



HEM 1.1

**STAFF REPORT TO THE
BENTON COUNTY HEARINGS EXAMINER
George Schneider ADU
Detached Accessory Dwelling Unit**

FILE NO: CUP 2026-008
MEMO DATE: May 21, 2026
HEARING DATE: June 12, 2026
APPLICANT/ OWNER: George Schneider, 27446 N Case Rd, Prosser WA 99350.

LOCATION: General Location: The property is located approximately 0.17 miles northeast of the intersection of McCreadie Rd and Case Rd in the Prosser area of unincorporated Benton County.

Address: 27446 N Case Rd, Prosser WA 99350.

Legal: A portion of Section 22, Township 09N, Range 25E, W.M.

Parcel Number: 122951000002000.

PROPERTY SIZE: Approximately 12.00 Acres
AREA TO BE USED: 608 square feet
LAND USE: Residential
ZONING: Rural Lands Five-Acre District
COMPREHENSIVE PLAN DESIGNATION: Rural Remote

RECOMMENDATION:

The Planning Division recommends approval of the application request, subject to the suggested twenty-two (22) Findings of Fact and five (5) Conditions of Approval as outlined in this staff report.

APPLICATION DESCRIPTION:

The applicant is seeking a Conditional Use Permit (CUP) under BCC 11.42.020(c)(1) to construct a 608 square foot detached Accessory Dwelling Unit (ADU) within an existing 3,200 square foot detached accessory structure (shop) on a property located in the Rural Lands Five-Acre District.

The first floor ADU is proposed to be constructed east of the existing 2,200 square foot single-family residence. The proposed structure will be located on a 12.00-acre parcel in the Prosser area of unincorporated Benton County. (HEM 1.4)

The application for CUP 2026-008 (HEM 1.3) was submitted to the Benton County Planning Division on March 30, 2026.

The application was declared complete for processing on March 30, 2026. (HEM 1.5)

The application documents were distributed to reviewing agencies on March 31, 2026. (HEM 1.6)

The Benton County Hearings Examiner Notice of Open Record Hearing for application CUP 2026-008 was published on May 27, 2026 in the Prosser Record Bulletin. (HEM 1.13)

The Notice was mailed to property owners of record within 300 feet of the outer boundaries of the parcel on May 22, 2026.

The Open Record Hearing is scheduled for June 12, 2026.

APPLICABLE STANDARDS/ORDINANCES:

1. *Revised Code of Washington*
Chapter 36.70A.400 Growth Management—Planning by Selected Counties and Cities
Any local government, as defined in RCW 43.63A.215, that is planning under this chapter shall comply with RCW 43.63A.215(3).

RCW 43.63A.215(3) Accessory apartments—Development and placement—Local governments

Unless provided otherwise by the legislature, by December 31, 1994, local governments shall incorporate in their development regulations, zoning regulations, or official controls the recommendations contained in subsection (1) of this section. The accessory apartment provisions shall be part of the local government's development regulation, zoning regulation, or official control. To allow local flexibility, the recommendations shall be subject to such regulations, conditions, procedures, and limitations as determined by the local legislative authority.

2. *Benton County Comprehensive Plan*
3.3.2.3 Rural Land Use Designations

Rural Remote is the predominant rural land use in the County. This land is located mostly between the agricultural lands (GMA Agriculture), Rural Transition, and the UGAs. Rural Remote land use is intended to enhance and preserve the County's rural character, which includes rural open space, low densities, wildlife habitat, public open space for outdoor recreational activities, and rural home sites on which a limited range of agricultural activities may be conducted. Allowable density in Rural Remote land use is 1DU/5acres.

Section 2.7 Housing

HE Goal 1: Provide for a variety of residential uses and densities consistent with the rural character and lifestyles and a choice of housing types for people of all income levels.

Policy 7: Consider accessory dwelling units as an affordable housing option and look for flexible and innovative ways of integrating accessory dwelling units into single family residential zones.

Section 6.4.2 Housing Types

Accessory Dwelling Units. The zoning code permits the establishment of additional living quarters within single family residences to permit persons who, due to a disability or an infirmity, require the assistance of friends, relatives, or a professional nurse to remain in

their home and for persons related to the occupant. These units help meet the needs of the disabled, infirm, or elderly in need of assisted care and are currently allowed by ordinance in all residential zones and the agricultural zoning district of Benton County.

3. Benton County Code (BCC)

Title 11 Zoning

Chapter 11.03 Definitions

(2) "Accessory Dwelling Unit" an additional room or set of rooms located within a single-family structure and designed, arranged, occupied, or intended to be occupied by not more than one (1) household as living accommodations independent from any other household and not exceeding 800 square feet in area.

Chapter 11.42 General Use Regulations

11.42.020 Accessory Dwelling Unit (ADU).

An accessory dwelling unit shall be allowed on any real property located within unincorporated Benton County that is zoned for single family residences, except for those properties with an Industrial or Commercial zoning designation, thereby meeting the requirements of the Washington State Housing Policy Act of 1993 to incorporate provisions for accessory apartments in the County's zoning ordinance (Title 11 BCC).

