

EXHIBIT LIST FOR VAR 2024-005
Knutzen Engineering for AirGas USA LLC

Hearings Examiner Staff Memo Exhibit List - January 17, 2025 Hearing		
HEM 1.1	Staff Memo	December 26, 2024
HEM 1.2	Vicinity map	January 3, 2025
HEM 1.3	Application	December 5, 2024
HEM 1.4	Site Plan	December 5, 2024
HEM 1.5	Written Determination of Completeness	December 6, 2024
HEM 1.6	Agency review request	December 6, 2024
HEM 1.7	Comment from Benton County Public Works	December 13, 2024
HEM 1.8	Notice of Open Record Hearings	January 1, 2025
Exhibits Submitted During Hearing or while record remained open		
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Community Development Department

Prosser Office: 620 Market Street, 1st Floor
Kennewick Office: 102206 East Wisser Parkway
www.bentoncountywa.gov



Planning Division

(509) 786-5612
planning.department@co.benton.wa.us
102206 E Wisser Parkway, Kennewick, WA 99338

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**STAFF REPORT TO THE
BENTON COUNTY HEARINGS EXAMINER
Knutzen Engineering for Airgas USA LLC
Setback Variance**

FILE NO: VAR 2024-005

MEMO DATE: December 26, 2024

HEARING DATE: January 17, 2025

APPLICANT: Paul Knutzen; Knutzen Engineering, 5401 Ridgeline Dr, Suite 160
Kennewick, WA 99338.

OWNERS: Air Liquide Industrial U.S. LP, DBA AirGas USA LLC, 259 N Radnor
Chester Rd, Suite 100, Radnor, PA 19087.

LOCATION: General Location: The property is located in the Finley area of
unincorporated Benton County; approximately 0.12 miles west of
the intersection of Piert Rd. and Lechelt Rd.
Address: 231808 E SR 397, Kennewick, WA 99337.
Parcel Number: 126801000029000

PROPERTY SIZE: Approximately 3.07 Acres

AREA TO BE USED: The applicant is seeking a variance to encroach no more than 10
feet into the 30-foot setback from a parcel zoned Rural Lands 5
Acre District.

LAND USE: Industrial

ZONING: Heavy Industrial (HI)

**COMPREHENSIVE
PLAN DESIGNATION:** Rural Industrial

RECOMMENDATION:

The Planning Division recommends approval of the application request, subject to the suggested eight (8) Findings of Fact and three (3) Conditions of Approval as outlined in this staff report.

APPLICATION DESCRIPTION:

The applicant is requesting a variance from the setback requirements in BCC 11.35.080 (b)(1) requiring a thirty (30) foot setback from any property line bordering the Rural Lands Five Acre Zoning District.

The applicant is proposing to replace four (4) previously existing railcar offloading structures at variable distances. The proposed variance request of up to ten (10) feet would allow the structures

to be setback twenty (20) feet from the east property line which neighbors the Rural Lands 5 Acre Zoning District.

The location of existing gas infrastructure as well as the narrow panhandle shape of the lot limit the suitable locations to construct the four (4) railcar offloading structures.

The application for VAR 2024-005 (HEM 1.3) was submitted to the Benton County Planning Division on December 5, 2024.

The application was declared complete for processing on December 6, 2024. (HEM 1.5)

The application documents were distributed to reviewing agencies on December 6, 2024. (HEM 1.6)

The Benton County Hearings Examiner Notice of Open Record Hearing for application VAR 2024-005 was published on January 1, 2025 in the Prosser Record Bulletin. (HEM 1.8)

The Notice was mailed to property owners of record within 300 feet of the outer boundaries of the parcel on December 26, 2024.

The Open Record Hearing is scheduled for January 17, 2025.

APPLICABLE STANDARDS/ORDINANCES:

1. *Benton County Comprehensive Plan*
3.3.2.3 Rural Land Use Designations

Rural Industrial includes both heavy and light industrial uses in the County. The primary purpose of this land use to provide land for industrial and supporting uses that will not present unmanageable conflicts with other land uses, that have access to necessary utilities and public facilities, and that have less environmental constraints. Some of the heavy industrial uses function at the fundamental economic level: rail transport and facilities operations, chemical products manufacturing and shipment for agriculture, sand and gravel operations for construction, raw products processing, and waste products recycling.

2. *Benton County Code (BCC)*
Title 11 Zoning

Chapter 11.35.80 Property Development Standards—Setback Requirements

All lands, structures and uses in the Heavy Industrial (HI) District shall conform to the following standards:

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

- (1) Each building on a parcel that is contiguous to a Community Center Residential (CCR), Rural Lands One Acre (RL1), Rural Lands Five Acre (RL-5), Rural Lands Twenty Acre (RL-20), or Urban Growth Area Residential (UGAR) zoning district shall have a minimum setback of thirty (30) feet from said district border.

