

EXHIBIT LIST FOR VAR 2023-002
Eric Drury

Hearings Examiner Staff Memo Exhibit List - July 21, 2023 hearing		
HEM 1.1	Staff Memo	June 29, 2023
HEM 1.2	Vicinity map	May 16, 2023
HEM 1.3	Application	May 11, 2023
HEM 1.4	Site Plan	May 16, 2023
HEM 1.5	Written Determination of Completeness	May 17, 2023
HEM 1.6	Agency review request	May 17, 2023
HEM 1.7	Comment from Building Dept	May 18, 2023
HEM 1.8	Comment from Public Works	May 18, 2023
HEM 1.9	Comment from Benton PUD	May 18, 2023
HEM 1.10	Notice of Open Record Hearings	June 28, 2023
Exhibits Submitted During Hearing or while record remained open		
HEH 1.1		
HEH 1.2		
HEH 1.3		
HEH 1.4		
HEH 1.5		
HEH 1.6		
HEH 1.7		
HEH 1.8		
HEH 1.9		
HEH 1.10		

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 1.1

**STAFF REPORT TO THE
BENTON COUNTY HEARINGS EXAMINER
Eric Drury: Variance**

FILE NO: VAR 2023-003

HEARING DATE: July 21, 2023

APPLICANTS/OWNERS: Eric & Kim Drury, 89758 E Calico Rd Kennewick, WA 99338

LOCATION: General Location: Northwest of the intersection of Steeplechase Dr. and Calico Rd.

Address: 89758 E Calico Rd, Kennewick, WA 99338

Abbreviated Legal: Steeplechase Phase 1, Lot 42

Parcel Number: 1-0988-405-0000-042

PROPERTY SIZE: 1.06 acres

AREA TO BE USED: The applicant is seeking a variance to encroach 13 feet into the 25 foot setback from a property line bordering any public road right of way.

LAND USE: Residential

COMPREHENSIVE PLAN: Rural Transition

ZONING: Rural Lands One Acre District (RL-1)

RECOMMENDATION:

Planning Division recommends approval of the application request, subject to the fourteen (14) Findings of Fact and two (2) Conditions of Approval as outlined in this staff report.

APPLICATION DESCRIPTION:

The applicant is requesting a variance from the setback requirements in BCC 11.09.090 (a)(1) regarding setbacks from public road right of ways. The applicant is proposing to construct a 24' x 80' accessory structure for RV storage and the proposed variance would allow the accessory structure to encroach thirteen (13) feet into the required twenty five (25) foot setback resulting in a total setback of twelve (12) feet from the east property line.

The angular shape of the lot in combination with the proximity of the nearby public intersection, the placement of the septic system lines, and the existing block fence limit the available locations to construct the accessory structure in a way that provides an unobstructed and maneuverable driveway for an RV.

PUBLIC NOTICE:

1. The application for VAR 2023-003 was submitted to the Benton County Planning Division on May 11, 2023. (HEM 1.3)
2. The application was declared complete for processing on May 17, 2023. (HEM 1.5)
3. The application documents were distributed to reviewing agencies May 17, 2023. (HEM 1.6)
4. The Benton County Hearings Examiner Notice of Open Record Hearing for application VAR 2023-003 was published on July 5, 2023 in the Prosser Record Bulletin. (HEM 1.10)
5. The Notice was mailed to property owners of record within 300 feet of the outer boundaries of the parcel on June 30, 2023.
6. The Open Record Hearing is scheduled for July 21, 2023.

APPLICABLE STANDARDS/ORDINANCES:

1. Benton County Code, Chapter 11.09, Rural Lands One Acre District.
11.09.010 PURPOSE. The purpose of the Rural Lands One Acre District (RL-1) is to provide for the appropriate development within areas where past actions have created smaller parcel sizes than generally allowed in the Rural Lands Five Acre District (RL-5) or that are adjacent to Urban Growth Areas (UGAs) given that these areas are considered limited areas of more intensive rural development as allowed under RCW 36.70A.070.

