

KITTTAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTTAS.WA.US

Office (509) 962-7506

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VA-08-10

ZONING STRUCTURAL SETBACK VARIANCE APPLICATION

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

KITTTAS 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. on Attachment.
- 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 X	25'	15'	15'	-
Forest & Range	25'	10'	10'	15'
Commercial Forest	200'	200'	200'	-

FOR STAFF USE ONLY

APPLICATION RECEIVED BY:
(CDS STAFF SIGNATURE)

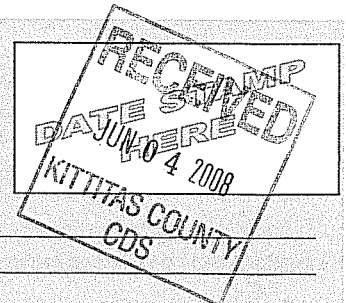
L. Swenberg

DATE:

6.4.08

RECIPT #:

1446



NOTES:

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

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

Name: Doug Binder
Mailing Address: 1138 Columbia Street
City/State/ZIP: Port Angeles WA 98362
Day Time Phone: (360) 452-5450
Email Address: NONE

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: CJ Lindquist
Mailing Address: P.O. Box 895
City/State/ZIP: Post Falls Idaho 83877-0895
Day Time Phone: (509) 991-5300
Email Address: CJL@findssa.net

3. Street address of property:

Address: 170 Blue agate Lane
City/State/ZIP: Ronald WA Kittitas county

4. Legal Description of Property: Lot 3, Block G, Pine Lock/Sun III

5. Tax parcel number: 20-14-12051-0703

6. Property size: 86X170

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):

See attachment.

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

Required Setback of 15-foot on Side.
Requesting Setback of 5-foot on Side.

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.

See attachment for remainder of page

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.

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 C. Lindqvist

Date:

05/20/08

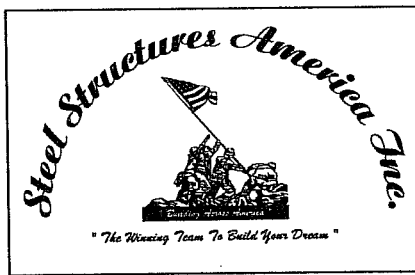
Signature of Land Owner of Record

(REQUIRED for application submittal)

X Douglas W. Binden

Date:

05/23/08



PO BOX 895 POST FALLS, IDAHO 83877-0895
VOICE 800-833-9997 FAX 208-777-8597

May 23, 2008

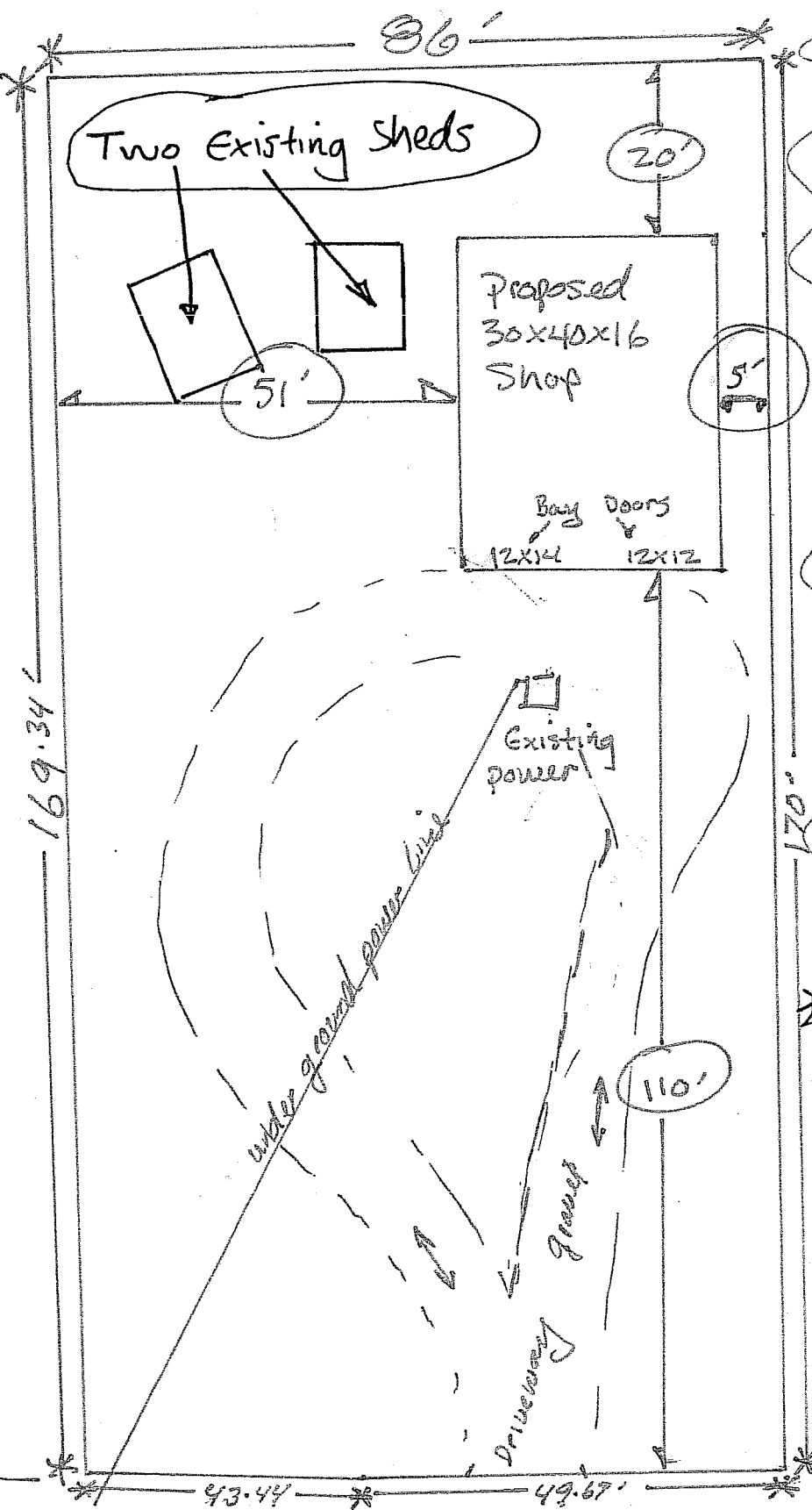
#7) Project size is a 30x40x16 post frame structure. The proposed location is the South east corner of the lot (see attachment site plan). No water supply or sewage disposal applies to the proposed structure.

