

**EXHIBIT LIST FOR CUP 2022-016
Detached ADU - Bradford**

Hearings Examiner Staff Memo Exhibit List - February 17, 2023 hearing		
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Community Development Department

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

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

**STAFF REPORT TO THE
BENTON COUNTY HEARINGS EXAMINER
Dan and Sandy Bradford
Detached Accessory Dwelling Unit**

FILE NO: CUP 2022-016
MEMO DATE: February 7, 2023
HEARING DATE: February 17, 2023
OWNER/APPLICANT: Dan and Sandy Bradford, PO Box 4765, West Richland, WA 99353
LOCATION: General Location: The property is located approximately 0.25 miles southwest of the intersection of 302 PR NE and Harrington PR NE in the West Richland area of unincorporated Benton County, Washington.
Address: 112215 N Harrington PR NE, Richland, WA 99352
Abbreviated Legal: Lot 1 of Short Plat 2384, Section 04, Township 10 North, Range 27, W. M.
Parcel Number: 1-0407-401-2384-001
PROPERTY SIZE: Approximately 2.63 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 four (4) Conditions of Approval as outlined in this staff report.

APPLICATION DESCRIPTION:

The applicant is proposing to bring an unpermitted Accessory Dwelling Unit into compliance with the Benton County Code. The existing 768 square foot Accessory Dwelling Unit (ADU) was originally described as a craft/hobby room within a permitted accessory building. After the original 2016 building permit was completed, the applicant made several unpermitted modifications to the structure resulting in Code Enforcement action in October of 2022. Upon notification by Code

Enforcement, the applicants have been working to bring the structure into compliance with County Zoning and Building Codes.

The application and floor plan (HEM 1.1) submitted indicates a total living space of 713 square feet but it has since been determined that the living space is actually 768 square feet in total. Also shown on the submitted floor plan is a room labeled as an office that had originally included a closet, the closet has since been closed off and is no longer accessible via the office.

The ADU is located within a 2,304 square foot accessory building located west of the existing 2,678 square foot single family dwelling unit. The property is currently used for residential purposes, is approximately 2.63 acres in size, and is zoned Rural Lands Five Acre District (RL-5).

The application for CUP 2022-016 was submitted to the Benton County Planning Division on December 2, 2022.

The application was declared complete for processing on December 6, 2022 (HEM 1.3).

The application documents were distributed to reviewing agencies on December 19, 2022 (HE 1.5).

The Benton County Hearings Examiner Notice of Open Record Hearing for application CUP 2022-016 was published on February 1, 2023, in the Prosser Record Bulletin. (HEM 1.11)

The Notice was mailed to property owners of record within 300 feet of the outer boundaries of the parcel on February 1, 2023. (HEM 1.6)

The Open Record Hearing is scheduled for February 17, 2023.

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 2nd floor unit.
- (12) Either the accessory dwelling unit or the single-family dwelling shall be occupied by a landowner(s) as his/her primary residence. The landowner shall maintain residency at least six (6) months out of the year and at no time receive rent for, or otherwise allow to occupy the landowner(s) unit when absent the rest of the year.
- (13) If the accessory dwelling unit is connected to the single-family dwelling through a breezeway or similar means, the accessory dwelling unit shall be considered detached and compliance with subsection (c) below is required.
- (14) The accessory dwelling unit shall comply with the applicable building, fire, critical area, shoreline, and zoning requirements of Title 3, 11, and 15 of Benton County Code.
- (15) The accessory unit shall not be considered as a dwelling unit when calculating density.

(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 December 19, 2022.
 - a. Benton County Public Works Department
 - b. Benton-Franklin Health District
 - c. Benton County Fire District #4
 - d. Benton County Building Division
 - e. Benton County Fire Marshal
 - f. Benton County Code Enforcement
 - g. Benton REA
2. The following comments were received from the Benton Franklin Health Department (BFHD): (HEM 1.7)
 - a. Continued use of the on-site septic system is deemed appropriate for the existing single family residence up to 3 bedrooms with addition of an ADU in the shop as shown on the site plan stamped approved by this department. The septic system was designed and installed as a 4 bedroom system.
 - b. For more information, please contact JoDee Peyton at 509-460-4318 or JoDeer@bfhd.wa.gov.
3. The following comments were received from the Benton County Building Division: (HEM 1.8)
 - a. The CUP is unique in that:

- i. The work has already been undertaken and thus a code enforcement matter.
 - ii. The modification of the garage to a living space (ADU) may or may not be found compliant with ADU limitations.
 - iii. The work undertaken was not originally permitted thus any work applied for would require application and permitting.
 - iv. The work may or may not trigger engineering as it may relate to modifications to the original structure.
 - v. The work may or may not meet general International Residential Building Code.
 - vi. The work may or may not meet Electrical Requirement for inspection to cover and final (I understand it at present has not passed an L&I Inspection).
 - vii. The work may or may not meet Washington State Energy Code criteria as constructed.
 - viii. The property may be listed for sale and thus any prospective buyer should be placed on notice of noncompliance through the owner, realtor, or through written disclosure
 - b. The resolution of the above could be somewhat time consuming to work through and thus could impact any potential sale of the property.
 - c. For more information, please contact Brian Bell at 509-735-3500 or Brian.Bell@co.benton.wa.us.
4. The following comments were received from the Benton County Code Enforcement: (HEM 1.9)
- a. As you know this is a code enforcement issue resulting in several violations including zoning codes and building codes. The property owners have been diligently working on bringing this structure into compliance with building codes and zoning codes, which also included approval for outside agencies (BFHD & Washington State L&I).
 - b. The owners are showing their best efforts to complying and therefore I have no issues with the approval of the Accessory Dwelling Unit, just as long as it remains vacated until the issuance of a Certificate of Occupancy.
 - c. For more information, please contact Officer Dale Wilson at 509-222-2301 or code.enforcement@co.benton.wa.us.
5. The following are general comments and discussion points 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: The subject parcel and adjoining parcels are predominantly residential in use with single-family homes and residential accessory uses.
 - d. SEPA: A proposal for a single ADU is exempt from a State Environmental Policy Act checklist and review.
 - e. 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.

- f. This project is within the Benton County Rural Water Supply Program area and thus the Applicant must apply for and obtain a mitigation certificate for the accessory dwelling unit prior to CUP issuance.

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 2022-016 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 proposing to bring an unpermitted 768 square foot Accessory Dwelling Unit into compliance with the Benton County Code. The ADU is within a 2,304 square foot accessory building located west of the existing 2,678 square foot single family dwelling unit.
2. The applicant/property owners are Dan and Sandy Bradford, 112215 N Harrington PR NE Richland, WA 99353.
3. The property is located approximately 0.25 miles southwest of the intersection of 302 PR NE and Harrington PR NE in the West Richland area of unincorporated Benton County, Washington (Parcel No. 1-2980-400-0017-000).
4. The property is approximately 2.63 acres in size and is zoned Rural Lands Five-Acre (RL-5) District.
5. The detached ADU is accessory to a 2,678 square foot owner-occupied single-family dwelling.
6. The site currently consists of a 2,678 square foot single-family dwelling and a 2,304 square accessory building.
7. The property is within the Benton County Rural Water Supply Program area and thus the Applicant must apply for and obtain a mitigation certificate for the accessory dwelling unit.
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 2022-016 is consistent with the Growth Management Act, RCW 36.70A, including RCW 36.70A.390.
12. The application for CUP 2022-016 is consistent with RCW 43.63A.215 (3) *Accessory apartments*.
13. The application for CUP 2022-016 is consistent with the goals and policies of the Benton County Comprehensive Plan.
14. The application for CUP 2022-016 is consistent with the requirements of the Benton County Zoning Code.
15. The application for CUP 2022-016 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 existing single-family dwelling is 2,678 square feet. Forty percent 40% of 2,678 square feet is 1,071 square feet. The applicant is proposing approximately 768 square feet in the application.
 - d. The detached ADU will have one (1) bedroom and one (1) office.
 - i. At no time shall the office be used as a bedroom.
 - e. The applicant is proposing two (2) parking spots to serve the detached ADU.
 - f. The proposal is to permit an existing 768 square foot accessory dwelling unit on the site with the existing 2,678 square foot primary single-family dwelling.
 - g. No additional dwelling or housing units exist or are proposed.
 - h. A home occupation is not planned nor proposed to be operated in the detached ADU.
 - i. The detached ADU must comply with BFHD standards as per the Conditions of Approval.
 - j. The detached ADU and proposed single family dwelling comply with Fire Marshal standards.
 - k. The detached ADU is an upper floor unit.
 - l. At the time of application, the owners plan to reside in the ADU and family members of the owners will reside in the single-family dwelling while the property is up for sale.
 - m. The detached ADU complies with Building Division requirements and Fire Marshal requirements.
 - n. The detached ADU complies with the Benton County critical area ordinance, Shoreline Master Program, and zoning regulations.
16. The application for CUP 2022-016 is consistent with requirements in BCC 11.42.020

(c)(2)(i) as the ADU is in a detached accessory building.

17. The application for CUP 2022-016 is consistent with requirements in BCC 11.42.020(c)(2)(ii):
 - a. The ADU is east of the existing single-family dwelling. The distance from N Harrington PR as well as the orientation ADU will make it difficult to see from the street.
 - 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 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 their primary residence. The landowner shall maintain residency at least six (6) months out of the year and at no time receive rent for, or otherwise allow others to occupy the landowner(s) unit when absent the rest of the year.
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 single-family dwelling. This includes approval of permits required by the following, as applicable:

- a. Benton County Building Division; for building permits.
 - b. Benton County Fire Marshal; for fire and safety regulations.
 - c. Benton Franklin Health District
5. Applicants shall obtain a mitigation certificate and install a water meter for the ADU prior to CUP issuance.

Time to Complete Conditions of Approval:

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

If all conditions of approval have not been met and the Planning Division does not issue the Conditional Use Permit within one (1) year from the time the Hearings Examiner has conditionally approved the Conditional Use Permit, the Hearings Examiner may declare its approval null and void at a regular Hearings Examiner meeting. Prior to doing so, the applicant shall be notified in writing at the applicant's last known address at least twelve (12) days in advance of the upcoming Hearings Examiner meeting.

