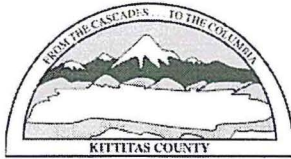


VA-16-00001



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

ZONING VARIANCE APPLICATION

Relief from a provisions of Title 17 when, because of unusual circumstances, following such provision would cause undue hardship (See KCC 17.84)

Please type or print clearly in ink. Attach additional sheets as necessary. Pursuant to KCC 15A.03.040, a complete application is determined within 28 days of receipt of the application submittal packet and fee. The following items must be attached to the application packet.


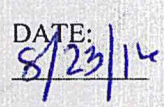

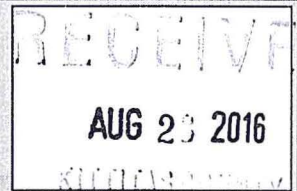
REQUIRED ATTACHMENTS

- 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.
- Project Narrative responding to Questions 9 and 10 on the following pages.

APPLICATION FEES:

\$1,800.00	Kittitas County Community Development Services (KCCDS)
\$235.00	Kittitas County Environmental Health
\$50.00	Kittitas County Department of Public Works
\$65.00	Kittitas County Fire Marshal
\$2,150.00	Total fees due for this application (One check made payable to KCCDS)

For Staff Use Only

Application Received By (CDS Staff Signature): 	DATE: 	RECEIPT # 	
DATE STAMP IN BOX			

COMMUNITY PLANNING • BUILDING INSPECTION • PLAN REVIEW • ADMINISTRATION • PERMIT SERVICES • CODE ENFORCEMENT • FIRE INVESTIGATION

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: Aaron Mostofi
Mailing Address: 7110 Cascade Ave SE
City/State/ZIP: Snogualmie, WA 98065
Day Time Phone: (360) 990-8378
Email Address: aaron.mostofi@microsoft.com

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

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: Kachess Dam Road
City/State/ZIP: Easton, WA 98925

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

Short: Section 27, Township 21 N, Range 13 E, Kittitas County, WA
Full: (attached)

6. Tax parcel number: 951720

7. Property size: 90.57 (acres)

8. Land Use Information:

Zoning: ~~Designated Forest~~
COMM Forest
Comp Plan Land Use Designation: COMM Forest

PROJECT NARRATIVE

(INCLUDE RESPONSES AS AN ATTACHMENT TO THIS APPLICATION)

9. **Narrative project description (include as attachment):** Please include at minimum the following information in your description: describe project size, location, and the provision of zoning code for which this variance is requested and the way in which you wish to vary from the code.
10. **A variance may be granted only when the following criteria are met (see KCC 17.84.10). Please describe in detail how each criteria is met for this particular request:**
- 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.
 - 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.
 - C. That authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity.
 - D. That the granting of such variance will not adversely affect the realization of the comprehensive development pattern.

AUTHORIZATION

11. 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)

Date:

X _____

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

Date:

X  _____

8/15/2016

5. Full legal description: Lot C or that certain lot line adjustment survey recorded June 15, 2016, in book 40 of surveys, pages 100 through 102, under auditor's file No 201606150034, Records of Kittitas County, State of Washington; Being a portion of Section 27, Township 21 North, Range 13 East, W.M., Kittitas Country, State of Washington.

AUG 23 2016

9. The project involves building a cabin (roughly 3,000 sq. ft. and 4 bedrooms) with an attached garage (4 cars) and a detached workshop (800 sq. ft.). They will be serviced by a proposed well, propane tank, and proposed septic system. The request for variance involves the 100' setback. The request is to reduce those for this project as follows:

- 50' from the northwest border (border with "Lot A")
- 50' from the southeast border (border with "Lot C")
- 10' from the southwest border (border with the small strip of the State's land surrounding Lake Kachess)

