

EXHIBIT LIST FOR VAR 2017-002 (Brantingham)

| | | | DATED |
|--|----------|--|--------------|
| Hearing Examiner Application Exhibit List | | | |
| HER 1 | HER 1.1 | Application and Supporting Documents | May 5, 2017 |
| Includes: | HER 1.2 | | |
| | HER 1.3 | | |
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| Hearings Examiner Staff Memo Exhibit List - June 19, 2017 | | | |
| HEM 1 | HEM 1.1 | Staff Memo | May 24, 2017 |
| Includes: | HEM 1.2 | Comments from Benton County Fire Marshal | May 15, 2017 |
| | HEM 1.3 | Comments from Benton Franklin Health District | May 15, 2017 |
| | HEM 1.4 | Comments from Washington State Dept. of Transportation | May 19, 2017 |
| | HEM 1.5 | Comments from Benton Franklin Health District | June 7, 2017 |
| | HEM 1.6 | Notice of Open Record Hearings | May 24, 2017 |
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| Hearings Examiner Hearing Exhibit List - June 19, 2017 | | | |
| HEH 1 | HEH 1.1 | | |
| Includes: | HEH 1.2 | | |
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The Exhibit Numbers are found in the Top Right Hand Corner of each document.

HER = Hearings Examiner Record Exhibits

HEM = Hearings Examiner Memo Exhibits

HEH = Exhibits submitted during Hearing

HECH = Exhibits submitted during a continued hearing

Benton County Planning Department


Planning Annex, P.O. Box 910, 1002 Dudley Avenue, Prosser WA 99350, Phone: (509) 786-5612 or (509) 736-3086, Fax (509) 786-5629

HEM 1.1

MEMO DATE: May 24, 2017

HEARING DATE: JUNE 19, 2017

TO: BENTON COUNTY HEARINGS EXAMINER

FROM: CLARK A. POSEY,
ASSISTANT PLANNING MANAGER 
BENTON COUNTY PLANNING DEPT.

RE: VARIANCE APPLICATION – VAR 2017-002

**APPLICANTS/
PROPERTY OWNERS:** JAY BRANTINGHAM
3120 TRAVEL PLAZA WAY
PASCO, WA 99301

SPECIFIC REQUEST

The applicant/owner is requesting a variance to BCC 11.16A.080(2), which is a setback of twenty five (25) feet from the rear property line for a building. The variance request of twenty (20) feet would allow the applicant/owner to build their commercial storage building five (5) feet from the rear property line instead of the required twenty five (25) feet.

BACKGROUND

Site Location: The site is located at 105106 Wisner Parkway, Kennewick, WA 99338 on Lot 3 of Short Plat # 3278 in Section 11, Township 8 North, Range 28 East, W.M. lot is 7.67 Acres.

Land Use: The surrounding land uses are developed as an RV Park, A Wine Product Logistics Warehouse, and a Fuel Station are the main activities within this area.

Zoning & Comprehensive Plan Designation: Site and surrounding areas: Light Industrial. Adjoining Parcel to the east is Interchange Commercial

APPLICABLE DEVELOPMENT REGULATIONS

1. The Revised Code of Washington RCW 36.70.810, requires that the following findings be made prior to the granting of the variance and the applicant should be prepared to demonstrate before the Hearings Examiner that such findings exist.
 - a. Variances granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitations on the other properties in the vicinity and the zone in which the property is situated.
 - b. That strict application of the Zoning Ordinance is found to deprive subject property of rights and privileges enjoyed by other properties in the vicinity and under identical zoning classification because of special circumstances applicable to subject property including size, shape, topography, location or surroundings

- c. That the granting of the variance will not be materially detrimental to the public welfare or injurious to property or improvements in the vicinity and zone in which the subject property is situated.

2. **Benton County Code Section 11.52.088(b) states:**

"Variance-General Standards. The variance application process allows the Hearings Examiner in specific cases, as provided in RCW 36.70.810, to grant a variance to the provisions of this title when it can be demonstrated that such variance is in harmony with the general purpose and intent of this title and is accordance with the requirements of this section. However, the Hearings Examiner shall not grant variances to land uses or density requirements."