Transferability

This Conditional Use Permit is transferrable by the holder. If a new property owner wishes to continue to have the Accessory Dwelling Unit, the new owner must update the Conditional Use Permit application, accept the Conditions of Approval in writing, and be approved by the Planning Manager prior to transfer of the permit being allowed.

Violations of Conditions of Approval:

The Applicant shall continue to meet all conditions of this Conditional Use Permit while CUP 2022-016 is in effect.

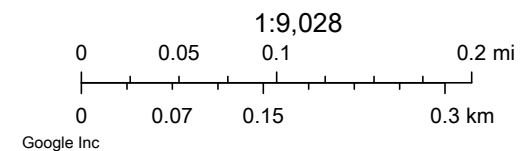
Any violation of the conditions of approval will be processed in accordance with BCC Title 11, Chapter 11.43 Administration and Disposition of Infractions. If the Conditional Use Permit has been issued and violations exist, the Hearings Examiner may revoke the permit after an open record hearing with 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.

CUP 2022-016 Vicinity Map

HEM 1.2



2/1/2023, 1:04:54 PM



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

File No. CUP 2022-016

RECEIVED

DEC 02 2022

APPLICANT INFORMATION

Please check the box indicating primary contact person for this application

Benton Co. Planning Dept

Name of Applicant/Agent: Dan & Sandy Bradford

Mailing Address: PO Box 4765 City: W. Richland State: WA ZIP: 99353

Phone #1: 509-578-9799 Phone #2: 509-440-0629

Email Address(es): danwithsandy@yahoo.com

X Signature: Sandy Bradford Date: 11/21/22

Name of Property Owner(s) (if different): Same as above

Mailing Address: _____ City: _____ State: _____ ZIP: _____

Phone #1: _____ Phone #2: _____

Email Address(es): _____

X Signature: Dan J. Bradford Date: 11-21-22

Signature: Sandy Bradford Date: 11/21/22

*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: N/A

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: 112215 N. Harrington PRDE, West Richland

5. Parcel #(s): 1 - 0407-401-2384-001 - - - - -

6. Acreage: 2.63

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
SR Water Rights 1910, Certificate
Provider name: NUMBER 54-83869-J,
Claim 00177. Bend in the River Estates

9. Current use(s) on property: Single Family Residence

10. What are you proposing to do that requires a Conditional Use Permit?
Detached Accessory Dwelling Unit

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: Columbia Irrigation has a canal/diversion pt about 1 mile from us, but due to our SR water rights, the irrigation district will not service our community - Bend in the River.

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

(FOR STAFF USE ONLY)

Critical Areas: N
Reviewed by: [Signature]

Application Complete: (Y) N
Zoning: R-5
Date: 12/2/22

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www.co.benton.wa.us
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DEC 08 2022

Benton Co. Planning Dept.

CONDITIONAL USE PERMIT APPLICATION ADDENDUM DETACHED ACCESSORY DWELLING UNIT

File No. _____

Applicant Name: Dan & Sandy Bradford

- Number of Accessory Dwelling Units currently on the property: 0
- Is there a single family dwelling currently on the property? Yes No
- What is the square footage of the main home? 2687
- What is the square footage of the proposed accessory dwelling unit? 713 sq ft
- How many bedrooms will be in the Accessory Dwelling Unit? 2
- Does the landowner currently have any other land use permits? No

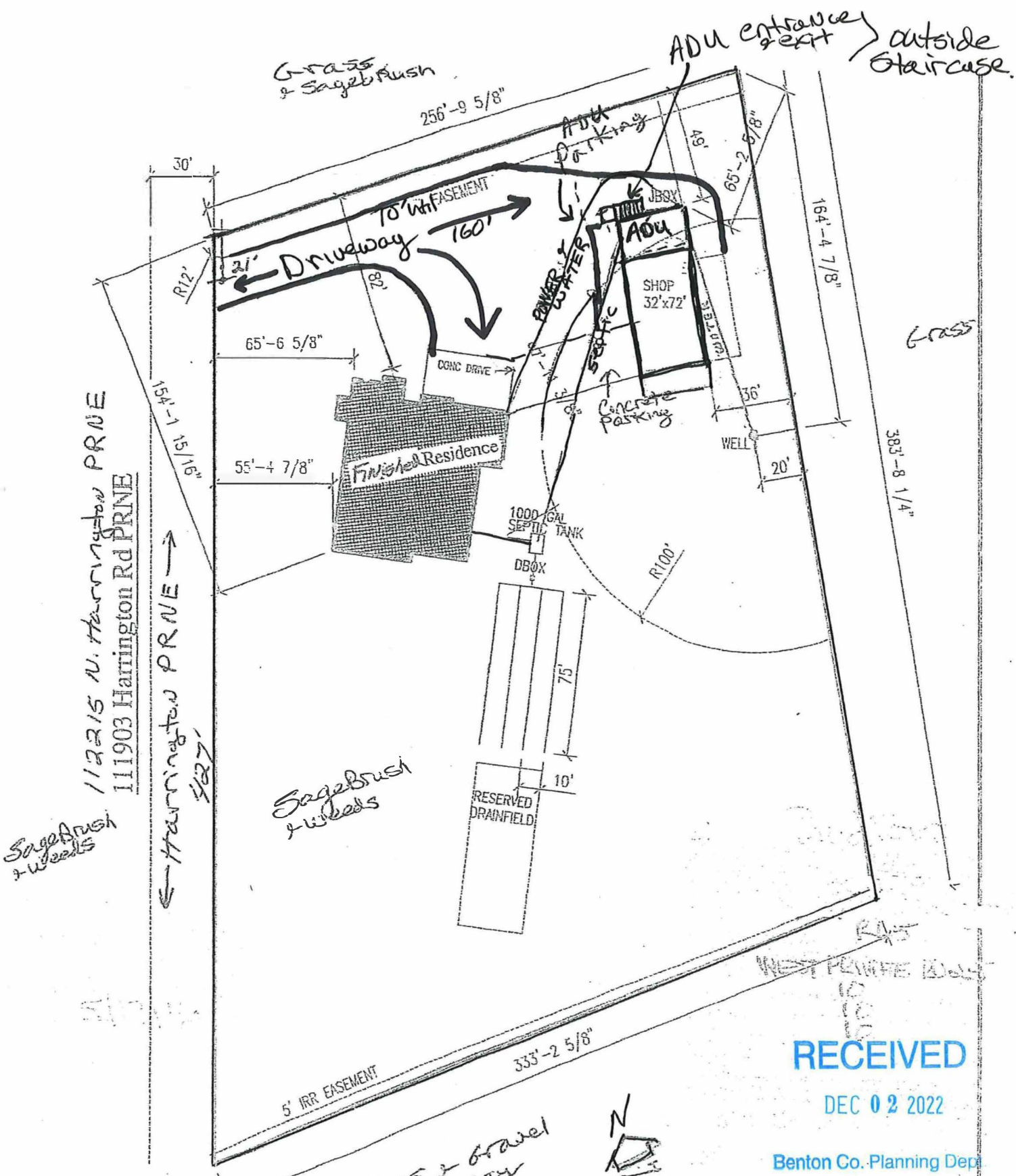
Please describe the purpose and reason for the Accessory Dwelling Unit:

The ADU was built at the same time as the single family residence in 2016. The purpose was to serve as a place for a caregiver to stay, should MR. Bradford (disabled) need one. The space will be used going forward as a mother in law suite, guest quarters, or for a caregiver for Dan.

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.



Legal Description

BEND IN THE RIVER ESTATES, LOT 1,
 BENTON COUNTY, WASHINGTON
 TAX PARCEL # 104074012384001

Site Plan

SCALE: 1" = 60'

RECEIVED

DEC 02 2022

Benton Co. Planning Dept

Parcel
 Lot # 1-0407-401-2384-001

Dan & Sandy Bradford

~~509-578-0188~~ 509-578-9799

Sandy Bradford 11/21/22
 Dan Bradford 11/21/22



Parking
ADU

Existing

Parcel ID: 104074012384001
 Permit No: 2022-246
 Applicant: Dan and Sandy Bradford
 Location: 112215 N Harrington PR NE
 Email: danwithsandy@yahoo.com
 Phone: 5095789899
 Type of Permit: Road Approach
 Date Received: 11/28/2022, 12:00 AM
 Permit Status: Existing
 Application Approved: 11/29/2022, 12:00 AM
 Fee Paid:
 Date Paid:
 Construction Approach Approved:
 Expiration Date:
 Subgrade Approved:
 Paving Approved:
 Approach Complete:
 Re-Is Permit Date:

Notes:

Bonded:
 Bond Exp:
 Bond Released:
 Bond Released Date:
 Culvert Required:
 Traffic Mitigation Fee:
 Mitigation Fee Paid:
 Attachments:
[2022-246.pdf](#)
 Related tables:
 Subgrade Insp 2019-2020
 Final Insp 2019-2020

RECEIVED
 DEC 02 2022
 Benton Co. Planning Dept



RECEIVED

DEC 02 2022

Benton Co. Planning Dept

Dan and Sandy Bradford
PO Box 4765
West Richland, WA 99353
11/28/2022

Dear Hearing Examiner,



We are requesting approval of this Conditional Use Permit to use an existing constructed space inside of an existing shop as an official detached accessory dwelling unit.

The existing 2867 sq ft single-family home will remain the primary residence at 112215 N. Harrington PR NE, West Richland, WA 99353. The property is 2.63 acres and is zoned Rural Lands Five Acre District (RL-5). The property consists of a single-family home and a 32x84' (2688 sq ft) accessory dwelling (shop). The North end of the shop has a second-floor space with only one access door, which is via an outside staircase to the 713 sq ft accessory dwelling. There are two parking spaces dedicated to this space – located at the north end of the shop, in front of the stairs.

