Agenda
Board of Adjustment Meeting
Thursday, November 21, 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)

September 19, 2019 Meeting Minutes

Public Hearing Explanation:

New Business – Public Hearing:

1. BA2019-103 - Tri-Cities Equestrian Center, LLC (Setback Variances).

Communications:

Adjournment

The next Board of Adjustment Meeting is is to be determined.

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 942-7389.

BOARD OF ADJUSTMENT AGENDA ITEM COVERSHEET

Meeting Date: 11/21/2019

Agenda Category: Approval of Minutes

Prepared By: Mike Stevens, Planning Manager

Subject:
September 19, 2019 Meeting Minutes

Department:
Development Services

Recommended Motion:
Approve the minutes of the Board of Adjustment meeting held on September 19, 2019.

Summary:

Attachments:

1. 091919 DRAFT BoA Mtg Mins

MINUTES
BOARD OF ADJUSTMENT MEETING
City Hall – 625 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 Stevens and Permit Technician Ghbein.

Approval of Agenda:

Chair Lowry requested approval of the meeting agenda.

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

Approval of Minutes:

Chair Lowry presented the meeting minutes of the July 18, 2019 meeting.

BOARD MEMBER BORING MOVED AND BOARD MEMBER RICHARDS SECONDED THE MOTION TO APPROVE THE MINUTES OF THE JULY 18, 2019 MEETING. MOTION PASSED 4-0.

Public Hearing:

Chairman Lowry asked the recorder to read the Public Hearing Explanation at 6:02 PM to open the Public Hearing.

New Business

1. APPLICANT: MORGAN NEAL, TRI-CITIES EQUESTRIAN CENTER
BA2019-102 & SUP2019-103

Chairman Lowry introduced the item and asked Planning Manger 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 Mr. Stevens to provide a summary of the staff report.

Mr. Stevens reviewed the application for a special use permit and zoning setback variance from Richland Municipal Code (RMC) 23.42.190 to allow for after-the-fact construction of 13 12' x 12' tack room/hay storage sheds within 75' of the side (north) property line at 1530 Hall Rd. He included in his report that Code Enforcement received a complaint regarding this property referencing 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. Mr. Stevens explained a special use permit is required to operate a public horse boarding facility and that a zoning setback variance was requested by Mr. Neal to allow for the current and proposed structure locations to be within or meet the applicable setback requirements. Mr. Stevens shared site photos provided by the applicant and public comments received. Mr. Stevens stated staff recommends approval with conditions and shared those conditions.

Board members had several questions about the staff report, initial complaint to Code Enforcement and the property in general. Mr. Stevens answered their questions after which Chairman Lowry opened the Public Hearing at 6:34 p.m.

Mr. Neal, applicant, thanked staff for researching the matters and admitted responsibility for the problems at hand. He summarized the property, use, and structures. He also shared site photos. He asked for the Board and staff to consider reduction of the required setbacks. He also asked for the Board and staff to reconsider the requirement for two additional dumpsters. He requested May 1, 2020 as the deadline for the staff-recommended changes, instead of November 1, 2019.

Chair Lowry invited public comments.

Mr. William Bennett, 1730 Hoxie Avenue, referenced an adjacent property with similar uses, and stated he believes that the staff-recommended changes could be difficult to complete by the November 1, 2019 deadline. Mary Bennett, also at 1730 Hoxie Avenue, submitted written comments and concurred with Mr. Bennett. She also stated she believes that enforcing the setback requirements would cause site and animal difficulties.

Cheryl Arm, 1767 Buckskin Lane, testified she would be in support of more frequent dumpster pickups rather than additional dumpsters.

Larisa Smith, 3143 Primrose, spoke in support and voiced appreciation of how Mr. Neal has maintained his business.

Sue Hays, 1338 Sacramento Blvd, testified about past site conditions, and does not think any changes need to be made.

Pat Foster, 2128 Beech Ave., spoke in support stating she does not think the setback requirements should be enforced.

Lori Ramonas, 4411 King Dr., concurred with those who spoke before her, and in general support of Tri-Cities Equestrian Center.

George Hagen, 2638 Eagle Watch Loop, spoke of possible hardships that boarders may encounter due to the staff-recommended changes.

