

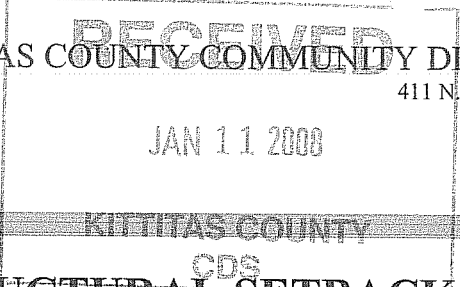
KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682



ZONING STRUCTURAL SETBACK VARIANCE APPLICATION

(To place a structure closer to property line than allowed)

KITTITAS COUNTY ENCOURAGES THE USE OF PRE-APPLICATION MEETINGS. PLEASE CONTACT COMMUNITY DEVELOPMENT SERVICES TO SET UP A PRE-APPLICATION MEETING TO DISCUSS A PROPOSED PROJECT.

PLEASE TYPE OR PRINT CLEARLY IN INK. ATTACH ADDITIONAL SHEETS AS NECESSARY. PURSUANT TO KCC 15A.03.030, 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

- ADDRESS LIST OF ALL LANDOWNERS WITHIN 500 FEET OF THE SUBJECT PARCEL(S). IF ADJOINING PARCELS ARE OWNED BY THE APPLICANT, THEN THE 500 FOOT AREA SHALL EXTEND FROM THE FARTHEST PARCEL. IF THE PARCEL IS WITHIN A SUBDIVISION WITH A HOMEOWNERS' OR ROAD ASSOCIATION, THEN PLEASE INCLUDE THE MAILING ADDRESS OF THE ASSOCIATION.
- SITE PLAN OF THE PROPERTY WITH ALL PROPOSED BUILDINGS, POINTS OF ACCESS, ROADS, PARKING AREAS, SEPTIC TANK, DRAINFIELD, DRAINFIELD REPLACEMENT AREA, AREAS TO BE CUT AND/OR FILLED, NATURAL FEATURES SUCH AS CONTOURS, STREAMS, GULLIES, CLIFFS, ETC.

APPLICATION FEE:

\$350.00 payable to Kittitas County Community Development Services (KCCDS)

Current Zoning Setbacks:

Zone	FRONT SETBACK	SIDE SETBACK	REAR SETBACK	Side (setback for side abutting the street)
Residential	15'	5'	25'	15'
Residential-2	15'	10' on one side and 5" on the other side	25'	15'
Suburban	25'	15'	25'	20'
Agriculture-3, Agriculture-20, and Commercial Ag	25'	5'	25'	15'
Rural-3	25'	15'	15'	-
Forest & Range	25'	10'	10'	15'
Commercial Forest	200'	200'	200'	-

FOR STAFF USE ONLY

APPLICATION RECEIVED BY:
(CDS STAFF SIGNATURE)

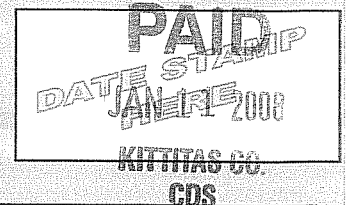
Lisa M. Froenig

DATE:

1-11-10

RECIPT #:

02752



NOTES:

1. Name, mailing address and day phone of land owner(s) of record:
Landowner(s) signature(s) required on application form.

Name: Henry Clarke and Kari Chellis
Mailing Address: 10629 Glen Acres Dr. S.
City/State/ZIP: Seattle, WA 98168
Day Time Phone: (206) 248-5252
Email Address: _____

2. Name, mailing address and day phone of authorized agent, if different from land owner of record:
If an authorized agent is indicated, then the authorized agent's signature is required for application submittal.

Agent Name: Chris Cruse
Mailing Address: P.O. Box 959
City/State/ZIP: Ellensburg, WA 98926
Day Time Phone: (509) 962-8242
Email Address: _____

3. Street address of property:

Address: 151 Beargrass Road
City/State/ZIP: Ronald, WA 8940

4. Legal Description of Property: Lot 5 in Book 27 at Pages 218-220

5. Tax parcel number: 21-14-09000-0013

6. Property size: 12.07 Acres - App in process for Short Plat

7. Narrative project description: Please include the following information in your description: describe project size, location, water supply, sewage disposal and all qualitative features of the proposal; include every element of the proposal in the description (be specific, attach additional sheets as necessary):

To verify if a structure can be placed within the zoning setback up to the property boundary with the conditions on the adjoining property as per easement recorded under AFN 200306050005.

