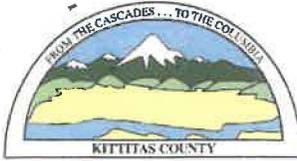


VA-19-00002



KITITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

ZONING VARIANCE APPLICATION

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

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

REQUIRED ATTACHMENTS

- Site plan of the property with all proposed: buildings; points of access, roads, and parking areas; septic tank and drainfield and replacement area; areas to be cut and/or filled; and, natural features such as contours, streams, gullies, cliffs, etc.
- Project Narrative responding to Questions 9 and 10 on the following pages.

APPLICATION FEES:

\$1,800.00 Kittitas County Community Development Services (KCCDS)

\$415.00 Kittitas County Environmental Health

\$65.00 Kittitas County Fire Marshal

\$2,280.00 Total fees due for this application (One check made payable to KCCDS)

For Staff Use Only

Application Received By (CDS Staff Signature) 	DATE 3.22.19	RECEIPT # CD-19-00579	
DATE STAMP IN BOX			

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

GENERAL APPLICATION INFORMATION

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

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

Name: Shree Holdings LLC DBA Shree Travel Plaza
Mailing Address: PB #5160
City/State/ZIP: Moses Lake (WA) 98837
Day Time Phone: 509 690 7248
Email Address: ekta@shreeinvestmentsinc.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: Same as above
Mailing Address: _____
City/State/ZIP: _____
Day Time Phone: _____
Email Address: _____

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

If different than land owner or authorized agent.

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

4. Street address of property:

DBA Shree Travel Plaza
Address: 410, Gladmar Road
City/State/ZIP: Thorp (WA) 98946

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

It is a gas station, I have attached building and lot's Master plan.

6. Tax parcel number: 953186

7. Property size: 2.39 (acres)

8. Land Use Information:

Zoning: _____ Comp Plan Land Use Designation: _____

DOR code #55

PROJECT NARRATIVE

(INCLUDE RESPONSES AS AN ATTACHMENT TO THIS APPLICATION)

9. **Narrative project description (include as attachment):** Please include at minimum the following information in your description: describe project size, location, and the provision of zoning code for which this variance is requested and the way in which you wish to vary from the code.
10. **A variance may be granted only when the following criteria are met (see KCC 17.84.10). Please describe in detail how each criteria is met for this particular request:**
- A. Unusual circumstances or conditions applying to the property and/or the intended use that do not apply generally to other property in the same vicinity or district, such as topography.
 - B. Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same vicinity.
 - C. That authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity.
 - D. That the granting of such variance will not adversely affect the realization of the comprehensive development pattern.

AUTHORIZATION

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

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

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

Date:

X Ekta Saini

3/20/19

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

Date:

X [Signature]

3/20/19

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



March 19, 2019

The applicant is submitting for a sign variance to allow for a larger and taller sign than the provisions provide. This request is made to eliminate an undue hardship on the business caused by the sign provisions.

- 1. Unusual circumstances or conditions applying to the property and/or the intended use that do not apply generally to other property in the same vicinity or district, such as topography;**

This site is located near the off ramp and overpass of the Thorp exit from I-90. Our business is heavily reliant on travelling motorists and requires visibility. Due to the overpass motorists travelling eastbound on I-90 are unable to see the sign until after they have passed the off ramp. These circumstances do not generally apply to other properties in the vicinity. Highway fueling facilities rely on visibility and easy access for motorists. Increased visibility provides for an increase in sales, more jobs and better wages for the community.

- 2. Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same vicinity or district;**

The variance request and approval are necessary for the preservation of a substantial property right. Approval of the variance will allow the property owners the opportunity to expand their business, providing both jobs and additional opportunities for other commercial properties and business that rely on the out of area travelers.

- 3. The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which the property is located;**

Authorizing the variance will not be detrimental to the public welfare or injurious to other properties in the vicinity. Approval of this request should result in additional visitors to the area, improving the sales and incomes of adjacent businesses.

- 4. That the granting of such variance will not adversely affect the realization of the comprehensive development pattern. A variance so authorized shall become void after the expiration of one year if no substantial construction has taken place;**

Granting of this variance request will not adversely affect the comprehensive development pattern and may assist other property owners with a reason to further develop existing properties or expand their business. This is a request for the sign on our own property that does not interfere with at all. All of this would be consistent with the comprehensive development pattern for the County and Thorp in particular. The applicants have assisted their communities over the past years and would like to add the following information and rationale for your consideration.

The applicant respectfully requests the County's approval of their variance request.

Kindly consider our request for a larger sign Permit based on these insights.

If allowed to have a high-rise sign that is 120 feet high with ample visibility from both sides of highway, we can positively impact our Thorp/ Ellensburg community, this sign will be helpful to all new customers who would be able to see our business early enough to make the decision to take the exit. As of now because of a small sign, the customers do not get adequate time to make a decision to take the exit and they miss our business.

We are a small husband wife owned business that is based on the principles of providing great value to our community members, our highway customers, giving back to our schools, providing exceptional wages to our team members, paying much higher taxes with higher revenue growth.

We have been in the gas station business since 2005, this Thorp business is our second business location. When we took over our business in the George Quincy area, we had monthly 50,000 gallons in gas diesel sales. After installing this high rise sign and other store improvements, the visibility to our location was increased and we now average 500,000 gallons in monthly sales.

We have shared our growth and given back to our community. When we purchased the George business there were only 8 people employees. Now we have a staff of 25 people here. We increased job opportunities.

By keeping our margins low we provide value to our community members and our highway customers by being the lowest prices for gas and diesel in our region. We want to do the same here in the Thorp and Ellensburg area. We want to be a good steward of other people's money.

We share our prosperity with our community and start our employees at \$14 in George business, many of our Thorp team members are making over \$17 to \$19 an hour now, after we took over this business, we gave ample pay raises to our team members.

Each year I get printed 10,000 free ice-cream, free chocolate milk coupons, free slushy or freeze coupons and I give them away to local schools and the teachers distribute these coupons to all students who are trying to do better in behavior choices or academic choices. I believe that all students do not come from a very supportive and academically oriented household, so I do not want only the privileged

students being rewarded for excelling in schools, I want each child to feel that he/she matters, their effort is acknowledged and not ignored.

We also have a life/company mission to Never Say No. Any student or nonprofit organization that seeks our help, we always provide whatever we can in form of scholarships and/or funds. By God's grace, we have over 500 Thank you cards, acknowledgments letters, letters of appreciation from my community for all of the humble contributions we have been able to make so far.

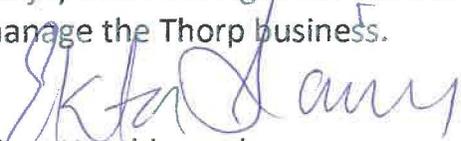
As husband and wife, we are also filled with great sense of pride when we say that last year, we got the Highest Civic Honor in Washington State for our charitable and volunteer work. We were invited to Olympia to receive the Medallion given to us by the Secretary of State. Prior to this we have received 4 different awards from Washington State for our volunteer and philanthropic work since 2005.

If we are allowed to have this high-rise sign on our property, we will be able to bring more employment opportunities by hiring more people, increased wages, more taxes, more visibility to Thorp, more contributions to our local Thorp community members, and more value for money to our customers and our community.

I cordially invite you all to come see our existing high-rise sign at our George business. It is a visually appealing sign, it does not obstruct or cause any problems to anyone. In fact, the city of George is very happy with increased businesses in city, after we made many improvements to our business, several new restaurants, food trucks, coffee shops, vendors, kiosks have opened up in our city to provide to the new arrival of customers. The city of George has great admiration for our family.

I hope you will allow us to place the high-rise sign on our property. The same way City of George had given us the permission in past. I have requested honorable Mayor of George to write you a letter about the positive affect of our work in George.

Sanjay and I live right here in our small community of George and drive to Thorp to manage the Thorp business.



Most Humbly as always,

Ekta Saini



FABRICATION SPECIFICATIONS

A CABINET	TYPE	DIFFUSELY ILLUMINATED
	PAINY COLOR	RED T60
	TEXTURE	SEMIGLOSS
B OPEN PANEL	LIGHT TYPE	CONTROL LED
	LIGHT COLOR	WHITE
	MAXIMUM PANEL COLOR	PRE PAINTED WHITE
	VINYL	NA
	MINIMUM PANEL COLOR	PRE PAINTED WHITE
C LIGHTING	TYPE	CONTROL LED
	COLOR	RED
D PANEL PRICE	SUPPLIER	UNASING
	DIGIT HEIGHT	1.54
E CABINET	TYPE	DIFFUSELY ILLUMINATED
	PAINY COLOR	BLACK
	TEXTURE	SEMIGLOSS
PANEL	TYPE	FIELD
	VINYL	ONGATALLY PRINTED
LIGHTING	TYPE	LED
	COLOR	WHITE

LADDER TO BE ENGINEERED

RECEIVED
 MAR 22 2019
 Kittitas County CDS

1 HI RISE POLE SIGN QUANTITY MANUFACTURE & INSTALL

[Quoted text hidden]

9-1-18 WSDOT Approval

McCain, Trevor <McCainT@wsdot.wa.gov>
To: Mona Guinn <mguinn@yesco.com>

Fri, Aug 31, 2018 at 10:35 AM

Mona,

The revised location meets the requirements for an on-premise sign of this size under WAC 468-66-050(3). The sign is approved per WSDOT and does not require a permit.

Let me know if you have any questions.

Thanks,

To Dan
9/1/18

Trevor McCain

Outdoor Advertising and Motorist Information Sign Specialist

Phone: (360) 705-7282

Cell: (360) 624-5162

<http://www.wsdot.wa.gov/Operations/Traffic/Signs/>

From: Mona Guinn <mguinn@yesco.com>

Sent: Friday, August 31, 2018 10:30 AM

To: McCain, Trevor <McCainT@wsdot.wa.gov>

Cc: Dan Risk <drisk@yesco.com>

Subject: Fwd: INFORMATION NEEDED - Proposed Hi-Rise Sign near I-90 / Thorpe WA

[Quoted text hidden]

RECEIVED
MAR 22 2019

Kittitas County CDS



8-30-18

Revised Proposed
Hi Rise Sign Location

- Parcel # 466-53
(Thorne Fruit & Antique Mall, co)
- 410 Gladmar Rd
- 50 feet from
fuel island
(on private property)



