimum net clear opening of 9 sq.ft. with a minimum dimension of 36".
 - b. Window wells deeper than 44" shall be equipped with approved permanently mounted ladder or stairs that are accessible.
 - c. The ladder or stairs shall not encroach into the required dimensions of the window well by more than 6".
5. **Family Child Day Care Homes that have 7-12 children must have two remote exit doors from each floor level that the children occupy**
6. Smoke detectors are required for each bedroom, and on each level of multiple floor dwellings.
 - a. Existing homes built prior to the adoption of the 19991 UBC may use battery operated smoke detectors.
 - b. New homes built since the adoption of the 1991 UBC must have electrically inertied smoke detectors that are equipped with a battery operated back up.
 - c. Napping areas with ceilings more than 24" above the hallway ceiling also requires a detector in the hall. Fig. 2

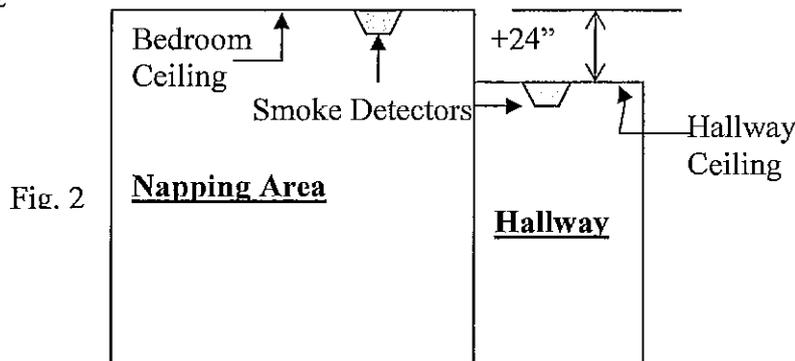


Fig. 2

RECEIVED

NOV 24 2014

Benton County
Planning Department

7. At least one 2A10BC (5lb) fire extinguisher is required.

Clear Minimum Width & Height in inches for windows to obtain the required 820 sq. in of openable area.

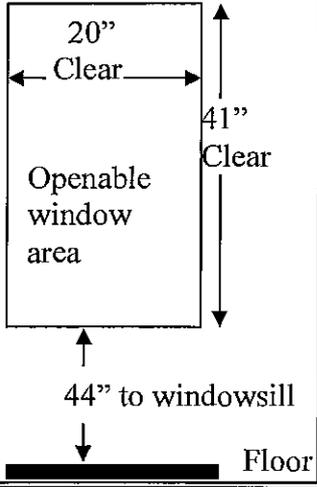
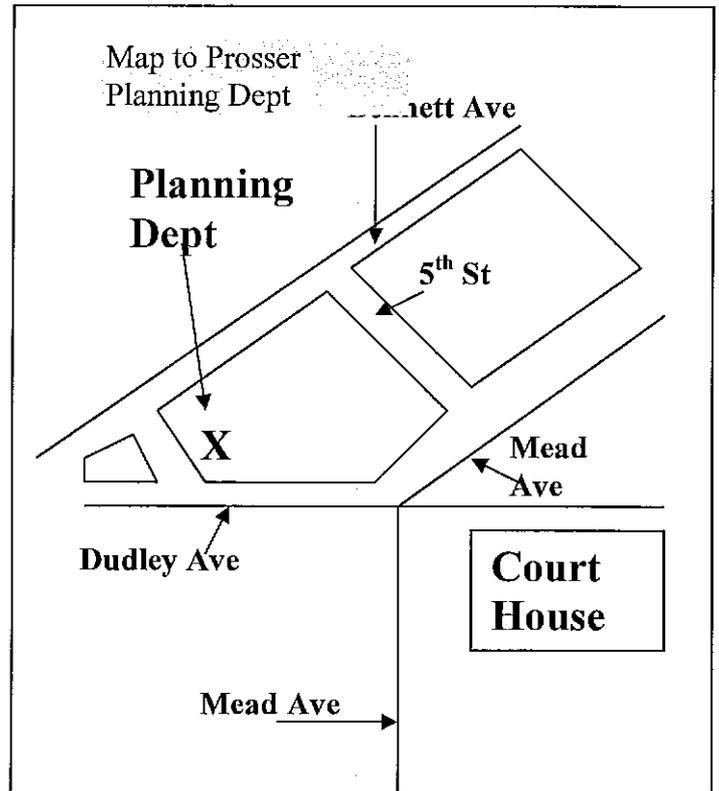
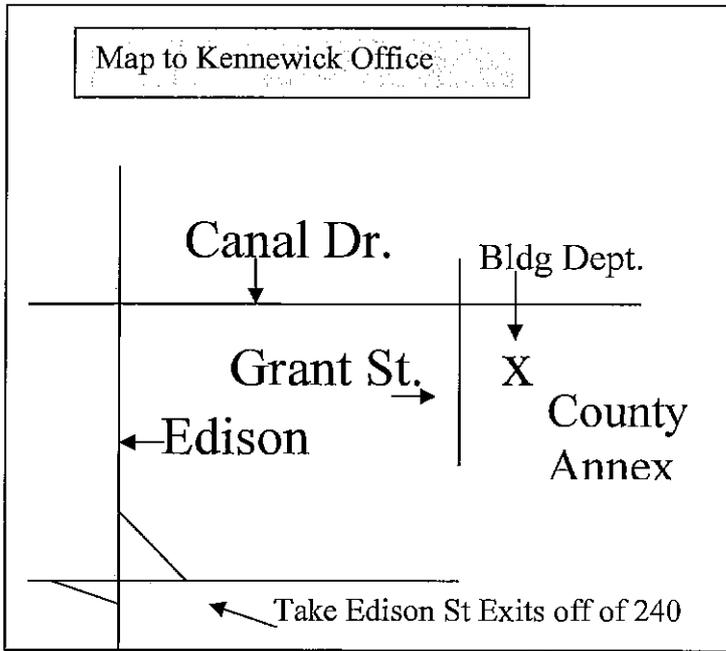


Fig. 1

Table 1.

Width	20	20.5	21	21.5	22	22.5	23	23.5	24
Height	41	40	39.1	38.2	37.3	36.5	35.7	34.9	34.2
Width	25	25.5	26	26.5	27	27.5	28	28.5	29
Height	32.8	32.2	31.6	31	30.4	29.8	29.3	28.8	28.3
Width	29.5	30	30.5	31	31.5	32	32.5	33	33.5
Height	27.8	27.4	26.9	26.5	26.1	25.7	25.3	24.9	24.5
Width	34	34.2							
Height	24.1	24							



Carel Hiatt

BOAM 1.4.

From: Rich Legerski <Rich@bentonrea.org>
Sent: Thursday, November 13, 2014 1:23 PM
To: Planning Department
Subject: RE: Conditional Use Permit - CUP 2014-009 Operation of a PreSchool

Reviewed Plan and have no comments. The existing building has power.
Thank you
Rich

Richard Legerski
Engineering Services Coordinator



(509) 786-8481
(509) 786-8252
(877)-786-8866

RECEIVED

1300
NOV 12 2014

Benton County
Planning Department

From: Planning Department [<mailto:Planning.Department@co.benton.wa.us>]
Sent: Thursday, November 13, 2014 11:39 AM
To: Jeff Limer; Benton-Franklin Dist. Health Dept.; Rich Legerski; Kennewick Irrigation District; CATHOLIC FAMILY SERVICES; Karen Steinbock; Wash. St. Dept. of Health; Wash. St. Dept. of Health; Washington State Dept. of Health ; Dale Wilson; Ken Williams; Michelle Johnson; Rick Hall; Rod Worthington; Steve Brown; Tomi Chalk; Benton Clean Air Authority (robin.priddy@bentoncleanair.org); BENTON CLEAN AIR QUALITY (alex.sligar@bentoncleanair.org); rob.rodger@bentoncleanair.org; tyler.thompson@bentoncleanair.org
Subject: Conditional Use Permit - CUP 2014-009 Operation of a PreSchool

Attached to this email is the conditional use permit and accompanying documentation. Please review this information and submit any comments you may have back to the Benton County at planning.department@co.benton.wa.us. If you need additional information, please contact Steve Donovan at 736-3086 or 509-786-5612.

Thank you

Benton County Planning Department
P O Box 910
Prosser, WA 99350
Tel: 509-786-5612 – Prosser
Tel: 736-3086 – Tri-Cities
Fax: 509-786-5629

From: Steve Brown
Sent: Friday, November 14, 2014 7:15 AM
To: Planning Department
Subject: RE: Conditional Use Permit - CUP 2014-009 Operation of a PreSchool

Permit req. – Steve Brown, Building Dept. Manager

From: Planning Department
Sent: Thursday, November 13, 2014 11:39 AM
To: Jeff Liner; Benton-Franklin Dist. Health Dept.; rich@bentonrea.org; Kennewick Irrigation District; CATHOLIC FAMILY SERVICES; Karen Steinbock; Wash. St. Dept. of Health; Wash. St. Dept. of Health; Washington State Dept. of Health ; Dale Wilson; Ken Williams; Michelle Johnson; Rick Hall; Rod Worthington; Steve Brown; Tomi Chalk; Benton Clean Air Authority (robin.priddy@bentoncleanair.org); BENTON CLEAN AIR QUALITY (alex.sligar@bentoncleanair.org); rob.rodger@bentoncleanair.org; tyler.thompson@bentoncleanair.org
Subject: Conditional Use Permit - CUP 2014-009 Operation of a PreSchool

Attached to this email is the conditional use permit and accompanying documentation. Please review this information and submit any comments you may have back to the Benton County at planning.department@co.benton.wa.us. If you need additional information, please contact Steve Donovan at 736-3086 or 509-786-5612.

Thank you

Benton County Planning Department
P O Box 910
Prosser, WA 99350
Tel: 509-786-5612 – Prosser
Tel: 736-3086 – Tri-Cities
Fax: 509-786-5629

RECEIVED

NOV 13 2014

Benton County
Planning Department

From: Shawn Brown <shawnb@bfhd.wa.gov>
Sent: Monday, November 24, 2014 11:16 AM
To: Planning Department; Stephen Donovan
Subject: Conditional Use Permit - CUP 2014-009 Operation of a PreSchool
Attachments: Hooper ESE.tif

Mr. Donovan:

This office recently performed an Existing Septic Evaluation on this property for the proposed pre-school. The existing residence is served by an on-site septic system that was approved for a maximum of three bedrooms. It is also served by an approved community well – Clark Boyer Water System. This office has the following comments regarding the proposed pre-school:

- Continued use of this septic system is appropriate for the existing three bedroom home containing the proposed pre-school. With the home having 4 full-time residents the pre-school shall be approved for up to a maximum of 8 pre-school children.

The approved existing septic evaluation paperwork is attached with this email. If you have any questions please contact me at this email, thank you.