Chapter 11.50 Variance and Conditional Use

11.50.030 Variance

(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 classification;
- (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).

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 6, 2024:
 - a. Benton County Public Works Department
 - b. Benton-Franklin Health District
 - c. Benton County Fire District #1
 - d. Benton County Building Division
 - e. Benton County Fire Marshal
 - f. Benton Public Utility District
 - g. Columbia Irrigation District
2. The following are general points of discussion from the Benton County Planning Division:
 - a. The lot is zoned Heavy Industrial (HI).
 - b. The lot designation is Rural Industrial in the Benton County Comprehensive Plan.
 - c. Surrounding land uses are a mix of industrial, general commercial, and residential uses.
 - d. The existing and proposed uses of the property are allowed uses in the Heavy Industrial Zoning District.
 - e. The four proposed railcar offloading structures are proposed to replace previously existing structures, however the previous structures were removed from the site more than one (1) year ago, therefore voiding the non-conforming allowance. The new structures must now either meet the required setbacks as dictated by the current zoning code or obtain a variance to the setback requirements to be placed in similar locations to the previous structures.

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 2024-005 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

1. The applicant is Paul Knutzen; Knutzen Engineering, 5401 Ridgeline Dr, Suite 160 Kennewick, WA 99338.
2. The owners are Air Liquide Industrial U.S. LP, DBA AirGas USA LLC, 259 N Radnor Chester Rd, Suite100, Radnor, PA 19087.
3. The applicants are proposing to construct a four (4) railcar offloading structures located at 231808 E SR 397 Kennewick, WA 99337.
4. Per BCC 11.35.080 (b)(1) all structures must have a minimum setback of thirty (30) feet from the boundary of any parcel zoned Rural Lands Five (5) Acre Zoning District.
5. In order to construct the four (4) railcar offloading structures in the proposed location, the applicant is requesting the proposed variance for a setback reduction of up to ten (10) feet which would allow the structures to be setback twenty (20) feet from the east property line which neighbors the Rural Lands 5 Acre Zoning District.
6. The existing gas infrastructure and narrow panhandle shape of the lot limit a suitable location to construct the four (4) railcar offloading structures.
7. A variance shall be granted only if the Hearings Examiner concludes, based on the findings and conditions imposed, 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 classification;
 - (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.
8. 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).

SUGGESTED CONDITIONS OF APPROVAL:

1. The activities on the site shall comply with the submitted site plan and materials submitted for this application.
2. The approval grants the applicant the ability to deviate from the property development setback standard in BCC 11.35.080 (b)(1) as follows:

The four (4) railcar offloading structures may be sited no greater than ten (10) feet into the thirty (30) foot setback from the east property line. The ten (10) foot encroachment would result in a total setback of twenty (20) feet, from the east property line. The encroachment of the structures have been specified on the submitted site plan.
3. The applicant is required to obtain and maintain a Benton County Building Permit for the four (4) railcar offloading structures.

TIME TO COMPLETE CONDITIONS OF APPROVAL:

The applicant shall have one (1) year to meet all of the Conditions of Approval.

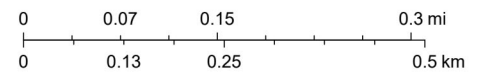
If all conditions of approval have not been met and the Planning Division does not issue the Variance within one (1) year from the time the Hearings Examiner has conditionally approved the Variance, the Hearings Examiner may declare its approval null and void at a regular Hearings Examiner meeting. Prior 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.

VAR 2024-005 Knutzen for AirGas USA LLC



1/3/2025, 8:51:27 AM

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Benton County WA, Geophex Surveys Ltd., Maxar

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
Planning.department@co.benton.wa.us
102206 E Wiser Parkway, Kennewick, WA 99338

RECEIVED

DEC 05 2024

Benton County
Planning Division

VARIANCE APPLICATION

File No. VAR 2024-005

APPLICANT INFORMATION

Please check the box indicating primary contact person for this application

Applicant/Agent: Knutzen Engineering (Paul Knutzen)

Mailing Address: 5401 Ridgeline Drive Suite 160 City: Kennewick
State: WA ZIP: 99338 Phone: (509) 222-0959 Work: (509) 222-0959
Email Address: paul@knutzenengineering.com
Signature: _____ Date: 11/8/24

Property Owner(s) (if different): AIRGAS USA LLC

Mailing Address: 259 N Radnor Chester Rd Suite 100 City: Radnor
State: PA ZIP: 19087 Phone: 253-569-5135 Work: _____
Email Address: ron.thomas@airgas.com
Signature: [Signature] Date: 12/02/2024
Signature: _____ Date: _____

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

Land Surveyor: Bell Design Co.

