



Agenda
Board of Adjustment Meeting
Thursday, September 19, 2019
City Hall Council Chambers | 625 Swift Boulevard

Board Members: Chair Lowery and Board Members Boring, Gray, Richards, and Van Hoff

Liaisons: Staff Liaison: Planning Manager Stevens

Regular Meeting - 6:00 p.m. (City Hall Council Chambers)

Welcome and Roll Call

Approval of Agenda: (Approved by Motion)

Approval of Minutes: (Approved by Motion)

July 18, 2019 Meeting Minutes

Public Hearing Explanation:

New Business – Public Hearing:

1. BA2019-102 - Variance Request
Tri-Cities Equestrian Center
1530 Hall Rd.
2. SUP2019-103 - Special Use Permit
Tri-Cities Equestrian Center
1530 Hall Road

Communications:

Adjournment

The next Board of Adjustment Meeting is October 17, 2019 pending agenda items.

Richland City Hall is ADA accessible. Requests for sign interpreters, audio equipment, and/or other special services must be received 48 hours prior to the meeting by calling the City Clerk's Office at 942-7388.



BOARD OF ADJUSTMENT AGENDA ITEM COVERSHEET

Meeting Date: 9/19/2019

Agenda Category: Approval of Minutes

Prepared By: Mike Stevens, Planning Manager

Subject:

July 18, 2019 Meeting Minutes

Department:

Development Services

Recommended Motion:

Approve the minutes of the Board of Adjustment meeting held on July 18, 2019.

Summary:

Attachments:

1. 071819 DRAFT BoA Mtg Mins



**MINUTES
BOARD OF ADJUSTMENT MEETING**
City Hall – 550 Swift Boulevard – Council Chamber
Thursday, JULY 18, 2019
6:00 PM

Call to Order:

Chairman Lowry called the meeting to order at 6:00 p.m.

Attendance:

Present: Chair Lowry and Board members Richards, Boring, Gray. Also attending was Planning Manager Mike Stevens.

Approval of Agenda:

Chair Lowry requested approval of the meeting agenda.

BOARD MEMBER BORING MOVED AND BOARD MEMBER RICHARDS SECONDED THE MOTION TO APPROVE THE AGENDA. MOTION PASSED UNANIMOUSLY.

Special Business:

Chair Lowry opened the discussion regarding the election of officers.

BOARD MEMBER BORING NOMINATED CHAIR LOWRY AS CHAIRMAN FOR ONE ADDITIONAL YEAR AND NOMINATED MEMBER RICHARDS AS VICE CHAIR.

BOARD MEMBER BORING MOVED AND BOARD MEMBER GRAY SECONDED THE MOTION.

Approval of Minutes:

Chair Lowry presented the meeting minutes of the May 16, 2019 meeting.

BOARD MEMBER BORING MOVED AND BOARD MEMBER RICHARDS SECONDED THE MOTION TO APPROVE THE MINUTES OF THE MAY 16, 2019 MEETING. MOTION PASSED 4-0.

Public Hearing:

Chairman Lowry asked the recorder to read the Public Hearing Explanation at 6:05 PM to open the Public Hearing.

New Business

1. APPLICANT: Gilbert & Cheryl Hoffman BA2019-101

Chairman Lowry introduced the item and asked Planning Manager Stevens if the project had been duly noticed as required. Mr. Stevens indicated the proper noticing of the project and public hearing. Chair Lowry asked Stevens to provide a summary the staff report.

Mr. Stevens reviewed the application for a variance from RMC 23.18.040 to allow for construction of a 5'x22' residential addition that would encroach upon the required setback by 5'. No public comments were received. Staff recommends approval.

Chair Lowry had a question regarding a structure on a neighboring property. Mr. Stevens answered the question in relation to property lines and setback requirements.

Chair Lowry opened the Public Hearing at 6:12 p.m.

Mr. Hoffman stated that the staff report and application were thorough in covering their requests. He summarized their needs for the variance request. He told the Board he'd be happy to answer any questions they have.

Chair Lowry closed the Public Hearing at 6:13 p.m.

Board Member Boring commended the staff report. She spoke in support of approving the variance request. **Board Member Gray** asked if there were any comments received from neighbors. Mr. Hoffman said there were not. **Board Member Richards** appreciated that HOA approval had been obtained. **Chair Lowry** commended staff and applicant preparation.

BOARD MEMBER BORING MOVED, BOARD MEMBER GRAY SECONDED THE MOTION FOR THE BOARD OF ADJUSTMENT TO CONCUR WITH THE FINDINGS AND CONCLUSIONS SET FORTH IN THE STAFF REPORT AND APPROVE THE VARIANCE FROM RMC SECTION 23.18.040 TO ALLOW FOR THE CONSTRUCTION OF A 5 FOOT BY 22 FOOT RESIDENTIAL ADDITION TO THE REAR, SOUTH SIDE OF THE EXISTING HOME AND TO WITHIN 20 FEET OF THE REAR, SOUTH PROPERTY LINE OF 303 LAKEVIEW COURT, SUBJECT TO THE ONE CONDITION. THIS RECOMMENDATION IS BASED UPON THE STAFF FINDINGS FOR THE SEVEN CRITERIA WE MUST FIND FOR IN THE AFFIRMATIVE. MOTION PASSED 4-0.

ADJOURNMENT:

MEMBER BORING MOVED TO ADJOURN, AND MEMBER RICHARDS SECONDED.
CHAIRMAN LOWRY adjourned the meeting at 6:17 p.m.

PREPARED BY: Lynne Follett, Recorder, Planning and Development



BOARD OF ADJUSTMENT AGENDA ITEM COVERSHEET

Meeting Date: 9/19/2019

Agenda Category: New Business – Public Hearing

Prepared By: Mike Stevens, Planning Manager

Subject:

BA2019-102 - Variance Request
Tri-Cities Equestrian Center
1530 Hall Rd.

Department:

Development Services

Recommended Motion:

Staff recommends that the Board of Adjustment approve the requested setback variance request.

Summary:

Morgan Neal, owner of Tri-Cities Equestrian Center has requested a variance to Section 23.42.190 to authorize the after-the-fact construction of thirteen (13) 12' x 12' tack room/hay storage sheds within 75' of the side (North) property line. RMC 23.42.190 requires that any stable or barn be setback at least 75' from any property boundary line.

Attachments:

1. BA2019-102 and SUP 2019-102 FULL STAFF REPORT



STAFF REPORT

TO: BOARD OF ADJUSTMENT
FILE NO.: SUP2019-102 & BA2019-102

PREPARED BY: MIKE STEVENS
DEVELOPMENT SERVICES

MEETING DATE: SEPTEMBER 19, 2019

GENERAL INFORMATION

APPLICANT: MORGAN NEAL, OWNER OF TRI-CITIES EQUESTRIAN CENTER, LLC

REQUEST: SPECIAL USE PERMIT AND ZONING SETBACK VARIANCE FROM RICHLAND MUNICIPAL CODE (RMC) SECTION 23.42.190 TO ALLOW FOR AFTER-THE-FACT CONSTRUCTION OF THIRTEEN (13) 12' X 12' TACK ROOM/HAY STORAGE SHEDS WITHIN 75' OF THE SIDE (NORTH) PROPERTY LINE. THE PROPERTY IS ZONED AGRICULTURAL AND RMC 23.42.190 REQUIRES THAT ANY STABLE OR BARN BE SETBACK AT LEAST 75' FROM ANY BOUNDARY PROPERTY LINE.

LOCATION: 1530 HALL ROAD (APN 104984000004000).

ZONING: AGRICULTURAL

SITE DESC: 7.9 ACRE LOT, DEVELOPED AS A PUBLIC HORSE BOARDING FACILITY

ADJACENT USES: THE SITE IS LOCATED SOUTH OF ANOTHER HORSE BOARDING FACILITY (RICHLAND RIDER'S CLUB), TO THE NORTH AND EAST OF W.E. JOHNSON PARK AND WEST OF THE KNIGHTS OF COLUMBUS HALL.

SITE DESCRIPTION

The site is located at 1530 Hall Road, south of the Richland Rider's Club Horse Facility located at the intersection of Van Giesen Street and Hall Road. The site is approximately

7.9 acres in size and is trapezoidal in shape. The site contains approximately 544 feet of frontage on Hall Road (West) and approximately 412 feet of frontage on Chester Road (South). The northern property line, which abuts the Richland Rider's Club Facility is approximately 807 feet in length, while the eastern property line, which is angled, is approximately 684 feet in length.

ANALYSIS

Richland Code Enforcement received a complaint regarding the Tri-Cities Equestrian Center on May 2, 2019. The complaint referenced the installation of additional horse pens and the amount of horse manure and debris as a result of having additional horses boarding at the facility. Code Enforcement contacted the owner and put them in touch with the Planning Department in order to determine if any zoning code violations existed.

On June 10, 2019, Planning Manager, Mike Stevens, met with the owner of the facility at the site to discuss the complaint and to determine what approvals, if any, were needed from the Planning Department. Mr. Neal provided Planning Manager Stevens with a detailed explanation of what construction/development activities had recently occurred and what the property's history was since he originally purchased the property in 2011.

It was determined that no previous zoning permit approval(s) had been obtained for the site from Mr. Neal or the previous property owner even though it was evident by reviewing Google Earth images that a portion of the site had been used for horse stabling since at least 2004.

The City informed Mr. Neal that a Special Use Permit would be necessary to continue to use the site as a public horse boarding facility. However, the City did agree to "grandfather" the 14 horse stall structures and pens (and one shed) that were in existence along the northern property line in 2004, as the 75 foot building setback and 35 foot setback for any corrals, exercise yards/rings requirements were adopted in 2005.

As a result, Mr. Neal's Special Use Permit request also includes a zoning setback variance for the after-the-fact construction of 13 tack room/hay storage sheds as he contends that the placement of the tack room/hay storage sheds adjacent to each of the grandfathered horse stall/pens is necessary for his clientele. Mr. Neal has indicated that he will be able to reconfigure the remaining horse stalls/pens and tack room/hay storage sheds in a manner consistent with both the 75 foot building setback and the 35 foot corral/exercise yard setback elsewhere on the property.

