



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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"Building Partnerships – Building Communities"

Memorandum

Exhibit No. A
Hearing: Doolittle AU-08-07
Date: 8-13-08
Submitted by: Darryl Piercy

To: Board of Adjustment
From: Darryl Piercy, Director
Subject: Accessory Dwelling Units
CC: Neil Caulkins, Allison Kimball
Date: August 12, 2008

It is my understanding that the Board of Adjustment is currently considering an application for an Accessory Dwelling Unit (ADU) that proposes to convert an existing residence to an ADU and while doing so construct a new primary residence. The Board of Adjustment has requested clarification as to the interpretation of the Kittitas County Code in regards to this practice.

Until a recent code change ADUs that were located in a non urban area were required to be reviewed by the Board of Adjustment. The Code was modified to allow these ADUs to be reviewed administratively, however, the Director of Community Development Services could determine on a case by case basis to forward the decision making authority to the Board of Adjustment when a public hearing on the request was warranted. Such is the case with the Doolittle ADU file number 08-06.

At issue is whether an existing residence can be designated an ADU and a new structure designated the primary residence. The Department has utilized the decisions and actions of the Board of Adjustment as a guide in these circumstances. The Board of Adjustment has reviewed at least three separate applications in which the applicant proposed to convert an existing residence to an ADU with the intent of building a new, larger primary residence. In each case the Board of Adjustment approved the applications.

These applications include the Anderson CUP file 07-01, the Gill CUP file 07-03 and the Wudi CUP file 07-08.

In the Anderson CUP the applicant proposed to construct a new 6,500 square foot structure to serve as the primary residence and remodel the existing house to serve as an ADU. The property was located in an Ag 20 zone and was 20.72 acres in size. The Board of Adjustment approved the request with the findings signed by the Chairman on March 3, 2007.

In the Gill CUP the applicant proposed to construct a new 2,000 square foot home plus a three car garage with habitable area above the garage to serve as the primary residence. The applicant would use the existing 1100 square foot residence as the ADU. The property was located in the Commercial Ag Zone and consisted of 12.01 acres. This was a legal non-conforming lot in the Commercial Ag zone where 20 acre lots are the minimum lot size. The Board of Adjustment approved the request with the findings signed by the Chairman on May 6,

DARRYL PIERCY, DIRECTOR

ALLISON KIMBALL, ASSISTANT DIRECTOR

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2007.

In the Wudi CUP the applicant proposed to construct a new 3150 square foot structure to serve as the primary residence. The existing 1900 square foot residences would remain as the ADU. The property was zoned Rural 3 and consisted of 15.23 acres. The Board of Adjustment approved the request with the findings signed by the chairman on October 10, 2007.

Since being granted the authority under the code to review ADUs administratively the Department has utilized previous decisions by the Board of Adjustment as a guide for review and findings. The decisions by the Board of Adjustment in each of the above applications appear to be well considered and were the result of thoughtful deliberations. The Board of Adjustment showed consistency in their decision making process. There is no case where an application for an ADU where an existing structure was converted from the primary residence to an ADU was denied by the Board of Adjustment.