#9 A) Unusual circumstances or conditions applying to this property and project are as follows. When Mr. Binder purchased this land he was given documentation. This documentation states that the required side setback is 5' (see attachment). Decisions were made based on this documentation such as placement of two sheds and a costly site preparation for the proposed structure. A gravel driveway was placed and fencing went up. All of the above mentioned decisions were based on the information provided by Pine loch Sun Beach Club. These were all fair and reasonable decisions based on what was provided to Mr. Bender at a legal real-estate closing process i.e. closing attorney. The site preparation, driveway and existing sheds leave Mr. Bender no opportunity to use his land as intended. The county not allowing the proposed 5' side yard setback would place considerable hardship on Mr. Bender financially and otherwise. It has always been Mr. Bender's intension and dream to obtain land in this area and use it as proposed. Mr. Bender has considered all available options such as moving the two existing sheds. No place existed on the lot for placement to still have the round driveway for trailers and such to enter the proposed structure. Even if Mr. Bender were to remove the existing sheds from the lot, he would suffer another costly site preparation for an alternate location of the proposed building. Mr. Bender could narrow the proposed structure by the 10 foot and end up with a 20 foot wide structure. The items that are to be placed and stored simple will not fit in that space.

#9 B) Such a variance is necessary for the preservation and enjoyment of this property, any land owner in this vicinity with these circumstances should be granted the same latitude. This is a unique situation and should be considered accordingly.

#9 C) The authorization of such variance request will not in any way be materially detrimental to the public welfare or injurious to property in the vicinity. In fact quite the opposite, Mr. Bender has taken the time and expense to design an esthetically pleasing structure. One that will increase the value of his and surrounding parcels.

#9D) The granting of this proposed variance will not adversely affect the realization of the comprehensive development pattern. This particular area blends from the R-3 zone on this lot requiring a 15' side yard setback. The adjacent lot to the east is zoned residential-2 allowing 5' on one side yard and 10' on the other. The pattern would not be affected as such.



Site plan:
 Doug Binder
 170 Blue Agate Lane
 Ronald WA
 Parcel #
 20-14-12051-0703
 Scale: 1" = 20'
 North

Setbacks

North	51'
South	5'
East	20'
West	110'

*Note: 6' Separation between existing shed and proposed structure.

← Blue Agate Lane (Gravel Rd) →

Pineloch Sun Beach Club
P.O. Box 157
Ronald, WA 98940

509-649-2850

June 23, 2004

Subject: Rules for Members' Responsibilities for Construction at Pineloch Sun Beach

In May, 1969, the developers of Pineloch Sun Beach Club (PLSBC) filed documents with Kittitas County which identified the Association. The Protective Covenants (PC's), now more commonly referred to as Covenants, Conditions, and Restrictions (CC & R's) describe the purpose of PLSBC and are contained in the four pages, attached, for your information. Subsequently, the By-Laws and the Rules and Regulations were added as working documents for the daily operation of the Association.

Rules for construction of structures on properties within PLSBC are outlined in the first seven sections of the PC's. These rules should serve as guidelines to help understand the limits embraced by each member for the benefit of all members. The Architectural Planning Committee is responsible to approve or disapprove construction plans prior to commencement of construction. Outside of structure must be completed and finish painted or stained within one year of the start of construction.

The steps necessary prior to beginning construction are:

- Register ownership with PLSBC at the Lodge office.
- Prior to developing construction plans a survey of property lines is recommended.
- Develop and submit construction plans. Mark all trees over 6 inches in diameter that you plan to remove for the building and road installation on a plot plan. Request an on-site review of marked trees and construction plans. Property survey marks should be clearly identified.
- Entry road construction must include the installation of a 12-inch culvert, where applicable, so as not to restrict the community road drainage system. Property drainage should include preparation to prevent drainage onto neighbor's property.

Attached: Protective Covenants (4 pages), and Rules & Regs #19 and #20

June 23, 2004
Architectural Planning Committee
Approval Check List
Architectural Control
Ref: Covenants Article 3, 5, 6, 7 and Rules and Regs. Article 19,20

- 1) Construction plans submitted
 - a) Topography
 - b) Finish grad and elevation
- 2) Quality of Workmanship and materials
 - a) Harmony of exterior design with existing structures
- 3) Dwelling Cost, Quality and Size
 - a) Minimum 899 sq. ft.
 - b) Maximum height 22 ft. from original grade
- 4) Setbacks
 - a) Front lot line, min. 20 ft.
 - b) Side street line, min. 15 ft.
 - c) Interior lot line, min. 5 ft.
 - d) Rear lot line, min. 20 ft.
 - e) Garages and accessory buildings must conform
- 5) Utility Easements
 - a) Reserved for install and maintain of utilities and drainage facilities 5 ft. wide strip on lot lines
- 6) Tree Cutting
 - a) Mark all trees over 6" diameter to be removed
- 7) Culvert
 - a) Min. 12 inch culvert as required

