

**EXHIBIT LIST FOR CUP 2022-004**

Carter - ADU

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**Community Development Department**

Prosser Office: 620 Market Street, 1<sup>st</sup> Floor  
Kennewick Office: 102206 East Wiser Parkway  
[www.co.benton.wa.us](http://www.co.benton.wa.us)



**Planning Division**

(509) 786-5612  
P.O. Box 910, Prosser, WA 99350  
[planning.department@co.benton.wa.us](mailto:planning.department@co.benton.wa.us)

**STAFF REPORT TO THE  
BENTON COUNTY HEARINGS EXAMINER  
Donald Carter  
Detached Accessory Dwelling Unit**

**HEM 1.1**

**FILE NO:** CUP 2022-004

**HEARING DATE:** May 20, 2022

**APPLICANT:** Donald Carter, 32103 N Alamos Way PR NE, Benton City, WA 99320

**OWNERS:** Donald and Robyn Carter, 32103 N Alamos Way PR NE, Benton City, WA 99320

**LOCATION:** General Location: The property is located approximately .5 miles east of Benton City limits south of SR 224 in Benton City, Washington.  
Address: 32103 N Alamos Way PR NE, Benton City, WA 99320  
Legal: Short Plat # 0777, Lot 2  
Parcel Number: 1-1797-301-0777-002

**PROPERTY SIZE:** Approximately 1.93 acres

**AREA TO BE USED:** Not to exceed 800 square feet

**LAND USE:** Residential

**ZONING:** Rural Lands Five-Acre District (RL-5)

**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 requesting a Conditional Use Permit for a 725 sq. ft. accessory dwelling unit on the subject site. The existing 2,970 sq. ft. single-family dwelling will remain at 32103 Alamos Way PR NE, Benton City, WA 99320.

The property is approximately 1.93 acres in size and is zoned Rural Lands 5 Acre District (RL-5).

The site currently has a 2,970 sq. ft. single-family dwelling, a 900 sq. ft accessory building, and a 600 sq. ft. accessory building. The applicant is proposing the construction of a 725 sq. ft., one-bedroom dwelling unit. The proposed accessory dwelling unit will be located south of the existing single-family dwelling.

The application for CUP 2022-004 was submitted to the Benton County Planning Division on March 28, 2022.

The application was declared complete for processing on April 6, 2022.

The application documents were distributed to reviewing agencies on April 6, 2022.

The Benton County Hearings Examiner Notice of Open Record Hearing for application CUP 2022-004 was published on May 4, 2022 in the Prosser Record Bulletin.

The Notice was mailed to property owners of record within 300 feet of the outer boundaries of the parcel on My 4, 2022.

The Open Record Hearing is scheduled for May 20, 2022.

### **APPLICABLE STANDARDS/ORDINANCES:**

1. *Revised Code of Washington*  
RCW 36.70A.400, GROWTH MANAGEMENT—PLANNING BY SELECTED COUNTIES AND CITIES  
Accessory Apartments  
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.

#### *Benton County Comprehensive Plan*

##### 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*, Chapter 11.03 Definitions.

11.03.010 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.

4. *Benton County Code*, Chapter 11.42 General Use Regulations

11.42.020 ACCESSORY DWELLING UNITS (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 2<sup>nd</sup> 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.
- (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. 11.42.030 11-180 (BCC 12/20/18)
    - (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 appearance and character of an accessory use.

5. *Benton County Code*, Chapter 11.50.040 Conditional Use.

**11.50.040 (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.

**11.50.040 (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 April 6, 2022.
  - a. Benton County Public Works Department
  - b. Benton-Franklin Health District (BFHD)
  - c. Benton County Fire District 2
  - d. Benton County Building Division
  - e. Benton County Fire Marshal
  - f. Benton County Code Enforcement
  - g. Benton PUD
  - h. Kennewick Irrigation District
  - i. Benton County GIS
  - j. Washington State Department of Transportation
- 2. The following comments were received from the Benton Franklin Health Department:
  - a. The septic system for the proposed ADU has not yet been finalized.
  - b. The property owner will need to provide a new plot plan to BFHD.
  - c. For additional information contact JoDee Peyton with BFHD at (509) 460-4318.

3. The following comments were received from the Benton Public Utility District:
  - a. Customer will need to contact Benton PUD to make arrangements for power.
  - b. For additional information contact Tina Glines with PUD at (509) 582-1241.
  
4. The following comment was received from the Kennewick Irrigation District:
  - a. This parcel is within the Kennewick Irrigation District (KID) boundaries, but is not considered irrigable lands; therefore, the Kennewick Irrigation District does not assess them.
  - b. Please note that permanent structures are not allowed within irrigation easements.
  - c. Please protect all existing irrigation facilities.
  - d. For additional information contact Chris Sittman at (509) 586-9111
  
5. The following comment was received from the Washington State Department of Transportation:
  - a. The subject property is adjacent to State Route 224 (SR 224), a managed access Class 3 highway with a posted speed limit of 55 miles per hour. Currently, access to the subject property is via the permitted connection at milepost 0.73 right. In accordance with WAC 468-51-110, the property owner is required to obtain a new access connection permit (ACP) for the proposed change in use. The updated ACP will require the existing connection to SR 224 be surfaced with hot mix asphalt. The property owner can contact Mark Kaiser of the WSDOT South Central Region Office for more information and to apply for the ACP. He can be reached at (509) 577-1668.
  
6. The following comments were received from the Benton County Rural Water Supply Program:
  - a. This property is within Benton County's Rural Water Supply Program which requires the new dwelling to obtain a mitigation certificate or provide 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 Peter McEnderfer at 509-786-5612 with the Planning Division for more information.
  