No public spoke in opposition.

Chair Lowry closed the Public Hearing at 7:15 p.m.

Following public testimony Board members discussed the application and asked questions of staff related to set back requirements and the reasoning behind several conditions. Additional discussion revolved around emergency access, site cleanliness and general site layout. Following the discussion Board members took action to approve the request.

BOARD MEMBER BORING MOVED TO APPROVE WITH SOME CHANGES TO THE STAFF RECOMMENDATIONS; BOARD MEMBER GRAY SECONDED THE MOTION FOR THE BOARD OF ADJUSTMENT TO CONCUR WITH THE FINDINGS AND CONCLUSIONS SET FORTH IN THE STAFF REPORT, PENDING THE MODIFICATIONS, AND APPROVE THE VARIANCE AND SPECIAL USE PERMIT. MOTION PASSED 4-0.

Comment [FL1]: Mike – This motion or the previous narrative needs to capture the changes alluded to in the statement "with the some changes to the staff recommendations". Do you know what those changes are?

Comment [SM2]: The changes had to do with the dates for completion being modified from November 1, 2019 to May 1, 2020 and the as-built site plan submitted by July 1, 2020 rather than December 1, 2019. The condition for the manure bins was also modified to state that the manure bins shall be emptied at an adequate rate and the owner shall contact the City for additional pick-ups (as necessary) when manure bins become full.

ADJOURNMENT:

MEMBER RICHARDS MOVED TO ADJOURN, AND MEMBER BORING SECONDED.

CHAIRMAN LOWRY adjourned the meeting at 7:40 p.m.

PREPARED BY: Briana Ghbein, Recorder/Permit Technician, Planning and Development

BOARD OF ADJUSTMENT AGENDA ITEM COVERSHEET

Meeting Date: 11/21/2019

Agenda Category: New Business – Public Hearing

Prepared By: Mike Stevens, Planning Manager

Subject:
BA2019-103 - Tri-Cities Equestrian Center, LLC (Setback Variances).

Department:
Development Services

Recommended Motion:
Staff recommends that the Board of Adjustment approve Variance Permit No. BA 2019-103.

Summary:
BA2019-103 - Tri-Cities Equestrian Center, LLC has requested a variance from RMC 23.42.190.B and RMC 23.42.190.C authorizing after-the-fact construction/establishment of twelve (12) 3-sided horse shelters and hay barn/tack sheds with associated pasture areas within 75' and 30' of the property's south and western property lines.

RMC 23.42.190.B & C requires that when allowed via Special Use Permit, all stables and barns shall be located at least 75' from any property boundary line and that any corrals, exercise yards or rings shall be located at least 35' from any property boundary line.

Attachments:

1. BA2019-103 Full Staff Report - 1530 Hall Road

STAFF REPORT

TO: BOARD OF ADJUSTMENT
FILE NO.: BA2019-103

PREPARED BY: MIKE STEVENS
DEVELOPMENT SERVICES

MEETING DATE: NOVEMBER 21, 2019

GENERAL INFORMATION

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

REQUEST: VARIANCE TO RMC 23.42.190.B AND A VARIANCE TO RMC 23.42.190.C IN ORDER TO ALLOW THE AFTER-THE-FACT CONSTRUCTION OF 12 HAY BARNS/3-SIDED HORSE STALL STRUCTURES WITHIN 75' OF THE SOUTH AND WEST PROPERTY LINES AND TO ALLOW HORSE PASTURE AREAS WITHIN 35' OF THE SOUTH AND WEST PROPERTY LINES.

LOCATION: 1530 HALL ROAD.

ZONING: AG - AGRICULTURE

SITE DESC: 7.0 ACRE LOT, DEVELOPED AS A PUBLIC HORSE BOARDING FACILITY (SUP 2019-102).

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.

REASON FOR REQUEST

The applicant is requesting variances from RMC 23.42.190.B and RMC 23.42.190.C in order to authorize the after-the-fact construction of 12 hay barns/3-sided horse stall structures within 75' of the south and west property lines and to allow horse pasture areas within 35' of the south and west property lines.