The purpose of this 713 sq ft accessory dwelling was to serve as an additional space for a caregiver should one be needed for Mr. Dan Bradford. The space was constructed in 2016 to assist Dan who is a disabled veteran and a former fire-fighter. Our thought was that due to his disability, he may eventually require assistance from friends, relatives, or a professional caregiver to meet his daily needs. This would provide a space for them to stay while caring for him. Additionally, Dan's 94-year-old Mother, and Sandy's aging parents (both in their 80's) may need to eventually live with us. Fortunately, as of this request neither purpose has been realized. Rather over the last 6 years, the space has been used as Sandy's craft room for her and her friends, as well as a place for our out-of-state adult children, our parents, and various friends to stay overnight. Going forward we would like to make this an official accessory dwelling for the stated reasons above.

We have taken additional steps to ensure that all requirements are met. Including the planting of 50 arborvitae and pine trees that will make the ADU difficult to see from neighboring homes. This request is compatible with other uses in the neighborhood, in fact, directly across the gravel road, is an established CUP Airbnb. This request will not endanger the health, safety, or welfare of the community. Pedestrian or vehicular traffic will produce no more activity than over the previous 6 years and will not conflict with existing or anticipated traffic in the neighborhood. The ADU is supported by adequate service facilities on the property and does not affect the surrounding area. And lastly, the detached ADU does not affect neighboring properties in the applicable zoning district.

We ask that you approve this Conditional Use Permit and would like to thank you for attending to this matter.

Sincerely,


Dan and Sandy Bradford
112215 N. Harrington PR NE
West Richland, WA 99353

RECEIVED

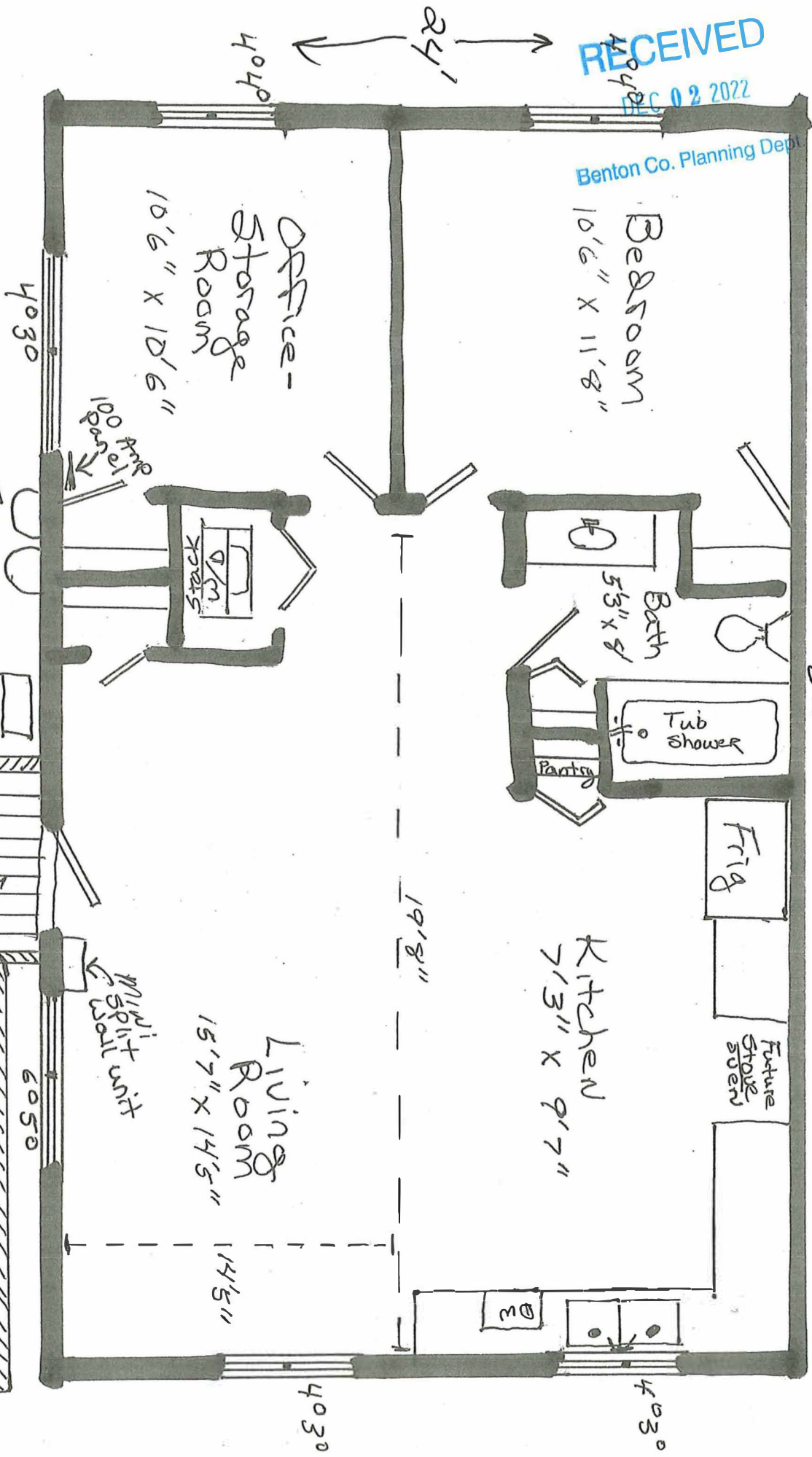
DEC 02 2022

Benton Co. Planning Dept.

ADU - 2nd level 713 sqft.