3. **Benton County Code Section 11.52.088(e) provides:**

"Variance—Permit Granted. (1) A variance shall be granted only if the Hearings Examiner concludes that based on its 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 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 properties in the surrounding area;
- (vi) the variance would not be materially detrimental to 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 or 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.

4. 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 subsection (e)(1) above.

5. **11.30.070 PROPERTY DEVELOPMENT STANDARDS.** All lands, structures and uses in the Light Industrial District (LI) shall conform to the following standards:

- (a) Lot Width. Each lot shall have an average lot width of not less than ninety (90) feet.
- (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 (RL-1), 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.
 - (2) Each building must be at least twenty-five (25) feet from the property line bordering any public road right-of-way and at least twenty-five (25) feet from the closest edge of any legally established boundary line of a private access easement.
- (3) No building or structure shall be located within an easement or any public road right-of-way.

DISPOSITION OF THE APPLICANT'S REQUEST

A variance shall be granted only if the Hearings Examiner concludes that based on its 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 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 properties in the surrounding area;**
- (vi) **the variance would not be materially detrimental to 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 or 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.**

FINDINGS OF FACT

The following findings of fact and comments were received as of the date of this memo being May 24, 2017. Any comments received after the completion of this staff memo or obtained during the advertised public hearing of VAR 2017-002 may be addressed by the Hearings Examiner and added or deleted from

this list of conditions. The Hearings Examiner may decide to adopt these findings as their own or amend these Findings of Fact and listed conditions after the comment period of the open public hearing.

1. The property owner/applicant is Jay Brantingham – 3120 Travel Plaza Way, Pasco, WA 99301.
2. The applicants are requesting approval for a variance of twenty (20) feet to BCC 11.16A.080(2) to construct a commercial storage unit building. This variance would leave the setback to the rear property line at five (5) feet. The rear setback in the Light Industrial Zone is twenty- five (25) feet. Fire hydrants and associated piping have already been installed from a previously approved site plan from the Building Department.
3. The site is located at 105106 Wiser Parkway, Kennewick, WA 99338 on Lot 3 of Short Plat # 3278 in Section 11, Township 8 North, Range 28 East, W.M. lot is 7.67 Acres.
4. The application for VAR 2017-002 was submitted to the Benton County Planning Department on May 5, 2017 with a complete letter sent on May 8, 2017.
5. The proposed variance application did not require that a Notice of Application be published.
6. The notice for the Benton County Hearings Examiner Open Record Hearing for application VAR 2017-002 was published on June 1, 2017, in the Tri-City Herald and mailed to property owners of record within 300 feet of the outer boundaries of the parcel. The Open Record Hearing is scheduled for June 19, 2017.
7. The Benton County Building Department requires that a building permit be obtained prior to construction.
8. Benton County Fire Marshal had no comment.
9. The Benton Franklin Health District reviewed the variance request and their comments are attached to this memo.
10. Benton PUD had no comments or concerns regarding this request.
11. Benton County Public Works Department requires that encroachment permits are obtained to meet the County's Commercial Approach R-3.
12. The Washington State Department of Transportation would prefer the county only approve the variance of fifteen (15) feet and leave a ten (10) foot setback to allow work to be done on the back of the building between the WSDOT fence and the building if needed.
13. Special circumstances such as lot size, slope, topography or necessary size or shape of the building are preventing compliance with the applicable property development standards in the Light Industrial Zoning District.
14. The strict application of the zoning district property development standards would not deprive the subject property of rights and privileges enjoyed by other properties in the vicinity and under the same zoning district classification.

15. The problem sought to be addressed by the variance is not related to the physical features of the particular property or building and would exist regardless of the identity of the owner;
16. It must be shown that a material hardship unwarranted within the intent of this Code will exist if the variance is not granted, and that the hardship cannot be remedied by other means. The hardship demonstrated must not be self-created and must relate to the land itself and not to problems personal to the applicants. The variance permitted shall be the minimum variance which will mitigate the hardship.

