

**To:** Nikki Relyea <Nikki.Relyea@co.benton.wa.us>

**Subject:** [EXTERNAL] Re: CUP 2025-008 - Potential Extension request (June 12th)

Nikki,

I apologize for the road approach inspection application. I thought I had sent it last week, but I guess I had not. The application isn't a fillable form so will print it out at work tomorrow and send it in, I don't have a working printer at home right now.

As for dates of me contacting the various agencies, it has only been the last few weeks, I really was hoping the building permit would get approved first.

Thank you for the new number for the ecology department. I called them this morning, but was only able to leave a message. Christopher did not get back to me yet.

Please let me know if you need anything else and I will do my best to get it to you.

Karl Knobbs

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**From:** Nikki Relyea <Nikki.Relyea@co.benton.wa.us>

**Sent:** Thursday, May 28, 2026 9:01 AM

**To:** Karl Knobbs <kknobbs@msn.com>

**Subject:** RE: CUP 2025-008 - Potential Extension request (June 12th)

Good morning Karl,

Could you give me dates on when you reached out to Public Works for the Road Approach Permit? I do not see one listed in our mapping system to track

The number I wrote in the email below is incorrect as it says 735 but should be 786.... 509-786-5612, but there is also an email address for you to contact and the correct phone number was also listed in the hearing packet, as well as the staff report.

The phone number I listed for the Department of Ecology is the one I have on our end have you tried to contact any other phone numbers to get your answers? When have you attempted to call them or utilize any other resources to contact them?

I apologize in advance for the additional questions, however, these are questions our Planning Manager is going to ask when I give him the details you've provided.

Thank you,



**Nikki Relyea**

*Associate Planner & Rural Water Coordinator*

Benton County Community Development Department

Planning Division

[Nikki.Relyea@co.benton.wa.us](mailto:Nikki.Relyea@co.benton.wa.us)

[Planning.Department@co.benton.wa.us](mailto:Planning.Department@co.benton.wa.us)

(509) 786-5612

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**From:** Karl Knobbs <[kknobbs@msn.com](mailto:kknobbs@msn.com)>  
**Sent:** Wednesday, May 27, 2026 9:30 PM  
**To:** Nikki Relyea <[Nikki.Relyea@co.benton.wa.us](mailto:Nikki.Relyea@co.benton.wa.us)>  
**Subject:** [EXTERNAL] Re: CUP 2025-008 - Potential Extension request (June 12th)

Nikki,

I was unsure what format my request for an extension needed to be in. I indicated that I could just respond to your email. So I will outline what I have done and have you let me know if the mail is adequate for an extension request.

I had not done much with the CUP requirements because of my hope that the building plans would get approved first. As of now, the building plans have not been approved. Below is what I have completed or not completed for the conditions for the CUP.

- You will need to apply for a road approach permit with the Public Works Division to access the parking lot.
  - They can be reached at 509-786-5611 or [Publicworks@co.benton.wa.us](mailto:Publicworks@co.benton.wa.us)

The application for the road approach has been submitted

- You will need to reach out to the Benton County Building Division to inquire if a change of use in occupancy of the building is required.
  - They can be reached at 509-735-3500 or [Building.department@co.benton.wa.us](mailto:Building.department@co.benton.wa.us) – contact Troy Taylor
  - The building department will decide on the occupancy number when then complete their final review of the plans
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- You will need to reach out to the Department of Ecology regarding the water usage requirements for the distillery portion of your project. Daily ground water withdrawal is 5,000 gallons per day and the existing home will be required to share this water usage with the new guest suites for the distillery.
  - They can be reached at 509-575-2597
  - The ecology number is a voice mail only number, No one from that department has gotten back to me. I have left several messages.
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- You will need to reach out to the Benton County Rural Water Coordinator to obtain water mitigation certificate(s) for the overnight lodging facilities (2)
  - They can be reached at 509-736-5612 or [Rural.water@co.benton.wa.us](mailto:Rural.water@co.benton.wa.us)
  - This phone number does not connect. Every time I try the call just drops.
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\*\*I would also recommend reaching out to the Benton County Fire Marshal for any fire/safety regulations that may be necessary: 509-3500 ex #2411.

I have already turned in a fire and life safety plan , from an approved engineer, with my building permit plans and have agreed on a sprinkler system for the distillery along with other minor corrections to the building plans.

I am asking for a 6-month extension for my CUP. That should hopefully give me enough time to work out any corrections that need to be done and get a hold of the agencies that have been difficult to contact.

