



## KITTTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

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

CDS@CO.KITTTITAS.WA.US

Office (509) 962-7506

"Building Partnerships – Building Communities"

September 4, 2020

Chris Immer  
1759 Joan's Lane  
Lummi Island, WA 98262-8605

RE: ImmerVariance Application (VA-20-00006)

Dear Applicant,

Enclosed are the comments received regarding the Variance Application (VA-20-00006) during the comment period:

August 20, 2020	Kittitas County CDS Building
August 20, 2020	Washington State Department of Fish and Wildlife
August 31, 2020	Kittitas County Public Works
September 2, 2020	Citizen – David Gale

Please review all comments and have any responses submitted back to me by September 18, 2020 at 5:00pm. If you do not have any responses to any of the submitted comments, please respond to me as such as I will continue processing your application once a response has been received. I will be issuing a decision based in part on the comments received. You will be notified if any of these comments require further action.

Sincerely,

Kelly Bacon  
Planner I  
Kittitas County Community Development Services

**From:** [Mike Flory](#)  
**To:** [Kelly Bacon \(CD\)](#)  
**Subject:** RE: Notice of Application VA-20-00006 Immer  
**Date:** Thursday, August 20, 2020 4:07:14 PM

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Hi Kelly,

Thank you for the opportunity to comment on the above variance.

The Kittitas County Building Division of CDS does not have any concerns with the approval of the variance.

The longer the concrete is left exposed to the elements, without reasonable cover, the quicker it will deteriorate until at some point it would become unusable.

Thank you again for the opportunity to comment,

**Michael Flory**  
**Certified Building Official**

Kittitas County Community Development Services  
411 N Ruby Street Suite 2  
Ellensburg, WA 98926  
P: 509.933.8222 [mike.flory@co.kittitas.wa.us](mailto:mike.flory@co.kittitas.wa.us)

To schedule inspections: <https://www.co.kittitas.wa.us/cds/building/inspection-request.aspx>

To view permit or inspection status: <https://co-kittitas-wa.smartgovcommunity.com/ApplicationPublic/ApplicationHome>

To request design criteria / snowloads: <https://www.co.kittitas.wa.us/cds/building/cgdc-form.aspx>

**From:** Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>

**Sent:** Tuesday, August 18, 2020 10:55 AM

**To:** Pat Nicholson <pat.nicholson@co.kittitas.wa.us>; Ryan McAllister <ryan.mcallister@co.kittitas.wa.us>; Kim Dawson <kim.dawson@co.kittitas.wa.us>; Julie Kjorsvik <julie.kjorsvik@co.kittitas.wa.us>; Toni Berkshire <toni.berkshire@co.kittitas.wa.us>; Jesse Cox <jesse.cox@co.kittitas.wa.us>; Holly Erdman <Holly.erdman@co.kittitas.wa.us>; Lisa Lawrence <lisa.lawrence@co.kittitas.wa.us>; Patti Johnson <patti.johnson@co.kittitas.wa.us>; Candie Leader <candie.leader@co.kittitas.wa.us>; Gail Weyand <gail.weyand.pw@co.kittitas.wa.us>; Yakima Nation - Jessica <jessica@yakama.com>; Yakima Nation - J Marvin <jmarvin@yakama.com>; Yakama Nation <johnson@yakama.com>; Yakama Nation - Environmental Review <enviroreview@yakama.com>; SEPA Register <separegister@ecy.wa.gov>; SEPA Unit <sepaunit@ecy.wa.gov>; DOE - gcle <gcle461@ecy.wa.gov>; DOE - migi <migi461@ecy.wa.gov>; WDFW - Scott Downes <scott.downes@dfw.wa.gov>; WDFW - Jennifer Nelson <jennifer.nelson@dfw.wa.gov>; WDFW - Elizabeth Torrey <elizabeth.torrey@dfw.wa.gov>; WS DAHP <sepa@dahp.wa.gov>; James E Brooks Library - Jorgenja <jorgenja@cwu.edu>; James E Brooks Library - Nelmsk <nelmsk@cwu.edu>; Mike Flory <mike.flory@co.kittitas.wa.us>; Douglas Mitchell <douglas.mitchell@co.kittitas.wa.us>; Jeremy Larson <jeremy.larson@co.kittitas.wa.us>; Steph Mifflin <stephanie.mifflin@co.kittitas.wa.us>; WA State Department of Health - Russell <russell.mau@doh.wa.gov>; becky.kennedy@dnr.wa.gov; cindy.preston@dnr.wa.gov; rivers@dnr.wa.gov; Allison Kimball (brooksideconsulting@gmail.com)

