

BOARD OF COUNTY COMMISSIONERS  
COUNTY OF KITTITAS  
STATE OF WASHINGTON

RESOLUTION REVERSING THE DECISION OF THE ROAD VARIANCE  
COMMITTEE AND APPROVING THE VARIANCE FILED BY COOPER PASS, LLC

RESOLUTION NO. 2008-33

**WHEREAS**, Kittitas County Department of Public Works did on October 19, 2007 receive a variance application to the Kittitas County Road Standards from Wayne Nelson, authorized agent for Cooper Pass, LLC; and

**WHEREAS**, The variance request was for access and roadways associated with the Ponderosa Pines Plat P-07-42; and

**WHEREAS**, The variance request was for approval to use a portion of Deer Creek Road with a 30' easement as a second access; and

**WHEREAS**, The Road Variance Committee considered the request for a variance and voted to deny all elements of the variance request; and

**WHEREAS**, Sean Northrup, authorized agent for Cooper Pass, LLC, filed a timely appeal on December 12, 2007; and

**WHEREAS**, the Board of County Commissioners conducted an appeal hearing on January 23, 2008 in which testimony was taken from the appellant, county staff, and members of the public. Upon conclusion of the testimony the Board of County Commissioners closed the record and continued the hearing to February 19<sup>th</sup>, 2008 for the purpose of deliberation; and

**WHEREAS**, Upon deliberation the Board of County Commissioners voted 3-0 to approve the variance request and reverse the decision of the variance committee. In doing so the Board of County Commissioners considered the following findings of fact:

1. The roadway can be constructed as required within the 30' easement.
2. The remaining 30' of easement can be obtained in the future.
3. The area will not be annexed without the correct amount of easement.

**NOW THEREFORE BE IT RESOLVED:** The Board of County Commissioners hereby approves the appeal submitted by Cooper Pass, LLC for the reasons cited in the record and

articulated in the findings of fact above. The decision of the Road Variance Committee is reversed.

DATED this 4<sup>th</sup> day of March, 2008 at Ellensburg, Washington.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
KITTITAS COUNTY, WASHINGTON

*J. M. Kjarzvik*  
Clerk of the Board

*Mark McClain*  
Mark McClain, Chairman

*Alan Crankovich*  
Alan Crankovich, Vice-Chairman

*David B. Bowen*  
David B. Bowen, Commissioner