6321 W. Brinkley Rd Ste # 150
Kennewick, WA 99338

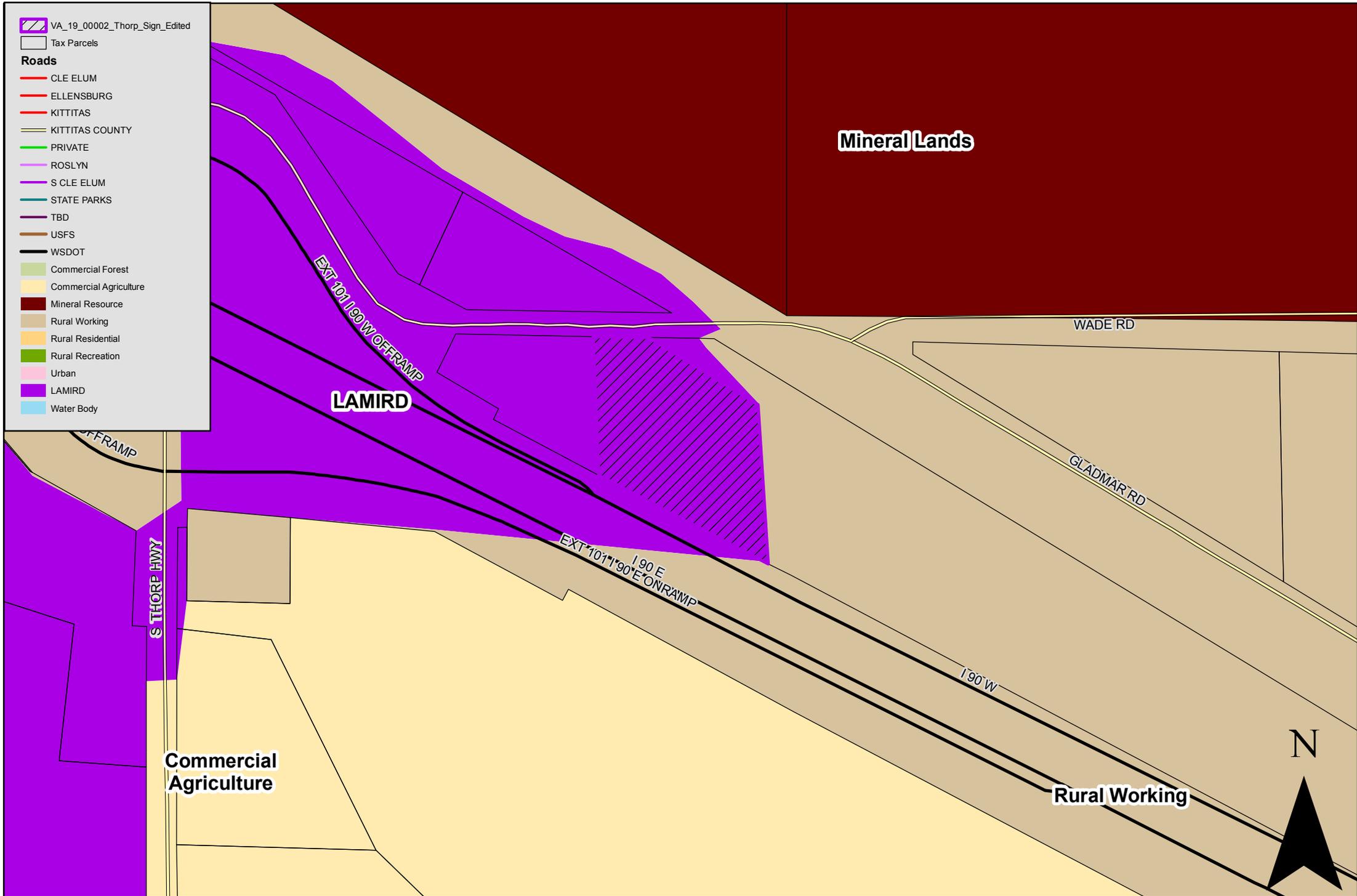
VA-19-00002 Thorp Sign



1:3,000
Index #8

Aerial View

VA-19-00002 Thorp Sign



1:3,000
Index #8

Comprehensive Plan Land Use

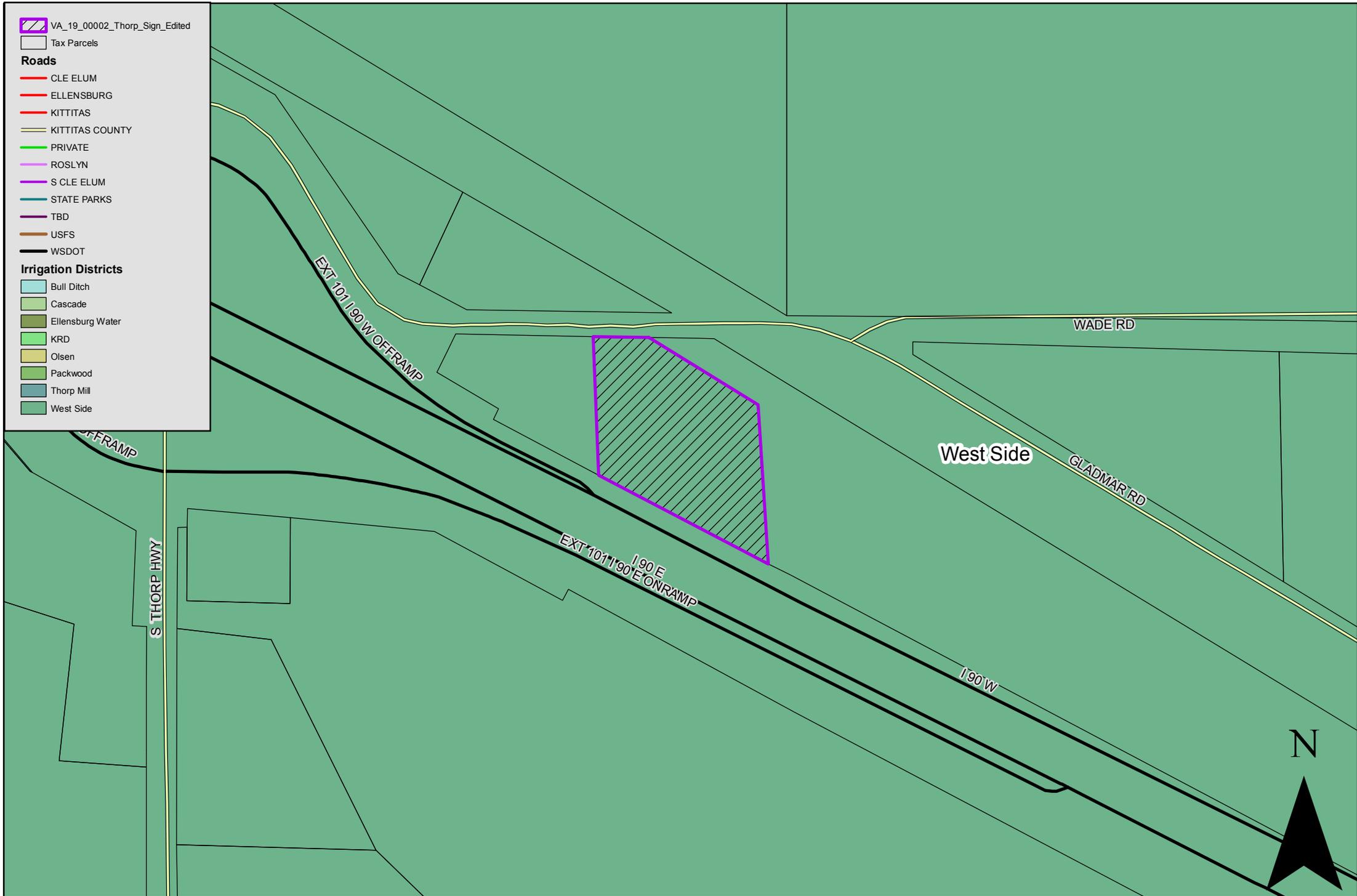
VA-19-00002 Thorp Sign



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Index #8

Hazardous Slopes

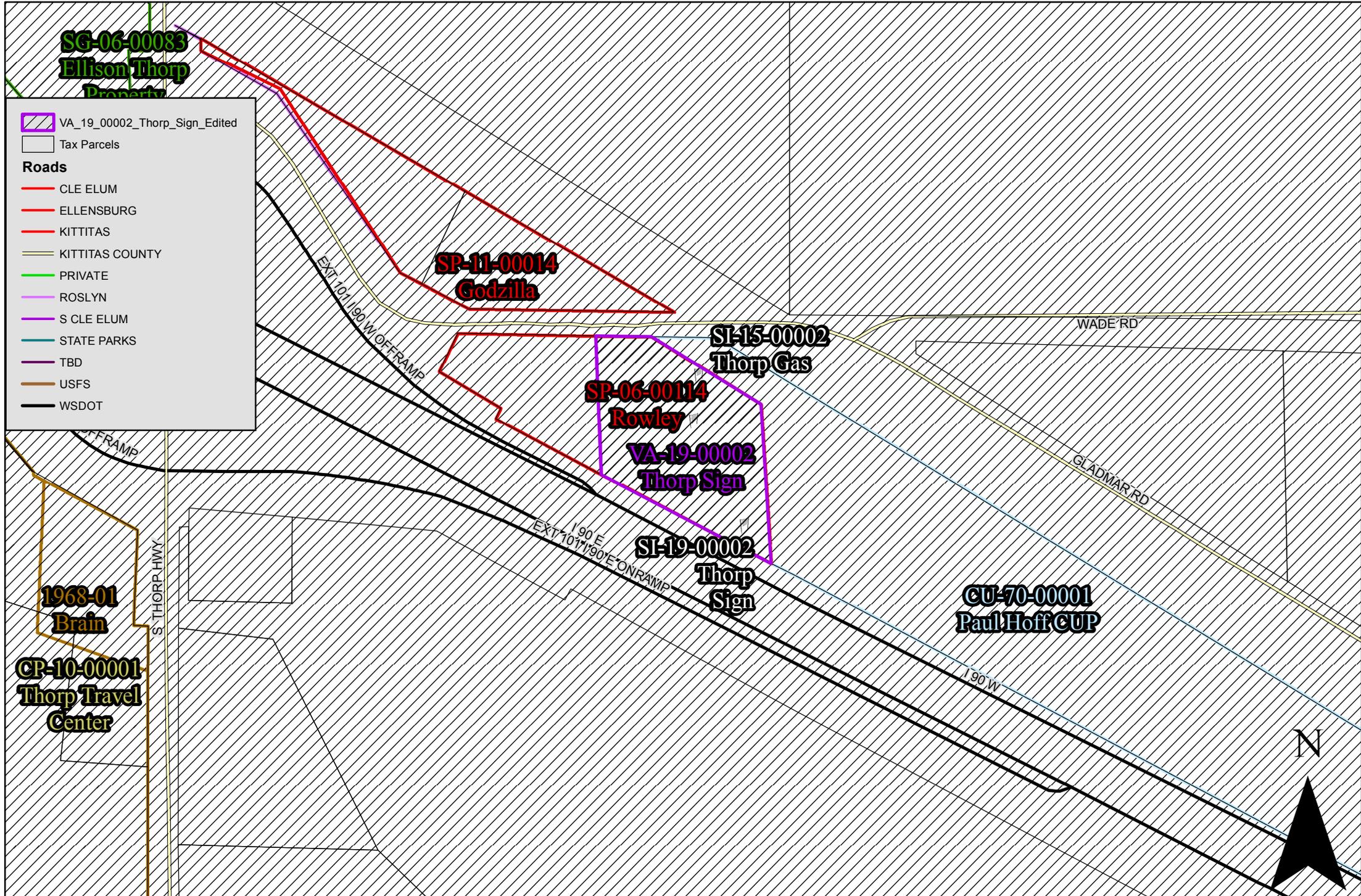
VA-19-00002 Thorp Sign



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Index #8

Irrigation Districts

VA-19-00002 Thorp Sign

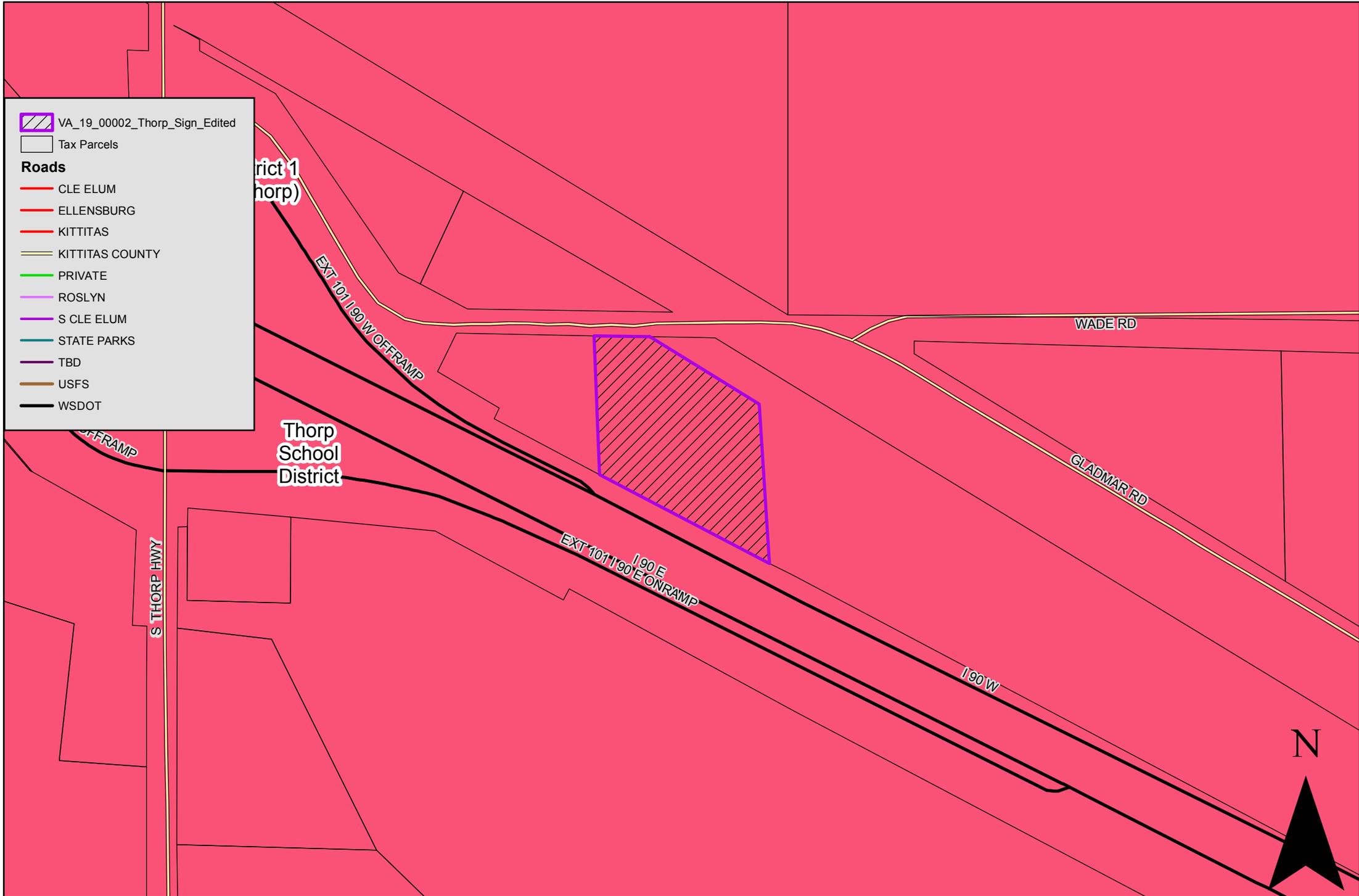


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Index #8

Land Use Projects

VA-19-00002 Thorp Sign



VA_19_00002_Thorp_Sign_Edited

Tax Parcels

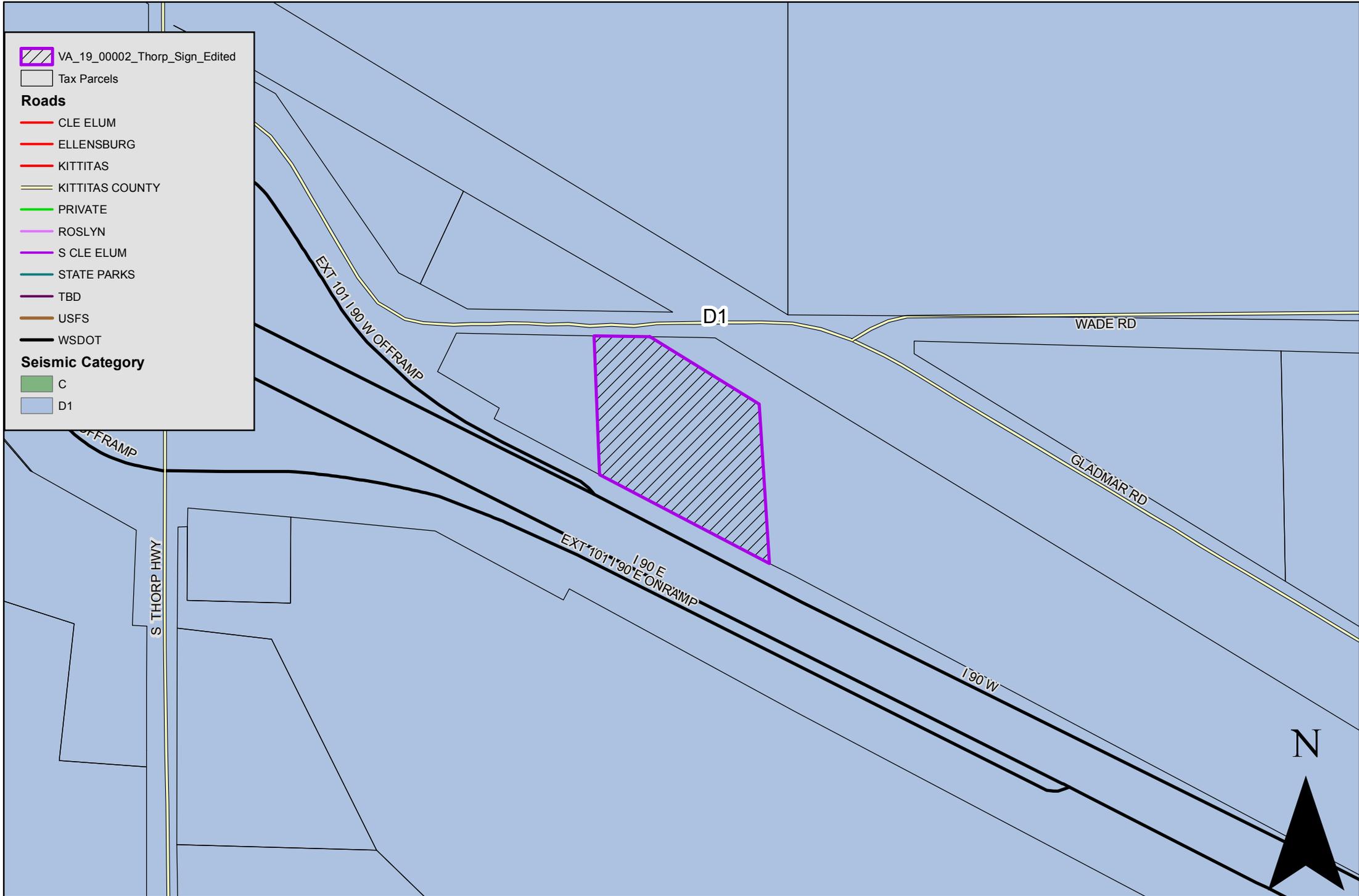
Roads

- CLE ELUM
- ELLENSBURG
- KITTITAS
- KITTITAS COUNTY
- PRIVATE
- ROSLYN
- S CLE ELUM
- STATE PARKS
- TBD
- USFS
- WSDOT

1:3,000
Index #8

School and Fire Districts

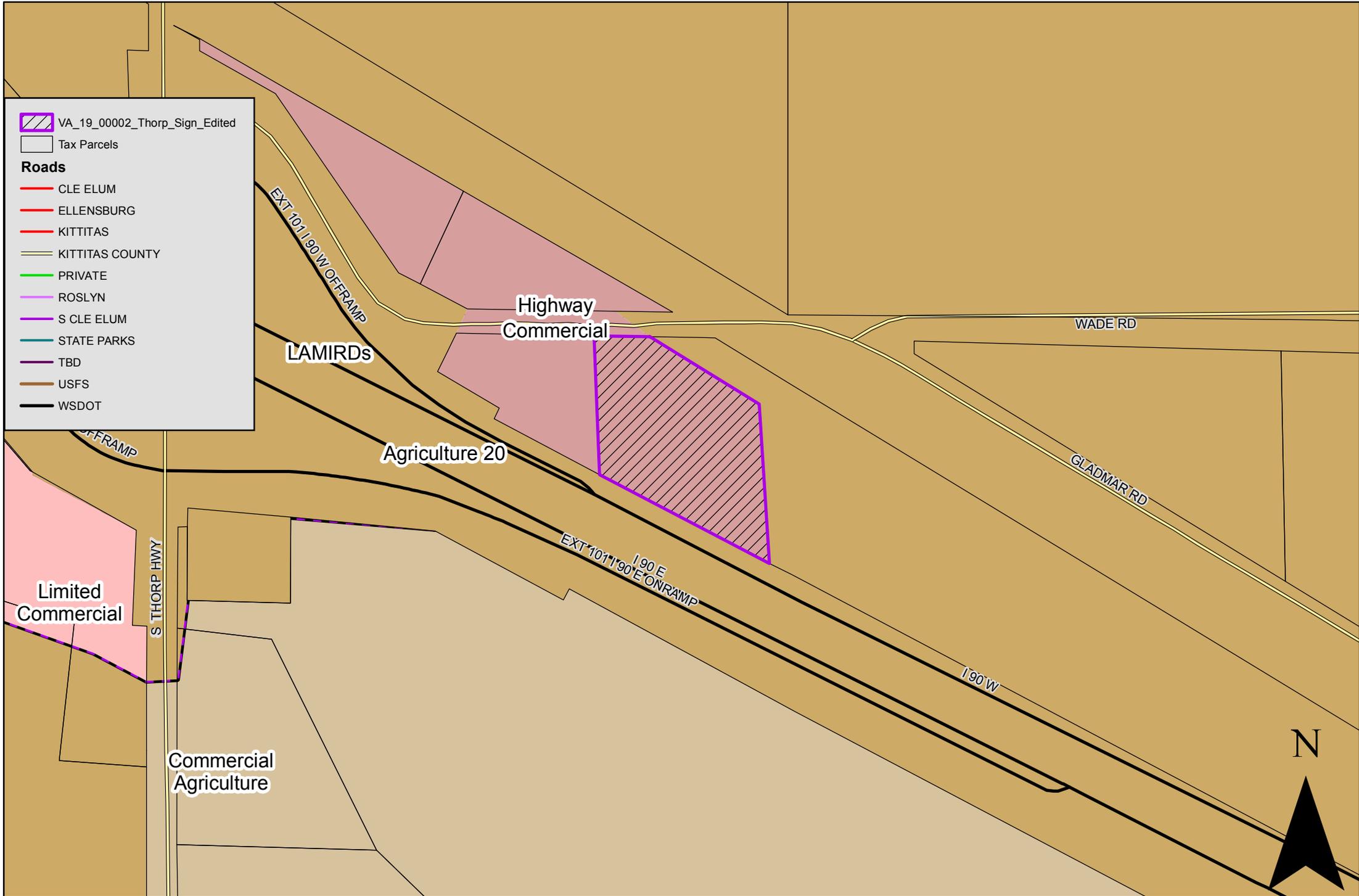
VA-19-00002 Thorp Sign



1:3,000
Index #8

Seismic Category

VA-19-00002 Thorp Sign



1:3,000
Index #8

Zoning



Google Earth

© 2018 Google
Image Landsat / Copernicus

2000

Imagery Date: 5/28/2017 lat 47.078081° lon -120.664984° elev 1761 ft eye alt 2381 ft

VA-19-00002 Thorp Sign
Index #8 **Oblique View**



NORTH



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

April 10, 2019

Shree Holdings, LLC
PO Box 5160
Moses Lake, WA 98837

RE: VA-19-00002 and SI-19-00002 – Deemed Incomplete and Request for Additional Information

Dear Ms. Saini,

Kittitas County Community Development Services (CDS) received your request for a sign permit and associated zoning variance to allow construction of a 120 foot tall and 46 foot long sign with 1140 square feet in area on each face located on the south frontage of the subject parcel. The application requests relief from sign dimensional standards limiting the height to 13 feet, the length to 25 feet, and the area of the sign faces to 325 square feet under Kittitas County Code (KCC) 17.70.070. The subject property is zoned Highway Commercial. This parcel is located at 410 Gladmar Road, in a portion of Section 13, T18N, R17E, WM in Kittitas County, bearing Assessor's map number 18-17-13051-00002 and parcel number 953186.

The following code sections apply to the variance request:

KCC Chapter 15A.03.030(2) stipulates that:

“The written application shall be accompanied by a site plan showing the dimensions and arrangement of the proposed development or changes including all proposed land uses and structures; points of access, roads and parking areas; septic tank and drainfield and replacement areas; areas to be cut or filled; and natural features such as contours, streams, wetlands, hazardous slopes, etc. The administrator may require other drawings, topographic surveys, photographs, or other material essential to an understanding of the proposed use and its relationship to the surrounding properties.”

KCC Chapter 17.84.010 further provides that a variance *“shall be made only when all of the following conditions and facts exist:*

- 1) *Unusual circumstances or conditions applying to the property and/or the intended use that do not apply generally to other property in the same vicinity or district, such as topography;*
- 2) *Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same vicinity or district;*
- 3) *The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which the property is located;*
- 4) *That the granting of such variance will not adversely affect the realization of the comprehensive development pattern. A variance so authorized shall become void after the expiration of one year if no substantial construction has taken place;”*

Pursuant to KCC 17.84.010, all four criteria must be met in order to grant a variance. After review of the submitted materials, we have determined that the application as submitted is insufficient to meet items 1, 2 and 3 above:

- A) In addressing item # 1 above, the application states that *“Due to the overpass motorists travelling eastbound on I-90 are unable to see the sign until after they have passed the off ramp”*. While this may be true, the business is currently advertised on two Washington Department of Transportation Motorist Information

Signs approaching the fuel stop. In order to be granted relief from the code as it currently exists, the applicant must demonstrate that unusual circumstances exist on the property such that application of the code substantially interferes with the ability of the business to operate. As submitted, the application does not meet this provision.

- B) The submitted application materials do not clearly address what “substantial property right” is not being enjoyed or preserved that surround property owners have. Please provide a description to meet the criteria in item # 2 above.
- C) The application does not indicate the likely fall radius of the proposed sign, nor does it show the dimensions from property lines to the sign. In order to continue processing of the application, revisions to the site plan are needed, indicating where the sign is likely to fall in the case of structural failure and collapse, and also show the dimensions from the edge of the sign post to the north, east, and southern property edges; in order to determine whether “*the granting of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which the property is located*” as required by item # 3 above.

Further, KCC 17.70.030 defines the proposed sign as a “freestanding” and “outdoor advertising” sign. Regulations governing the number of freestanding signs per frontage are given in KCC 17.70.060(4)(b). This provision states that “*one (1) freestanding sign is allowed on each frontage... provided it is not located on the same street frontage as an allowed monument sign*”. Another sign (already mentioned above in item # A) nonconforming to the current sign code exists on the I-90 frontage. Please address what will happen to this existing sign. Will this sign be removed? Being a nonconforming sign, if the existing sign were moved to the northern frontage on Gladmar Road, the variance application would need to be revised to request relief from height standards for that sign as well.

After review of the submitted additional information and the originally submitted site plan and application, we have determined that in order to be considered a complete application submittal consistent with the above, the following items are needed:

1. A revised narrative detailing how the application meets the criteria for KCC 17.84.010(1), (2) and (3).
2. Additional information as to plans for the existing sign on the I-90 frontage.
3. A revision to the site plan depicting the likely fall radius in case of structural failure prepared and stamped by an engineer licensed in the State of Washington.
4. A revision to the site plan depicting the dimension from the base of the sign to the north, east, and south property lines.

The requested material will need to be submitted to KCCDS on or before **October 7, 2019 at 5:00 pm** (180 days), in order to keep this application active, pursuant to [KCC 15A.03.040 \(1\)\(b\)](#) which states:

“an incomplete application shall expire after 180 calendar days unless the requested supplemental information is submitted in complete form.”

CDS’s review will commence when all additional information is received. The application will be processed under all codes in effect at the time a complete application is received by CDS. Please note that the sign permit will be processed pending the decision on the variance request.

Please do not hesitate to contact me should you have any questions.

Sincerely,



Dusty Pilkington
Planner I
Kittitas County Community Development Services
411 N Ruby St # 2, Ellensburg, WA 98926
(509) 962-7079
dusty.pilkington@co.kittitas.wa.us



Kittitas Development Services

Re: VA -19-002
Resubmittal June 6, 2019
To: Dusty Pilkington
Planner 1

Please find attached the information for the County's consideration.

I have appreciated your assistance and look forward to continuing to work with you toward conclusion of the process.

Thank you Dusty.

Roger Weaver and Shrees.

RECEIVED
JUN 06 2019
Kittitas Co. CDS

RE/MAX Community Realty
2109 W Dolarway Road, Suite 2, Ellensburg, WA 98926
Office (509) 933-7300, T-Free (888) 933-6156

remax@elltel.net

VA-19-00002



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

ZONING VARIANCE APPLICATION

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

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

REQUIRED ATTACHMENTS

- Site plan of the property with all proposed: buildings; points of access, roads, and parking areas; septic tank and drainfield and replacement area; areas to be cut and/or filled; and, natural features such as contours, streams, gullies, cliffs, etc.
- Project Narrative responding to Questions 9 and 10 on the following pages.

APPLICATION FEES:

\$1,800.00 Kittitas County Community Development Services (KCCDS)
 \$415.00 Kittitas County Environmental Health
 \$65.00 Kittitas County Fire Marshal
\$2,280.00 Total fees due for this application (One check made payable to KCCDS)

For Staff Use Only

Application Received By (KDS Staff Signature) 	DATE 3.22.19	RECEIPT # CD-19-00579	RECEIVED MAR 22 2019 Kittitas County CDS DATE STAMP IN BOX
---	-----------------	--------------------------	--

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

FORM LAST REVISED: 05-21-2018

Page 1 of 3

GENERAL APPLICATION INFORMATION

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

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

Name: Shree Holdings LLC DBA Shree Travel Plaza
Mailing Address: PO # 5160
City/State/ZIP: Moses Lake (WA) 98837
Day Time Phone: 509 690 7248
Email Address: ekta@shreemovestmentsinc.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: Same as above
Mailing Address: _____
City/State/ZIP: _____
Day Time Phone: _____
Email Address: _____

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

If different than land owner or authorized agent.

