

KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships - Building Communities"

ZONING STRUCTURAL SETBACK VARIANCE APPLICATION

(To place a structure closer to the lot line than allowed)

KITTTITAS COUNTY ENCOURAGES THE USE OF PRE-APPLICATION MEETINGS. PLEASE CALL THE DEPARTMENT IF YOU WOULD LIKE TO SET UP A MEETING TO DISCUSS YOUR PROJECT. INCOMPLETE APPLICATIONS WILL **NOT** BE ACCEPTED.

Current Zoning Setbacks:

Zone	FRONT SETBACK	SIDE SETBACK	REAR SETBACK	Side (setback for side abutting the street)
Residential	15'	5'	25'	15'
Residential-2	15'	10' on one side and 5" on the other side	25'	15'
Suburban	25'	15'	25'	20'
Agriculture-3, Agriculture-20, and Commercial Ag	25'	5'	25'	15'
Rural-3	25'	15'	15'	-
Forest & Range	25'	10'	10'	15'
Commercial Forest	200'	200'	200'	-

PLEASE TYPE OR PRINT CLEARLY IN INK. ATTACH ADDITIONAL SHEETS AS NECESSARY. PURSUANT TO KCC 15A.03.030, A COMPLETE APPLICATION IS DETERMINED WITHIN 30 DAYS OF RECEIPT OF THE APPLICATION SUBMITTAL PACKET AND FEE. THE FOLLOWING ITEMS MUST BE ATTACHED TO THIS APPLICATION PACKET:

REQUIRED ATTACHMENTS

- ADDRESS LIST OF ALL LANDOWNERS WITHIN 500 FEET OF THE SITE'S TAX PARCEL. IF ADJOINING PARCELS ARE OWNED BY THE APPLICANT, THE 500 FEET EXTENDS FROM THE FARTHEST PARCEL. IF THE PARCEL IS WITHIN A SUBDIVISION WITH A HOMEOWNERS OR ROAD ASSOCIATION, PLEASE INCLUDE THE ADDRESS OF THE ASSOCIATION.
- SITE PLAN OF THE PROPERTY WITH ALL PROPOSED: BUILDINGS; POINTS OF ACCESS, ROADS, AND PARKING AREAS; SEPTIC TANK AND DRAINFIELD AND REPLACEMENT AREA; AREAS TO BE CUT AND/OR FILLED; AND, NATURAL FEATURES SUCH AS CONTOURS, STREAMS, GULLIES, CLIFFS, ETC.

FEE:

\$495.00 to Kittitas County Community Development Services

\$65.00 for Fire Marshal

*One check made payable to KCCDS



FOR STAFF USE ONLY

APPLICATION RECEIVED BY

SIGNATURE:

DATE:

11.24.09

RECIPT #:

6569

PAID

NOV 24 2009

KITTTITAS CO. CDS
DATE STAMP
HERE

NOTES:

1. **Name, mailing address and day phone of land owner(s) of record:**

Landowner(s) signature(s) required on application form.

Name: Ken Benveniste
Mailing Address: 1702 223rd Place NE
City/State/ZIP: Sammamish, WA 98074
Day Time Phone: (425) 466-6623
Email Address: kbenveniste@gmail.com

2. **Name, mailing address and day phone of authorized agent, if different from land owner of record:**

If an authorized agent is indicated, then the authorized agent's signature is required for application submittal.

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

3. **Street address of property:**

Address: 121 Jolly Mountain Drive
City/State/ZIP: Ronald, WA 98940

4. **Legal Description of Property:** Lot 13, Block B of Pine Loch Sun Div. 1

5. **Tax parcel number:** 472034 (map number 20-14-02050-0213)

6. **Property size:** .36 acre

7. **Narrative project description:** Please include the following information in your description: describe project size, location, water supply, sewage disposal and all qualitative features of the proposal; include every element of the proposal in the description (be specific, attach additional sheets as necessary):

The proposed project includes the construction of 24' x 35' 2-car detached garage.
There is an existing single-family residence on site.

