

CITY OF PROSSER, WASHINGTON
NOTICE OF COMPLETE APPLICATION
Variance Request

Notice of Application posted March 23, 2022

Please take notice that the following land use application has been filed with the City of Prosser Washington and is available for public review:

Type of Application: Variance Request - 10 foot height for accessory structure.

Date Filed: March 8, 2022

Notice of Complete Application Issued: March 14, 2022

Applicant: Travis and Erika Hartliep

Location: 1401 S Kinney Way, Prosser WA 99350

Filed Pursuant to: Prosser Municipal Codes; 18.69.040, 18.75.080 and Title 19 of the Prosser Municipal Code.

City of Prosser Contact: Steve Zetz
Prosser Community Development Director
1002 Dudley Ave, Prosser, WA 99350
509-786-2332

The public is invited to comment on the application. The public comment period shall be **15-days and will begin March 16, 2022**. All public comments received on the Notice of Application must be received by the City of Prosser **by 5:00 pm, April 1, 2022**. Comments may be mailed or personally delivered to The Prosser City Clerk, Prosser City Hall, 1002 Dudley Avenue, Prosser, Washington, 99350 or sent by facsimile to (509) 786-3717. Comments should be in writing and be as specific as possible.

All available information for the proposed project may be viewed at The Prosser City Hall City Clerks Office 601 7th Street, Prosser WA 99350, between the hours of 9:00 am and 5:00 pm, Monday through Friday, excluding legal holidays.

A handwritten signature in blue ink, appearing to read 'Steve Zetz', is written over a horizontal line.

Steve Zetz, Community Development Director
City of Prosser
Published: Prosser Record Bulletin

Publish Date: March 16, 2022

NOTICE OF PUBLIC HEARING
BOARD OF ADJUSTMENT REGULAR MEETING
THURSDAY April 7, 2021 at 6:00 PM

Notice is hereby given by the undersigned Community Development Director for the City of Prosser, Washington that the Prosser Board of Adjustment will conduct a Public Hearing at 6:00 pm, or as soon as possible, at its regular meeting on Thursday April 7, 2022 at 6:00 pm for the purpose of receiving public comments regarding a request for a variance to the height of an accessory structure. Applicant is requesting a 10 foot variance for a garage to allow for a structure height of 25 feet.

The Public Hearing will be held remotely/virtually via GoToMeeting.

To join in the remote/virtual Planning Commission meeting and participate in or listen to the Public Hearing/Meeting, please join the Public Hearing/Meeting as follows:

Please click on the following link from your computer, tablet or smartphone:

<https://global.gotomeeting.com/join/256602349>

You can also dial in using your phone.

United States: [+1 \(571\) 317-3122](tel:+15713173122)

Access Code: 256-602-349

New to GoToMeeting? Get the app now <https://global.gotomeeting.com/install/256602349>

All interested persons are encouraged to attend remotely/virtually. No qualified individuals with a disability shall be excluded or denied the benefit of participation in the Public Hearing. The City of Prosser asks all members of the public that wishes to comment on Planning Commission Agenda items, to please contact City Clerk Rachel Shaw via email at rshaw@ci.prosser.wa.us or by phone at (509) 786-8218, no later than 4:00 p.m., the day of the meeting to make arrangements. Please state your first and last name, city of residence and agenda item or topic you wish to comment/testify on. All timely received written comments will be posted to the city's website, www.cityofprosser.com, prior to the Meeting and Public Hearing.

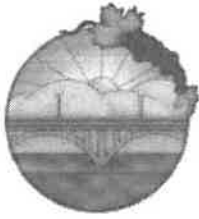
Dated: March 14, 2022



Steve Zetz

Community Development Director

Published: Prosser Record Bulletin on March 16, 2022



Project # _____ Deposit \$300

VARIANCE REQUEST
CITY OF PROSSER, WASHINGTON
Supplemental to Land Use application LUA-1

Applicant Name: Travis and Erika Hartliep Date 3/8/2022

Project Name Hartliep Shop

Project Location 1401 S. Kinney Way, Prosser, WA 99350

Description of variance: We request a 10-foot variance for height as identified under PMC 18.69.040 to allow us to build a 25-ft high shop (to serve as an indoor basketball court). As described in the attached letter, this variance request satisfies each of the three variance requirements, particularly on our 2.5+ acre parcel, and it will be designed to be consistent with house colors. Thank you.