RECEIVED
DEC 02 2022

Benton Co. Planning Dept



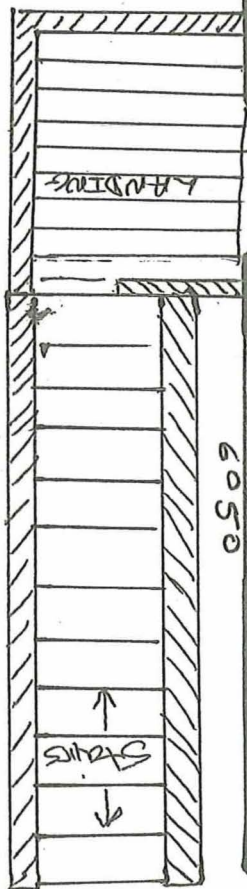
Energy Credits

406.2	#2	1.0
06.3	#34	1.5
26.3	#6.1	1.0

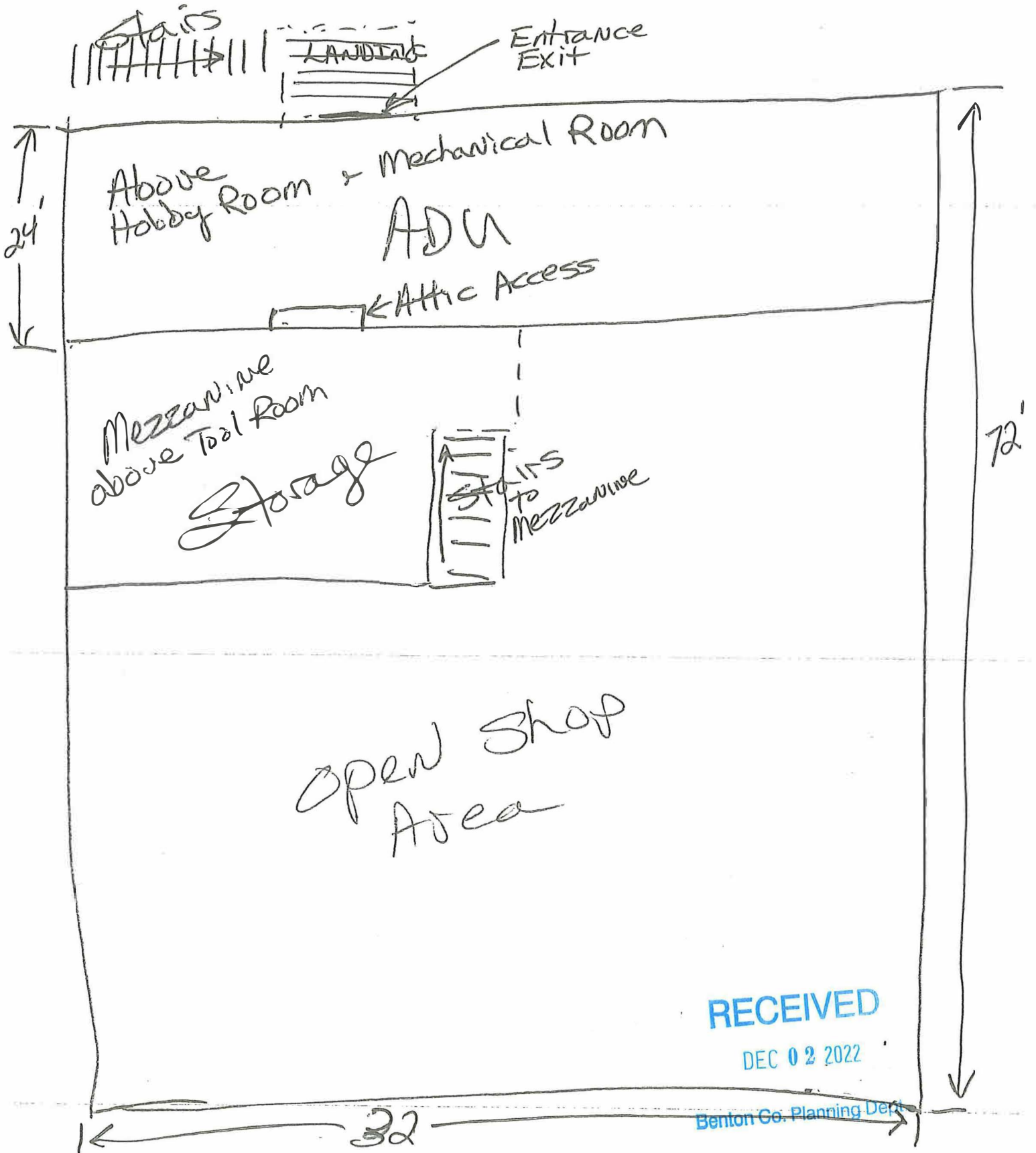
3.5 Total
Energy Efficiency

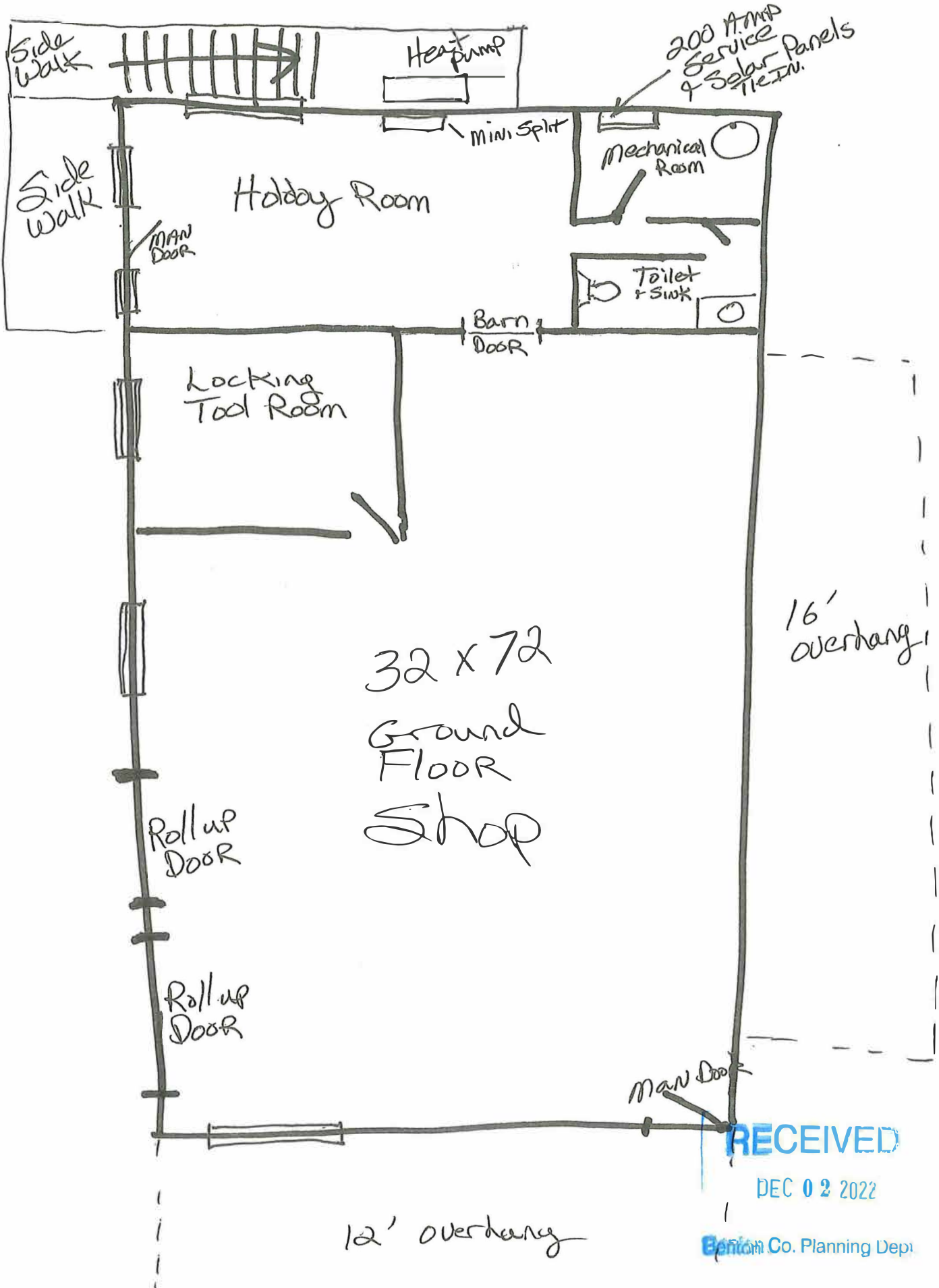
Salvage Meters
50 Panels
on Roof

Heat Pump
(Ground Level)
Mini Split



Shop Layout 2nd Floor





HEM 1.4









Community Development Department

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



Planning Division

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

HEM 1.5

December 6, 2022

Dan and Sandy Bradford
PO Box 4765
West Richland, WA 99353

Via Email: danwithsandy@yahoo.com

RE: Written Determination of Completeness
File Number: CUP 2022-016

Dear Mr. and Mrs. Bradford,

This office is in receipt of your project permit application for a Conditional Use Permit to allow a detached Accessory Dwelling Unit at 112215 N. Harrington PR NE in the West Richland area of unincorporated Benton County Washington. The Planning Division has determined that the required materials have been submitted and the application is complete. A file number has been assigned (CUP 2022-016) 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,

A handwritten signature in black ink that reads "Andrea S Watts". The signature is written in a cursive style.

Andrea S Watts, Associate Planner
Benton County Community Development Department- Planning Division

Community Development Department

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



Planning Division

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

HEM 1.6

12/19/2022

Benton County Public Works Department
Benton-Franklin Health District
Benton County Fire District #4
Benton County Building Division
Benton County Fire Marshal
Benton County Code Enforcement
Benton REA

RE: Agency review of a Conditional Use Permit application
File #: CUP 2022-016
Parcel #: 1-0407-401-2384-001
Applicant: Danny and Sandra Bradford

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

The applicant is proposing construction of a 768 sq. ft. accessory dwelling unit within an existing shop on a parcel with an existing a 2,678 sq. ft. single-family residence.

PLEASE SUBMIT YOUR COMMENTS to either andrea.watts@co.benton.wa.us or planning.department@co.benton.wa.us by **January 6, 2022**. Please reference file number **CUP 2022-016** 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



BENTON-FRANKLIN HEALTH DISTRICT ENVIRONMENTAL HEALTH DIVISION AS-BUILT DRAWING OF SEWAGE DISPOSAL SYSTEM

7102 W. Okanogan Pl.
Kennewick, WA 99336
Phone: (509) 460-4205

JURISDICTION: Benton Co **PERMIT #:** 22552 **DATE OF INSTALLATION:** 09/07/2016

TYPE OF SYSTEM: Conventional Gravity **TREATMENT STANDARD:** Level E **TYPE OF PERMIT:** New

TYPE OF STRUCTURE: Residential **DESIGN CAPACITY:** 4 **BEDROOMS:** Gpd

PARCEL ID: 1-0407-401-2384-001 Building sewer connected to sewage system at the time of inspection:

LEGAL DESCRIPTION OF PROPERTY: Short Plat 2384, Lot 1

PROPERTY ADDRESS: 111903 Harrington PR NE, West Richland WA 99353

Permittee: Dan & Sandy Bradford **Installer:** J&B Enterprises

Septic Tank: 1000 **Gal. Type:** Concrete **Depth:** 0" **GPS Coordinates:** N46.37489° W119.43101°

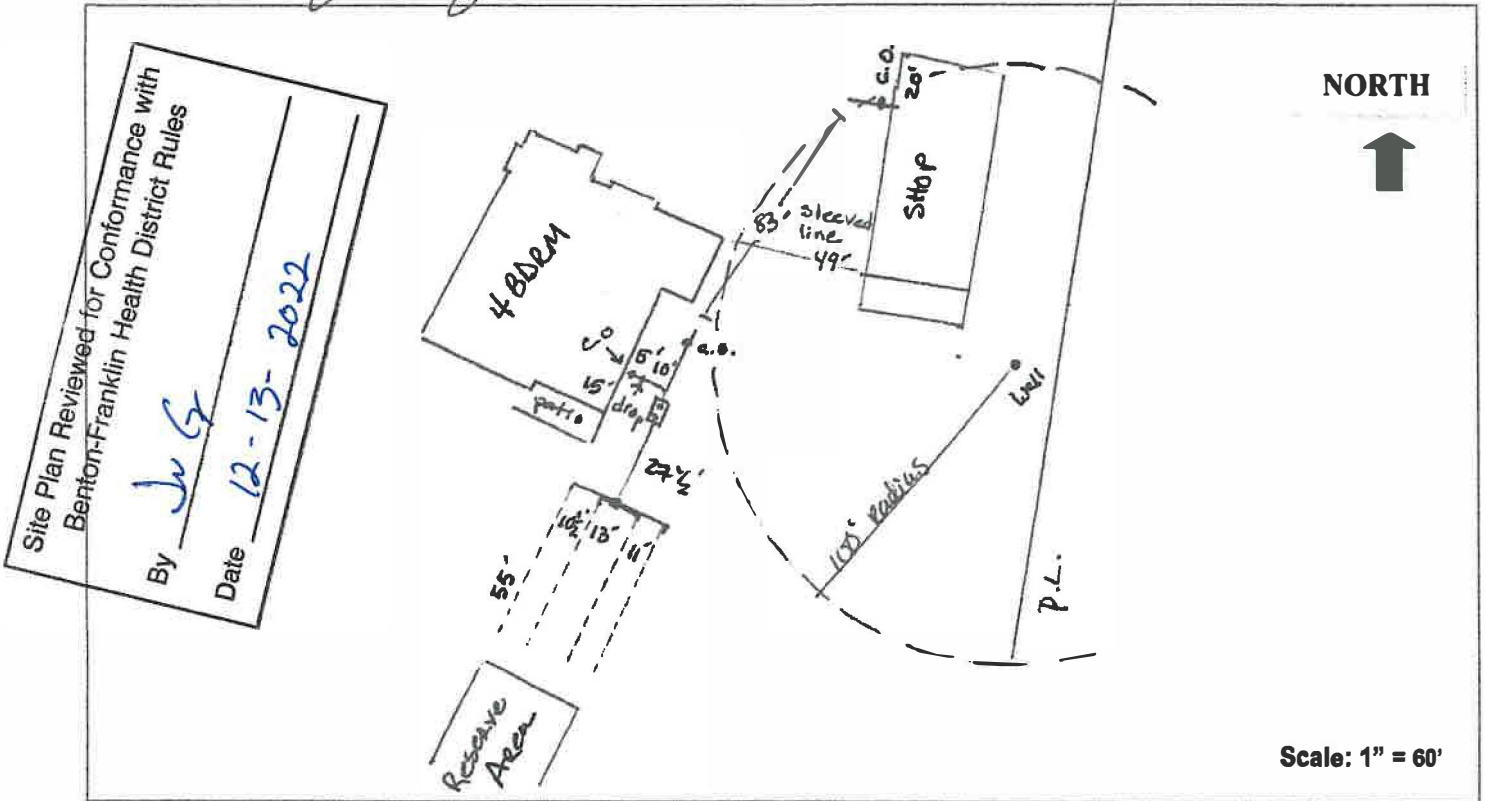
Pump Chamber: n/a **Dose Volume:** n/a **Pump Make and Model:** n/a

D-Box: X **depth to access:** 18" **Drainfield:** 660 sq. ft. **Depth to Top of Field:** 24"

Type of Field: Gravel **Absorption Bed:** sq. ft. **Other:** sq. ft.

