



KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

"Building Partnerships – Building Communities"

SHORELINE PERMITTING

(For projects located within 200 feet of a body of water and/or associated floodway and wetlands under the jurisdiction of the Shoreline Master Program)

A **preapplication conference is REQUIRED** per KCC 15A.03.020 for this permit. The more information the County has early in the development process, the easier it is to identify and work through issues and conduct an efficient review. To schedule a preapplication conference, complete and submit a Preapplication Conference Scheduling Form to CDS. Notes or summaries from preapplication conference should be included with this application.

REQUIRED INFORMATION / ATTACHMENTS

- ☒ A scaled site plan is required showing location of all structures, driveways, well, septic, fences, etc. and proposed uses and distances from property lines, river, and Horizontal distance from OHWM. To show the Horizontal distance a profile view from the OHWM to the edge of structure/activity shall also be shown.
- ☐ Include JARPA or HPA forms if required for your project by a state or federal agency.

Please check the box next to the most restrictive type of shoreline permit you are requesting:

- ☐ Shoreline Substantial Development Permit - **Fee:** (CDS: \$2,210 + PW: \$550 = **\$2,760**) + SEPA, if not exempt
- ☐ Shoreline Conditional Use Permit - **Fee:** (CDS: \$4,00 + PW: \$550 = **\$4,550**) + SEPA, if not exempt
- ☒ Shoreline Variance - **Fee:** (CDS: \$4,000 + PW: \$550 = **\$4,550**) + SEPA, if not exempt

APPLICATION FEES:

(see above) Kittitas County Community Development Services (KCCDS)

(see above) Kittitas County Department of Public Works

\$1,810.00 SEPA Checklist, if not exempt - **Fee:** CDS: \$600 + PW: \$950 + PH: \$260)

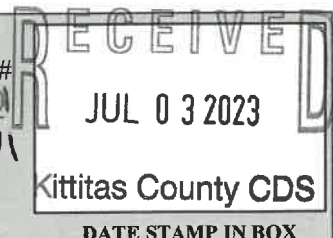
(see above) **Total fees due for this application** (One check made payable to KCCDS)

FOR STAFF USE ONLY

Application Received By (CDS Staff Signature):

DATE:
7-3-2023

RECEIPT #
SV-23-00001
CD23-01671



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

FORM LAST REVISED: 01-03-2023

Page 1 of 10

General Application Information

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Kittitas County CDS

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

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

Name: Linda Horish
Mailing Address: 6581 Lower Peoh Pt. Rd.
City/State/ZIP: Cle Elum, WA 98922
Day Time Phone: 509-304-8015
Email Address: lhorish@gmail.com

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

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

Agent Name: Robert L. Bailey
Mailing Address: 4201 Hwy 970
City/State/ZIP: Cle Elum, WA 98922
Day Time Phone: 509 679 7017
Email Address: 808544@gmail.com

3. Name, mailing address and day phone of other contact person

If different than land owner or authorized agent.

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

4. Street address of property:

Address: 6581 Lower Peoh Pt. Rd.
City/State/ZIP: Cle Elum, WA 98922

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

see attached

6. Tax parcel number(s): 516534

7. Property size: 25.15 (acres)

8. Provide section, township, and range of project location:

¼ Section por. Section 5 Township 19 N. Range 16 E., W.M.

9. Latitude and longitude coordinates of project location (e.g. 47.03922 N lat. / -122.89142 W long.):
47.1193870 120.8670939 [use decimal degrees – NAD 83]

10. Type of Ownership: (check all that apply)

☒ Private

☐ Federal

☐ State

☐ Local

☐ Tribal

11. Land Use Information:

Zoning: A9 5

Comp Plan Land Use Designation: _____

12. Shoreline Designation: (check all that apply)

☐ Urban Conservancy

☐ Shoreline Residential

☒ Rural Conservancy

☐ Natural

☐ Aquatic

13. Type of Shoreline Permit(s) requested (check all that apply):

a. Shoreline Substantial Development Permit will always be required unless proposal meets an exemption per WAC 173-27-040.