Shawn Brown
Environmental Health Specialist II
(509)460-4320
Benton-Franklin Health Department
7102 W. Okanogan Place Kennewick, WA

From: Rick Dawson
Sent: Thursday, November 13, 2014 12:01 PM
To: Shawn Brown; Nancy Tarara
Subject: FW: Conditional Use Permit - CUP 2014-009 Operation of a PreSchool

James R. (Rick) Dawson
 Supervisor
 Land Use, Sewage and Water Section
 Benton-Franklin Health District
 7102 W. Okanogan Place
 Kennewick, WA 99336
 509-460-4313

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NOV 24 2014

Benton-Franklin Health Department
Planning Department



From: Planning Department [<mailto:Planning.Department@co.benton.wa.us>]
Sent: Thursday, November 13, 2014 11:39 AM



Benton-Franklin Health District
Environmental Health Division
 7102 W. Okanogan Place • Kennewick, WA 99336
 (509) 460-4205 or (800) 814-4323
 www.bfhd.wa.gov

For Office Use Only	
ACCT. #	0314-8404
HSP #	PCAT-9PUME8

Existing On-Site Sewage System Evaluation Report

SECTION 1: INFORMATION ABOUT THE PROPERTY		
Date of Application 9/18/2014	Domestic Water Source <input type="checkbox"/> Single Family Well <input checked="" type="checkbox"/> Public Water Supply	
Site Address Rt. 2 Box 2700 A-16 Benton City, WA 99320	Name of Public Supply Clark Boyer Water System	
Tax Parcel Identification Number 1-3307-102-0001-016	Lot Number 16	Block Number 1
Legal Description of Parcel/Subdivision RED MOUNTAIN ESTATES		
SECTION 2: APPLICANT INFORMATION		
Applicant Name Nichole Hooper		Daytime Phone 509-308-5233
Current Mailing Address 26406 E Ruppert Rd	City Benton City	Zip Code 99320
e-mail address nicky6421@gmail.com	Home Phone	Cell Phone 509-308-5233
SECTION 3: PURPOSE OF REVIEW		
<input type="checkbox"/> New Single Family Home	<input checked="" type="checkbox"/> Change or Additional Use	<input type="checkbox"/> Accessory Building (Shop, Garage, Shed)
<input type="checkbox"/> Addition to Existing Home	<input checked="" type="checkbox"/> Childcare - Number of Children = 6	<input type="checkbox"/> Title Elimination
<input type="checkbox"/> Swimming Pool or Spa	<input type="checkbox"/> Home Occupation	<input type="checkbox"/> Other Specify:
SECTION 4: APPLICANT SUPPLIED DETAILS VERIFIED BY BFHD		
Type of Existing Structure: <input type="checkbox"/> Site Built <input type="checkbox"/> Pre-Manufactured	Property size: 2.2 <input checked="" type="checkbox"/> acres <input type="checkbox"/> square feet	
Number of Employees/Patrons/Residents: 4	Total Number of Bedrooms/Gallons Per Day: 3	
<input type="checkbox"/> Garbage Disposal <input checked="" type="checkbox"/> Water Softener	<input type="checkbox"/> Basement <input type="checkbox"/> Plumbing Present in Basement	
Approximate Age of On-site System 20	Septic Tank Size 1000 Gallons	Drainfield Size 804 Sq. ft.
Date of Septic Tank Pumping: 10/27/2014	Pumper: Able Tank & Toilet	Contact Number 509-308-5233
SECTION 5: FOR OFFICE USE ONLY		
<input checked="" type="checkbox"/> System Records	<input checked="" type="checkbox"/> As-built drawing	<input checked="" type="checkbox"/> OSS Permit # 11332
Install Date: 4/19/94	Installer: R-2 Construction	<input checked="" type="checkbox"/> Baffles present
<input checked="" type="checkbox"/> Tank water tight	<input checked="" type="checkbox"/> Tank lids sound	<input checked="" type="checkbox"/> Wastewater strength
<input checked="" type="checkbox"/> Replacement area	<input checked="" type="checkbox"/> Setbacks maintained	<input checked="" type="checkbox"/> OSS sized for proposal
<input checked="" type="checkbox"/> System functioning	<input checked="" type="checkbox"/> Proposal compliant	<input checked="" type="checkbox"/> Detailed site plan attached
Comments: Continued use of this septic system is appropriate for the existing three bedroom home containing the proposed pre-school. With the home having 4 full-time residents the pre-school shall be approved for up to a maximum of 8 pre-school children.		

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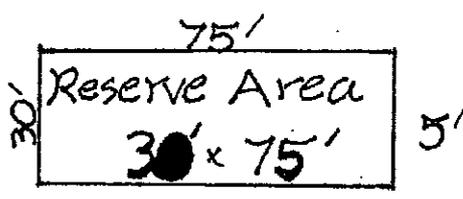
NOV 24 2014

Benton County
 Planning Department

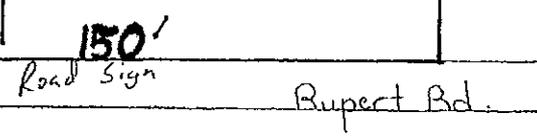
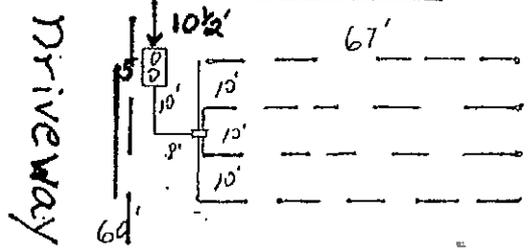
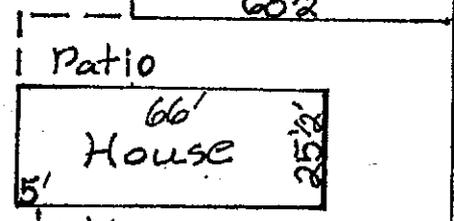
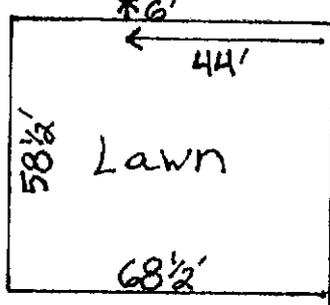
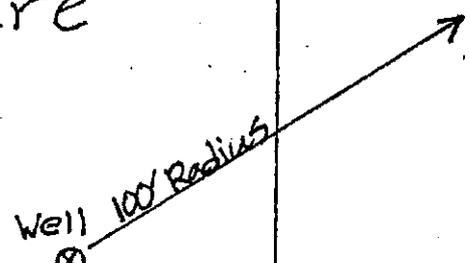
Environmental Health Specialist

Amy D. Person, M.D.
 District Health Officer

692.391



Pasture



Site Plan Reviewed for Conformance with
 Benton-Franklin Health District Rules

By: [Signature]

Date: 11/4/14

Scale: 1" = 40'

From: Lazaro Lopez
Sent: Monday, November 24, 2014 2:37 PM
To: Planning Department
Subject: RE: Conditional Use Permit - CUP 2014-009 Operation of a PreSchool

Hey Clark,

Since a daycare is considered a business. The approach onto Ruppert Road will need to be paved with Hot Mix Asphalt, built to Benton County Standard Plan 96-05. If it doesn't already have a paved apron.

Thanks,

Lazaro Lopez
 Benton County Public Works
 Office: 509-786-5611
 Fax: 509-786-5627
lazaro.lopez@co.benton.wa.us

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NOV 24 2014

Benton County
Planning Department

From: Planning Department
Sent: Monday, November 24, 2014 2:21 PM
To: Lazaro Lopez
Subject: FW: Conditional Use Permit - CUP 2014-009 Operation of a PreSchool

These were originally sent to Jeff Liner. Thanks for forwarding comments.

Carel

From: Planning Department
Sent: Monday, November 24, 2014 11:52 AM
To: Ken Williams
Subject: FW: Conditional Use Permit - CUP 2014-009 Operation of a PreSchool

From: Planning Department
Sent: Thursday, November 13, 2014 11:39 AM
To: Jeff Liner; Benton-Franklin Dist. Health Dept.; rich@bentonrea.org; Kennewick Irrigation District; CATHOLIC FAMILY SERVICES; Karen Steinbock; Wash. St. Dept. of Health; Wash. St. Dept. of Health; Washington State Dept. of Health ; Dale Wilson; Ken Williams; Michelle Johnson; Rick Hall; Rod Worthington; Steve Brown; Tomi Chalk; Benton Clean Air Authority (robin.priddy@bentoncleanair.org); BENTON CLEAN AIR QUALITY (alex.sligar@bentoncleanair.org); rob.rodger@bentoncleanair.org; tyler.thompson@bentoncleanair.org
Subject: Conditional Use Permit - CUP 2014-009 Operation of a PreSchool

Attached to this email is the conditional use permit and accompanying documentation. Please review this information and submit any comments you may have back to the Benton County at planning.department@co.benton.wa.us. If you need additional information, please contact Steve Donovan at 736-3086 or 509-786-5612.

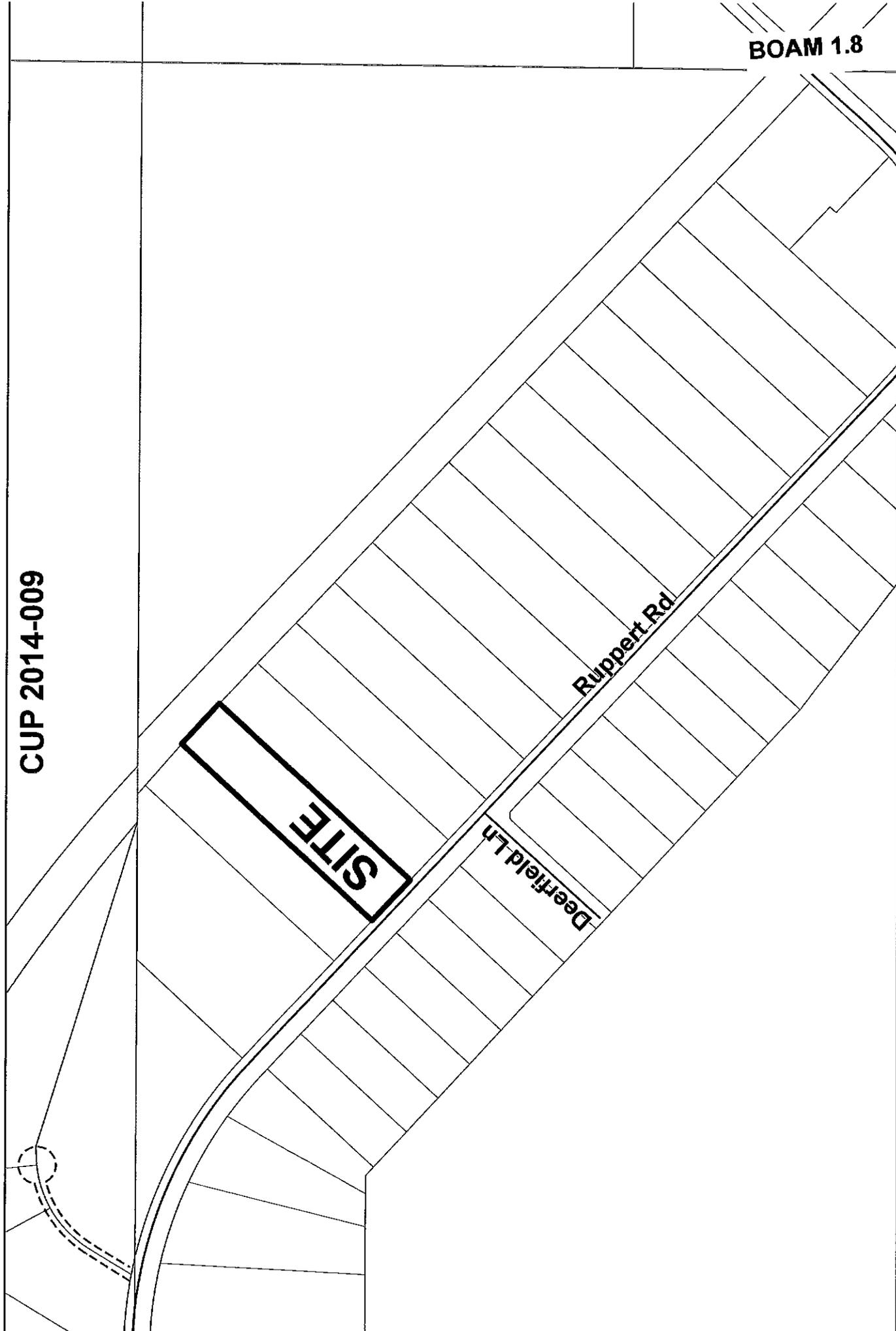
Thank you



SECTION 33, TOWNSHIP 10 NORTH, RANGE 27 EAST, W.M.
 CONDITIONAL USE PERMIT CUP # 2014-009
 NICHOLE & CHRIS HOOPER 1-3307-102-0001-016
 MAP PRINTED: NOVEMBER 18, 2014

Benton County does not warrant, guarantee, or
 accept liability for accuracy of the information shown
 herein. This information is a product of the Benton Count
 Geographic Information Systems and is prepared
 for presentation purposes only.

CUP 2014-009



BOAM 1.8



BENTON COUNTY
PLANNING
DEPARTMENT

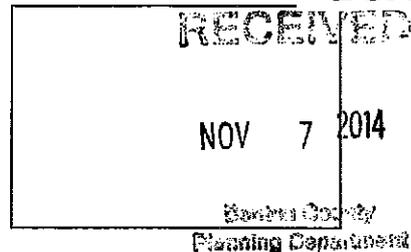
SECTION 33, TOWNSHIP 10 NORTH, RANGE 27 EAST, W.M.
CONDITIONAL USE PERMIT CUP # 2014-009
NICHOLE & CHRIS HOOPER 1-3307-102-0001-016
MAP PRINTED: NOVEMBER 18, 2014

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accept liability for accuracy of the information shown
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Geographic Information Systems and is prepared
for presentation purposes only.