7. The following are general comments from the Benton County Planning Division:
  - a. The lot is zoned Rural Lands Five Acre (RL-5) District.
  - b. The lot is designated Rural Remote by the Benton County Comprehensive Plan.
  - c. Surrounding land uses: Adjacent properties either have single-family homes with residential accessory uses, agricultural uses, or are currently undeveloped. There are two adjacent undeveloped parcels, a 2.51-acre site to the north and a 1.92-acre site to the south. There is also a 22.43-acre parcel to the east that is utilized for agriculture purposes.
  - d. All dwelling units and swimming pools shall have a setback of one hundred fifty (150) feet from any parcel located partially or wholly within the Growth Management Agricultural Act District (GMAAD) and from any adjacent orchard, hop field or vineyard (or combination thereof) of ten (10) acres or more on one parcel or on contiguous parcels under common ownership.
  - e. SEPA: A proposal for a single ADU is exempt from a State Environmental Policy Act checklist and review.
  - f. Upon completion of a review of BCC Title 15 and the Benton County Critical Area Maps, no designated critical areas have been identified. A critical area report is not required for the processing of a conditional use permit for the proposed activity at this location.

### **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 2022-004 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**

#### **The County makes the following Findings of Fact:**

1. The applicant is requesting a Conditional Use Permit for a 725 sq. ft. accessory dwelling unit on the subject site. The existing 2,970 sq. ft. single-family dwelling will remain at 32103 N Alamos Way PR NE, Benton City, WA 99320.
2. The applicant is Donald Carter, 32103 N Alamos Way PR NE, Benton City, WA 99320.
3. The owners of the property are Donald and Robyn Carter, 32103 N Alamos Way PR NE, Benton City, WA 99320.
4. The property is located approximately .5 miles east of Benton City limits south of SR 224 in Benton City, Washington. (Parcel Number 1-1797-301-0777-002).
5. The property is approximately 1.93 acres in size and is zoned Rural Lands Five-Acre (RL-5) District.
6. The proposed detached ADU will be accessory to a 2,970 sq. ft. owner-occupied single-family dwelling.
7. The site currently has a 2,970 sq. ft. single-family dwelling, a 900 sq. ft. accessory building, and a 600 sq. ft. accessory building.
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 2022-004 is consistent with the Growth Management Act, RCW 36.70A, including RCW 36.70A.390.
12. The application for CUP 2022-004 is consistent with RCW 43.63A.215 (3) *Accessory apartments*.
13. The application for CUP 2022-004 is consistent with the goals and policies of the Benton County Comprehensive Plan.
14. The application for CUP 2022-004 is consistent with the requirements of the Benton County Zoning Code.

15. The application for CUP 2022-004 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. A single-family dwelling is located on the parcel/lot where the detached ADU is to be located.
  - c. The single-family dwelling on the parcel is 2,970 square feet. Forty percent (40%) of 2,970 sq. ft. is 1,188 sq. ft. thus allowing the applicants up to 800 square feet for the ADU.
  - d. The detached ADU will have one (1) bedroom.
  - e. The applicant is proposing two (2) parking spots to serve the detached ADU.
  - f. The proposal is to construct a 725 sq. ft. accessory dwelling unit.
  - g. The lot/parcel is to be improved with an existing single-family dwelling, two existing detached accessory building, and the proposed detached accessory dwelling unit.
  - h. No additional dwelling or housing units exist or are proposed.
  - i. A home occupation is not planned nor proposed to be operated in the detached ADU.
  - j. The detached ADU must comply with BFHD standards as per the Conditions of Approval.
  - k. The detached ADU and proposed single-family dwelling comply with Fire Marshal requirements for access.
  - l. The detached ADU will be a ground floor unit.
  - m. At the time of application, family member(s) of the owner plan to reside in the ADU and the owner will reside in the proposed single-family dwelling.
  - n. The detached ADU complies with Building Division requirements and Fire Marshal requirements.
  - o. The detached ADU complies with the Benton County critical area ordinance, Shoreline Master Program, and zoning regulations.
16. The application for CUP 2022-004 is consistent with requirements in BCC 11.42.020 (c)(2)(i) as the ADU will a detached accessory building.
17. The application for CUP 2022-004 is consistent with requirements in BCC 11.42.020(c)(2)(ii):
  - a. The proposed detached ADU will be located south of the single-family dwelling. The distance from N Alamos Way PR NE and SR 224, as well as the orientation of the home, will make the accessory building difficult to see from the public right-of-way.
  - 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 are 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. Either the detached ADU 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 others to occupy the landowner(s) unit when absent the rest of the year.
3. 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.
4. All required development permits shall be obtained prior to occupancy of the accessory dwelling unit. This includes approval of permits required by the following, as applicable:
  - a. Benton County Building Division; for building permits.
  - b. Benton County Fire Marshal; for fire and safety regulations.
  - c. Benton County Rural Water Supply Program; for mitigation certificate and water meter.
5. The Benton Franklin Health District requires all necessary development permits be obtained and associated improvements completed prior to occupancy of the Accessory Dwelling Unit. Please contact JoDee Peyton with BFHD at 509-460-4318 for more information.

#### **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.

#### **Violations of Conditions of Approval:**

The Applicant shall continue to meet all conditions of this Conditional Use Permit while CUP 2022-004 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.

