



## KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

### TRANSMITTAL MEMORANDUM

**To:** Cathy Reed, Shorelands and Environmental  
Assistance Program - Central Regional Office  
15 West Yakima Avenue  
Yakima, Washington 98902-2890

**From:** Lindsey Ozbolt, Planner II  
Community Development Services

**Date:** July 15, 2014

**Subject:** Transmittal of 3160 VIA Kachess Shoreline Structural Setback Variance (SV-14-00001)

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Enclosed you will find the complete project file for the Shoreline Structural Setback Variance. The complete project file can also be reviewed on the Kittitas County website at this address:

[http://www.co.kittitas.wa.us/cds/land-use/current-planning.aspx?title=Shoreline Variances](http://www.co.kittitas.wa.us/cds/land-use/current-planning.aspx?title=Shoreline%20Variances)

Below is some of the information included in the complete file to aid in your review (a detailed file index is included in the attachments):

1. Resolution 2014-105
2. Hearing Examiner Recommendation & findings
3. Comments received
4. Affidavit of publishing
5. Notice of Application
6. Staff review documents
7. Application materials

Please contact me if you have any questions on this application. I can be reached by e-mail at [lindsey.ozbolt@co.kittitas.wa.us](mailto:lindsey.ozbolt@co.kittitas.wa.us) or by phone at (509) 962-7637.

CC: Cover letter to applicant  
Richard Landen, land owner via email

**WAC 173-27-990**

**Appendix A.**

**Appendix A**

**Shoreline Management Act  
Permit Data Sheet and Transmittal Letter**

From: (local government) To: (appropriate Ecology office)

Kittitas County CDS Cathy Reedy, Shorelands Assistance - Central Region  
411 N. Ruby St. Suite 2 15 West Yakima Ave  
Elkensburg WA 98926 Yakima WA 98902

Date of Transmittal: 7/15/14 Date of Receipt: (provided by Ecology)

Type of Permit: (Indicate all that apply)  
 Substantial Development ; Conditional Use ; Variance ; Revision ; Other .  
 Local Government Decision: Approval ; Conditional Approval ; Denial :

Applicant Information: Applicant's Representative: (if primary contact)  
 Name: Richard Landen Name: \_\_\_\_\_  
 Address: 22820 148th Ave SE Address: \_\_\_\_\_  
Kent WA 98042  
 Phone(s): 206-261-5368 or Phone(s): \_\_\_\_\_  
253-631-4931

Is the applicant the property owner? yes no  
 Location of the Property: (Section Township and Range to the nearest 1/4, 1/4 Section or latitude and longitude, and a street address where available)  
31610 Via Kachess Rd | SW 1/4 SW 1/4; S. 17; T21N; R13E; W6M  
Easton WA | Lat: 47.308 Lon: -121.248

Water Body Name: Lake Kachess  
 Shoreline of Statewide Significance: Yes No .  
 Environment Designation: Conservancy  
 Description of the Project: (Summary of the intended use or project purpose)  
A request to remodel and expand an existing residential structure to retrofit the house to allow for ADA compatibility. This request is to allow the structure to be no closer than 58ft of the  
 Notice of Application Date: April 15th, 2014 Final Decision Date: June 17th, 2014 attwm.  
 By: (Local Government Primary Contact on this Application) Kittitas County, Lindsay Ozboit  
 Phone No: 509-962-7637

[Statutory Authority: RCW 90.58.140(3) and [90.58].200. WSR 96-20-075 (Order 95-17), § 173-27-990, filed 9/30/96, effective 10/31/96.]

PROJECT NAME: **3160 VIA Kachess (SV-14-00001)**

Completed for: **DOE review transmittal – 7/15/14**

<b>Index #</b> <small>*Numbers in lower right hand corner</small>	<b>Document Name</b>
1	KC application fees receipt – 3/10/14
2	Shoreline Variance application submittal packet – 3/10/14
3	Additional information submitted by applicant – 3/25/14
4	Staff review info
5	Deem Complete Letter – 3/31/14
6	Email between applicant and staff – 4/2/14
7	Affidavit of Posting – 4/4/14
8	Notice of Application memo & legal – 4/15/14
9	Affidavit of Mailing & Publication – Notice of Application – 4/15/14
10	Returned mail – Notice of Application
11	Email from KC Env. Health – 4/23/14
12	Public Comment – D. Campbell
13	Public Comment – A. Dulin
14	Email between applicant and staff – 4/24/14
15	Comment from KC DPW – 5/2/14
16	Transmittal of comments letter – 5/2/14
17	Hearing Examiner Agenda – 5/8/14 (hearing date)
18	DOE comment letter (late) – 5/8/14
19	HE Staff Report
20	Staff PowerPoint Presentation
21	Staff submitted Kachess plat map information night of HE hearing – 5/8/14
22	HE hearing sign-in sheet – 5/8/14

23	Notice of Application publication in DR
24	Email between CDS and applicant – 5/19/14
25	Hearing Examiner Recommendation
26	Email between CDS and applicant – 5/22/14
27	BOCC Agenda Staff Report – Closed Record Hearing – 6/3/14
28	BOCC Agenda Session Agenda – 6/3/14
29	Email between CDS & applicant – 6/3/14
30	Email between CDS & applicant – 6/6/14
31	BOCC Agenda Staff Report & draft Resolution – 6/17/14
32	BOCC Agenda Session Agenda – 6/17/14
33	Notice of Decision Memo – 6/27/14
34	Notice of Decision Legal – 6/27/14
35	Affidavit of Mailing and Publication – Notice of Decision – 6/27/14
36	Resolution No. 2014-105
37	Email between Kittitas County and USFS – 7/8/14

## Lindsey Ozbolt

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**From:** GarveyDarda, Patricia A -FS <pgarveydarda@fs.fed.us>  
**Sent:** Tuesday, July 08, 2014 10:26 AM  
**To:** Lindsey Ozbolt; Jan Ollivier; chelberg@usbr.gov; Lynn, Scott R -FS  
**Cc:** Kirk Holmes; Christina Wollman; Jeff Watson; Doc Hansen  
**Subject:** RE: SV-14-00001 Kittitas County Notice of Decision & Resolution

Hi Lindsey, I can see that the USFS is on the list but I was told that we did not receive any notification of this.

Patricia Garvey-Darda  
Wildlife Biologist  
I-90 Snoqualmie Pass East USFS Coordinator  
Cle Elum Ranger District  
Okanogan-Wenatchee National Forest Service  
803 W. 2<sup>nd</sup> Street  
Cle Elum, Washington 98922  
[pgarveydarda@fs.fed.us](mailto:pgarveydarda@fs.fed.us)  
Office: (509) 852-1029  
Cell: (509) 899-0448

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**From:** Lindsey Ozbolt [mailto:lindsey.ozbolt@co.kittitas.wa.us]  
**Sent:** Tuesday, July 08, 2014 10:02 AM  
**To:** Jan Ollivier; GarveyDarda, Patricia A -FS  
**Cc:** Kirk Holmes; Christina Wollman; Jeff Watson; Doc Hansen  
**Subject:** RE: SV-14-00001 Kittitas County Notice of Decision & Resolution

Hello Patti,

I was out of the office last week. I wanted to respond to this email to let you know that the Bureau of Reclamation was mailed notice of this application and we did not receive any comments. The 500' adjoiners list can be found at this link: <http://www.co.kittitas.wa.us/uploads/cds/land-use/Shoreline%20Variances/SV-14-00001%203160%20VIA%20Kachess%20Shoreline%20Setback%20Variance/SV-14-00001%203160%20VIA%20Kachess%20Mailing%20Labels%20-%20500'%20Notice%20of%20App%20updated%204.16.14.pdf>

The entire file can be viewed at this link: [http://www.co.kittitas.wa.us/cds/land-use/project-details.aspx?title=Shoreline Variances&project=SV-14-00001+3160+VIA+Kachess+Shoreline+Setback+Variance](http://www.co.kittitas.wa.us/cds/land-use/project-details.aspx?title=Shoreline%20Variances&project=SV-14-00001+3160+VIA+Kachess+Shoreline+Setback+Variance)

Regards,

Lindsey Ozbolt  
Planner II  
Community Development Services  
411 North Ruby St., Suite 2  
Ellensburg, WA 98926  
509.962.7637

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**From:** Jan Ollivier  
**Sent:** Thursday, July 03, 2014 8:48 AM  
**To:** 'GarveyDarda, Patricia A -FS'  
**Cc:** Kirk Holmes; Christina Wollman; Lindsey Ozbolt; Jeff Watson; Doc Hansen  
**Subject:** RE: SV-14-00001 Kittitas County Notice of Decision & Resolution

Hi Patti:

I'm here, I'm not on vacation! I was on leave on Monday due to my son's oral surgery, and at a meeting in Seattle on Tuesday - but have been at the office otherwise!

Yesterday I forwarded your email to the Community Development Services Planning Office asking them to look into whether they have been noticing USFS and BOR. You need to talk to either Jeff Watson, Lindsey Ozbolt, or Doc Hanson. Lindsey appears to be the planner processing this project is on vacation this week. I suggest giving the other two a call at 962-7506!

**Jan Ollivier**  
**Transportation Manager**  
Kittitas County Public Works Department  
509-962-7610  
[jan.ollivier@co.kittitas.wa.us](mailto:jan.ollivier@co.kittitas.wa.us)

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**From:** GarveyDarda, Patricia A -FS [<mailto:pgarveydarda@fs.fed.us>]  
**Sent:** Wednesday, July 02, 2014 6:42 PM  
**To:** Jan Ollivier; Kirk Holmes  
**Subject:** FW: SV-14-00001 Kittitas County Notice of Decision & Resolution

Hi Jan and Kirk, I know you two are on vacation (me too!) but we may have a problem with a variance request on Lake Kachess. The FS and BOR may have been informed but the proposal may not have reached the appropriate folks. Is there any way to delay the final decision until our agencies can discuss?

Patricia Garvey-Darda  
Wildlife Biologist  
I-90 Snoqualmie Pass East USFS Coordinator  
Cle Elum Ranger District  
Okanogan-Wenatchee National Forest Service  
803 W. 2<sup>nd</sup> Street  
Cle Elum, Washington 98922  
[pgarveydarda@fs.fed.us](mailto:pgarveydarda@fs.fed.us)  
Office: (509) 852-1029  
Cell: (509) 899-0448

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**From:** GarveyDarda, Patricia A -FS  
**Sent:** Wednesday, July 02, 2014 6:32 PM  
**To:** Lynn, Scott R -FS; Maj, Mary E -FS; Carron Helberg ([chelberg@pn.usbr.gov](mailto:chelberg@pn.usbr.gov)); Keith McGowan; Fischer, Leland D -FS; Woolley, Stuart M -FS; Larned, Kimberly A -FS; Walter Larrick; Candace McKinley; [jan.ollivier@co.kittitas.wa.us](mailto:jan.ollivier@co.kittitas.wa.us); [chelberg@usbr.gov](mailto:chelberg@usbr.gov)  
**Subject:** RE: SV-14-00001 Kittitas County Notice of Decision & Resolution

I talked to Carron Helberg (BOR) today. It appears that BOR was not informed. I sent messages to Jan Olliver and Kirk Holmes at Kittitas County, but both are on vacation. Long-term, it would be great if both our agencies could meet with the County Commissioners and the Kittitas County Planning department to better coordinate on issues associated with

private land development, variance, shoreline issues, etc. In terms of this particular request both agencies need to respond, at least with an email, before this is final. Unfortunately the appeal period ends on 7/8.

Patricia Garvey-Darda  
Wildlife Biologist  
I-90 Snoqualmie Pass East USFS Coordinator  
Cle Elum Ranger District  
Okanogan-Wenatchee National Forest Service  
803 W. 2<sup>nd</sup> Street  
Cle Elum, Washington 98922  
[pgarveydarda@fs.fed.us](mailto:pgarveydarda@fs.fed.us)  
Office: (509) 852-1029  
Cell: (509) 899-0448

---

**From:** Lynn, Scott R -FS  
**Sent:** Wednesday, July 02, 2014 9:26 AM  
**To:** Maj, Mary E -FS; GarveyDarda, Patricia A -FS; Carron Helberg ([chelberg@pn.usbr.gov](mailto:chelberg@pn.usbr.gov)); Keith McGowan; Fischer, Leland D -FS; Woolley, Stuart M -FS; Larned, Kimberly A -FS; Walter Larrick; Candace McKinley  
**Cc:** Harrod, Richy J -FS  
**Subject:** RE: SV-14-00001 Kittitas County Notice of Decision & Resolution

I also haven't seen anything but it might be in my mailbox in Wenatchee. I'll have Leland take a look. -Scott <><

Scott R. Lynn  
Lands Zone Lead  
Pacific Northwest Region  
USDA Forest Service  
Office: 509-664-9293

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**From:** Maj, Mary E -FS  
**Sent:** Tuesday, July 01, 2014 6:51 PM  
**To:** GarveyDarda, Patricia A -FS; Carron Helberg ([chelberg@pn.usbr.gov](mailto:chelberg@pn.usbr.gov)); Keith McGowan; Lynn, Scott R -FS; Fischer, Leland D -FS; Woolley, Stuart M -FS; Larned, Kimberly A -FS; Walter Larrick; Candace McKinley  
**Cc:** Harrod, Richy J -FS  
**Subject:** RE: SV-14-00001 Kittitas County Notice of Decision & Resolution

I have not seen any such news since my arrival June 23.

Mary Maj  
District Ranger  
Cle Elum Ranger District  
Okanogan-Wenatchee National Forest  
509-852-1020  
[mmaj@fs.fed.us](mailto:mmaj@fs.fed.us)

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**From:** GarveyDarda, Patricia A -FS  
**Sent:** Tuesday, July 01, 2014 9:07 AM  
**To:** Carron Helberg ([chelberg@pn.usbr.gov](mailto:chelberg@pn.usbr.gov)); Keith McGowan; Lynn, Scott R -FS; Fischer, Leland D -FS; Woolley, Stuart M -FS; Maj, Mary E -FS; Larned, Kimberly A -FS; Walter Larrick; Candace McKinley  
**Subject:** FW: SV-14-00001 Kittitas County Notice of Decision & Resolution

I received this message from Doug Campbell (retired FS-- Lands). Was the FS or BOR informed by the County Commissioners?

Patricia Garvey-Darda  
Wildlife Biologist  
I-90 Snoqualmie Pass East USFS Coordinator  
Cle Elum Ranger District  
Okanogan-Wenatchee National Forest Service  
803 W. 2<sup>nd</sup> Street  
Cle Elum, Washington 98922  
[pgarveydarda@fs.fed.us](mailto:pgarveydarda@fs.fed.us)  
Office: (509) 852-1029  
Cell: (509) 899-0448

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**From:** [campb@fairpoint.net](mailto:campb@fairpoint.net) [<mailto:campb@fairpoint.net>]  
**Sent:** Sunday, June 29, 2014 3:06 PM  
**To:** GarveyDarda, Patricia A -FS  
**Subject:** Fw: SV-14-00001 Kittitas County Notice of Decision & Resolution

Are you aware of this—and others .. Appears neither the Bu of Rec or USFS were notified. – based on my contacts..

This could encroach on USFS land ( the take line) which the county planning dept. does not have it's maps ( Looked it up and it is close) – and may be a problem with any lake level increase. You have until 7-8 to appeal!!!

**From:** [Lindsey Ozbolt](mailto:Lindsey Ozbolt)  
**Sent:** Friday, June 27, 2014 1:35 PM  
**To:** [Christina Wollman](mailto:Christina Wollman) ; [Candie M. Leader](mailto:Candie M. Leader) ; [Joe Gilbert](mailto:Joe Gilbert) ; [Erin Moore](mailto:Erin Moore) ; [Holly Myers](mailto:Holly Myers) ; [Holly Duncan](mailto:Holly Duncan) ; [Julie Kjorsvik](mailto:Julie Kjorsvik) ; [mailto:crosepacoordinator@ecy.wa.gov](mailto:mailto:crosepacoordinator@ecy.wa.gov) ; [separegister@ecy.wa.gov](mailto:separegister@ecy.wa.gov) ; [gcle461@ecy.wa.gov](mailto:gcle461@ecy.wa.gov) ; [mailto:campb@fairpoint.net](mailto:mailto:campb@fairpoint.net) ; [dicklanden@aol.com](mailto:dicklanden@aol.com)  
**Cc:** [Doc Hansen](mailto:Doc Hansen) ; [Jeff Watson](mailto:Jeff Watson) ; [Kaycee Hathaway](mailto:Kaycee Hathaway)  
**Subject:** SV-14-00001 Kittitas County Notice of Decision & Resolution

Kittitas County Board of County Commissioners approved 3160 VIA Kachess Shoreline Setback Variance (SV-14-00001) on June 17, 2014. Please see the attached Notice of Decision memo and Resolution No. 2014-105 for more information. The complete file can be viewed at Kittitas County Community Development Services, 411 N. Ruby Suite 2, Ellensburg WA 98926 or on the Kittitas County website at: <http://www.co.kittitas.wa.us/cds/land-use/default.aspx>

Issuance of this land use decision may be appealed by parties with standing, by filing a land use petition (LUPA) in Superior Court, and serving said petition on all required parties pursuant to RCW 36.70C and KCC 15A.08, within twenty-one days of the issuance of the land use decision. The last day to file a LUPA is July 8, 2014.

If you have any questions, please do not hesitate to contact our office at (509) 962-7506.

Lindsey Ozbolt  
Planner II  
Community Development Services  
411 North Ruby St., Suite 2  
Ellensburg, WA 98926  
509.962.7637

RCV/ and to archiving and review.

message id: 38eb45916c5dc6dac24bb8719d004a14

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Version: 2014.0.4592 / Virus Database: 3986/7755 - Release Date: 06/27/14

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BOARD OF COUNTY COMMISSIONERS  
COUNTY OF KITTITAS  
STATE OF WASHINGTON

SHORELINE SETBACK VARIANCE APPROVAL  
3160 VIA KACHESS SHORELINE VARIANCE (SV-14-00001)

RESOLUTION

NO. 2014- 105

**WHEREAS**, according to Kittitas County Code Title 15A, relating to Hearings, an open record hearing was held by the Kittitas County Hearing Examiner on May 8, 2014 for the purpose of considering a shoreline setback variance known as 3160 VIA Kachess Shoreline Variance SV-14-00001 and described as follows:

*A request for a variance to allow the remodel and addition (including deck) of an existing residential structure to be no closer than approximately 58 feet from the Ordinary High Water Mark (OHWM) of Lake Kachess. The Shoreline Master Program requires all single family residential development to be at least 100 feet landward of the OHWM.*

*The property is located on Lot 1, Plat of Kachess I (recording #393674), Via Kachess Rd., Easton, WA 98925, a portion of Section 17, T.21N, R.13E, W.M. in Kittitas County. Parcel number 21-13-17051-0001. The property is located on Lake Kachess in an established residential/recreation area. The Plat of Kachess was platted in the 1970s and many of the existing lots within the shoreline of Lake Kachess cannot meet the current shoreline and zoning setbacks. The parcel in question has approximately the following dimensions: a north property line of approximately 103.22 feet, east property line of approximately 106.99 feet, south property line of approximately 100.00 feet, and a west property line of approximately 99.62 feet. The total parcel is approximately 0.22 acres in size. The development of this lot and other lots in this plat are restricted by lot size, zoning, shoreline, and environmental regulations.*

**WHEREAS**, no one from the public testified for or against the proposal; and,

**WHEREAS**, due notice of the hearing had been given as required by law, and the necessary inquiry has been made into the public interest to be served by such use; and,

**WHEREAS**, the Hearing Examiner recommended approval of said proposed shoreline structural setback variance; and,

**WHEREAS**, a closed record public hearing was held by the Board of County Commissioners on June 3, 2014 to consider the Hearing Examiner's recommendation on this matter; and,

**WHEREAS**, the Kittitas County Board of Commissioners make the following FINDINGS OF FACT and CONCLUSIONS OF LAW concerning said proposed conditional use permit:

1. Richard Landen, landowner, submitted an application for a Structural Setback Shoreline Variance (SV-14-00001) with associated JARPA on March 10, 2014 to Kittitas County Community Development Services Department to allow for a remodel and addition to an existing residential structure, including a deck. The Shoreline Master Program requires all single family residential development to be at least 100 feet landward of the Ordinary High Water Mark (OHWM). This proposal is located within the Conservancy Shoreline Designation. The request is for a variance to allow the structure to be no closer than approximately 58 feet from the OHWM of Lake Kachess.
2. This proposal encompasses 1 parcel, located at 3160 Via Kachess Road, Easton, Washington along Lake Kachess, in a portion of Section 17, T21N, R13E, WM in Kittitas County, bearing Assessor's map number 21-13-17050-0001.
3. The Kittitas County Comprehensive Plan's Land Use Element designates the subject property as Rural Working and the zoning for this proposal is Forest and Range.
4. A shoreline structural setback variance application was submitted to Kittitas County Community Development Services Department (CDS) on March 10, 2014. This application was deemed complete on March 31, 2014. The Notice of Application for the shoreline structural setback variance was issued on April 15, 2014. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners and other interested parties. The last day to submit written comments was on April 30, 2014.
5. The following agencies provided comments during the comment period: Kittitas County Department of Public Works and Kittitas County Department of Environmental Health. These comments were considered when preparing the recommended conditions for this proposal. Public comments were submitted for this proposal at the time of staff review and were considered.
6. The Hearing Examiner hearing was held on May 8, 2014 at 6:00 p.m. No members of the Public were present to provide testimony. On May 14, 2014 the Kittitas County Hearing Examiner recommended approval of 3160 VIA Kachess Shoreline Variance (SV-14-00001).
7. The Board of County Commissioners conducted a closed record meeting on June 3, 2014 for the purpose of considering the 3160 VIA Kachess Shoreline Variance (SV-14-00001). A motion was made and seconded that the shoreline variance be approved subject to the

Hearing Examiner's Recommended Shoreline Management Permit Action Sheet (see Exhibit A), the motion carried with a vote of 3-0.

- 8. The Board of County Commissioners finds that additional conditions **are not** necessary to protect the public's interest.

**NOW THEREFORE,**

**BE IT HEREBY RESOLVED** that the Kittitas County Board of Commissioners hereby grants approval of **3160 VIA Kachess Shoreline Variance (SV-14-00001)** and adopts the Kittitas County Land Use Hearing Examiner's Recommended Shoreline Management Permit Action Sheet (Exhibit A) and the same hereby is approved with the proposed development configuration (See Exhibit B).

DATED this 17<sup>th</sup> day of June, 2014 at Ellensburg, Washington.

BOARD OF COUNTY COMMISSIONERS  
KITITAS COUNTY, WASHINGTON

[Signature]

Paul Jewell, Chairman

[Signature]

Gary Berndt, Vice Chairman

[Signature]

Obie O'Brien, Commissioner



CLERK OF THE BOARD Deputy

[Signature]  
Julie A. Kjorsvik

APPROVED AS TO FORM:

\_\_\_\_\_  
Greg Zempel WSBA #19125

# Exhibit "A"

## RECOMMENDED SHORELINE MANAGEMENT PERMIT ACTION SHEET

**Application #:** SV-14-00001  
**Administering Agency:** Kittitas County Transportation and Land Services  
**Type of Permit:**  Shoreline Setback Variance  
**Recommended Action:**  Approved  Denied

RECEIVED

MAY 16 2014

KITTITAS COUNTY  
CDS

**Date of Recommended Action:** May 14, 2014

THIS MATTER having come on for hearing in front of the Kittitas County Hearing Examiner on May 8, 2014, the Hearing Examiner having taken evidence hereby submits the following Recommended Findings of Fact, Conclusions of Law, Decision and Conditions of Approval as follows:

**Applicant:** **Richard Landen**  
3160 Via Kachess Road  
Easton, WA 98925

Richard Landen, landowner, submitted an application for a Structural Setback Shoreline Variance (SV-14-00001) with associated JARPA on March 10, 2014 to Kittitas County Community Development Services Department to allow for a remodel and addition to an existing residential structure, including a deck. The Shoreline Master Program requires all single family residential development to be at least 100 feet landward of the Ordinary High Water Mark (OHWM). This proposal is located within the Conservancy Shoreline Designation. The request is for a variance to allow the structure to be no closer than approximately 58 feet from the OHWM of Lake Kachess.

Upon the following property: Lot 1, Plat of Kachess I (recording #393674), 3160 Via Kachess Rd., Easton, WA 98925.

Within 200 feet of **Lake Kachess** and/or its associated wetlands.

The project will be within a shoreline of state-wide significance (RCW 90.58.030). The project will be located within a **Conservancy** designation. The Kittitas County Shoreline Master Program is applicable to this development.

Development pursuant to this permit shall be undertaken in conformance with the following recommended conditions:

SV-14-00001  
3160 VIA Kachess  
Page 1 of 6

### RECOMMENDED CONDITIONS OF APPROVAL

1. All conditions imposed herein shall be binding on the "Applicant," which terms shall include the owner or owners of the property, heirs, assigns and successors.
2. Any structure on the property shall not be constructed any closer than 58 feet landward of the OHWM.
3. A zoning setback variance may be required prior to issuance of the building permit for the front and/or side yard setbacks.
4. Based on the criteria for riparian habitat specified in Title 17A.07.010(5), the natural condition of the riparian lands that in this case encompass all of the parcel shall be retained in its natural condition. Where disturbance has occurred, during construction, re-vegetation with native vegetation is required. The Kittitas County Noxious Weed ordinance shall be adhered to.
5. Floodplain: This property received a LOMA from FEMA and is no longer considered to be within the regulatory floodplain. Case No. 14-10-0523A.
6. Access: This project proposes a new access from the county road. An access permit must be applied for and issued prior to beginning any work within the county right-of-way. Access must be completed prior to issuance of a building permit.

### RECOMMENDED FINDINGS OF FACT

1. Richard Landen, landowner, submitted an application for a Structural Setback Shoreline Variance (SV-14-00001) with associated JARPA on March 10, 2014 to Kittitas County Community Development Services Department to allow for a remodel and addition to an existing residential structure, including a deck. The Shoreline Master Program requires all single family residential development to be at least 100 feet landward of the Ordinary High Water Mark (OHWM). This proposal is located within the Conservancy Shoreline Designation. The request is for a variance to allow the structure to be no closer than approximately 58 feet from the OHWM of Lake Kachess.
2. This proposal encompasses 1 parcel, located at 3160 Via Kachess Road, Easton, Washington along Lake Kachess, in a portion of Section 17, T21N, R13E, WM in Kittitas County, bearing Assessor's map number 21-13-17050-0001.
3. The Comprehensive Plan designation is "Rural Working Land."
4. The subject property is zoned "Forest and Range."
5. A shoreline structural setback variance application was submitted to Kittitas County Community Development Services Department (CDS) on March 10, 2014. This application was deemed complete on March 31, 2014. The Notice of Application for the shoreline structural setback variance was issued on April 15, 2014. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners and other interested parties. The last day to submit written comments was on April 30, 2014.
6. The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. As referenced above in Section IV of this staff report, the following Comprehensive Plan GPOs apply to this proposal: GPO 2.2, 2.7, 8.1, 8.2, 8.4, and 8.16.

7. The Hearing Examiner has reviewed the Shoreline Master Program and has concluded that the applicant demonstrated the following criteria has been met pursuant to WAC 173-27-170 and Section 40 of the Kittitas County Shoreline Master Program:
  - a. The strict application of this requirement precludes or interferes with reasonable use of the subject property, and;
  - b. That this hardship is specifically related to the property, resulting from unique conditions including lot shape, size, and other natural features; and
  - c. That the residential nature of the proposal is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and shoreline master program and will not cause adverse impacts to the shorelines environment; and
  - d. The variance will not constitute a grant of special privilege not enjoyed by the other properties in the area; and,
  - e. The variance is the minimum necessary to afford relief; and,
  - f. That the public interest will suffer no substantial detrimental effect.
8. This proposal is consistent with KCC 17, specifically KCC 17.56 as conditioned.
9. Staff conducted an administrative critical area review in accordance with KCC 17A. As conditioned, this proposal is compatible.
10. This proposal is consistent with KCC 14.08, as conditioned.
11. This proposal is consistent with KCC 12, as conditioned.
12. The following agencies provided comments during the comment period: Kittitas County Department of Public Works and Kittitas County Department of Environmental Health. These comments have been included in the index file record and were considered when preparing the recommended conditions for this proposal.
13. Public comments were submitted for this proposal at the time of staff review and were considered by the Hearing Examiner in rendering this recommended decision.
14. An open record public hearing after due legal notice was held on May 8, 2014.
15. Admitted into the record were the following exhibits:
  - 15.1 Exhibit 1: KC application fees receipt – 3/10/14
  - 15.2 Exhibit 2: Shoreline Variance application submittal packet – 3/10/14
  - 15.3 Exhibit 3: Additional information submitted by applicant – 3/25/14
  - 15.4 Exhibit 4: Staff review info
  - 15.5 Exhibit 5: Deem Complete Letter – 3/31/14
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  - 15.9 Exhibit 9: Affidavit of Mailing & Publication – Notice of Application – 4/15/14
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- 15.16 Exhibit 16: Transmittal of comments letter – 5/2/14
- 15.17 Exhibit 17: Hearing Examiner Agenda – 5/8/14 (hearing date)
- 15.18 Exhibit 18: May 8, 2014 a letter from the department of Ecology to Kittitas County Community Development

- 16. Appearing and testifying on behalf of the applicant was Richard Landen. Mr. Landen testified that he is the applicant and the owner of the subject property. Mr. Landen testified that his wife is severally disabled, This disability restricts her mobility. This property presented access issues requiring them to construct a new addition on to this property.
- 17. It is impossible for them to construct this addition without the need for this variance because of the minimal lot size. The hardship is also related to his wife’s disability and a need to modify the access to this structure to allow her to enjoy the property.
- 18. Mr. Landen testified that because his wife is in a wheelchair and is unable to walk, that the size of structure had to be increased due to the nature of handicap accessible buildings needing to be larger to accommodate wheelchairs.
- 19. Mr. Landen further testified that he agreed that they would not do any construction within the Riparian Area. He testified that they would not do any work on Bureau of Reclamation land between his lot line and the ordinary high water mark. He testified that a bridge for the driveway was needed in order for his wife to have access to the property. Finally, he testified that he had no objection to any of the proposed conditions of approval.
- 20. Any Conclusion of Law that is more correctly a Finding of Fact is hereby incorporated as such by this reference.

**RECOMMENDED CONCLUSIONS**

- 1. The Hearing Examiner has been granted authority to render this Decision.
- 2. As conditioned, the proposal meets the goals, policies and implementation recommendations as set forth in the Kittitas County Comprehensive Plan.
- 3. As conditioned, the proposal meets the variance process as described in WAC 173-27-170 and the requirements of the Kittitas County Shoreline Master Program.
- 4. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
- 5. Public use and interest will be served by approval of this proposal.
- 6. As conditioned, the proposal is consistent with Kittitas County Code Title 17 Zoning, Title 17A Critical Areas, Title 14.06 Flood Damage Prevention Code, and Title 12 Roads and Bridges.
- 7. Any Finding of Fact that is more correctly a Conclusion of Law is hereby incorporated as such by this reference.

This permit is recommended to be granted pursuant to the Shoreline Master Program of Kittitas County, as amended, and nothing in this recommendation shall excuse the applicant from compliance with any other federal, state, or local statutes, ordinances, or regulations applicable to this project, but not inconsistent with the Shoreline Management Act of 1971 (Chapter 90.58 RCW).

Approval Recommended this 14<sup>th</sup> day of May, 2014.

KITTITAS COUNTY HEARING EXAMINER



---

Andrew L. Kottkamp

**THIS SECTION FOR DEPARTMENT OF ECOLOGY USE ONLY IN REGARD TO A  
CONDITIONAL USE OR VARIANCE PERMIT**

Date received by the Department \_\_\_\_\_

Approved \_\_\_\_\_

Denied \_\_\_\_\_

This conditional use/variance permit is approved/denied by the Department pursuant to Chapter 90.58 RCW.

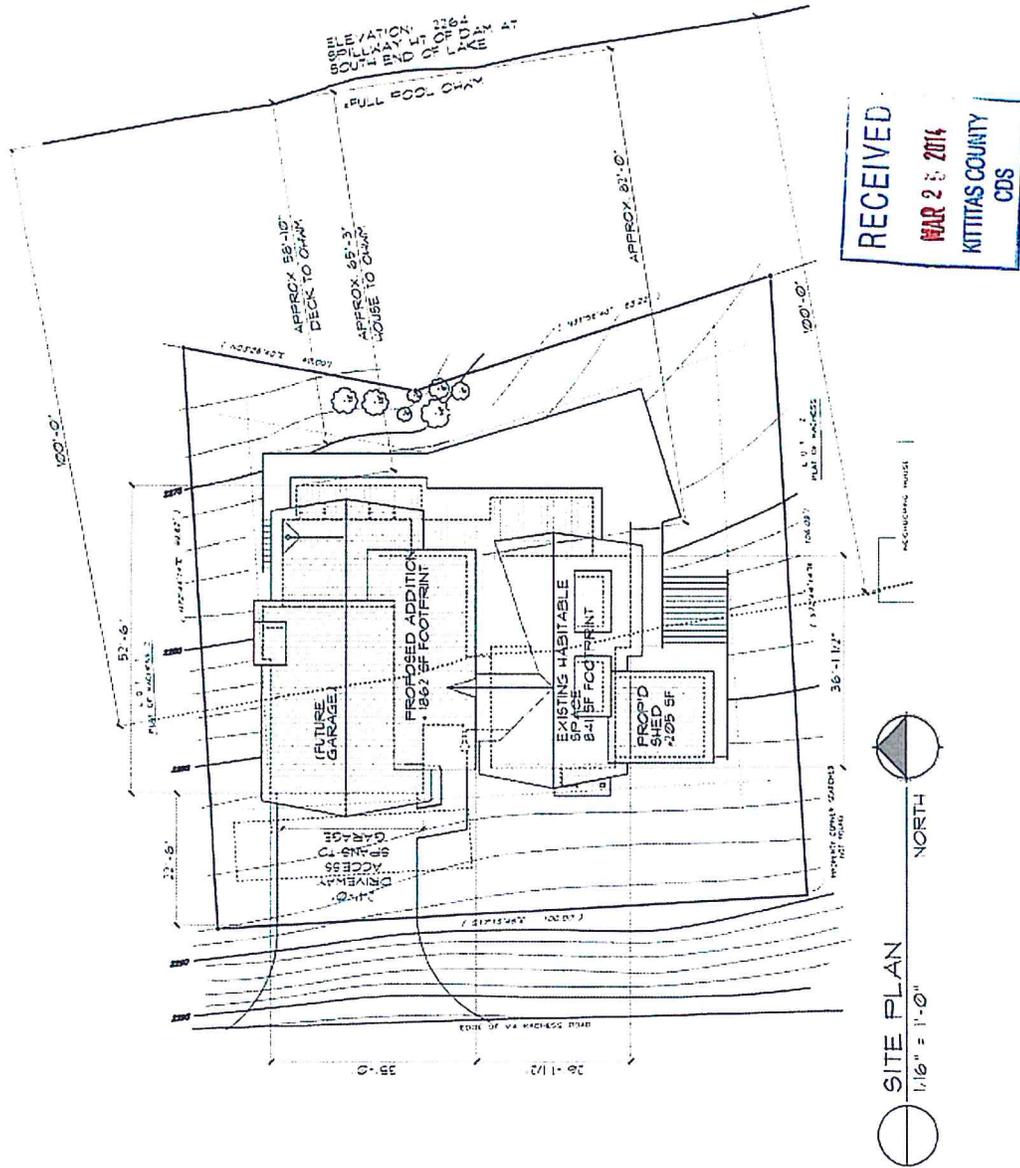
Development shall be undertaken pursuant to the following additional terms and conditions:

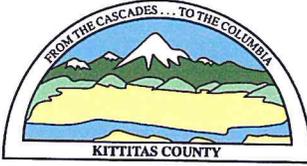
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Authorized Department Official

# Exhibit "B"





# 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"

## Affidavit of Mailing & Publication

PROPOSAL NAME: 3160 VIA Kachess Shoreline Setback Variance (SV-14-00001)

NOTIFICATION OF: Notice of Decision

NOTIFICATION MAIL DATE: June 27, 2014

I certify that the following documentations:

- Notice of Decision 3160 VIA Kachess Shoreline Setback Variance (SV-14-00001); and
- Resolution 2014-105 for 3160 VIA Kachess Shoreline Setback Variance (SV-14-00001)

have been mailed to the attached list of persons and participants, and that proper notification (as attached) has been published in the Legal Newspaper(s) of Record for Kittitas County.

Signature

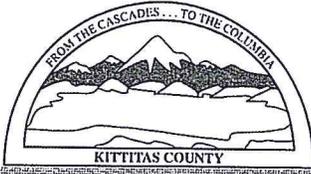
Lindsey Ozbolt, Planner II  
Community Development Services  
County of Kittitas  
State of Washington

Subscribed and sworn to before me this 27<sup>th</sup> day of June 2014.



Steph Mifflin  
Notary Public for the State of Washington residing  
in Ellensburg.

My appointment expires: December 23, 2017



# KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

## NOTICE OF DECISION

**To:** Interested Parties  
Applicant

**From:** Lindsey Ozbolt, Planner II

**Date:** June 27, 2014

**Subject:** 3160 VIA Kachess Shoreline Setback Variance (SV-14-00001)

---

Pursuant to RCW 36.70B.130 and KCC 15A.06, notice is hereby given that on June 17, 2014 the Kittitas County Board of County Commissioners approved 3160 VIA Kachess Shoreline Setback Variance (SV-14-00001). The property is located on Lot 1, Plat of Kachess I (recording #393674), Via Kachess Rd., Easton, WA 98925, a portion of Section 17, T.21N., R.13E., W.M. in Kittitas County, bearing Assessor's map number 21-13-17050-0001.

Copies of the Kittitas County Board of Commissioners Resolution 2014-105 and related file documents may be examined at Kittitas County Community Development Services, 411 N. Ruby Suite 2, Ellensburg, WA 98926. (509) 962-7506 or on the Kittitas County website <http://www.co.kittitas.wa.us/cds/land-use/default.aspx>.

Issuance of this land use decision may be appealed by parties with standing, by filing a land use petition (LUPA) in Superior Court, and serving said petition on all required parties pursuant to RCW 36.70C and KCC 15A.08, within twenty-one days of the issuance of the land use decision. The last day to file a LUPA is July 8, 2014.

If you have any questions, please do not hesitate to contact our office at (509) 962-7506.

**Notice of Decision**  
**3160 VIA Kachess Shoreline Setback Variance (SV-14-00001)**

Pursuant to RCW 36.70B.130 and KCC 15A.06, notice is hereby given that on June 17, 2014 the Kittitas County Board of County Commissioners approved 3160 VIA Kachess Shoreline Setback Variance (SV-14-00001). The property is located on Lot 1, Plat of Kachess I (recording #393674), Via Kachess Rd., Easton, WA 98925, a portion of Section 17, T.21N., R.13E., W.M. in Kittitas County, bearing Assessor's map number 21-13-17050-0001.

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If you have any questions, please do not hesitate to contact our office at (509) 962-7506.