(a) All accessory dwelling units authorized herein shall meet the following minimum criteria:

- (1) One (1) accessory dwelling unit is allowed per parcel/lot.
- (2) A single-family dwelling must be located on the parcel/lot where the accessory dwelling unit is to be located.
- (3) The accessory dwelling unit shall not exceed 40% of the total square footage of the single-family home or 800 square feet in size, whichever is smallest.
- (4) The accessory dwelling unit shall consist of no more than one (1) bedroom.
- (5) The accessory dwelling unit shall provide two (2) off-street parking spots.
- (6) An accessory dwelling unit shall be constructed on the site and permanently affixed to the ground by footings and foundation. A recreational vehicle (RV), mobile home, manufactured home, or factory assembled structure is not to be permitted as an accessory dwelling unit.
- (7) The accessory dwelling unit is not allowed on a lot/parcel that has a duplex, multi-family dwelling, a temporary dwelling permit (see BCC 11.42.110), a multiple detached dwelling permit (see BCC 11.42.080) or two (2) or more single-family dwellings.
- (8) The accessory dwelling unit is not allowed to be used in the operation of a home occupation.
- (9) The accessory dwelling unit shall both meet and comply with Benton Franklin Health District standards.
- (10) The accessory dwelling unit shall meet and comply with Benton County Fire Marshal requirements for access.
- (11) The accessory dwelling unit may be permitted as either a ground floor or 2nd floor unit.
- (12) Either the accessory dwelling unit or the single-family dwelling shall be occupied by a landowner(s) as his/her primary residence. The landowner shall maintain residency at least six (6) months out of the year and at no time receive rent for or otherwise allow to occupy the landowner(s) unit when absent the rest of the year.
- (13) If the accessory dwelling unit is connected to the single-family dwelling

- through a breezeway or similar means, the accessory dwelling unit shall be considered detached and compliance with subsection (c) below is required.
- (14) The accessory dwelling unit shall comply with the applicable building, fire, critical area, shoreline, and zoning requirements of Title 3, 11, and 15 of Benton County Code.
 - (15) The accessory unit shall not be considered as a dwelling unit when calculating density.
 - (16) The accessory dwelling unit shall comply with requirements in subsection (b) and (c) respectively.
- (c) An accessory dwelling unit detached from the single-family dwelling shall comply with the following:
- (1) All detached accessory dwelling units require approval of a conditional use permit (see Chapter 11.50 BCC).
 - (2) A detached accessory dwelling unit shall comply with the following minimum design standards.
 - (i) The detached accessory dwelling unit may be constructed within an existing outbuilding or be a stand along structure, where the dwelling unit does not share a common wall with the primary single-family dwelling. If the accessory dwelling unit is connected to the single-family dwelling through a breezeway or similar means, the accessory dwelling unit shall be considered detached.
 - (ii) An outside entrance to the accessory dwelling unit is required and be placed at the side or rear of the building, when possible, to maintain the appearance and character of an accessory use.
- (d) The applicant shall record the permit issued for the accessory dwelling unit with the Benton County Auditor's Office. The recording fee shall be paid by the applicant for the accessory dwelling unit. The permit shall include a statement that the accessory dwelling may not be sold as a separate residence until such time as the accessory dwelling is located as the sole residence on a legally subdivided parcel.

Chapter 11.50 Variance and Conditional Use

11.50.040 Conditional Use

(a) Conditional Use Permit – General Standards. The conditional use permit application process allows the Hearings Examiner 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 Hearings Examiner to ensure that 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 11.50.050.

Certain uses are classified as conditional 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.

Once granted, a conditional use permit may be transferred by a holder thereof after written notice to the Hearings Examiner; provided the use and location must remain the same and the transferee must continue to comply with the conditions of the permit and, if applicable, the requirements set forth in Chapter 11.51 BCC.

(d) Conditional Use Permit- Permit Granted or Denied. A conditional use permit shall

be granted only if the Hearings Examiner can make findings of fact based on the evidence presented sufficient to allow the Hearings Examiner 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; 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.

It is the applicant's burden to present sufficient evidence to allow the above conclusions to be made. If such evidence is not presented or all necessary reasonable conditions are not identified by the applicant so as to allow the Hearings Examiner to make the conclusions required above, the conditional use application shall be denied.

PUBLIC NOTICE:

The Public Notice Requirements for this application as per BCC 11.50.050(b) are as follows:

1. The Planning Division shall provide written notification for an open record hearing, subject to the rules and regulations set forth in RCW 36.70. Written notice shall be mailed at least twelve (12) days in advance of the open record hearing to the applicant and the owner of the parcel(s) to which the proposed variance or conditional use permit would apply, and to all owners of real property, as shown in the records of the Benton County Assessor, located within a distance of three hundred (300) feet of any portion of the applicable parcel, provided that if the owner of the parcel for which the proposed variance or conditional use permit is requested owns another parcel or parcels adjacent the parcel at issue, notification shall be mailed to owners of real property located within three hundred (300) feet of any portion of such adjacent parcels as well. Failure to receive the notice shall not invalidate any proceedings or decision in connection with the proposed variance or conditional use permit. Notices addressed to the last known owner of record as shown on the County Assessor's records shall be deemed proper notice to the owner of such property; and,
2. By publication of a legal notice in a newspaper of general circulation in the County at least ten (10) days prior to the open record hearing date.

