



Notice of Hearing Examiner Decision

01/29/2024

To: Interested Parties and Parties of Record

RE: Project Name: Calvary Church of Poulsbo – Conditional Use Permit
 Applicant: Larry Howe, with Calvary Church of Poulsbo
 23300 Stottlemeyer Road NE
 Poulsbo WA 98370
 Application: Conditional Use Permit (CUP)
 Permit Number: 22-05849

The Kitsap County Hearing Examiner has **APPROVED** the land use application for **Permit #22-05849 Calvary Church of Poulsbo – Conditional Use Permit (CUP)**, **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://kitsapgov.com/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: Larry Howe w/Calvary Church of Poulsbo,
larry.howe1335@gmail.com
Authorized Agent: Dane Jepsen, permits@ldccorp.com
Engineer: LDC Engineering, mdobbs@LDCcorp.com
Architect: Origin Design Group, 1031 185th Ave NE SNOHOMISH, WA 98290
Geologist: Krazan Associates, 20714 STATE HWY 305 NE - STE 3C POULSBO,
WA 98370
Health District
Public Works
Parks

Navy
DSE
Kitsap Transit
North Kitsap Fire District
North Kitsap School District
Puget Sound Energy
Water Purveyor
Sewer Purveyor
Point No Point Treaty Council
Suquamish Tribe
Port Gamble S'Klallam Tribe
Squaxin Island Tribe
Puyallup Tribe
WA Dept of Fish & Wildlife
WA Dept of Transportation/Aviation
WA State Dept of Ecology-SEPA
WA State Dept of Transportation
Interested Parties: Lisa Haheo-Aune, lisaane@aol.com; Paula & Glade Rankin,
pj_rankin@embarqmail.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

BEFORE THE HEARING EXAMINER FOR KITSAP COUNTY

Phil Olbrechts, Hearing Examiner

RE: Calvary Chapel of Poulsbo Conditional Use File No. 22-05849	FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION.
---	--

INTRODUCTION

Calvary Church of Poulsbo has applied for a conditional use permit to add a new building and associated improvements to its church located at 23300 Stottlemeyer Rd NE. The application is approved subject to conditions.

ORAL TESTIMONY

A computer-generated transcript of the hearing has been prepared to provide an overview of the hearing testimony. The transcript is provided for informational purposes only as Appendix A.

EXHIBITS

Exhibits 1-26 listed in the Index to the Record prepared by County staff were admitted during the hearing. The following exhibits were also admitted during the hearing:

Exhibit 27: January 9, 2024 letter from Larry Howe

FINDINGS OF FACT

Procedural:

1. Applicant. Larry Howe, Calvary Church of Poulsbo, 23300 Stottlemeyer Rd NE, Poulsbo, WA 98370
2. Hearing. The Hearing Examiner conducted a virtual hearing on the application at 9:00 am on January 11, 2024. The record was left open through January 18, 2024 to give time for public review of proposed exhibits. No additional comments were received after the January 11, 2024 hearing.

1 **Substantive:**

2 3. Site/Proposal Description. Calvary Church of Poulsbo has applied for a
3 conditional use permit to add a new building and associated improvements to its church
4 located at 23300 Stottlemeyer Rd NE. The proposal amends an existing conditional
5 use permit (Case# 991216-068) by adding a new building to the existing church in 2
6 phases. Phase 1 will construct a new building with a worship center that seats a
7 maximum of 570 people, and children’s Sunday school classrooms. Phase 2 will be a
8 fellowship hall connecting the existing church building with the proposed Phase 1
9 building. Additionally, expansion of the associated parking and stormwater facilities is
10 proposed as part of Phase 1. The church expects to operate during Sunday morning,
11 periodically on Sunday evening, with smaller activities during the week and on
12 weeknights.

13 The project site covers a total of 4.92 acres. Parcel A is approximately 2.44 acres and
14 has the church, two portable structures, two parking lots, and an outdoor amphitheater
15 located on it, as well as evergreen trees that border the property to the southeast and
16 northwest. Parcel B is approximately 2.47 acres and contains a storm water retention
17 pond associated with one of the parking lots on Parcel A. The rest of Parcel A is
18 covered in forest. On the site, topography generally has an east facing aspect with an
19 average slope of 2%-8%; there is approximately 42 feet of relief across the site.
20 Stottlemeyer Rd NE, a county-maintained right-of-way, provides direct access to the
21 project site.