BOAM 1.9

**BENTON COUNTY PLANNING DEPARTMENT
CONDITIONAL USE/SPECIAL PERMIT APPLICATION
FILE NO. CEP 2014-009**



- Applicant Name Nichole Hooper
 Applicant Address: 26406 E Ruppert Rd
Benton City, WA 99320
 Telephone number: Home 509-308-5233 Work 509-967-1990
- Legal owners name: Nichole Hooper / Elris Hooper
 Legal Owners address: 26406 E Ruppert Rd
Benton City WA 99320
 Telephone number: Home 509-967-1990 Work 509-308-5233
- Parcel Number or Legal description of property for which permit is for: Lot 16, Block 1 Red Mountain Estates 1-3307-102-0001-016
- If you are amending a previous conditional use/special use permit - please list the file number(s):
NA
- The Conditional Use/Special Permit is requested to conduct the following use: **Please be as specific and detailed as possible. Use additional paper if necessary.**
Country Kidz Clubhouse
Pre-School program for 9 children. Hours of operation Monday - Thursday 8 a.m. - 11:45 a.m. Please see attached.
- The property will be served by:

WATER:	Well <input checked="" type="checkbox"/>	Private System	City System
SEWER:	Septic Tank <input checked="" type="checkbox"/>	City Sewer	
POWER:	PUD	REA <input checked="" type="checkbox"/>	
PHONE:	Yes <input checked="" type="checkbox"/>	No	Name of Utility <u>Frontier</u>
GAS:	Yes	No <input checked="" type="checkbox"/>	Name of Utility
CABLE:	Yes <input checked="" type="checkbox"/>	No	Name of Utility <u>Direct T.V.</u>
IRRIGATION:	Yes	No <input checked="" type="checkbox"/>	Name of Utility
PRIVATE IRR.	Yes	No <input checked="" type="checkbox"/>	
- Total acres of property: 2.5 Zoning Classification of Property: Residential
 Comprehensive Plan Designation ?
- Describe existing structures and/or uses currently existing on your property, such as well, septic residential dwelling, garage, etc.: Well - Group B water system, 1,000 gallon septic tank, Garage for common use of vehicles plus storage.
- Describe existing structures and present land uses in the surrounding area of your property:
Houses - Residential

10. Please answer the following questions. **PLEASE BE SPECIFIC - USE ADDITIONAL PAPER IF NECESSARY.**

- a. Is there a residence on site? Yes X No _____
- b. Does at least one of the proprietors of the business own or lease the property where the business and the residence are located? Yes X No ~~X~~
- c. Does at least one of the proprietors live in said residence? Yes X No. _____
- d. List the number of non-resident employees. 0
- e. What is the **total** square footage of the detached building to be used for the business? 556.40
- f. What is the **total** square footage that will be used for the business activity? 10,024.60
- g. Is only one detached building to be used for the business activity? Yes X No _____
- h. Are any signs going to be used with the business activity? Yes X No _____
If Yes, give the number, height and sizes of the sign(s) include a drawing of the sign to be used. Don't have a sign yet
- i. State the number of vehicles marked to identify the business to be stored on site. 0
- j. List the number of off street parking spots about 10 for parents
- k. What County Road does the site access off of? Ruppert Rd
- l. List the preferred office hours for the presence of customer/clients and non-resident employees. Days of the week Monday - Thursday
Hours of Operation 8:00 a.m. - 11:45

11. Applicant shall attach a site plan of the property, drawn to a scale of one inch equals fifty feet (1"=50') or one inch equal 100 feet (1"=100') unless otherwise specifically approved by the Planning Department, showing the following information.

- A. Dimensions of the property.
- B. Location and size of the proposed use, number of parking spaces, etc., complete with distances between buildings and all property lines.
- C. Location and size of existing structures, complete with distances, buildings and all property lines.
- D. All streets, roads, easements, and rights-of-way located on or adjacent to this property. (Label structures and roadways)
- E. Label and Show a floor plan for the structure to be used for the Business Activity.

COMMENTS OR PERTINENT INFORMATION:

Please see attached

I certify that the information given above is true and complete.

Signature Block for individuals only.

Nichole Hooper
Applicant's Signature

Nichole Hooper
Print Name

11/6/14
Date

Nichole Hooper
Signature of Legal Owners

Nichole Hooper
Print Name

11/6/14
Date

[Signature]
Signature of Person with additional
ownership interest (Husband)

Chris Hooper
Print Name

11/6/14
Date

If the applicant is a corporation/partnership/LLC etc. please use the following signature block.

Applicant: NA

By: _____
(print name) (Title)

Signature: _____
(Signature) (Title)

The above signed officer of _____ warrants and represents that all necessary legal and corporate actions have been duly undertaken to permit _____ (name of entity) to submit this application and that the above signed officer has been duly authorized and instructed to execute this application.

(ALL persons with an ownership interest in the property on which the land use action is proposed must sign the application other than interests exclusively limited to ownership of the parcel's mineral rights.)

Any information submitted to the Benton County Planning Department is subject to public records disclosure law for the State of Washington (RCW Chapter 42.17) and all other applicable law that may require the release of the documents to the public.

Note: The Conditional Use/Special Permit Application fee of \$250.00 and the \$100.00 applicant fee for the SEPA checklist, if required, must be submitted with the application. These fees are non-refundable. Please make your check payable to the Benton County Treasurer. There are no guarantees that your application will be approved.

5/23/11

FOR OFFICIAL USE ONLY:
Critical Area Review Completed by SMD on 11/12/14
Application approved for processing by SMD on 11/12/14
Zoning RLS Comp Plan Designation _____

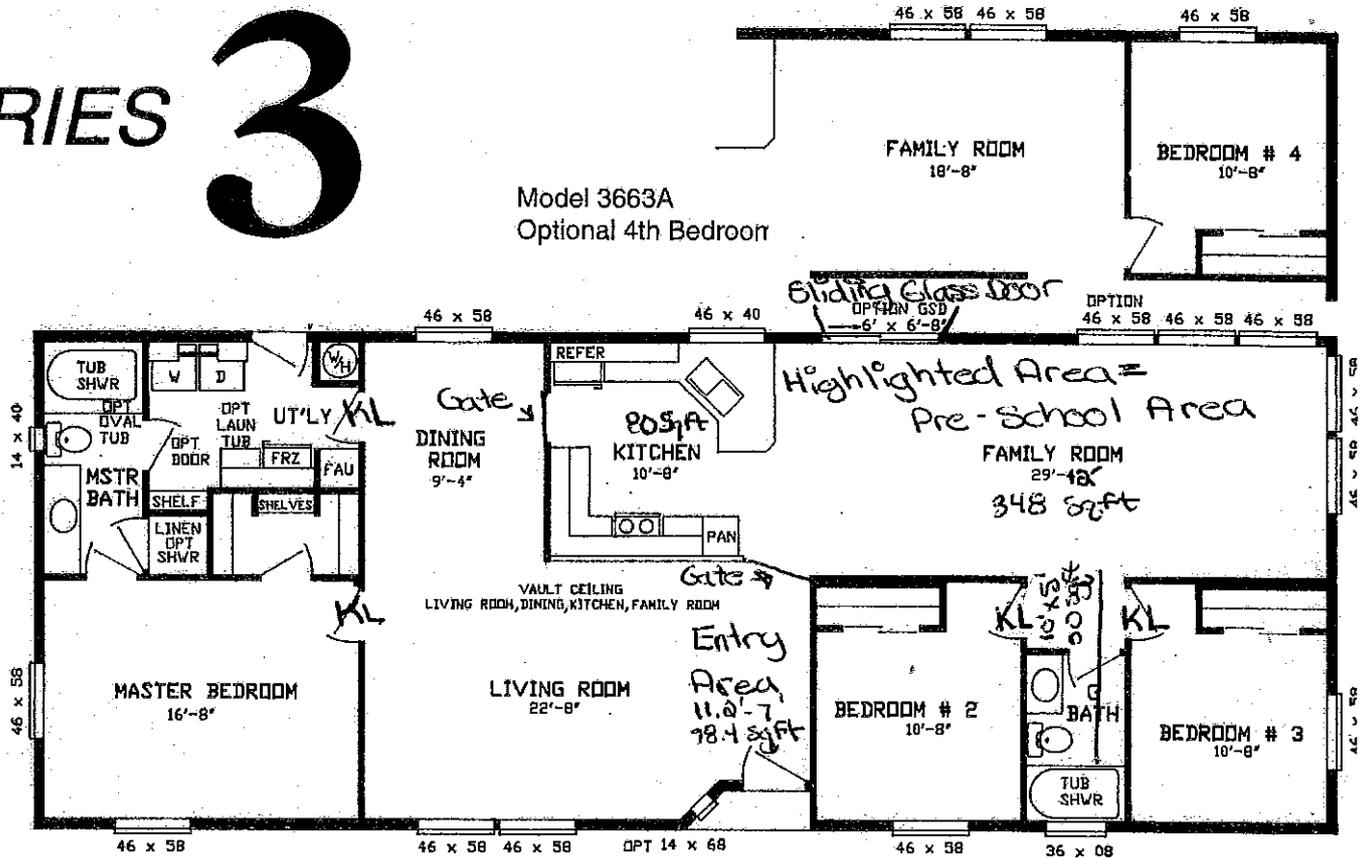
THE GUERDON HOME

BOAR 1.2

CUP 2014-009

SERIES 3

Model 3663A
Optional 4th Bedroom



Inside Sqft for Pre-school

656.4

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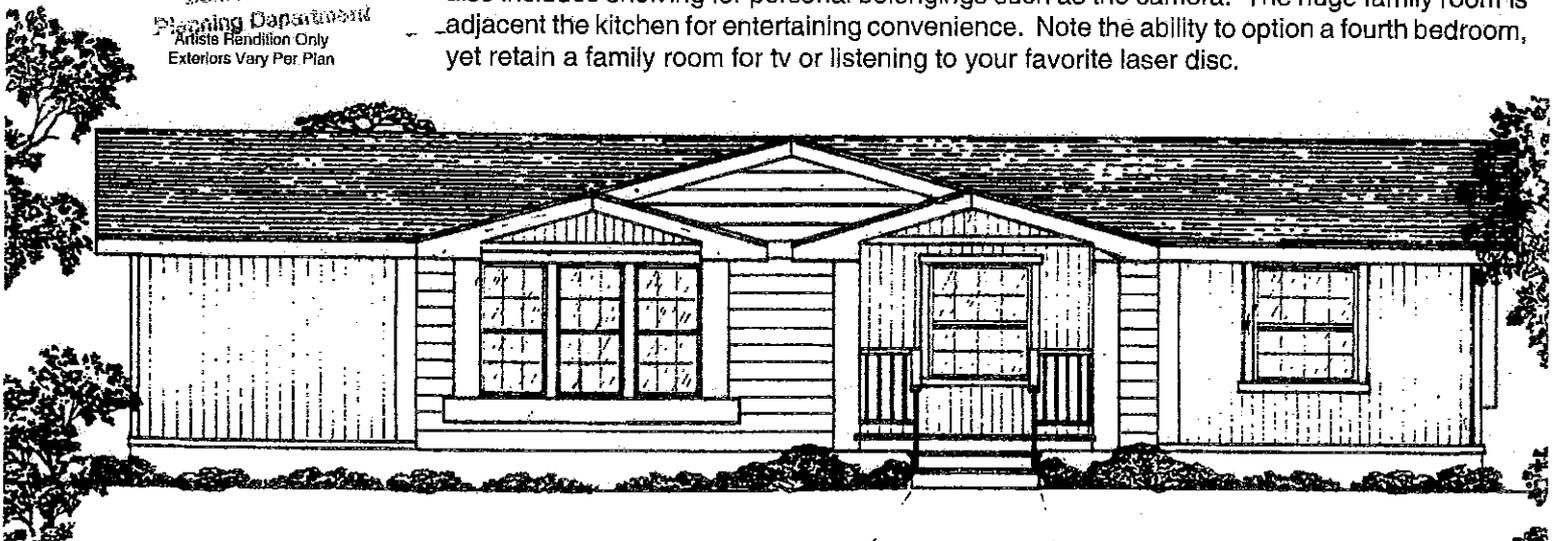
MODEL 3663 - 1,672 Square Feet
MODEL 3663A - Optional 4th Bedroom