AGENCY COMMENTS:

1. The application documents were distributed to the following reviewing agencies on March 31, 2026.
 - a. Benton County Building Division
 - b. Benton County Code Enforcement
 - c. Benton County Fire District #3
 - d. Benton County Fire Marshal
 - e. Benton County Rural Water Coordinator
 - f. Benton County Public Works Department
 - g. Benton-Franklin Health District
 - h. Benton REA
 - i. Sunnyside Valley Irrigation District

2. The following comments were received from the Benton County Building Division (HEM 1.10):
 - a. The Accessory Dwelling Unit must comply with all current Benton County building and fire codes.
 - b. If you have any questions about these comments, please contact the Benton County Building Division at (509) 735-3500.

3. The following comments were received from Benton County Rural Water Coordinator (HEM 1.7):
 - a. This property is located within the Benton County Rural Water Supply Program area which requires the new dwelling unit to obtain a water mitigation certificate or provide evidence of a valid domestic water right. Additionally, the new dwelling unit will require a water meter to be installed to monitor water usage for compliance with the Rural Water Supply Program.
 - b. If you have any questions about these comments, please contact the Benton County Rural Water Supply Program at (509) 786-5612.

FINDINGS OF FACT AND CONDITIONS OF APPROVAL:

The following Findings of Fact and Conditions of Approval are based on comments received up to the date of this staff memo. Any comments received after the completion of this staff memo or submitted during the advertised public hearing for CUP 2026-008 will need to be considered by the Hearings Examiner and may be added to the suggested Findings of Fact and Conditions of Approval as set forth below. The Hearings Examiner may decide to adopt these as their own or amend/add to these Findings of Fact and Conditions of Approval after holding the open public hearing.

Based on the information received to date, Planning staff recommends approval of the applicant's request with the following suggested findings of fact and conditions of approval:

SUGGESTED FINDINGS OF FACT:

1. The applicant is proposing to construct a 608 square-foot accessory dwelling unit located at 27446 N Case Rd, Prosser WA 99350.

2. The applicant and owner is George Schneider, 27446 N Case Rd, Prosser WA 99350.

3. The property is approximately 12.00 acres in size and is zoned Rural Lands Five-Acre District (RL-5).
4. The property is located in the Prosser area of unincorporated Benton County, approximately 0.17 miles northeast of the intersection of McCreddie Rd and Case Rd (Parcel 122951000002000).
5. The ADU is proposed to be constructed east of the existing 2,200 square-foot single-family residence within an existing 3,200 square foot detached accessory structure (shop).
6. The ADU will be used as an accommodation for family and friends.
7. The Conditional Use Permit (CUP 2026-008) shall comply with the Benton County Critical Area Ordinance, Title 15 BCC.
 - a. The proposed ADU is not located within any critical areas.
8. Public notice and application requirements have been met per BCC 11.50 Variance and Conditional Use.
9. The proposed detached ADU is allowable by Conditional Use Permit if approved by the Benton County Hearings Examiner.
10. The detached ADU complies with Benton County Building Division standards and requirements.
11. The application for CUP 2026-008 is consistent with the Growth Management Act, RCW 36.70A, including RCW 36.70A.390.
12. The application for CUP 2026-008 is consistent with RCW 43.63A.215 (3) *Accessory apartments*.
13. The application for CUP 2026-008 is consistent with the goals and policies of the Benton County Comprehensive Plan.
14. The application for CUP 2026-008 is consistent with the requirements of the Benton County Zoning Code.
15. The application for CUP 2026-008 is consistent with the requirements of BCC 11.42.020(a) Accessory Dwelling Units (ADU):
 - a. One (1) detached ADU is proposed for the subject property.
 - b. There is an existing single-family dwelling on the parcel/lot where the detached ADU is to be located.
 - c. The primary single-family dwelling is 2,200 square feet. Forty percent (40%) of 2,200 square feet is 880 square feet. The applicant is proposing a maximum of 608 square feet in the application.
 - d. The detached ADU will be a one-bedroom apartment.
 - e. The applicant is proposing two (2) parking spots to serve the detached ADU.

