



Rafe Wysham
Director

KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

To enable the development of quality, affordable, structurally safe and environmentally sound communities.

Notice of Hearing Examiner Decision

8/28/2025

To: Interested Parties and Parties of Record

RE: Project Name: CHAMBERLAIN - Conditional Use
 Permit - Accessory Dwelling Unit
 Applicant: Corena Chamberlain
 20675 Indianola Rd NE
 Poulsbo, WA 98370
 Application: CUP-ADU
 Permit Number: 25-00093

The Kitsap County Hearing Examiner has **APPROVED** the land use application for **Permit 25-00093: CHAMBERLAIN - Conditional Use Permit - Accessory Dwelling Unit (CUP-ADU)**, subject to the conditions outlined in this Notice and included Decision.

THE DECISION OF THE HEARING EXAMINER IS FINAL, UNLESS TIMELY APPEALED, AS PROVIDED UNDER WASHINGTON LAW.

The applicant is encouraged to review the Kitsap County Office of Hearing Examiner Rules of Procedure found at:

<https://www.kitsap.gov/dcd/HEDocs/HE-Rules-for-Kitsap-County.pdf>.

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 by contacting the Department of Community Development; if you wish to view the case file or have other questions, please contact help@kitsap1.com or (360) 337-5777.

CC:

Applicant/Owner: Corena Chamberlain, corenascreations@comcast.net

Authorized Agent: Kathy Cloninger, kcloni9999@msn.com

Geologist: 9601 Key Peninsula Hwy. NW GIG HARBOR, WA 98329

Project Manager: Wally Frizzell, wfrizzell70@gmail.com

Interested Parties: None

Prosecutor's Office
Assessor's Office
DCD
Kitsap Sun
Point No Point Treaty Council
Port Gamble S'Klallam Tribe
Suquamish Tribe
Squaxin Island Tribe
Puyallup Tribe
Skokomish Tribe
Dept of Archaeological Historic Preservation
WA Dept of Natural Resources
WA Dept of Fish & Wildlife
Washington State Department of Transportation
WA State Dept of Ecology-SEPA
Health District
Public Works
Parks
DE & PEP
Kitsap Transit
North Kitsap Fire District
North Kitsap School District
Puget Sound Energy
Public Utility District 1

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3 **BEFORE THE HEARING EXAMINER FOR KITSAP COUNTY**

4 Phil Olbrechts, Hearing Examiner

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RE: Corena Chamberlain	FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION.
Accessory Dwelling Unit (CUP – ADU)	
File No. 25-00093	

9

10 **INTRODUCTION**

11 Corena Chamberlain requests a Conditional Use Permit to construct an 875sf detached
12 Accessory Dwelling Unit (ADU) at 20675 Indianola Rd NE, Indianola. The application
13 is approved subject to conditions.

14 Ms. Chamberlain is allowed to retain her two access points to Indianola Rd as identified
15 in Conclusion of Law No. 5 and Condition No. 10 below.

16 **ORAL TESTIMONY**

17 A computer-generated transcript of the hearing has been prepared to provide an overview
18 of the hearing testimony. The transcript is provided for informational purposes only as
19 Exhibit 20. The transcript is not intended to provide a precisely accurate rendition of
20 testimony but generally identifies the subjects addressed during the hearing. The
21 transcript is entered as an exhibit solely to accommodate the County's land use permitting
22 record retention system. The transcript should not be construed as evidence and is only
provided as a convenience for persons wishing to be generally informed about hearing
testimony. For a precise rendition of hearing testimony, a recording of the hearing is
available at Kitsap County.

23 **EXHIBITS**

24 Exhibits 1-18 listed in the August 7, 2025 staff report were admitted during the hearing.
25 In addition, a letter from Kathy Cloninger was entered as Ex. 19 during the hearing.

FINDINGS OF FACT

Procedural:

1. Applicant. Corena Chamberlain, 20675 Indianola Rd NE, Indianola, WA 98342.
2. Hearing. The Hearing Examiner conducted a remote/hybrid hearing on the application at 9:00 am on August 14, 2025.

