

KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St., Suite 2, Ellensburg, WA 98926

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Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

NOTICE OF DECISION

TO: Applicant
Interested Parties (KCC 15A.06)

FROM: Dan Valoff, Staff Planner

DATE: February 18, 2010

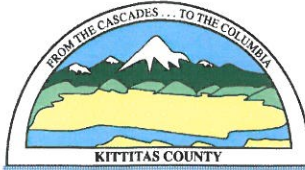
SUBJECT: Notice of Decision - Conditional Use Permit
Allenbaugh CU-09-00007

Pursuant to RCW 36.70B.130 and KCC 15A.06, notice is hereby given that Kittitas County Board of Adjustment did on February 10, 2010 approved a Conditional Use Permit on an application from Jeff Slothower, authorized agent for Evelyn Allenbaugh, property owner to operate a riding academy on 3 acres in the Commercial Agriculture zone. The site is located at 1051 Sorenson Road, Ellensburg, WA, located in Section 22, T17N R19E WM in Kittitas County. Assessor's Map number 17-19-22051-0001.

A copy of the Kittitas County Board of Adjustment Findings of Fact and Decision is attached, other related file documents may be examined at Kittitas County Community Development Services, 411 N. Ruby Suite 2, Ellensburg, WA 98926. (509) 962-7506.

Issuance of these land use decisions may be appealed by parties with standing, by filing a land use petition in Superior Court, and serving said petition on all required parties pursuant to RCW 36.70C and KCC 15A.08, within twenty-one days of the issuance of the land use decision.

If you have any questions, please do not hesitate to contact our office at (509) 962-7506.



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CONDITIONAL USE PERMIT

KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

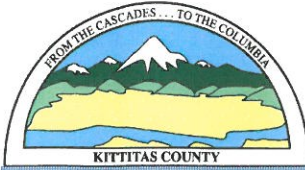
A Conditional Use Permit (CUP-09-00002) is hereby approved and issued to Jeff Slothower, authorized agent for Evelyn Allenbaugh, property owner applied for a Conditional Use Permit to operate a riding academy on 3 acres in the Commercial Agriculture zone. The site is located at 1051 Sorenson Road, Ellensburg, WA, located in Section 22, T17N R19E WM in Kittitas County. Assessor's map number 17-19-22051-0001.

This permit is subject to the following conditions:

1. Water used on the property will be used consistent with the existing Department of Ecology rules and regulations.
2. The applicant will not provide water to the public for consumption unless that water provided to the public is pre-packaged or is from an approved drinking water source.
3. The applicant will provide access to bathroom facilities either through a permanent or portable bathroom facility. In the event a bathroom is added to the property specifically to serve the individuals utilizing the riding service, the applicant should contact the Kittitas County Department of Health to determine if septic system requirements still met with the addition of a bathroom.
4. The applicant will maintain regular garbage collection and properly store all solid waste.
5. The applicant obtained the Department of Public Works consent that the turning apron meets the conditions in the January 12, 2010 comment letter.
6. In the event the applicant proposes new construction in the future to be used as part of the conditional use then, depending on the size of the structures, a sprinkler and/or fire alarm system may be required.
7. A fire and life safety inspection shall be conducted prior to beginning operations and an annual fire and life safety inspection is required, as well.
8. All development, design and construction shall comply with Kittitas County Code, Kittitas County Zoning and the 2006 International Fire & Building Codes.

Issued this 18th day of February 2010

By: 
Dan Valoff, Staff Planner



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Findings of Fact Allenbaugh Conditional Use Permit CU-09-07

This matter having come before the Kittitas County Board of Adjustment upon the above referenced Conditional Use Application from Jeff Slothower, authorized agent for Evelyn Allenbaugh, property owner, the Board of Adjustment makes the following Findings of Facts, Conclusions at Law and Decision related to the above referenced matter:

1. The Board of Adjustment finds that Jeff Slothower, authorized agent for Evelyn Allenbaugh, property owner applied for a Conditional Use Permit to operate a riding academy on 3 acres in the Commercial Agriculture zone..
2. The site is located at 1051 Sorenson Road, Ellensburg, WA, located in Section 22, T17N R19E WM in Kittitas County. Assessor's Map number 17-19-22051-0001.
3. The Board of Adjustment finds that the Community Development Services Department issued a Notice of Application pursuant to KCC 15A.03 on November 4, 2009. The application was deemed complete on December 3, 2009. A Notice of Application was issued on December 17, 2009. This notice was mailed to government agencies, adjacent property owners, and the applicant. The Board of Adjustment finds further that said notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners, and other interested parties. Written comments were received and included in the record for consideration.
4. The Board of Adjustment finds that in accordance with Kittitas County Code 15A.03.110, this project was accurately posed with the "Land Use Action" sign as provided by Community Development Services. The Affidavit of Posting was signed by the authorized agent and returned to the planner and is included as part of the record.
5. The Board of Adjustment finds that The Community Development Services Department on January 14, 2010 issued a SEPA Determination of Non-significance (DNS). The Board finds that the notice of said determination was provided to all required parties of record pursuant to 43.21C RCW and that said notice that said notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners, and other interested parties. No appeals were filed.
6. The Board of Adjustment finds that an open record hearing was held on February 10, 2010 and that testimony was taken from those persons present who wished to be heard. The Board of Adjustment also finds that due notice of this public hearing has been given as required by law, and the necessary inquiry has been made into the public interest to be served by this proposed project.
7. The Board of Adjustment finds that the Comprehensive Plan's Land Use Element designates the subject parcel as Commercial Agriculture and the zoning is Commercial Agriculture.
8. The Board of Adjustment finds that the purpose and intent of the Commercial Agriculture zone is an area wherein farming and ranching are the priority. The intent of this zoning classification is to preserve fertile farmland from encroachment by nonagricultural land uses and protect the rights and traditions of those engaged in agriculture.

9. The Board of Adjustment finds that in KCC 17.31.030(14): Riding Academies; subject to the conditions set forth in Chapter KCC 17.60 Conditional Uses.
10. The Board of Adjustment finds that an administrative site analysis was completed by the staff planner in compliance with Kittitas County Code Title 17A, Critical Areas. No critical areas were identified on site.
11. The Board of Adjustment finds that the proposed use is essential or desirable to the public convenience and not detrimental or injurious to the public health, peace, or safety or to the character of the surrounding neighborhood.
12. The Board of Adjustment finds that the proposed use at the proposed location will not be unreasonably detrimental to the economic welfare of the county and that it will not create excessive public cost for facilities and services by finding that (1) it will be adequately serviced by existing facilities or (2) that the applicant shall provide such facilities and (3) has demonstrated that the proposed use will be of sufficient economic benefit to offset additional public costs or economic detriment.
13. The Board of Adjustment finds that the proposed development **has** met the requirements of KCC. 17.60.010 (as listed in items 12 and 13 of the conditions).
14. The Board of Adjustment finds that the following conditions are required for approval of the Conditional Use Permit.
 1. Water used on the property will be used consistent with the existing Department of Ecology rules and regulations.
 2. The applicant will not provide water to the public for consumption unless that water provided to the public is pre-packaged or is from an approved drinking water source.
 3. The applicant will provide access to bathroom facilities either through a permanent or portable bathroom facility. In the event a bathroom is added to the property specifically to serve the individuals utilizing the riding service, the applicant should contact the Kittitas County Department of Health to determine if septic system requirements still met with the addition of a bathroom.
 4. The applicant will maintain regular garbage collection and properly store all solid waste.
 5. The applicant obtained the Department of Public Works consent that the turning apron meets the conditions in the January 12, 2010 comment letter.
 6. In the event the applicant proposes new construction in the future to be used as part of the conditional use then, depending on the size of the structures, a sprinkler and/or fire alarm system may be required.
 7. A fire and life safety inspection shall be conducted prior to beginning operations and an annual fire and life safety inspection is required, as well.
 8. All development, design and construction shall comply with Kittitas County Code, Kittitas County Zoning and the 2006 International Fire & Building Codes.
15. Additional conditions **are not** necessary to protect the public's interest.



 Daryl Akkerman, Chairman, Board of Adjustment

02-18-10

 Date