

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

VA-09-00006

ZONING STRUCTURAL SETBACK VARIANCE APPLICATION

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

KITTTITAS 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:

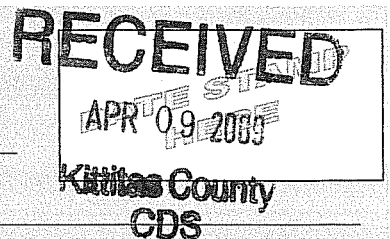
Zone	FRONT SETBACK	SIDE SETBACK	REAR SETBACK	Side (setback for side abutting the street)
Residential	15'	5'	25'	15'
Residential-2	15'	10' on one side and 5' on the other side	25'	15'
Suburban	25'	15'	25'	20'
Agriculture-3, Agriculture-20, and Commercial Ag	25'	5'	25'	15'
Rural-3	25'	15'	15'	-
Forest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

FOR STAFF USE ONLY

APPLICATION RECEIVED BY:
 (CDS STAFF SIGNATURE)

DATE:

RECIPT #:



NOTES:

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

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

Name: Piero D. Cantieni *et ux*
Mailing Address: 5920 Red Bridge Rd.
City/State/ZIP: Cle Elum, WA, 98922
Day Time Phone: 509-674-4632, 509-674-4229
Email Address: pico@eburg.com

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: NA
Mailing Address: _____
City/State/ZIP: _____
Day Time Phone: _____
Email Address: _____

3. **Street address of property:**

Address: 5920 Red Bridge Rd.
City/State/ZIP: Cle Elum, WA, 98922

4. **Legal Description of Property:** Aces. .72, CD, 6E17; Sec. 25; TWP. 20; RGE. 16 S 1/2 NW 1/4 Tax I

5. **Tax parcel number:** 824935

6. **Property size:** .72 acres

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):

Replace existing garage with new 24' X 26' two-car garage. No water or sewer connections. Minimal re-grading of driveway to level with county road. Trenching for garage footings. No other cutting or filling.

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

Our ag-3 zoning requires a 25 ft. rear setback. We cannot practically meet this requirement due to the small size of our lot (.72 acres) which was surveyed as a separate property in 1935. *Proposed rear setback will be ~ 12 ft. (see attached Site Plan)*

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.

The primary "unusual circumstance" applying to this property is its small size (.72 acres). Other properties in the area range in size from 5 to 21 acres. The existing garage/shed, built in 1935, sits approx. 12' from the back line and is not in compliance with setback rules for ag-3.

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.

While we do not assert a legal "substantial property right" to a garage, we would like to point out that the pattern of land use on this property was established in 1935. It would be virtually impossible to reasonably and usefully position a new garage so as to conform with current setback requirements. Therefore we believe that a variance should be granted.

C. That authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity.

We respectfully submit that the close proximity of our garage to our back property line could not possibly be any more materially detrimental or injurious to either the public welfare or adjacent property than the proposed cluster plat development of 1/2 to 3/4 acre lots recently approved by your department. 'Nuff Said ??

D. That the granting of such variance will not adversely affect the realization of the comprehensive development pattern.

It would be easier to answer this question if we were able to either discern or discover the exact nature of the "comprehensive development pattern" which the county hopes will be realized in the Teanaway Valley. In the 20 years we have lived at this address, we have seen the zoning go from ag-20 to an ill-defined 10 acre minimum and on down to ag-3. Most recently, the county approved a large cluster plat which trades usless "open space" along the highway for a huge "density bonus", effectively giving the green light to an instant suburb lying eight miles outside the Cle Elum city limits. Considering these circumstances, we feel that \$350 should more than cover the time needed to consider and evaluate our request for a zoning variance.

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.

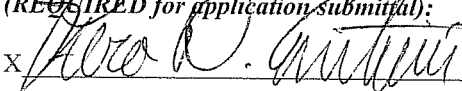
Signature of Authorized Agent:
(REQUIRED if indicated on application)

Date:

X _____

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

Date:

X  _____

Apr. 9, '09

Attach to Zoning Structural Setback Variance Application:

Address List:

Properties within 500 ft. of tax parcel # 824935, P. Cantieni etux,
5920 Red Bridge Rd.,
Cle Elum, WA 98922