# HEM 1.2



CUP 2022-004 (Carter)  
Vicinity Map created by Benton County Planning

**Planning Department**

(509) 786-5612  
P.O. Box 910  
Prosser, WA 99350



www.co.benton.wa.us  
planning.department@co.benton.wa.us  
Prosser Office: 620 Market Street, 1st Floor  
Kennewick Office: 102206 East Wiser Parkway

**CONDITIONAL USE PERMIT APPLICATION**

**HEM 1.3**

File No. CUP 2022-008

**RECEIVED**

MAR 28 2022

APPLICANT INFORMATION

Please check the box indicating primary contact person for this application

Benton Co. Planning Dept.

**Name of Applicant/Agent:** Donald Carter  
Mailing Address: 32103 Alamos Way Pr NE City: Benton City State: WA ZIP: 99320  
Phone #1: 509-539-2446 Phone #2: 509-588-5072  
Email Address(es): dcarter@oxbo.com  
Signature: [Signature] Date: 3-25-22

**Name of Property Owner(s) (if different):** \_\_\_\_\_  
Mailing Address: \_\_\_\_\_ 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:** \_\_\_\_\_

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 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.

PARCEL INFORMATION

4. Subject property address including city: 32103 Alamos Way Pr NE

5. Parcel #(s): 1-1797-301-0777-002 - - - - -

6. Acreage: 1.93

7. Access:  County Road  State Road/Highway  Private Road

8. 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: \_\_\_\_\_

9. Current use(s) on property: Private home

10. What are you proposing to do that requires a Conditional Use Permit? ADU

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.

11. Additional comments or information: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

(FOR STAFF USE ONLY)

Application Complete:  Y  N

Critical Areas:  N  Y: \_\_\_\_\_

Zoning: RL-5

Reviewed by: [Signature]

Date: 4/6/22

Planning Department  
(509) 786-5612  
P.O. Box 910  
Prosser, WA 99350



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Prosser Office: 620 Market Street, 1st Floor  
Kennewick Office: 102206 East Wiser Parkway

## CONDITIONAL USE PERMIT APPLICATION ADDENDUM

### DETACHED ACCESSORY DWELLING UNIT **RECEIVED**

File No. CUP 2022-006

MAR 28 2022

Applicant Name: Donald Carter

Benton Co. Planning Dept.

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? 2,970
4. What is the square footage of the proposed accessory dwelling unit? 725
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:

Living space for parents who can  
no longer live on their own.

**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

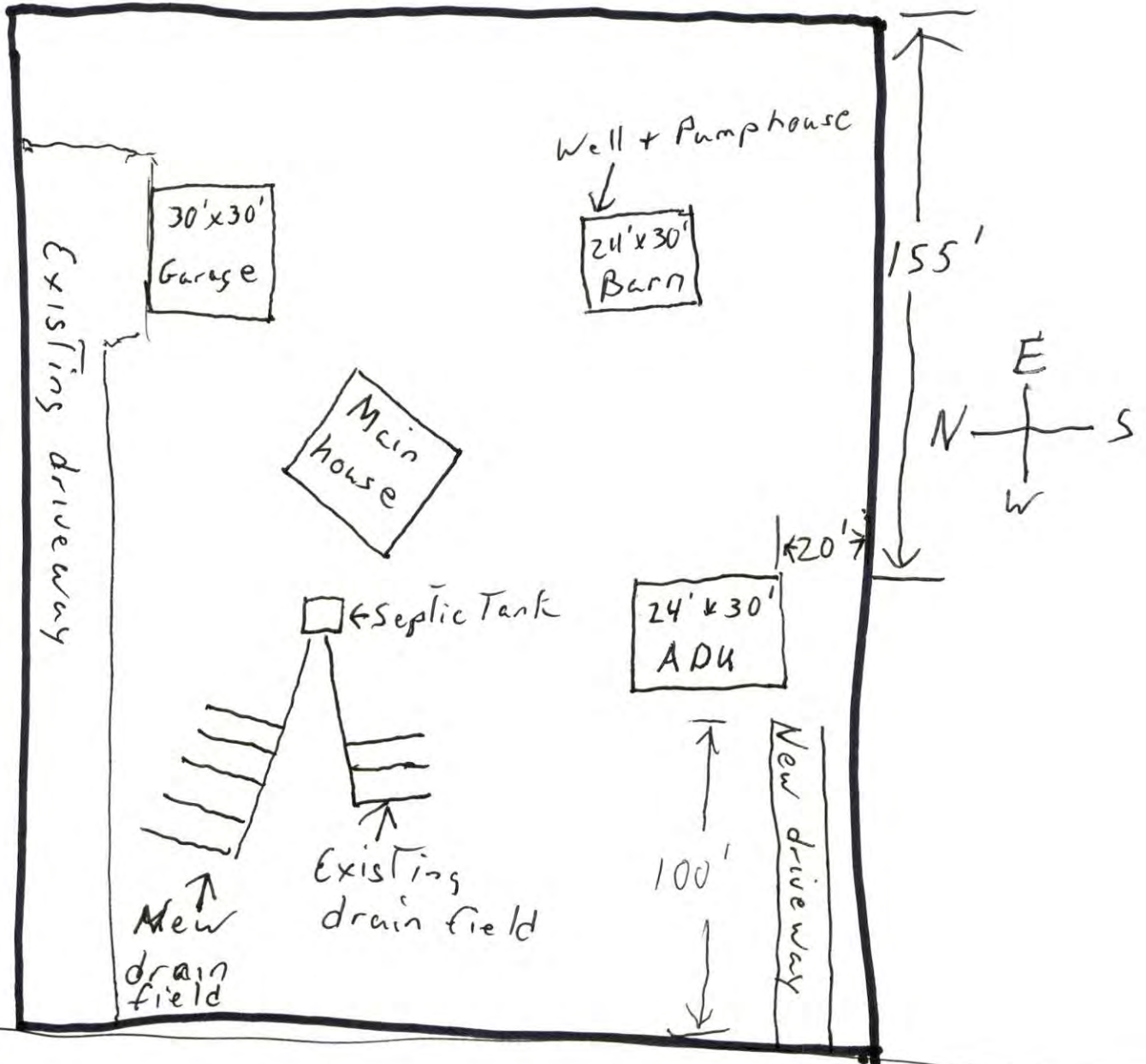
Any information submitted to the Benton County Planning Department is subject to public records disclosure law for the State of Washington (RCW Chapter 42.17) and all other applicable law that may require the release of the documents to the public.