8. **Provision of zoning code for which this variance is requested and the way in which you wish to vary from the code:**

17.30.050 Yard requirements. There shall be a minimum front yard setback of twenty-five feet. Side and rear yard setbacks shall be fifteen feet. (Ord. 92-4 (part), 1992)

The requested variance is for the front yard setback to be reduced to sixteen feet and the side yard setback reduced to ten feet.

9. A variance may be granted only when the following criteria are met. Please describe in detail how each criteria is met for this particular request (attach additional sheets as necessary):

A. Unusual circumstances or conditions applying to the property and/or the intended use that do not apply generally to other property in the same vicinity or district, such as topography.

The subject property is approximately 135 feet in length with a change in elevation from approximately 1015 to 980 or 35 feet, resulting in an average slope of 25%. Further, the property is bisected by a ravine running from the northeast corner to the southwest corner of the lot, thereby limiting the buildable area to the eastern one-third of the property. If the front and side yard setbacks were strictly adhered to, it would effectively prohibit the construction of a garage as an accessory structure to the existing residence. There are no reasonable alternative locations on site.

B. Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same vicinity.

The subject property is located within Pine Loch Sun. The area is characteristic of rural residential and recreational homes. Garages are common and normal within the development and are not otherwise prohibited. If the subject property owner was not granted the requested variance and thus prohibited from constructing a garage, he would be denied a substantial property right enjoyed by the other owners within Pine Loch Sun.

C. That authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity.

The garage will be constructed in full conformance with all other applicable development and building codes and the public health, safety and welfare will be protected.

D. That the granting of such variance will not adversely affect the realization of the comprehensive development pattern.

The variance will permit the construction of the proposed garage within an area zoned Rural-3 and designated Rural by the Comprehensive Plan. Garages are a permitted use within the Rural-3 zone and are in full compliance with the GPO's of the Rural designation of the Comprehensive Plan. Further, although the property is located with the Rural-3 zone (3-acre min. lot size), the existing lots within Pine Loch Sun average 1/3 to 1/2-acre lot sizes, which are more typical of front and side yard setbacks of 15' and 5' - 10', respectively (see KCC Chapter 17.16 and Chapter 17.18).

10. 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.

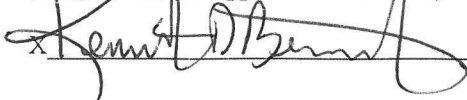
All correspondence and notices will be mailed to the Land Owner of Record and copies sent to the authorized agent.