Dated: June 27, 2014  
Publish: June 28, 2014

BOARD OF COUNTY COMMISSIONERS  
COUNTY OF KITTITAS  
STATE OF WASHINGTON

SHORELINE SETBACK VARIANCE APPROVAL  
3160 VIA KACHESS SHORELINE VARIANCE (SV-14-00001)

RESOLUTION

NO. 2014- 105

**WHEREAS**, according to Kittitas County Code Title 15A, relating to Hearings, an open record hearing was held by the Kittitas County Hearing Examiner on May 8, 2014 for the purpose of considering a shoreline setback variance known as 3160 VIA Kachess Shoreline Variance SV-14-00001 and described as follows:

*A request for a variance to allow the remodel and addition (including deck) of an existing residential structure to be no closer than approximately 58 feet from the Ordinary High Water Mark (OHWM) of Lake Kachess. The Shoreline Master Program requires all single family residential development to be at least 100 feet landward of the OHWM.*

*The property is located on Lot 1, Plat of Kachess I (recording #393674), Via Kachess Rd., Easton, WA 98925, a portion of Section 17, T.21N, R.13E, W.M. in Kittitas County. Parcel number 21-13-17051-0001. The property is located on Lake Kachess in an established residential/recreation area. The Plat of Kachess was platted in the 1970s and many of the existing lots within the shoreline of Lake Kachess cannot meet the current shoreline and zoning setbacks. The parcel in question has approximately the following dimensions: a north property line of approximately 103.22 feet, east property line of approximately 106.99 feet, south property line of approximately 100.00 feet, and a west property line of approximately 99.62 feet. The total parcel is approximately 0.22 acres in size. The development of this lot and other lots in this plat are restricted by lot size, zoning, shoreline, and environmental regulations.*

**WHEREAS**, no one from the public testified for or against the proposal; and,

**WHEREAS**, due notice of the hearing had been given as required by law, and the necessary inquiry has been made into the public interest to be served by such use; and,

**WHEREAS**, the Hearing Examiner recommended approval of said proposed shoreline structural setback variance; and,

**WHEREAS**, a closed record public hearing was held by the Board of County Commissioners on June 3, 2014 to consider the Hearing Examiner's recommendation on this matter; and,

**WHEREAS**, the Kittitas County Board of Commissioners make the following FINDINGS OF FACT and CONCLUSIONS OF LAW concerning said proposed conditional use permit:

1. Richard Landen, landowner, submitted an application for a Structural Setback Shoreline Variance (SV-14-00001) with associated JARPA on March 10, 2014 to Kittitas County Community Development Services Department to allow for a remodel and addition to an existing residential structure, including a deck. The Shoreline Master Program requires all single family residential development to be at least 100 feet landward of the Ordinary High Water Mark (OHWM). This proposal is located within the Conservancy Shoreline Designation. The request is for a variance to allow the structure to be no closer than approximately 58 feet from the OHWM of Lake Kachess.
2. This proposal encompasses 1 parcel, located at 3160 Via Kachess Road, Easton, Washington along Lake Kachess, in a portion of Section 17, T21N, R13E, WM in Kittitas County, bearing Assessor's map number 21-13-17050-0001.
3. The Kittitas County Comprehensive Plan's Land Use Element designates the subject property as Rural Working and the zoning for this proposal is Forest and Range.
4. A shoreline structural setback variance application was submitted to Kittitas County Community Development Services Department (CDS) on March 10, 2014. This application was deemed complete on March 31, 2014. The Notice of Application for the shoreline structural setback variance was issued on April 15, 2014. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners and other interested parties. The last day to submit written comments was on April 30, 2014.
5. The following agencies provided comments during the comment period: Kittitas County Department of Public Works and Kittitas County Department of Environmental Health. These comments were considered when preparing the recommended conditions for this proposal. Public comments were submitted for this proposal at the time of staff review and were considered.
6. The Hearing Examiner hearing was held on May 8, 2014 at 6:00 p.m. No members of the Public were present to provide testimony. On May 14, 2014 the Kittitas County Hearing Examiner recommended approval of 3160 VIA Kachess Shoreline Variance (SV-14-00001).
7. The Board of County Commissioners conducted a closed record meeting on June 3, 2014 for the purpose of considering the 3160 VIA Kachess Shoreline Variance (SV-14-00001). A motion was made and seconded that the shoreline variance be approved subject to the

Hearing Examiner's Recommended Shoreline Management Permit Action Sheet (see Exhibit A), the motion carried with a vote of 3-0.

8. The Board of County Commissioners finds that additional conditions **are not** necessary to protect the public's interest.

**NOW THEREFORE,**

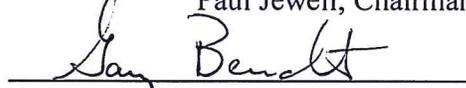
**BE IT HEREBY RESOLVED** that the Kittitas County Board of Commissioners hereby grants approval of **3160 VIA Kachess Shoreline Variance (SV-14-00001)** and adopts the Kittitas County Land Use Hearing Examiner's Recommended Shoreline Management Permit Action Sheet (Exhibit A) and the same hereby is approved with the proposed development configuration (See Exhibit B).

DATED this 17<sup>th</sup> day of June, 2014 at Ellensburg, Washington.

BOARD OF COUNTY COMMISSIONERS  
KITITAS COUNTY, WASHINGTON



Paul Jewell, Chairman



Gary Berndt, Vice Chairman



Obie O'Brien, Commissioner



ATTEST:

CLERK OF THE BOARD *Deputy*

  
Julie A. Kjorsvik

APPROVED AS TO FORM:

\_\_\_\_\_  
Greg Zempel WSBA #19125

# Exhibit "A"

## RECOMMENDED SHORELINE MANAGEMENT PERMIT ACTION SHEET

Application #: SV-14-00001  
Administering Agency: Kittitas County Transportation and Land Services

RECEIVED

MAY 16 2014

Type of Permit:  Shoreline Setback Variance  
Recommended Action:  Approved  Denied

KITTITAS COUNTY  
CDS

Date of Recommended Action: May 14, 2014

THIS MATTER having come on for hearing in front of the Kittitas County Hearing Examiner on May 8, 2014, the Hearing Examiner having taken evidence hereby submits the following Recommended Findings of Fact, Conclusions of Law, Decision and Conditions of Approval as follows:

**Applicant:** Richard Landen  
3160 Via Kachess Road  
Easton, WA 98925

Richard Landen, landowner, submitted an application for a Structural Setback Shoreline Variance (SV-14-00001) with associated JARPA on March 10, 2014 to Kittitas County Community Development Services Department to allow for a remodel and addition to an existing residential structure, including a deck. The Shoreline Master Program requires all single family residential development to be at least 100 feet landward of the Ordinary High Water Mark (OHWM). This proposal is located within the Conservancy Shoreline Designation. The request is for a variance to allow the structure to be no closer than approximately 58 feet from the OHWM of Lake Kachess.

Upon the following property: Lot 1, Plat of Kachess I (recording #393674), 3160 Via Kachess Rd., Easton, WA 98925.

Within 200 feet of **Lake Kachess** and/or its associated wetlands.

The project will be within a shoreline of state-wide significance (RCW 90.58.030). The project will be located within a **Conservancy** designation. The Kittitas County Shoreline Master Program is applicable to this development.

Development pursuant to this permit shall be undertaken in conformance with the following recommended conditions:

SV-14-00001  
3160 VIA Kachess  
Page 1 of 6

## RECOMMENDED CONDITIONS OF APPROVAL

1. All conditions imposed herein shall be binding on the "Applicant," which terms shall include the owner or owners of the property, heirs, assigns and successors.
2. Any structure on the property shall not be constructed any closer than 58 feet landward of the OHWM.
3. A zoning setback variance may be required prior to issuance of the building permit for the front and/or side yard setbacks.
4. Based on the criteria for riparian habitat specified in Title 17A.07.010(5), the natural condition of the riparian lands that in this case encompass all of the parcel shall be retained in its natural condition. Where disturbance has occurred, during construction, re-vegetation with native vegetation is required. The Kittitas County Noxious Weed ordinance shall be adhered to.
5. Floodplain: This property received a LOMA from FEMA and is no longer considered to be within the regulatory floodplain. Case No. 14-10-0523A.
6. Access: This project proposes a new access from the county road. An access permit must be applied for and issued prior to beginning any work within the county right-of-way. Access must be completed prior to issuance of a building permit.

## RECOMMENDED FINDINGS OF FACT

1. Richard Landen, landowner, submitted an application for a Structural Setback Shoreline Variance (SV-14-00001) with associated JARPA on March 10, 2014 to Kittitas County Community Development Services Department to allow for a remodel and addition to an existing residential structure, including a deck. The Shoreline Master Program requires all single family residential development to be at least 100 feet landward of the Ordinary High Water Mark (OHWM). This proposal is located within the Conservancy Shoreline Designation. The request is for a variance to allow the structure to be no closer than approximately 58 feet from the OHWM of Lake Kachess.
2. This proposal encompasses 1 parcel, located at 3160 Via Kachess Road, Easton, Washington along Lake Kachess, in a portion of Section 17, T21N, R13E, WM in Kittitas County, bearing Assessor's map number 21-13-17050-0001.
3. The Comprehensive Plan designation is "Rural Working Land."
4. The subject property is zoned "Forest and Range."
5. A shoreline structural setback variance application was submitted to Kittitas County Community Development Services Department (CDS) on March 10, 2014. This application was deemed complete on March 31, 2014. The Notice of Application for the shoreline structural setback variance was issued on April 15, 2014. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners and other interested parties. The last day to submit written comments was on April 30, 2014.
6. The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. As referenced above in Section IV of this staff report, the following Comprehensive Plan GPOs apply to this proposal: GPO 2.2, 2.7, 8.1, 8.2, 8.4, and 8.16.

7. The Hearing Examiner has reviewed the Shoreline Master Program and has concluded that the applicant demonstrated the following criteria has been met pursuant to WAC 173-27-170 and Section 40 of the Kittitas County Shoreline Master Program:
  - a. The strict application of this requirement precludes or interferes with reasonable use of the subject property, and;
  - b. That this hardship is specifically related to the property, resulting from unique conditions including lot shape, size, and other natural features; and
  - c. That the residential nature of the proposal is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and shoreline master program and will not cause adverse impacts to the shorelines environment; and
  - d. The variance will not constitute a grant of special privilege not enjoyed by the other properties in the area; and,
  - e. The variance is the minimum necessary to afford relief; and,
  - f. That the public interest will suffer no substantial detrimental effect.
8. This proposal is consistent with KCC 17, specifically KCC 17.56 as conditioned.
9. Staff conducted an administrative critical area review in accordance with KCC 17A. As conditioned, this proposal is compatible.
10. This proposal is consistent with KCC 14.08, as conditioned.
11. This proposal is consistent with KCC 12, as conditioned.
12. The following agencies provided comments during the comment period: Kittitas County Department of Public Works and Kittitas County Department of Environmental Health. These comments have been included in the index file record and were considered when preparing the recommended conditions for this proposal.
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- 17. It is impossible for them to construct this addition without the need for this variance because of the minimal lot size. The hardship is also related to his wife’s disability and a need to modify the access to this structure to allow her to enjoy the property.
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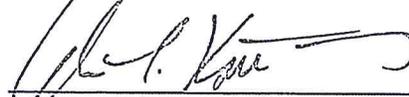
**RECOMMENDED CONCLUSIONS**

- 1. The Hearing Examiner has been granted authority to render this Decision.
- 2. As conditioned, the proposal meets the goals, policies and implementation recommendations as set forth in the Kittitas County Comprehensive Plan.
- 3. As conditioned, the proposal meets the variance process as described in WAC 173-27-170 and the requirements of the Kittitas County Shoreline Master Program.
- 4. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
- 5. Public use and interest will be served by approval of this proposal.
- 6. As conditioned, the proposal is consistent with Kittitas County Code Title 17 Zoning, Title 17A Critical Areas, Title 14.06 Flood Damage Prevention Code, and Title 12 Roads and Bridges.
- 7. Any Finding of Fact that is more correctly a Conclusion of Law is hereby incorporated as such by this reference.

This permit is recommended to be granted pursuant to the Shoreline Master Program of Kittitas County, as amended, and nothing in this recommendation shall excuse the applicant from compliance with any other federal, state, or local statutes, ordinances, or regulations applicable to this project, but not inconsistent with the Shoreline Management Act of 1971 (Chapter 90.58 RCW).

Approval Recommended this 14<sup>th</sup> day of May, 2014.

KITTITAS COUNTY HEARING EXAMINER



Andrew L. Kottkamp

THIS SECTION FOR DEPARTMENT OF ECOLOGY USE ONLY IN REGARD TO A  
CONDITIONAL USE OR VARIANCE PERMIT

Date received by the Department \_\_\_\_\_

Approved \_\_\_\_\_

Denied \_\_\_\_\_

This conditional use/variance permit is approved/denied by the Department pursuant to Chapter 90.58 RCW.

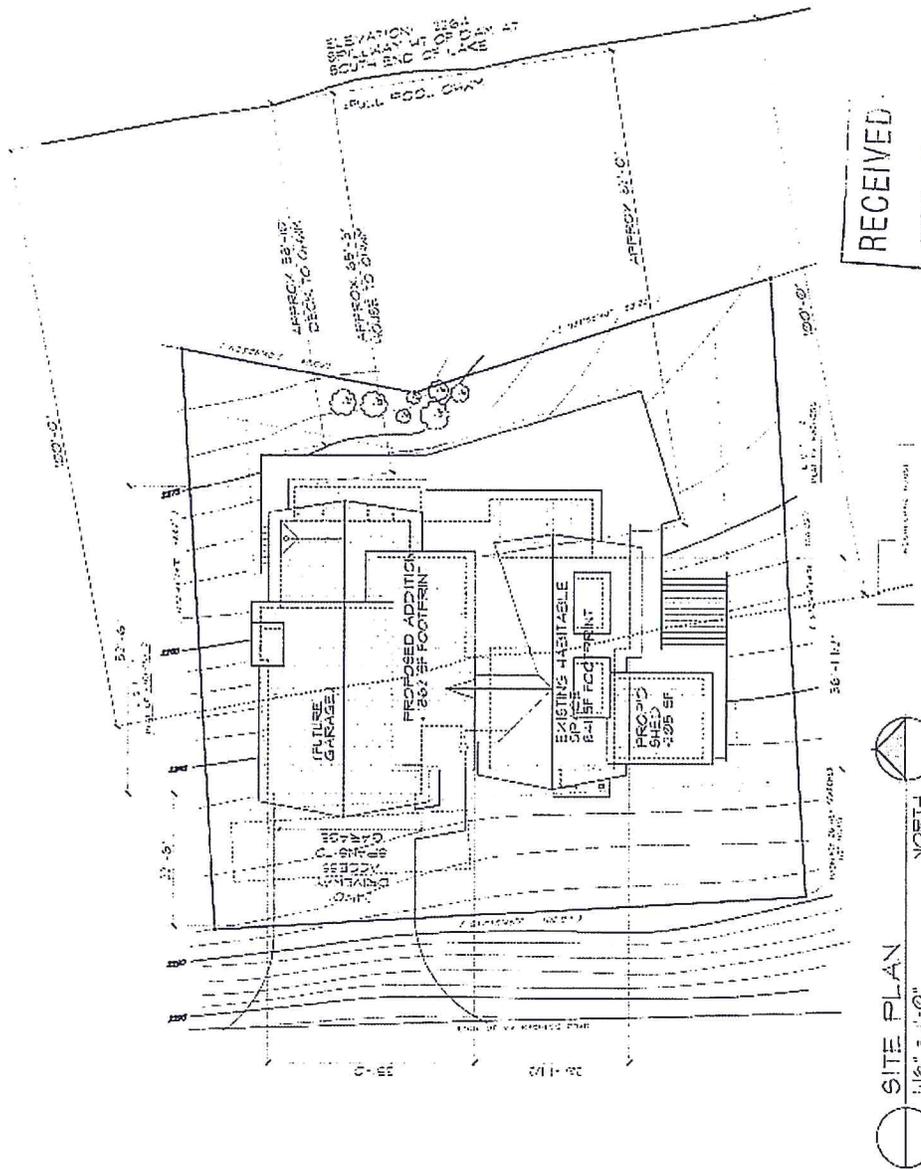
Development shall be undertaken pursuant to the following additional terms and conditions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Authorized Department Official

# Exhibit "B"



RECEIVED  
 MAR 2 2014  
 KITHIAS COUNTY  
 CDS

DAILY RECORD/KITTITAS PUB  
C/O IDAHO STATE JOURNAL RECEIVABLES  
PO BOX 1570  
POCATELLO ID 83204  
(509)925-1414

ORDER CONFIRMATION

Salesperson: DANIELLE RENWICK

Printed at 06/27/14 09:22 by lfi18

Acct #: 84329

Ad #: 1121619

Status: N

KC COMMUNITY DEVELOPMENT SERVICES  
411 N. RUBY ST, SUITE 2  
ELLENSBURG WA 98926

Start: 06/28/2014 Stop: 06/28/2014  
Times Ord: 1 Times Run: \*\*\*  
STD6 2.00 X 3.61 Words: 200  
Total STD6 7.22  
Class: 0001 LEGAL NOTICES  
Rate: LEG2 Cost: 62.09  
# Affidavits: 1

Contact: MANDY  
Phone: (509)962-7506  
Fax#:  
Email:  
Agency:

Ad Descrpt: N/DECISION SV 14 00001  
Given by: LINDSEY OZBOLT  
Created: lfi18 06/26/14 17:36  
Last Changed: lfi18 06/27/14 09:21

COMMENTS:

COPIED from AD 1103375

PUB	ZONE	ED	TP	START	INS	STOP	SMTWTFS
DR	A		97 S	06/28			
IN	A		97 S	06/28			

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Quote from Daily Record/Kittitas County Publishing (509) 925-1414  
This ad will run as quoted unless cancellation is received. Please contact your sales rep 24 hours prior to first run date to cancel order.

Lindsey Ozbolt  
Name (print or type)

  
Name (signature)

(CONTINUED ON NEXT PAGE)

DAILY RECORD/KITTITAS PUB  
C/O IDAHO STATE JOURNAL RECEIVABLES  
PO BOX 1570  
POCATELLO ID 83204  
(509)925-1414

ORDER CONFIRMATION (CONTINUED)

Salesperson: DANIELLE RENWICK

Printed at 06/27/14 09:22 by lfi18

-----  
Acct #: 84329

Ad #: 1121619

Status: N

**Notice of Decision**

**3160 VIA Kachess Shoreline Setback Variance (SV-14-00001)**

Pursuant to RCW 36.70B.130 and KCC 15A.06, notice is hereby given that on June 17, 2014 the Kittitas County Board of County Commissioners approved 3160 VIA Kachess Shoreline Setback Variance (SV-14-00001). The property is located on Lot 1, Plat of Kachess I (recording #393674), Via Kachess Rd., Easton, WA 98925, a portion of Section 17, T.21N., R.13E., W.M. in Kittitas County, bearing Assessor's map number 21-13-17050-0001.

Copies of the Kittitas County Board of Commissioners Resolution 2014-105 and related file documents may be examined at Kittitas County Community Development Services, 411 N. Ruby Suite 2, Ellensburg, WA 98926. (509) 962-7506 or on the Kittitas County website <http://www.co.kittitas.wa.us/cds/land-use/default.aspx>.

Issuance of this land use decision may be appealed by parties with standing, by filing a land use petition (LUPA) in Superior Court, and serving said petition on all required parties pursuant to RCW 36.70C and KCC 15A.08, within twenty-one days of the issuance of the land use decision. The last day to file a LUPA is July 8, 2014.

If you have any questions, please do not hesitate to contact our office at (509) 962-7506.

Dated: June 27, 2014  
Publish: June 28, 2014

Kittitas County Public Works  
[christina.wollman@co.kittitas.wa.us](mailto:christina.wollman@co.kittitas.wa.us)  
[candie.leader@co.kittitas.wa.us](mailto:candie.leader@co.kittitas.wa.us)

Kittitas County Environmental Health  
[joe.gilbert@co.kittitas.wa.us](mailto:joe.gilbert@co.kittitas.wa.us)  
[erin.moore@co.kittitas.wa.us](mailto:erin.moore@co.kittitas.wa.us)  
[holly.duncan@co.kittitas.wa.us](mailto:holly.duncan@co.kittitas.wa.us)  
[holly.myers@co.kittitas.wa.us](mailto:holly.myers@co.kittitas.wa.us)

Kittitas County Board of County  
Commissioners  
[julie.kjorsvik@co.kittitas.wa.us](mailto:julie.kjorsvik@co.kittitas.wa.us)

Department of Ecology  
[crosepacoordinator@ecy.wa.gov](mailto:crosepacoordinator@ecy.wa.gov)  
[gcle461@ecy.wa.gov](mailto:gcle461@ecy.wa.gov)

Doug Campbell  
[campb@fairpoint.net](mailto:campb@fairpoint.net)

Richard Landen  
[dicklanden@aol.com](mailto:dicklanden@aol.com)

LANDEN, RICHARD H & BONNIE L  
22820 148TH AVE SE  
KENT WA 98042-3841

DULIN, ANDREW ETUX  
7212 164TH ST SW  
EDMONDS WA 98026-

## Lindsey Ozbolt

---

**From:** Lindsey Ozbolt  
**Sent:** Friday, June 27, 2014 1:36 PM  
**To:** Christina Wollman; Candie M. Leader; Joe Gilbert; Erin Moore; Holly Myers; Holly Duncan; Julie Kjorsvik; "crosepacoordinator@ecy.wa.gov" (crosepacoordinator@ecy.wa.gov); 'separegister@ecy.wa.gov'; 'gcle461@ecy.wa.gov'; 'campb@fairpoint.net'; 'dicklanden@aol.com'  
**Cc:** Doc Hansen; Jeff Watson; Kaycee Hathaway  
**Subject:** SV-14-00001 Kittitas County Notice of Decision & Resolution  
**Attachments:** SV-14-00001 3160 VIA Kachess NOD memo.pdf; SV-14-00001 3160 VIA Kachess\_RESOLUTION\_signed.pdf

<b>Tracking:</b>	<b>Recipient</b>	<b>Delivery</b>
	Christina Wollman	Delivered: 6/27/2014 1:36 PM
	Candie M. Leader	Delivered: 6/27/2014 1:36 PM
	Joe Gilbert	Delivered: 6/27/2014 1:36 PM
	Erin Moore	Delivered: 6/27/2014 1:36 PM
	Holly Myers	Delivered: 6/27/2014 1:36 PM
	Holly Duncan	Delivered: 6/27/2014 1:36 PM
	Julie Kjorsvik	Delivered: 6/27/2014 1:36 PM
	"crosepacoordinator@ecy.wa.gov" (crosepacoordinator@ecy.wa.gov)	
	'separegister@ecy.wa.gov'	
	'gcle461@ecy.wa.gov'	
	'campb@fairpoint.net'	
	'dicklanden@aol.com'	
	Doc Hansen	Delivered: 6/27/2014 1:36 PM
	Jeff Watson	Delivered: 6/27/2014 1:36 PM
	Kaycee Hathaway	Delivered: 6/27/2014 1:36 PM

Kittitas County Board of County Commissioners approved 3160 VIA Kachess Shoreline Setback Variance (SV-14-00001) on June 17, 2014. Please see the attached Notice of Decision memo and Resolution No. 2014-105 for more information. The complete file can be viewed at Kittitas County Community Development Services, 411 N. Ruby Suite 2, Ellensburg WA 98926 or on the Kittitas County website at: <http://www.co.kittitas.wa.us/cds/land-use/default.aspx>

Issuance of this land use decision may be appealed by parties with standing, by filing a land use petition (LUPA) in Superior Court, and serving said petition on all required parties pursuant to RCW 36.70C and KCC 15A.08, within twenty-one days of the issuance of the land use decision. The last day to file a LUPA is July 8, 2014.

If you have any questions, please do not hesitate to contact our office at (509) 962-7506.

Lindsey Ozbolt  
Planner II  
Community Development Services  
411 North Ruby St., Suite 2

Ellensburg, WA 98926  
509.962.7637

## Lindsey Ozbolt

---

**From:** Julie Kjorsvik  
**Sent:** Friday, June 27, 2014 1:36 PM  
**To:** Lindsey Ozbolt  
**Subject:** Automatic reply: SV-14-00001 Kittitas County Notice of Decision & Resolution

I will be out of the office on June 26 and June 27, 2014. If you have any questions or need immediate assistance please contact Mandy or Debbie at 509-962-7508. Thank you.

---

Notice: All email sent to this address will be received by the Kittitas County email system and may be subject to public disclosure under Chapter 42.56 RCW and to archiving and review.

message id. 38eb45916c6dcbdac24bb8719d004a14

## Lindsey Ozbolt

---

**From:** Microsoft Outlook  
**To:** Julie Kjorsvik; Holly Duncan; Doc Hansen; Kaycee Hathaway; Jeff Watson; Candie M. Leader; Christina Wollman; Joe Gilbert; Holly Myers; Erin Moore  
**Sent:** Friday, June 27, 2014 1:36 PM  
**Subject:** Delivered: SV-14-00001 Kittitas County Notice of Decision & Resolution

Your message has been delivered to the following recipients:

Julie Kjorsvik ([julie.kjorsvik@co.kittitas.wa.us](mailto:julie.kjorsvik@co.kittitas.wa.us)) <<mailto:julie.kjorsvik@co.kittitas.wa.us>>

Holly Duncan ([holly.duncan@co.kittitas.wa.us](mailto:holly.duncan@co.kittitas.wa.us)) <<mailto:holly.duncan@co.kittitas.wa.us>>

Doc Hansen ([doc.hansen@co.kittitas.wa.us](mailto:doc.hansen@co.kittitas.wa.us)) <<mailto:doc.hansen@co.kittitas.wa.us>>

Kaycee Hathaway ([kaycee.hathaway@co.kittitas.wa.us](mailto:kaycee.hathaway@co.kittitas.wa.us)) <<mailto:kaycee.hathaway@co.kittitas.wa.us>>

Jeff Watson ([jeff.watson@co.kittitas.wa.us](mailto:jeff.watson@co.kittitas.wa.us)) <<mailto:jeff.watson@co.kittitas.wa.us>>

Candie M. Leader ([candie.leader@co.kittitas.wa.us](mailto:candie.leader@co.kittitas.wa.us)) <<mailto:candie.leader@co.kittitas.wa.us>>

Christina Wollman ([christina.wollman@co.kittitas.wa.us](mailto:christina.wollman@co.kittitas.wa.us)) <<mailto:christina.wollman@co.kittitas.wa.us>>

Joe Gilbert ([joe.gilbert@co.kittitas.wa.us](mailto:joe.gilbert@co.kittitas.wa.us)) <<mailto:joe.gilbert@co.kittitas.wa.us>>

Holly Myers ([holly.myers@co.kittitas.wa.us](mailto:holly.myers@co.kittitas.wa.us)) <<mailto:holly.myers@co.kittitas.wa.us>>

Erin Moore ([erin.moore@co.kittitas.wa.us](mailto:erin.moore@co.kittitas.wa.us)) <<mailto:erin.moore@co.kittitas.wa.us>>

Subject: SV-14-00001 Kittitas County Notice of Decision & Resolution

## Lindsey Ozbolt

---

**From:** MAILER-DAEMON@cgp-f0.av-mx.com  
**To:** campb@fairpoint.net  
**Sent:** Friday, June 27, 2014 1:37 PM  
**Subject:** Delivered: SV-14-00001 Kittitas County Notice of Decision & Resolution

Your message has been delivered to the following recipients:

[campb@fairpoint.net](mailto:campb@fairpoint.net)

Subject: SV-14-00001 Kittitas County Notice of Decision & Resolution

## Lindsey Ozbolt

---

**From:** Mail Delivery System <MAILER-DAEMON@AOL.com>  
**To:** dicklanden@aol.com  
**Sent:** Friday, June 27, 2014 1:37 PM  
**Subject:** Relayed: SV-14-00001 Kittitas County Notice of Decision & Resolution

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

[dicklanden@aol.com](mailto:dicklanden@aol.com)

Subject: SV-14-00001 Kittitas County Notice of Decision & Resolution

## Lindsey Ozbolt

---

**From:** Microsoft Outlook  
<MicrosoftExchange329e71ec88ae4615bbc36ab6ce41109e@KittitasCounty.onmicrosoft.com>  
**To:** gcle461@ecy.wa.gov; 'crosepacoordinator@ecy.wa.gov'  
(crosepacoordinator@ecy.wa.gov); separegister@ecy.wa.gov  
**Sent:** Friday, June 27, 2014 1:37 PM  
**Subject:** Relayed: SV-14-00001 Kittitas County Notice of Decision & Resolution

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

[gcle461@ecy.wa.gov](mailto:gcle461@ecy.wa.gov)

'crosepacoordinator@ecy.wa.gov' ([crosepacoordinator@ecy.wa.gov](mailto:crosepacoordinator@ecy.wa.gov)) <<mailto:crosepacoordinator@ecy.wa.gov>>

[separegister@ecy.wa.gov](mailto:separegister@ecy.wa.gov)

Subject: SV-14-00001 Kittitas County Notice of Decision & Resolution

DAILY RECORD/KITTITAS PUB  
C/O IDAHO STATE JOURNAL RECEIVABLES  
PO BOX 1570  
POCATELLO ID 83204  
(509)925-1414

ORDER CONFIRMATION

Salesperson: DANIELLE RENWICK

Printed at 06/27/14 09:22 by lfi18

-----  
Acct #: 84329

Ad #: 1121619

Status: N

KC COMMUNITY DEVELOPMENT SERVICES  
411 N. RUBY ST, SUITE 2  
ELLENSBURG WA 98926

Start: 06/28/2014 Stop: 06/28/2014  
Times Ord: 1 Times Run: \*\*\*  
STD6 2.00 X 3.61 Words: 200  
Total STD6 7.22  
Class: 0001 LEGAL NOTICES  
Rate: LEG2 Cost: 62.09  
# Affidavits: 1

Contact: MANDY  
Phone: (509)962-7506  
Fax#:  
Email:  
Agency:

Ad Descrpt: N/DECISION SV 14 00001  
Given by: LINDSEY OZBOLT  
Created: lfi18 06/26/14 17:36  
Last Changed: lfi18 06/27/14 09:21

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COMMENTS:

COPIED from AD 1103375

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PUB ZONE ED TP START INS STOP SMTWTFS  
DR A 97 S 06/28  
IN A 97 S 06/28  
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AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Quote from Daily Record/Kittitas County Publishing (509) 925-1414  
This ad will run as quoted unless cancellation is received. Please contact your sales rep 24 hours prior to first run date to cancel order.

Lindsay Ozbolt  
Name (print or type)

  
Name (signature)

(CONTINUED ON NEXT PAGE)

DAILY RECORD/KITTITAS PUB  
C/O IDAHO STATE JOURNAL RECEIVABLES  
PO BOX 1570  
POCATELLO ID 83204  
(509) 925-1414

ORDER CONFIRMATION (CONTINUED)

Salesperson: DANIELLE RENWICK

Printed at 06/27/14 09:22 by lfi18

-----  
Acct #: 84329

Ad #: 1121619

Status: N

**Notice of Decision**

**3160 VIA Kachess Shoreline Setback Variance (SV-14-00001)**

Pursuant to RCW 36.70B.130 and KCC 15A.06, notice is hereby given that on June 17, 2014 the Kittitas County Board of County Commissioners approved 3160 VIA Kachess Shoreline Setback Variance (SV-14-00001). The property is located on Lot 1, Plat of Kachess I (recording #393674), Via Kachess Rd., Easton, WA 98925, a portion of Section 17, T.21N., R.13E., W.M. in Kittitas County, bearing Assessor's map number 21-13-17050-0001.

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Issuance of this land use decision may be appealed by parties with standing, by filing a land use petition (LUPA) in Superior Court, and serving said petition on all required parties pursuant to RCW 36.70C and KCC 15A.08, within twenty-one days of the issuance of the land use decision. The last day to file a LUPA is July 8, 2014.

If you have any questions, please do not hesitate to contact our office at (509) 962-7506.

Dated: June 27, 2014  
Publish: June 28, 2014

**Notice of Decision**  
**3160 VIA Kachess Shoreline Setback Variance (SV-14-00001)**

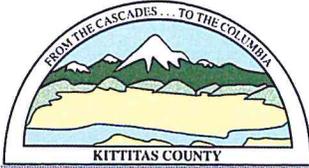
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If you have any questions, please do not hesitate to contact our office at (509) 962-7506.

Dated: June 27, 2014  
Publish: June 28, 2014



## KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

### NOTICE OF DECISION

**To:** Interested Parties  
Applicant

**From:** Lindsey Ozbolt, Planner II

**Date:** June 27, 2014

**Subject:** 3160 VIA Kachess Shoreline Setback Variance (SV-14-00001)

---

Pursuant to RCW 36.70B.130 and KCC 15A.06, notice is hereby given that on June 17, 2014 the Kittitas County Board of County Commissioners approved 3160 VIA Kachess Shoreline Setback Variance (SV-14-00001). The property is located on Lot 1, Plat of Kachess I (recording #393674), Via Kachess Rd., Easton, WA 98925, a portion of Section 17, T.21N., R.13E., W.M. in Kittitas County, bearing Assessor's map number 21-13-17050-0001.

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If you have any questions, please do not hesitate to contact our office at (509) 962-7506.

**Kittitas County**  
**Commissioners' Agenda**  
**Tuesday June 17, 2014 - 10:00 AM**  
**Commissioners' Auditorium**  
205 West 5th Room 109 - Ellensburg

The agenda study session will be held on Monday at 10:30 a.m. in the Commissioners' Auditorium.

1. Call to Order
2. Pledge of Allegiance
3. Introduction of New County Employees
4. Proclamations
5. Awards and Recognitions
6. Approval of Agenda
7. CONSENT AGENDA

All matters listed within the Consent Agenda have been distributed to each member of the Kittitas County Board of Commissioners for reading and study. They are considered routine and will be enacted by one motion of the Commissioners with no separate discussion. If separate discussion is desired, that item may be removed by request from the Consent Agenda and placed under Board

**Discussion/Decision Items.**

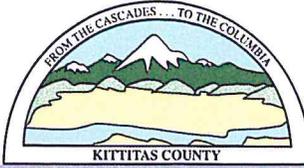
- A. Approve Minutes
- B. Request to Reappoint Buck Dawson to the Kittitas County Civil Service Commission
- C. Request to Approve 5 Special Event Applications from Swift Water Cellars "Summer Concert Series".  
Swift Water Cellars, to hold: 20 Ride on 9/12/2014 ; Spike and the Impalers on 8/29/2014 ; Stone in Love on 8/1/2014 ; Heart by Heart on 7/18/2014 ; Battle of the Tribute Bands 7/5/2014
- D. Request to Appoint Melissa Denner to the Alcohol Substance Abuse Advisory Board
- E. Request to Approve a Memorandum of Understanding with Local 760 (Corrections)
- F. Request to Approve a Resolution to Reject a Bid for the Disposal of Used Motor Oil from Kittitas County Solid Waste
- G. Request to Approve a Rental Agreement with Technology Unlimited Inc. for one ST ViewScan II Digital Microfilm Scanner for a Two Year Period
- H. Request to Approve a Resolution Authorizing an Agreement between Kittcom and Kittitas County for E-Mail and Website Hosting Support Services
- I. Request to Approve a Washington State University Affiliation Agreement - College of Nursing
- J. Request to Approve a Resolution Authorizing the Write-Off of Uncollectable Debts Totaling \$592.97 Payable to the Kittitas County Public Health Department
- K. Request to Set a Public Hearing to Consider Granting a Cable Television Franchise to Fairpoint Communications.
- L. Request to Adopt the Kittitas County Road Safety Plan 2014
- M. Request to Approve a Notice of Qualifications for Public Outreach Services for Quad County's Regional Transportation Plan Update
- N. Request to Approve a Resolution to Award the Bid to Dispose of E.R.R. Fund Equipment No. 250 - Used 1995 48' Landoll Haul All Trailer and to Award the Bid to Purchase One (1) New 2014 53' Sliding Axle Trailer
- O. Request to Approve a Resolution for the Federal Transit Administration FY 2014 Certifications and Assurances for Grant Funds Authorized by Agreement GCB 1746
- P. Request to Approve a Non-Exclusive Utility Easement to the City of Ellensburg within Certain Parcels in the Airport Industrial Park
- Q. Request to Approve a Resolution Approving the 3160 VIA Kachess Shoreline Setback Variance (SV-14-00001)

8. Correspondence
9. Administrative Matters
10. Citizen Comments on Non-Agenda Items (3 minute time limit)
11. Board Discussion/Decision Items
12. Miscellaneous
13. Executive Session
14. Adjournment

**2:00 P.M. TIMED ITEMS**

(All public hearings will be heard in the following order)

1. Public Hearing to Consider an Amendment to Kittias County Code Title 15A, Revising SEPA Appeal Procedure.



## KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

### AGENDA STAFF REPORT

**AGENDA DATE:** June 17, 2014

**ACTION REQUESTED:** Board signature of the Resolution approving the 3160 VIA Kachess Shoreline Setback Variance (SV-14-00001).

---

**BACKGROUND:** Richard Landen, landowner, submitted an application for a Structural Setback Shoreline Variance (SV-14-00001) with associated JARPA on March 10, 2014 to Kittitas County Community Development Services Department to allow for a remodel and addition to an existing residential structure, including a deck. The Shoreline Master Program requires all single family residential development to be at least 100 feet landward of the Ordinary High Water Mark (OHWM). This proposal is located within the Conservancy Shoreline Designation. The request is for a variance to allow the structure to be no closer than approximately 58 feet from the OHWM of Lake Kachess

The property is located on Lot 1, Plat of Kachess I (recording #393674), Via Kachess Rd., Easton, WA 98925, a portion of Section 17, T.21N, R.13E, W.M. in Kittitas County. Parcel number 21-13-17051-0001. The property is located on Lake Kachess in an established residential/recreation area. The Plat of Kachess was platted in the 1970s and many of the existing lots within the shoreline of Lake Kachess cannot meet the current shoreline and zoning setbacks. The parcel in question has approximately the following dimensions: a north property line of approximately 103.22 feet, east property line of approximately 106.99 feet, south property line of approximately 100.00 feet, and a west property line of approximately 99.62 feet. The total parcel is approximately 0.22 acres in size. The development of this lot and other lots in this plat are restricted by lot size, zoning, shoreline, and environmental regulations.

A shoreline structural setback variance application was submitted to Kittitas County Community Development Services Department (CDS) on March 10, 2014. This application was deemed complete on March 31, 2014. The Notice of Application for the shoreline structural setback variance was issued on April 15, 2014. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners and other interested parties. The last day to submit written comments was on April 30, 2014. The following agencies provided comments during the comment period: Kittitas County Department of Public Works and Kittitas County Environmental Health Department. These comments have been included in the index file record and were considered when preparing the recommended conditions for this proposal. Public comments were also submitted for this proposal at the time of staff review and were considered.

The Hearing Examiner hearing was held on May 8, 2014 at 6:00 p.m. No members of the public testified at the hearing. On May 14, 2014, the Kittitas County Hearing Examiner recommended approval of the 3160 VIA Kachess Shoreline Setback Variance (SV-14-00001).

