

**From:** [Wanda Podobnik](#)  
**To:** [Jamey Ayling](#)  
**Subject:** Public Comment Opposing Conditional Use Permit CU-23-00003 for Fowler Creek Guest Ranch  
**Date:** Thursday, July 25, 2024 10:22:20 PM  
**Attachments:** [Granite Creek CC&R.pdf](#)  
[1 CU-23-00003 Fowler Creek Guest Ranch - Notice of Revised Application.pdf](#)

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July 26, 2024

Kittitas County Community Development Services

411 N. Ruby St

Ellensburg, WA 98926

Transmitted via email

Kittitas County Community Development Services:

I am writing to express my opposition to the proposed development of Fowler Creek Guest Ranch, CU-23-00003. My husband and I reside in an HOA in Spokane, but we regularly visit our son and daughter-in-law in the Granite Creek neighborhood of Cle Elum. As current and past HOA presidents, we are well-versed in HOA covenants and have reviewed the Granite Creek CCRs to understand the potential impact of this proposed development on the Granite Creek properties.

### **CCR Compliance and Property Boundaries**

The CCRs, attached to this email, indicate that Frank Ragland was the developer and owner of the property in Kittitas County, Washington, at the time the CCRs were written. Phase 1 had been surveyed and plotted, and Phase 2 was in the process of being surveyed. The property is described in Exhibit A as follows:

Section 3, Township 19, Range 14.

Given the location specified in the application for the Fowler Creek Guest Ranch, I pose this critical question:

Is the property that Pat Deneen seeks to develop as Fowler Creek Guest Ranch part of the Phase 2 Property as indicated in the Granite Creek Ranches Exhibit A?

If this property is indeed part of Phase 2, Mr. Deneen's proposed development directly violates the Granite Creek Ranches CCRs. Even if Mr. Ragland sold the property to Mr. Deneen, he is legally bound to adhere to the restrictions, covenants, and conditions of the declaration. These measures were put in place to protect the value, desirability, and attractiveness of the property. Specifically, the declaration states that no business or commercial activity is allowed on any parcel.

### **Potential Violations of CCRs**

The declaration clearly stipulates that:

#### **3. CONSTRUCTION ON PARCELS AND USE OF PARCELS**

No business or commercial activity is permitted on any parcel.

Therefore, it is imperative for the Kittitas County Community Development Services to investigate whether the property proposed for the guest ranch development is subject to the Granite Creek Ranches declaration filed in Kittitas County on July 05, 2002, under 200207050013.

### **Conclusion**

Given these concerns, it is crucial for the Kittitas County Community Development Services to thoroughly review the CCRs and property boundaries before making any decisions regarding this application. Approving this permit without ensuring compliance with existing covenants and restrictions would undermine the integrity of property values and the residential character of the area while directly violating the legally binding, established CCRs.

Thank you for considering my concerns.

Sincerely,

Wanda Podobnik

Attached:

Granite Creek Ranches CCR

1 CU-23-00003 Fowler Creek Guest Ranch - Notice of Revised Application