10. This request for a variance meets the criteria set forth by KCC 17.84.10 as follows:

- A. The majority of the 90.57 acres lies to the East of Kachess Dam Road and is not available for development at this time due to a Landowner Option Plan ("LOP") filed by the previous owner with the State of Washington. The shape of the buildable portion of the property (the portion west of the road) that meets the 100' setback from the property border (as visible in the Site Plan and specifically the section denoted by the brown-colored dotted line) and 100' back from the stream that lies to the north is extremely small and effectively unbuildable. Furthermore, it lies on a steeper portion of the land and close to the road. Furthermore, it lies in the shadow of tall trees whose base are higher than the structure (i.e. up the steep hill) such that they would need to be all cut/removed (which would be bad for the hill upon which the road sits) or pose an exceptionally serious risk to any structure (more so than normal tall trees because of the momentum that would be gained by falling more than 90 degrees before striking any structure). Furthermore, with required setbacks for well and septic, there would be no possible way to develop the land for such use. Even if such setbacks and conditions were not present, the land is very steeply sloped at that portion.
- B. The general purpose and use for such land in the vicinity is as private, part-time use cabins "in the woods". Cutting all the trees between any structure and the cabin would drastically reduce the privacy of such a cabin and harm the natural beauty of the area as seen from Kachess Dam Road. Clearing and constructing into the hill so close to the road may cause considerable physical risk and aesthetic damage to Kachess Dam Road and the existing driveway.
- C. The minimum impact to all three neighboring properties would be to develop in the already-cleared section of the land previously forested by the previous owner (and current owner of Lots A and B to the northwest and southeast, respectively). In fact, building anywhere else (on the west side of Kachess Dam Road) would be considerably more injurious to the other properties as it would require reducing their privacy as currently aided by the untouched trees between the cleared section and the road. Lot A also has an easement to use the existing driveway and any other location would likely impede the use of that driveway to service Lot A.
- D. The granting of this variance will not adversely affect the realization of the comprehensive development pattern as it is as far as possible from each of the other two buildable lots (Lots A and C) and Kachess Dam Road and only close to the small forested strip of land owned by the State around the Lake which is unlikely to be intended for any other use besides forest.

KITTITAS COUNTY, WASHINGTON
 BOUNDARY LINE
 ADJUSTMENT
 NO. _____

LOT LINE ADJUSTMENT
 A PORTION OF
SECTION 27, TOWNSHIP 21 NORTH, RANGE 13 EAST, W.M.
 KITTITAS COUNTY, WASHINGTON

RECORDING NO. _____ VOL./PAGE _____

SCALE: 1 INCH = 300 FT

PORTION OF:
 SECTION 27, TOWNSHIP 21 NORTH, RANGE 13 EAST, W.M.

VA-16-0001

AUG 29 2018

LINE	BEARING	LENGTH
L12	N59°03'36"E	19.89'
L13	N54°16'36"E	60.00'
L14	N75°34'08"E	47.99'
L15	N22°37'51"E	110.89'
L16	N64°04'42"E	47.16'
L17	N20°52'04"E	72.98'
L18	N43°09'55"E	59.25'
L19	N79°20'56"W	175.47'
L20	N60°11'52"E	135.16'
L21	N84°26'29"E	27.77'
L22	N61°15'46"E	124.77'
L23	N33°20'08"E	101.92'
L24	N58°23'44"E	116.37'
L25	N68°44'59"E	42.73'
L26	N43°09'53"E	58.49'
L27	N58°35'17"E	161.14'
L28	N75°18'32"E	90.71'
L29	N67°53'03"W	189.14'

MERIDIAN

PER RECORD OF SURVEY FILED UNDER BOOK B OF SURVEYS,
 PAGE 32 UNDER KITTITAS COUNTY AUDITOR'S NUMBER 450311

BASIS OF BEARINGS

N00°35'37"W BETWEEN FOUND MONUMENTS AT THE SOUTHEAST AND
 NORTHEAST SECTION CORNERS FOR SECTION 27, TOWNSHIP 21 NORTH,
 RANGE 13 EAST, W.M.

