

**BENTON COUNTY BOARD OF ADJUSTMENT
REGULAR HEARING – FEBRUARY 7, 2013 -7 P.M.
PLANNING ANNEX – 1002 DUDLEY AVENUE
PROSSER, WA 99350**

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

CALL TO ORDER

PRESENT: Brent Chigbrow
Bob Page
Aimee Bergeson

ABSENT: Dean Burows

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

The public hearing was opened. Clark Posey, Planning Staff, read to the Board ex parte issue questions and those wishing to testify during the meeting were sworn in

APPROVAL OF MINUTES

MOTION: It was moved by Bob Page and seconded by Aimee Bergeson that the Board of Adjustment minutes from January 3, 2013 be approved as written and that the Chairman sign and date said minutes. Motion carried.

RECORDED VOTE:

FAVOR: Brent Chigbrow, Bob Page, Aimee Bergeson

AGAINST: None

ABSENT: None

ABSTAIN: None

CONSENT AGENDA ITEMS: NONE

NEW BUSINESS:

CONDITIONAL USE PERMIT – CUP 13-01 - The applicant is requesting a conditional use permit for the operation of a lawn care service to allow for the inside storage of two pick-up trucks, and a lawn care equipment trailer on site for this business. The written date of completion was January 8, 2013. Location: The site is located at 18304 S Myrtle Street – Kennewick of L.C. Neal Tracts, the North 62.75 feet of Tract 4 and South 39.5 feet of Tract 1, except for the West 436.3 feet in Section 18, Township 8 North, Range 30 East, W.M. Applicant: Francisco/Angela Contreras dba Contreras Lawn Service – 18304 S Myrtle Street – Kennewick, WA 99337.

EXHIBITS: The Planner, Clark Posey, entered into the record all exhibits as noted in Exhibit E.

APPLICANT TESTIMONY: Jose Contreras – 18304 S Myrtle Street – Kennewick, WA stated that he wanted to operate a lawn service business from the site with his father. He would have three lawnmowers, truck and trailer.

The Chairman asked the applicant if he had read and understood the conditions of approval

affixed to this conditional use permit. The applicant replied that he had read and understood the conditions of approval.

The applicant asked about employees. Mr. Posey, explained to the applicant that he would need to contact the Benton Franklin Health District regarding employees.

The Chairman addressed grass clippings. The applicant replied that the clippings would not be brought back to his residence, but would be disposed of at one of three different approved sites.

The Chairman addressed the parking of his rigs relating to the business. The applicant stated that he would park only the rigs on site relating to his business.

The applicant addressed the Board with regards to expanding his business to including landscaping materials, such as bark, rock, topsoil, etc. The Board informed the applicant that he would need to address that situation when it arises to the Benton County Planning Department as he may need to amend his conditional use permit.

The applicant then asked about selling wood during the off season from his property. The Board again informed the applicant he would need to address that with the Planning Department.

The Planner informed the applicant that if he did not buy wood and sell it on site, but utilized the wood from his property and then sold it that would be acceptable.

The Chairman informed the applicant that it would be of benefit to him to get along with his neighbors and explain any proposed changes to them in advance to avoid any complaints. Also, do not buy any wood, bring it onsite and then sell it.

The applicant stated that he would not be buying a chipper. He would do some tree service, but would dispose of the limbs and wood at a specified disposal site.

The Planner explained to the applicant the necessity of paving the approach.

NO PROPONENT/OPPONENT/APPLICANT REBUTTAL TESTIMONY.

The Chairman closed the public portion of the hearing.

MOTION: Bob Page moved and motion seconded by Aimee Bergeson that the Board of Adjustment, pursuant to the aforementioned controlling factors, finds that the application of Jose Contreras – Contreras Lawn Service should be approved with conditions as noted in the Staff Memo dated January 18, 2013 and that the Chairman, in conjunction with the Secretary of the Board of Adjustment, prepare and adopt written findings and conclusions that articulate and are consistent with the findings, conclusions and/or decisions made by the Board of Adjustment tonight. Motion carried. (Three in favor, none opposed)

PLANNING DEPARTMENT REPORTS AND DISCUSSION: NONE

The Chairman adjourned the Board of Adjustment Hearing at 7:30 p.m.



BRENT CHIGBROW - CHAIRMAN
Benton County Board of Adjustment

unclear

3/7-13.

Date Signed

Recorder: Carel Hiatt