



HEM 1.1

MEMO DATE: APRIL 9, 2019
HEARING DATE: APRIL 15, 2019
TO: BENTON COUNTY HEARINGS EXAMINER
FROM: BENTON COUNTY PLANNING DEPARTMENT
RE: CONDITIONAL USE PERMIT CUP 2019-002
PROPERTY OWNER: JUAN TELLEZ
214210 E. PIDCOCK RD.
KENNEWICK, WA 99337
APPLICANT: JOSE TELLES SATO
Address same as above

SPECIFIC REQUEST:

The applicant is applying for a Conditional Use Permit for a Business Activity to run an auto repair shop on Benton County Parcel # 1-2280-201-2134-002.

BACKGROUND:

Site Location: The 2.85 acres site is located 214210 E. Pidcock Rd, Kennewick, WA 99337 in Section 22, Township 8 North, Range 30 East, W.M.

Land Use: The site is currently developed with a single-family residence; the applicant would like to construct a 2,400 sq. ft. building utilizing 2000 sq. ft. for the business activity and use the remainder for personal storage space.

Zoning: The site and surrounding properties are zoned RL-5.

BCC 11.11.060(u) a Conditional Use Permit through the Hearings Examiner of Benton County, after a public hearing is required for a business activity (auto repair shop) in Rural Lands 5 acres zoning.

Comprehensive Plan Designation: Site and surrounding areas are designated Rural Remote.

State Environmental Policy Act: This application did not require a SEPA Environmental Checklist under the requirements of the Washington State Environmental Policy Act, WAC 197-11-800(13).

11.11.060 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 Hearings Examiner after notice and public hearing as provided by BCC 11.50.040.

- (a) A school.
- (b) A community clubhouse, grange hall, senior center and/or other non-profit organizational hall.

- (c) A storage yard owned and operated by a utility.
- (d) A sand or gravel pit, stone quarry and similar use for the development of natural resources extracted on-site.
- (e) Bed and Breakfast Facility, subject to the provisions in BCC 11.42.030.
- (f) Kennel, commercial.
- (g) Home occupation involving the display and/or sale of products on the premises; provided, a home occupation permit is also required under Chapter 11.49 BCC.
- (h) On-site hazardous waste treatment and/or hazardous waste storage facilities as an accessory use to an allowed or conditionally permitted use; provided, that such facilities must comply with the state siting criteria adopted in RCW 70.105.210, as currently in effect or as hereafter amended.
- (i) Child Day Care Facility, Type B, subject to the provisions of BCC 11.42.060.
- (j) Wineries/Breweries/Distilleries not otherwise allowed under BCC 11.11.030.
- (k) Cemetery, columbarium, 11.11.060 11-67 (BCC 12/20/18)
- (l) Sewage treatment facility for industrial and/or domestic waste.
- (m) Rodeo facilities.
- (n) Reception facility with a capacity not to exceed two hundred (200) attendees.
- (o) A Park.
- (p) A golf course.
- (q) Recreational Vehicle Park.
- (r) A public transit center.
- (s) Airport/Heliport.
- (t) Church, if not otherwise allowed under BCC 11.11.030.
- (u) **Business activities, other than those set forth above, that are compatible with the principal uses and purpose of the underlying zone and the surrounding land uses may be conducted from within an approved accessory building detached from all dwelling units if the following criteria as well as any other conditions required by the Hearings Examiner are satisfied:**

- (1) The business activity must take place on a parcel of land that is 2.0 acres or greater in size.
- (2) 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.
- (3) No more than four (4) non-resident persons, whether they work on site or not, may be employed by or be partners in the business.
- (4) The business activity, including all storage space, shall not occupy more than two thousand (2,000) square feet of total floor area within the detached accessory building.
- (5) 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 that permitted by BCC 11.11.060(u)(4).
- (6) No more than two (2) non-illuminating signs, with a maximum area of four (4) square feet each, shall be permitted in connection with the business activity. The posting of such signs is limited to the parcel on which the approved detached accessory building is located. On-street (inside the road right-of-way) sign posting and sign posting which interferes with the line-of-site for road intersections are prohibited.
- (7) Not more than three (3) vehicles marked to identify the business may be on the parcel at any one time. No other onsite outside storage of vehicles, equipment and/or supplies is allowed in connection with the business activity. This prohibition applies to, but is not limited to: lumber, plasterboard, pipe, paint, inoperable vehicles, and heavy equipment that are related to the business.

