

Ellie Myers

From: luke@digs-co.com
Sent: Friday, September 20, 2024 2:38 PM
To: Bradley Gasawski; CDS User; Laura Kukes; Chace Pedersen
Cc: Gail Weyand (CD); Jessie Rosenow
Subject: RE: Zoning Variance Application 1131 Oakmont Dr.

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KITTITAS CO CDS
RECEIVED
09/20/2024

Hi Bradley,

Here are my answers to question. 10 Please let me know if you have any questions and or if this all makes sense.

10. A variance may be granted only when the following criteria are met (see KCC 17.84.10). Please describe in detail how each criteria is met for this particular request:

- 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.

I purchased the property as two parcels on 5/18/21 with my current neighbor Justin Albrecht. Our intentions were to split the properties via a quit claim deed so that I would retain the property with the existing structure, and Mr. Albrecht would take the vacant lot to build a cabin. The quit claim deed was recorded in December of 2021. As Mr. Albrecht commenced construction of his cabin about a year later, his contractor suspected that the structure on my property was sitting on the lot line between our properties. Unfortunately, county records did not have accurate lot lines and neither party thought to seek a survey when the property was quit claimed to Mr. Albrecht. Upon realizing the possibility of a lot line encroachment, I sought to resolve it with Mr. Albrecht to which he said he would be amiable to do so, but never did. In March of 2024, I listed my property for sale and became aware that Mr. Albrecht made a complaint to code enforcement regarding the lot line encroachment. The county then indicated they had no record of the structure being built which I had purchased in 2021, and admitted that this particular neighborhood is known to have many boundary issues between parcels. Unfortunately, Mr. Albrecht has declined to resolve the issue via a lot line adjustment and so I would like to proceed by removing the portion of my structure that is currently over the property line and am seeking a variance for the setbacks that would not be met due to the location of the cabin.

- 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.

A variance is necessary to maintain a portion of my cabin for my enjoyment as the property owner, rather than demolish the entire structure that has existed for a decade or more. I would be removing only a portion of my cabin to make the variance work so that my whole cabin would be located on my property. This also satisfies the right of my neighbor Justin Albrecht for his enjoyment of his whole property. It would be a massive economic impact for me to remove my whole cabin.

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

The variance would not be a material detriment to the public welfare to property in the vicinity but would accomplish preservation of my cabin fully on my property. With minimal visual impact it would not substantially alter the appearance or character of the surrounding neighborhood. Once again completely removing the current portion that sits on my neighbor's property to bring it to satisfy code enforcement and enjoyment for me and my neighbor. This would not have an impact on the community and the variance would not negatively affect property values or the overall quality of life for nearby residents.

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

The variance would not negatively affect the community property values or the overall quality of life for nearby residents. It would also bring the lot line into compliance with code enforcement and compliance of the HOA.

Feel free to reach out to me with any questions on the permit application

Thanks,



Luke Dunckley, Broker

Digs Co. | Real Estate

luke@digs-co.com | 206.255.0280

From: Bradley Gasawski <bradley.gasawski@co.kittitas.wa.us>

Sent: Monday, September 16, 2024 4:52 PM

To: luke@digs-co.com; CDS User <cds@co.kittitas.wa.us>; Laura Kukes <laura.kukes@co.kittitas.wa.us>; Chace Pedersen <chace.pedersen@co.kittitas.wa.us>

Cc: Gail Weyand (CD) <gail.weyand.cd@co.kittitas.wa.us>; Jessie Rosenow <jessie.rosenow@co.kittitas.wa.us>

Subject: RE: Zoning Variance Application 1131 Oakmont Dr.

Hi Luke,

Thanks for connecting this afternoon. Per our conversation, please respond to question 10 by listing your responses to A, B, C, D separately. You can respond via email or attach a word document.

For example, here is a sample of how you might submit responses to question 10.

10. A variance may be granted only when the following criteria are met (see KCC 17.84.10). Please describe in detail how each criteria is met for this particular request:

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.

Type your response to A here.

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.

Type your response to B here.

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

Type your response to C here.

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

Type your response to D here.

Feel free to reach out to me with any questions on the permit application.

Best,
Bradley

Bradley Gasawski | Planner I

Kittitas County Community Development Services | 411 N. Ruby St; Suite 2 | Ellensburg, WA 98926

Office: 509.962.7539

Email: bradley.gasawski@co.kittitas.wa.us

If this is about a Public Records request, please go to <http://www.co.kittitas.wa.us/request/default.aspx> and fill out a request for public records through the GovQA portal.

