



## Notice of Administrative Decision

**Date:** 03/04/2021

**To:** Joshua Goffin, [josh@sullysbistroandbar.com](mailto:josh@sullysbistroandbar.com)  
Interested Parties and Parties of Record

**RE: Permit Number:** 20-05503  
**Project Name:** Goffin Deck View Line Review  
**Type of Application:** Conditional Waiver from View Blockage Requirements

The Kitsap County Department of Community Development has **APPROVED** the land use application for **20-05503: Goffin Deck View Line Review – Conditional Waiver from View Blockage Requirements, subject to the conditions outlined in this Notice and included Staff Report.**

**THE DECISION OF THE DEPARTMENT IS FINAL, UNLESS TIMELY APPEALED TO THE KITSAP COUNTY HEARING EXAMINER ON OR BEFORE 14 DAYS FROM THE DATE OF DECISION PER KITSAP COUNTY CODE 21.04.290.**

The written appeal shall be made on, or attached to, an appeal form found on DCD's website: <https://www.cognitofirms.com/KitsapCounty1/RequiredPermitQuestionnaireAppealObjectionOfAnAdministrativeDecision>.

Please note affected property owners may request a change in valuation for property tax purposes, notwithstanding any program of revaluation. Please contact the Assessor's Office at 360-337-5777 to determine if a change in valuation is applicable due to the issued Decision.

The complete case file is available for review at the Department of Community Development; if you wish to view the case file or have other questions, please contact [help@kitsap1.com](mailto:help@kitsap1.com) or (360) 337-5777. Please note DCD is open Monday to Thursday from 8:00am to 4:00pm and on Friday from 9:00am to 1:00pm except holidays.

**CC:** Interested Parties:  
Josh Goffin; [josh@sullysbistroandbar.com](mailto:josh@sullysbistroandbar.com)  
Interested Parties: Robert Jensen, [rjensen090@gmail.com](mailto:rjensen090@gmail.com); Laurie Dawson, [lauriedawson@sent.com](mailto:lauriedawson@sent.com); Robin Showman, [showman.rob1@gmail.com](mailto:showman.rob1@gmail.com); Erenn Kiiiaell, PO Box 596, KEYPORT WA, 98345  
Kitsap County Health District, MS-30  
Kitsap County Public Works Dept., MS-26  
DCD Staff Planner: Steve Heacock



## Administrative Staff Report

**Report Date:** 3/3/2021

**Application Submittal Date:** 11/19/2020

**Application Complete Date:** 11/25/2020

**Project Name:** Goffin Deck View Line Review

**Type of Application:** Conditional Waiver from View Blockage Requirements

**Permit Number:** 20-05503

### Project Location

12054 Seabeck Highway NW  
Seabeck, WA 98380  
Commissioner District 3

### Assessor's Account #

162501-4-001-1001

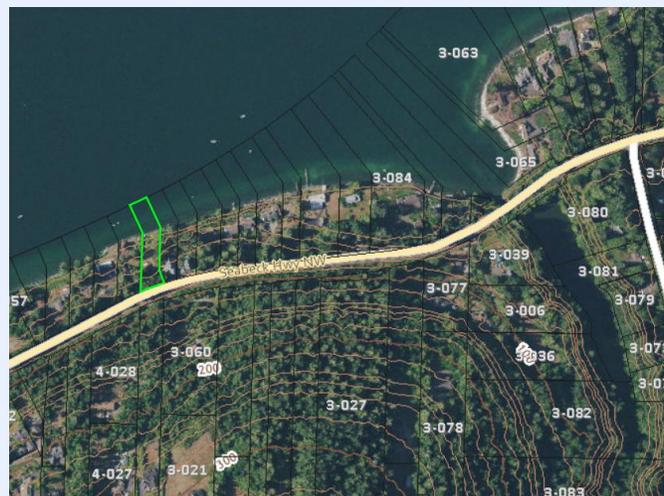
### Applicant/Owner of Record

Joshua Goffin  
12054 Seabeck Highway NW  
Seabeck, WA

### Decision Summary

Approved, subject to conditions listed under Section 13 of this report.

### VICINITY MAP



### 1. Background

### 2. Project Request

The applicant seeks Department of Community Development (DCD) approval of a Type II conditional waiver from the view blockage requirements within KCC 22.400.135 for the re-construction of a residence and slight expansion of an associated new deck.

### 3. SEPA (State Environmental Policy Act)

The project is considered SEPA exempt under KCC 18.04 as it is considered a minor land use action.

