



## Kitsap County Department of Community Development

### Staff Report and Administrative Decision

Report Date: August 14, 2017

Application Complete Date: August 9, 2016 Application Submittal Date: August 3, 2016

**To: Michael Wnek, [mike@wnekeng.com](mailto:mike@wnekeng.com)  
Michael & Carol Wnek  
Interested Parties and Parties of Record**

**RE: Permit Number: 16 03513  
Project Name: Wnek Engineering Office  
Type of Application: Moderate Home Business**

#### **Decision Summary:**

Request approved, subject to conditions

**THE DECISION OF THE DEPARTMENT IS FINAL, UNLESS 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: <http://www.kitsapgov.com/dcd/forms/DocumentLibrary/applications/Appeals.pdf>.

#### **Project Request:**

The applicant requests moderate home business approval to operate a 664 square foot engineering and consulting office in a detached accessory structure. The office hours are Monday through Friday 8:00AM to 5:00PM. Customers will visit the site by appointment only. The business will employ a maximum of 5 people including the applicant, with a majority of the work being conducted off-site at various project sites.

#### **Project Location:**

Residence  
1665 NW Sherwood Street  
Bremerton WA 98311

Office  
1719 Stanton Way NW  
Bremerton WA 98311

#### **Assessor's Account #:**

4973-000-008-0106

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**Applicant/Owner of Record:**

Michael & Carol Wnek  
16665 NW Sherwood Street  
Bremerton WA 98311

**SEPA (State Environmental Policy Act):**

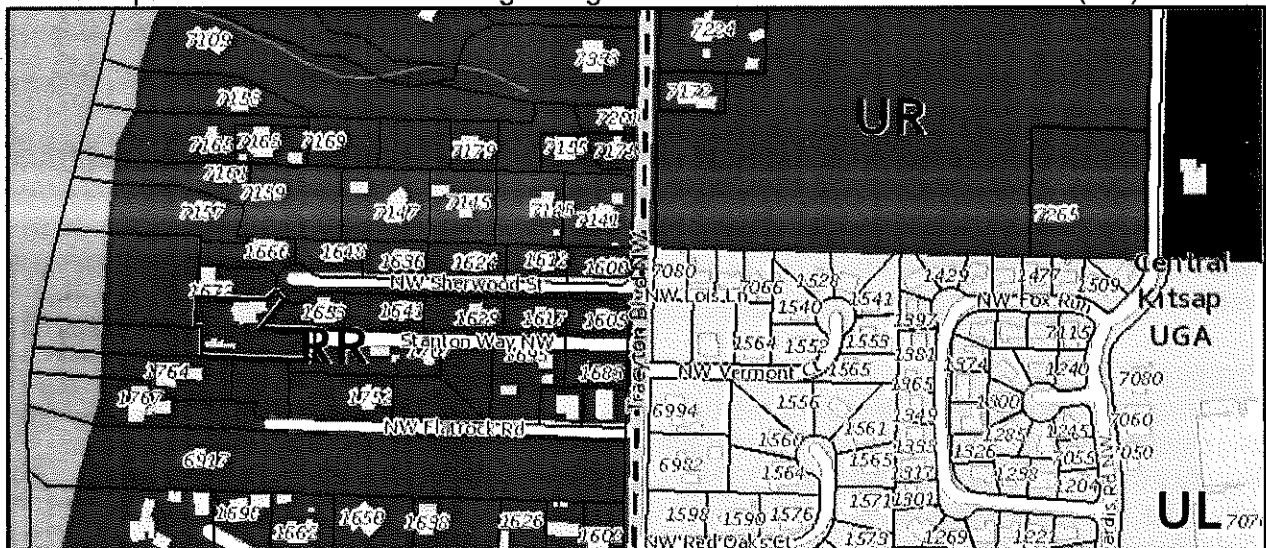
Pursuant to Washington Administrative Code (WAC) 197-11-800(2), this proposal is SEPA exempt.

**Physical Characteristics:**

The irregularly shaped parcel is located off of NW Sherwood Street and Stanton Way NW in Central Kitsap County, Commissioner District #3. The property is 0.83 acres and is developed with a single family residence and detached accessory building overlooking Dyes Inlet. There are no critical areas noted on the County Critical Areas Map. The property slopes from east to west towards the shoreline.

