

WHITMAN COUNTY
Department of Public Works

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Administration/Engineering
Road Maintenance
Equipment Rental & Revolving
Solid Waste Division
Planning Division
Building & Development

Whitman County Board of Adjustment

Larry Cochran, Member
Rick Finch, Member
Ryan Kile, Member
Board Recorder

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Colfax, WA 99111

**BOARD OF ADJUSTMENT PUBLIC HEARING
CU 22-06**

Thursday, January 26, 2023 at 7:00 PM
Whitman County Public Service Building
1st floor auditorium

310 N Main St., Colfax, Washington 99111

To attend virtually by Zoom: <https://us06web.zoom.us/j/86360165439>

Applicant: **StepToe Adult Family Home, LLC**

Requests: **Operation of an adult family home in a single-family residence to care for people with disabilities.**

Location: **The site address is 62 Water Street, Steptoe, WA 99111, in Section 35, Township 18N., Range 45E., W.M., Whitman County, Washington.**

MEMBERS:

Larry Cochran – Chairman
Rick Finch – Vice-Chair
Ryan Kyle – Member

STAFF:

Alan Thomson – County Planner
Grace Di Biase – Assistant County Planner
Tina Layne – Clerk

Attendees:

Kevin Paulson, Damion Ungou, Purity Kapeen

7:00 p.m.- Larry Cochran opened the Public Hearing CU 22-06 for Steptoe Adult Family Home, LLC

Larry Cochran – We're ready to start this conditional use hearing number 22-06. The board of adjustment is now only three members. I'm Larry Cochran. Rick Finch and

Ryan Kyle are online. I'll read the findings of facts as we go through if there's any additions or corrections, we'll take care of them as we go.

Applicant: Steptoe Adult Family Home, LLC

Requests: Operation of an adult family home in a single-family residence to care for people with disabilities.

Location: The site address is 62 Water Street, Steptoe, WA 99111, in Section 35, Township 18N., Range 45E., W.M., Whitman County, Washington.

FINDINGS OF FACT

1. On December 2, 2022, Damian Unogu & Purity Kapeen, applied for a conditional use permit to operate an adult family home in the Rural Community Center District (RCC-1) of Steptoe, WA. (See **Exhibit 1**, conditional use application).
2. The adult family home is to be within a single-family residence addressed as 62 Water Street, Steptoe, WA 99111. The residence is located on Lot 17 of Block 13, in Section 35, Township 18N., Range 43E., W.M., Whitman County, WA. (See **Exhibit 2**, vicinity map). To the north, east, and south, the site is surrounded with residential lots and is zoned as the Rural Community Center District (RCC-1). The area west of the site is zoned as Rural Community Residential District (RCR). (See **Exhibit 3**, aerial).
3. As per Section 19.41.060 for conditional uses of the Whitman County Zoning Code, a conditional use permit for assisted living facilities can be issued. The applicant proposes to use a single-family residence as an adult family home to care for up to a maximum of 8 clients with disabilities. There will be a total of five employees and one will live on site.
4. On December 15, 2022, Whitman County Planning issued a Determination of Nonsignificance (DNS) under the State Environmental Policy Act Rules (Chapter 197-11 WAC) for SEPA 22-09. The comment period ended on Thursday, December 29, 2022, and one comment letter from the Department of Ecology was received. (**Exhibit 4**, DNS, and **Exhibit 5**, Ecology comment letter).
5. All landowners within 300' of the site were notified of the applicant's request and public hearing before the Board of Adjustment by mail sent from Whitman County Planning on January 4, 2023. (See **Exhibit 6**, affidavit of mailing; **Exhibit 7**, notification letter).
6. On December 15, 2022, a legal advertisement for the notice of a conditional use hearing was published in the Whitman County Gazette for a hearing date of January 12, 2023. (See **Exhibit 8**, first advertisement). However, due to a technical error by staff, a second legal advertisement was issued on January 12, 2023, for a

rescheduled hearing date of January 26, 2023. (See **Exhibit 9**, second advertisement). A copy of both legal advertisements was placed on the bulletin board at the front of the Public Works Department.