(8) The property owner and the proprietor(s) of the business shall comply with all requirements of the Benton County Building Department, the Benton County Fire Marshal, the Benton-Franklin Health District, and all other local, state and federal regulations pertinent to the business activity pursued. The requirements of or permission granted by the Hearings Examiner shall not be construed as an exemption from such regulations.

(9) Adequate off-street parking, as determined by the Hearings Examiner, must be provided.

(10) Any waste created as a result of the business activity must be disposed of off-site in compliance with all local, state and/or federal regulations.

(11) The presence of customers/clients and non-resident employees at the location of the business activity shall be limited to the days and hours of operation as determined by the Hearings Examiner.

(12) The business activity does not require a marijuana processor or retailer license from the Washington State Liquor Control Board.

(v) Commercial stables and/or riding academies.

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.
- (b) **Conditional Use Application Required—Non-Refundable Application Fee.** The Planning Department shall provide application forms for Conditional Use Permits and prescribe the type of information to be provided in the application. No application shall be processed unless it complies with the requirements of this section. A completed application for a Conditional Use Permit shall be filed with the Planning Department accompanied by a non-refundable fee as set by resolution of the Board of County Commissioners.
- (c) **Conditional Use Application-Site Plan Required.** The Planning Department shall require the applicant to submit an application and a site plan as part of the application whenever such a permit is required for that use under the applicable zoning district. The application and site plan shall contain the following information:
- (1) Identify the proposed use and associated facilities, together with the names, addresses and telephone numbers of the owner or owners of record of the land and of the applicant, and, if applicable, the names, addresses and telephone numbers of the architect, planner, designer, and/or engineer;
 - (2) The proposed use or uses of the land and buildings; and,
 - (3) A site plan drawing or drawings at a scale of not less than one-inch equals fifty feet (1"=50'), unless an alternate scale is approved by the Planning Administrator. The site plan drawing(s) shall include the following:
 - (i) Location of all existing and proposed structures, including, but not limited to, buildings, fences, culverts, bridges, roads and streets;

- (ii) Boundaries, dimensions and square footage of the parcel or parcels involved;
- (iii) All setback lines;
- (iv) All areas, if any, to be preserved as buffers or to be dedicated to a public, private or community use, or for open space under the provisions of this title;
- (v) All existing and proposed easements;
- (vi) Location of all utility structures and lines;
- (vii) All means of vehicular and pedestrian ingress and egress to and from the site and the size and location of driveways;
- (viii) Location and design of off-street parking areas showing their size and locations of internal circulation and parking spaces;
- (ix) Location of all loading/unloading areas, including, but not limited to, loading platforms and loading docks where trucks will load or unload;
- (x) Topographic maps, when the Planning Administrator deems the maps necessary for adequate review, which delineate existing and proposed contours, at intervals of two (2) feet and show the location of existing lakes, streams, and storm water drainage systems from existing and proposed structures, together with an estimate of existing maximum storm runoff, and any other information deemed pertinent for adequate review.
- (xi) Identification of all special districts, such as fire, school, sewer, drainage improvements, and irrigation districts, in which the proposed use would be located; and,
- (xii) The proposed number of square feet of paved or covered surfaces, whether covered by buildings, driveways, parking lots or any other structure covering land.

(d) **Conditional Use-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.

11.50.050 PROCEDURES—VARIANCE AND CONDITIONAL USE PERMITS.

(a) **Variance or Conditional Use —Application—Urban Growth Area— Notice to City.** When a proposal requiring review under BCC 11.50.030 or BCC 11.50.040 is submitted with respect to a parcel within or partially within an Urban Growth Area, as designated on the Benton County Comprehensive Plan map, the Planning Department shall refer the variance or Conditional Use Permit application to the respective city for comment. The Hearings Examiner shall consider comments from such city unless the respective city fails to supply comments to the Hearings Examiner prior to, or at the open record hearing. In such case, the Hearings Examiner will assume that the city intends to make no comment.