- f. The proposal is to construct a 608 square-foot ADU on site that shall be permanently affixed to the ground by footings and foundation.
 - g. No additional dwelling or housing units exist on site or are proposed.
 - h. A home occupation is not planned nor proposed to be operated in the detached ADU.
 - i. The detached ADU must comply with BFHD standards as per the Conditions of Approval.
 - j. The detached ADU and proposed single family dwelling comply with Fire Marshal standards.
 - k. The detached ADU will be a first-floor unit.
 - l. The landowners will reside in the existing single-family dwelling and maintain residency for at least six (6) months out of the year.
 - m. The detached ADU complies with applicable building, fire, critical area, shoreline, and zoning requirements.
 - n. The detached ADU complies with the Benton County critical area ordinance, Shoreline Master Program, and zoning regulations.
16. The application for CUP 2026-008 is consistent with requirements in BCC 11.42.020 (c)(2)(i) as the ADU will be located within a standalone structure.
 17. The application for CUP 2026-008 is consistent with requirements in BCC 11.42.020(c)(2)(ii):
 - a. The proposed ADU is located east of the primary single-family dwelling.
 - b. The door layout of the structure is adequate for its location and situation, subject to compliance with the Findings of Fact and Conditions of Approval.
 18. The proposed detached ADU is compatible with other uses in the surrounding area and is no more incompatible than any other outright permitted uses in the applicable zoning district.
 19. The proposed detached ADU 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.
 20. The pedestrian and vehicular traffic caused by the proposed detached ADU will not 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.
 21. The proposed detached ADU will be supported by adequate service facilities and would not adversely affect public services to the surrounding area.
 22. The proposed detached ADU will 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.

SUGGESTED CONDITIONS OF APPROVAL:

1. The activities on the site shall comply with the submitted site plan and materials submitted

for this application.

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. Either the detached ADU or the single-family dwelling shall be occupied by a landowner(s) as their primary residence. The landowner shall maintain residency at least six (6) months out of the year and at no time receive rent for or otherwise allow others to occupy the landowner(s) unit when absent the rest of the year.
4. The County will provide an ADU agreement to the applicant. The applicant shall sign the agreement before a Notary Public and record the document with the Benton County Auditor's Office prior to the Conditional Use Permit being issued. The recording fee shall be paid by the applicant. The document will include a statement that the accessory dwelling unit may not be sold as a separate residence until such time as the accessory dwelling is located as the sole residence on a legally subdivided parcel.
5. All required development permits shall be obtained prior to occupying the Accessory Dwelling Unit. This includes approval of permits required by the following, as applicable:
 - a. Benton County Building Division
 - b. Benton County Fire Marshal; for fire and safety regulations.
 - c. Benton Franklin Health District
 - d. Benton County Public Works Department; for road approach permits.
 - e. Benton County Planning Division
 - f. Benton REA

TIME TO COMPLETE CONDITIONS OF APPROVAL:

The applicant shall have one year to meet all of the Conditions of Approval.

If all conditions of approval have not been met and the Planning Division does not issue the Conditional Use Permit within one (1) year from the time the Hearings Examiner has conditionally approved the Conditional Use Permit, 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 Conditional Use Permit is transferable by the holder.

Should the legal landowner of the parcel change at any time during the life of this Conditional Use Permit the new property owner must provide their written request to the Planning Division for the continuation or termination of the CUP.

Should a new applicant wish to continue operating the CUP, the new applicant must update the Conditional Use Permit application, accept the Conditions of Approval in writing, submit written consent from the legal landowner (if different from applicant) and be approved by the Planning

Manager prior to transfer of the permit being allowed.

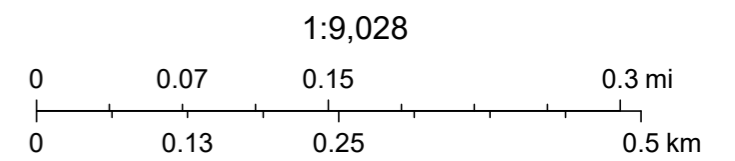
VIOLATIONS OF CONDITIONS OF APPROVAL:

The Applicant shall continue to meet all conditions of this Conditional Use Permit while CUP 2026-008 is in effect.

Any violation of the conditions of approval will be processed in accordance with BCC Title 11, Chapter 11.43 Administration and Disposition of Infractions. If the Conditional Use Permit 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.



4/7/2026, 11:47:53 AM



Vantor

Community Development Department
102206 East Wiser Parkway
Kennewick, WA 99338



Planning Division
(509) 786-5612
Planning.department@co.benton.wa.us

RECEIVED

MAR 30 2026

CONDITIONAL USE PERMIT APPLICATION

File No. 2626-008

Benton Co. Planning Division

APPLICANT INFORMATION

Please check the box indicating primary contact person for this application

Name of Applicant/Agent: George Schneider
 Mailing Address (with City, State & zip): 27446 N. Case Rd. Prosser WA 99350
 Phone #1: 509.781.1254 Phone #2: _____
 Email Address(es): sebastiangeo@yahoo.com
 Signature: George Schneider Date: 3/23/26

Name of Property Owner(s) (if different): same
 Mailing Address (with City, State & zip): _____
 Phone #1: _____ Phone #2: _____
 Email Address(es): _____
 Signature: _____ Date: _____
 Signature: _____ Date: _____

**If there are additional owners please copy this section, sign, and attach to the application*

If the property is owned by a corporation, trust, partnership or LLC please complete the entity signature block below showing that the person signing has the authority to sign on behalf of the company.