CONDITIONS

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 the subsection above.

If the Hearings Examiner decides to approve Variance Request VAR 2017-002 then the following are suggested conditions recommended by the Planning Department:

1. Any conditions imposed by the Hearings Examiner shall be completed prior to the Planning Department issuing the variance. The applicant shall notify the Benton County Planning Department in writing when the conditions set forth herein have been completed. The Planning Department shall not issue the variance until those conditions have been met. The variance shall not become effective until issued by the Planning Department.
2. If the conditions of approval have not been met and the Planning Department does not issue the 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.
3. The applicants will need to submit a copy of the approved building permit from the Benton County Building Department for the addition to the existing residential structure.
4. The applicants for Variance VAR 2017-002 must have a Washington State Licensed Surveyor mark the property line adjacent to the location of the proposed building prior to the inspection by the Building Department.
5. If the variance is approved, the variance would be twenty (20) feet leaving a setback of five (5) feet from the rear property line.
6. If the variance application is denied the building must be constructed to conform to BCC 11.16A.080(a) and meet the required setback of twenty five (25) feet.

BENTON COUNTY PLANNING DEPARTMENT
VARIANCE APPLICATION

FILE NO. VAR 2017-002



- 1. Name and address of applicant: Jay Brantingham
3120 Travel Plaza Way, Pasco WA 99301
Phone number: Home: 509-438-6219 Work: 509-430-7609

If you wish to be contacted via email please list your email address: Jayacrfmetalworks.com

- 2. Legal owners name and address: Jay Brantingham / Jerritt Wiser
Cottonwood Self Storage LLC - 105106 Wiser Parkway, Kennewick WA 99338
Phone number: Home 509-438-6219 Work 509-430-7609

- 3. Legal description or Parcel Number of property for which permit is for: _____
1-1188-201-3278-003

- 4. Section of the zoning ordinance under which it is claimed that a variance should be granted. (To be completed by the Planning Department). _____

- 5. A variance is being requested for the purpose of Decreasing required Building Setback
20' variance from the backyard setback Requirements See ATTACHED →

- 6. What is the minimum variance that will alleviate hardship? ORIGINAL Plans
SHOW 1' AT CORNERS - CAN INCREASE TO 5' AT CORNERS See ATTACHED →

- 7. Are there special circumstances such as lot size, slope, topography or necessary size or shape of the building which prevent compliance with the zoning ordinance? If so, explain:
Yes - Building sized Lot utilization
See ATTACHED →

- 8. Does strict application of the zoning ordinance deprive subject property of rights and privileges enjoyed by other properties in the vicinity and under the same zoning classification? If so, explain:
No -

9. The property will be served by:
- | | | | |
|--------------|---|--|-----------------------|
| WATER: | Well _____ | Private System <input checked="" type="checkbox"/> | City System _____ |
| SEWER: | Septic Tank <input checked="" type="checkbox"/> | City Sewer _____ | |
| POWER: | PUD <input checked="" type="checkbox"/> | REA _____ | |
| PHONE: | Yes _____ | No _____ | Name of Utility _____ |
| GAS: | Yes _____ | No _____ | Name of Utility _____ |
| CABLE: | Yes _____ | No _____ | Name of Utility _____ |
| IRRIGATION: | Yes _____ | No _____ | Name of Utility _____ |
| PRIVATE IRR. | Yes _____ | No _____ | |

10. The applicant shall attach a site plan of the property, drawn to a scale of one inch equals fifty feet (1"=50') unless otherwise specifically approved by the Planning Department, showing the following information.

11. Zoning classification of property involved: INDUSTRIAL

12. Total acreage - lot size involved: 7.6 Acres

COMMENTS OR PERTINENT INFORMATION:

Signature Block for individuals only.

