

## KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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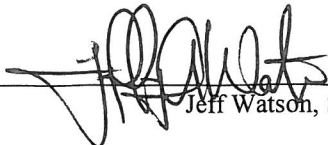
"Building Partnerships – Building Communities"

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter having come before the Kittitas County Community Development Services for the Administrative Use Permit of James Learmonth (File # AU-11-00001), makes the following Findings of Facts, Conclusions at Law and Decision related to the above referenced matter:

1. Community Development Services finds that James Learmonth submitted an Administrative Use Application on January 20<sup>th</sup>, 2011. A Notice of Application was issued on March 7<sup>th</sup>, 2011. 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 1161 Highway 10, Ellensburg, WA 98926, in portions of Section 2, Twp. 18N., Rge. 17E., W.M. in Kittitas County, Washington. Map number 18-17-02020-0031.
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. Pursuant to WAC 246-272A-0250, the applicant must contact a state licensed designer through the Washington State Department of Licensing to have the existing permitted septic system reviewed to support the ADU.
  - 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

Based upon above mentioned Findings of Facts and Conclusion of Law the Learmonth Administrative Use Permit (AU-11-00001) is hereby **approved**.

  
Jeff Watson, Staff Planner

4/27/2011  
Date