

**GRANT COUNTY
LAND USE HEARING EXAMINER**

IN THE MATTER OF)	
)	
CE 17-015)	FINDINGS OF FACT,
Jeffery and Debbie Nedrow)	CONCLUSIONS OF LAW AND
704 Orchard Drive S.W., Mattawa, WA)	DECISION AFFIRMING
)	CITATION
)	
)	

FINDINGS OF FACT

1. On April 24, 2017, Grant County Planning Department issued a Citation to Jeffery and Debbie Nedrow regarding a code violation present on their property located at 704 Orchard Drive S.W., Mattawa, Washington.
2. 704 Orchard Drive S.W. is owned by Jeffery and Debbie Nedrow.
3. Citation CE 17-015 was issued after investigation of a complaint filed on April 3, 2017.
4. Grant County Planning Department Code Enforcement conducted a site visit on April 20, 2017. Violations of the Grant County Code were noted to be present during that visit.
5. The Grant County Code Enforcement Officer took a photograph of the property demonstrating the code violation on April 20, 2017.
6. It's noted that this property was previously under enforcement for the same violation under case number CE 16-060. After a warning notice was sent to the property owners, the property owners removed the recreational vehicle from the property and the file was closed.
7. Because the property owner was under previous enforcement for this same violation and then violated the code again, a citation (CE 17-015) was issued on April 24, 2017.
8. The Hearing Examiner found that the property owners had timely filed an appeal to contest the violation. These materials were received by the Grant County Planning Department on May 12, 2017.

9. On May 12, 2017, the Grant County Hearing Examiner set the open record contested hearing to take place on June 14, 2017.
10. This open record contested citation hearing was held on June 14, 2017. Admitted in to the record were the following exhibits:
 - 10.1 Exhibit 1. April 03, 2017, (received dated) Complaints filed against Appellant;
 - 10.2 Exhibit 2. Tax Sifter Page for Parcel #02-0876-000;
 - 10.3 Exhibit 3. April 20, 2017, Site Photograph;
 - 10.4 Exhibit 4. July 7, 2016 Warning Notice;
 - 10.5 Exhibit 5. July 11, 2016, Signed Return Receipt for Certified;
 - 10.6 Exhibit 6. April 24, 2017, Citation issued to Appellant;
 - 10.7 Exhibit 7. Unclaimed certified copy of Citation;
 - 10.8 Exhibit 8. May 12, 2017, Contested Citation and Statement from Appellant;
 - 10.9 Exhibit 9. Grant County Ordinance 02-30-CC;
 - 10.10 Exhibit 10. Desert Aire Owners Association Restated Declarations of Covenants, Conditions and Restrictions;
 - 10.11 Exhibit 11. May 18, 2017 Notice of Hearing Date from Hearing Examiner;
 - 10.12 Exhibit 12. May 9, 2017 Hooper email;
 - 10.13 Exhibit 13. CR 2A Settlement Agreement; and
 - 10.14 Exhibit 14. Grant County's Opposition to Appellant's Appeal of Citation Issued for Code Violations on Parcel Number 02-0876-000.
11. Appearing for the appellant was Debbie Nedrow. Mrs. Nedrow testified consistent with her written explanation dated April 28, 2017 that was received by Grant County Planning Department May 12, 2017 and was admitted as Exhibit 8. Mrs. Nedrow testified that the trailer has since been removed the property. Mrs. Nedrow also questioned why the other 75 recreational vehicles that are within this Desert Aire property have not been sent citations for their violations. She did not understand why she is being singled out for a citation and to have her recreational vehicle removed.

12. In response, Grant County Code Enforcement Office Nathan Poplawski informed the appellant that he investigates complaints that are filed with the County.
13. Mrs. Nedrow did not contest that a violation as alleged in citation CE 17-015 did occur. She explained that she believed that the proper permitting process had been achieved as a result of the Town Hall Meetings and therefore placed her recreational vehicle on the property without confirming with Grant County that placement of a recreational vehicle was allowed.
14. Any Conclusion of Law that is more correctly a Finding of Fact is hereby incorporated as such by this reference.

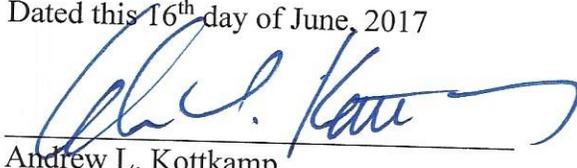
CONCLUSIONS OF LAW

1. The Hearing Examiner has been granted the authority to render this decision.
2. Grant County Code 23.08.020(i) prohibits the parking and storage of major recreational equipment for use in living, sleeping or other occupancy while said vehicle is parked on a residential lot or in any other location not approved and permitted for such use.
3. Any Finding of Fact that is more correctly a Conclusion of Law is hereby incorporated as such by this reference.

DECISION

Based upon the above Findings of Fact and Conclusions of Law the Hearing Examiner finds that Jeffery and Debbie Nedrow violated the Grant County Code as set forth in Citation CE 17-015 and all fines and other penalties assessed therein are affirmed in their entirety.

Dated this 16th day of June, 2017



Andrew L. Kottkamp,
Grant County Hearing Examiner