**BENTON COUNTY HEARINGS EXAMINER  
FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION**

**CUP 2025-008  
(Overnight Distillery Lodging/Knobbs)**

**July 7, 2025**

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**1. FINDINGS OF FACT**

**1.1 Proposal.** Request for a Conditional Use Permit (CUP) for two guest suites (607 square feet of space) inside an existing 4,396 square foot distillery and tasting room.

**1.2 Applicant/Location.**

Applicant/Owner: Karl and Amy Knobbs, 23133 W Orcutt Road, Benton City, WA 99320.

Location: .4 miles southwest of Roza and Orcutt Roads in the Benton City area of unincorporated Benton County. Parcel #1-3406-100-0002-001.

**1.3 Administrative Record.** The Hearings Examiner admitted these exhibits:

<b>Exhibit Number</b>	<b>Description</b>	<b>Date</b>
<b>Hearings Examiner Memo Exhibits</b>		
HEM 1.1	Staff Memo	6/10/25
HEM 1.2	Vicinity Map	5/6/25
HEM 1.3	Application	5/6/25
HEM 1.4	Site Plan	5/6/25
HEM 1.5	Written Determination of Completeness	5/9/25
HEM 1.6	Agency Review Request	5/9/25
HEM 1.7	Benton County Building Division, Comment	5/12/25
HEM 1.8	Benton Rural Electric Association, Comment	5/12/25
HEM 1.9	Roza Irrigation District, Comment	5/13/25
HEM 1.10	Benton County Public Works, Comment	5/20/25
HEM 1.11	Rural Water Supply Program, Comment	6/10/25
HEM 1.12	Notice of Open Record Hearings	6/4/25

**1.4 Public Notice.** The notice for the Benton County Hearings Examiner Open Record Hearing was published in the Prosser Record Bulletin and mailed to property owners of record within 300 feet.<sup>1</sup> No concerns on notice were raised. Public notice met code requirements.

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<sup>1</sup> HEM 1.1 (Staff Report), pp. 2-4; HEM 1.12; BCC 11.50.050.

**1.5 Site Land Use Designations.** The 59.55-acre lot is zoned Growth Management Act Agricultural District (GMAAD) with a Growth Management Act Agricultural (GMA AG) County Comprehensive Plan designation. Surrounding uses are agricultural with rural residences.

**1.6 Hearing.** The Hearings Examiner considered the proposal at an open record public hearing on June 20, 2025. The hearing was conducted remotely and in-person. Access information was available to the public to allow citizens to join via video link or telephone call-in. At the hearing, the Benton County Department of Community Development, Planning Division (“Department”), through Ms. Watts, summarized the proposal. No member of the public indicated a wish to comment.

**1.7 Agency Comment.**

- Benton County Building Division noted that the project must comply with Benton County building and fire codes.<sup>2</sup>
- Benton Rural Electric Association stated it will handle any power requirements and possibly easements with the owner.<sup>3</sup>
- Roza Irrigation District stated it had no comment as no land is being parceled and there is an existing water delivery.<sup>4</sup>
- Benton County Public Works stated a road approach permit is needed.<sup>5</sup>
- Benton County Rural Water Supply Program stated the existing home is exempt from the Program as it existed before February 2020 but noted that the property owner should be aware that the Department of Ecology limits daily ground water withdrawal to 5,000 gallons per day per development so the suites will need to share this allotment with the distillery.<sup>6</sup>
- Benton County Planning Division stated that spirit processing must occur within the distillery structure in which the guest suites are proposed for lodging. Overnight lodging is to be associated with spirits processing and not associated with any other uses on the property. It noted that the distillery shall remain in operation onsite and in compliance with all legal requirements for the lifetime of this CUP. “If at any time the distillery stops operation and/or production or becomes non-compliant with state or local regulations this CUP will be null and void and the two guest suites shall be decommissioned” consistent with all required permitting.<sup>7</sup>

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<sup>2</sup> HEM 1.7.

<sup>3</sup> HEM 1.8.

<sup>4</sup> HEM 1.9.

<sup>5</sup> HEM 1.10.

<sup>6</sup> HEM 1.11.

<sup>7</sup> HEM 1.1 (Staff Report), p. 5.

**1.8 Transportation Impacts.** Additional traffic impacts will be minimal; existing road infrastructure can support the use and access is adequate.