The site plan provided with the applications shows the locations of all the existing structures on the site as well as the locations of the 35' pasture setback line and the 75' building setback line. Staff has labeled the locations of the "grandfathered" horse stalls and shed structures in blue and the locations of the setback variance requested sheds and horse stall structures in purple. The 35' pasture setback line is outlined in orange and the 75' building

setback line is highlighted in yellow. All of the remaining horse stalls and/or tack room/hay storage sheds either meet the required 75' building setback or will be relocated to meet the required setback per the property owner/applicant. In addition, the horse pasture areas will also be reduced as necessary to be in compliance with the 35' pasture setback.

Pursuant to RMC 19.20.040, Joint public hearings, the City has determined that since the Board of Adjustment is the authorized review body for the Special Use Permit and Variance review proceedings that the requested permits will be reviewed concurrently during a combined/joint public hearing.

ZONING

The site is zoned Agriculture by the City's official zoning map.

COMPREHENSIVE PLAN

The site is designated as Agricultural by the City's Comprehensive Plan.

CRITICAL AREAS

The site is not located within, nor does it contain, any critical areas regulated by RMC 22.10, Critical Areas.

SHORELINE MASTER PROGRAM

The subject property is not located within the jurisdiction of the City's Shoreline Master Program.

UTILITIES

The site is not served public water or sewer by the City of Richland. The site utilizes on-site water wells for irrigation purposes and portable toilets for restroom facilities.

PUBLIC NOTICE

Application Date:	July 24, 2019
Combined Notice of Application & Hearing Mailed:	August 21, 2019
Combined Notice of Application & Hearing Posted:	August 21, 2019
Combined Notice of Application & Hearing Published:	August 25, 2019
Public Hearing:	September 19, 2019

A combined notice of application and notice of hearing was provided through posting of the property, mailing of notice to property owners within 300 feet of the site and publication in the *Tri-City Herald*.

AGENCY COMMENTS

At the time this report was prepared, the City received five (5) comments from other public agencies. Comments received are included as an attachment to this report.

PUBLIC COMMENTS

At the time this report was prepared, the City had received two (2) public comments in favor of the applicant's request. The comments are included as an attachment to this report.

RICHLAND MUNICIPAL CODE PROVISIONS

The Land Use Table contained within Section 23.14.030 indicates that Public Stables are allowed as a Special Use Permit within the Agricultural Zoning District provided they comply with the provisions of RMC 23.42.190, Public stables and riding academies.

RMC 23.42.190, Public stables and riding academies

When permitted in a use district by a special use permit, public stables and riding academies shall meet the following minimum requirements:

- A. A minimum site area of five acres shall be provided;
- B. Any stable or barn shall not be located closer than 75 feet to any boundary property line, or to any building containing a dwelling unit on the same premises;
- C. Any corrals, exercise yards or rings shall maintain a distance of not less than 35 feet from any boundary property line and a distance of not less than 45 feet from any building containing a dwelling unit on the same premises; and
- D. Any open air storage of hay, straw, shavings or similar organic materials shall be kept at a distance of not less than 35 feet from any boundary property line, and a distance of not less than 45 feet from any building containing a dwelling unit on the same premises.

With exception of the 13 tack room/hay storage sheds adjacent to the grandfathered horse stall/pens, the applicant has indicated that he is willing to meet the above listed requirements. As indicated earlier, the applicant has stated that the 13 tack room/hay storage sheds need to be close to the horse stall/pens in which they serve.

SPECIAL USE PERMIT CRITERIA

Section RMC 23.46.040.C provides criteria for the Board of Adjustment to consider in the evaluation of a special use permit application. The criteria are as follows:

1. The size and dimensions of the site provide adequate area for the proposed use;

The subject property is approximately 7.9 acres in size. RMC 23.42.190.A requires a minimum site size of at least five (5) acres for the establishment of a public stable or riding

academy. The subject property exceeds the minimum site size as is therefore adequate for the proposed use.

2. The physical conditions of the site, including size, shape, topography, and drainage, are suitable for the proposed development;

The site is approximately 7.9 acres in size and is relatively flat. Drainage does not appear to be an issue for the site under normal circumstances. The physical conditions of the site appear to be suitable for the proposed development.

3. All required public facilities necessary to serve the project have adequate capacity to serve the proposed project;

The site is served electrical power from the City of Richland Energy Services Department and relies on on-site water wells for irrigation purposes. The site is not connected to the City's domestic water service as potable water is not necessary. Also, the site utilizes on-site portable toilets rather than the City's sanitary sewer system. It appears that the lack of potable water and sewer services are appropriate given the type and amounts of use which occur at the site.

4. The applicable requirements of this zoning regulation (RMC Title [23](#)), the city comprehensive plan, the city sensitive area regulations (RMC Title [20](#)), the city shoreline management regulations (RMC Title [26](#)) and the city sign regulations (RMC Title [27](#)) have been met; and

All other applicable City of Richland development regulations have been met as they either do not pertain to this site or the proposed development does not contain provisions which require further regulation.

5. Identified impacts on adjacent properties, surrounding uses and public facilities have been adequately mitigated.

There do not appear to be any negative impacts to surrounding property owners or nearby public facilities as the use has been occurring since at least 2012 with no documented complaints occurring until May 2, 2019.

VARIANCE CRITERIA

The following are Staff's findings relative to the requirement for the granting of a variance as set forth in Richland Municipal Code (RMC) Sections 23.70.110, Applications and 23.70.140, Findings.

1. Special conditions and circumstances exist which are peculiar to the subject property and not applicable to other properties in the same zoning district.

The site was partially developed for horse stabling purposes in 2004, prior to the current setback standards being adopted. As a result, the City has determined that those improvements existing in 2004 are “grandfathered” and only the newer improvements are subject to the existing setback regulations. The applicant has indicated that it is necessary for the “grandfathered” horse stalls/pens to also contain tack rooms/hay storage sheds and that the best and only available locations are adjacent to the “grandfathered” stalls/pens. There do not appear to be any other special conditions or circumstances which are peculiar to the site, especially in regards to the size, shape or topography of the site.

2. Literal interpretation of the ordinance would deny the applicant rights commonly enjoyed by other properties in the district.

According to the applicant, literal interpretation of the setback regulations will result in undue hardship for the boarding facility’s clientele as they would need to haul their tack and hay a greater distance, thus creating mess and unnecessary hardships on the clientele who utilize the “grandfathered” stalls/pens. However, it is staff’s opinion that adequate room does exist on the site to accommodate the 13 tack room/hay storage sheds should the Board of Adjustment determine that each of the “grandfathered” horse stall/pens do not need a tack room/hay storage shed immediately adjacent.

3. The special conditions and circumstances do not result from actions of the applicant.

The special conditions and circumstances which exist pertain primarily to the establishment of the “grandfathered” horse stalls/pens prior to the adoption of the current setback standards and the current owner being unfamiliar with the zoning code’s requirement for a Special Use Permit.

4. The requested variance will not confer a special privilege to the applicant that is denied others in the same use district.

There would be no granting of a special privilege if the requested variance is approved. Each variance application must be reviewed on its own merits and requirements based upon these criteria.

5. Justification for granting the variance.

The variance would allow the applicant to keep thirteen (13) 12’ x 12’ tack room/hay storage sheds adjacent to the stalls/pens in which they are intended to serve. Requiring the applicant to relocate the 13 sheds would require the owner to relocate existing water and electrical services. Although the shed location approvals are being requested after-the-fact,

given the layout of the property and the location of the other horse stalls/pens and sheds, the ideal location for the proposed sheds is where they have been constructed.

6. The variance is the minimum necessary to make reasonable use of the property.

The requested variance appears to be the minimum necessary as the applicant has indicated that he is willing to reconfigure/relocate all other horse stall/pens and sheds in locations which meet both the 75' and 35' setback requirements. The only reason the applicant is requesting the proposed variance for the 13 sheds is due to the "grandfathered" nature of several of the existing stalls/pens.

7. The variance would be consistent with the general purpose and intent of the Code and would not be injurious to the surrounding neighborhood or detrimental to the public welfare.

The requested variance appears to be consistent with the general purpose and intent of the Code and would not be injurious or detrimental to the surrounding neighborhood or public welfare.

SUGGESTED CONCLUSIONS OF LAW

1. The Board of Adjustment has jurisdiction to hold a public hearing and issue a decision for the proposed Special Use Permit and Zoning Variance.
2. The proposed Special Use and Variance are consistent with the goals and policies of the City's Comprehensive Plan.

SUGGESTED FINDINGS OF FACT

1. Morgan Neal, owner of Tri-Cities Equestrian Center, LLC has applied for a Special Use Permit and a Zoning Variance in order to authorize the after-the-fact establishment of a public stable facility and to allow for after-the-fact construction of thirteen (13) 12' x 12' tack room/hay storage sheds within 75' of the side (North) property line at 1530 Hall Road, Richland, WA.
2. The subject property is located at 1530 Hall Road, Richland, WA and is described as Assessor's Parcel Number 104984000004000.
3. The subject property is approximately 7.9 acres in size and is trapezoidal in shape.
4. Richland Code Enforcement received a complaint regarding the Tri-Cities Equestrian Center on May 2, 2019. The complaint referenced the installation of additional horse pens and additional horse manure.

5. On June 10, 2019, Planning Manager, Mike Stevens, met with the owner of the facility at the site to discuss the complaint and to determine what approvals, if any, were needed from the Planning Department.
6. The City informed Mr. Neal that a Special Use Permit would be necessary to continue to use the site as a public horse boarding facility.
7. The City decided to “grandfather” the 14 horse stall structures and pens (and one shed) that were in existence along the northern property line in 2004, as the 75 foot building setback and 35 foot setback for any corrals, exercise yards/rings requirements were adopted in 2005.
8. Pursuant to RMC 19.20.040, Joint public hearings, the City has determined that the Board of Adjustment is the authorized review body for the Special Use Permit and Variance review proceedings.
9. The site is zoned Agriculture by the City’s official zoning map and is designated as Agricultural by the City’s Comprehensive Plan.
10. The site is not located within the jurisdiction of the City’s Shoreline Master Program and does not contain any critical areas regulated by RMC 22.10.
11. All public notification requirements were met.
12. Five (5) comments from public agencies were received.
13. Two (2) public comments from citizens were received.
14. The Land Use Table contained within Section 23.14.030 indicates that Public Stables are allowed as a Special Use Permit within the Agricultural Zoning District provided they comply with the provisions of RMC 23.42.190, Public stables and riding academies.
15. Section RMC 23.46.040.C provides criteria for the Board of Adjustment to consider in the evaluation of a special use permit application.
16. The requirement for the granting of a variance are set forth in Richland Municipal Code (RMC) Sections 23.70.110, Applications and 23.70.140, Findings.
17. Establishment of the public stable facility, as conditioned, meets the requirements for a Special Use Permit.