RECEIVED

MAR 28 2022

Benton Co. Planning Dept.

# Up Church Vineyard

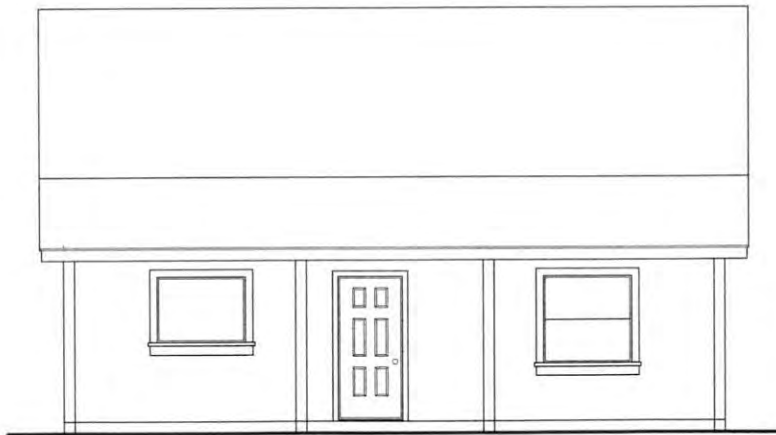
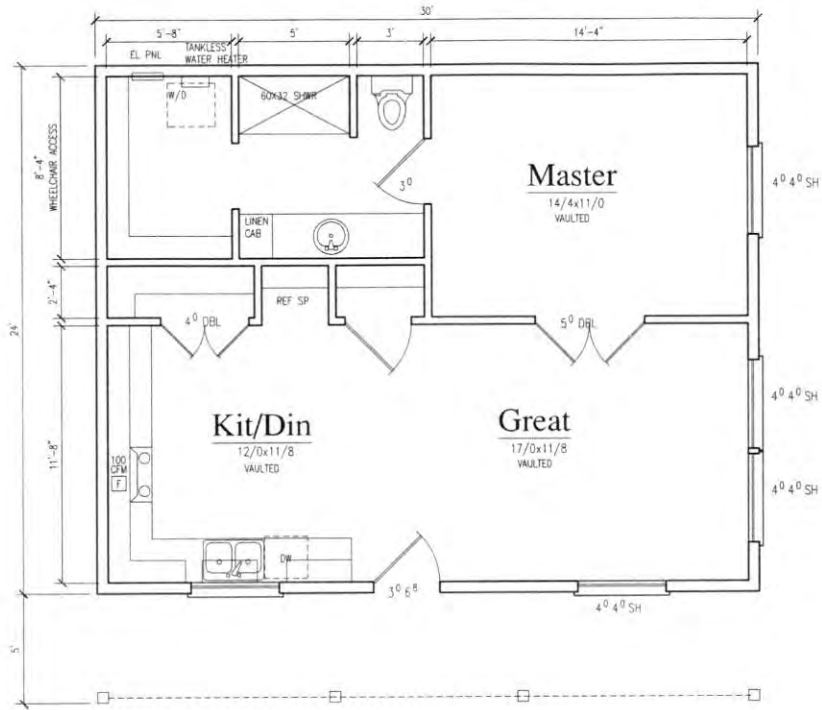


Alamos Way Pr NE

RECEIVED

MAR 28 2022

Benton Co. Planning Dept.



## April Brown

---

**From:** Andrea Watts  
**Sent:** Thursday, March 31, 2022 8:48 AM  
**To:** JoDee Peyton  
**Cc:** April Brown  
**Subject:** RE: [EXTERNAL] Don Carter - 32103 Alamos Way PR NE

HEM 1.4

Perfect, thank you! 😊



Andrea Watts  
*Associate Planner*  
Benton County Community Development Department - Planning Division  
[Andrea.watts@co.benton.wa.us](mailto:Andrea.watts@co.benton.wa.us)  
(509) 786-5612

**From:** JoDee Peyton <Jodeer@bfhd.wa.gov>  
**Sent:** Thursday, March 31, 2022 8:38 AM  
**To:** Andrea Watts <Andrea.Watts@co.benton.wa.us>  
**Cc:** dcarter@oxbocorp.com  
**Subject:** [EXTERNAL] Don Carter - 32103 Alamos Way PR NE

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Andrea,

I spoke with Don Carter about his ADU project at the above address. We are in the process of finalizing his septic permit for this. I do not foresee any issues or problems with it being issued shortly.

Please feel free to contact me with any concerns or questions.