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

4. Street address of property: DBA Shree Travel Plaza

Address: 410, Gladmar Road
City/State/ZIP: Thorp (WA) 98946

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

It is a gas station, I have attached building and lot's Master plan.

6. Tax parcel number: 953186

7. Property size: 2.39 (acres)

8. Land Use Information:

Zoning: _____ Comp Plan Land Use Designation: _____

DOR code #55
Trade-Auto

PROJECT NARRATIVE

(INCLUDE RESPONSES AS AN ATTACHMENT TO THIS APPLICATION)

- 9. **Narrative project description (include as attachment):** Please include at minimum the following information in your description: describe project size, location, and the provision of zoning code for which this variance is requested and the way in which you wish to vary from the code.

- 10. **A variance may be granted only when the following criteria are met (see KCC 17.84.10). Please describe in detail how each criteria is met for this particular request:**
 - A. Unusual circumstances or conditions applying to the property and/or the intended use that do not apply generally to other property in the same vicinity or district, such as topography.
 - B. Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same vicinity.
 - C. That authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity.
 - D. That the granting of such variance will not adversely affect the realization of the comprehensive development pattern.

AUTHORIZATION

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

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

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

X Ekta Saini

Date:

3/20/19

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

X [Signature]

Date:

3/20/19

KCC Chapter 17.84.010

1) Unusual circumstances

The property location, interstate boundaries topography, elevation of exist -vs- overpass, approach and access negatively affects the recognition and timely reaction to take advantage of the services and benefits provided by the businesses located at the site it limits the full utilization of the property to attract customers, thus it would have a negative impact on income. In regard to the WSDOT motorized information has always been debated as to its affect and the actual impact on driver decisions. If you need to understand the faith businesses have in the WSDOT program, please not pictures attached at south interchange where each major company has chosen to spend and install their signs and logos high into air and visible from the interstate. There are 18 such signs at this location.

Photo 3: Thorp Highway and I-90 Overpass – from the west.



Photo 4: Monitoring Well MW-9 – from the southeast



Nothing can be seen from vehicle locations
on I-90







6.6 Photo log

Photo 1: Bingo Site – from the east

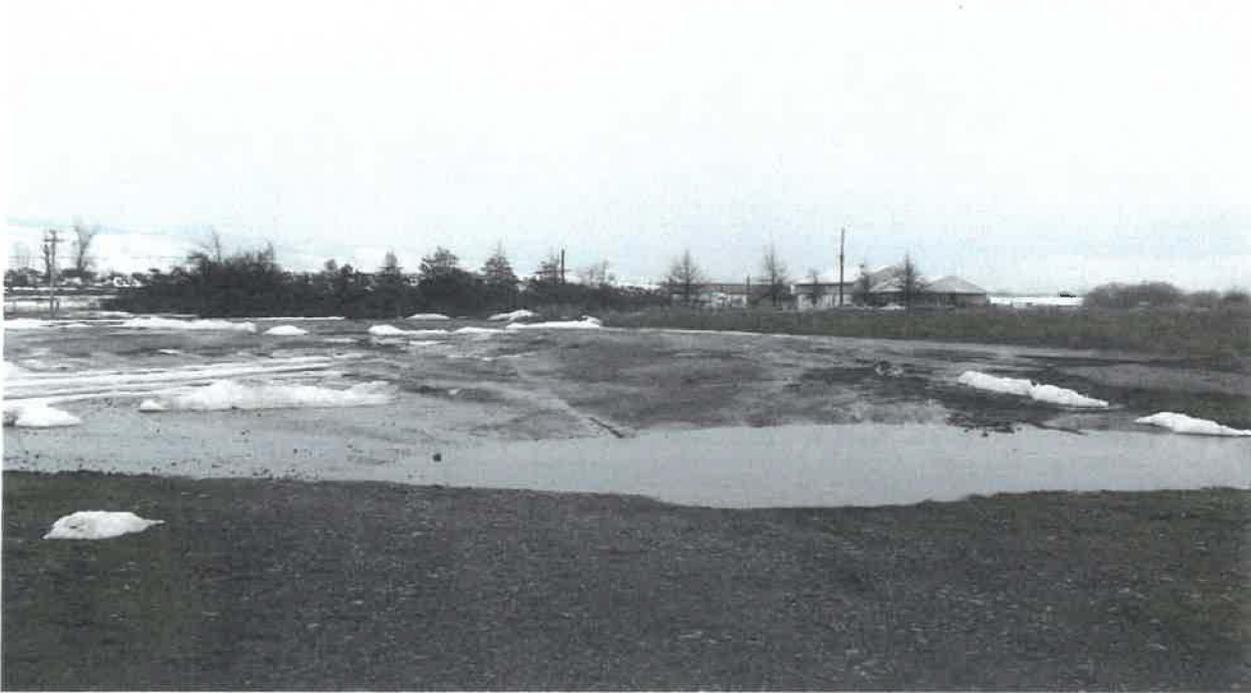


Photo 2: Thorp Highway and I-90 Overpass – from the south



2) **Property Rights**

Preservation and enjoyment regarding the property rights of the applicant and neighboring businesses.

When property rights are viewed as an attribute of economic good the needs of the applicant and those in area will be greatly improved upon approval.

Given the above not having the proper signage puts this property at a definite disadvantage. Competitively, the proper signage will enhance the success of all the businesses at this location plus provide additional traffic into Thorp's developing tourist business and better traffic flow especially for trucks coming into Ellensburg.

- 3) Will not be **materially detrimental** to the public injurious to the property or people in the vicinity or district of the variance location.

Sign

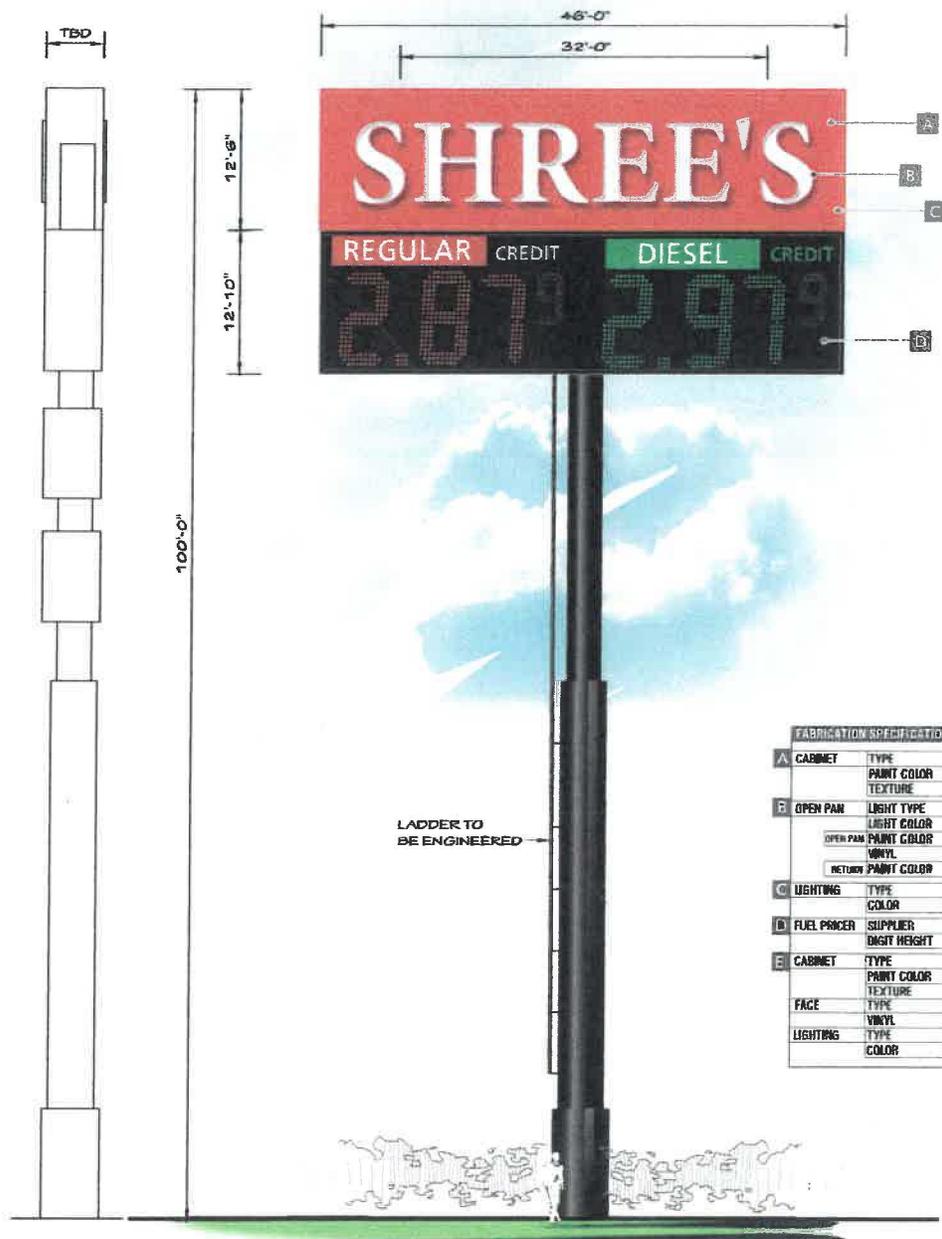
The height of the sign has been reduced from 120' to 100' to 87.5'

Placement is on the applicant's property within the fall zone radius. Please note exhibit attached. We will comply with requirements that only one sign allowed per frontage. The current sign will be replaced and removed and not be relocated and thus avoid another variance request.

Also please note that in the direction and in consideration of the NW winds the fall zone to NW is totally fenced and will deny any pedestrian access. The NW fall zone in between fire storage pond and stormwater detention ponds and non-business area.

Installation: Will be in control of the YESCO engineers. They will be applying for permit, controlling the installation of the sign. This company is well known, been in business since 1920 has over 85 sign centers and has 1000 employees. Each sign will carry an engineer stamp plus liability coverage.

One of the stated concerns was compliance with the KCC 17.70.030 of free standing and outdoor sign currently in place will be removed.



FABRICATION SPECIFICATIONS

A	CABINET	TYPE	D/F NON-ILLUMINATED
		PAINT COLOR	RED - 763
		TEXTURE	SEMI-GLOSS
B	OPEN PAN	LIGHT TYPE	CONTOUR LED
		LIGHT COLOR	WHITE
	OPEN PAN	PAINT COLOR	PRE-PAINTED WHITE
		VINYL	NA
	RETURN	PAINT COLOR	PRE-PAINTED WHITE
C	LIGHTING	TYPE	CONTOUR LED
		COLOR	RED
D	FUEL PRICER	SUPPLIER	SUNSHINE
		DNIGT HEIGHT	11.4"
E	CABINET	TYPE	D/F ILLUMINATED
		PAINT COLOR	BLACK
		TEXTURE	SEMI-GLOSS
	FACE	TYPE	PLEX
		VINYL	DIGITALLY PRINTED
LIGHTING		TYPE	LED
		COLOR	WHITE

HI-RISE POLE SIGN SCALE: 3/32" = 1'-0"
 QUANTITY: 1 MANUFACTURE & INSTALL

YESCO
 Northeast Region
 Koonerwick
 1744 E. Lawrence St.
 Lincoln, MA 01865
 508-253-5972

400 OLDFARM RD
 THORP, MA
 01769
 508-253-5972

CONTRACT NUMBER: 01769-0001
 DATE: 01/22/18

Client: Spinner, Inc.
 Label: Spinner, Inc.

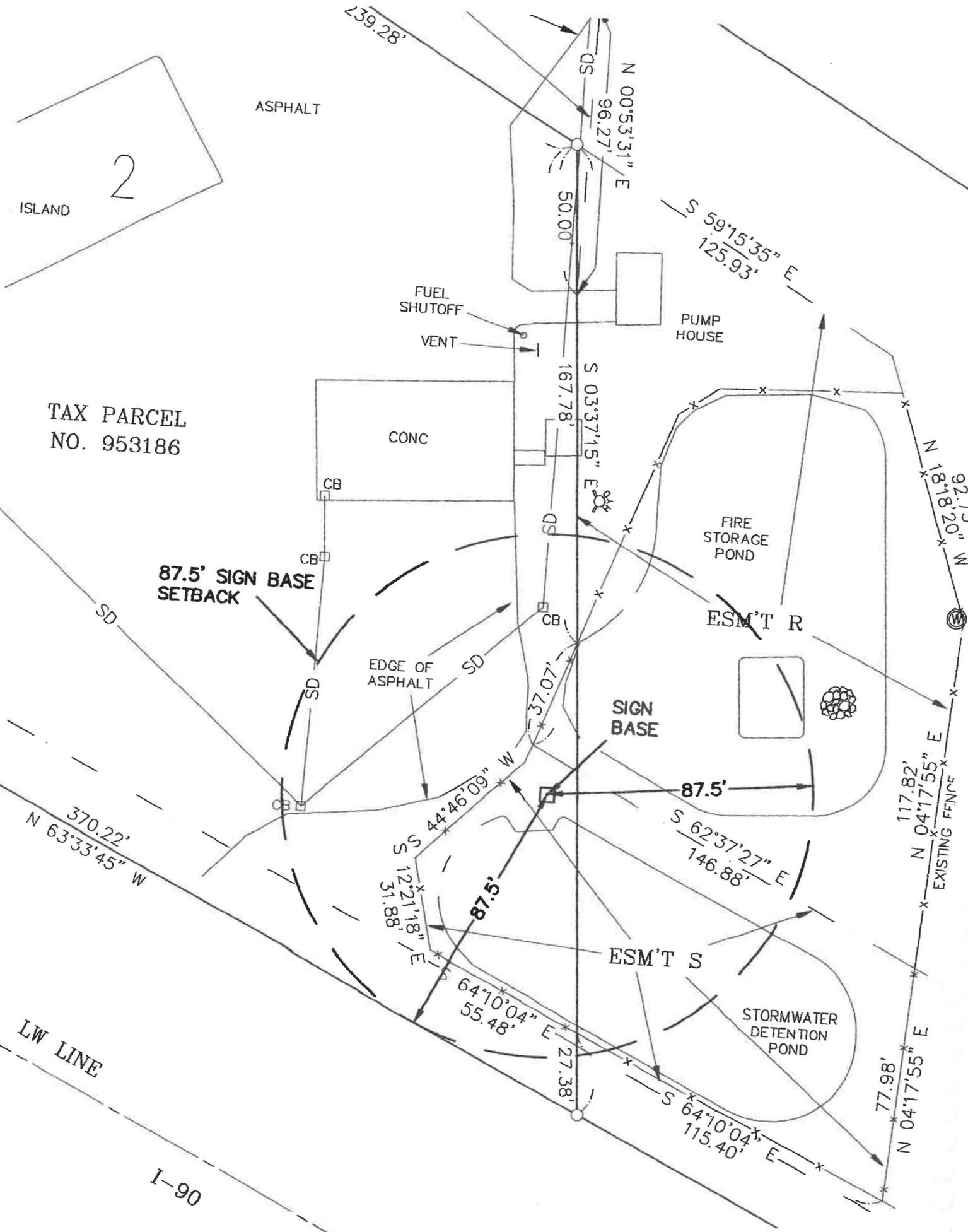
NOTE: THESE DRAWINGS ARE THE PROPERTY OF YESCO. ANY REUSE, REPRODUCTION, OR ALTERATION OF THESE DRAWINGS WITHOUT THE WRITTEN PERMISSION OF YESCO IS STRICTLY PROHIBITED.

DATE: 01/22/18

PROJECT: 01769-0001

1 1

Index #12



ISLAND 2

ASPHALT

TAX PARCEL NO. 953186

87.5' SIGN BASE SETBACK

CONC

FUEL SHUTOFF
VENT

PUMP HOUSE

FIRE STORAGE POND

ESM'T R

SIGN BASE

ESM'T S

STORMWATER DETENTION POND

370.22'
N 63°33'45" W

LW LINE

I-90

Index #12

239.28'

N 00°53'31" E
96.27'
50.00'

S 59°15'35" E
125.93'

S 03°37'15" E
167.78'

N 18°18'20" W
92.72'

EDGE OF ASPHALT
SD
44°46'09" W
S 12°21'18" E
31.88'

S 62°37'27" E
146.88'

E 117.82'
S 64°10'04" E
115.40'

87.5'
64°10'04" E
55.48'

S 64°10'04" E
115.40'

E 77.98'
N 04°17'55" E

EXISTING
FFNCC
N 117.82'
E 117.82'

PART OF THE NORTHWEST QUARTER OF SECTION 13,
TOWNSHIP 18 NORTH, RANGE 17 EAST, W.M.



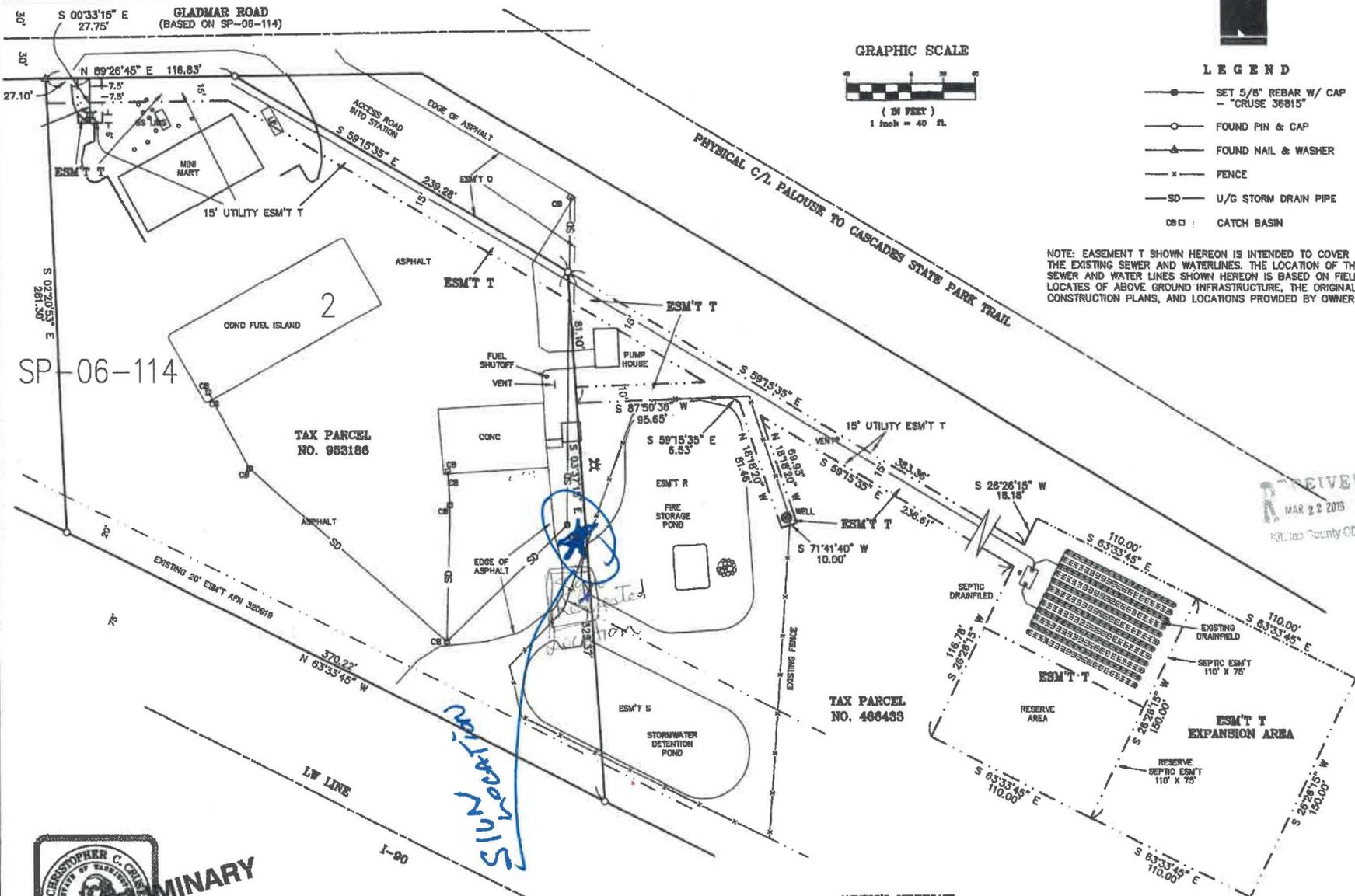
LEGEND

- SET 5/8" REBAR W/ CAP
— "CRUSE 36815"
- FOUND PIN & CAP
- △ FOUND NAIL & WASHER
- x— FENCE
- SD— U/G STORM DRAIN PIPE
- CATCH BASIN

GRAPHIC SCALE



NOTE: EASEMENT T SHOWN HEREON IS INTENDED TO COVER THE EXISTING SEWER AND WATER LINES. THE LOCATION OF THE SEWER AND WATER LINES SHOWN HEREON IS BASED ON FIELD LOCATES OF ABOVE GROUND INFRASTRUCTURE, THE ORIGINAL CONSTRUCTION PLANS, AND LOCATIONS PROVIDED BY OWNER.