Substantive:

3. Site/Proposal Description. Corena Chamberlain requests a Conditional Use Permit to construct an 875sf detached Accessory Dwelling Unit (ADU) at 20675 Indianola Rd NE, Indianola. The applicant intends on constructing the ADU on a lot developed with a 2,080sf primary residence. The ADU will be located approximately 124 feet from the primary residence where it will be accessed using the same driveway. The project site is located outside of a UGA. The ADU is designed to maintain the appearance of the primary residence using similar roof style, orientation of siding, color scheme and windows. The Kitsap Public Health District has approved the project site for additional water and sewage disposal.
4. Characteristics of the Area. The surrounding area is developed with single-family homes.
5. Adverse Impacts. No significant adverse impacts are anticipated from the proposal. Impacts are more directly addressed as follows:
 - a. Off-Street Parking. KCC 17.490.030 requires three (3) off-street parking spaces per single-family residence and one (1) parking space for an ADU. The project site has sufficient parking area for eight parking spaces.
 - b. Stormwater. Development Services and Engineering reviewed and accepts the concepts contained in this preliminary submittal and requires the conditions adopted by this decision as an element of the land use approval.
 - c. Critical Areas. County staff have found no critical areas or critical area buffers affected by the proposal or located on the project site.
 - d. Access, Traffic, Roads. The proposed ADU will use the same driveway entering the property that the primary residences will use.

- 1 e. Water/Septic. The Kitsap County Health District approved the site for
2 additional sewage and water supply.
3 f. Compatibility. The proposal is compatible with surrounding uses. As identified
4 in Finding of Fact No. 4, surrounding uses are residential. The lot is also
5 heavily wooded and the ADU will not create a noticeable increase in density.

CONCLUSIONS OF LAW

Procedural:

- 6
7 1. Authority of Hearing Examiner. KCC 17.550.030 authorizes the hearing
8 examiner to issue decisions on applications for conditional use permits.

Substantive:

- 9
10 2. Zoning Designation. The property is currently zoned Rural Residential
11 (RR).

- 12 3. Review Criteria. KCC 17.410.042 requires a conditional use permit for
13 detached ADUs in the RR zone. KCC 17.550.030A governs the criteria for conditional
14 use permits. Pertinent criteria are quoted below and applied via corresponding
15 conclusions of law.

16 **KCC 17.550.030.A:** *The hearing examiner may approve, approve with conditions, or
17 deny a hearing examiner conditional use permit. Approval or approval with conditions
18 may be granted only when all the following criteria are met:*

19 **KCC 17.550.030.A.1:** *The proposal is consistent with the Comprehensive Plan;*

- 20 4. Criterion met. The criterion is met. The proposed ADU provides the ability to
21 create an affordable housing unit which is a goal supported by several policies in the
22 Comprehensive Plan in a manner consistent with the zoning established for the subject
23 property. The proposal is also found consistent with the Comprehensive Plan for the
24 reasons identified in Section 7 of the staff report (Exhibit 1).

25 **KCC 17.550.030.A.2:** *The proposal complies with applicable requirements of this
title;*

- 26 5. Criterion met. The criterion is met. The proposal conforms to the County's zoning
27 code as detailed in Section 4 and 10 of the staff report (Exhibit 1). Staff planning and
28 public works staff have reviewed the proposal to ensure conformance to the County's
29 zoning code for this level of review. The results of that work have been implemented

1 in detailed conditions of approval, adopted by this decision. Nothing in the record
2 suggests any outstanding compliance issues. More detailed compliance will be required
during the building and civil permit review.

3 The primary issue of zoning compliance is adherence to KCC 17.415.015B, which
4 adopts standards tailored to detached ADUs outside urban growth areas. Pursuant to
5 those standards, only one ADU is allowed per lot, the owner of the property must reside
6 in the primary residence or the ADU, the ADU shall not exceed 50% of the habitable
7 area of the primary residence, the ADU shall be located within 150 feet of the primary
8 residence unless involving a conversion of an existing structure such as that proposed,
9 the ADU shall be designed to maintain the appearance of the primary residence, all
setback requirements shall be met, all health district standards shall be met and ADUs
may not be mobile homes or recreational vehicles. The conditions of approval
recommended by staff require conformance to all of these standards. The proposed
design and site characteristics further establish conformance as detailed in Findings of
Fact No. 3 and 5.