- (b) **Variance or Conditional Use Permit—Application—Open Record Hearing—Notice Required.** The Hearings Examiner will hold an open record hearing consistent with Title 17 BCC (Permit Review Process) on all variance and Conditional Use Permit applications. The notice of such open record hearing shall be given as follows:
- (1) The Planning Department 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.
- (c) **Variance or Conditional Use Permit—Application—Approval or Denial—Decision Final.**
- (1) Following the conclusion of an open record hearing on a variance or Conditional Use Permit application, the Hearings Examiner shall approve, approve with conditions, or deny the requested variance or Conditional Use Permit. If the Hearings Examiner grants a variance or a Conditional Use Permit, he or she shall also recite the conditions and limitations that are imposed. The decision shall be in writing and shall include the Hearings Examiner's conclusions and the findings of fact supporting such conclusions. Upon receipt of a written request from an applicant stating the reasons for requesting the reconsideration, it is within the discretion of the Hearings Examiner to re-open the open record hearing on any matter prior to the adoption of such written decision; provided, written notice of such request and any hearing to consider the request must be given to all persons providing evidence to the Planning Department for submittal to the Hearings Examiner or who provided evidence at a hearing on such matter.
 - (2) Each Conditional Use Permit approved by the Hearings Examiner shall specify the location, nature and extent of the conditional use, together with all conditions that are imposed to ensure the proposed use is consistent with all applicable state laws, the Benton County Code, the Benton County Comprehensive Plan and any other information deemed necessary for the issuance of the permit.
 - (3) The written decision of the Hearings Examiner on an application for a variance or Conditional Use Permit shall be final. There are no administrative appeals on applications for variances or Conditional Use Permits. Judicial appeals of the Hearings Examiner's decision on variances or Conditional Use Permits must be made in accordance with state law.
- (d) **Variance or Conditional Use Permit—Application—Conditions of Approval—Noncompliance—Permit Issuance or Non-Issuance.** Any conditions imposed by the Hearings Examiner that must be met prior to issuance of a variance or Conditional Use Permit shall be so specified. In such case, the Planning Department shall not issue a variance or Conditional Use Permit until those specified conditions of approval, as set by the Hearings Examiner, have been met. No variance or Conditional Use Permit shall become effective until issued by the Planning Department. If such specified conditions have not been met and the Planning Department does not issue the variance or Conditional Use Permit within one (1) year from the time the Hearings Examiner conditionally approved the variance or Conditional Use Permit,

the Hearings Examiner may declare its approval null and void. 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. If the Hearings Examiner finds that the conditions have not been met, it shall adopt a written decision and findings of fact to support that decision.

- (e) **Variance or Conditional Use Permit—Violations and Penalties— Permit Revocation.** Any person who violates any term or condition of a variance or Conditional Use Permit shall be considered in violation of this title and shall be subject to the penalties prescribed in Chapter 11.43 BCC. If the variance or Conditional Use Permit has been issued by the Planning Department 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).

FINDINGS OF FACT:

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

1. The property owner is Juan Tellez 214210 E. Pidcock. Kennewick, WA 99337. The applicant is Jose Telles Sato 214210 E. Pidcock. Kennewick, WA 99337
2. The site contains 2.85 acres and is located in Section 22, Township 8 North, Range 30 East, W.M.
3. The application for CUP 2019-002 was submitted to Benton County on March 22, 2019 and declared complete on March 25, 2019.
4. This Conditional Use Permit, CUP 2019-002, did not require that a Notice of Application be published under State of Washington SEPA requirements (RCW 43.21C.030).
5. The notice for the Benton County Hearings Examiner Open Record Hearing for application CUP 2019-002 was published on April 4, 2019 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 April 15, 2019.
6. This business activity will **not** have any additional employees on-site.
7. The applicant has requested one sign to be attached to the building for the business.
9. The Benton-Franklin Health District had no objections provided:
 - “1. The business is served by an on-site sewage system that is permitted, installed and approved in accordance with Benton-Franklin District Board of Health Rules and Regulations No. 2.
 2. The business is only occupied by the residents of the existing home and no additional employees are necessary.”
10. The applicant has requested hours of operation to be Monday through Saturday 8:00 a.m. to 6:00 p.m.
11. The Benton County Fire Marshal commented:
 - “1. The building proposed is less than 2,500 sq. ft. and will not require onsite fire flow. In the future should the building be expanded beyond 2,500 sq. ft. onsite fire flow will be required.
 2. The building will be required to meet the current adopted building code requirements, which may require a fire rated wall between the repair shop and the remaining 400 sq. ft. of the building.
 3. No automotive painting is permitted unless additional requirements of the Fire Code are met.”

DISPOSITION OF THE APPLICANT'S REQUEST:

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.