**1.9 Noise.** The use is limited so will not generate materially significant noise impacts.

**1.10 Water/Septic.** Health District requirements will be complied with.

**1.11 Overall Impacts.** The use is limited and will operate on a nearly 60-acre property. Additional impacts will be minimal.

**1.12 Staff Report and Proposed Conditions.** The Staff Report details CUP proposal consistency with County requirements and is incorporated as supplemental findings. The Report's proposed conditions ensure code compliance and are necessary to support Decision findings. They were not objected to and should be imposed without substantive revision.

## **2. CONCLUSIONS OF LAW**

**2.1** The use requires a CUP.<sup>8</sup> Procedures and criteria for reviewing a CUP, and requiring Hearings Examiner approval, are at BCC 11.50.040 and .050. A CUP is only granted if the evidence allows the Examiner to find that the 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; and,
- (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.<sup>9</sup>

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<sup>8</sup> BCC 11.17.070(q).

<sup>9</sup> BCC 11.50.040(d).

“It is the applicant’s burden to present sufficient evidence to allow the above conclusions to be made.”<sup>10</sup>

**2.2** As conditioned, and if code requirements are followed, the Examiner concludes the proposed use follows these criteria. If operated as described and as conditioned, the CUP proposal does not create incompatibilities with other uses in the surrounding area, and the evidence did not support a finding that any outright permitted use would be as incompatible with existing uses in the surrounding area as the proposed use.

**2.3** As long as all code requirements are met, and as conditioned, the requested CUP would 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 zoning district. Noise, air/dust, and stormwater impacts are minimal, particularly as the use is within an existing structure, and the transportation network can support the use.

**2.4** As mitigated and described in the application and at the hearing, granting the CUP 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 other permitted uses.

**2.5** The CUP would be supported by adequate service facilities and would not adversely affect public services to the surrounding area. Compliance with all Benton County Code and Health District requirements is required.

**2.6** With the required mitigation and code compliance, granting the CUP would not hinder or discourage the development of permitted uses on neighboring properties to an extent greater than other permitted uses in the zoning district.

**2.7** The Applicant has demonstrated CUP criteria compliance. As conditioned, the use is compatible with the principal uses and purpose of the zoning district.

**2.8** The guest suites must also meet use specific criteria. “Overnight lodging within a structure primarily used for processing of beer, wine, or spirits”<sup>11</sup> must meet these criteria:

The number of guest rooms may not exceed two (2); and,

The area used for the guest rooms and associated with overnight lodging shall not exceed eight hundred square feet (800); and,

The overnight lodging guest rooms shall meet the Benton Franklin Health District requirements for septic systems and domestic water usage shall be demonstrated; and,

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<sup>10</sup> *Id.*

<sup>11</sup> BCC 11.03.010(196), definition.

The overnight lodging guest rooms shall comply with all the applicable building code requirements.<sup>12</sup>

These requirements are met. The two suites are 607 square feet, Health District septic and water requirements will be complied with, along with the building code. The permit should be approved.

### **DECISION**

The Hearings Examiner, pursuant to the above Findings of Fact and Conclusions of Law, approves this CUP, provided these conditions are met:

1. The activities on the site shall comply with the submitted site plan and materials submitted for this application, including but not limited to:
  - a. Benton County Conditional Use Permit application.
  - b. Benton County Building Permit.
2. The applicant shall provide written consent to the Planning Division from the legal landowner (if different from applicant) granting permission for the operation of the conditional use prior to issuance of the CUP permit.
3. The guest suites shall be used solely for customers of the distillery and shall not be utilized for any other existing or future uses on the property.
4. The associated distillery shall remain in operation on-site and in compliance with all state and local regulations for the lifetime of this CUP. If at any time the distillery stops operation and/or production or becomes non-compliant with state or local regulations this CUP will be null and void and the two guest suites shall be decommissioned with all required permitting from the Benton County Building Division
5. Spirit processing must occur within the distillery structure in which the guest suites are proposed for lodging to continue to be permitted.
6. Any proposed outdoor lighting associated with this CUP shall be directed downward to avoid unnecessary glare on neighboring parcels.
7. All required development permits shall be obtained and final approvals granted prior to the commencement of occupancy of the guest suites. This includes approval of permits required by the following, as applicable:
  - a. Benton County Building Division; for building permits.
  - b. Benton County Fire Marshal; for fire and safety regulations.
  - c. Benton Franklin Health District.

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<sup>12</sup> BCC 11.17.070(q)(1-4).

