



Board of Adjustment Meeting Minutes

A regular meeting of the Okanogan County Board of Adjustment was held on July 17, 2012 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, 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: None

OTHERS in attendance: None

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

Approval of the Agenda

The Board moved to approve by consensus the July 17, 2012 agenda.

Approval of April 17, 2012 Meeting Minutes

Board Member DeWeert moved to approve the April 17, 2012, meeting minutes as presented. Board Member Holthaus seconded the motion. Motion was passed.

Election of officers:

Board Member Holthaus moved for a unanimous ballot for the slate of officers as follows: Chair Steve Kunkel and Vice Chair Harlan Warner. Board Member DeWeert seconded the motion. Motion passed.

Old Business

There are no continuances for this meeting.

New Business

- Resolution Terminating Conditional Use Permit 2011-3

Chair Kunkel asked Director of Planning Perry Huston to present the Resolution Terminating Conditional Use Permit 2011-3

Director of Planning explained the Superior Court had issued a Stipulated Agreement concerning the Appeal of the Conditional Use Permit 2011-3. He Said part to the Stipulated Agreement was the termination of the Condition Use Permit (CUP). He explained the Okanogan County Board of Adjustment (BOA) should authorize the termination since the BOA approved and issued the permit. He explained all parties were aware of this meeting. He noted none of the parties were present.

Director Huston addressed the request from the Board for further explanation on some of the items in the Stipulation Agreement.

- Item 5

Director Huston explained concern had been expressed on the inadequacy of the CUP process on this size project. He noted a CUP is permitted in a zone providing conditions can mitigate issues on a site specific basis. He said because the Minimum Requirement District is so large throughout Okanogan County, addressing site specific issues is difficult. Director Huston explained the Planning Department will create a zone specific for this type of facility. The process would be for the applicant to petition for a re-zone. He said the criteria for re-zones is more critical and requires more detailed analysis such as:

- Is there a need for the activity?
- Is the area appropriate for the activity?
- Can the impacts to the area be addressed?

Director Huston explained the re-zone process has more opportunities for appeal. He noted rezones include the requirement for a Development Agreement.

Director Huston said the process would be harder for the applicant. He said the application would be put before the Okanogan County Regional Planning Commission and then forwarded to the Okanogan County Board of County Commissioners (BOCC) rather than the BOA.

Director Huston addressed the question of the lagoons going to the public sector instead of being operated by the private sector. He said there are no zones at this time and any application would have to go through CUP process. He said if the rezone process is approved, the application would go through that process.

- Items 6

He said this refers to Item 5. He said the Planning Department will create the new process but by creating the new process, this does not automatically commit the BOCC to approve the recommendation.

- Item 7
Director Huston explained this Item brings finality to the arrangement between the Morgans and Stan Carter and terminates the option agreement.

Director Huston noted the new process may cover other types of business operations such as land application, waste handling, animal rendering operations, etc. but that has not been determined at this point.

Addressing the question of current septage lagoon locations, Director Huston noted the Herriman's CUP is moving forward for the construction of a lagoon. He noted the JA Wright location in Twisp has a CUP for a lagoon and there is an existing lagoon located in Brewster. Director Huston noted rezones are a more appropriate process for septage lagoons in that the process can more easily determine how many lagoons there are and if more are actually needed.

Chair Kunkel said he would have liked to have seen the whole Appeal process so that it could have been determined that the process the BOA went through was correct. He said that determination will never be made. Board Member Hoksbergen agreed.

Chair Kunkel read Okanogan County Board of Adjustment Resolution No. 2012-4

Vice Chair Warner moved to approve **Okanogan County Board of Adjustment Resolution No. 2012-4**. Board Member DeWeert seconded the motion. Motion passed.

Chair Kunkel adjourned the meeting 7:48 PM.

Summary of Motions

The Board moved to approve by consensus the July 17, 2012 agenda.

Board Member DeWeert moved to approve the April 17, 2012, meeting minutes as presented. Board Member Holthaus seconded the motion. Motion was passed.

Board Member Holthaus moved for a unanimous ballot for the slate of officers as follows: Chair Steve Kunkel and Vice Chair Harlan Warner. Board Member DeWeert seconded the motion. Motion passed.

Vice Chair Warner moved to approve Okanogan County Board of Adjustment Resolution No. 2012-4. Board Member DeWeert seconded the motion. Motion passed.

Respectfully submitted,
Sharon S. McKenzie
Administrative Secretary