

**GRANT COUNTY
PLANNING COMMISSION**

Chairman: Bill Bailey
Vice Chairman: Dale Walker
Board Members: Ollie Click, Lee Graham, Garry Piercy, Jon A. Hatt, Jim Turner, Jim Fleming and Blair Fuglie
Alternate Secretary: RoseMary Dart

COMMISSIONERS' HEARING ROOM - GRANT COUNTY COURTHOUSE, EPHRATA, WASHINGTON

MARCH 7, 2007 @ 7:00 P.M.

Members present:

Vice-Chairman Dale Walker, Lee Graham, Jim Fleming, Jon A. Hatt, Blair Fuglie, Ollie Click

Members absent: Gary Piercy, Bill Bailey, James Turner

Board Action:

Vice Chairman Dale Walker swears in those wishing to testify at this hearing in mass:

Do you hereby swear or affirm under penalty of perjury under the laws of the State of Washington that the testimony that you give is truthful and accurate to the best of your knowledge and belief?

Approval of February 7, 2007 Meeting Minutes.

Jon Hatt motioned to approve the meeting minutes as presented and Ollie Click seconds the motion. The members voted and the motion passed unanimously.

1. **PUBLIC HEARING –Leslie Bensch – Plat Alteration** - A plat alteration of the North Half of Lot 12 and of entire Lot 13 located in the Urban Residential 4 Zone of Grant County.

FILE #06-4596
S. 25, T. 22, R. 26
Igor Shaporda - Project Planner

Igor Shaporda presents the Staffs Report to the Planning Commission members along with Agencies/Departments and Public comments that have been received. Staff displays maps/photos on the overhead showing the location of the proposal along with surrounding zoning. Igor submits a comment from BOR, which will be entered as part of the record. Igor asks the Commissioners if they have any questions for him. No questions for Igor from the Commission members.

Cheryl Bensch 19192 Othello Place NW, Soap Lake, previously sworn. Cheryl presents information regarding the proposal and why they are making this request.

Lee asks a question regarding the access to the back of the shop.

Cheryl Bensch states yes there is access through the alley at the back of the shop and a big door at the back. No further questions from the Commissioners for Cheryl.

PUBLIC TESTIMONY OPENED. PUBLIC TESTIMONY IS CLOSED.

Ollie is concerned with the size of the lot and the fact another home could be added.

Dale asks Igor a question from the Building/Fire Marshal comments regarding the 25 foot setbacks and yet the site plan shows a 20 foot setback around the front. Dale asked what the reason would be when the Building/Fire Marshal has requested the twenty-five (25) foot setback.

Igor explains the land use setback is twenty (20) feet in the Rural Residential 4 zoning district and it is correct that the Building /Fire Marshall does require twenty-five (25) feet on all property lines but with verification of the fire suppression, which was completed by his site visit. His understanding is that if the fire suppression is available to the site then land use setbacks would be imposed and that is twenty (20) feet in the front and five (5) feet on the side and the rear.

The commission members notice a septic system and drain field drawn on the site plan. They ask Igor if the septic that is drawn in is for the home that is on lot A.

Igor tells the Commissioners the drawing is for a potential septic and drain field in case the future owner decides to build a house on the lot. Mr. Lolkus was demonstrating how a septic system would fit on the lot. Health District had concerns but if an easement were provided onto lot A it could provide enough space for lot B. He states that Condition 11 (b) specifically states that before final approval is given easement onto lot A shall provided.

ACTION: JIM FLEMING MAKES A MOTION TO APPROVE THE LESLIE BENSCH PLAT ALTERATION WITH THE TWELVE (12) CONDITIONS OF APPROVAL. MOTION DIES FOR LACK OF A SECOND.

OLLIE CLICK MAKES A MOTION TO RECOMMEND DENIAL TO THE BOARD OF COUNTY COMMISSIONERS BECAUSE OF THE SIZE OF THE LOTS. JON HATT SECONDS THE MOTION. IT IS VOTED ON AND PASSED UNANIMOUSLY.

FINDINGS OF FACT IN THE NEGATIVE.

- 2. PUBLIC HEARING – Daniel Roberts – Preliminary Subdivision** - A Preliminary Plat of a 38.6-acre parcel to create five (5) lots in the Rural Residential 1 Zone of Grant County.