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

 _____

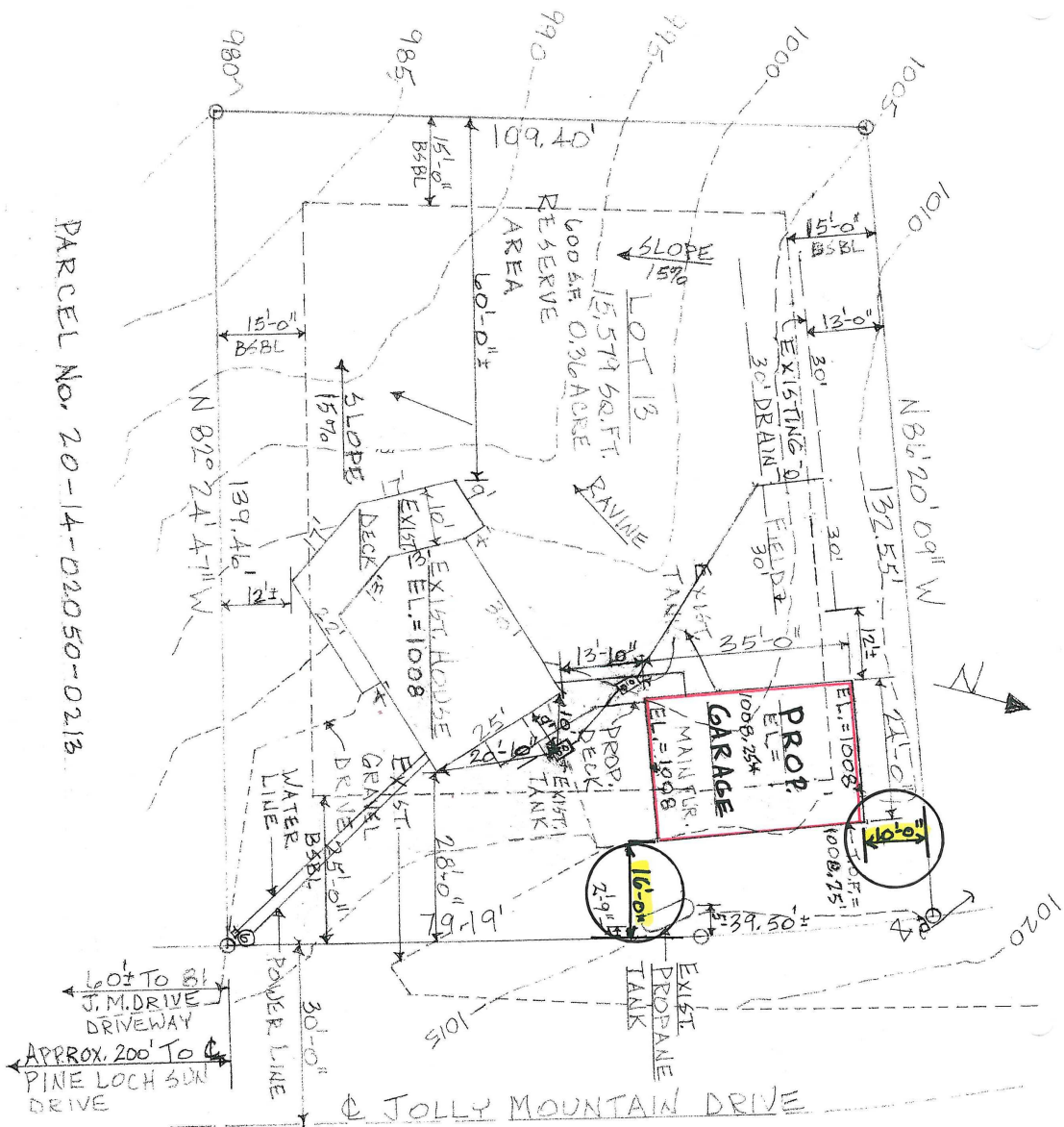
Date:

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

 _____

Date:

11-21-2009



PARCEL No. 20-14-02050-0213

SITE PLAN

1" = 20'-0"