ENTITY SIGNATURE BLOCK

Applicant/Legal Owner name: _____

Applicant/Legal Owner Contact Information: _____

Officer name: _____ Title: _____

Signature: _____ Date: _____

THE ABOVE SIGNED OFFICER OF (name of entity) _____ WARRANTS AND REPRESENTS THAT ALL NECESSARY LEGAL AND CORPORATE ACTIONS HAVE BEEN DULY UNDERTAKEN TO PERMIT (name of applicant) _____ TO SUBMIT THIS APPLICATION AND THAT THE ABOVE SIGNED OFFICER HAS BEEN DULY AUTHORIZED AND INSTRUCTED TO EXECUTE THIS APPLICATION.

Any information submitted to the Benton County Planning Division 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.

PARCEL INFORMATION

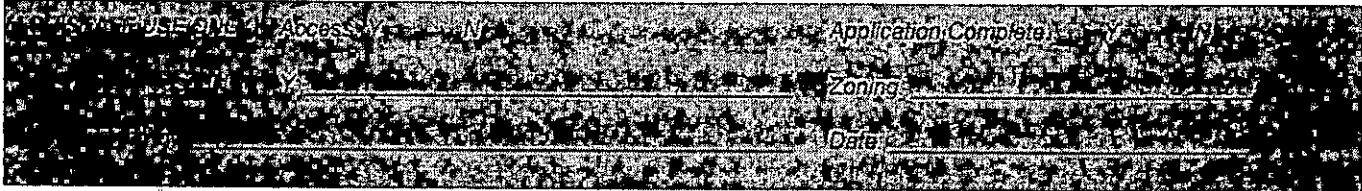
1. Subject property address (including city): 27446 N. Case Rd Prosser WA 9935
2. Parcel number(s): 1-2295-100-0002-000
3. Total Acreage: 12
4. Access: County Road State Road/Highway Private Road
5. Utilities:
- Power:** Benton PUD Benton REA Other: _____
- Sewer:** Septic Tank City Sewer Other: _____
- Water:** Individual well(s) One well serving 2-4 lots One well serving 5+ lots
- City System Provider: _____
- Private System Provider name and address: _____
- Gas:** No Yes Provider name: _____
- Irrigation:** No Yes Provider name: SVID
6. Current use(s) on property: Pasture/Residence
7. What are you proposing to do that requires a Conditional Use Permit? ADU

PRIVATE SYSTEM: ATTACH APPROVAL DOCUMENTATION

For the following proposed uses, please attach the appropriate addendum form:
Business Use, Detached Accessory Dwelling Unit, Child Care Facility (Type B), Bed & Breakfast, Mineral Extraction (Commercial Sand & Gravel), Commercial Kennel, Winery.

8. Additional comments or information: _____

If further explanation is needed for any of the questions above, please attach additional pages.



Any information submitted to the Benton County Planning Division 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.



CONDITIONAL USE PERMIT APPLICATION ADDENDUM DETACHED ACCESSORY DWELLING UNIT

File No. _____

Applicant Name: George Schneider

1. Number of Accessory Dwelling Units currently on the property: 0
2. Is there a single family dwelling currently on the property? Yes No
3. What is the square footage of the main home? 2264 up 3052 down
4. What is the square footage of the proposed Accessory Dwelling Unit? 608
5. How many bedrooms will be in the Accessory Dwelling Unit? 1
6. Does the landowner currently have any other land use permits? No

Please describe the purpose and reason for the Accessory Dwelling Unit:

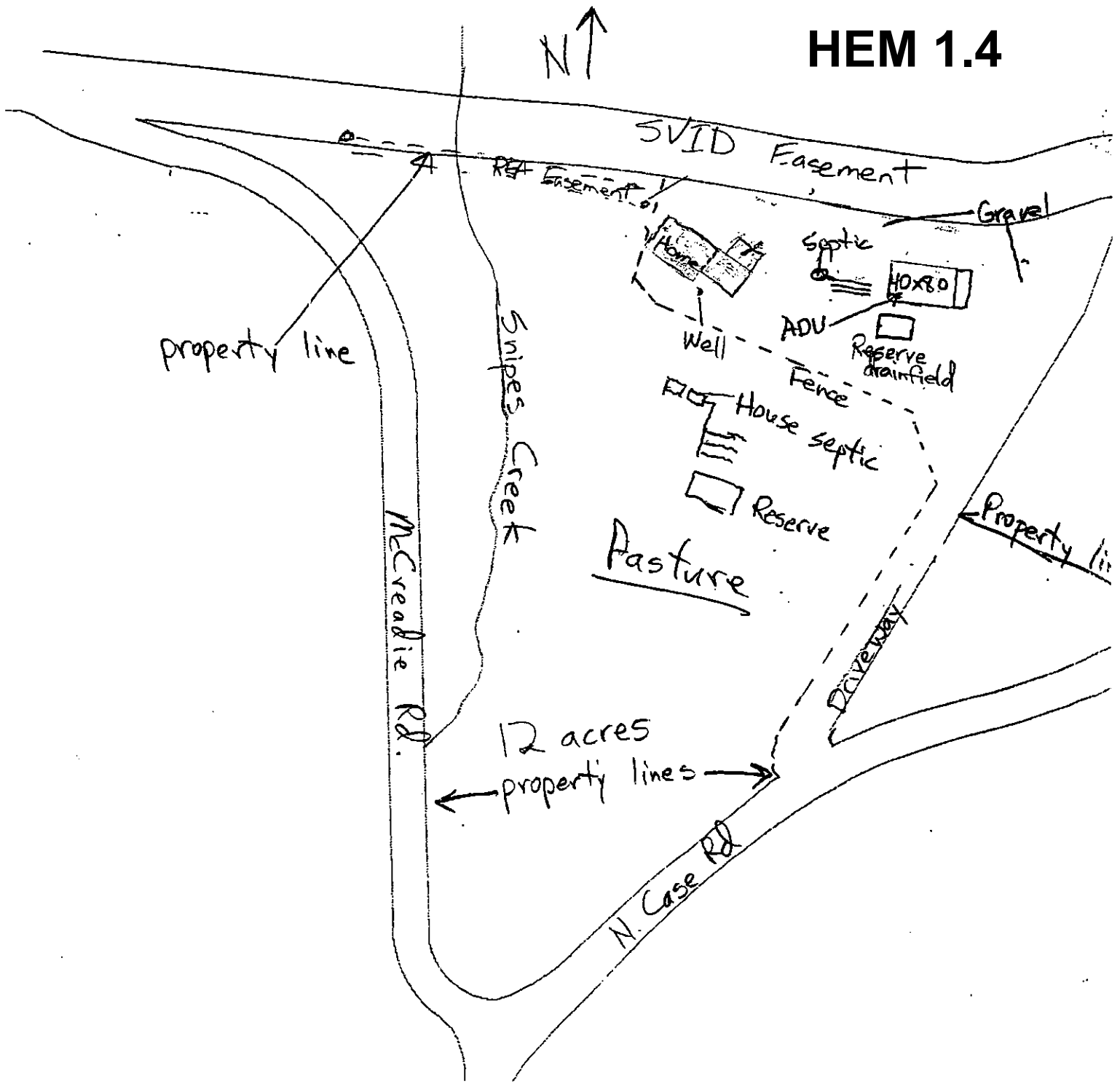
Accommodation for family and friends

Please provide a site plan that includes the following:

- Outer boundaries and dimensions of the property including access points
- All existing and planned improvements (including accessory buildings, septic, wells, drainfields, etc)
- Location of roads, easements, etc.
- Distance (in feet) from the ADU to the edges of the parcel and to the main house
- Where parking will be for the main home and the ADU
- All entries/exits for the ADU
- Dimensions and use of each room in the ADU

Any information submitted to the Benton County Planning Division 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.

HEM 1.4



$\frac{1}{4}'' = 36 \text{ feet}$
27446 N. Case Rd
1-2295-100-0002-000
George Schneider



HEM 1.5

March 30, 2026

George Schneider
27446 N Case Rd
Prosser, WA 99350

Email: sebastiangeo@yahoo.com

RE: Written Determination of Completeness
File Number: CUP 2026-008

Dear Mr. Schneider,

This office is in receipt of your project permit application for a Conditional Use Permit for a detached Accessory Dwelling Unit. We have determined that the required materials have been submitted and the application is complete. A file number has been assigned (CUP 2026-008) and the review process will now begin.

Although this office has determined that your application is complete, more clarification or information may be needed from you as we go through the review process. Additional information and/or permits may be required from other agencies including, but not limited to, the Benton County Building Division, the Benton-Franklin Health District, and the Washington State Department of Health.

If you have any questions regarding this matter, do not hesitate to contact this office.

Sincerely,

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

Maya MacDonald, Associate Planner
Benton County Planning Division



HEM 1.6

March 31, 2026

Benton County Building Division
Benton County Code Enforcement
Benton County Fire District #3
Benton County Fire Marshal
Benton County Public Works Department
Benton County Rural Water Supply Coordinator
Benton-Franklin Health District
Benton REA
Sunnyside Valley Irrigation District

RE: Agency review of a Conditional Use Permit application
File #: CUP 2026-008
Parcel #: 1-2295-100-0002-000
Applicant: George Schneider

Attached is a Conditional Use Permit application for your agency's review.

The applicant 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 in the Prosser area of unincorporated Benton County within the Rural Lands 5 Acre Zoning District. Parcel number 1-2295-100-0002-000.

PLEASE SUBMIT YOUR COMMENTS to Planning.department@co.benton.wa.us by **April 14th, 2026**. Please reference file number **CUP 2026-008** in all correspondence.

If you have any questions or need more time to review the application, please contact the Planning Division at (509) 786-5612 or to the email above.