**JoDee A. Peyton, EHS II, Lead**  
Environmental Health Specialist  
Land Use, Sewage and Water Section

**Benton-Franklin Health District**  
7102 W. Okanogan Place  
Kennewick, WA 99336  
p: 509.460.4318  
[www.bfhd.wa.gov](http://www.bfhd.wa.gov) [jodeer@bfhd.wa.gov](mailto:jodeer@bfhd.wa.gov)



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**Community Development Department**

Prosser Office: 620 Market Street, 1<sup>st</sup> Floor  
Kennewick Office: 102206 East Wiser Parkway  
[www.co.benton.wa.us](http://www.co.benton.wa.us)



**Planning Division**

(509) 786-5612  
P.O. Box 910, Prosser, WA 99350  
[planning.department@co.benton.wa.us](mailto:planning.department@co.benton.wa.us)

April 6, 2022

**HEM 1.5**

Donald Carter  
32103 Alamos Way PR NE  
Benton City, WA 99320

Via Email: [dcarter@oxbo.com](mailto:dcarter@oxbo.com)

RE: Written Determination of Completeness  
File Number: CUP 2022-004

Dear Applicant,

This office is in receipt of your project permit application for a Conditional Use Permit to allow you to build a detached Accessory Dwelling Unit at 32103 Alamos Way PR NE in Benton County. The Planning Division has determined that the required materials have been submitted and the application is complete. A file number has been assigned (CUP 2022-004) 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 during the review process. If additional information is required, it will need to be submitted to our office before the item can be heard at the hearing before the Hearings Examiner. Prior to any hearing on your project, you will receive a public hearing notice and a staff memo.

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, the Benton County Public Works Department or the Washington State Department of Health.

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

Sincerely,

Andrea Watts, Associate Planner  
Benton County Planning Division

**Community Development Department**

Prosser Office: 620 Market Street, 1<sup>st</sup> Floor

Kennewick Office: 102206 East Wiser Parkway

[www.co.benton.wa.us](http://www.co.benton.wa.us)



**Planning Division**

(509) 786-5612

P.O. Box 910, Prosser, WA 99350

[planning.department@co.benton.wa.us](mailto:planning.department@co.benton.wa.us)

April 6, 2022

Benton County Public Works Department  
Benton-Franklin Health District  
Benton County Fire District #1  
Benton County Building Division  
Benton County Fire Marshal  
Benton County Code Enforcement  
Benton PUD  
Kennewick Irrigation District  
Benton County GIS

**HEM 1.6**

**RE: Agency review of Conditional Use Permit application**  
**File #: CUP 2022-006 Carter**  
**Parcel # 1-3480-101-2604-002**

Attached is a Conditional Use Permit – Accessory Dwelling Unit application for your agency’s review.

The applicant is requesting to remodel an existing two-story single-family dwelling to create a 728 square foot detached Accessory Dwelling Unit on the second floor and a separated 1,296 square foot storage area on the first.

The existing 1,820 square foot single family dwelling that is also on the property will remain.

PLEASE SUBMIT YOUR COMMENTS to [planning.department@co.benton.wa.us](mailto:planning.department@co.benton.wa.us) by April 20, 2022. Please reference file number **CUP 2022-006** 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

Andrea Watts

**From:** Tina Glines <glinest@bentonpud.org>  
**Sent:** Thursday, April 7, 2022 6:59 AM  
**To:** Planning Department  
**Subject:** [EXTERNAL] RE: [E] CUP 2022-004 - Carter Conditional Use Permit Agency Review Request

**EXTERNAL EMAIL WARNING!!!:** This email originated from outside of Benton County. **DO NOT** click links or open attachments unless you recognize the sender and know the content is safe.

Customer will need to contact Benton PUD to make arrangements for power.

Thank you,

*Tina Glines*

Distribution Design Technician  
(509) 582-1241



**From:** Planning Department <Planning.Department@co.benton.wa.us>  
**Sent:** Wednesday, April 6, 2022 4:44 PM  
**To:** GIS <GIS@co.benton.wa.us>; Dale Wilson <Dale.Wilson@co.benton.wa.us>; Benton Franklin Health District - Rick Dawson <rickd@bfhd.wa.gov>; Fire District #2 - R. Duncan <rduncan@bcfcpd2.org>; Clark Posey <Clark.Posey@co.benton.wa.us>; Kennewick Irrigation District - Application and SEPA Review (development@kid.org) <development@kid.org>; Kennewick Irrigation District - Seth Defoe <sdefoe@kid.org>; Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Brian Bell <Brian.Bell@co.benton.wa.us>; Daniel Gonzalez <Daniel.Gonzalez@co.benton.wa.us>; Elizabeth Koerner <Elizabeth.Koerner@co.benton.wa.us>; Jessica Harris <Jessica.Harris@co.benton.wa.us>; Michelle Johnson <Michelle.Johnson@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>; Jordyn Reimer <Jordyn.Reimer@co.benton.wa.us>; Tavis Hatfield <Tavis.Hatfield@co.benton.wa.us>; Douglas D'Hondt <Douglas.DHondt@co.benton.wa.us>; Matt Mahoney <Matt.Mahoney@co.benton.wa.us>; Brenda Webb <webbb@bentonpud.org>; Chad Brooks <brooksc@bentonpud.org>; Nancy Lang <langn@bentonpud.org>; Rick Dunn <dunnr@bentonpud.org>; Rick Sunford <sunfordr@bentonpud.org>; Shanna Everson <eversons@bentonpud.org>; Tina Glines <glinest@bentonpud.org>; Jeff Vosahlo <vosahloj@bentonpud.org>  
**Subject:** [E] CUP 2022-004 - Carter Conditional Use Permit Agency Review Request

**[EXTERNAL EMAIL]**

Please see the attached information for your agency's review. This is CUP 2022-004 for Donald Carter.

Mr. Carter would like to add an Accessory Dwelling unit to his property at 32103 Alamos Way PR NE.