Mailing Address: 900 W Steuben St City: Cook
State: WA ZIP: 98605 Phone: (509) 493-3886 Work: (509) 493-3886
Email Address: secretary@belldesigncompany.com

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: AIRGAS USA LLC

Officer name: Ronald Thomas

Title: Facility Manager

Signature: [Signature] Date: 12/02/2024

THE ABOVE SIGNED OFFICER OF Airgas USA LLC (name of entity)

WARRANTS AND REPRESENTS THAT ALL NECESSARY LEGAL AND CORPORATE ACTIONS HAVE BEEN DULY UNDERTAKEN TO PERMIT Knutzen Engineering (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:** 231808 E SR 397
City: Kennewick State: WA ZIP: 99337

2. **Parcel number:** 1 2 6 8 0 1 0 0 0 0 2 9 0 0 0 Acres: 3.07

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) _____

City System (Provider) _____

Gas: No Yes: (Provider) Cascade Natural Gas

Cable: No Yes: (Provider) Charter

Phone: No Yes: (Provider) ZiPLY Fiber

Irrigation: No Private District: (Provider) _____

5. **Requested setback variance:** 20' (Varies) ft. from which boundary line? Front Rear Side

6. **Describe the requested variance:** Seeking variance for BCC 11.33.080(b)(1) - 30' sideyard setback adjacent to RL-5 property. Four railcar offloading structures are being proposed within this setback area which are replacing prior structures

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:* This parcel is shaped like a panhandle adjacent to the rail line which is what takes deliveries for CO2. There are no other alternatives except for a variance to allow for continued use.

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

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

Yes, this property is unique in its panhandle shape being adjacent to existing RL-5 zoned property and no other properties in the surrounding area have a similar conflict

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?

It is, the prior railcar offload structures were demolished 4 years ago and so the nonconforming code no longer applies here, the use is an existing use and variance is now the only way to remedy this.

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

The proposed variance will not be detrimental to surrounding properties. This has been an existing use since the project was originally built and continues to operate safely and been neighbors with the residential land for many years.

13. Additional comments or information: Our site plan exhibit shows in detail where the 30' setback

is in on this property. All existing encroachments into that setback are shown and while this variance is specifically required for the new structures, we would like to point out that numerous existing encroachments will remain in this setback area and may also be subject to future improvements which this variance will satisfy existing structures already within in this setback

(FOR STAFF USE ONLY)

Access: Y N

Application Complete: Y N

Critical Areas: N Y: _____

Zoning: _____

Reviewed by: _____

Date: _____

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Planning Division

(509) 786-5612
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102206 East Wiser Parkway, Kennewick, WA 99338

HEM 1.5

December 6, 2024

Knutzen Engineering
CO: Paul Knutzen
5401 Ridgeline Drive Suite 160
Kennewick, WA 99338

RE: Written Determination of Completeness
File Number: VAR 2024-005

Dear Mr. Knutzen,

This office is in receipt of your project permit application for a variance to encroach no more than 10 feet into the 30-foot setback from parcels zoned Rural Lands 5 Acre District to allow for the construction of four railcar offloading structures. We have determined that the required materials have been submitted and the application is complete. A file number has been assigned (VAR 2024-005) 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 cursive script, appearing to read "Liz Koerner".

Liz Koerner- Associate Planner
Benton County Community Development Dept
Planning Division

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Prosser Office: 620 Market Street, 1st Floor
Kennewick Office: 102206 East Wiser Parkway
www.bentoncountywa.gov



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102206 East Wiser Parkway, Kennewick, WA 99338

HEM 1.6

December 6, 2024

Benton County Public Works Department
Benton-Franklin Health District
Benton County Fire District #1
Benton County Building Division
Benton County Fire Marshal
Benton PUD
Columbia Irrigation

RE: Variance Request
File #: VAR 2024-005
Parcel #: 1-2680-100-0029-000
Applicant: Knutzen Engineering fore AirGas USA, LLC

The applicant is proposing to construct four railcar offloading structures within the Heavy Industrial District and is requesting a variance to reduce the 30-foot setback from properties zoned Rural Lands 5 Acre District at variable distances, with the greatest encroachment being no more than 10 feet.

Attached please find the application materials submitted for your review.

Please submit your comments to planning.department@co.benton.wa.us by **December 20, 2024**. Please reference file number **VAR 2024-005** in all correspondence.

Thank you.

Benton County Planning Division

Nikki Relyea

From: Cristina Woods
Sent: Friday, December 13, 2024 10:50 AM
To: Planning Department
Subject: RE: Agency Review - Knutzen Variance - (VAR 2024-005)

Good morning

Public Works has no comments.