22 4. Characteristics of the Area. The project area is bordered with single-family
23 homes to the west and north, a Kitsap County Public Works Road Shed to the east and
24 vacant land zoned rural employment center to the south. The residences are separated
25 by Stottlemeyer Road NE and NE Rova Road.

5. Adverse Impacts. No adverse impacts are anticipated from the proposal.
Dozens of staff recommended conditions of approval, adopted by this decision, ensure
that the proposal will be compatible and not adversely affect surrounding properties.
Impacts are more directly addressed as follows:

- 21 A. Lighting. The proposal will not create any significant lighting impacts. The
22 proposal is conditioned to direct lighting away from adjoining properties and
23 not allow more than one foot candle of illumination to leave the site.
- 24 B. Parking. The proposal will provide for adequate parking since it meets KCC
25 parking standards. KCC 17.49.030 requires one parking space per four church
seats. The Applicant will be adding 106 stalls to the 83 existing stalls for a total
of 189 stalls, which corresponds to 756 authorized seats. The proposal will
result in a total of 754 seats.
- C. Landscaping/Aesthetics. The proposal will not create any significant aesthetic
impacts. The aesthetics of the site are adequately addressed by landscaping
requirements designed to address aesthetic impacts. As detailed in Section 10e

1 of the staff report, the project site likely meets KCC landscaping requirements,
2 which require 15% landscaping, 35 square feet of landscaping per parking space
3 and separation buffers along the north and west perimeter and solid screen
4 buffers along the south and east perimeters. A condition of approval requires
5 that the applicant submit a final landscape plan that establishes compliance with
6 KCC landscaping standards.

7 D. Stormwater. The proposal will not create any significant stormwater impacts.
8 Development Services and Engineering reviewed the proposal's preliminary
9 stormwater plan and finds it supportable in its approach to civil site
10 development. Further review will occur during civil permit and building permit
11 review. Several conditions of approval require conformance to KCC
12 stormwater standards. During civil review, the proposal will be made to comply
13 with the Kitsap County Stormwater Design Manual, which in general requires
14 development projects to not generate off-site stormwater flows that are more
15 than would be generated from on-site vacant and forested conditions. The
16 Manual also imposes stringent water quality treatment standards adopted
17 pursuant to state requirements that such standards be based upon all known,
18 available and reasonable methods of prevention, control and treatment. See
19 RCW 90.52.040 and RCW 90.48.010.

20 E. Critical Areas. No critical areas or steep slopes exist on the site.

21 F. Access, Traffic, Roads. The proposal will not create any significant
22 transportation impacts. Since church activities generally occur on weekends,
23 development engineering has not found any significant off-street traffic
24 impacts. Traffic congestion impacts will ultimately be verified by a condition
25 requiring issuance of a concurrency certificate during building permit review.

G. Fire Safety. Several conditions of approval assure conformance to KCC fire
safety standards. The conditions require depiction of fire access routes, fire
hydrants, fire flow availability letter, fire sprinkler requirements and future fire
code review during building permit review.

H. Utilities. The proposal will be served by adequate utilities. Potable water is
provided by the North Peninsula Water System¹. A condition of approval
addresses solid waste requirements and from those County staff have found the
proposal will be served by adequate solid waste services. Puget Sound Energy
will provide power. The staff report identifies that a staff recommended
condition of approval will address septic adequacy but no such recommended
condition is provided. Ex. 11 is composed of a septic permit application for
"450 people/service on Sundays." This appears to be at odds with the total 754
seats of the project site after placement of the addition or even just the 540 seats

¹ The record appears to include conflicting information on water service. The Applicant's narrative, Ex. 2, identifies that the project site is served by a well. Ex. 13 identifies a water availability letter from Kitsap Public Utility District. Staff's finding that the proposal will be served by adequate water is sufficient to establish that one of these sources will provide water necessary to serve the site, especially given that the site has already been operating with water service for several years.

1 of the addition itself. It's unclear from the record why the septic application is
2 limited to 450 people. A condition of approval simply requires that the
Applicant acquire health department approval for a septic system that meets the
needs of the proposal as required by health department regulations.

- 3 I. Compatibility. The proposal is compatible with surrounding uses, which are
4 predominately residential. As noted in the staff report, churches are expressly
5 conditionally authorized in residential zones in by the County's zoning
6 ordinance because they are legislatively recognized as compatible with such
7 uses as a community resource/amenity. This is particularly true for the project
8 site, which is located in a rural area with large lots and significant vegetation
and landscaping to separate the project site from adjoining uses. The absence
of any significant impacts as detailed in this Finding of Fact No. 5 additionally
establishes compatibility.