**Andrea Watts**

---

**From:** Cristina Woods  
**Sent:** Thursday, April 7, 2022 8:57 AM  
**To:** Planning Department  
**Subject:** RE: CUP 2022-004 - Carter Conditional Use Permit Agency Review Request

Good morning

Public Works has no comments as this parcel connects to a PR that connects to a State Route.

Thank you



**Cristina Woods, MS** • *Engineering Associate II*  
Benton County Public Works  
102206 Wiser Parkway , Kennewick WA, 99338  
[cristina.woods@co.benton.wa.us](mailto:cristina.woods@co.benton.wa.us)  
(509) 786-5611

**From:** Planning Department <Planning.Department@co.benton.wa.us>  
**Sent:** Wednesday, April 6, 2022 4:44 PM  
**To:** GIS <GIS@co.benton.wa.us>; Dale Wilson <Dale.Wilson@co.benton.wa.us>; Benton Franklin Health District - Rick Dawson <rickd@bfhd.wa.gov>; Fire District #2 - R. Duncan <rduncan@bcfpd2.org>; Clark Posey <Clark.Posey@co.benton.wa.us>; Kennewick Irrigation District - Application and SEPA Review (development@kid.org) <development@kid.org>; Kennewick Irrigation District - Seth Defoe <sdefoe@kid.org>; Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Brian Bell <Brian.Bell@co.benton.wa.us>; Daniel Gonzalez <Daniel.Gonzalez@co.benton.wa.us>; Elizabeth Koerner <Elizabeth.Koerner@co.benton.wa.us>; Jessica Harris <Jessica.Harris@co.benton.wa.us>; Michelle Johnson <Michelle.Johnson@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>; Jordyn Reimer <Jordyn.Reimer@co.benton.wa.us>; Tavis Hatfield <Tavis.Hatfield@co.benton.wa.us>; Douglas D'Hondt <Douglas.DHondt@co.benton.wa.us>; Matt Mahoney <Matt.Mahoney@co.benton.wa.us>; Benton PUD - Brenda Webb <webbb@bentonpud.org>; Benton PUD - Chad Brooks <brooksc@bentonpud.org>; Benton PUD - Nancy Lang <langn@bentonpud.org>; Benton PUD - R Dunn <dunnr@bentonpud.org>; Benton PUD - Rick Sunford <sunfordr@bentonpud.org>; Benton PUD - Shanna Everson <eversons@bentonpud.org>; Benton PUD - Tina Glines (glinest@bentonpud.org) <glinest@bentonpud.org>; Benton PUD Jeff Vosahlo <vosahloj@bentonpud.org>  
**Subject:** CUP 2022-004 - Carter Conditional Use Permit Agency Review Request

Please see the attached information for your agency's review. This is CUP 2022-004 for Donald Carter.

Mr. Carter would like to add an Accessory Dwelling unit to his property at 32103 Alamos Way PR NE.

Please have your comments to our office by April 20, 2022.

Thank you

**April Brown**

**From:** Clark Posey  
**Sent:** Monday, April 11, 2022 10:35 AM  
**To:** Planning Department  
**Subject:** RE: CUP 2022-004 - Carter Conditional Use Permit Agency Review Request

Donald Carter  
CUP # 2022-004  
32103 Alamos Way PR NE  
Parcel # 1-1797-301-0777-002

RECEIVED  
APR 11 2022  
Benton Co. Planning Dept.

## Fire Marshal has no comment for this proposed ADU.

Clark

**From:** Planning Department <Planning.Department@co.benton.wa.us>  
**Sent:** Wednesday, April 6, 2022 4:44 PM  
**To:** GIS <GIS@co.benton.wa.us>; Dale Wilson <Dale.Wilson@co.benton.wa.us>; Benton Franklin Health District - Rick Dawson <rickd@bfhd.wa.gov>; Fire District #2 - R. Duncan <runcan@bcfpd2.org>; Clark Posey <Clark.Posey@co.benton.wa.us>; Kennewick Irrigation District - Application and SEPA Review (development@kid.org) <development@kid.org>; Kennewick Irrigation District - Seth Defoe <sdefoe@kid.org>; Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Brian Bell <Brian.Bell@co.benton.wa.us>; Daniel Gonzalez <Daniel.Gonzalez@co.benton.wa.us>; Elizabeth Koerner <Elizabeth.Koerner@co.benton.wa.us>; Jessica Harris <Jessica.Harris@co.benton.wa.us>; Michelle Johnson <Michelle.Johnson@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>; Jordyn Reimer <Jordyn.Reimer@co.benton.wa.us>; Tavis Hatfield <Tavis.Hatfield@co.benton.wa.us>; Douglas D'Hondt <Douglas.DHondt@co.benton.wa.us>; Matt Mahoney <Matt.Mahoney@co.benton.wa.us>; Benton PUD - Brenda Webb <webbb@bentonpud.org>; Benton PUD - Chad Brooks <brooksc@bentonpud.org>; Benton PUD - Nancy Lang <langn@bentonpud.org>; Benton PUD - R Dunn <dunnr@bentonpud.org>; Benton PUD - Rick Sunford <sunfordr@bentonpud.org>; Benton PUD - Shanna Everson <eversons@bentonpud.org>; Benton PUD - Tina Glines (glinest@bentonpud.org) <glinest@bentonpud.org>; Benton PUD Jeff Vosahlo <vosahloj@bentonpud.org>  
**Subject:** CUP 2022-004 - Carter Conditional Use Permit Agency Review Request

Please see the attached information for your agency's review. This is CUP 2022-004 for Donald Carter.

Mr. Carter would like to add an Accessory Dwelling unit to his property at 32103 Alamos Way PR NE.

