



## Notice of Administrative Decision

**Date:** 11/13/2018

**To:** Vicki and Gregory Fazzini, [vickifazzini@gmail.com](mailto:vickifazzini@gmail.com)  
Interested Parties and Parties of Record

**RE:** **Permit Number:** 18-04247  
**Project Name:** Fazzini Accessory Dwelling Unit  
**Type of Application:** Administrative Conditional Use Permit (ACUP)

**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: <https://www.cognitofirms.com/KitsapCounty1/AppealObjectionOfAnAdministrativeDecision>.

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:  
None  
Kitsap County Health District, MS-30  
Kitsap County Public Works Dept., MS-26  
Central Kitsap Fire District  
Point No Point Treaty Council  
Suquamish Tribe  
Port Gamble S'Klallam Tribe  
Squaxin Island Tribe  
Puyallup Tribe  
WA Dept of Fish & Wildlife  
WA State Dept of Ecology-SEPA  
DCD Staff Planner: Katharine Shaffer  
DCD File 18-04247



# Administrative Staff Report

Report Date: November 1, 2018

Application Submittal Date: August 27, 2018

Application Complete Date: August 27, 2018

Project Name: Fazzini Accessory Dwelling Unit  
Type of Application: Administrative Conditional Use Permit (ACUP)  
Permit Number: 18-04247

### Project Location

6624 NE Pine Street  
Suquamish, WA 98392  
Commissioner District #1

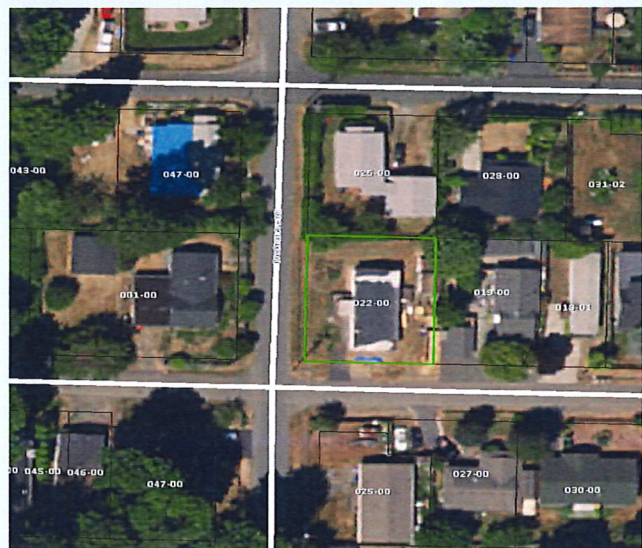
Assessor's Account #  
4387-006-022-0006

Applicant/Owner of Record  
Gregory and Vicki Fazzini  
PO Box 11812  
Bainbridge Island, WA 98110

### Decision Summary

Approved subject to conditions listed under section 13 of this report.

### VICINITY MAP



### 1. Background

Vicki and Gregory Fazzini have applied for an Administrative Conditional Use Permit to allow for a 480 square foot accessory dwelling unit at 6624 NE Pine Street in Suquamish. The property is developed with a 1,344 square foot manufactured home.

The subject property is zoned Suquamish Village Residential. Kitsap County Code 17.410.046 requires an administrative conditional use permit for accessory dwelling units.

### 2. Project Request

The request is for approval of an Administrative Conditional Use Permit for an Accessory Dwelling Unit.

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

The State Environmental Policy Act (SEPA), found in Chapter 43.21C RCW (Revised Code of Washington), is a state law that requires the County to conduct an environmental impact review of any action that might have a significant, adverse impact on the environment. The review includes the completion of an Environmental Checklist by the applicant and a review of that checklist by the County. If it is determined that there will be environmental impacts, conditions are imposed upon the applicant to mitigate those impacts below the threshold of “major” environmental impacts. If the impacts cannot be mitigated, an environmental impact statement (EIS) must be prepared. The decision following environmental review, which may result in a Determination of Nonsignificance (DNS), Mitigated DNS, or the necessity for an EIS is called a threshold determination. A separate notice of the threshold determination is given by the County. If it is not appealed, it becomes part of the hearing record as it was issued, since it cannot be changed by the Hearing Examiner.

Pursuant to WAC 197-11-355, the optional DNS process was utilized for this project. The SEPA Comment period previously occurred concurrent with the Notice of Application dated August 30, 2018. A Determination of Nonsignificance (DNS) was issued on October 17, 2018. SEPA noted the following information/SEPA mitigation conditions have been imposed and are listed under conditions 29 at the end of this report:

The SEPA appeal period expired October 31, 2018. No appeals were filed; therefore, the SEPA determination is final.