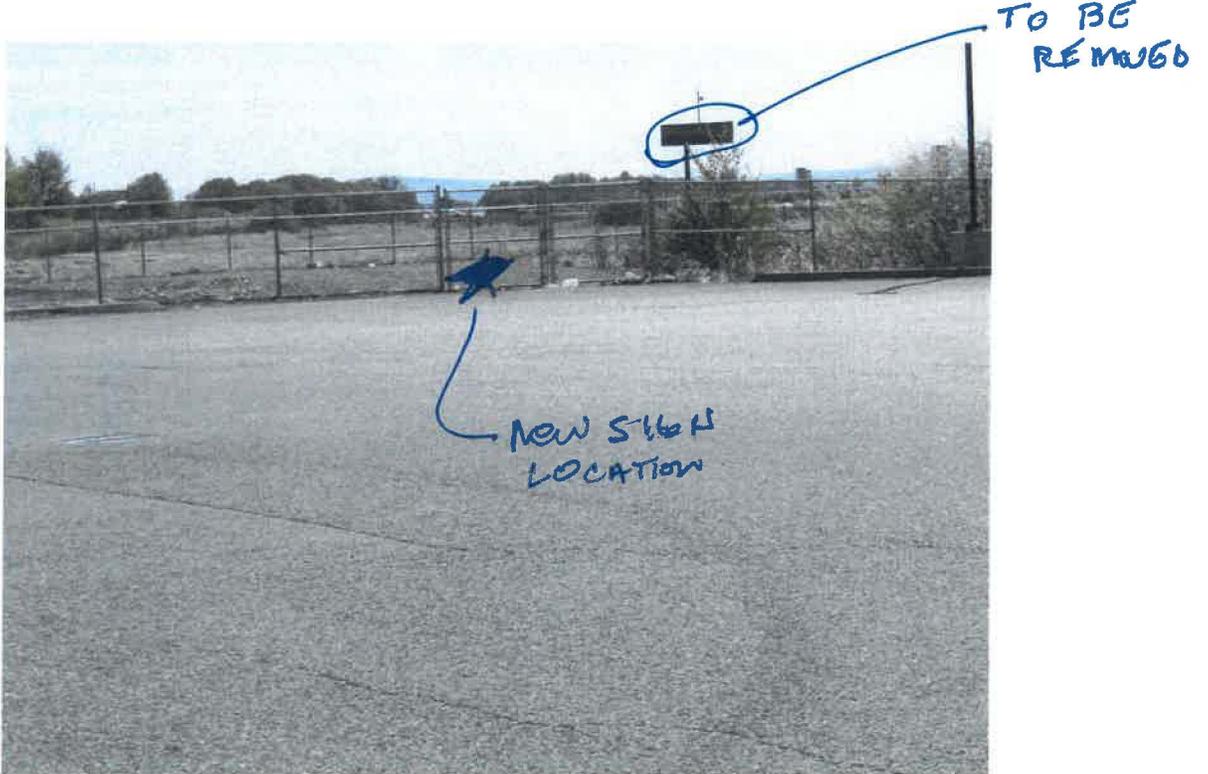
PRELIMINARY ONLY!

AUDITOR'S CERTIFICATE

Filed for record this _____ day of _____
2018, at _____ M., in Book 41 of Surveys at
page(s) _____ at the request of Cruse & Associates.

JERALD V. PETTIT BY:
KITITAS COUNTY AUDITOR

CRUSE & ASSOCIATES
PROFESSIONAL LAND SURVEYORS
217 East Fourth Street P.O. Box 959
Ellensburg, WA 98926 (509) 962-8242
THORP FRUIT & ANTIQUE MALL, L.L.C.



9-1-18 WSDOT Approval

[Quoted text hidden]

McCain, Trevor <McCainT@wsdot.wa.gov>
To: Mona Guinn <mguinn@yesco.com>

Fri, Aug 31, 2018 at 10:35 AM

Mona

The revised location meets the requirements for an on-premise sign of this size under WAC 468-66-050(3). The sign is approved per WSDOT and does not require a permit.

Let me know if you have any questions.

Thanks,

Trevor McCain

Outdoor Advertising and Motorist Information Sign Specialist

Phone: (360) 705-7282

Cell: (360) 624-5182

<http://www.wsdot.wa.gov/Operations/Traffic/Signs/>

From: Mona Guinn <mguinn@yesco.com>

Sent: Friday, August 31, 2018 10:30 AM

To: McCain, Trevor <McCainT@wsdot.wa.gov>

Cc: Dan Risk <drisk@yesco.com>

Subject: Fwd: INFORMATION NEEDED - Proposed Hi-Rise Sign near I-90 / Thorpe WA

[Quoted text hidden]

To Dan
9/1/18

RECEIVED
MAR 22 2019

Kittitas County CDS

Summary

The reader needs to understand the actual and proven business / market plan of the applicant.

They become the preferred stop to get access to the lowest gas prices plus fully stocked convenience store neatly presented and fairly priced. The hiring practice of capable, polite and informative staff to which are paid at levels higher than their competitors.

The fuel sales of their present facility in George have grown from 50,000 to 500,000 gallons per month as a result of "Signage, Service and Price."

Community involvement – as we all know Ellensburg responds to those active in the community. The Shree's understand and are committed to giving back. All that needs to be said is their recognition by the State of Washington.

They have received the Medallion given by the Secretary of State which is the highest civic honor given in Washington State for charitable and volunteer work. They have received 4 different awards and recognition from the State for their volunteer and philanthropic work since 2005.

In addition, one of the most important part of this project is the investment being made by the Shree's that will have a direct impact on the safety and service provided to our county travelers and residents.

Providing the necessary services to our travelers they are providing 3 + acres across the interstate for additional off-street parking for trucks and construction related vehicle during poor pass conditions etc. Please note maps.

Given the 4-year plans for I-90 roadwork this is without a doubt reason enough to support and approve this variance and their efforts. And again compliments "safer" traffic flow.

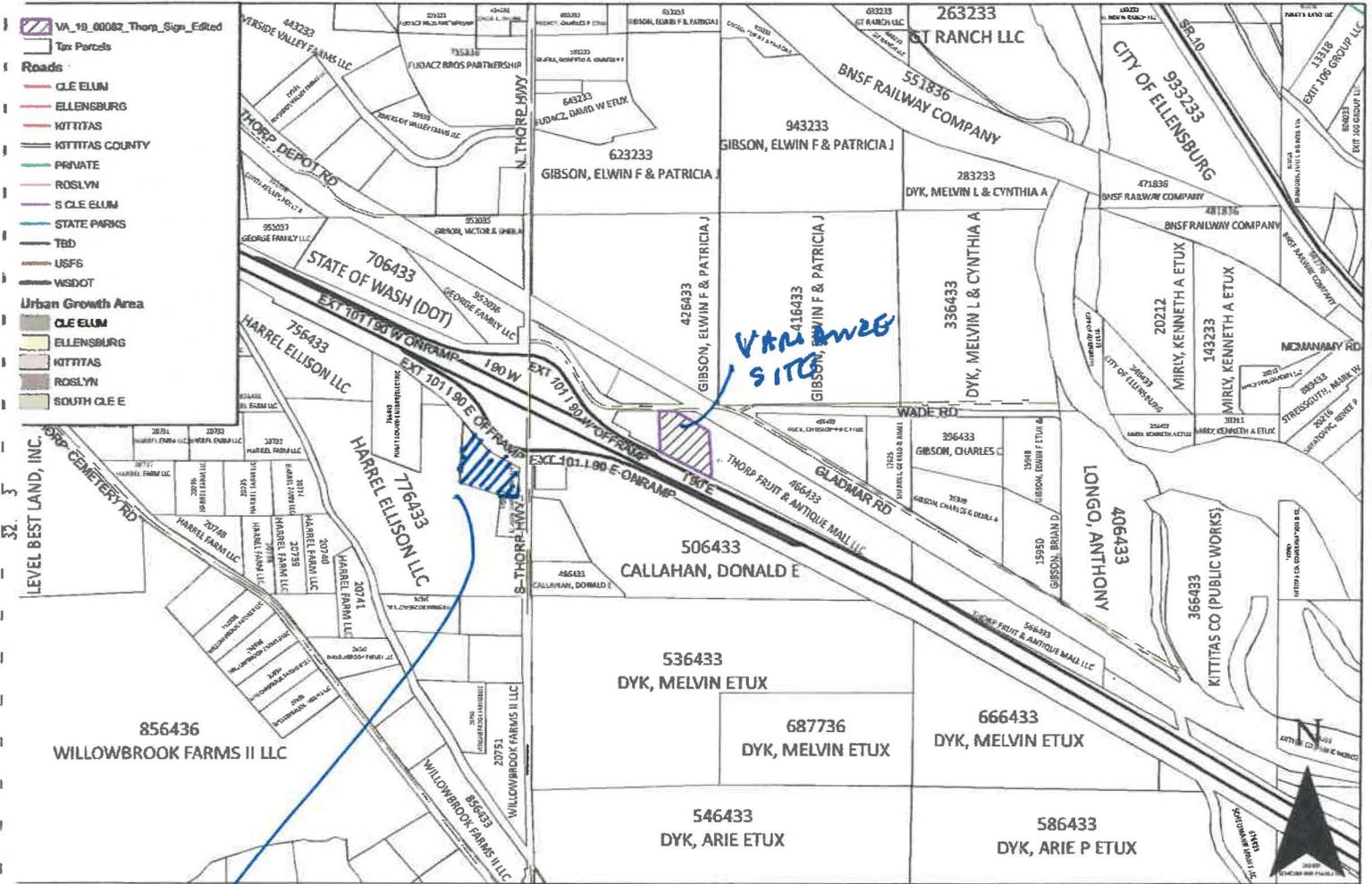
Given the current zoning etc. the approval will not have any negative effect or disruption to comp plan or future development of this site within county parameters.

Respectfully Submitted,

Shree Holding LLC
Ekta Sanii

Roger Weaver
Authorized agent

VA-19-00002 Thorp Sign

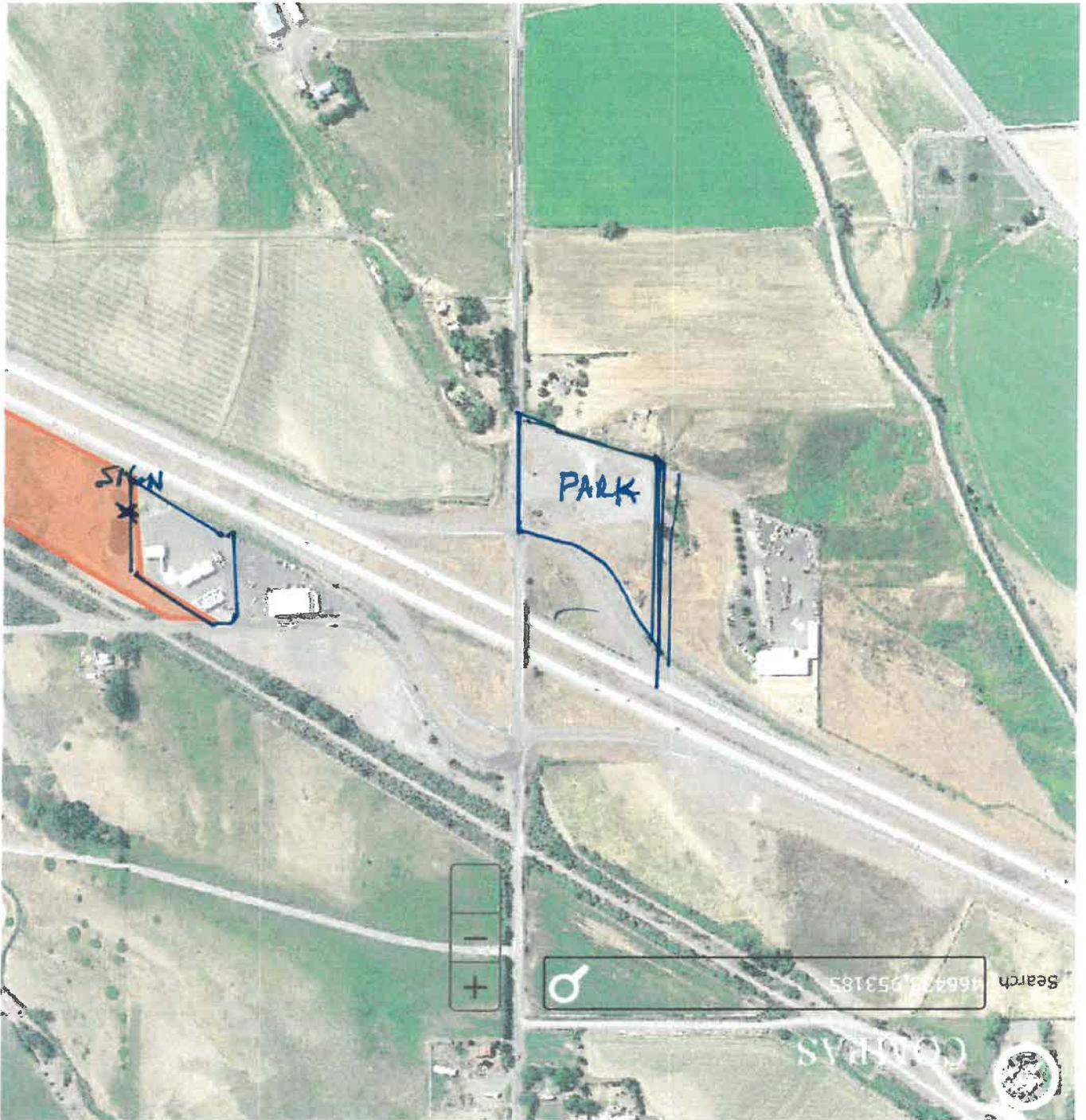


1:10,000

Vicinity

ADDITIONAL PARKING











KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St. Suite 2 Ellensburg WA 98926
cde@co.kittitas.wa.us
Office 509-962-7506
Fax 509-962-7682

Building Partnerships - Building Communities

June 19, 2019

Shree Holdings, LLC
PO Box 5160
Moses Lake, WA 98837
(509)-960-7248

Remax Community Realty
c/o Roger Weaver
2109 W Dolarway Rd, Suite 2
Ellensburg, WA 98926
(509)-933-7300

RE: Thorp Sign Height Variance Application (VA-19-00002)

Dear Ms. Saini,

Kittitas County Community Development Services received an Administrative Zoning Variance request to exceed the height and face area limits imposed on signs within the County on March 22, 2019. The subject property is zoned Highway Commercial. This parcel (953186) is located in the Thorp Type 3 LAMIRD and bears Assessor's map number 18-17-13051-0002. On April 10, 2019, CDS deemed your application incomplete and requested additional information. On June 6th, 2019, CDS received additional information and has reviewed it for completeness. Your application has been determined **complete** as of June 19, 2019 for the purposes of processing. However, pursuant to the letter from CDS sent to you on April 10, 2019, a revised site plan depicting the likely fall radius stamped by an engineer licensed in the State of Washington will be required prior to a decision being made.

Continued processing of your application will include, but is not limited to, the following actions:

1. A Notice of Application will be published in the newspaper and sent to all adjoining property owners, governmental agencies, and interested persons. This includes a 15 day comment period.
2. Consideration of written comments from all adjoining property owners, governmental agencies, and interested persons. This may include a request for additional information.
3. A decision will be issued based upon comments received, and the proposal's consistency with Kittitas County Code 17.84, along with any other applicable codes and statutes.

Once the above processing steps have been completed, CDS will issue a decision.

If you have any questions regarding this matter, I can be reached at (509) 962-7079, or by e-mail at dustv.pilkington@co.kittitas.wa.us.

Sincerely,



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: Monday, July 1, 2019
Application Received: Friday, March 22, 2019
Application Complete: Thursday, June 19, 2019

Project Name (File Number): Thorp Sign Height Variance (VA-19-00002)
Applicant: Ekta Saini, authorized agent for Shree Holdings, LLC

Location: The subject property is parcel # 953186 located off of Highway 90 in the Thorp Type 3 LAMIRD, in Section 13, T 18N, R 17E. Map number 18-17-13051-0002.

Proposal: A sign height and face area Variance application was received on March 22, 2019 pursuant to Kittitas County Code 17.84. The application was deemed complete on June 19, 2019. As stated, the variance is requested to accommodate a freestanding sign at Shree's gas station. The height limit for freestanding outdoor advertising signs in Kittitas County Code is 13', while the proposed sign height is 87.5'. The face area limit in Kittitas County Code is 325 square feet, while the proposed sign face is approximately 1176 square feet.

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/default.aspx> and navigating to "Variances" and then to the project number. Phone: (509) 962-7079

Written Comments on this proposal can be submitted to CDS any time prior to 5:00 p.m. on **July 16th, 2019**. Any person has the right to comment on the application and request a copy of the decision once made.

Under Title 15A.03.080 and 17.84.010, Zoning Variances are processed in an abbreviated administrative format, which does not involve a public hearing. All comments will be considered in the decision making process, and any person has the right to comment on this application and receive notification of the Community Development Services administrative decision, once made. Appeals to an administrative land use decision may be filed within 10 working days with the board of county commissioners as outlined in Chapter 15A.07 of the Kittitas County Code. The current appeal fee is \$1560.

Designated Permit Coordinator (staff contact): Dusty Pilkington, Staff Planner: (509) 962-7079; email at dusty.pilkington@co.kittitas.wa.us.

Associated Permit: Thorp Sign Permit (SI-19-00002)

**Notice of Application
Thorp Sign Height Variance
VA-19-00002**

NOTICE IS HEREBY given that Ekta Saini, authorized agent for Shree Holdings, LLC, submitted a sign height and face area Variance application on March 22, 2019 pursuant to Kittitas County Code 17.84. The application was deemed complete on June 19, 2019. As stated, the variance is requested to accommodate a freestanding sign at Shree's gas station. The height limit for freestanding outdoor advertising signs in Kittitas County Code is 13', while the proposed sign height is 87.5'. The face area limit in Kittitas County Code is 325 square feet, while the proposed sign face is approximately 1176 square feet. The subject property is parcel # 953186 located off of Highway 90 in the Thorp Type 3 LAMIRD, in Section 13, T 18N, R 17E. Map number 18-17-13051-0002.

Any person desiring to express their views or to be notified of the action taken on this application should contact Kittitas County Community Development Services (CDS). 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/default.aspx> and navigating to "Variances" and then to the project number. Phone: (509) 962-7079

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Notice of Application: Monday July 1, 2019
Application Received: Friday, March 22, 2019
Application Complete: Thursday, June 19, 2019

Associated Permit: Thorp Sign Permit (SI-19-00002)

Dated: July 1, 2019

Publish Daily Record: July 1, 2019



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”

AFFIDAVIT OF MAILING AND PUBLICATION

PROPOSAL NAME: VA-19-00002 Thorp Sign Affidavit

NAME OF DOCUMENT: *Notice of Application*

NOTIFICATION MAIL DATE: *July 1, 2019*

Mailer: In addition to attaching copies of the documents mailed, please attach a copy of the names and addresses of those to whom the documents were mailed and of notice sent to newspapers.

State of Washington
County of Kittitas

I certify that the acts of notification of land use action, and other actions described in this document have occurred or have been performed.

Dustin Peterson

Staff Signature

Subscribed and sworn to before me this 3 day of July, 20 19.

Kathy Boots

Notary Public for the State of Washington
residing in Ellensburg

My appointment expires 10-13, 20 20.