FILE #06-4661
S. 09, T. 20, R. 27
Rick Rettig - Project Planner

Rick Rettig presents the staffs report along with Agencies/Departments and Public comments that have been received. Staff displays maps/photos on the overhead showing the location of the proposal along with surrounding zoning. Rick asks the Commissioners if they have any questions for him.

Jon Hatt asks how lot two (2) is a buildable site in the RR1 zone when it is only 1.13 acres.

Rick states that while it is true that it does not meet the minimum lot size because it was cut off by the road therefore it's an exception according to the code.

Dale asks if there is enough room for a house and well relative to the septic tank on that size lot.

Rick states there is 1.13 acres and typically one (1) acre would be the minimum needed for a dwelling unit.

Jon asks if the aerial photo is slightly off. Rick answers yes.

Mike Budd, 130 – 4th Avenue NW, Ephrata, previously sworn. He gives some background on the private road easement and explains the easement/access issues.

Jon asks if Mr. McCloud has an easement from the south. Mike states yes and explains.

PUBLIC TESTIMONY OPENED. PUBLIC TESTIMONY CLOSED.

Ollie states that the little triangle piece bothers him because it will cause problems with the rest of the land. He sees no problem with the large piece.

Ollie feels the small piece should be left out of the development.

Mike Budd comes back to the podium and states there is enough density to make it a buildable lot. He states they prefer for it not to be there but they have no choice. He states it is against County Code.

Ollie states that someone else could buy that and it could be added in.

Mike states that is possible.

Dale adds that he can see why it should be made a lot even though the size would make it difficult to get everything in. He states that it would be addressed when they went to build.

Ollie states that little piece bothers him.

Dale states at that time it could be added by a lot consolidation. Jon adds they could restrict it.

Lee asks about the lot size and could a Variance be required.

Billie states they cannot allow a Variance because of the size.

Lee asks if there is another step that could be done.

Dale adds that it would have to go through the Building Department. If code can't be met they can't build.

Lee adds some comments.

ACTION: LEE GRAHAM MAKES A MOTION TO APPROVE THE DANIEL ROBERTS PRELIMINARY SUBDIVISION AS PRESENTED BY THE PLANNING DEPARTMENT STAFF WITH THE TWELVE (12) CONDITIONS OF APPROVAL. BLAIR FUGLIE SECONDS THE MOTION. VOTED ON AND PASSED UNANIMOUSLY.

FINDINGS OF FACT IN THE AFFIRMATIVE.

- 3. PUBLIC HEARING – Stephen Madsen – Reasonable Use Exception** – A Reasonable Use Exception to enable construction of a residence on a 2.93 acre parcel in the Rural Residential 1 Zone of Grant County. The subject area does not meet the 5-acre minimum lot size requirement for this zone as defined by Grant County Code.

File #06-4668
S. 02, T. 21, R. 26
Rick Rettig - Project Planner

Rick Rettig presents the Staffs Report to the Planning Commission members along with Agencies/Departments and Public comments that have been received. Staff displays maps/photos on the overhead showing the location of the proposal along with surrounding zoning.

Dale asks if the road needs to be 230' from the south end of the lot. Rick explains the intersection is further down to the southwest of that point. No further questions for Rick.

Steve Madsen, 17137 Road B NW, his address now is 16113 65th Street Court E #A, Sumner 98390, previously sworn. He states he has owned this property since September and did not know there was a five-acre minimum but he found out when he went to the Building Department to get a permit. He explains that he does have a driveway permit from Public Works. He also had the power lined up but after learning there was a five acre minimum he put everything on hold.

Ollie asks about the sign with “The City of Ephrata” written on it on his property or on the right-of-way.

Mr. Madsen answers that part of it is on his property.

Ollie also asks about an easement and Mr. Madsen does not think there is an easement.

Jim Fleming asks what the reserve is that shows on the map.

Mr. Madsen tells the Commission that is drain field reserve.

Ollie has a question for staff. He asks why this was not a Variance request because the Board of Adjustment would have made a decision immediately and Mr. Madsen would have been able to start on his project tomorrow. Ollie adds that this proposal is basically a Variance.