☐ Shoreline Substantial Development Permit; or

☐ Shoreline Exemption Permit (see Shoreline Exemption Permit application)

b. Only check one or both of the boxes below if they are applicable.

☐ Shoreline Conditional Use Permit

**must answer question 32. a.-h. below.*

☒ Shoreline Variance

**must answer questions 33. a.-g. and 34. a.-b. (if applicable) below.*

14. Fair Market Value of the project, including materials, labor, machine rentals, etc. 60K

15. Anticipated start and end dates of project construction: Start AS SOON AS APPROVED End AS SOON AS WE CAN
+/- SEPT '23 +/- NOV '23

Project Description

16. Briefly summarize the purpose of the project:

A DRIVEWAY 2014 FT IN LENGTH, 16' IN WIDTH ALL WITHIN AN EASEMENT 30' IN WIDTH,
AS DESCRIBED IN AFN 202209300044, IN PARCEL 546534

17. What is the primary use of the project (e.g. Residential, Commercial, Public, Recreation)?

ACCESS TO RESIDENTIAL BUILDING SITE

18. What is the specific use of the project (e.g. single family home, subdivision, boat launch, restoration project)?

SPECIFIC USE IS ACCESS

Vegetation

19. Will the project result in clearing of tree or shrub canopy? (check one)

☐ Yes

☒ No

If 'Yes', how much clearing will occur? NONE - PASTURE GROUND - 92' x 20' (square feet and acres)

20. Will the project result in re-vegetation of tree or shrub canopy? (check one)

☐ Yes

☒ No

If 'Yes', how much re-vegetation will occur? _____ (square feet and acres)

Wetlands

21. Will the project result in wetland impacts? (check one)

☐ Yes

☒ No

If 'Yes', how much wetland will be permanently impacted? _____ (square feet and acres)

22. Will the project result in wetland restoration? (check one)

☐ Yes

☒ No

If 'Yes', how much wetland will be restored? _____ (square feet and acres)

Impervious Surfaces

23. Will the project result in creation of over 500 square feet of impervious surfaces? (check one)

☐ Yes

☒ No

If 'Yes', how much impervious surface will be created? _____ (square feet and acres)

24. Will the project result in removal of impervious surfaces? (check one)

☐ Yes

☒ No

If 'Yes', how much impervious surface will be removed? _____ (square feet and acres)

Shoreline Stabilization

25. Will the project result in creation of structural shoreline stabilization structures (revetment/bulkhead/riprap)?

(Check one)

☐ Yes

☒ No

If 'Yes', what is the net linear feet of stabilization structures that will be created? _____

26. Will the project result in removal of structural shoreline stabilization structures (revetment/bulkhead/riprap)?

(Check one)

☐ Yes

☒ No

If 'Yes', what is the net linear feet of stabilization structures that will be removed? _____

Levees/Dikes

27. Will the project result in creation, removal, or relocation (setting back) of levees/dikes?

(check one)

☐ Yes

☒ No

If 'Yes', what is the net linear feet of levees/dikes that will be created? _____

If 'Yes', what is the net linear feet of levees/dikes that will be permanently removed? _____

If 'Yes', what is the linear feet of levees/dikes that will be reconstructed at a location further from the OHWM? _____

Floodplain Development

28. Will the project result in development within the floodplain? (check one)

☐ Yes

☒ No

If 'Yes', what is the net square feet of structures to be constructed in the floodplain? _____

**Note: A floodplain development is required per KCC 14.08; please contact Kittitas County Public Works*

29. Will the project result in removal of existing structures within the floodplain? (check one)

☐ Yes

☒ No

If 'Yes', what is the net square footage of structures to be removed from the floodplain? _____

Overwater Structures

30. Will the project result in construction of an overwater dock, pier, or float? (check one)

☐ Yes

☒ No

If 'Yes', how many overwater structures will be constructed? _____

What is the net square footage of water-shading surfaces that will be created? _____

