



FINDINGS OF FACT AND CONCLUSIONS OF LAW

Littlefield Zoning Setback Variance VA-14-00002

This matter having come before the Kittitas County Community Development Services for the Littlefield Zoning Setback Variance (VA-14-00002) from Todd & Pam Littlefield, landowner to encroach 1 foot into the 15 foot side setback on the Southwest & Northeast portions of the property for the construction of a 26' x 36' garage, Kittitas County Community Development Services makes the following Findings of Facts, Conclusions at Law and Decision related to the above referenced matter:

1. Community Development Services finds that Todd & Pam Littlefield, landowner submitted a Zoning Setback Variance application on May 15, 2014. A Notice of Application was issued on June 6, 2014. This notice was mailed to government agencies, adjacent property owners, and the applicant as required by law.
2. Community Development Services finds that the site proposed for the Zoning Setback Variance is located approximately Southeast of Exit 71 off I-90 at 241 Pit Way Easton, in a portion of Section 11, T20N, R13E, WM in Kittitas County, bearing Assessor's map number 20-13-11050-0056.
3. Community Development Services finds that the Littlefield Zoning Setback Variance is **denied** upon review. The Littlefield variance does not adequately meet the requirements of a Zoning Setback Variance pursuant to KCC 17.84.010.
4. Community Development Services finds that based on the criteria outlined in Title 17.84.010 of the Kittitas County Code, the proposed setback variance application **has not** demonstrated that:
 - a. Unusual circumstances or conditions apply to the property and/or the intended use that do not apply to other property in the general area.
 - i. **The applicant has failed to demonstrate in a factual and meaningful way the existence of any "unusual circumstances cause undo hardship" that does not apply generally to other property in the same vicinity.**
 - ii. **The applicant has failed to demonstrate in a factual and meaningful way the existence of an "undue hardship" caused by the application of the yard requirements as stipulated in KCC 17.84.010.**
 - b. Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by owners of other properties in the same vicinity.
 - i. **The applicant has failed to demonstrate in a factual and meaningful way the existence of a "substantial property right" that may be negated by the application of the yard requirements as stipulated in KCC 17.84.010.**
 - c. Authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity.
 - i. **The applicant has failed to demonstrate in a factual and meaningful way that the encroachment will not be "injurious" to the public welfare, or how the proposed encroachment might be mitigated to protect the public welfare.**

5. Community Development Services finds the granting of the proposed Zoning Setback Variance is **not** consistent and compatible with the intent of goals, objectives and policies of the comprehensive plan, and any implementing regulation.

Based upon above mentioned Findings of Facts and Conclusion of Law the Littlefield Zoning Setback Variance (VA-14-00002) is hereby **denied**.

Responsible Official: Robert 'Doc' Hansen Robert 'Doc' Hansen

Title: Kittitas County Planning Official

Address: Kittitas County Community Development Services
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Date: Friday, June 30, 2014

These findings represent an administrative decision and as such may be appealed pursuant to KCC 15A.07.010 by submitting specific factual objections and a fee of \$500 to the Kittitas County Hearing Examiner by July 15, 2014 at 5:00pm to 411 North Ruby Street, Suite 2, Ellensburg, WA 98926.