### 4. Physical Characteristics

The property was previously constructed with a residence and associated deck, but a planned rebuild of the residence was limited in space due to on-site septic and drainage system requirements, thus limiting the area to build the new house and an associated deck.

Due to these circumstances, the view line will encroach slightly into the view line for the neighbor to the east.

**Table 1 - Comprehensive Plan Designation and Zoning**

Comprehensive Plan: Rural Residential Zone: Rural Residential	Standard	Proposed
Minimum Density	1 unit per 5 acres	NA
Maximum Density	1 unit per 5 acres	
Minimum Lot Size	NA	NA
Maximum Lot Size	NA	NA
Minimum Lot Width	NA	NA
Minimum Lot Depth	NA	NA
Maximum Height	35 feet	2 stories, <35 feet
Maximum Impervious Surface Coverage	NA	NA
Maximum Lot Coverage	NA	NA

Applicable footnotes:

NA

*Staff Comment: Not Applicable to this application type.*

**Table 2 - Setback for Zoning District**

	Standard	Proposed
Front (South)	20 feet	The front setback is met by the proposal
Side (West)	5 feet	5 feet
Side (East)	5 feet	The 5-foot setback is met.
Rear (East)	Shoreline Residential setback guided by 22.400.120. An 85 foot buffer and 15 foot building setback is required per the Shoreline Master Program (SMP)	The 85-foot SMP buffer is met.

**Table 3 - Surrounding Land Use and Zoning**

Surrounding Property	Land Use	Zoning
North	Shoreline Residential	Shoreline Residential

South	Rural Residential	Rural Residential
East	Rural Residential	Rural Residential
West	Rural Residential	Rural Residential

**Table 4 - Public Utilities and Services**

	Provider
Water	On-site 2 party well
Power	Puget Sound Energy
Sewer	On-site septic
Police	Kitsap County Sheriff
Fire	Central Kitsap Fire & Rescue
School	Central Kitsap School District

**5. Access**

The property is accessed off of Seabeck Highway NW

**6. Site Design**

The site is the location of a previous single family residence, which has been demolished and is being fully reconstructed. All buffers and setbacks are met.

**7. Policies and Regulations Applicable to the Subject Proposal**

The Growth Management Act of the State of Washington, RCW 36.70A, requires that the County adopt a Comprehensive Plan, and then implement that plan by adopting development regulations. The development regulations must be consistent with the Comprehensive Plan. The Comprehensive Plan process includes public involvement as required by law, so that those who are impacted by development regulations have an opportunity to help shape the Comprehensive Plan which is then used to prepare development regulations.

Kitsap County Comprehensive Plan, adopted June 30, 2016

The following Comprehensive Plan goals and policies are most relevant to this application:

*Staff comment: This analysis is not required for this application.*

The County’s development regulations are contained within the Kitsap County Code. The following development regulations are most relevant to this application:

Code Reference	Subject
Title 12	Storm Water Drainage
Title 13	Water and Sewers

Title 14	Buildings and Construction
Title 17	Zoning
Chapter 18.04	State Environmental Policy Act (SEPA)
Chapter 20.04	Transportation Facilities Concurrency Ordinance
Chapter 21.04	Land Use and Development Procedures

**8. Documents Consulted in the Analysis**

<u>Applicant Submittals</u>	<u>Dated or date stamped</u>
Conditional Waiver analysis	November 20, 2020
Site plan	November 19, 2020
Neighbor view line notification	November 20, 2020
Showman Approval	February 19, 2021
Dawson Approval	February 19, 2021
 <u>Staff Communication</u>	 <u>Dated</u>
E-mail with applicant on procedures	2/17/2021

**9. Public Outreach and Comments**

The NOA was processed on January 8, 2021.

Issue Ref. No.	Summary of Concern (See corresponding responses in the next table)	Comment Letter Exhibit Reference No.
1	The adjacent shoreline neighbors are required to concur with the view waiver request.	2/19/21 e-mails

Issue Ref. No.	Issue	Staff Response
1	Neighbor support	The east neighbor (Robin Showman) provided their support of the view waiver request, and concurred with the provided site plans. The neighbors to the west (Peter and Laurie Dawson), although not impacted by the proposal, are in support of the view waiver request and have also reviewed and concurred with the provided plans.

**10. Analysis**

**a. Planning/Zoning**

NA. The associated zoning and land use review will occur with the associated residential building permit.