INSTRUCTIONS

A variance may be approved when all of the following are found and explained in PMC 18.75.080 (see reverse). **Please write your responses to the following conditions on a separate piece of paper and include with the application.** Be as clear and accurate as possible to avoid misinterpretation of your request.

- A. Special privilege is not being granted, and why.
 - B. The variance is necessary because of special circumstances, and why.
 - C. The granting of the variance will not be materially detrimental to the public welfare, and why.
3. State Environmental Policy Act (SEPA) checklist is required if there is a change in density.

Prosser Municipal Code 18.75.80

Variations are heard and decided by the board of adjustment, in accordance with Title 19.
Variations will be approved only when all of the following are found:

- A. The variance will not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the property, on behalf of which the application was filed, is located; and
- B. That such variance is necessary because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located; and
- C. That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is located. (Ord. 1917 § 1 (part), 1997).

Yes and no answers will not be accepted.

All applications must be legible.

A SEPA checklist must be submitted.

No red ink.

**Electronic submissions will not be accepted.
Applications must be delivered or mailed to the City Clerk**

Prosser City Clerk
601 S 7th St.
Prosser WA
99350

Erika and Travis Hartliep
1401 S. Kinney Way
Prosser, WA 99350
509-845-3506/3509
hartliep@hotmail.com

March 8, 2022
Steve Zetz, Community Development Director
1002 Dudley Ave.
City of Prosser
Prosser, WA 99350

Personally delivered to City on March 8, 2022

Re: Hartliep Height Variance Request for Shop (indoor basketball court)

Dear Mr. Zetz and the City of Prosser Board of Adjustment,

We request a 10-foot variance for height as identified under PMC 18.69.040 to allow us to build a 25-foot-tall shop for an indoor basketball court. Attached to this letter is a rough drawing of the shop that will be built if the variance is granted, along with our property's legal description and two documents showing the general location of the shop on our 2.5+ acre property.

PMC 18.69.040 applies to "Accessory buildings—Setbacks—Dimensions" and states:

Accessory buildings must comply with applicable setback dimensions. Except in RR, C, I and PF districts, detached accessory buildings must not be over fifteen feet in height. In all R districts, no accessory building may be closer than ten feet from any building on the same lot, unless the accessory structure is constructed in accord with the Uniform Building Code. Accessory buildings may not be within five feet of a side or rear property line but it may abut a rear property line adjacent to an alley, canal right-of-way or railroad right-of-way. (Ord. 1917 § 1 (part), 1997).

Our multi-acre parcel is in an R district and thus without a height variance a detached accessory building is limited to 15 feet in height. We would be unable to utilize our proposed shop for its intended purpose—a sports court and RV parking—without a height variance. This requested 10-foot variance satisfies each of the three variance requirements:

1. Special privilege is not being granted. The City of Prosser has allowed other shops (detached accessory buildings) to be built that exceed the 15-foot height restriction for detached accessory buildings. If this was a new residential build, we could design our new residence to include an attached shop/indoor court, which would then allow us to build a 35-foot-tall shop. However, the existing layout of our home does not allow for such. Moreover, we do not wish to have such a tall shop. We merely ask for a 10-foot variance for height to allow us to build the 25-foot-tall shop, which will serve as an indoor sports court.

2. The variance is necessary because of special circumstances. The main purpose of the shop in the next 6 years is to serve as an indoor basketball and volleyball court for our family. The extra 10-vertical-feet is necessary to allow adequate height clearance for sports. During the cold and windy seasons, this shop will provide much enjoyment for our family. After our kids graduate, the shop may serve as a place to park an RV. The additional 10-feet of height will ensure there is vertical clearance for an appropriately sized RV garage door and parking.