Water Supply: Single Family Well BIX898 **GPS Location if SFW:** N46.37484° W119.43059°

Inspected by: *[Signature]* **Date of Approval:** 09/16/2016



Copies to: Dan & Sandy Bradford PO Box 4765 99353; J&B Enterprises; BCBD



Benton-Franklin Health District
Environmental Health Division
 7102 W. Okanogan Place • Kennewick, WA 99336
 (509) 460-4200 or (800) 814-4323
 www.bfhd.wa.gov

Submitted & Paid \$75. fee
 11/29/22

For Office Use Only	
ACCT. #	
HSP #	

Application to Evaluate an Existing On-Site Sewage System

RECEIVED
 11/29/22
 Benton-Franklin Health District

Instructions: Fee: \$275.00 Code 54.10

- This is an application to evaluate an existing sewage system for the acceptance of an activity to occur on the site that may have an impact on the on-site sewage system. **PLEASE NOTE THIS IS NOT A PERMIT.**
- The lids to the septic tank must be unearthed to allow for a proper inspection of the system. If the septic tank has not been pumped within the last four years it must be pumped when a BFHD representative can be present as part of this review.
- This inspection will evaluate the existing system in relation to the current proposal and area set aside for replacement of the system in the event of a failure. If deficiencies are revealed they will require correction prior to any approval being granted. Fees: Fees will be charged in accordance with the current fee schedule, and must be submitted with the application. **FEES PAID ARE NON-REFUNDABLE AND NON-TRANSFERABLE.**
- Please use the reverse side of the application to develop a detailed site plan.
- This application and any subsequent approval are subject to all other applicable laws. It is the applicant's responsibility to comply with said laws.

SECTION 1: INFORMATION FROM APPLICANT ABOUT THE PROPERTY

Date of Application <u>11/29/22</u>		Domestic Water Source <input checked="" type="checkbox"/> Single Family Well <input type="checkbox"/> Public Water Supply	
Site Address <u>112215 N. Harrington PRIDE W. Richland, WA 99353</u>		Name of Public Supply:	
Tax Parcel Identification Number <u>1-0407-301-2384-001</u>	Lot Number <u>001</u>	Block Number	
Legal Description of Parcel/Subdivision			

SECTION 2: APPLICANT INFORMATION

Only the legal owner of the property or a contract purchaser may be considered the applicant

Applicant Name <u>Dan & Sandy Bradford</u>		Daytime Phone <u>509-578-9799</u>	
Current Mailing Address <u>PO Box 4765</u>		City <u>W. Richland</u>	Zip Code <u>99353</u>
e-mail address <u>danwithsandy@yahoo.com</u>		Home Phone <u>509-578-9799</u>	Cell Phone

SECTION 3: PURPOSE OF REVIEW—TO BE COMPLETED BY APPLICANT

<input type="checkbox"/> New Single Family Home	<input type="checkbox"/> Change or Additional Use	<input checked="" type="checkbox"/> Accessory Building (Shop, Garage, Shed)
<input type="checkbox"/> Addition to Existing Home	<input type="checkbox"/> Childcare - Number of Children =	<input type="checkbox"/> Title Elimination
<input type="checkbox"/> Swimming Pool or Spa	<input type="checkbox"/> Home Occupation	<input type="checkbox"/> Other Specify:

SECTION 4: APPLICATION DETAILS

Type of Existing Structure: <input checked="" type="checkbox"/> Site Built <input type="checkbox"/> Pre-Manufactured	Property size: <u>2.13</u> <input checked="" type="checkbox"/> acres <input type="checkbox"/> square feet	
Number of Employees/Patrons/Residents: <u>2</u>	Total Number of Bedrooms/Gallons Per Day: <u>3/270</u>	
<input type="checkbox"/> Garbage Disposal <input checked="" type="checkbox"/> Water Softener	<input type="checkbox"/> Basement <input type="checkbox"/> Plumbing Present in Basement	
Approximate Age of On-site System <u>5 yrs</u>	Septic Tank Size <u>1000</u> Gallons	Drainfield Size <u>660 sq. ft</u>
Date of Septic Tank Pumping: <u>3/11/2022</u>	Pumper: <u>Rays Twilight</u>	Contact Number <u>509-375-3333</u>
Mail Report to:		

SECTION 5: SIGNATURES

I certify, by signature, that I am either the legal owner or contract purchaser of this property. I further certify that I grant permission to allow the Health Officer and/or his representative(s) to enter said property at their discretion for the purposes of application evaluation, water system inspections, or any subsequent inspections.

<u>Sandy Bradford</u> Signature of Applicant	<u>Sandy Bradford</u> Printed Name/Date <u>11/29/2022</u>
--	--

SECTION 6: FOR OFFICE USE ONLY

<input type="checkbox"/> System Records	<input type="checkbox"/> As-built drawing	<input type="checkbox"/> OSS Permit #	Install Date:	Installer:
<input type="checkbox"/> Baffles present	<input type="checkbox"/> Tank water tight	<input type="checkbox"/> Setbacks maintained	<input type="checkbox"/> System functioning	
<input type="checkbox"/> Replacement area	<input type="checkbox"/> Wastewater strength	<input type="checkbox"/> OSS sized for proposal	<input type="checkbox"/> Proposal compliant	

Comments:

SECTION 7: REQUIRED ITEMS ON SITE PLAN

<input type="checkbox"/> Property dimensions	<input type="checkbox"/> Road and street names	<input type="checkbox"/> Easements on the property
<input type="checkbox"/> Proposed buildings (size and location)	<input type="checkbox"/> Existing buildings and proposed additions to existing (size and location)	<input type="checkbox"/> Driveways and patios
<input type="checkbox"/> Water lines (proposed and existing)	<input type="checkbox"/> Ponds, canals, rivers, surface water within 100 feet of the site	<input type="checkbox"/> Wells on and within 150 feet of property
<input type="checkbox"/> Direction of slope across the site	<input type="checkbox"/> Existing sewage system location	<input type="checkbox"/> Proposed reserve system location

SECTION 8: SITE PLAN

See Attached As Built Drawing of the current sewage disposal system. There have been NO changes to this original system. Sandy Bradford 11/29/22

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Benton Co. Planning Dept.



BENTON-FRANKLIN HEALTH DISTRICT ENVIRONMENTAL HEALTH DIVISION AS-BUILT DRAWING OF SEWAGE DISPOSAL SYSTEM

7102 W. Okanogan Pl.
Kennewick, WA 99336
Phone: (509) 460-4205

JURISDICTION: Benton Co **PERMIT #:** 22552 **DATE OF INSTALLATION:** 09/07/2016

TYPE OF SYSTEM: Conventional Gravity **TREATMENT STANDARD:** Level E **TYPE OF PERMIT:** New

TYPE OF STRUCTURE: Residential **DESIGN CAPACITY:** 4 **BEDROOMS:** 4 **Gpd:** 4

PARCEL ID: 1-0407-401-2384-001 Building sewer connected to sewage system at the time of inspection:

LEGAL DESCRIPTION OF PROPERTY: Short Plat 2384, Lot 1

PROPERTY ADDRESS: 111903 Harrington PR NE, West Richland WA 99353

Permittee: Dan & Sandy Bradford **Installer:** J&B Enterprises

Septic Tank: 1000 **Gal. Type:** Concrete **Depth:** 0" **GPS Coordinates:** N46.37489° W119.43101°

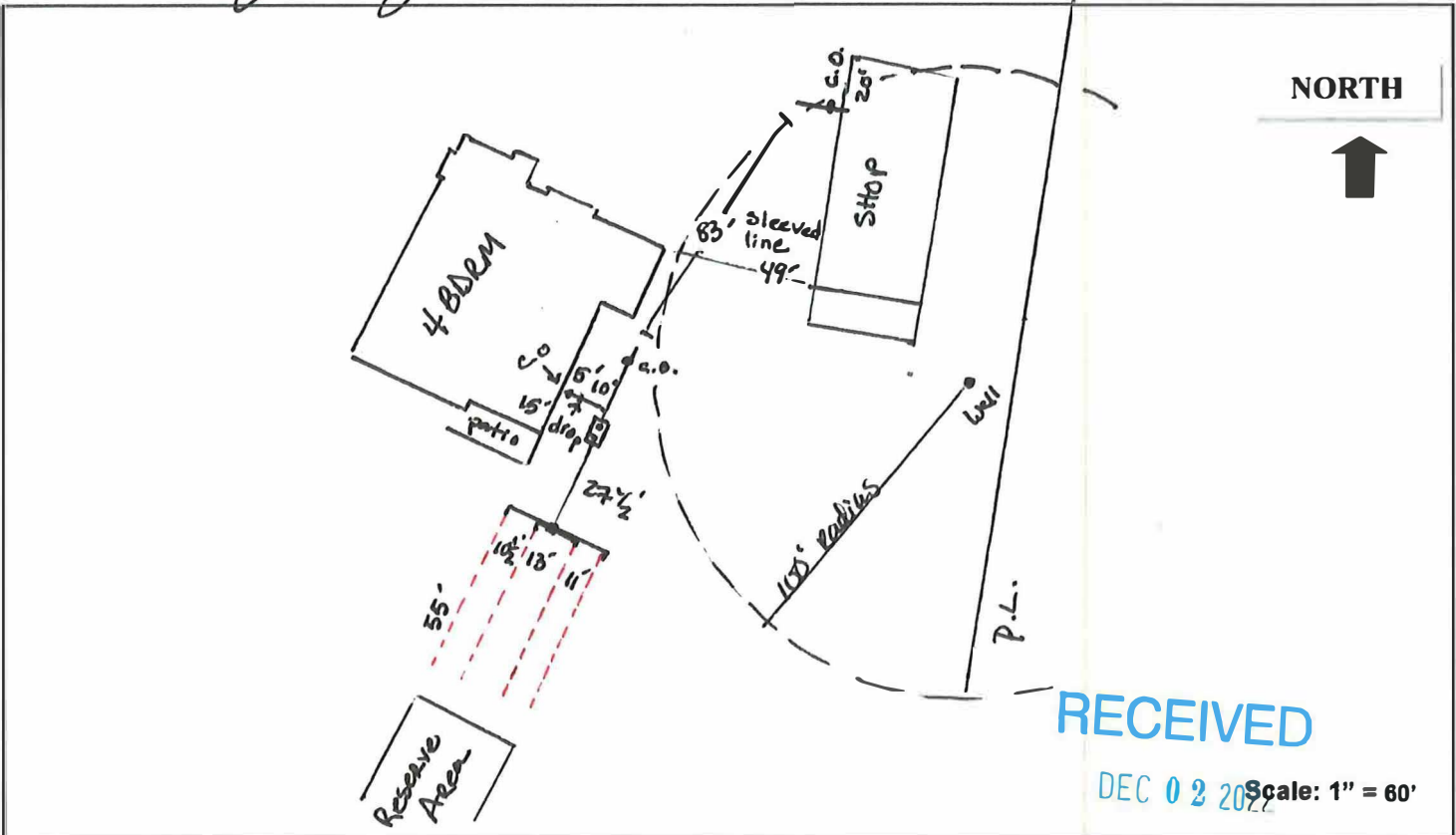
Pump Chamber: n/a **Dose Volume:** n/a **Pump Make and Model:** n/a