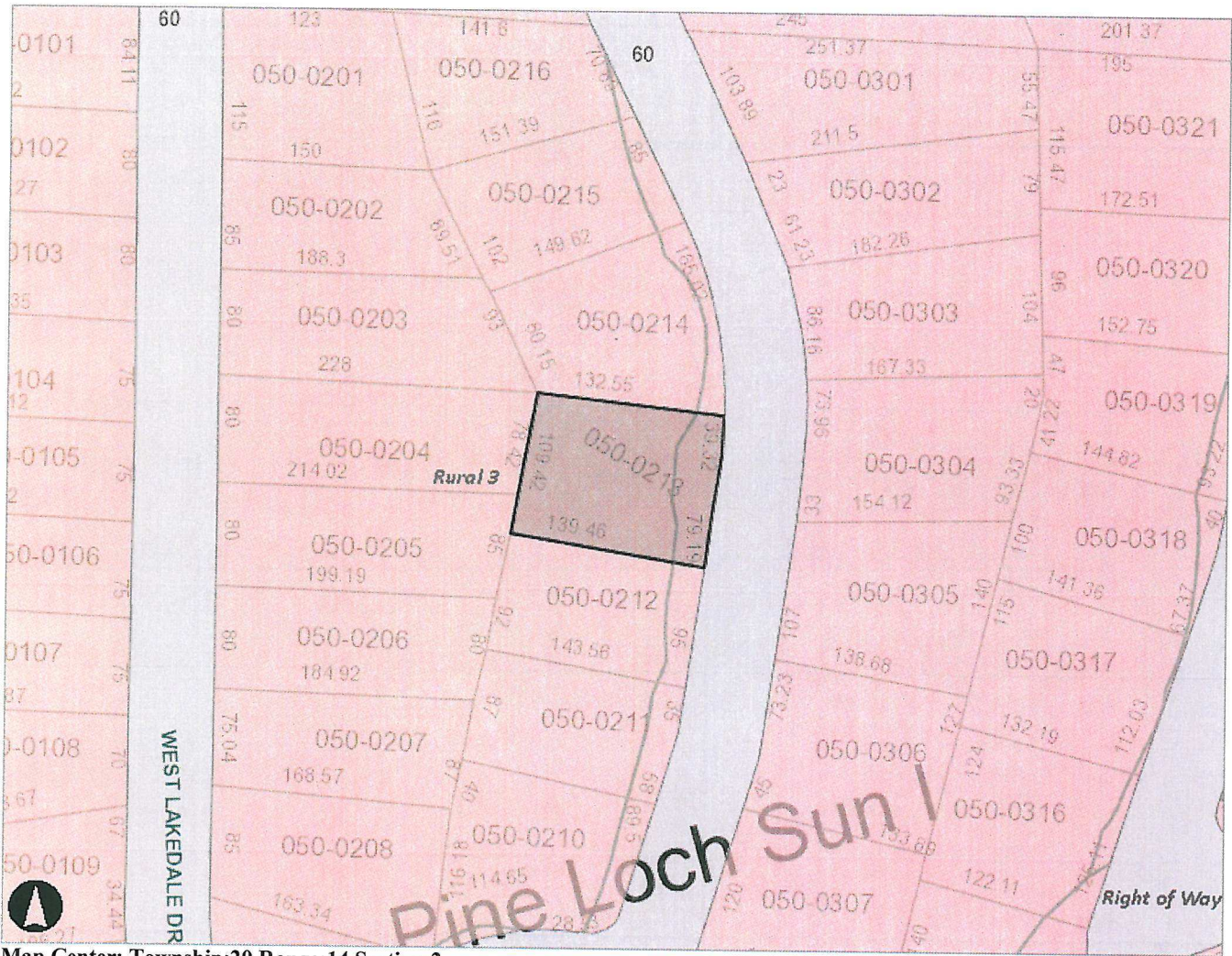
APPROX. 200' TO PINE LOCH SUN DRIVE
 150' TO S.M. DRIVE DRIVEWAY
 POWER LINE

ACCESS ROAD FOR 118, 112 & 110 JOLLY MOUNTAIN DRIVE

KENNETH & ELAINE BENVENISTE
 1702 223RD PL. NE
 SAMMAMISH, WA 98074
 425-836-0640

LEGAL DESCRIPTION:
 LOT 13, BLOCK B, PINE LOCH SUN, DIVISION 1, IN THE COUNTY OF KITTITAS, STATE OF WASHINGTON, AS PER PLAT THEREOF RECORDED IN BOOK 5 OF PLATS, PAGES 22 & 23, RECORDS OF SAID COUNTY.

