



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships – Building Communities"

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter having come before the Kittitas County Community Development Services for the Administrative Use Permit of David O'Keefe (File # AU-09-00002), makes the following Findings of Facts, Conclusions at Law and Decision related to the above referenced matter:

1. Community Development Services finds that David O'Keefe submitted an Administrative Use Application on March 13th, 2009. A Notice of Application was issued on April 17th, 2009. This notice was mailed to government agencies, adjacent property owners, and the applicant as required by law.
2. Community Development Services finds that the site proposed for the Accessory Dwelling Unit is at 7851 Reecer Creek Road, Ellensburg, WA 98926, in portions of Section 10, Twp. 18N., Rge. 18E., W.M. in Kittitas County, Washington. Map number 18-18-10051-0001.
3. Community Development Services finds that the granting of the proposed administrative use permit approval will not:
 - a. Be detrimental to the public health, safety, and general welfare;
 - b. Adversely affect the established character of the surrounding vicinity and planned uses; nor
 - c. Be injurious to the uses, property, or improvements adjacent to, and in the vicinity of, the site upon which the proposed use is to be located.
4. Community Development Services finds the granting of the proposed administrative use permit is consistent and compatible with the intent of goals, objectives and policies of the comprehensive plan, and any implementing regulation.
5. Community Development Services finds that the following conditions are required for approval of the accessory dwelling unit (ADU):
 - a. ADU's shall be subject to obtaining an Administrative Use Permit in areas outside of Urban Growth Areas.
 - b. Only one ADU shall be allowed per lot
 - c. Owner of the property must reside in either the primary residence or the ADU
 - d. The ADU shall not exceed the square footage of the habitable area of primary residence.
 - e. The ADU shall be designed to maintain the appearance of the primary residence
 - f. All setback requirements for the zone in which the ADU is located shall apply
 - g. The ADU shall meet the applicable health department standards for potable water and sewage disposal.
 - h. No mobile homes or recreational vehicles shall be allowed as an ADU.
 - i. The ADU shall provide additional off-street parking.
 - j. An ADU is not permitted on the same lot where a special care dwelling or an Accessory Living Quarters exists.
 - k. The ADU shall meet the applicable health department standards for potable water and sewage disposal.
 - l. Ground water withdrawals in excess of 5,000 gallons per day or for the irrigation of more than ½ acre of lawn or noncommercial garden will require a permit from the Department of Ecology
 - m. Setbacks & Fire separations shall be maintained in accordance with the 2006 International Fire Code and Residential Code.
 - n. Site Access shall comply with the 2006 International Fire Code Appendix D.
 - o. Please see the attached comments from Kittitas County Department of Public Works for additional issues that must be addressed.

Based upon above mentioned Findings of Facts and Conclusion of Law the O'Keefe Administrative Use Permit (AU-09-00002) is hereby **approved**.

Jeff Watson, Staff Planner

Date