D-Box: X **depth to access:** 18" **Drainfield:** 660 sq. ft. **Depth to Top of Field:** 24"

Type of Field: Gravel **Absorption Bed:** sq. ft. **Other:** sq. ft.

Water Supply: Single Family Well BIX898 **GPS Location if SFW:** N46.37484° W119.43059°

Inspected by: *[Signature]* **Date of Approval:** 09/16/2016



Copies to: Dan & Sandy Bradford PO Box 4765 99353; J&B Enterprises; BCBD

Benton Co. Planning Dept.



PO Box 3788 | Pasco, WA 99302
(509) 375-3333 | contact@twilightseptic.com | http://twilightseptic.com/

2/11/22 System Pumped

RECIPIENT:

Transaction date 02/27/2022

Sandy Bradford

112215 N Harrington Rd PR NE
West Richland, Washington 99352

Receipt for Payment
Amount: \$434.40

Transaction date: 02/27/2022
Method of payment: Credit Card

Payment applied to Invoice #2887

RECEIVED

DEC 02 2022

Benton Co. Planning Dept.

Ray's Twilight SEPTIC SERVICE

PO Box 3788
Pasco, WA 99302
(509) 375-3333

Pumping Permit # KCUS-B7V28U
Federal ID# 91-1640150
Contractor Registration # CETREL*025KA

Sandy Bradford
112215 N Harrington Road PR NE
West Richland, WA 99352

Sandy Bradford,

The two compartment 1000 gallon concrete septic tanks at 112215 N Harrington Road PR NE West Richland, WA was pumped, emptied, and inspected on February 11th, 2022.

All baffles were in place, and tank seemed to be in satisfactory condition with no water flowing back from the drainage area, indicating functionality of the drain field, at the day of service.

Ray's makes no warranties expressed or implied as to the past, present, or future performance of the system.

Jose Llanes

Jose Llanes
Ray's Twilight Septic Service

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DEC 02 2022

Benton Co. Planning Dept.

RECEIVED

DEC 02 2022



BENTON-FRANKLIN HEALTH DISTRICT Sanitary Planning Dept.
 7102 W OKANOGAN PLACE
 KENNEWICK, WA 99336

Sewage Disposal System Construction
Permit

Owner: Bradford, Sandy & Dan
 PO BOX 4765
 West Richland, WA
 99353

Permit Number: 22552
Date Permit Issued: March 03, 2016
Date Permit Expires: March 03, 2017
County: Benton

Location Information

Property Address 111903 Harrington PRNE **Subdivision/Legal:** SP 2384
City: West Richland **Block:**
Parcel Number: 1-0407-401-2384-001 **Lot:** 1

This system shall be installed by a licensed installer and be inspected and approved by the Benton-Franklin Health District before being covered. This permit shall expire one year from the date of issuance.

This permit has been issued based upon presently known site conditions and the information contained on the permit application. Any construction taking place on said property must be as indicated on the permit or revocation of this permit may result. This permit is subject to all applicable zoning laws and it is the permittee's responsibility to comply with said laws prior to system installation. All construction taking place shall be in compliance with Benton-Franklin Health District Rules and Regulations No. 2.

General Information

Type of Structure: Residential	Number of Bedrooms: 3
Designed by: Homeowner	Average Daily Flow: 270
Type of System: Conventional Gravity	Maximum Daily Flow: 360
Treatment Level: E	

Pretreatment Information

Septic Tank Size: 1000 gal.
Depth of Burial: 0-6 inches
Outlet Baffle Filter: No
Pump Chamber Size: n/a
Dose Volume: n/a
Reserve Volume: n/a

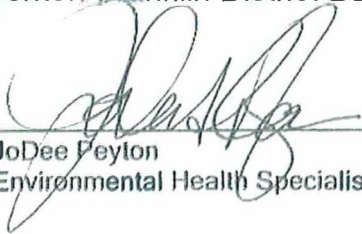
Drainfield Information

Drainfield size: 495 sq feet
Drainlines length: 55 feet
Drainlines number: 3
Maximum trench depth: 36 inches
Aggregate depth: 12 inches
Distribution: Distribution Box

Conditions

- Follow approved plot plan, maintain all setbacks.
- The bottom of the trench shall be at the interface of the top soil/gravelly layer at approximately 36-48" deep.
- A grade down may be necessary over the drainfield in order to achieve the proper cover soil depth of 12 to 24 inches.
- Maintain positive drainage away from the drainfield.
- Maintain 100' minimum from subsurface sewage disposal system to all wells.
- Maintain 50' minimum from septic tank to all wells.
- Drainfield lines may be shifted slightly to follow the contours of the slope.
- Prior to final approval of this sewage system is pending the installation of the single family well in the area shown on the plot plan.

This permit to install an on-site sewage system is granted in accordance with Benton-Franklin District Board of Health Rules and Regulations No. 2.


JoDee Feyton
Environmental Health Specialist

Amy Person M.D.
District Health Officer

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DEC 02 2022

Benton Co. Planning Dept.



Benton Franklin Health District
 7102 W. Okanogan Place
 Kennewick WA 99336
 (509)460-4205

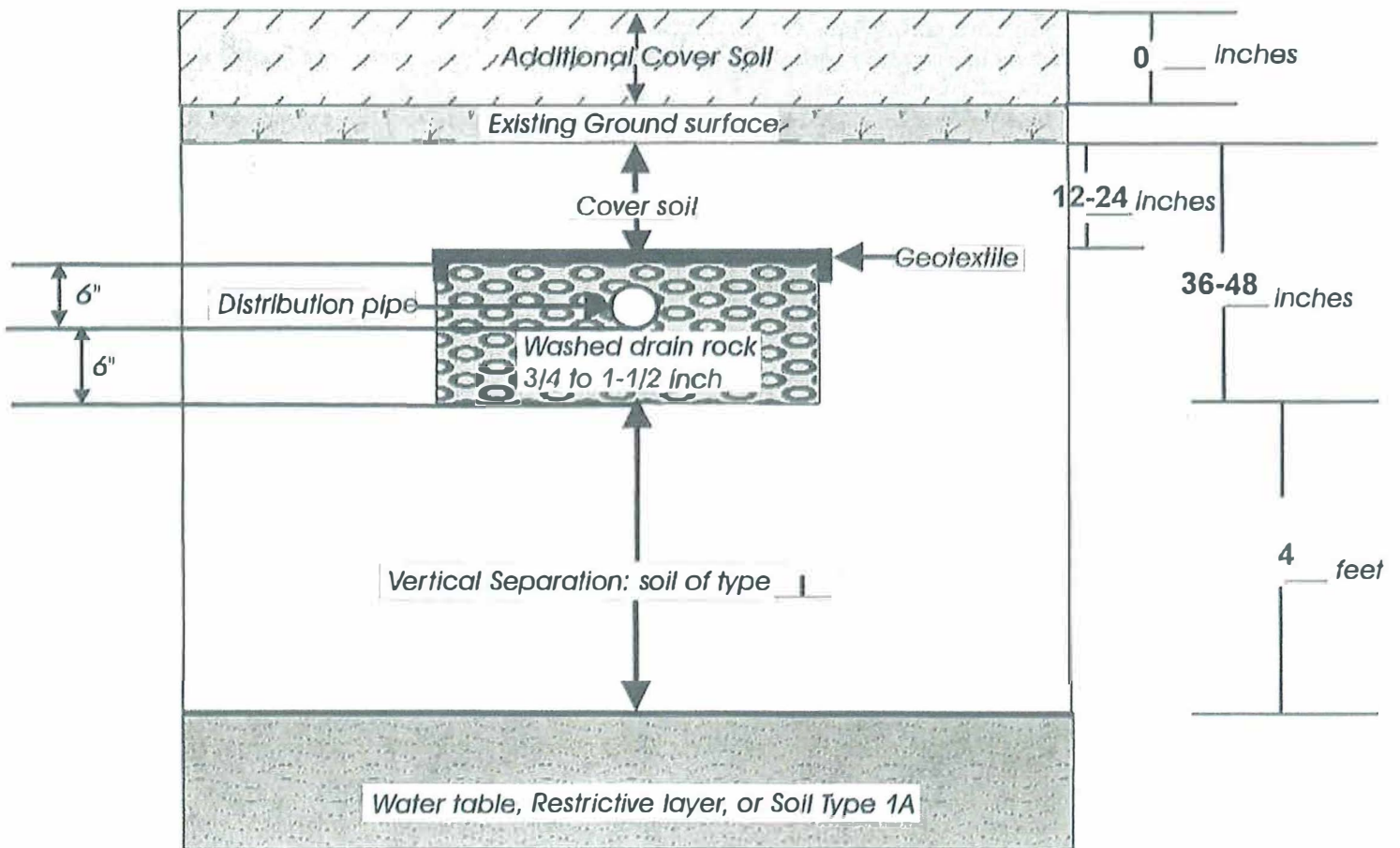
RECEIVED

DEC 02 2022

Benton Co. Planning Dept.