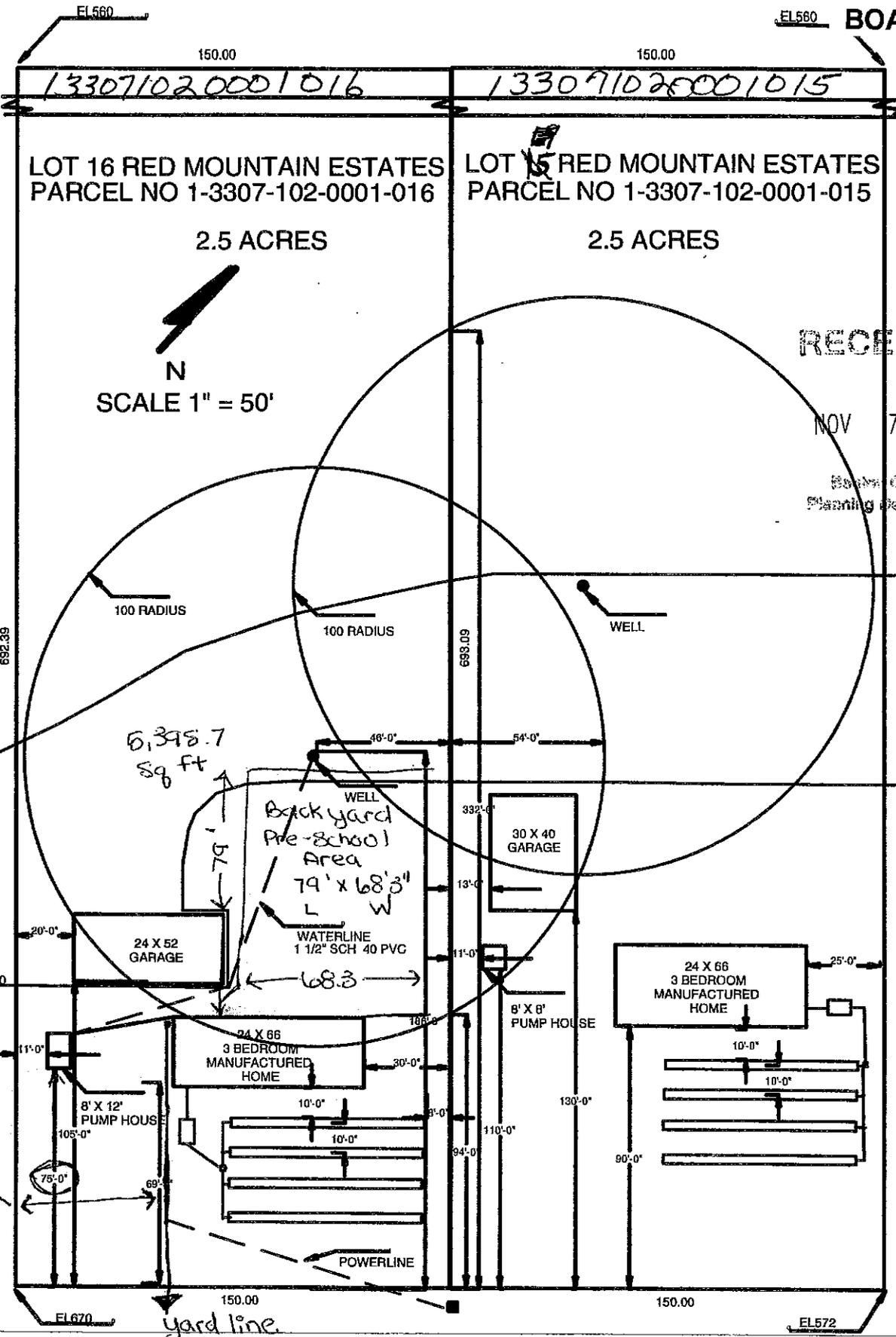
KL - Key locked doors
will be lock during
hours of operation

NOV 7 2014

North County
Planning Department
Artist Rendition Only
Exteriors Vary Per Plan

The abundant living space and conveniences in this home are designed for the larger family. For mom's convenience, the rear master suite is accessible direct to the utility room for laundry. There's even space for the food freezer or second refrigerator. The master suite walk-in closet also includes shelving for personal belongings such as the camera. The huge family room is adjacent the kitchen for entertaining convenience. Note the ability to option a fourth bedroom, yet retain a family room for tv or listening to your favorite laser disc.





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NOV 7 2014

Boone County Planning Department

54'3" Driveway + parking lot

yard line.

Proposed parking lot 75' x 54'3"

RUPPERT RD
Outside Pre-school Area
parking lot / Backyard = 9468.2

FIRE EVACUATION PLAN

BOAR 1.4

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NOV 7 2014

Bladen County
Planning Department

1. What will the person discovering the fire do?

Get everyone out of the house by blowing the whistle.
Dial 911.

2. How will you sound the alarm?

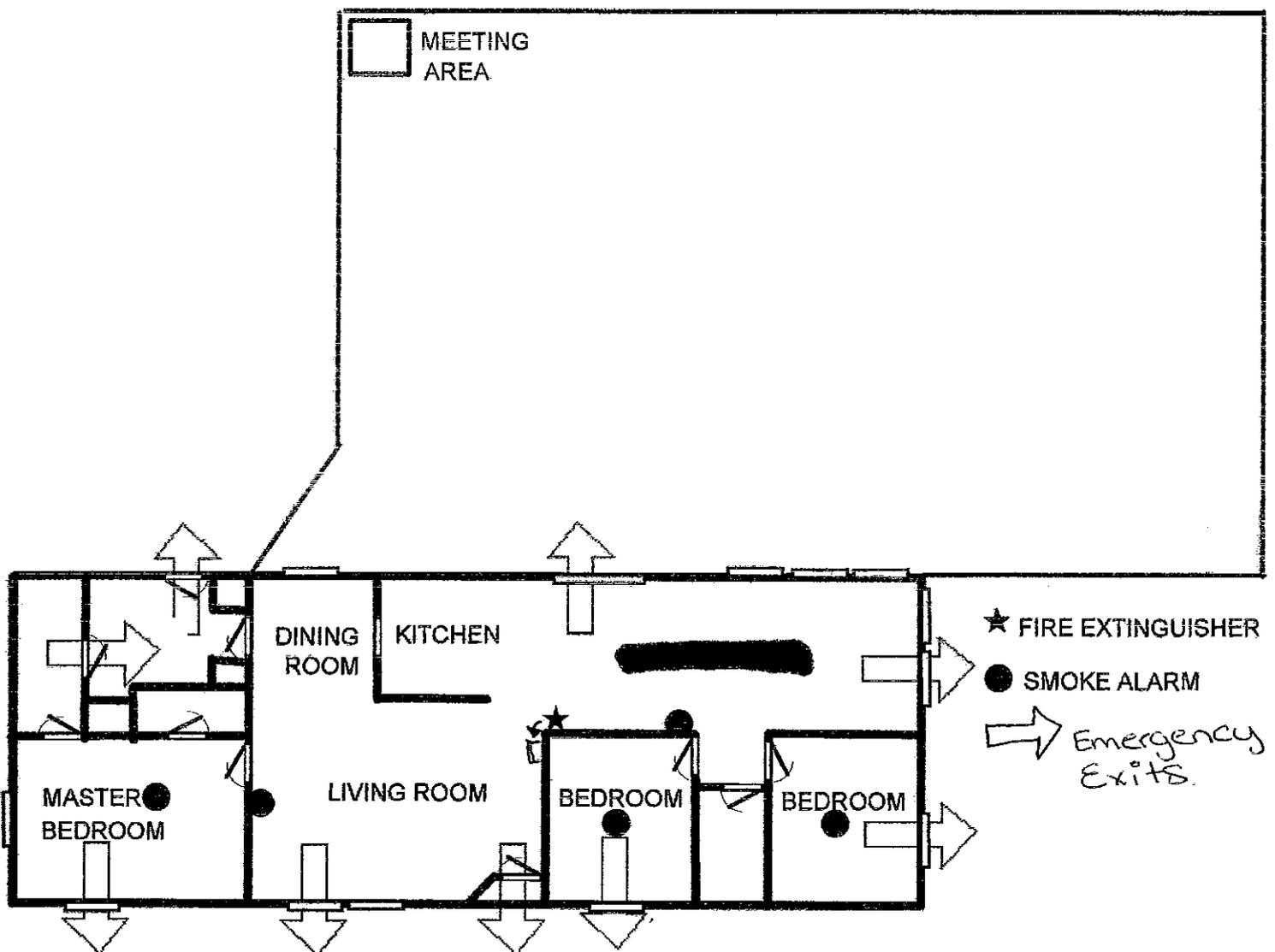
Use the whistle.

3. What will you do before the fire department arrives?

Make sure all are accounted for.

4. How will you make sure all persons are evacuated and accounted for?

Count heads and names.



Attachment #	Subject	Notes
	<u>Professional Qualifications</u>	
1	High School Diploma	2004
2	Associates Degree in Business	2009
3	Volunteer for 8 years at Rae's Home Daycare	CC 6-2
None	2 Years Home School Educator	Through Benton City School
4	Cleared Background Check/FBI Finger Printing	
5	First Aid/CPR	
6	Food Handler Card	
7	Blood Borne Pathogen Training	
8	Passed Tuberculosis Test	
	<u>Other Important Information</u>	
9	Septic Pumped	10/27/2014
10	Septic Inspection -- From Benton Franklin Health Department	
11	Approved Small Group B water system for well	
12	Passed water testing for Bacterial and Nitrate	
13	Fire Evacuation Plan	
14	Daily Schedule	
None	Curriculum consists of: A-Z 1-20 Colors Shapes Weather Seasons Understanding of Holidays Fine Motor Skills Calendar Patterns Science -- How things work Reading Nursery Rhymes Music-Playing Instruments Art Projects Free Play -- Dramatic play/Use of imagination/Sharing and socializing with others.	
15	Pictures -- Pre-School Area and Safety Features	

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NOV 7 2014

Benton County
Training Department



PUBLIC HEALTH
Prevent • Promote • Protect "Always working for a safer and healthier community."
BENTON-FRANKLIN HEALTH DISTRICT

April 6, 2006

Clark & Rae Boyer
26406 E. Ruppert Rd.
Benton City, WA 99320

RE: Approval of the Clark Boyer Water System consisting of a two unit public water supply located at 26406 E. Ruppert Rd., Benton County.

Dear Mr. & Mrs. Boyer:

This office has evaluated the Clark Boyer Water System Small Group B water supply consisting of one service and a small home day care, and finds that it is generally in compliance with the Washington State Board of Health Drinking Water Regulations and BFHD-EH-PC #33. Your water system is considered to be APPROVED based upon the basic public water supply requirements of water quality and source protection. Provisions for providing adequate water quantity and pressure to both service connections remain the responsibility of the supply owner.

Further approval from the Washington State Department of Health will be necessary for expansion beyond the number of services stated in this letter. In addition, expansion will require system conformance to minimum pressure, pumping and/or storage requirements as stated in WAC 246-290. The Water Facilities Inventory has been forwarded to the State Department of Health for assignment of an identification number. This number must be used on all future water samples to insure proper credit toward your sampling requirements. At least one bacteriological sample every twelve months and one nitrate sample every three years is required to be submitted to a certified laboratory.

If you have any questions, please feel free to contact me at 582-7761, Ext. 266.