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. The applicant applied for and obtained a Special Use Permit on September 19, 2019 for after-the-fact establishment of a public horse stable facility and after-the-fact zoning variance authorizing the construction of two (2) horse stalls and 11 hay barns/sheds within 75' of the site's northern property line.

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.

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' building setback and 35 foot setback for any corrals, exercise yards/rings requirements were adopted in 2005. It was further agreed to by the City that due to the previous presence of fencing and use of the site along the eastern property boundary as pasture area that the 35' setback for pasture areas would also be "grandfathered".

As a result, Mr. Neal's Special Use Permit request included a zoning setback variance for the after-the-fact construction of 13 tack room/hay storage sheds as he contended 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 had previously indicated that he would 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.

Mr. Neal has since determined that he believes that special conditions exist which would warrant further review by the City in the form of the two (2) variance requests currently being sought. Mr. Neal contends that since the properties to the west and to the south of his are owned by the City and are either used for equestrian purposes (property to the west) or only used for archery practice (property to the south) that there is no reason why such large setbacks should apply to structures and pasture areas along his western and southern property boundaries.

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.

PUBLIC NOTICE

Application Date:	September 25, 2019
Combined Notice of Application & Hearing Mailed:	October 29, 2019
Combined Notice of Application & Hearing Posted:	October 29, 2019
Public Hearing:	November 21, 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 had received no comments from other public agencies.

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.

STAFF FINDINGS

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 believes that since the properties to the west and to the south of his are owned by the City of Richland and are currently used for recreational purposes (equestrian & archery) that establishment of the increased setbacks is unwarranted and serves no protective purposes to other private land owners.

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 several of them would need to find new places to board their horses due to the reduction in the number of rentable horse pens.

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 fact that the nearest properties to the west and to the south are owned by the City of Richland and are used primarily for recreational purposes (equestrian and archery).

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 the remaining horse pens, horse stalls and hay barn/sheds located along the property's western and southern boundaries. As indicated above, the applicant contends that since the properties closest to his to the west (across Hall Road) and to the south (across Chester Road) are owned by the City and are devoted to recreational purposes (equestrian and archery) that it doesn't make sense for increased setbacks which appear to be aimed primarily at reducing impacts to nearby residences.

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

The requested variance appears to be above the minimum necessary to grant relief as the owner had previously indicated that he would be able to reconfigure the horse pens/stalls/sheds to accommodate the required setbacks along the western and southern property lines. However, as has been indicated previously, since the City of Richland owns the properties to the west and south and since they are used for recreational purposes, it doesn't seem reasonable to require such large setbacks when no homes can be located upon the nearby properties.

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 Variance is 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 Variance in order to authorize the after-the-fact establishment of 12 horse pens with 3-sided stalls and tack room/hay storage sheds within 75' of the west and south property lines 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.

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 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. No comments from public agencies were received.

13. Two (2) public comments from citizens were received.

14. The applicant received Special Use Permit approval from the City of Richland for the use of the site as a horse boarding facility on September 19, 2019.

15. 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

RECOMMENDED MOTION:

I move that the Board of Adjustment concur with the Findings and Conclusions set forth in the staff report and **APPROVE** a variance to RMC 23.42.190.B and RMC 23.42.190.C authorizing the after-the-fact construction of 12 horse pens with hay barns/ sheds and 3-

sided horse stall structures within 75' of the south and west property lines and to allow horse pasture areas within 35' of the south and west property lines subject to the two (2) conditions below.

RECOMMENDED CONDITIONS:

1. Any/all future development upon the subject property, including the construction of additional 3-sided horse stalls, hay barn/tack sheds or other structures, shall receive permit approval from the City of Richland PRIOR to being constructed.

2. For emergency vehicle access and maneuvering, an unobstructed driving aisle no less than 26 feet in width shall be provided form the entrance (NW property corner) across the center of the site and to the southern property line.