NOTES

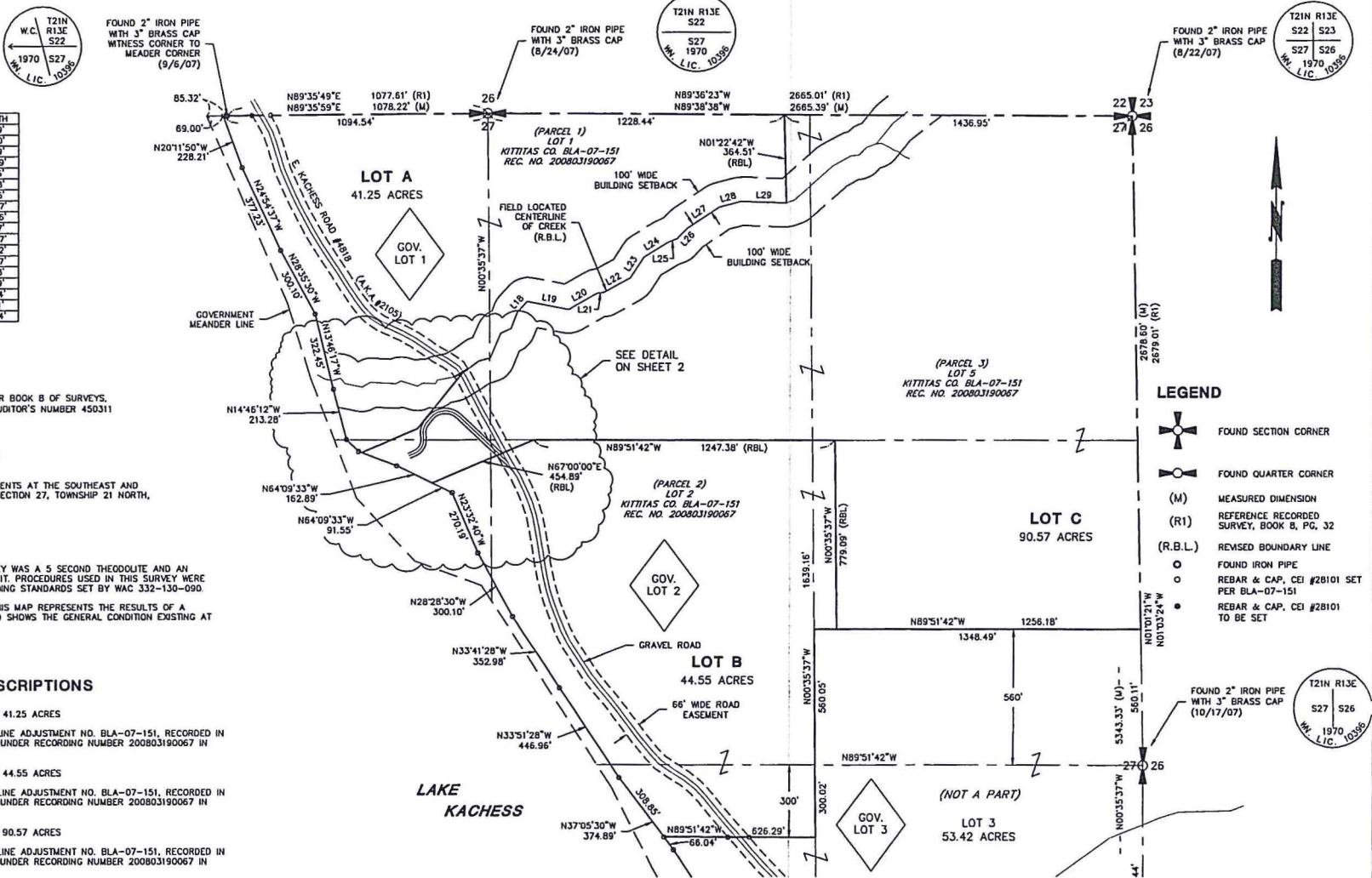
- INSTRUMENTATION FOR THIS SURVEY WAS A 5 SECOND THEODOLITE AND AN ELECTRONIC DISTANCE MEASURING UNIT. PROCEDURES USED IN THIS SURVEY WERE FIELD TRAVERSE, MEETING OR EXCEEDING STANDARDS SET BY WAC 332-130-090.
- THE INFORMATION DEPICTED ON THIS MAP REPRESENTS THE RESULTS OF A SURVEY MADE IN AUGUST, 2007, AND SHOWS THE GENERAL CONDITION EXISTING AT THAT TIME.
- NEW LOT CORNERS TO BE SET.