31. Will the project result in removal of an overwater dock, pier, or float? (check one)

☐ Yes

☒ No

If 'Yes', how many overwater structures will be removed? _____

What is the net square footage of water-shading surfaces that will be removed? _____

Shoreline Conditional Use Permit

(answer ONLY if requesting this permit)

**Must demonstrate your proposal meets all of the following per Kittitas County Shoreline Master Program (SMP):*

32. Answer the following questions on a separate sheet and attach to this application packet.

- a. That the proposed use is consistent with the policies of RCW 90.58.020 and the Master Program;
- b. That the proposed use will not interfere with the normal public use of public shorelines;
- c. That the proposed use of the site and 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 SMP;
- d. That the proposed use will cause no significant adverse effects to the shoreline environment in which it is to be located;
- e. That the public interest suffers no substantial detrimental effect;
- f. That if conditional use permits were granted for other developments in the area where similar circumstances exist, the cumulative impact of such uses would remain consistent with the policies of RCW 90.58.020 and not produce substantial adverse effects to the shoreline environment.
- g. That the proposed use has been appropriately conditioned to prevent undesirable effects of the proposed use and to assure consistency of the project with the Act and the local Master Program.
- h. When converting from one nonconforming use to a different nonconforming use, the applicant must demonstrate that no reasonable alternative conforming use is practical and that the proposed use will be at least as consistent with the policies and provisions of the Act and the Master Program and as compatible with the uses in the area as the pre-existing use.

Shoreline Variance

(answer ONLY if requesting this permit)

****Must demonstrate with your proposal that extraordinary circumstances exist and that the public interest shall suffer no substantial detrimental effect:***

33. Answer the following questions on a separate sheet and attach to this application packet. This section is for variances requested landward of the OHWM and/or landward of any wetland.

- a. That the strict application of the bulk, dimensional or performance standards set forth in the applicable Master Program precludes, or significantly interferes with, reasonable use of the property;
- b. That the hardship is specifically related to the property, and is the result of unique conditions such as irregular lot shape, size, or natural features and the application of the Master Program, and not, for example, form deed restrictions or the applicant's own actions;
- c. 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 SMP and will not cause adverse impacts to the shoreline environment;
- d. That the variance will not constitute a grant of special privilege not enjoyed by the other properties in the area;
- e. That the variance requested is the minimum necessary to afford relief;
- f. That the public interest will suffer no substantial detrimental effect; and
- g. That the cumulative impact of additional request for variances in the area where similar circumstances exist would not produce substantial adverse effects to the shoreline environment.

34. Answer the following questions on a separate sheet and attach to this application packet. This section is, required to be answered in addition to question 33 above, for variances requested for uses and/or development that will be located waterward of the OHWM.

- a. That the strict application of the bulk, dimensional or performance standards set forth in the applicable Master Program precludes all reasonable use of the property; and
- b. That the public rights of navigation and use of the shorelines will not be adversely affected.

Summary/Conclusion

35. Will the proposed use be consistent with the policies of RCW 90.58.020 and the Kittitas County Shoreline Master Program? (attach additional sheets if necessary)

☐ Yes

☐ No

Please explain:

Handwritten in blue ink:
A large circle is drawn around the first few lines of the explanation area. Inside the circle, the text "17/12" is written above "18 OF 10".

33.a. That the strict application of the bulk, dimensional or performance standards set forth in the applicable Master Program precludes, or significantly interferes with, reasonable use of the property.