11.09.040 ACCESSORY USES. Provided all applicable code provisions are satisfied, the following uses are allowed as an accessory/ancillary use within the Rural Lands One Acre District (RL-1) on a single parcel of record:

(a) One (1) or more accessory buildings and uses (commonly appurtenant to a single-family dwelling).

11.09.090 PROPERTY DEVELOPMENT STANDARDS - SETBACK REQUIREMENTS. All lands, structures, and uses in the Rural Lands One Acre District (RL-1) shall meet the following setback requirements, and if applicable, the setback requirements set forth in Chapter 15.02 BCC, Chapter 15.04 BCC, Chapter 15.06 BCC, Chapter 15.08 BCC, Chapter 15.12 BCC, and Chapter 15.14 BCC.

(a) Setback Requirements. The following minimum setbacks shall apply:

- (1) Each dwelling unit, accessory building, and accessory use on a parcel shall have a setback of fifty-five (55) feet from the centerline of any public road right-of-way or twenty five (25) feet from the property line bordering any public road right-of-way, whichever is greater; and a setback of twenty-five (25) feet from the closest edge of any legally established boundary line of a private access easement.

2. Benton County Code, Chapter 11.50.030, Variances.

(a) Variance—General Standards. The variance application process allows the Hearings Examiner in specific cases, as provided in RCW 36.70.970, to grant a variance to the provisions of this title when it can be demonstrated that such variance is in harmony with the general purposes and intent of this title and is in accordance with the requirements of this section. No variance shall be granted to allow the use of property for purposes not authorized in the district in which the proposed use would be located, create lots with less than the minimum size required by the district, increase densities above that established for the district, or reduce/eliminate standards of other BCC Titles.

(d) Variance—Permit Granted.

- (1) A variance shall be granted only if the Hearings Examiner concludes that based on his or her findings and the conditions imposed, if any, that:
 - (i) Granting of the proposed variance will not permit a use that is not classified as an allowable, accessory or conditional use in the zoning district wherein the use would be located;
 - (ii) Special circumstances such as lot size, slope, topography or necessary size or shape of the building prevent compliance with the applicable property development standards;
 - (iii) Due to special circumstances applicable to the subject property, strict application of the zoning district property development standards would deprive the subject property of rights and privileges enjoyed by other properties in the vicinity and under the same zoning district classification;
 - (iv) The problem sought to be addressed by the variance is related to the physical features of the particular property or building and would exist regardless of the identity of the owner;
 - (v) The problem sought to be addressed is not common for other property in the surrounding area;
 - (vi) The variance would not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity under the same zoning classifications;

(vii) The variance will not adversely affect the health or safety of persons residing or working in the neighborhood in which the variance is being requested; and,

(viii) The variance would not deny the preservation and enjoyment of substantial property rights of those owning property in the vicinity.

- (2) The Hearings Examiner may grant a variance subject to specified conditions designed to ensure that the purpose and intent of this title and the Comprehensive Plan will not be violated; provided, the specified conditions are needed to make the conclusions required by BCC 11.50.030(d)(1).

AGENCY COMMENTS:

1. The application documents were distributed to the following reviewing agencies on May 17, 2023:
 - a. Benton County Public Works Department
 - b. Benton County Building Division
 - c. Benton County Code Enforcement
 - d. Benton-Franklin Health District
 - e. Benton County Fire District #1
 - f. Benton County Fire Marshal
 - g. Benton PUD
 - h. City of Kennewick

2. The Benton County Building Division in a comment letter dated 05/18/2023, had the following comments: (HEM 1.7)
 - a. From the perspective of the Building Division, we have no immediate concern with the site plan as presented. The proposed structure would appear limited by the existing block fence for movement north and south thus not a concern (ie; site lines at the intersection, etc.).