The Board of County Commissioners conducted a closed record meeting on June 3, 2014 for the purpose of considering the 3160 VIA Kachess Shoreline Setback Variance (SV-14-00001). A motion was made and seconded approving this proposal subject to the Hearing Examiner's Recommended Shoreline Management Permit Action Sheet document (see Exhibit A), motion carried with a vote of 3-0.

**INTERACTION:** Community Development Services and the Board of County Commissioners

**ATTACHMENTS:** Resolution for signature

**STAFF**

**RECOMMENDATION:** Staff recommends that the Kittitas County Board of County Commissioners sign the resolution for the 3160 VIA Kachess Shoreline Setback Variance (SV-14-00001).

**HANLDING:** Return signed resolution to CDS Staff Planner for issuance of the Notice of Decision and subsequent issuance of notice to the Washington State Department of Ecology for their decision.

**RESPONSIBLE STAFF:** Lindsey Ozbolt, Planner II

BOARD OF COUNTY COMMISSIONERS  
COUNTY OF KITTITAS  
STATE OF WASHINGTON

SHORELINE SETBACK VARIANCE APPROVAL  
3160 VIA KACHESS SHORELINE VARIANCE (SV-14-00001)

RESOLUTION

NO. 2014-\_\_\_\_\_

**WHEREAS**, according to Kittitas County Code Title 15A, relating to Hearings, an open record hearing was held by the Kittitas County Hearing Examiner on May 8, 2014 for the purpose of considering a shoreline setback variance known as 3160 VIA Kachess Shoreline Variance SV-14-00001 and described as follows:

*A request for a variance to allow the remodel and addition (including deck) of an existing residential structure to be no closer than approximately 58 feet from the Ordinary High Water Mark (OHWM) of Lake Kachess. The Shoreline Master Program requires all single family residential development to be at least 100 feet landward of the OHWM.*

*The property is located on Lot 1, Plat of Kachess I (recording #393674), Via Kachess Rd., Easton, WA 98925, a portion of Section 17, T.21N, R.13E, W.M. in Kittitas County. Parcel number 21-13-17051-0001. The property is located on Lake Kachess in an established residential/recreation area. The Plat of Kachess was platted in the 1970s and many of the existing lots within the shoreline of Lake Kachess cannot meet the current shoreline and zoning setbacks. The parcel in question has approximately the following dimensions: a north property line of approximately 103.22 feet, east property line of approximately 106.99 feet, south property line of approximately 100.00 feet, and a west property line of approximately 99.62 feet. The total parcel is approximately 0.22 acres in size. The development of this lot and other lots in this plat are restricted by lot size, zoning, shoreline, and environmental regulations.*

**WHEREAS**, no one from the public testified for or against the proposal; and,

**WHEREAS**, due notice of the hearing had been given as required by law, and the necessary inquiry has been made into the public interest to be served by such use; and,

**WHEREAS**, the Hearing Examiner recommended approval of said proposed shoreline structural setback variance; and,

**WHEREAS**, a closed record public hearing was held by the Board of County Commissioners on June 3, 2014 to consider the Hearing Examiner's recommendation on this matter; and,

**WHEREAS**, the Kittitas County Board of Commissioners make the following FINDINGS OF FACT and CONCLUSIONS OF LAW concerning said proposed conditional use permit:

1. Richard Landen, landowner, submitted an application for a Structural Setback Shoreline Variance (SV-14-00001) with associated JARPA on March 10, 2014 to Kittitas County Community Development Services Department to allow for a remodel and addition to an existing residential structure, including a deck. The Shoreline Master Program requires all single family residential development to be at least 100 feet landward of the Ordinary High Water Mark (OHWM). This proposal is located within the Conservancy Shoreline Designation. The request is for a variance to allow the structure to be no closer than approximately 58 feet from the OHWM of Lake Kachess.
2. This proposal encompasses 1 parcel, located at 3160 Via Kachess Road, Easton, Washington along Lake Kachess, in a portion of Section 17, T21N, R13E, WM in Kittitas County, bearing Assessor's map number 21-13-17050-0001.
3. The Kittitas County Comprehensive Plan's Land Use Element designates the subject property as Rural Working and the zoning for this proposal is Forest and Range.
4. A shoreline structural setback variance application was submitted to Kittitas County Community Development Services Department (CDS) on March 10, 2014. This application was deemed complete on March 31, 2014. The Notice of Application for the shoreline structural setback variance was issued on April 15, 2014. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners and other interested parties. The last day to submit written comments was on April 30, 2014.
5. The following agencies provided comments during the comment period: Kittitas County Department of Public Works and Kittitas County Department of Environmental Health. These comments were considered when preparing the recommended conditions for this proposal. Public comments were submitted for this proposal at the time of staff review and were considered.
6. The Hearing Examiner hearing was held on May 8, 2014 at 6:00 p.m. No members of the Public were present to provide testimony. On May 14, 2014 the Kittitas County Hearing Examiner recommended approval of 3160 VIA Kachess Shoreline Variance (SV-14-00001).
7. The Board of County Commissioners conducted a closed record meeting on June 3, 2014 for the purpose of considering the 3160 VIA Kachess Shoreline Variance (SV-14-00001). A motion was made and seconded that the shoreline variance be approved subject to the

Hearing Examiner's Recommended Shoreline Management Permit Action Sheet (see Exhibit A), the motion carried with a vote of 3-0.

- 8. The Board of County Commissioners finds that additional conditions **are not** necessary to protect the public's interest.

**NOW THEREFORE,**

**BE IT HEREBY RESOLVED** that the Kittitas County Board of Commissioners hereby grants approval of **3160 VIA Kachess Shoreline Variance (SV-14-00001)** and adopts the Kittitas County Land Use Hearing Examiner's Recommended Shoreline Management Permit Action Sheet (Exhibit A) and the same hereby is approved with the proposed development configuration (See Exhibit B).

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2014 at Ellensburg, Washington.

BOARD OF COUNTY COMMISSIONERS  
KITTITAS COUNTY, WASHINGTON

\_\_\_\_\_  
Paul Jewell, Chairman

\_\_\_\_\_  
Gary Berndt, Vice Chairman

\_\_\_\_\_  
Obie O'Brien, Commissioner

ATTEST:  
CLERK OF THE BOARD

APPROVED AS TO FORM:

\_\_\_\_\_  
Julie A Kjorsvik

\_\_\_\_\_  
Greg Zempel WSBA #19125

# Exhibit "A"

## RECOMMENDED SHORELINE MANAGEMENT PERMIT ACTION SHEET

Application #: SV-14-00001  
Administering Agency: Kittitas County Transportation and Land Services  
Type of Permit:  Shoreline Setback Variance  
Recommended Action:  Approved  Denied

RECEIVED

MAY 16 2014

KITTITAS COUNTY  
GDS

Date of Recommended Action: May 14, 2014

THIS MATTER having come on for hearing in front of the Kittitas County Hearing Examiner on May 8, 2014, the Hearing Examiner having taken evidence hereby submits the following Recommended Findings of Fact, Conclusions of Law, Decision and Conditions of Approval as follows:

**Applicant: Richard Landen**  
3160 Via Kachess Road  
Easton, WA 98925

Richard Landen, landowner, submitted an application for a Structural Setback Shoreline Variance (SV-14-00001) with associated JARPA on March 10, 2014 to Kittitas County Community Development Services Department to allow for a remodel and addition to an existing residential structure, including a deck. The Shoreline Master Program requires all single family residential development to be at least 100 feet landward of the Ordinary High Water Mark (OHWM). This proposal is located within the Conservancy Shoreline Designation. The request is for a variance to allow the structure to be no closer than approximately 58 feet from the OHWM of Lake Kachess.

Upon the following property: Lot 1, Plat of Kachess I (recording #393674), 3160 Via Kachess Rd., Easton, WA 98925.

Within 200 feet of **Lake Kachess** and/or its associated wetlands.

The project will be within a shoreline of state-wide significance (RCW 90.58.030). The project will be located within a **Conservancy** designation. The Kittitas County Shoreline Master Program is applicable to this development.

Development pursuant to this permit shall be undertaken in conformance with the following recommended conditions:

SV-14-00001  
3160 VIA Kachess  
Page 1 of 6

### RECOMMENDED CONDITIONS OF APPROVAL

1. All conditions imposed herein shall be binding on the "Applicant," which terms shall include the owner or owners of the property, heirs, assigns and successors.
2. Any structure on the property shall not be constructed any closer than 58 feet landward of the OHWM.
3. A zoning setback variance may be required prior to issuance of the building permit for the front and/or side yard setbacks.
4. Based on the criteria for riparian habitat specified in Title 17A.07.010(5), the natural condition of the riparian lands that in this case encompass all of the parcel shall be retained in its natural condition. Where disturbance has occurred, during construction, re-vegetation with native vegetation is required. The Kittitas County Noxious Weed ordinance shall be adhered to.
5. Floodplain: This property received a LOMA from FEMA and is no longer considered to be within the regulatory floodplain. Case No. 14-10-0523A.
6. Access: This project proposes a new access from the county road. An access permit must be applied for and issued prior to beginning any work within the county right-of-way. Access must be completed prior to issuance of a building permit.

### RECOMMENDED FINDINGS OF FACT

1. Richard Landen, landowner, submitted an application for a Structural Setback Shoreline Variance (SV-14-00001) with associated JARPA on March 10, 2014 to Kittitas County Community Development Services Department to allow for a remodel and addition to an existing residential structure, including a deck. The Shoreline Master Program requires all single family residential development to be at least 100 feet landward of the Ordinary High Water Mark (OHWM). This proposal is located within the Conservancy Shoreline Designation. The request is for a variance to allow the structure to be no closer than approximately 58 feet from the OHWM of Lake Kachess.
2. This proposal encompasses 1 parcel, located at 3160 Via Kachess Road, Easton, Washington along Lake Kachess, in a portion of Section 17, T21N, R13E, WM in Kittitas County, bearing Assessor's map number 21-13-17050-0001.
3. The Comprehensive Plan designation is "Rural Working Land."
4. The subject property is zoned "Forest and Range."
5. A shoreline structural setback variance application was submitted to Kittitas County Community Development Services Department (CDS) on March 10, 2014. This application was deemed complete on March 31, 2014. The Notice of Application for the shoreline structural setback variance was issued on April 15, 2014. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners and other interested parties. The last day to submit written comments was on April 30, 2014.
6. The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. As referenced above in Section IV of this staff report, the following Comprehensive Plan GPOs apply to this proposal: GPO 2.2, 2.7, 8.1, 8.2, 8.4, and 8.16.

7. The Hearing Examiner has reviewed the Shoreline Master Program and has concluded that the applicant demonstrated the following criteria has been met pursuant to WAC 173-27-170 and Section 40 of the Kittitas County Shoreline Master Program:
  - a. The strict application of this requirement precludes or interferes with reasonable use of the subject property, and;
  - b. That this hardship is specifically related to the property, resulting from unique conditions including lot shape, size, and other natural features; and
  - c. That the residential nature of the proposal is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and shoreline master program and will not cause adverse impacts to the shorelines environment; and
  - d. The variance will not constitute a grant of special privilege not enjoyed by the other properties in the area; and,
  - e. The variance is the minimum necessary to afford relief; and,
  - f. That the public interest will suffer no substantial detrimental effect.
8. This proposal is consistent with KCC 17, specifically KCC 17.56 as conditioned.
9. Staff conducted an administrative critical area review in accordance with KCC 17A. As conditioned, this proposal is compatible.
10. This proposal is consistent with KCC 14.08, as conditioned.
11. This proposal is consistent with KCC 12, as conditioned.
12. The following agencies provided comments during the comment period: Kittitas County Department of Public Works and Kittitas County Department of Environmental Health. These comments have been included in the index file record and were considered when preparing the recommended conditions for this proposal.
13. Public comments were submitted for this proposal at the time of staff review and were considered by the Hearing Examiner in rendering this recommended decision.
14. An open record public hearing after due legal notice was held on May 8, 2014.
15. Admitted into the record were the following exhibits:
  - 15.1 Exhibit 1: KC application fees receipt – 3/10/14
  - 15.2 Exhibit 2: Shoreline Variance application submittal packet – 3/10/14
  - 15.3 Exhibit 3: Additional information submitted by applicant – 3/25/14
  - 15.4 Exhibit 4: Staff review info
  - 15.5 Exhibit 5: Deem Complete Letter – 3/31/14
  - 15.6 Exhibit 6: Email between applicant and staff – 4/2/14
  - 15.7 Exhibit 7: Affidavit of Posting – 4/4/14
  - 15.8 Exhibit 8: Notice of Application memo & legal – 4/15/14
  - 15.9 Exhibit 9: Affidavit of Mailing & Publication – Notice of Application – 4/15/14
  - 15.10 Exhibit 10: Returned mail – Notice of Application
  - 15.11 Exhibit 11: Email from KC Env. Health – 4/23/14
  - 15.12 Exhibit 12: Public Comment – D. Campbell
  - 15.13 Exhibit 13: Public Comment – A. Dulin
  - 15.14 Exhibit 14: Email between applicant and staff – 4/24/14

- 15.15 Exhibit 15: Comment from KC DPW – 5/2/14
- 15.16 Exhibit 16: Transmittal of comments letter – 5/2/14
- 15.17 Exhibit 17: Hearing Examiner Agenda – 5/8/14 (hearing date)
- 15.18 Exhibit 18: May 8, 2014 a letter from the department of Ecology to Kittitas County Community Development

- 16. Appearing and testifying on behalf of the applicant was Richard Landen. Mr. Landen testified that he is the applicant and the owner of the subject property. Mr. Landen testified that his wife is severally disabled, This disability restricts her mobility. This property presented access issues requiring them to construct a new addition on to this property.
- 17. It is impossible for them to construct this addition without the need for this variance because of the minimal lot size. The hardship is also related to his wife's disability and a need to modify the access to this structure to allow her to enjoy the property.
- 18. Mr. Landen testified that because his wife is in a wheelchair and is unable to walk, that the size of structure had to be increased due to the nature of handicap accessible buildings needing to be larger to accommodate wheelchairs.
- 19. Mr. Landen further testified that he agreed that they would not do any construction within the Riparian Area. He testified that they would not do any work on Bureau of Reclamation land between his lot line and the ordinary high water mark. He testified that a bridge for the driveway was needed in order for his wife to have access to the property. Finally, he testified that he had no objection to any of the proposed conditions of approval.
- 20. Any Conclusion of Law that is more correctly a Finding of Fact is hereby incorporated as such by this reference.

**RECOMMENDED CONCLUSIONS**

- 1. The Hearing Examiner has been granted authority to render this Decision.
- 2. As conditioned, the proposal meets the goals, policies and implementation recommendations as set forth in the Kittitas County Comprehensive Plan.
- 3. As conditioned, the proposal meets the variance process as described in WAC 173-27-170 and the requirements of the Kittitas County Shoreline Master Program.
- 4. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
- 5. Public use and interest will be served by approval of this proposal.
- 6. As conditioned, the proposal is consistent with Kittitas County Code Title 17 Zoning, Title 17A Critical Areas, Title 14.06 Flood Damage Prevention Code, and Title 12 Roads and Bridges.
- 7. Any Finding of Fact that is more correctly a Conclusion of Law is hereby incorporated as such by this reference.

This permit is recommended to be granted pursuant to the Shoreline Master Program of Kittitas County, as amended, and nothing in this recommendation shall excuse the applicant from compliance with any other federal, state, or local statutes, ordinances, or regulations applicable to this project, but not inconsistent with the Shoreline Management Act of 1971 (Chapter 90.58 RCW).

Approval Recommended this 14<sup>th</sup> day of May, 2014.

KITTITAS COUNTY HEARING EXAMINER



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Andrew L. Kottkamp

**THIS SECTION FOR DEPARTMENT OF ECOLOGY USE ONLY IN REGARD TO A  
CONDITIONAL USE OR VARIANCE PERMIT**

Date received by the Department \_\_\_\_\_

Approved \_\_\_\_\_

Denied \_\_\_\_\_

This conditional use/variance permit is approved/denied by the Department pursuant to Chapter 90.58 RCW.

Development shall be undertaken pursuant to the following additional terms and conditions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Authorized Department Official



## Lindsey Ozbolt

---

**From:** Lindsey Ozbolt  
**Sent:** Friday, June 06, 2014 4:11 PM  
**To:** 'dicklanden@aol.com'  
**Cc:** bshorack@bpharch.com; Doc Hansen; Steph Mifflin; Michael Flory  
**Subject:** RE: SV-14-00001

Mr. Landen,

Please see my responses below in **RED**.

Regards,

Lindsey Ozbolt  
Planner II  
Community Development Services  
411 North Ruby St., Suite 2  
Ellensburg, WA 98926  
509.962.7637

**From:** dicklanden@aol.com [mailto:dicklanden@aol.com]  
**Sent:** Thursday, June 05, 2014 10:24 AM  
**To:** Lindsey Ozbolt  
**Cc:** bshorack@bpharch.com  
**Subject:** Re: SV-14-00001

Good morning Lindsey,

Question 1. Given that the timeline from now through Ecology review could be as much as 2 more months, are we able to submit for permitting during that time before we have a final variance decision?

We wonder if plan reviewers can do any work on a submittal still under review.

We realize that our permit fee could be at risk if Ecology doesn't approve; but this could potentially save us some time.

You may submit your building permit for review prior to final decision from Ecology. The County will not issue a building permit until we receive an approval from Ecology. Please note that if Ecology does not approval the Shoreline Variance, you will not be able to build your addition as you have proposed and the building permit fees will not be refunded.

Question 2. Ecology submitted a late "day of hearing" input. My recorded testimony attempted to explain away their concerns.

I'm wondering if their input will stall our review at their level when it gets to them. So, is it considered appropriate

for me to send that Ecology person a pre-emptive letter explaining our position before they receive your completed action?

The Hearing Examiner closed the public record the night of the public hearing. The hearing examiner did reflect your position in his suggested findings of fact and the commissioners have approved those. This information will be passed on to the Department of Ecology.

thank you, Dick Landen

-----Original Message-----

From: Lindsey Ozbolt <lindsey.ozbolt@co.kittitas.wa.us>

To: dicklanden <dicklanden@aol.com>

Sent: Tue, Jun 3, 2014 4:41 pm

Subject: SV-14-00001

Mr. Landen,

The Board of County Commissioners held the closed record hearing on your proposal SV-14-00001 this morning. They voted 3-0 to approve your shoreline setback variance request per the Hearing Examiner's recommendation and directed staff to prepare the enabling documents for their signature. These documents will be ready for their signature at the next meeting (June 17<sup>th</sup>).

Once I receive the signed resolution back after June 17<sup>th</sup>, I will send out a notice of decision to you and any party of record. There is a 21 day appeal period associated with this notice. After that, the entire project file and decision is sent to Department of Ecology for their final decision.

I know this process can be confusing so please let me know if you have any questions. As always, I will continue to send you notifications as they are available.

Regards,

Lindsey Ozbolt  
Planner II  
Community Development Services  
411 North Ruby St., Suite 2  
Ellensburg, WA 98926  
509.962.7637

---

Notice: All email sent to this address will be received by the Kittitas County email system and may be subject to public disclosure under Chapter 42.56 RCW and to archiving and review.

message id: 38eb45916c6dcbdac24bb8719d004a14

## Lindsey Ozbolt

---

**From:** dicklanden@aol.com  
**Sent:** Tuesday, June 03, 2014 6:10 PM  
**To:** Lindsey Ozbolt  
**Subject:** Re: SV-14-00001

Dear Lindsey, Thank you for the update, you have been extremely helpful.

One can only wonder why some of the actions cannot run concurrently.

This action timeline has all but eliminated our construction window for this year because of the potential weather onsets in mountain country.

Kittitas County might want to visit ideas for the future on how to make their processes save countless personnel hours for staff such as yourself and to potentially shorten timelines. I used to run a multi facility international business that continually addressed critical time/project items-we would have had this decision within 30-60 days, even with public input.

Had I realized this (my fault for not understanding the entire process), I would have directed the architect to shave some dimensions to match the

existing residence/lot profile and not have to have requested a variance.

Yourself, as a future manager, hopefully can benefit from inputs like this, as possible improvements are reviewed.

Again, thank you for your continued help. Dick Landen

-----Original Message-----

From: Lindsey Ozbolt <lindsey.ozbolt@co.kittitas.wa.us>  
To: dicklanden <dicklanden@aol.com>  
Sent: Tue, Jun 3, 2014 4:41 pm  
Subject: SV-14-00001

#AOLMsgPart\_1\_78ecaeca-10f1-4949-a88b-e20e6db34cba td{color: black;}

Mr. Landen, The Board of County Commissioners held the closed record hearing on your proposal SV-14-00001 this morning. They voted 3-0 to approve your shoreline setback variance request per the Hearing Examiner's recommendation and directed staff to prepare the enabling documents for their signature. These documents will be ready for their signature at the next meeting (June 17th). Once I receive the signed resolution back after June 17th, I will send out a notice of decision to you and any party of record. There is a 21 day appeal period associated with this notice. After that, the entire project file and decision is sent to Department of Ecology for their final decision. I know this process can be confusing so please let me know if you have any questions. As always, I will continue to send you notifications as they are available. Regards, Lindsey Ozbolt  
Planner II  
Community Development Services  
411 North Ruby St., Suite 2  
Ellensburg, WA  
98926509.962.7637

Notice: All email sent to this address will be received by the Kittitas County email system and may be subject to public disclosure under Chapter 42.56 RCW and to archiving and review.

message id: 38eb45916c6dcbdac24bb8719d004a14

**Kittitas County**  
**Commissioners' Agenda**  
**Tuesday June 3, 2014 - 10:00 AM**  
**Commissioners' Auditorium**  
205 West 5th Room 109 - Ellensburg

The agenda study session will be held on Monday at 10:30 a.m. in the Commissioners' Auditorium.

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Introduction of New County Employees**
  - A. Introduction of Bostun Chang, IT Intern
  - B. Introduction of Zach Winters, Aaron Heyer and Rick Lanphere, Public Works Equipment Operators

4. **Proclamations**
5. **Awards and Recognitions**
6. **Approval of Agenda**
7. **CONSENT AGENDA**

**All matters listed within the Consent Agenda have been distributed to each member of the Kittitas County Board of Commissioners for reading and study. They are considered routine and will be enacted by one motion of the Commissioners with no separate discussion. If separate discussion is desired, that item may be removed by request from the Consent Agenda and placed under Board Discussion/Decision Items.**

- A. Request to Approve Contract No. 14-65400-008 between Kittitas County and the Washington State Department of Commerce for the Community Development Block Grant (CDBG) Public Services Grant
  - B. Request to Approve a Subrecipient Agreement between Kittitas County and HopeSource for the Community Development Block Grant Public Services Funds through the State of Washington Department of Commerce
  - C. Approve Minutes
  - D. Request to Approve a Professional Services Agreement between Kittitas County and Perma Color U.S. for Carpet in Superior Court
  - E. Request to Approve a Resolution Approving the Helena Substation Conditional Use Permit (CU-13-00008).
  - F. Request to Approve a Resolution Authorizing the Reds Fly Shop Conditional Use Permit (CU-13-00003).
  - G. Request to Set a Public Hearing to Consider an Amendment to Kittitas County Code Title 15A.
  - H. Request to Approve Contract # E14-060 Amendment A, between Kittitas County and Washington State Military Department for E911 Wireline & Wireless funding
  - I. Request to Publish a Public Notice Requesting Quotes for a Cost Analysis Determination for Setting Permits/Fees for CDS.
  - J. Request to Approve a Resolution Setting the dates for the 2015 Budget Hearings.
  - K. Request to Approve the Agreement for State Administration of County Enhanced 911 Excise Taxes by the Washington State Department of Revenue.
  - L. Request to Approve Professional Services Agreement between Kittitas County and Northwest Assessment Service, PLLC.
  - M. Request to Approve Professional Services Agreement between Schuknecht's Polygraph Service and Kittitas County Sheriff's Office.
  - N. Request to Approve a State of Washington Work Study Employer Contract.
  - O. Request to approve a Federal Work-Study Program Agreement for Juvenile Court Services.
  - P. Request to Approve the Final Mylars for the F & G Plat LP-08-00019
  - Q. Request to Approve the Final Mylars for the Orcutt Plat LP-08-00008
8. **Correspondence**

**9. Administrative Matters**

**10. Citizen Comments on Non-Agenda Items (3 minute time limit)**

**11. Board Discussion/Decision Items**

- A. Conduct a Closed Record Meeting to Consider the Hearing Examiner's Recommendation for the 3160 VIA Kachess Shoreline Setback Variance (SV-14-00001).
- B. Claim for Damages - Lyle & Teresa Bailey

**12. Miscellaneous**

**13. Executive Session**

**14. Adjournment**

**2:00 P.M. TIMED ITEMS**

(All public hearings will be heard in the following order)

- 1. Public Hearing to Consider Granting an Irrigation Franchise to Cedar Cove Irrigation Holders within the Entire Cedar Cove Road Right of Way.
- 2. Public Hearing to Consider Granting a Non-Commercial Water Line Franchise to Back Country Resources, LLC Along the Entire All Seasons Drive Right of Way.
- 3. Public Hearing to Consider Reducing the Posted Speed Limit on Kittitas Highway from Mile Post 1.34 (between Magnolia Street and Pfenning Road) to Mile Post 2.36 (No. 6 Road).
- 4. Public Hearing to Consider Granting an Irrigation Franchise to Maynard Larson, Crossing Fox Road.



## 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"

### AGENDA STAFF REPORT

**AGENDA DATE:** June 3, 2014

**ACTION REQUESTED:** Conduct a closed record meeting to consider the Hearing Examiner's recommendation for the 3160 VIA Kachess Shoreline Setback Variance (SV-14-00001).

---

**BACKGROUND:** Richard Landen, landowner, submitted an application for a Structural Setback Shoreline Variance (SV-14-00001) with associated JARPA on March 10, 2014 to Kittitas County Community Development Services Department to allow for a remodel and addition to an existing residential structure, including a deck. The Shoreline Master Program requires all single family residential development to be at least 100 feet landward of the Ordinary High Water Mark (OHWM). This proposal is located within the Conservancy Shoreline Designation. The request is for a variance to allow the structure to be no closer than approximately 58 feet from the OHWM of Lake Kachess

The property is located on Lot 1, Plat of Kachess I (recording #393674), Via Kachess Rd., Easton, WA 98925, a portion of Section 17, T.21N, R.13E, W.M. in Kittitas County. Parcel number 21-13-17051-0001. The property is located on Lake Kachess in an established residential/recreation area. The Plat of Kachess was platted in the 1970s and many of the existing lots within the shoreline of Lake Kachess cannot meet the current shoreline and zoning setbacks. The parcel in question has approximately the following dimensions: a north property line of approximately 103.22 feet, east property line of approximately 106.99 feet, south property line of approximately 100.00 feet, and a west property line of approximately 99.62 feet. The total parcel is approximately 0.22 acres in size. The development of this lot and other lots in this plat are restricted by lot size, zoning, shoreline, and environmental regulations.

A shoreline structural setback variance application was submitted to Kittitas County Community Development Services Department (CDS) on March 10, 2014. This application was deemed complete on March 31, 2014. The Notice of Application for the shoreline structural setback variance was issued on April 15, 2014. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent

property owners and other interested parties. The last day to submit written comments was on April 30, 2014. The following agencies provided comments during the comment period: Kittitas County Department of Public Works and Kittitas County Environmental Health Department. These comments have been included in the index file record and were considered when preparing the recommended conditions for this proposal. Public comments were also submitted for this proposal at the time of staff review and were considered.

The Hearing Examiner hearing was held on May 8, 2014 at 6:00 p.m. No members of the public testified at the hearing. On May 14, 2014, the Kittitas County Hearing Examiner recommended approval of the 3160 VIA Kachess Shoreline Setback Variance (SV-14-00001).

**INTERACTION:** Community Development Services and Kittitas County Hearing Examiner

**STAFF**

**RECOMMENDATION:** Staff recommends that the Kittitas County Board of County Commissioners conduct the closed record meeting, as scheduled, to consider accepting the Hearing Examiner's recommendation of approval of the 3160 VIA Kachess Shoreline Setback Variance (SV-14-00001) and direct staff to prepare enabling documents based upon the decision of the Board.

**HANLDING:** None

**RESPONSIBLE STAFF:** Lindsey Ozbolt, Planner II

## Lindsey Ozbolt

---

**From:** Lindsey Ozbolt  
**Sent:** Thursday, May 22, 2014 11:17 AM  
**To:** dicklanden@aol.com  
**Subject:** 3160 Via Kachess SV-14-00001  
**Attachments:** SV-14-00001 3160 VIA Kachess HE recommendation.pdf

Mr. Landen,

Attached is the Hearing Examiner's recommendation for you shoreline variance application (SV-14-00001). This document has been placed in the mail to you as well as being published on the county website. The next step is for staff to set the closed record hearing with the Board of County Commissioners. I will notify you when that will occur.

Regards,

**Lindsey Ozbolt**  
Planner II

Kittitas County Community Development Services  
411 North Ruby St., Suite 2  
Ellensburg, WA 98926  
Phone: 509-962-7637  
Email: [lindsey.ozbolt@co.kittitas.wa.us](mailto:lindsey.ozbolt@co.kittitas.wa.us)

**RECOMMENDED SHORELINE MANAGEMENT PERMIT  
ACTION SHEET**

**Application #:** SV-14-00001  
**Administering Agency:** Kittitas County Transportation and Land Services  
**Type of Permit:** ■ Shoreline Setback Variance  
**Recommended Action:** ■ Approved    □ Denied  
**Date of Recommended Action:** May 14, 2014

RECEIVED

MAY 16 2014

KITTITAS COUNTY  
CDS

THIS MATTER having come on for hearing in front of the Kittitas County Hearing Examiner on May 8, 2014, the Hearing Examiner having taken evidence hereby submits the following Recommended Findings of Fact, Conclusions of Law, Decision and Conditions of Approval as follows:

**Applicant:**     **Richard Landen**  
                          3160 Via Kachess Road  
                          Easton, WA 98925

Richard Landen, landowner, submitted an application for a Structural Setback Shoreline Variance (SV-14-00001) with associated JARPA on March 10, 2014 to Kittitas County Community Development Services Department to allow for a remodel and addition to an existing residential structure, including a deck. The Shoreline Master Program requires all single family residential development to be at least 100 feet landward of the Ordinary High Water Mark (OHWM). This proposal is located within the Conservancy Shoreline Designation. The request is for a variance to allow the structure to be no closer than approximately 58 feet from the OHWM of Lake Kachess.

Upon the following property: Lot 1, Plat of Kachess I (recording #393674), 3160 Via Kachess Rd., Easton, WA 98925.

Within 200 feet of **Lake Kachess** and/or its associated wetlands.

The project will be within a shoreline of state-wide significance (RCW 90.58.030). The project will be located within a **Conservancy** designation. The Kittitas County Shoreline Master Program is applicable to this development.

Development pursuant to this permit shall be undertaken in conformance with the following recommended conditions:

### RECOMMENDED CONDITIONS OF APPROVAL

1. All conditions imposed herein shall be binding on the "Applicant," which terms shall include the owner or owners of the property, heirs, assigns and successors.
2. Any structure on the property shall not be constructed any closer than 58 feet landward of the OHWM.
3. A zoning setback variance may be required prior to issuance of the building permit for the front and/or side yard setbacks.
4. Based on the criteria for riparian habitat specified in Title 17A.07.010(5), the natural condition of the riparian lands that in this case encompass all of the parcel shall be retained in its natural condition. Where disturbance has occurred, during construction, re-vegetation with native vegetation is required. The Kittitas County Noxious Weed ordinance shall be adhered to.
5. Floodplain: This property received a LOMA from FEMA and is no longer considered to be within the regulatory floodplain. Case No. 14-10-0523A.
6. Access: This project proposes a new access from the county road. An access permit must be applied for and issued prior to beginning any work within the county right-of-way. Access must be completed prior to issuance of a building permit.

### RECOMMENDED FINDINGS OF FACT

1. Richard Landen, landowner, submitted an application for a Structural Setback Shoreline Variance (SV-14-00001) with associated JARPA on March 10, 2014 to Kittitas County Community Development Services Department to allow for a remodel and addition to an existing residential structure, including a deck. The Shoreline Master Program requires all single family residential development to be at least 100 feet landward of the Ordinary High Water Mark (OHWM). This proposal is located within the Conservancy Shoreline Designation. The request is for a variance to allow the structure to be no closer than approximately 58 feet from the OHWM of Lake Kachess.
2. This proposal encompasses 1 parcel, located at 3160 Via Kachess Road, Easton, Washington along Lake Kachess, in a portion of Section 17, T21N, R13E, WM in Kittitas County, bearing Assessor's map number 21-13-17050-0001.
3. The Comprehensive Plan designation is "Rural Working Land."
4. The subject property is zoned "Forest and Range."
5. A shoreline structural setback variance application was submitted to Kittitas County Community Development Services Department (CDS) on March 10, 2014. This application was deemed complete on March 31, 2014. The Notice of Application for the shoreline structural setback variance was issued on April 15, 2014. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners and other interested parties. The last day to submit written comments was on April 30, 2014.
6. The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. As referenced above in Section IV of this staff report, the following Comprehensive Plan GPOs apply to this proposal: GPO 2.2, 2.7, 8.1, 8.2, 8.4, and 8.16.

7. The Hearing Examiner has reviewed the Shoreline Master Program and has concluded that the applicant demonstrated the following criteria has been met pursuant to WAC 173-27-170 and Section 40 of the Kittitas County Shoreline Master Program:
  - a. The strict application of this requirement precludes or interferes with reasonable use of the subject property, and;
  - b. That this hardship is specifically related to the property, resulting from unique conditions including lot shape, size, and other natural features; and
  - c. That the residential nature of the proposal is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and shoreline master program and will not cause adverse impacts to the shorelines environment; and
  - d. The variance will not constitute a grant of special privilege not enjoyed by the other properties in the area; and,
  - e. The variance is the minimum necessary to afford relief; and,
  - f. That the public interest will suffer no substantial detrimental effect.
8. This proposal is consistent with KCC 17, specifically KCC 17.56 as conditioned.
9. Staff conducted an administrative critical area review in accordance with KCC 17A. As conditioned, this proposal is compatible.
10. This proposal is consistent with KCC 14.08, as conditioned.
11. This proposal is consistent with KCC 12, as conditioned.
12. The following agencies provided comments during the comment period: Kittitas County Department of Public Works and Kittitas County Department of Environmental Health. These comments have been included in the index file record and were considered when preparing the recommended conditions for this proposal.
13. Public comments were submitted for this proposal at the time of staff review and were considered by the Hearing Examiner in rendering this recommended decision.
14. An open record public hearing after due legal notice was held on May 8, 2014.
15. Admitted into the record were the following exhibits:
  - 15.1 Exhibit 1: KC application fees receipt – 3/10/14
  - 15.2 Exhibit 2: Shoreline Variance application submittal packet – 3/10/14
  - 15.3 Exhibit 3: Additional information submitted by applicant – 3/25/14
  - 15.4 Exhibit 4: Staff review info
  - 15.5 Exhibit 5: Deem Complete Letter – 3/31/14
  - 15.6 Exhibit 6: Email between applicant and staff – 4/2/14
  - 15.7 Exhibit 7: Affidavit of Posting – 4/4/14
  - 15.8 Exhibit 8: Notice of Application memo & legal – 4/15/14
  - 15.9 Exhibit 9: Affidavit of Mailing & Publication – Notice of Application – 4/15/14
  - 15.10 Exhibit 10: Returned mail – Notice of Application
  - 15.11 Exhibit 11: Email from KC Env. Health – 4/23/14
  - 15.12 Exhibit 12: Public Comment – D. Campbell
  - 15.13 Exhibit 13: Public Comment – A. Dulin
  - 15.14 Exhibit 14: Email between applicant and staff – 4/24/14

- 15.15 Exhibit 15: Comment from KC DPW – 5/2/14
- 15.16 Exhibit 16: Transmittal of comments letter – 5/2/14
- 15.17 Exhibit 17: Hearing Examiner Agenda – 5/8/14 (hearing date)
- 15.18 Exhibit 18: May 8, 2014 a letter from the department of Ecology to Kittitas County Community Development

- 16. Appearing and testifying on behalf of the applicant was Richard Landen. Mr. Landen testified that he is the applicant and the owner of the subject property. Mr. Landen testified that his wife is severally disabled, This disability restricts her mobility. This property presented access issues requiring them to construct a new addition on to this property.
- 17. It is impossible for them to construct this addition without the need for this variance because of the minimal lot size. The hardship is also related to his wife’s disability and a need to modify the access to this structure to allow her to enjoy the property.
- 18. Mr. Landen testified that because his wife is in a wheelchair and is unable to walk, that the size of structure had to be increased due to the nature of handicap accessible buildings needing to be larger to accommodate wheelchairs.
- 19. Mr. Landen further testified that he agreed that they would not do any construction within the Riparian Area. He testified that they would not do any work on Bureau of Reclamation land between his lot line and the ordinary high water mark. He testified that a bridge for the driveway was needed in order for his wife to have access to the property. Finally, he testified that he had no objection to any of the proposed conditions of approval.
- 20. Any Conclusion of Law that is more correctly a Finding of Fact is hereby incorporated as such by this reference.

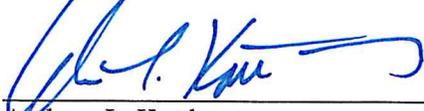
**RECOMMENDED CONCLUSIONS**

- 1. The Hearing Examiner has been granted authority to render this Decision.
- 2. As conditioned, the proposal meets the goals, policies and implementation recommendations as set forth in the Kittitas County Comprehensive Plan.
- 3. As conditioned, the proposal meets the variance process as described in WAC 173-27-170 and the requirements of the Kittitas County Shoreline Master Program.
- 4. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
- 5. Public use and interest will be served by approval of this proposal.
- 6. As conditioned, the proposal is consistent with Kittitas County Code Title 17 Zoning, Title 17A Critical Areas, Title 14.06 Flood Damage Prevention Code, and Title 12 Roads and Bridges.
- 7. Any Finding of Fact that is more correctly a Conclusion of Law is hereby incorporated as such by this reference.

This permit is recommended to be granted pursuant to the Shoreline Master Program of Kittitas County, as amended, and nothing in this recommendation shall excuse the applicant from compliance with any other federal, state, or local statutes, ordinances, or regulations applicable to this project, but not inconsistent with the Shoreline Management Act of 1971 (Chapter 90.58 RCW).

Approval Recommended this 14<sup>th</sup> day of May, 2014.

KITTITAS COUNTY HEARING EXAMINER



Andrew L. Kottkamp

**THIS SECTION FOR DEPARTMENT OF ECOLOGY USE ONLY IN REGARD TO A  
CONDITIONAL USE OR VARIANCE PERMIT**

Date received by the Department \_\_\_\_\_

Approved \_\_\_\_\_

Denied \_\_\_\_\_

This conditional use/variance permit is approved/denied by the Department pursuant to Chapter 90.58 RCW.

Development shall be undertaken pursuant to the following additional terms and conditions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Authorized Department Official

# KOTTKAMP & YEDINAK

435 Orondo Ave. | Wenatchee, WA 98801  
PO Box 1667 | Wenatchee, WA 98807

## Attorneys

Andrew L. Kottkamp

Nicholas A. Yedinak

Robert W. Grim

RECEIVED

MAY 16 2014

KITTITAS COUNTY  
CDS

May 14, 2014

Ms. Mandy Weed  
Kittitas County Community  
Development Services  
411 N. Ruby Street, Suite 2  
Ellensburg, WA 98926

Re: SV-14-00001

Dear Mandy:

Enclosed please find the original Recommended Decisions regarding the above-referenced.