**4. Physical Characteristics**

The property is rectangle shaped and is approximately 75' wide and 94' wide.

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

Comprehensive Plan: Limited Area of More Intense Rural Development I (LAMIRD) Zone: Suquamish Village Residential (SVR)	Standard	Proposed
Minimum Density	N/A	Previously created lot
Maximum Density	2	
Minimum Lot Size	4,000 square feet	NA
Maximum Lot Size	N/A	NA
Minimum Lot Width	40'	NA
Minimum Lot Depth	75'	NA
Maximum Height	30, Max of 2 habitable floors	2 habitable floors for the ADU
Maximum Impervious Surface Coverage	40%	~30% including the proposed ADU and



		existing single-family residence
Maximum Lot Coverage	N/A	NA

Applicable footnotes:

17.120.060.A:

4. If a single lot of record, legally created as of April 19, 1999, is smaller in total square footage than that required under this chapter, or if the dimensions of the lot are less than required, said lot may be occupied by any reasonable use allowed within the zone subject to all other requirements of this chapter. If there are contiguous lots of record held in common ownership, each of the lots legally created as of April 19, 1999, and one or more of the lots is smaller in total square footage than required by this chapter, or the dimensions of one or more of them are less than required, said lots shall be combined to meet the minimum lot requirements for size and dimensions.

*Staff Comment: The subject property was platted in 1915. The size conforms to the zoning dimensions of Title 17.*

11. Any newly created lot within the Suquamish rural village shall be subject to Chapter 16.48, Short Subdivisions, and must meet the lot requirements below:

- a. Lot Requirements.
  - i. Minimum lot size: twenty-one thousand seven hundred eighty square feet.
  - ii. Minimum lot width: one hundred feet.
  - iii. Minimum lot depth: one hundred feet.
- b. Setbacks.
  - i. Front: twenty feet.
  - ii. Side: five feet.
  - iii. Rear: five feet.

*Staff Comment: The subject parcel is not a newly created lot and footnote 11 does not apply.*

**Table 2 - Setback for Zoning District**

	Standard	Proposed
Front: South and West	20 feet - both South and West property lines are considered the front based on Kitsap County Code 17.110.695	ADU: ~77 feet from south ~30 feet from west
Side: North	5 feet	ADU: ~5.5 feet
Side: East	5 feet	ADU: ~27 feet



Rear: None	Because the property has two fronts, it does not have a rear.	
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**Table 3 - Surrounding Land Use and Zoning**

Surrounding Property	Land Use	Zoning
North	Single-family residence	Suquamish Village Residential (SVR)
South	Single-family residence	Suquamish Village Residential (SVR)
East	Single-family residence	Suquamish Village Residential (SVR)
West	Single-family residence	Suquamish Village Residential (SVR)

**Table 4 - Public Utilities and Services**

	Provider
Water	Kitsap PUD #1
Power	Puget Sound Energy
Sewer	Kitsap County
Police	Kitsap County Sherriff
Fire	North Kitsap Fire & Rescue
School	North Kitsap School District #400

**5. Access**

Access to the property is off NE Pine Street which is a County maintained road. The proposed accessory dwelling unit will from the same point as the existing single-family residence.

**6. Site Design**

Site design is analyzed under Section 10 of this report.

**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.

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

Land Use Policy 50

Limit the designed rural area to low residential densities that can be sustained by minimal infrastructure improvements, cause minimal environmental degradation, and that will not cumulatively create the future necessity or expectation of urban levels of service.

Land Use Policy 51

Permit residential uses in rural areas consistent with the planned rural character of the surrounding area.

Land Use Policy 53

Outside of the Type III Limited Area of More Intensive Rural Development (LAMIRD), limit development only to that which serves rural residential or resource needs and does not draw population from Urban Growth Areas. This policy is implemented through Comprehensive Plan Land Use designation, zoning designation, and zoning code provisions.

Housing, Human Services Goals and Policies

Housing, Human Services Policy 5

Use regulatory strategies to incentivize and provide flexibility for development of affordable and special needs housing.

Housing, Human Services Policy 7

Adopt regulatory changes to allow non-traditional housing types.

Housing, Human Services Policy 11

Promote fair housing to ensure that all residents of Kitsap County have an equal and fair opportunity to obtain safe and sanitary housing suitable to their needs and financial resources, regardless of race, religion, gender, sexual orientation, age, national origin, family status, income, disability, or other protected class.

Housing, Human Services Policy 12

Identify and remove regulatory barriers and limits access to or the provision of a diverse affordable housing supply.

Housing, Human Services Policy 13

Identify and remove impediments to creating housing for harder to house populations.