 - b. For further information please contact Brian Bell at (509) 735-3500 or brian.bell@co.benton.wa.us.

3. The following are general comments and discussion points provided by the Benton County Planning Division for this application.
 - a. The proposed accessory building is an accessory use on the parcel.

 - b. The proposed variance will not affect property size or increase densities in the zoning district.

 - c. A thirteen (13) foot variance to the required twenty five (25) foot setback to a public right of way permits the applicant the ability to construct an accessory

building along the property's east side.

- d. The total setback distance from the east property line will be 12 feet.
- e. The variance request is due to the angular shape of the lot in combination with the proximity of the nearby public intersection, the placement of the septic system lines, and the existing block fence limiting the available locations to construct the accessory structure in a way that provides an unobstructed and maneuverable driveway for an RV.
- f. The Planning Division finds the granting of the variance is consistent with the general purpose and intent of the County Zoning Regulations.

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 VAR 2023-003 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.

The Hearings Examiner may grant a variance subject to specified conditions designed to ensure that the purpose and intent of this title and the Comprehensive Plan will not be violated; provided, the specified conditions are needed to make the conclusions required by BCC 11.50.030 (d)(1).

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 Finds the following:

1. Public notice and application requirements have been completed for the variance request:
 - a. The application for VAR 2023-003 was submitted to the Benton County Planning Division on May 11, 2023.
 - b. The application was declared complete for processing on May 17, 2023.
 - c. The application documents were distributed to reviewing agencies May 17, 2023.
 - d. The Benton County Hearings Examiner Notice of Open Record Hearing for application VAR 2023-003 was published on July 5, 2023 in the Prosser Record Bulletin.

- e. The Notice was mailed to property owners of record within 300 feet of the outer boundaries of the parcel on June 30, 2023.
 - f. The Open Record Hearing is scheduled for July 21, 2023.
2. The applicant/owner is Eric and Kim Drury, 89758 E Calico Rd., Kennewick, WA 99301.
 3. The property address is: 89758 E Calico Rd., Kennewick, WA 99301.
 4. The property is located northwest of the intersection of Steeplechase Dr. and Calico Rd. in Kennewick, WA.
 5. The parcel is approximately 1.06 acres in size.
 6. The Comprehensive Plan designation for the property and neighboring parcels is Rural Transition.
 7. The zoning designation for the property and adjacent parcels is Rural Lands One Acre District.
 8. An accessory building (garage) is an accessory use in the Rural Lands One Acre District.
 9. The proposed variance will not affect property size or increase densities in the zoning district.
 10. The proposed accessory building is to be 24' x 80' feet in size.
 11. Approval of the variance request will not adversely affect the health or safety of persons in the area.
 12. Approval of the variance request is consistent with the general purpose and intent of the County Zoning Regulations.
 13. A SEPA Checklist was not required for the application request.
 14. Benton County Code, Chapter 11.50.030 Variances (a)(d), states the following:
 - (a) Variance—General Standards. The variance application process allows the Hearings Examiner in specific cases, as provided in RCW 36.70.970, to grant a variance to the provisions of this title when it can be demonstrated that such variance is in harmony with the general purposes and intent of this title and is in accordance with the requirements of this section. No variance shall be granted to allow the use of property for purposes not authorized in the district in which the proposed use would be located, create lots with less than the minimum size required by the district, increase densities above that established for the district, or reduce/eliminate standards of other BCC Titles.
 - (d) Variance—Permit Granted.