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

| | | |
|--|---------------------|---------------|
| _____ Applicant's Signature | _____ Print Name | _____ Date |
| _____ Signature of Legal Owners | _____ Print Name | _____ Date |
| _____ Signature of Person with additional ownership interest | _____ Print Name | _____ Date |

ALL persons with an ownership interest in the property on which the land use action is proposed must sign the application other than interests exclusively limited to ownership of the parcel's mineral rights.

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

| | | |
|--|--|-------------------------|
| <u>Jay B...</u> Applicant's or Legal Owner's Name | <u>Jay Brantingham</u> Print Name & Title | <u>5-2-2017</u> Date |
|--|--|-------------------------|

Applicant's or Legal Owners Signature: Jay Prantingham / Member
(Signature) (Title)

The above signed officer of Cottonwood Self Storage LLC (name of entity) warrants and represents that all necessary legal and corporate actions have been duly undertaken to permit Jay Prantingham 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.

NOTE: THE VARIANCE REQUEST FEE OF \$630.00 MUST BE SUBMITTED WITH THE APPLICATION. THIS FEE IS NON-REFUNDABLE. PLEASE MAKE THE CHECK PAYABLE TO THE BENTON COUNTY TREASURER. THERE ARE NO GUARANTEES THAT YOUR APPLICATION WILL BE APPROVED.

FOR OFFICIAL USE ONLY:
Critical Area Review Completed by _____ on _____
Application approved for processing by _____ on _____
Zoning _____ Comp Plan designation _____

Applicant's or Legal Owners Signature: _____

Jay R. [Signature]
(Signature)

Member
(Title)

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

Jay Parantingham 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.

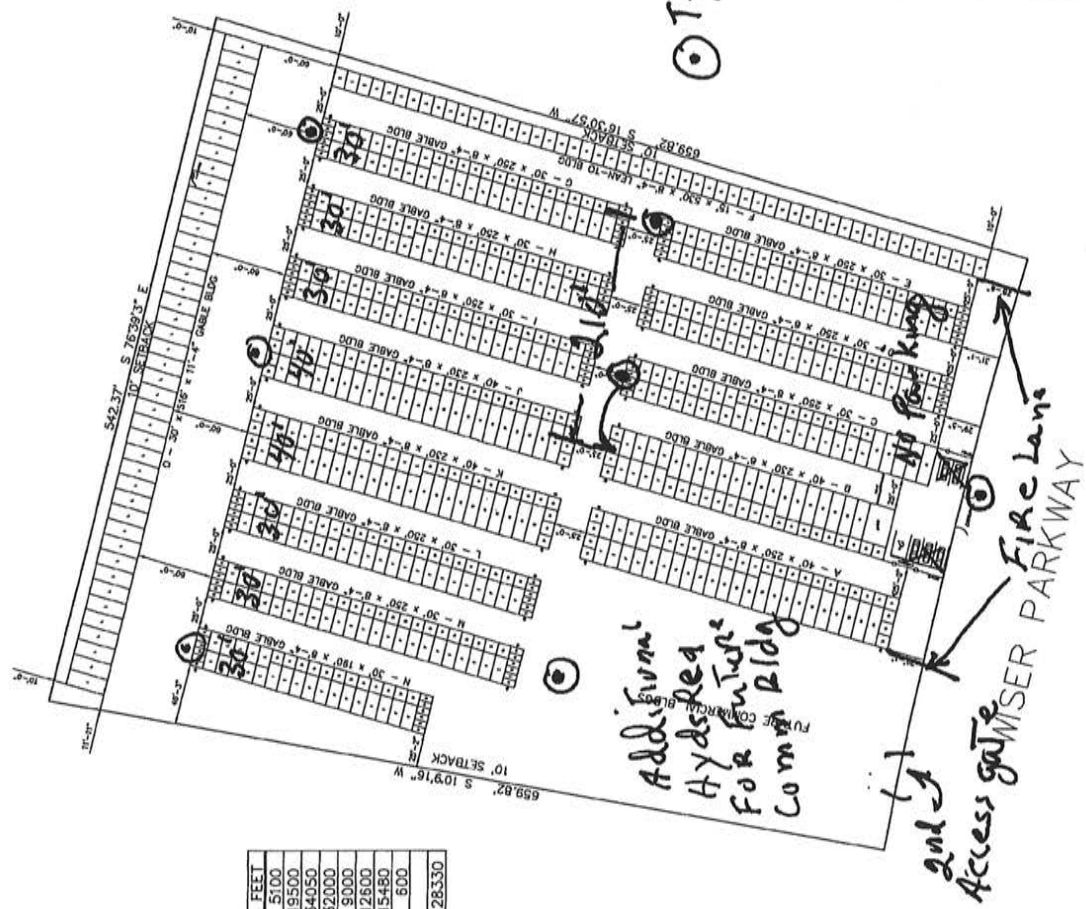
NOTE: THE VARIANCE REQUEST FEE OF \$630.00 MUST BE SUBMITTED WITH THE APPLICATION. THIS FEE IS NON-REFUNDABLE. PLEASE MAKE THE CHECK PAYABLE TO THE BENTON COUNTY TREASURER. THERE ARE NO GUARANTEES THAT YOUR APPLICATION WILL BE APPROVED.