If the Hearings Examiner approves Conditional Use Permit application CUP 2019-002 April 9, 2019, 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 of Approval be added:

RECOMMENDED CONDITIONS OF APPROVAL:

1. The applicant shall not conduct any of the activities within the scope of Conditional Use Permit CUP 2019-002 until the applicant is in compliance with all conditions 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 Hearings Examiner conditionally approved this 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.
3. The applicant must obtain the appropriate building permits. The applicant must submit written documentation that all the required permits and approvals have been obtained from the Benton County Building Department. The applicant shall meet this requirement for any additional buildings that may be constructed on site while Conditional Use Permit CUP 2019-002 is in effect.
4. The applicant must comply with all requirements included in the Benton Franklin Health District letter dated April 3, 2019. The applicant shall continue to meet all such requirements while Conditional Use Permit CUP 2019-002 is in effect.
5. The applicant must indicate on his building site plan the area where parking will be designated. If required by the Building Department at least one parking stall meeting current ADA (Americans with Disabilities

Act) standards may be required. The applicant shall continue to meet all such parking requirements while Conditional Use Permit CUP 2019-002 is in effect.

6. A paved Commercial approach approved by the Benton County Public Works Department must be permitted and installed prior to operating the business if CUP 2019-002 is approved by the Hearings Examiner.
7. No more than one (1) non-illuminating 4' x 8' sign will be allowed on the building; no additional signage shall be permitted without a separate Conditional Use Permit for the additional signage. The applicant shall continue to meet all such requirements while Conditional Permit CUP 2019-002 is in effect.
8. No overnight outside parking of customers' vehicles will be allowed without a site-obscuring fence for storage. Storage areas with hulk and non-operable vehicles are prohibited outside of this fenced area. The applicant shall continue to meet all such requirements while Conditional Use Permit CUP 2019-002 is in effect.
9. The property owner and the proprietor(s) of the business shall comply with all requirements of the Benton County Building Department, the Benton County Fire Marshal, the Benton-Franklin Health District, and all other local, state and federal regulations pertinent to the activity pursued. The requirements of, or permissions granted by, the Hearings Examiner shall not be construed as an exemption from such regulations. The applicant shall continue to meet all such requirements while Conditional Use Permit CUP 2019-002 is in effect.
10. Any waste created as a result of this auto repair business must be disposed of off-site on a weekly basis and/or in compliance with all local, state and/or federal regulations.
11. Only 2,000 sq. ft. of the 2,400 sq. ft. building may be used for the Business Activity. Additional area can only be used for personal storage.
12. As a condition of this permit, the County Planning Department requires that any used fluids and/or motor oil if it is collected during repair must be placed in waste containers and must be picked up by a third-party oil company. The applicant shall continue to meet this requirement while Conditional Use Permit CUP 2019-002 is in effect.
13. The building is less than 2,500 sq. ft. so it will not require onsite fire flow. Should the building be expanded beyond 2,500 sq. ft. in the future, onsite fire flow will be required.
14. If additional employees are hired, a bathroom would need to be installed to meet current building code and an additional septic and drainfield would need to be installed to meet Benton Franklin Health District's regulations.
15. The building will be required to meet the building code requirements, which may require a fire rated wall between the repair shop and the remaining 400 sq. ft. No auto/body spray painting is permitted on this site unless additional requirements of the Fire Code are met and amending/adding said use to the original CUP permit.

Benton County Property Search

50268 JIMENEZ JUAN TELLEZ for Year 2017 - 2018

Property

Account

Property ID:	50268	Legal Description:	1995 Skyline Lexington 27 x 48 : SHORT PLAT #2134, LOT 2 SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD 11/16/65. (LEGAL CONSOLIDATION PER QCD 3/7/2000 AF #2000-005388).
Parcel # / Geo ID:	122802012134002	Agent Code:	
Type:	Real		
Tax Area:	1331 - 1331	Land Use Code	18
Open Space:	N	DFL	N
Historic Property:	N	Remodel Property:	N
Multi-Family Redevelopment:	N		
Township:	08	Section:	22
Range:	30	Legal Acres:	2.8500

Location

Address:	214210 E PIDCOCK RDSE KENNEWICK, WA 99337	Mapsco:	
Neighborhood:		Map ID:	
Neighborhood CD:	122551		

Owner

Name:	JIMENEZ JUAN TELLEZ	Owner ID:	197985
Mailing Address:	214210 E PIDCOCK RD KENNEWICK, WA 99337	% Ownership:	100.0000000000%

Exemptions:

Pay Tax Due

Select the appropriate checkbox next to the year to be paid. Multiple years may be selected.