- (1) A variance shall be granted only if the Hearings Examiner concludes that based on his or her findings and the conditions imposed, if any, that:
 - (i) Granting of the proposed variance will not permit a use that is not classified as an allowable, accessory or conditional use in the zoning district wherein the use would be located;
 - (ii) Special circumstances such as lot size, slope, topography or necessary size or shape of the building prevent compliance with the applicable property development standards;
 - (iii) Due to special circumstances applicable to the subject property, strict application of the zoning district property development standards would deprive the subject property of rights and privileges enjoyed by other properties in the vicinity and under the same zoning district classification;
 - (iv) The problem sought to be addressed by the variance is related to the physical features of the particular property or building and would exist regardless of the identity of the owner;
 - (v) The problem sought to be addressed is not common for other property in the surrounding area;
 - (vi) The variance would not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity under the same zoning classifications;
 - (vii) The variance will not adversely affect the health or safety of persons residing or working in the neighborhood in which the variance is being requested; and,
 - (viii) The variance would not deny the preservation and enjoyment of substantial property rights of those owning property in the vicinity.
- (2) The Hearings Examiner may grant a variance subject to specified conditions designed to ensure that the purpose and intent of this title and the Comprehensive Plan will not be violated; provided, the specified conditions are needed to make the conclusions required by BCC 11.50.030(d)(1).

CONDITIONS OF APPROVAL:

Any conditions imposed by the Hearings Examiner shall be completed prior to the Planning Division issuing the variance. The applicant shall notify the Benton County Planning Division in writing when the conditions set forth herein have been completed. The Planning Division shall not issue the variance until those conditions have been met. The variance shall not become

effective until issued by the Planning Division.

If the conditions of approval have not been met and the Planning Division does not issue the variance within one (1) year from the time the Hearings Examiner conditionally approved the variance, 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.

Suggested Conditions of Approval

1. The approval grants the applicant the ability to deviate from the property development setback standard in BCC 11.09.090 (a)(1) as follows:

The accessory building may be sited no greater than thirteen (13) feet into the twenty five (25) foot setback from a property line bordering a public road right-of-way. The thirteen (13) foot encroachment would result in a total setback of twelve (12) feet, from the east property line. The encroachment of the building has been specified on the submitted site plan.

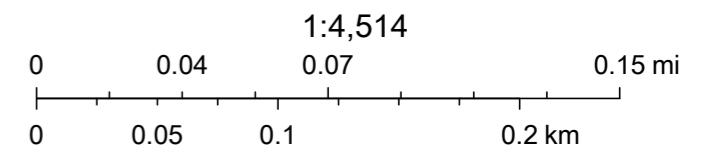
2. The applicant is required to obtain and maintain a Benton County Building Permit for the new accessory building.

VAR 2023-003 Vicinity Map

HEM 1.2



5/16/2023, 10:34:25 AM



Esri Community Maps Contributors, Oregon State Parks, State of Oregon GEO, WA State Parks GIS, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS,

Community Development Department
Prosser Office: 620 Market Street, 1st Floor
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Planning Division
(509) 786-5612
P.O. Box 910, Prosser, WA 99350
planning.department@co.benton.wa.us

VARIANCE APPLICATION

File No. VPR 2023-003

RECEIVED

~~APR 11 2023~~
MAY 11 2023
Benton County
Planning Division

APPLICANT INFORMATION

Please check the box indicating primary contact person for this application

Applicant/Agent:

ERIC DRURY

Mailing Address: 89758 E Colico RD City: Kennewick

State: WA ZIP: 99338 Phone: 509-948-1253 Work: _____

Email Address: EKb+d@co.benton.wa.us

Signature: [Signature] Date: 4-10-23

Property Owner(s) (if different): _____

Mailing Address: _____ City: _____

State: _____ ZIP: _____ Phone: _____ Work: _____

Email Address: _____

Signature: _____ Date: _____

Signature: _____ Date: _____

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

Land Surveyor: _____

Mailing Address: _____ City: _____

State: _____ ZIP: _____ Phone: _____ Work: _____

Email Address: _____

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

If the applicant or legal owner of the property is a corporation, partnership, trust or LLC use the following signature block.