ORIGINAL LEGAL DESCRIPTIONS

PARCEL 1 (PARCEL NUMBER 306835) 41.25 ACRES
 LOT 1, KITTITAS COUNTY BOUNDARY LINE ADJUSTMENT NO. BLA-07-151, RECORDED IN BOOK 34, PAGES 235 THROUGH 237 UNDER RECORDING NUMBER 200803190067 IN KITTITAS COUNTY, WASHINGTON.

PARCEL 2 (PARCEL NUMBER 146835) 44.55 ACRES
 LOT 2, KITTITAS COUNTY BOUNDARY LINE ADJUSTMENT NO. BLA-07-151, RECORDED IN BOOK 34, PAGES 235 THROUGH 237 UNDER RECORDING NUMBER 200803190067 IN KITTITAS COUNTY, WASHINGTON.

PARCEL 3 (PARCEL NUMBER 951720) 90.57 ACRES
 LOT 5, KITTITAS COUNTY BOUNDARY LINE ADJUSTMENT NO. BLA-07-151, RECORDED IN BOOK 34, PAGES 235 THROUGH 237 UNDER RECORDING NUMBER 200803190067 IN KITTITAS COUNTY, WASHINGTON.



LEGEND

- FOUND SECTION CORNER
- FOUND QUARTER CORNER
- (M) MEASURED DIMENSION
- (R1) REFERENCE RECORDED SURVEY, BOOK B, PG. 32
- (R.B.L.) REVISED BOUNDARY LINE
- FOUND IRON PIPE
- REBAR & CAP, CEI #28101 SET PER BLA-07-151
- REBAR & CAP, CEI #28101 TO BE SET

RECORDER'S CERTIFICATE

FILED FOR RECORD THIS _____ DAY OF _____, 20____
 AT _____ M IN BOOK _____ OF _____ AT PAGE _____
 AT THE REQUEST OF:
DAVID B. MATTHEWS

AUDITOR _____ DEPUTY AUDITOR _____

LAND SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE OF THE SURVEY RECORDING ACT AT THE REQUEST OF BRIAN MURPHY IN _____ 20____

DAVID B. MATTHEWS, PLS NO. 36804



CONCEPT ENGINEERING, INC.

455 Rainier Boulevard North
 Issaquah, Washington 98027
 (425) 392-8055 FAX (425) 392-0108

Copyright © 1999 Concept Engineering, Inc. All rights reserved.

BOUNDARY LINE ADJUSTMENT FOR BRIAN MURPHY

DWN. BY DBM	DATE 3/17/08	JOB NO. 33109
CHKD. BY	SCALE 1" = 300'	SHEET 1 OF 2

KITTITAS COUNTY, WASHINGTON
 BOUNDARY LINE
 ADJUSTMENT
 NO. _____

LOT LINE ADJUSTMENT
 A PORTION OF
SECTION 27, TOWNSHIP 21 NORTH, RANGE 13 EAST, W.M.
 KITTITAS COUNTY, WASHINGTON

RECORDING NO.	VOL./PAGE
SCALE: 1 INCH = 100 FT.	
PORTION OF: SECTION 27, TOWNSHIP 21 NORTH, RANGE 13 EAST, W.M.	