Year - Statement ID	Tax	Assessment	Penalty	Interest	Total Due
2019 - 33244 (First Half/Next)	\$570.02	\$209.37	\$0.00	\$0.00	\$779.39
2019 - 33244 (Balance)	\$1139.95	\$418.71	\$0.00	\$0.00	\$1558.66

Total Amount to Pay: \$

*Convenience Fee not included

Taxes and Assessment Details

Property Tax Information as of 04/08/2019

Amount Due if Paid on: 

NOTE: If you plan to submit payment on a future date, make sure you enter the date and click **RECALCULATE** to obtain the correct total amount due.

Click on "Statement Details" to expand or collapse a tax statement.

Year	Statement ID	First Half Base Amt.	Second Half Base Amt.	Penalty	Interest	Base Paid	Amount Due
▶ Statement Details							
2019	33244	\$779.39	\$779.27	\$0.00	\$0.00	\$0.00	\$1558.66
▶ Statement Details							
2018	33311	\$976.06	\$975.89	\$0.00	\$0.00	\$1951.95	\$0.00

Values

Taxing Jurisdiction

Improvement / Building

Property Image

Land

Roll Value History

Deed and Sales History

Payout Agreement

[Assessor Website](#)

[Treasurer Website](#)

[Mapping Website](#)

HER 1.1

BENTON COUNTY PLANNING DEPARTMENT CONDITIONAL USE APPLICATION FILE NO. CUP 2019-002



1. Applicant Name José Telles Sato
Applicant Address: 214210 E Pidcock Rd
Kennewick WA 99337
Telephone number: Home 509-302-7481 Work _____

2. Legal owners name: Juan Tellez ~~Jimenez~~
Legal Owners address: 214210 E Pidcock Rd
Kennewick WA 99337
Telephone number: Home 509-302-0839 Work _____

If you wish to be contacted by email please list your email address:

ppvocho75@hotmail.com

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

4. If you are amending a previous conditional use/special use permit please list the file number(s): NO
7-2280-201-2134-002 2.85 ACRES

5. The Conditional Use Permit is requested to conduct the following use: **Please be as specific and detailed as possible. Use additional paper if necessary.**
Auto Repair Shop in a 2000^{sq} Ft Building

6. 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 <input checked="" type="checkbox"/>	REA _____	
PHONE:	Yes <input checked="" type="checkbox"/>	No _____	Name of Utility <u>Spectrum</u>
GAS:	Yes _____	No <input checked="" type="checkbox"/>	Name of Utility _____
CABLE:	Yes <input checked="" type="checkbox"/>	No _____	Name of Utility <u>Spectrum</u>
IRRIGATION:	Yes <input checked="" type="checkbox"/>	No _____	Name of Utility _____
PRIVATE IRR.	Yes _____	No _____	

7. Total acres of property: 2.85 Zoning Classification of Property: _____
Comprehensive Plan Designation _____

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

Signature Block for individuals only.

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

Jose Telles
Jose Telles
Applicant's Signature

[Signature]
Print Name

3/22/2019
Date

Jose Telles
Signature of Legal Owners

Print Name

3/22/2019
Date

Signature of Person with additional ownership interest

Print Name

Date

If the applicant or legal owner is a corporation/partnership/LLC etc. please use the following signature block. Please copy this page if there is more than one corporation/partnership/LLC signature required.

Applicant or Legal Owner: _____

By: _____
(print name) (Title)

Signature: _____
(Signature) (Title)

The above signed officer of _____ (name of entity) warrants and represents that all necessary legal and corporate actions have been duly undertaken to permit _____ 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.)

Note: The Conditional Use/Special Permit Application fee of \$630.00 and the \$300.00 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.

FOR OFFICIAL USE ONLY:
Critical Area Review Completed by: Clark Perry on 3/25/2019.
Application approved for processing by Clark Perry on 3/25/2019.
Zoning Rural Lands 5 Comp Plan Designation Rural Remote.

9. Describe existing structures and present land uses in the surrounding area of your property:
Double Wide Manufactured Home
Residential

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. 0
- e. What is the **total** square footage of the detached building to be used for the business? 2400^{sq ft}
- f. What is the **total** square footage that will be used for the business activity? 2000^{sq ft} only
- 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 Attached to Building 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.
one
- j. List the number of off street parking spots 4
- k. What County Road does the site access off of? Pidcock Rd
- L. List the preferred office hours for the presence of customer/clients and non-resident employees. Days of the week Monday Through Saturday
Hours of Operation 8:00 AM to 6:00 pm

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:

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.

