



Notice of Hearing Examiner Decision

3/1/2017

To: Interested Parties and Parties of Record

RE: Project Name: NICKELL/UPPINGHOUSE – Accessory Dwelling Unit
Applicant: NICKELL JOHN W & LINDSEY W
4001 SW HUNTER RD
PORT ORCHARD, WA 98367
Application: CONDITIONAL USE PERMIT
Permit Number: 16 04693

Enclosed is the Decision issued by the Kitsap County Hearing Examiner for the aforementioned project.

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

http://www.kitsapgov.com/dcd/lu_env/he/HE%20Rules%20for%20Kitsap%20County%20-%20206-23-09.pdf

The Decision of the Hearing Examiner is final, unless appealed, as provided under Washington law.

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, Monday through Thursday, 8:00 AM to 4:00 PM and Friday 9:00 AM to 1:00 PM, except holidays. If you wish to view the case file or have other questions, please contact Help@Kitsap1.com or (360) 337-5777.

CC: NICKELL JOHN W & LINDSEY W l.w.nickell@gmail.com
INDIGO ENTERPRISES LLC indigoenterprises@gmail.com
Interested Parties:
None

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 be, and is not to be, construed as approval for more extensive or other utilization of the subject property.

18. 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 Applicants represent 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 Applicants agree to promptly bring such development or activities into compliance.

19. The decision set forth herein is based upon representations made and exhibits contained in the project application (16 04693). 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.

20. This CUP approval shall automatically become void if no development permit application is accepted as complete by DCD within three years of the Notice of Decision date or the resolution of any appeals.

21. Any violation of the conditions of approval shall be grounds to initiate revocation of this CUP.

Development Engineering.

22. At building permit application, submit KCPW Form 1601 for issuance of a concurrency certificate, as required by KCC Section 20.04.030, Transportation Concurrency.

23. Erosion and sedimentation control shall be designed in accordance with Kitsap County Code Title 12 effective at the time the CUP application was deemed complete, October 17, 2016. The fees and submittal requirements shall be in accordance with Kitsap County Ordinances in effect at the time of building permit application.

24. Stormwater mitigation of the impervious surfaces shall be addressed via basic dispersion as proposed by the Applicants. Roof downspouts shall discharge via splash blocks; the dispersal system will simulate sheet flow conditions to the downstream vegetation on-site.

25. The proposal includes removal of an existing driveway approaching SW Hunter Lane. In addition to the buffer restoration, prior to requesting a Final Inspection on the required building permit, the driveway area outside of the buffer shall be scarified and restored to a natural condition.

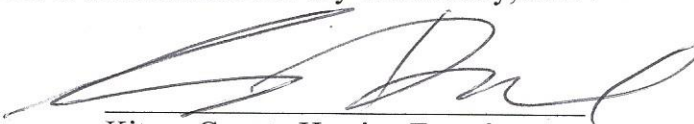
26. If the project proposal is modified from that shown on the submitted site plan

dated January 17, 2017, Development Services and Engineering will require additional review and potentially new conditions.

Fire.

27. The minimum fire flow requirements for one and two family dwellings in subdivisions shall be 500 gallons per minute for thirty (30) minutes.

THIS DECISION is entered this 28th day of February, 2017.



Kitsap County Hearing Examiner
Susan Elizabeth Drummond