EXHIBIT LIST:

Exhibit 1 – Variance application and related materials
Exhibit 2 – Site plan
Exhibit 3 – Public notice
Exhibit 4 – Comments received (if any)

Exhibit 1

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 99353	
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 FOR RMC 23.42.190 B AND 23.42.190 D ALLOWING BOTH HORSES AND 12'x12' SHEDS TO PROPERTY LINE

PROPERTY INFORMATION	
Legal Description:	Parcel # 1049840000004000
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 PERIMETER FENCE PRE-DATE CURRENT CODE. EXISTING BORDERS DO NOT INTERFERE WITH NEIGHBORS. SOUTH NEIGHBOR IS W.E. JOHNSON PARK

WEST NEIGHBOR IS W.E JOHNSON PARK AND FUTURE RICHLAND HORSE PARK.

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

No. I PURCHASED THE PROPERTY IN 2011 AND THE PERIMETER FENCE WAS 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:

NEIGHBORING PROPERTIES HAVE SAME SETBACK REQUIREMENTS AND HAVE BEEN GRANDFATHERED BECAUSE THEY HAVE BEEN IN EXISTENCE FOR SO LONG.

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:

RICHLAND RIDERS CLUB (NEIGHBOR TO NORTH) HAVE SAME CONDITIONS.

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

ADJUSTING FOR SETBACKS WOULD CAUSE A RESTRUCTURE OF CURRENT WATER LINES AND ELECTRICAL LINES.

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 9-25-19

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:	TRI-CITIES EQUESTRIAN CENTER (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:	TCEC	UBI# 603 107 334
Contact:	MORGAN NEAL	
Address:	3802 SOUTH HIGHLANDS BLVD, WEST RICHLAND, WA 99353	
Phone:	509 551 6544	Email: SAME

PROPERTY INFORMATION	
Parcel #:	104984000004000
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:		

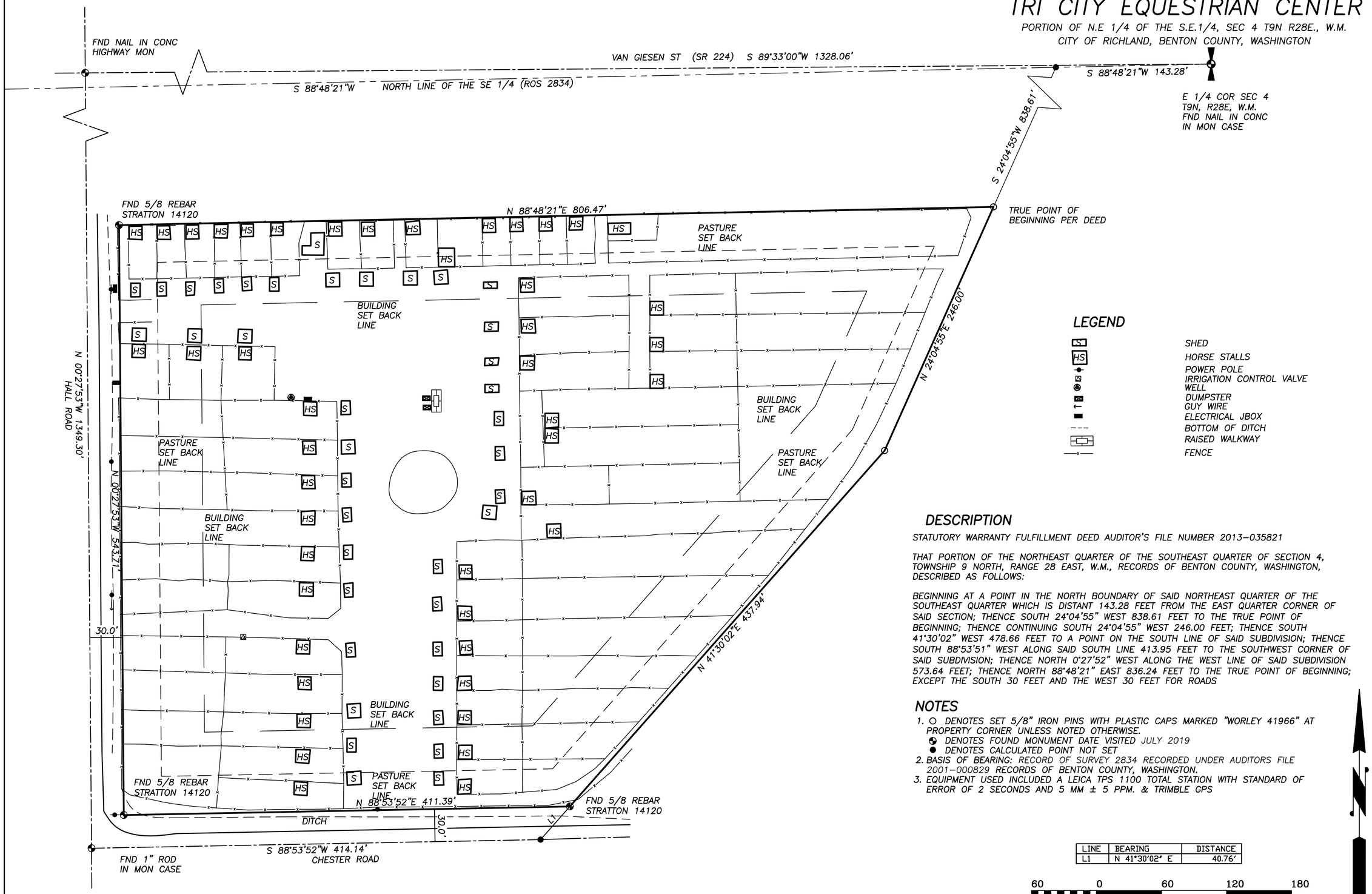
I understand the waiver of a pre-application conference increases the maximum time for review for technically complete status and increases the risk the application will be rejected or processing will be delayed.