RECOMMENDED MOTION:

I move that the Board of Adjustment concur with the Findings and Conclusions set forth in the staff report and **APPROVE** the requested Special Use Permit and requested Variance from Richland Municipal Code Section 23.42.190 to allow the after-the-fact establishment of a 46 horse stall public stable facility and the after-the-fact construction of thirteen (13) 12' x 12' tack room/hay storage sheds within 75' of the northern property line. This motion to recommend approval is subject to the following conditions of approval:

RECOMMENDED CONDITIONS OF APPROVAL:

1. This Special Use Permit and Variance approves a total of 46 horse stall/pen areas. The public stable facility shall not be further expanded or substantially altered without written approval from the City of Richland Development Services Department (Planning Division).
2. The 13 sheds requested by the variance application shall be located as shown on the approved site plan/property survey.
3. The pasture areas located along the western, southern and eastern property lines shall be reconfigured to meet the 35 foot setback requirement by November 1, 2019.
4. All other existing horse stalls and tack room/hay storage sheds, with exception of the 14 "grandfathered" horse stalls (and one storage shed) and 13 tack room/hay storage sheds, shall be relocated to meet the 75 foot setback requirement by November 1, 2019.
5. For emergency vehicle access and maneuvering, an unobstructed driving aisle no less than 26 feet in width shall be provided from the entrance (NW property corner) across the center of the site and to the southern property line.
6. Manure bins shall be provided at a ratio of 1 bin (4 cyds.) for every 12 horses.
7. The owner/applicant shall provide an as-built site plan to the Development Services Department (Planning Division) by December 1, 2019. The as-built site plan shall be survey accurate and demonstrate the compliance of all conditions of approval.

EXHIBIT LIST:

- Exhibit 1 – Special Use application
- Exhibit 2 -- Variance application and related materials
- Exhibit 3 – Site plan
- Exhibit 4 – 2004 Google Image
- Exhibit 5 – Public notice
- Exhibit 6 – Comments received

EXHIBIT 1



City of Richland
Development Services

625 Swift Blvd. MS-35
Richland, WA 99352
☎ (509) 942-7794
☎ (509) 942-7764

Special Use Permit Application

Note: A Pre-Application meeting is required prior to submittal of an application.

PROPERTY OWNER INFORMATION

☒ Contact Person

Owner: TRI CITIES EQUESTRIAN CTC (MORGAN NEAL)
Address: 1530 HALL RD, RICHLAND, WA 99354
Phone: 509 551 6544 Email: morgan@crmachinery.com

APPLICANT/CONTRACTOR INFORMATION (if different)

☐ Contact Person

Company: TLEC UBI# 603 107 334
Contact: MORGAN NEAL
Address: 3802 SOUTH HIGHLANDS BLVD, WEST RICHLAND, WA 99353
Phone: SAME Email: SAME

PROPERTY INFORMATION

Legal Description: SECTION 4, TOWNSHIP 9 N, RANGE 28 E, Parcel # 10498400 0004000
Current Zoning: AG Current Land Use Designation:

DESCRIPTION OF PROJECT

7.87 ACRES ; 46 PADDOCKS ; PARTIAL IRRIGATION BY WELL ;
ALL BUILDINGS ARE 12X12' PORTABLE SHEDS

APPLICATION MUST INCLUDE

- ✓ 1. Completed Application and Filing Fee
- ✓ 2. SEPA Checklist
- ✓ 3. Title Report showing ownership, easements, restrictions and accurate legal description of the property involved
- 4. Site Plan which shall be drawn at a scale of not less than 30- feet to the inch, nor more than 100 – feet to the inch, which shall be clear and precise and shall contain the following information:
 - Boundaries and dimensions of property
 - Location and width of boundary streets
 - Size and location of existing or proposed buildings, structures, or activities on the site
 - Roadways, walkways, off-street parking, loading facilities, and emergency vehicle access
 - Fencing, screening, or buffering with reference to location, type, dimension, and character
 - Open spaces or Natural Areas
 - Easements, right-of-ways, etc.
 - Architect's sketches showing elevations of proposed buildings or structures, complete plans, and any other information needed by the Hearing Examiner as determined by the Administrator

COMPLETE QUESTIONS WITH AS MUCH DETAIL AS POSSIBLE (Use separate paper if needed)

Describe how the size and dimensions of the site provide adequate area for the proposed use:

PROPERTY HAS A GOOD BALANCE OF SPACE FOR HORSES, PARKING, GRAZING

Describe how the proposed Special Use is compatible with the physical characteristics of the subject property (including size, shape, topography and drainage):

TOPO AND DRAINAGE HAS NOT BEEN ALTERED.
ONLY ADDITION IS MORE HORSES AND PORTABLE SHEDS AND FENCES.

Describe the infrastructure which will serve the proposed Special Use, including but not limited to roads, fire protection, water, wastewater disposal and storm water control:

WE PICKUP HORSE MANURE TWICE DAILY, PLACE IN DUMPSTERS.
DUMPSTERS ARE DUMPED TWICE WEEKLY. NO WATER CHANGES.

Describe how all applicable requirements of this zoning regulation (RMC Title 23), the City Comprehensive Plan, the City Critical Area Regulations (RMC Title 20), the City Shoreline Management regulations (RMC Title 26) and the City sign regulations (RMC Title 27) have been met:

ZONING IS IN COMPLIANCE WITH CAMP PLAN
SHORELINE, CRITICAL AREAS AND SIGN DO NOT APPLY

Identify the impacts which may occur to adjacent properties, surrounding areas and public facilities and how those impacts are proposed to be mitigated:

MORE TRAFFIC ON HALL RD. SHOULD NOT BE SIGNIFICANT.

I authorize employees and officials of the City of Richland the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.

I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation pertaining to development activities associated with a permit.

I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of the Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

Note: This application will not be processed unless the above certification is endorsed by an authorized agent of the owner(s) of the property in question and/or the owner(s) themselves. If the City of Richland has reason to believe that erroneous information has been supplied by an authorized agent of the owner(s) of the property in question and/or by the owner(s) themselves, processing of the application may be suspended.

Applicant Printed Name: MORGAN NEAL

Applicant Signature: [Signature] Date 6-10-19



City of Richland
Development Services

625 Swift Blvd. MS-35
Richland, WA 99352
☎ (509) 942-7794
☎ (509) 942-7764

Pre-Application Conference Waiver

PROPERTY OWNER INFORMATION		☒ Contact Person
Owner: <u>TRI CITIES EQUESTRIAN CENTER (MORGAN NEAL)</u>		
Address: <u>1530 HALL RD, RICHLAND, WA 99354</u>		
Phone: <u>509 551 6544</u>	Email: <u>morgan@crmachinery.com</u>	

APPLICANT/CONTRACTOR INFORMATION (if different)		☐ Contact Person
Company: <u>TLEC</u>	UBI# <u>603 107 334</u>	
Contact: <u>MORGAN NEAL</u>		
Address: <u>3802 SOUTH HIGHLANDS BLVD, WEST RICHLAND WA 99353</u>		
Phone: <u>SAME</u>	Email: <u>SAME</u>	

PROPERTY INFORMATION
Parcel #: <u>104984000004000</u>
Legal Description:

TYPE II APPLICATIONS	
☐	Flood Plain Variance
☐	Critical Areas & Resource Lands Variance/Viable Use
☐	Binding Site Plan
☐	Administrative Variance
☐	
☐	
☐	
☒	Other: <u>SPECIAL USE PERMIT</u>

TYPE III APPLICATION	
☐	Non-residential Shoreline Substantial Development
☐	Residential Shoreline Substantial Development
☐	Shoreline Variance/Conditional Use
☐	Conditional Use
☐	Subdivision
☐	Rezone (site specific)
☐	Vacation/Alteration of a Subdivision
☒	Variance

I understand the waiver of a pre-application conference increases the maximum time for review for technically complete status and increases the risk the application will be rejected or processing will be delayed.	
Applicant Printed Name: <u>MORGAN NEAL</u>	
Applicant Signature: <u>[Signature]</u>	Date: <u>6-10-19</u>

I, Morgan Neal, owner of Tri Cities Equestrian Center, located at 1530 Hall Road, Richland, WA hereby request a Special Use Permit for after-the-fact approval of a Public Stable facility. I also request zoning setback variances to RMC 23.42.190.B for 13 horse stalls and/or shed structures.

HISTORY:

I purchased the subject property in 2011 and as the property was already being used for horses and the Richland Rider's Club is located immediately adjacent (north), I did not think about inquiring about necessary permits. Since 2011 I have improved the site by establishing a total of 46 horse pastures with associated horse stalls and hay barns (under 200 s.f. sheds).

When I purchased the property there were approximately 21 different pasture areas and 14 horse stalls in existence. There were also 3 carport style hay storage structures. The 14 horse stalls with associated pasture areas and 3 carport style hay storage structures existed in 2004, prior to the adoption of new zoning regulations requiring Special Use Permits for Public Stable facilities. As a result, the City Planning Department has informed me that these are "grandfathered" and will not be required to be removed/relocated. However, all of the other "new" horse stalls and associated pasture areas and hay storage sheds need to meet the required setbacks.

VARIANCE REQUEST:

Due to the fact that each pasture area needs to have its own hay barn/shed, I am respectfully requesting that the City Board of Adjustment grant me a variance for 2 horse stalls and for 11 hay barns/sheds. The 2 additional horse stalls are located along the northern property line within areas that were established as separate pasture areas in 2004 and have contained horse stalls since prior to 2011. The 11 hay barn/sheds are "new"; however, it would be a hardship for each of the boarders to not have a hay barn/shed located immediately adjacent to their grandfathered pasture area. I plan on relocating fences and other horse stalls/hay barns as necessary to meet the required 35' pasture setback and 75' building setback elsewhere on the site. The requested variance(s) will provide needed hay and/or tack storage immediately adjacent to each of the "grandfathered" pasture areas.