9 CONCLUSIONS OF LAW

10 Procedural:

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

13 Substantive:

- 14 2. Zoning Designation. The property is currently zoned Rural Residential.
15
16 3. Review Criteria. KCC 17.410.042 authorizes places of worship as a
17 conditional use in the RR zone. KCC 17.550.030 sets the criteria for conditional use
permit applications. Pertinent criteria are quoted below and applied via corresponding
conclusions of law.

18 **KCC 17.550.030(A)(1):** *The hearing examiner may approve, approve with*
19 *conditions, or deny a hearing examiner conditional use permit. Approval or approval*
20 *with conditions may be granted only when all the following criteria are met:*

- 21 1. *The proposal is consistent with the Comprehensive Plan;*

22 4. Criterion met. The criterion is met. As noted in the staff report, the proposal brings
23 the project site up to current code requirements, thereby better aligning it with the
24 Comprehensive Plan. The existing conditional use permit required less stormwater
25 controls, parking, landscaping and buffer requirements. This proposal does increase
the land use intensity through physical expansion. However, this increase in intensity
also triggers compliance with current KCC standards, which are designed to implement
the policies of the Comprehensive Plan. The proposal is also found consistent with the
Comprehensive Plan for the reasons identified in Section 7 of the staff report.

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

1 5. Criterion met. The criterion is met. The proposal conforms to the County’s zoning
2 code as detailed in the staff report and Finding of Fact No. 5. Staff planning and public
3 works staff have reviewed the proposal to ensure conformance to the County’s zoning
4 code for this level of review. The results of that work have been implemented in
5 detailed conditions of approval, adopted by this decision. Nothing in the record
6 suggests any outstanding compliance issues. More detailed compliance will be
7 required during building and civil permit review.

8 **KCC 17.550.030(A)(3):** *The proposal will not be materially detrimental to existing
9 or future uses or property in the immediate vicinity; and*

10 6. Criterion met. The criterion is met for the reasons identified in Finding of Fact No.
11 5.

12 **KCC 17.550.030(A)(4):** *The proposal is compatible with and incorporates specific
13 features, conditions, or revisions that ensure it responds appropriately to the existing
14 character, appearance, quality or development, and physical characteristics of the
15 subject property and the immediate vicinity.*

16 7. Criterion met. The criterion is met for the reasons identified in Finding of Fact No.
17 5I.

18 **DECISION**

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

21 A. Planning/Zoning

22 1. Review the linked Hearing Examiner decision for conditions of approval. The Staff
23 Report conditions below are only recommended conditions to the Hearing Examiner
24 and may not be valid.

25 2. 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.

3. All required permits shall be obtained prior to commencement of land clearing,
construction and/or occupancy.

4. Landscaping shall be installed and maintained in conformance with the
requirements of Kitsap County Code (KCC) 17.500. Landscaping shall be installed and

1 inspected prior to requesting a final inspection, or guaranteed by means of an
2 assignment of funds or bonded in the amount of 150 percent of the cost of installation.

3 5. The recipient of any conditional use permit shall file a Notice of Land Use Binder
4 with the county auditor prior to any of the following: initiation of any further site work,
5 issuance of any development/construction permits by the county, or occupancy/use of
6 the subject property or buildings thereon for the use or activity authorized. The Notice
7 of Land Use Binder shall serve both as an acknowledgment of and agreement to abide
8 by the terms and conditions of the conditional use permit and as a notice to prospective
9 purchasers of the existence of the permit. The Binder shall be prepared and recorded
10 by the Department at the applicant's expense.

11 6. This Conditional Use Permit approval shall automatically become void if no
12 development permit application is accepted as complete by the Department of
13 Community Development within four years of the Notice of Decision date or the
14 resolution of any appeals.

15 7. The decision set forth herein is based upon representations made and exhibits
16 contained in the project application (22-05849). Any change(s) or deviation(s) in such
17 plans, proposals, or conditions of approval imposed shall be subject to further review
18 and approval of the County and potentially the Hearing Examiner.

19 8. The authorization granted herein is subject to all applicable federal, state, and local
20 laws, regulations, and ordinances. Compliance with such laws, regulations, and
21 ordinances is a condition to the approvals granted and is a continuing requirement of
22 such approvals. By accepting this/these approvals, the applicant represents that the
23 development and activities allowed will comply with such laws, regulations, and
24 ordinances. If, during the term of the approval granted, the development and activities
25 permitted do not comply with such laws, regulations, or ordinances, the applicant
agrees to promptly bring such development or activities into compliance.