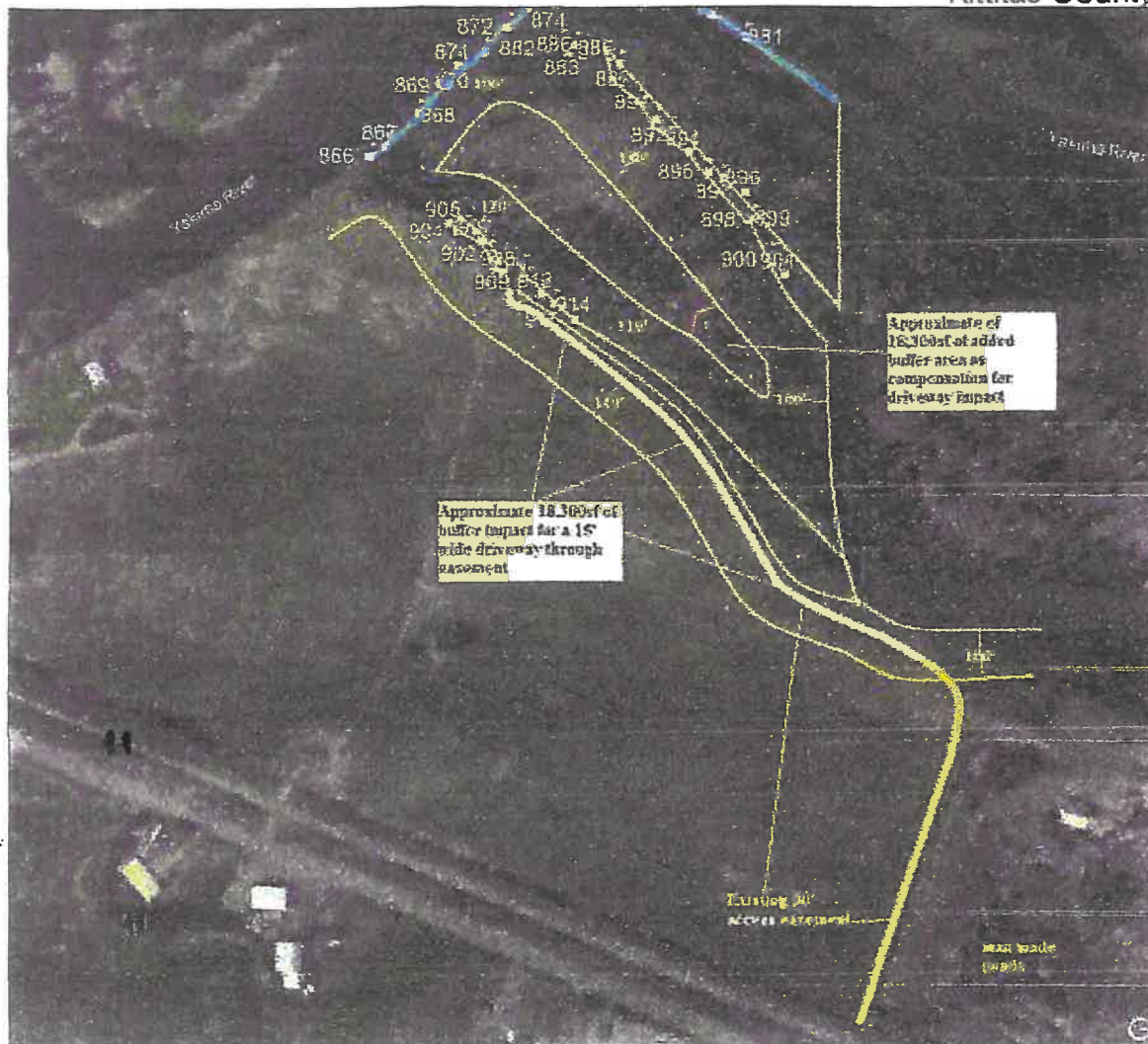
This Shoreline Variance application is for the construction of a driveway in Parcel 546534 that accesses a large area outside the wetlands, streams and buffers of these features in Parcel 516534 to provide reasonable use of property with no critical area impacts.

33.b. That the hardship is specifically related to the property and is the result of unique conditions such as irregular lot shape, size, or natural features and the application of the Master Program, and not, for example, from deed restrictions or the applicant's own actions.

The legal access for Parcel 516534 occupies an easement adjacent to the eastern side of Parcel 546534 from Lower Peoh Point Road and curves along the perimeter of the existing pasture. The pasture itself has no regulated wetlands within the vicinity of the proposed driveway. The easement itself passes across approximately 0.25 miles of pasture within the 110' buffer of Wetland D. Water sources impacting Wetland D and Wetland C originate from seasonal irrigation.

