



# Public Services

128 North Second Street • Fourth Floor Courthouse • Yakima, Washington 98901  
(509) 574-2300 • 1-800-572-7354 • FAX (509) 574-2301 • [www.co.yakima.wa.us](http://www.co.yakima.wa.us)

VERN M. REDIFER, P.E. - Director

YAKIMA COUNTY PLANNING DIVISION  
Administrative Adjustment  
- DECISION -

**PROJECT NAME:** Slagg Administrative Adjustment to Road Setback

**REVIEW PROCESS:** Type 2

**FILE NUMBER:** VAR2018-00011

**ZONING:** Agriculture

**FUTURE LAND USE DESIGNATION:** Agriculture Resource

**PARCEL NUMBER:** 201124-43402

**PROPOSAL:** To reduce the required 50-foot setback from the centerline of Schooley Road to 30 feet from centerline for an AG shop building constructed 25 years ago.

**PROPERTY OWNERS/APPLICANTS:** Gary Slagg  
191 Kail Road  
Tieton, WA 98947

**PREPARED BY:** DR Dinah Reed, Senior Project Planner

**DECISION:** Approved with the following conditions:

The following conditions must be obtained within three years of the date of this decision. Please note that this decision and time limit pertains to conditional authorization for the subject land use only and failure to comply with all conditions will result in the revocation of this permit. This Final Decision includes the following conditions and the findings as described.

1. Yakima County Planning requires a covenant to be recorded stating that in the future, if Schooley Road were to be improved by the Yakima County Transportation Division, and if the subject AG building was required to be removed in order to improve Schooley Road, that the burden of cost of moving or demolishing the building would be the responsibility of the property owner of the subject parcel.
2. The owners, their grantees and assignees in interest will abide by the Compliance, Extension, Expiration and Reinstatement requirements as outlined in YCC 16B.07.050. The applicant shall

complete all required conditions, submit documentation that all conditions were met and request County inspection or review to determine that the requirements have been fulfilled within the timeframe specified in the decision and any authorized extensions.

**The following are ongoing conditions that apply to the project for the life of the permitted use. Failure at any time to comply with these conditions can result in the revocation of this permit.**

3. The project shall be completed in conformance with the project description and site plan submitted with the application referenced as file number VAR2018-00011. Any changes may require additional review. If changes are planned in the future, please contact the Yakima County Public Services Department: Planning Division at (509)574-2300 for assistance with the permitting process.
4. The proposed agriculture building shall not be closer than 30 feet from the centerline of Schooley Road.

Based upon information supplied by the applicant and a review of the Yakima County Comprehensive Plan – *Horizon 2040* and Yakima County Code Title 19 (the Unified Land Development Code), the Administrator enters the following:

### **FINDINGS AND ANALYSIS**

#### **Location**

1. Located on the north side of Schooley Road, and approximately 970 feet east from the intersection of Schooley Road and Roza Drive. Located approximately ½ mile north of the City of Zillah.

#### **Project Description**

2. The applicant proposes to adjust the setback of an existing agriculture building located next to Schooley Road. The agriculture building was constructed 25 years ago by a previous property owner without applying for or obtaining building permits. The current property owner (applicant) recently applied for a carport to the existing manufactured home, and was informed at that time the agriculture building did not have a building permit, and that it did not meet the setback requirements (50 feet from centerline) of Schooley Road. This administrative adjustment application proposes 30 feet from the centerline of Schooley Road, which is the current location and setback of the existing building, requesting a 20 foot reduction.

#### **Zoning and Land Use**

3. Pursuant to the Yakima County Unified Land Development Code, Title 19, the subject parcels are within the Agriculture (AG) zoning district. The purpose of the Agriculture (AG) district is “to preserve and maintain areas for the continued practice of agriculture by limiting the creation of small lots, permitting only those new uses that are compatible with agricultural activities, protection of agricultural lands of long-term commercial significance, and providing measures to notify and separate especially sensitive land uses from customary and innovative agricultural land management practices” (YCC 19.11.010(1)(b))

The 16.00+ acre subject parcel has a house site and outbuildings. Surrounding parcels are also within the AG zoning district and range in size from 3.5+ acres to 15.0 acres, with house sites and in agriculture production.

In accordance with the Yakima County Comprehensive Plan (*Horizon 2040*), the property is designated Agricultural Resource. The intent of this designation is to implement the Growth Management Act planning goal related to maintaining and enhancing natural resource-based industries, which includes productive agricultural industries. The *Horizon 2040* policies apply to the proposed establishment. Policy LU-ER-AG 1.5 of *Horizon 2040* allows for “accessory uses, including non-agricultural accessory uses that support, promote, or sustain agricultural operations and production”.

#### **Jurisdiction and Process**

4. This proposal is being reviewed as an administrative adjustment to the setback required under YCC Table 19.11.010-2 for a gravel local access road in the AG zoning district. YCC 19.35.020(3)(a)(i) allows administrative adjustments to certain development standards under Title 19 with regards to setbacks, building height...contained in Section 19.10.040 General Development Regulations. Type 2 applications must be reviewed by the Administrative Official and may be conditioned to ensure compatibility and compliance with the zoning district and the comprehensive plan, *Horizon 2040* (YCC 19.30.030(2)).

#### **Environmental Review**

5. The proposal was determined to be categorically exempt from State Environmental Policy Act (SEPA) environmental review. There were no identified designated critical areas that would be affected by this proposal.

#### **Notice of Application**

6. After the application was submitted, an internal notice of project review was emailed to representatives of the Transportation Division, the Building and Fire Safety Division, the Environmental and Natural Resources Planning Section, the Water Resources Division, the Utilities Division, and the Yakima Health District. Internal comments were received from Transportation, with comments as follows:

“Title 19.35.060 states that for variances to be considered it must meet all of the requirements of Paragraph 2; There was no documentation or explanation for which this application would meet (a) Special circumstances applicable to the property, including size, shape, topography, location or surroundings, exist;(d) Special circumstances do not result from the actions of the applicant. It is important to note that the building permit was placed 25 years ago, as stated by the applicant would have still been required. If the building would have met the setbacks at the time of placement Yakima County Roads would find that the previous permit be honored; however, there is no permit for us to review.

In addition, Schooley Road is a substandard gravel roadway. In order to bring the road up to the minimum design standard for a rural local access road there are two major concerns- 1. Any improvements would require a fill to the south and a cut to the north in order to provide a level and stable travel way for road users. 2. The canal to the south limits the ability to provide adequate right-of way on the South side of the roadway for safe movement of vehicles. Therefore, all improvements would need to occur to the North of the center line alignment of the road, in turn additional R/W would be necessary to make such improvements.

Due to the following: The building already does not meet the setback requirements. No permits were reviewed or approved for the location of placement for the building. No road

improvements can be made to meet the minimum design standards. Setback along the roadway are meant to protect both roadway users and property owners from hazard. This application does not meet the requirements of a variance; Yakima County Roads cannot assess this variance as being viable or safe and would not recommend it for approval.”

*Staff Finding: The comments that the Transportation Division provided referenced Yakima County Code for a Variance (19.35.060(2)) which bases approval on 9 criteria (a-i), specifically Transportation references (a) and (d). Transportation denies the application because special circumstances are not applicable to the property (shape, topography, location, surroundings, etc.). The agriculture building could have been placed further back from the road in a different location on the subject property. Additionally, Transportation states that the existing circumstances are a result of the previous property owner who did not obtain a building permit for the subject agriculture building, therefore there is no permit to review as to why the building was placed where it is located. In spite of these arguments, the applicant has not applied for a Variance under 19.35.060, but instead has applied for an Administrative Adjustment to development standards under 19.35.020(3)(a)(i), which allows adjustments to the setbacks contained in Section 19.10.040 General Development Regulations and can be approved based on criteria found below in Finding #7(a-e).*

A combined Notice of Application and Notice of Completeness was mailed to property owners within 300 feet of the property and to agencies having jurisdiction or interest in the proposal on May 10, 2018 with the comment period ending May 24, 2018. No comments were received from outside agencies.

#### **Review Criteria for Administrative Adjustments**

7. The applicants have proposed to reduce the 50 foot setback from the centerline of Schooley Road to 30 feet. YCC 19.35.020(5) states Findings required to approve Administrative Adjustments may be adjusted if the Reviewing Official finds that the Administrative Adjustment is consistent with:

- a) The purpose and intent of Comprehensive Plan policies that relate to the specific adjustment being proposed and this Title;

*Staff Finding: The land-use development purposes, goals, and policies of Horizon 2040 are implemented through the Yakima County Code (YCC). The adjustment of the development standards proposed as a part of this application is consistent with the portion of Horizon 2040 regarding Agricultural Resource Areas. Policy LU-ER-AG 1.5 of Horizon 2040 allows for “accessory uses, including non-agricultural accessory uses that support, promote, or sustain agricultural operations and production.” The applicant’s father built a large AG building 25 years ago without a building permit. Recently the applicant applied to construct a car port for the manufactured home on the subject parcel and it was discovered that the existing AG building was built without a permit and that it did not meet the setbacks to Schooley Road. The applicant has subsequently applied for the building permit for the AG building (BLD2018-00302) along with this application for an administrative adjustment to the setback.*

- b) The purpose and intent of the specific zoning district and the standard being adjusted;

*Staff Finding: Table 19.11.010-2 requires that structures be at least 50 feet from the centerline of local access road in the Agriculture zoning district. The applicant is proposing to reduce the*

*structural setback from the centerline of the private road to 30 feet in order to prevent the need of moving the existing agriculture building that was built 25 years ago.*

*The intent of required setbacks in any zoning district along roadways are meant to protect both roadway users and property owners from hazard. In the AG zoning district setbacks are also meant to protect and to not interfere with productive agricultural operations. The administrative adjustment being sought and the location of the existing agriculture accessory building does not interfere with a productive portion of the agriculture zoned land or nearby farming operations.*

- c) Maintaining the minimum administrative adjustment necessary to accommodate the proposed use;

*Staff Finding: The applicant's proposal is to administratively adjust a setback for an agriculture building that was built by a previous property owner 25 years ago without a building permit. The AG building already exists and is located 30 feet from the centerline of Schooley Road which is the minimum administrative adjustment necessary without having to move or demolish the structure.*

- d) Balancing the flexibility of the administrative adjustment with the health, safety and general welfare of individual neighborhoods and the community; and

*Staff Finding: The subject road, Schooley Road, is not on the six-year TIP (Transportation Improvement Projects), therefore, there are no near future plans to improve this road. A site visit was conducted on May 24, 2018 to visually look at the width of the road, and to see where the agriculture building was located in relationship to the road. Although the building is located only 30 feet from the centerline, it is placed approximately 20 feet above the road on a steep embankment, greatly lessening the possibility of a vehicle accidentally hitting the building due to the topography of the embankment in that location. The road is substandard according to Yakima County Code 19.23.045(2) Rural Public Roads, however it is classified as a gravel local access road that serves seven parcels that is not scheduled for improvement in the near future. Provided all conditions to this decision and all standards set forth in Title 19 are met, the adjustment of the setback to the private road will not adversely affect the health, safety, and general welfare or the neighborhood and/or community.*

*As a Condition of Approval, Yakima County Planning will require a Covenant to be recorded stating that in the future, if Schooley Road were to be improved by the Yakima County Transportation Division, and if the subject AG building was required to be removed in order to improve Schooley Road, that the burden of cost of moving or demolishing the building would be the responsibility of the property owner of the subject parcel.*

- e) The placement or design of structures will maximize solar access for the production of solar energy;

*Staff Finding: The location of the existing agriculture building does not impact solar access for the production of solar energy in the vicinity of the project.*

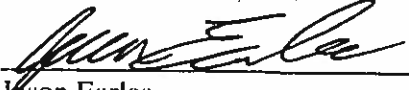
**DECISION**

Based upon the above findings, the Yakima County Administrative Official hereby Conditionally Approves the application of Gary Slagg to reduce the setback of the existing agriculture buildings from the centerline of Schooley Road 30 feet.

**If you have any questions regarding this decision or the appeal process, please contact Dinah Reed, Senior Project Planner, at (509)574-2300.**

**Administrative Official:** LYNN DEITRICK, AICP

**Designee:**

  
\_\_\_\_\_  
Jason Earles  
Planning Section Manager / Zoning and Subdivision

**Date:**

\_\_\_\_\_  
06/01/18

### NOTICE OF APPEAL

In accordance with Section 16B.09 of the Yakima County Code, any person of standing may appeal the Administrative Official's decision to the Yakima County Hearing Examiner. A notice of such appeal shall be filed in writing and delivered to the Planning Division on the 4th Floor of the Yakima County Courthouse, Yakima, Washington on or before 4:00 p.m., 06/15/18 The appeal shall be in writing, shall be accompanied by the filing fee, and shall include:

- A. The appellant's name, address, and telephone number.
- B. Appellant's statement establishing standing to initiate the appeal under Section 16B.09.020 of this Chapter;
- C. An identification of the specific proposal and specific actions, omissions, conditions or determinations for which appeal is sought;
- D. Appellant's statement of the particular grounds for the appeal, setting forth the principal points of appeal and addressing why the appellant believes the decision to be wrong; and
- E. The desired outcome or relief sought by the appellant.

**Attachments:**

- A. YCC 16B.07.050 – Compliance, Extension, Expiration and Reinstatement
- B. Administrative Adjustment Form
- C. Narrative
- D. Site Plan
- E. Internal Comments
- F. Sample Covenant

VAR2018-00011\_AG\_Slagg\_RoadSetbackReduction\_dsr2\_jwe(2)FINAL.docx

*Yakima County ensures full compliance with Title VI of the Civil Rights Act of 1964 by prohibiting discrimination against any person on the basis of race, color, national origin, or sex in the provision of benefits and services resulting from its federally assisted programs and activities. For questions regarding Yakima County's Title VI Program, you may contact the Title VI Coordinator at 509-574-2300.*

*If this letter pertains to a meeting and you need special accommodations, please call us at 509-574-2300 by 10:00 a.m. three days prior to the meeting. For TDD users, please use the State's toll free relay service 1-800-833-6388 and ask the operator to dial 509-574-2300.*



# **Compliance, Extension, Expiration and Reinstatement (YCC 16B.07.050)**

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- (1) Compliance with Conditions and Safeguards of Project Permit. It is the affirmative duty of a project permit holder and the land owner (as applicant) to comply with any conditions made a part of the terms under which the approval of a project permit was granted as authorized by Yakima County Code. The applicant shall complete all required conditions, submit documentation that all conditions were met and request County inspection or review to determine that the requirements have been fulfilled within the timeframe specified in the decision and any authorized extensions. When the conditions of the project permit have been met within the timeframe specified by the decision and any subsequent extension authorized by the applicable code, the applicant shall provide a letter certifying that the conditions were met to the Administrative Official to document compliance.
  
- (2) Extension of Any Approved Project Permit. A valid project permit, other than a preliminary plat, may be extended one time only for up to one additional year by action of the Administrative Official.
  - (a) Requests for extensions shall be made in writing, shall be submitted to the Planning Division prior to the expiration date and shall be accompanied by the final approved site plan showing the location and size of any development or work already completed on the project. Such extension request shall present a timeline that identifies when each of the conditions of the decision has or will be completed and shall detail unique and special circumstances that prohibited the commencement or completion, or both, of the use authorized.
  - (b) The Administrative Official shall review the request without public notice or hearing and issue the decision within fourteen days from the receipt of the completed request. The Administrative Official may:
    - (i) Approve the extension based on a work schedule provided by the applicant to assure the work will be completed according to a modified schedule, or
    - (ii) Disapprove the extension.
  - (c) The Administrative Official shall mail the decision to the applicant and shall specify the decision as final unless appealed to the Hearing Examiner under the provisions of Chapter 16B.09 of this Title. Conditions of approval listed previously in the Notice of Decision issued pursuant to 16B.07.010 through 16B.07.030 of this Chapter may be appealed only according to the procedures and time periods specified in YCC 16B.09.010 and are not subject to appeal again following any decision or determination of the Administrative Official made under this Section 16B.07.050.

*Attachment A*



- (3) Failure to Complete Approved Permit Conditions within Specified Timeframe and Failure to Comply with Permit Decisions or Conditions.
- (a) Expiration. If compliance with the terms of the project permit approval has not occurred within the timeframe specified by the decision and any subsequent extension authorized by the applicable code, the project shall be considered expired by time limitation and the land use approval shall be null and void. Expiration of a project permit granted pursuant to Yakima County Code shall not be subject to appeal.
  - (b) Violations. A project permit issued or processed pursuant to any applicable Title listed in YCC 16B.01.020 will be deemed in violation of this Code if it is ascertained that the application included any false information material to the project permit approval, or if it develops that the conditions and safeguards made a part of the terms under which the approval was granted are not being maintained. Such violations of project permit approval shall be subject to Chapter 16B.11 and other remedies available to Yakima County under any applicable law to enforce conditions of permit approvals, remedy land use and code violations or abate those violations including without limitation YCC Title 13.
  - (c) Compliance agreement. The applicant and the County may enter into a compliance agreement to complete the required conditions subject to appropriate fees to compensate the County in preparing, recording and implementing the compliance agreement. On terms acceptable to the Administrative Official, in his or her sole discretion, the County may offer an extension of time to complete the required conditions of approval subject to appropriate fees to compensate the County in preparing, recording and implementing any such compliance agreement; provided, however, that no compliance agreement may be used in lieu of the permit process to remove or negotiate conditions of approval.
- (4) Reinstatement. Where a project permit has expired, the applicant may apply to have the permit reinstated and the work authorized by the original permit can be recommenced, provided the following are met:
- (a) The applicant submits a written request not more than sixty days after the original permit or authorized extension expired.
  - (b) The applicant provides a timeline for successful achievement of all conditions upon which the Administrative Official can agree.
  - (c) The codes under which the original permit was issued and other laws which are enforced by Yakima County have not been amended in any manner which affects the work authorized by the original permit.
  - (d) No changes have been made or will be made in the original plans and specifications for such work.
  - (e) The applicant submits a reinstatement fee. The fee for a reinstated permit shall be seventy percent of the amount required for a new project permit pursuant to YCC Title 20.
  - (f) Where the request for reinstatement does not comply with all of the preceding criteria in this Subsection, a new project permit application must be submitted and processed as a new project, at full permit fees.



# ADMINISTRATIVE ADJUSTMENT FORM

FINAL  
Revised 10/01/15

Yakima County Public Services  
128 North Second Street · Fourth Floor Courthouse · Yakima, Washington 98901  
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## Zoning Ordinance Requirement and Adjustment Requested: (Answer the following)

1. Is this adjustment being processed under the Optional Consolidated Permit Review Process?

Yes  No

2. Type of Adjustment Requested (Check as applicable)

Setbacks: Which setback is proposed to be adjusted?  Front  Side  Rear

Parking:  Loading

Sign height  Building height

Fence height  Walls and Recreational Screens

Site screening  Landscaping

Lot coverage  Waste and Recycling Storage

Siting Criteria for manufactured homes located outside UGA, and outside RT, RS zoning districts:

Roof Pitch

Roof materials

Pit setting

Siding materials

Other: \_\_\_\_\_

-3. Zoning standard requires: 50 ft. from center line  
(example: 15-foot rear yard setback from southern property line, or 6-foot fence along west property line)

-4. Proposed standard: 30 ft. to centerline  
(example: 10-foot rear yard setback from southern property line, or 8-foot fence along the west property line)

5. Why is the proposed adjustment needed? 20 ft. adjustment

6. Are there other alternatives to your design that could be made in order to meet the standard?  Yes  No  
If Yes, explain: \_\_\_\_\_

7. What is the minimum adjustment needed to accommodate the proposed use?  
If Yes, explain: 20 ft

8. How will the proposed adjustment impact your neighbors? It will not

9. Are there developments in the neighborhood that are similar to your proposal?  Yes  No  
If Yes, explain: \_\_\_\_\_

10. Are there physical features, such as topography, right-of-way, and existing constraints on the property?

Yes  No

If Yes, explain: Sunnyside canal - Ag. production

Answer the following questions if you are requesting an adjustment to the sign standards:

11. What is the proposed sign: Height:      Size:      Shape:      Color:     

12. How many signs are proposed?     

13. What is the proposed location of the sign?     

14. What is the proposed landscaping associated with the sign?     

15. How does the proposed sign relate to the immediate area?     

16. Is the sign associated with a multiple-use complex?  Yes  No

If yes, explain how the available sign area will be allocated between tenants or leasable spaces:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Answer the following questions if you are requesting an adjustment to Site Screening or Landscaping standards:

17. Is the adjustment needed due to inadequate sunlight?  Yes  No

18. What is the distance between the proposed structure and the existing structures on the adjoining property?

54 ft.

19. What is the proposed setback from the front of the new structure?     

20. Does the area in front of the building have any of the following:  Decorative paving/pavers  Trees

Planters  Other Amenities (explain)     

21. Are you proposing to utilize Xeriscape (drought tolerant) landscaping?  Yes  No

22. Is there existing vegetation within the required landscaping areas?  Yes  Yes

If yes, describe size, location and type:



# NARRATIVE FORM

FINAL  
Revised 10/01/15

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The Narrative Form is designed to help you, the application review, interested agencies, and adjacent property owners to the proposal understand the scope of your project and how your project meets the legal requirements in the Yakima County Codes. You should refer to the appropriate sections of the ordinance when describing your proposal if applicable. You can obtain a copy of the ordinance in our office or access it on the internet at:

<http://codepublishing.com/wa/yakimacounty/>

**Narrative Content:** Please tell us the “who”, “what”, “where”, and “why” of your proposal. A list of typical content is provided below. **Please do not limit your project’s description to just these items.** In order for us to conduct a timely review of your project please **be as detailed as possible.** Any missing/confusing information could result in the delay of our review.

Note: Not all content listed below will be pertinent to your proposal. These items are suggestions in order to help you draft your narrative.

**Suggested Content:**

- Describe the current use of the site including all existing structures with their dimensions, square footage and usage.
- Describe the proposed use in detail (including but not limited to the type of business and/or use, hours and days of operation, number of employees, number of people living on-site, maximum number of customers and/or guests, changes or additions to the driveways or other access points, the type of mitigation or adjustment requested).
- Describe which standards are proposed to be adjusted and justify why the standard needs to be adjusted.
- Describe any new or existing structures to be used as part of this proposal.
- Describe how the proposed use will be pertinent to the proposed/existing structures.
- Describe any parking facilities (number of spaces and surface type), landscaping, signage, and lighting that will be associated with your proposal.
- Describe your access to the property and the route of travel to the site.
- For commercial operations describe the travel ways that will be located onsite.
- Describe the timelines for completion of your proposal.

**Please remember that your narrative must explain in detail the specifics of your proposal and any missing information may result in the need for future reviews.** Your narrative can be typed and printed on a separate sheet of paper with “See Attached” written below, or you may print out legibly your narrative on the lines provided.

*Requesting reduction in 50 ft.  
setback from centerline of road, to 30 ft.  
for a building built 25 years ago.*

*Arb. . . + r*

North ↑

1086'

790'

Pear Orchard

16.42 acres

1100'

Owner: Gary Slagg

Address: 191 Kail Rd. Tilton, Wa

Phone: Home: 509-673-5121

cell: 509-930-7879

Parcel Number: 201124-43403

Location: 1171 Schooley Rd.

Zillah, WA.

160'

Utility  
Drive way Building

Well

5'

50'

44'

115'

Driveway

Manufactured Home

68'

52'

5' septic

Easement phone

Drain Field

Utility 8' x 8'

132'

24'

620'

85'

77'

270'

Schooley Rd.

SYID canal

ML 11-11-11



## Division Comments

### VAR2018-00011

TASK ▲	ACTION BY	STATUS	COMMENTS
Address Review	Jase K Testerman	Comments Not Required	
Building Review	Dinah S Reed	Complete	
Code Enforcement Review	Janna C Jackson	Comments Not Required	
Current Planning Review	Dinah S Reed	Complete w/Conditions	
Environmental Review	Dinah S Reed	Comments Not Required	
Fire Review	Chris M Pedersen	Comments Not Required	
Flood/Hazard Review	Dinah S Reed	Comments Not Required	
Health Review	John R Wilson	Complete	The proposed shop will not encroach on the existing septic system or the reserve septic area. JRW 5/7/18
Long Range Review	Tua Vang	Complete w/Conditions	<b>Note: Utility easement on plat. Spoke to Mr. Slagg about checking the distance of subject building from easement and that building should not be within it.</b>
Transportation Review	Jamie D West	Complete	Title 19.35.060 states that for variances to be considered it must meet all of the requirements of Paragraph 2; There was no documentation or explanation for which this application would meet (a) Special circumstances applicable to the property, including size, shape, topography, location or surroundings, exist;(d) Special circumstances do not result from the actions of the applicant. It is important to note that the building permit was placed 25 years ago, as stated by the applicant would have still been required. If the building would have met the setbacks at the time of placement Yakima County Roads would find that the previous permit be honored; however there is no permit for us to review. In addition, Schooley Road is a substandard gravel roadway. In order to bring the road up to the minimum design standard for a rural local access road there are two major concerns- 1. Any Improvements would require a fill to the south and a cut to the north in order to provide a level and stable travel way for road users. 2. The canal to the south limits the ability to provide adequate right-of way on the South side of the roadway for safe movement of vehicles. Therefore, all improvements would need to occur to the North of the center line alignment of the road, in turn additional R/W would be necessary to make such improvements. Due to the following: The building already does not meet the setback requirements. No permits were reviewed or approved for the location of placement for the building. No road improvements can be made to meet the minimum design standards. Setback along the roadway are meant to protect both roadway users and property owners from hazard. This application does not meet the requirements of a variance; Yakima County Roads cannot assess this variance as being viable or safe and would not recommend it for approval.
Utility Review	Joe E Stump	Comments Not Required	
Water Resources Review	Dianna L Woods	Comments Not Required	No comments.

*Attachment E*

