

## Lindsey Ozbolt

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**From:** Reed, Catherine D. (ECY) <CRAJ461@ECY.WA.GOV>  
**Sent:** Thursday, September 25, 2014 6:45 PM  
**To:** Lindsey Ozbolt  
**Cc:** dicklandon@aol.com  
**Subject:** Landon variance permit  
**Attachments:** 08.20.14.Landen.VAR.CR.pdf

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

Ecology approved Mr. Landon's shoreline variance request with three conditions in our August 20, 2014 letter, which I have attached to this e-mail message. If no one appealed the permit to the Shoreline Hearings Board by September 17, 2014 (I have not been notified of any such appeals) then the shoreline permit authorization is valid, as long as the three additional conditions we placed on the permit approval are complied with.

My apologies to Kittitas County and Mr. Landon as I see that the draft approval letter that I prepared (later finalized by our administrative staff) for my supervisor to sign while I was on vacation did not include a cc line to the County. Ecology will be sending a hardcopy of our August 20, 2014 letter to the County for their files within the next several working days.

Please call me if you have additional questions.



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

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

August 20, 2014

Mr. Richard Landen  
22820 148<sup>th</sup> Avenue SE  
Kent, WA 98042

RE: Kittitas County SV-14-00001  
Richard Landen- Applicant  
Conditioned Shoreline Varaince Permit# 282

Dear Mr. Richard Landen:

On July 17, 2014, the Department of Ecology (Ecology) received the Kittitas County decision on your Shoreline Variance Permit to expand an existing Single Family Residence to within 58 feet of the OHWM of Lake Kachess. Expansion will include construction of a garage with a bridge deck span for entry, handicapped living space, storage shed, and expanding the south portion of the existing deck waterward approximately 15 feet to accommodate handicapped user space. On August 4, 2014 we sent a request for more information about the proposal, and Kittitas County forwarded us your responses on August 11, 2014 for inclusion in our file.

By law, Ecology must review Variance Permits for compliance with:

- The Shoreline Management Act (Chapter 90.58 RCW)
- Ecology's Variance Permit approval criteria (Chapter 173-27-170 WAC)
- The Kittitas County Local Shoreline Master Program.

After reviewing Variance Permits for compliance, Ecology must decide whether to approve, approve with conditions, or disapprove them.

**Our Decision:**

Ecology approves your Variance Permit, provided your project complies with the conditions required by Kittitas County and the following Ecology conditions:

1. The nearest point of the approved structure shall be no closer than 58 feet from the Ordinary High Water Mark (OHWM) of the Lake, and the deck shall be configured as shown in the design submitted via e-mail attachment to Ecology by Kittitas County (Lindsey Osbolt) on August 18, 2014.



Mr. Richard Landen  
August 20, 2014  
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2. The natural condition of the riparian habitat within shoreline jurisdiction (200 feet from the OHWM) shall be retained to the greatest extent possible. Trees greater than 20 feet tall shall not be removed that are further than 10 feet from the approved building footprint (as shown on submitted documents with this filing) without prior approval from Ecology.
3. Hand removal (raking, etc.) of duff and dead woody debris from the forest floor is acceptable within 30 feet of the building footprint on the applicant's property. Non-lethal pruning of shrubs and limbing of trees can be done as needed for fire-wise protection within 30 feet of the building footprint.

**Please note, however, that other federal, state, and local permits may be required in addition to this shoreline permit.**

#### **What Happens Next?**

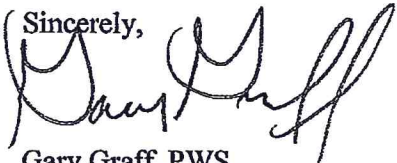
Before you begin activities authorized by this permit, the law requires you to wait at least 21 days from the date at the top of this letter, the "date of filing." This waiting period allows anyone (including you) who disagrees with any aspect of this permit to appeal the decision to the state Shorelines Hearings Board. You must wait for the conclusion of an appeal before you can begin the activities authorized by this permit.

The Shorelines Hearings Board will notify you by letter if they receive an appeal. We recommend that you contact the Shorelines Hearings Board before you begin permit activities to ensure that no appeal has been received. They can be reached at (360) 664-9160 or <http://www.eho.wa.gov>.

If **you** want to appeal this decision, you can find appeal instructions (Chapter 461-08 WAC) at the Shorelines Hearings Board website above. They are also posted on the website of the Washington State Legislature at: <http://apps.leg.wa.gov/wac>.

If you have any questions, please contact Cathy Reed at (509) 575-2616.

Sincerely,



Gary Graff, PWS  
Regional Section Manager  
Shorelands and Environmental Assistance Program