GIBSON, ELWIN F & PATRICIA J
PO BOX 227
THORP, WA 98946-0227

THORP FRUIT & ANTIQUE MALL LLC
PO BOX 40
THORP, WA 98946

CALLAHAN, DONALD E
20 PAR LANE
BELLINGHAM, WA 98229

DUCK, CHRISTOPHER C ETUX
PO BOX 158
THORP, WA 98946

SHREE HOLDINGS LLC
PO BOX 5160
MOSES LAKE, WA 98837-5200

GODZILLA THORP LLC
PO BOX 40
THORP, WA 98946-0040

From: [Dusty Pilkington](#)
To: [Kim Dawson](#); [Julie Kjorsvik](#); [Lisa Lawrence](#); [Patti Johnson](#); [Kelly Bacon](#); [Candle Leader](#); ["jessica@yakama.com"](#); ["imarvin@yakama.com"](#); ["johnson@yakama.com"](#); ["enviroreview@yakama.com"](#); ["separegister@ecy.wa.gov"](#); ["sepaunit@ecy.wa.gov"](#); ["gcle461@ecy.wa.gov"](#); ["lowh461@ECY.WA.GOV"](#); ["migi461@ECY.WA.GOV"](#); ["Downes, Scott G \(DFW\)"](#); ["Nelson, Jennifer L \(DFW\)"](#); ["SEPA \(DAHP\)"](#); ["jorgenja@cwu.edu"](#); ["nelmsk@cwu.edu"](#); [Mike Flory](#); [Douglas Mitchell](#); [Stacey Henderson](#); [Steph Miffin](#); ["Mau, Russell F \(DOH\)"](#); ["ben.serr@doh.wa.gov"](#); ["brenda.smits@doh.wa.gov"](#); ["becky.kennedy@dnr.wa.gov"](#); ["cindy.preston@dnr.wa.gov"](#); ["rivers@dnr.wa.gov"](#); ["brooksideconsulting@gmail.com"](#); ["tribune@nkctribune.com"](#); ["terry@nkctribune.com"](#); ["chelberg@usbr.gov"](#); ["Joanna Markell"](#); ["legals@kynews.com"](#); [Karen Hodges](#); [Justin Turnbull](#); [Taylor Gustafson](#); [RichElliott](#); ["Michael.i.daniels3.civ@mail.mil"](#); ["Kimberly.peacher@navy.mil"](#); [Pat Nicholson](#); [Tristen Lamb](#); [Holly Erdman](#); ["elizabeth.torrey@dfw.wa.gov"](#); ["Deborah.j.knaub@usace.army.mil"](#); [Toni Berkshire](#); [Jesse Cox](#); [Jeremy Larson](#); ["baileyl@fairpoint.net"](#); ["Priluc1@wsdot.wa.gov"](#); ["kaiserm@wsdot.wa.gov"](#); [Jacob Prilucik](#); ["Roger Weaver"](#); ["Ekta Saini"](#)
Cc: [Lindsey Ozholt](#); [Dan Carlson](#)
Subject: RE: VA-19-00002 Thorp Sign
Date: Monday, July 01, 2019 7:15:15 AM
Attachments: [VA-19-00002 Thorp Sign Notice of Application.pdf](#)

Greetings. I am requesting comments on this Variance . Anyone with an interest can comment, and the comment period ends **July 16, 2019**. Click the links below to view information on the permit. If you have no comment on the project, please reply and inform CDS.

[VA-19-00002 Thorp Sign \(County\)](#)
[VA-19-00002 Thorp Sign \(Outside County\)](#)

If the links above do not work, please go to the CDS website at <https://www.co.kittitas.wa.us/cds/land-use/default.aspx> and then to "Setback Variances" and then the Project File Number **VA-19-00002 Thorp Sign** .

-

The following documents are attached to this email:

Notice of Application

Dusty Pilkington
Planner I
Kittitas County Community Development Services
411 N Ruby St # 2, Ellensburg, WA 98926
(509) -962-7079
dusty.pilkington@co.kittitas.wa.us

Notice: Email sent to Kittitas County may be subject to public disclosure as required by law.
message id: 38eb45916c6dbcdbdac24bb58719d004a14

From: rweaver@fairpoint.net
To: [Dusty Pilkington](mailto:Dusty.Pilkington)
Subject: Fwd: Fw: Stamp
Date: Tuesday, July 02, 2019 1:28:02 PM
Attachments: [Clarification letter.pdf](#)

----- Forwarded message -----

From: Sanjay Singh <sanjay12411@yahoo.com>
Date: Jul 2, 2019 12:26 PM
Subject: Fw: Stamp
To: Roger Weaver <rweaver@elltel.net>, Roger Weaver <rweaver@fairpoint.net>, Ekta Saini <ekta@shreeinvestmentsinc.com>
Cc:

From Yesco

[Sent from Yahoo Mail for iPhone](#)

Begin forwarded message:

On Tuesday, July 2, 2019, 11:40 AM, Dan Risk <drisk@yesco.com> wrote:

Hello Sanjay
Please find attached the Document Requested. Let me know if you need anything else. Thank You

Dan Risk
Branch Manager/Sales
YESCO

[509.308.5227](tel:509.308.5227) CELL

[509.783.4589](tel:509.783.4589) PHONE

[253.722.5753](tel:253.722.5753) PHONE



On Thu, Jun 27, 2019 at 7:53 AM Sanjay Singh <sanjay12411@yahoo.com> wrote:

When you see this call

From: [Cruse & Associates](#)
Sent: Monday, May 06, 2019 4:08 PM
To: [Roger Weaver](#)
Subject: Sign Exhibits

See attached

Thanks,
Chris Cruse P.L.S.

Cruse and Associates
217 East 4th Ave.
P.O. Box 959
Ellensburg, WA 98926
[\(509\) 962-8242](tel:5099628242) Office
[\(509\) 962-8238](tel:5099628238) Fax
cruseandassoc@kvalley.com

From: [Ekta Saini](#)
To: [Dusty Pilkington](#); [Roger Weaver](#); [Roger Weaver](#); [Sanjay Saini](#); [Ekta Saini](#)
Subject: Fwd: Fw: Stamp
Date: Tuesday, July 02, 2019 2:18:14 PM
Attachments: [Clarification letter.pdf](#)

Dear Dusty,

I was told to forward this information to you.
Thankful,

Ekta Saini 509-690-7248

[Shree Investments is a recipient of the CFC award, the National Association of Secretaries of State \(NASS\) Medal, The Highest Civic Honor presented for charitable work by an organization.](#) We are honored to support many charitable organizations. Shree Investments Incorporated has received over "500 Certificates of Appreciation" from regional organizations in the last 11 years, for our humble contribution to the local communities.

ONE LIFE, RISE AND SHINE!

----- Forwarded message -----

From: **Sanjay Singh** <sanjay12411@yahoo.com>
Date: Tue, Jul 2, 2019 at 12:26 PM
Subject: Fw: Stamp
To: Roger Weaver <rweaver@elltel.net>, Roger Weaver <rweaver@fairpoint.net>, Ekta Saini <ekta@shreeinvestmentsinc.com>

From Yesco

[Sent from Yahoo Mail for iPhone](#)

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Hello Sanjay
Please find attached the Document Requested. Let me know if you need anything else. Thank You

Dan Risk
Branch Manager/Sales
YESCO

[509.308.5227](tel:509.308.5227) CELL

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See attached

Thanks,
Chris Cruse P.L.S.
Cruse and Associates
217 East 4th Ave.
P.O. Box 959
Ellensburg, WA 98926
[\(509\) 962-8242](tel:509.962.8242) Office
[\(509\) 962-8238](tel:509.962.8238) Fax
cruseandassoc@kvalley.com

From: [Ekta Saini](#)
To: [Dusty Pilkington](#)
Cc: [Roger Weaver](#); [Roger Weaver](#); [Sanjay Saini](#)
Subject: Re: Fw: Stamp
Date: Tuesday, July 02, 2019 2:24:13 PM

Yes, Thank you so very much for the prompt acknowledgement of my email. I got your letter, I am waiting with a heart full of prayers.

Thankful,

Ekta Saini 509-690-7248

[Shree Investments is a recipient of the CFC award, the National Association of Secretaries of State \(NASS\) Medal, The Highest Civic Honor presented for charitable work by an organization.](#) We are honored to support many charitable organizations. Shree Investments Incorporated has received over "500 Certificates of Appreciation" from regional organizations in the last 11 years, for our humble contribution to the local communities.

Website: www.shreetruckstop.com

ONE LIFE, RISE AND SHINE!

On Tue, Jul 2, 2019 at 2:21 PM Dusty Pilkington <dusty.pilkington@co.kittitas.wa.us> wrote:

Greetings all,

The documentation has been received. As you may be aware, the project was sent out for comment yesterday morning, and the comment period end July 16. Comments will be forwarded to you at the end of the period.

Thanks,

Dusty Pilkington

Planner I

Kittitas County Community Development Services

411 N Ruby St # 2, Ellensburg, WA 98926

(509) -962-7079

dusty.pilkington@co.kittitas.wa.us

From: Ekta Saini [mailto:ekta@shreeinvestmentsinc.com]

Sent: Tuesday, July 02, 2019 2:18 PM

To: Dusty Pilkington; Roger Weaver; Roger Weaver; Sanjay Saini; Ekta Saini

Subject: Fwd: Fw: Stamp

Dear Dusty,

I was told to forward this information to you.

Thankful,

Ekta Saini 509-690-7248

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ONE LIFE, RISE AND SHINE!

----- Forwarded message -----

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Date: Tue, Jul 2, 2019 at 12:26 PM

Subject: Fw: Stamp

To: Roger Weaver <rweaver@elltel.net>, Roger Weaver <rweaver@fairpoint.net>, Ekta Saini <ekta@shreeinvestmentsinc.com>

From Yesco

[Sent from Yahoo Mail for iPhone](#)

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Dan Risk

Branch Manager/Sales

YESCO

[509.308.5227](tel:509.308.5227) **CELL**

[509.783.4589](tel:509.783.4589) **PHONE**

[253.722.5753](tel:253.722.5753) **PHONE**



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| When you see this call

|

From: [Cruse & Associates](#)

Sent: Monday, May 06, 2019 4:08 PM

To: [Roger Weaver](#)

Subject: Sign Exhibits

See attached

Thanks,
Chris Cruse P.L.S.
Cruse and Associates
217 East 4th Ave.
P.O. Box 959
Ellensburg, WA 98926
[\(509\) 962-8242](tel:(509)962-8242) Office
[\(509\) 962-8238](tel:(509)962-8238) Fax
cruseandassoc@kvalley.com

Notice: Email sent to Kittitas County may be subject to public disclosure as required by law.
message id: 38eb45916c6dcbdac24bb8719d004a14

From: [Ekta Saini](#)
To: [Dusty Pilkington](#)
Subject: Re: Decision
Date: Tuesday, April 09, 2019 11:05:25 AM

Many Thanks for your reply :) I will wait to hear from you.

Thankful,

Ekta Saini 509-690-7248

[Shree Investments is a recipient of the CFC award , the National Association of Secretaries of State \(NASS\) Medal , The Highest Civic Honor presented for charitable work by an organization.](#) We are honored to support many charitable organizations. Shree Investments Incorporated has received over "500 Certificates of Appreciation" from regional organizations in the last 11 years, for our humble contribution to the local communities. Website: www.shreetruckstop.com

The greatest sign of our own maturity lies in how we react to the offensive actions of hateful people. Someone's misconduct is not a "Permission Slip" for my irresponsible and rude behavior in response. First we need to accept that as human beings, all of us make mistakes in our lives. Maturity is our ability to reflect, express and act with poise. The measure of my maturity is how dignified I have become during the midst of my frustrations with bitter and egoistic people. Very often our behavior is a direct reflection of the way others have behaved with us, and in this "copy him, copy her" process our own true values and character is lost. My love and kindness are not fleeting or situation based. We need humility to accept others around us who may not use the same values. Let's choose rock-solid values and then use them with everyone, everywhere and every time, irrespective of how poorly others may behave.

ONE LIFE, RISE AND SHINE!

On Tue, Apr 9, 2019 at 8:28 AM Dusty Pilkington <dusty.pilkington@co.kittitas.wa.us> wrote:

Ms. Saini,

Your application is still under review, and we should have a determination as to whether it is a complete application by that date. From there, if the application is determined to be complete,

review by interested agencies and the public will be performed, with a decision to follow. If we determine that the application is not complete, we will ask for additional information. We should be in touch soon.

Thanks,

Dusty Pilkington

Planner I

Kittitas County Community Development Services

411 N Ruby St # 2, Ellensburg, WA 98926

(509) -962-7079

dusty.pilkington@co.kittitas.wa.us

From: Ekta Saini [mailto:ekta@shreeinvestmentsinc.com]

Sent: Tuesday, April 02, 2019 6:02 PM

To: Dusty Pilkington

Subject: Decision

Dear officer Dusty,

I hope this email finds you in great health and joyful spirits.

May I know if there is a decision made by you on our application.

I know, you had told me that it will be within 28 days, I know that it is not 28 days yet but I

thought I still ask you.

My husband Sanjay is anxious and

wants the sign put up right now and everyday he keeps on asking me to ask you.

I hope to hear from you soon, thank you so very much for your help,

Most humbly as always,

Ekta

Notice: Email sent to Kittitas County may be subject to public disclosure as required by law.
message id: 38eb45916c6dcbdac24bb8719d004a14

From: [Ekta Saini](#)
To: [Dusty Pilkington](#); [Sanjay Saini](#)
Subject: Re: VA-19-000002 Thorp Sign Variance Additional Information Needed
Date: Thursday, April 11, 2019 9:21:44 AM

Dear officer,

I do not feel qualified to use survey report and sign dimensions and create new information as required by you, I will need to hire a new person to do this. Thank you for your help.

Thankful,

Ekta Saini 509-690-7248

ONE LIFE, RISE AND SHINE!

On Thu, Apr 11, 2019 at 8:27 AM Dusty Pilkington <dusty.pilkington@co.kittitas.wa.us> wrote:

Ms. Saini,

Find attached correspondence in regard to the sign variance request. A hard copy is en route via US Mail.

Best,

Dusty Pilkington

Planner I

Kittitas County Community Development Services

411 N Ruby St # 2, Ellensburg, WA 98926

(509) -962-7079

dusty.pilkington@co.kittitas.wa.us

Notice: Email sent to Kittitas County may be subject to public disclosure as required by law.
message id: 38eb45916c6dcbdac24bb8719d004a14

From: [Dusty Pilkington](#)
To: ["Ekta Saini"](#)
Subject: VA-19-000002 Thorp Sign Variance Additional Information Needed
Date: Thursday, April 11, 2019 8:27:48 AM
Attachments: [VA-19-00002 Thorp Sign Request for Additional Information.pdf](#)

Ms. Saini,

Find attached correspondence in regard to the sign variance request. A hard copy is en route via US Mail.

Best,

Dusty Pilkington
Planner I
Kittitas County Community Development Services
411 N Ruby St # 2, Ellensburg, WA 98926
(509) -962-7079
dusty.pilkington@co.kittitas.wa.us



**Washington State
Department of Transportation**

South Central Region
2809 Rudkin Road
Union Gap, WA 98903-1648
509-577-1600 / FAX: 509-577-1603
TTY: 1-800-833-6388
www.wsdot.wa.gov

July 3, 2019

RECEIVED
JUL 08 2019
Kittitas Co. CDS

Kittitas County Community Development
411 N. Ruby Street, Suite 2
Ellensburg, WA 98926

Attention: Dusty Pilkington, Staff Planner

Subject: VA-19-00002, Thorp Sign Height Variance
I-90 milepost 101

We have reviewed the proposed project and have the following comments.

- The subject property is adjacent to Interstate 90 (I-90), a fully-controlled limited access facility with a posted speed limit of 70 miles per hour. No direct access to I-90 will be allowed.
- Outdoor advertising and motorist signing must comply with state criteria. Please contact Trevor McCain of the WSDOT Headquarters Traffic Office for specifics. He can be reached at (360) 705-7282.

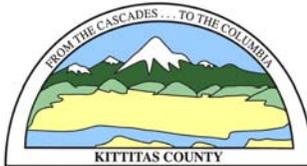
Thank you for the opportunity to review and comment on this proposal. If you have any questions regarding these comments, please contact Jacob Prilucik at (509) 577-1635.

Sincerely,

Paul Gonseth, P.E.
Planning Engineer

PG: jjp/vc

cc: SR 90, File #4
Mike Krahenbuhl, Area 1 Maintenance Superintendent



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"

July 16, 2019

Dusty Pilkington
Staff Planner
Kittitas County Community Development Services
411 No Ruby Street, Suite 2
Ellensburg WA 98926

RE: VA-19-00002 Thorp Sign

Dear Mr. Pilkington,

Thank you for the opportunity to comment on the above listed Application.

1. My comments are based on the 87.5 maximum sign height listed in the Variance request.
2. The sign construction drawings and calculations shall bear the stamp of a Washington State licensed engineer. Wind speed is 110 vUlt. All design shall be per the current Kittitas County adopted International Building Code with Washington State Amendments.
3. Setbacks to property lines should provide a sufficient fall zone should the sign fail.

Please don't hesitate to contact me should you have any further questions.

MIKE FLORY

Mike Flory,
Building Official

From: [Holly Erdman](#)
To: [Dusty Pilkington](#)
Cc: [Jesse Cox](#)
Subject: RE: VA-19-00002 Thorp Sign
Date: Wednesday, July 03, 2019 3:30:43 PM

Dusty,

Public health has no comments or concerns with this proposal.

Thank you,

HOLLY ERDMAN
ENVIRONMENTAL HEALTH SPECIALIST
KITTITAS COUNTY PUBLIC HEALTH DEPARTMENT
507 N. NANUM STREET, SUITE 102
ELLENSBURG, WA. 98926

509-962-7580

From: Dusty Pilkington
Sent: Monday, July 01, 2019 7:15 AM
To: Kim Dawson; Julie Kjorsvik; Lisa Lawrence; Patti Johnson; Kelly Bacon; Candie Leader; 'jessica@yakama.com'; 'jmarvin@yakama.com'; 'johnson@yakama.com'; 'enviroreview@yakama.com'; 'separegister@ecy.wa.gov'; 'sepaunit@ecy.wa.gov'; 'gcle461@ecy.wa.gov'; 'lowh461@ECY.WA.GOV'; 'migi461@ECY.WA.GOV'; 'Downes, Scott G (DFW)'; 'Nelson, Jennifer L (DFW)'; 'SEPA (DAHP)'; 'jorgenja@cwu.edu'; 'helmsk@cwu.edu'; Mike Flory; Douglas Mitchell; Stacey Henderson; Steph Mifflin; 'Mau, Russell E (DOH)'; 'ben.serr@doh.wa.gov'; 'brenda.smits@doh.wa.gov'; 'becky.kennedy@dnr.wa.gov'; 'cindy.preston@dnr.wa.gov'; 'rivers@dnr.wa.gov'; 'brooksideconsulting@gmail.com'; 'tribune@nkctribune.com'; 'terry@nkctribune.com'; 'chelberg@usbr.gov'; 'Joanna Markell'; 'legals@kvnews.com'; Karen Hodges; Justin Turnbull; Taylor Gustafson; RichElliott; 'Michael.j.daniels3.civ@mail.mil'; 'Kimberly.peacher@navy.mil'; Pat Nicholson; Tristen Lamb; Holly Erdman; 'elizabeth.torrey@dfw.wa.gov'; 'Deborah.j.knaub@usace.army.mil'; Toni Berkshire; Jesse Cox; Jeremy Larson; 'baileyj@fairpoint.net'; 'PrilucJ@wsdot.wa.gov'; 'kaiserm@wsdot.wa.gov'; Jacob Prilucik; 'Roger Weaver'; 'Ekta Saini'
Cc: Lindsey Ozbolt; Dan Carlson
Subject: RE: VA-19-00002 Thorp Sign

Greetings. I am requesting comments on this Variance . Anyone with an interest can comment, and the comment period ends **July 16, 2019**. Click the links below to view information on the permit. If you have no comment on the project, please reply and inform CDS.

[VA-19-00002 Thorp Sign \(County\)](#)
[VA-19-00002 Thorp Sign \(Outside County\)](#)

If the links above do not work, please go to the CDS website at <https://www.co.kittitas.wa.us/cds/land-use/default.aspx> and then to “Setback Variances” and then the Project File Number **VA-19-00002 Thorp Sign** .