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Shellenberger <Jon\_Shellenberger@Yakama.com>; Noah Oliver <Noah\_Oliver@Yakama.com>;  
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kdkistler@bpa.gov; klarned@fs.fed.us; prilucj@wsdot.wa.gov; kaiserm@wsdot.wa.gov; Jacob  
Prilucik <SCPlanning@wsdot.wa.gov>; Lynn.Harmon@PARKS.WA.GOV

**Cc:** Jeremy Johnston <jeremy.johnston@co.kittitas.wa.us>; Rachael Stevie (CD)  
<rachael.stevie.cd@co.kittitas.wa.us>; chrisimmer@islandchapel.net

**Subject:** Notice of Application VA-20-00006 Immer

Good morning,

CDS is requesting comments on the following Setback Variance application VA-20-00006 Immer.

Links to the file materials can be found below. The comment period will end September 2, 2020 at 5pm. CDS will assume your agency does not wish to provide comment if not received by this date. Links to the file materials can be found below. Please let me know if you have any issues accessing the materials.

[VA-20-00006 Immer Internal](#)

[VA-20-00006 Immer External](#)

## Kelly Bacon

### Planner I

#### Kittitas County Community Development Services

411 N. Ruby Street, Ste 2

Ellensburg, WA 98926

Office: (509) 962-7539

[Kelly.bacon.cd@co.kittitas.wa.us](mailto:Kelly.bacon.cd@co.kittitas.wa.us)

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State of Washington  
DEPARTMENT OF FISH AND WILDLIFE

South Central Region • Region 3 • 1701 South 24<sup>th</sup> Avenue, Yakima, WA 98902-5720  
Telephone: (509) 575-2740 • Fax: (509) 575-2474

August 20, 2020

Kelly Bacon  
Kittitas County Community Development Services  
411 N. Ruby Street, Suite 2  
Ellensburg, WA 98926

SUBJECT: WDFW COMMENTS ON VA-20-00006 IMMER

Dear Ms. Bacon,

Thank you for the opportunity to comment on the VA-20-00006 Immer application concerning building a structure at 1071 Yellowstone Road and requested variance to the required setbacks from Coal Creek, an important fish bearing stream. Washington Department of Fish and Wildlife (WDFW) has reviewed the application and supporting documents. Our comments surround concerns over the distance between the foundation and the creek and likely ongoing lateral migration/erosion of the creek.

WDFW has a history of site visits to this property, with the last being in June 2017. During the June 2017 site visit, WDFW measured seven feet from the ordinary high-water mark to the house foundation with potential ongoing lateral erosion of the creek bank. WDFW had begun to work with previous homeowner (Mr. Strobridge) on a bioengineered bank stabilization project prior to his illness and the partially built home collapsing. No approved bank stabilization work was permitted or agreed upon prior to the change in ownership.

In the variance application, it states that WDFW has no objection to this proposal. That characterization of our position is not entirely accurate. Coal Creek is both a priority fish bearing stream and is connected to Gold Creek which is one of the remaining Bull Trout spawning streams in Kittitas County. Currently the creek is subject to a high level of development along its riparian area and WDFW remains concerned about increased encroachment into the riparian environment of this creek. WDFW has stated to the applicant that if the county were to grant rebuilding of the site, there needs to be an agreed upon bioengineered bank stabilization plan that will both protect the foundation of the house from creek erosion and have sufficient habitat elements that it will protect the creek and associated aquatic organisms.