9. Any violation of the conditions of approval shall be grounds to initiate revocation
of this Conditional Use Permit.

10. This permit shall comply with all Kitsap Public Health District regulations and
conditions of approval.

11. Under the director's authority Kitsap County Zoning Ordinance (KCZO) 1998
zoning ordinance - 445.060 all signage must meet the screening, buffering, setbacks,
size, and operational limitations of the current sign regulations. The sign located on
Bond Road shall be replaced with a sign that complies with Kitsap County Code (KCC)
Section 17.510. Permanent signage shall require a separate permit unless otherwise
exempted by KCC.

KCC 1998 zoning ordinance - 445.060 Conditions to Enhance Compatibility. In order
to enhance compatibility, the Director may impose conditions when a sign permit is

1 issued pursuant to Section 445.040.C. Such conditions may include, but are not limited
2 to screening, buffering, setbacks, and limitations upon the size or hours and methods
3 of operation. The sign permit shall be revoked if the permittee fails to comply with the
4 conditions imposed.

5 12. A detailed, to scale, planting plan that shows location and planting schedule shall
6 be provided for the Department to review within the Site Development Activity Permit
7 (SDAP).

8 13. The applicant shall provide a single lot determination with any subsequent permits
9 and record a Notice to Title with the Kitsap County Auditor that the parcels are now
10 considered one parcel.

11 14. Per KCC Section 17.105.110 In all zones, except as provided for elsewhere in this
12 title, no use shall produce noise, smoke, dirt, dust, odor, vibration, heat, glare, toxic gas
13 or radiation which is materially deleterious to surrounding people, properties or uses.
14 Lighting is to be directed away from adjoining properties. Not more than one foot
15 candle of illumination may leave the property boundaries.

16 15. Approval is subject to the conditions of the Geotechnical report, Date 11/1/2022
17 authored by Krazan and Associates, associated with this permit and on file at the
18 Department of Community Development.

19 B. Development Engineering

20 16. Construction plans and profiles for all roads, storm drainage facilities and
21 appurtenances prepared by the developer's engineer shall be submitted to Kitsap
22 County for review and acceptance. No construction shall be started prior to said plan
23 acceptance.

24 17. The information provided demonstrates this proposal is a Large Project as defined
25 in Kitsap County Code Title 12 and as such will require a Full Drainage Site
Development Activity Permit (SDAP) from Development Engineering.

18. Should the proponent propose phasing of the project, a phasing plan shall be
submitted to Development Engineering for review and approval. The phasing plan
shall, as a minimum, address the following items: Time tables indicating the anticipated
time between initial site grubbing/grading activity and the completion of construction,
including site stabilization of that specific phase; AND the extent of drainage
improvements to be installed during the various phases.

19. Stormwater quantity control, quality treatment, and erosion and sedimentation
control shall be designed in accordance with Kitsap County Code Title 12 effective at
the time the SDAP (or Building Permit if no SDAP required) application is deemed
fully complete. 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

1 with Kitsap County Code in effect at the time of SDAP application, or Building Permit
2 if an SDAP is not required.

3 20. Any project that includes off-site improvements that create additional hard surface
4 such as lane widening, sidewalk or shoulder installation or intersection channelization
5 shall provide stormwater mitigation in accordance with Kitsap County Code Title 12.

6 21. The site plan indicates that greater than 1 acre will be disturbed during construction.
7 This threshold requires a National Pollutant Discharge Elimination System (NPDES)
8 Stormwater Construction permit from the State Department of Ecology. More
9 information about this permit can be found at:
10 <http://www.ecy.wa.gov/programs/wq/stormwater/construction/> or by calling Josh
11 Klimek at 360-407-7451, email joshklimek@ecy.wa.gov. This permit is required prior
12 to issuance of the SDAP. Processing time for NPDES permit is a minimum of 37 days.

13 22. The application indicates that a significant quantity of grading material will be
14 exported from the site. Prior to issuing the SDAP an approved fill site(s) must be
15 identified.

- 16 • Any fill site receiving 150 cubic yards or more of material must obtain an SDAP.
- 17 • Fill sites receiving 5,000 cubic yards or more, or located within a critical area, must
18 have an engineered SDAP.
- 19 • For any fill site receiving less than 150 cubic yards, the SDAP holder shall submit
20 to Kitsap County Department of Community Development load slips indicating the
21 location of the receiving site and the quantity of material received by said site.