Benveniste Variance - Zoning



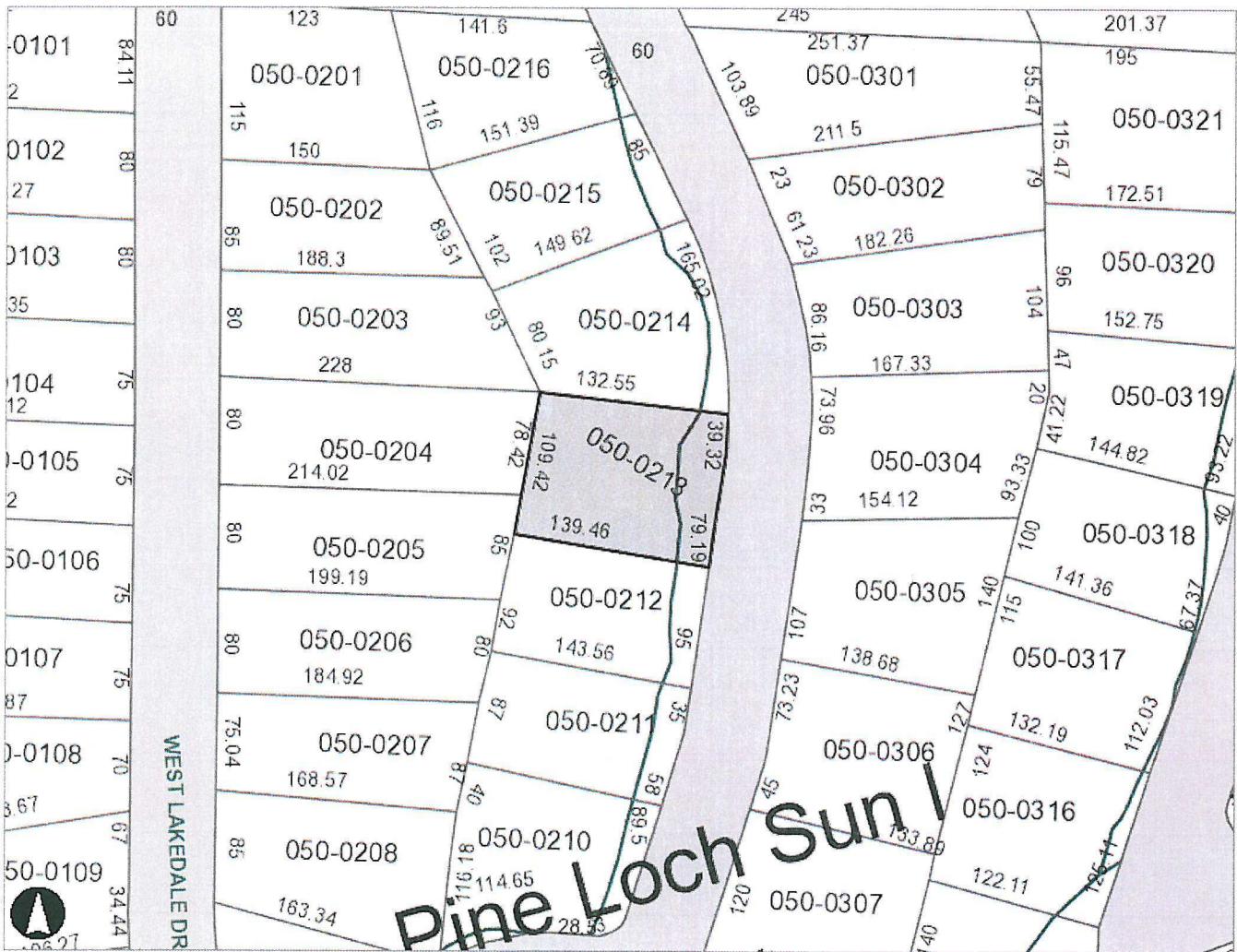
Map Center: Township:20 Range:14 Section:2