**Comprehensive Plan Designation and Zoning:**

The Comprehensive Plan and Zoning Designations are both Rural Residential (RR).



- Base/Maximum Density: Not Applicable
- Minimum Lot Area - 5-acres for newly created lots
- Minimum Lot Width - 140 feet
- Minimum Lot Depth - 140 feet
- Maximum Height - 35 feet

- Standard Title 17 Zoning Setbacks
- Front - 50 feet
- Side - 20 feet residence, 5-feet accessory structure
- Rear - 20 feet residence, 5-feet accessory structure

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**Surrounding Land Use and Zoning:**

The surrounding properties are a mix of rural and urban zoned lots. The properties immediately surrounding the subject lot are zoned Rural Residential (RR) and are predominantly developed with single-family residential homes on larger lots. To the east, the zoning changes to urban. The urban lots are also typically developed with single-family homes, however the lots are smaller. Olympic High School and the Kitsap County Fairgrounds are located to the northeast of the subject property.

**Public Utilities and Services:**

Water: City of Bremerton  
Power: Puget Sound Energy  
Sewer: On-site septic  
Police: Kitsap County Sheriff  
Fire: Central Kitsap Fire & Rescue  
Schools: Central Kitsap School District (401)

**Access:**

The property has two access points. The single-family residence access from NW Sherwood Street, a county maintained road, and the detached office structure access from Stanton Way NW, a private road.

**Policies and Regulations Applicable to the Subject Proposal:**

The Growth Management Act (GMA) of the State of Washington, Revised Code 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:

**Economic Development Goals and Policies:**

Economic Development Goal 1 – Promote a healthy and diverse economy that provides for a strong and divers tax base, encourages business formation, retention, and expansion; creates industrial and professional business and employment opportunities to attract new business in Kitsap County.

**Economic Development Policy 3**

*Provide a diverse mix and appropriate range of commercial, industrial and business land uses that will encourage economic activity capable of providing living-wage jobs and reasonably scaled to the needs of the community.*

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Land Use Goals and Policies:

Land Use Goal 14 – Foster rural businesses and business opportunities on designated commercial and industrial lands in the rural area, while balancing protection of rural character.

Land Use Policy 59

*Allow or conditionally allow home-based cottage-type business and industries in the rural areas that do not negatively affect rural level of service or rural character.*

The County's development regulations are contained within the Kitsap County Code (KCC). The following development regulations are most relevant to this application:

Kitsap County Code (KCC)

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

Documents Consulted in the Analysis:

Applicant submittals:

<u>Document</u>	<u>Dated or date stamped</u>
Health District Approval	July 13, 2017
Home Business Application	October 21, 2016
Site Plan	October 21, 2016

Staff communication:

<u>Document</u>	<u>Dated or date stamped</u>
Dev. Services & Engineering Memo	March 23, 2017

Public comments:

No public comments were received.

Analysis:

**Land Use and Zoning**

A home business within the Rural Residential (RR) zone requires an administrative conditional use permit as specified in Kitsap County Code (KCC) Table 17.410.040 (A) Rural, Resource and Urban Residential Zones, subject to footnotes 1 and 52. Footnote 1 indicates a home business is subject to compliance with Section 17.410.060 provisions applying to special uses. Footnote 52 refers to aggregate extraction facilities and is not applicable. KCC 21.04.100 includes a specialized permit for home businesses. This request was processed as a home business permit in accordance with KCC Title 21.

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Moderate Home Business Standards

Moderate home businesses are required to meet the provisions in KCC 17.410.060.1.c – Moderate home business shall be permitted in RW, RP, and RR zones subject to approval by the director. Criteria from KCC 17.410.060.1.c are listed below (*italics*), with a discussion of the individual standard immediately following:

- i. Business uses shall be incidental and secondary to the dominant residential use;*

The nature and extent of the expected business activity will be relatively minimal. Therefore, the business use is expected to be incidental and secondary to the residential use.

- ii. The residential character of the building shall be maintained and the business shall be conducted in such a manner as to moderate any outside appearance of a business;*

Business activities are limited to office work by employees and occasional client meetings by appointment only. No outdoor storage or outdoor activities are proposed. No outside appearance of a business is anticipated.

