

# KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTTITAS.WA.US

Office (509) 962-7506

Fax (509) 962-7682

April 16, 2008

Chris Cruse  
Cruse & Associates  
PO Box 959  
Ellensburg, WA 98926

## RE: NOTICE OF DECISION – Clarke & Chellis #2 Variance (V-08-03)

Dear Mr. Cruse,

The above referenced application recently submitted for a 25 foot variance from the required 25 foot front yard setback to construct a single family residence in the Rural-3 zone, located at 151 Beargrass Road, Ronald, WA 98940, which is located in a portion of Section 9, T21N, R14E, WM, in Kittitas County, and having a map number 21-14-09062-0004, is hereby **APPROVED**.

This approval is based on the variance criteria contained in KCC 17.84 and as outlined below.

Findings for this approval are as follows:

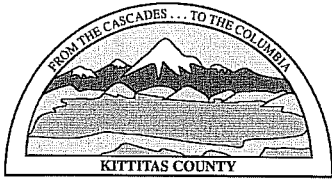
- A. Unusual circumstances apply to this property and do not apply generally to other properties in the area.  
*Due to the steep slopes of 25-50% on the property this is the best place to construct a single family residence.*
- B. Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.  
*Granting of this variance would allow the applicant to enjoy the same property rights as other properties in the same vicinity.*
- C. The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the area. *The property is outside of a fire district and therefore falls under the requirements of the International Wildland Urban Interface Code. A site visit shall be conducted by Community Development Services in order to provide actual requirements of construction and defensible space prior to application for building permit. A building permit will not be issued until all requirements of the Kari Creek Short Plat SP-07-51 are met, including but not limited to certifying that all roads meet Kittitas County Road Standards. Please see the attached comments from Kittitas County Plans Examiner, Kittitas County Public Works Department and those from neighboring landowners.*
- D. The granting of such variance will not adversely affect the realization of the comprehensive development pattern of the neighborhood. *Granting of this variance will not alter the development pattern of the area.*

**There is a 10 working day appeal period on this variance approval, ending Tuesday, April 30, 2008 @ 5:00 p.m.** Such appeals are filed with the Kittitas County Board of Adjustment and require a fee of \$500.00 to 411 North Ruby Street, Suite 2, Ellensburg, WA 98926. Timely appeals must present factual objections to the variance decision and may only be filed by parties with standing.

Sincerely,

Trudie Pettit  
Staff Planner

cc: Kittitas County Department of Public Works  
Parties of Record



**KITTITAS COUNTY**  
**DEPARTMENT OF PUBLIC WORKS**

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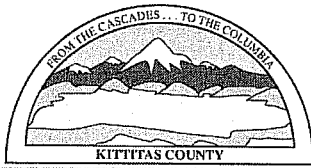
**MEMORANDUM**

TO: Trudie Pettit, CDS  
FROM: Christina Wollman, Planner II *CW*  
DATE: March 26, 2008  
SUBJECT: Clarke & Chellis #2 Variance V-08-03

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**MAR 27 2008**  
**KITTITAS COUNTY**  
**CDS**

The Department of Public Works has no concerns with the proposed setback variance.

The applicants will not be able to receive a building permit until all requirements of the Kari Creek Short Plat SP-07-51 are met, including certifying that all roads meet Kittitas County Road Standards.



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MEMO

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APR 02 2008  
Kittitas County  
CDS

**To:** Trudie Pettit, Staff Planner  
**From:** Michelle Geiger, Plans Examiner Kittitas County Community Development Services  
**Date:** April 2, 2008  
**Re:** Clarke & Chellis #2 Variance (V-08-03)

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The property listed is outside of a fire district and therefore falls under the requirements of the 2006 International Wild-land Urban Interface Code. Section 603.2 Fuel Modification, requires that defensible space be provided for the structure. The minimum defensible space required is 30' with a range extending to 150' based on site analysis of the property's specific fire hazard severity, as defined in the 2006 IWUIC. A site visit would be required in order to provide actual requirements of construction and defensible space prior to application for building permit. Based off historical data of the area and pending a site visit, there is reason to believe that a structure placed in the manner that has been proposed may not be permitted per the 2006 IWUIC section 503.