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Benveniste Variance



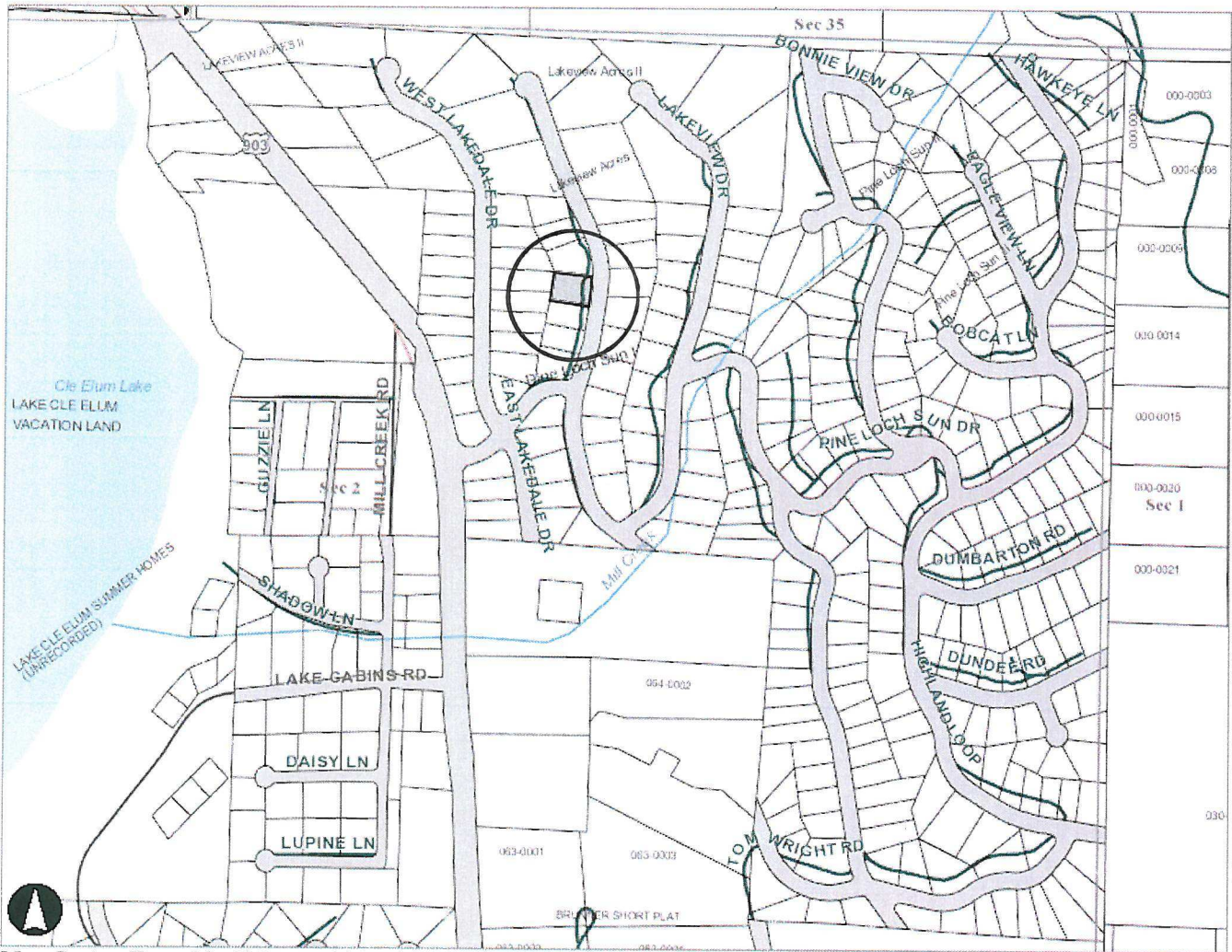
Map Center: Township:20 Range:14 Section:2

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Benveniste Variance - Pine Loch Sun



Map Center: Township:20 Range:14 Section:2

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Figure 5
Grade below cabin - west