From: luke@digs-co.com <luke@digs-co.com>

Sent: Friday, September 13, 2024 11:37 AM

To: CDS User <cds@co.kittitas.wa.us>; Laura Kukes <laura.kukes@co.kittitas.wa.us>; Chace Pedersen <chace.pedersen@co.kittitas.wa.us>; Bradley Gasawski <bradley.gasawski@co.kittitas.wa.us>

Cc: Gail Weyand (CD) <gail.weyand.cd@co.kittitas.wa.us>; Jessie Rosenow <jessie.rosenow@co.kittitas.wa.us>

Subject: RE: Zoning Variance Application 1131 Oakmont Dr.

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Hi Kittitas County CDS,

#10. B. Such variance is necessary for the preservation and enjoyment of a substantial property right as the owner. Also the right of the owner next door who's property I am on.

Also C would apply as I do not believe this will be a detriment to the public. With this variance I am also working toward compliance with Kittitas County code enforcement. Let me know if you have any questions or need anything else.

Thanks,



Luke Dunckley, Broker

[Digs Co. | Real Estate](#)

luke@digs-co.com | 206.255.0280

From: CDS User <cds@co.kittitas.wa.us>

Sent: Thursday, September 12, 2024 4:01 PM

To: 'luke@digs-co.com' <luke@digs-co.com>; CDS User <cds@co.kittitas.wa.us>; Laura Kukes <laura.kukes@co.kittitas.wa.us>; Chace Pedersen <chace.pedersen@co.kittitas.wa.us>; Bradley Gasawski <bradley.gasawski@co.kittitas.wa.us>

Cc: Gail Weyand (CD) <gail.weyand.cd@co.kittitas.wa.us>; Jessie Rosenow <jessie.rosenow@co.kittitas.wa.us>

Subject: RE: Zoning Variance Application 1131 Oakmont Dr.

Hi Luke,

I had Bradely look over this application. He says everything looks good, but we need question 10 on page3variance answered. You can answer the question as a response to this email or send it as a pdf. Whichever is easier. Once we receive your response and deem it acceptable, we will be able to finish processing this application.

The total amount due is \$2,825.

We offer the following payment options:

- **Cash:** Accepted in person/by mail.
- **Check:** Accepted in person/by mail. Payable to KCCDS.
- **Debit/Credit Card:** Available with a 2.5% processing fee. Payments can be made either at our office or via the SmartGov permit management portal.
- **Electronic Check:** Via the SmartGov permit management portal. This payment option does not require a 2.5% processing fee.

To make an online payment, you will need to create a SmartGov portal account. Please visit the Kittitas County Public Portal at [Kittitas County Public Portal \(smartgovcommunity.com\)](https://smartgovcommunity.com) to register. If prompted for an access code, you may bypass this request. After creating your account, kindly inform me of the account name so I can link it to your permit for payment processing.

Best,

Ellie Myers

(she/her/hers)

Permit Technician

Kittitas County Community Development

[411 N Ruby Street, Suite 2](#)

[Ellensburg, WA 98926](#)

(P)509-962-7506
ellie.myers@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>

If this is about a Public Records Act request, please go to

<http://www.co.kittitas.wa.us/request/default.aspx> and fill out a request for public records through the GovQA portal.

From: luke@digs-co.com <luke@digs-co.com>

Sent: Thursday, September 12, 2024 1:18 PM

To: CDS User <cds@co.kittitas.wa.us>; Laura Kukes <laura.kukes@co.kittitas.wa.us>; Chace Pedersen <chace.pedersen@co.kittitas.wa.us>

Subject: Zoning Variance Application 1131 Oakmont Dr.

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Hi Kittitas County Community Development,

Attached please find my application for a zoning variance application. This is an application to remove part of my cabin off of my neighbors property. Also to comply with zoning violations. We did not know that our cabin was over the property line until our neighbor filed for a building permit. The cabin has been on the property since the mid 80's. I have cc'd Laura Kukes, she has been helping me through the process and is fully aware of all of the details. I also have cc'd Chace as he has helped answer a few questions about the variance.

Attached pdfs:

Page 1, page2, page 3, of the Zoning Variance Application. (Kittitas County)

VarianceAfterremovalsurvey.pdf – This shows the surveyed points after the lean to and concrete is removed and distance from my property line. (Draw up by APS)

Currentsurveysiteplanvariance.pdf – This shows the current site plan, with portion of my cabin (lean to) on my neighbor's property. (Drawn by APS)

Word document of the Project Narrative.

1131 Oakmont As-built.

Legal description of the property noted on page 6through8 pdf.

Please let me know if you have any additional questions. I will call and see if I can pay over the phone or if I need to mail a check.

Thanks,



Luke Dunckley, Broker

Digs Co. | Real Estate

luke@digs-co.com | 206.255.0280

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