-

The following documents are attached to this email:

Notice of Application

Dusty Pilkington
Planner I
Kittitas County Community Development Services
411 N Ruby St # 2, Ellensburg, WA 98926
(509) -962-7079
dusty.pilkington@co.kittitas.wa.us

Notice: Email sent to Kittitas County may be subject to public disclosure as required by law.
message id: 38eb45916c6dcbdac24bb8719d004a14



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"

July 17, 2019

Shree Holdings, LLC
ATTN: Ekta Saini
PO Box 5160
Moses Lake, WA 98837

RE: Transmittal of Comments – VA-19-00002 Thorp Sign Variance Transmittal of Comments

Dear Ms. Saini,

Enclosed are the comments received regarding the Thorp Sign Height and face area Variance during the comment period:

July 3, 2019
July 3, 2019
July 16, 2019

Holly Erdman, Kittitas County Public Health
Paul Gonseth, P.E., Washington Department of Transportation
Mike Flory, Kittitas County Building Official

Please review all comments and notify me of any questions. If you would like to respond to any of the comments received, please notify me of your intent to do so by July 23, 2019, and submit all responses by August 17, 2019. If I do not hear from you by July 23rd, staff will move forward with processing and make a determination on this proposal. Staff is reviewing comments and will notify you if any further information is necessary prior to making a decision.

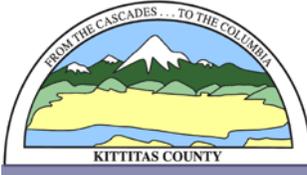
Sincerely,

CC: Lindsey Ozbolt, Planning Official
Roger Weaver

via email

via email

Dusty Pilkington
Planner I
Kittitas County Community Development Services
411 N Ruby St # 2, Ellensburg, WA 98926
(509) -962-7079
dusty.pilkington@co.kittitas.wa.us



KITITITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITITITAS.WA.US

Office (509) 962-7506

"Building Partnerships – Building Communities"

NOTICE OF DECISION Thorp Sign Height Variance VA-19-00002

Notice of Application: Monday, July 1, 2019
Application Received: Friday, March 22, 2019
Application Complete: Thursday, June 19, 2019
Notice of Decision: Thursday, September 12, 2019

Pursuant to RCW 36.70B.130 and KCC 15A.06, notice is hereby given that Kittitas County Community Development Services did on September 12, 2019 **deny** the Thorp Sign Height Variance, a request made by Shree Holdings, landowner, to substantially exceed the sign dimensional standards established under KCC17.70. The subject property is parcel # 953186 located off of Highway 90 in the Thorp Type 3 LAMIRD, in Section 13, T 18N, R 17E. Map number 18-17-13051-0002.

A copy of the Kittitas County Findings of Fact, Conclusions of Law and Decision document along with other related file documents may be examined at Kittitas County Community Development Services, 411 N. Ruby Suite 2, Ellensburg, WA 98926, or online at <https://www.co.kittitas.wa.us/cds/land-use/default.aspx> under "Setback Variances" and then the file number "VA-19-00002". Community Development Services can be reached at (509) 962-7506.

Kittitas County Code (Chapter 15A.07.010) stipulates that an appeal of this land use decision must be filed within 10 (ten) working days by submitting specific factual objections and a fee of \$1560.00 to the Kittitas County Board of Commissioners at 205 West 5th, Room 108 Ellensburg, WA 98926. The appeal deadline for this project is September 26, 2019 at 5:00 p.m.

Designated Permit Coordinator (staff contact): Jeremy Johnston, Staff Planner: (509) 962-7506; email at jeremy.johnston@co.kittitas.wa.us.

DAILY RECORD/KITTITAS PUB
C/O IDAHO STATE JOURNAL RECEIVABLES
PO BOX 1570
POCATELLO ID 83204
(509)925-1414
Fax (509)925-5696

ORDER CONFIRMATION

Salesperson: MEGAN WOODRUFF Printed at 09/11/19 08:23 by mw018

Acct #: 84329 Ad #: 1944264 Status: New WHOLD

KC COMMUNITY DEVELOPMENT SERVICES Start: 09/12/2019 Stop: 09/12/2019
411 N. RUBY ST, SUITE 2 Times Ord: 1 Times Run: ***
ELLENSBURG WA 98926 STD6 2.00 X 4.97 Words: 247
Total STD6 9.94
Class: 0001 LEGAL NOTICES
Rate: LEG2 Cost: 86.78
Affidavits: 1

Contact: STEPH MIFFLIN Ad Descrpt: N/DEC VA1900002 THORP SIG
Phone: (509)962-7506 Given by: JEREMY JOHNSTON
Fax#: P.O. #: VA1900002/J JOHNSTON
Email: jeff.watson@co.kittitas.wa.u Created: mw018 09/11/19 08:16
Agency: Last Changed: mw018 09/11/19 08:23

PUB ZONE EDT TP RUN DATES
DR A 97 S 09/12
DRWN LEG2 97 S 09/12

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.

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
Fax (509)925-5696

ORDER CONFIRMATION (CONTINUED)

Salesperson: MEGAN WOODRUFF

Printed at 09/11/19 08:23 by mw018

Acct #: 84329

Ad #: 1944264

Status: New WHOLD WHOI

**NOTICE OF DECISION
Thorp Sign Height Variance
VA-19-00002**

Pursuant to RCW 36.70B.130 and KCC 15A.06, notice is hereby given that Kittitas County Community Development Services did on September 12, 2019 deny the Thorp Sign Height Variance, a request made by Shree Holdings, landowner, to substantially exceed the sign dimensional standards established under KCC17.70. The subject property is parcel # 953186 located off of Highway 90 in the Thorp Type 3 LAMIRD, in Section 13, T 18N, R 17E. Map number 18-17-13051-0002.

A copy of the Kittitas County Findings of Fact, Conclusions of Law and Decision document along with other related file documents may be examined at Kittitas County Community Development Services, 411 N. Ruby Suite 2, Ellensburg, WA 98926, or online at <https://www.co.kittitas.wa.us/cds/land-use/default.aspx> under "Setback Variances" and then the file number "VA-19-00002". Community Development Services can be reached at (509) 962-7506.

Kittitas County Code (Chapter 15A.07.010) stipulates that an appeal of this land use decision must be filed within 10 (ten) working days by submitting specific factual objections and a fee of \$1560.00 to the Kittitas County Board of Commissioners at 205 West 5th, Room 108 Ellensburg, WA 98926. The appeal deadline for this project is September 26, 2019 at 5:00 p.m.

Notice of Application: Monday, July 1, 2019
Application Received: Friday, March 22, 2019
Application Complete: Thursday, June 19, 2019
Notice of Decision: Thursday, September 12, 2019

Dated: Thursday September 12, 2019
Publish Daily Record: Thursday September 12, 2019
Publish NKC Tribune: Thursday, September 19, 2019



Shree Holdings Sign Variance

VA-19-00002

FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

I. GENERAL INFORMATION

Requested Action: Shree Holdings LLC, property owners, have submitted a zoning variance request to exceed the sign dimension limits. This variance is requested to accommodate a freestanding sign at Shree's gas station. The height limit for freestanding outdoor advertising signs in Kittitas County Code is 13', while the proposed sign height is 87.5'. The face area limit in Kittitas County Code is 325 square feet, while the proposed sign face is approximately 1176 square feet.

Location: The subject property is parcel # 953186 located off of Highway 90 in the Thorp Type 3 LAMIRD, in Section 13, T 18N, R 17E. Map number 18-17-13051-0002.

II. SITE INFORMATION

Total Property Size:	2.39 acres
Number of Lots:	1 (no new lots are being proposed)
Domestic Water:	WSLC
Sewage Disposal:	On Site Septic (Commercial)
Power/Electricity:	Kittitas PUD District 2
Fire Protection:	Fire District 1 (Rural Thorp)
Irrigation District:	West Side

Site Characteristics:

North: single-family residence, agriculture lands

South: I-90 Corridor and agriculture lands

East: residential and agriculture lands

West: retail agriculture sales and highway interchange

Access: The site is accessed via Gladmar Rd., a paved county road off of the Thorp I-90 interchange.

III. ZONING AND DEVELOPMEN STANDARDS

The subject property has a zoning designation of Highway Commercial within the Thorp Limited Area of More Intense Rural Development – Type 3. The purpose and intent of this zone is provide for motorist- tourist dependent businesses having little interdependence and requiring convenient access to passing traffic pursuant to KCC 17.44 Highway Commercial Zone. The applicant is requesting to utilize the variance process pursuant to KCC 17.84 Variances, to deviate from the prescribed sign dimensions requirements in KCC 17.70.070(2). Title 17.84.010 of the Kittitas County Code outlines four criteria in which a variance can be granted. The applicant must demonstrate that the proposal **has met all four criteria**. The following is a summary describing whether or not each criterion has been satisfactorily demonstrated:

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

On April 10, 2019 CDS sent a request for additional information letter to the applicant. The letter instructed the applicant to clarify several items including a revised narrative for variance criteria 1-3, demonstrating how their proposal is consistent with these requirements as mandated in KCC 17.84.010. Items 1-3 listed below are drawn from the applicant response to this request, while item 4 is drawn from the original application.

1. Unusual circumstances or conditions applying to the property and/or the intended use that do not apply generally to other property in the same vicinity or district, such as topography;

Applicant Response

“The property location, interstate boundaries topography, elevation of exist –vs- overpass, approach and access negatively affects the recognition and timely reaction to take advantage of the services and benefits provided by the businesses located at the site it limits the full utilization of the property to attract customers, thus it would have a negative impact on income. In regards to the WSDOT motorized information has always been debated as to its affect and the actual impact on driver decisions. If you need to understand the faith businesses have in the WSDOT program, please not pictures attached at south interchange where each major company has chosen to spend and install their signs and logos high into air and visible from the interstate. There are 18 such signs at this location.”

Staff Response

CDS staff have reviewed the applicants response above in reference to the first of four requirements necessary to obtain a variance under KCC17.84.010. This criterion requires that the applicant demonstrate “unusual circumstances or conditions applying to the property and/or intended use that do not apply generally to other property in the same vicinity or district.” CDS does not interpret potential impacts on income as “unusual circumstances or conditions” that would not apply to neighboring properties. The questionable efficacy of WSDOT motorized information signs as a means of advertising does not qualify as “unusual circumstances or conditions,” as they are a common practice for informing motorists of upcoming services throughout the State. Finally the applicant cites the common use of large free standing signs within the jurisdiction of the City of Ellensburg, which administers its own zoning regulations, informed by different criteria and regulations than the Kittitas County Code. CDS staff finds that there are not unusual circumstances or conditions applying to this property and/or the intended use that do not apply generally to other property in the same vicinity or district. Full utilization of a properties’ income potential is not a sufficient reason to grant a zoning variance under this criteria. CDS staff finds that criterion 1 of the KCC 17.84.010 has not been met.

The applicant has failed to demonstrate in a factual and meaningful way the existence of any “unusual circumstances or conditions” that do not generally apply to other property in the same vicinity as required under KCC17.84.010(1).

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

Applicant Response

“When property rights are viewed as an attribute of economic good the needs of the applicant and those in area will be greatly improved upon approval. Given the above not having the proper signage puts this property at a definite disadvantage. Competitively, the proper signage will enhance the success of all the businesses at this location plus provide additional traffic into Thorp’s developing tourist business and better traffic flow especially for trucks coming into Ellensburg.”

Staff Response

CDS staff have reviewed the complete file information, including but not limited to, the applicant submitted information and comments received during the comment period. CDS does not contest the potential economic benefit the proposed sign could generate. However, under KCC17.84.010(2) the applicant must demonstrate a variance “is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by owners of other properties in the same vicinity.” The free standing sign dimensional standards outlined in KCC17.70.070(2) apply to all proposed free standing signs within the County jurisdiction since ordinance 2014-015 was enacted, establishing a revised sign code. CDS does not understand potential economic advantage to be a “substantial property right.” CDS disagrees with the assertion that the applicant will be put at a definite disadvantage without a substantial sign variance, as any perspective business choosing to locate in the same LAMIRD would be held to the same free standing sign dimension standards under KCC17.70.070(2). CDS staff finds that a variance is not necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by owners of other properties in the same vicinity. CDS staff finds that criterion 2 of KCC 17.84.010 has not been met.

The applicant has failed to demonstrate in a factual and meaningful way the existence of a “substantial property right” that may be negated by the application of the free standing sign dimensional requirements as stipulated in KCC17.84.010 (2).

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

Applicant Response

“The height of the sign has been reduced from 120’ to 100’ to 87.5’ Placement is on the applicant’s property within the fall zone radius. Please note exhibit attached. We will comply with requirements that only one sign allowed per frontage. The current sign will be replaced and removed and not be relocated and thus avoid another variance request. Also please note that in the direction and in consideration of the NW winds the fall zone to NW is totally fenced and will deny any pedestrian access. The NW fall zone in between fire storage pond and stormwater detention ponds and non-business area.

Installation: will be in control of the YESCO engineers. They will be applying for permit, controlling the installation of the sign. This company is well known, been in business since 1920 has over 85 sign centers and has 1000 employees. Each sign will carry an engineer stamp plus liability coverage.

One of the stated concerns was compliance with the 17.70.030 of free standing and outdoor sign currently in place will be removed.”

Staff Response

Upon receiving an updated site plan by the applicant on June 6, 2019, demonstrating the potential fall radius and property setbacks, CDS finds that the applicant has demonstrated that the project will likely not be materially detrimental to the public welfare or injurious to property in the vicinity.

The applicant has demonstrated in a factual and meaningful way that the project would not be “materially detrimental to the public welfare or injurious to property in the vicinity” as stipulated in KCC 17.84.010 (3).

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

Applicant Response

“Granting of this variance request will not adversely affect the realization of the comprehensive development pattern and may assist other property owners with a reason to further develop existing properties or expand their business. This is a request for a sign on our own property that does not interfere with at all. All of this would be consistent with the comprehensive development pattern for the County and Thorp in particular. The applicants have assisted their communities over the past years and would like to add the following information and rationale for your consideration. The applicant respectfully requests the County’s approval of their variance request. ”

Staff Response

CDS has concluded that the requested proposed sign would not impact the comprehensive development pattern of the area. The subject property exists in a Type 3 LAMIRD which allows for a certain amount of more intense development.

The applicant has demonstrated in a factual and meaningful way that the project would not “adversely affect the realization of the comprehensive development pattern of this area” as stipulated in KCC17.84.010 (4).

Staff Conclusions

Staff finds that the zoning variance request **does not** meet all four criteria outlined in KCC 17.84.010 as described above and that only criteria 3 and 4 can be satisfied. Therefore, the zoning variance request cannot be approved.

IV. ADMINISTRATIVE REVIEW

Project Submittal: A Zoning Variance Application was submitted to Kittitas County Community Development Services department on March 22, 2019.

Deem Complete: The application was determined incomplete and additional information was requested on April 10, 2019. On June 6, 2019 the applicant submitted additional information. On June 19, 2019 the application was deemed complete.

Notice of Application: Notice of Application was sent to property owners within 500 feet and all agencies with jurisdiction, published in the official newspaper of record for Kittitas County, and posted on the Kittitas County website on July 1, 2019, all in conformance with the Kittitas County Project Permit Application Process (Title 15A). The comment period ended at 5:00 pm on July 16, 2019 and all comments were transmitted to the applicant on July 17, 2019.

V. COMPREHENSIVE PLAN

This variance request is to accommodate a freestanding sign at Shree’s gas station. The height limit for freestanding outdoor advertising signs in Kittitas County Code is 13’, while the proposed sign height is 87.5’. The face area limit in Kittitas County Code is 325 square feet, while the proposed sign face is approximately 1176 square feet located in the Thorp Type 3 Rural LAMIRD. A LAMIRD is a local area of more intense rural development that is allowed to occur consistent with the State’s Growth Management Act and is a way to preserve the County’s overall rural character. The following are Goals and Policies from the Kittitas County Comprehensive Plan Chapter 8, Rural and Resource Lands, that are pertinent to signs within LAMIRDs.

RR-P102: “Require that development or redevelopment harmonize with the rural character of the surrounding areas.”

Staff Consistency Statement:

This zoning sign variance is requested on a parcel located within the existing Thorp Type 3 LAMIRD. While a LAMIRD does allow for more intense rural development, a sign variance of the magnitude proposed would not be consistent with rural character as reflected in LAMIRD designations throughout the County. Therefore, this request is not consistent with this Comprehensive Plan Policy.

RR-G32: “Provide for rural community settings which do not require urban levels of services and maintain existing rural development patterns that have existed for long periods of time.”

Staff Consistency Statement:

This sign variance is requested on a parcel located within the existing Thorp Type 3 LAMIRD and does not require urban levels of service. A sign variance several times larger than dimensional standards established under KCC 17.70 would not be consistent with rural development patterns within Kittitas County. Therefore, this request is not consistent with this Comprehensive Plan Goal.

VI. ENVIRONMENTAL REVIEW

Based upon review of the submitted application materials and an initial critical areas review CDS determined that the Shree Sign Variance is exempt from SEPA review pursuant to WAC 197-11-800(6)(e).

VII. AGENCY AND PUBLIC COMMENTS

Applicable agencies, adjacent property owners, and interested parties have been given the opportunity to review this proposal. All comments are on file and available for public review.

VIII. 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 not consistent with the goals and policies of the Kittitas County Comprehensive Plan. As referenced above in Section V of this staff report, the following Comprehensive Plan Goals and Policies apply to this proposal: RR-P102 and RR-G32.

The requested sign variance related to construction of a free standing sign beyond dimensional standards on a parcel located within the existing Thorp Type 3 LAMIRD is not consistent with the Comprehensive Plan because it does not reflect the Goals and Policies outlined above in Section V, and does not satisfy all requirements of KCC 17.84.010 which is an implementing regulation of the Comprehensive Plan.

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

Staff conducted an administrative critical area review in accordance with KCC 17A. GIS information indicates no known critical areas on the subject property. This request is consistent with critical areas provisions.

Consistency with the provisions of KCC 17.70 Signs:

This proposal, without approval of the sign variance, is not consistent with the sign dimensions outlined in Kittitas County Zoning Code 17.70.

Consistency with the provisions of KCC 17.84, Variances:

This proposal must meet all four of the criteria for granting a zoning variance. The four criteria are: 1) unusual circumstances or conditions applying to the property and/or the intended use that do not apply generally to other

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

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

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

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

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

Agency Comments:

Substantive comments were received from the following agencies: Washington State Department of Transportation and Kittitas County CDS Building. All comments are on file and available for public review.

Kittitas County CDS Building

In email correspondence received by CDS on July 16, 2019, the Kittitas County Building Official provided the following comments:

1. My comments are based on the 87.5 maximum sign height listed in the Variance request.
2. The sign construction drawings and calculations shall bear the stamp of a Washington State licensed engineer. Wind speed is 110 vUlt. All design shall be per the current Kittitas County adopted International Building Code with Washington State Amendments.
3. Setbacks to property lines should provide a sufficient fall zone should the sign fail.

Staff Response

Staff agrees that the proposed sign variance would require the building details noted above to protect public safety if the variance request were approved.

Washington State Department of Transportation

The Washington State Department of Transportation provided the following comments:

1. The subject property is adjacent to Interstate 90 (I-90), a fully-controlled limited access facility with a posted speed limit of 70 miles per hour. No direct access to I-90 will be allowed.
2. Outdoor advertising and motorist signing must comply with state criteria.

Staff Response

CDS staff acknowledge the WSDOT requirements as standard requirements for any sign proposal along a State controlled highway.

Public Comments:

- No public comments were submitted during the comment period.

IX. FINDINGS OF FACT

1. Shree Holdings LLC, property owners, have submitted a zoning variance request to exceed the sign dimension limits. This variance is requested to accommodate a freestanding sign at Shree's gas station. The height limit for freestanding outdoor advertising signs in Kittitas County Code is 13', while the proposed sign height is 87.5'. The face area limit in Kittitas County Code is 325 square feet, while the proposed sign face is approximately 1176 square feet.
2. The subject property is parcel # 953186 located off of Highway 90 in the Thorp Type 3 LAMIRD, in Section 13, T 18N, R 17E. Map number 18-17-13051-0002.