**WDFW requests that Kittitas County:**

- 1. If the variance is granted, a condition of approval would be a WDFW approved bioengineered bank stabilization plan that would be accomplished through an approved Hydraulic Project Approval (HPA).**

2. **Further, to assure that agreement on a bank stabilization plan is possible, WDFW requests that a site visit to discuss a plan is conducted between the applicant, WDFW and Kittitas County prior to approval of this variance.**

Thank you again for the opportunity to comment and look forward to a site visit being scheduled if this application goes forward. Please contact me at 509-607-3578 or [Scott.Downes@dfw.wa.gov](mailto:Scott.Downes@dfw.wa.gov) with concerns or questions regarding the above comments.

Sincerely,



Scott Downes  
Area Habitat Biologist

Cc:

Elizabeth Torrey, WDFW  
Jeremy Johnson, Kittitas County CDS

**From:** [Downes, Scott G \(DFW\)](#)  
**To:** [Kelly Bacon \(CD\)](#)  
**Cc:** [Torrey, Elizabeth M \(DFW\)](#); [Jeremy Johnston](#)  
**Subject:** RE: Notice of Application VA-20-00006 Immer  
**Date:** Thursday, August 20, 2020 4:04:21 PM  
**Attachments:** [WDFW comments on VA-20-00006 Immer.pdf](#)

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Kelly,

Please find WDFW comments on this variance application. Note that as mentioned WDFW does have a history with this parcel and if the application goes forward will need some follow-up between the applicant, county and WDFW as indicated in the letter.

Thanks again for the opportunity to review.

Scott

**Scott Downes**

Fish & Wildlife Habitat Biologist  
Washington Department of Fish and Wildlife  
Region 3 Habitat Program  
1701 South 24<sup>th</sup> Ave  
Yakima, WA 98902-5720  
[Scott.Downes@dfw.wa.gov](mailto:Scott.Downes@dfw.wa.gov)  
Office-509-457-9307  
Cell-509-607-3578

---

**From:** Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>  
**Sent:** Tuesday, August 18, 2020 10:55 AM  
**To:** Pat Nicholson <pat.nicholson@co.kittitas.wa.us>; Ryan McAllister <ryan.mcallister@co.kittitas.wa.us>; Kim Dawson <kim.dawson@co.kittitas.wa.us>; Julie Kjorsvik <julie.kjorsvik@co.kittitas.wa.us>; Toni Berkshire <toni.berkshire@co.kittitas.wa.us>; Jesse Cox <jesse.cox@co.kittitas.wa.us>; Holly Erdman <Holly.erdman@co.kittitas.wa.us>; Lisa Lawrence <lisa.lawrence@co.kittitas.wa.us>; Patti Johnson <patti.johnson@co.kittitas.wa.us>; Candie Leader <candie.leader@co.kittitas.wa.us>; Gail Weyand <gail.weyand.pw@co.kittitas.wa.us>; Yakima Nation - Jessica <jessica@yakama.com>; Yakima Nation - J Marvin <jmarvin@yakama.com>; Yakama Nation <johnson@yakama.com>; Yakama Nation - Environmental Review <enviroreview@yakama.com>; ECY RE SEPA REGISTER <separegister@ecy.wa.gov>; ECY RE SEPA REGISTER <separegister@ecy.wa.gov>; Clear, Gwen (ECY) <GCLE461@ECY.WA.GOV>; DOE - migi <migi461@ecy.wa.gov>; Downes, Scott G (DFW) <Scott.Downes@dfw.wa.gov>; Nelson, Jennifer L (DFW) <Jennifer.Nelson@dfw.wa.gov>; Torrey, Elizabeth M (DFW) <Elizabeth.Torrey@dfw.wa.gov>; SEPA (DAHP) <sepa@dahp.wa.gov>; James E Brooks Library - Jorgenja <jorgenja@cwu.edu>; James E Brooks Library - Nelmsk <nelmsk@cwu.edu>; Mike Flory <mike.flory@co.kittitas.wa.us>; Douglas Mitchell <douglas.mitchell@co.kittitas.wa.us>; Jeremy Larson <jeremy.larson@co.kittitas.wa.us>; Steph Mifflin <stephanie.mifflin@co.kittitas.wa.us>; Mau, Russell E (DOH) <Russell.Mau@DOH.WA.GOV>; Kennedy, Becky (DNR) <Becky.Kennedy@dnr.wa.gov>; PRESTON, CINDY (DNR)