8/19/19



CHICAGO TITLE INSURANCE

8102 W. Grandridge Blvd., Ste. B, Kennewick, WA 99336
(509)735-1575 FAX (509)735-0707

April 13, 2011

Morgan G. Neal
Stacey L. Neal
3802 S Highlands Blvd
W Richland, WA 99353

RE: ESCROW NO. 336603
Taber G. Hersum and Lynne L. Hersum to Morgan G. Neal, Stacey L. Neal
1530 Hall Rd, Richland, WA 99354

Dear Mr. and Mrs. Neal

We are pleased to have this transaction placed in Escrow with us for closing. In connection therewith, we enclose the following:

Fidelity National Financial Group of Companies Privacy Statement
Commitment for Title Insurance

We will be contacting you prior to closing to set up an appointment for you to sign the closing documents and deposit your funds. Closing will be in accordance with the terms and conditions of your Purchase and Sale Agreement and any addendum thereto. Please note that your closing funds will need to be in the form of a CASHIER'S CHECK payable to CHICAGO TITLE INSURANCE. Please be sure to bring a valid photo I.D. to closing.

If you are obtaining a new loan, you may want to contact your lender. Chicago Title will prepare the closing documents between the parties, at no additional charge. If you wish to have them prepared by your attorney, please notify your escrow officer as soon as possible.

Officer hours are 8:00 a.m. to 5:00 p.m. weekdays. Please contact our office if you have questions. If you will reference the escrow number it will be helpful. We appreciate the opportunity to serve you.

PLEASE PROVIDE TO OUR OFFICE AS SOON AS POSSIBLE YOUR MAILING ADDRESS AFTER THE CLOSE OF ESCROW.

Should you have any questions, please feel free to call me.

Sincerely,

CHICAGO TITLE INSURANCE

Bonnie Thompson,
Cheryl Barron, Commercial Escrow Closer

Enclosures

COMMITMENT FOR TITLE INSURANCE

CHICAGO TITLE INSURANCE COMPANY

CHICAGO TITLE INSURANCE COMPANY, a Missouri corporation, herein called the Company, for a valuable consideration, hereby commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A, upon payment of the premiums and charges therefore; all subject to the provisions of Schedules A and B and to the Exclusions from Coverage (appearing herein) and to the Conditions and Stipulations hereof.

This Commitment shall be effective only when the identity of the proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A hereof by the Company, either at the time of the issuance of this Commitment or by subsequent endorsement.

This Commitment is preliminary to the issuance of such policy or policies of title insurance and all liability and obligations hereunder shall cease and terminate six months after the effective date hereof or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue such policy or policies is not the fault of the Company.

In Witness Whereof, CHICAGO TITLE INSURANCE COMPANY has caused this commitment to be signed and sealed as of the date of policy shown in Schedule A, the policy to become valid when countersigned by an authorized signatory.

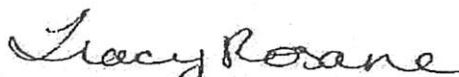
Issued by:
CHICAGO TITLE INSURANCE COMPANY
6416 W. Okanogan Ave.
Kennewick, WA 99336
(509)783-7833

CHICAGO TITLE INSURANCE COMPANY

By:



President


Authorized Signature



By:



Secretary



CHICAGO TITLE INSURANCE COMPANY

6416 W. Okanogan Ave., Kennewick, WA 99336
(509)783-7833 FAX (509)735-6297

COMMITMENT FOR TITLE INSURANCE NO. 336603-TR

INQUIRIES SHOULD BE MADE TO:

Title Officer: Tracy Rosane Email: tracy.rosane@ctt.com
Phone: 509.783-7833 Ext. 206 Fax: 509.735.6297

Customer Reference:
Taber G. Hersum/Neal

Escrow Officer: Bonnie Thompson Email: bonnie.thompson@ctt.com
Phone: Fax:
Escrow Assistant: Cheryl Barron Email: cheryl.barron@ctt.com

Effective Date: March 30, 2011 at 08:00 AM

SCHEDULE A

1. Policy or policies to be issued:

ALTA Owner's Policy 6-17-06 Standard

Coverage: STANDARD

Liability: \$ 165,000.00

Premium: \$ 603.00 PRIOR TITLE RATE

Tax: \$ 50.05

Proposed Insured:

Morgan G. Neal and Stacey L. Neal, husband and wife

ALTA Loan Policy 6-17-06 Extended

Coverage:

Liability:

Premium:

Tax:

Proposed Insured:

to be determined

2. The estate or interest in the land described or referred to in this commitment and covered herein is:

Fee Simple

3. Title to the property described herein is vested, on the date shown above, in:

Taber G. Hersum and Lynne L. Hersum, Trustees of the Hersum Living Trust dated September 1, 1999

4. The land referred to in this Commitment is described as follows:

SEE SCHEDULE A CONTINUED

Commitment No. 336603-TR

LEGAL DESCRIPTION

SCHEDULE A CONTINUED

The land referred to in this commitment is described as follows:

That portion of the Northeast quarter of the Southeast quarter Section 4, Township 9 North, Range 28 East, W.M., Benton County, Washington, described as follows:

Beginning at a point in the North boundary of said Northeast quarter of the Southeast quarter, which is distant 143.28 feet from the East quarter corner of said Section, thence South 24 04'55" West 838.61 feet to the True Point of Beginning; thence continuing South 24 04'55" West 246.00 feet; thence South 41 30'02" West 478.66 feet to a point on the South line of said subdivision; thence South 88 53'51" West along said South line 413.95 feet to the Southwest corner of said subdivision; thence North 0 27'52" West along the West line of said subdivision 573.64 feet; thence North 88 48'21" East 836.24 feet to the True Point of Beginning; EXCEPT the South 30 feet and the West 30 feet for road.

SCHEDULE B

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

GENERAL EXCEPTIONS:

- A. Rights or claims disclosed only by possession, or claimed possession, of the premises.
- B. Encroachments and questions of location, boundary and area disclosed only by inspection of the premises or by survey.
- C. Easements, prescriptive rights, rights-of-way, streets, roads, alleys or highways not disclosed by the public records.
- D. Any lien, or right to a lien, for contributions to employee benefit funds, or for state workers' compensation, or for services, labor, or material heretofore or hereafter furnished, all as imposed by law, and not shown by the public records.
- E. Taxes or special assessments which are not yet payable or which are not shown as existing liens by the public records.
- F. Any service, installation, connection, maintenance, tap, capacity or construction charges for sewer, water, electricity, natural gas or other utilities, or garbage collection and disposal.
- G. Reservations and exceptions in United States Patents or in Acts authorizing the issuance thereof.
- H. Indian tribal codes or regulations, Indian treaty or aboriginal rights, including easements or equitable servitudes.
- I. Water rights, claims or title to water.
- J. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this commitment.

SPECIAL EXCEPTIONS:

- 1. Easement including the terms, covenants and provisions thereof, as granted by instrument:
Recorded: Not Disclosed
Recording No.: 379071
For: General road purposes and public utilities
Affects: Said premises and other property
- 2. Easement including the terms, covenants and provisions thereof, as conveyed by instrument:
Recorded: August 3, 1960
Recording No.: 441061
In Favor Of: City of Richland
For: Discharge drainage water
Affects: Said premises and other property
- 3. Covenants, conditions and restrictions in declaration of restrictions, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.
Recorded: March 11, 1975
Recording No.: 677368

SCHEDULE B

(Continued)

4. Terms, powers, conditions, and limitations of the trust under which title is held. A copy of the trust agreement and any amendments thereto must be submitted to the company for review.
5. General and special taxes and charges, payable February 15, delinquent if first half unpaid on May 1, second half delinquent if unpaid on November 1 of the tax year (amounts do not include interest and penalties):

Year: 2011

Tax Account Number: 1-0498-400-0004-000

Levy Code: R1

Assessed Value-Land: \$65,400.00

Assessed Value-Improvements: \$0.00

General and Special Taxes:

Billed: \$758.08

Paid: \$0.00

Unpaid: \$758.08

6. Liability, if any, for personal property taxes pursuant to rcw 84.56.070 wherein no sale can be made without prepayment of said tax, including advance tax. For further information please call the Benton county treasurer's office at (509) 735-8505.
7. Unrecorded leaseholds, if any, rights of vendors and holders of security interests on personal property installed upon said property and rights of tenants to remove trade fixtures at the expiration of the term.
8. Payment of the real estate excise tax, if required.

The Land is situated within the boundaries of local taxing authority of City of Richland.

Present rate of real estate excise tax as of the date herein is 1.78 percent.

Any conveyance document must be accompanied by the official Washington State Excise Tax Affidavit. The applicable excise tax must be paid and the affidavit approved at the time of the recording of the conveyance documents.

END OF SPECIAL EXCEPTIONS

NOTES:

1. The language contained in the printed Exclusions from coverage and Conditions and Stipulations of the Policy committed for may be examined by inquiry at the office which issued the Commitment, and a specimen copy of the insurance Policy Form(s) referred to in this Commitment will be furnished promptly upon request.
2. Investigation should be made to determine if there are any service, installation, maintenance, or connection charges for sewer, water, or electricity.

SCHEDULE B

(Continued)

3. In the event the transaction fails to close and this commitment is cancelled, a fee will be charged to comply with the State Insurance Code and the filed schedule of this Company.

4. Note: FOR INFORMATIONAL PURPOSES ONLY:

The following may be used as an abbreviated legal description on the documents to be recorded, per Amended RCW 65.04.045. Said abbreviated legal description is not a substitute for a complete legal description within the body of the document:

SE/4/9/28

5. Note: The Public Records indicate that the address of the improvement located on said Land is as follows:

1530 Hall Rd.
Richland, WA 99354

6. Note: Examination of the Public Records discloses no judgments or other matters pending against the name(s) of the proposed insured.
7. Note: There are NO conveyances affecting said Land recorded within 24 months of the date of this report.