10 One point of ambiguity raised during the hearing concerning KCC 17.415.015B was
11 application of KCC 17.415.015B9, which provides that an ADU “*shall use the same
12 side-street entrance as the primary residence...*” The primary residence currently has
13 two access points resulting from a half circular driveway with two intersections on
14 Indianola Ave. The County’s public works department has found the two access points
acceptable as noted in Ex. 19. County planning staff testified that it’s been their
practice to require access points to be reduced to one for ADU applications with lots
that have more than one access point.

15 County planning staff testified they were not opposed to allowing the two access points
16 to remain so long as the project was conditioned to require that the driveway remain
17 continuous as opposed to breaking off one of the access points to exclusively serve the
18 ADU. The County’s recommended condition appears to be consistent with KCC
19 17.415.015B9. KCC 17.415.015B9 requires that the ADU use the same access point
20 as the primary residence. The provision doesn’t address primary residences that have
21 two existing access points. The likely purpose of KCC 17.415.015B9 as testified by
22 planning staff is to prevent ADUs from being subdivided out of the parent lot with their
own access point. The two access points will be allowed to remain with the condition
recommended by planning staff.

23 **KCC 17.550.030.A.3.:** *The proposal will not be materially detrimental to existing or*
24 *future uses or property in the immediate vicinity; and*

6. Criterion met. The criterion is met for the reasons identified in Finding of Fact No. 5.

KCC 17.550.030.A.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.*

7. Criterion met. The criterion is met for the reasons identified in Finding of Fact No. 5f and via its required conformance to the ADU standards of KCC 17.415.015B.

DECISION

Based upon the conclusions of law above, the conditional use permit application is approved subject to the following conditions:

Planning/Zoning

1. All required permits shall be obtained prior to commencement of land clearing, construction and/or occupancy.
2. The accessory dwelling unit (ADU) is subject to the payment of impact fees. Impact fees must be paid at time of permit issuance, or if deferred, must be paid prior to final inspection. No certificate of occupancy will be granted until all impact fees are paid.
3. Any proposed modification (not including cosmetic work such as painting, papering and similar finish work), remodel or expansion of the accessory dwelling unit (ADU) building, regardless of whether a building permit is required, shall be reviewed by the Department of Community Development and granted approval prior to such modification, expansion, construction and/or issuance of a building permit.
4. Only one accessory dwelling unit (ADU) shall be permitted on the subject property.
5. The owner of the property must reside in either the primary residence or the accessory dwelling unit (ADU) and only one of the structures may be rented at any one time.
6. The accessory dwelling unit's (ADU) habitable area shall not exceed 50% of the primary residence or 900 square feet, whichever is smaller. The proposed size of the ADU is 875 square feet. Any future expansion of the ADU will require a building permit and would have to comply with all code requirements in place at the time of the new building permit application.
7. The accessory dwelling unit (ADU) shall be located within 150 feet of the primary residence.