Water Supply : SFW
 Parcel ID#: 1-0407-401-2384-001
 Property Owner Sandy and Dan Bradford
 Permit #: 22552

DRAINFIELD CROSS-SECTION



Comments: _____

Environmental Health
 7102 W Okanogan Place
 Kennewick WA 99336
 Phone: (509) 460-4205

Community Health Centers
 412 W Clark Street
 Pasco WA 99301
 Phone: (509) 547-9737

310 7th Street
 Prosser WA 99350
 Phone: (509) 786-1633

7102 W. Okanogan Place
 Kennewick WA 99336
 Phone: (509) 460-4200

RECEIVED

DEC 02 2022

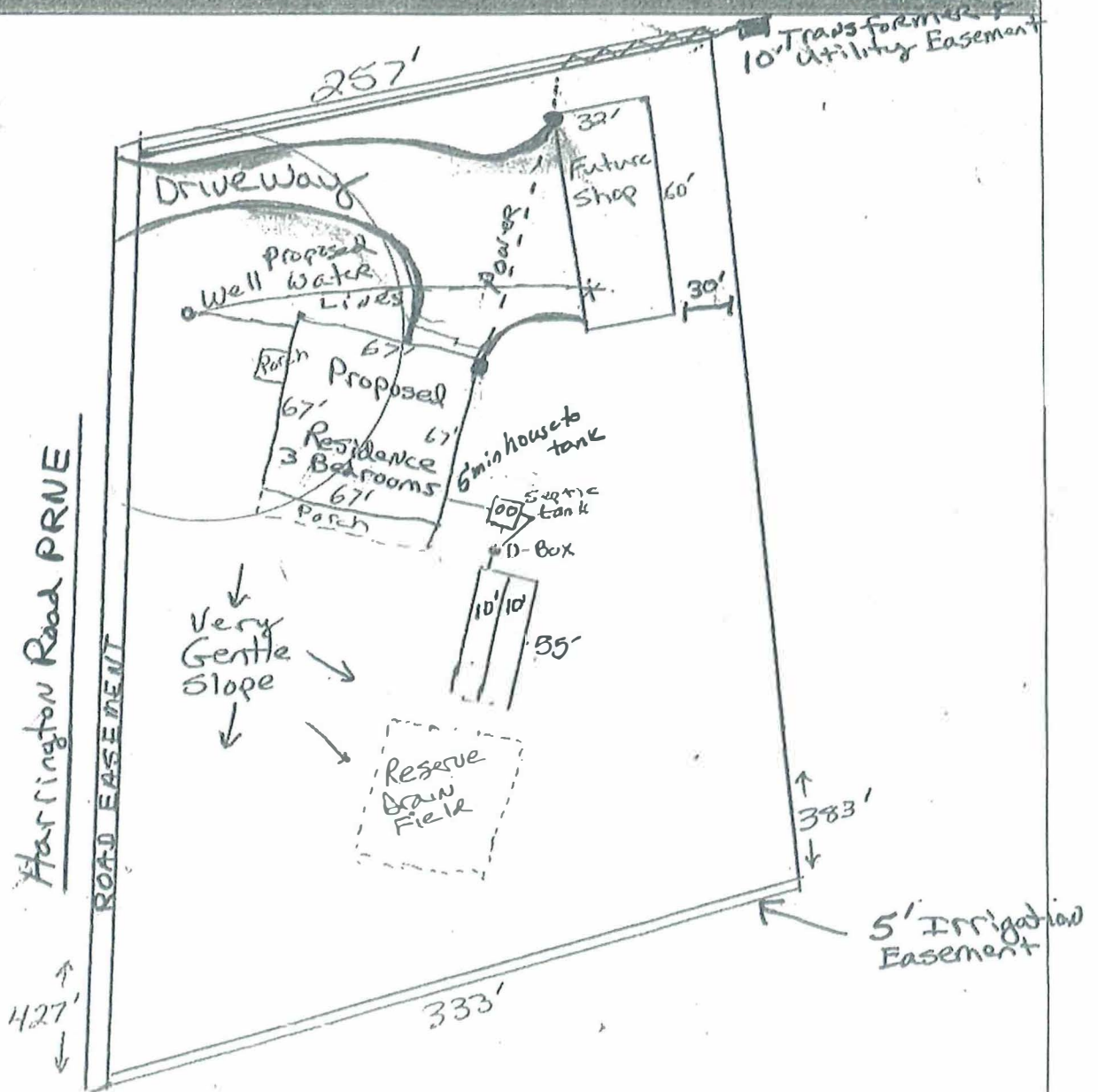
Beacon Co. Planning Dept

SECTION 6: REQUIRED ITEMS ON SITE PLAN

<input checked="" type="checkbox"/> Property dimensions	<input checked="" type="checkbox"/> Road and street names	<input checked="" type="checkbox"/> Easements on the property
<input checked="" type="checkbox"/> Proposed buildings (size and location)	<input type="checkbox"/> Existing buildings (size and location)	<input checked="" type="checkbox"/> Driveways and patios
<input checked="" type="checkbox"/> Water lines (proposed and existing)	<input type="checkbox"/> Ponds, canals, rivers, surface water within 100 feet of the site	<input checked="" type="checkbox"/> Wells on and within 150 feet of site
<input checked="" type="checkbox"/> Direction of slope across the site	<input checked="" type="checkbox"/> Proposed sewage system location	<input checked="" type="checkbox"/> Proposed reserve system location

Scale: 1" = 78 feet

SECTION 7: SITE PLAN



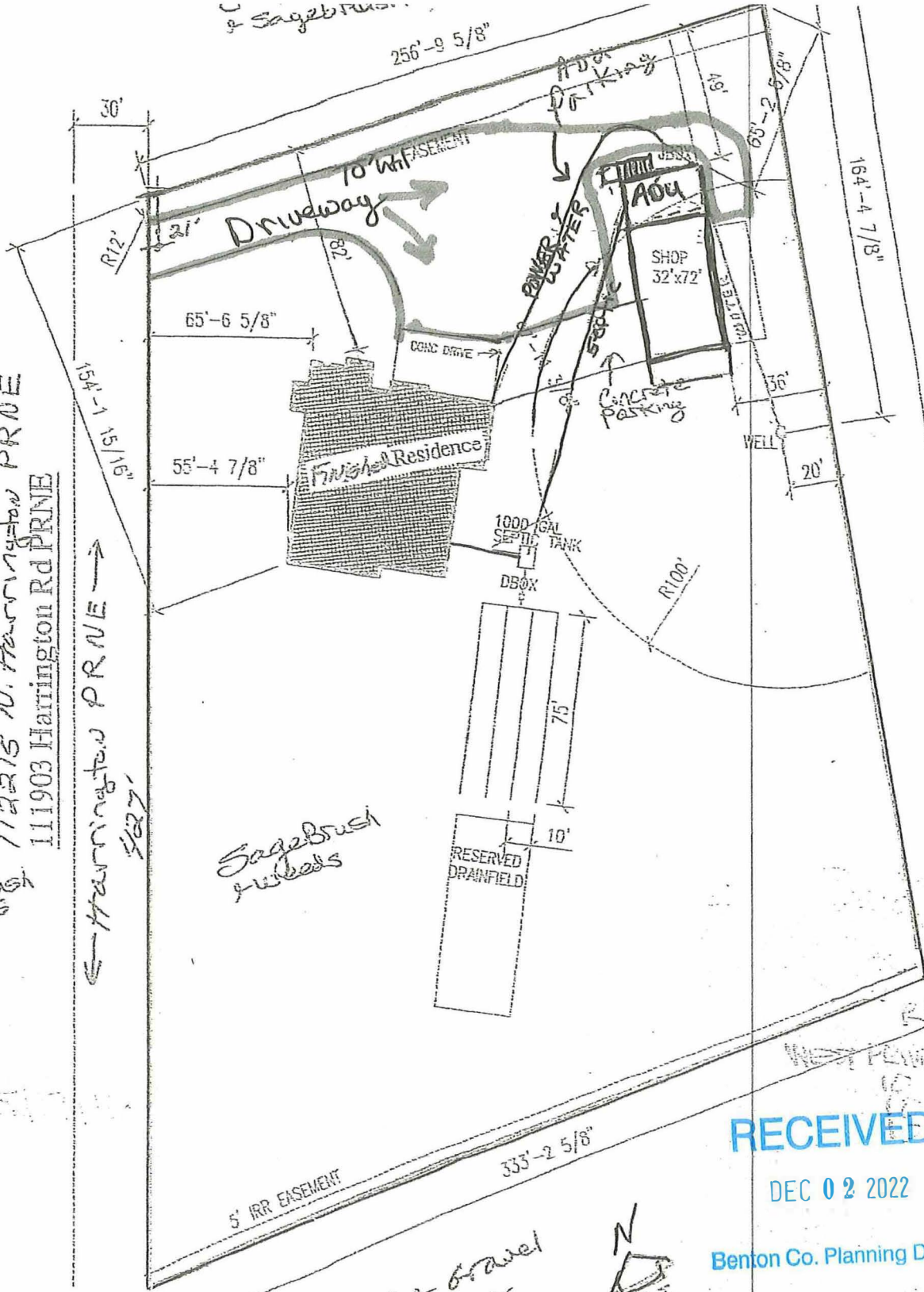
11215 N. Harrington PRNE
 111903 Harrington Rd PRNE

Harrington PRNE →

Sagebrush + Weeds

Sagebrush + Weeds

Trees + Gravel Driveway



RECEIVED

DEC 02 2022

Benton Co. Planning Dept.