**Trudie Pettit**

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**From:** Jim Kieburtz [jkieburtz@comcast.net]  
**Sent:** Tuesday, April 01, 2008 8:42 AM  
**To:** Trudie Pettit  
**Subject:** Response to Henry Clarke

Dear Ms. Pettit,

Thank you for the opportunity to respond to the variance request. I am a member of the Morgan Creek Homeowner's Association. As I am not against the variance request, I would like to make a few things clear:

1. The house will be up against an existing 60-ft Ingress, Egress and Utility Easement that serves many lots in the Morgan Creek area.
2. At any time, the existing road and/or new utilities could be relocated and/or new utilities or road added up against the west edge of the easement nearest the proposed house.
3. The applicant and/or any future lot owner's need to understand that they do not have any right to contest any existing or new road or utilities within this existing easement area.

Thank you for making my comments part of the file.

Best Regards,

Jim Kieburtz

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APR 04 2008

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CDS

**Fax Cover Sheet**

To: **ATTN: Trudie Pettit, Staff Planner**  
**Kittitas County Community Development Services**

Fax: **509-962-7682**

From: **Byron and Heidi Langley**

Date: **4/4/2008**

Re: **Notice of Application by Clarke & Chellis #2 Variance (V-08-03)**

Pages: **24**

Cc:

- Urgent
- For review
- Please comment
- Please reply
- Please recycle

Hi Trudie – Attached is our response to the variance request for Clarke & Chellis #2 Variance request.

Sincerely,

Heidi Langley

To: Kittitas County Community Development Services  
From: Byron and Heidi Langley, Adjacent Property Owners  
Date: April 3, 2008  
Subject: Notice of Application, Clarke & Chellis #2 Variance (V-08-03)

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APR 04 2008

Kittitas County  
CDS

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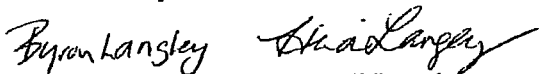
We are writing in response to the Clarke & Chellis #2 request for a 25 ft variance from the required 25 foot front yard setback in the Rural-3 zone. We object to this variance request. The setback requirements were created to maintain the integrity and value of this rural neighborhood.

If the County grants this variance, it will be an injustice to the setback requirements already established. We purchased this property based on the current setback requirements established by Kittitas County for a Rural-3 zone. Approval of this variance would be a detriment to neighborhood and the value our 3-acre adjoining property. The proposed house would sit directly on our property line (per exhibit 1&2) and their front yard would cross over into our property.

Your sensitivity to this matter is appreciated.

Thank you for your time.