- iii. The residence shall be occupied by the owner of the business;*

The business is owned by Michael Wnek. Mr. Wnek lives in the single-family home located on the same lot as the detached structure that will serve as the office.

- iv. The business shall not infringe upon the right of the neighboring residents to enjoy the peaceful occupancy of their homes;*

Based on the project proposal, this business is not expected to adversely impact neighboring residents or keep them from enjoying the peaceful occupancy of their homes. All business activities will take place indoors and all parking is on-site.

- v. No more than five employees (or independent contractors) are allowed;*

No more than five employees are proposed or authorized.

- vi. Nonilluminated signs not exceeding four square feet are permitted, subject to a sign permit approved by the director;*

No signage is proposed for this home business.

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vii. *In order to ensure compatibility with the dominant residential purpose, the director may require:*

(a) *Patronage by appointment.*

Patronage is by appointment only.

(b) *Additional off-street parking.*

KCC 17.490.030 requires 1 space per every 300 square feet of professional office space ( $664/300 = 2.21$  (rounded up to 3) spaces). The single-family residence requires 3 additional off-street parking spaces. The applicant has proposed 5 parking spaces for the business, and the driveway for the single-family residence has adequate parking for 3 vehicles.

(c) *Screening of outside storage.*

No outside storage is proposed or authorized.

(d) *A conditional use permit (required for engine or vehicle repair or servicing).*

No engine or vehicle repair or servicing is proposed or authorized, therefore, no conditional use permit is required.

(e) *Other reasonable conditions.*

18 conditions of approval are included later in this report.

### **Setbacks**

The home business will be conducted entirely within the accessory structure. The structure and associated off-street parking comply with the required setbacks for the zone which are noted earlier in this report.

### **Access, Roads and Traffic**

There were no access, road or traffic concerns. No comments or conditions were received.

### **Off-Street Parking**

The existing driveways provides adequate off-street parking for both the single-family residence and the home business use.

### **Signage**

No signs are proposed.

### **Kitsap County Health District**

The Kitsap County Health District has issued an exemption for this proposal.

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**Findings:**

1. The Director has review authority for this home business permit application under KCC 21.04.100
2. The proposal is consistent with the Comprehensive Plan.
3. The proposal complies with or will comply with requirements of Title 17 and complies with or will comply with all of the other applicable provision of Kitsap County Code and all other applicable regulations, including all applicable development standards and design guidelines, through the imposed conditions outlined in this report.
4. The proposal will not be materially detrimental to existing or future uses or property in the immediate vicinity.
5. 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.

**Decision:**

Based upon the above findings, the moderate home business permit request for Wnek Engineering Office is **approved**, subject to the following conditions:

1. The home business permit is not transferable to any individual, future property owner or location.
2. The business shall be incidental and secondary to the dominant residential use.
3. The residential character of the building shall be maintained and the business shall be conducted in such a manner as to moderate any outside appearance of a business.
4. The residence shall be occupied by the owner of the business.
5. The business shall not infringe upon the right of the neighboring residents to enjoy the peaceful occupancy of their homes.
6. No more than five employees (including proprietors and/or independent contractors) are allowed.
7. Signage is limited to one non-illuminated sign not to exceed four square feet subject to a sign permit approved by the director.
8. No outside business storage shall be allowed.

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9. All business patronage shall be by appointment only.
10. Hours of operation are 8:00 AM to 5:00 PM, Monday – Friday.
11. A minimum of three parking spaces shall be provided for the business.
12. The business shall comply with all applicable Health District requirements.
13. 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. 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.
14. The decision set forth herein is based upon representations made and exhibits contained in the file. Any substantial 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.
15. 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 precedent 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.
16. Any violation of the conditions of approval shall be grounds to initiate revocation of this moderate home business permit.
17. A building permit is required for the home business/office use. Please contact the Kitsap County Fire Marshal's Office at (360) 337-5777 for additional information regarding requirements to convert the mobile home/manufactured home into an engineering office.
18. This Home Business 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.




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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.

  
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Holly Roberts, Project Lead

8/14/17  
Date

  
\_\_\_\_\_  
Scott Diener, Development Services and  
Engineering Manager

8/14/17  
Date

CC: Interested Parties: None  
Kitsap County Health District, MS-30  
Kitsap County Public Works Dept., MS-26

