

**From:** [Toni Berkshire](#)  
**To:** [Jeremiah Cromie](#)  
**Subject:** RE: RU-22-00004 Marlatt - Notice of Application  
**Date:** Friday, December 9, 2022 2:50:07 PM  
**Attachments:** [image001.png](#)

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Hello Jeremiah,

Thank you for the opportunity to comment. I notified the Marlatt family of the building and critical area violations shortly after they purchased the property. In late November 2021, I conducted a site visit with the Marlatt family and determined that the structure could be exempt from building permit requirements per KCC 14.04.010 (2.a.i.1.) if the deck was not included (detached/removed), the mechanical unit was removed, and the structure was only used as storage. We required them to obtain a Critical Areas Report due to the presence of a creek on the property, but they were unable to obtain the report until Spring of 2022 due to winter already being underway in that area. As we know, the new Critical Areas Ordinance was adopted before the Marlatt's could obtain the report, and the new ordinance significantly limited their use of the parcel. Their Reasonable Use application narrative advises that they intend to demolish the deck, remove the mechanical unit, and only use the structure as storage, all of which would remove the building code violation. The Reasonable Use approval will assist them with being compliant with the Critical Areas Ordinance and allow them to use their parcel recreationally. I have concerns that they continue to refer to the structure as a "cabin," so we need to be clear that if they intend to use the structure habitably, then they're required to obtain a building permit (and stamped engineered plans are required). At this time, and as described, the 160 square foot cargo container does not require a building permit.

Regards,

*Toni Berkshire, CCEO*

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



**Please Note:** If this is a Public Records Request, please go to <https://www.co.kittitas.wa.us/request/default.aspx> and fill out a request for public records through the GovQA portal.

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**From:** Jeremiah Cromie <[jeremiah.cromie@co.kittitas.wa.us](mailto:jeremiah.cromie@co.kittitas.wa.us)>  
**Sent:** Wednesday, November 23, 2022 8:28 AM  
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**Cc:** Dan Carlson <dan.carlson@co.kittitas.wa.us>; Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>; Chace Pedersen <chace.pedersen@co.kittitas.wa.us>; 'amy@goodfaithlegal.com' <amy@goodfaithlegal.com>; 'sdurbin1086@gmail.com' <sdurbin1086@gmail.com>

**Subject:** RU-22-00004 Marlatt - Notice of Application

Good morning,

CDS is requesting comments on the following Reasonable Use application: **RU-22-00004 Marlatt**. Links to the file materials can be found below. The comment period will end on **Monday December 12, 2022 at 5pm (PST)**. CDS will assume your agency does not wish to provide comment if not received by this date. Please let me know if you have any issues accessing the materials.

[RU-22-00004 Marlatt – Internal](#)

[RU-22-00004 Marlatt - External](#)

If the links above do not work, please go to the CDS website at <https://www.co.kittitas.wa.us/cds/land-use/default.aspx> and navigate to “Reasonable Use” and then the Project File Number “RU-22-00004 Marlatt”

**Jeremiah Cromie**  
**Planner II**  
**Kittitas County**  
**Community Development Services**  
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