Sincerely,

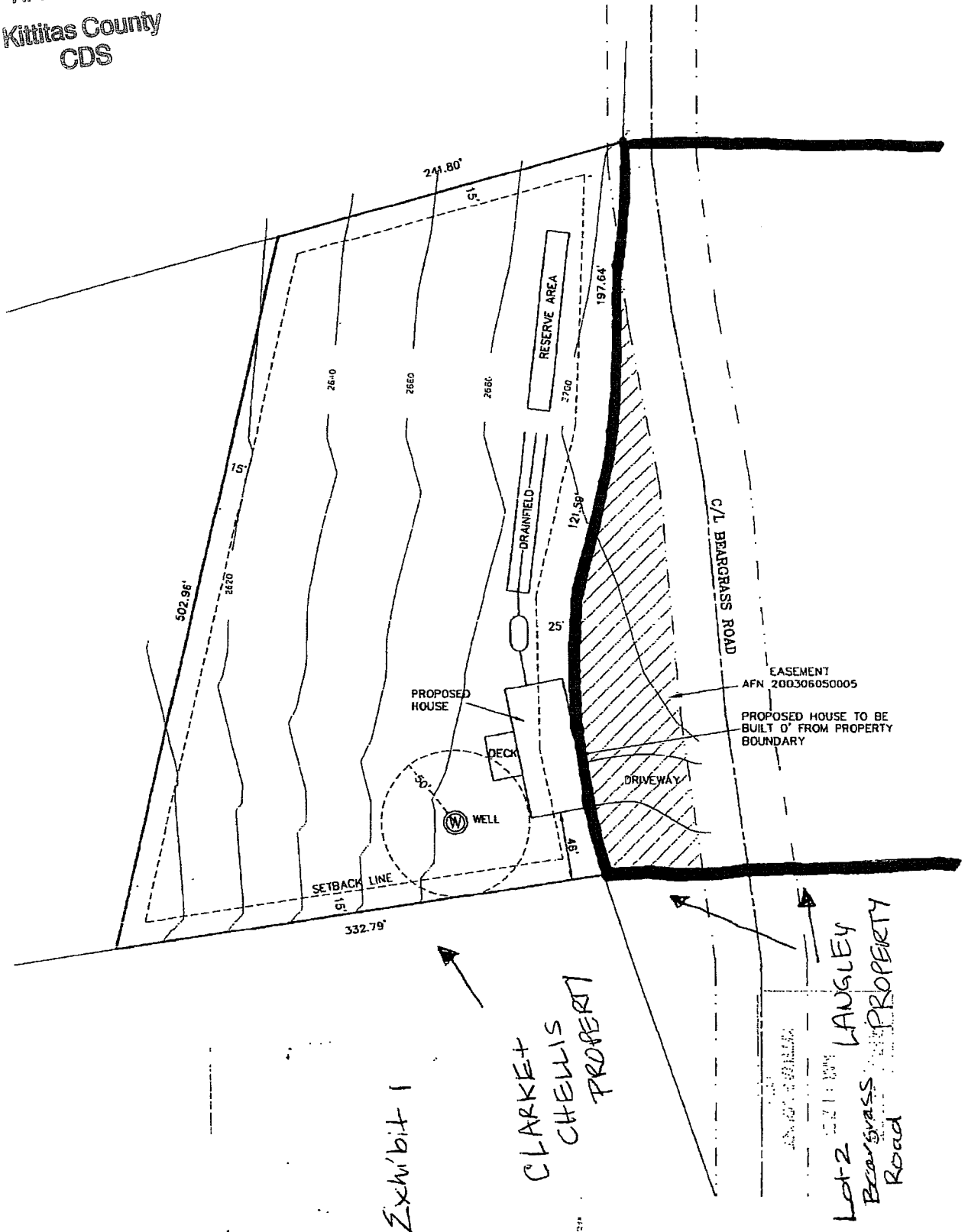
  
Byron Langley and Heidi Langley  
Adjacent Property Owners  
Lot #2 Beargrass Road

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Kittitas County  
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LOT 4 OF KARI CREEK SHORT PLAT  
SITE PLAN  
1"=60'