3. The granting of the variance will not be detrimental to the public welfare. Our property is 2.5+ acres and thus the granting of a height variance will not impact others' use of their property. The shop will be situated more than 10 feet from any building on our parcel and more than 5 feet from a side or rear property line as is required by PMC 18.69.040.

The shop is designed to include windows, a soffit overhang on its west and north sides, and a covered entrance over the man door on the west. Either metal or fake rock wainscotting will be on the lower 3-4 feet of the north and west ends. The shop's exterior will be consistent with the color scheme of the house and other outbuildings (well house and pool pump house). Our aim is to make this metal-pole building shop visually appealing as we will be looking at it out our kitchen window. Moreover, the shop will be at least 50 feet away from any residence, even if the proposed Almanza Heights preliminary plat is allowed to proceed.

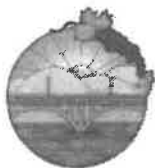
We thank the Board of Adjustment for its consideration. If there are any questions or a need for additional information, please advise.

Sincerely,



Erika and Travis Hartlieb

509-845-3506 (Erika)
509-845-3509 (Travis)
hartlieb@hotmail.com



LAND USE ZONING & PERMIT APPLICATION

CITY OF PROSSER, WASHINGTON

APPLICANT'S NAME Travis and Erika Hartliep

PROJECT NAME Hartliep Shop

PARCEL INFORMATION (Include all parcel(s) information. Attach additional sheets, if necessary.)

Project Address: 1401 S. Kinney Way, Prosser, WA 99350
(Leave blank if not assigned)

Parcel Number (Property Tax Account Number): 11184100025002

Legal Description: See Attached

PROPERTY OWNER INFORMATION

Name: Travis and Erika Hartliep

Address: 1401 S. Kinney Way City: Prosser State: WA Zip: 99350

Phone: 509-845-3506 - Erika Cell Phone: 509-845-3509 - Travis

Email: hartliep@hotmail.com (email will not be used for transmittal of official findings)

OWNERS AUTHORIZED AGENT: For building inquires: Kevin Lenkersdorfer (Steel Structures of America)

Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Cell Phone: 509-727-0368

Email: kevin@findssa.net (email will not be used for transmittal of official findings)

PROJECT INFORMATION

- | | |
|--|--|
| <input type="checkbox"/> Site Review | <input type="checkbox"/> Conditional Use (requires Conditional Use form LUA-S1) |
| <input type="checkbox"/> Annexation | <input checked="" type="checkbox"/> Variance (requires Variance request form LUA-S2) |
| <input type="checkbox"/> Change of Zone | <input type="checkbox"/> Similar Use |
| <input type="checkbox"/> Accessory Dwelling Unit | <input type="checkbox"/> Encroachment |
| <input type="checkbox"/> Overlay Zone | <input type="checkbox"/> Adult Family Home |
| <input type="checkbox"/> Right-of-Way Use Permit | <input type="checkbox"/> Continuation and/or Minor Alteration of Non-Conforming Use |
| <input type="checkbox"/> Other | <input type="checkbox"/> SEPA |

PROJECT DESCRIPTION Building a separate shop that is approximately 60 x. 36 feet x 25 ft tall. It will be a metal pole building with windows, an over hang over a man door, 3-4' wainscoting (either metal or fake rock) on the north and west sides of the building. See separate drawing for anticipated design - though finished look may depend on available supply of materials. Color scheme of shop will be similar to main house and well house.

City of Prosser
601 7th Street
Prosser WA 99350
(509) 786-2332

PLEASE ATTACH THE REQUIRED VICINITY MAP

ESTIMATED PROJECT VALUATION: \$ \$110,000

CONTRACTOR INFORMATION

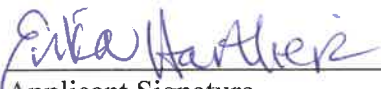
Company Name: Steel Structures of America Email: kevin@findssa.net

Contact Person: Kevin Lenkersdorfer Contact Phone: 509-727-0368

Address: PO Box 895 City: Post Falls State: ID Zip: 83877

Contractor's Registration No.: STEELSA044BD Expiration Date: _____

I, the undersigned, do hereby certify that, to the best of my knowledge, the information on this application and other submitted information is true and correct. In addition, I understand that acceptance of this application and fees does not constitute submittal of a valid application until so informed by the City. I have attached, enclosed, or submitted the applicable fees for this application.