VA-16-00001



AUG 23 2016

LEGEND

- FOUND SECTION CORNER
- FOUND QUARTER CORNER
- (M) MEASURED DIMENSION
- (RI) REFERENCE RECORDED SURVEY, BOOK 8, PG. 32
- (R.B.L.) REVISED BOUNDARY LINE
- FOUND IRON PIPE
- REBAR & CAP, CEJ #28101 SET PER BLA-07-151
- REBAR & CAP, CEJ #28101 TO BE SET

LOT AREAS

BEFORE ADJUSTMENT	AFTER ADJUSTMENT
PARCEL 1: 41.25 ACRES	LOT A: 41.25 ACRES
PARCEL 2: 44.55 ACRES	LOT B: 44.55 ACRES
PARCEL 3: 90.57 ACRES	LOT C: 90.57 ACRES

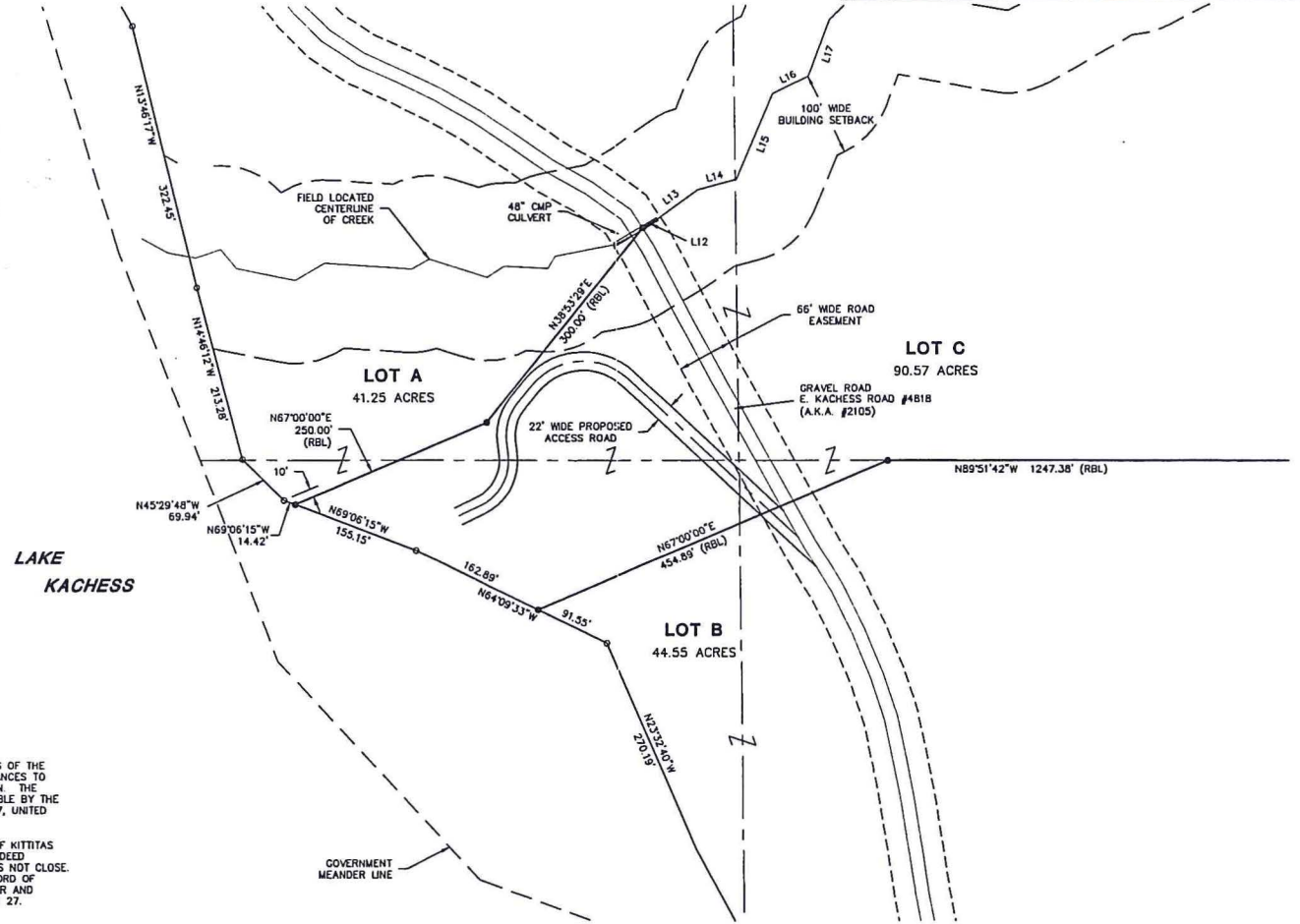
NOTE

"THE BEARINGS AND DISTANCES SHOWN HEREON ALONG THE WESTERLY LIMITS OF THE BURLINGTON NORTHERN RAILROAD LAND ARE BALANCED BEARINGS AND DISTANCES TO COMPLY WITH INTENT OF THE ORIGINAL DEED DESCRIPTION AS SHOWN HEREON. THE ORIGINAL DEED DESCRIPTION FAR EXCEEDS THE REQUIRED CLOSURE, ACCEPTABLE BY THE STANDARDS SET FORTH IN THE MANUAL OF SURVEYING INSTRUCTIONS - 1947, UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT."

