

From: [Marcus Ward](#)
To: [Rachael Stevie \(CD\)](#)
Cc: [Jeremy Johnston](#)
Subject: Re: VA-21-00003 Ward - Application on hold
Date: Monday, August 16, 2021 4:18:56 PM
Attachments: [image001.png](#)

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Hi Rachael,

I want to thank you and Jeremy again for granting me extra time to compile all the information on the variance request. The site visit today was especially helpful.

Here is my response to the criteria request:

10. Criteria

A. There has been significant and non-sanctioned alteration to my lot by the previous owner that has created unusual circumstances and topography that is not shared by adjacent lots. Evidence for this has been confirmed on the walk through today by comparing the topography and slope of my lot 131 and lot 130 directly south (this lot is undisturbed and in its natural state).

My lot includes a large berm of deposited earth on the east portion of the lot, a large depression in the center of the lot and evidence of grading on the southern lot line that includes exposed roots and clearly identifiable dozer tracks.

The amount of work was so significant that it should have triggered a permit or an environmental review.

As a result, I am incurring additional building costs that adjacent lots 132 and 133 to the north did not; nor will lots 130, 129 and 128 to the south. This includes but isn't limited to:

- Brining in structural fill to replace the earth that was removed
- Engineering of substantial foundation walls in height and thickness to compensate for the severely sloped lot
- Additional cost of concrete and rebar to construct these walls

B. The house is currently designed with a 20' setback that incurs all of the costs and burden outlined above. A 25' setback will create even more need for engineering, structural fill and increased height/thickness of reinforced foundations and footings. Lot 130 that is directly south of lot 131 is undisturbed and represents the expected topography and grade. A home built there would see significantly less cost for excavation, no structural fill and standard foundation and footings for a typical 2-3 foot crawl space. Lots 132 and 133 to the

north enjoyed the same topography and could be excavated as needed without the need to bring in structural fill. I feel I am prevented from enjoying a timely and economical build that adjacent lots 128, 129, 130, 132 and 133 received.

Thank you again for the extra time and the site visit. It has been very helpful.

Marcus

On Fri, Apr 23, 2021 at 1:34 PM Rachael Stevie (CD) <rachael.stevie.cd@co.kittitas.wa.us> wrote:

Mr. Ward,

I have sent my Staff Report to our Planning Official for review. He has stated that he does not see a convincing argument that the first two criteria have been met. These issues are noted below.

Under KCC 17.84, a variance can only be granted when all criteria are met.

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

Based on County GIS slope data and the topographic survey you provided, it does not appear there are unusual circumstances relative to adjacent property owners. The slope does not appear excessive and seems generally consistent with neighboring parcels. The application states that the variance is necessary to obtain positive flow and gravity drain to the existing sewer, but no technical materials are provided to demonstrate this. This argument will need to be justified by a qualified engineer to be considered as evidence for consistency with criteria #1.

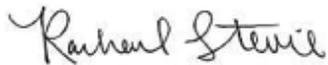
2. Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same vicinity or district;

The response provided does not address the criteria. You will need to express how the front setback standard will prevent you from building something comparable to neighbors. A review of adjacent parcel residential structures demonstrate a general range of 1,304 to 2,568 square feet. Your proposal estimates a 2,800 square foot residence. You will also need

to demonstrate how this additional square footage is not driving the need for the variance.

CDS will place your application on hold for 30 days from the date of this notification, or until the requested information is provided. CDS will grant an extension upon request to the 30-day timeline if the information cannot be obtained in this window. Once the information is received, CDS will reconsider the applications consistency with the stated criteria.

Thank you and please let me know if I can answer any questions.



Planner I

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Please Note: In an effort to mitigate the spread of COVID-19 and the Governor's "Safe Start" reopening plan, Kittitas County Community Development Services is currently in Phase 3 and is open to the public in a limited capacity. At this time many of us are on a rotating schedule working from home and in the office; during this time I will do my best to respond to you as promptly as possible.

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