3. Site Information

Total Property Size:	2.39 acres
Number of Lots:	1 (no new lots are being proposed)
Domestic Water:	WSLC
Sewage Disposal:	On Site Septic (Commercial)
Power/Electricity:	Kittitas PUD District 2
Fire Protection:	Fire District 1 (Rural Thorp)
Irrigation District:	West Side

4. Site Characteristics:

North: single-family residence, agriculture lands
South: I-90 Corridor and agriculture lands
East: residential and agriculture lands
West: retail agriculture sales and highway interchange

The site is accessed via Gladmar Rd., a paved county road off of the Thorp I-90 interchange.

5. The subject property has a zoning designation of Highway Commercial within the Thorp Limited Area of More Intense Rural Development – Type 3. The purpose and intent of this zone is provide for motorist- tourist dependent businesses having little interdependence and requiring convenient access to passing traffic pursuant to KCC 17.44 Highway Commercial Zone. The applicant is requesting to utilize the variance process pursuant to KCC 17.84 Variances, to deviate from the prescribed sign dimensions requirements in KCC 17.70.070(2). Title 17.84.010 of the Kittitas County Code outlines four criteria in which a variance can be granted. The applicant must demonstrate that the proposal **has met all four criteria**.
6. A Zoning Variance Application was submitted to Kittitas County Community Development Services department on March 22, 2019.
7. The application was determined incomplete and additional information was requested on April 10, 2019. On June 6, 2019 the applicant submitted additional information. On June 19, 2019 the application was deemed complete.
8. Notice of Application was sent to property owners within 500 feet and all agencies with jurisdiction, published in the official newspaper of record for Kittitas County, and posted on the Kittitas County website on July 1, 2019, all in conformance with the Kittitas County Project Permit Application Process (Title 15A). The comment period ended at 5:00 pm on July 16, 2019 and all comments were transmitted to the applicant on July 17, 2019.
9. The proposal is not consistent with the goals and policies of the Kittitas County Comprehensive Plan.

As referenced above in Section V of this staff report, the following Comprehensive Plan Goals and Policies apply to this proposal: RR-P102 and RR-G32.

10. Based upon review of the submitted application materials and an initial critical areas review CDS determined that the Shree Sign Variance is exempt from SEPA review pursuant to WAC 197-11-800(6)(e).
11. The proposal is not consistent with the Kittitas County Comprehensive Plan.
12. The proposal is consistent with the provisions of KCC 17A, Critical Areas.
13. The proposal is not consistent with the provisions of KCC 17.70 Signs, without approval of the sign variance.
14. The proposal is not consistent with the KCC 17.84 Variances, more specifically all four review criteria in KCC 17.84.010 must be met and criteria 1 & 2 have not been satisfied.
15. This proposal is not consistent with the provisions of the KCC Title 14.04, Building Code.
16. The proposal is consistent with the provisions of KCC Title 20, Fire and Life Safety:
17. Comments were received from the following agencies: Kittitas County CDS Building and Washington State Department of Transportation. All comments are on file and available for public review.
18. No public comments were received.

X. STAFF CONCLUSIONS:

1. This proposal does not meet all four criteria of KCC Title 17.84.010, therefore it cannot be approved.
2. The variance is not consistent with the Kittitas County Comprehensive Plan goals and policies for the LAMIRD land use designation.

XI. DECISION AND CONDITIONS OF APPROVAL:

Kittitas County Community Development Services finds that the Shree Sign Variance (VA-19-00002) is hereby **denied**. The Shree Sign Variance does not adequately meet the requirements of a variance pursuant to KCC 17.84.010.

Responsible Official



Dan Carlson

Title: CDS Planning Director

Address: Kittitas County Community Development Services

411 N. Ruby Street, Suite 2
Ellensburg, WA. 98926
Phone: (509) 962-7506

Date: September 12, 2019

Pursuant to Chapter 15A.07 KCC, this DNS may be appealed by submitting specific factual objections in writing with a fee of \$1560 to the Kittitas County Board of Commissioners, Kittitas County Courthouse Room 110, Ellensburg, WA 98926. Timely appeals must be received no later than 5:00pm September 26, 2019. Aggrieved parties are encouraged to contact the Board at (509) 962-7508 for more information on the appeal process.



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”

Affidavit of Mailing & Publication

PROPOSAL NAME: (VA-19-00002) Thorp Sign Variance

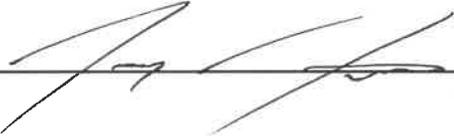
NOTIFICATION OF: Notice of Decision

NOTIFICATION MAIL DATE: Septmeber 12, 2019

I certify that the following documentation:

- Notice of Decision Thorp Sign Variance

has been mailed and/or emailed 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.

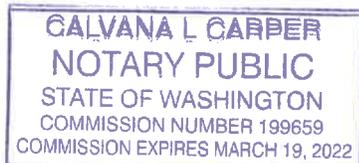

 _____ Signature

Jeremy Johnston
 Community Development Services Planning Official
 County of Kittitas
 State of Washington

Subscribed and sworn to before me this 12th day of September, 2019



Calvana Carper
 Notary Public for the State of Washington residing
 in Cle Elum.



My appointment expires: 3.19.22

DAILY RECORD/KITTITAS PUB
C/O IDAHO STATE JOURNAL RECEIVABLES
PO BOX 1570
POCATELLO ID 83204
(509)925-1414
Fax (509)925-5696

ORDER CONFIRMATION

Salesperson: MEGAN WOODRUFF Printed at 09/11/19 08:23 by mw018

Acct #: 84329 Ad #: 1944264 Status: New WHOLD
KC COMMUNITY DEVELOPMENT SERVICES Start: 09/12/2019 Stop: 09/12/2019
411 N. RUBY ST, SUITE 2 Times Ord: 1 Times Run: ***
ELLENSBURG WA 98926 STD6 2.00 X 4.97 Words: 247
Total STD6 9.94
Class: 0001 LEGAL NOTICES
Rate: LEG2 Cost: 86.78
Affidavits: 1
Contact: STEPH MIFFLIN Ad Descrpt: N/DEC VA1900002 THORP SIG
Phone: (509)962-7506 Given by: JEREMY JOHNSTON
Fax#: P.O. #: VA1900002/J JOHNSTON
Email: jeff.watson@co.kittitas.wa.u Created: mw018 09/11/19 08:16
Agency: Last Changed: mw018 09/11/19 08:23

PUB ZONE EDT TP RUN DATES
DR A 97 S 09/12
DRWN LEG2 97 S 09/12

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.

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
Fax (509)925-5696

ORDER CONFIRMATION (CONTINUED)

Salesperson: MEGAN WOODRUFF

Printed at 09/11/19 08:23 by mw018

Acct #: 84329

Ad #: 1944264

Status: New WHOLD WHOI

**NOTICE OF DECISION
Thorp Sign Height Variance
VA-19-00002**

Pursuant to RCW 36.70B.130 and KCC 15A.06, notice is hereby given that Kittitas County Community Development Services did on September 12, 2019 deny the Thorp Sign Height Variance, a request made by Shree Holdings, landowner, to substantially exceed the sign dimensional standards established under KCC17.70. The subject property is parcel # 953186 located off of Highway 90 in the Thorp Type 3 LAMIRD, in Section 13, T 18N, R 17E. Map number 18-17-13051-0002.

A copy of the Kittitas County Findings of Fact, Conclusions of Law and Decision document along with other related file documents may be examined at Kittitas County Community Development Services, 411 N. Ruby Suite 2, Ellensburg, WA 98926, or online at <https://www.co.kittitas.wa.us/cds/land-use/default.aspx> under "Setback Variances" and then the file number "VA-19-00002". Community Development Services can be reached at (509) 962-7506.

Kittitas County Code (Chapter 15A.07.010) stipulates that an appeal of this land use decision must be filed within 10 (ten) working days by submitting specific factual objections and a fee of \$1560.00 to the Kittitas County Board of Commissioners at 205 West 5th, Room 108 Ellensburg, WA 98926. The appeal deadline for this project is September 26, 2019 at 5:00 p.m.

Notice of Application: Monday, July 1, 2019
Application Received: Friday, March 22, 2019
Application Complete: Thursday, June 19, 2019
Notice of Decision: Thursday, September 12, 2019

Dated: Thursday September 12, 2019
Publish Daily Record: Thursday September 12, 2019
Publish NKC Tribune: Thursday, September 19, 2019

From: [Jeremy Johnston](#)
To: [Jacob Prilucik](#); [Mike Flory](#)
Subject: Notice of Decision VA-19-00002 Thorp Sign Variance
Date: Thursday, September 12, 2019 9:28:30 AM
Attachments: [VA-19-00002 Thorp Sign Notice of Decision.pdf](#)

Good Morning,

Attached is the Notice of Decision for the Thorp Sign Variance VA-19-00002, in which you or your department provided comment. Let me know if you have any questions.

Jeremy Johnston, MURP

Kittitas County CDS, Planner

(509) 962-7065

jeremy.johnston@co.kittitas.wa.us



"Building Partnerships-Building Communities"

From: [Jeremy Johnston](#)
To: "ekta@shreeinvestmentsinc.com"; "rweaver@fairpoint.net"
Subject: Notice of Decision VA-19-00002 Thorp Sign Variance
Date: Thursday, September 12, 2019 9:33:51 AM
Attachments: [VA-19-00002 Thorp Sign Notice of Decision.pdf](#)
[VA-19-00002 Thorp Sign Variance Findings of Fact Signed.pdf](#)

Good Morning,

CDS has issued a determination on your variance application VA-19-00002. Attached is the notice of decision letter as well as the findings of fact document that outlines the specific criteria utilized for the determination. If you have any questions feel free to contact me.

Jeremy Johnston, MURP

Kittitas County CDS, Planner

(509) 962-7065

jeremy.johnston@co.kittitas.wa.us



"Building Partnerships-Building Communities"

MEYER, FLUEGGE & TENNEY, P.S.

DENNIS L. FLUEGGE
ROBERT C. TENNEY
MARK D. WATSON*
JEROME R. AIKEN*
JOHN A. MAXWELL, JR.
PETER M. RITCHIE**
JAMES C. CARMODY

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SEAN M. WORLEY
JACOB A. LARA
*** ERIC J. H. CHAPMAN
KINDRA K. CRAWFORD

***Also admitted in Oregon & Alaska

*Also admitted in Oregon
**Also admitted in Virginia

OF COUNSEL
GARY E. LOFLAND

September 26, 2019

RECEIVED

SEP 26 2019

Kittitas County
Board of Commissioners
Room 108, County Courthouse
205 W 5th Avenue
Ellensburg, WA 98926

1st [initials] ✓ ✓
P.A.
CDS

RE: Notice of Administrative Appeal

Dear Board of Commissioners:

Shree Holdings LLC respectfully appeals Kittitas County Community Development Services' decision on September 12, 2019 to deny the Thorp sign height variance request, VA-19-00002. Shree Holdings LLC is a family company owned by Ekta and Sanjay Saini. They've been operating gas stations in Central Washington since 2005. The subject property is parcel #953186 located off of Highway 90, in Section 13, T 18 N, R 17E, within unincorporated Kittitas County. This Notice of Appeal and the accompanying fee are timely filed and the appellants have standing.

The Shree property is zoned Highway Commercial within the Thorp Limited Area of More Intense Rural Development. As the Kittitas County Community of Development Services (CDS) recognized in their findings of fact for this variance request, "[t]he purpose and intent of this zone is to provide for motorist-tourist dependent businesses... requiring convenient access to passing traffic pursuant to KCC 17.44 Highway Commercial Zone." The appellants own and operate a gas station business at the site in conformance with the purpose of the zoning designation, and wish to install signage that would be appropriately sized to be visible to highway traffic in both directions.

Due to the topography of the Shree property, signs at a conforming height would not be visible at all to any eastbound traffic on Interstate 90 because the current height limit for freestanding outdoor advertising signs at this location is merely 13 feet. KCC 17.70.070(2). Therefore, Shree Holdings LLC, submitted a zoning variance request pursuant to KCC 17.84.010, to accommodate a freestanding sign appropriately sized for traffic in both direction on the highway. An appropriately sized sign will allow drivers to safely identify the business a few miles before the Thorp exit, giving them time to decide whether to exit the highway, and to safely do so if they wish. Ekta and Sanjay have worked closely with experienced consultants to find the best solution to their signage needs. A flag test at the site showed that the topography of this property requires a sign that that clears 65 feet minimum. Without sufficient height, any signage at this location would be hidden from eastbound drivers on I-90. At that height, the sign needs an area of approximately one thousand square feet in order to be legibly display usable information to eastbound drivers on I-90.

This proposed variance is not controversial. Notice of the application was sent to all property owners within 500 feet and all agencies with jurisdiction, published in the official newspaper of record for Kittitas County, and posted on the Kittitas County website; no substantive public comments were submitted. CDS has also determined that the proposed signage will have no significant environmental impacts and is exempt from SEPA review.

Title 17.84.010 of the Kittitas County Code outlines the four criteria for a variance to be granted. The four criteria are as follows:

1. *Unusual circumstances or conditions applying to the property and/or the intended use that do not apply generally to other property in the same vicinity or district, such as topography;*
2. *Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same vicinity or district;*
3. *The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which the property is located;*
4. *That the granting of such variance will not adversely affect the realization of the comprehensive development pattern. A variance so authorized shall become void after the expiration of one year if no substantial construction has taken place;*

In this case, CDS has already agreed that the proposal meets the third and fourth criteria. CDS agreed that the project will not be materially detrimental to the public welfare or injurious to property in the vicinity, and would not "adversely affect the realization of the comprehensive development pattern of this area" as stipulated in KCC17.84.010 (4). Therefore, disagreement remains only as to the degree to which the proposal meets the first two criteria. In addition, CDS contended that the variance request was inconsistent with the adopted comprehensive plan and "inconsistent with rural character," despite the fact that the comprehensive plan explicitly adopted the zoning scheme that declared the Shree property within a Highway Commercial zone and an area of "More Intense" development.

In sum, the issues on appeal are (1) whether unusual circumstances or conditions applying to the property and/or the intended use that do not apply generally to other property in the same vicinity or district, such as topography; (2) whether Shree's proposed variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same vicinity or district; (3) whether the variance request is consistent with the adopted comprehensive plan and rural character. We address each of these issues in further detail below.

Criteria #1 – *"Unusual circumstances or conditions applying to the property and/or the intended use that do not apply generally to other property in the same vicinity or district, such as topography."*

The Shree property is zoned Highway Commercial within the Thorp Limited Area of More Intense Rural Development. The property in and of itself is unique; it is adjacent to Interstate-90 and close to a freeway interchange, and zoned for highway motor-tourist dependent uses. Yet the property is blocked from the line of sight of oncoming traffic by the natural topography of the property as well as an elevated highway overpass.

As CDS acknowledges, “[t]he purpose and intent of this zone is to provide for motorist-tourist dependent businesses... requiring convenient access to passing traffic.” Unfortunately, the topography of the Shree Holdings LLC property effectively hides the motorist-tourist dependent gas station from east-bound traffic on I-90. The 13-foot height restriction on free standing signs at this location cannot overcome the unique topographical challenge at this site. Any code compliant sign at this location would be invisible to east bound traffic and utterly futile. Appellants would be happy to provide further supporting documentation and details about the topography and visibility restrictions during the appeal process.

The unique geography and layout of this property does not allow for signage that would be appropriately sized to be visible to highway traffic in both directions without a variance. This is a challenge unique to the way the freeway approaches and passes by the property, the presence of an existing highway over pass that restrict driver’s line of sight, and the property’s unique position below the horizon as drivers approach from the east. This fact constitutes an unusual circumstance applying to the property and the intended use that do not apply generally to other property in the same vicinity or district and therefore satisfies condition 1.

We urge the Commissioners to find that the applicant has demonstrated the existence of "unusual circumstances or conditions" that do not generally apply to other property in the same circumstance as required under KCC17.84.010(1).

Criteria #2 – *“Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by owners of other properties in the same vicinity.”*

Proper signage that is clear and legible to highway traffic in both directions is key to both the purpose for which the “Highway Commercial,” “Area of More Intense Rural Development” zone was establish, as well as the reasonable investment-backed expectations of Shree Holdings LLC.

As discussed above, the Shree property faces unique topographical challenges and require this variance in order to have a sign that is appropriately sized so as to be visible to on-coming traffic from the highway. CDS explicitly acknowledges the “economic benefit the proposed sign could generate.” The inability to install signage that complements the topography of this site puts this property at a definite disadvantage relative to other potential property owners in the same Highway Commercial zone in the same LAMIRD.

Other prospective businesses choosing to locate in the same LAMIRD will necessarily have different lines of sight and geometric orientation towards the highway. They may not face the same geographical challenge in advertising visibly to traffic on the highway. This variance is necessary to fulfill the purpose for which is property is zoned, and the purpose for which the Ekta and Sanjay purchased the property. Without a sign, the traffic does not have enough time to decide whether to exit, and if so, to take the exit in a safe manner, which is crucial to a “motorist-tourist dependent business... requiring convenient access to passing traffic.” Without the variance, Ekta and Sanjay cannot realize their reasonable investment-backed expectations, which is a substantial impairment of their property rights. *See Penn Central Transportation Co. v. New York City*, 438 U.S. 104 (1978) (“The economic impact of the regulation (on the claimant and, particularly, the extent to which the regulation has interfered with distinct investment-backed expectations are, of course, relevant considerations.”) The concept of distinct investment-backed expectations brings the economic impact of a regulation into the takings analysis by asking whether the regulation interferes impermissibly with expectations on which the owner has invested resources. *See Daniel R. Mandelker, Investment-Backed Expectations in Taking Law*, 27 URB. LAW. 215 (1995), § 2.13. The variance is necessary to for the preservation and enjoyment of the applicant’s substantial property right to use the property in conformity with the purpose for which it is zoned.

Ekta and Sanjay's reasonable investment-backed expectation that the property they purchased through Shree Holdings LLC may indeed be used for the purpose for which it is zoned is indeed a "substantial property right." And that substantial property right is negated if they cannot install appropriate signage that is visible from the highway. A variance is necessary for the preservation and enjoyment of this substantial property right.

Consistency with Comprehensive Plan

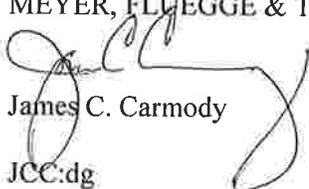
CDS contended that the variance request was inconsistent with the adopted comprehensive plan and "inconsistent with rural character," despite the fact that the existing comprehensive plan as adopted explicitly recognizes the zoning scheme that declared the Shree property within a Highway Commercial zone and an area of "more intense" development."

As (CDS) recognized in their findings of fact, "[t]he purpose and intent of this zone is to provide for motorist-tourist dependent businesses... requiring convenient access to passing traffic pursuant to KCC 17.44 Highway Commercial Zone." Signage visible to "motorist-tourist" is inherently consistent with "motorist-tourist dependent businesses" such as the Shree gas station. In discussing consistency with the Comprehensive Plan, CDS again concedes that "a LAMIRD does allow for more intense rural development," but then goes on to assert that the request would not be consistent with rural character without any justification. Washington's Growth Management Act provides for limited areas of more intensive rural development (LAMIRDs) to be included in the Rural Element of a Comprehensive Plan. The LAMIRD is a planning tool meant to allow intensification of development on lots containing isolated nonresidential uses or new development of isolated small-scale businesses that provide job opportunities for rural residents. There is nothing discordant about an appropriately sized sign for a gas station at a rural highway interchange at a location specifically zoned for such a business.

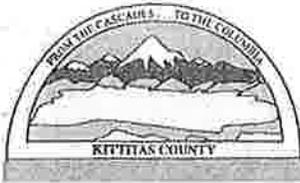
In conclusion, Shree Holdings LLC respectfully appeals Kittitas County Community Development Services' decision denying the Thorp sign height variance request, VA-19-00002. It is undisputed that the Shree property is zoned for the purpose of "provid[ing] for motorist-tourist dependent businesses... requiring convenient access to passing traffic." The appellants have a substantial property right in their reasonable investment-backed expectation of owning and operating a gas station business at the site in conformance with the purpose of the zoning designation. Due to the topographical challenges from the geography at this location, the variance is necessary for the applicant to install appropriately sized signage visible to highway traffic in both directions. Shree Holdings LLC expressly reserves and any and all rights arising under or related to this dispute, including the right to supplement the record on appeal.

This proposal indeed meets all four criteria of KCC Title 17.84.010, it is also consistent with the Kittitas County Comprehensive Plan goals and policies for the LAMIRD land use designation. Therefore, Appellants respectfully request that the variance requested by Shree Holdings LLC be granted.