THIS NOTE APPEARS ON RECORD OF SURVEY, BOOK 8, PAGE 32, RECORDS OF KITTITAS COUNTY, WA. THIS STATEMENT HAS BEEN CONFIRMED TO BE CORRECT. THE DEED DESCRIPTION RECORDED UNDER KITTITAS COUNTY RECORDING NO. 45690 DOES NOT CLOSE. CONCEPT ENGINEERING, INC. HAS USED THE GEOMETRY SHOWN ON THIS RECORD OF SURVEY AND ADJUSTED THAT TO FIT THE FOUND SOUTHEAST SECTION CORNER AND WITNESS CORNER TO THE MEANDER CORNER ON THE NORTH LINE OF SECTION 27.

SUBJECT TO

1. EASEMENT FOR ROADS IN FAVOR OF UNITED STATES OF AMERICA, RECORDING NO. 338309.
2. EASEMENT FOR RIGHT OF WAY FOR A ROAD IN FAVOR OF UNITED STATES OF AMERICA, RECORDING NO. 288146.
3. EASEMENT FOR ROADS IN FAVOR OF UNITED STATES OF AMERICA, RECORDING NO. 473238.
4. RESERVATIONS AND EXCEPTIONS RESERVED BY PCTC, INC., A DELAWARE CORPORATION, RECORDING NO. 521473 AND MODIFIED UNDER THE FOLLOWING RECORDING NOS.: 521474, 521475, 536887, 539737, 546455, 554263, 556252, 556253, 199604080028, 199605090013 AND 199605090017.