8. Provision of zoning code for which this variance is requested and the way in which you wish to vary from the code:

Rural 3 setback requirements - Want to build up to the property boundary as per the exhibit.

9. A variance may be granted only when the following criteria are met. Please describe in detail how each criteria is met for this particular request (attach additional sheets as necessary):
- 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.
 An easement (AFN 200306050005) was granted to this property to give it the right to use the adjoining property for any lawful purpose. We would like to use the area encumbered by this easement as the required setback area.
- 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.
 Yes, this is the primary building site for this property and the easement was granted to ensure this site is buildable.
- C. That authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity.
 No, this is a buildable parcel but would like to build on the flat portion adjacent to Beargrass road.
- D. That the granting of such variance will not adversely affect the realization of the comprehensive development pattern.
 No, this does not allow any additional homes.
10. 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 mailed to the Land Owner of Record and copies sent to the authorized agent.

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

X Chris Cruise

Date:

12/20/2007

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

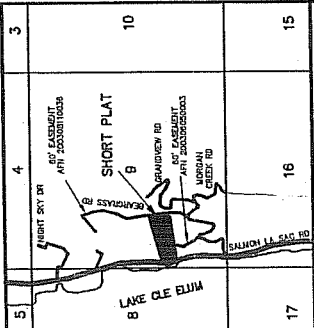
X W. Gary Clark
Steve Miller

Date:

1/10/2008
10-Jan 08

Exhibit

VICINITY MAP



APPROVALS

KITTITAS COUNTY DEPARTMENT OF PUBLIC WORKS
 EXAMINED AND APPROVED THIS _____ DAY OF _____ A.D. 200__

KITTITAS COUNTY ENGINEER _____

KITTITAS COUNTY HEALTH DEPARTMENT
 PRELIMINARY INSPECTION INDICATED SOIL CONDITIONS MAY ALLOW USE OF SEPTIC TANKS AS A TEMPORARY MEANS OF SEWAGE DISPOSAL FOR SOME BUT NOT NECESSARILY ALL BUILDING SITES WITHIN THIS SHORT PLAT. PROSPECTIVE PURCHASERS OF LOTS ARE URGED TO MAKE INQUIRIES AT THE COUNTY HEALTH DEPARTMENT ABOUT ISSUANCE OF SEPTIC TANK PERMITS FOR LOTS.

DATED THIS _____ DAY OF _____ A.D., 200__

KITTITAS COUNTY HEALTH OFFICER _____

CERTIFICATE OF COUNTY PLANNING DIRECTOR
 I HEREBY CERTIFY THAT THE KARI CREEK SHORT PLAT COMPLIES WITH THE REQUIREMENTS OF THE CONGRESS TO THE COMPREHENSIVE PLAN OF THE KITTITAS COUNTY PLANNING COMMISSION.

DATED THIS _____ DAY OF _____ A.D., 200__

KITTITAS COUNTY PLANNING DIRECTOR _____

CERTIFICATE OF KITTITAS COUNTY TREASURER
 I HEREBY CERTIFY THAT THE TAXES AND ASSESSMENTS ARE PAID FOR THE PRECEDING YEARS AND FOR THIS YEAR IN WHICH THE PLAT IS NOW TO BE FILED.
 PARCEL NO. 21-14-09000-0013

DATED THIS _____ DAY OF _____ A.D., 200__

KITTITAS COUNTY TREASURER _____

NAME AND ADDRESS - ORIGINAL TRACT OWNERS
 NAME: HENRY E CLARKE
 ADDRESS: 10928 CLEN ACRES DR S SEATTLE, WA 98108
 PHONE: (206) 248-5232
 EXISTING ZONE: R-3
 SOURCE OF WATER: INDIVIDUAL WELLS
 SEWER SYSTEM: SEPTIC TANKS
 STORM WATER: NO IMPROVEMENTS PER THIS APP.
 WIDTH AND TYPE OF ACCESS: COUNTY ROAD R/W
 NO. OF SHORT PLANTED LOTS: FOUR (4)
 SCALE: 1" = 100'

SUBMITTED ON: _____
 AUTOMATIC APPROVAL DATE: _____
 RETURNED FOR CAUSE ON: _____

KARI CREEK SHORT PLAT

PART OF SECTION 9, T. 21 N., R. 14 E., W.M.