Should you have any questions, please do not hesitate to call me.

Sincerely,

ANDREW L. KOTTKAMP

ALK:dn  
Enclosures

## Lindsey Ozbolt

---

**From:** Lindsey Ozbolt  
**Sent:** Monday, May 19, 2014 10:05 AM  
**To:** 'dicklanden@aol.com'  
**Subject:** RE: Variance app SV-14-00001, Potential Ecology review

Mr. Landen,

Once the County has completed its review process for your shoreline variance application and the County Commissioners have voted, I will send the file with decision on to Department of Ecology for their review and decision.

I hope this clarifies the process a bit for you.

As soon as I receive the recommendation from the Hearing Examiner, I will forward it on to you.

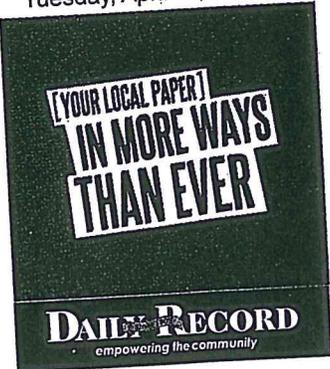
Regards,

**Lindsey Ozbolt**  
Planner II

Kittitas County Community Development Services  
411 North Ruby St., Suite 2  
Ellensburg, WA 98926  
Phone: 509-962-7637  
Email: [lindsey.ozbolt@co.kittitas.wa.us](mailto:lindsey.ozbolt@co.kittitas.wa.us)

**From:** dicklanden@aol.com [mailto:dicklanden@aol.com]  
**Sent:** Saturday, May 17, 2014 8:50 AM  
**To:** Lindsey Ozbolt  
**Subject:** Variance app SV-14-00001, Potential Ecology review

Good morning Lindsey,  
Just prior to the hearing, I received a copy of comments made by Ecology/G. Clear re the app for the hearing, May 8, 2014.  
Aside from the comments pertaining to the variance request, she used the term "as part of a complete shoreline permit filing with Ecology...".  
Is the implication that we must file for yet another process through Ecology or does the variance process carry through that approval point?  
Do I need to contact them directly depending upon the outcome of the Hearing Examiner/County Council recommendations or contact them now?  
thank you, Dick Landen



**ROAD CLOSURE NOTICE**

Road Closure: N Pfenning Rd. between Radio Rd. and E Canterbury Dr. will be closed 04/22-04/23 for waterline construction Reecer Creek Excavating, 509-925-5692

Published: April 15, 16, 17, 18 & 21, 2014

tained by accessing the City of Ellensburg's web page at [www.ci.ellensburg.wa.us](http://www.ci.ellensburg.wa.us).

In order to be considered for the work provided for under this call for qualifications responses must be received in triplicate by the close of business on Friday April 25, 2014. Questions regarding this call may be directed by email to John Akers at [akersj@ci.ellensburg.wa.us](mailto:akersj@ci.ellensburg.wa.us) or by phone to (509) 962-7221.

Publish:  
Daily Record: April 15 & 22, 2014  
Seattle Journal of Commerce: April 19, 2014

**NOTICE OF APPLICATION**

**Project Name (File Number):** 3160 VIA Kachess Shoreline Structural Setback Variance (SV-14-00001)  
**Applicant:** Richard Landen, landowner

**Location:** 1 parcel, located at 3160 Via Kachess Road, Easton, Washington along Lake Kachess, in a portion of Section 17, T21N, R13E, WM in Kittitas County, bearing Assessor's map number 21-13-17050-0001.

**Proposal:** Richard Landen has submitted a Structural Setback Shoreline Variance application with associated JARPA to allow for a remodel and addition to an existing residential structure including a deck. The Shoreline Master Program requires all single family residential development to be at least 100 feet landward of the Ordinary High Water Mark (OHWM). The request is for a variance to allow the structure to be no closer than approximately 58 feet from the OHWM of Lake Kachess.

**Materials Available for Review:** The submitted application and related filed documents may be examined by the public at the Kittitas County Community Development Services (CDS) office at 411 N. Ruby, Suite 2, Ellensburg, Washington, 98926, or on the CDS website at [http://www.co.kittitas.wa.us/cds/land-use/current-planning.aspx?title=Shoreline Variances](http://www.co.kittitas.wa.us/cds/land-use/current-planning.aspx?title=Shoreline%20Variances). Phone: (509) 962-7506

**Written Comments** on this proposal can be submitted to CDS any time prior to 5:00 p.m. on Wednesday, April 30, 2014. Any person has the right to comment on the application and request a copy of the decision once made.

**Public Hearing:** An open record hearing has been scheduled before the Kittitas County Hearing Examiner on May 8, 2014 at 6:00 p.m. in the Kittitas County Commissioners' Auditorium, 205 West 5th Room 109, Ellensburg, WA 98926. Anyone with an interest in this matter is urged to attend said hearing where testimony will be taken. Written comments will be received and documents may be viewed at CDS prior to the hearing. Interested persons are encouraged to verify prior to attending.

**Designated Permit Coordinator (staff contact):** Lindsey Ozbolt, Staff Planner: (509) 962-7637; email at [lindsey.ozbolt@co.kittitas.wa.us](mailto:lindsey.ozbolt@co.kittitas.wa.us).

**Notice of Application:** Tuesday, April 15, 2014  
**Application Received:** Monday, March 10, 2014  
**Application Complete:** Monday, March 31, 2014  
**Publication Date:** Tuesday, April 15, 2014

**NOTICE**

123 East First Street, Cle Elum WA  
ler the Washington Department of it for Stormwater Discharges Assos. The proposed project, Fire Sta-1 at 21 Chepoda Road at the inter-nd Interstate 90 approximately 5 ; County.

rbred for construction of the fire sta-æ construction activities will include lities, roads and utilities. Stormwa-æ collected in vegetated swales and nwater retention pond. Stormwater skima River.

ir views to the Department of Ecol-oy notify Ecology in writing within 30 tion of this notice. Comments shall Ecology. Any person interested in application may notify the depart- days of the last date of publication s public comments and considers roject would cause a measurable y, and, if so, whether the project is l public interest according to Tier II der WAC 173-201A-320.

struction Stormwater  
04-7696.







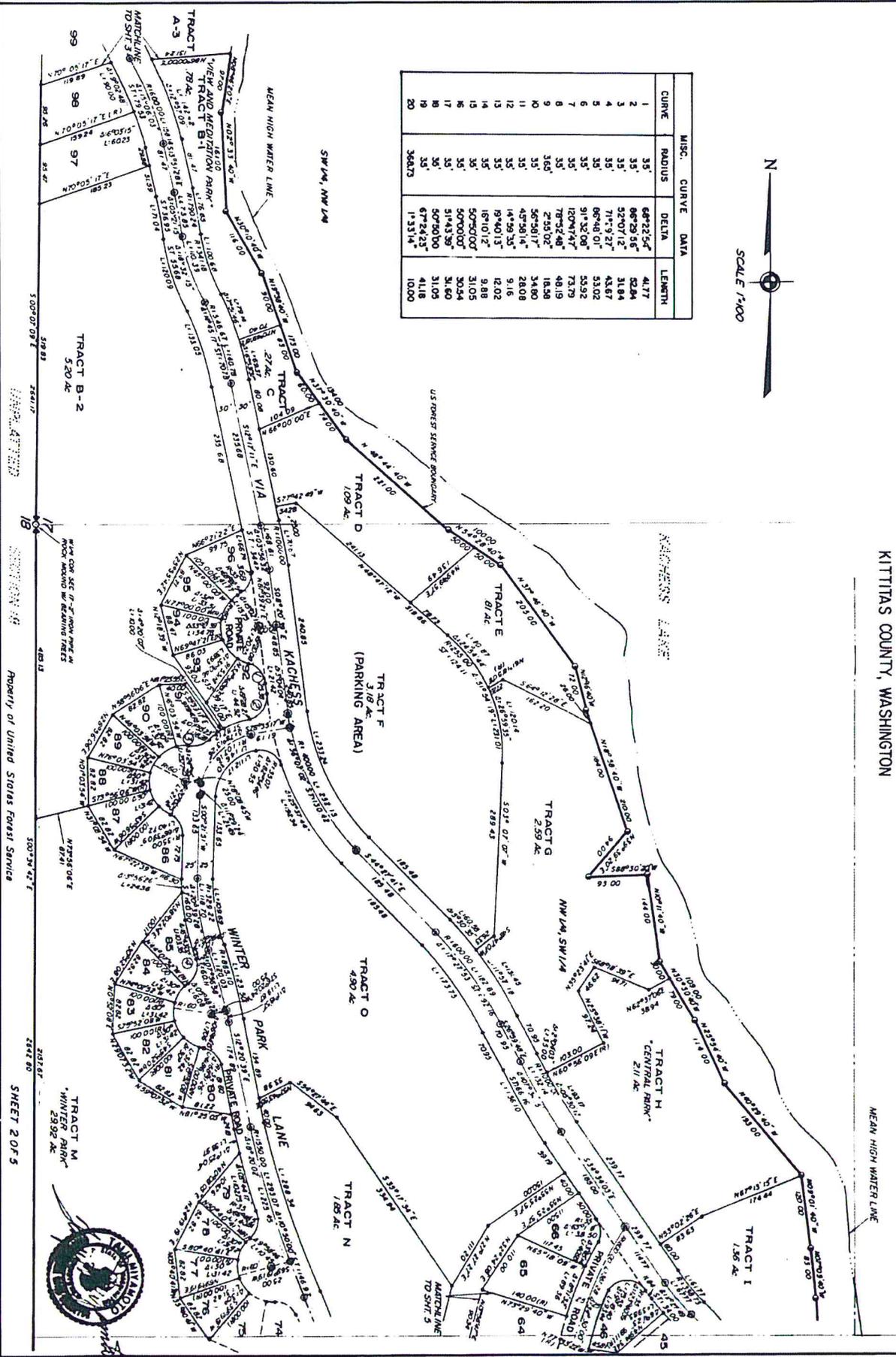
# KACHESS

SECTION 17, TWP 21N, RGE13E, WM.  
KITITAS COUNTY, WASHINGTON

398 674

6.65  
21

CURVE	MISC.	CURVE	DATA	LENGTH
1		35'	68°22'54"	41.77
2		35'	86°29'56"	62.84
3		35'	52°07'12"	31.84
4		35'	71°19'27"	43.67
5		35'	86°48'01"	53.02
6		35'	91°32'08"	55.92
7		35'	120°41'47"	73.79
8		35'	78°32'48"	48.19
9		366'	2°53'02"	18.58
10		35'	55°58'17"	34.80
11		35'	45°58'14"	28.08
12		35'	19°40'13"	9.16
13		35'	18°10'12"	9.88
14		35'	50°05'00"	31.05
15		35'	50°00'00"	30.54
16		35'	51°43'38"	31.60
17		35'	50°20'00"	31.08
18		35'	67°24'32"	41.18
19		35'	1°33'14"	10.00
20		368.73	1°33'14"	10.00



Property of United States Forest Service

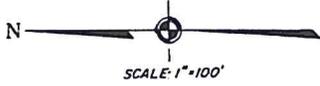


SHEET 2055

# KACHESS

SECTION 17, TWP. 2IN., RGE13E.,WM.  
KITITAS COUNTY, WASHINGTON

392674



SE 1/4, SW 1/4

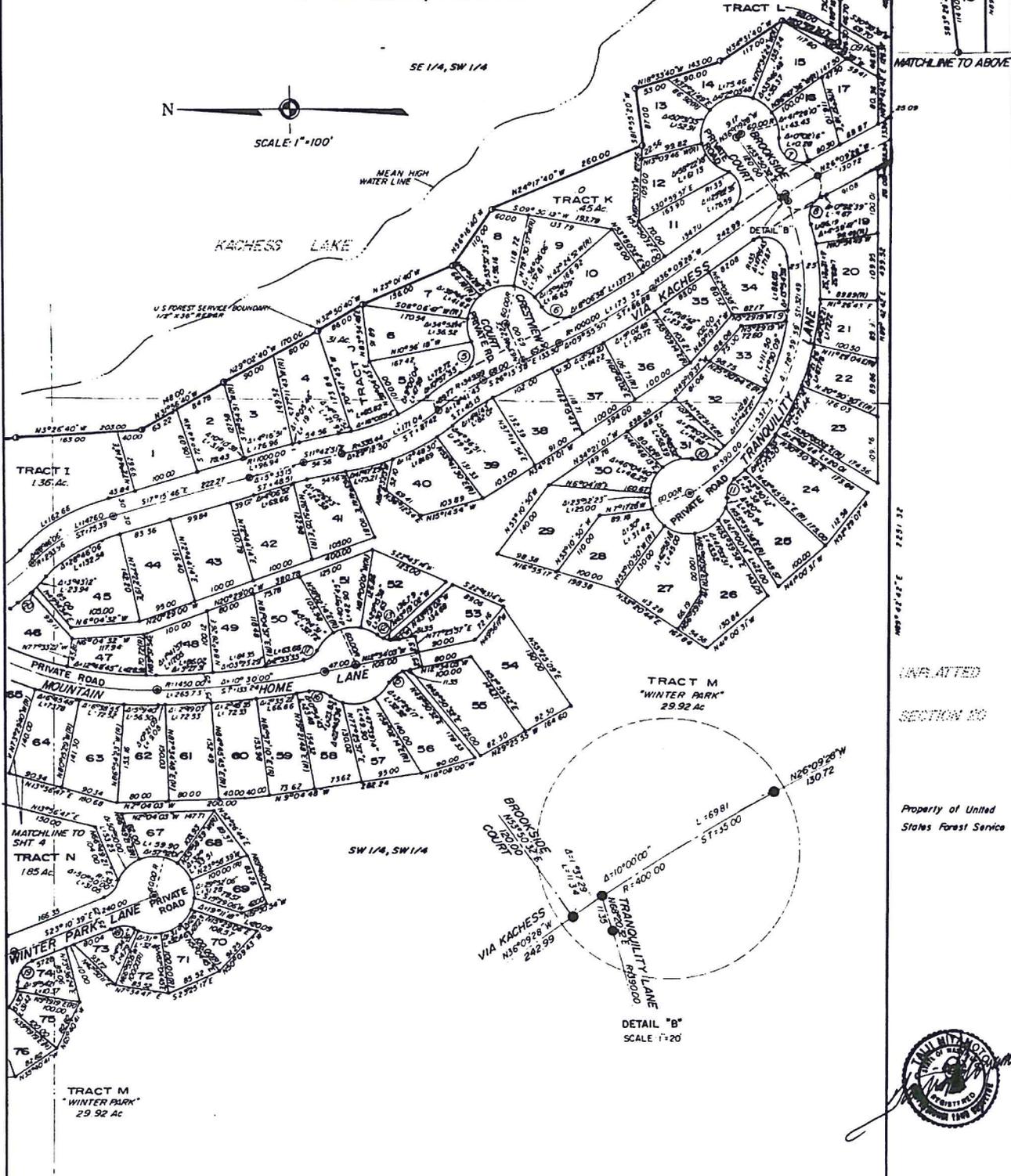
MEAN HIGH WATER LINE

KACHESS LAKE

U.S. FOREST SERVICE BOUNDARY  
1/2" = 1/2" PLASTER

MATCHLINE TO BELOW

MATCHLINE TO ABOVE



UNPLATTED  
SECTION 20

Property of United States Forest Service



UNPLATTED SECTION 18  
N 30° 34' 42" W 2642.80  
Property of United States Forest Service  
SECTION CORNER - 8" IRON PIPE  
W/ BRASS CAP AND BEARING  
TREES  
SHEET 3 OF 5

99-9

LEGAL DESCRIPTION

ALL OF SECTION 17, TOWNSHIP 21 NORTH, RANGE 13 EAST, W.M., LYING WEST OF THE BOUNDARY OF THE DEPARTMENT OF INTERIOR, UNITED STATES DEPARTMENT OF RECLAMATION, YAKIMA STORAGE PROJECT, KACHESS RESERVOIR AS SHOWN BY THE RECORDS OF KITTITAS COUNTY, WASHINGTON, AND MORE PARTICULARLY DESCRIBED ON THAT CERTAIN PLAT PREPARED BY THE DEPARTMENT OF INTERIOR No. D2459 ATTACHED TO DEED RECORDED APRIL 16, 1917, IN VOLUME 31 OF DEEDS, PAGES 306, 307, 308, 309 OF SAID COUNTY AND STATE.

THE INTENT OF THE ABOVE DESCRIPTION IS TO EMBRACE ALL THE FOLLOWING DESCRIBED PROPERTY:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 17, THENCE 50°37'09" E ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 2641.17 FEET TO THE SOUTHWEST QUARTER OF SAID SECTION 2642.80 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE N 89°42'42" E ALONG THE SOUTH LINE OF SAID SECTION 2251.32 FEET TO THE WEST BOUNDARY OF THE DEPARTMENT OF INTERIOR, UNITED STATES DEPARTMENT OF RECLAMATION, YAKIMA STORAGE PROJECT, KACHESS RESERVOIR AS SHOWN BY THE RECORDS OF KITTITAS COUNTY, WASHINGTON; THENCE ALONG SAID WEST BOUNDARY THE FOLLOWING COURSES: THENCE N 56°15'40" W, 102.00 FEET; THENCE S 83°28'20" W, 114.00 FEET; THENCE N 68°38'40" W, 100.00 FEET; THENCE N 89°16'40" W, 73.00 FEET; THENCE N 20°29'20" E, 98.00 FEET; THENCE N 34°31'40" W, 117.00 FEET; THENCE N 18°33'40" W, 143.00 FEET; THENCE S 81°55'20" W, 87.00 FEET; THENCE N 24°17'40" W, 260.00 FEET; THENCE N 56°16'40" W, 110.00 FEET; THENCE N 23°1'40" W, 156.00 FEET; THENCE N 32°30'40" W, 86.00 FEET; THENCE N 29°2'40" W, 170.00 FEET; THENCE N 31°56'40" W, 148.00 FEET; THENCE N 3°26'40" W, 203.00 FEET; THENCE N 7°5'40" W, 83.00 FEET; THENCE N 9°1'40" W, 120.00 FEET; THENCE N 40°29'40" W, 193.00 FEET; THENCE N 25°54'40" W, 114.00 FEET; THENCE N 30°30'40", 109.00 FEET; THENCE N 10°11'40" W, 144.00 FEET; THENCE S 88°30'20" W, 85.00 FEET; THENCE N 39°39'20" E, 94.00 FEET; THENCE N 18°58'40" W, 210.00 FEET; THENCE N 12°16'40" W, 72.00 FEET; THENCE N 37°46'40" W, 205.00 FEET; THENCE N 54°28'40" W, 100.00 FEET; THENCE N 48°44'40" W, 221.00 FEET; THENCE N 37°30'40" W, 134.00 FEET; THENCE N 19°39'40" W, 173.00 FEET; THENCE N 30°10'40" W, 116.00 FEET; THENCE N 2°33'40" W, 161.00 FEET; THENCE N 8°46'20" E, 197.00 FEET; THENCE N 10°25'40" W, 175.00 FEET; THENCE N 7°11'40" W, 72.00 FEET; THENCE N 7°40'40" W, 125.00 FEET; THENCE N 16°49'20" E, 76.00 FEET; THENCE N 16°36'40" W, 70.00 FEET; THENCE N 24°46'20" E, 62.00 FEET; THENCE N 0°44'40" W, 202.00 FEET; THENCE N 27°1'20" E, 85.00 FEET; THENCE N 40°50'40" W, 56.00 FEET; THENCE N 12°22'40" W, 129.00 FEET; THENCE N 33°55'20" E, 28.00 FEET; THENCE N 7°6'40" W, 82.00 FEET; THENCE N 39°2'20" E, 54.00 FEET; THENCE N 4°02'40" W, 39.00 FEET; THENCE N 7°46'40" W, 81.00 FEET; THENCE N 30°3'20" E, 41.00 FEET; THENCE N 3°30'40" W, 31.00 FEET; THENCE N 11°7'20" E,

KACHESS SECTION 17, TWP 21N, RGE 13E, W.M. KITTITAS COUNTY, WASHINGTON

RECEIVING NO. 322624

ACKNOWLEDGMENTS

STATE OF WASHINGTON )
COUNTY OF KING )

On this 10th day of November, A.D., 1974, before me, the undersigned, a Notary Public in and for the State of Washington duly commissioned and sworn, personally appeared C.M. MORROW to me known to be the General Partner of KACHESS VILLAGE ASSOCIATES, THE WASHINGTON LIMITED PARTNERSHIP THAT EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID LIMITED PARTNERSHIP, FOR THE USES AND PURPOSES THEREIN MENTIONED, AND ON OATH STATED THAT THEY WERE AUTHORIZED TO EXECUTE THE SAID INSTRUMENT AND THAT THE SEAL AFFIXED IS THE SEAL OF SAID PARTNERSHIP.

WITNESS MY HAND AND OFFICIAL SEAL HERETO AFFIXED THE DAY AND YEAR FIRST ABOVE WRITTEN.

Notary Public in and for the State of Washington, residing at Snohomish

STATE OF WASHINGTON )
COUNTY OF KING )

On this 10th day of November, A.D., 1974, before me, the undersigned, a Notary Public in and for the State of Washington duly commissioned and sworn, personally appeared Kelly Stewart & William J. Shaw to me known to be the Vice Presidents of SHERWOOD & ROBERTS, INC., THE CORPORATION THAT EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF SAID CORPORATION, FOR THE USES AND PURPOSES THEREIN MENTIONED, AND ON OATH STATED THAT THEY WERE AUTHORIZED TO EXECUTE THE SAID INSTRUMENT AND THAT THE SEAL AFFIXED IS THE CORPORATE SEAL OF SAID CORPORATION.

WITNESS MY HAND AND OFFICIAL SEAL HERETO AFFIXED THE DAY AND YEAR FIRST ABOVE WRITTEN.

Notary Public in and for the State of Washington, residing at Seattle

DEDICATION

KNOW ALL MEN BY THESE PRESENTS: THAT KACHESS VILLAGE ASSOCIATES, A WASHINGTON LIMITED PARTNERSHIP, THE UNDERSIGNED OWNER IN FEE SIMPLE OF THE HEREIN DESCRIBED REAL PROPERTY AND SHERWOOD & ROBERTS, INC. A WASHINGTON CORPORATION, AS BENEFICIARY OF THE DEED OF TRUST, DO HEREBY DECLARE, SUBDIVIDE AND PLAT AS HEREIN DESCRIBED, AND DEDICATE TO THE PUBLIC FOREVER THE ROAD OF VIA KACHESS AS SHOWN ON THIS PLAT. ALL OTHER ROADS SHALL BE PRIVATE ROADS.

THE COSTS OF CONSTRUCTION, MAINTAINING AND SNOW REMOVAL OF ALL ROADS, STREETS AND ALLEYS WITHIN THIS PLAT AND ALL ACCESS ROADS TO THIS PLAT SHALL BE THE OBLIGATION OF A NON-PROFIT CORPORATION COMPOSED OF ALL THE OWNERS OF THE LOTS OF THE PLAT AND OF ANY ADDITIONAL PLATS THAT MAY BE SERVED BY THESE ROADS, STREETS AND ALLEYS.

IN THE EVENT THAT THE OWNERS OF ANY OF THE LOTS OF THIS PLAT OR ANY ADDITIONAL PLATS SHALL PETITION THE COUNTY COMMISSIONERS TO INCLUDE THE ROADS IN THE COUNTY ROAD SYSTEM, IT IS UNDERSTOOD THAT THE ROADS SHALL FIRST BE BUILT UP TO MINIMUM COUNTY STANDARDS BY SAID NON-PROFIT CORPORATION.

IN WITNESS WHEREOF, WE HAVE HERETO SET OUR HANDS AND SEALS THIS 17th day of November, A.D., 1974.

KACHESS VILLAGE ASSOCIATES

C.M. MORROW
GENERAL PARTNER

SHERWOOD & ROBERTS, INC.

Kelly Stewart & William J. Shaw
VICE PRESIDENT

# KACHESS

SECTION 17, TWP 21N, RGE 13E, W.M.  
KITITIAS COUNTY, WASHINGTON

RECEIVING NO. 379674

### CERTIFICATE OF LAND SURVEYOR

I HEREBY CERTIFY THAT THE PLAT OF KACHESS IS BASED ON ACTUAL SURVEY AND SUBDIVISION OF SECTION 17, TOWNSHIP 21, RANGE 13 E, W.M., THAT THE DISTANCES AND COURSES AND ANGLES ARE SHOWN THEREON CORRECTLY; THAT THE MONUMENTS HAVE BEEN SET AND LOT AND BLOCK CORNERS STAKED ON THE GROUND.



*David W. Meyer*  
LICENSED LAND SURVEYOR

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D., 19 \_\_\_\_\_

### CERTIFICATE OF COUNTY ROAD ENGINEER

EXAMINED AND APPROVED THIS 12th DAY OF November, A.D., 19 74.

*Harold C. Blum*  
KITITIAS COUNTY ENGINEER

### CERTIFICATE OF COUNTY PLANNING DIRECTOR

I HEREBY CERTIFY THAT THE PLAT OF KACHESS HAS BEEN EXAMINED BY ME AND FIND THAT IT CONFORMS TO THE COMPREHENSIVE PLAN OF THE KITITIAS COUNTY PLANNING COMMISSION.  
DATED THIS 12th DAY OF November, A.D., 19 74.

*John Pickens*  
KITITIAS COUNTY PLANNING DIRECTOR

### CERTIFICATE FROM KITITIAS COUNTY TREASURER

I HEREBY CERTIFY THAT THE TAXES AND ASSESSMENTS ARE PAID FOR THE PRECEDING YEARS AND FOR THIS YEAR IN WHICH THE PLAT IS NOW TO BE FILED.

DATED THIS 4th DAY OF November, A.D., 19 74

*Paul J. Sauer*  
KITITIAS COUNTY TREASURER

### CERTIFICATE OF COUNTY HEALTH SANITARIAN

I HEREBY CERTIFY THAT THE PLAT OF KACHESS HAS BEEN EXAMINED BY ME AND I FIND THAT THE SEWAGE AND WATER SYSTEMS HEREIN SHOWN DO MEET AND COMPLY WITH ALL REQUIREMENTS OF THE COUNTY HEALTH DEPARTMENT.

DATED THIS 11 DAY OF Nov, A.D., 19 74.

*Arthur E. Bishop*  
KITITIAS COUNTY HEALTH OFFICER

### CERTIFICATE OF FURTHER RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS: THAT THIS PLAT OF KACHESS, KITITIAS COUNTY, WASHINGTON IS SUBJECT TO ADDITIONAL RESTRICTIONS ENTITLED KACHESS PROTECTIVE COVENANTS WHICH ARE FILED WITH THE KITITIAS COUNTY AUDITOR AND WHICH ARE HEREBY MADE A PART OF THIS PLAT.

*[Signature]*

THIS IS TO CERTIFY THAT THE ABOVE MENTIONED RESTRICTIONS HAVE BEEN FILED THIS 1st DAY OF November, 19 74, AT 4:00 MINUTES PAST 3:00 O'CLOCK P.M., IN VOLUME 55 OF DEEDS, PAGES 150 RECORDS OF KITITIAS COUNTY, WASHINGTON.

*James Seale*  
KITITIAS COUNTY AUDITOR

### CERTIFICATE OF BOARD OF COUNTY COMMISSIONERS

EXAMINED AND APPROVED THIS 14th DAY OF November, A.D., 19 74.

BOARD OF COUNTY COMMISSIONERS  
KITITIAS COUNTY, WASHINGTON

By *John W. [Signature]*  
CHAIRMAN

ATTEST:

*Marion [Signature]*  
CLERK OF THE BOARD

### FILED CERTIFICATE FOR COUNTY RECORDING

FILED FOR RECORDS AT THE REQUEST OF THE KITITIAS COUNTY BOARD OF COMMISSIONERS, THIS 1st DAY OF November, A.D., 19 74, AT 3:22 MINUTES PAST 4:00 O'CLOCK P.M., AND RECORDED IN VOLUME 6 OF PLATS, ON PAGES 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

RECORDS OF KITITIAS COUNTY, WASHINGTON.

*[Signature]*  
KITITIAS COUNTY AUDITOR  
RECEIVING NO. 379674

By *[Signature]*  
DEPUTY COUNTY AUDITOR

### EASEMENT PROVISIONS

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO PUGET SOUND POWER AND LIGHT COMPANY AND PACIFIC NORTHWEST BELL COMPANY, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS UNDER AND UPON THE EXTERIOR 5 FEET OF FRONT AND REAR BOUNDARY LINES AND UNDER AND UPON THE EXTERIOR 2.5 FEET OF SIDE BOUNDARY LINES OF ALL LOTS, IN WHICH TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE AND MAINTAIN OVERHEAD OR UNDERGROUND CONDUITS, CABLES, AND WIRES WITH NECESSARY FACILITIES AND OTHER EQUIPMENT FOR THE PURPOSE OF SERVING THE SUBDIVISION AND OTHER PROPERTY WITH ELECTRIC AND TELEPHONE SERVICE, TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS AT ALL TIMES FOR THE PURPOSES STATED, ALSO HEREBY GRANTED IS THE RIGHT TO USE THE STREETS FOR THE SAME PURPOSES.

# Kittitas County Hearing Examiner

May 8, 2014

3160 Via Kachess  
Shoreline Setback Variance  
(SV-14-00001)

Good Evening Mr. Hearing Examiner

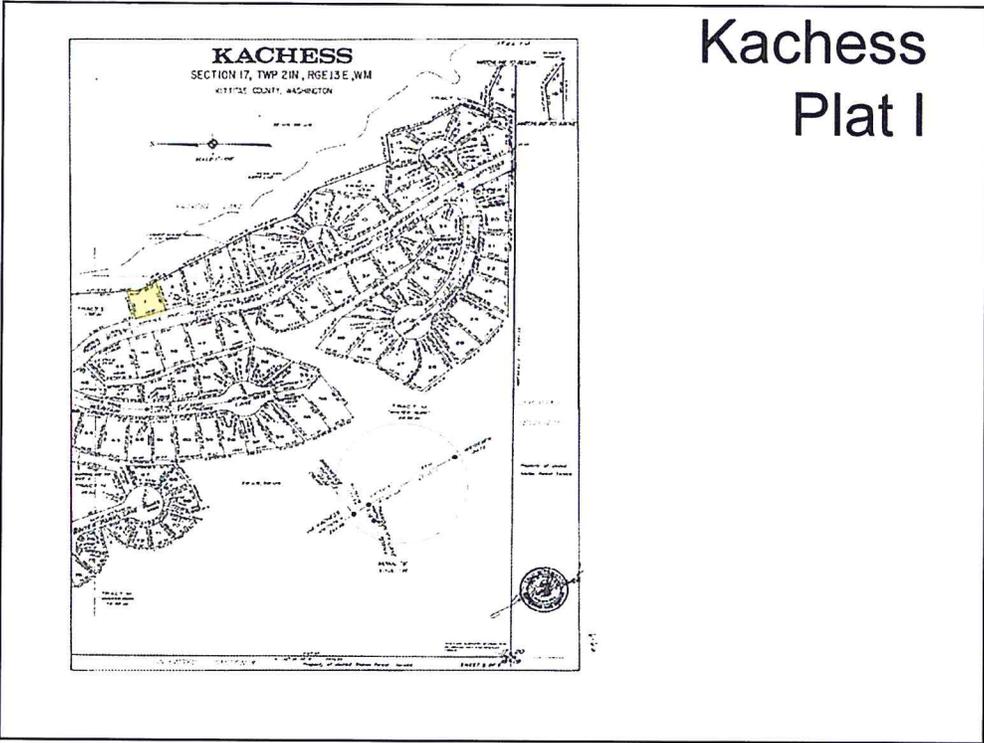
For the record .....

You have before you tonight for consideration the 3160 Via Kachess Shoreline Setback Variance...

## Overview of Proposal

- Project acreage: 0.22 Acres
- Number of lots: 1 Lot, Plat Kachess I (recording #393674), no new lots proposed
- Water & Septic: Existing
- Land Use: Rural Working
- Zoning: Forest & Range

Richard Landen, landowner, submitted an application for a Structural Setback Shoreline Variance (SV-14-00001) with associated JARPA on March 10, 2014 to Kittitas County Community Development Services Department to allow for a remodel and addition to an existing residential structure, including a deck.



# Kachess Plat I

#1 site on this plat.

# Aerial



Aerial of the proposal and surrounding area.

# Land Use Map

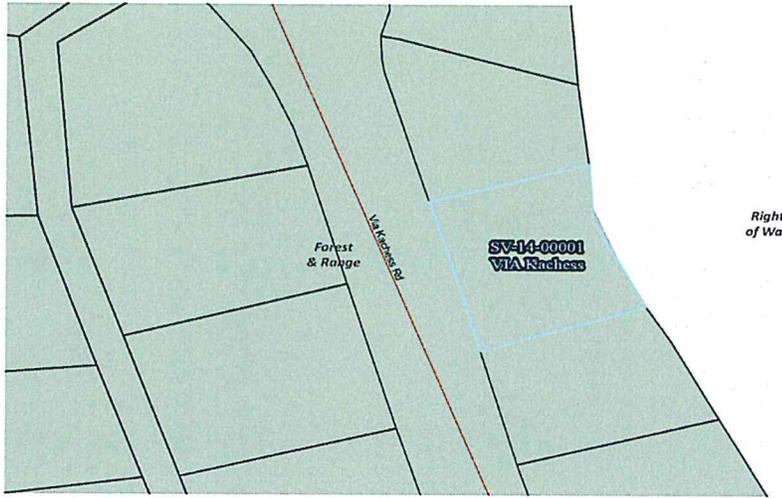


**Subject  
Property**



Land use: Rural Working Lands

# Zoning Map

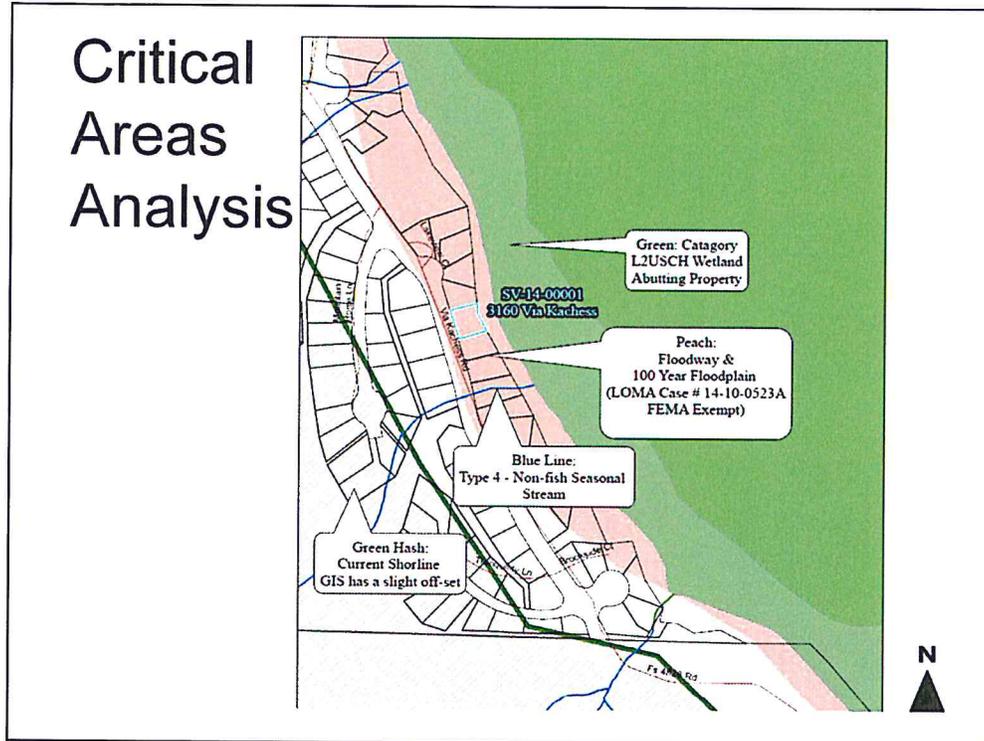


**Subject  
Property**



Zoning: Forest and Range

# Critical Areas Analysis



An administrative critical areas review was done in compliance with KCC 17A and found there to be critical areas on-site. The subject parcel is within the Floodway & Floodplain, but the applicant has been granted a LOMA by FEMA Case # 14-10-0523A, Index # 2. The subject parcel is also within shoreline jurisdiction and is abutting an L2USCH wetland (Lake Kachess).

## Access

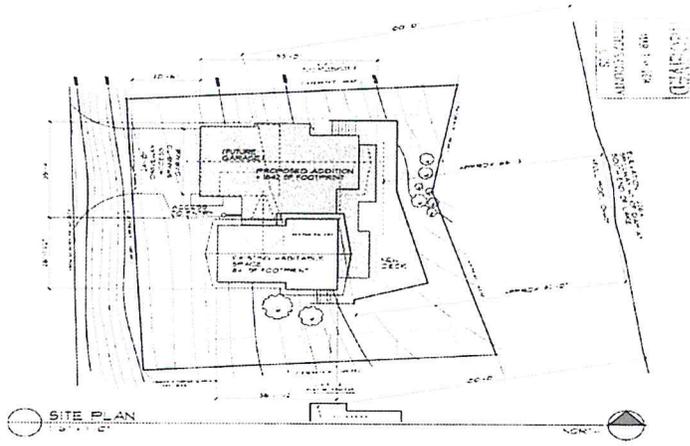
- This proposal is accessed at 3160 Via Kachess Road, Easton WA 98925.
- A new access permit will be required and is included as recommended condition #5 in the staff report.

## Notices

- Application was submitted: March 10, 2014
- Revised Site Plan received: March 25, 2014
- Notice of Application: April 15, 2014
  - Comment Period ended: ~~May 8~~, 2014 April 30
    - Comments were received from: KC DPW, public comment from Doug Campbell & Andy Dulin & correspondence between the applicant and staff.

Application Index # 1. Revised Site Plan Index # 3. Notice of Application Index # 8. Comments Index # 11-14.

# Site Plan



LANDSCAPE ARCHITECTURE  
 10000 HILLAS ROAD  
 SUITE 100  
 WASHINGTON, DC 20004

OWNER  
 SCHEIDT & SCHLES (ARCHITECTS)  
 2200 ANDERSON DRIVE  
 WASHINGTON, DC 20004

RS  
 PROJECT NO.  
 DATE  
 MAP NO. 2014  
 PROJECT NUMBER  
 1481  
 10000 HILLAS

Project Title  
 SITE PLAN  
 SCHEMATIC

Sheet Number  
 SP-1

10000-HILLAS

## Consistency with Shoreline Master Program

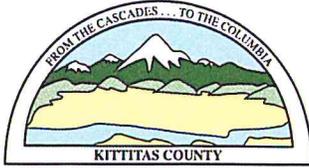
- WAC 173-27-170
- KCC Shoreline Master Program
  - Section 14: Shoreline Setback Regulations
  - Section 19: Protection of the Natural  
Shoreline Features
  - Section 33: Residential
  - Section 40: Variance

Refer to staff report

## Project Analysis

- Consistent with:
  - Comprehensive Plan
  - KCC 17 Zoning
  - KCC 17 A Critical Areas
  - KCC 14.08 Flood Damage Prevention
  - KCC 12 Roads and Bridges

Staff recommends approval of the 3160 Via Kachess Shoreline Variance as conditioned.



## KITITITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITITITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

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### STAFF REPORT

**TO:** Kittitas County Hearing Examiner

**FROM:** Lindsey Ozbolt, Planner II

**DATE:** May 8, 2014 (hearing date)

**SUBJECT:** 3160 VIA Kachess Shoreline Setback Variance (SV-14-00001)

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#### I. BACKGROUND INFORMATION

**Proposal:**

Richard Landen, landowner, submitted an application for a Structural Setback Shoreline Variance (SV-14-00001) with associated JARPA on March 10, 2014 to Kittitas County Community Development Services Department to allow for a remodel and addition to an existing residential structure, including a deck. The Shoreline Master Program requires all single family residential development to be at least 100 feet landward of the Ordinary High Water Mark (OHWM). This proposal is located within the Conservancy Shoreline Designation. The request is for a variance to allow the structure to be no closer than approximately 58 feet from the OHWM of Lake Kachess.

**Location:**

The property is located on Lot 1, Plat of Kachess I (recording #393674), Via Kachess Rd., Easton, WA 98925, a portion of Section 17, T.21N, R.13E, W.M. in Kittitas County. Parcel number 21-13-17051-0001. The property is located on Lake Kachess in an established residential/recreation area. The Plat of Kachess was platted in the 1970s and many of the existing lots within the shoreline of Lake Kachess cannot meet the current shoreline and zoning setbacks. The parcel in question has approximately the following dimensions: a north property line of approximately 103.22 feet, east property line of approximately 106.99 feet, south property line of approximately 100.00 feet, and a west property line of approximately 99.62 feet. The total parcel is approximately 0.22 acres in size. The development of this lot and other lots in this plat are restricted by lot size, zoning, shoreline, and environmental regulations.

#### II. ADMINISTRATIVE REVIEW

**Notice of Application:**

A shoreline structural setback variance application was submitted to Kittitas County Community Development Services Department (CDS) on March 10, 2014. This application was deemed complete on March 31, 2014. The Notice of Application for the shoreline structural setback variance was issued on April 15, 2014. This notice was published in the official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners and other interested parties. The last day

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to submit written comments was on April 30, 2014.

### **III. COMPREHENSIVE PLAN**

The Kittitas County Comprehensive Plan designates the subject property as Rural Working Land. Kittitas County has established the following goals and policies to guide activities within the rural lands. These goals and policies were developed in response to identified needs within the county, and support the County Wide Planning Policies:

GPO 2.2 – Protect, preserve, maintain, and enhance the County’s natural resource industry base, natural environment, and rural character, including but not limited to timber, agriculture, mineral, water and energy resources. The County shall avoid land use conflicts with its resource industry by applying low residential densities to lands adjacent to resource lands.

GPO 2.7 – Kittitas County will maintain a flexible balance of land uses which will protect, preserve, and enhance the rural character, historical forest lands, agriculture industries, mineral lands, and high quality environment.

GPO 8.1 – Rural lands are characterized by a lower level of services; mixed residential, agricultural and open space uses; broad visual landscapes and parcels of varying sizes, a variety of housing types and small unincorporated communities.

GPO 8.2 – Rural lands often have an established land use pattern that inhibits urban character and are generally, and anticipated to continue to be, served by septic systems and individual wells or small community water systems.

GPO 8.4 – Development in rural areas is subject to agricultural and forestry activities that may take place as a right on adjacent properties.

GPO 8.16 – Give preferences to land uses in Rural designated areas that are related to agriculture, rural residential development, tourism, outdoor recreation, and the other open space activities.

### **IV. AGENCY AND PUBLIC COMMENTS**

Applicable agencies, adjacent property owners, and interested parties have been given the opportunity to review this proposal. All comments have been included as Exhibits in the Hearing Examiner packet.

### **V. PROJECT ANALYSIS**

In review of this proposal it is important to consider the goals and policies of the comprehensive plan, 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 Comprehensive Plan:**

The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. As referenced above in Section IV of this staff report, the following Comprehensive Plan

GPOs apply to this proposal: GPO 2.2, 2.7, 8.1, 8.2, 8.4, and 8.16.

**Consistency with the Shoreline Master Program:**

Lake Kachess is a shoreline of statewide significance. The Kittitas County Shoreline Master Program requires a 100-foot structural setback from the Ordinary High Water Mark. A variance from this requirement may be granted under extraordinary circumstances provided the applicant demonstrates the following [See WAC 173-27-170]:

- That the strict application of this requirement precludes or interferes with reasonable use of the property.
- That the hardship is specifically related to the property, and is the result of unique conditions such as irregular lot shape, size, or other natural features and the application program and not, for example, from deed restrictions or the applicant's own actions.
- 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 shoreline master program and will not cause adverse impacts to the shorelines environment.
- That the variance will not constitute a grant of special privilege not enjoyed by the other properties in the area.
- That the variance is the minimum necessary to afford relief.
- That the public interest will suffer no substantial detrimental effect.

The site is located within the Conservancy shoreline environment that is characterized by recreational and natural resource related uses. The intent of this designation is to sustain natural resource development while maintaining the natural character of the shoreline area. Please review the following applicable sections from the Kittitas County Shoreline Master Program:

Section 14: Shoreline Setback Regulations

- (1) Shoreline Setback. All structures will be set back a minimum of 100 feet from the ordinary high water mark on all shorelines

Section 19: Protection of the Natural Shoreline Features

- (1) Resource Management. All constructions shall be designed to protect the adjacent shoreline lands against erosion, uncontrolled drainage, slides, pollution, excessive excavations and fills and other actors detrimental to the environment, and shoreline development shall not substantially diminish the natural quality or near natural qualities of nearby areas including the quality of the water involved.
- (2) Vegetation. Buffer strips of permanent vegetation between shoreline developments and associated water bodies are encouraged, and private and public land owners shall be responsible for the preservation of vegetation to minimize erosion within the shoreline area.
- (3) Project Area Restoration. Upon completion of installation of any substantial development which disrupts the environment, the disturbed areas shall be regarded to compatibility with the natural terrain and replanted to provide an attractive vegetation cover which is harmonious with the surrounding area and the project requirements.

Section 33: Residential

- (4) Conservancy Environment
  - (b) Single-family residences shall be permitted in a Conservancy Environment.

Section 40: Variance

- (2) The applicant shall submit information or evidence demonstrating all of the following:
- (a) That the hardship that serves as basis for granting of a variance is specifically related to the property of the applicant.
  - (b) That the hardship results from the application of the requirements of the Act and not from; example, deed restrictions or the applicant's own actions.
  - (c) That the variance granted will be in harmony with the general purpose and intent of the Master Program.
  - (d) That the public welfare and interest will be preserved.

**Consistency with KCC 17 Zoning Code:**

The subject property is located within the Forest & Range zoning district, which requires a 25' front yard setback, a 10-foot side yard, and a 10-foot rear-yard setback for all structures. The applicant may be required to apply for a zoning set back variance of the front and/or side zoning setbacks prior to approval of the building permit.

**Consistency with KCC 17A Critical Areas:**

An administrative site analysis was completed by Community Development Services in compliance with Title 17A, KCC. Consistent with similar setback variance development applications on this and other Type 1 Waters, the following provisions will apply to this proposal:

**KCC 17A.010 Riparian habitat**

KCC 17A.07.010(1) & (2)

Type 1 Waters: 40-200 feet from OHWM.

KCC 17A.07.010(3): Based on the criteria for buffer ranges specified in Sub-section C of this Section, a 40 foot riparian buffer shall be established landward from all edges of the ordinary high water mark.

KCC 17A.07.010(5): Natural Condition of Riparian Habitat Buffer: Riparian habitat buffer areas shall be retained in their natural condition or may be improved to enhance buffer functions and values. Where buffer disturbance has occurred during construction, re-vegetation with native vegetation may be required. The Kittitas County noxious weed ordinance shall be adhered to.

KCC 17A.07.010(6): Allowed Uses. Allowed uses are exempt activities and activities deemed by the administrator to be consistent with the purpose and function of the habitat buffer and which do not cause a significant adverse impact to the habitat and its buffer based on sensitivity of the habitat including but not limited to stock watering, utilization of water rights, trails, recreational uses, hunting, and fishing.

**Consistency with KCC 14.08 Flood Damage Prevention**

The property has received a Letter of Map Amendment (LOMA) from FEMA, therefore it is no longer considered to be within the regulatory floodplain. This LOMA was submitted to CDS

with the Shoreline Structural Setback Variance Application and has been assigned Case No. 14-10-0523A by FEMA. As conditioned this project is consistent.

### **Consistency with KCC 12 Roads and Bridges**

As conditioned, this proposal is consistent with the provisions of KCC Title 12.

### **Agency Comments:**

The following agencies provided comments during the comment period: Kittitas County Department of Public Works and Kittitas County Environmental Health Department. These comments have been included in the index file record and were considered when preparing the recommended conditions for this proposal.

### **Public Comments:**

Public comments were submitted for this proposal at the time of staff review and were considered. They are attached to this staff report as part of the 3160 VIA Kachess Shoreline Structural Setback Variance index file.

## **VI. RECOMMENDATION**

As conditioned below, staff finds that the application is not detrimental to the general public health, safety or welfare and meets the basic intent and criteria associated with Title 12, Title 14.06, Title 17, Title 17A of the Kittitas County Code, the Kittitas County Comprehensive Plan and the Kittitas County Shoreline Master Program. Staff recommends approval of the 3160 VIA Kachess Shoreline Structural Setback Variance application, subject to the following findings of fact and conditions:

### **Staff Findings of Fact**

1. Richard Landen, landowner, submitted an application for a Structural Setback Shoreline Variance (SV-14-00001) with associated JARPA on March 10, 2014 to Kittitas County Community Development Services Department to allow for a remodel and addition to an existing residential structure, including a deck. The Shoreline Master Program requires all single family residential development to be at least 100 feet landward of the Ordinary High Water Mark (OHWM). This proposal is located within the Conservancy Shoreline Designation. The request is for a variance to allow the structure to be no closer than approximately 58 feet from the OHWM of Lake Kachess.
2. This proposal encompasses 1 parcel, located at 3160 Via Kachess Road, Easton, Washington along Lake Kachess, in a portion of Section 17, T21N, R13E, WM in Kittitas County, bearing Assessor's map number 21-13-17050-0001.
3. The Comprehensive Plan designation is "Rural Working Land."
4. The subject property is zoned "Forest and Range."
5. A shoreline structural setback variance application was submitted to Kittitas County Community Development Services Department (CDS) on March 10, 2014. This application was deemed complete on March 31, 2014. The Notice of Application for the shoreline structural setback variance was issued on April 15, 2014. This notice was published in the

official county paper of record and was mailed to jurisdictional government agencies, adjacent property owners and other interested parties. The last day to submit written comments was on April 30, 2014.

6. The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. As referenced above in Section IV of this staff report, the following Comprehensive Plan GPOs apply to this proposal: GPO 2.2, 2.7, 8.1, 8.2, 8.4, and 8.16.
7. Staff has reviewed the Shoreline Master Program and has concluded that the applicant has demonstrated the following criteria has been met pursuant to WAC 173-27-170 and Section 40 of the Kittitas County Shoreline Master Program:
  - a. The strict application of this requirement precludes or interferes with reasonable use of the subject property, and;
  - b. That this hardship is specifically related to the property, resulting from unique conditions including lot shape, size, and other natural features.
  - c. That the residential nature of the proposal is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and shoreline master program and will not cause adverse impacts to the shorelines environment.
  - d. The variance will not constitute a grant of special privilege not enjoyed by the other properties in the area; and,
  - e. The variance is the minimum necessary to afford relief; and,
  - f. That the public interest will suffer no substantial detrimental effect.
8. This proposal is consistent with KCC 17, specifically KCC 17.56 as conditioned.
9. Staff conducted an administrative critical area review in accordance with KCC 17A. As conditioned, this proposal is compatible.
10. This proposal is consistent with KCC 14.08, as conditioned.
11. This proposal is consistent with KCC 12, as conditioned.
12. The following agencies provided comments during the comment period: Kittitas County Department of Public Works and Kittitas County Department of Environmental Health. These comments have been included in the index file record and were considered when preparing the recommended conditions for this proposal.
13. Public comments were submitted for this proposal at the time of staff review and were considered. They have been included in the index file record.

**Staff Conclusions:**

1. As conditioned, the proposal meets the goals, policies and implementation recommendations as set forth in the Kittitas County Comprehensive Plan.
2. As conditioned, the proposal meets the variance process as described in WAC 173-27-170

and the requirements of the Kittitas County Shoreline Master Program.

3. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
4. Public use and interest will be served by approval of this proposal.
5. As conditioned, the proposal is consistent with Kittitas County Code Title 17 Zoning, Title 17A Critical Areas, Title 14.06 Flood Damage Prevention Code, and Title 12 Roads and Bridges.

**Recommended Conditions of Approval:**

1. Any structure on the property shall not be constructed any closer than 58 feet landward of the OHWM.
2. A zoning setback variance may be required prior to issuance of the building permit for the front and/or side yard setbacks.
3. Based on the criteria for riparian habitat specified in Title 17A.07.010(5), the natural condition of the riparian lands that in this case encompass all of the parcel shall be retained in its natural condition. Where disturbance has occurred, during construction, re-vegetation with native vegetation is required. The Kittitas County Noxious Weed ordinance shall be adhered to.
4. Floodplain: This property received a LOMA from FEMA and is no longer considered to be within the regulatory floodplain. Case No. 14-10-0523A.
5. Access: This project proposes a new access from the county road. An access permit must be applied for and issued prior to beginning any work within the county right-of-way. Access must be completed prior to issuance of a building permit.



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

May 8, 2014

Lindsey Ozbolt  
Kittitas County Community Development  
411 N. Ruby St., Suite 2  
Ellensburg, WA 98926

Re: SV-14-00001

Dear Ms. Ozbolt:

Thank you for the opportunity to comment on the notice of application for the structural setback shoreline variance, proposed by Richard Landen. We have reviewed the application and have the following comment.

**SHORELANDS/ENVIRONMENTAL ASSISTANCE**

As part of a complete shoreline permit filing with Ecology, the applicant must provide an explanation regarding how impacts to the riparian area of the new design were minimized. (WAC 173-27-170) (For example, why does the proposed deck size need to be as large as is proposed and why can't the expansion be located landward instead of waterward in order to achieve needed space and access?). The proposed design appears to more than double the existing house/development footprint.

The elevation of the Ordinary High Water Mark on provided drawings is set at the Dam spillway elevation. This does not take into account wind and wave action, which would probably cause the Ordinary High Water Mark line to actually be higher in elevation than the Dam spillway elevation would be. The correct location of the OHWM must be shown on submitted shoreline documents.

For a complete shoreline permit filing, any new utility lines outside of the proposed house footprint and all easements should also be shown on submitted site maps.

If you have any questions or would like to respond to these Shorelands/Environmental Assistance comments, please contact **Catherine Reed** at (509) 575-2616.

Sincerely,

Gwen Clear  
Environmental Review Coordinator  
Central Regional Office  
(509) 575-2012



## Lindsey Ozbolt

---

**From:** Clear, Gwen (ECY) <GCLE461@ECY.WA.GOV> on behalf of ECY RE CRO SEPA COORDINATOR <CROSEPACOORDINATOR@ECY.WA.GOV>  
**Sent:** Thursday, May 08, 2014 9:01 AM  
**To:** Lindsey Ozbolt  
**Subject:** Late comments for SV-14-00001 Landen  
**Attachments:** 2928 Landen.pdf  
  
**Importance:** High

Please see the attached comment letter for the Richard Landen variance. The original letter is in the mail. I apologize for the comments getting to you late – I mistakenly picked up the hearing date.  
Thank you,

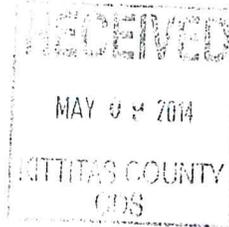
**Gwen Clear**  
Regional SEPA\Environmental Review Coordinator  
WA State Dept of Ecology  
Central Regional Office - Yakima  
(509) 575-2012



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

May 8, 2014



Lindsey Ozbolt  
Kittitas County Community Development  
411 N. Ruby St., Suite 2  
Ellensburg, WA 98926

Re: SV-14-00001

Dear Ms. Ozbolt:

Thank you for the opportunity to comment on the notice of application for the structural setback shoreline variance, proposed by Richard Landen. We have reviewed the application and have the following comment.

**SHORELANDS/ENVIRONMENTAL ASSISTANCE**

As part of a complete shoreline permit filing with Ecology, the applicant must provide an explanation regarding how impacts to the riparian area of the new design were minimized. (WAC 173-27-170) (For example, why does the proposed deck size need to be as large as is proposed and why can't the expansion be located landward instead of waterward in order to achieve needed space and access?). The proposed design appears to more than double the existing house/development footprint.

The elevation of the Ordinary High Water Mark on provided drawings is set at the Dam spillway elevation. This does not take into account wind and wave action, which would probably cause the Ordinary High Water Mark line to actually be higher in elevation than the Dam spillway elevation would be. The correct location of the OHWM must be shown on submitted shoreline documents.

For a complete shoreline permit filing, any new utility lines outside of the proposed house footprint and all easements should also be shown on submitted site maps.

If you have any questions or would like to respond to these Shorelands/Environmental Assistance comments, please contact **Catherine Reed** at (509) 575-2616.

Sincerely,

Gwen Clear  
Environmental Review Coordinator  
Central Regional Office  
(509) 575-2012

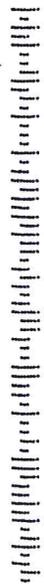


State of Washington  
 DEPARTMENT OF ECOLOGY  
 15 W Yakima Ave, Ste 200  
 Yakima, WA 98902-3452

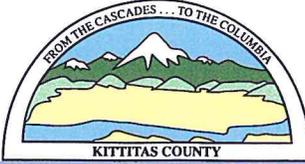
RECEIVED  
 MAY 9 2 2014  
 KITTITAS COUNTY  
 OFD

LINDSEY OZBOLT  
 KITTITAS COUNTY  
 COMMUNITY DEVELOPMENT  
 411 N RUBY STREET SUITE 2  
 ELLENSBURG WA 98926

9892686300 C004



First Class  
 \$00.480  
 MAY 08 2014  
 MAILED FROM ZIP CODE 98902



KITTITAS COUNTY HEARING EXAMINER  
Andrew L. Kottkamp, Hearing Examiner

**AGENDA**

**Thursday, May 8, 2014 @ 6:00PM**

KITTITAS COUNTY COURTHOUSE, COMMISSIONERS' AUDITORIUM ROOM 109  
205 WEST 5<sup>TH</sup> AVENUE, ELLENSBURG, WA 98926

**Procedure for Participation – Please Sign in Legibly – When Recognized:**

- State your name, address and whether you are representing only yourself or others. All remarks/comments should be addressed to the Hearing Examiner and not to the audience. Questions should be addressed to the Hearing Examiner.
- Please limit Applicant Presentation to fifteen (15) minutes; Public Testimony to three (3) minutes.
- Submit all written comments or other media to the Hearing Examiner as an exhibit for the permanent record.

I. CALL TO ORDER

II. ADMINISTRATIVE MATTERS

III. OLD BUSINESS - None

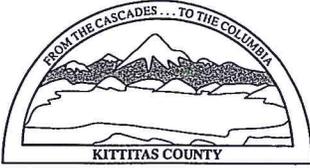
IV. NEW BUSINESS –

a. 3160 VIA Kachess Shoreline Variance - SV-14-00001

Application is for a Structural Setback Shoreline Variance with associated JARPA to allow for a remodel and addition to an existing residential structure including a deck. The Shoreline Master Program requires all single family residential development to be at least 100 feet landward of the Ordinary High Water Mark (OHWM). The request is for a variance to allow the structure to be no closer than approximately 58 feet from the OHWM of Lake Kachess. The site is located at 3160 VIA Kachess Road, Easton, WA along Lake Kachess, in a portion of Section 17, T21N, R13E, WM in Kittitas County, bearing Assessor's map number 21-13-17050-0001.

V. OTHER BUSINESS – None

VI. ADJOURN



# KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

"Building Partnerships – Building Communities"

May 2, 2014

Richard H. Landen  
22820 148<sup>th</sup> Ave SE  
Kent WA 98042

**RE: Transmittal of Comments – 3160 VIA Kachess Shoreline Variance application (SV-14-00001)**

Dear Mr. Landen:

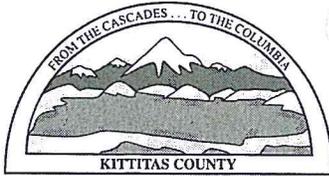
Enclosed are the comments received regarding the 3160 VIA Kachess Shoreline Variance application (SV-14-00001):

April 16, 2014	Public Comment – Doug Campbell
April 21, 2014	Public Comment – Andy Dulin
April 24, 2014	Email communication between applicant and county staff
May 2, 2014	Kittitas County Department of Public Works – Christina Wollman

Please review all comments and notify me of any questions. I will be completing my staff report for the Hearing Examiner hearing based in part on the comments received.

Sincerely,

Lindsey Ozbolt  
Staff Planner



# KITTITAS COUNTY DEPARTMENT OF PUBLIC WORKS

---

## MEMORANDUM

TO: Lindsey Ozbolt  
FROM: Christina Wollman, Planner III *CW*  
DATE: May 2, 2014  
SUBJECT: 3160 Via Kachess Shoreline Variance SV-14-00001

The Department of Public Works has reviewed the permit for the shoreline variance at 3160 Via Kachess Road and has the following comments:

- A. Floodplain: This property received a LOMA from FEMA and is no longer considered to be within the regulatory floodplain. Case No. 14-10-0523A.
- B. Access: This project proposes a new access from the county road. An access permit must be applied for and issued prior to beginning any work within the county right of way. Access must be completed prior to issuance of a building permit.



# Federal Emergency Management Agency

Washington, D.C. 20472

## LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	KITTITAS COUNTY, WASHINGTON (Unincorporated Areas)	Lot 1, Kachess, as shown on the Plat Map, recorded as Receiving No. 393674, in Volume 6, Pages 64 through 68, in the Office of the Auditor, Kittitas County, Washington  <div style="border: 1px dashed black; padding: 5px; text-align: center;">             RECEIVED               MAR 10 2014               KITTITAS COUNTY              CDS           </div>
	COMMUNITY NO.: 530095	
AFFECTED MAP PANEL	NUMBER: 5300950125B DATE: 5/5/1981	
FLOODING SOURCE: KACHESS LAKE		APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 47.308, -121.248 SOURCE OF LAT & LONG: ARCGIS 10.1 DATUM: NAD 83

### DETERMINATION

LOT	BLOCK/ SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (Assumed)	LOWEST ADJACENT GRADE ELEVATION (Assumed)	LOWEST LOT ELEVATION (Assumed)
1	-	Kachess	3160 Via Kachess Road	Property	C	-	-	2272.1 feet

**Special Flood Hazard Area (SFHA)** - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

**ADDITIONAL CONSIDERATIONS** (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)

ZONE A  
STUDY UNDERWAY

This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Amendment for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the property(ies) is/are not located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document amends the effective NFIP map to remove the subject property from the SFHA located on the effective NFIP map; therefore, the Federal mandatory flood insurance requirement does not apply. However, the lender has the option to continue the flood insurance requirement to protect its financial risk on the loan. A Preferred Risk Policy (PRP) is available for buildings located outside the SFHA. Information about the PRP and how one can apply is enclosed.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304-4605.

  
 Luis Rodriguez, P.E., Chief  
 Engineering Management Branch  
 Federal Insurance and Mitigation Administration



# Federal Emergency Management Agency

Washington, D.C. 20472

## LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)

### ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

#### ZONE A (This Additional Consideration applies to the preceding 1 Property.)

The National Flood Insurance Program map affecting this property depicts a Special Flood Hazard Area that was determined using the best flood hazard data available to FEMA, but without performing a detailed engineering analysis. The flood elevation used to make this determination is based on approximate methods and has not been formalized through the standard process for establishing base flood elevations published in the Flood Insurance Study. This flood elevation is subject to change.

#### STUDY UNDERWAY (This Additional Consideration applies to all properties in the LOMA DETERMINATION DOCUMENT (REMOVAL))

This determination is based on the flood data presently available. However, the Federal Emergency Management Agency is currently revising the National Flood Insurance Program (NFIP) map for the community. New flood data could be generated that may affect this property. When the new NFIP map is issued it will supersede this determination. The Federal requirement for the purchase of flood insurance will then be based on the newly revised NFIP map.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304-4605.

  
Luis Rodriguez, P.E., Chief  
Engineering Management Branch  
Federal Insurance and Mitigation Administration

## Lindsey Ozbolt

---

**From:** Lindsey Ozbolt  
**Sent:** Thursday, April 24, 2014 9:36 AM  
**To:** Christina Wollman; Rose Shriner; Dicklanden@aol.com  
**Cc:** Steph Mifflin; Emily Miltko  
**Subject:** RE: re: CDS inquiry

Mr. Landen,

In addition to the information and requirements Christina Wollman described below, the building permit will not be allowed to be issued prior to approval of the Shoreline Variance from both Kittitas County Board of County Commissioners and the Department of Ecology.

**Lindsey Ozbolt**  
Planner II

Kittitas County Community Development Services  
411 North Ruby St., Suite 2  
Ellensburg, WA 98926  
Phone: 509-962-7637  
Email: [lindsey.ozbolt@co.kittitas.wa.us](mailto:lindsey.ozbolt@co.kittitas.wa.us)

---

**From:** Christina Wollman  
**Sent:** Thursday, April 24, 2014 9:13 AM  
**To:** Rose Shriner; Dicklanden@aol.com  
**Cc:** Steph Mifflin; Emily Miltko; Lindsey Ozbolt  
**Subject:** RE: re: CDS inquiry

A flood permit is not required because the property received a LOMA.

However, as I mentioned in the previous emails an access permit will be required. Due to the complexity of the proposal, review and approval by the county engineer will be required and this process is suggested to be started as soon as possible. You will not be able to be issued the building permit until the access design is approved and the access is either completed or bonded for.

*Christina Wollman, AICP CFM*  
Planner III | Floodplain Manager  
[p] 509.962.7051 | [f] 509.962.7663

---

**From:** Rose Shriner  
**Sent:** Thursday, April 24, 2014 8:49 AM  
**To:** Dicklanden@aol.com  
**Cc:** Steph Mifflin; Emily Miltko; Lindsey Ozbolt; Christina Wollman  
**Subject:** FW: re: CDS inquiry

Dick,

A building permit may be applied for and submitted before the shoreline variance is approved, however, it is at your own risk, and if by chance the variance is not approved, then the building permit deposit will be forfeited since the deposit is non-refundable, you will be responsible for any plan review fees, and we will not be able to issue the permit.

**Before submitting for the building permit you must have these two items approved and issued:**

- 1) Water Availability Approval from public health (this must be approved before we can allow plans to be submitted) IF any plumbing is added) 509-962-7515**
- 2) flood development permit issued by public works 509-962-7523**

To have a complete building permit submittal you must have:

- Water Availability Approval from public health
- flood development permit issued
- 2 sets of construction drawings stamped by an wa state engineer or architect
- 2 sets of engineering calculations stamped by an wa state engineer or architect
- WA state Energy Code Worksheet completed
- individual truss sheets if applicable
- site plan
- \$200 deposit cash or check

Let me know if you have any questions,

Thanks

Rose Shriner | Permit Technician  
Kittitas County Community Development Services  
411 N Ruby St Ste.2 | Ellensburg, WA 98926  
(p) 509.962.7506 | (f) 509.962.7682  
[rose.shriner@co.kittitas.wa.us](mailto:rose.shriner@co.kittitas.wa.us)

I have an ongoing Shoreline Variance application # SV-14-00001 3160 Via Kachess. The question is: When we have our remodel plans completed, can we submit for a building permit as a parallel process to our variance review before that process is completed? Our goal being to keep the whole process moving to get as much of the paperwork done, while making the assumption that the variance will be approved-taking the risk that some changes may be requested. The building season is so short in Upper county that we want to take advantage of every day possible. thank you, Dick landen

---

Notice: All email sent to this address will be received by the Kittitas County email system and may be subject to public disclosure under Chapter 42.56 RCW and to archiving and review.

message id: 38eb45916c6dcbdac24bb8719d004a14

## Lindsey Ozbolt

---

**From:** Christina Wollman  
**Sent:** Thursday, April 24, 2014 9:44 AM  
**To:** Rose Shriner; Dicklanden@aol.com  
**Cc:** Steph Mifflin; Emily Miltko; Lindsey Ozbolt  
**Subject:** RE: re: CDS inquiry

And one more thing I should mention is the use of the county right of way during construction. Space is very limited at your site and you may need to block a lane of traffic at times or use the shoulder as a materials staging site. If this is the case, you or your contractor will need to apply for a work in the right of way permit from Public Works and provide a traffic control plan.

Thank you,

*Christina Wollman, AICP CFM*

Planner III | Floodplain Manager  
[p] 509.962.7051 | [f] 509.962.7663

---

**From:** Rose Shriner  
**Sent:** Thursday, April 24, 2014 8:49 AM  
**To:** Dicklanden@aol.com  
**Cc:** Steph Mifflin; Emily Miltko; Lindsey Ozbolt; Christina Wollman  
**Subject:** FW: re: CDS inquiry

Dick,

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- 2) flood development permit issued by public works 509-962-7523**

To have a complete building permit submittal you must have:

- Water Availability Approval from public health
- flood development permit issued
- 2 sets of construction drawings stamped by an wa state engineer or architect
- 2 sets of engineering calculations stamped by an wa state engineer or architect
- WA state Energy Code Worksheet completed
- individual truss sheets if applicable
- site plan
- \$200 deposit cash or check

Let me know if you have any questions,

Thanks

Rose Shriner | Permit Technician  
Kittitas County Community Development Services  
411 N Ruby St Ste.2 | Ellensburg, WA 98926  
(p) 509.962.7506 | (f) 509.962.7682  
[rose.shriner@co.kittitas.wa.us](mailto:rose.shriner@co.kittitas.wa.us)

I have an ongoing Shoreline Variance application # SV-14-00001 3160 Via Kachess.  
The question is: When we have our remodel plans completed, can we submit for a building permit as a parallel process to our variance review before that process is completed?  
Our goal being to keep the whole process moving to get as much of the paperwork done, while making the assumption that the variance will be approved-taking the risk that some changes may be requested.  
The building season is so short in Upper county that we want to take advantage of every day possible.  
thank you, Dick landen

---

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message id: 38eb45916c6dcbdac24bb8719d004a14

**Dulin Insurance Agency, Inc.**

Andy Dulin CLU®, Agent  
16911 Highway 99, Suite 101  
Lynnwood, WA 98037-3104  
Bus 425-742-9304 Fax 425-745-3726  
www.andydulin.com  
andy@andydulin.com

4-17-14

RE. # SV-14-00061

Ms. Lindsey Orholt.

I am totally supportive of Richard Landen's variance request. Lake Kachess, is a man made lake, should water rise, it will simply spill over the dam, located at the SE corner of the lake.

Thank,

Andy Dulin  
40 Crestview Ct.  
Easton WA 98929

RECEIVED

APR 21 2014

KITTITAS COUNTY  
CDS

## Lindsey Ozbolt

---

**From:** campb@fairpoint.net  
**Sent:** Wednesday, April 16, 2014 12:01 PM  
**To:** Lindsey Ozbolt  
**Subject:** Kachess Shoreline setback (SV-14-00001)

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Reviewed your file at your office and discussed it with another planner. Have a couple of comments on omissions noticed.

1. Appears you did not realize that the US Government owns land, managed by the United States Forest Service (USFS), between the ordinary high water level (OHWM) and the original take line. The Bu of Reclamation manages all lands up to the OHWM . The data on Lake Cle Elum shows this type of ownership. but it is not shown on your Lake Kachess map data.  
The request could affect the US Government owned lands, managed by the USFS, or be in violation of required setbacks from property lines. Property corners were all in place about 20 years ago- not sure now- but it needs to be addressed for allowable setbacks from other property ownership. An educated guess would be that the applicant property line is the Government land boundary, which puts the proposal very close to the property line.
2. The USFS and Bu of Reclamation are not on your public agency notification list. They need to be notified. The Bu of Reclamation may have some important input due to proposed raising of lake levels for future water storage.

Appreciate the opportunity to review and comment

Doug Campbell  
925-2153

## Lindsey Ozbolt

---

**From:** Erin Moore  
**Sent:** Wednesday, April 23, 2014 4:06 PM  
**To:** Lindsey Ozbolt  
**Subject:** FW: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess  
**Attachments:** SV-14-00001 3160 VIA Kachess Notice of Application memo.pdf

Lindsey,

Is there any way we can get information regarding well & septic in order to comment?

---

**From:** Lindsey Ozbolt

**Sent:** Tuesday, April 15, 2014 11:20 AM

**To:** Brenda Larsen; Josh Hink; Kim Dawson; Julie Kjorsvik; Lisa Iammarino; Joe Gilbert; Erin Moore; Holly Duncan; Holly Myers; Lisa Lawrence; Patti Johnson; Christina Wollman; Candie M. Leader; 'jessica@yakama.com' ([jessica@yakama.com](mailto:jessica@yakama.com)); 'jmarvin@yakama.com' ([jmarvin@yakama.com](mailto:jmarvin@yakama.com)); 'johnson@yakama.com' ([johnson@yakama.com](mailto:johnson@yakama.com)); 'enviroreview@yakama.com'; 'crosepacoordinator@ecy.wa.gov' ([crosepacoordinator@ecy.wa.gov](mailto:crosepacoordinator@ecy.wa.gov)); [gcle461@ecy.wa.gov](mailto:gcle461@ecy.wa.gov); 'Brent.Renfrow@dfw.wa.gov' ([Brent.Renfrow@dfw.wa.gov](mailto:Brent.Renfrow@dfw.wa.gov)); 'Mark.Teske@dfw.wa.gov' ([Mark.Teske@dfw.wa.gov](mailto:Mark.Teske@dfw.wa.gov)); 'Gretchen.Kaehler@DAHP.wa.gov' ([Gretchen.Kaehler@DAHP.wa.gov](mailto:Gretchen.Kaehler@DAHP.wa.gov)); 'jorgenja@cwu.edu' ([jorgenja@cwu.edu](mailto:jorgenja@cwu.edu)); 'nelmsk@cwu.edu' ([nelmsk@cwu.edu](mailto:nelmsk@cwu.edu)); Michael Flory; Lou Whitford; 'russell.mau@doh.wa.gov' ([russell.mau@doh.wa.gov](mailto:russell.mau@doh.wa.gov)); 'linda.hazlett@dnr.wa.gov' ([linda.hazlett@dnr.wa.gov](mailto:linda.hazlett@dnr.wa.gov)); Allison Kimball ([brooksideconsulting@gmail.com](mailto:brooksideconsulting@gmail.com)); [tribune@nkctribune.com](http://tribune@nkctribune.com); 'jmarkell@kvnews.com' ([jmarkell@kvnews.com](mailto:jmarkell@kvnews.com)); Mike Johnston; [darren.habel@usace.army.mil](mailto:darren.habel@usace.army.mil); 'chandod@eastonsd.org'; 'simonettam@eastonsd.org'

**Cc:** Doc Hansen; Jeff Watson; Kaycee Hathaway; [dicklanden@aol.com](mailto:dicklanden@aol.com)

**Subject:** Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

## 3160 VIA Kachess Shoreline Structural Setback Variance SV-14-00001

[SV-14-00001 3160 VIA Kachess Internal Link](#)

[SV-14-00001 3160 VIA Kachess External Link](#)

Kittitas County has received the above referenced land use application; see attached Notice of Application memo for details. Agencies within the county network may review the "Dynamic Master File" on the county server via the above internal link. Agencies outside of the county network may view the individual and ongoing documentation by following the above external link. Comments within the body of an email are encouraged, but may be submitted as attachments or via US Mail.

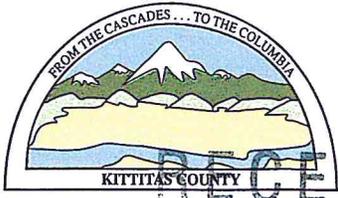
The comment period for this application closes Wednesday, April 30, 2014. The open record hearing before the Kittitas County Hearing Examiner is scheduled for Thursday, May 8, 2014.

Feel free to contact me if you have any additional questions.

**Lindsey Ozbolt**

Planner II

Kittitas County Community Development Services  
411 North Ruby St., Suite 2  
Ellensburg, WA 98926



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St. Suite 2 Ellensburg WA 98926

cds@co.kittitas.wa.us

Office 509-962-7506

Fax 509-962-7682

Building Partnerships - Building Communities

APR 22 2014

KITTITAS COUNTY  
CDS

NOTICE OF APPLICATION

**Notice of Application:** Tuesday, April 15, 2014  
**Application Received:** Monday, March 10, 2014  
**Application Complete:** Monday, March 31, 2014

**Project Name (File Number):** 3160 VIA Kachess Shoreline Structural Setback Variance (SV-14-00001)

**Applicant:** Richard Landen, landowner

**Location:** 1 parcel, located at 3160 Via Kachess Road, Easton, Washington along Lake Kachess, in a portion of Section 17, T21N, R13E, WM in Kittitas County, bearing Assessor's map number 21-13-17050-0001.

**Proposal:** Richard Landen has submitted a Structural Setback Shoreline Variance application with associated JARPA to allow for a remodel and addition to an existing residential structure including a deck. The Shoreline Master Program requires all single family residential development to be at least 100 feet landward of the Ordinary High Water Mark (OHWM). The request is for a variance to allow the structure to be no closer than approximately 58 feet from the OHWM of Lake Kachess.

**Materials Available for Review:** The submitted application and related filed documents may be examined by the public at the Kittitas County Community Development Services (CDS) office at 411 N. Ruby, Suite 2, Ellensburg, Washington, 98926, or on the CDS website at [http://www.co.kittitas.wa.us/cds/land-use/current-planning.aspx?title=Shoreline Variances](http://www.co.kittitas.wa.us/cds/land-use/current-planning.aspx?title=Shoreline%20Variances).  
Phone: (509) 962-7506

**Written Comments** on this proposal can be submitted to CDS any time prior to 5:00 p.m. on Wednesday, April 30, 2014. Any person has the right to comment on the application and request a copy of the decision once made.

**Public Hearing:** An open record hearing has been scheduled before the Kittitas County Hearing Examiner on **May 8, 2014 at 6:00 p.m.** in the Kittitas County Commissioners' Auditorium, 205 West 5<sup>th</sup> Room 109, Ellensburg, WA 98926. Anyone with an interest in this matter is urged to attend said hearing where testimony will be taken. Written comments will be received and documents may be viewed at CDS prior to the hearing. Interested persons are encouraged to verify prior to attending.