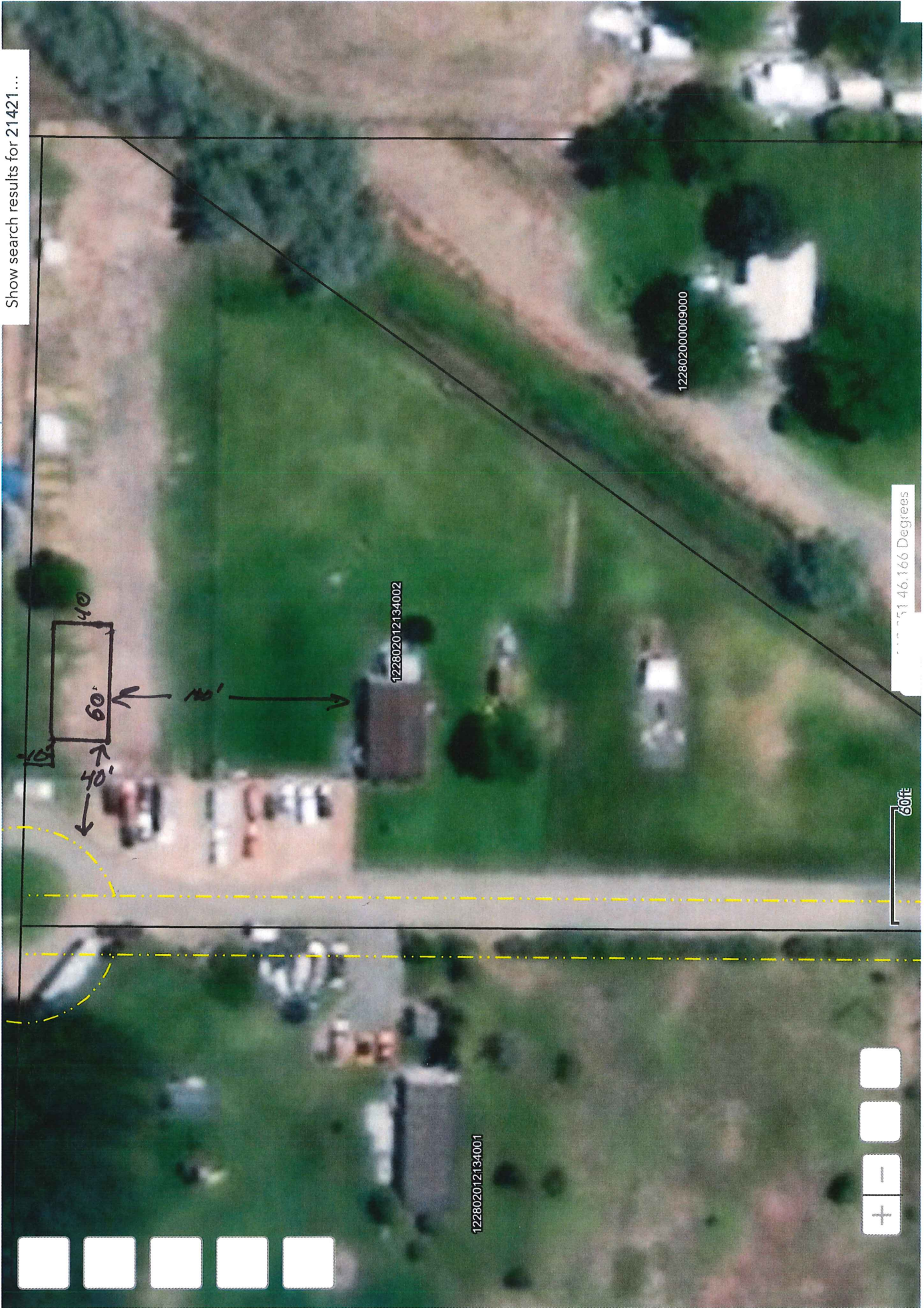


Benton County Planning

Employee Copy

▼ 214210 E PIDCOCK RDSE X 🔍

Show search results for 21421 ...



51 46.166 Degrees

April Brown

From: CID <cid@columbiairrigation.com>
Sent: Tuesday, March 26, 2019 2:54 PM
To: Planning Department
Subject: RE: Conditional Use Permit Agency review request CUP 2019-002 (Sato)

Good Afternoon,

CID has no comment.