22 23. The application indicates that a significant quantity of grading material will be
23 imported to and/or exported from the site. Typically, this means five or more trucks
24 entering/leaving the site per hour. Because of this a vehicle wheel wash must be
25 included as an element of the siltation erosion control plan. Public works staff may
waive this requirement should the Applicant be able to reduce export activity below
that which staff finds necessary for a wheel wash or otherwise reduces the need for
such a facility.

26 24. The owner shall be responsible for maintenance of the storm drainage facilities for
27 this development following construction. Before requesting final inspection for the
28 SDAP (or for the Building Permit if an SDAP is not required) for this development, the
29 person or persons holding title to the subject property for which the storm drainage
30 facilities were required shall record a Declaration of Covenant that guarantees the
31 County that the system will be properly maintained. Wording must be included in the
32 covenant that will allow the County to inspect the system and perform the necessary
33 maintenance in the event the system is not performing properly. This would be done
34 only after notifying the owner and giving him a reasonable time to do the necessary
35 work. Should County forces be required to do the work, the owner will be billed the
maximum amount allowed by law.

1 25. If the project proposal is modified from that shown on the site plan approved for
2 this permit application, Development Engineering will require additional review and
potentially new conditions.

3 C. Environmental

4 26. Bald Eagles- This permit is conditioned for compliance with the Federal Bald and
5 Golden Eagle Protection Act and the National Bald Eagle Management Guidelines.
6 The applicant is responsible for following all federal setbacks, construction windows
and obtaining any federal permits as necessary through the US Fish and Wildlife
Service.

7 27. If archaeological resources are uncovered during excavation, developers and
8 property owners must immediately stop work and notify Kitsap County, the Office of
9 Archaeology and Historic Preservation and affected Indian tribes.

10 Uncovered sites shall require a site inspection by a professional archaeologist in
11 coordination with the affected tribe(s). Tribal historic preservation officers shall be
12 provided the opportunity to evaluate and comment on cultural resources evaluations
conducted by the professional archaeologist.

13 Work shall not recommence until authorized by the Office of Archaeology and Historic
14 Preservation through an archaeological excavation and removal permit, which may
condition development permits pursuant to KC 442-07.

15 D. Traffic and Roads

16 28. At building permit application, submit Kitsap County Public Works Form 1601 for
17 issuance of a concurrency certificate, as required by Kitsap County Code 20.04.030,
Transportation Concurrency.

18 29. Public roads shall not exceed 12% grade or less depending on the road classification
19 per Kitsap County Road Standards.

20 30. All rights of access for adjoining properties currently in existence shall be
21 preserved. Any amendment to the existing easement rights of adjoining property
22 owners shall be properly executed and recorded prior to SDAP acceptance or Building
Permit approval, if a SDAP is not required.

23 31. The property owners shall be responsible for maintenance of all landscaping within
24 the existing and proposed right-of-way including any structures other than roadway,
25 storm drainage facilities, and traffic signage. Maintenance shall include, but not be
limited to, mowing of lawn areas. A note to this effect shall appear on the accepted
construction plans. In addition, Development Engineering reserves the right to require
that covenants be recorded to address special maintenance requirements depending on
final design.

1 32. The Site Development Activity Permit (or Building Permit, if an SDAP is not
2 required) shall include plans for construction of the road approach between the edge of
3 existing pavement and the right-of-way line at all intersections with county or state
4 rights-of-way. Approaches to county rights of way shall be designed in accordance with
5 the Kitsap County Road Standards as established in Chapter 11.22 of the Kitsap County
6 Code. Approaches to state rights of way shall be designed in accordance with current
7 WSDOT standards. Existing approaches may need to be improved to meet current
8 standards.

9 33. All work, equipment and materials for traffic signal and street lighting installations
10 shall meet and be in compliance with all requirements of the Kitsap County Road
11 Standards, Project Contract Provisions of Plans and Specifications accepted for
12 construction by Kitsap County, Manual on Uniform Traffic Control Devices
13 (MUTCD), National Electrical Manufacturer's Association (NEMA), National
14 Electrical Code (NEC), Washington State Department of Transportation (WSDOT)
15 Standard Specifications and Standard Plans, and the Occupational Safety and Health
16 Administration (OSHA).

17 34. Before SDAP acceptance, the applicant shall submit a set of drawings to the
18 Washington State Department of Transportation for review. The applicant shall notify
19 Development Services and Engineering in writing when the plans have been submitted
20 to WSDOT. Development Services and Engineering shall coordinate with WSDOT to
21 determine if WSDOT has any comments to the submittal, but responsibility for
22 obtaining concurrence from WSDOT lies with the property owner.

