

KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

"Building Partnerships -- Building Communities"

Fax (509) 962-7682



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Shoreline Variance + SEPA

SHORELINE PERMITTING

(For projects located within 200 feet of a body of water and/or associated floodway and wetlands under the jurisdiction of the Shoreline Master Program)

A **preapplication conference is REQUIRED** per KCC 15A.03.020 for this permit. The more information the County has early in the development process, the easier it is to identify and work through issues and conduct an efficient review. To schedule a preapplication conference, complete and submit a Preapplication Conference Scheduling Form to CDS. Notes or summaries from preapplication conference should be included with this application.

REQUIRED INFORMATION / ATTACHMENTS

- XX A scaled site plan is required showing location of all structures, driveways, well, septic, fences, etc. and proposed uses and distances from property lines, river, and Horizontal distance from OHWM. To show the Horizontal distance a profile view from the OHWM to the edge of structure/activity shall also be shown.
- Include JARPA or HPA forms *if required* for your project by a state or federal agency.

Please check the box next to the **most restrictive type of shoreline permit you are requesting:**

- Shoreline Substantial Development Permit - Fee: (CDS: \$2,200 + PW: \$550 = **\$2,750**) + SEPA, if not exempt
- Shoreline Conditional Use Permit - Fee: (CDS: \$3,710 + PW: \$550 = **\$4,260**) + SEPA, if not exempt
- XX Shoreline Variance - Fee: (CDS: \$3,710 + PW: \$550 = **\$4,260**) + SEPA, if not exempt

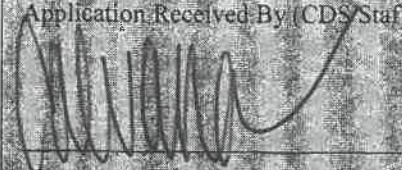
APPLICATION FEES:

- (see above) Kittitas County Community Development Services (KCCDS)
- (see above) Kittitas County Department of Public Works
- \$1,280.00** SEPA Checklist, if not exempt - Fee: CDS: \$600 + PW: \$250 + PH: \$430
- (see above) **Total fees due for this application** (One check made payable to KCCDS)


4260
1280
5540

\$ 5540

FOR STAFF USE ONLY

Application Received By (CDS Staff Signature): 

DATE: 9.12.19

RECEIPT #: 

RECEIVED
SEP 10 2019
Kittitas Co. CDS

RECEIVED
SEP 12 2019
Kittitas Co. CDS

OK CDS Kittitas Co. CDS

General Application Information

1. Name, mailing address and day phone of land owner(s) of record: *Landowner(s) signature(s) required on application form.*

Name: Ray & Sharon Thayer
Mailing Address: P.O. Box 991
City/State/ZIP: Ellensburg, WA 98926-1925
Day Time Phone: 509-899-3496 (Ray), 509-899-3497 (Sharon)
Email Address: sthayer@fairpoint.net (Sharon)

2. Name, mailing address and day phone of authorized agent, if different from landowner of record: *If an authorized agent is indicated, then the authorized agent's signature is required for application submittal.*

Agent Name: Paul Tappel
Mailing Address: 3100 243rd Street SW
City/State/ZIP: Brier, WA 98036
Day Time Phone: 425-482-6420
Email Address: fishengineer@comcast.net

3. Name, mailing address and day phone of other contact person *If different than land owner or authorized agent.*

Name: _____
Mailing Address: _____
City/State/ZIP: _____
Day Time Phone: _____
Email Address: _____

4. Street address of property:

Address: Barnes Road near Manastash Creek (see drawings)
City/State/ZIP: Ellensburg, WA 98926

5. Legal description of property: (attach additional sheets as necessary)

Property lines are a traverse of 35 segments (angles & distances) to enclose 14.9 acres. Survey hubs have been established and recorded with county at or near four outside property corners, see drawings.

6. Tax parcel number(s): Kittitas County Parcel No. 951877

7. Property size: 14.9 acres

8. Provide section, township, and range of project location:

¼ Section SE Section 5 Township 17 N. Range 18 E., W.M.

9. Latitude and longitude coordinates of project location (e.g. 47.03922 N lat. / -122.89142 W long.):

Unknown [use decimal degrees – NAD 83]

10. Type of Ownership: (check all that apply)

XX Private Federal State Local Tribal

11. Land Use Information:

Zoning: Agriculture 20 Comp Plan Land Use Designation: Rural Working

12. Shoreline Designation: (check all that apply)

Urban Conservancy Shoreline Residential XX Rural Conservancy
 Natural Aquatic

13. Type of Shoreline Permit(s) requested (check all that apply):

a. Shoreline Substantial Development Permit will always be required unless proposal meets an exemption per WAC 173-27-040.