Rick answers because it did not meet the minimum lot size requirement therefore a Reasonable Use Exception was required.

Ollie states that is the purpose of a Variance when it doesn't meet zoning or lot size. He adds that there seems to be some reluctance to use the Variance procedure for a while and he feels it should be looked at again because it does speed things up for the applicant. It does not go to the County Commissioners for another hearing. He feels staff should consider when these types of request come through.

Dave Nelson states that staff will check into it.

PUBLIC TESTIMONY OPENED. PUBLIC TESTIMONY IS CLOSED.

ACTION: BLAIR FUGLIE MAKES A MOTION TO APPROVE THE STEPHEN MADSEN REASONABLE USE EXCEPTION PRESENTED BY THE PLANNING DEPARTMENT STAFF WITH THE NINE (9) CONDITIONS OF APPROVAL OLLIE CLICK SECONDS THE MOTION. VOTED ON AND PASSED UNANIMOUSLY.

FINDINGS OF FACT IN THE AFFIRMATIVE.

- 4. PUBLIC HEARING – Ken Jorgensen – Minor Zone Change** – A Minor Zone Change for a 5-acre parcel Zoned Rural Urban Reserve with a Comprehensive Plan Land Use Designation of Urban Residential 2.

File #06-4680
S. 24, T. 19, R. 28
Billie Sumrall – Project Planner

Billie Sumrall presents the Staffs Report to the Planning Commission members along with Agencies/Departments and Public comments that have been received. Staff displays maps/photos on the overhead showing the location of the proposal along with surrounding zoning.

No questions for Billie from the Planning Commission members.

Ken Jorgenson, 2272 Hamilton Road, previously sworn. He asks if the Commissioners have any questions.

Ollie asks if there is access to all the lots.

Mr. Jorgenson explains there will be a lane that will provide access to the lots.

PUBLIC TESTIMONY OPENED. PUBLIC TESTIMONY IS CLOSED.

ACTION: JIM FLEMING MAKES A MOTION TO APPROVE THE KEN JORGENSEN MINOR ZONE CHANGE PRESENTED BY THE PLANNING DEPARTMENT STAFF. OLLIE CLICK SECONDS THE MOTION. VOTED ON AND PASSED UNANIMOUSLY.

FINDINGS OF FACT IN THE AFFIRMATIVE.

- 5. PUBLIC HEARING – Tim McNamara – Minor Zone Change** – A Minor Zone Change for a 12-acre parcel Zoned Agriculture with a Comprehensive Plan Land Use Designation of Rural Residential 1.

FILE #07-4696
S. 14, T. 22, R. 26
Billie Sumrall – Project Planner

Billie Sumrall presents the Staffs Report to the Planning Commission members along with Agencies/Departments and Public comments that have been received. Staff displays maps/photos on the overhead showing the location of the proposal along with surrounding zoning.

Lee asks about a Right to Farm statement.

Billie states that can be made part of the conditions and explains.

Dale asks if that statement goes on the face of the plat. Billie answers yes.

Jon asks if it could be split into two parcels. Billie answers yes.

Mike Budd states he is here to answer any questions. There are no questions for him from the Planning Commission.

PUBLIC TESTIMONY OPENED. PUBLIC TESTIMONY IS CLOSED.

ACTION: OLLIE CLICK MAKES A MOTION TO APPROVE THE TIM McNAMARA MINOR ZONE CHANGE AS PRESENTED BY THE PLANNING DEPARTMENT STAFF JIM FLEMING SECONDS THE MOTION. VOTED ON AND PASSED UNANIMOUSLY.

Ollie asks about the Right to Farm and if there needs to be some additional information.

Lee states that it is his personal opinion that they messed up on this one when they approved the land use so now it should be continued. He would like to something firm on the Right to Farm. He doesn't feel it is necessary as long as the Planning Department staff is headed in that direction and he feels they are going by Billie's comment.

FINDINGS OF FACT IN THE AFFIRMATIVE.

Billie introduces the new Planning Department Secretary, Doris Long.

Meeting adjourned at 8:24 PM.

Respectfully submitted:

RoseMary Dart, Alternate Secretary

Approved by:

Bill Bailey, Chairman