Housing, Human Services Policy 14

Disperse affordable housing opportunities throughout the County.

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

#### Applicant Submittals

- |  | <u>Dated or date stamped</u> |
|--|------------------------------|
| 1. Administrative CUP Application      | August 27, 2018              |
| 2. Project Narrative                   | August 27, 2018              |
| 3. Environmental (SEPA) Checklist      | August 27, 2018              |
| 4. Health District Site Plan           | August 27, 2018              |
| 5. Building Elevations for SFR and ADU | August 27, 2018              |
| 6. SFR and ADU Floor Plans             | August 27, 2018              |
| 7. Final Health District Approval      | October 29, 2018             |

#### Staff Communication

- |                                     | <u>Dated</u>     |
|-------------------------------------|------------------|
| 8. Dev. Services & Engineering Memo | October 17, 2018 |

### 9. Public Outreach and Comments

The Notice of Application was mailed to property owners within 800 feet of the subject property. County staff received three phone calls inquiring about the project. After the project was explained to each neighbor, no comments were received.

### 10. Analysis

#### **a. Planning/Zoning**

17. 410.060.B.3. Accessory Dwelling Unit (ADU). In order to encourage the provision of affordable and independent housing for a variety of households, an accessory dwelling unit may be located in residential zones, subject to the following criteria:

- a. An ADU shall be allowed as a permitted use in those areas contained within an urban growth boundary;

*Staff Comment: The subject property is located within a "Limited Area of More Intensive Rural Development" (LAMRID) which requires an administrative conditional use permit for an accessory dwelling unit per Kitsap County Code 17.410.046.*

- b. An ADU shall be subject to a conditional use permit in those areas outside an urban



growth boundary;

*Staff Comment: The subject property does not require a conditional use permit. The applicant has applied for an administrative conditional use permit which is appropriate for the zoning.*

c. Only one ADU shall be allowed per lot;

*Staff Comment: This application proposes only one ADU. There are no other ADUs present or proposed.*

d. Owner of the property must reside in either the primary residence or the ADU;

*Staff Comment: The owner will reside in the primary residence.*

e. The ADU shall not exceed fifty percent of the square footage of the habitable area of primary residence or nine hundred square feet, whichever is smaller. Dimensions are determined by exterior measurements;

*Staff Comment: The existing single-family residence has a habitable area of 1,344 square feet. 50% of the habitable area of the existing single-family residence is 672 square feet, which would be the maximum square footage allowed. The proposed accessory dwelling unit has a habitable area of 480 which meets this requirement.*

f. The ADU shall be located within one hundred fifty feet of the primary residence or shall be the conversion of an existing detached structure (i.e., garage);

*Staff Comment: The single-family residence and the proposed accessory dwelling unit are approximately 6 feet apart satisfying this requirement.*

g. The ADU shall be designed to maintain the appearance of the primary residence;

*Staff Comment: The exterior of the proposed accessory dwelling unit will be nearly identical to the existing single-family residence with similar white board and batten siding, white vinyl windows, and matching roof.*

h. All setback requirements for the zone in which the ADU is located shall apply;

*Staff Comment: All setbacks are met for the proposed accessory dwelling unit. Please see Table 2 of this report for exact setback measurements.*

i. The ADU shall meet the applicable health district standards for water and sewage disposal;

*Staff Comment: The application was route to Kitsap County Health District and approved. Condition 8 addresses Health District concerns.*

j. No mobile homes or recreational vehicles shall be allowed as an ADU;

*Staff Comment: There are no mobile homes or recreational vehicles present on the subject property or proposed in this application.*

k. An ADU shall use the same side street entrance as the primary residence and shall provide additional off-street parking; and

*Staff Comment: The property is accessed off NE Pine Street. The existing single-family residence and the proposed accessory dwelling unit will use the existing driveway.*

*According to the project narrative (Exhibit 2) and the site plan, there are only 3 parking spaces. Kitsap County 17.490.030 requires 3 per unit for the single-family residence and 1 additional space for accessory dwelling units for a total of 4 spaces. The project has been conditioned to show four spaces on the building permit.*

l. An ADU is not permitted on the same lot where an accessory living quarters exists.

*Staff Comment: Exhibit 6 shows the floor plans of the proposed single-family residence and no accessory living quarters are proposed.*

**b. Lighting**

Lighting elements are not evaluated or required for this project.

**c. Off-Street Parking**

Please see below.

**Table 5 - Parking Table**

Use Identified in 17.490.030	Standard	Required Spaces	Proposed Spaces/Existing Spaces
3 for the single-family residence	3 for the single-family residence	3+1 =4	3. Condition 20 addresses adding another space with the building permit
1 for the ADU	1 for the ADU		
Total: 4			

**d. Signage**

There is no signage proposed with this project.