 3/8/22
Applicant Signature Date

 3/8/22
Owner Signature Date

If the property owner is other than an individual such as a corporation, partnership or agency, please provide proof of signatory authorization.

<p>SITE REVIEW <u>Application must include the following.</u></p> <ol style="list-style-type: none"> Critical Areas Worksheet Proof of Legal Lot Proof of ownership or authority 25 year Storm Water Calculations stamped by an engineer Site Plan Drawing which shows.... <ul style="list-style-type: none"> <input type="checkbox"/> All existing and proposed lot lines. <input type="checkbox"/> The location of all existing structures to remain and the location of all proposed structures. <input type="checkbox"/> The location of all utilities proposed to be used. <input type="checkbox"/> The proposed number and location of water meters. <input type="checkbox"/> The location of all solid waste receptacle areas. <input type="checkbox"/> The method of handling storm water removal. <input type="checkbox"/> All easements and right-of-ways. <input type="checkbox"/> All off-street parking and loading areas. <input type="checkbox"/> All driveway locations. <input type="checkbox"/> All landscaping, outdoor lighting and fencing.. <input type="checkbox"/> A north arrow. <input type="checkbox"/> Scale of drawing 	<p>Deposits are required at the time an application is submitted. You will still get a monthly bill for actual costs incurred. Your deposit will not be refunded until the project has closed.</p> <table> <tr> <td>SITE REVIEW</td> <td>\$250.00 Deposit</td> </tr> <tr> <td>VARIANCE</td> <td>\$300.00 Deposit</td> </tr> <tr> <td>SEPA</td> <td>\$500.00 Deposit</td> </tr> <tr> <td>ANNEXATION</td> <td>\$500.00 Deposit</td> </tr> <tr> <td>ZONE CHANGE</td> <td>\$750.00 Deposit</td> </tr> <tr> <td>CONDITIONAL USE</td> <td>\$500.00 Deposit</td> </tr> </table>	SITE REVIEW	\$250.00 Deposit	VARIANCE	\$300.00 Deposit	SEPA	\$500.00 Deposit	ANNEXATION	\$500.00 Deposit	ZONE CHANGE	\$750.00 Deposit	CONDITIONAL USE	\$500.00 Deposit
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ZONE CHANGE	\$750.00 Deposit												
CONDITIONAL USE	\$500.00 Deposit												

CITY USE ONLY

RECIEVED BY _____ DATE _____

APPROVED BY _____ DATE _____

RETURNED BY _____ DATE _____

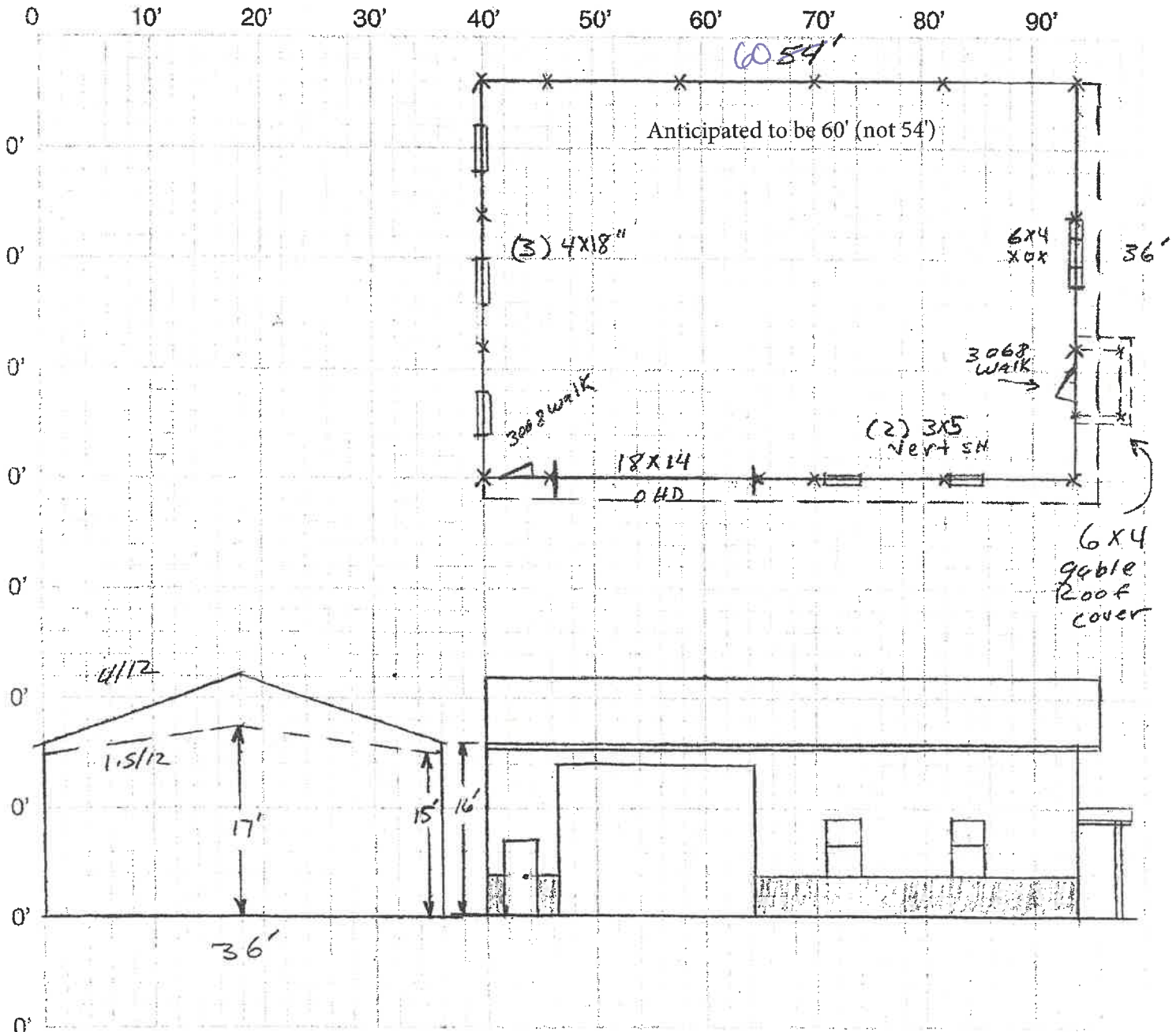
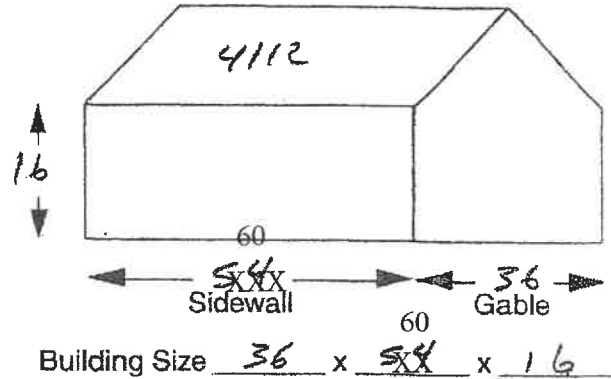
REASON FOR APPLICATION RETURN _____

STEEL STRUCTURES AMERICA, INC.

1-800-833-9997

Appt. Time _____
Date _____

Name Travis & Erika Hartlieb
Mailing Address _____
City _____ State _____ Zip _____
Job Address 1401 S. Kinney Way
City Prasser State WA
County Benton Zip _____
Telephone Home _____ Work _____

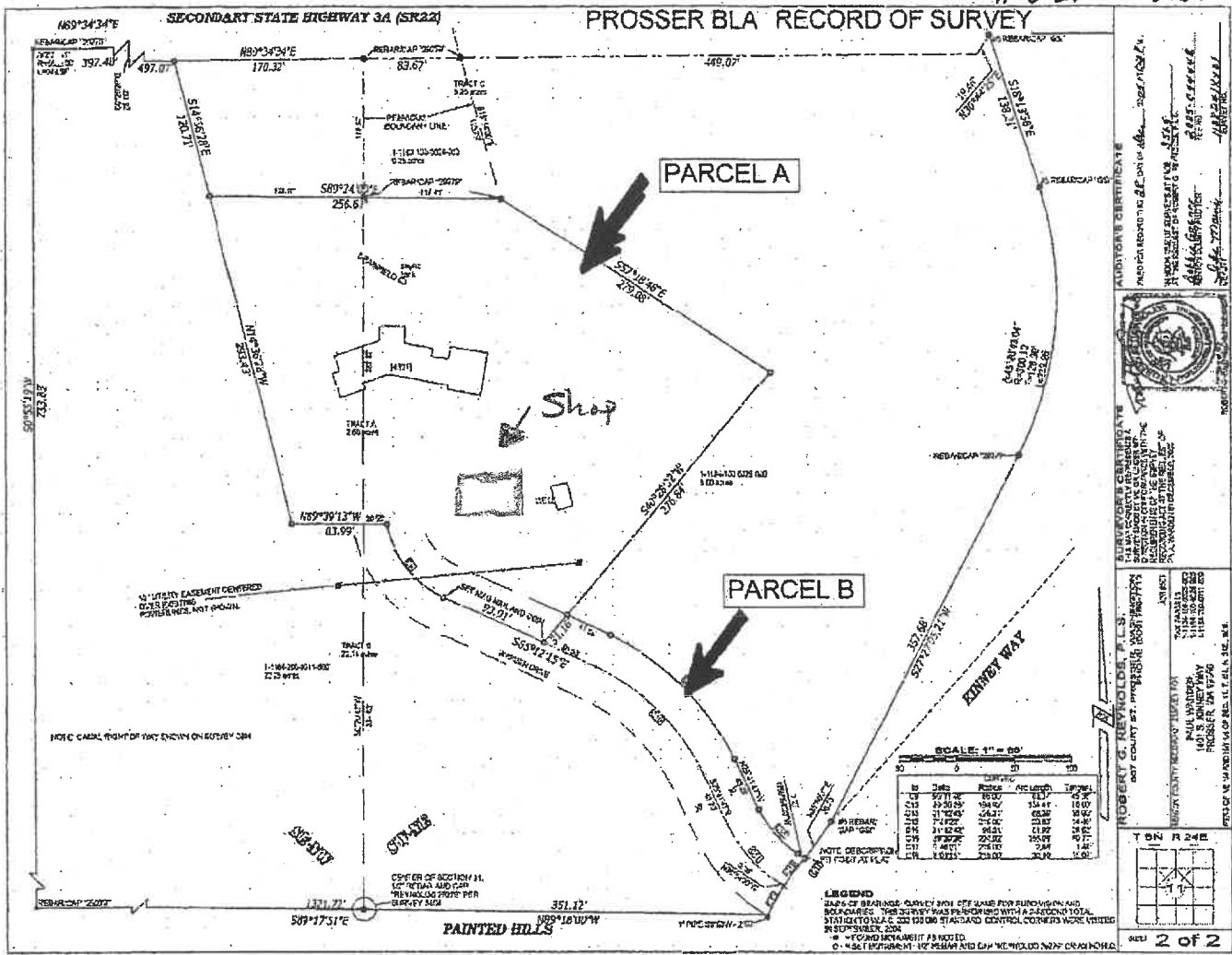


Customer Signature _____

Sales Signature _____

Scale: 3/4" = 10'

11-B-24 37205 11/11



AUDITOR'S CERTIFICATE

AS A PUBLIC OFFICER I HAVE REVIEWED THE RECORD OF SURVEY AND CERTIFY THAT THE SAME IS CORRECT AND ACCURATE AND THAT THE SAME IS IN ACCORDANCE WITH THE LAWS OF THE STATE OF MISSISSIPPI.

DATE: 11/11/14

SIGNATURE: _____



ROBERT C. REVOLDER, P.L.S.

STATE OF MISSISSIPPI

1601 S. MONROE HWY

PROSSER, MS 39746

PHONE: 601-791-1111

FAX: 601-791-1112

CELL: 601-791-1113

TOWN R 24E

2 of 2



SEE EXHIBIT "A" ATTACHED HERETO

Legal Description for Parcel 11184100025002

Exhibit "A"

PARCEL A:

All of that portion of the Southeast Quarter of the Northwest Quarter and of the Southwest Quarter of the Northeast Quarter of Section 11, Township 8 North, Range 24 East, W.M., Benton County, Washington, described as follows:

Commencing at a ½ inch rebar and cap "Reynolds 29279" marking the center of said Section 11;

Thence South 89°18'00" East 351.12 feet along the South line of the Northeast Quarter to the Westerly right of way line of Kinney Way and the point of curvature of a non-tangent curve, concave to the Southeast, having a radius of 215.00 feet a central angle of 7°41'22", and a chord of 28.83 feet bearing North 29°14'49" East;

Thence Northeast along said curve, 28.85 feet;

Thence North 56°54'30" West 5.16 feet to the point of curvature of a tangent curve, concave to the Northeast, having a radius of 125.31 feet and a central angle of 31°12'43";

Thence Northwest along said curve 68.26 feet;

Thence North 25°41'47" West 48.29 feet to the point of curvature of a tangent curve, concave to the Southwest, having a radius of 194.92 feet and a central angle of 39°30'28";

Thence Northwest along said curve, 134.41 feet;

Thence North 65°12'15" West 50.00 feet to the Point of Beginning;

Thence North 65°12'15" West 93.91 feet to the point of curvature of a tangent curve, concave to the Northeast, having a radius of 85.00 feet and a central angle of 56°11'48";

Thence Northwest along said curve, 83.37 feet;

Thence North 89°39'13" West 83.99 feet;

Thence North 14°36'28" West 293.43 feet;

Thence South 89°24'00" East 256.61 feet;

Thence South 57°18'48" East 279.08 feet;

Thence South 40°28'32" West 308.00 feet to the Point of Beginning.

(Also Known As: Tract A, Survey No. 3565, recorded December 28, 2005, under Recording No. 2005-044448)

EXHIBIT "A" continued on next page

EXHIBIT A continued

PARCEL B:

An easement for ingress and egress 20 feet in width, lying 10 feet on each side of the following described line:

Commencing at a 1/2 inch rebar and cap "Reynolds 29279" marking the center of Section 11;

Thence along the South line of the Northeast Quarter, South 89°18'00" East 351.12 feet to the Westerly right of way of Kinney Way and the point of curvature of a non-tangent curve concave to the Southeast having a radius of 215.00 feet and a central angle of 7°41'22" with a chord of 28.83 feet, bearing North 29°14'49" East;

Thence Northeasterly along said curve 28.85 feet to the point of beginning;

Thence North 56°54'30" West 5.16 feet to the point of curvature of a tangent curve concave to the Northeast having a radius of 125.31 feet and a central angle of 31°12'43";

Thence Northwest along said curve 68.26 feet;

Thence North 25°41'47" West 48.29 feet to the point of curvature of a tangent curve concave to the Southwest having a radius of 194.92 feet and a central angle of 39°30'28";

Thence Northwest along said curve 134.41 feet;

Thence North 65°12'15" West 143.91 feet to the point of curvature of a tangent curve, concave to the Northeast having a radius of 85.00 feet and a central angle of 56°11'48";

Thence Northwest along said curve 83.37 feet to the point of ending;

The beginning rights of way line of said easement being extended to the Westerly right of way line of Kinney Way.