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terry@nkctribune.com; Gallagher, Michael (DOHi) <mgallagher@kvnews.com>; legals@kvnews.com;  
deborah.j.knaub@usace.army.mil; lhendrix@usbr.gov; Michael.j.daniels3.civ@mail.mil;  
mark.a.gradwohl.civ@mail.mil; Kimberly.peacher@navy.mil; Jay Wiseman  
(JWiseman@SnoqualmiePassFireRescue.org) <JWiseman@SnoqualmiePassFireRescue.org>; Johnson  
Meninick <Johnson\_Meninick@Yakama.com>; Jessica Lally <Jessica\_Lally@Yakama.com>; Jon  
Shellenberger <Jon\_Shellenberger@Yakama.com>; Noah Oliver <Noah\_Oliver@Yakama.com>;  
corrine\_camuso@yakama.com; chandod@eastonsd.org; simonettam@eastonsd.org;  
kdkistler@bpa.gov; klarned@fs.fed.us; prilucj@wsdot.wa.gov; kaiserm@wsdot.wa.gov; Jacob  
Prilucik <SCPlanning@wsdot.wa.gov>; Harmon, Lynn (PARKS) <Lynn.Harmon@PARKS.WA.GOV>  
**Cc:** Jeremy Johnston <jeremy.johnston@co.kittitas.wa.us>; Rachael Stevie (CD)  
<rachael.stevie.cd@co.kittitas.wa.us>; chrisimmer@islandchapel.net  
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[VA-20-00006 Immer External](#)

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### Planner I

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## **KITTITAS COUNTY**

### **DEPARTMENT OF PUBLIC WORKS**

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#### **MEMORANDUM**

**TO:** All Staff  
**FROM:** Public Works Planning Review Team  
**DATE:** August 31, 2020  
**SUBJECT:** VA-20-00006 Immer

The Department of Public Works has reviewed the zoning variance application and recommends approval based on the following:

- A. An access permit would be required prior to building;
- B. The Federal Emergency Management Agency (FEMA) has not evaluated the stream on site for flood risk. Since the proposed building site is not within a FEMA-mapped 100-year floodplain, a floodplain development is not required, but the landowner should be aware that the building site may be at risk of flooding.

Additionally, there are no survey comments on this application.

**From:** [Candie Leader](#)  
**To:** [Kelly Bacon \(CD\)](#)  
**Subject:** RE: Notice of Application VA-20-00006 Immer  
**Date:** Monday, August 31, 2020 7:35:23 AM  
**Attachments:** [VA-20-00006 Immer.pdf](#)

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Please find attached comments related to the above referenced project.

*Candie Leader*

Administrative Supervisor  
Kittitas County Department of Public Works  
411 North Ruby Street, Suite 1  
Ellensburg, WA 98926  
509-962-7699