FOR OFFICIAL USE ONLY:

Critical Area Review Completed by _____ on _____

Application approved for processing by _____ on _____

Zoning _____ Comp Plan designation _____



Typical Hydrant

- NOTES:
- FIELD VERIFY ALL SITE DIMENSIONS AND BEARINGS
 - FIREWALLS TO BE DETERMINED BY LOCAL INSPECTOR
 - (*) INDICATES LOCATION OF NON OPERATIONAL DOORS

NOTICE:
 THE ABOVE PROPERTY INFORMATION PROVIDED TO TRANSACT THIS BUSINESS IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE OF ANY KIND. THE ACTUAL CONDITIONS WILL VARY FROM THE INFORMATION PROVIDED HEREON. PLEASE REFER TO THE APPROPRIATE RECORDS FOR FURTHER INFORMATION.

UNIT MIX

| LABEL | UNIT SIZE | # UNITS | % | SQ. FEET |
|-------|------------|---------|------|----------|
| B | 5 x 10 | 102 | 12.7 | 5100 |
| D | 10 x 10 | 195 | 24.2 | 19500 |
| E | 10 x 15 | 227 | 28.2 | 34050 |
| F | 10 x 20 | 160 | 19.9 | 32000 |
| G | 10 x 25 | 36 | 4.5 | 9000 |
| H | 10 x 30 | 42 | 5.2 | 12600 |
| L | 12 x 30 | 43 | 5.3 | 15480 |
| OFF | 30 x 200FF | 1 | 0.1 | 600 |
| TOTAL | | 806 | 100 | 128330 |

BENTON COUNTY PLANNING DEPARTMENT

VARIANCE APPLICATION – **Additional answer information**

5. A VARIANCE IS BEING REQUESTED FOR THE PURPOSE OF:

Answer - Decreasing the required building setback of 25'.

Reasoning: At the end of December 2014 the original lot/building plans drawn by TBS Buildings were submitted to the county for figuring out the fire hydrant placement for the full lot. At that time it was undecided on how much would be built so the complete project was taken into consideration. After some notes from the county Gary Hall from Hall Engineering drew new plans and those were then submitted with application for permit. At no time was it discussed that there needed to be 25' setback from I-82.

6. WHAT IS THE MINIMUM VARIANCE THE WILL ALLEVIATE HARDSHIP

Answer – Original plans show 1' from corners of building – can increase to 5'

Reasoning: Because the lot has a light radius that matches the curve of I-82, by moving the building setback from its original 1' at corners to 5' at corners it will average 5-10' setback overall which would allow for maintenance to have enough access for graffiti removal and other light maintenance.

7. ARE THERE SPECIAL CURCUMSTANCES SUCH AS LOT SIZE, SLOPE, TOPOGRAPHY OR NECESSARY SIZE OR SHAPE OF THE BUILDING WHICH PREVENT COMPLIANCE WITH THE ZONING ORDINANCE?