KITITIAS COUNTY, WASHINGTON

RECEIVING NO. SP-07-

LEGEND

- SET 5/8" REBAR W/ YELLOW CAP - CRUISE 38615'
- FOUND PIN & CAP
- K — FENCE



SHAWN PARKER
 PO BOX 245
 ROUND BAY, WA 98940

THOMAS R O'HARA ETUX
 4166 212TH WAY SE
 SHAMUSHEM, WA 98575

JOHN R & KAREN A ALEXANDER TRUSTEES
 3535 265TH AVE SE
 ISSANAHUAH, WA 98026

DAN ENGLISH ETUX
 2342 GRAVELLY BEACH LOOP NW
 OLYMPIA, WA 98502

JEFFREY NELSON ETUX
 PO BOX 1714
 BAINBRIDGE, WA 98020

MICHAEL B JUST ETUX
 4378 PINEWOOD
 SEATTLE, WA 98103

MICHAEL B JUST ETUX
 4378 PINEWOOD
 SEATTLE, WA 98103

EVAN H WYMAN
 550 W WELINGTON AVE #7E
 CHICAGO, IL 60657

EVAN H WYMAN
 550 W WELINGTON AVE #7E
 CHICAGO, IL 60657

DANIEL J WHELAN ETUX
 3535 265TH AVE SE
 ISSANAHUAH, WA 98026

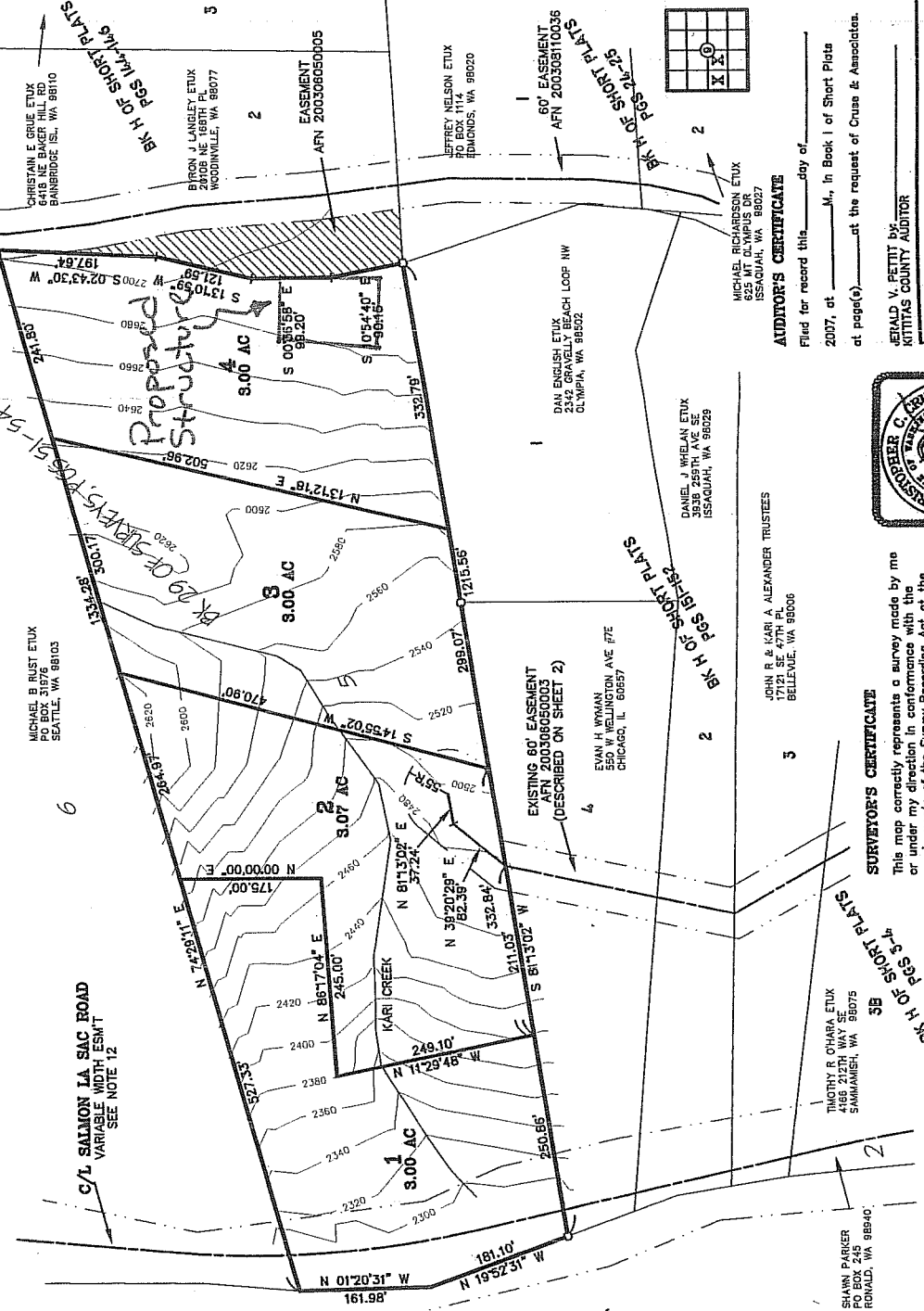
MICHAEL RICHARDSON ETUX
 625 MT OLIMPIUS DR
 ISSANAHUAH, WA 98027