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33.c. 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 SMP and will not cause adverse impacts to the shoreline environment.

The proposed driveway is sixteen feet in width, centerline in the center of easement thirty feet in width, to access Parcel 516534, (25 acres). East and west parcels adjacent to parcel 546534, (41 acres), in which the driveway is situated are 38 acres and 21 acres respectively, each with driveway. Zoning is Agricultural 5.

33.d. That the variance will not constitute a grant of special privilege not enjoyed by the other properties in the area.

Three other properties in the area enjoy the privilege this application is seeking.

33.e. That the variance requested is the minimum necessary to afford relief.

The proposed driveway in the easement thirty feet in width is the only location to provide access to Parcel 516534.

33.f. That the public interest will suffer no substantial detrimental effects.

Approval of this application will allow private access to property with no critical area impacts.

33.g. That the cumulative impact of additional request for variances in the area where similar circumstances exist would not produce substantial adverse effects to the shoreline environment.

Considering existing zoning and adjacent ownership, similar circumstances are not a viable possibility locally. The proposed driveway accesses property that is outside of wetlands, streams and buffers with what could be a potential building site with no critical area impacts, all located in Parcel 516534.

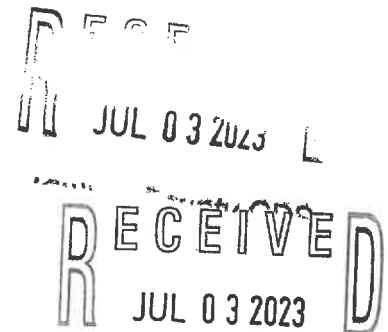
34. NA

35. Will the proposed use be consistent with the policies of RCW 90.58.020 and the Kittitas County Shoreline Master Program?

Yes: See above explanations.

36. Provide any additional information needed to verify the project's impacts to shoreline ecological functions: (attach additional sheets and relevant reports as necessary.)

The construction of a driveway sixteen feet in width within the easement thirty feet in width to meet Kittitas County Code for single family resident will not adversely affect the shoreline ecological function. The driveway location is on old pasture ground. Travel use of the driveway will be consistent with use associated with a single building site.



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36. Provide any additional information needed to verify the project's impacts to shoreline ecological functions:
(attach additional sheets and relevant reports as necessary)

SEE PAGE 10

Authorization

37. Application is hereby made for permit(s) to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to enter the above-described location to inspect the proposed and or completed work.

All correspondence and notices will be transmitted to the Land Owner of Record and copies sent to the authorized agent or contact person, as applicable.

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

X Robert L. Bailey

Date:

28 Jun 23

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

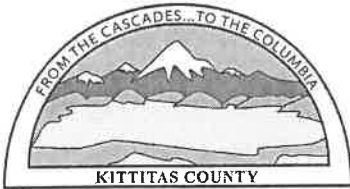
X Linda J. Hersh

Date:

6/28/2023

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KITTITAS COUNTY
COMMUNITY DEVELOPMENT SERVICES

Receipt Number: CD23-01671

411 N. Ruby St., Suite 2
Ellensburg, WA 98926
509-962-7506 / <https://www.co.kittitas.wa.us/cds/>

Payer/Payee: HORISH FAMILY TRUST; LINDA OR PAUL
HORISH, TRUSTEES
6581 LOWER PEOH PT RD
CLE ELUM WA 98922

Cashier: JEN WIEMER
Payment Type: CHECK (1148)

Date: 07/03/2023

SV-23-00001

Shoreline Variance

LOWER PEOH PT RD CLE ELUM

<u>Fee Description</u>	<u>Fee Amount</u>	<u>Amount Paid</u>	<u>Fee Balance</u>
Public Works Shoreline Substantial Development	\$550.00	\$550.00	\$0.00
Shoreline Setback Variance	\$4,000.00	\$4,000.00	\$0.00
SV-23-00001 TOTALS:	\$4,550.00	\$4,550.00	\$0.00
TOTAL PAID:		\$4,550.00	