Answer – Yes, building size and lot utilization

Reasoning: Because plans were submitted as a whole project and no discussion was ever made about the 25' required setback, the construction plans had moved forward and the building was ordered to match the previously submitted layout and design

Jay Brantingham

From: Ken Williams <Ken.Williams@co.benton.wa.us>
Sent: Tuesday, January 20, 2015 2:55 PM
To: Jay Brantingham
Subject: Code Interpretation and Hydrants
Attachments: CRF Mini Storage Hyds.pdf; 2011 Vitner's Warehouse.pdf

Jay,

The interpretation is at the bottom the email.

The adobe file shows a **preliminary** hydrant lay out. The Fire Chief has to approve the hydrant locations, and I'll be getting in contact with him shortly to go over the proposed site plan. Additional hydrants will be required for the future commercial building. The design, installation and inspection of the water mains will need to be done of a registered WA. State Civil Engineer, and a letter from the engineer stating the system was installed in accordance to Benton County Code 3.18 is required. To help out the design process the attached fire flow for Vintner's is provided.

Given the site plan layout, there are exterior and interior access questions, I believe, I mentioned when we first met here in the office that given the mid row intersection of 25' for both lanes, I don't believe a fire truck can make the turn. As I recall your response, you mentioned at the north end there was a 60' wide lane, which the fire trucks could use as a turnaround point. At that time, I felt that this was doable, however, I wasn't aware the parking at the entrance blocks fire truck access to the ministorages' south end. As a result, before the proposed 25' intersections can be approved a field test will need to be conducted to see if a fire truck can make the turn.

The attached site plan shows the area between the south ends of the storage units and the property lane needs to be designated as a fire lane. The reason being a fire in building B east units or building C west units will effectively prevent a second fire truck from gaining access.

Given the size of the development, an emergency access on to Wiser Parkway is to be provided as shown on the attached site plan. As an emergency access, this may remain locked. However, upon development of the future commercial building shown at the SW corner, a public access will be required.

Please Contact me there are questions.

Ken

Clicking on this link opens up State Building Code Council interpretation which is pasted below.

<https://fortress.wa.gov/ga/apps/SBCC/File.ashx?cid=4622>



Washington State Building Code Council

Improving the built environment by promoting health, safety and welfare

1500 Jefferson Street SE • P.O. Box 41449 • Olympia, Washington 98504
(360) 407-9280 • fax (360) 586-5366 • e-mail sbcc@ga.wa.gov • www.ga.wa.gov/sbcc

STATE BUILDING CODE INTERPRETATION NO. 15-03

CODE: 2012 International Building Code

SECTION: IBC 311.2 Moderate-Hazard Storage, Group S-1
IFC 903.2.9 Automatic Sprinkler Systems Group S-1

QUESTION 1: A large mini storage development has been presented to Benton County Building Department. During the preconstruction meeting, the developers were advised that based on IBC 311.2 all the mini-storage units would be classified as S-1. What is the occupancy classification for mini storages?

ANSWER 1: **Occupancy classification is at the discretion of the local official. Classification of units as S-1 is reasonable based on the list of possible contents in IBC section 311.2. Classifying mini storage as Group S-1 is appropriate based on the history of these types of buildings.**

IFC 903.2.9 Group S-1. An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 fire area exceeds 12,000 square feet (1115 m²).
2. A Group S-1 fire area is located more than three stories above grade plane.
3. The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230m²).
4. A Group S-1 fire area used for storage of commercial trucks or buses where the fire area exceeds 5,000 square feet (464m²).
5. A Group S-1 occupancy used for the storage of upholstered furniture or mattresses exceeds 2,500 square feet.

QUESTION 2: At a 2012 IBC update class, the instructor stated, paraphrasing, "Due to mini storages being subject to the storing of upholstered furniture and mattresses, 903.2.9 (5) is applicable". While not every unit will be used to store upholstered furniture or mattresses, the plan check dilemma is determining which units will store what. Is IFC/IBC 903.2.9 (5) always applicable to S-1 mini storages built under the current code?