**e. Landscaping**

Landscaping elements are not evaluated or required for this project.

**Table 6 - Landscaping Table**

	Required	Proposed
Required Landscaping (Sq. Ft) 15% of Site	Landscaping not required.	N/A
Required Buffer(s) 17.500.025	N/A	N/A
North	N/A	N/A
South	N/A	N/A
East	N/A	
West	N/A	
Street Trees	N/A	

**f. Frontage Improvements**

Frontage improvements were not a requirement of this project.

**g. Design Districts/Requirements**

The subject property is not located within a design district.

**h. Development Engineering/Stormwater**

Development Services and Engineering has reviewed the above land use proposal and finds the concept supportable in its approach to civil site development. These comments are based on a review of the Preliminary Drainage Plans received August 27, 2018 to Kitsap County Development Services and Engineering. Development Services and Engineering accepts the concepts contained in this preliminary submittal and required 5 conditions to the project.

**i. Environmental**

Environmental staff reviewed the project. No critical areas were found and no conditions were applied to the project.

**j. Access, Traffic and Roads**

Development Services and Engineering performed a traffic review of the project and added two conditions to the project.



**k. Fire Safety**

Kitsap County Fire Marshal's Office has reviewed the project and approved with no conditions.

**l. Solid Waste**

Solid Waste review was not required for this permit.

**m. Water/Sewer**

Kitsap County Public Works Sewer Division reviewed this permit and added one condition.

**n. Kitsap Public Health District**

Kitsap County Health Department reviewed the proposal and added one condition.

**11. Review Authority**

The Director has review authority for this Administrative Conditional Use Permit application under KCC, Sections 17.540.020 and 21.04.100. 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 an Administrative Conditional Use Permit.

**12. Findings**

1. The proposal is consistent with the Comprehensive Plan.
2. The proposal complies or will comply with requirements of KCC Title 17 and complies with or will comply with all of the other applicable provisions 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.
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 17.540.040.A, the Department of Community Development recommends that the Administrative

Conditional Use Permit (ACUP) request for Fazzini ADU be **approved**, subject to the following 29 conditions:

**a. 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 units (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 480 square in Exhibit 6. 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 designed to maintain the appearance of the primary residence.
8. This permit shall comply with all Kitsap Public Health District regulations and conditions of approval.
9. No mobile home or recreational vehicle shall be allowed as an accessory dwelling unit (ADU).
10. The accessory dwelling unit (ADU) shall use the same side street entrance as the primary residence and shall provide one additional off-street parking space.

11. An accessory living quarters (ALQ) or guest house (GH) is not permitted on the same lot unless the accessory dwelling unit (ADU) is removed and the ALQ or GH complies with all requirements imposed by the Kitsap County Code (KCC).
12. A property with a primary residence and an accessory dwelling unit (ADU) cannot be segregated to create two separate legal lots unless it complies with all subdivision, zoning and density requirements in place at the time of a complete subdivision application.
13. The accessory dwelling unit (ADU) cannot be sold separately from the primary residence unless it has legally been segregated onto its own lot.
14. The recipient of any administrative conditional use permit shall file a Notice of Land Use Binder with the county auditor prior to any of the following: initiation of any further site work, issuance of any 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 an agreement to abide by the terms and conditions of the administrative 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.
15. 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.
16. 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.
17. The decision set forth herein is based upon representations made and exhibits contained in the project application (18-04247). 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.

18. This Administrative 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.
19. Any violation of the conditions of approval shall be grounds to initiate revocation of this Administrative Conditional Use Permit.
20. The building permit shall show 4 parking spaces per Kitsap County Code 17.490.030 - three spaces for the single-family residence and one for the ADU.

**b. Development Engineering**

21. The information provided demonstrates this proposal is a Small Project as defined in Kitsap County Code Title 12. The type of drainage review required for the proposal is Simplified Drainage Review; stormwater drainage review will take place with the required building permit.
22. Site improvement plans and erosion and sedimentation control shall be designed in accordance with Kitsap County Code Title 12 effective at the time the Administrative Conditional Use Permit application was deemed complete, August 27, 2018.
23. The design of the infiltration facilities will be accordance with Volume II, Chapter 5 of the Kitsap County Stormwater Design Manual.
24. The infiltration facilities shall remain off line until the drainage areas are stabilized.
25. If the project proposal is modified from that shown on the submitted site plan dated August 27, 2018, Development Services and Engineering will require additional review and potentially new conditions.
26. A sewer building clearance approval will be required prior to building permit issuance.
27. The sewer connection shall be made per County standards.

