



Swanson Zoning Setback Variance

File Number VA-26-00003

FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

I. GENERAL INFORMATION

Requested Action: Keren Swanson, property owner, is seeking a zoning variance to reduce the required rear yard setback from 25 feet to 20 feet, as outlined in KCC 17.18.080. This adjustment will allow for the construction of a single-family residence (SFR) with an attached garage on the parcel. Parcels 226034 and 236034, formerly Lots 13 and 14 of the Ronald Townsite, were combined to create a 0.22-acre lot. The purpose of this combination was to provide sufficient space for a SFR. Despite the parcel combination, the lot remains unsuitable for constructing a single-family residence (SFR) with an attached garage. Unlike other Ronald Townsite parcels with alley access that allow rear-yard accessory structures, this parcel lacks such access, preventing garage placement without compromising consistency with neighboring residences.

Location: The subject property is parcel #236034 located at 71 Alley Street in Ronald, WA. Approximately 400 feet from the intersection of Alley Street and SR 903. Section 07, Township 20, Range 15; Kittitas County parcel map number 20-15-07050-0514. The property is zoned Residential -2 and has a land use designation of Limited Area of More Intense Rural Development (LAMIRD).

II. SITE INFORMATION

Total Property Size:	0.22 acres
Number of Lots:	1
Sewage Disposal:	Public Sewer System
Fire Protection:	Fire District 6 (Ronald)
Irrigation District:	n/a

Site Characteristics:

North: Moderate density residential development in Residential 2 zoning.

South: Moderate density residential development in Residential 2 zoning.

East: Moderate density residential development in Residential 2 zoning.

West: Moderate density residential development in Residential 2 zoning.

Access: The site is accessed via Alley Street.

III. ZONING AND DEVELOPMENT STANDARDS

The subject property has a zoning designation of Residential 2 with a LAMIRD land use designation. The purpose and intent of this zone is to provide for and protect areas for homesite development designed to meet contemporary building and living standards where public water and sewer systems are provided. The applicant is requesting to utilize the variance process pursuant to KCC 17.84 Variances, to deviate from the prescribed side yard setback requirements in KCC 17.18.070. Title 17.84.010 of the Kittitas County Code outlines four criteria in which a variance can be granted. The applicant must demonstrate that the proposal **has met all four criteria**. The following is a summary describing whether each criterion has been satisfactorily demonstrated:

KCC 17.84.010 Granting Criteria (all four must be met):

1. 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.

Applicant Response

"The home will not fit with the current setbacks, even after lot line adjustment to combine both parcels".

Staff Response

CDS staff have reviewed the complete file, including the applicant's materials and all comments received during the public comment period. Based on this review, CDS finds that the applicant has met the criteria outlined in KCC 17.84.010(1).

Although the parcel's size and shape are consistent with other properties in the Ronald Township, it does not have alley access. In the Residential 2 zoning district, accessory structures such as garages are permitted within five feet of the rear property line and are commonly accessed from an alley. Do to the parcels limited size, these provisions were put in place to allow accessory structures like garages within the rear setback without compromising the size of the SFR. Most parcels within the Ronald Township have alley access.

Because the parcel lacks alley access, constructing a functional rear-yard garage is not feasible. As a result, the applicant is proposing to locate the garage near the front of the property. To maintain the required 15-foot front yard setback, a portion of the single-family residence must extend into the rear yard setback.

The proposed single-family residence, including the garage, is consistent in overall size with homes on similarly sized lots and remains below the 40% lot coverage limit. Denying the requested variance would create an unusual circumstance for the applicant by effectively preventing the construction of a similar sized SFR and functional garage comparable to those on nearby properties.

The applicant has demonstrated in a factual and meaningful way the existence of "unusual circumstances or conditions" that does not generally apply to other property in the same vicinity.

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

Applicant Response

"Setback adjustment is needed for the home to fit on the property, and maintain the front setback".

Staff Response

CDS staff have reviewed the complete file information, including but not limited to, the applicant's submitted information and comments received during the comment period. CDS agrees that without this variance, the applicant would "be deprived of a comparable use and enjoyment of their property due to the restrictive buildable area." CDS finds that the applicant has satisfied the criteria outlined in KCC17.84.010(2).

The applicant has demonstrated in a factual and meaningful way the existence of a "substantial property right" that may be negated by the application of the yard requirements as stipulated in

KCC 17.30A.050. The variance, as presented, is consistent with KCC 17.84.010(2).

3. Authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity.

Applicant Response

“The setback adjustment is like neighboring properties in the vicinity”.

Staff Response

The proposed use remains a single-family residence with an attached garage, which is consistent with existing residential development in the Ronald Townsite.