Applicant Printed Name: MORGAN NEAL

Applicant Signature: M Neal Date 9-25-19

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



LEGEND

- S — SHED
- HS — HORSE STALLS
- POWER POLE
- IRRIGATION CONTROL VALVE
- WELL
- DUMPSTER
- GUY WIRE
- ELECTRICAL JBOX
- BOTTOM OF DITCH
- RAISED WALKWAY
- FENCE

DESCRIPTION

STATUTORY WARRANTY FULFILLMENT DEED AUDITOR'S FILE NUMBER 2013–035821

THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., RECORDS OF 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 ROADS

NOTES

1. ○ DENOTES SET 5/8" IRON PINS WITH PLASTIC CAPS MARKED "WORLEY 41966" AT PROPERTY CORNER UNLESS NOTED OTHERWISE.
   - ◐ DENOTES FOUND MONUMENT DATE VISITED JULY 2019
   - ● DENOTES CALCULATED POINT NOT SET
2. BASIS OF BEARING: RECORD OF SURVEY 2834 RECORDED UNDER AUDITORS FILE 2001–000829 RECORDS OF BENTON COUNTY, WASHINGTON.
3. EQUIPMENT USED INCLUDED A LEICA TPS 1100 TOTAL STATION WITH STANDARD OF ERROR OF 2 SECONDS AND 5 MM ± 5 PPM. & TRIMBLE GPS

LINE	BEARING	DISTANCE
L1	N 41°30'02" E	40.76'

60 0 60 120 180
GRAPHIC SCALE – FEET

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 _____

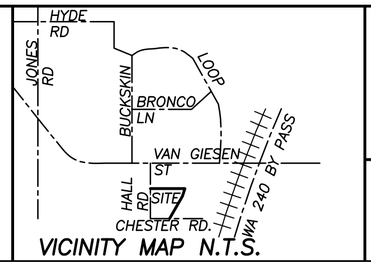
SURVEYOR'S CERTIFICATE

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

_____

RICHARD S. RUSSUM
STATE OF WASHINGTON
41966
REGISTERED
PROFESSIONAL LAND SURVEYOR



VICINITY MAP N.T.S.