**b. Lighting**

NA

**c. Off-Street Parking**

NA

**Table 5 - Parking Table**

Use Identified in 17.490.030	Standard	Required Spaces	Proposed Spaces/Existing Spaces
NA	NA	NA	NA
Total			

**d. Signage**

NA

**e. Landscaping**

NA

**Table 6 - Landscaping Table**

	Required	Proposed
Required Landscaping (Sq. Ft) 15% of Site	NA	NA
Required Buffer(s) 17.500.025	NA	NA
North		
South		
East		
West		
Street Trees		

**f. Frontage Improvements**

NA

**g. Design Districts/Requirements**

NA

**h. Development Engineering/Stormwater**

NA. The proposed view waiver is not applicable to stormwater concerns. Review will be completed within the residential building permit.

**i. Environmental**

The environmental analysis is processed with the residential building permit application. The conditional waiver from view blockage requirements have been provided by the applicant and are analyzed per the shoreline Master Program in KCC 22.400.135.D. The applicant must demonstrate the following:

22.400.135 D. Conditional Waiver Procedure. 1. An applicant aggrieved by the strict application of this chapter may seek a conditional waiver from the director. Such a waiver shall be a Type II administrative decision. A conditional waiver may be granted after the applicant demonstrates the following:

a. The hardship which serves as the basis for granting the conditional waiver is specifically related to the property of the applicant and does not apply generally to other property in the vicinity. *Applicant response: In order to comply with shoreline setbacks, well setbacks and septic setbacks, we are confined to a very small space to build our very conservative sized home (about 2300 sq. ft). DCD response: DCD does not disagree.*

b. The hardship which serves as the basis for granting the conditional waiver is specifically related to the property of the applicant and does not apply generally to other property in the vicinity. *Applicant response: In order to comply with shoreline setbacks, well setbacks and septic setbacks, we are confined to a very small space to build our very conservative sized home (about 2300 sq ft). This is not applicable to other adjacent properties. DCD response: DCD does not disagree.*

c. The hardship which results from the application of the requirements of this chapter is not a result of the applicant's own actions. *Applicant response: We are only trying to build a livable sized home on the property. DCD response: DCD does not disagree.*

d. The conditional waiver, if granted, will be in harmony with the general purpose and intent of the Act and this program in preserving the views of the adjacent shoreline residences. *Applicant response: We have discussed this with the neighbors and they are in agreement with our project. DCD response: DCD acknowledges the neighbor's support.*

e. In balancing the interest of the applicant with adjacent neighbors, if more harm will be done by granting the conditional waiver than would be done by denying it, the

conditional waiver shall be denied. *Applicant response: There will be no harm done and neighbors are in full support of this ask. DCD response: DCD does not disagree.*

**j. Access, Traffic and Roads**

NA

**k. Fire Safety**

NA

**l. Solid Waste**

NA

**m. Water/Sewer**

NA

**n. Kitsap Public Health District**

NA

**11. Review Authority**

The Director has review authority for this Administrative Conditional Waiver from View Blockage Permit application under KCC 21.04 and 22.400.135. The Kitsap County Commissioners have determined that this application requires review and approval of the Director. The Director may approve, approve with conditions, or deny a Type II administrative permit.

**12. Findings**

1. The proposal is consistent with the Comprehensive Plan.
2. The proposal complies or will comply with requirements of KCC Titles 21 and 22 and complies with or will comply with all of the other applicable provisions of KCC and all other applicable regulations, including all applicable development standards and design guidelines, through the imposed conditions outlined in this report.
3. The proposal is not materially detrimental to existing or future uses or property in the immediate vicinity.
4. The proposal is compatible with and incorporates specific features, conditions, or revisions that ensure it responds appropriately to the existing character, appearance, quality or development, and physical characteristics of the subject property and the immediate vicinity.

**13. Decision**

Based upon the analysis above and the decision criteria found in KCC Chapter 21.04 and Section 22.400.135, the DCD recommends that the Conditional Waiver from View blockage Requirements request for the Goffin Deck View Blockage application be **approved**, subject to the following 3 conditions:

**a. Planning/Zoning**

1. Conditioned to follow the land use and zoning setbacks for the residential permit application 20-03335.

**b. Development Engineering**

2. Condition to follow the recommendations of the engineered residential permit 20-03335.

**c. Environmental**

3. Conditioned to follow the requirements set forth in KCC Title 22.400.135, and the application further guides the associated building permit, allowing the minor view encroachment of the planned deck into the view line of the neighbor to the east. As defined and described, the neighbor to the west is not impacted. Both neighbors have provided letters of approval for the application, as planned.