Shoreline Substantial Development Permit; or
XX Shoreline Exemption Permit (see Shoreline Exemption Permit application)

b. Only check one or both of the boxes below if they are applicable.

Shoreline Conditional Use Permit
**must answer question 32. a.-h. below.*
XX Shoreline Variance
**must answer questions 33. a.-g. and 34. a.-b. (if applicable) below.*

14. Fair Market Value of the project, including materials, labor, machine rentals, etc. \$400,000
including land, house, bridge, etc. _____

15. Anticipated start and end dates of project construction: Start October 2019
End June 2020

Project Description

16. Briefly summarize the purpose of the project:

Improve existing parcel access road and bridge (over West Side Canal) to meet county requirements for residential access (e.g. Emergency Vehicle Access), then build a 2-bedroom house on the 14.9-acre parcel, to be long-term residence for Ray & Sharon Thayer. The existing access road (crushed rock) and dilapidated wood bridge (will be replaced with weathering steel bridge) are within a long-term easement recorded with Kittitas County over an adjacent private parcel. About 2 acres of the parcel along Manastash Creek will remain undeveloped floodplain, riparian area, in-stream habitat, etc. and about 12 acres will remain as agricultural land. This permit application includes eight drawings to show the proposed development.

17. What is the primary use of the project (e.g. Residential, Commercial, Public, Recreation)?

Residential and Agricultural

18. What is the specific use of the project (e.g. single family home, subdivision, boat launch, restoration project)?

Single-Family Home

Vegetation

19. Will the project result in clearing of tree or shrub canopy? (check one)

Yes No

If 'Yes', how much clearing will occur? None (square feet and acres)

20. Will the project result in re-vegetation of tree or shrub canopy? (check one)

Yes No

If 'Yes', how much re-vegetation will occur? None (square feet and acres)

Wetlands

21. Will the project result in wetland impacts? (check one)

Yes No

If 'Yes', how much wetland will be permanently impacted? None (square feet and acres)

22. Will the project result in wetland restoration? (check one)

Yes No

If 'Yes', how much wetland will be restored? None (square feet and acres)

Impervious Surfaces

23. Will the project result in creation of over 500 square feet of impervious surfaces? (check one)

Yes No

If 'Yes', how much impervious surface will be created? 3,000 square feet roof areas (including garage), plus (maybe) 1,000 square feet pavement(s). About 1/10 acre impervious surfaces total.

24. Will the project result in removal of impervious surfaces? (check one)

Yes No

If 'Yes', how much impervious surface will be removed? None (square feet and acres)

Shoreline Stabilization

25. Will the project result in creation of structural shoreline stabilization structures (revetment/bulkhead/riprap)?

(Check one) Yes No

If 'Yes', what is the net linear feet of stabilization structures that will be created? None

26. Will the project result in removal of structural shoreline stabilization structures (revetment/bulkhead/riprap)?

(Check one) Yes No

If 'Yes', what is the net linear feet of stabilization structures that will be removed? None

Levees/Dikes

27. Will the project result in creation, removal, or relocation (setting back) of levees/dikes?

(check one) Yes No

If 'Yes', what is the net linear feet of levees/dikes that will be created? None

If 'Yes', what is the net linear feet of levees/dikes that will be permanently removed? None

If 'Yes', what is the linear feet of levees/dikes that will be reconstructed at a location further from the OHWM? _____

Floodplain Development

28. Will the project result in development within the floodplain? (check one)

Yes No

If 'Yes', what is the net square feet of structures to be constructed in the floodplain? None

**Note: A floodplain development is required per KCC 14.08; please contact Kittitas County Public Works*

29. Will the project result in removal of existing structures within the floodplain? (check one)

Yes No

If 'Yes', what is the net square footage of structures to be removed from the floodplain? None

Overwater Structures

30. Will the project result in construction of an overwater dock, pier, or float? (check one)

Yes No

If 'Yes', how many overwater structures will be constructed? None

What is the net square footage of water-shading surfaces that will be created? _____

31. Will the project result in removal of an overwater dock, pier, or float? (check one)

Yes No

If 'Yes', how many overwater structures will be removed? None

What is the net square footage of water-shading surfaces that will be removed? _____

Shoreline Variance (answer ONLY if requesting this permit)

**Must demonstrate with your proposal that extraordinary circumstances exist and that the public interest shall suffer no substantial detrimental effect:*

32. Answer the following questions on a separate sheet and attach to this application packet. This section is for variances requested landward of the OHWM and/or landward of any wetland.
- a. That the strict application of the bulk, dimensional or performance standards set forth in the applicable Master Program precludes, or significantly interferes with, reasonable use of the property.