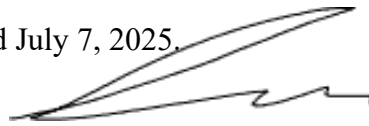
8. Future construction or activities associated with this conditional use require review under the Benton County Zoning Ordinance. Applicants shall contact the Planning Division prior to any construction or changes in activities on site.
9. The project facility shall follow the rules and regulations of the Benton-Franklin Health District at all times, including standards for drinking water, on-site sewage systems, and BFHD standards.

**Time to Complete Conditions of Approval:** The applicant shall have one year to meet all of the Conditions of Approval. If the conditions of approval have not been met and the Planning Division does not issue the CUP within one (1) year from the date of this decision, the Hearings Examiner may declare its approval null and void at a regular Hearings Examiner 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 Hearings Examiner meeting.

**Transferability.** This CUP may be transferrable by the holder. Should the legal landowner of the parcel change at any time during the life of this CUP, the new property owner must provide a written request to the Planning Division for CUP continuation or termination. Should a new applicant wish to continue operating the CUP, the new applicant must update the CUP application, provide evidence that the processing of beer, wine, or spirits is the primary use of the structure, accept the Conditions of Approval in writing, submit written consent from the legal landowner (if different from the applicant) and receive approval by the Planning Division before permit transfer.

**Violations of Conditions of Approval.** The Applicant shall continue to meet all conditions of this CUP while this CUP 2025-008 is in effect. Any violation of the conditions of approval may be processed in accordance with BCC Title 11, Chapter 11.43, Administration and Disposition of Infractions. If the CUP has been issued and violations exist, the Hearings Examiner may revoke the permit after an open record hearing with notice as set forth in BCC 11.50.050(b), as amended. This condition does not foreclose the County's use of other enforcement mechanisms.

DECISION entered July 7, 2025.



Benton County Hearings Examiner  
Susan Elizabeth Drummond

### **Finality**

A motion for reconsideration may be filed within ten calendar days, which stays the appeals period. If a motion for reconsideration is not filed and the Decision is not then timely appealed, the Decision is final.<sup>13</sup>

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<sup>13</sup> BCC 17.20.110 (reconsideration must be filed within ten calendar days); Ch. 36.70C RCW (21-day appeal period to superior court).



**BENTON COUNTY HEARINGS EXAMINER**  
**SPECIAL MEETING**  
**JUNE 12, 2026 AGENDA**

**LOCATION:** 620 Market Street, Courthouse 3<sup>rd</sup> floor, Prosser, WA 99350  
Benton County Commissioners Meeting Room

**DATE:** June 12, 2026

**TIME:** 10:00 AM

**CONSENT:**

**A. CONDITIONAL USE PERMIT – CUP 2025-008** The applicant, Karl Knobbs, is requesting a six-month extension to meet the conditions of approval for converting an existing barn into a craft distillery with two guest suites to provide overnight lodging accommodation. The extension will allow time to satisfy the Public Works approval for the Road Approach Permit, as well as obtain confirmation with the Department of Ecology for ground water withdrawal requirements. The project is located at 23133 W Orcutt Road, Benton City, WA 99320.

**NEW BUSINESS:**

**B. CONDITIONAL USE PERMIT – CUP 2026-008** The applicant, George Schneider, is proposing to construct a 608 sq. ft. detached accessory dwelling unit within an existing shop on a parcel with an existing 2,200 sq. ft. single family residence. The project is located at 27446 N Case Rd, Prosser, WA 99350.

**C. CONDITIONAL USE PERMIT – CUP 2026-010** The applicant, Brian Williamson, is proposing to construct a 720 sq. ft. detached accessory dwelling unit on a parcel with an existing 1,994 sq. ft. single family residence. The project is located at 8501 N Canyon View PR NE, Benton City, WA 99320.

**D. VARIANCE PERMIT – VAR 2026-002** The applicant, Todd Thornock, is requesting a variance to reduce the twenty-five (25) foot setback to two (2) feet from a private access easement to allow for an existing detached accessory building. The project is located at 723 Lower County Line Rd, Prosser WA 99350.

**E. CONDITIONAL USE PERMIT – CUP 2026-011** The applicant, Rafael Rivera, is proposing to convert 720 sq. ft. of an existing structure to a detached accessory dwelling unit on a parcel with an existing 1,982 sq. ft. single family residence. The project is located at 3505 S Yew Street, Kennewick, WA 99337.