Thank you,

Lila Freshment

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

From: Planning Department <Planning.Department@co.benton.wa.us>
Sent: Monday, March 25, 2019 4:50 PM
To: Dale Wilson <Dale.Wilson@co.benton.wa.us>; Benton Franklin Health District - Rick Dawson <rickd@bfhd.wa.gov>; Fire District #1 - Billie <billie@bentonone.org>; Chief Lonnie Click - Fire District #1 <Lonnie@BentonOne.org>; Fire District #1 - Scott <scott@bentonone.org>; Fire District #1 - Staff <staff@bentonone.org>; CID <cid@columbiairrigation.com>; Jenelle Schadler <Jenelle.Schadler@co.benton.wa.us>; Ken Williams <Ken.Williams@co.benton.wa.us>; Michelle Johnson <Michelle.Johnson@co.benton.wa.us>; Rod Worthington <Rod.Worthington@co.benton.wa.us>; Steve Brown <Steve.Brown@co.benton.wa.us>; Troy Taylor <Troy.Taylor@co.benton.wa.us>; Cristina Woods <Cristina.Woods@co.benton.wa.us>; Jeff Liner <Jeff.Liner@co.benton.wa.us>; Tavis Hatfield <Tavis.Hatfield@co.benton.wa.us>; Benton PUD - Brenda Webb <webbb@bentonpud.org>; Benton PUD - Chad Brooks <brooksc@bentonpud.org>; Benton PUD - Roxanne Weller <wellerr@bentonpud.org>; Benton PUD - Shanna Everson <eversons@bentonpud.org>; Benton PUD - Tina Archey <archeyt@bentonpud.org>; Benton PUD Jeff Vosahlo <vosahloj@bentonpud.org>; Benton PUD-Mike Irving <irvingm@bentonpud.org>
Subject: Conditional Use Permit Agency review request CUP 2019-002 (Sato)

Please see the attached request for agency review of a new Conditional Use Permit application for 214210 East Pidcock in Kennewick.

Thank you!



April Brown,
Office Assistant III
Benton County Planning Department
PO Box 910 Prosser WA 99350
(509) 786-5612
[Website](#)

Building Department/Fire Marshal
5600 W Canal Dr., Ste. C Box 105-A
Kennewick, WA 99336
Phone (509) 735-3500 Fax (509) 736-2732
From Prosser 786-5622



HEM 1.3

**Steve Brown,
Manager**

TO: BC Planning Department

CUP 19-002

Date Received 3-25-19 Date Returned 3-29-19



Comments:

Attached is a Conditional Use Permit application with attachments for your review. The applicant, Jose Sato is requesting permission to build a new 2400 ft² shop and utilize 2000 ft² of the shop to house an auto repair shop at 214210 East Pidcock Road (Parcel# 1-2280-201-2134-002).

Jose Soto, ppvocho75@hotmail.com proposes to build a detached 2,400 sq.ft building that is approximately 100' from nearest building to use to work on cars at 214210 E. Piddock, parcel 1-2280-201-2134-002

Fire Marshal's Comments:

- The building is less than 2,500 sq.ft and will not require onsite fire flow. But in the future should the building be expanded beyond 2,500 sq.ft onsite fire flow will be required.
- The building will be required to meet the building code requirements, which may require a fire rated wall between the repair shop and the remaining 400 sq.ft.
- No spray painting is permitted unless the requirements of the Fire Code are met.

April Brown

From: Rick Dawson <Rickd@bfhd.wa.gov>
Sent: Wednesday, April 03, 2019 2:48 PM
To: Planning Department
Subject: RE: Conditional Use Permit Agency review request CUP 2019-002 (Sato)

This office has reviewed the above referenced proposal and have no objections provided:

1. The business is served by an on-site sewage system that is permitted, installed and approved in accordance with Benton-Franklin District Board of Health Rules and Regulations No. 2.
2. The business is only occupied by the residents of the existing home and no additional employees are necessary.

James R.(Rick) Dawson
Sr. Manager – Surveillance & Investigation

Benton-Franklin Health District

7102 W. Okanogan Place,
Kennewick, WA 99336
p: 509.460.4313
f: 509.585.1537

www.bfhd.wa.gov rickd@bfhd.wa.gov



Follow us on

From: Planning Department [mailto:Planning.Department@co.benton.wa.us]
Sent: Monday, March 25, 2019 4:50 PM
To: Dale Wilson; Rick Dawson; Fire District #1 - Billie ; Chief Lonnie Click - Fire District #1; Fire District # 1 - Scott; Fire District #1 - Staff; Columbia Irrigation District; Jenelle Schadler; Ken Williams; Michelle Johnson; Rod Worthington; Steve Brown; Troy Taylor; Cristina Woods; Jeff Liner; Tavis Hatfield; Benton PUD - Brenda Webb; Benton PUD - Chad Brooks; Benton PUD - Roxanne Weller ; Benton PUD - Shanna Everson; Benton PUD - Tina Archey ; Benton PUD Jeff Vosahlo; Benton PUD-Mike Irving
Subject: Conditional Use Permit Agency review request CUP 2019-002 (Sato)

Please see the attached request for agency review of a new Conditional Use Permit application for 214210 East Pidcock in Kennewick.
Thank you!