Thank you



Cristina Woods, PE • *Civil Engineer I*
Benton County Public Works
102206 Wisner Parkway , Kennewick WA, 99338
(509) 786-5611 Ext: 5684

From: Planning Department <Planning.Department@co.benton.wa.us>
Sent: Friday, December 6, 2024 11:06 AM
To: Cristina Woods <Cristina.Woods@co.benton.wa.us>; Benton Franklin Health District - JoDee Peyton <Jodeer@bfhd.wa.gov>; erin.hockaday@bfhd.wa.gov; Jack Howard <jack.howard@bfhd.wa.gov>; scott@bentonone.org; lonnie@bentonone.org; Brad O'Brien <Brad.Obrien@co.benton.wa.us>; Gary Tiplady <Gary.Tiplady@co.benton.wa.us>; Angela Richman <richmana@bentonpud.org>; Columbia Irrigation District <CID@columbiairrigation.com>
Subject: Agency Review - Knutzen Variance - (VAR 2024-005)

Good morning,

Attached you will find the necessary application materials for Knutzen Engineering on behalf of Airgas USA LLC, who is requesting a variance to reduce the 30-foot setback within the Heavy Industrial District, from properties zoned Rural Lands 5 Acre District at variable distances. The property is located at 231808 E SR 397 in the Kennewick area at parcel 1-2680-100-0029-000.

Please review and provide any comments by **December 20, 2024.**

Have a wonderful weekend,



NOTICE OF OPEN RECORD HEARINGS

HEM 1.8

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 the Benton County Hearings Examiner will hold an open record public hearing for each of the below stated applications on **January 17, 2025** 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 and testimony options, directions to the meeting room and to review documentation for the application, please visit <https://tinyurl.com/BCpublicnotice>.

CONDITIONAL USE PERMIT – CUP 2020-013 The legal landowner, Jesse Greenhough Jr., is requesting to null and void the existing permit for a dog kennel. The previous operators have vacated the property, and Mr. Greenhough does not wish to continue the operation on the property.

CONDITIONAL USE PERMIT – CUP 2023-009 The applicant, Tina Miller, is requesting a one-year extension to meet the conditions of approval. The extension will allow time to obtain the necessary approvals with the Department of Health and Ecology to operate an event center at Wheat Head Brewery. The project is located at 92308 E Locust Grove Road, Kennewick, WA 99338. Parcel number 1-2788-300-0002-004.

CONDITIONAL USE PERMIT – CUP 2023-010 The applicant, Tina Miller, is requesting a one-year extension to meet the conditions of approval. The extension will allow time to obtain the necessary approvals with the Department of Health and Ecology to operate a farmers market at Wheat Head Brewery. The project is located at 92308 E Locust Grove Road, Kennewick, WA 99338. Parcel number 1-2788-300-0002-004.

CONDITIONAL USE PERMIT – CUP 2024-021 The applicant, Trevor Tapani, is proposing to construct a 798 sq. ft. detached accessory dwelling unit while finishing construction on their 3,840 sq. ft. single family residence. The project is located at 33501 S Clodfelter Road, Kennewick, WA 99338 in the Rural Lands 5 Acre District. Parcel number 1-2388-400-0004-000.

CONDITIONAL USE PERMIT – CUP 2024-022 The applicant, Richard Davey, is proposing to construct a 347 sq. ft. detached accessory dwelling unit on a parcel with an existing 960 sq. ft. single family residence. The project is located at 4674 E Arena Road, Richland, WA 99352 in the Urban Growth Area Residential District. Parcel number 1-2098-101-1616-002.

VARIANCE PERMIT – VAR 2024-004 The applicants, Brad and Tera Seabaugh, are requesting a variance to install flood venting rather than elevating a proposed 2,080 sq. ft. addition to a detached shop in the Rural Lands 5 Acre District. The project is located at 67818 E Ranch Road, West Richland, WA 99353. Parcel number 1-3108-101-1541-002.

VARIANCE PERMIT – VAR 2024-005 The applicant, Knutzen Engineering on behalf of AirGas USA, LLC, is proposing to construct four railcar offloading structures within the Heavy Industrial District and is requesting a variance to reduce the required 30-foot. The project is located at

231808 E SR 397, Kennewick, WA 99337. Parcel number 1-2680-100-0029-000.

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 on or before **January 14, 2025**. Written comments can be emailed to planning.department@co.benton.wa.us, mailed to or dropped off at the Planning Division office at the Public Services Building, 102206 E Wiser Parkway, Kennewick, WA 99338.

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, 102206 E. Wiser Parkway, Kennewick, WA 99338, or planning.department@co.benton.wa.us.

Dated this 26th day of December, 2024.

PUBLICATION DATE: January 1, 2025

SUSAN E. DRUMMOND
Benton County Hearings Examiner

MICHELLE L. MERCER, Planning Manager
Community Development Department