Legal Description

BEND IN THE RIVER ESTATES, LOT 1,
 BENTON COUNTY, WASHINGTON
 TAX PARCEL # 104074012384001

Site Plan

SCALE: 1" = 66'

N
 Parcel
 Lot # 1-0407-401-2384-001

Dan & Sandy Bradford
 509-578-0188 509-578-9799

Sandy Bradford 11/21/22
 Dan S. Bradford 11/21/22

Andrea Watts

From: Brian Bell
Sent: Monday, December 19, 2022 11:54 AM
To: Andrea Watts
Cc: Dale Wilson; Brad O'Brien
Subject: RE: CUP 2022-016 Bradford Agency Review

Andrea,

The CUP is unique in that:

- The work has already been undertaken and thus a code enforcement matter
- The modification of the garage to a living space (ADU) may or may not be found compliant with ADU limitations
- The work undertaken was not originally permitted thus any work applied for would require application and permitting
- The work may or may not trigger engineering as it may relate to modifications to the original structure
- The work may or may not meet general International Residential Building Code
- The work may or may not meet Electrical Requirement for inspection to cover and final (I understand it at present has not passed an L&I Inspection)
- The work may or may not meet Washington State Energy Code criteria as constructed
- The property may be listed for sale and thus any prospective buyer should be placed on notice of non-compliance through the owner, realtor, or through written disclosure

The resolution of the above could be somewhat time consuming to work through and thus could impact any potential sale of the property.

Sincerely,

J. Brian Bell
Assistant Manager
Benton County Building Division
(509) 735-3500



From: Andrea Watts <Andrea.Watts@co.benton.wa.us>
Sent: Monday, December 19, 2022 11:30 AM
To: Cristina Woods <Cristina.Woods@co.benton.wa.us>; Matt Mahoney <Matt.Mahoney@co.benton.wa.us>; Building Department <Building.Department@co.benton.wa.us>; Brian Bell <Brian.Bell@co.benton.wa.us>; Clark Posey <Clark.Posey@co.benton.wa.us>; Benton REA - Chris Cooke <ccooke@bentonrea.org>; Benton REA - Nick Pryor <npryor@bentonrea.org>; Jason Brown <jabrown@bentonrea.org>; Dale Wilson <Dale.Wilson@co.benton.wa.us>; Bentn Franklin Health District - Sean D (seand@bfhd.wa.gov) <seand@bfhd.wa.gov>; Benton Franklin Health District - JoDee Peyton <Jodeer@bfhd.wa.gov>; Benton Franklin Health District - Rebecca Warrington <rebeccaw@bfhd.wa.gov>; Planning Department <Planning.Department@co.benton.wa.us>
Subject: CUP 2022-016 Bradford Agency Review

Good morning,

Attached are the application materials for a detached Accessory Dwelling Unit within an existing shop at 112215 N HARRINGTON PR NE Richland, WA 9935. Please note that the closet in the "Office" will be combined with the closet in the "Living Room" and no longer accessible from the Office.

Please review and let me know if you have any comments or conditions by **January 6th, 2023**.

Many thanks



Andrea Watts

Associate Planner

Benton County Community Development Department - Planning Division

Andrea.watts@co.benton.wa.us

(509) 786-5612

Andrea Watts

From: Dale Wilson
Sent: Tuesday, January 31, 2023 8:12 AM
To: Andrea Watts
Subject: RE: CUP 2022-016 Bradford Agency Review

As you know this is a code enforcement issue resulting in several violations including zoning codes and building codes. The property owners have been diligently working on bringing this structure into compliance with building codes and zoning codes, which also included approval for outside agencies (BFHD & Washington State L&I).

The owners are showing their best efforts to complying and therefore I have no issues with the approval of the Accessory Dwelling Unit, just as long as it remains vacated until the issuance of a Certificate of Occupancy.



Dale Wilson, Code Enforcement Officer
Benton County Washington
(509) 222-2301

From: Andrea Watts <Andrea.Watts@co.benton.wa.us>
Sent: Monday, January 30, 2023 12:21 PM
To: Dale Wilson <Dale.Wilson@co.benton.wa.us>
Subject: FW: CUP 2022-016 Bradford Agency Review

Good afternoon,

Just wanted to check in on this to see if you have any comments?

Regards,



Andrea Watts

Associate Planner

Benton County Community Development Department - Planning Division

Andrea.watts@co.benton.wa.us

(509) 786-5612

From: Andrea Watts

Sent: Monday, December 19, 2022 11:30 AM

To: Cristina Woods <Cristina.Woods@co.benton.wa.us>; Matt Mahoney <Matt.Mahoney@co.benton.wa.us>; Building Department <Building.Department@co.benton.wa.us>; Brian Bell <Brian.Bell@co.benton.wa.us>; Clark Posey <Clark.Posey@co.benton.wa.us>; Benton REA - Chris Cooke <ccooke@bentonrea.org>; Benton REA - Nick Pryor <npryor@bentonrea.org>; Jason Brown <jabrown@bentonrea.org>; Dale Wilson <Dale.Wilson@co.benton.wa.us>; Bentn Franklin Health District - Sean D (<seand@bfhd.wa.gov> <seand@bfhd.wa.gov>; Benton Franklin Health District - JoDee Peyton <Jodeer@bfhd.wa.gov>; Benton Franklin Health District - Rebecca Warrington <rebeccaw@bfhd.wa.gov>; Planning Department <Planning.Department@co.benton.wa.us>

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Many thanks



Andrea Watts

Associate Planner

Benton County Community Development Department - Planning Division

Andrea.watts@co.benton.wa.us

(509) 786-5612

Andrea Watts

From: Cristina Woods
Sent: Tuesday, December 20, 2022 10:46 AM
To: Andrea Watts
Subject: RE: CUP 2022-016 Bradford Agency Review

Good morning

Public Works has no comments.

Thank you



Cristina Woods, MS • *Engineering Associate III*
Benton County Public Works
102206 Wisner Parkway , Kennewick WA, 99338
cristina.woods@co.benton.wa.us
(509) 786-5611

From: Andrea Watts <Andrea.Watts@co.benton.wa.us>
Sent: Monday, December 19, 2022 11:30 AM
To: Cristina Woods <Cristina.Woods@co.benton.wa.us>; Matt Mahoney <Matt.Mahoney@co.benton.wa.us>; Building Department <Building.Department@co.benton.wa.us>; Brian Bell <Brian.Bell@co.benton.wa.us>; Clark Posey <Clark.Posey@co.benton.wa.us>; Benton REA - Chris Cooke <ccooke@bentonrea.org>; Benton REA - Nick Pryor <npryor@bentonrea.org>; Jason Brown <jabrown@bentonrea.org>; Dale Wilson <Dale.Wilson@co.benton.wa.us>; Bentn Franklin Health District - Sean D (seand@bfhd.wa.gov) <seand@bfhd.wa.gov>; Benton Franklin Health District - JoDee Peyton <Jodeer@bfhd.wa.gov>; Benton Franklin Health District - Rebecca Warrington <rebeccaw@bfhd.wa.gov>; Planning Department <Planning.Department@co.benton.wa.us>
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Please review and let me know if you have any comments or conditions by **January 6th, 2023**.

Many thanks



Andrea Watts

Associate Planner

Benton County Community Development Department - Planning Division

Andrea.watts@co.benton.wa.us

(509) 786-5612

Community Development Department
Prosser Office: 620 Market Street, 1st Floor
Kennewick Office: 102206 East Wisner Parkway
www.co.benton.wa.us



Planning Division
(509) 786-5612
P.O. Box 910, Prosser, WA 99350
planning.department@co.benton.wa.us

NOTICE OF OPEN RECORD HEARINGS

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

NOTICE IS FURTHER GIVEN that said the Benton County Hearings Examiner will hold an open record public hearing for each of the below stated applications on February 17, 2023 at 10 a.m. in the Planning Hearing Room, First Floor Courthouse, 620 Market Street, Prosser WA 99350. The hearings will be held in-person and virtually/telephonically via Webex. 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>

CONDITIONAL USE PERMIT – CUP 2022-016, APPLICANTS: Dan/Sandy Bradford

The applicants have applied for conditional use permit to have a 713 square foot detached accessory dwelling unit located inside of an existing shop building at 112215 N. Harrington PR NE, West Richland WA 99353. Parcel #: 1-0407-401-2384-001 on Lot 1 of Short Plat 2384.

CONDITIONAL USE PERMIT – CUP 2022-017 APPLICANT: Steven/Sheryl Cousineau

The applicant is proposing to convert an existing shop building in to a 794 square foot detached accessory dwelling located at 50307 S. Sloan Ct., Kennewick WA 99337. Parcel #: 1-3580-200-0005-000

CONDITIONAL USE PERMIT – CUP 2022-018, APPLICANTS: Farmland Reserve, LLC

The applicants are requesting a conditional use permit to operate and modify a cattle feedlot in the Growth Management Act Agricultural Zoning District. This proposal includes modifying the cattle facility, pen layout and facility locations, improve the efficiency of the facility water and waste systems and to continue to operate an animal hospital area, scales and office and accessory structures. Parcel #'s 1-1369-000-0000-000, 1-0469-000-0000-000, 1-2369-100-0000-000, and 1-2469-000-0000-000.

NOTICE IS FURTHER GIVEN that said proposal has been reviewed under the requirements of the State Environmental Policy Act, as amended, along with the Environmental Checklist and other information. A determination has been made as to the environmental impacts of the proposal and a Mitigated Determination of Non-Significance has been issued. Accordingly, an Environmental Impact Statement is not required. This determination was made on January 6, 2023. Any comments regarding the determination and the environmental impacts of the proposal can be made at the hearing before the Hearings Examiner at the time and place indicated above or be made in writing to the Planning Department by 5 p.m. on February 16, 2023.

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 or dropped off at the Planning Division offices at the Public Services Building 102206 E. Wiser Parkway, Kennewick 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, 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 27th day of January 2023.

PUBLICATION DATE: February 1, 2023

SUSAN E. DRUMMOND
Benton County Hearings Examiner

MICHELLE L. COOKE, Planning Manager
Community Development Department