Applicant/Legal Owner: _____

Officer name: _____

Title: _____

Signature: _____ Date: _____

THE ABOVE SIGNED OFFICER OF _____ (name of entity)

WARRANTS AND REPRESENTS THAT ALL NECESSARY LEGAL AND CORPORATE ACTIONS HAVE BEEN DULY UNDERTAKEN TO

PERMIT _____ (name of applicant) TO SUBMIT THIS APPLICATION AND THAT THE

ABOVE SIGNED OFFICER HAS BEEN DULY AUTHORIZED AND INSTRUCTED TO EXECUTE THIS APPLICATION.

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

PARCEL INFORMATION

1. Subject property address: 89758^E Calico Rd

City: Kennewick State: WA ZIP: 99338

2. Parcel number: 1-0988-405-0000-042 Acres: 1.06

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

4. Utilities: Power: Benton PUD Benton REA

Sewer: Septic Tank City Sewer: (Provider) _____

Water: Individual Wells One well serving 2-4 lots One well serving 5+ lots

Private System (Provider & Address) Summitview Water Works
101904 Wiser Pkwy Ste 103, Kennewick, WA 99338

City System (Provider) _____

Gas: No Yes: (Provider) _____

Cable: No Yes: (Provider) Charter

Phone: No Yes: (Provider) _____

Irrigation: No Private District: (Provider) _____

5. Requested setback variance: 11.5 ft. from which boundary line? Front Rear Side

6. Describe the requested variance: Wanting to put shop wall 12' from my block wall inside my East side property. Shop will be approx 24' wide by 80' long.

7. Does the variance being requested border an easement? Yes No Unknown

8. Has approval been obtained from the Benton-Franklin Health District? Yes No N/A

9. Are there circumstances (lot size/shape, topography, structure size) that prevent compliance with required setbacks? Yes No

a. If yes, describe the circumstances which exist on your property that justify deviation from the required setbacks: The Slope and Shape of our lot which is on a corner and being pie shaped make it difficult to adhere to county code.

b. Are the circumstances above a result from actions of past/present property owner?
 Yes No If yes, please explain: _____

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

10. Are the circumstances creating the need for a variance/deviation unique to your property not experienced by other properties in the area?

My pie shaped corner lot has slope issues and due to septic drain Field and Secondary drain Field makes a shop location narrow.

11. Do you believe a variance is your only option to solve the problem or is there another reasonable way to accomplish your project that would not require a variance? With

My above stated remarks about slope and lot shape. I feel a variance is the best option for shop placement.

12. Describe how granting this variance will not be materially detrimental to the public health, safety, welfare, surrounding properties or improvements in the vicinity: If Variance

is granted the shop will be built within my property and block wall. Affecting nobody.

13. Additional comments or information: I have Included two Aerial Photos

one that show an outline of shop with County Code in play and one that shows shop location if variance granted. I feel a visit from a County official would help alleviate any questions regarding my slope issues on Lot.

(FOR STAFF USE ONLY)

Access: Y N

Application Complete: Y N

Critical Areas: N Y: _____

Zoning: _____

Reviewed by: _____

Date: _____

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

This picture of shop would be compliant to the county
set back from center of road, Steerle Chase.