This Shoreline Variance application is for widening the existing access road (1/4-mile long) from about 12'-wide to 16'-wide to meet county requirements for residential access (i.e. Emergency Vehicle Access), and to replace an old wood bridge over West Side Canal with a new weathering steel bridge to meet county code requirements (e.g. HL-93 live load). Parcel No. 951877 only has one access route

to the county road system, thru a long-term easement recorded across an adjacent private parcel. The existing wood bridge (to be replaced) and 800'-length of the existing road are within 115' of OHW for Manastash Creek, see Drawing 2. Thayer has investigated, and Agent has surveyed and designed, a possible alternate access road further landward from Manastash Creek and outside the 115' setback recommended for shoreline considerations. The private owner on the adjacent parcel has rejected this alternate access road (and a different easement alignment) because he has other plans in-place for the subject land area.

- b. That the hardship is specifically related to the property, and is the result of unique conditions such as irregular lot shape, size, or natural features and the application of the Master Program, and not, for example, form deed restrictions or the applicant's own actions.

The existing parcel access (see Drawing 2) was established before the Shoreline Management Act (1971), and this road is considered the only viable route for access to this parcel, which is otherwise isolated from the county road system.

- c. That the design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and SMP and will not cause adverse impacts to the shoreline environment.

The subject parcel is surrounded by private parcels which are a similar mix of residential and agricultural uses. These uses are authorized by zoning (Ag 20) and the comprehensive plan.

- d. That the variance will not constitute a grant of special privilege not enjoyed by the other properties in the area.

Multiple developments (houses, yards, barns, roads, county bridges, etc.) exist within shoreline areas in Kittitas County, that were constructed before the Shoreline Management Act was enacted. Other properties with similar pre-existing infrastructure or buildings within shoreline areas have not been required to abandon and/or remove these pre-existing (before 1971) developments.

- e. That the variance requested is the minimum necessary to afford relief.

The existing road and bridge are the only viable access route for Parcel No. 951877, as explained above.

- f. That the public interest will suffer no substantial detrimental effect

Variance approval would allow a road and bridge that have been established for multiple decades, to be maintained long-term for access to private Parcel No. 951877.

- g. That the cumulative impact of additional request for variances in the area where similar circumstances exist would not produce substantial adverse effects to the shoreline environment.

Allowance of structures, transportation infrastructure, and other near-shore developments that existed prior to passage of the Shoreline Management Act seems like a practical necessity. It is presumed (for example) that the county would be allowed to replace the existing bridge over Manastash Creek along Barnes Road, even though this existing bridge is within shoreline management area.

33. Answer the following questions on a separate sheet and attach to this application packet. This section is, required to be answered in addition to question 33 above, for variances requested for uses and/or development that will be located waterward of the OHWM.

No development is proposed waterward of OHW, see drawings.

Summary/Conclusion

35. Will the proposed use be consistent with the policies of RCW 90.58.020 and the Kittitas County Shoreline Master Program? (attach additional sheets if necessary)

Yes

No

Please explain:

See above explanations

36. Provide any additional information needed to verify the project's impacts to shoreline ecological functions: (attach additional sheets and relevant reports as necessary)

Widening the existing parcel access road (within 30'-wide easement) from 12'-wide (+/-) to 16'-wide to meet county code requirements for residential access will not directly affect riparian or aquatic habitat for Manastash Creek. Similarly, replacement of the existing wood bridge with a safe steel bridge will not affect any ecological functions relevant to interdisciplinary shoreline considerations. This vehicle access route has been used for decades for agricultural purposes (tractors, 4x4 trucks, combines, trailers, haul trucks for agricultural products, etc.). The project will add minor additional vehicle use (typical for one residence) to road travel, and will retain existing uses related to agricultural production.

Authorization

37. Application is hereby made for permit(s) to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to enter the above-described location to inspect the proposed and or completed work.

All correspondence and notices will be transmitted to the Land Owner of Record and copies sent to the authorized agent or contact person, as applicable.

Signature of Authorized Agent:
(REQUIRED if indicated on application)

X Paul Toppel

Date:

9/11/2019

Signature of Land Owner of Record
(Required for application submittal):

X Sharon Hayden

Date:

9-12-2019