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

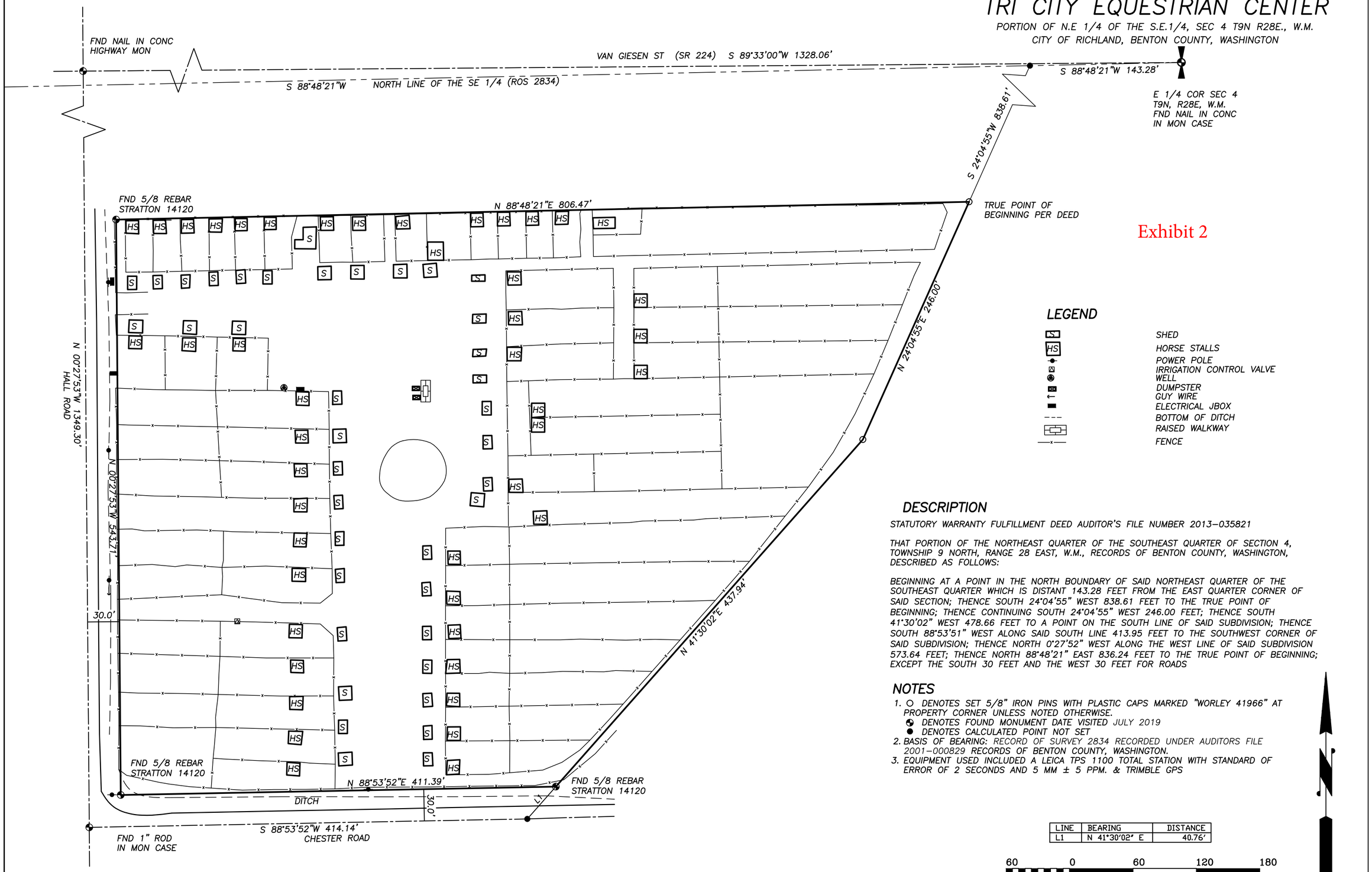
SHEET 1 OF 1

JOB #19–064

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

Exhibit 2



DESCRIPTION

STATUTORY WARRANTY FULFILLMENT DEED AUDITOR'S FILE NUMBER 2013–035821

THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., RECORDS OF 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 ROADS

NOTES

1. ○ DENOTES SET 5/8" IRON PINS WITH PLASTIC CAPS MARKED "WORLEY 41966" AT PROPERTY CORNER UNLESS NOTED OTHERWISE.
   - ◐ DENOTES FOUND MONUMENT DATE VISITED JULY 2019
   - ● DENOTES CALCULATED POINT NOT SET
2. BASIS OF BEARING: RECORD OF SURVEY 2834 RECORDED UNDER AUDITORS FILE 2001–000829 RECORDS OF BENTON COUNTY, WASHINGTON.
3. EQUIPMENT USED INCLUDED A LEICA TPS 1100 TOTAL STATION WITH STANDARD OF ERROR OF 2 SECONDS AND 5 MM ± 5 PPM. & TRIMBLE GPS