---

**From:** Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>  
**Sent:** Tuesday, August 18, 2020 10:55 AM  
**To:** Pat Nicholson <pat.nicholson@co.kittitas.wa.us>; Ryan McAllister <ryan.mcallister@co.kittitas.wa.us>; Kim Dawson <kim.dawson@co.kittitas.wa.us>; Julie Kjorsvik <julie.kjorsvik@co.kittitas.wa.us>; Toni Berkshire <toni.berkshire@co.kittitas.wa.us>; Jesse Cox <jesse.cox@co.kittitas.wa.us>; Holly Erdman <Holly.erdman@co.kittitas.wa.us>; Lisa Lawrence <lisa.lawrence@co.kittitas.wa.us>; Patti Johnson <patti.johnson@co.kittitas.wa.us>; Candie Leader <candie.leader@co.kittitas.wa.us>; Gail Weyand <gail.weyand.pw@co.kittitas.wa.us>; Yakima Nation - Jessica <jessica@yakama.com>; Yakima Nation - J Marvin <jmarvin@yakama.com>; Yakama Nation <johnson@yakama.com>; Yakama Nation - Environmental Review <enviroreview@yakama.com>; SEPA Register <separegister@ecy.wa.gov>; SEPA Unit <sepaunit@ecy.wa.gov>; DOE - gcle <gcle461@ecy.wa.gov>; DOE - migi <migi461@ecy.wa.gov>; WDFW - Scott Downes <scott.downes@dfw.wa.gov>; WDFW - Jennifer Nelson <jennifer.nelson@dfw.wa.gov>; WDFW - Elizabeth Torrey <elizabeth.torrey@dfw.wa.gov>; WS DAHP <sepa@dahp.wa.gov>; James E Brooks Library - Jorgenja <jorgenja@cwu.edu>; James E Brooks Library - Nelmsk <nelmsk@cwu.edu>; Mike Flory <mike.flory@co.kittitas.wa.us>; Douglas Mitchell <douglas.mitchell@co.kittitas.wa.us>; Jeremy Larson <jeremy.larson@co.kittitas.wa.us>; Steph Mifflin <stephanie.mifflin@co.kittitas.wa.us>; WA State Department of Health - Russell <russell.mau@doh.wa.gov>; becky.kennedy@dnr.wa.gov; cindy.preston@dnr.wa.gov; rivers@dnr.wa.gov; Allison Kimball (brooksideconsulting@gmail.com) <brooksideconsulting@gmail.com>; (tribune@nkctribune.com) <tribune@nkctribune.com>; terry@nkctribune.com; mgallagher@kvnews.com; legals@kvnews.com; deborah.j.knaub@usace.army.mil; lhendrix@usbr.gov; Michael.j.daniels3.civ@mail.mil; mark.a.gradwohl.civ@mail.mil; Kimberly.peacher@navy.mil; Jay Wiseman (JWiseman@SnoqualmiePassFireRescue.org) <JWiseman@SnoqualmiePassFireRescue.org>; Johnson Meninick <Johnson\_Meninick@Yakama.com>; Jessica Lally <Jessica\_Lally@Yakama.com>; Jon Shellenberger <Jon\_Shellenberger@Yakama.com>; Noah Oliver <Noah\_Oliver@Yakama.com>; corrine\_camuso@yakama.com; chandod@eastonsd.org; simonettam@eastonsd.org; kdkistler@bpa.gov; klarned@fs.fed.us; prilucj@wsdot.wa.gov; kaiserm@wsdot.wa.gov; Jacob Prilucik <SCPlanning@wsdot.wa.gov>; Lynn.Harmon@PARKS.WA.GOV  
**Cc:** Jeremy Johnston <jeremy.johnston@co.kittitas.wa.us>; Rachael Stevie (CD)

<rachael.stevie.cd@co.kittitas.wa.us>; chrisimmer@islandchapel.net

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[VA-20-00006 Immer External](#)

## **Kelly Bacon**

**Planner I**

**Kittitas County Community Development Services**

411 N. Ruby Street, Ste 2

Ellensburg, WA 98926

Office: (509) 962-7539

[Kelly.bacon.cd@co.kittitas.wa.us](mailto:Kelly.bacon.cd@co.kittitas.wa.us)

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**From:** [David Gale](#)  
**To:** [Kelly Bacon \(CD\)](#)  
**Cc:** [CDS User](#)  
**Subject:** VA -20-00006 : Immer Setback Variance  
**Date:** Wednesday, September 2, 2020 10:25:43 AM

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Dear Kelly,

My name is David Gale and I live at 151 Mtn Home Road, Snoqualmie Pass.

The Immer property is at the end of Mtn Home Road on Yellowstone.

I appose this setback Variance for a couple of reasons.

1. They are looking for a 10' reduction on the front of the property which will greatly reduce the area for Kittitas County to blow snow 4-5 months a year.
2. They main reason I appose the variance is the request to the setback from 40' to 10' from Type 2 waters. In reality the foundation that is already in place is more like 5' from the waters edge. There is very little if any water going through this creek today but in the spring run off its running 2' deep and has flooded the foundation and property twice in the past couple of years.

If you have any questions please give me a call at 206-396-9470.

Thanks

- 1.

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