HEM 1.10



2015 South Ely Street  
Kennewick, WA 99337  
Customer Service 509-586-9111  
Business 509-586-6012  
FAX 509-586-7663  
[www.kid.org](http://www.kid.org)

RECEIVED April 13, 2022

APR 18 2022

Benton Co. Planning Division

April Brown, Permit Technician – Planning Division  
**Benton County Community Development Department**  
620 Market Street (Prosser Courthouse, 1<sup>st</sup> Floor)  
Prosser, WA 99350

Subject: Review Comments for CUP 2022-004, Carter Conditional Use Permit

Dear Ms. Brown:

The Kennewick Irrigation District has received your Conditional Use Permit Application submitted by **Donald Carter**, 32103 Alamos Way PR NE, Benton City, WA 99320 for a detached ADU in an existing building. This site is generally located at 32103 Alamos Way PR NE, Benton City, WA 99320.

1. This parcel is within the Kennewick Irrigation District (KID) boundaries, but is not considered irrigable lands; therefore, the Kennewick Irrigation District does not assess them.
2. Please note that permanent structures are not allowed within irrigation easements.
3. Please protect all existing irrigation facilities.

If you have any questions regarding these comments, please contact me at the address/phone number listed above.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris D. Sittman".

Chris D. Sittman  
Engineering Department/CAD Specialist

cc: LB\correspondence\File 17-09-27  
Applicant via mail – Donald Carter, 32103 Alamos Way PR NE, Benton City, WA 99320



April 13, 2022

**HEM 1.11**

Benton County Planning Department  
P.O. Box 910  
Prosser, WA 99350

Attention: April L. Brown, Permit Technician

RE: File #: CUP 2022-006, Carter Accessory Dwelling  
SR 224 milepost 0.73 right

We have reviewed the proposed project and have the following comments.

- The subject property is adjacent to State Route 224 (SR 224), a managed access Class 3 highway with a posted speed limit of 55 miles per hour. Currently, access to the subject property is via the permitted connection at milepost 0.73 right. In accordance with WAC 468-51-110, the property owner is required to obtain a new access connection permit (ACP) for the proposed change in use. The updated ACP will require the existing connection to SR 224 be surfaced with hot mix asphalt. The property owner can contact Mark Kaiser of the WSDOT South Central Region Office for more information and to apply for the ACP. He can be reached at (509) 577-1668.

Thank you for the opportunity to review and comment on this proposal. If you have any questions regarding our comments, please contact Jacob Prilucik at (509) 577-1635.

Sincerely,

Paul Gonseth, P.E.  
Region Planning Engineer

PG: jjp/mnk

cc: SR 224, File #2022\_004  
Kara Shute, Area 3 Maintenance Superintendent

## Andrea Watts

---

**From:** JoDee Peyton <Jodeer@bfhd.wa.gov>  
**Sent:** Friday, May 6, 2022 8:52 AM  
**To:** Andrea Watts  
**Subject:** [EXTERNAL] RE: Carter CUP ADU 2022-004

HEM 1.12

**EXTERNAL EMAIL WARNING!!!:** This email originated from outside of Benton County. **DO NOT** click links or open attachments unless you recognize the sender and know the content is safe.

We have not finalized the septic permit at this time. He has been out of town and needs to get me a new plot plan for the drainfield. Still, I don't see a problem in issuing the permit once we get a design.

Please feel free to contact me with any concerns or questions.

**JoDee A. Peyton, EHS II, Lead**  
Environmental Health Specialist  
Land Use, Sewage and Water Section

**Benton-Franklin Health District**  
7102 W. Okanogan Place  
Kennewick, WA 99336  
p: 509.460.4318  
[www.bfhd.wa.gov](http://www.bfhd.wa.gov) [jodeer@bfhd.wa.gov](mailto:jodeer@bfhd.wa.gov)



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Thank you!

**From:** Andrea Watts <Andrea.Watts@co.benton.wa.us>  
**Sent:** Friday, May 6, 2022 8:49 AM  
**To:** JoDee Peyton <Jodeer@bfhd.wa.gov>  
**Subject:** Carter CUP ADU 2022-004

Hi JoDee,

I'm gathering all the comments for this ADU (on 117973010777002) and wanted to check with you to see if you have any additional comments/requirements. I have attached the application materials and our original email.

Thank you!



Andrea Watts  
*Associate Planner*  
Benton County Community Development Department - Planning Division  
[Andrea.watts@co.benton.wa.us](mailto:Andrea.watts@co.benton.wa.us)  
(509) 786-5612

**\*\*This email was sent from outside the BFHD Network\*\***

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**Community Development Department**

Prosser Office: 620 Market Street, 1<sup>st</sup> Floor  
Kennewick Office: 102206 East Wisner Parkway  
[www.co.benton.wa.us](http://www.co.benton.wa.us)

**Planning Division**

(509) 786-5612  
P.O. Box 910, Prosser, WA 99350  
[planning.department@co.benton.wa.us](mailto:planning.department@co.benton.wa.us)

**NOTICE OF OPEN RECORD HEARINGS****HEM 1.13**

NOTICE IS HEREBY GIVEN that the following applications have been proposed to the Benton County Hearings Examiner for Benton County, Washington.

**CONDITIONAL USE PERMIT -- CUP 2022-004, APPLICANT: DONALD CARTER**

The applicant is requesting to build a 725 square foot detached Accessory Dwelling Unit at 32103 Alamos Way PR NE Benton City, WA 99320. The existing 2,970 square foot single family dwelling will remain.