**c. Environmental**

None

**d. Traffic and Roads**

28. Submit an Application for Concurrency Test (KCPW Form 1601) as required by Chapter 20.04.030, Transportation Concurrency, of the Kitsap County Code. The KCPW 1601 form reserves road capacity for the project.

29. Any work within the County right-of-way shall require a Public Works permit and possibly a maintenance or performance bond. This application to perform work in the right-of-way shall be submitted as part of the building permit. The need for and scope of bonding will be determined at that time.

**e. Fire Safety**

None

**f. Solid Waste**

None

**Report prepared by:**

  
\_\_\_\_\_  
Katharine Shaffer, Staff Planner / Project Lead

Nov. 1, 2018  
Date

**Report approved by:**

  
\_\_\_\_\_  
Shawn Alire, DSE Supervisor

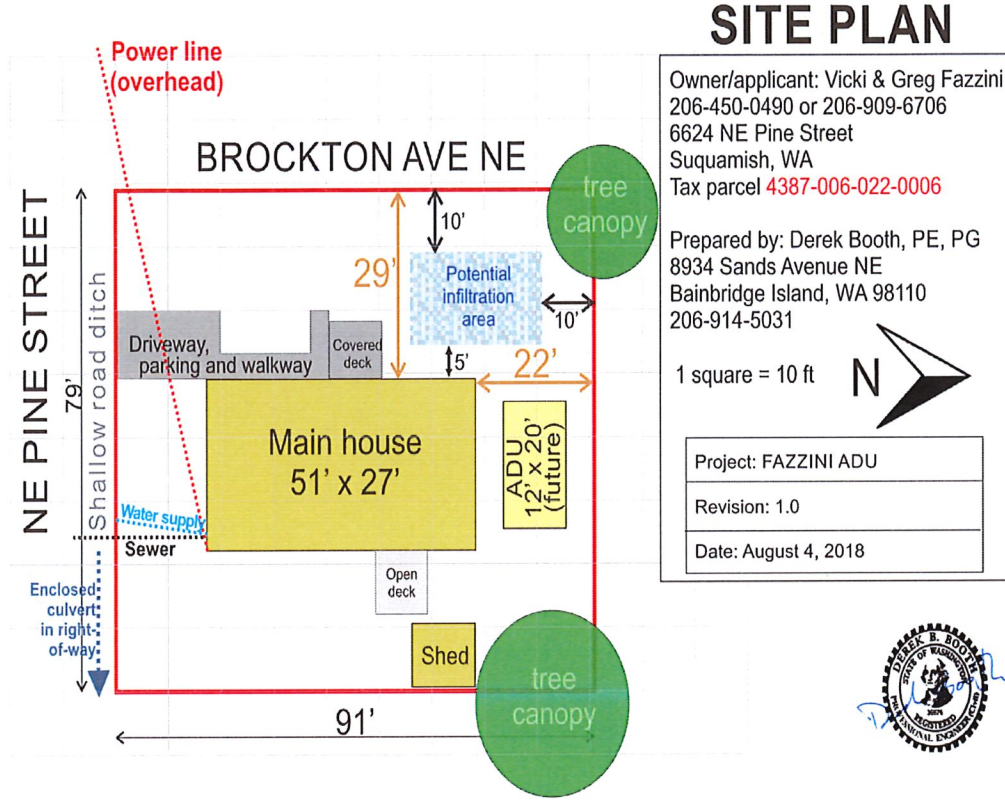
Nov. 1, 2018  
Date

**Attachments:**

Attachment A – Zoning Map

CC: Applicant/Owner email, Vicki Fazzini, vickifazzini@gmail.com  
Interested Parties: None  
Kitsap County Health District, MS-30  
DCD Staff Planner: Katharine Shaffer

Site Plan



# SITE PLAN

Owner/applicant: Vicki & Greg Fazzini  
206-450-0490 or 206-909-6706  
6624 NE Pine Street  
Suquamish, WA  
Tax parcel 4387-006-022-0006

Prepared by: Derek Booth, PE, PG  
8934 Sands Avenue NE  
Bainbridge Island, WA 98110  
206-914-5031

1 square = 10 ft



Project: FAZZINI ADU
Revision: 1.0
Date: August 4, 2018







**Comments**

Parcel No: 4387-006-022-0006 TaxPayer: FAZZINI GREGORY & VICKI Site Address: 6624 NE PINE ST

\*\* This map is not a substitute for field survey \*\* Map Scale: 1 inch = 200 feet

Kisap Co. Parcel Search Application