The requested five-foot setback reduction will not adversely impact neighboring properties or privacy. The parcel is located on the outskirts of the Ronald Townsite, and the reduced setback will not significantly increase visibility into adjacent yards or diminish existing privacy. The portion of the house façade extending into the rear yard is approximately 16 feet.

Additionally, the proposed setback reduction will not create a public nuisance. The project is not expected to generate excessive noise or vibration, produce smoke or noxious odors, obstruct access or driveways, or create unmitigated lighting impacts. It will also not contribute to conditions that would attract or harbor nuisance animals.

CDS finds no evidence that the proposed setback reduction would be materially injurious to adjacent property owners or the public welfare. Based on these findings, CDS concludes that the applicant has demonstrated compliance with the criteria set forth in KCC 17.84.010(3).

The applicant has demonstrated in a factual and meaningful way that the proposed site will maintain substantial property line setbacks despite granting of the variance. The variance will not be “materially detrimental to the public welfare or injurious to property in the vicinity” as required in KCC 17.84.010(3).

4. The granting of such a variance will not adversely affect the realization of the comprehensive development pattern of this area.

Applicant Response

“The granting of the setback adjustment will not adversely affect the realization of the comprehensive development pattern”.

Staff Response

CDS has concluded that the requested zoning setback variance will not adversely affect the realization of the comprehensive development pattern in the area. The area contains similarly sized lots with single-family residences and attached or detached garages and accessory buildings located within the rear setback. The total lot coverage will not exceed 40%; therefore, maintaining a building footprint of similar size, including the attached garage, does not adversely affect the existing neighborhood layout.

The applicant has demonstrated in a factual and meaningful way that the proposed build site will “not adversely affect the realization of the comprehensive development pattern.” The variance, as presented, is consistent with KCC 17.84.010(4).

Staff Conclusions

Staff finds that the zoning variance request **does** meet all four criteria outlined in KCC 17.84.010 as described above. Therefore, the zoning variance request is consistent with the conditions necessary to grant a variance under KCC 17.84.000

IV. ADMINISTRATIVE REVIEW

Deem Complete: The application was deemed complete on March 10, 2026.

Notice of Application: Notice of Application was sent to property owner within 500 feet and all agencies with jurisdiction, published in the official newspaper of record for Kittitas County, and posted on the Kittitas County website on March 12, 2026, all in conformance with the Kittitas County Project Permit Application Process (Title 15A). The comment period ended at 5:00 pm on March 27, 2026, and all comments were transmitted to the applicant on March 30, 2026.

V. ENVIRONMENTAL REVIEW

A critical areas review was performed by CDS staff using GIS data and a Type (U) stream near the property. Previous correspondence with the Washington State Department of Fish and Wildlife confirmed that the indicated stream is not present on or near the property.

VI. AGENCY AND PUBLIC COMMENTS

Applicable agencies, adjacent property owners, and interested parties have been given the opportunity to review this proposal. All comments are on file and available for public review. The following agencies provided comments: Bonneville Power Administration (BPA), Kittitas County Public Works (KCPW), Yakama Nation Fisheries, Confederate Tribe of the Colville Reservation (CTCR), and Kittitas County Fire Marshal (KCFM). A review of these comments can be seen below.

Bonneville Power Administration

BPA stated this project will not directly impact BPA facilities. BPA does not have any objections to the approval of this request currently.

Applicant Response: *No response.*

Staff Response: *CDS has provided these comments to the applicant.*

Kittitas County Public Works

Access:

- Issued Access Permit AA-25-00082. An approved access permit shall be required from the Kittitas County Department of Public Works prior to creating any new driveway access or alternative existing access.
- Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain access.
- In addition to the above-mentioned conditions, all applicable Kittitas County Road Standards apply to this proposal. Access is not guaranteed to any existing or created parcel on this application.

Engineering:

- Except as exempted in Section KCC 14.05.060, no grading or filling upon a site involving more than one hundred (100) cubic yards shall be performed without a grading permit from

the County Engineer or Public Works designee (KCC 14.05.050). An application for grading in excess of five hundred (500) cubic yards shall be accompanied by an engineered grading plan (KCC 14.05.080).

Applicant Response: No response.

Staff Response: CDS has provided these comments to the applicant.

Yakama Nation Fisheries

Yakama Nation Fisheries state the project does not yield any new information that would require further investigation of the potential impacts of Archaeological/Cultural Resources.

Applicant Response: No response.

Staff Response: CDS has provided these comments to the applicant.

Confederated Tribes of the Colville Reservation

CTCR stated no concern with the proposed additional 5' setback.

Applicant Response: No response.

Staff Response: CDS has provided these comments to the applicant.

Kittitas County Fire Marshal

KCFM stated they have no comments.

Applicant Response: No response.

Staff Response: CDS has provided these comments to the applicant.

Public Comments:

Public comments from Mary Villa, Michael Johnson, Lori Chase, Patricio Chase, and Sandra Shovlain were received during the designated comment period.