- 1 8. The accessory dwelling unit (ADU) shall be designed to maintain the
2 appearance of the primary residence.
- 3 9. This permit shall comply with all Kitsap Public Health District
4 regulations and conditions of approval.
- 5 10. No mobile home or recreational vehicle shall be allowed as an
6 accessory dwelling unit (ADU).
- 7 11. The accessory dwelling unit (ADU) shall use the same side street
8 entrance as the primary residence and shall provide one additional off-
9 street parking space. The existing circular driveway shall retain its
10 continuity as one driveway and may not be segregated out to provide for
11 two separate driveways on the project site.
- 12 12. An accessory living quarters (ALQ) or guest house (GH) is not
13 permitted on the same lot unless the accessory dwelling unit (ADU) is
14 removed and the ALQ or GH complies with all requirements imposed
15 by the Kitsap County Code (KCC).
- 16 13. A property with a primary residence and an accessory dwelling unit
17 (ADU) cannot be segregated to create two separate legal lots unless it
18 complies with all subdivision, zoning and density requirements in place
19 at the time of a complete subdivision application.
- 20 14. The accessory dwelling unit (ADU) cannot be sold separately from the
21 primary residence unless it has legally been segregated onto its own lot.
- 22 15. The recipient of any conditional use permit shall file a Notice of Land
23 Use Binder with the county auditor prior to any of the following:
24 initiation of any further site work, issuance of any
25 development/construction permits by the county, or occupancy/use of
the subject property or buildings thereon for the use or activity
authorized. The Notice of Land Use Binder shall serve both as an
acknowledgment of and agreement to abide by the terms and conditions
of the conditional use permit and as a notice to prospective purchasers
of the existence of the permit. The Binder shall be prepared and
recorded by the Department at the applicant's expense.
16. The uses of the subject property are limited to the uses proposed by the
applicant and any other uses will be subject to further review pursuant
to the requirements of the Kitsap County Code (KCC). Unless in
conflict with the conditions stated and/or any regulations, all terms and
specifications of the application shall be binding conditions of approval.
Approval of this project shall not, and is not, to be construed as
approval for more extensive or other utilization of the subject property.
17. The authorization granted herein is subject to all applicable federal,
state, and local laws, regulations, and ordinances. Compliance with such
laws, regulations, and ordinances is a condition to the approvals granted
and is a continuing requirement of such approvals. By accepting
this/these approvals, the applicant represents that the development and

activities allowed will comply with such laws, regulations, and ordinances. If, during the term of the approval granted, the development and activities permitted do not comply with such laws, regulations, or ordinances, the applicant agrees to promptly bring such development or activities into compliance.

18. The decision set forth herein is based upon representations made and exhibits contained in the project application 25-00093. Any change(s) or deviation(s) in such plans, proposals, or conditions of approval imposed shall be subject to further review and approval of the County and potentially the Hearing Examiner.
19. This Conditional Use Permit approval shall automatically become void if no development permit application is accepted as complete by the Department of Community Development within four years of the Notice of Decision date or the resolution of any appeals.
20. Any violation of the conditions of approval shall be grounds to initiate revocation of this Conditional Use Permit.
21. Issuance of this permit certifies that the applicant has read and examined this application and knows the same to be true and correct. All provisions of Laws and Ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state/local law regulating construction or the performance of construction.

Development Engineering

22. Building permits submitted for this development shall include construction plans and profiles for all roads, driveways, storm drainage facilities and appurtenances. No construction shall be started prior to said plan acceptance.
23. Stormwater quantity control, quality treatment, and erosion and sedimentation control, as required for the development, shall be designed in accordance with Kitsap County Code Title 12 effective at the time the Building Permit is deemed fully complete. If development meets the thresholds for engineered drainage design, the submittal documents shall be prepared by a civil engineer licensed in the State of Washington. The fees and submittal requirements shall be in accordance with Kitsap County Ordinances in effect at the time of Building Permit Application.
24. If the project proposal is modified from that shown on the site plan approved for this permit application, Development Engineering will require additional review and potentially new conditions.
25. Any work within the County right-of-way shall require a Public Works permit and possibly a maintenance or performance bond. This

1 application to perform work in the right-of-way shall be submitted as
2 part of the SDAP process, or Building Permit process, if a SDAP is not
3 required. The need for and scope of bonding will be determined at that
4 time.

5 **c. Environmental**

6 No conditions

7 **d. Traffic and Roads**

8 No conditions

9 **e. Fire Safety**

10 No conditions

11 **f. Solid Waste**

12 No conditions

13 **g. Kitsap Public Health District**

14 No conditions

15 Dated this 28th day of August 2025.

16 

17 Phil Olbrechts,
18 Kitsap County Hearing Examiner

19 **Appeal Right and Valuation Notices**

20 Pursuant to KCC 21.04.100 and KCC 21.04.110, this conditional use permit decision is
21 a final land use decision of Kitsap County and may be appealed to superior court within
22 21 days as governed by the Washington State Land Use Petition Act, Chapter 36.70C
23 RCW.

24 Affected property owners may request a change in valuation for property tax purposes
25 notwithstanding any program of revaluation.