Thank you,

Benton County Planning Division

From: Rural Water Supply Program
Sent: Tuesday, March 31, 2026 10:31 AM
To: Planning Department
Subject: RE: Agency Review - CUP 2026-008 Schneider (ADU)

Good morning,

This property is located within Benton County's Rural Water Supply Program which requires the new dwelling unit to obtain a water mitigation certificate or provide evidence of a valid domestic water right for the new dwelling unit. Additionally, the new dwelling unit will require a water meter to be installed to monitor water usage for compliance with the Rural Water Supply Program.

Please contact Maya MacDonald at 509-786-5612 with the Planning Division for more information.

Thank you,

Nikki Relyea

From: Shane Elledge
Sent: Wednesday, April 1, 2026 8:32 AM
To: Planning Department
Subject: RE: Agency Review - CUP 2026-008 Schneider (ADU)

Good morning,

Public Works has no comments.

Thank you.



R. Shane Elledge, LSIT • *Engineering Associate*
Benton County Public Works
102206 Wisser Parkway , Kennewick WA, 99338
(509) 786-5611 Ext: 5531

From: Planning Department <Planning.Department@co.benton.wa.us>
Sent: Tuesday, March 31, 2026 9:14 AM
To: Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Troy Taylor <Troy.Taylor@co.benton.wa.us>; Code Enforcement <code.enforcement@co.benton.wa.us>; Fire District #3 - Chief Charles Damron (cdamron@westbentonfirerescue.org) <cdamron@westbentonfirerescue.org>; Gary Tiplady <Gary.Tiplady@co.benton.wa.us>; Cristina Woods <Cristina.Woods@co.benton.wa.us>; Shane Elledge <Richard.Elledge@co.benton.wa.us>; Dylan Krantz <Dylan.Krantz@co.benton.wa.us>; Rural Water Supply Program <Rural.Water@co.benton.wa.us>; Benton Franklin Health District - JoDee Peyton <Jodeer@bfhd.wa.gov>; erin.hockaday@bfhd.wa.gov; deana.chiodo@bfhd.wa.gov; Benton REA - Chris Cooke <CCooke@bentonrea.org>; jbrown@ci.benton-city.wa.us; svidinfo@svid.org
Subject: Agency Review - CUP 2026-008 Schneider (ADU)

Good morning,

Attached you will find the necessary application materials for George Schneider who is requesting a Conditional Use Permit for a detached 608 sq. ft. accessory dwelling unit at 27446 N Case Road in the Prosser area of unincorporated Benton County.

Please review and provide any comments by **Monday April 14, 2026**

Have a wonderful week,

Nikki Relyea

From: Chris Cooke <ccooke@bentonrea.org>
Sent: Wednesday, April 1, 2026 1:06 PM
To: Planning Department
Cc: Jason Brown
Subject: RE: [External] Agency Review - CUP 2026-008 Schneider (ADU)

Good afternoon,

Benton REA does not have any comments regarding this project.

Thank you,

CHRIS COOKE

Office: 509-786-2913

Direct: 509-781-6735



6095 W Van Giesen St | West Richland, WA 99353

From: Planning Department <Planning.Department@co.benton.wa.us>
Sent: Tuesday, March 31, 2026 9:14 AM
To: Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Troy Taylor <Troy.Taylor@co.benton.wa.us>; Code Enforcement <code.enforcement@co.benton.wa.us>; Fire District #3 - Chief Charles Damron (cdamron@westbentonfirerescue.org) <cdamron@westbentonfirerescue.org>; Gary Tiplady <Gary.Tiplady@co.benton.wa.us>; Cristina Woods <Cristina.Woods@co.benton.wa.us>; Shane Elledge <Richard.Elledge@co.benton.wa.us>; Dylan Krantz <Dylan.Krantz@co.benton.wa.us>; Rural Water Supply Program <Rural.Water@co.benton.wa.us>; Benton Franklin Health District - JoDee Peyton <Jodeer@bfhd.wa.gov>; erin.hockaday@bfhd.wa.gov; deana.chiodo@bfhd.wa.gov; Chris Cooke <ccooke@bentonrea.org>; jbrown@ci.benton-city.wa.us; svidinfo@svid.org
Subject: [External] Agency Review - CUP 2026-008 Schneider (ADU)

This message came from outside of Benton REA.

Good morning,

Attached you will find the necessary application materials for George Schneider who is requesting a Conditional Use Permit for a detached 608 sq. ft. accessory dwelling unit at 27446 N Case Road in the Prosser area of unincorporated Benton County.

Please review and provide any comments by **Monday April 14, 2026**

Have a wonderful week,

From: Troy Taylor
Sent: Thursday, April 2, 2026 9:13 AM
To: Planning Department
Subject: RE: Agency Review - CUP 2026-008 Schneider (ADU)

Building- comply with all current Benton County and fir codes.