23 35. Final plan approval will require documentation of Washington State Department of
24 Transportation (WSDOT) approval for impacts to and any required mitigation on State
25 rights of way. WSDOT point of contact is Dale Severson who can be reached at (360)
357-2736 or by email dale.severson@wsdot.wa.gov

36. 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 SDAP process, or Building Permit
process, if a SDAP is not required. The need for and scope of bonding will be
determined at that time.

37. Prior to completion of this permit with the Department of Community
Development, the Applicant shall satisfy all conditions of a Right of Way Permit
through the Department of Public Works for any and all work performed in the county
Right of Way associated with this project. Apart from the Site Development Activity
Permit (SDAP), the Right of Way permit may require extra work to comply with
current Washington State Department of Transportation or Kitsap County Road
Standards. You may contact Kitsap County Public Works, Right of Way Construction
Division at (360) 337-5777 to obtain a Right of Way permit.

1 E. Fire Safety

2 38. Civil plans submitted shall clearly indicate location of fire access routes. These
3 routes shall comply with all the fire access design requirements and be placed so no
point of the building exceeds 150 feet, measured by the lay of a hose.

4 Site hydrants shall also be provided and clearly shown on civil plans. A spacing of 400
5 feet shall be accomplished between hydrants, with one hydrant placed near the site
entrance and one within 50 feet of the remotely located fire department connection.

6 39. A fire flow availability letter shall be provided with the building permit that
7 indicates the require flow is adequate. The flow required is based on the total square
8 footage (to include all phases) and construction type. *Reductions are allowed with the
installation of an NFPA 13 fire sprinkler system.

9 40. If a minimum 20 feet between the new and existing structure is maintained, a fire
10 sprinkler system will be required for the new structure (phase 1). Once phase 2
commences, the fire sprinkler system shall be extended to cover the existing structure.

11 A monitored fire alarm system will also be required.

12 41. Please be aware that the proposed structure and modifications to the existing
13 structure will be subject to the code adopted at the time of permit submittal. This will
14 include, but is not limited to: energy code, electric vehicle charging infrastructure
requirements, ADA compliance, etc.

15 F. Solid Waste

16 42. Prior to SDAP approval, applicant shall provide documentation from the solid
17 waste/recycling service provider that their requirements for this project have been met.
18 Waste Management Northwest can be reached at pnwcmsservices@wm.com or 1-800-
592-9995; their website is <http://wmnorthwest.com/kitsap/index.html>.

19 43. The SDAP submittal shall show solid waste dumpster location, method for securing
20 the enclosure gates in an open position and pad sizes on the civil plans submitted for
21 approval. Details of the enclosure, including interior dimensions, building materials
and lighting must be included with the civil plans prior to final approval. These details
22 may be architectural drawings attached to the civil plans. Provided area must
accommodate a minimum 6-yard dumpster.

23 44. The SDAP submittal shall show at least 150 square feet of exterior recyclable
24 materials storage space for the project. Describe collection containers and show their
25 locations, method for securing the enclosure gates in an open position and pad
dimensions on the civil plans submitted for approval. Details of the enclosure,
including interior dimensions, building materials and lighting must be included with

1 the civil plans prior to final approval. These details may be architectural drawings
2 attached to the civil plans.

3 45. Solid Waste enclosures shall be covered and placed on an impervious surface.
4 Enclosures shall be directly connected to sewer system, where feasible. If direct
5 connection to sewer is infeasible, the enclosure shall be sloped to drain into a dead-end
6 sump.

7 G. Septic.

8 46. Prior to occupancy the Applicant shall acquire health department septic permit
9 approval and install a septic system that conforms to County health department
10 standards.

11 Dated this 29th day of January, 2024.

12 *Phil Olbrechts*

13

Phil Olbrechts,
14 Kitsap County Hearing Examiner

15 **Appeal Right and Valuation Notices**

16 Pursuant to KCC 21.4.100 and KCC 21.04.110, this conditional use permit decision is
17 a final land use decision of Kitsap County and may be appealed to superior court within
18 21 days as governed by the Washington State Land Use Petition Act, Chapter 36.70C
19 RCW.

20 Affected property owners may request a change in valuation for property tax purposes
21 notwithstanding any program of revaluation.
22
23
24
25

Appendix A

January 11, 2024 Hearing Transcript

Calvary Chapel Conditional Use – 22-05849

Note: This is a computer-generated transcript provided for informational purposes only. The reader should not take this document as 100% accurate or take offense at errors created by the limitations of the programming in transcribing speech. For those in need of an accurate rendition of the hearing testimony, a hearing recording can be acquired from Kitsap County.