LINE	BEARING	DISTANCE
L1	N 41°30'02" E	40.76'

60 0 60 120 180
GRAPHIC SCALE – FEET

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 _____

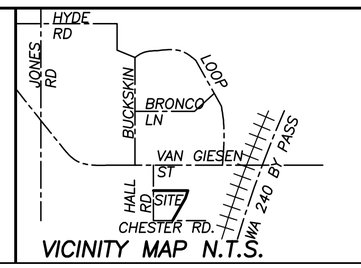
SURVEYOR'S CERTIFICATE

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

_____

RICHARD S. RUSSUM
STATE OF WASHINGTON
41966
REGISTERED
PROFESSIONAL LAND SURVEYOR



VICINITY MAP N.T.S.

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KENNEWICK, WASHINGTON 99336
509–582–6716

SHEET 1 OF 1

JOB #19–064

Exhibit 3

City of Richland Board of Adjustment
Notice of Application and Public Hearing

Notice is hereby given that Morgan Neal, owner of Tri-Cities Equestrian Center, LLC, has filed an application for a variance to RMC 23.42.190.B and a variance to RMC 23.42.190.D in order to allow the after-the-fact construction of 12 x 12' horse tack/hay barns within 75' of the south and west property lines and to allow horse pasture areas within 30' of the south and west property lines. The property is located at 1530 Hall Road, Richland, WA.

The Richland Board of Adjustment will conduct a public hearing and review of the application at 6:00 p.m., Thursday, November 21, 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. Copies of the variance application can be viewed online at www.ci.richland.wa.us .

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, November 13, 2019 to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing.

Subject Property: 1530 Hall Road

AFFIDAVIT OF POSTING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

COMES NOW, **Michael Stevens**, who, being first duly sworn upon oath deposes and says:

1. I am an employee in the Planning Division of the Development Services Department for the City of Richland.

2. On the 31st day of October, 2019, I posted the attached NOTICE OF PUBLIC HEARING, File Number BA2019-103 (Variance for 1530 Hall Road) in the following location:

The east side of Hall Road, approximately 780 feet north of Van Giesen St., Richland WA

Signed: Michael Stevens

SIGNED AND SWORN to before me this 31st day of October, 2019, by Michael Stevens.

BRIANA C GHBEIN
COMMISSION EXPIRES
NOTARY
207960
PUBLIC
4-25-23
STATE OF WASHINGTON

Signature of Notary

Briana C. Ghbein
Printed Name

Notary Public in and for the State of Washington,
Residing in Benton county
My appointment expires: 4-25-23

BRIANA C GHBEIN
NOTARY
PUBLIC
STATE OF WASHINGTON
COMMISSION EXPIRES
4-25-23
207960

AFFIDAVIT OF MAILING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

COMES NOW, Briana Ghbein, who, being first duly sworn upon oath deposes and says:

1. I am an employee in the Planning Division of the Development Services Department for the City of Richland.

2. On the 29th day of October, 2019, I mailed a copy of the attached NOTICE OF APPLICATION AND PUBLIC HEARING (BA2019-103) to the attached list of individuals via regular USPS on the date indicated above. The Notice of Application, filed by Morgan Neal, owner of Tri-Cities Equestrian Center, is for a Variance (BA2019-103) to RMC 23.42.190.B and RMC 23.42.190.D in order to allow after-the-fact construction of 12' x 12' horse tack/hay barns within 75' of the south and west property lines and to allow horse pasture areas within 30' of the south and west property lines. The property is located at 1530 Hall Road, Richland, WA. The Richland Board of Adjustment will conduct a public hearing and review of the application on Thursday, November 21, 2019 in the Richland City Hall Council Chambers, 625 Swift Boulevard.

Signed: Briana Ghbein

SIGNED AND SWORN to before me this 30th day of October, 2019 by Briana Ghbein.