Sincerely,

Jen L. Randle
Environmental Health Specialist II

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NOV 7 2014

Benton County
Planning Department

cc: Washington State Department of Health, Spokane
Benton-Franklin District Health Department, Richland
Benton County Building Department

NIT TEST PANEL
 (Nitrate/Nitrite)

Report of Analysis AKA Clark Boyer

Private Individuals: Fill out bolded areas only. Water System ←

Date Collected: (MM/DD/YY) <u>03/12/14</u>	System Group Type: (circle one) A <u>(B)</u> Other:
Water System ID Number: <u>A B 3 8 0 5</u>	System Name: <u>Nichole Hooper Water System</u>
Lab # - Sample #: <u>0 6 2 - 0 0 1 8 7</u>	County: <u>Benton</u>
Sample Location: <u>26406 E Ruppert Rd Benton City WA 99320 - well head</u>	Source Number(s): (list sources if blended or composited) <u>NA</u>
Sample Purpose: (check appropriate box) <input checked="" type="checkbox"/> RC - Routine/Compliance (satisfies monitoring requirements) <input type="checkbox"/> C - Confirmation (confirmation of chemical result) * <input type="checkbox"/> I - Investigative (does not satisfy monitoring requirements) <input type="checkbox"/> O - Other (specify - does not satisfy monitoring requirements)	Date Received: (MM/DD/YY) <u>03/13/14</u> Date Analyzed: (MM/DD/YY) <u>03/14/14</u> Date Reported: (MM/DD/YY) <u>03/14/14</u> Sampler Comments:
Sample Composition: (check appropriate box) <input checked="" type="checkbox"/> S - Single Source <input type="checkbox"/> B - Blended (list sources in 'Source Number(s)' field) <input type="checkbox"/> C - Composite (list sources in 'Source Number(s)' field) <input type="checkbox"/> D - Distribution sample	Sample Type: (check one) <input checked="" type="checkbox"/> Untreated (raw) <input type="checkbox"/> Treated <input type="checkbox"/> Unknown Sample Collected by: (name) <u>Nichole Hooper</u> Phone Number: <u>509-308-5233</u>
Send Report to: <u>Nichole Hooper</u> <u>26406 E Ruppert Rd</u> <u>Benton City WA 99320</u>	Bill to: (client name) <u>Already Paid</u>

EPA REGULATED AND STATE REGULATED OR REQUIRED

DOH #	ANALYTE	RESULTS	UNITS	SRL	TRIGGER	MCL	MCL Exceeded? (Check only if YES)	METHOD/Analyst initials
0020	Nitrate-N	<u>3.3</u>	mg/L	0.5	5.0	10.0		
0114	Nitrite-N		mg/L	0.1	0.5	1.0		<u>SM 4500-NO3-D/</u>
0161	Total Nitrate + Nitrite		mg/L	0.5	--	10.0		<u>SM 4500-NO2-B/</u>

NOTES:
 *Confirmation: Include the original lab number, sample number, and collection date of original sample in either lab or sampler comments section.
 SRL (State Reporting Level): The minimum reporting level established by the Washington State Department of Health (DOH).
 Trigger Level: DOH drinking water response level. Systems with compounds detected at concentrations in excess of this level may be required to take additional samples or monitor more frequently.
 MCL (maximum contaminant level): If the contaminant amount exceeds the MCL, please contact your regional DOH office to determine follow-up actions.
 NA (Not Analyzed): In the results column, indicates this compound was not included in the current analysis.
 ND (Not Detected): In the results column, indicates this compound was analyzed and not detected at a level greater than or equal to the SRL.
 < (0.00X): The compound was not detected in the sample at or above the concentration indicated (usually the lab method reporting limit).
 --: No existing value

Lab Comments:

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NOV 7 2014

Benton County
 Planning Department

K P PR Receipt #

Benton-Franklin Health District

7102 W. Okanogan Pl. • Kennewick, WA 99336 • 509-460-4206

COLIFORM BACTERIA ANALYSIS		
SAMPLE COLLECTION: READ INSTRUCTIONS ON BACK OF GOLDEN ROD COPY If instructions are not followed, sample will be rejected.		
Date Sample Collected 11 / 5 / 14 Month Day Year	Time Sample Collected 10:00 AM AM PM	County Benton
Type of Water System (check only one box) <input type="checkbox"/> Group A <input checked="" type="checkbox"/> Group B <input type="checkbox"/> Other		
Group A and Group B Systems - Provide from Water Facilities Inventory (WFI): ID# A B 3 8 0 J System Name: Clark Boyer water system		
Contact Person: Nichole Hooper		
Day Phone: ()	Cell Phone: 509.508-5235	
Eve. Phone: ()	FAX: ()	
Send results to: (Print full name, address and zip code) Nichole Hooper 26406 E Ruppert Rd Benton City WA 99320		
SAMPLE INFORMATION		
Sample collected by (name): Nichole Hooper		
Specific location where sample collected: well head	Special instructions or comments:	
Type of Sample (must check only one box of #1 through #4 listed below)		
1. <input type="checkbox"/> Routine Distribution Sample Chlorinated: Yes ___ No ___ Chlorine Residual: Total ___ Free ___	2. Repeat Sample (after unsatisfactory routine) <input type="checkbox"/> Distribution System <input type="checkbox"/> Source Groundwater Rule (GWR) (Population of 1,000 or less) Unsatisfactory routine lab number: Unsatisfactory routine collect date: Chlorinated: Yes ___ No ___ Chlorine Residual: Total ___ Free ___	
3. Raw Water Source Sample <input type="checkbox"/> E. coli - GWR source samples <input type="checkbox"/> Fecal - Surface, GWR, some springs <input type="checkbox"/> Other S	Public systems must provide source number from WFI	
4. <input type="checkbox"/> Sample Collected for Information Only Investigative ___ Construction / Repairs ___ Other ___		
CRITICAL WATER RESULTS - USE ONLY		
<input type="checkbox"/> Unsatisfactory Total Coliform Present and <input type="checkbox"/> E. coli present <input type="checkbox"/> E. coli absent <input type="checkbox"/> Fecal coliform present <input type="checkbox"/> Fecal coliform absent		<input checked="" type="checkbox"/> Satisfactory
Replacement Sample Required: <input type="checkbox"/> Sample too old (>30 hours) <input type="checkbox"/> TNTC <input type="checkbox"/> <input type="checkbox"/> Improper Container <input type="checkbox"/> Turbid culture		
Bacterial Density Results: Plate Count ___ /ml. E. coli ___ /100ml. Total Coliform ___ /100ml. Fecal Coliform ___ /100ml.		
Method Code: MICR- 2320	Date and Time Received: 11/5/14 1:00	
Date Analyzed: 11/5/14	Date Reported: 11/6/14	
Sample Number (DOH number plus five digits) 062-06991	Lab Use Only: light NC growth	

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NOV 7 2014

Benton County
Planning Department



Country Kidz Clubhouse Pre-School Schedule

Monday-Thursday 8:00 a.m. - 11:45 a.m

8:00 - Drop Off

8:15 - Calendar Wall

8:45 - Letter of the week

9:00 - Shape of the week

9:15 - Color Expressions

9:30 - Snack/Recess

10:00- Math and Numbers

10:15 - Music

10:30 - Art

10:45 - Science

11:10 - Let's Play a game - review of what we learned for the day

11:30 - Story Time

11:45 - Pick Up

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NOV 7 2014

Barber County
Planning Department

Country Kidz Clubhouse's Mission

My name is Nichole Hooper and I am a wife, a mother of two, and a college graduate. My number one passion in life has always been watching kids grow and learn. To see their faces light up when they discover new things or accomplish something that was difficult is the greatest reward a person can ask for.

Country Kidz Clubhouse isn't just going to be a Pre-School. It's a place where kids can come and feel safe and completely expand their minds by learning, exploring, and reaching for the unreachable. My mission is for every child in my Pre-School to have the best self confidence in themselves to help them grow and succeed. To give their minds the best jump start they can get before they move forward into a bigger school setting. I believe 100% in the statement that "Our children are the future". My number one mission is to help them succeed now, because all successful futures begin with the first step, and that first step is when they first enter Country Kidz Clubhouse.



Thank you for taking the time to review my application.

RECEIVED

NOV 7 2014

Sanborn County
Planning Department

Proposed Pre-School Area



RECEIVED

NOV 7 2014

Blair County
Planning Department





Parking Lot



Play Area



Play Area



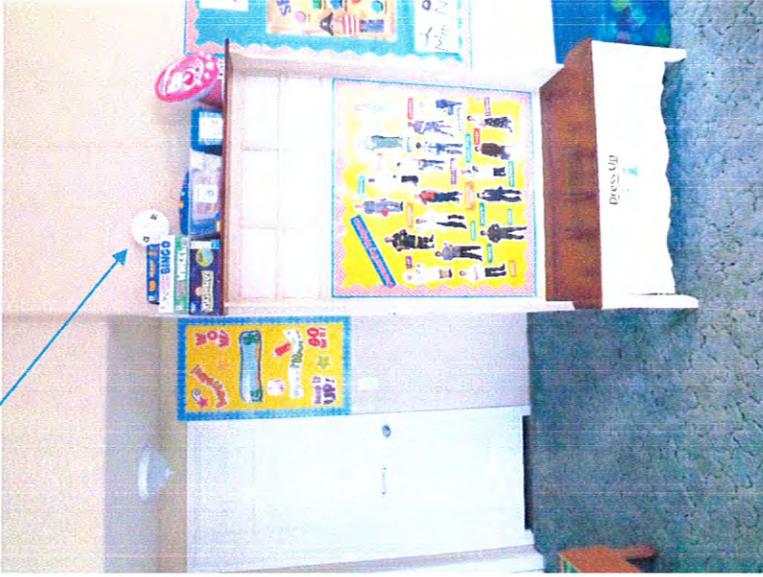
Play Area

RECEIVED

NOV 7 2014

Blaine County
Planning Department

Carbon Monoxide/Smoke Dectector



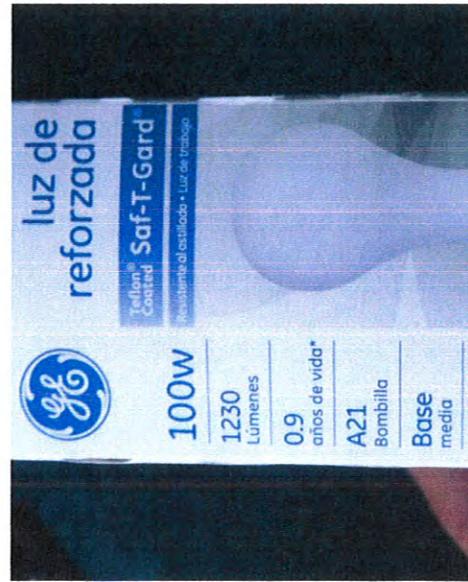
All doors in house are equipped with security chimes.

RECEIVED

NOV 7 2014

Maricopa County
Planning Department

Key Locked Bedrooms on left and right - NON-LOCKABLE door on bathroom



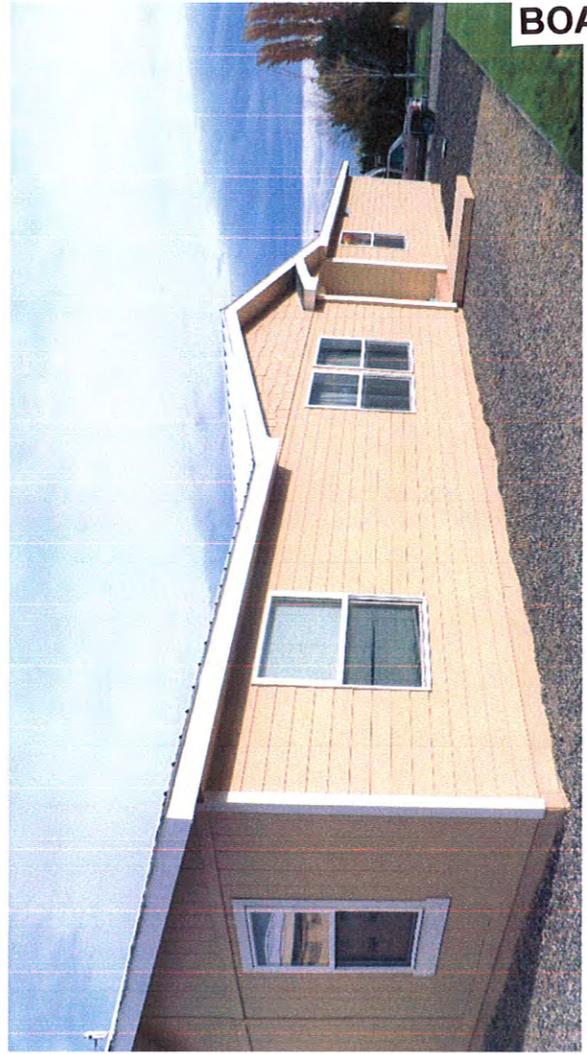
All lights Shatter Proof or covered with protector Sleeve



RECEIVED

NOV 7 2014

Planning Department



Entrance

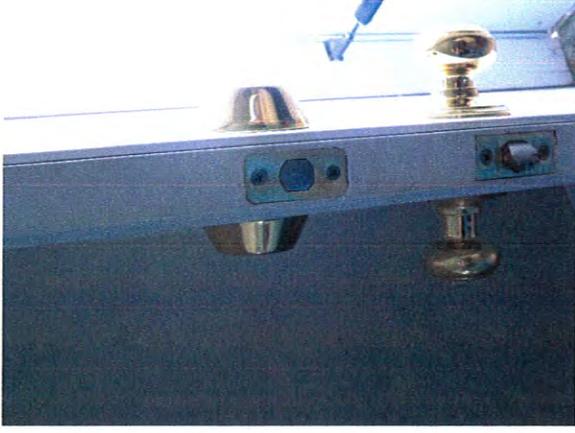


Children's Cubbies

All hazards in kitchen are safe proofed with magnetic locks. This includes cabinets with knives and cabinets under sink.