**Designated Permit Coordinator (staff contact):** Lindsey Ozbolt, Staff Planner: (509) 962-7637; email at [lindsey.ozbolt@co.kittitas.wa.us](mailto:lindsey.ozbolt@co.kittitas.wa.us)

*Lindsey M Ozbolt*  
Signature Planner of Record

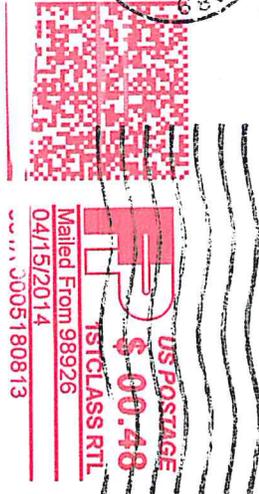
4/15/14  
Date

KITTITAS COUNTY  
COMMUNITY DEVELOPMENT SERVICES  
411 NORTH RUBY STREET, SUITE 2  
ELLENSBURG, WA 98926

RECEIVED

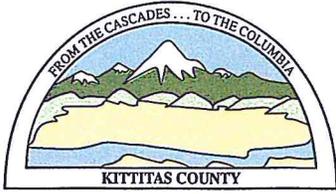
APR 22 2014  
KITTITAS COUNTY  
CDS

FRANKS, LARRY E & MARY L  
15403 SE 242ND ST  
KENT WA 98042-



9892605300  
9804239999

NIXIE 980 SE 1 0104/19/14  
RETURN TO SENDER  
NO SUCH NUMBER  
UNABLE TO FORWARD  
BC: 98926630002 \*1689-00640-15-38  
98926630002



# KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St. Suite 2 Ellensburg WA 98926

cds@co.kittitas.wa.us

Office 509-962-7506

Fax 509-962-7682

Building Partnerships - Building Communities

## NOTICE OF APPLICATION

**Notice of Application:** Tuesday, April 15, 2014  
**Application Received:** Monday, March 10, 2014  
**Application Complete:** Monday, March 31, 2014

**Project Name (File Number):** 3160 VIA Kachess Shoreline Structural Setback Variance (SV-14-00001)

**Applicant:** Richard Landen, landowner

**Location:** 1 parcel, located at 3160 Via Kachess Road, Easton, Washington along Lake Kachess, in a portion of Section 17, T21N, R13E, WM in Kittitas County, bearing Assessor's map number 21-13-17050-0001.

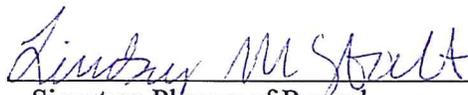
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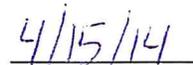
**Materials Available for Review:** The submitted application and related filed documents may be examined by the public at the Kittitas County Community Development Services (CDS) office at 411 N. Ruby, Suite 2, Ellensburg, Washington, 98926, or on the CDS website at [http://www.co.kittitas.wa.us/cds/land-use/current-planning.aspx?title=Shoreline Variances](http://www.co.kittitas.wa.us/cds/land-use/current-planning.aspx?title=Shoreline%20Variances).  
Phone: (509) 962-7506

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\_\_\_\_\_  
Signature Planner of Record

  
\_\_\_\_\_  
Date

**KITTITAS COUNTY**  
COMMUNITY DEVELOPMENT SERVICES  
411 NORTH RUBY STREET, SUITE 2  
ELLENSBURG, WA 98926

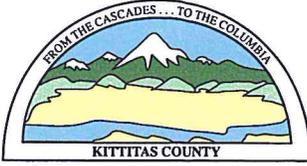
**RECEIVED**  
APR 1 9 2014  
KITTITAS COUNTY  
CDS

SCHUMACHER, BENJAMIN D & AMY L  
120 MOUNTAIN HOME LN  
EASTON WA 98925-

98926@6300

MIXIE 992 SE 1009 7204/17/12  
RETURN TO SENDER  
NO MAIL RECEIPT  
UNABLE TO FORWARD  
BC: 98926630002 \*4589-08129-15-38  
98926630002

ELLENSBURG WA 98926  
MAY 1 2014  
US POSTAGE  
\$00.48  
FIRST CLASS RTL  
Mailed From 98926  
04/15/2014  
0005180813



**KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES**

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CDS@CO.KITTTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

“Building Partnerships – Building Communities”

**Affidavit of Mailing & Publication**

PROPOSAL NAME: 3160 VIA Kachess Shoreline Structural Setback Variance (SV-14-00001)

NOTIFICATION OF: Notice of Application

NOTIFICATION MAIL DATE: April 15, 2014

I certify that the following documentation:

- Notice of Application 3160 VIA Kachess Shoreline Structural Setback Variance (SV-14-00001)

has been mailed to the attached list of persons and participants, and that proper notification (as attached) has been published in the Legal Newspaper(s) of Record for Kittitas County.

Signature

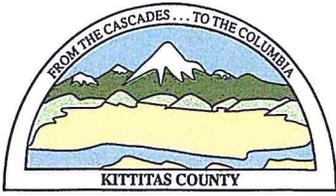
Lindsey Ozbolt  
Community Development Services Planner  
County of Kittitas  
State of Washington

Subscribed and sworn to before me this 15<sup>th</sup> day of April 2014.

Steph Mifflin  
Notary Public for the State of Washington residing  
in Ellensburg.



My appointment expires: December 23, 2017



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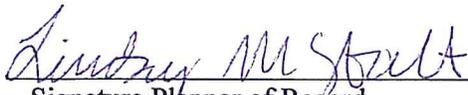
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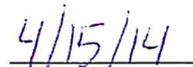
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DAILY RECORD/KITTITAS PUB  
C/O IDAHO STATE JOURNAL RECEIVABLES  
PO BOX 1570  
POCATELLO ID 83204

ORDER CONFIRMATION

Salesperson: DANIELLE RENWICK

Printed at 04/14/14 10:30 by dde18

Acct #: 84329

Ad #: 1079014

Status: N

KC COMMUNITY DEVELOPMENT SERVICES  
411 N. RUBY ST, SUITE 2  
ELLENSBURG WA 98926

Start: 04/15/2014 Stop: 04/15/2014  
Times Ord: 1 Times Run: \*\*\*  
STD6 2.00 X 6.28 Words: 331  
Total STD6 12.56  
Class: 0001 LEGAL NOTICES  
Rate: LEG2 Cost: 108.02  
# Affidavits: 1

Contact: MANDY  
Phone: (509) 962-7506  
Fax#:  
Email:  
Agency:

Ad Descript: N/APPLICATION  
Given by: \*  
Created: dde18 04/14/14 10:27  
Last Changed: dde18 04/14/14 10:30

COMMENTS:

COPIED from AD 1076714

PUB	ZONE	ED	TP	START	INS	STOP	SMTWTFSS
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IN	A		97 S	04/15			

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Quote from Daily Record/Kittitas County Publishing (509) 925-1414  
This ad will run as quoted unless cancellation is received. Please contact your sales rep 24 hours prior to first run date to cancel order.

Lindsey Ozbolt  
Name (print or type)

Lindsey M. Speltz  
Name (signature)

(CONTINUED ON NEXT PAGE)

DAILY RECORD/KITTITAS PUB  
C/O IDAHO STATE JOURNAL RECEIVABLES  
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POCATELLO ID 83204

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KACHESS COMMUNITY ASSOC  
2600 W COMMODORE WAY STE 2  
SEATTLE WA 98199-1279

WINSLOW, STEVEN R ETUX  
3116 214TH PL SE  
SAMMAMISH WA 98075

RYAN, PAIGE & SCOTT  
4943 WOODFIELD DR  
CARMEL IN 46033-

GOEKE, STEVEN & CYNTHIA  
PO BOX 663  
EASTON WA 98925-0663

SCHUMACHER, BENJAMIN D & AMY L  
120 MOUNTAIN HOME LN  
EASTON WA 98925-

DULIN, ANDREW ETUX  
7212 164TH ST SW  
EDMONDS WA 98026-

POULIN, BRUCE A ETUX  
23308 SE 13TH COURT  
SAMMAMISH WA 98075

RAYMOND, DAVID A. ETUX  
4160 95TH PL SE  
MERCER ISLAND WA 98040

ALIMENT, RANDY J & ELAINE M  
14511 SE FAIRWOOD BLVD  
RENTON WA 98058-8533

MARTIN, STEVEN D ETUX  
PO BOX 993  
CLINTON, WA 98236-

PETERSON, ERIK ETUX  
1120 184TH PL SE  
BOTHELL WA 98012

WILLIAMS, DAVID W ETUX  
19020 NE 183RD ST  
WOODINVILLE WA 98077

HARDING, EVAN G ETUX  
1729 232ND AVE NE  
REDMOND WA 98053

VERMILLION, KATHERINE L &  
BROWN, LAWRENCE F JR CO-TRUSTEES  
PO BOX 1089  
FALL CITY WA 98024-

HANCE, BARRY D ETUX ETAL  
23012 NE 189TH ST  
WOODINVILLE WA 98077-6711

RINGOEN, HOWARD G ETUX  
21713 NE 76TH ST  
REDMOND WA 98053

THOMPSON, DAVID J  
14217 55TH AVE S  
TUKWILA WA 98168

CHOE, CALVIN & SEONG  
9744 229TH LN NE  
REDMOND WA 98053-1912

OBRIEN, TIMOTHY  
14217 59TH AVE S  
TUKWILA WA 98188

SCHOEGGL, JAMES E ETUX  
3830 112TH AVE NE  
BELLEVUE WA 98004

LANDEN, RICHARD H & BONNIE L  
22820 148TH AVE SE  
KENT WA 98042-3841

KLEBANOFF, MARK ETUX  
1154 20TH AVE E  
SEATTLE WA 98112

BURNS, MICHAEL L ETUX  
4704 194TH AVE SE  
ISSAQUAH WA 98027

BIERLEIN, TOM  
77-168 KOAKOA ST  
KAILUA-KONA HI 96740-2498

MOORE, MONTY D & PHYLLIS M  
PO BOX 447  
SNOHOMISH WA 98291-0447

FOSTER, ROGER A & KELSEY C  
CO-TRUSTEES  
12215 201ST CT NE  
WOODINVILLE WA 98077-5634

GRATAMA, PIETER & CANDACE  
WOLLAM, CHRISTOPER  
12851 111TH AVE NE  
KIRKLAND WA 98034-

ELDER, JAMES R  
3730 RODESCO DR SE  
PUYALLUP WA 98374-1761

ROBINSON, CRAIG K  
3100 FAIRVIEW AVE E APT 304  
SEATTLE WA 98102-3076

FRANKS, LARRY E & MARY L  
15403 SE 242ND ST  
KENT WA 98042-

FARRIS, RYAN M & CAROL L  
2520 NE 130TH ST  
SEATTLE WA 98125-

ROYAL, CHARLES M.III ETUX  
16418 NE 197TH PL  
WOODINVILLE WA 98072

PARSONS, MARVIN J &  
SHELDON, ELIZABETH J  
18810 NE 150TH CT  
WOODINVILLE WA 98072-6316

ARSENHAULT, BRET P ETUX  
30 NEWPORT KEY  
BELLEVUE WA 98006-

STUIT, PAUL D ETUX  
7134 CASCADE AVE SE  
SNOQUALMIE WA 98065-9759

CONRADS, RANDAL G ETUX  
14201 SE PETROVITSKY RD #A3-382  
RENTON WA 98058-

ATHERTON, JAY W ETUX  
1003 NW 179TH PL  
SEATTLE WA 98177

CHAPMAN, MURRAY L ETUX  
428 289TH PLACE NE  
CARNATION WA 98014-

KCFD #8 (Kachess)  
PO Box 618  
Easton, WA 98925

BUREAU OF RECLAMATION  
1917 MARSH ROAD  
YAKIMA WA 98901

KACHESS COMMUNITY ASSOC  
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[josh.hink@co.kittitas.wa.us](mailto:josh.hink@co.kittitas.wa.us)

Kittitas County Sheriff's Dept.  
[kim.dawson@co.kittitas.wa.us](mailto:kim.dawson@co.kittitas.wa.us)

Kittitas County Board of County  
Commissioners  
[julie.kjorsvik@co.kittitas.wa.us](mailto:julie.kjorsvik@co.kittitas.wa.us)

Kittitas County Code Enforcement  
[lisa.iammarino@co.kittitas.wa.us](mailto:lisa.iammarino@co.kittitas.wa.us)

Kittitas County Environmental Health  
[joe.gilbert@co.kittitas.wa.us](mailto:joe.gilbert@co.kittitas.wa.us)  
[erin.moore@co.kittitas.wa.us](mailto:erin.moore@co.kittitas.wa.us)  
[holly.duncan@co.kittitas.wa.us](mailto:holly.duncan@co.kittitas.wa.us)  
[holly.myers@co.kittitas.wa.us](mailto:holly.myers@co.kittitas.wa.us)

Kittitas County Solid Waste Programs  
[lisa.lawrence@co.kittitas.wa.us](mailto:lisa.lawrence@co.kittitas.wa.us)  
[patti.johnson@co.kittitas.wa.us](mailto:patti.johnson@co.kittitas.wa.us)

Kittitas County Public Works  
[christina.wollman@co.kittitas.wa.us](mailto:christina.wollman@co.kittitas.wa.us)  
[candie.leader@co.kittitas.wa.us](mailto:candie.leader@co.kittitas.wa.us)

Yakama Nation  
[jessica@yakama.com](mailto:jessica@yakama.com)  
[jmarvin@yakama.com](mailto:jmarvin@yakama.com)  
[johnson@yakama.com](mailto:johnson@yakama.com)  
[enviroreview@yakama.com](mailto:enviroreview@yakama.com)

Department of Ecology  
[crosepacoordinator@ecy.wa.gov](mailto:crosepacoordinator@ecy.wa.gov)  
[gcle461@ecy.wa.gov](mailto:gcle461@ecy.wa.gov)

WA Dept. Fish and Wildlife  
[Brent.Renfrow@dfw.wa.gov](mailto:Brent.Renfrow@dfw.wa.gov)  
[Mark.Teske@dfw.wa.gov](mailto:Mark.Teske@dfw.wa.gov)

Washington State DAHP  
[Gretchen.Kaehler@DAHP.wa.gov](mailto:Gretchen.Kaehler@DAHP.wa.gov)

James E Brooks Library  
[jorgenja@cwu.edu](mailto:jorgenja@cwu.edu)  
[nelmsk@cwu.edu](mailto:nelmsk@cwu.edu)

Kittitas County Building Dept.  
[Mike.flory@co.kittitas.wa.us](mailto:Mike.flory@co.kittitas.wa.us)  
[Lou.whitford@co.kittitas.wa.us](mailto:Lou.whitford@co.kittitas.wa.us)

WA State Department of Health  
[russell.mau@doh.wa.gov](mailto:russell.mau@doh.wa.gov)

WA Dept. of Natural Resources  
[linda.hazlett@dnr.wa.gov](mailto:linda.hazlett@dnr.wa.gov)

Allison Kimball  
[brooksideconsulting@gmail.com](mailto:brooksideconsulting@gmail.com)

Northern Kittitas County Tribune  
[tribune@nkctribune.com](mailto:tribune@nkctribune.com)

Daily Record  
[jmarkell@kvnews.com](mailto:jmarkell@kvnews.com)  
[mjohnston@kvnews.com](mailto:mjohnston@kvnews.com)

Army Corps of Engineers  
[Darren.habel@usace.army.mil](mailto:Darren.habel@usace.army.mil)

Easton School District 28  
[chandod@eastonsd.org](mailto:chandod@eastonsd.org)  
[simonettam@eastonsd.org](mailto:simonettam@eastonsd.org)

## Lindsey Ozbolt

---

**From:** Lindsey Ozbolt  
**Sent:** Tuesday, April 15, 2014 11:20 AM  
**To:** Brenda Larsen; Josh Hink; Kim Dawson; Julie Kjorsvik; Lisa Iammarino; Joe Gilbert; Erin Moore; Holly Duncan; Holly Myers; Lisa Lawrence; Patti Johnson; Christina Wollman; Candie M. Leader; 'jessica@yakama.com' (jessica@yakama.com); 'jmarvin@yakama.com' (jmarvin@yakama.com); 'johnson@yakama.com' (johnson@yakama.com); 'enviroreview@yakama.com'; 'crosepacoordinator@ecy.wa.gov' (crosepacoordinator@ecy.wa.gov); 'gcle461@ecy.wa.gov'; 'Brent.Renfrow@dfw.wa.gov' (Brent.Renfrow@dfw.wa.gov); 'Mark.Teske@dfw.wa.gov' (Mark.Teske@dfw.wa.gov); 'Gretchen.Kaehler@DAHP.wa.gov' (Gretchen.Kaehler@DAHP.wa.gov); 'jorgenja@cwu.edu' (jorgenja@cwu.edu); 'nelmsk@cwu.edu' (nelmsk@cwu.edu); Michael Flory; Lou Whitford; 'russell.mau@doh.wa.gov' (russell.mau@doh.wa.gov); 'linda.hazlett@dnr.wa.gov' (linda.hazlett@dnr.wa.gov); Allison Kimball (brooksideconsulting@gmail.com); tribune@nkctribune.com; 'jmarkell@kvnews.com' (jmarkell@kvnews.com); Mike Johnston; darren.habel@usace.army.mil; 'chandod@eastonsd.org'; 'simonettam@eastonsd.org'  
**Cc:** Doc Hansen; Jeff Watson; Kaycee Hathaway; dicklanden@aol.com  
**Subject:** Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess  
**Attachments:** SV-14-00001 3160 VIA Kachess Notice of Application memo.pdf

## 3160 VIA Kachess Shoreline Structural Setback Variance SV-14-00001

[SV-14-00001 3160 VIA Kachess Internal Link](#)  
[SV-14-00001 3160 VIA Kachess External Link](#)

Kittitas County has received the above referenced land use application; see attached Notice of Application memo for details. Agencies within the county network may review the “Dynamic Master File” on the county server via the above internal link. Agencies outside of the county network may view the individual and ongoing documentation by following the above external link. Comments within the body of an email are encouraged, but may be submitted as attachments or via US Mail.

The comment period for this application closes Wednesday, April 30, 2014. The open record hearing before the Kittitas County Hearing Examiner is scheduled for Thursday, May 8, 2014.

Feel free to contact me if you have any additional questions.

**Lindsey Ozbolt**  
Planner II

Kittitas County Community Development Services  
411 North Ruby St., Suite 2  
Ellensburg, WA 98926  
Phone: 509-962-7637  
Email: [lindsey.ozbolt@co.kittitas.wa.us](mailto:lindsey.ozbolt@co.kittitas.wa.us)

## Lindsey Ozbolt

---

**From:** Microsoft Outlook  
**To:** Michael Flory; Candie M. Leader; Patti Johnson; Christina Wollman; Jeff Watson; Kaycee Hathaway; Lou Whitford; Doc Hansen; Lisa Lawrence; Kim Dawson; Julie Kjorsvik; Brenda Larsen; Josh Hink; Lisa Iammarino; Holly Duncan; Holly Myers; Joe Gilbert; Erin Moore  
**Sent:** Tuesday, April 15, 2014 11:20 AM  
**Subject:** Delivered: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

Your message has been delivered to the following recipients:

Michael Flory ([mike.flory@co.kittitas.wa.us](mailto:mike.flory@co.kittitas.wa.us)) <<mailto:mike.flory@co.kittitas.wa.us>>

Candie M. Leader ([candie.leader@co.kittitas.wa.us](mailto:candie.leader@co.kittitas.wa.us)) <<mailto:candie.leader@co.kittitas.wa.us>>

Patti Johnson ([patti.johnson@co.kittitas.wa.us](mailto:patti.johnson@co.kittitas.wa.us)) <<mailto:patti.johnson@co.kittitas.wa.us>>

Christina Wollman ([christina.wollman@co.kittitas.wa.us](mailto:christina.wollman@co.kittitas.wa.us)) <<mailto:christina.wollman@co.kittitas.wa.us>>

Jeff Watson ([jeff.watson@co.kittitas.wa.us](mailto:jeff.watson@co.kittitas.wa.us)) <<mailto:jeff.watson@co.kittitas.wa.us>>

Kaycee Hathaway ([kaycee.hathaway@co.kittitas.wa.us](mailto:kaycee.hathaway@co.kittitas.wa.us)) <<mailto:kaycee.hathaway@co.kittitas.wa.us>>

Lou Whitford ([lou.whitford@co.kittitas.wa.us](mailto:lou.whitford@co.kittitas.wa.us)) <<mailto:lou.whitford@co.kittitas.wa.us>>

Doc Hansen ([doc.hansen@co.kittitas.wa.us](mailto:doc.hansen@co.kittitas.wa.us)) <<mailto:doc.hansen@co.kittitas.wa.us>>

Lisa Lawrence ([lisa.lawrence@co.kittitas.wa.us](mailto:lisa.lawrence@co.kittitas.wa.us)) <<mailto:lisa.lawrence@co.kittitas.wa.us>>

Kim Dawson ([kim.dawson@co.kittitas.wa.us](mailto:kim.dawson@co.kittitas.wa.us)) <<mailto:kim.dawson@co.kittitas.wa.us>>

Julie Kjorsvik ([julie.kjorsvik@co.kittitas.wa.us](mailto:julie.kjorsvik@co.kittitas.wa.us)) <<mailto:julie.kjorsvik@co.kittitas.wa.us>>

Brenda Larsen ([brenda.larsen@co.kittitas.wa.us](mailto:brenda.larsen@co.kittitas.wa.us)) <<mailto:brenda.larsen@co.kittitas.wa.us>>

Josh Hink ([josh.hink@co.kittitas.wa.us](mailto:josh.hink@co.kittitas.wa.us)) <<mailto:josh.hink@co.kittitas.wa.us>>

Lisa Iammarino ([lisa.iammarino@co.kittitas.wa.us](mailto:lisa.iammarino@co.kittitas.wa.us)) <<mailto:lisa.iammarino@co.kittitas.wa.us>>

Holly Duncan ([holly.duncan@co.kittitas.wa.us](mailto:holly.duncan@co.kittitas.wa.us)) <<mailto:holly.duncan@co.kittitas.wa.us>>

Holly Myers ([holly.myers@co.kittitas.wa.us](mailto:holly.myers@co.kittitas.wa.us)) <<mailto:holly.myers@co.kittitas.wa.us>>

Joe Gilbert ([joe.gilbert@co.kittitas.wa.us](mailto:joe.gilbert@co.kittitas.wa.us)) <<mailto:joe.gilbert@co.kittitas.wa.us>>

Erin Moore ([erin.moore@co.kittitas.wa.us](mailto:erin.moore@co.kittitas.wa.us)) <<mailto:erin.moore@co.kittitas.wa.us>>

Subject: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

## Lindsey Ozbolt

---

**From:** Microsoft Outlook  
**To:** [tribune@nkctribune.com](mailto:tribune@nkctribune.com)  
**Sent:** Tuesday, April 15, 2014 11:20 AM  
**Subject:** Undeliverable: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

Delivery has failed to these recipients or groups:

[tribune@nkctribune.com](mailto:tribune@nkctribune.com) <[mailto:IMCEAEX-O%3DKITTITAS\\_OU%3DCOURTHSE\\_cn%3DRecipients\\_cn%3Dtribune%2B40nkctribune%2B2Ecom@co.kittitas.wa.us](mailto:IMCEAEX-O%3DKITTITAS_OU%3DCOURTHSE_cn%3DRecipients_cn%3Dtribune%2B40nkctribune%2B2Ecom@co.kittitas.wa.us)>

The e-mail address you entered couldn't be found. Please check the recipient's e-mail address and try to resend the message. If the problem continues, please contact your helpdesk.

Diagnostic information for administrators:

Generating server: EXCH2010-MAIL.co.kittitas.wa.us

[IMCEAEX- O=KITTITAS OU=COURTHSE\\_cn=Recipients\\_cn=tribune+40nkctribune+2Ecom@co.kittitas.wa.us](mailto:IMCEAEX-O=KITTITAS_OU=COURTHSE_cn=Recipients_cn=tribune+40nkctribune+2Ecom@co.kittitas.wa.us)  
#550 5.1.1 RESOLVER.ADR.ExRecipNotFound; not found ##

Original message headers:

Received: from EXCH2010-MAIL.co.kittitas.wa.us ([fe80::f1f0:8133:f9bc:42df])  
by exch2010-mail.co.kittitas.wa.us ([fe80::f1f0:8133:f9bc:42df%11]) with mapi  
id 14.01.0438.000; Tue, 15 Apr 2014 11:20:16 -0700  
Content-Type: application/ms-tnef; name="winmail.dat"  
Content-Transfer-Encoding: binary  
From: Lindsey Ozbolt <[lindsey.ozbolt@co.kittitas.wa.us](mailto:lindsey.ozbolt@co.kittitas.wa.us)>  
To: Brenda Larsen <[brenda.larsen@co.kittitas.wa.us](mailto:brenda.larsen@co.kittitas.wa.us)>, Josh Hink  
<[josh.hink@co.kittitas.wa.us](mailto:josh.hink@co.kittitas.wa.us)>, Kim Dawson <[kim.dawson@co.kittitas.wa.us](mailto:kim.dawson@co.kittitas.wa.us)>,  
Julie Kjorsvik <[julie.kjorsvik@co.kittitas.wa.us](mailto:julie.kjorsvik@co.kittitas.wa.us)>, Lisa Iammarino  
<[lisa.iammarino@co.kittitas.wa.us](mailto:lisa.iammarino@co.kittitas.wa.us)>, Joe Gilbert  
<[joe.gilbert@co.kittitas.wa.us](mailto:joe.gilbert@co.kittitas.wa.us)>, Erin Moore <[erin.moore@co.kittitas.wa.us](mailto:erin.moore@co.kittitas.wa.us)>,  
Holly Duncan <[holly.duncan@co.kittitas.wa.us](mailto:holly.duncan@co.kittitas.wa.us)>, Holly Myers  
<[holly.myers@co.kittitas.wa.us](mailto:holly.myers@co.kittitas.wa.us)>, Lisa Lawrence  
<[lisa.lawrence@co.kittitas.wa.us](mailto:lisa.lawrence@co.kittitas.wa.us)>, Patti Johnson  
<[patti.johnson@co.kittitas.wa.us](mailto:patti.johnson@co.kittitas.wa.us)>, Christina Wollman  
<[christina.wollman@co.kittitas.wa.us](mailto:christina.wollman@co.kittitas.wa.us)>, "Candie M. Leader"  
<[candie.leader@co.kittitas.wa.us](mailto:candie.leader@co.kittitas.wa.us)>, "'jessica@yakama.com'  
([jessica@yakama.com](mailto:jessica@yakama.com))" <[jessica@yakama.com](mailto:jessica@yakama.com)>, "'jmarvin@yakama.com'

(jmarvin@yakama.com)" <jmarvin@yakama.com>, "johnson@yakama.com'  
(johnson@yakama.com)" <johnson@yakama.com>, "enviroreview@yakama.com"  
<enviroreview@yakama.com>, "crosepacoordinator@ecy.wa.gov'  
(crosepacoordinator@ecy.wa.gov)" <crosepacoordinator@ecy.wa.gov>,  
"gcle461@ecy.wa.gov" <gcle461@ecy.wa.gov>, "Brent.Renfrow@dfw.wa.gov'  
(Brent.Renfrow@dfw.wa.gov)" <Brent.Renfrow@dfw.wa.gov>,  
"Mark.Teske@dfw.wa.gov" (Mark.Teske@dfw.wa.gov)" <Mark.Teske@dfw.wa.gov>,  
"Gretchen.Kaehler@DAHP.wa.gov" (Gretchen.Kaehler@DAHP.wa.gov)"  
<Gretchen.Kaehler@DAHP.wa.gov>, "jorgenja@cwu.edu" (jorgenja@cwu.edu)"  
<jorgenja@cwu.edu>, "nelmsk@cwu.edu" (nelmsk@cwu.edu)" <nelmsk@cwu.edu>,  
Michael Flory <mike.flory@co.kittitas.wa.us>, Lou Whitford  
<lou.whitford@co.kittitas.wa.us>, "russell.mau@doh.wa.gov"  
(russell.mau@doh.wa.gov)" <russell.mau@doh.wa.gov>,  
"linda.hazlett@dnr.wa.gov" (linda.hazlett@dnr.wa.gov)"  
<linda.hazlett@dnr.wa.gov>, "Allison Kimball (brooksideconsulting@gmail.com)"  
<brooksideconsulting@gmail.com>, "tribune@nkctribune.com"  
<IMCEAEX- O=KITTITAS OU=COURTHSE cn=Recipients cn=tribune+40nkctribune+2Ecom@co.kittitas.wa.us>,  
"jmarkell@kvnews.com" (jmarkell@kvnews.com)" <jmarkell@kvnews.com>, Mike  
Johnston <mjohnston@kvnews.com>, "darren.habel@usace.army.mil"  
<darren.habel@usace.army.mil>, "chandod@eastonsd.org"  
<chandod@eastonsd.org>, "simonettam@eastonsd.org" <simonettam@eastonsd.org>  
CC: Doc Hansen <doc.hansen@co.kittitas.wa.us>, Jeff Watson  
<jeff.watson@co.kittitas.wa.us>, Kaycee Hathaway  
<kaycee.hathaway@co.kittitas.wa.us>, "dicklanden@aol.com"  
<dicklanden@aol.com>

Subject: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

Thread-Topic: Kittitas County Notice of Application SV-14-00001 3160 VIA  
Kachess

Thread-Index: Ac9Y1YxLpk7EpNdJR6au0/qKxHYF8g==

Return-Receipt-To: <lindsey.ozbolt@co.kittitas.wa.us>

Date: Tue, 15 Apr 2014 11:20:15 -0700

Message-ID: <C97566EEC920FD4D8A425CFC93E067034A7A058B67@glamdring.co.kittitas.wa.us>

Reply-To: Lindsey Ozbolt <lindsey.ozbolt@co.kittitas.wa.us>

Accept-Language: en-US

Content-Language: en-US

X-MS-Has-Attach: yes

X-MS-TNEF-Correlator: <C97566EEC920FD4D8A425CFC93E067034A7A058B67@glamdring.co.kittitas.wa.us>

MIME-Version: 1.0

X-Originating-IP: [192.168.38.11]

## Lindsey Ozbolt

---

**From:** Microsoft Outlook <postmaster@KittitasCounty.onmicrosoft.com>  
**To:** 'simonettam@eastonsd.org'; 'chandod@eastonsd.org'  
**Sent:** Tuesday, April 15, 2014 11:20 AM  
**Subject:** Relayed: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

'simonettam@eastonsd.org' <<mailto:simonettam@eastonsd.org>>

'chandod@eastonsd.org' <<mailto:chandod@eastonsd.org>>

Subject: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

## Lindsey Ozbolt

---

**From:** Microsoft Outlook <postmaster@KittitasCounty.onmicrosoft.com>  
**To:** Allison Kimball (brooksideconsulting@gmail.com)  
**Sent:** Tuesday, April 15, 2014 11:21 AM  
**Subject:** Relayed: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

Allison Kimball ([brooksideconsulting@gmail.com](mailto:brooksideconsulting@gmail.com)) <<mailto:brooksideconsulting@gmail.com>>

Subject: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

## Lindsey Ozbolt

---

**From:** Mail Delivery System <MAILER-DAEMON@AOL.com>  
**To:** dicklanden@aol.com  
**Sent:** Tuesday, April 15, 2014 11:21 AM  
**Subject:** Relayed: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

[dicklanden@aol.com](mailto:dicklanden@aol.com)

Subject: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

## Lindsey Ozbolt

---

**From:** Microsoft Outlook <postmaster@KittitasCounty.onmicrosoft.com>  
**To:** 'Mark.Teske@dfw.wa.gov' (Mark.Teske@dfw.wa.gov); 'Brent.Renfrow@dfw.wa.gov' (Brent.Renfrow@dfw.wa.gov)  
**Sent:** Tuesday, April 15, 2014 11:21 AM  
**Subject:** Relayed: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

'Mark.Teske@dfw.wa.gov' ([Mark.Teske@dfw.wa.gov](mailto:Mark.Teske@dfw.wa.gov)) <<mailto:Mark.Teske@dfw.wa.gov>>

'Brent.Renfrow@dfw.wa.gov' ([Brent.Renfrow@dfw.wa.gov](mailto:Brent.Renfrow@dfw.wa.gov)) <<mailto:Brent.Renfrow@dfw.wa.gov>>

Subject: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

## Lindsey Ozbolt

---

**From:** Microsoft Outlook <postmaster@KittitasCounty.onmicrosoft.com>  
**To:** 'linda.hazlett@dnr.wa.gov' (linda.hazlett@dnr.wa.gov)  
**Sent:** Tuesday, April 15, 2014 11:21 AM  
**Subject:** Relayed: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

'linda.hazlett@dnr.wa.gov' ([linda.hazlett@dnr.wa.gov](mailto:linda.hazlett@dnr.wa.gov)) <<mailto:linda.hazlett@dnr.wa.gov>>

Subject: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

**Lindsey Ozbolt**

---

**From:** Microsoft Outlook <postmaster@KittitasCounty.onmicrosoft.com>  
**To:** darren.habel@usace.army.mil  
**Sent:** Tuesday, April 15, 2014 11:21 AM  
**Subject:** Relayed: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

[darren.habel@usace.army.mil](mailto:darren.habel@usace.army.mil)

Subject: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

## Lindsey Ozbolt

---

**From:** Mail Delivery System <MAILER-DAEMON@mail.newswest.com>  
**To:** jmarkell@kvnews.com  
**Sent:** Tuesday, April 15, 2014 11:39 AM  
**Subject:** Relayed: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

[jmarkell@kvnews.com](mailto:jmarkell@kvnews.com)

Subject: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

## Lindsey Ozbolt

---

**From:** PMDF e-Mail Interconnect <postmaster@Lister.CTS.CWU.EDU>  
**To:** jorgenja@cwu.edu; nelmsk@cwu.edu  
**Sent:** Tuesday, April 15, 2014 11:22 AM  
**Subject:** Expanded: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

Your message has been delivered to the following groups:

[jorgenja@cwu.edu](mailto:jorgenja@cwu.edu)

[nelmsk@cwu.edu](mailto:nelmsk@cwu.edu)

Subject: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

## Lindsey Ozbolt

---

**From:** postmaster@Yakama.com  
**To:** 'jessica@yakama.com' (jessica@yakama.com)  
**Sent:** Tuesday, April 15, 2014 11:21 AM  
**Subject:** Delivered: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

Your message has been delivered to the following recipients:

'jessica@yakama.com' ([jessica@yakama.com](mailto:jessica@yakama.com)) <<mailto:jessica@yakama.com>>

Subject: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

**Lindsey Ozbolt**

---

**From:** Microsoft Outlook <postmaster@KittitasCounty.onmicrosoft.com>  
**To:** 'Gretchen.Kaehler@DAHP.wa.gov' (Gretchen.Kaehler@DAHP.wa.gov)  
**Sent:** Tuesday, April 15, 2014 11:21 AM  
**Subject:** Relayed: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

'Gretchen.Kaehler@DAHP.wa.gov' ([Gretchen.Kaehler@DAHP.wa.gov](mailto:Gretchen.Kaehler@DAHP.wa.gov)) <<mailto:Gretchen.Kaehler@DAHP.wa.gov>>

Subject: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

## Lindsey Ozbolt

---

**From:** Microsoft Outlook <postmaster@KittitasCounty.onmicrosoft.com>  
**To:** 'russell.mau@doh.wa.gov' (russell.mau@doh.wa.gov)  
**Sent:** Tuesday, April 15, 2014 11:21 AM  
**Subject:** Relayed: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

'russell.mau@doh.wa.gov' ([russell.mau@doh.wa.gov](mailto:russell.mau@doh.wa.gov)) <<mailto:russell.mau@doh.wa.gov>>

Subject: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

## Lindsey Ozbolt

---

**From:** postmaster@Yakama.com  
**To:** 'johnson@yakama.com' (johnson@yakama.com)  
**Sent:** Tuesday, April 15, 2014 11:21 AM  
**Subject:** Delivered: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

Your message has been delivered to the following recipients:

'johnson@yakama.com' ([johnson@yakama.com](mailto:johnson@yakama.com)) <<mailto:johnson@yakama.com>>

Subject: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

## Lindsey Ozbolt

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**From:** Microsoft Outlook <postmaster@KittitasCounty.onmicrosoft.com>  
**To:** 'crosepacoordinator@ecy.wa.gov' (crosepacoordinator@ecy.wa.gov); gcle461@ecy.wa.gov  
**Sent:** Tuesday, April 15, 2014 11:21 AM  
**Subject:** Relayed: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

'crosepacoordinator@ecy.wa.gov' ([crosepacoordinator@ecy.wa.gov](mailto:crosepacoordinator@ecy.wa.gov)) <<mailto:crosepacoordinator@ecy.wa.gov>>

[gcle461@ecy.wa.gov](mailto:gcle461@ecy.wa.gov)

Subject: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

## Lindsey Ozbolt

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**From:** postmaster@Yakama.com  
**To:** 'enviroreview@yakama.com'  
**Sent:** Tuesday, April 15, 2014 11:21 AM  
**Subject:** Undeliverable: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

Delivery has failed to these recipients or groups:

'enviroreview@yakama.com' <mailto:enviroreview@yakama.com>

The e-mail address you entered couldn't be found. Please check the recipient's e-mail address and try to resend the message. If the problem continues, please contact your helpdesk.