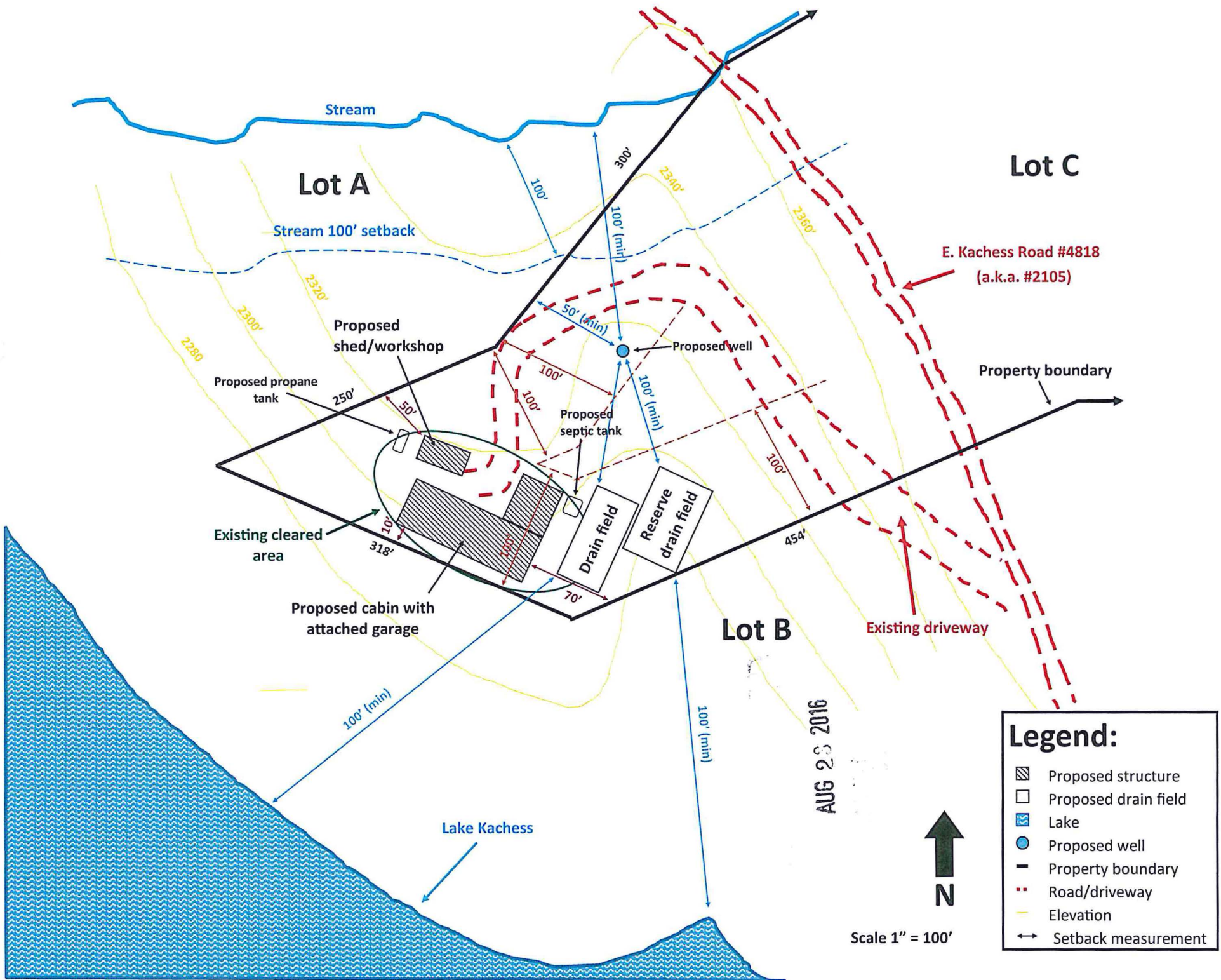


CONCEPT ENGINEERING, INC.
 455 Rainier Boulevard North
 Issaquah, Washington 98027
 (425) 392-8055 FAX (425) 392-0108









Copyright © 1999 Concept Engineering, Inc. All rights reserved.

BOUNDARY LINE ADJUSTMENT FOR BRIAN MURPHY		
DWN. BY	DATE	JOB NO.
DBM	1/14/14	33109
CHKD BY	SCALE	SHEET
	1" = 100'	2 OF 2

VA-16-00001



Legend:

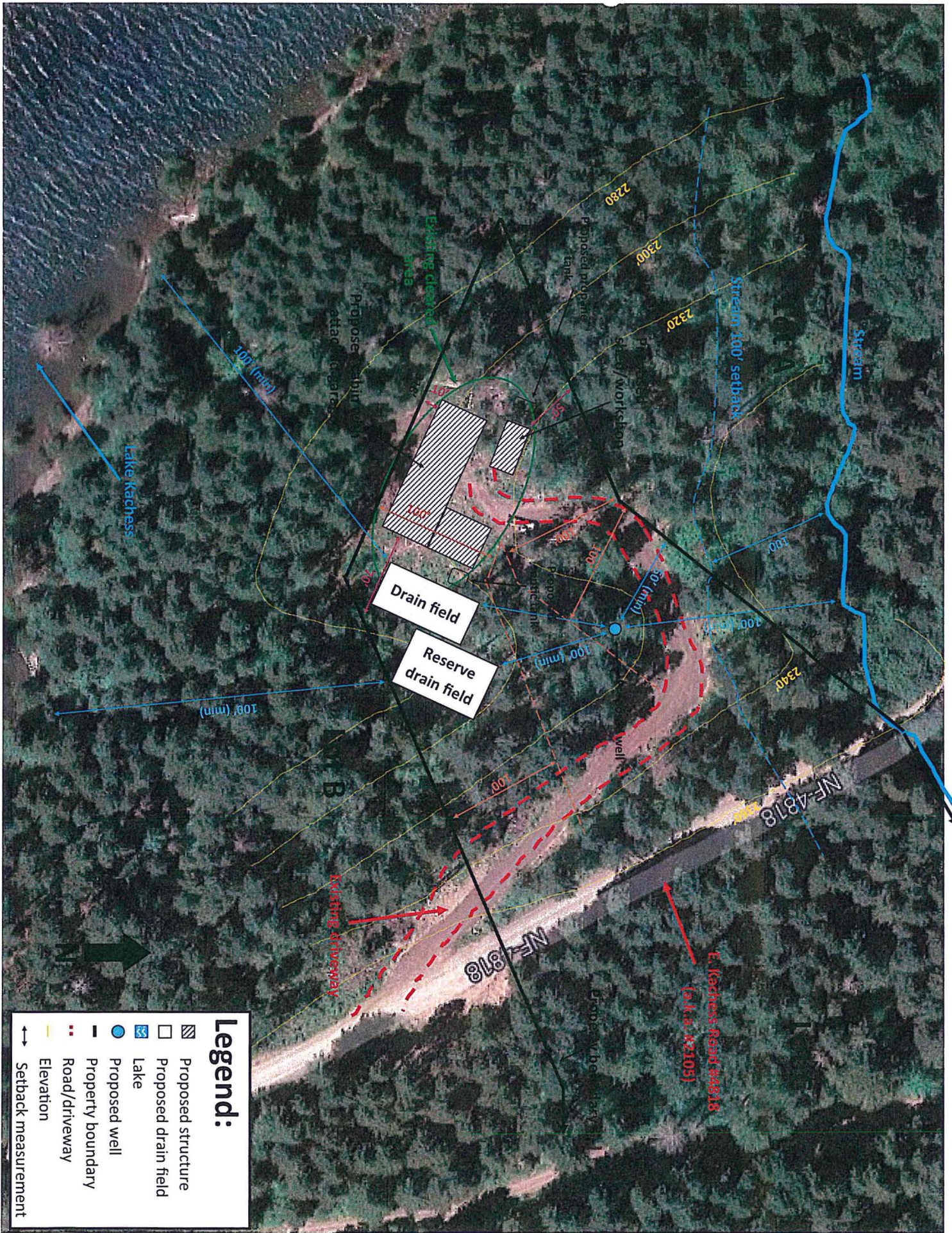
-  Proposed structure
-  Proposed drain field
-  Lake
-  Proposed well
-  Property boundary
-  Road/driveway
-  Elevation
-  Setback measurement

AUG 23 2016











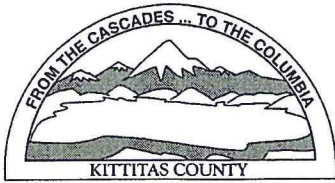
Scale 1" = 100'

VIA-16-00001



Legend:

-  Proposed structure
-  Proposed drain field
-  Lake
-  Proposed well
-  Property boundary
-  Road/driveway
-  Elevation
-  Setback measurement



KITTITAS COUNTY PERMIT CENTER
411 N. RUBY STREET, ELLENSBURG, WA 98926

RECEIPT NO.: 00031185

COMMUNITY DEVELOPMENT SERVICES
(509) 962-7506

PUBLIC HEALTH DEPARTMENT
(509) 962-7698

DEPARTMENT OF PUBLIC WORKS
(509) 962-7523

Account name: 031867

Date: 8/23/2016

Applicant: AARON MOSTOFI

Type: check # 5420

<u>Permit Number</u>	<u>Fee Description</u>	<u>Amount</u>
VA-16-00001	ADMINISTRATIVE VARIANCE	1,800.00
VA-16-00001	ADMIN VARIANCE FM FEE	65.00
VA-16-00001	PUBLIC WORKS ADMIN VARIANCE	50.00
VA-16-00001	EH LAND USE VARIANCE REVIEW	235.00
	<u>Total:</u>	<u>2,150.00</u>