Special door knob and dead bolt so door stays unlocked at all times during business hours.



Other Important Aspects:

- Cauligan Hard water softener
- Reverse Osmosis drinking water
- Advanced Allergen Air Filter
- All large items in house are mounted to wall
- All outside gates are padlocked
- All fences 4 feet or higher
- No Smoking Sign
- Fire extinguisher serviced 10/2014
- Possible handicap accessible bathroom and entrance if necessary

RECEIVED

NOV 7 2014

Essex County
Planning Department

Carbon Monoxide/Fire Alarm

Key Locked Bedroom/Laundry Room



Standing in Entry Way



RECEIVED

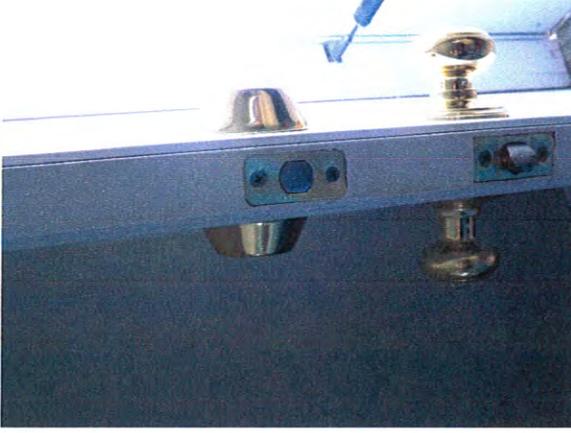
NOV 7 2014

Herbert County
Planning Department

All hazards in kitchen are safe proofed with magnetic locks. This includes cabinets with knives and cabinets under sink.



Special door knob and dead bolt so door stays unlocked at all times during business hours.



Other Important Aspects:

- Cauligan Hard water softener
- Reverse Osmosis drinking water
- Advanced Allergen Air Filter
- All large items in house are mounted to wall
- All outside gates are padlocked
- All fences 4 feet or higher
- No Smoking Sign
- Fire extinguisher serviced 10/2014
- Possible handicap accessible bathroom and entrance if necessary



RECEIVED

NOV 7 2014

Shelby County
Planning Department

**EXHIBIT LIST FOR VAR 2014-004
 APPLICANT: THOMAS MARTY**

The Exhibit Numbers are located in the top right hand corner of each document.

BOAM – Board of Adjustment Memo Exhibits

BOAR – Board of Adjustment Record Exhibits

BOAH – Board of Adjustment Hearing Exhibits

BOARD OF ADJUSTMENT STAFF MEMO EXHIBIT LIST			
BOAM 1 INCLUDES	EXHIBIT #	DOCUMENT NAME	DATE
	BOAM 1.1	Staff Memo	November 21, 2014
	BOAM 1.2	Notice of Open Record Hearing	November 18, 2014
	BOAM 1.3	Benton Co. Fire Marshal Comments	November 19, 2014
	BOAM 1.4	Columbia Irrigation District Comments	November 21, 2014
	BOAM 1.5	Benton County Public Works Comments	November 24, 2014
	BOAM 1.6	Site Map	November 18, 2014
	BOAM 1.7	Aerial of the site	November 18, 2014
BOARD OF ADJUSTMENT RECORD EXHIBIT LIST			
BOAR 1 INCLUDES	EXHIBIT #	DOCUMENT NAME	DATE
	BOAR 1.1	Variance Application	November 14, 2014
	BOAR 1.2	Additional Narrative form the applicant	November 14, 2014
	BOAR 1.3	Aerial of the site presented by the applicant	November 14, 2014
	BOAR 1.4	Plot Plan – applicant submittal	September 18, 2014
BOARD OF ADJUSTMENT HEARING EXHIBIT LIST DECEMBER 4, 2014			
BOAH 1 INCLUDES	EXHIBIT #	DOCUMENT NAME	DATE

Benton County Planning Department

Planning Annex, P.O. Box 910, 1002 Dudley Avenue, Prosser WA 99350, Phone: (509) 786-5612 or (509) 736-3086, Fax (509) 786-5629

BOAM 1.1

MEMO DATE: NOVEMBER 21, 2014

HEARING DATE: DECEMBER 4, 2014

TO: BENTON COUNTY BOARD OF ADJUSTMENT

FROM: BENTON COUNTY PLANNING DEPARTMENT
CLARK A. POSEY,
ASSISTANT PLANNING MANAGER 

RE: VARIANCE APPLICATION – VAR 2014-004

**APPLICANT/
PROPERTY OWNER:** THOMAS MARTY
1921 ARTEMIS RIDGE
WEST RICHLAND, WA 99353

SPECIFIC REQUEST

The applicant, Thomas Marty, is requesting a variance from BCC 11.16A.080 being a setback of 25ft. from an access easement. Applicant is requesting a 6ft. variance leaving a 19ft. setback for the addition of a cover for an existing patio. The parcel is located in the Rural Lands 5 Zoning District and is 2.5 acres.

BACKGROUND

Site Location: The site is located at 1921 Artemis Ridge. West Richland, WA 99353. In the Northeast Quarter of the Northeast Quarter of Section 8, Township 9 North, Range 28 East W.M of Willamette Heights Lot 63.

Land Use: The surrounding land uses are developed with residential and small agricultural acreages are the main activities within this area.

Zoning & Comprehensive Plan Designation: Rural Lands 5

APPLICABLE DEVELOPMENT REGULATIONS

1. **The Revised Code of Washington RCW 36.70.810**, requires that the following findings be made prior to the granting of the variance and the applicant should be prepared to demonstrate before the Board of Adjustment that such findings exist.
 - a. Variances granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the

limitations on the other properties in the vicinity and the zone in which the property is situated.

- b. That strict application of the Zoning Ordinance is found to deprive subject property of rights and privileges enjoyed by other properties in the vicinity and under identical zoning classification because of special circumstances applicable to subject property including size, shape, topography, location or surroundings
 - c. That the granting of the variance will not be materially detrimental to the public welfare or injurious to property or improvements in the vicinity and zone in which the subject property is situated.
2. **Benton County Code Section 11.52.088(b) states:**
"Variance-General Standards. The variance application process allows the Board of Adjustment in specific cases, as provided in RCW 36.70.810, to grant a variance to the provisions of this title when it can be demonstrated that such variance is in harmony with the general purpose and intent of this title and is accordance with the requirements of this section. However, the Board of Adjustment shall not grant variances to land uses or density requirements."
3. **Benton County Code Section 11.52.088(e) provides:**
"Variance—Permit Granted. (1) A variance shall be granted only if the Board of Adjustment concludes that based on its findings and the conditions imposed, if any, that:
- (i) granting of the proposed variance will not permit a use that is not classified as an allowable or conditional use in the zoning district wherein the use would be located;
 - (ii) special circumstances such as lot size, slope, topography or necessary size or shape of the building prevent compliance with the applicable property development standards;
 - (iii) due to special circumstances applicable to the subject property, strict application of the zoning district property development standards would deprive the subject property of rights and privileges enjoyed by other properties in the vicinity and under the same zoning district classification;
 - (iv) the problem sought to be addressed by the variance is related to the physical features of the particular property or building and would exist regardless of the identity of the owner;

- (v) the problem sought to be addressed is not common for other properties in the surrounding area;
 - (vi) the variance would not be materially detrimental to public welfare or injurious to the property or improvements in the vicinity under the same zoning classification;
 - (vii) the variance will not adversely affect the health or safety or persons residing or working in the neighborhood in which the variance is being requested; and,
 - (viii) the variance would not deny the preservation and enjoyment of substantial property rights of those owning property in the vicinity.
4. The Board of Adjustment may grant a variance subject to specified conditions designed to ensure that the purpose and intent of this title and the Comprehensive Plan will not be violated; provided, the specified conditions are needed to make the conclusions required by subsection (e)(1) above.
5. **11.16A.080 - PROPERTY DEVELOPMENT STANDARDS--SETBACK REQUIREMENTS.** All lands, structures, and uses in the Rural Lands Five Acre District (RL-5) shall meet the following setback requirements, and if applicable, the setback requirements set forth in Title 15 BCC (Protection of Critical Areas and Resources).
- (a) Setback Requirements. The following minimum setbacks shall apply:
 - (1) Each dwelling unit, accessory building, and accessory use on a parcel shall have a setback of fifty-five (55) feet from the centerline of any public road right-of-way or twenty-five (25) feet from the property line bordering any public road right-of-way, whichever is greater; and a setback of twenty-five (25) feet from the closest edge of any legally-established boundary line of a private access easement.
 - (2) Each dwelling unit shall have a setback of twenty-five (25) feet from the rear parcel lines.
 - (3) Each accessory building and accessory use shall have a setback of ten (10) feet from all alleys and the rear parcel lines.
 - (4) Each dwelling unit, accessory building, and accessory use on a parcel shall have a setback of ten (10) feet from the side parcel lines.
 - (5) All shelters, coops, or other structures used for the habitation of livestock shall have a setback of at least thirty (30) feet from every

property line of the parcel on which it is located, unless a greater setback is otherwise required under Benton County Code.

(6) All dwelling units and swimming pools shall have a setback of one hundred fifty (150) feet from any parcel located partially or wholly within the Growth Management Agricultural Act District (GMAAD) and from any adjacent orchard, hop field or vineyard (or combination thereof) of ten (10) acres or more on one parcel or on contiguous parcels under common ownership.

(7) Cornices, eaves, belt courses, sills, fireplace chimneys, and open, unenclosed stairways or balconies not covered by a roof or canopy may extend or project from a building three (3) feet into any required setback area; provided, none of these architectural features may be located within any easements.

(8) Ground floor uncovered, unenclosed porches, platforms, or landings may extend or project from a building six (6) feet into the setback area but no closer than five (5) feet to any parcel line; provided, none of these architectural features may be located within any easements.

(b) Any additional setbacks required pursuant to Chapter 3.18 BCC shall apply.

DISPOSITION OF THE APPLICANT'S REQUEST

A variance shall be granted only if the Board of Adjustment concludes that based on its findings and the conditions imposed, if any, that:

- (i) granting of the proposed variance will not permit a use that is not classified as an allowable or conditional use in the zoning district wherein the use would be located;
- (ii) special circumstances such as lot size, slope, topography or necessary size or shape of the building prevent compliance with the applicable property development standards;
- (iii) due to special circumstances applicable to the subject property, strict application of the zoning district property development standards would deprive the subject property of rights and privileges enjoyed by other properties in the vicinity and under the same zoning district classification;
- (iv) the problem sought to be addressed by the variance is related to the physical features of the particular property or building and would exist regardless of the identity of the owner;
- (v) the problem sought to be addressed is not common for other properties in the surrounding area;
- (vi) the variance would not be materially detrimental to public welfare or injurious to the property or improvements in the

- vicinity under the same zoning classification;
- (vii) the variance will not adversely affect the health or safety or persons residing or working in the neighborhood in which the variance is being requested; and,
 - (viii) the variance would not deny the preservation and enjoyment of substantial property rights of those owning property in the vicinity.

FINDINGS OF FACT

The following findings of fact and comments were received as of the date of this memo being November 21, 2014. Any comments received after the completion of this staff memo or obtained during the advertised public hearing of VAR 2014-004 may be addressed by the Board of Adjustment and added or deleted from this list of conditions. The Board may decide to adopt these findings as their own or amend these Findings of Fact and listed conditions after the comment period of the open public hearing.