From: Planning Department <Planning.Department@co.benton.wa.us>
Sent: Tuesday, March 31, 2026 9:14 AM
To: Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Troy Taylor <Troy.Taylor@co.benton.wa.us>; Code Enforcement <code.enforcement@co.benton.wa.us>; Fire District #3 - Chief Charles Damron (cdamron@westbentonfirerescue.org) <cdamron@westbentonfirerescue.org>; Gary Tiplady <Gary.Tiplady@co.benton.wa.us>; Cristina Woods <Cristina.Woods@co.benton.wa.us>; Shane Elledge <Richard.Elledge@co.benton.wa.us>; Dylan Krantz <Dylan.Krantz@co.benton.wa.us>; Rural Water Supply Program <Rural.Water@co.benton.wa.us>; Benton Franklin Health District - JoDee Peyton <Jodeer@bfhd.wa.gov>; erin.hockaday@bfhd.wa.gov; deana.chiodo@bfhd.wa.gov; Benton REA - Chris Cooke <CCooke@bentonrea.org>; jbrown@ci.benton-city.wa.us; svidinfo@svid.org
Subject: Agency Review - CUP 2026-008 Schneider (ADU)

Good morning,

Attached you will find the necessary application materials for George Schneider who is requesting a Conditional Use Permit for a detached 608 sq. ft. accessory dwelling unit at 27446 N Case Road in the Prosser area of unincorporated Benton County.

Please review and provide any comments by **Monday April 14, 2026**

Have a wonderful week,

Nikki Relyea

Associate Planner

Benton County Community Development Department

Planning Division

Nikki.Relyea@co.benton.wa.us

Planning.Department@co.benton.wa.us

(509) 786-5612





HEM 1.11

Fire Marshal Comments:

Date: April 15, 2026

Parcel #122951000002000

Nikki,

From the perspective of the Fire Marshal, I have no objection regarding CUP 2026-008. The ADU will be reviewed to determine if it will need a Fire Apparatus Turnaround. If it is required to have a turnaround then it will be required to comply with BCC 3.18.045

If you have questions on these requirements, please, feel free to contact the County Fire Marshal at (509) 735-3500. Ext 2411.

Re:

**Gary Tiplady
Benton County Fire Marshal
Building Inspector II
509-735-3500
Gary.Tiplady@co.benton.wa.us**

Nikki Relyea

From: Cristian Gonzalez <cristiang@bfhd.wa.gov>
Sent: Monday, June 1, 2026 3:18 PM
To: Nikki Relyea
Subject: [EXTERNAL] George Schneider
Attachments: AX - BENTON_CO - 20865 (Page 28 of 36).bmp

Good Afternoon Nikki,

I spoke with George regarding the shop/adu conversion just get some clarity back before the current home was built. The as built is the one that is serving the current shop and previously served the home from a previous ESE. I should be working on the approval for the new septic system that will be serving the home as this one will be serving the shop to be converted to an ADU, once the engineer completes their inspection and submits the additional docs. On the engineers plan we discussed the future of the shop/adu which is why it was labeled in that regard on the permitted plans so we no issues there.

There isn't anything else we will need unless they plan to do some modifications/alterations in the future. Please let me know if you have any questions.

Thank you,

Cristian Gonzalez

Environmental Health Specialist II
Land Use, Sewage and Water Section

Benton-Franklin Health District

7102 W. Okanogan Place,
Kennewick, WA 99336
p: 509.460.4313

www.bfhd.wa.gov cristiang@bfhd.wa.gov



Follow us on   

Share your voice! Take the Benton-Franklin Environmental Health Survey and help shape our community's environmental health priorities. [Environmental Health Assessment Community Survey](#)

¡Comparta su opinión! Participe en la encuesta de salud ambiental de Benton-Franklin y ayude a identificar las prioridades de salud ambiental de nuestra comunidad. [Environmental Health Assessment Community Survey](#)



HEM 1.13

NOTICE OF OPEN RECORD HEARINGS

NOTICE IS HEREBY GIVEN that the following applications have been proposed to the Hearings Examiner for Benton County, Washington. An open public record hearing for the below stated applications will be held on **June 12, 2026**, at 10 a.m. via in person and virtual meeting format in the Commissioners Room on the third floor of the Courthouse, 620 Market Street, Prosser WA. To find information on attendance options, please visit <https://tinyurl.com/BCHearingExaminerPublicNotice>.

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.

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.

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.

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.

Questions can be directed to the Planning Division at 509-786-5612 or at planning.department@co.benton.wa.us. Written comments regarding the above applications must be received by **June 9, 2026** via email or submitted to the Planning Division office at the Public Services Building, 102206 E Wiser Parkway, Kennewick, WA 99338. Any information submitted to Benton County is subject to the public records disclosure laws for the State of Washington (RCW Chapter 42.17) and all other laws that may require the release of the documents to the public.

No individual with a disability shall be denied the benefit of participating in such meetings. If you wish to use auxiliary aids or require assistance to comment at a public meeting, please contact the Benton County Planning Division at least ten days prior to the meeting date to make arrangements for special needs.

Dated this May 21, 2026

PUBLICATION DATE: May 27, 2026

SUSAN E. DRUMMOND
Benton County Hearings Examiner

Andrea Watts – Planning Supervisor
Community Development Department