JENNIFER SCHUSTER
COMMISSION EXPIRES
NOTARY
207956
PUBLIC
4-25-23
STATE OF WASHINGTON

Notary Public in and for the State of Washington,

Jennifer Schuster, Notary Public
Print Name
Residing at 625 Swift Blvd
My appointment expires: 4-25-23

AFFIDAVIT OF MAILING - 1
Address list attached.

Stevens, Mike

From: bill Bennett <kq6ly@hotmail.com>
Sent: Monday, November 11, 2019 1:38 PM
To: Stevens, Mike; Morgan Neal
Subject: TCEC comment for commission

Hi Mike
As you know i am one of the chairs for the Richland Horse park. This is the city's newest park area and city has benefited from Morgan's involvement. I would like you to put this in the record for the upcoming commission meeting on the 21st.

There have been significant improvements made at TCEC over the years. All of the improvements were done for the benefit of the horses and owners. The overall outline of TCEC has not changed only Morgan has built fencing to separate the animals and has improved the hay storage sheds. This is the cleanest and nicest facility in the Tri city's.

TCEC is the center of the Richland horse community with the Richland Rider club on the north and the City horse park on the west
I would request that the city grant the variance before them.

Sincerely,
William Bennett
1730 Hoxie Av.
Richland WA
99354

November 5, 2019

Reference Pending Land Use Number BA2019-103 Variance for TCEC

I was at the September 19th meeting pertaining to the Pending Land Use for TCEC. It was decided at that time that Mr. Neal needed to submit another variance to have the boundary lines approved where the present fence line is located.

During that meeting Mike Stevens, the Planning Manager did not know of any reason for the change in requirements I believe happened in 2005 for a 35 foot setback from the boundary lines of the property. He felt it was to make sure that the horses did not bother the neighbors near the facility.

With that said, TCEC has no neighbors that are bothered by the horses with the fencing where it is located on or very near the property lines.

On the North of TCEC is the Richland Riders Club, also an equestrian facility, on the West is what is now deemed the Richland Horse Park, on the South is a portion of WE Johnson Park, on the East is a hill that goes up to the Knight's of Columbus facility. See attached picture.

At no time would the horses on TCEC be bothering neighbors with the boundary lines where the fences are presently located.

I would like this group to support leaving the TCEC property lines presently designated for the TCEC be left as is with no 35 foot setback.

Thank you for considering my support of the present TCEC boundaries.

George Hagen

509-554-1170

g-dhagen@owt.com

City of Richland Board of Adjustment
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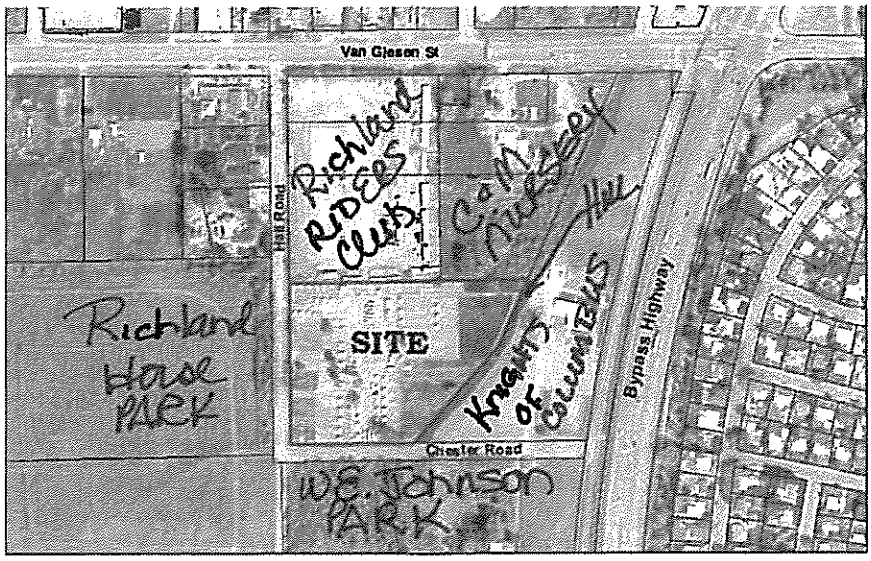

Subject Property: 1530 Hall Road