1. The property owner/applicant is Thomas Marty, 1921 Artemis Ridge. West Richland, WA 99353.
2. The applicant is requesting approval for a variance to BCC 11.16A.080 being a 6ft. variance to the 25ft. setback in the RL-5 Zone. This would leave a 19 ft. setback for the addition of a cover for an existing patio in the Rural Lands 5 Zone.
3. The site is located at 1921 Artemis Ridge. West Richland, WA 99353 Northeast Quarter of the Northeast Quarter of Section 8, Township 9 North, Range 28 East, W.M Lot 63 of Willamette Heights.
4. The application for VAR 2014-004 was submitted to Benton County on November 14, 2014 and was determined a complete application for processing on November 18, 2014. BOAR 1.1
5. The proposed variance application did not require that a Notice of Application be published.
6. The notice for the Benton County Board of Adjustment Open Record Hearing for application VAR 2014-004 was published on November 20, 2014, in the Tri-City Herald and mailed to property owners of record within 300 feet of the outer boundaries of the parcel. The Open Record Hearing is scheduled for December 4, 2014. BOAM 1.2
7. The Benton County Building Department required that a building permit be obtained.
8. The Benton Franklin Health District reviewed the variance request and had no objections at this time.

9. Benton REA had no comments or concerns regarding this request.
10. Benton County Fire Marshal had the following comments: Posts will need to meet the IBC fire resistance requirements. BOAM 1.3
11. Columbia Irrigation District did not have any comments on this action. BOAM 1.4
12. Benton County Public Works stated that there was an existing access approach onto Mt. Adams View Road. BOAM 1.5
13. Special circumstances such as lot size, slope, topography or necessary size or shape of the building are preventing compliance with the applicable property development standards in the Rural Lands 5 Zoning District.
14. The strict application of the zoning district property development standards would deprive the subject property of rights and privileges enjoyed by other properties in the vicinity and under the same zoning district classification.
15. The problem sought to be addressed by the variance is related to the physical features of the particular property or building and would exist regardless of the identity of the owner;
16. It must be shown that a material hardship unwarranted within the intent of this Code will exist if the variance is not granted, and that the hardship cannot be remedied by other means. The hardship demonstrated must not be self-created and must relate to the land itself and not to problems personal to the applicant. The variance permitted shall be the minimum variance which will mitigate the hardship.
17. The proposed structure would be located 19 ft. from the 33 ft. access easement created in the Willamette Heights area.

CONDITIONS

The Board of Adjustment may grant a variance subject to specified conditions designed to ensure that the purpose and intent of this title and the Comprehensive Plan will not be violated; provided, the specified conditions are needed to make the conclusions required by the subsection above.

If the Board of Adjustment decides to approve Variance Request VAR 2014-004 the following are suggested conditions that are recommended by the Planning Department:

1. Any conditions imposed by the Board of Adjustment shall be completed prior to the Planning Department issuing the variance. The applicants shall notify the Benton County Planning Department in writing when the conditions set forth herein have been completed. The Planning Department shall not issue the variance until those conditions have been met. The variance shall not become effective until issued by the Planning Department.
2. If the conditions of approval have not been met and the Planning Department does not issue the variance within one (1) year from the time the Board of Adjustment conditionally approved the variance, the Board of Adjustment may declare its approval null and void at a regular Board of Adjustment meeting. Prior to doing so, the applicants shall be notified in writing at the applicants' last known address at least twelve (12) days in advance of the upcoming Board of Adjustment meeting.
3. No matter the outcome of this Variance the applicant will need to obtain a building/placement permit from the Benton County Building Department for the placement of the storage container.
4. The applicant for Variance VAR 2014-004 must have a Washington State Licensed Surveyor mark the property line adjacent to the location of the proposed building, prior to the inspection by the Building Department.
5. The variance is limited to a six (6) foot reduction of the required twenty-five (25) foot rear yard setback for the construction to the existing home. This will leave a nineteen (19) foot setback from the rear property line.

Benton County Planning Department

Planning Annex, P.O. Box 910, 1002 Dudley Avenue, Prosser WA 99350, Phone: (509) 786-5612 or (509) 736-3086, Fax (509) 786-5629

NOTICE OF OPEN RECORD HEARING(S)

BOAM 1.2

NOTICE IS HEREBY GIVEN that the following application(s) has been proposed to the Benton County Board of Adjustment, Benton County, Washington.

CONDITIONAL USE PERMIT – CUP 2014-008: The applicants are requesting approval to operate a glass window and glazing business to be located at 191616 E Game Farm Road, Kennewick in the southwest Quarter of the Southwest Quarter of Section 19, Township 8 North, Range 30 East, W.M. Applicants: Mike/Melissa LaBeaf

CONDITIONAL USE PERMIT – CUP 2014-009: The applicant is requesting approval to operate a pre-school – Country Kidz Clubhouse – for up to eight children. The site is located at 26406 E Ruppert Road – Benton City, Red Mountain Estates Lot 16, Block 1 in Section 33, Township 10 North, Range 27 East, W.M. Applicant: Nicole Hooper

VARIANCE REQUEST – VAR 2014-004: The applicant is requesting a variance of 6 feet from the 25 foot access easement setback which would leave a 19 feet setback from the access easement (BCC 11.16A.080) in order to construct a cover addition for an existing patio. Location: Northeast Quarter of the Northeast Quarter of Section 8, Township 9 North, Range 28 East W.M of Willamette Heights Lot 63. Applicant Thomas Marty

NOTICE IS GIVEN that said application(s) will be considered by the Board of Adjustment of Benton County, Washington at the public hearing(s) on **Thursday, December 4, 2014 beginning at the hour of 7 p.m. in the Planning Annex – 1002 Dudley Avenue – Prosser, WA 99350.** All concerned persons may appear and present any support for or objections to the application(s) or provide written testimony to the Board of Adjustment in care of the Planning Department on or before the date of the hearing(s). More information concerning these actions can be obtained by contacting Clark A. Posey, Assistant Planning Manager at the Benton County Planning Department, 1002 Dudley Avenue, P O Box 910, Prosser, WA 99350 or by calling 736-3086 (Tri-Cities) or 786-5612 (Prosser). Note: Any information submitted to Benton County is subject to the public records disclosure law for the State of Washington (RCW Chapter 42.17) and all other applicable law that may require the release of the documents to the public. It is suggested that if you plan on attending the hearing that you call the Benton County Planning Department the afternoon of the hearing by 4 p.m. to confirm that the hearing will be conducted as scheduled.

It is Benton County's policy that no qualified individual with a disability shall, by reason of such disability be excluded from participation in or be denied the benefits of its services, programs, or activities or be subjected to discrimination. If you wish to use auxiliary aids or require assistance to comment at this public meeting, please download and submit the Accommodation Request Form 48 hours prior to the date of the meeting. The form is located on the Benton County website which is www.co.benton.wa.us under the Personnel Department or contact the Benton County Planning Department at the numbers noted above for assistance.

Dated this 18th day of November, 2014.

BRENT CHIGBROW, Chairman
BENTON COUNTY BOARD OF ADJUSTMENT
CLARK A. POSEY, ASSISTANT PLANNING MANAGER
BENTON COUNTY PLANNING DEPARTMENT

PUBLISH: THURSDAY, NOVEMBER 20, 2014

Benton County Fire Marshal's
Review of Proposed Planning Applications

BOAM 1.3

TO: Clark Posey

Variance Application 14-04

Date Received 11-19-14 Date Returned 11-20-14

Applicants Comments: Thomas Marty, 1921 Aremis Ridge, West Richland, 967-3495 request a 6' side yard variance to construct a patio cover.

Fire Marshal's Comments: Posts will need to meet the IBC fire resistance requirements.

Required:

Must meet IBC requirements.

RECEIVED
Benton County
Planning Department

NOV 20 2014

RECEIVED

RECEIVED

NOV 20 2014

Benton County
Planning Department

Carel Hiatt

From: Lila Freshment <lfreshment@columbiairrigation.com>
Sent: Friday, November 21, 2014 9:44 AM
To: Planning Department
Subject: RE: Utility Review for VAR 2014-004 Marty

Columbia Irrigation District has no comments.

Thank you,

Lila Freshment
Accounts Payable
Columbia Irrigation District
10 E Kennewick Avenue
Kennewick, WA 99336
Phone: (509) 586-6118
Fax: (509) 586-0485
lfreshment@columbiairrigation.com

From: Planning Department [<mailto:Planning.Department@co.benton.wa.us>]
Sent: Wednesday, November 19, 2014 2:17 PM
To: Jeff Liner; Benton-Franklin Dist. Health Dept.; rich@bentonrea.org; FRONTIER TELEPHONE; Lila Freshment; Dale Wilson; Ken Williams; Michelle Johnson; Rick Hall; Rod Worthington; Steve Brown; Tomi Chalk
Subject: Utility Review for VAR 2014-004 Marty

Attached to this email is the Utility Review letter for VAR 2014-004 Thomas C. Marty. Please review these documents and submit any comments.

Thank you

RECEIVED

NOV 21 2014

Benton County
Planning Department

Carel Hiatt

From: Lazaro Lopez
Sent: Monday, November 24, 2014 2:43 PM
To: Planning Department
Subject: RE: Utility Review for VAR 2014-004 Marty

Clark or Carel,

No comments on this one.
There is an existing access approach onto Mt. Adams View Rd.

Thanks,

Lazaro Lopez
Benton County Public Works
Office: 509-786-5611
Fax: 509-786-5627
lazaro.lopez@co.benton.wa.us

From: Planning Department
Sent: Monday, November 24, 2014 2:21 PM
To: Lazaro Lopez
Subject: FW: Utility Review for VAR 2014-004 Marty

RECEIVED

One more to go.

NOV 24 2014

Thanks

Benton County
Planning Department

Carel

From: Planning Department
Sent: Wednesday, November 19, 2014 2:17 PM
To: Jeff Liner; Benton-Franklin Dist. Health Dept.; rich@bentonrea.org; FRONTIER TELEPHONE; Columbia Irrigation District; Dale Wilson; Ken Williams; Michelle Johnson; Rick Hall; Rod Worthington; Steve Brown; Tomi Chalk
Subject: Utility Review for VAR 2014-004 Marty

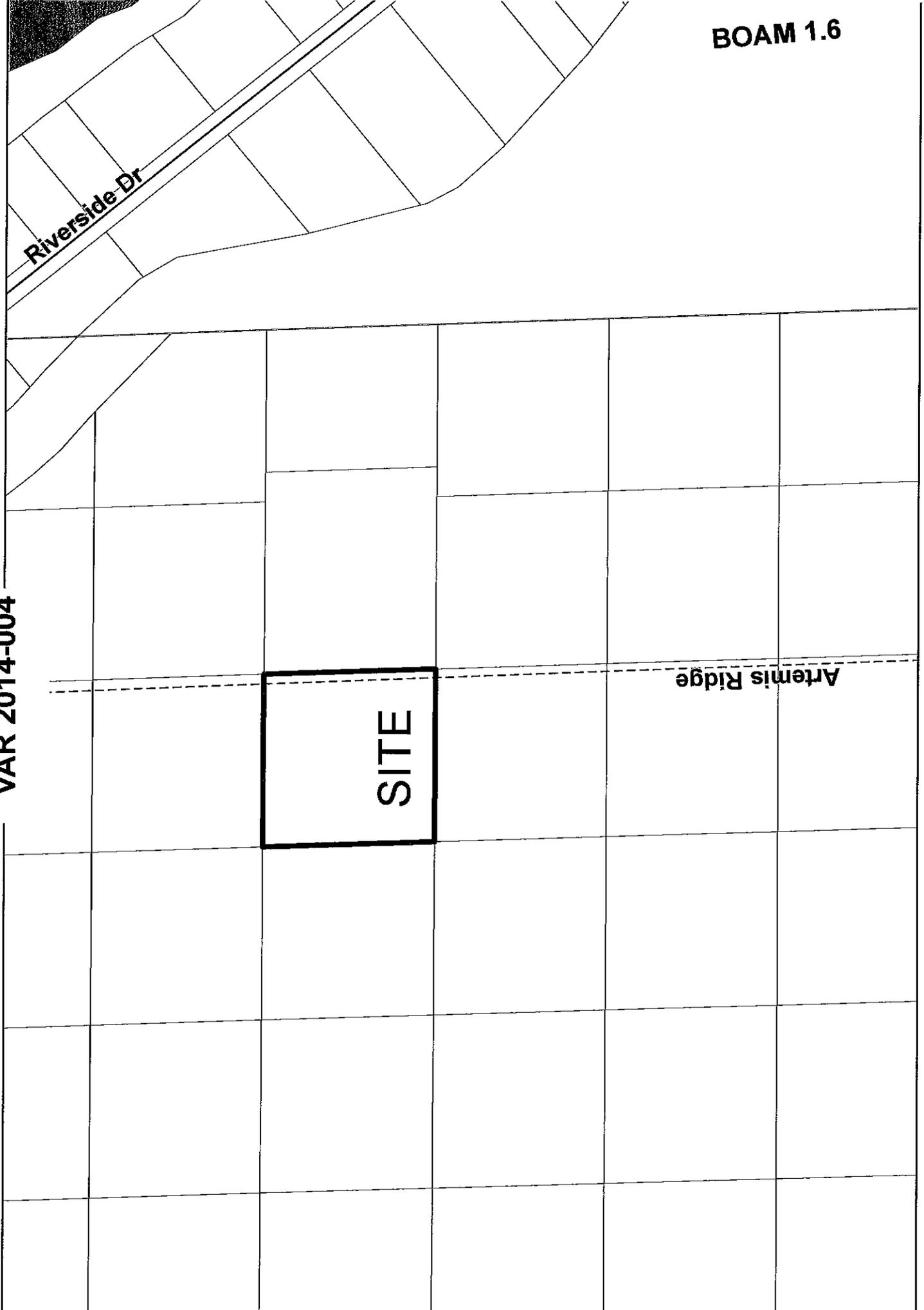
Attached to this email if the Utility Review letter for VAR 2014-004 Thomas C. Marty. Please review these documents and submit any comments.