Figure 3
Existing cabin from Jolly Mountain Drive - West

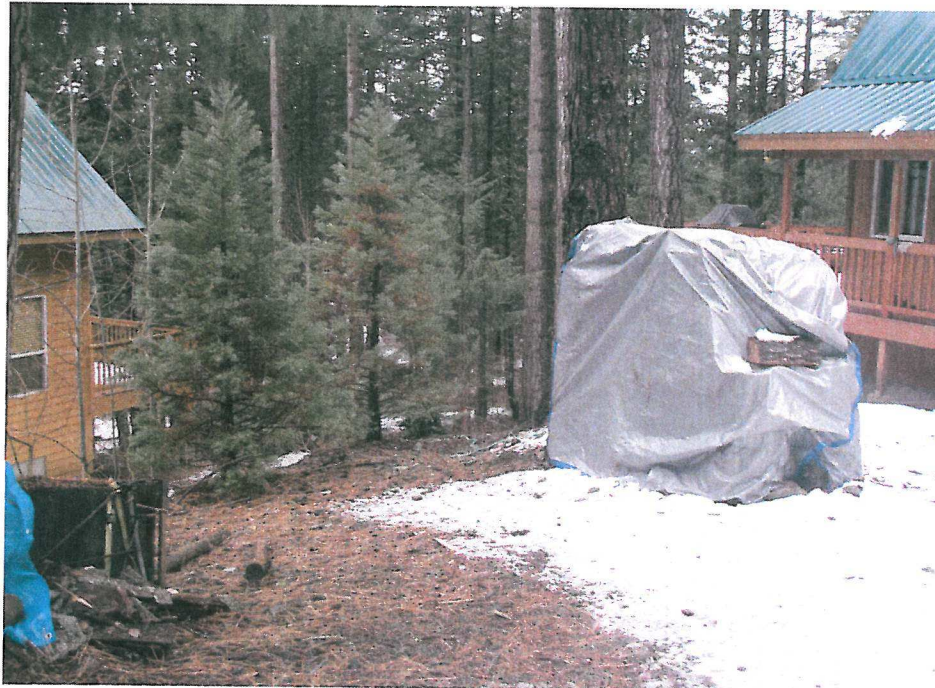


Figure 4
Existing setback between adjacent lot - south

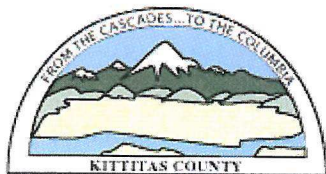


Figure 1
Proposed Garage Location – Northeast

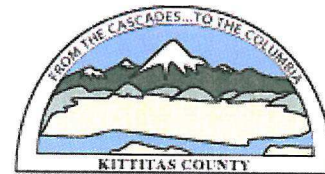


Figure 2
Ravine from Jolly Mountain Drive - West





Kittitas County Assessor



Marsha Weyand
Assessor

205 W 5th Ave Suite 101
Ellensburg, WA 98926
Phone: (509)962-7501
Fax: (509)962-7666

Property Summary (Appraisal Details)

Parcel Information

Parcel Number: 472034
Map Number: 20-14-02050-0213
Situs: 00121 WOLLY MTN DR RONALD
Legal: ACRES .36, PINE LOCH' SUN #1 LOT 13 BLOCK B SEC. 2; TWP. 20; RGE. 14

Ownership Information

Current Owner: BENVENISTE, KENNETH D ETUX
Address: 1702 223RD PLACE NE
City, State: SAMMAMISH WA
Zipcode: 98074

Assessment Data

Tax District: 40
Open Space:
Open Space Date:
Senior Exemption:
Deeded Acres: 0.36
Last Revaluation for Tax Year:

Market Value

Land: 65,000
Imp: 209,770
Perm Crop: 0
Total: 274,770

Taxable Value

Land: 65,000
Imp: 209,770
Perm Crop: 0
Total: 274,770

Sales History

Date	Book & Page	# Parcels	Grantor	Grantee	Price
05-30-2003	17631	1	BENVENISTE, KENNETH D ETUX &	BENVENISTE, KENNETH D ETUX	10,000
11-01-1999	9251	1	MARSH, DAVID G ETUX	BENVENISTE, KENNETH D ETUX &	145,000
04-01-1994	3805000	1	OLSON ETUX, GORDON L.	MARSH, DAVID G ETUX	15,500
08-01-1990	3020200	1	ESCALANTE ETUX, EDWARD J.	OLSON ETUX, GORDON L.	7,000

Building Permits

Permit No.	Date	Description	Amount
95-05032	5/11/1995	RNEW 1936 S.F.	98,251

5 Year Valuation Information

Year	Billed Owner	Land	Impr.	PermCrop Value	Total	Exempt	Taxable	Taxes
2009	BENVENISTE, KENNETH D ETUX	65,000	209,770	0	274,770	0	274,770	View Taxes
2008	BENVENISTE, KENNETH D ETUX	28,000	130,250	0	158,250	0	158,250	View Taxes
2007	BENVENISTE, KENNETH D ETUX	28,000	130,250	0	158,250	0	158,250	View Taxes
2006	BENVENISTE, KENNETH D	28,000	130,250	0	158,250		158,250	View Taxes