



## Board of Adjustment Meeting Minutes

A regular meeting of the Okanogan County Board of Adjustment was held on June 18, 2013 at 7:30 p.m. in the Commissioners' Hearing Room, 123 5th Avenue North, Okanogan, Washington.

**BOARD OF ADJUSTMENT MEMBERS** present included: Chair Steve Kunkel, Vice Chair Harlan Warner, Board Member Dan DeWeert, Board Member Loren Holthaus, Board Member Dave Hanna, and Board Member George Hoksbergen,

**OKANOGAN COUNTY STAFF** in attendance included: Director of Planning Perry Huston, Planner II Randy Johnson, and Administrative Secretary Sharon McKenzie.

**APPELLANT/APPLICANTS OR THEIR REPRESENTATIVES** in attendance: Matt R. Newell, Katherine Bell and Chris Clark

**OTHERS** in attendance: None

The meeting was called to order by Chair Steve Kunkel at 7:30 p.m.

### **Approval of the Agenda – correct meeting date**

Board Member DeWeert moved to approve the June 18, 2013 Board of Adjustment Agenda as corrected. Board Member Holthaus seconded the motion. Motion passed.

### **Approval of May 21, 2013 Meeting Minutes**

Board Member DeWeert moved to approve the May 21, 2013 meeting minutes as presented. Board Member Hanna seconded the motion. Motion was passed.

### **Old Business**

### **Public Hearing #1 - *Continuance***

- **Okanogan County Board of Adjustment Resolution No. 2013-1- Columbia River Carbonates CUP 2013-1 (Amendment to CUP 2007-12)**

Chair Kunkel read **Okanogan County Board of Adjustment Resolution No. 2013-1- Columbia River Carbonates CUP 2013-1 (Amendment to CUP 2007-12)**.

Chair Kunkel said he would entertain a motion.

Board Member Holthaus moved to approve the **Okanogan County Board of Adjustment Resolution No. 2013-1 Columbia River Carbonates CUP 2013-1 (Amendment to CUP 2007-12)**, Attachment A – Conditional Use Permit, Attachment B – Findings of Fact and Attachment C – Conclusions of Law. Board Member DeWeert seconded the motion. Motion passed.

## **New Business**

### **Public Hearing #2**

- **Fawn Creek Road Residential Addition – VAR 2013-1**

Chair Kunkel asked Planner II Johnson to present the project summary of the **Fawn Creek Road Residential Addition – VAR 2013-1**.

Planner II Johnson said:

- An application was submitted by Katharine Bill and Chris Clark for a variance from setback regulations to construct a 10' X 20' X 14' addition to the north wall of the existing residence in the Edelweiss subdivision.
- The applicant has requested a 5 foot setback from the west property line.
- The required set back is 25'.
- The property is located 3 miles south of Mazama, WA
- The property is designated as Mazama Rural (Sub-Area 3), by the Okanogan County Comprehensive Plan and is zoned as "Rural Residential, 5 acres".
- This application is for a variance for setbacks.
- Surrounding land uses consist of residential and public owned land.

Planner II Johnson explained the Affidavit of Public Notice and the comment letter from the Bureau of Land Management (BLM) had been received after the Board of Adjustment meeting packet had been mailed and these items are now before the Board. He noted the comment letter from the Bureau of Land Management (BLM) acknowledged an encroachment by the applicant on BLM adjacent property and BLM said these encroachments must be removed.

Planner II Johnson noted the only other agency comment was from the Okanogan County Building Department which requires fire resistant protection for any projection or eave within 5' of the property line.

Chair Kunkel requested the Staff Report be entered into the record.

Chair Kunkel asked the Proponent to come forward to speak to the issue.

Katherine Bill residing on Fawn Creek Road in Mazama said when they decided to add to the residence, they did not know they had encroached on BLM land until they had the property surveyed. Due to the small, narrow lot configuration, they decided to apply for the setback variance.

She acknowledged she received the BLM letter and would be moving the items specified.

Addressing the question if BLM had contacted her prior to the application about the encroachment, she said they did not.

Addressing the question of moving the addition to the other side of the house, she said that would not meet their goals for the improvement; it would interfere with an existing door; and may be problematic with the septic system.

Chris Clark residing on Fawn Creek Road in Mazama said due to the age of the house, they are not clear on the exact location of the septic so changing the addition's location may not work. He noted they would still need a variance even with a location change due to the lot size.

Chair Kunkel asked if anyone else wished to testify. There being no further testimony, Chair Kunkel closed the hearing to public testimony.

Chair Kunkel asked if there was further discussion by the Board.

Board Member Warner noted what was before the Board was a variance for an addition. He noted the encroachments on the BLM property were not related to the addition and the request for a variance. He did not believe the Board should be inclined to resolve the BLM issues but should focus on the request for the variance.

Chair Kunkel asked if there were any questions or discussion from the Board.

Director Huston came forward and suggested to clarify the record, there be an acknowledgment by the proponent that Okanogan County and the Board of Adjustment has no obligation to rectify the issues between BLM and the proponent and that the County and the Board of Adjustment are dealing with only the variance for the setback from the adjoining property.

Katherine Bill acknowledged that she would rectify the encroachment issues with BLM without the County or the Board of Adjustment taking any obligation or involvement.

There being no other questions, Chair Kunkel he said he would entertain a motion.

Board Member DeWeert moved to approve the Fawn Creek Road Residential Addition, Variance 2013-1, subject to the findings of fact, conclusions of law and conditions of approval with a resolution issuing the final order. Board Member Warner seconded the motion. Motion passed.

There being no other business, Chair Kunkel adjourned the meeting 7:50 PM.

### **Summary of Motions**

***Board Member DeWeert moved to approve the June 18, 2013 Board of Adjustment Agenda.as corrected. Board Member Holthaus seconded the motion. Motion passed.***

***Board Member DeWeert moved to approve the May 21, 2013 meeting minutes as presented. Board Member Hanna seconded the motion. Motion was passed.***

*Board Member Holthaus moved to approve the Okanogan County Board of Adjustment Resolution No. 2013-1- Columbia River Carbonates CUP 2013-1 (Amendment to CUP 2007-12), Attachment A – Conditional Use Permit, Attachment B – Findings of Fact and Attachment C – Conclusions of Law. Board Member DeWeert seconded the motion. Motion passed.*

*Board Member DeWeert moved to approve the Fawn Creek Road Residential Addition, Variance 2013-1, subject to the findings of fact, conclusions of law and conditions of approval with a resolution issuing the final order. Board Member Warner seconded the motion. Motion passed.*

Respectfully submitted,  
Sharon S. McKenzie  
Administrative Secretary