Diagnostic information for administrators:

Generating server: BY2PR04MB677.namprd04.prod.outlook.com

enviroreview@yakama.com

#< #5.1.1 smtp;550 5.1.1 RESOLVER.ADR.RecipNotFound; not found> #SMTP#

Original message headers:

Received: from BY2PR04CA007.namprd04.prod.outlook.com (10.242.32.27) by BY2PR04MB677.namprd04.prod.outlook.com (10.141.217.144) with Microsoft SMTP Server (TLS) id 15.0.918.8; Tue, 15 Apr 2014 18:20:33 +0000

Received: from BN1AFFO11FD020.protection.gbl (2a01:111:f400:7c10::133) by BY2PR04CA007.outlook.office365.com (2a01:111:e400:2c2a::27) with Microsoft SMTP Server (TLS) id 15.0.918.8 via Frontend Transport; Tue, 15 Apr 2014 18:20:32 +0000

Received: from na01-bl2-obe.outbound.protection.outlook.com (65.55.169.69) by BN1AFFO11FD020.mail.protection.outlook.com (10.58.52.80) with Microsoft SMTP Server (TLS) id 15.0.918.6 via Frontend Transport; Tue, 15 Apr 2014 18:20:32 +0000

Received: from BN1BFFO11FD051.protection.gbl (10.58.144.33) by BN1BFFO11HUB011.protection.gbl (10.58.144.158) with Microsoft SMTP Server (TLS) id 15.0.918.6; Tue, 15 Apr 2014 18:20:22 +0000

Received: from exch2010-mail.co.kittitas.wa.us (66.243.251.106) by BN1BFFO11FD051.mail.protection.outlook.com (10.58.145.6) with Microsoft SMTP Server (TLS) id 15.0.918.6 via Frontend Transport; Tue, 15 Apr 2014 18:20:22 +0000

Received: from EXCH2010-MAIL.co.kittitas.wa.us ([fe80::f1f0:8133:f9bc:42df])

by exch2010-mail.co.kittitas.wa.us ([re80::f1f0:8133:f9bc:42df%11]) with mapi  
id 14.01.0438.000; Tue, 15 Apr 2014 11:20:16 -0700

From: Lindsey Ozbolt <lindsey.ozbolt@co.kittitas.wa.us>

To: Brenda Larsen <brenda.larsen@co.kittitas.wa.us>, Josh Hink

<josh.hink@co.kittitas.wa.us>, Kim Dawson <kim.dawson@co.kittitas.wa.us>,

Julie Kjorsvik <julie.kjorsvik@co.kittitas.wa.us>, Lisa Iammarino

<lisa.iammarino@co.kittitas.wa.us>, Joe Gilbert

<joe.gilbert@co.kittitas.wa.us>, Erin Moore <erin.moore@co.kittitas.wa.us>,

Holly Duncan <holly.duncan@co.kittitas.wa.us>, Holly Myers

<holly.myers@co.kittitas.wa.us>, Lisa Lawrence

<lisa.lawrence@co.kittitas.wa.us>, Patti Johnson

<patti.johnson@co.kittitas.wa.us>, Christina Wollman

<christina.wollman@co.kittitas.wa.us>, "Candie M. Leader"

<candie.leader@co.kittitas.wa.us>, "Jessica@yakama.com"

(jessica@yakama.com)" <jessica@yakama.com>, "jmarvin@yakama.com"

(jmarvin@yakama.com)" <jmarvin@yakama.com>, "johnson@yakama.com"

(johnson@yakama.com)" <johnson@yakama.com>, "enviroreview@yakama.com"

<enviroreview@yakama.com>, "crosepacoordinator@ecy.wa.gov"

(crosepacoordinator@ecy.wa.gov)" <crosepacoordinator@ecy.wa.gov>,

"gcle461@ecy.wa.gov" <gcle461@ecy.wa.gov>, "Brent.Renfrow@dfw.wa.gov"

(Brent.Renfrow@dfw.wa.gov)" <Brent.Renfrow@dfw.wa.gov>,

"Mark.Teske@dfw.wa.gov" (Mark.Teske@dfw.wa.gov)" <Mark.Teske@dfw.wa.gov>,

"Gretchen.Kaehler@DAHP.wa.gov" (Gretchen.Kaehler@DAHP.wa.gov)"

<Gretchen.Kaehler@DAHP.wa.gov>, "jorgenja@cwu.edu" (jorgenja@cwu.edu)"

<jorgenja@cwu.edu>, "nelmsk@cwu.edu" (nelmsk@cwu.edu)" <nelmsk@cwu.edu>,

Michael Flory <mike.flory@co.kittitas.wa.us>, Lou Whitford

<lou.whitford@co.kittitas.wa.us>, "russell.mau@doh.wa.gov"

(russell.mau@doh.wa.gov)" <russell.mau@doh.wa.gov>,

"linda.hazlett@dnr.wa.gov" (linda.hazlett@dnr.wa.gov)"

<linda.hazlett@dnr.wa.gov>, "Allison Kimball (brooksideconsulting@gmail.com)"

<brooksideconsulting@gmail.com>, "tribune@nkctribune.com"

<IMCEAEX-O=KITTITAS\_OU=COURTHSE\_cn=Recipients\_cn=tribune+40nkctribune+2Ecom@co.kittitas.wa.us>,

"jmarkell@kvnews.com" (jmarkell@kvnews.com)" <jmarkell@kvnews.com>, Mike

Johnston <mjohnston@kvnews.com>, "darren.habel@usace.army.mil"

<darren.habel@usace.army.mil>, "chandod@eastonsd.org"

<chandod@eastonsd.org>, "simonettam@eastonsd.org" <simonettam@eastonsd.org>

CC: Doc Hansen <doc.hansen@co.kittitas.wa.us>, Jeff Watson

<jeff.watson@co.kittitas.wa.us>, Kaycee Hathaway

<kaycee.hathaway@co.kittitas.wa.us>, "dicklanden@aol.com"

<dicklanden@aol.com>

Subject: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

Thread-Topic: Kittitas County Notice of Application SV-14-00001 3160 VIA

Kachess

Thread-Index: Ac9Y1YxLpk7EpNdJR6au0/qKxHYF8g==

Return-Receipt-To: <lindsey.ozbolt@co.kittitas.wa.us>

Date: Tue, 15 Apr 2014 18:20:15 +0000

Message-ID: <C97566EEC920FD4D8A425CFC93E067034A7A058B67@glamdring.co.kittitas.wa.us>

Reply-To: Lindsey Ozbolt <lindsey.ozbolt@co.kittitas.wa.us>

Accept-Language: en-US

Content-Language: en-US

X-MS-Has-Attach: yes

X-MS-TNEF-Correlator:

x-originating-ip: [192.168.38.11]

Content-Type: multipart/mixed;

boundary="\_004\_C97566EEC920FD4D8A425CFC93E067034A7A058B67glamdringcoki\_"

MIME-Version: 1.0

Return-Path: lindsey.ozbolt@co.kittitas.wa.us

X-EOPAttributedMessage: 1

X-Forefront-Antispam-Report-Untrusted:

CIP:66.243.251.106;CTRY:US;IPV:NLI;EFV:NLI;SFV:NSPM;SFS:(10009001)(428001)(189002)(199002)(252514010)(52044002)(16236675002)(53806999)(15975445006)(83072002)(85852003)(83322001)(74502001)(74482001)(81342001)(76482001)(54356999)(44976005)(99396002)(99936001)(19580405001)(50986999)(43066001)(20776003)(567704001)(92726001)(79102001)(2171001)(15202345003)(568964001)(80976001)(6806004)(74662001)(19580395003)(84326002)(46102001)(80022001)(86362001)(55846006)(512944002)(77982001)(87936001)(33656001)(2656002)(71186001)(81542001)(4396001)(921003)(1121002)(80862004)(491001);DIR:OUT;SFP:1101;SCL:1;SRVR:BN1BFFO11HUB011;H:exch2010-mail.co.kittitas.wa.us;FPR:EE29550D.A6E29528.71575DF7.C350ED73.202BE;MLV:svf;PTR:static-66-243-251-106.ellensburg.fairpoint.net;MX:1;A:1;LANG:en;

X-Forefront-PRVS: 0182DBBB05

Received-SPF: None (: co.kittitas.wa.us does not designate permitted sender hosts)

X-Forefront-Antispam-Report:

CIP:65.55.169.69;CTRY:US;IPV:NLI;EFV:NLI;SFV:NSPM;SFS:(428001)(52044002)(189002)(199002)(252514010)(74502001)(74482001)(55846006)(20776003)(79102001)(76482001)(80976001)(15975445006)(43066001)(568964001)(4396001)(84326002)(83072002)(80022001)(567704001)(2656002)(16236675002)(512944002)(33656001)(2171001)(86362001)(92726001)(87836001)(15202345003)(99396002)(6806004)(54356999)(50986999)(19580395003)(85852003)(81542001)(71186001)(74662001)(77982001)(44976005)(53806999)(83322001)(19580405001)(46102001)(99936001)(1121002)(921003)(80862004)(491001);DIR:INB;SFP::SCL:1;SRVR:BY2PRO4MB677;H:na01-bl2-obe.outbound.protection.outlook.com;FPR:EE29550D.A6E29528.71575DF7.C350ED73.202BE;MLV:svf;PTR:mail-bl2on0069.outbound.protection.outlook.com;MX:1;A:1;LANG:en;

## Lindsey Ozbolt

---

**From:** postmaster@Yakama.com  
**To:** 'jmarvin@yakama.com' (jmarvin@yakama.com)  
**Sent:** Tuesday, April 15, 2014 11:21 AM  
**Subject:** Delivered: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

Your message has been delivered to the following recipients:

'jmarvin@yakama.com' ([jmarvin@yakama.com](mailto:jmarvin@yakama.com)) <<mailto:jmarvin@yakama.com>>

Subject: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

**Lindsey Ozbolt**

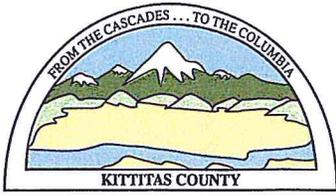
---

**From:** Mail Delivery System <MAILER-DAEMON@mail.newswest.com>  
**To:** mjohnston@kvnews.com  
**Sent:** Tuesday, April 15, 2014 11:57 AM  
**Subject:** Relayed: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

[mjohnston@kvnews.com](mailto:mjohnston@kvnews.com)

Subject: Kittitas County Notice of Application SV-14-00001 3160 VIA Kachess



# KITITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St. Suite 2 Ellensburg WA 98926  
cds@co.kittitas.wa.us  
Office 509-962-7506  
Fax 509-962-7682

Building Partnerships - Building Communities

## NOTICE OF APPLICATION

**Notice of Application:** Tuesday, April 15, 2014  
**Application Received:** Monday, March 10, 2014  
**Application Complete:** Monday, March 31, 2014

**Project Name (File Number):** 3160 VIA Kachess Shoreline Structural Setback Variance (SV-14-00001)  
**Applicant:** Richard Landen, landowner

**Location:** 1 parcel, located at 3160 Via Kachess Road, Easton, Washington along Lake Kachess, in a portion of Section 17, T21N, R13E, WM in Kittitas County, bearing Assessor's map number 21-13-17050-0001.

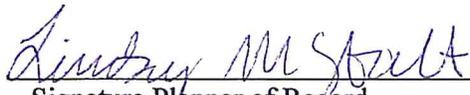
**Proposal:** Richard Landen has submitted a Structural Setback Shoreline Variance application with associated JARPA to allow for a remodel and addition to an existing residential structure including a deck. The Shoreline Master Program requires all single family residential development to be at least 100 feet landward of the Ordinary High Water Mark (OHWM). The request is for a variance to allow the structure to be no closer than approximately 58 feet from the OHWM of Lake Kachess.

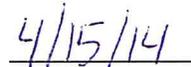
**Materials Available for Review:** The submitted application and related filed documents may be examined by the public at the Kittitas County Community Development Services (CDS) office at 411 N. Ruby, Suite 2, Ellensburg, Washington, 98926, or on the CDS website at [http://www.co.kittitas.wa.us/cds/land-use/current-planning.aspx?title=Shoreline Variances](http://www.co.kittitas.wa.us/cds/land-use/current-planning.aspx?title=Shoreline%20Variances).  
Phone: (509) 962-7506

**Written Comments** on this proposal can be submitted to CDS any time prior to 5:00 p.m. on Wednesday, April 30, 2014. Any person has the right to comment on the application and request a copy of the decision once made.

**Public Hearing:** An open record hearing has been scheduled before the Kittitas County Hearing Examiner on **May 8, 2014 at 6:00 p.m.** in the Kittitas County Commissioners' Auditorium, 205 West 5<sup>th</sup> Room 109, Ellensburg, WA 98926. Anyone with an interest in this matter is urged to attend said hearing where testimony will be taken. Written comments will be received and documents may be viewed at CDS prior to the hearing. Interested persons are encouraged to verify prior to attending.

**Designated Permit Coordinator (staff contact):** Lindsey Ozbolt, Staff Planner: (509) 962-7637; email at [lindsey.ozbolt@co.kittitas.wa.us](mailto:lindsey.ozbolt@co.kittitas.wa.us)

  
\_\_\_\_\_  
Signature Planner of Record

  
\_\_\_\_\_  
Date

## NOTICE OF APPLICATION

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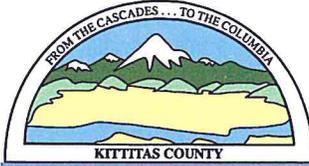
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**Designated Permit Coordinator (staff contact):** Lindsey Ozbolt, Staff Planner: (509) 962-7637; email at [lindsey.ozbolt@co.kittitas.wa.us](mailto:lindsey.ozbolt@co.kittitas.wa.us)

**Notice of Application:** Tuesday, April 15, 2014  
**Application Received:** Monday, March 10, 2014  
**Application Complete:** Monday, March 31, 2014  
**Publication Date:** Tuesday, April 15, 2014



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"

RECEIVED

APR 01 2014

AFFIDAVIT OF POSTING KITTTITAS COUNTY CDS

Effective July 19, 2007, Kittitas County Code requires all project actions that are not processed administratively to have a notice posted at the site of the project. Per KCC 15A.03.110 the following applies:

- 1. The applicant shall post the subject property with signs as required by Community Development Services.
2. Signs shall be posted on each road frontage on the subject property and shall be clearly visible and accessible.
3. Signs shall be posted and on-site prior to the issuance of a Notice of Application.
4. The sign shall be posted in a sturdy manner to remain on-site until fifteen days after the expiration of the Notice of Decision appeal period. It shall be the responsibility of the applicant to properly dispose of the sign.
5. At the time of development application, Community Development Services will identify the number of signs needed and the general location of each sign on the subject property.
6. It shall be the responsibility of the applicant to place the structure on which the sign will be posted on site. At such time the structure and sign is in place, the applicant shall contact Community Development Services.

Table with 2 columns: DATE: March 31, 2014; PLANNER: Lindsey Ozbolt

Table with 2 columns: PROJECT NAME: VIA Kachess Shoreline Setback Variance; FILE NUMBER: SV-14-00001

PLEASE COMPLETE THE FOLLOWING:

I, Richard Landen, certify that I am the landowner and/or authorized agent responsible for the posting of this land use project site and further certify that the site has been posted as required by Kittitas County Code. I understand that the required posting period begins immediately and ends 15 days after the ending of the appeal period on the Notice of Decision and the sign(s) will be posted at the site until this time. Failure to post the site and return this form to Community Development Services in a timely manner will result in a delay of the application review for the project.

Signature: Richard Landen

Date: March 31, 2014

Please return the above certification to CDS; Fax at 509-962-7682; or mail to; Community Development Services, 411 North Ruby Street, Suite 2, Ellensburg, WA 98926.

For Staff Use Only: Received

RECEIVED

APR 04 2014  
KITITAS COUNTY  
CDS

RECEIVED



## Lindsey Ozbolt

---

**From:** dicklanden@aol.com  
**Sent:** Wednesday, April 02, 2014 1:10 PM  
**To:** Lindsey Ozbolt  
**Subject:** RE: SV-14-00001 Via Kachess attachments

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

you're welcome. hopefully Mr. Hastings has someone to work that item while you are gone. I hate to lose another week.,since we had submitted in early March. It's a tough timetable and every day counts because of the hearing schedules.  
Hopefully the system will recognize that the existing structure was approved and we are only adding a few feet, still well above the flood zone.  
thank you, Dick

-----Original Message-----

**From:** Lindsey Ozbolt <lindsey.ozbolt@co.kittitas.wa.us>  
**To:** 'dicklanden@aol.com' <dicklanden@aol.com>  
**Sent:** Wed, Apr 2, 2014 10:52 am  
**Subject:** RE: SV-14-00001 Via Kachess attachments

Thank you Dick. I will notify you when the Notice of Application is sent out (you will receive a copy). This will most likely occur early next week as I will be out of the office tomorrow and Friday for a training.

**Lindsey Ozbolt**  
Planner II

Kittitas County Community Development Services  
411 North Ruby St., Suite 2  
Ellensburg, WA 98926  
Phone: 509-962-7637  
Email: [lindsey.ozbolt@co.kittitas.wa.us](mailto:lindsey.ozbolt@co.kittitas.wa.us)

**From:** [dicklanden@aol.com](mailto:dicklanden@aol.com) [<mailto:dicklanden@aol.com>]  
**Sent:** Tuesday, April 01, 2014 9:44 PM  
**To:** Lindsey Ozbolt  
**Subject:** Fwd: SV-14-00001 Via Kachess attachments

-----Original Message-----

**From:** Dicklanden <[Dicklanden@aol.com](mailto:Dicklanden@aol.com)>  
**To:** lindsey.ozbolt <[lindsey.ozbolt@co.kittitas.wa.us](mailto:lindsey.ozbolt@co.kittitas.wa.us)>; CDS <[CDS@co.kittitas.wa.us](mailto:CDS@co.kittitas.wa.us)>  
**Cc:** dicklanden <[dicklanden@aol.com](mailto:dicklanden@aol.com)>  
**Sent:** Tue, Apr 1, 2014 9:36 pm  
**Subject:** SV-14-00001 Via Kachess attachments

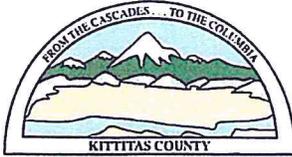
original affidavit being sent US post

---

Notice: All email sent to this address will be received by the Kittitas County email system and may be subject to public disclosure under Chapter 42.56 RCW and to archiving and review.

message id: 38eb45916c6dcbdac24bb8719d004a14





## 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"

*March 31, 2014*

*Richard H. Landen  
22820 148<sup>th</sup> Ave SE  
Kent WA 98042*

RE: *SV-14-00001 Via Kachess*

Dear *Mr. Landen*,

Your application received *March 10, 2014* for a *Shoreline Variance* has been received. The proposal would *allow for development within shoreline jurisdiction*. The property is located at *3160 Via Kachess, Easton Washington 98925*. This application has been deemed complete as of the date of this letter.

Your application meets the requirements of KCC 16.12.010 for a complete application. The County may request additional information during review of you application. Continued processing of your application will include, but not be limited to the following actions:

1. According to KCC 15A.030.060, a Notice of Application will be sent to the public (adjacent landowners), Kittitas County departments, and non-County governmental agencies inviting written comments on this proposal. Because this proposal is for a shoreline setback variance, the public comment period will be 15 days, according to Chapter 15 Table A. **Note: Please contact Community Development Services to pick-up the site posting sign and for instructions for posting notice signs at the site as outlined in KCC 15A.03.110. Processing of your application will continue once the site is posted.**
2. Requests for clarification, amendments, or additional information will be sent to you following the public comment period.
3. The consideration of written comments from adjacent property owners and public agencies will be used to analyze environmental impacts and compliance with Kittitas County Code.
4. As requested by the County, additional materials and/or revised site plan drawings may be required before this matter is brought before the Hearing Examiner.
5. An open-record hearing will be scheduled before the Kittitas County Hearing Examiner at a date to be determined, where this application will be considered.
6. Following the hearing, the Hearing Examiner will make a recommendation to the Board of County Commissioners. The Board of County Commissioners will consider the Hearing Examiner recommendation and make a decision on the shoreline setback variance. Finally, that decision by the Board of County Commissioners will be sent to Department of Ecology where they will make a final decision.

If you have any questions regarding this matter, please feel free to contact me at (509)962- 7637 or by email at [lindsey.ozbolt@co.kittitas.wa.us](mailto:lindsey.ozbolt@co.kittitas.wa.us).

Sincerely,

**Lindsey Ozbolt**  
Staff Planner

# Critical Areas Checklist

Thursday, March 27, 2014

Application File Number SV-14-00001

Planner Lindsey Ozbolt

Is SEPA required  Yes  No

Is Parcel History required?  Yes  No

What is the Zoning? Forest and Range

Is Project inside a Fire District?  Yes  No

If so, which one? Fire District 8 (Kachess)

Is the project inside an Irrigation District?  Yes  No

If so, which one?

Does project have Irrigation Approval?  Yes  No

Which School District? Easton School District

Is the project inside a UGA?  Yes  No

If so which one?

Is there FIRM floodplain on the project's parcel?  Yes  No Letter of Map Amendment approved by FEMA on 1/21/14

If so which zone? A

What is the FIRM Panel Number? 5300950125B

Is the Project parcel in the Floodway?  Yes  No

Does the project parcel contain a shoreline of the State?  Yes  No

If so what is the Water Body? Kachess Lake

What is the designation? Conservancy

Does the project parcel contain a Classified Stream?  Yes  No

If so what is the Classification?

Does the project parcel contain a wetland?  Yes  No

If so what type is it?

Does the project parcel intersect a PHS designation?  Yes  No

If so, what is the Site Name?

Is there hazardous slope in the project parcel?  Yes  No

If so, what type?

Does the project parcel abut a DU road?  Yes  No

If so, which one?

Does the project parcel abut a Forest Service road?  Yes  No

If so, which one?

Does the project parcel intersect an Airport overlay zone?  Yes  No

If so, which Zone is it in?

Does the project parcel intersect a BPA right of way or line?  Yes  No

If so, which one?

Is the project parcel in or near a Mineral Resource Land?  Yes  No

If so, which one?

Is the project parcel in or near a DNR Landslide area?  Yes  No

If so, which one?

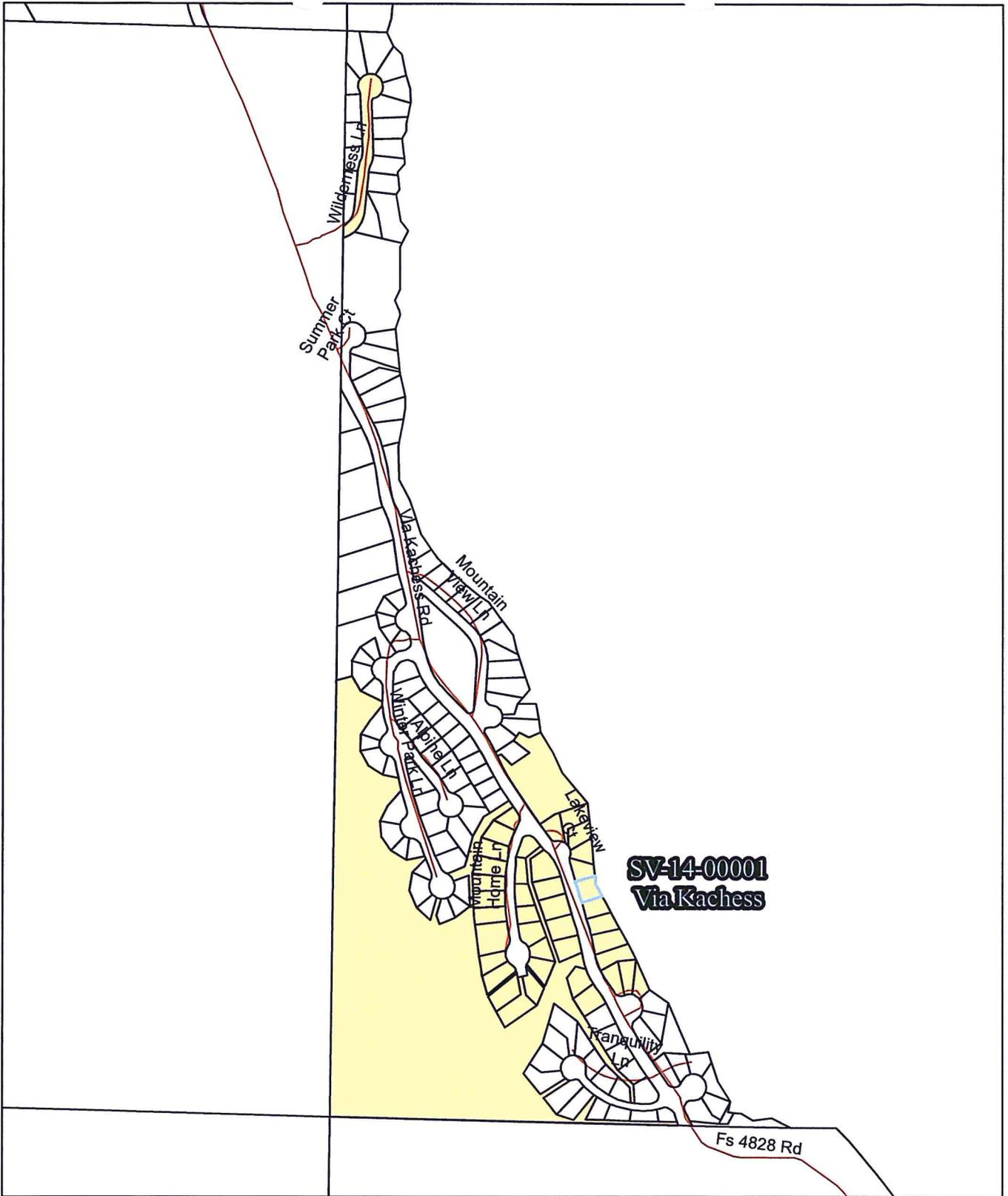
Is the project parcel in or near a Coal Mine area?  Yes  No

What is the Seismic Designation? D1

Does the Project Application have a Title Report Attached?

Does the Project Application have a Recorded Survey Attached?

Have the Current Years Taxes been paid?



**SV-14-0001  
Via Kachess**

SV-14-0001  
Via Kachess

500' Adjoiners  
Map

4/14/2014

kaycee.hathaway





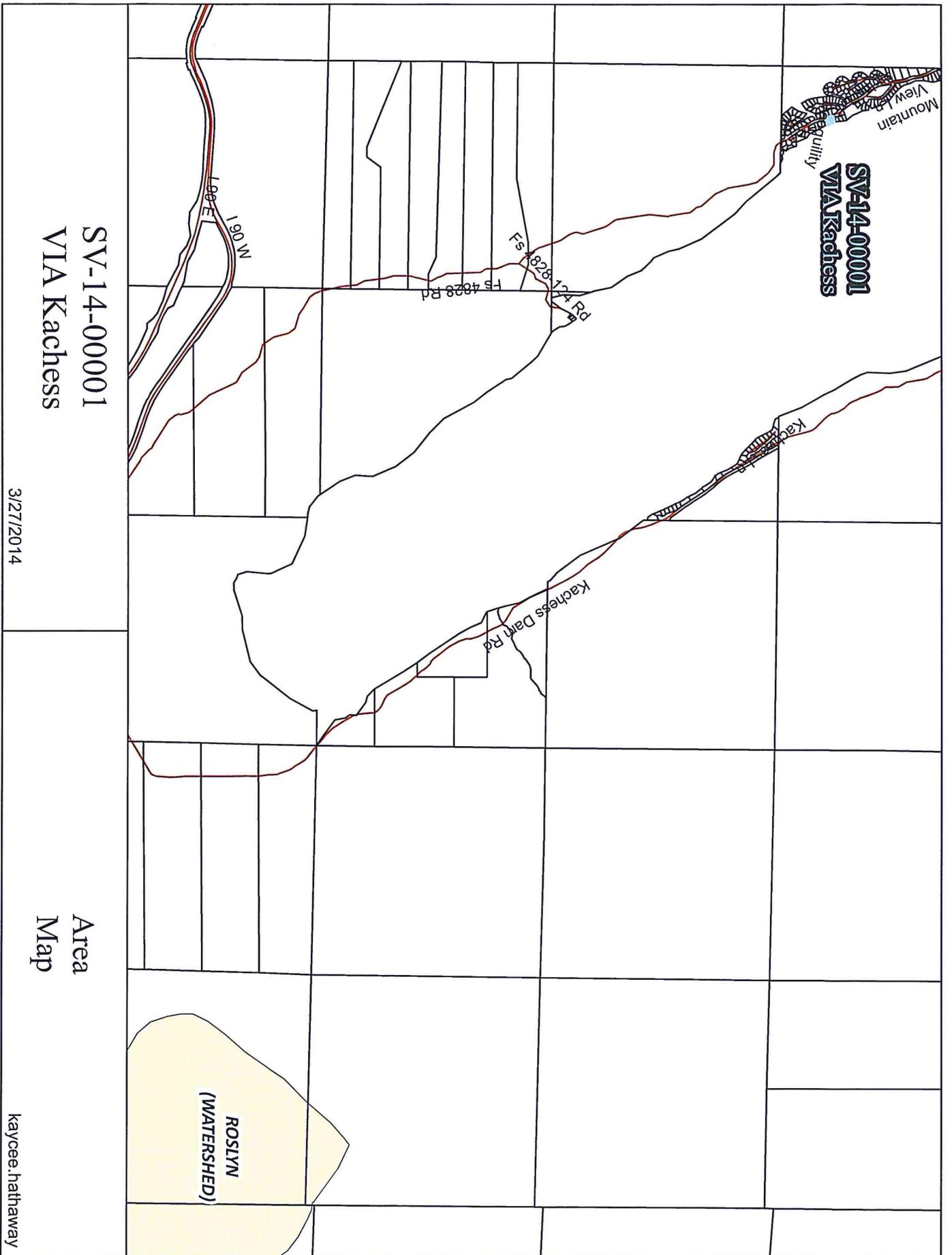
Source: Esri, DigitalGlobe, GeoEye, Earthstar, USDA, U.S.G.S., AEX, GSatImaging, AeroGRID, IGN, IGP, swisstopo, and the GIS User Community

SV-14-00001  
VIA Kachess

3/27/2014

Air Photo  
Map

kaycee.hathaway



SV-14-00001  
VIA Kachess

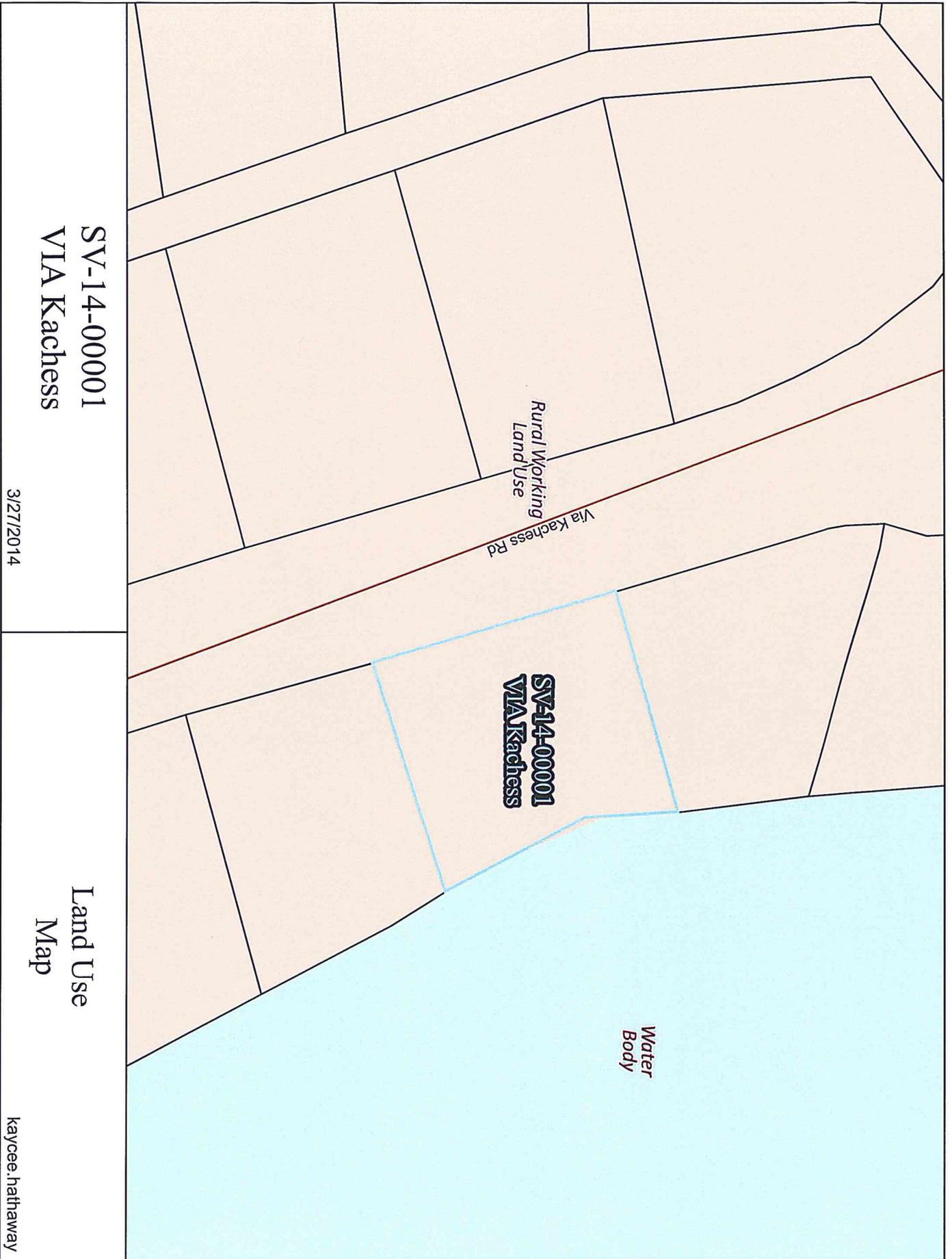
SV-14-00001  
VIA Kachess

3/27/2014

Area  
Map

kaycee.hathaway





SV-14-00001  
VIA Kachess

3/27/2014

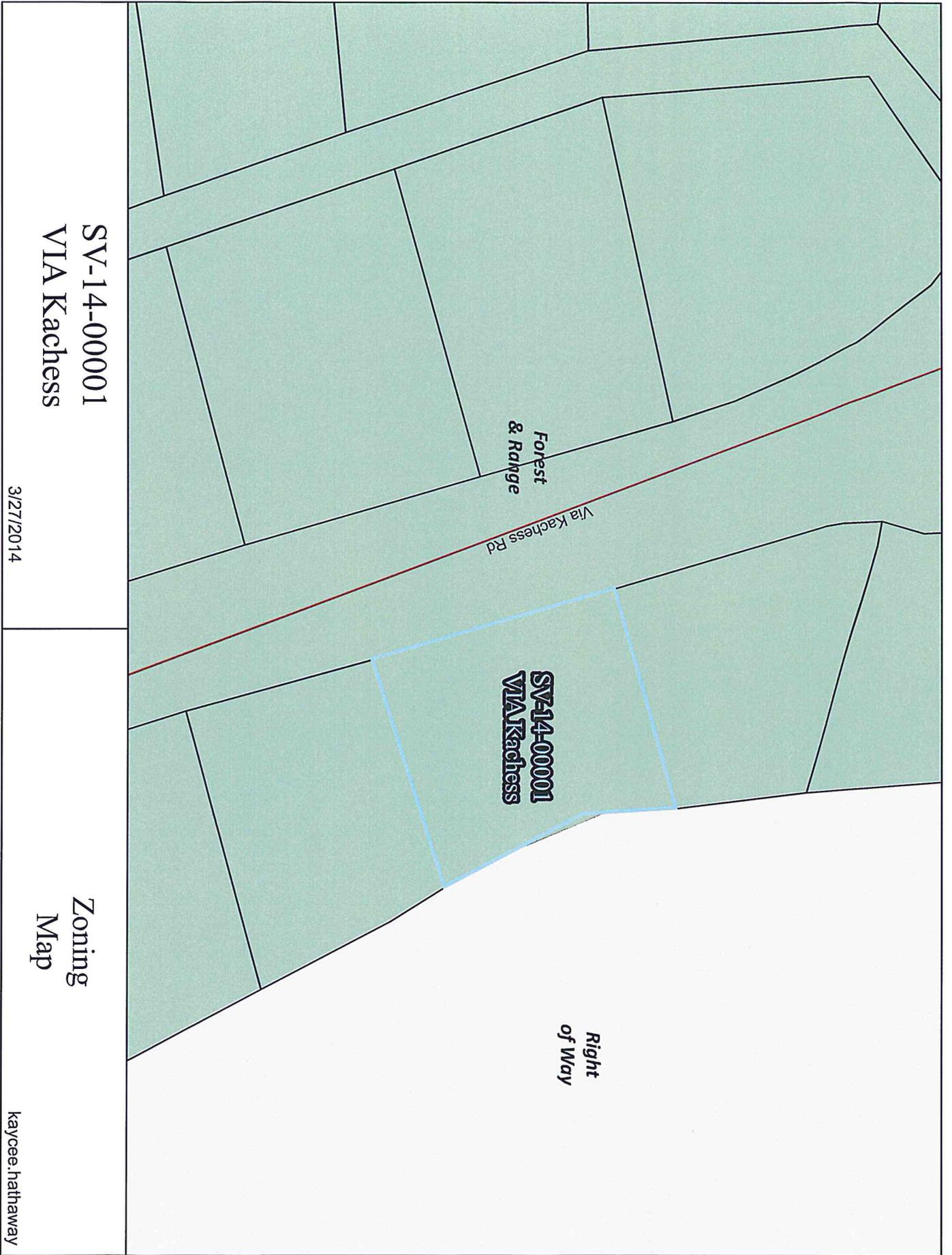
Land Use  
Map

kaycee.hathaway

Rural Working  
Land Use  
Via Kachess Rd

**SV-14-00001  
VIA Kachess**

Water  
Body



SV-14-00001  
VIA Kachess

3/27/2014

Zoning  
Map

kaycee.hathaway

## Lindsey Ozbolt

---

**From:** dicklanden@aol.com  
**Sent:** Tuesday, March 25, 2014 4:22 PM  
**To:** Lindsey Ozbolt  
**Cc:** CDS User  
**Subject:** Shoreline variance permit #SV-14-00001  
**Attachments:** 3160ViaKachess\_SITE\_PLAN-Mar24.pdf

Attn: planning dept.

Please replace this updated site plan to our application package.  
As time/designs has progressed it gives the most recent view.  
thank you, Dick Landen (509.261.5368)

LANDEN VACATION HC  
3160 VIA KACHESS RD.  
EASTON, WASHINGTON  
98925

OWNER:

RICHARD & BONNIE LANDEN  
22820 148TH AVENUE SE  
KENT, WASHINGTON  
98042

BLS

Revision By

Date

March 25, 2014

Project Number

1401

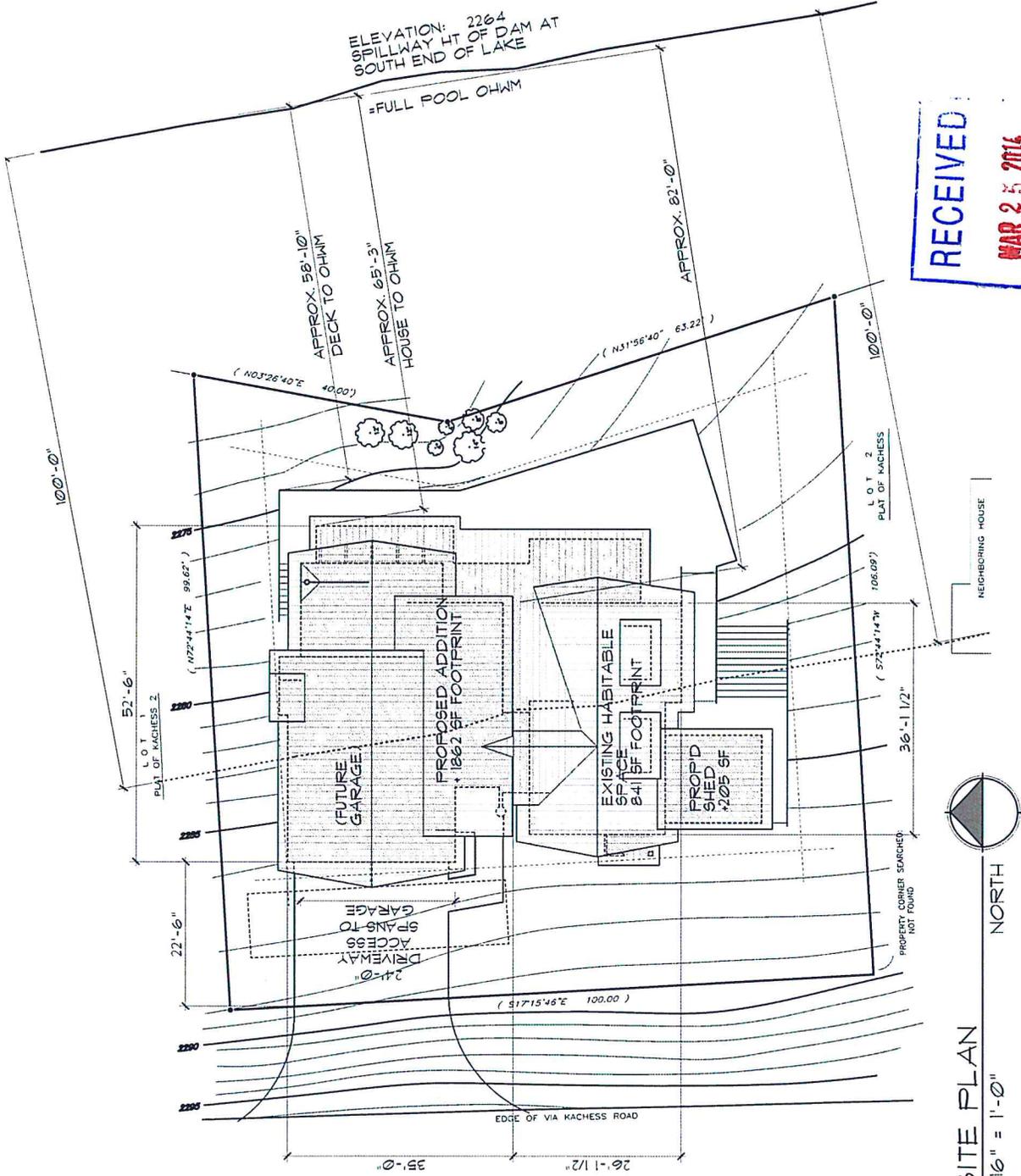
File Number

Sheet Title

SITE  
PLAN

Sheet Number

SP-1



RECEIVED  
MAR 25 2014  
KITITAS COUNTY  
CDS



NORTH

SITE PLAN  
1/16" = 1'-0"

SV-14-00001

March 4, 2014

Attn: Community Development Services  
411 N. Ruby St., Suite 2  
Ellensburg, WA 98926

Subject: JARPA application pertaining to 3160 Via Kachess, Lake Kachess, Easton, WA

Please receive my application under the JARPA guideline. Enclosed are:

Shoreline Permitting Letter

Completed JARPA form

LOMA form

Site Plan map

Check #1119 in the amount of \$1520. Payable to KCCDS for the variance application.