Examiner Olbrechts: (00:05):

Alright, great. Good morning everybody. My name is Phil Albergs. I'm a hearing examiner for Kitsap County. And for the record, it's January 11th, 2024, 9:00 AM This morning we are holding a public hearing on an application for a conditional use permit. And let me pull up the file number there. That's file number 22 dash 0 5 8 4 9 calvary Church expansion conditional use permit application. The format for today's hearing is we'll start off with the presentation from staff, which will give us an overview of what the project is about. And once staff is finished, we'll then move on to the applicants who will have an opportunity to speak in favor of their application. And then finally, the purpose of today's hearing is to hear from the public. So we'll move on to public comments. Both those of you who are present in person in the hearing room and those who are attending virtually will have an opportunity to share your comments and concerns on the project or support.

Examiner Olbrechts: (01:04):

And after that we'll move back to staff for any rebuttal information they think is necessary, answer questions, that kind of thing. The applicant gets final word and then I get 10 business days, a couple of weeks to issue a final decision. Now by state law, I'm only allowed to consider evidence that's put into the record. That is a state law requirement to ensure that everyone participating in the hearing knows exactly what evidence and information is used to make a decision on the application. It's my job as a hearing examiner to determine whether or not the criteria adopted by the county commissioners is met by the project. And that's my sole inquiry in here is doesn't meet the project review criteria. I'm supposed to base that on the documents that are admitted into the record today as well as all your testimony and to ensure a fair hearing. Like I said, state law doesn't allow me to talk to the staff or the applicant or anybody about this project. Everything I know about this project is what you're going to see put into the record today. So along those lines, I'm going to share the exhibit list that's in the staff report. Put that up on the screen. And is that visible yet, Ms. Walston?

Speaker 1 (02:21):

Yes it is.

Examiner Olbrechts: (02:22):

Okay. Yeah, so staff report's been prepared and staff wanted me to look at essentially 26 documents that are listed here on the exhibit list, which includes the staff's report, the project narrative prepared by the applicant, site plans, landscape plans, building elevations, A drainage report was done, a geotech report was done, a title report, the existing conditional use permit that authorize the existing building. We have septic information, water availability, meaning there's enough water to serve the site. The SEPA checklist, SEPA stands for the State Environmental Policy Act. That's information compiled by staff to determine whether the proposal needs an environmental impact statement or whether it can be mitigated to levels where such a review isn't necessary. And in this case, no environmental impact statement was found necessary. There's stormwater work done, concurrency test dealing probably with traffic. We have a parking analysis done. The SEPA determination, that's the decision that no environmental impact statement is necessary.

Examiner Olbrechts: (03:28):

And then finally, staff's going to have a PowerPoint today they want to put into the record and then we're going to put in the hearing sign in sheet. So that's a total of 26 documents. At this point, I just want to ask if anyone has any objections to entry of those documents. And to the record, if you're present, just kind of wave your arms around and say I object to these documents or need to see them. If you're attending virtually, click on the yellow raise hand button at the bottom of your screen. I'm going to stop share at this point so I can see if there are any objections. At this point, objections would really just be based on it's irrelevant or their inauthentic documents. And I see you have a raised hand for Mr. Luer. Ms. Malson, you want to unmute him? So Mr. Luer, did you have an objection in the documents or need to see not hearing anything there? It looks like he took his hand down, so I think we're okay. Probably. So I'll go ahead and admit the staff report and exhibits one through 26 and I see somebody at the podium there. I imagine that staff. Sir, what's your name for the record?

Mr. Gurne: (04:40):

Okay, sorry for the record. Darren Gurney, that's D-A-R-R-E-N-G-U-R-N-E.

Examiner Olbrechts: (04:46):

Okay. Mr. Gurney, let me swear in. Do you raise your right hand? Do you swear affirm to tell the truth, nothing but the truth in this proceeding?

Mr. Gurne: (04:52):

I

Examiner Olbrechts: (04:53):

Do. Okay, great. Go ahead.

Mr. Gurne: (04:55):

Okay, so in just a moment we'll have our presentation pulled up.

Examiner Olbrechts: (05:01):

Okay?