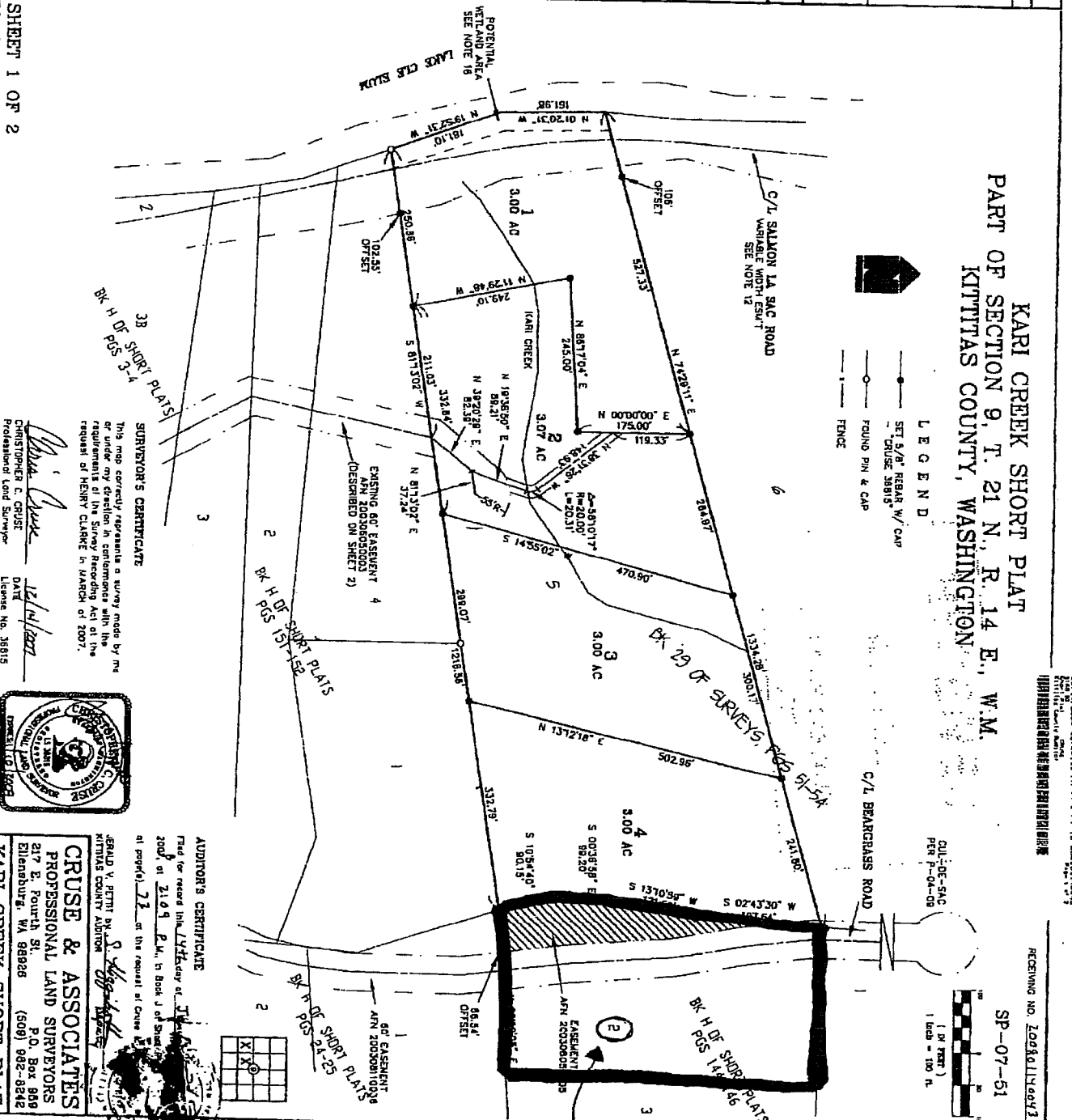


RECEIVED

206-227-0434

APR 04 2008

VICINITY MAP	
17	16
APPROVALS	
17	16
<p>KITITAS COUNTY DEPARTMENT OF PUBLIC WORKS</p> <p>REPLUMED AND APPROVED THIS <u>20</u> DAY OF <u>February</u> A.D. 200<u>8</u></p> <p>_____</p> <p>_____</p>	
<p>KITITAS COUNTY HEALTH DEPARTMENT</p> <p>PRELIMINARY INSPECTION INDICATED SOIL CONDITIONS ARE SUITABLE FOR THE PROPOSED USE AND THERE ARE NO CONTAMINANTS OF CONCERN. ALL BUILDING WASTE WHICH IS NOT HAZARDOUS IS PERMITTED TO BE DEPOSITED AT THE COUNTY HEALTH DEPARTMENT ABOUT BARNABASS ROAD.</p> <p>DATE: 11/16/07</p> <p>_____</p> <p>_____</p>	
<p>KITITAS COUNTY PLANNING DIRECTOR</p> <p>CONTRIBUTE OF COUNTY PLANNING DIRECTOR</p> <p>DATE: 11/16/07</p> <p>_____</p> <p>_____</p>	
<p>KITITAS COUNTY TRACT OWNERS</p> <p>NAME AND ADDRESS - OWNERS, TRACT OWNERS</p> <p>NAME: _____</p> <p>ADDRESS: _____</p> <p>PHONE: _____</p>	
<p>DATE: 11/16/07</p> <p>_____</p> <p>_____</p>	



SHEET 1 OF 2

**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.

Heidi Langley  
 Professional Land Surveyor License No. 36815

DATE: 12/14/07



**CRUISE & ASSOCIATES**  
 PROFESSIONAL LAND SURVEYORS  
 217 E. Fourth St.  
 Ellensburg, WA 98926  
 P.O. Box 888  
 (509) 982-8242



**AUDITOR'S CERTIFICATE**

Filed for record this 17th day of January A.D. 2008 at 11:59 P.M. in Book J of Short Plats at (page) 71 at the request of Crise

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Exhibit 2

LANGLEY PROPERTY

1-73