BIRSON J LANGLEY ETUX
 2430B NE 169TH PL
 WOODINVILLE, WA 98077

SHUREFAN E CRUSE ETUX
 6438 NE PARKER HILL RD
 BAINBRIDGE ISL, WA 98110

KAREN MATHRETA LLC
 15482 SE 65TH
 BELLEVUE, WA 98008

JULIET PACQUING
 3508 KING ARTHUR RD
 ANNADALE, VA 22003



AUDITOR'S CERTIFICATE
 Filed for record this _____ day of _____, 2007, at _____, in Book I of Short Plats at page(s) _____

SURVEYOR'S CERTIFICATE
 This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act of the request of HENRY CLARKE in MARCH of 2007.



CRUISE & ASSOCIATES
 PROFESSIONAL LAND SURVEYORS
 217 E. Fourth St.
 Ellensburg, WA 98926 (509) 982-8242
KARI CREEK SHORT PLAT

CHRISTOPHER C. CRUISE
 Professional Land Surveyor
 License No. 38615
 DATE: 4/10/2007

When recorded return to:
Henry E. Clark & Kari D. Chellis
6517 36th Avenue SW
Seattle, WA 98126

REVIEWED BY
KITITITAS COUNTY TREASURER
DEPUTY [Signature]
DATE 6/5/03

EASEMENT

This Easement Agreement ("Agreement") is dated the 13 day of May 2003, between Cle Elum's Sapphire Skies, L.L.C. hereinafter called "Grantor, and Henry E. Clark and Kari D. Chellis "Grantee."

Whereas the Grantor wishes to grant easement rights to the Grantee's and successors under the following terms and conditions:

An exclusive and non-assignable easement is hereby granted to the Grantees and their successors, to use for any lawful purpose, with the exception of installing a drain field and septic system or well. The easement shall be subject to the same Declaration of Covenants, Codes and Restrictions as the parent parcel owned by the Grantor herein and the servant parcel owned by the Grantee herein, and shall be appurtenant to the servant parcel and a covenant running with the land. The Grantee's hereby agree to indemnify and hold harmless the Grantor's, their heir's devisees, successors and assigns for any and all acts of whatever nature that may arise out of the granting of this easement.

Legal Description: That portion of parcel 13 lying Southwesterly of the easement and "as built" access road of that certain Survey recorded October 31, 2002 In Book 28 of Surveys, pages 60, 61 and 62, under Auditor's File No. 200210310026, records of Kittitas County, Washington;

GRANTOR: Cle Elum's Sapphire Skies LLC
By: The Herbrand Company, Managing Member

[Signature]
By James E. Wood, Vice-President, The Herbrand Co.

June 5, 2003
Date

STATE OF WASHINGTON)
COUNTY OF PIERCE)ss.

I certify that I know or have satisfactory evidence that James E. Wood signed this instrument, on oath stated that he is authorized to execute the instrument and acknowledged it as the Vice President of The Herbrand Co. who is managing member of Cle Elum's Sapphire Skies, LLC., to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

Dated: 6-5-03
Victoria Angelini
Notary public in and for the State of Washington,
residing at Kittitas County
My commission expires on Oct 31, 2006