END OF SCHEDULE B

COMMITMENT FOR TITLE INSURANCE

CHICAGO TITLE INSURANCE COMPANY, a Missouri corporation, by CHICAGO TITLE INSURANCE COMPANY, a Missouri corporation, its authorized agent, herein called the Company, for a valuable consideration, hereby commits to issue the policy or policies of title insurance, as identified in Schedule A, in favor of the proposed insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A, upon payment of the premiums and charges therefor; all subject to the provisions of Schedules A and B and to the Conditions and Stipulations hereof.

This Commitment shall be effective only when the identity of the proposed insured and the amount of the policy or policies committed have been inserted in Schedule A hereof by the Company, either at the time of the issuance of this Commitment or by subsequent endorsement.

This Commitment is preliminary to the issuance of such policy or policies of title insurance and all liability and obligations hereunder shall cease and terminate one hundred eighty (180) days after the effective date hereof or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue such policy or policies is not the fault of the Company.

CHICAGO TITLE INSURANCE COMPANY

By: *Lacy Rosane*
Authorized Signatory

CONDITIONS AND STIPULATIONS

1. The term "mortgage," when used herein, shall include deed of trust, trust deed or other security instrument.
2. If the proposed Insured has or acquires actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions and Stipulations.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions, the Conditions and Stipulations, and Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured where are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.

EXCLUSIONS

NOTE: THE FORM OF POLICY COMMITTED FOR MAY BE EXAMINED BY REFERENCE TO FORMS ON FILE IN THE OFFICE OF THE INSURANCE COMMISSIONER OR BY INQUIRY AT THE OFFICE WHICH ISSUED THIS COMMITMENT.

The Exclusions from Coverage referred to in Paragraph 3 of the Conditions and Stipulations are as follows:

ALTA OWNER'S POLICY FORM 10-17-82

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
 - (a) created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.

EXCLUSIONS (Cont'd.)

4. Any claim, which arises out of the transaction vesting in the Insured the estate or interest insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
 - (i) the transaction creating the estate or interest insured by this policy being deemed a fraudulent conveyance or fraudulent transfer; or
 - (ii) the transaction creating the estate or interest insured by this policy being deemed a preferential transfer except where the preferential transfer results from the failure:
 - (a) to timely record the instrument of transfer; or
 - (b) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.

ALTA LOAN POLICY FORM (10-17-92)

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
 - (a) created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy (except to the extent that this policy insures the priority of the lien of the insured mortgage over any statutory lien for services, labor or material); or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any statutory lien for services, labor or materials (or the claim or priority of any statutory lien for services, labor or materials over the lien of the insured mortgage) arising from an improvement or work related to the land which is contracted for and commenced subsequent to Date of Policy and is not financed in whole or in part by proceeds of the indebtedness secured by the insured mortgage which at Date of Policy the insured has advanced or is obligated to advance.
7. Any claim, which arises out of the transaction creating the interest of the mortgagee insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
 - (i) the transaction creating the interest of the insured mortgagee being deemed a fraudulent conveyance or fraudulent transfer; or
 - (ii) the subordination of the interest of the insured mortgagee as a result of the application of the doctrine of equitable subordination; or
 - (iii) the transaction creating the interest of the insured mortgagee being deemed a preferential transfer except where the preferential transfer results from the failure:
 - (a) to timely record the instrument of transfer; or
 - (b) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.

Fidelity National Financial, Inc.

Privacy Statement

Fidelity National Financial, Inc. and its subsidiaries ("FNF") respect the privacy and security of your non-public personal information ("Personal Information") and protecting your Personal Information is one of our top priorities. This Privacy Statement explains FNF's privacy practices, including how we use the Personal Information we receive from you and from other specified sources, and to whom it may be disclosed. FNF follows the privacy practices described in this Privacy Statement and, depending on the business performed, FNF companies may share information as described herein.

Personal Information Collected

We may collect Personal Information about you from the following sources:

- Information we receive from you on applications or other forms, such as your name, address, social security number, tax identification number, asset information, and income information;
- Information we receive from you through our Internet websites, such as your name, address, email address, Internet Protocol address, the website links you used to get to our websites, and your activity while using or reviewing our websites;
- Information about your transactions with or services performed by us, our affiliates, or others, such as information concerning your policy, premiums, payment history, information about your home or other real property, information from lenders and other third parties involved in such transaction, account balances, and credit card information; and
- Information we receive from consumer or other reporting agencies and publicly recorded documents.

Disclosure of Personal Information

We may provide your Personal Information (excluding information we receive from consumer or other credit reporting agencies) to various individuals and companies, as permitted by law, without obtaining your prior authorization. Such laws do not allow consumers to restrict these disclosures. Disclosures may include, without limitation, the following:

- To insurance agents, brokers, representatives, support organizations, or others to provide you with services you have requested, and to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure in connection with an insurance transaction;
- To third-party contractors or service providers for the purpose of determining your eligibility for an insurance benefit or payment and/or providing you with services you have requested;
- To an insurance regulatory authority, or a law enforcement or other governmental authority, in a civil action, in connection with a subpoena or a governmental investigation;
- To companies that perform marketing services on our behalf or to other financial institutions with which we have joint marketing agreements and/or
- To lenders, lien holders, judgment creditors, or other parties claiming an encumbrance or an interest in title whose claim or interest must be determined, settled, paid or released prior to a title or escrow closing.

We may also disclose your Personal Information to others when we believe, in good faith, that such disclosure is reasonably necessary to comply with the law or to protect the safety of our customers, employees, or property and/or to comply with the judicial proceeding, court order or legal process.

Disclosure to Affiliated Companies

We are permitted by law to share your name, address and facts about your transaction with other FNF companies, such as insurance companies, agents, and other real estate service providers to provide you with services you have requested, for marketing or product development research, or to market products or services to you. We do not, however, disclose information we collect from consumer or credit reporting agencies with our affiliates or others without your consent, in conformity with applicable law, unless such disclosure is otherwise permitted by law.

Disclosure to Nonaffiliated Third Parties

We do not disclose Personal Information about our customers or former customers to nonaffiliated third parties, except as outlined herein or as otherwise permitted by law.

Confidentiality and Security of Personal Information

We restrict access to Personal Information about you to those employees who need to know that information to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard Personal Information.

Access to Personal Information/

Requests for Correction, Amendment, or Deletion of Personal Information

As required by applicable law, we will afford you the right to access your Personal Information, under certain circumstances to find out to whom your Personal Information has been disclosed, and request correction or deletion of your Personal Information.

However, FNF's current policy is to maintain customers' Personal Information for no less than your state's required record retention requirements for the purpose of handling future coverage claims.

For your protection, all requests made under this section must be in writing and must include your notarized signature to establish your identity.

Where permitted by law, we may charge a reasonable fee to cover the costs incurred in respond to such requests. Please send requests to:

Chief Privacy Officer
Fidelity National Financial, Inc.
601 Riverside Avenue
Jacksonville, FL 32204

Changes to this Privacy Statement

This Privacy Statement may be amended from time to time consistent with applicable privacy laws. When we amend this Privacy Statement, we will post a notice of such changes on our website. The effective date of this Privacy Statement, as stated above, indicates the last time this Privacy Statement was revised or materially changed.

EXHIBIT 2



City of Richland
Development Services

625 Swift Blvd. MS-35
Richland, WA 99352
☎ (509) 942-7794
☎ (509) 942-7764

VARIANCE APPLICATION

Note: A Pre-Application meeting is required prior to submittal of an application.

PROPERTY OWNER INFORMATION

☒ Contact Person

Owner: TRI CITIES EQUESTRIAN CENTER LLC
Address: 1530 HALL RD, RICHLAND WA 99354
Phone: 509 551 6544 Email: morgan@crmachinery.com

APPLICANT/CONTRACTOR INFORMATION (if different)

☐ Contact Person

Company: _____ UBI# _____
Contact: _____
Address: _____
Phone: _____ Email: _____

DESCRIPTION OF REQUESTED VARIANCE

SETBACK VARIANCE TO RMC 22.42.190.B
TO ALLOW BARNS CLOSER THAN 75 FEET TO PROPERTY LINE

PROPERTY INFORMATION

Legal Description: _____ Parcel # 104984000004000
Current Zoning: AG Current Land Use Designation: AG

APPLICATION MUST INCLUDE

1. Completed Application and Filing Fee
2. Floor Plan (if necessary)
3. Site Plan
4. Title Report showing ownership, easements, restrictions and accurate legal description of the property involved
5. Other information as determined by the Administrator

VARIANCE – Answer as thoroughly as possible if applying for a Variance

Describe the extraordinary conditions or unusual circumstances which exist on your property that would justify deviation from the standard (such as topographic features, parcel size and slope, drainage etc.):

EXISTING STABLES PRE-DATE CURRENT CODE AND EACH RENTER
NEEDS HAY STORAGE

Were the special conditions and/or circumstances caused directly by you (the applicant):

NO; I PURCHASED PROPERTY IN 2011 AND STABLES WERE ALREADY IN PLACE

Describe how the literal interpretation of the provisions of this title would deprive you of rights commonly enjoyed by other properties in the same district under the terms of this title:

STRICT ADHERENCE TO THE CODE WOULD NOT ALLOW ME TO PLACE HAY STORAGE ADJACENT TO STABLE

Explain why granting the variance will not confer on you (the applicant) any special privilege that is otherwise denied by this title to other lands, structures or buildings in the same district:

DOE TO EXISTING STABLES ALONG NORTH PROPERTY LINE THERE ARE NO OTHER OPTIONS FOR HAY STORAGE

Provide any other information you would add that supports your request:

ADJUSTING THE CURRENT PROPERTY WOULD CAUSE A SUBSTANTIAL READJUSTMENT OF WATER LINES, ELECTRICAL

I authorize employees and officials of the City of Richland the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.

I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation pertaining to development activities associated with a permit.

I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of the Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

Note: This application will not be processed unless the above certification is endorsed by an authorized agent of the owner(s) of the property in question and/or the owner(s) themselves. If the City of Richland has reason to believe that erroneous information has been supplied by an authorized agent of the owner(s) of the property in question and/or by the owner(s) themselves, processing of the application may be suspended.