RECEIVED

HEM 1.4

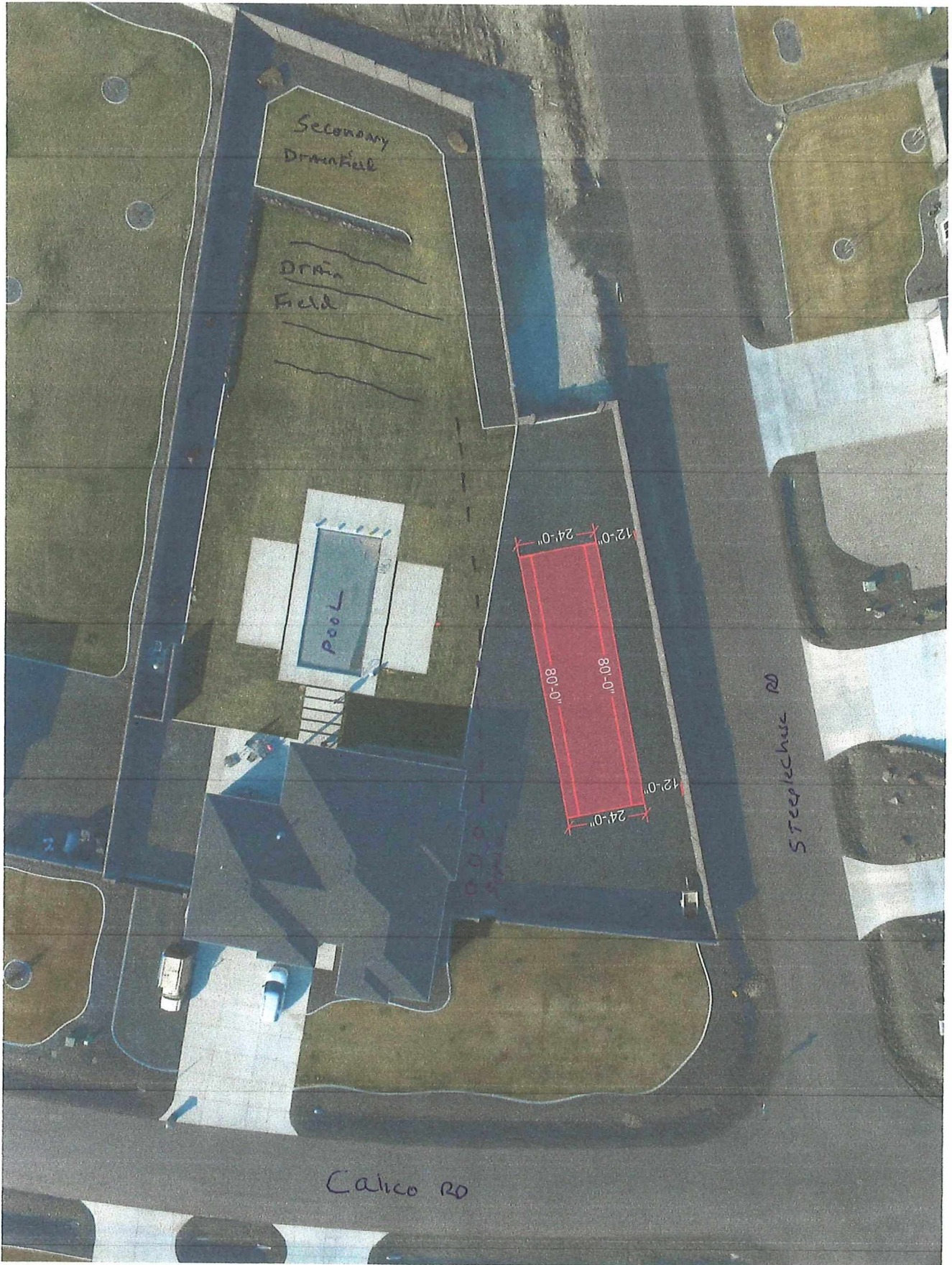
APR 11 2023

Benton County
Planning Division



31' From center of Road to my blockwall ↑
↑

This picture of Slop represents my hope of where Slop will be with Variance approval.



↑ 31' From center of Road to my black wall. ↑

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

May 17, 2023

Eric & Kim Drury
89758 E Calico Rd
Kennewick, WA 99338

RE: Written Determination of Completeness
File Number: VAR 2023-003

Dear Applicant,

This office is in receipt of your project permit application for a variance to encroach 13 feet into the 25 foot public right of way setback. We have determined that the required materials have been submitted and the application is complete. A file number has been assigned (VAR 2023-003) and the review process will now begin.

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Nikki Ruyser".

Nikki- Permit Technician
Planning Division
Benton County Community Development Dept

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

DATE: May 17, 2023

TO: Benton County Public Works Department
Benton County Code Enforcement
Benton County Building Division
Benton-Franklin Health District
Benton County Fire District # 1
Benton County Fire Marshal
Columbia Irrigation District
Benton PUD
City of Kennewick

FROM: Benton County Community Development Department
Planning Division

RE: Variance Request
File # VAR 2023-003
Applicant: Eric Drury
Parcel #: 1-0988-405-0000-042

VARIANCE REQUEST:

The applicant is proposing to construct a shop within the Rural Lands One Acre zoning district (RL1) and is requesting a variance to reduce the 25-foot setback from the east property line by 13 feet. The project property is immediately northwest of the intersection of Calico Rd. and Steeplechase Dr. in the Kennewick area of unincorporated Benton County.

RL1 setbacks require all structures have a setback of 25 feet from the property line bordering any public road right-of-way. The granting of this variance would allow the proposed shop building to have a setback of 12 feet from the property line.

Attached please find the application materials submitted for your review.

Please submit your comments to planning.department@co.benton.wa.us by **May 31, 2023**

*Thank you,
Benton County Planning Division*

Nikki Relyea

From: Brian Bell
Sent: Thursday, May 18, 2023 8:58 AM
To: Planning Department
Cc: Brad O'Brien
Subject: RE: Agency Review VAR 2023-003 Eric Drury

From the perspective of the Building Division we have no immediate concern with the site plan as presented. The proposed structure would appear limited by the existing block fence for movement north and south thus not a concern (ie; site lines at the intersection, etc.)

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



From: Planning Department <Planning.Department@co.benton.wa.us>
Sent: Wednesday, May 17, 2023 1:24 PM
To: Cristina Woods <Cristina.Woods@co.benton.wa.us>; Code Enforcement <code.enforcement@co.benton.wa.us>; Brian Bell <Brian.Bell@co.benton.wa.us>; Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Bentn Franklin Health District - Sean D (seand@bfhd.wa.gov) <seand@bfhd.wa.gov>; Benton Franklin Health District - Rebecca Warrington <rebeccaw@bfhd.wa.gov>; Benton Franklin Health District - JoDee Peyton <jodeer@bfhd.wa.gov>; Fire District #1 - Staff <staff@bentonone.org>; lonnie@bentonone.org; Gary Tiplady <Gary.Tiplady@co.benton.wa.us>; Columbia Irrigation District <cid@columbiairrigation.com>; Benton PUD - Tina Glines (glinest@bentonpud.org) <glinest@bentonpud.org>; Benton PUD - Nancy Lang <langn@bentonpud.org>; City of Kennewick - Anthony Muai <anthony.muai@ci.kennewick.wa.us>
Subject: Agency Review VAR 2023-003 Eric Drury

Good afternoon,

Please see the attached information regarding a Variance Request application for Eric Drury at 89758 E Calico Road in Kennewick, WA 99338 whom is requesting a variance to reduce the 25 Setback from the East of his property line by 13 feet.

If you have comments on the application please do so by June 1st, 2023.

Nikki Relyea

From: Cristina Woods
Sent: Thursday, May 18, 2023 12:32 PM
To: Planning Department
Subject: RE: Agency Review VAR 2023-003 Eric Drury