**CONDITIONAL USE PERMIT -- CUP 2022-005, APPLICANT: VICTORY BAPTIST CHURCH**

The applicant is requesting a Conditional Use Permit to conduct church services and related activities for an 85-member congregation on a year-round basis at 29911 E Jacobs Rd, Benton City, WA 99320. Church services will be held primarily 10:00 AM to 12:00 PM and 7:00 PM to 9:00 PM on Sundays, and Wednesday evenings 7:00 PM – 9:00 PM, with a couple of special meetings throughout the year.

**CONDITIONAL USE PERMIT -- CUP 2022-006, APPLICANT: ROSABEL CHAVEZ**

The applicant is requesting to remodel an existing two-story single-family dwelling at 218104 E 528 PR SE, Kennewick, WA 99337 to create a 728 square foot detached Accessory Dwelling Unit on the second floor and a separate 1,296 square foot storage area on the first. The existing 1,820 square foot single family dwelling that is also on the property will remain.

**VARIANCE – VAR 2022-001, APPLICANT: KNUTZEN ENGINEERING**

The applicant plans to build a Commercial Recreation Facility on East Detrick PR in Kennewick (Parcels 111881013669001 and 111881013369002). The overhang of the proposed building extends 10' (10 feet) into the 25' (25-foot) setback from an access easement (aka East Detrick PR SE). The applicant is requesting a 10' (10-foot) variance from the 25' (25-foot) access easement setback for the overhang only.

NOTICE IS GIVEN that the Benton County Hearings Examiner will hold an open record public hearing for each of the above stated applications. The hearings will be held in-person and virtually/telephonically via Webex.

**DATE OF HEARING:** Friday, May 20, 2022 at 10:00 am  
**LOCATION OF HEARING:** Planning Hearing Room, Benton County Courthouse, 1<sup>st</sup> Floor,  
620 Market Street, Prosser, WA 99350

**The Planning Hearing Room can only be accessed via the Main Street (east) side of the building.** To find information on attendance & testimony options, directions to the meeting room and to review documentation for the application, please visit <https://tinyurl.com/BCpublicnotice>

Anyone may participate in the hearings and present testimony or comments on an application. Persons may appear in person or virtually/telephonically during the hearing or provide written testimony to the Hearings Examiner (care of the Planning Division) on or before the date of the hearing. Written comments can be emailed to [planning.department@co.benton.wa.us](mailto:planning.department@co.benton.wa.us) or dropped off at one of the Planning Division offices or mailed to: Benton County Community Development Department-Planning Division, ATTN: Hearings Examiner P.O. Box 910 Prosser, WA 99350. 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.

If you wish to provide testimony during the hearing (in person or virtually), we ask that you inform the Planning Division before the meeting. You can do that by filling out a Request to Testify form at <https://tinyurl.com/testifyform> or by contacting our office to be added to the list.

**You must submit a request for each hearing in which you wish to participate.** We ask that participants who will be attending virtually please limit background noise and/or mute their line to prevent interruptions of the meeting.

If you have questions regarding any of the actions before the Hearings Examiner or the hearing process, please contact the Planning Division at (509) 786-5612, [planning\\_department@co.benton.wa.us](mailto:planning_department@co.benton.wa.us), P.O. Box 910 Prosser, WA 99350, 102206 E. Wiser Parkway, Kennewick, WA 99338 or 620 Market Street, First Floor, Prosser, WA 99350.

Dated this 2<sup>nd</sup> day of May 2022

PUBLICATION DATE: May 4, 2022

SUSAN E. DRUMMOND  
Benton County Hearings Examiner

MICHELLE L. COOKE, Planning Manager  
Community Development Department

Notice

NOTICE OF OPENING RECORD HEARINGS NOTICE IS HEREBY GIVEN that the following applications have been proposed to the Benton County Hearings Examiner for Department of Community Development Planning Division ATTN: Hearings Examiner P.O. Box 910 Prosser, WA 99350. 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.

If you wish to provide testimony during the hearing (in person or virtually), we ask that you inform the Planning Division before the meeting. You can do that by filling out a Request to Testify form at <https://tinyurl.com/testifyform> or by contacting our office to be added to the list.

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PUBLICATION DATE: May 4, 2022  
SUSAN E. DRUMMOND, Benton County Hearings Examiner  
MICHELLE L. COOKE, Planning Manager  
Community Development Department  
Published: Prosser Record-Bulletin  
Published: May 4, 2022

AFFIDAVIT OF PUBLICATION  
STATE OF WASHINGTON } ss.  
County of Benton

Rebecca D. Fink, being first duly sworn on oath, deposes and says that he is the Production Manager of the

PROSSER RECORD-BULLETIN, weekly newspaper. That said newspaper is a legal newspaper and has been approved as a legal newspaper by order of the Superior Court in the county in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published in the English language continually as a weekly newspaper in Prosser, Benton County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of said newspaper. That

annexed is a true copy of Notice of Opening Record Hearings - CUP  
2022-004 / CUP 2022-005  
CUP 2022-006 VAR 2022-001

as it was published in regular issues (and not in supplement form) of said newspaper once a week for a period of 1 ~~consecutive~~ week~~s~~

commencing May 4, 20 22

ending May 4, 20 22

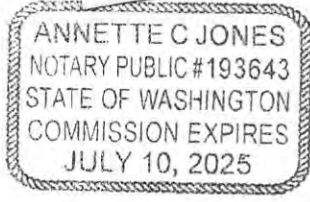
both dates inclusive and that such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee

charged for the foregoing publication is the sum of \$ 365.62, which amount has been paid in full.

Rebecca D. Fink  
Subscribed and sworn to before me this 4th

day of May, 20 22  
Annette C. Jones

Notary Public in and for the State of Washington, residing at Prosser, Washington





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