Applicant Printed Name: MORLAN NEAL

Applicant Signature: [Signature] Date 7-24-19



City of Richland
Development Services

625 Swift Blvd. MS-35
Richland, WA 99352
☎ (509) 942-7794
☎ (509) 942-7764

Pre-Application Conference Waiver

PROPERTY OWNER INFORMATION		☒ Contact Person
Owner: <u>TRI CITIES EQUESTRIAN CENTER (MORGAN NEAL)</u>		
Address: <u>1530 HALL RD, RICHLAND, WA 99354</u>		
Phone: <u>509 551 6544</u>	Email: <u>morgan@crmachinery.com</u>	

APPLICANT/CONTRACTOR INFORMATION (if different)		☐ Contact Person
Company: <u>TLEC</u>	UBI# <u>603 107 334</u>	
Contact: <u>MORGAN NEAL</u>		
Address: <u>3802 SOUTH HIGHLANDS BLVD, WEST RICHLAND WA 99353</u>		
Phone: <u>SAME</u>	Email: <u>SAME</u>	

PROPERTY INFORMATION
Parcel #: <u>104984000004000</u>
Legal Description:

TYPE II APPLICATIONS	TYPE III APPLICATION
☐ Flood Plain Variance	☐ Non-residential Shoreline Substantial Development
☐ Critical Areas & Resource Lands Variance/Viable Use	☐ Residential Shoreline Substantial Development
☐ Binding Site Plan	☐ Shoreline Variance/Conditional Use
☐ Administrative Variance	☐ Conditional Use
	☐ Subdivision
	☐ Rezone (site specific)
	☐ Vacation/Alteration of a Subdivision
	☒ Variance
☒ Other: <u>SPECIAL USE PERMIT</u>	

I understand the waiver of a pre-application conference increases the maximum time for review for technically complete status and increases the risk the application will be rejected or processing will be delayed.	
Applicant Printed Name: <u>MORGAN NEAL</u>	
Applicant Signature: <u>[Signature]</u>	Date: <u>6-10-19</u>

I, Morgan Neal, owner of Tri Cities Equestrian Center, located at 1530 Hall Road, Richland, WA hereby request a Special Use Permit for after-the-fact approval of a Public Stable facility. I also request zoning setback variances to RMC 23.42.190.B for 13 horse stalls and/or shed structures.

HISTORY:

I purchased the subject property in 2011 and as the property was already being used for horses and the Richland Rider's Club is located immediately adjacent (north), I did not think about inquiring about necessary permits. Since 2011 I have improved the site by establishing a total of 46 horse pastures with associated horse stalls and hay barns (under 200 s.f. sheds).

When I purchased the property there were approximately 21 different pasture areas and 14 horse stalls in existence. There were also 3 carport style hay storage structures. The 14 horse stalls with associated pasture areas and 3 carport style hay storage structures existed in 2004, prior to the adoption of new zoning regulations requiring Special Use Permits for Public Stable facilities. As a result, the City Planning Department has informed me that these are "grandfathered" and will not be required to be removed/relocated. However, all of the other "new" horse stalls and associated pasture areas and hay storage sheds need to meet the required setbacks.

VARIANCE REQUEST:

Due to the fact that each pasture area needs to have its own hay barn/shed, I am respectfully requesting that the City Board of Adjustment grant me a variance for 2 horse stalls and for 11 hay barns/sheds. The 2 additional horse stalls are located along the northern property line within areas that were established as separate pasture areas in 2004 and have contained horse stalls since prior to 2011. The 11 hay barn/sheds are "new"; however, it would be a hardship for each of the boarders to not have a hay barn/shed located immediately adjacent to their grandfathered pasture area. I plan on relocating fences and other horse stalls/hay barns as necessary to meet the required 35' pasture setback and 75' building setback elsewhere on the site. The requested variance(s) will provide needed hay and/or tack storage immediately adjacent to each of the "grandfathered" pasture areas.



8/19/19

Tri-City Equestrian

Google - 2004

Legend

Hall Rd

EXHIBIT 4

Google Earth

Chester Rd

200 ft



EXHIBIT 5



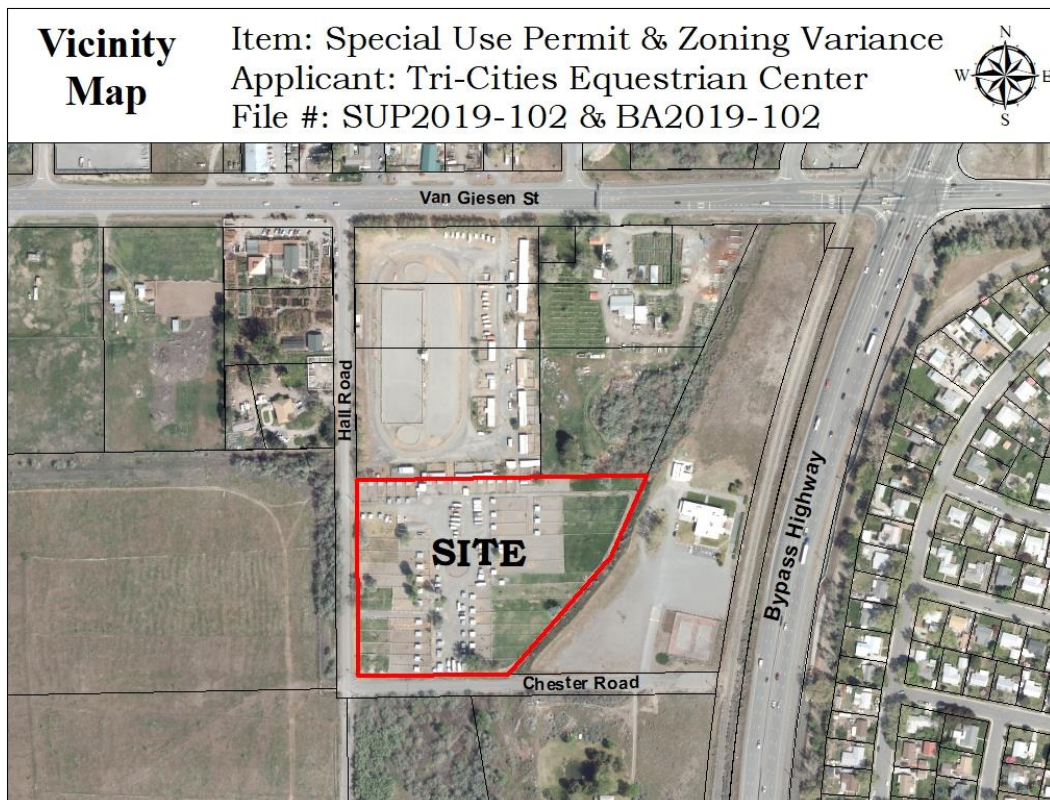
CITY OF RICHLAND NOTICE OF APPLICATION & CONSOLIDATED PUBLIC HEARINGS (SUP2019-102 & BA2019-102)

Notice is hereby given that Morgan Neal, owner of Tri Cities Equestrian Center, has filed an application for an after-the-fact Special Use Permit authorizing the use of property located at 1530 Hall Road (APN #104984000004000) as a public horse stable facility. Mr. Neal has also applied for a Zoning Variance in order to authorize the construction of two (2) horse stalls and 11 hay barns/sheds within 75' of the site's northern property line. Pursuant to RMC 23.42.190.B any stable or barn shall not be located closer than 75 feet to any boundary property line.

The Richland Board of Adjustment will conduct a public hearing and review of the application at 6:00 p.m., Thursday, September 19, 2019 in the Richland City Hall Council Chambers, 625 Swift Boulevard. All interested parties are invited to attend and present testimony at the public hearing.

Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Mike Stevens, Planning Manager, 625 Swift Boulevard, MS #35, Richland, WA 99352. Comments may also be emailed to mstevens@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Wednesday, September 11, 2019 to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing.

The application will be reviewed in accordance with the regulations in RMC Title 19 Development Regulations Administration and Tile 23 Zoning. Appeal procedures of decisions related to the above referenced application are set forth in RMC Chapter 19.70. Contact the Richland Planning Division at the above referenced address with questions related to the available appeal process.





Department of Energy

Bonneville Power Administration
2211 North Commercial Avenue
Pasco, WA 99301

TRANSMISSION SERVICES

September 10, 2019

In reply refer to: SUP2019-102 & BA2019-102 Tri Cities Equestrian Center
Located within a Portion of Section 4, Township 9 North,
Range 28 East, W.M., Benton County, Washington

Mike Stevens, Planning Manager
City of Richland Development Services Dept.
625 Swift Blvd., MS#35
Richland, WA 99352

Dear Mike:

Bonneville Power Administration (BPA) has had the opportunity to review SUP2019-102 & BA2019-102 Tri Cities Equestrian Center. The application is for an after-the-fact zoning variance, construction of two (2) horse stalls and 11 hay barns/sheds within 75' of the site's northern property line. The property is located at 1530 Hall Road in Richland, WA, county parcel number 104984000004000.

In researching our records, we have found that this proposal will not directly impact BPA facilities in that area. BPA does not have any objections to the approval of this request at this time.

Thank you for the opportunity to review this application. If you have any questions regarding this request or need additional information, please feel free to contact me. I can be reached at (503) 230-5510 or by email at mjdeklyen@bpa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike DeKlyen", is located below the "Sincerely," text.

Mike DeKlyen
BPA Field Realty Specialist



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
1250 W Alder St • Union Gap, WA 98903-0009 • (509) 575-2490

September 6, 2019

Mike Stevens
City of Richland
PO Box 190
Richland, WA 99352

Re: SUP2019-102, BA2019-102

Dear Mike Stevens:

Thank you for the opportunity to comment on the notice of application for the after-the-fact Special Use Permit, proposed by Tri Cities Equestrian Center. We have reviewed the application and have the following comment.

WATER QUALITY

Project with Potential to Discharge Off-Site

If your project anticipates disturbing ground with the potential for stormwater discharge off-site, the NPDES Construction Stormwater General Permit is recommended. This permit requires that the SEPA checklist fully disclose anticipated activities including building, road construction and utility placements. Obtaining a permit may take 38-60 days.

The permit requires that a Stormwater Pollution Prevention Plan (Erosion Sediment Control Plan) shall be prepared and implemented for all permitted construction sites. These control measures must be able to prevent soil from being carried into surface water and storm drains by stormwater runoff. Permit coverage and erosion control measures must be in place prior to any clearing, grading, or construction.

In the event that an unpermitted Stormwater discharge does occur off-site, it is a violation of Chapter 90.48 RCW, Water Pollution Control and is subject to enforcement action.