ANSWER 2: **No. IFC 903.2.9(5) applies only where the unit will be used primarily for storage of mattresses or upholstered furniture. If any of the conditions listed in items 1-5 exists, then IFC 903.2.9 applies.**

SUPERSEDES: None

REQUESTED BY: Benton County

VAR 2017-002 1-1188-201-3278-003



May 10, 2017

Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics,
CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User
Community

2

**Benton County Fire Marshal's
Review of Proposed Planning Applications**

HEM 1.2

TO: Clark Posey

Variance Request ¹⁷⁻⁰⁰² ~~17-001~~

Date Received 5-10-17 **Date Returned** 5-15-17

Applicants Comments: Cottonwood Self-Storage LLC

The applicant is requesting a variance of 20 feet to the required 25' setback from the rear yard setback on the northern boundary of lot 3 of Short Plat 3278, allowing a structure to be within 5 feet of the property line.

Fire Marshal's Comments:

Must meet IBC requirements

Required: NONE

RECEIVED

MAY 15 2017

Fire Marshal's
Review of Proposed Planning Applications

2

April Brown

From: Deana Chiodo <deanac@bfhd.wa.gov>
Sent: Monday, May 15, 2017 8:59 AM
To: Planning Department
Subject: VAR 2017-002

We have no objection provided any building remains 10' away from drainfield or reserve area, and septic tank remains 5' away from any building. Any questions please contact, thank you.

Deana Chiodo
Environmental Health Specialist I

Benton-Franklin Health District
7102 W. Okanogan Place,
Kennewick, WA 99336
p: 509.460.4316
www.bfhd.wa.gov Deanac@bfhd.wa.gov



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HEM 1.4



Washington State
Department of Transportation

South Central Region
2809 Rudkin Road
Union Gap, WA 98903-1648
509-577-1600 / FAX: 509-577-1603
TTY: 1-800-833-6388
www.wsdot.wa.gov

May 16, 2017

RECEIVED

Benton County Planning Department
PO Box 910
Prosser, WA 99350

MAY 19 2017

Attention: Clark Posey, Assistant Planning Manager

Benton County
Planning Department

Subject: VAR 2017-002 – Cottonwood Self Storage LLC
I-82 milepost 108.4 right

We have reviewed the proposed variance request and have the following comments.

The subject property is adjacent to Interstate 82 (I-82), a fully-controlled limited access facility with a posted speed limit of 70 miles per hour. WSDOT has acquired all access rights to the highway. Access and encroachments for construction and/or maintenance activities on the subject property are prohibited.

The site plan shows a 1' of separation between "Building O" and WSDOT right-of-way. This is insufficient. To accommodate all future activity and prevent encroachments, we recommend the County allow a setback variance of no less than 10' for any permanent structures.

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

Sincerely,

Paul Gonseth, P.E.
Planning Engineer

PG: rh/jjp

cc: SR 82, File #8 (2015)
Kara Shute, Area 3 Maintenance Superintendent


April Brown

HEM 1.5

From: Deana Chiodo <deanac@bfhd.wa.gov>
Sent: Wednesday, June 07, 2017 9:02 AM
To: Planning Department
Subject: RE: BC Planning Dept. Hearings

RECEIVED

JUN - 7 2017

Benton County
Planning Department

Referring to VAR 2017-002, we have no objections provided all driveways from access change maintain a 10' setback from any drainfield or reserve area.

Thank you.

From: Planning Department [mailto:Planning.Department@co.benton.wa.us]
Sent: Wednesday, June 07, 2017 8:20 AM
To: Deana Chiodo
Subject: RE: BC Planning Dept. Hearings

Deana,
That application was sent for review to all agencies, including BFHD, on 4/7/17. I have attached the agency review information here. You are correct, we did not receive comments from your office. If you want to comment, please do so immediately so that we can include with our materials.