April Brown,
Office Assistant III
Benton County Planning Department
PO Box 910 Prosser WA 99350
(509) 786-5612
[Website](#)

NOTICE OF PUBLIC DISCLOSURE: This e-mail account is public domain. Any correspondence from or to this email account may be a public record. Accordingly, this email, in whole or in part, may be subject to disclosure pursuant to RCW 42.56, regardless of any claim of confidentiality or privilege asserted by an external party.

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April Brown

From: Cristina Woods
Sent: Wednesday, April 03, 2019 9:55 AM
To: Planning Department
Subject: RE: Conditional Use Permit Agency review request CUP 2019-002 (Sato)

Good morning April

We have no comments

Cristina Woods

From: Planning Department
Sent: Monday, March 25, 2019 4:50 PM
To: Dale Wilson <Dale.Wilson@co.benton.wa.us>; Benton Franklin Health District - Rick Dawson <rickd@bfhd.wa.gov>; Fire District #1 - Billie <billie@bentonone.org>; Chief Lonnie Click - Fire District #1 <Lonnie@BentonOne.org>; Fire District # 1 - Scott <scott@bentonone.org>; Fire District #1 - Staff <staff@bentonone.org>; Columbia Irrigation District <CID@columbiairrigation.com>; Jenelle Schadler <Jenelle.Schadler@co.benton.wa.us>; Ken Williams <Ken.Williams@co.benton.wa.us>; Michelle Johnson <Michelle.Johnson@co.benton.wa.us>; Rod Worthington <Rod.Worthington@co.benton.wa.us>; Steve Brown <Steve.Brown@co.benton.wa.us>; Troy Taylor <Troy.Taylor@co.benton.wa.us>; Cristina Woods <Cristina.Woods@co.benton.wa.us>; Jeff Liner <Jeff.Liner@co.benton.wa.us>; Tavis Hatfield <Tavis.Hatfield@co.benton.wa.us>; Benton PUD - Brenda Webb <webbb@bentonpud.org>; Benton PUD - Chad Brooks <brooksc@bentonpud.org>; Benton PUD - Roxanne Weller <wellerr@bentonpud.org>; Benton PUD - Shanna Everson <eversons@bentonpud.org>; Benton PUD - Tina Archey <archeyt@bentonpud.org>; Benton PUD Jeff Vosahlo <vosahloj@bentonpud.org>; Benton PUD-Mike Irving <irvingm@bentonpud.org>
Subject: Conditional Use Permit Agency review request CUP 2019-002 (Sato)

Please see the attached request for agency review of a new Conditional Use Permit application for 214210 East Pidcock in Kennewick.
Thank you!



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Planning Department
P.O. Box 910
1002 Dudley Avenue
Prosser, WA 99350



Phone (509) 786-5612
Fax (509) 786-5629
planning.department@co.benton.wa.us
co.benton.wa.us

NOTICE OF OPEN RECORD HEARING

HEM 1.6

NOTICE IS HEREBY GIVEN that the following application has been proposed to the Benton County Hearings Examiner, Benton County, Washington.


CUP 2019-002 -- The applicant, Jose Sato is requesting permission to build a new 2400 ft² building and utilize 2000 ft² of it for an auto repair shop at 214210 East Pidcock Road (Parcel# 1-2280-201-2134-002). The date of the written determination of completeness on this action is March 25, 2019. The site is located in Section 22, Township 8 North, Range 30 East, W.M.

NOTICE IS GIVEN that said application(s) will be considered by the Benton County Hearings Examiner at the public hearing(s) on Monday, April 15, 2019 at 10:00 a.m. in the Planning Annex Hearing Room, 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 Hearings Examiner 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 (509) 786-5612. 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 by 8:30 a.m. the morning of the hearing 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 Request for Reasonable Accommodation Form 48 hours prior to the date of the meeting. The form is located on the Benton County website (<https://tinyurl.com/RRAform>) or you may contact the Benton County Planning Department for assistance.

Dated this 1st Day of April, 2019

SUSAN E. DRUMMOND
Benton County Hearings Examiner


CLARK A. POSEY, Assistant Planning Manager
Benton County Planning Department

PUBLISH: April 4, 2019