Thank you,



Richard Landen, property owner  
22820 148<sup>th</sup> Ave SE  
Kent, WA 98042  
(h)253.631.4931, (c)206.261.5368

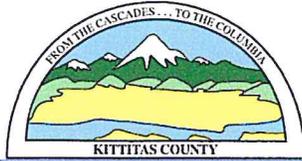
RECEIVED

MAR 10 2014

KITTITAS COUNTY  
CDS

RECEIVED  
MAR 10 2014  
KITTITAS COUNTY  
CDS

SV-14-00001



KITTTAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St., Suite 2, Ellensburg, WA 98926
CDS@CO.KITTTAS.WA.US
Office (509) 962-7506
Fax (509) 962-7682

"Building Partnerships - Building Communities"

RECEIVED

SHORELINE PERMITTING

(For projects located within 200 feet of a body of water under the jurisdiction of the Shoreline Master Program)

The following bodies of water are under the jurisdiction of the Shoreline Master Program: (\*denotes portion of shoreline requiring 200' setback)

- Little Creek, Cabin Creek, Log Creek, Swauk Creek, Wilson Creek (S. of Ellensburg), Naneum Creek, Taneum Creek, Manastash Creek (Includes S. Fork), Lake Keechelus, Lake Cle Elum, Lost Lake\*, Unnamed Lakes (T21,R12)\*, Tucquala Lake\*, Cooper Lake\*, Manastash Lake\*, Big Creek, Lake Kachess\*, Lake Easton, Cle Elum River, Columbia River\*, Yakima River\*, Kachess River, Teanaway River (Includes: West, Middle, North Forks)

The County uses the Joint Aquatic Resources Permit Application (JARPA) form for all applications located within the jurisdiction of the Shoreline Management Plan, including projects within 200' of the bodies of water listed above.

To apply for a Shoreline Permit, please submit a completed JARPA form along with this cover letter.

You may request a copy of the JARPA form from Community Development Services, or download the form here: http://www.epermitting.wa.gov/site/alias\_\_resourcecenter/jarpa\_jarpa\_form/9984/jarpa\_form.aspx

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

- Shoreline Structural Setback Variance (Fee: \$1,520 to CDS)
Shoreline Substantial Development Permit (Fee: CDS: \$1,560+ SEPA, if not exempt: \$560 (CDS: \$490, PW: \$70))
Shoreline Conditional Use Permit (Fee: CDS: \$1,560+ SEPA, if not exempt: \$560 (CDS: \$490, PW: \$70)), if not processed together with a Shoreline Substantial Development Permit)
Shoreline Exemption
Other (please define):

APPLICATION FEES:

- (see above) Kittitas County Community Development Services (KCCDS)
(see above) Kittitas County Department of Public Works
(see above) Total fees due for this application (One check made payable to KCCDS)

FOR STAFF USE ONLY

Application Received By (CDS Staff Signature): [Signature] DATE: 3/10/14 RECEIPT # [Stamp: RECEIVED MAR 10 2014 KITTTAS COUNTY] DATE STAMP IN BOX



# WASHINGTON STATE

## Joint Aquatic Resources Permit Application (JARPA) Form<sup>1,2</sup>

USE BLACK OR BLUE INK TO ENTER ANSWERS IN THE WHITE SPACES BELOW.



US Army Corps  
of Engineers  
Seattle District

AGENCY USE ONLY	RECEIVED
<b>Date received:</b>	MAR 10 2014
<b>Agency reference #:</b>	KITTITAS COUNTY
<b>Tax Parcel #(s):</b>	026
	21-13-17050-0001

### Part 1—Project Identification

<b>1. Project Name</b> (A name for your project that you create. Examples: Smith's Dock or Seabrook Lane Development) <a href="#">[help]</a>
3160 Via Kachess, Lake Kachess, Easton, WA

### Part 2—Applicant

The person and/or organization responsible for the project. [\[help\]](#)

<b>2a. Name</b> (Last, First, Middle)			
Landen, Richard. H.			
<b>2b. Organization</b> (If applicable)			
n/a			
<b>2c. Mailing Address</b> (Street or PO Box)			
22820 148 <sup>th</sup> Ave SE			
<b>2d. City, State, Zip</b>			
Kent, WA, 98042			
<b>2e. Phone (1)</b>	<b>2f. Phone (2)</b>	<b>2g. Fax</b>	<b>2h. E-mail</b>
( 206.261.5368 )	253.631.4931	( )	dicklanden@aol.com

<sup>1</sup>Additional forms may be required for the following permits:

- If your project may qualify for Department of the Army authorization through a Regional General Permit (RGP), contact the U.S. Army Corps of Engineers for application information (206) 764-3495.
- If your project might affect species listed under the Endangered Species Act, you will need to fill out a Specific Project Information Form (SPIF) or prepare a Biological Evaluation. Forms can be found at <http://www.nws.usace.army.mil/Missions/CivilWorks/Regulatory/PermitGuidebook/EndangeredSpecies.aspx>.
- Not all cities and counties accept the JARPA for their local Shoreline permits. If you need a Shoreline permit, contact the appropriate city or county government to make sure they accept the JARPA.

<sup>2</sup>To access an online JARPA form with [help] screens, go to [http://www.epermitting.wa.gov/site/alias\\_resourcecenter/jarpa\\_jarpa\\_form/9984/jarpa\\_form.aspx](http://www.epermitting.wa.gov/site/alias_resourcecenter/jarpa_jarpa_form/9984/jarpa_form.aspx).

For other help, contact the Governor's Office for Regulatory Innovation and Assistance at (800) 917-0043 or [help@ora.wa.gov](mailto:help@ora.wa.gov).

### Part 3—Authorized Agent or Contact

Person authorized to represent the applicant about the project. (Note: Authorized agent(s) must sign 11b of this application.) [\[help\]](#)

<b>3a. Name</b> (Last, First, Middle)			
n/a			
<b>3b. Organization</b> (If applicable)			
<b>3c. Mailing Address</b> (Street or PO Box)			
<b>3d. City, State, Zip</b>			
<b>3e. Phone (1)</b>	<b>3f. Phone (2)</b>	<b>3g. Fax</b>	<b>3h. E-mail</b>
(    )	(    )	(    )	

### Part 4—Property Owner(s)

Contact information for people or organizations owning the property(ies) where the project will occur. Consider both **upland and aquatic** ownership because the upland owners may not own the adjacent aquatic land. [\[help\]](#)

Same as applicant. (Skip to Part 5.)

Repair or maintenance activities on existing rights-of-way or easements. (Skip to Part 5.)

There are multiple upland property owners. Complete the section below and fill out [JARPA Attachment A](#) for each additional property owner.

Your project is on Department of Natural Resources (DNR)-managed aquatic lands. If you don't know, contact the DNR at (360) 902-1100 to determine aquatic land ownership. If yes, complete [JARPA Attachment E](#) to apply for the Aquatic Use Authorization.

<b>4a. Name</b> (Last, First, Middle)			
<b>4b. Organization</b> (If applicable)			
<b>4c. Mailing Address</b> (Street or PO Box)			
<b>4d. City, State, Zip</b>			
<b>4e. Phone (1)</b>	<b>4f. Phone (2)</b>	<b>4g. Fax</b>	<b>4h. E-mail</b>
(    )	(    )	(    )	

## Part 5–Project Location(s)

Identifying information about the property or properties where the project will occur. [\[help\]](#)

- There are multiple project locations (e.g. linear projects). Complete the section below and use [JARPA Attachment B](#) for each additional project location.

**5a.** Indicate the type of ownership of the property. (Check all that apply.) [\[help\]](#)

- Private  
 Federal  
 Publicly owned (state, county, city, special districts like schools, ports, etc.)  
 Tribal  
 Department of Natural Resources (DNR) – managed aquatic lands (Complete [JARPA Attachment E](#))

**5b.** Street Address (Cannot be a PO Box. If there is no address, provide other location information in 5p.) [\[help\]](#)

3160 Via Kachess, Lake Kachess

**5c.** City, State, Zip (If the project is not in a city or town, provide the name of the nearest city or town.) [\[help\]](#)

Easton, WA (nearest)

**5d.** County [\[help\]](#)

Kittitas

**5e.** Provide the section, township, and range for the project location. [\[help\]](#)

¼ Section	Section	Township	Range
	17	T21N	R13E

**5f.** Provide the latitude and longitude of the project location. [\[help\]](#)

- Example: 47.03922 N lat. / -122.89142 W long. (Use decimal degrees - NAD 83)

Lat 47.30842 Long 121.24753

**5g.** List the tax parcel number(s) for the project location. [\[help\]](#)

- The local county assessor's office can provide this information.

636635; 21-13-17050-0001

**5h.** Contact information for all adjoining property owners. (If you need more space, use [JARPA Attachment C.](#)) [\[help\]](#)

Name	Mailing Address	Tax Parcel # (if known)
Klebanoff, Mark	1154-20 <sup>th</sup> ave E, Seattle, WA 98102	Lot 1-02
Arsenault, Bret	PO Box 52, Snoqualamie Pass, WA 98068	Lot 2-01
Royal, Charles	16418 NE 197 <sup>th</sup> Pl, Woodinville, WA 98072	Lot 1-43

**5i.** List all wetlands on or adjacent to the project location. [\[help\]](#)

n/a

**5j.** List all waterbodies (other than wetlands) on or adjacent to the project location. [\[help\]](#)

Lake Kachess

**5k.** Is any part of the project area within a 100-year floodplain? [\[help\]](#)

Yes     No     Don't know

**5l.** Briefly describe the vegetation and habitat conditions on the property. [\[help\]](#)

Sloping forest land down to edge of Lake Kachess. Property line abuts a DNR zone that is between the lake and the property. Mature old growth trees and very little undergrowth. No residing animals or nests.

**5m.** Describe how the property is currently used. [\[help\]](#)

A recreation residence is on the property and was permitted and built around 1981. It is setback from the lakeshore toward the Kittitas county road (Via Kachess), On the West side of Lake Kachess.

**5n.** Describe how the adjacent properties are currently used. [\[help\]](#)

Immediate North lot is presently vacant with septic installed and ready to build a residence. Immediate South property is a recreational residence and garage. Both abut DNR land and subsequently the lakeshore. Other properties along the road have residences on them and adjoin the lake side of Via Kachess or the West side of the road. The entire Kachess Village is platted for recreational residences or common areas.

**5o.** Describe the structures (above and below ground) on the property, including their purpose(s) and current condition. [\[help\]](#)

The residence is a Pan Abode construction with metal roof and is in very good shape for its thirty year existence. A typical A frame construction with a daylight basement on the lake side. Recreational use only, not rented or leased to anyone and is for owner and family recreation only.

**5p.** Provide driving directions from the closest highway to the project location, and attach a map. [\[help\]](#)

Approximately 5 miles East from Interstate 90 (at exit 62) via Lake Kachess Road to Via Kachess Road. Fully paved and accessible all year long, with county snow plowing during winter months along both roads.

## Part 6—Project Description

**6a.** Briefly summarize the overall project. You can provide more detail in 6b. [\[help\]](#)

A remodel addition to the existing structure inside and out to create an ADA access/mobility use.

**6b.** Describe the purpose of the project and why you want or need to perform it. [\[help\]](#)

Recently, a family member was injured and is now a quadriplegic. The structure as it now exists is not wheelchair accessible nor suitable for maneuverability, ie, no driveway access from Via Kachess and on a sloping terrain narrow interiors and multi floor. We need to create a garage structure for loading/unloading under cover; add an elevator for accessing the floors; add a special living quarters/bathroom that can accommodate a disabled person; and create mobility spaces in the general areas; all without tearing down the perfectly good and usable original structure-which will still be used by other family members.

**6c.** Indicate the project category. (Check all that apply) [\[help\]](#)

- Commercial   
  Residential   
  Institutional   
  Transportation   
  Recreational  
 Maintenance   
 Environmental Enhancement

**6d.** Indicate the major elements of your project. (Check all that apply) [\[help\]](#)

<input type="checkbox"/> Aquaculture	<input type="checkbox"/> Culvert	<input type="checkbox"/> Float	<input type="checkbox"/> Retaining Wall (upland)
<input type="checkbox"/> Bank Stabilization	<input type="checkbox"/> Dam / Weir	<input type="checkbox"/> Floating Home	<input type="checkbox"/> Road
<input type="checkbox"/> Boat House	<input type="checkbox"/> Dike / Levee / Jetty	<input type="checkbox"/> Geotechnical Survey	<input type="checkbox"/> Scientific Measurement Device
<input type="checkbox"/> Boat Launch	<input type="checkbox"/> Ditch	<input type="checkbox"/> Land Clearing	<input type="checkbox"/> Stairs
<input type="checkbox"/> Boat Lift	<input type="checkbox"/> Dock / Pier	<input type="checkbox"/> Marina / Moorage	<input type="checkbox"/> Stormwater facility
<input type="checkbox"/> Bridge	<input type="checkbox"/> Dredging	<input type="checkbox"/> Mining	<input type="checkbox"/> Swimming Pool
<input type="checkbox"/> Bulkhead	<input type="checkbox"/> Fence	<input type="checkbox"/> Outfall Structure	<input type="checkbox"/> Utility Line
<input type="checkbox"/> Buoy	<input type="checkbox"/> Ferry Terminal	<input type="checkbox"/> Piling/Dolphin	
<input type="checkbox"/> Channel Modification	<input type="checkbox"/> Fishway	<input type="checkbox"/> Raft	

Other: Other than creating a larger concrete foundation footprint and additional structure, no other changes are contemplated for the remodel of the existing residence or grounds. No enlargement of the septic system is needed since we are not adding bedrooms or bathrooms, only moving them around and altering the spaces. Some trees will be removed to accommodate the enlarged footprint.

**6e.** Describe how you plan to construct each project element checked in 6d. Include specific construction methods and equipment to be used. [\[help\]](#)

- Identify where each element will occur in relation to the nearest waterbody.
- Indicate which activities are within the 100-year floodplain.

None of the added or existing structure or lot itself is in the 100 year flood plain, as verified by recent LOMA survey by FEMA.

Concrete foundation forms will be placed and filled for the new footprint and then the new structure (stick frame) will be built on it. No special methods are necessary. A small number of trees within that footprint will be removed, one at a time by a professional logger.

All work to be performed will be done by licensed contractors after obtaining the appropriate permits from Kittitas County.

**6f.** What are the anticipated start and end dates for project construction? (Month/Year) [\[help\]](#)

- If the project will be constructed in phases or stages, use [JARPA Attachment D](#) to list the start and end dates of each phase or stage.

Start date: June 2014 End date: October, 2014  See JARPA Attachment D

**6g.** Fair market value of the project, including materials, labor, machine rentals, etc. [\[help\]](#)

\$300,000.

**6h.** Will any portion of the project receive federal funding? [\[help\]](#)

- If yes, list each agency providing funds.

Yes  No  Don't know

## Part 7–Wetlands: Impacts and Mitigation

Check here if there are wetlands or wetland buffers on or adjacent to the project area.  
(If there are none, skip to Part 8.) [\[help\]](#)

**7a.** Describe how the project has been designed to avoid and minimize adverse impacts to wetlands. [\[help\]](#)

Not applicable

7b. Will the project impact wetlands? [\[help\]](#)

Yes     No     Don't know

7c. Will the project impact wetland buffers? [\[help\]](#)

Yes     No     Don't know

7d. Has a wetland delineation report been prepared? [\[help\]](#)

- If Yes, submit the report, including data sheets, with the JARPA package.

Yes     No

7e. Have the wetlands been rated using the Western Washington or Eastern Washington Wetland Rating System? [\[help\]](#)

- If Yes, submit the wetland rating forms and figures with the JARPA package.

Yes     No     Don't know

7f. Have you prepared a mitigation plan to compensate for any adverse impacts to wetlands? [\[help\]](#)

- If Yes, submit the plan with the JARPA package and answer 7g.
- If No, or Not applicable, explain below why a mitigation plan should not be required.

Yes     No     Not applicable

7g. Summarize what the mitigation plan is meant to accomplish, and describe how a watershed approach was used to design the plan. [\[help\]](#)

n/a

7h. Use the table below to list the type and rating of each wetland impacted, the extent and duration of the impact, and the type and amount of mitigation proposed. Or if you are submitting a mitigation plan with a similar table, you can state (below) where we can find this information in the plan. [\[help\]](#)

Activity (fill, drain, excavate, flood, etc.)	Wetland Name <sup>1</sup>	Wetland type and rating category <sup>2</sup>	Impact area (sq. ft. or Acres)	Duration of impact <sup>3</sup>	Proposed mitigation type <sup>4</sup>	Wetland mitigation area (sq. ft. or acres)
---	---------------------------	---	--------------------------------	---------------------------------	---------------------------------------	--

2

n/a						

<sup>1</sup> If no official name for the wetland exists, create a unique name (such as "Wetland 1"). The name should be consistent with other project documents, such as a wetland delineation report.

<sup>2</sup> Ecology wetland category based on current Western Washington or Eastern Washington Wetland Rating System. Provide the wetland rating forms with the JARPA package.

<sup>3</sup> Indicate the days, months or years the wetland will be measurably impacted by the activity. Enter "permanent" if applicable.

<sup>4</sup> Creation (C), Re-establishment/Rehabilitation (R), Enhancement (E), Preservation (P), Mitigation Bank/In-lieu fee (B)

Page number(s) for similar information in the mitigation plan, if available: \_\_\_\_\_

**7i.** For all filling activities identified in 7h, describe the source and nature of the fill material, the amount in cubic yards that will be used, and how and where it will be placed into the wetland. [\[help\]](#)

**7j.** For all excavating activities identified in 7h, describe the excavation method, type and amount of material in cubic yards you will remove, and where the material will be disposed. [\[help\]](#)

## Part 8—Waterbodies (other than wetlands): Impacts and Mitigation

In Part 8, "waterbodies" refers to non-wetland waterbodies. (See Part 7 for information related to wetlands.) [\[help\]](#)

Check here if there are waterbodies on or adjacent to the project area. (If there are none, skip to Part 9.)

**8a.** Describe how the project is designed to avoid and minimize adverse impacts to the aquatic environment. [\[help\]](#)

Not applicable

Standard debris barriers will be installed prior to commencing any work on the site and removed after final inspection. The shoreline of the lake is at least more than 100' from edge the project. Any soil removed from foundation footprint will be removed offsite to a recycle center.

**8b.** Will your project impact a waterbody or the area around a waterbody? [\[help\]](#)

Yes   x  No

**8c.** Have you prepared a mitigation plan to compensate for the project's adverse impacts to non-wetland waterbodies? [\[help\]](#)

- If Yes, submit the plan with the JARPA package and answer 8d.
- If No, or Not applicable, explain below why a mitigation plan should not be required.

Yes    No   x  Not applicable

Simple residence construction methods do not have a materials migrating factor involved.  
 Any dirt movement is far from the lake shore and will be restrained during construction and restored back to original condition at the conclusion.  
 All work will be limited to the lot area which is outside of the 100 year flood plain

**8d.** Summarize what the mitigation plan is meant to accomplish. Describe how a watershed approach was used to design the plan.

- If you already completed 7g you do not need to restate your answer here. [\[help\]](#)

n/a

**8e.** Summarize impact(s) to each waterbody in the table below. [\[help\]](#)

Activity (clear, dredge, fill, pile drive, etc.)	Waterbody name <sup>1</sup>	Impact location <sup>2</sup>	Duration of impact <sup>3</sup>	Amount of material (cubic yards) to be placed in or removed from waterbody	Area (sq. ft. or linear ft.) of waterbody directly affected
n/a					

<sup>1</sup> If no official name for the waterbody exists, create a unique name (such as "Stream 1") The name should be consistent with other documents provided.

<sup>2</sup> Indicate whether the impact will occur in or adjacent to the waterbody. If adjacent, provide the distance between the impact and the waterbody and indicate whether the impact will occur within the 100-year flood plain.

<sup>3</sup> Indicate the days, months or years the waterbody will be measurably impacted by the work. Enter "permanent" if applicable.

**8f.** For all activities identified in 8e, describe the source and nature of the fill material, amount (in cubic yards) you will use, and how and where it will be placed into the waterbody. [\[help\]](#)

n/a

**8g.** For all excavating or dredging activities identified in 8e, describe the method for excavating or dredging, type and amount of material you will remove, and where the material will be disposed. [\[help\]](#)

n/a

## Part 9–Additional Information

Any additional information you can provide helps the reviewer(s) understand your project. Complete as much of this section as you can. It is ok if you cannot answer a question.

**9a.** If you have already worked with any government agencies on this project, list them below. [\[help\]](#)

Agency Name	Contact Name	Phone	Most Recent Date of Contact
Kittitas Floodplain	Christina Wollman	509.962.7051	Feb 2014
Kittitas Community Dev. Services	Lindsey Ozbolt	509.962.7637	Mar 2014
		( )	

**9b.** Are any of the wetlands or waterbodies identified in Part 7 or Part 8 of this JARPA on the Washington Department of Ecology's 303(d) List? [\[help\]](#)

- If Yes, list the parameter(s) below.
- If you don't know, use Washington Department of Ecology's Water Quality Assessment tools at: <http://www.ecy.wa.gov/programs/wq/303d/>.

Yes   x  No

2

**9c.** What U.S. Geological Survey Hydrological Unit Code (HUC) is the project in? [\[help\]](#)

- Go to <http://cfpub.epa.gov/surf/locate/index.cfm> to help identify the HUC.

**9d.** What Water Resource Inventory Area Number (WRIA #) is the project in? [\[help\]](#)

- Go to <http://www.ecy.wa.gov/services/gis/maps/wria/wria.htm> to find the WRIA #.

**9e.** Will the in-water construction work comply with the State of Washington water quality standards for turbidity? [\[help\]](#)

- Go to <http://www.ecy.wa.gov/programs/wq/swqs/criteria.html> for the standards.

Yes     No     Not applicable

**9f.** If the project is within the jurisdiction of the Shoreline Management Act, what is the local shoreline environment designation? [\[help\]](#)

- If you don't know, contact the local planning department.
- For more information, go to: [http://www.ecy.wa.gov/programs/sea/sma/laws\\_rules/173-26/211\\_designations.html](http://www.ecy.wa.gov/programs/sea/sma/laws_rules/173-26/211_designations.html).

Rural residential \_\_\_\_\_     Urban     Natural     Aquatic     Conservancy     Other shoreline

**9g.** What is the Washington Department of Natural Resources Water Type? [\[help\]](#)

- Go to [http://www.dnr.wa.gov/BusinessPermits/Topics/ForestPracticesApplications/Pages/fp\\_watertyping.aspx](http://www.dnr.wa.gov/BusinessPermits/Topics/ForestPracticesApplications/Pages/fp_watertyping.aspx) for the Forest Practices Water Typing System.

Shoreline     Fish     Non-Fish Perennial     Non-Fish Seasonal

**9h.** Will this project be designed to meet the Washington Department of Ecology's most current stormwater manual? [\[help\]](#)

- If No, provide the name of the manual your project is designed to meet.

Yes     No n/a

Name of manual:

**9i.** Does the project site have known contaminated sediment? [\[help\]](#)

- If Yes, please describe below.

Yes     No

**9j.** If you know what the property was used for in the past, describe below. [\[help\]](#)

Residential recreational since 1981. Kachess Village plat in place since early 1970's for residential recreational

**9k.** Has a cultural resource (archaeological) survey been performed on the project area? [\[help\]](#)

- If Yes, attach it to your JARPA package.

Yes   x  No

**9l.** Name each species listed under the federal Endangered Species Act that occurs in the vicinity of the project area or might be affected by the proposed work. [\[help\]](#)

none

**9m.** Name each species or habitat on the Washington Department of Fish and Wildlife's Priority Habitats and Species List that might be affected by the proposed work. [\[help\]](#)

none

## Part 10—SEPA Compliance and Permits

Use the resources and checklist below to identify the permits you are applying for.

- Online Project Questionnaire at <http://apps.ecy.wa.gov/opas/>.
- Governor's Office for Regulatory Innovation and Assistance at (800) 917-0043 or [help@ora.wa.gov](mailto:help@ora.wa.gov).
- For a list of addresses to send your JARPA to, click on [agency addresses for completed JARPA](#).

**10a.** Compliance with the State Environmental Policy Act (SEPA). (Check all that apply.) [\[help\]](#)

- For more information about SEPA, go to [www.ecy.wa.gov/programs/sea/sepa/e-review.html](http://www.ecy.wa.gov/programs/sea/sepa/e-review.html).

A copy of the SEPA determination or letter of exemption is included with this application.

A SEPA determination is pending with \_\_\_\_\_ (lead agency). The expected decision date is \_\_\_\_\_.

I am applying for a Fish Habitat Enhancement Exemption. (Check the box below in 10b.) [\[help\]](#)

This project is exempt (choose type of exemption below).

Categorical Exemption. Under what section of the SEPA administrative code (WAC) is it exempt?  
\_\_\_\_\_

Other: \_\_\_\_\_

SEPA is pre-empted by federal law.

**10b.** Indicate the permits you are applying for. (Check all that apply.) [\[help\]](#)

**LOCAL GOVERNMENT**

**Local Government Shoreline permits:**

- Substantial Development     Conditional Use    x  Variance  
 Shoreline Exemption Type (explain): \_\_\_\_\_

**Other City/County permits:**

- Floodplain Development Permit     Critical Areas Ordinance

**STATE GOVERNMENT**

**Washington Department of Fish and Wildlife:**

- Hydraulic Project Approval (HPA)     Fish Habitat Enhancement Exemption – [Attach Exemption Form](#)

Effective July 10, 2012, you must submit a check for \$150 to Washington Department of Fish and Wildlife, unless your project qualifies for an exemption or alternative payment method below. **Do not send cash.**

Check the appropriate boxes:

- \$150 check enclosed. Check # \_\_\_\_\_  
Attach check made payable to Washington Department of Fish and Wildlife.
- Charge to billing account under agreement with WDFW. Agreement # \_\_\_\_\_
- My project is exempt from the application fee. (Check appropriate exemption)  
 HPA processing is conducted by applicant-funded WDFW staff.  
Agreement # \_\_\_\_\_
- Mineral prospecting and mining.
- Project occurs on farm and agricultural land.  
(Attach a copy of current land use classification recorded with the county auditor, or other proof of current land use.)
- Project is a modification of an existing HPA originally applied for, prior to July 10, 2012.  
HPA # \_\_\_\_\_

**Washington Department of Natural Resources:**

- Aquatic Use Authorization  
Complete [JARPA Attachment E](#) and submit a check for \$25 payable to the Washington Department of Natural Resources.  
**Do not send cash.**

**Washington Department of Ecology:**

- Section 401 Water Quality Certification

**FEDERAL GOVERNMENT**

**United States Department of the Army permits (U.S. Army Corps of Engineers):**

- Section 404 (discharges into waters of the U.S.)     Section 10 (work in navigable waters)

**United States Coast Guard permits:**

- Private Aids to Navigation (for non-bridge projects)

## Part 11—Authorizing Signatures

Signatures are required before submitting the JARPA package. The JARPA package includes the JARPA form, project plans, photos, etc. [\[help\]](#)

### 11a. Applicant Signature (required) [\[help\]](#)

I certify that to the best of my knowledge and belief, the information provided in this application is true, complete, and accurate. I also certify that I have the authority to carry out the proposed activities, and I agree to start work only after I have received all necessary permits.

I hereby authorize the agent named in Part 3 of this application to act on my behalf in matters related to this application. \_\_\_\_\_ (initial)

By initialing here, I state that I have the authority to grant access to the property. I also give my consent to the permitting agencies entering the property where the project is located to inspect the project site or any work related to the project. RLS (initial)

Richard H. Landen  
Applicant Printed Name

  
Applicant Signature

March 4, 2014  
Date

### 11b. Authorized Agent Signature [\[help\]](#)

I certify that to the best of my knowledge and belief, the information provided in this application is true, complete, and accurate. I also certify that I have the authority to carry out the proposed activities and I agree to start work only after all necessary permits have been issued.

\_\_\_\_\_  
Authorized Agent Printed Name

\_\_\_\_\_  
Authorized Agent Signature

\_\_\_\_\_  
Date

### 11c. Property Owner Signature (if not applicant) [\[help\]](#)

Not required if project is on existing rights-of-way or easements.

I consent to the permitting agencies entering the property where the project is located to inspect the project site or any work. These inspections shall occur at reasonable times and, if practical, with prior notice to the landowner.

\_\_\_\_\_  
Property Owner Printed Name

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Date

18 U.S.C §1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years or both.

If you require this document in another format, contact the Governor's Office for Regulatory Innovation and Assistance (ORIA) at (800) 917-0043. People with hearing loss can call 711 for Washington Relay Service. People with a speech disability can call (877) 833-6341. ORIA publication number: ENV-019-09 rev. 08/2013



LANDEN VACATION HOME  
3160 VIA KACHESS ROAD  
EASTON, WASHINGTON  
98925

OWNER:

RICHARD & BONNIE LANDEN  
22820 148TH AVENUE SE  
KENT, WASHINGTON  
98042

BLS

Revision By

Date

March 5, 2014

Project Number

1401

File Number

Sheet Title

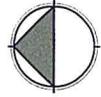
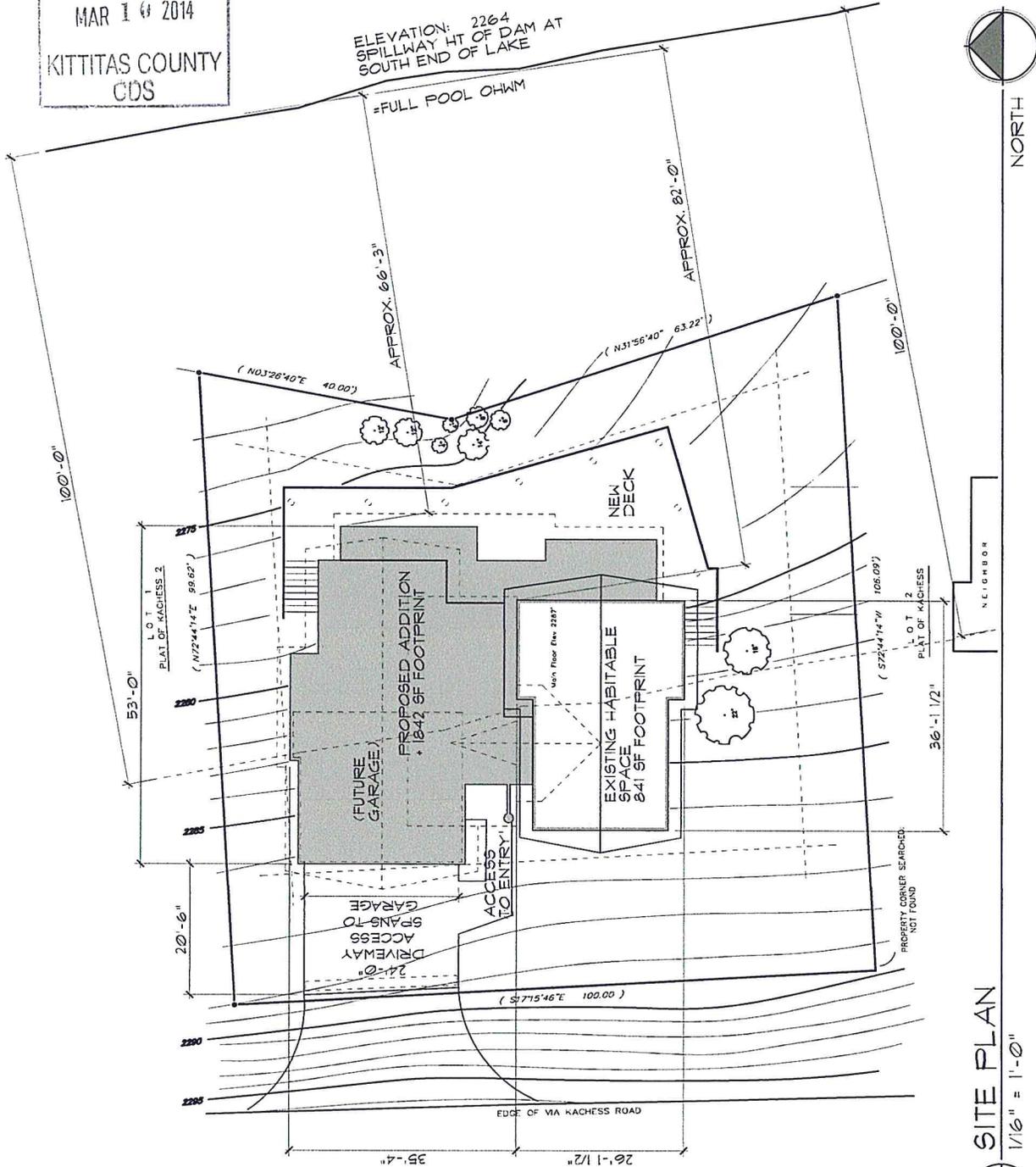
SITE PLAN  
SCHEMATIC

Sheet Number

SP-1

SV-14-00001

RECEIVED  
MAR 10 2014  
KITITITAS COUNTY  
CDS



NORTH

SITE PLAN

1/16" = 1'-0"





# Federal Emergency Management Agency

Washington, D.C. 20472

## LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)

COMMUNITY AND MAP PANEL INFORMATION		LEGAL PROPERTY DESCRIPTION
COMMUNITY	KITTITAS COUNTY, WASHINGTON (Unincorporated Areas)	Lot 1, Kachess, as shown on the Plat Map, recorded as Receiving No. 393674, in Volume 6, Pages 64 through 68, in the Office of the Auditor, Kittitas County, Washington  
	COMMUNITY NO.: 530095	
AFFECTED MAP PANEL	NUMBER: 5300950125B DATE: 5/5/1981	
FLOODING SOURCE: KACHESS LAKE		APPROXIMATE LATITUDE & LONGITUDE OF PROPERTY: 47.308, -121.248 SOURCE OF LAT & LONG: ARCGIS 10.1 DATUM: NAD 83

### DETERMINATION

LOT	BLOCK/SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (Assumed)	LOWEST ADJACENT GRADE ELEVATION (Assumed)	LOWEST LOT ELEVATION (Assumed)
1	-	Kachess	3160 Via Kachess Road	Property	C	-	-	2272.1 feet

**Special Flood Hazard Area (SFHA)** - The SFHA is an area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood).

**ADDITIONAL CONSIDERATIONS** (Please refer to the appropriate section on Attachment 1 for the additional considerations listed below.)

ZONE A  
STUDY UNDERWAY

This document provides the Federal Emergency Management Agency's determination regarding a request for a Letter of Map Amendment for the property described above. Using the information submitted and the effective National Flood Insurance Program (NFIP) map, we have determined that the property(ies) is/are not located in the SFHA, an area inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood). This document amends the effective NFIP map to remove the subject property from the SFHA located on the effective NFIP map; therefore, the Federal mandatory flood insurance requirement does not apply. However, the lender has the option to continue the flood insurance requirement to protect its financial risk on the loan. A Preferred Risk Policy (PRP) is available for buildings located outside the SFHA. Information about the PRP and how one can apply is enclosed.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304-4605.

  
 Luis Rodriguez, P.E., Chief  
 Engineering Management Branch  
 Federal Insurance and Mitigation Administration



# Federal Emergency Management Agency

Washington, D.C. 20472

## LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)

### ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

#### **ZONE A (This Additional Consideration applies to the preceding 1 Property.)**

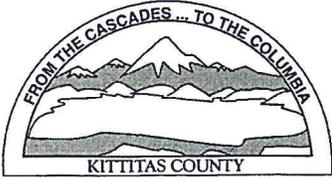
The National Flood Insurance Program map affecting this property depicts a Special Flood Hazard Area that was determined using the best flood hazard data available to FEMA, but without performing a detailed engineering analysis. The flood elevation used to make this determination is based on approximate methods and has not been formalized through the standard process for establishing base flood elevations published in the Flood Insurance Study. This flood elevation is subject to change.

#### **STUDY UNDERWAY (This Additional Consideration applies to all properties in the LOMA DETERMINATION DOCUMENT (REMOVAL))**

This determination is based on the flood data presently available. However, the Federal Emergency Management Agency is currently revising the National Flood Insurance Program (NFIP) map for the community. New flood data could be generated that may affect this property. When the new NFIP map is issued it will supersede this determination. The Federal requirement for the purchase of flood insurance will then be based on the newly revised NFIP map.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 847 South Pickett Street, Alexandria, VA 22304-4605.

  
Luis Rodriguez, P.E., Chief  
Engineering Management Branch  
Federal Insurance and Mitigation Administration



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

**RECEIPT NO.:** 00020444

COMMUNITY DEVELOPMENT SERVICES  
(509) 962-7506

PUBLIC HEALTH DEPARTMENT  
(509) 962-7698

DEPARTMENT OF PUBLIC WORKS  
(509) 962-7523

**Account name:** 015404

**Date:** 3/10/2014

**Applicant:** RICHARD LANDEN

**Type:** check # 1119

<u>Permit Number</u>	<u>Fee Description</u>	<u>Amount</u>
SV-14-00001	SHORELINE PERMIT VARIANCE FEE	1,520.00
	Total:	1,520.00