Thank you!

April Brown
Office Assistant III
Benton County Planning Department
PO Box 910
Prosser WA 99350
509-786-5612 or 509-736-3086
Fax: 509-786-5629

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From: Deana Chiodo [mailto:deanac@bfhd.wa.gov]
Sent: Tuesday, June 06, 2017 4:46 PM
To: Planning Department <Planning.Department@co.benton.wa.us>
Subject: BC Planning Dept. Hearings

Looks like I have submitted comments for VAR 2017-002, but not for VAR 2017-001 for Lindstrom. Not sure if comments were asked of us for that one.

Deana Chiodo
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Benton-Franklin Health District
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Kennewick, WA 99336

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Benton County Planning Department

Planning Annex, P.O. Box 910, 1002 Dudley Avenue, Prosser WA 99350, Phone: (509) 786-5612 or (509) 736-3086, Fax (509) 786-5629

NOTICE OF OPEN RECORD HEARINGS

HEM 1.6

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

VAR 2017-001- The applicants are requesting a variance to reduce the required 25 foot rear yard setback to 14 feet. The date of the written determination of completeness on this action is April 6, 2017. The site is located at 93159 E Badger Rd Kennewick, WA 99338, in Section 22, Township 8 North, Range 28 East, W.M. Applicants: Tanner & Desiree Lindstrom.

CUP 2017-003 (EA 2017-004) – The applicants are proposing to operate a veal calf operation wherein up to 250 calves per week are delivered to the site from surrounding dairies and 40 to 80 calves at a time are kept onsite for 3-5 days and then are loaded in trailers for shipment. The date of the written determination of completeness on this action is April 3, 2017. The site is located in Prosser, on the South side of Lemley Road, West of Wilgus in Section 20, Township 9 North, Range 24, W.M. Applicants: Teresa Garcia and Sergio Gonzalez.

VAR 2017-002- The applicants are requesting a 20 foot variance to the required 25 foot setback from the rear yard setback on the northern boundary of lot 3 of Short Plat 3278 allowing a structure to be within 5 feet of the property line. The date of the written determination of completeness on this action is May 8, 2017. The site is located at 105106 Wiser Parkway, Kennewick, WA 99338, in Section 11, Township 8 North, Range 28 East, W.M. Applicant: Jay Brantingham.

NOTICE IS GIVEN that said applications will be considered by the Benton County Hearings Examiner at the public hearings on Monday, June 19, 2017 at 10:00 a.m. in the Planning Annex Hearing Room, 1002 Dudley Avenue, Prosser WA 99350. All concerned persons may appear and present any support for or objections to the applications or provide written testimony to the Hearings Examiner in care of the Planning Department on or before the date of the hearings. More information concerning these actions can be obtained by contacting Clark A. Posey, Assistant Planning Manager at the Benton County Planning Department, 1002 Dudley Avenue, P O Box 910, Prosser, WA 99350 or by calling 736-3086 (Tri-Cities) or 786-5612 (Prosser). Any information submitted to Benton County is subject to the public records disclosure law for the State of Washington (RCW Chapter 42.17) and all other applicable law that may require the release of the documents to the public. It is suggested that if you plan on attending the hearing that you call the Benton County Planning Department by 8:30 a.m. the morning of the hearing to confirm that the hearing will be conducted as scheduled.

It is Benton County's policy that no qualified individual with a disability shall, by reason of such disability be excluded from participation in or be denied the benefits of its services, programs, or activities or be subjected to discrimination. If you wish to use auxiliary aids or require assistance to comment at this public meeting, please download and submit the Accommodation Request Form 48 hours prior to the date of the meeting. The form is located on the Benton County website which is www.co.benton.wa.us under the Personnel Department or contact the Benton County Planning Department at the numbers noted above for assistance.

Dated: May 24, 2017

SUSAN E. DRUMMOND
Benton County Hearings Examiner
CLARK A. POSEY, Assistant Planning Manager
Benton County Planning Department



Publish: June 1, 2017