Thank you

SECTION 8, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.
VARIANCE VAR # 2014-004
THOMAS MARTY 1-0898-102-0563-000
MAP PRINTED: NOVEMBER 18, 2014

VAR 2014-004

Benton County does not warrant, guarantee, or
accept liability for accuracy of the information shown
herein. This information is a product of the Benton County
Geographic Information Systems and is prepared
for presentation purposes only.





BENTON COUNTY
PLANNING
DEPARTMENT

SECTION 8, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.

VARIANCE VAR # 2014-004

THOMAS MARTY 1-08998-102-0563-000

MAP PRINTED: NOVEMBER 18, 2014

Benton County does not warrant, guarantee, or
accept liability for accuracy of the information shown
herein. This information is a product of the Benton Coun
Geographic Information Systems and is prepared
for presentation purposes only.



Riverside Dr

Artemis Ridge

SITE

BOAM 1.7

VARIANCE
BENTON COUNTY PLANNING DEPARTMENT
~~VARIANCE~~ APPLICATION
FILE NO. VAR2014-004
NOV 12 2014

RECEIVED

NOV 07 2014 BOAR 1.1
BENTON COUNTY
BUILDING DEPT

RECEIVED

NOV 14 2014

Benton County
Planning Department

1. Name and address of applicant: Thomas C Marty
1921 Artemis Ridge West Richland WA 99353
Telephone # Home: 967-3495 Work: 531-1824
2. Legal owners name and address: Thomas & Lynne Marty
1921 Artemis Ridge West Richland WA 99353
Telephone # Home: _____ Work: _____
THEMarty4@FRONTIER.COM
3. Legal description or Parcel Number of property for which variation permit is for:
108981020063000
4. Section of the zoning ordinance under which it is claimed that a variation should be granted.
(To be completed by the Planning Department) _____
5. A variation is being requested for the purpose of Open air porch
roof.
6. What is the minimum variation that will alleviate hardship? (Variations can be for only 10% of the standards of the zoning district in which the use is located.)
6'
7. Are there special circumstances such as lot size, slope, topography or necessary size or shape of the building that prevent compliance with the zoning ordinance? If so, explain:

8. Does strict application of the zoning ordinance deprive subject property of rights and privileges enjoyed by other properties in the vicinity and under the same zoning classification? If so, explain:

9. Applicant shall attach a site plan of the property, drawn to a scale of one inch equals fifty feet (1"=50') unless otherwise specifically approved by the Planning Department, showing the following information.
PLEASE NOTE: See attached sample site plan.
 - A. Dimensions of the property.

- B. Location and size of the proposed use complete with distances between buildings and all property lines.
- C. Location and size of existing improvements complete with distances, buildings, and all property lines.
- D. All streets, roads, easements, and rights-of-way located on or adjacent to this property. (Label structures and roadways)

10. Zoning classification of property involved: Rural land five

11. Total acreage - lot size involved: 2 1/2 acre

COMMENTS OR PERTINENT INFORMATION:

Rod has been out & looked at site & told me there was no problems or issues with this request & to turn it in.

ALL persons with an ownership interest in the property on which the land use action is proposed must sign the application other than interests exclusively limited to ownership of the parcel's mineral rights.

I certify that the information given above is true and complete to the best of my knowledge.

Signature Block for individuals only.

Thomas C. Marty
Applicant's Signature

Thomas C. Marty
Print Name

11-7-14
Date

Thomas C. Marty
L. S. Marty
Signature of Legal Owners

L. S. Marty
Print Name

11-7-14
Date

Signature of Person with additional ownership interest

Print Name

Date

Signature of Person with additional ownership interest

Print Name

Date

If the applicant is a corporation/partnership/LLC etc. please use the following signature block.

Applicant: _____

By: _____
(print name) (Title)

Signature: _____
(Signature) (Title)

The above signed officer of _____ warrants and represents that all necessary legal and corporate actions have been duly undertaken to permit _____ (name of entity) to submit this application and that the above signed officer has been duly authorized and instructed to execute this application.

NOTE: The Benton County Planning Department will process the variation application as an in-house review. It should be noted that variations would be for a reduction in the setback not exceeding ten (10) percent of the standards of the zoning district in which the use is located. Minor variations may not allow an increase in the number of dwelling units on a parcel. If the variation is denied the applicant may then apply for a variance as provided in Ordinance 369 - Section 1(d).

NOTE: THE APPLICATION FEE OF \$75.00 IS NON-REFUNDABLE; THERE ARE NO GUARANTEES THAT YOUR VARIATION APPLICATION WILL BE APPROVED

Any information submitted to the Benton County Planning Department is subject to public records disclosure law for the State of Washington (RCW Chapter 42.17) and all other applicable law that may require the release of the documents to the public.

4/8/08

FOR OFFICIAL USE ONLY:

CRITICAL AREA REVIEW COMPLETED

BY Mark Perry ON 11/18/2014

APPLICATION APPROVED FOR PROCESSING

BY Mark Perry ON 11/18/2014

The property will be served by:

WATER: Well

SEWER: Septic Tank

POWER: PUD _____

PHONE: Yes No _____

GAS: Yes _____ No _____

CABLE: Yes _____ No _____

IRRIGATION: Yes No _____

PRIVATE IRR. Yes _____ No _____

Private System City System _____

City Sewer _____

REA _____

Name of Utility Frontier

Name of Utility _____

Name of Utility _____

Name of Utility CID

- The 33 foot easement on the west side of the property is an undeveloped private access easement.
- BCC Section 11.16A.080 (a)(1) requires that a dwelling unit be 25 feet from the closest edge of any legally established boundary line of a private access easement.
- The applicant has requested a variance of 6 feet which equates to a variance request of 24%.
- A 10% variance request equates to 2.5 feet.

BOAR 1.3

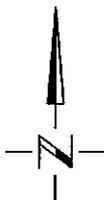
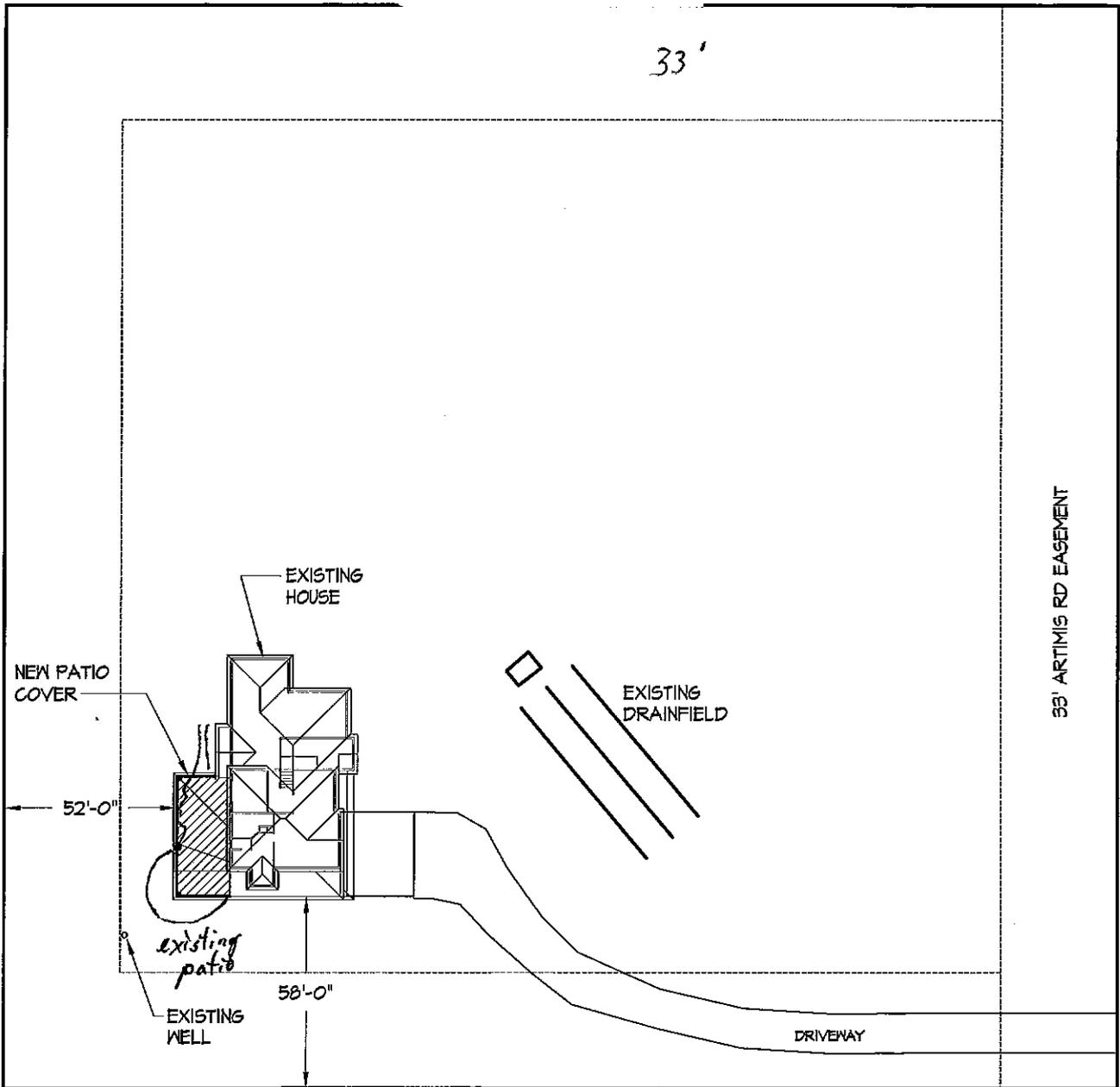
Layers Panel

- Imagery
 - Registered House Sketches (4600)
 - Benton 2012 Low Level (0)
 - Benton 2012 High Level (1)
 - Image footprints of Benton2012_LowLevel (517)
 - Image footprints of Benton2012_HighLevel (427)
- Historic Imagery
- Recorded Property Record Images
- House Photo and Sketch
- Transportation
- Addressing
- Property
- General
 - Columbia River
 - Palma River
 - County Boundary
 - Benton Area Mask Box
 - City Limits
 - Benton City
 - Kennebec
 - Prosser
 - Richland
 - West Richland



*Mr THE Marty 4 @ Frontier
Corr*

VAR 2014-004



PLOT PLAN

SCALE: 1"=50'

PARCEL #108981020063000
1921 ARTIMIS RIDGE
WEST RICHLAND, WA

TOM MARTY
PLOT PLAN

DRAWN BY:
MARK JOHNSON DESIGNS INC.

SCALE:	DATE	SHT.
SHOWN	9/18/14	1