Full comments can be examined by the public on the Community Development Services (CDS) website at <https://www.co.kittitas.wa.us/cds/land-use/default.aspx> then navigate to "Zoning Variance" & "VA-26-00003 Swanson" or at the CDS offices at 411 N. Ruby St, Suite 2, Ellensburg, WA 98926 during normal business hours. A summary of concerns includes and is not limited to:

1. Appropriate spacing,
2. Privacy,
3. Maintaining neighborhood character,
4. Reduction in expected distances between structures, and
5. Stormwater and snow drainage issues.

Applicant Response: In response to the comments regarding our variance application (VA-26-0003 Swanson Variance Request), we would like to clarify that the requested 5-foot setback reduction at the rear of the property has not generated opposition from the adjacent neighbor directly impacted. Additionally, all side and front setbacks fully comply with Kittitas County requirements. Careful consideration was given to maintaining consistency with surrounding properties, and both the front and rear building placement were intentionally designed to align with neighboring homes, preserving the

overall character and continuity of the area.

Furthermore, all site infrastructure has been designed in full compliance with County Code, and the overall development remains within the allowable land use threshold of under 40%. Due to the size of the home and the constraints associated with the selected builder and approved plan, modifications to the structure are not feasible without significant impact. Given these factors—compliance with code, lack of neighbor opposition, and alignment with existing neighborhood patterns—we respectfully request approval of the variance.

Applicant Response: I know my 5 ft by 11 (space for variance) for the master bedroom does not affect any of these people's view or land value. At this point they all got together and had this planned. We are not here to cause any trouble. These people have been messing with us since we moved here.

Staff Response: As noted in Section III, Zoning and Development Standards, accessory buildings in Residential 2 zones may be located as close as five feet from the rear property line. Many parcels within the Ronald Townsite include accessory structures in the rear yard that comply with this reduced setback.

Allowing the proposed single-family residence to encroach five feet into the required 25-foot rear setback will not undermine the existing neighborhood character, infringe on privacy, reduce separation between structures, or disrupt established spacing patterns. This is because similar development is already permitted within the rear setback area.

Additionally, the total building footprint will not exceed 40% of the lot coverage. As such, the proposal is not expected to create stormwater or snow drainage issues beyond those that would occur if all standard setbacks were maintained.

VII. PROJECT ANALYSIS

In review of this proposal, it is important to consider the applicable county code, public and agency comments, any identified environmental concerns and state and federal requirements. Identified below is planning staff's analysis and consistency review for the subject application.

Consistency with the provisions of KCC 17A, Critical Areas:

A critical areas review was performed by CDS using GIS did not identify any critical areas on or near the property.

Consistency with the provisions of KCC 17.18.070 Yard requirements:

This proposal is not consistent with the setback requirements specified in KCC 17.18.070, thereby supporting the need for a zoning variance.

Consistency with the provisions of KCC 17.84 Variances:

This proposal must meet all four of the criteria for granting a zoning variance. The four criteria are: 1) 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; 2) Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owner of other properties in the same vicinity or district; 3) The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which the property is located; and 4) That the granting of such variance will not adversely affect the realization of the comprehensive development pattern. A variance so authorized shall become void after the expiration of one year if no substantial construction has taken place. This proposal is consistent with the required variance criteria as described above in Section III of this staff report.

Consistency with the provisions of the KCC Title 14.04, Building Code:

All buildings must be consistent with International Building Codes and approved building plans as issued by Kittitas County.

Consistency with the provisions of KCC Title 20, Fire and Life Safety:

The proposal must be consistent with the provisions of KCC Title 20.

Agency Comments:

The following agencies provided comments: Bonneville Power Administration (BPA), Kittitas County Public Works (KCPW), Yakama Nation Fisheries, Confederate Tribe of the Colville Reservation (CTCR), and Kittitas County Fire Marshal (KCFM).

Public Comments:

Public comments from Mary Villa, Michael Johnson, Lori Chase, Patricio Chase, and Sandra Shovlain were received during the designated comment period.

VIII. FINDINGS OF FACT

1. Keren Swanson, property owner, is seeking a zoning variance to reduce the required rear yard setback from 25 feet to 20 feet, as outlined in KCC 17.18.080. This adjustment will allow for the construction of a single-family residence (SFR) with an attached garage on the parcel. Parcels 226034 and 236034, formerly Lots 13 and 14 of the Ronald Townsite, were combined to create a 0.22-acre lot. The purpose of this combination was to provide sufficient space for a SFR. The residence proposed by the owner has a fixed building footprint that does not fit within the parcel setbacks. While the building does not exceed 40% lot coverage, the layout is not compatible with the current shape and size of the parcel, and a zoning variance is necessary to reduce the rear setback by five feet.