More information on the stormwater program may be found on Ecology's stormwater website at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/>. Please submit an application or contact Lloyd Stevens, Jr. at the Dept. of Ecology, (509) 574-3991, with questions about this permit.

Sincerely,

Gwen Clear
Environmental Review Coordinator
Central Regional Office
(509) 575-2012
crosepacoordinator@ecy.wa.gov

Stevens, Mike

From: Buechler, Ken
Sent: Wednesday, September 11, 2019 4:34 PM
To: Stevens, Mike
Subject: Equestrian Center Access.

Mike,

We need a minimum of a 26' wide access from entry to end and around the "horse walking circle" to be maintained at all times. This means parking horse trailers cant impede on this requirement.

Kenneth L. Buechler

Kenneth L. Buechler
Assistant Fire Marshal
Richland Fire & Emergency Services
City of Richland
kbuechler@ci.richland.wa.us
(509) 942-7556 office
(509) 578-9321 mobile

Hyperlinks Below:



Stevens, Mike

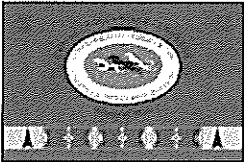
From: Ashley Morton <AshleyMorton@ctuir.org>
Sent: Monday, August 26, 2019 3:09 PM
To: Stevens, Mike
Subject: RE: SUP2019-102 & BA2019-102 Tri Cities Equestrian Center

Mike,

Based on the information provided we do not have any comments or concerns at this time. Should there be new information and/or changes to Mr. Neal's permit application, please be advised we may have comments or concerns.

Sincerely,
Ashley

Archaeologist
Cultural Resources Protection Program
Confederated Tribes of the Umatilla Indian Reservation
46411 Timine Way, Pendleton, OR 97801
Direct Line/Fax: (541) 429-7214
Main Office: (541) 276-3447
AshleyMorton@ctuir.org



From: Stevens, Mike [mailto:mstevens@CI.RICHLAND.WA.US]
Sent: Friday, August 23, 2019 9:06 AM
To: Ashley Morton <AshleyMorton@ctuir.org>
Subject: RE: SUP2019-102 & BA2019-102 Tri Cities Equestrian Center

EXTERNAL EMAIL: Please use caution when clicking links or opening attachments.

Ashley:

The pasture areas have already been established and so has the placement of the structures. The structures are all under 200 s.f. in size and have been constructed on skids or just sit on the ground, rather than a constructed footing/foundation. Unfortunately, this is an after-the-fact permit, as the owner did not secure proper permitting from the City as required by the zoning code. I do not believe that there has been much excavation at the site, rather just removal of vegetation and placement of sand/gravel on top. I do not anticipate any excavation occurring should the permit be approved. Attached is a screen shot of the site showing how it looked about a year ago. There have been several new barns/sheds installed (on skids) since this photo was taken, but again, no major ground disturbance.

Stevens, Mike

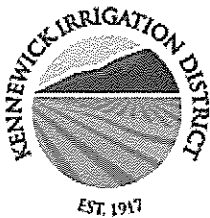
From: Rebecca Hiles <rhiles@kid.org>
Sent: Thursday, August 22, 2019 12:49 PM
To: Stevens, Mike
Subject: RE: SUP2019-102 & BA2019-102 Tri Cities Equestrian Center

Mike,

KID has no comments on this as it outside of our District.

Rebecca S. Hiles, E.I.T.
Staff Engineer

Kennewick Irrigation District
2015 S. Ely Street
Kennewick, WA 99337
[509-460-5442](tel:5094605442) [Direct Line]
[509-586-6012](tel:5095866012) ext. 138 [Business Line]
[509-586-9111](tel:5095869111) [Customer Service]
<mailto:rhiles@kid.org>



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From: Stevens, Mike <mstevens@CI.RICHLAND.WA.US>
Sent: Wednesday, August 21, 2019 12:19 PM
To: Pasco99301 <99301PascoWA-Postmaster@usps.gov>; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; USPS Ina N. Beutler <ina.n.beutler@usps.gov>; KSliger@bft.org; bbarlow@bft.org; ReathaFord, Jason <JReathaFord@CI.RICHLAND.WA.US>; West, Julie <jwest@ci.richland.wa.us>; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; Boshart, Thomas <tboshart@CI.RICHLAND.WA.US>; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; Boring, Michael <MBoring@CI.RICHLAND.WA.US>; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; Somers, Cindi <CSomers@CI.RICHLAND.WA.US>; Lopez, Brandin <blopez@CI.RICHLAND.WA.US>; Jennings, Tyler <tjennings@CI.RICHLAND.WA.US>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; Rebecca Hiles <rhiles@kid.org>; Seth Defoe <SDefoe@kid.org>; Brad Crawford <BCrawford@kid.org>; Jason McShane <JMcShane@kid.org>; Development <development@kid.org>; richard.krasner@rsd.edu; kevin.knodel@rsd.edu; rittermwr@dfw.wa.gov; lopezlal@dfw.wa.gov; sepaunit@ecy.wa.gov; separegister@ecy.wa.gov; gonsetp@wsdot.wa.gov; robin.priddy@bentoncleanair.org; rob.rodger@bentoncleanair.org; gregory.l.goodwin@ftr.com; dean.kelley@chartercom.com; clark.posey@co.benton.wa.us; darrick@basindisposal.com; BCES Map <map@bces.wa.gov>; BCES Davis, Deanna <d.davis@bces.wa.gov>; BCES Gates, Sarah

September 2, 2019

Reference Number SUP2019-102 & BA2019-102 Tri-Cities Equestrian Center (TCEC)

Dear Mike:

I am writing this in support of the request put forth by Morgan Neal to the City of Richland.

His facility has given the equestrian community a safe place to board horses in Richland. Boarding facilities in the Tri-Cities areas are very limited so this facility and the number of stalls and hay storages is very important. The loss of any of the present stalls will have an impact on the horses and people involved they will have to relocate to a different facility if one can be located.

I have been on the property since 2009 and have watched the improvements being made over the years. These improvements have been good for both the horses and the people that own those horses.

Morgan has taken the time to provide stalls with shelters, good hay storage that is convenient to those stalls for the people that board on his property.

I understand the requirements however, the way the property has been established does not impact the local area and provides a much needed service.

Again, I support the request from Morgan that he has presented to the City. Please take these comments into consideration when making your decision.

I will be attending the public meeting on September, 19, 2019.

Sincerely,

George Hagen

509-554-1170

g-dhagen@owt.com

September 11, 2019

Mr. Mike Stevens

Planning Manager

City of Richland

RE: FILE #: SUP2019-102 & BA2019-102 (Tri-City Equestrian Center – Special Use Permit)

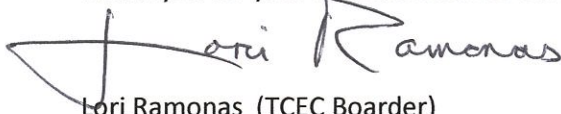
Dear Mr. Stevens:

I have been a boarder at the Tri-City Equestrian Center (TCEC) since January 2000 when the property was first owned by Taber Hersum. Since that time I have rented the highlighted “pasture area” (along the “North Line” of the property) illustrated in the two attachments (pages 10 and 11 in the Special Use Permit Referral Packet). I am writing this letter to clarify the following:

- The highlighted “pasture area” I’ve rented has been in existence since January 2000, prior to the adoption of new zoning regulations requiring Special Use Permits for Public Stable facilities. Hence my understanding is that this particular area is grandfathered and not subject to pasture set back requirements that may affect areas in existence after 2004.
- The designation of “HS” (horse stall) for the structure in this pasture area is not correct. The structure is a 2-sided temporary shed used to store hay and should instead be designated as “S”. It is not now, nor has it ever been, an enclosed structure used as a horse stall.

Most important, this temporary shed has been in existence prior to 2004. My husband and I built the shed in 2002. It was knocked down and blown over into the C&M Nursery property (in pieces) in 2003 after a severe windstorm. After several months my husband and I rebuilt the shed and fortified it. Since the shed was in existence prior to 2004, my understanding is that this structure would also be grandfathered and not subject to building set back requirements.

Thank you for your consideration of the aforementioned comments.



Lori Ramonas (TCEC Boarder)

