

June 12, 2022

RE: CU-22-00001 ,

My name is Laura Anne Smith Unland. I am a resident of 150 Rein Road in Kittitas County, and my husband Chand Unland and I also own the manufactured home at 180 Rein Road. Currently, we are embroiled in a controversy in our neighborhood over the CU- that involves Mr. Walter Davenport, Davenport Construction, The Apostolic Church, and Davenport's hay farm located at 141 Rein Road.

While we are addressing all the items that are important and need to be addressed legally and timely as required through the Conditional Use Permit, I cannot help but wonder if there are people within the agency or otherwise involved with Davenport's permitting process at the county level that should recuse themselves for bias or other conflict of interest.

I ask this for two reasons. The first reason is the fact that in addition to County Code Enforcement admittedly turning a blind eye to the decades long code violations committed by Mr. Davenport, Mr. Davenport failed to answer most of the required questions in the conditional use permit including the SEPA application.

I ask this secondly because as a neighbor across the street from Mr. Davenport's empire, I have noted over 150 different vehicles arriving for various tasks, appointments, services, etc. at every turn and all hours of the day and night for long and short periods of time. It is my opinion that a with more than 150 cars and trucks going in and out of the "church" driveway across the street from our driveway; plus the daily number of employees of Davenport Carpentry that arrive, deliver, load/unload, stage, and complete outdoor power tool tasks at the container in the field across from our rental at 180 Rein Road at 5am daily; and simply the extra large size of Mr. Davenport's family, there could exist a bias or conflict of interest somewhere in this permitting process.

Including a half a century as a local roofing contractor, it is not unlikely that Mr. Davenport has developed a wide and friendly association throughout Kittitas County, as most people hold Mr. Davenport in the highest regard. I should think it would be important that those individuals who work at the county and are directly involved in this planning process, and are related to the Davenport family would recognize bias, conflict of interest, and nepotism and appropriately recuse themselves. I would hope that those who have a a bias or conflict of interest because of family, employment, farming, or church attendance, would recuse themselves from their professional position of influence and use the comment period available as the law allows for all of us, including the neighbors that live here.

For review, below I have included the first correspondence I received from Code Enforcement after my initial inquiry, which has led up to the current CU that is now under consideration.

"Hello Mrs. Smith Unland,

Thank you for contacting us regarding the Apostolic Church parcel at 141 Rein Road. We recently contacted Mr. Davenport regarding the use of the parcel as a church without the required Conditional Use Permit. From your description, he may be using the parcel as a staging area for his construction business, which would also require a Conditional Use Permit due to the outside activity and noise. To answer your question regarding permitting, our full permitting process can be found online

here: <https://www.co.kittitas.wa.us/boc/countycode/title15a.aspx>. Short of it is that Mr. Davenport (Apostolic Church) was required to have a Pre-Application meeting prior to the activity/use at the parcel. This is an informal discussion and review of the possible application so we can assist the applicant on requirements and regulations which affect the project. A pre-application meeting did not occur and the project/use of the parcel was conducted without approval. Had Mr. Davenport followed the requirements, the pre-application meeting would have been followed with a Conditional Use application submitted to CDS. We then determine if the application is complete and once that determination has been made, a notice of application is provided within 14 days which includes posting at the parcel, notifying the news media, posting notice on the Kittitas County website, sending notice to all adjacent parcel owners (within 500 feet), etc. You would have the opportunity to make a comment on the project during the public comment period and prior to issuance of a decision. Our planners are much more knowledgeable and can provide more details on the specific process, but I hope this helps answer your question. Please call (509) 962-7506 and request to speak with a planner if you'd like a more detailed response. I appreciate your details surrounding the activity you've observed at the parcel. I've attached a complaint form for you to complete and return (email is fine). Let me know if you have any more questions.

Regards,

Toni Berkshire

Kittitas County Code Enforcement
Community Development Services
411 N Ruby Street, Suite 2
Ellensburg, WA 98926
(509) 962-7001"

In closing, it is hard to believe that Mr. Davenport was operating four unregulated business on a main arterial for more than a decade without inquiry from Code Enforcement or the Community Development Agency. Why has Mr. Davenport been able to carry on for decades with impunity? Why does County act like they have impunity to citizen inquiry?

How can we vet those within the agency so that we can get an impartial review?

Thank you in advance everyone for your time and participation of this important local zoning issue.

Respectfully Submitted,

Laura Smith Unland
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Ellensburg, WA 98926
509-830-4200