



KITTITAS 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 Zoning Setback Variance (VA-13-00001) from Mid Valley Investment, landowner to encroach 10 feet into the rear setback for the construction of a 56 x 160 foot hay barn, makes the following Findings of Facts, Conclusions at Law and Decision related to the above referenced matter:

1. Community Development Services finds that Mid Valley Investment, landowner submitted a zoning setback variance application on January 29, 2013. A Notice of Application was issued on February 28, 2013. 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 zoning setback variance is approximately 1.5 miles southeast of Ellensburg at 541 Tjossem Road, in a portion of Section 13, T17N, R18E, WM in Kittitas County, bearing Assessor's map number 17-18-13040-0005.
3. Community Development Services finds based on the criteria outlined in Title 17.84 of the Kittitas County Code, that the proposed setback variance application **has** demonstrated that:
 - a. Unusual circumstances or conditions apply to the property and/or the intended use that do not apply to other property in the general area. A substantial portion of the property/building envelope is covered by floodplain.
 - b. Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by owners of other properties in the same vicinity.
 - c. That authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity.
 - d. The granting of such variance will not adversely affect the realization of the comprehensive development pattern of this area.
4. Community Development Services finds that the granting of the proposed setback variance **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.
5. Community Development Services finds the granting of the proposed zoning setback variance **is** consistent and compatible with the intent of goals, objectives and policies of the comprehensive plan, and any implementing regulation.

Based upon above mentioned Findings of Facts and Conclusion of Law the Mid Valley Investment zoning setback variance (VA-13-00001) is hereby **approved**.

Jeff Watson, Staff Planner

3/20/2013

Date

You may appeal this determination pursuant to KCC 15A.07.010 by submitting specific factual objections and a fee of \$500 to the Kittitas County Board of Adjustment by April 5, 2013 at 5:00pm to 411 North Ruby Street, Suite 2, Ellensburg, WA 98926.