Good afternoon

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: Planning Department <Planning.Department@co.benton.wa.us>
Sent: Wednesday, May 17, 2023 1:24 PM
To: Cristina Woods <Cristina.Woods@co.benton.wa.us>; Code Enforcement <code.enforcement@co.benton.wa.us>; Brian Bell <Brian.Bell@co.benton.wa.us>; Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Bentn Franklin Health District - Sean D (seand@bfhd.wa.gov) <seand@bfhd.wa.gov>; Benton Franklin Health District - Rebecca Warrington <rebeccaw@bfhd.wa.gov>; Benton Franklin Health District - JoDee Peyton <jodeer@bfhd.wa.gov>; Fire District #1 - Staff <staff@bentonone.org>; lonnie@bentonone.org; Gary Tiplady <Gary.Tiplady@co.benton.wa.us>; Columbia Irrigation District <cid@columbiairrigation.com>; Benton PUD - Tina Glines (glinest@bentonpud.org) <glinest@bentonpud.org>; Benton PUD - Nancy Lang <langn@bentonpud.org>; City of Kennewick - Anthony Muai <anthony.muai@ci.kennewick.wa.us>
Subject: Agency Review VAR 2023-003 Eric Drury

Good afternoon,

Please see the attached information regarding a Variance Request application for Eric Drury at 89758 E Calico Road in Kennewick, WA 99338 whom is requesting a variance to reduce the 25 Setback from the East of his property line by 13 feet.

If you have comments on the application please do so by **June 1st, 2023**.

Nikki Relyea

From: Tina Glines <glinest@bentonpud.org>
Sent: Wednesday, May 17, 2023 4:24 PM
To: Planning Department
Subject: [EXTERNAL] RE: [E] Agency Review VAR 2023-003 Eric Drury

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.

No comments

Thank you,

Tina Glines

Distribution Design Technician
(509) 582-1241



From: Planning Department <Planning.Department@co.benton.wa.us>
Sent: Wednesday, May 17, 2023 1:24 PM
To: Cristina Woods <Cristina.Woods@co.benton.wa.us>; Code Enforcement <code.enforcement@co.benton.wa.us>; Brian Bell <Brian.Bell@co.benton.wa.us>; Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Benton Franklin Health District - Sean D (seand@bfhd.wa.gov) <seand@bfhd.wa.gov>; Benton Franklin Health District - Rebecca Warrington <rebeccaw@bfhd.wa.gov>; Benton Franklin Health District - JoDee Peyton <jodeer@bfhd.wa.gov>; Fire District #1 - Staff <staff@bentonone.org>; lonnie@bentonone.org; Gary Tiplady <Gary.Tiplady@co.benton.wa.us>; Columbia Irrigation District <cid@columbiairrigation.com>; Tina Glines <glinest@bentonpud.org>; Nancy Lang <langn@bentonpud.org>; City of Kennewick - Anthony Muai <anthony.muai@ci.kennewick.wa.us>
Subject: [E] Agency Review VAR 2023-003 Eric Drury

[EXTERNAL EMAIL]

Good afternoon,

Please see the attached information regarding a Variance Request application for Eric Drury at 89758 E Calico Road in Kennewick, WA 99338 whom is requesting a variance to reduce the 25 Setback from the East of his property line by 13 feet.

If you have comments on the application please do so by June 1st, 2023.



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

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 July 21, 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>

VARIANCE REQUEST – VAR 2023-003 - The applicant Eric Drury is proposing to construct a shop on his property at 89758 E Calico Road, Kennewick, WA 99338 and is requesting a variance to reduce the 25-foot setback from the east property line by 13 feet. The Rural Lands 1 acre District (RL-1) setbacks require all structures have a setback of 25 feet from the property line bordering any public road right-of-way. The granting of this variance would allow the proposed shop building to have a setback of 12 feet from the property line. Parcel# 1-0988-405-0000-042.

CONDITIONAL USE PERMIT – CUP 2023-008 - The applicant Keith Hughes is proposing to convert the existing single-family dwelling which is located inside of a shop building at 113706 N Harrington PR NE into a 720 square foot Accessory Dwelling Unit, as they are proposing to construct a new 3884 sq. ft. single-family residence. Parcel # 1-0307-301-1763-007.

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 27 day of June 2023.

PUBLICATION DATE: July 5, 2023

SUSAN E. DRUMMOND
Benton County Hearings Examiner

MICHELLE L. COOKE, Planning Manager
Community Development Department