**d. Traffic and Roads**

NA

**e. Fire Safety**

NA

**f. Solid Waste**

NA

**g. Kitsap Public Health District**

NA

**Report prepared by:**



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Steve Heacock, Senior Environmental Planner / Project Lead

3/4/2021

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Date

**Report approved by:**



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Scott Diener, DSE Manager

3/4/2021

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Date

**Attachments:**

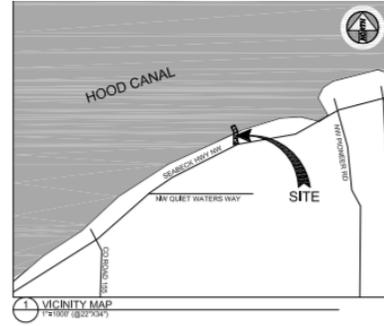
Attachment A – Site plan

CC: Josh Goffin; [josh@sullysbistroandbar.com](mailto:josh@sullysbistroandbar.com)  
Interested Parties:  
Robert Jensen; [rjensen090@gmail.com](mailto:rjensen090@gmail.com)  
Laurie Dawson; [lauriedawson@sent.com](mailto:lauriedawson@sent.com)  
Robin Showman; [showman.rob1@gmail.com](mailto:showman.rob1@gmail.com)  
Erren Kiiell; PO Box 596, KEYPORT WA, 98345  
Kitsap County Health District, MS-30  
Kitsap County Public Works Dept., MS-26  
DCD Staff Planner: Steve Heacock

**Site Plan**

Attachment A

### GOFFIN - SFR SITE PLAN



**LEGAL DESCRIPTION (FROM TITLE REPORT):**  
 1625 NW 1/4 SECTION 16, TOWNSHIP 25 NORTH, RANGE 1 WEST, 10M IN KITSAP COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: BEGINNING AT A CONCRETE MONUMENT SET AT THE NORTHERLY RIGHT-OF-WAY OF THE SEABECK COUNTY ROAD, 102.28 FEET NORTH OF THE SOUTHERLY SECTION CORNER COMMON TO SECTIONS 15 AND 16, SAID TOWNSHIP AND RANGE; THENCE NORTH 22°20'20" WEST 61.24 FEET TO A CONCRETE MONUMENT AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 22°20'20" EAST 61.34 FEET; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY SOUTHWESTERLY ON A CURVE TO THE LEFT, THE CENTER OF WHICH BEARS SOUTH 19°30'15" EAST 480.00 FEET AN ARC DISTANCE OF 108.00 FEET; THENCE LEAVING SAID RIGHT-OF-WAY NORTH 1°32'37" EAST 240 FEET, MORE OR LESS, TO THE SHORE LINE OF HOOD CANAL; THENCE NORTHEASTERLY ALONG SAID SHORE LINE TO A.

**WELLS, DRAINFIELDS AND TANKS NOTE:**  
 THE PARCELS TO THE WEST AND SOUTH ARE SERVED BY A PUBLIC WATER SYSTEM. IT IS ASSUMED THAT THOSE PARCELS DO NOT HAVE PRIVATE WELLS. THE APPROXIMATE LOCATIONS OF MOST OF THE DRAINFIELDS ARE SHOWN ON THE SITE PLAN. A FEW OF THE DRAINFIELD LOCATIONS ARE ASSUMED BASED ON LOCATION OF BUILDINGS. NO RECORDS OF WELLS COULD BE FOUND ON ADJACENT PARCELS WITHIN 100 FEET OF THE PROPERTY. THERE ARE NO RECORDS OF TANKS WITHIN 100 FEET OF THE PROPERTY. ""REVERSE ME""

**LEGEND:**

- COUNTY LIDAR CONTOUR
- WISE TOPO MINOR CONTOUR
- - - PROPOSED STORM SYSTEM
- - - EXISTING WELL SETBACK
- - - APPLICANT'S PARCEL LINES
- - - NEIGHBORING PARCELS
- - - EXISTING SETBACK LINE
- - - EXISTING WALK WAY
- - - EXISTING GRAVEL
- - - EXISTING WALK WAY
- - - PROPOSED STRAIN DRAIN YARD DRAIN
- - - EXISTING DUS WELL
- - - EXISTING WELL
- - - SOIL LOG
- - - EXISTING DRAIN FIELD
- - - EXISTING SEWER SYSTEM

**TOPOGRAPHY NOTE:**