4411 King Drive

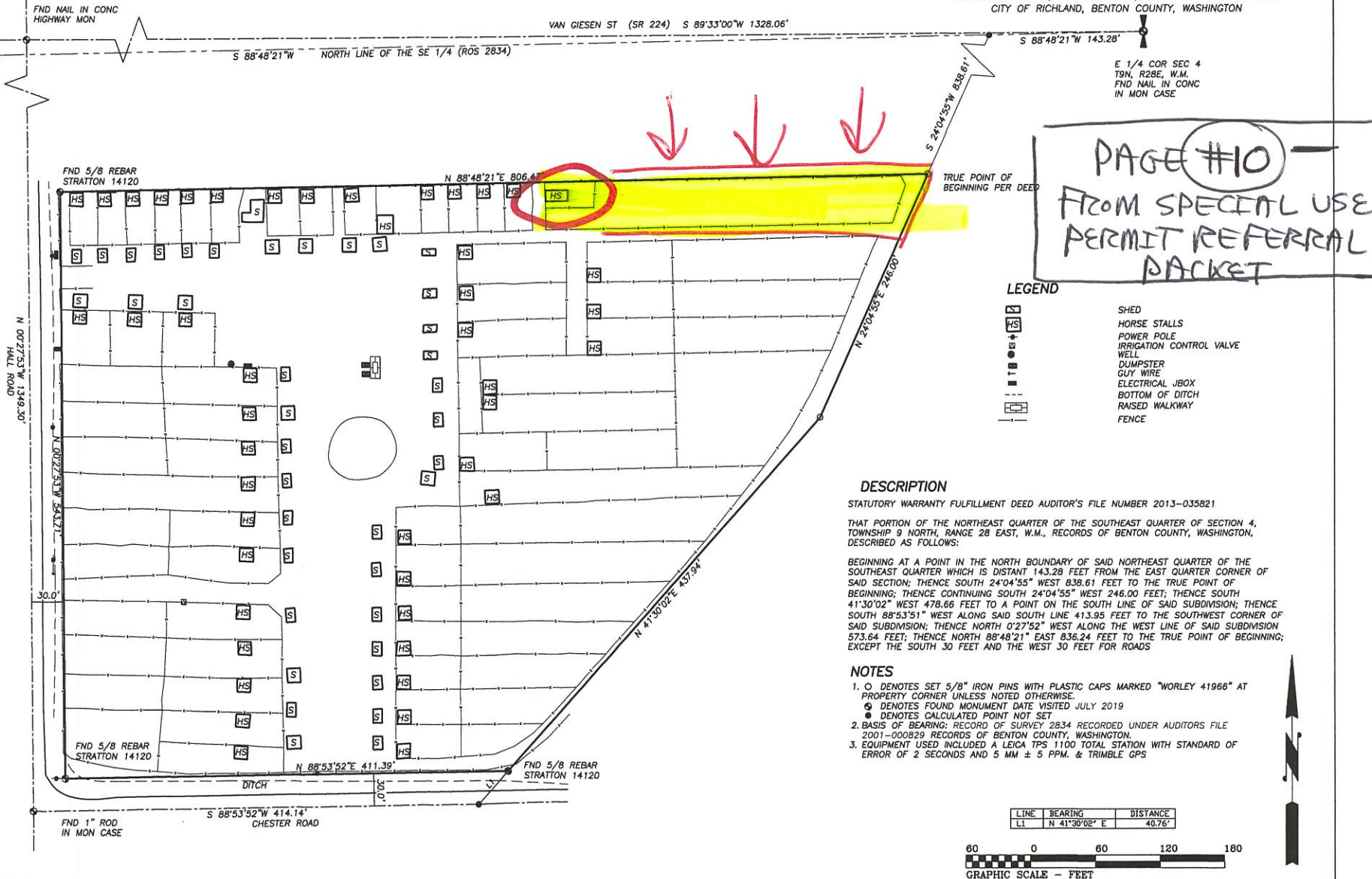
West Richland, WA 99353

509-531-1293 / lmramonas@msn.com

Attachments (2)

ATTACHMENT #1 (of 2) - to letter from
LORI RAMONAS dated 9/11/19

RECORD AND TOPOGRAPHICAL SURVEY
TRI CITY EQUESTRIAN CENTER
PORTION OF N.E. 1/4 OF THE S.E. 1/4, SEC 4 T9N, R28E., W.M.
CITY OF RICHLAND, BENTON COUNTY, WASHINGTON

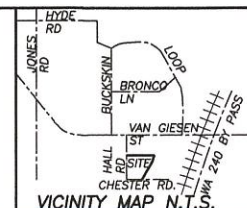
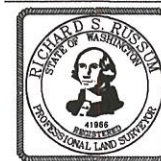


AUDITOR'S CERTIFICATE
FILED FOR RECORD THIS DAY OF _____
20____ AT _____ MINUTES PAST _____ M., AND RECORDED IN
VOLUME _____ OF SURVEYS, PAGE _____ AT THE REQUEST OF
TRI CITY EQUESTRIAN CENTER.

BENTON COUNTY AUDITOR _____ FEE NUMBER _____
RECORD SURVEY NUMBER _____

SURVEYOR'S CERTIFICATE
THIS MAP REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN
CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE
REQUEST OF TRI CITY EQUESTRIAN CENTER IN JULY 2019.

RICHARD S. RUSSUM PLS 41966



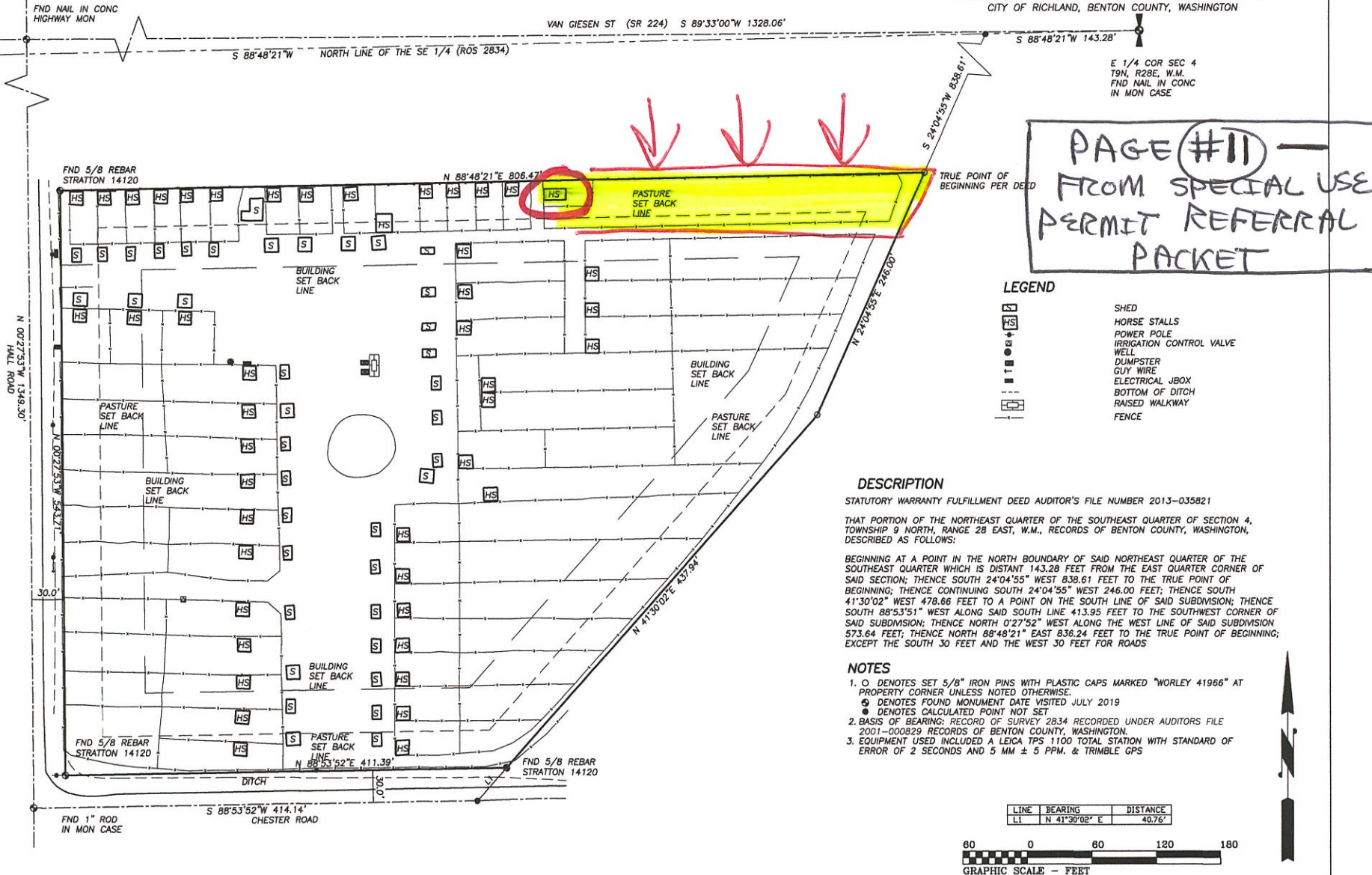
WORLEY SURVEYING SERVICE, INC., P.S.
P.O. BOX 6132
KENNEWICK, WASHINGTON 99336
509-582-6716

SHEET
1 OF 1

JOB #19-064

ATTACHMENT #2 (of 2) - to letter from LORI RAMONAS dated 9/11/19

RECORD AND TOPOGRAPHICAL SURVEY TRI CITY EQUESTRIAN CENTER PORTION OF N.E. 1/4 OF THE S.E. 1/4, SEC 4 T9N R28E., W.M. CITY OF RICHLAND, BENTON COUNTY, WASHINGTON

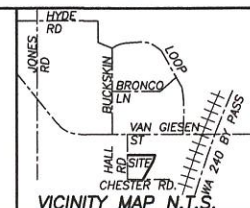
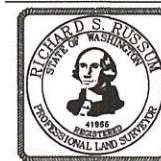


AUDITOR'S CERTIFICATE
FILED FOR RECORD THIS DAY OF _____
20____ AT _____ MINUTES PAST _____ M., AND RECORDED IN
VOLUME _____ OF SURVEYS, PAGE _____ AT THE REQUEST OF
TRI CITY EQUESTRIAN CENTER.

BENTON COUNTY AUDITOR _____ FEE NUMBER _____
RECORD SURVEY NUMBER _____

SURVEYOR'S CERTIFICATE
THIS MAP REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN
CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE
REQUEST OF TRI CITY EQUESTRIAN CENTER IN JULY 2019.

RICHARD S. RUSSUM PLS 41966



WORLEY SURVEYING SERVICE, INC., P.S.
P.O. BOX 6132
KENNEWICK, WASHINGTON 99336
509-582-6716

SHEET
1 OF 1

JOB #19-064

PAGE #11 -
FROM SPECIAL USE
PERMIT REFERRAL
PACKET



BOARD OF ADJUSTMENT AGENDA ITEM COVERSHEET

Meeting Date: 9/19/2019

Agenda Category: New Business – Public Hearing

Prepared By: Mike Stevens, Planning Manager

Subject:

SUP2019-103 - Special Use Permit
Tri-Cities Equestrian Center
1530 Hall Road

Department:

Development Services

Recommended Motion:

Staff recommends that the Board of Adjustment approve the requested Special Use Permit and related Variance (BA2019-102).

Summary:

Morgan Neal, owner of Tri-Cities Equestrian Center has requested an after-the-fact Special Use Permit authorizing the use of his property located at 1530 Hall Road, Richland, WA as a public stable pursuant to RMC Land Use Table 23.14.030 and RMC 23.42.190.

The subject property has been used as a public stable facility for at least 8 years without the benefit of zoning approval from the City of Richland. The owner/applicant is requesting the necessary Special Use Permit in order to legitimize the existing use.

Pursuant to RMC 19.20.040, Joint public hearings, the City has determined that the Board of Adjustment is the authorized review body for the Special Use Permit and Variance review proceedings and that the requested permits will be reviewed concurrently during a combined/joint public hearing. The Staff Report for the Special Use can be found in the associated Variance Request (BA2019-102).

Attachments: