



STAFF REPORT ADMINISTRATIVE DECISION

Report Date: January 14, 2022

Application Submittal Date: October 18, 2021

Application Complete Date: December 7, 2021

Project Name: Long 10% Setback Variance

Type of Application: Administrative Zoning Setback Variance (Type I)

Permit Number: 21-05501

Project Location

13780 Wye Lake Blvd SW
Port Orchard, WA 98367
South Kitsap (District 2)

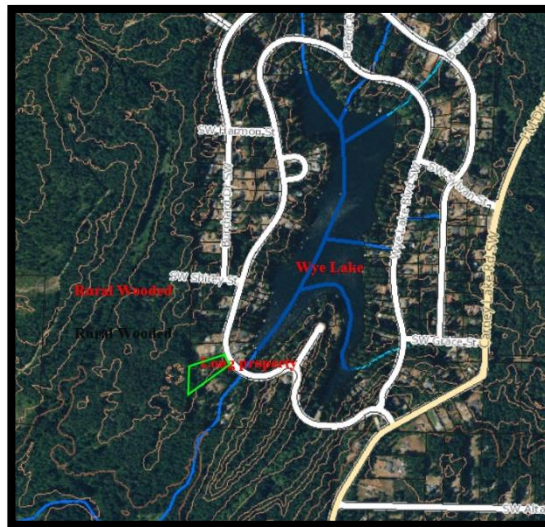
Assessor's Account

4857-007-009-0002

Applicant/Owner of Record

Jane and Harvey Long
9515 Burnham Dr
Gig Harbor, WA 98322

VICINITY MAP



1. Project Request

The applicant is proposing to develop the Rural Residential (RR) subject site with a single-family residence, driveway, and septic drain field. A building permit (#21-05790) is currently in review pending approval of this variance. Per KCC 17.420.060, footnote 29, a one-hundred-foot setback is required for single-family buildings abutting RW zones. The proposed home abuts a property zoned as RW to the west (the rear yard) and the applicant is requesting a variance to reduce the required setback to the western property line from 100 feet to 90 feet (10% reduction).

2. SEPA (State Environmental Policy Act)

The project is SEPA Exempt under KCC 18.04 State Environmental Policy Act.

3. Physical Characteristics

The site is a 1.44-acre, wedge-shaped parcel located in a Rural Residential-zoned area in Kitsap County. The site is currently undeveloped and mostly wooded. There are no critical areas on-site. The site has a knoll in the northwest quadrant that constrains the property and

which the applicant does not wish to remove.

Table 1 - Comprehensive Plan Designation and Zoning

Comprehensive Plan: Rural Residential Zone: Rural Residential (RR)	Standard	Proposed
Minimum Density	N/A	N/A - Subject property is an existing lot.
Maximum Density	1 dwelling unit/5 acres	
Minimum Lot Size	5 acres	N/A
Maximum Lot Size	NA	N/A
Minimum Lot Width	140 feet	N/A
Minimum Lot Depth	140 feet	N/A
Maximum Height	35 feet	N/A
Maximum Impervious Surface Coverage	N/A	N/A
Maximum Lot Coverage	N/A	N/A

Applicable footnotes: None

Table 2 - Setback for Zoning District

	Standard	Proposed
Front (East)	50 feet	236 feet+
Side (North) Side (South)	20 feet	71 feet+ 35 feet
Rear (West)	10 feet	90 feet (per variance request)

Applicable footnotes: None

Table 3 - Surrounding Land Use and Zoning

Surrounding Property	Land Use	Zoning
North	Single-family residences	Rural Residential (RR)
South	Single-family residences	Rural Residential (RR)
East	Single-family residences	Rural Residential (RR)
West	None	Rural Wooded (RW)

Table 4 - Public Utilities and Services

	Provider
Water	Private Shared Well
Power	Puget Sound Energy

Sewer	Onsite system
Police	Kitsap County Sherriff
Fire	South Kitsap Fire & Rescue
School	South Kitsap School District

4. Access

The site will be accessed directly with a private driveway from Wye Lake Blvd, a County-owned road.

5. Site Design

The submitted site plan shows the building envelope for a future single-family home in the western portion of the property. A septic drain field is proposed in front of the future home, somewhat central to the lot.

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
Title 19	Critical Areas
Chapter 18.04	State Environmental Policy Act (SEPA)
Chapter 20.04	Transportation Facilities Concurrency Ordinance
Chapter 21.04	Land Use and Development Procedures

6. Analysis

a. Planning/Zoning

Setback Variance Criteria

Pursuant to Kitsap County Code Section 17.455.010 Interpretations and Exceptions, the applicant can request in writing to the Director to authorize a variation of up to 10% of any numerical standard, except density, when unusual circumstances cause undue hardship in the strict application of the Code. A variance shall be approved only when all the following conditions and facts exist:

1. There are special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, that were not created by the applicant and do not apply generally to other property in the same vicinity or zone;

Staff Comment: The site shows a prominent knob or shelf of land that rises from a base elevation of 320' to 330' in the eastern half of the northwestern quadrant of the site. This feature impacts the buildable area of this lot. A 10-foot rear setback reduction allows for enough area for a building site while not requiring the applicant to excavate a portion of the knob.

2. Such variance is necessary for the preservation and enjoyment of a substantial property right or use of the applicant possessed by the owners of other properties in the same vicinity or zone;

Staff Comment: The property is in a rural residential area where most lots are developed with single family homes. Many of the lots are smaller, legal nonconforming in size. The variance will allow the property owner the ability to reasonably develop the home with a single-family residence of similar nature to adjacent properties.

3. The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or zone in which property is located; and

Staff Comment: The 10-foot setback variance is not expected to have any adverse impacts on the property or vicinity.

4. The variance is the minimum necessary to grant relief to the applicant.

Staff Comment: Many of the lots in this area are smaller in size, thereby accommodating a rear setback that is less than the 100 feet required of this property by virtue of being adjacent to Rural Wooded zoning. The setback request of a 10-foot reduction will still result in a 90-foot rear setback, and will allow for an approximately triangular shaped building envelope, about 150 feet by 70 feet. The variance request is the minimum necessary.

b. Lighting

Lighting was not analyzed as part of this proposal.

c. Off-Street Parking

Per KCC 17.490.030, a single-family dwelling requires 3 parking spaces. Per County code, spaces within a garage may not be counted toward this requirement. The proposed driveway and parking pad include enough area to park 3 vehicles.

Table 5 - Parking Table

Use Identified in 17.490.030	Standard	Required Spaces	Proposed Spaces/Existing Spaces
Single-Family (attached or detached)	3 for single-family home	3	3 proposed.
Total	3	3	3

d. Signage

No signage is proposed or required.

e. Landscaping

Per KCC 17.500.010, single-family lots are exempt from landscaping requirements.

f. Frontage Improvements

No frontage improvements are required or proposed as part of this application.

g. Design Districts/Requirements

The subject property is not within a design district.

h. Development Engineering/Stormwater

No comments at this time.

i. Environmental

The site is not impacted by critical areas. Wye Lake is across Wye Lake Blvd and further separated by residential lots that border the lake. There is a fish-bearing stream two lots to the southeast that originates at Wye Lake. The 150-foot stream buffer is fully met on the site.

j. Access, Traffic and Roads

No comments at this time.

k. Fire Safety

No comments at this time.

l. Solid Waste

No comments at this time.

m. Water/Sewer

No comments at this time.

n. Kitsap Public Health District

No comments at this time.

7. Review Authority

Pursuant to KCC 21.04, a setback variance of less than 10% is a Type I Administrative Decision.

Decision:

Based upon the above findings, the Administrative Variance request for the 10% Setback Variance is **approved**, subject to the following conditions:

1. Permits will be required to submitted and approved for legal occupancy of the structure.
2. Pursuant to KCC 21.04, land use approval is valid for a period of up to four (4) years from the decision date.
3. Land use approval is limited to the uses proposed by the applicant. Any modifications or expansion of the project will be subject to further review pursuant to the requirements of the appropriate sections of the KCC.
4. The applicant shall adhere to all applicable requirements of the Kitsap Public Health District.
5. The applicant shall adhere to all applicable requirements of Development Services and Engineering.

This Decision of the Director of the Kitsap County Department of Community Development may be appealed to the Kitsap County Hearing Examiner pursuant to KCC 21.04.290 Appeals. An appeal must be filed with the Department of Community Development within 14 days after this decision is mailed.

Report prepared by:



Steve Heacock / Project Lead

January 13, 2022

Date

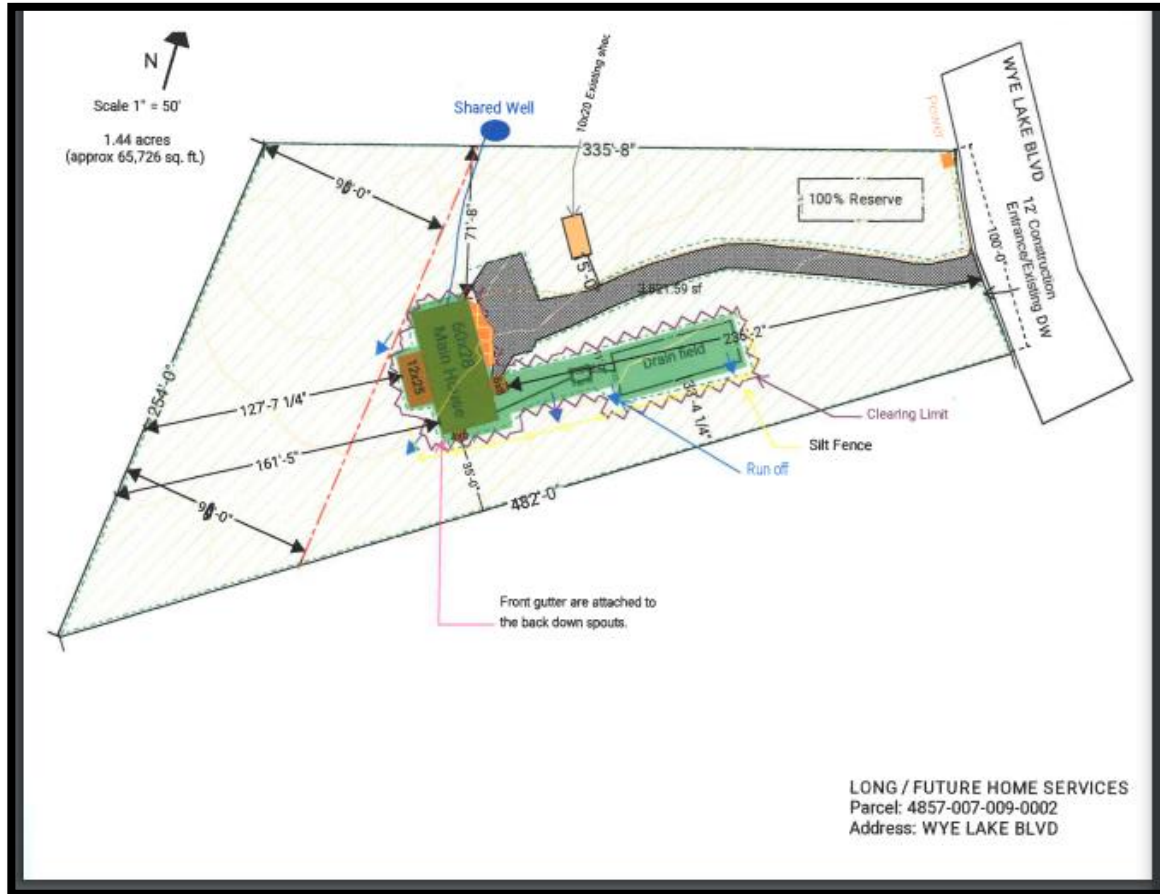
Attachments:

Attachment A – Site Plan

Attachment B – Zoning Map

CC: Jane and Harvey Long
Kitsap County Health District, MS-30
Kitsap County Public Works Dept., MS-26
DCD Staff Planner: Steve Heacock

Attachment A – Site Plan



Attachment B – Zoning Map