7. At the time of this hearing no written comments from the public have been received by Whitman County Planning concerning the SEPA decision or notification for the proposed conditional use permit.

Larry Cochran – Is that still true?

Grace Di Biase – That is still true.

Larry Cochran – okay, does the board have any questions about the condition findings of facts?

Rick Finch – I do not

Grace Di Biase- Is there anything the applicant would like to change about the details?

Damion Unogu – There is.

Larry Cochran – Would you identify yourself.

Damion Unogu – Okay, my name is Damion Unogu and I just wanted to bring up the fact that the staffing is gonna be variable depending on the number of residents. So it's gonna be anywhere between one to five. It says five but it's not gonna be five from the very beginning because that depends on how many residents. And if the residents increase we can add to the staffing. But we are looking at anywhere between one to five. Thank you.

Grace Di Biase – Is the board okay with that adjustment?

Rick Finch – I am.

Ryan Kile – Yeah

Larry Cochran – That's fine.

Larry Cochran – If there isn't anything else is there a motion to approve the Findings of Fact?

Rick Finch – I move to approve the Findings of Fact.

Ryan Kile – Second

Larry Cochran – Kay, all those in favor say aye.

Rick Finch – Aye

Ryan Kile – Aye

Larry Cochran – Aye

Larry Cochran – Opposed?

Larry Cochran – Motion carries

Larry Cochran – okay

Larry Cochran - Reads conclusions of law

CONCLUSIONS OF LAW

1. The Board of Adjustment has been granted authority to render this decision.
2. As conditioned, the proposed use is consistent with the intent, purposes, and regulations of the Whitman County Code and Comprehensive Plan.
3. As conditioned, the proposal does conform to the standards specified in Whitman County Code.
4. As conditioned, the use will comply with all required performance standards as specified in Whitman County Code.
5. As conditioned, the proposed use will not be contrary to the intent or purposes and regulations of the Whitman County Code or the Comprehensive Plan.
6. Any Finding of Fact that is more correctly a Conclusion of Law is hereby incorporated as such by this reference.

DECISION

Based on the above Findings of Fact and Conclusions of Law, Conditional Use Permit Application CUP 22-06 for Steptoe Adult Family Home, LLC, is hereby APPROVED subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL

Planning staff concludes that this proposal is consistent with the Whitman County Comprehensive Plan and Zoning Ordinances:

1. The applicant shall obtain necessary permits from Whitman County and other permitting agencies. This conditional use permit is not to be construed as approval for these other agencies. The applicant must obtain these necessary permits or approvals. Failure to obtain these permits is basis for revoking this conditional use permit.
2. This conditional use permit will be continuous with the ownership of the property. Should ownership change, the Whitman County Planning Department must be notified. The conditions apply to the land regardless of transfer of owners.
3. All outdoor lighting has to be full-cutoff so as to not allow light to escape the business location.
4. The applicant shall provide care for up to a maximum of 8 clients with disabilities. There will be a total of five employees and one will live on site.

Larry Cochran – Let's see how we want to react. There will be a total of five employees, there will be a maximum of five employees. Depending upon the number of clients.

Larry Cochran – Rick and Ryan do you have anything else you want to add on?

Rick Finch – No

Ryan Kile – I'm good.

Rick Finch – I'm good too.

Larry Cochran – Okay, is there a motion to approve the conditional use permit?

Ryan Kile – I move to approve the conditional use permit.

Rick Finch – Second

Larry Cochran – Motion moved by Ryan Kile second by Rick Finch to approve the conditional use permit 22-06, all those in favor say aye.

Rick Finch – Aye

Ryan Kile – Aye

Larry Cochran – Aye

Larry Cochran – Opposed there is no one

Larry Cochran – Conditional use permit is approved.

Larry Cochran – Anything else Grace?

Grace Di Biase – No that's it, thank you so much.

Larry Cochran – That's it, thanks Rick, Ryan.

7:12 PM - Adjourned

These minutes have been proofed and approved by Planning Staff:

<u>Grace Di Biase</u>	<u>Assistant Planner</u>	<u>01/31/2023</u>
Name	Title	Date

File: CUP 22-06