Very truly yours,
MEYER, FLUEGGE & TENNEY, P.S.


James C. Carmody

JCC:dg



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"

Shree Holdings Sign Variance VA-19-00002

FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

I. GENERAL INFORMATION

Requested Action: Shree Holdings LLC, property owners, have submitted a zoning variance request to exceed the sign dimension limits. This variance is requested to accommodate a freestanding sign at Shree's gas station. The height limit for freestanding outdoor advertising signs in Kittitas County Code is 13', while the proposed sign height is 87.5'. The face area limit in Kittitas County Code is 325 square feet, while the proposed sign face is approximately 1176 square feet.

Location: The subject property is parcel # 953186 located off of Highway 90 in the Thorp Type 3 LAMIRD, in Section 13, T 18N, R 17E. Map number 18-17-13051-0002.

II. SITE INFORMATION

Total Property Size:	2.39 acres
Number of Lots:	1 (no new lots are being proposed)
Domestic Water:	WSLC
Sewage Disposal:	On Site Septic (Commercial)
Power/Electricity:	Kittitas PUD District 2
Fire Protection:	Fire District 1 (Rural Thorp)
Irrigation District:	West Side

Site Characteristics:

- North:** single-family residence, agriculture lands
- South:** I-90 Corridor and agriculture lands
- East:** residential and agriculture lands
- West:** retail agriculture sales and highway interchange

Access: The site is accessed via Gladmar Rd., a paved county road off of the Thorp I-90 interchange.

III. ZONING AND DEVELOPMENT STANDARDS

The subject property has a zoning designation of Highway Commercial within the Thorp Limited Area of More Intense Rural Development – Type 3. The purpose and intent of this zone is provide for motorist- tourist dependent businesses having little interdependence and requiring convenient access to passing traffic pursuant to KCC 17.44 Highway Commercial Zone. The applicant is requesting to utilize the variance process pursuant to KCC 17.84 Variances, to deviate from the prescribed sign dimensions requirements in KCC 17.70.070(2). Title 17.84.010 of the Kittitas County Code outlines four criteria in which a variance can be granted. The applicant must demonstrate that the proposal **has met all four criteria**. The following is a summary describing whether or not each criterion has been satisfactorily demonstrated:

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

On April 10, 2019 CDS sent a request for additional information letter to the applicant. The letter instructed the applicant to clarify several items including a revised narrative for variance criteria 1-3, demonstrating how their proposal is consistent with these requirements as mandated in KCC 17.84.010. Items 1-3 listed below are drawn from the applicant response to this request, while item 4 is drawn from the original application.

1. Unusual circumstances or conditions applying to the property and/or the intended use that do not apply generally to other property in the same vicinity or district, such as topography;

Applicant Response

“The property location, interstate boundaries topography, elevation of exist –vs- overpass, approach and access negatively affects the recognition and timely reaction to take advantage of the services and benefits provided by the businesses located at the site it limits the full utilization of the property to attract customers, thus it would have a negative impact on income. In regards to the WSDOT motorized information has always been debated as to its affect and the actual impact on driver decisions. If you need to understand the faith businesses have in the WSDOT program, please not pictures attached at south interchange where each major company has chosen to spend and install their signs and logos high into air and visible from the interstate. There are 18 such signs at this location.”

Staff Response

CDS staff have reviewed the applicants response above in reference to the first of four requirements necessary to obtain a variance under KCC17.84.010. This criterion requires that the applicant demonstrate “unusual circumstances or conditions applying to the property and/or intended use that do not apply generally to other property in the same vicinity or district.” CDS does not interpret potential impacts on income as “unusual circumstances or conditions” that would not apply to neighboring properties. The questionable efficacy of WSDOT motorized information signs as a means of advertising does not qualify as “unusual circumstances or conditions,” as they are a common practice for informing motorists of upcoming services throughout the State. Finally the applicant cites the common use of large free standing signs within the jurisdiction of the City of Ellensburg, which administers its own zoning regulations, informed by different criteria and regulations than the Kittitas County Code. CDS staff finds that there are not unusual circumstances or conditions applying to this property and/or the intended use that do not apply generally to other property in the same vicinity or district. Full utilization of a properties’ income potential is not a sufficient reason to grant a zoning variance under this criteria. CDS staff finds that criterion 1 of the KCC 17.84.010 has not been met.

The applicant has failed to demonstrate in a factual and meaningful way the existence of any “unusual circumstances or conditions” that do not generally apply to other property in the same vicinity as required under KCC17.84.010(1).

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

Applicant Response

“When property rights are viewed as an attribute of economic good the needs of the applicant and those in area will be greatly improved upon approval. Given the above not having the proper signage puts this property at a definite disadvantage. Competitively, the proper signage will enhance the success of all the businesses at this location plus provide additional traffic into Thorp’s developing tourist business and better traffic flow especially for trucks coming into Ellensburg.”

Staff Response

CDS staff have reviewed the complete file information, including but not limited to, the applicant submitted information and comments received during the comment period. CDS does not contest the potential economic benefit the proposed sign could generate. However, under KCC17.84.010(2) the applicant must demonstrate a variance “is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by owners of other properties in the same vicinity.” The free standing sign dimensional standards outlined in KCC17.70.070(2) apply to all proposed free standing signs within the County jurisdiction since ordinance 2014-015 was enacted, establishing a revised sign code. CDS does not understand potential economic advantage to be a “substantial property right.” CDS disagrees with the assertion that the applicant will be put at a definite disadvantage without a substantial sign variance, as any perspective business choosing to locate in the same LAMIRD would be held to the same free standing sign dimension standards under KCC17.70.070(2). CDS staff finds that a variance is not necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by owners of other properties in the same vicinity. CDS staff finds that criterion 2 of KCC 17.84.010 has not been met.

The applicant has failed to demonstrate in a factual and meaningful way the existence of a “substantial property right” that may be negated by the application of the free standing sign dimensional requirements as stipulated in KCC17.84.010 (2).

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

Applicant Response

“The height of the sign has been reduced from 120’ to 100’ to 87.5’ Placement is on the applicant’s property within the fall zone radius. Please note exhibit attached. We will comply with requirements that only one sign allowed per frontage. The current sign will be replaced and removed and not be relocated and thus avoid another variance request. Also please note that in the direction and in consideration of the NW winds the fall zone to NW is totally fenced and will deny any pedestrian access. The NW fall zone in between fire storage pond and stormwater detention ponds and non-business area.

Installation: will be in control of the YESCO engineers. They will be applying for permit, controlling the installation of the sign. This company is well known, been in business since 1920 has over 85 sign centers and has 1000 employees. Each sign will carry an engineer stamp plus liability coverage.

One of the stated concerns was compliance with the 17.70.030 of free standing and outdoor sign currently in place will be removed.”

Staff Response

Upon receiving an updated site plan by the applicant on June 6, 2019, demonstrating the potential fall radius and property setbacks, CDS finds that the applicant has demonstrated that the project will likely not be materially detrimental to the public welfare or injurious to property in the vicinity.

The applicant has demonstrated in a factual and meaningful way that the project would not be “materially detrimental to the public welfare or injurious to property in the vicinity” as stipulated in KCC 17.84.010 (3).

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

Applicant Response

“Granting of this variance request will not adversely affect the realization of the comprehensive development pattern and may assist other property owners with a reason to further develop existing properties or expand their business. This is a request for a sign on our own property that does not interfere with at all. All of this would be consistent with the comprehensive development pattern for the County and Thorp in particular. The applicants have assisted their communities over the past years and would like to add the following information and rationale for your consideration. The applicant respectfully requests the County’s approval of their variance request. ”

Staff Response

CDS has concluded that the requested proposed sign would not impact the comprehensive development pattern of the area. The subject property exists in a Type 3 LAMIRD which allows for a certain amount of more intense development.

The applicant has demonstrated in a factual and meaningful way that the project would not “adversely affect the realization of the comprehensive development pattern of this area” as stipulated in KCC17.84.010 (4).

Staff Conclusions

Staff finds that the zoning variance request **does not** meet all four criteria outlined in KCC 17.84.010 as described above and that only criteria 3 and 4 can be satisfied. Therefore, the zoning variance request cannot be approved.

IV. ADMINISTRATIVE REVIEW

Project Submittal: A Zoning Variance Application was submitted to Kittitas County Community Development Services department on March 22, 2019.

Deem Complete: The application was determined incomplete and additional information was requested on April 10, 2019. On June 6, 2019 the applicant submitted additional information. On June 19, 2019 the application was deemed complete.

Notice of Application: Notice of Application was sent to property owners within 500 feet and all agencies with jurisdiction, published in the official newspaper of record for Kittitas County, and posted on the Kittitas County website on July 1, 2019, all in conformance with the Kittitas County Project Permit Application Process (Title 15A). The comment period ended at 5:00 pm on July 16, 2019 and all comments were transmitted to the applicant on July 17, 2019.

V. COMPREHENSIVE PLAN

This variance request is to accommodate a freestanding sign at Shree’s gas station. The height limit for freestanding outdoor advertising signs in Kittitas County Code is 13’, while the proposed sign height is 87.5’. The face area limit in Kittitas County Code is 325 square feet, while the proposed sign face is approximately 1176 square feet located in the Thorp Type 3 Rural LAMIRD. A LAMIRD is a local area of more intense rural development that is allowed to occur consistent with the State’s Growth Management Act and is a way to preserve the County’s overall rural character. The following are Goals and Policies from the Kittitas County Comprehensive Plan Chapter 8, Rural and Resource Lands, that are pertinent to signs within LAMIRDs.

RR-P102: “Require that development or redevelopment harmonize with the rural character of the surrounding areas.”

Staff Consistency Statement:

This zoning sign variance is requested on a parcel located within the existing Thorp Type 3 LAMIRD. While a LAMIRD does allow for more intense rural development, a sign variance of the magnitude proposed would not be consistent with rural character as reflected in LAMIRD designations throughout the County. Therefore, this request is not consistent with this Comprehensive Plan Policy.

RR-G32: "Provide for rural community settings which do not require urban levels of services and maintain existing rural development patterns that have existed for long periods of time."

Staff Consistency Statement:

This sign variance is requested on a parcel located within the existing Thorp Type 3 LAMIRD and does not require urban levels of service. A sign variance several times larger than dimensional standards established under KCC 17.70 would not be consistent with rural development patterns within Kittitas County. Therefore, this request is not consistent with this Comprehensive Plan Goal.

VI. ENVIRONMENTAL REVIEW

Based upon review of the submitted application materials and an initial critical areas review CDS determined that the Shree Sign Variance is exempt from SEPA review pursuant to WAC 197-11-800(6)(e).

VII. AGENCY AND PUBLIC COMMENTS

Applicable agencies, adjacent property owners, and interested parties have been given the opportunity to review this proposal. All comments are on file and available for public review.

VIII. 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 not consistent with the goals and policies of the Kittitas County Comprehensive Plan. As referenced above in Section V of this staff report, the following Comprehensive Plan Goals and Policies apply to this proposal: RR-P102 and RR-G32.

The requested sign variance related to construction of a free standing sign beyond dimensional standards on a parcel located within the existing Thorp Type 3 LAMIRD is not consistent with the Comprehensive Plan because it does not reflect the Goals and Policies outlined above in Section V, and does not satisfy all requirements of KCC 17.84.010 which is an implementing regulation of the Comprehensive Plan.

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

Staff conducted an administrative critical area review in accordance with KCC 17A. GIS information indicates no known critical areas on the subject property. This request is consistent with critical areas provisions.

Consistency with the provisions of KCC 17.70 Signs:

This proposal, without approval of the sign variance, is not consistent with the sign dimensions outlined in Kittitas County Zoning Code 17.70.

Consistency with the provisions of KCC 17.84. Variances:

This proposal must meet all four of the criteria for granting a zoning variance. The four criteria are: 1) unusual circumstances or conditions applying to the property and/or the intended use that do not apply generally to other

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

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

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

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

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

Agency Comments:

Substantive comments were received from the following agencies: Washington State Department of Transportation and Kittitas County CDS Building. All comments are on file and available for public review.

Kittitas County CDS Building

In email correspondence received by CDS on July 16, 2019, the Kittitas County Building Official provided the following comments:

1. My comments are based on the 87.5 maximum sign height listed in the Variance request.
2. The sign construction drawings and calculations shall bear the stamp of a Washington State licensed engineer. Wind speed is 110 vUIt. All design shall be per the current Kittitas County adopted International Building Code with Washington State Amendments.
3. Setbacks to property lines should provide a sufficient fall zone should the sign fail.

Staff Response

Staff agrees that the proposed sign variance would require the building details noted above to protect public safety if the variance request were approved.

Washington State Department of Transportation

The Washington State Department of Transportation provided the following comments:

1. The subject property is adjacent to Interstate 90 (I-90), a fully-controlled limited access facility with a posted speed limit of 70 miles per hour. No direct access to I-90 will be allowed.
2. Outdoor advertising and motorist signing must comply with state criteria.

Staff Response

CDS staff acknowledge the WSDOT requirements as standard requirements for any sign proposal along a State controlled highway.

Public Comments:

- No public comments were submitted during the comment period.

IX. FINDINGS OF FACT

1. Shree Holdings LLC, property owners, have submitted a zoning variance request to exceed the sign dimension limits. This variance is requested to accommodate a freestanding sign at Shree’s gas station. The height limit for freestanding outdoor advertising signs in Kittitas County Code is 13’, while the proposed sign height is 87.5’. The face area limit in Kittitas County Code is 325 square feet, while the proposed sign face is approximately 1176 square feet.
2. The subject property is parcel # 953186 located off of Highway 90 in the Thorp Type 3 LAMIRD, in Section 13, T 18N, R 17E. Map number 18-17-13051-0002.

3. Site Information

Total Property Size:	2.39 acres
Number of Lots:	1 (no new lots are being proposed)
Domestic Water:	WSLC
Sewage Disposal:	On Site Septic (Commercial)
Power/Electricity:	Kittitas PUD District 2
Fire Protection:	Fire District 1 (Rural Thorp)
Irrigation District:	West Side

4. Site Characteristics:
North: single-family residence, agriculture lands
South: I-90 Corridor and agriculture lands
East: residential and agriculture lands
West: retail agriculture sales and highway interchange

The site is accessed via Gladmar Rd., a paved county road off of the Thorp I-90 interchange.

5. The subject property has a zoning designation of Highway Commercial within the Thorp Limited Area of More Intense Rural Development – Type 3. The purpose and intent of this zone is provide for motorist- tourist dependent businesses having little interdependence and requiring convenient access to passing traffic pursuant to KCC 17.44 Highway Commercial Zone. The applicant is requesting to utilize the variance process pursuant to KCC 17.84 Variances, to deviate from the prescribed sign dimensions requirements in KCC 17.70.070(2). Title 17.84.010 of the Kittitas County Code outlines four criteria in which a variance can be granted. The applicant must demonstrate that the proposal **has met all four criteria.**
6. A Zoning Variance Application was submitted to Kittitas County Community Development Services department on March 22, 2019.
7. The application was determined incomplete and additional information was requested on April 10, 2019. On June 6, 2019 the applicant submitted additional information. On June 19, 2019 the application was deemed complete.
8. Notice of Application was sent to property owners within 500 feet and all agencies with jurisdiction, published in the official newspaper of record for Kittitas County, and posted on the Kittitas County website on July 1, 2019, all in conformance with the Kittitas County Project Permit Application Process (Title 15A). The comment period ended at 5:00 pm on July 16, 2019 and all comments were transmitted to the applicant on July 17, 2019.
9. The proposal is not consistent with the goals and policies of the Kittitas County Comprehensive Plan.

As referenced above in Section V of this staff report, the following Comprehensive Plan Goals and Policies apply to this proposal: RR-P102 and RR-G32.

10. Based upon review of the submitted application materials and an initial critical areas review CDS determined that the Shree Sign Variance is exempt from SEPA review pursuant to WAC 197-11-800(6)(e).
11. The proposal is not consistent with the Kittitas County Comprehensive Plan.
12. The proposal is consistent with the provisions of KCC 17A, Critical Areas.
13. The proposal is not consistent with the provisions of KCC 17.70 Signs, without approval of the sign variance.
14. The proposal is not consistent with the KCC 17.84 Variances, more specifically all four review criteria in KCC 17.84.010 must be met and criteria 1 & 2 have not been satisfied.
15. This proposal is not consistent with the provisions of the KCC Title 14.04, Building Code.
16. The proposal is consistent with the provisions of KCC Title 20, Fire and Life Safety:
17. Comments were received from the following agencies: Kittitas County CDS Building and Washington State Department of Transportation. All comments are on file and available for public review.
18. No public comments were received.

X. STAFF CONCLUSIONS:

1. This proposal does not meet all four criteria of KCC Title 17.84.010, therefore it cannot be approved.
2. The variance is not consistent with the Kittitas County Comprehensive Plan goals and policies for the LAMIRD land use designation.

XI. DECISION AND CONDITIONS OF APPROVAL:

Kittitas County Community Development Services finds that the Shree Sign Variance (VA-19-00002) is hereby denied. The Shree Sign Variance does not adequately meet the requirements of a variance pursuant to KCC 17.84.010.

Responsible Official



Dan Carlson

Title: CDS Planning Director

Address: Kittitas County Community Development Services



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"

NOTICE OF DECISION Thorp Sign Height Variance VA-19-00002

Notice of Application: Monday, July 1, 2019
Application Received: Friday, March 22, 2019
Application Complete: Thursday, June 19, 2019
Notice of Decision: Thursday, September 12, 2019

Pursuant to RCW 36.70B.130 and KCC 15A.06, notice is hereby given that Kittitas County Community Development Services did on September 12, 2019 deny the Thorp Sign Height Variance, a request made by Shree Holdings, landowner, to substantially exceed the sign dimensional standards established under KCC17.70. The subject property is parcel # 953186 located off of Highway 90 in the Thorp Type 3 LAMIRD, in Section 13, T 18N, R 17E. Map number 18-17-13051-0002.

A copy of the Kittitas County Findings of Fact, Conclusions of Law and Decision document along with other related file documents may be examined at Kittitas County Community Development Services, 411 N. Ruby Suite 2, Ellensburg, WA 98926, or online at <https://www.co.kittitas.wa.us/cds/land-use/default.aspx> under "Setback Variances" and then the file number "VA-19-00002". Community Development Services can be reached at (509) 962-7506.

Kittitas County Code (Chapter 15A.07.010) stipulates that an appeal of this land use decision must be filed within 10 (ten) working days by submitting specific factual objections and a fee of \$1560.00 to the Kittitas County Board of Commissioners at 205 West 5th, Room 108 Ellensburg, WA 98926. The appeal deadline for this project is September 26, 2019 at 5:00 p.m.

Designated Permit Coordinator (staff contact): Jeremy Johnston, Staff Planner: (509) 962-7506; email at jeremy.johnston@co.kittitas.wa.us.



Kittitas County Office Of The Treasurer
Amy Cziske, Treasurer
205 W 5th Avenue, Suite 102
Ellensburg, Wa 98926
Phone (509) 962-7535 Fax (509) 933-8212

Cash Suspense

Receipt Number: 2019-3690 Date: 09/26/2019

Received From: MANDY BUCHHOLZ DEPUTY CLERK OF THE BOARD II

Check Amount: \$1,560.00

Cash Amount: \$0.00

Other Amount: \$0.00

Total Amount: \$1,560.00

Deputy: MANDYR Receipt Type: CHK

Template: COMMISSIONER! COMMISSIONERS

Comments:

NOTICE OF ADMINISTRATIVE APPEAL SHREE HOLDINGS LLC RECEIVED 9-26-19 RE: SIGN HEIGHT VARIANCE REQUES
VA-19-00002 CHECK #325211

<u>FundCode</u>	<u>GlCode</u>	<u>Description</u>	<u>Amount</u>
402	204213458910	APPEALS FEE	\$1,560.00
Total Amount:			\$1,560.00

Kittitas County Treasurer's Office
Submitted By: MANDY ROBINSON

Draft

Treasurer

Cashtax Receipt Submission

Name: * Mandy Buchholz

Department: * Commissioners

Date: 9/26/2019

Form type: * Cash Suspense

Cashtax Receipt: SHREE HOLDINGS LLC RECEIPT.pdf 78.76KB

Also Notify:

Notes: NOTICE OF ADMINISTRATIVE APPEAL
SHREE HOLDINGS LLC RECEIVED 9-26-19
RE: SIGN HEIGHT VARIANCE REQUEST,
VA-19-00002 CHECK #325211

Urgent? Yes No