Parcel # 12129

Swiftwater Ranch LLC
6152 NE 3rd. CT
Renton, WA 98058

Parcel # 856036

Sandberg, Karl etux
6080 Red Bridge Rd.
Cle Elum, WA 98922

Parcel # 184935

Hatcher, Lynn etux
5791 Red Bridge Rd.
Cle Elum, WA 98922

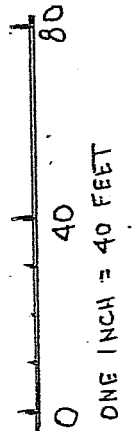
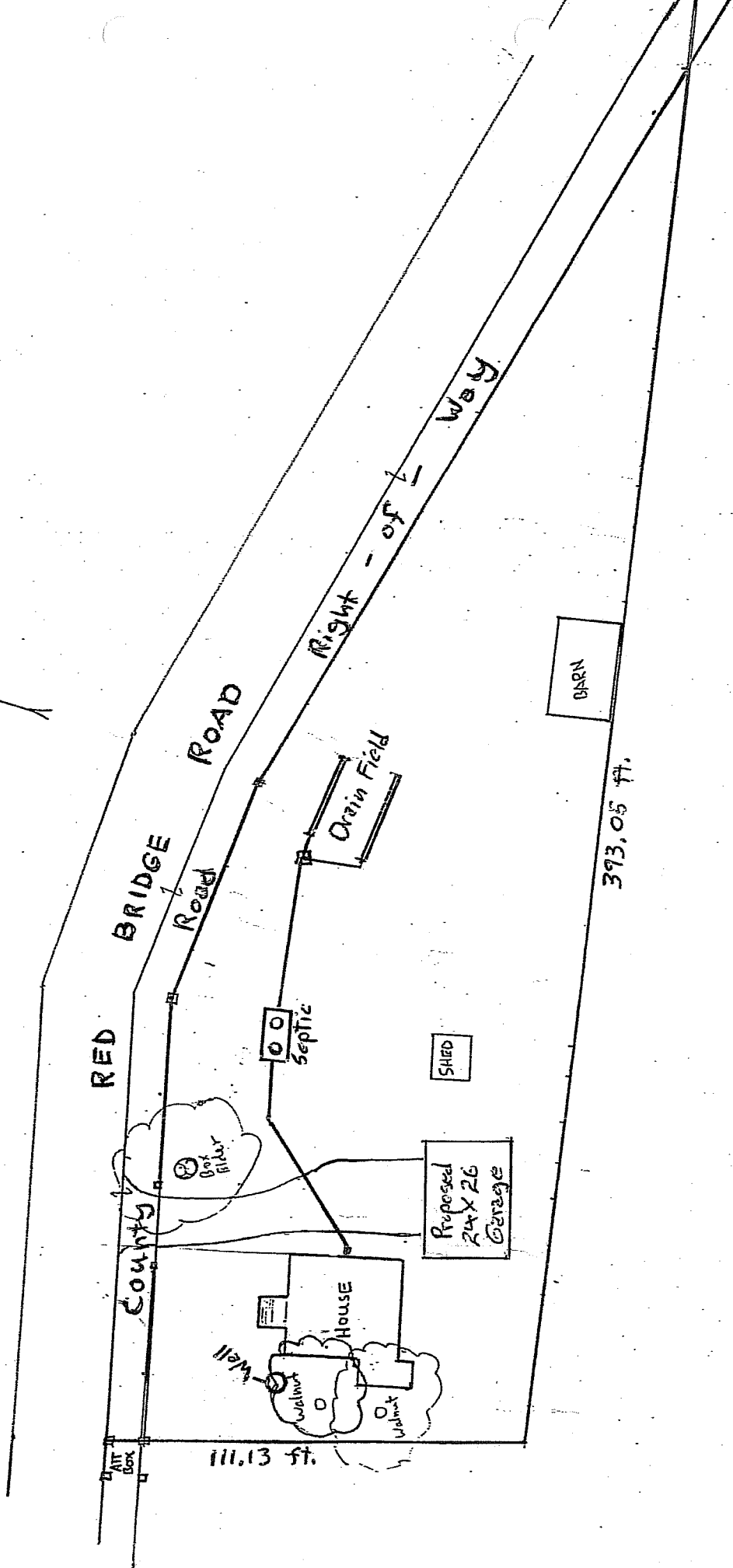
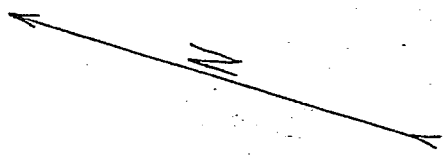
Parcel # 181936

Klos, Willie
22017 95th Pl. W.
Edmonds, WA 98020

Parcel # 12127

Cameron, Duane E. etux
PO Box 274
Enumclaw, WA 98022

Proposed Bldg.



Left corner

Existing Bldg.