2. The subject property is parcel #236034 located at 71 Alley Street in Ronald, WA. Approximately 400 feet from the intersection of Alley Street and SR 903. Section 07, Township 20, Range 15; Kittitas County parcel map number 20-15-07050-0514. The property is zoned Residential -2 and has a land use designation of Limited Area of More Intense Rural Development (LAMIRD).

3. Site Information

Total Property Size:	0.22 acres
Number of Lots:	1
Sewage Disposal:	Public Sewer system
Fire Protection:	Fire District 6 (Ronald)
Irrigation District:	n/a

4. Site Characteristics:

- North: Moderate density residential development in Residential 2 zoning.
- South: Moderate density residential development in Residential 2 zoning.
- East: Moderate density residential development in Residential 2 zoning.
- West: Moderate density residential development in Residential 2 zoning.

5. The site is accessed via Alley Street.

6. The Comprehensive Plan land use designation is LAMIRD in Residential 2 zoning.

7. The purpose and intent of this zone is to provide for and protect areas for homesite development

designed to meet contemporary building and living standards where public water and sewer systems are provided. The applicant is requesting to utilize the variance process pursuant to KCC 17.84 Variances, to deviate from the prescribed side yard setback requirements in KCC 17.18.070. Title 17.84.010 of the Kittitas County Code outlines four criteria in which a variance can be granted. The applicant must demonstrate that the proposal has met all four criteria.

8. A Zoning Variance Application was submitted to Kittitas County Community Development Services department on March 9, 2026.
9. The application was deemed complete on March 10, 2026.
10. Notice of Application was sent to property owners within 500 feet and all agencies with jurisdiction, published in the official newspaper of record for Kittitas County, and posted on the Kittitas County website on March 12, 2026, all in conformance with the Kittitas County Project Permit Application Process (Title 15A). The comment period ended at 5:00 pm on March 27, 2026, and all comments were transmitted to the applicant on March 30, 2026.
11. A critical areas review was performed by CDS using GIS data did not identify any critical areas on or near the property.
12. The proposal is consistent with the provisions of KCC 17A, Critical Areas.
13. The proposal is not consistent with the setback requirements specified in KCC 17.18.070, thereby supporting the need for a zoning variance.
14. The proposal is consistent with the KCC 17.84 Variances. All four criteria in KCC 17.84.010 have been satisfied.
15. This proposal is consistent with the provisions of the KCC Title 14.04, Building Code as conditioned.
16. The proposal is consistent with the provisions of KCC Title 20, Fire and Life Safety as conditioned.
17. Comments were received from the following agencies: Bonneville Power Administration (BPA), Kittitas County Public Works (KCPW), Yakama Nation Fisheries, Confederate Tribe of the Colville Reservation (CTCR), and Kittitas County Fire Marshal (KCFM).
18. Public comments from Mary Villa, Michael Johnson, Lori Chase, Patricio Chase, and Sandra Shovlain we received during the designated comment period.

IX. STAFF CONCLUSIONS:


1. This proposal has satisfied all four criteria of KCC Title 17.84.010.
2. The proposal is consistent with state and federal regulations.
3. The proposal is consistent with local regulations as conditioned including Kittitas County Code Title 14.04 Buildings & Construction, Title 17 Zoning, Title 17A Critical Areas, and Title 20 Fire and Life Safety.

X. DECISION AND CONDITIONS OF APPROVAL:

Kittitas County Community Development Services finds that the Swanson Zoning Setback Variance (VA-26-00003) is hereby **approved** subject to the conditions below. The Swanson Zoning Setback Variance has satisfied the requirements of a zoning setback variance pursuant to KCC 17.84.010.

CONDITIONS OF APPROVAL:

1. The project shall proceed in substantial conformance with the plans and application materials on file.
2. The applicant shall comply with all Local, State and Federal environmental standards and regulations in place at the time of building application submittal.
3. The applicant shall obtain all necessary permits required by Kittitas County Community Development Services.
4. All structures and buildings shall be compliant with the International Fire Code.
5. This side yard setback variance shall expire after one year of the decision date if no substantial construction has taken place or an extension has not been applied for under KCC 17.84.010(4).

Responsible Official 

 Ellie Myers

Title: Planner 1
Address: Kittitas County Community Development Services
 411 N. Ruby Street, Suite 2
 Ellensburg, WA. 98926
 Phone: (509) 962-7079
Date: April 9, 2026

Pursuant to Chapter 15A.07 KCC, this determination may be appealed by submitting specific factual objections in writing with a fee of \$1670 to the Kittitas County Community Development Services at 411 N Ruby St Ste. 2, Ellensburg, WA 98926. Timely appeals must be received no later than 5:00 pm on April 23, 2026. Aggrieved parties are encouraged to contact Community Development Services at (509) 962-7048 for more information on the appeal process.