Mr. Gurne: (05:09):

Okay. I got a test real quick just to make sure it's working

Mr. Gurne: (05:21):

Okay, I think we're good. So again, for the record, Darren Gurney, I am a senior planner with Kitsap County Department of Community Development Project Lead for the Capital Research Conditional Use Permit. As you see on the screen, our slide presentation is meant to augment the staff report, not replace it. So there may be some additional details here, but everything technically is within the staff report and stands on its own merits there. For the record today, we do want to recognize that we received a comment from Alan Feer regarding the project proposal supporting the project. So we'd like to add that to the record as well as I believe he is going to be speaking today as well. And we also have an item that is referenced as an exhibit within the staff report. It's a right of way email. I don't believe that was included with a package of materials, but it is referenced and we do have it to add to the record for consideration.

Examiner Olbrechts: (06:27):

Okay. And let me ask Ms. Walston, let's see here. It looks like, I guess we'd add the public comment as Exhibit 27. Does that fit with your numbering protocol for this hearing? Yes. Okay. Alright. And Mr. Gurney, what was the name again of the person who wrote the letter?

Mr. Gurne: (06:47):

Ali Fear.

Examiner Olbrechts: (06:47):

Fear. And how do you spell his last name? Little

Mr. Gurne: (06:50):

Letter signed from me. Larry Howe actually I guess authored or signed the letter. The email came from Alan into our system.

Examiner Olbrechts: (07:01):

So you said Howe, HOWE? Correct. Oh, okay. And has that been forwarded to the applicant as well? I

Mr. Gurne: (07:09):

Believe believe it came from both of 'em.

Examiner Olbrechts: (07:12):

Oh, it's from the applicant you're saying? Is that right? Yes, from the Oh, I'm sorry. Okay.

Mr. Gurne: (07:15):

In the room, just for your awareness, we have the applicant and then also Alan as well, and then they also have Jessica, Jean, Jeanie. I'm sorry, I got the J. Okay. So we have three in the audience here today for the project.

Examiner Olbrechts: (07:33):

Oh great. Okay. Well let me, yeah, and we do have an objection on the document, so I guess now's a good time. I was going to save that for public comment, but let's deal with the objections. Mr. Luer, why don't you see if you can unmute yourself and we'll give you a chance to say something at this point on the admission of the documents.

Speaker 4 (07:54):

Thank you. The unmute window didn't come up fast enough for me to respond to your initial. Sure. I believe I saw the septic document in the enlisted list of exhibits, is that correct?

Examiner Olbrechts: (08:11):

Yeah, that is in, yeah, that's in the list. Septic documentation Objection.

Speaker 5 (08:15):

I'm sorry if I could interrupt. I just want to point out, this is for the Calvary Church conditional use permit and I believe Mr. Lupe's concerns have all been focused on the second item that'll be hearing today, which is the Shirley variance. So this is actually for a separate hearing item.

Speaker 4 (08:29):

I apologize that was not clear from your webpage. What time does the Shirley hearing start?

Speaker 5 (08:39):

It follows this one. So this is item A and the Shirley hearing starts following the following that so depends on how long this one goes.

Examiner Olbrechts: (08:49):

Okay. So, alright, so Mr. Luer, I take it you don't have any objections over the documents for this hearing then? I

Mr. Gurne: (08:54):

Have not. No comments on this?

Examiner Olbrechts: (08:56):

Yeah. Alright, we'll wait for the next one, Mr. Luer, just to try to be efficient about this. Have you had access to the documents of the variance hearing? Mr. Hold on.

Mr. Gurne: (09:14):

Hold that I moved it back over

Examiner Olbrechts: (09:16):

Second. Oh, okay. Alright.

Mr. Gurne: (09:22):

Your question Mr.

Examiner Olbrechts: (09:23):

Yeah. Have you been able to access the documents to the variance hearing?

Mr. Gurne: (09:31):

Yes, we received a public records response. Certainly have not been able to go through them in detail.

Examiner Olbrechts: (09:38):

Oh, okay. Okay. I just wanted to make sure you did have access to them so you could look at them while we're going through this hearing, but okay, that sounds good. We'll deal with any objections you have to the variance documents once we do that hearing. Then thanks again for your patience. Let's go back to Mr. Gurney then. And then on the how to be admitted as exhibit 26. Any objections over entry of the howe letter and looking to see, seeing, hearing no objections? I'll be admitted as Exhibit 20. Well let's say 27 I guess. And Mr. Gurney, was there another document I think you mentioned there was another document you wanted to get in?

Mr. Gurne: (10:17):

Yes and no. So it is referenced in the staff report. I don't believe it was available within the packet of materials. There is a little bit of confusion. It was an email sent from the public works that was submitted by the applicant as a response to our information request. That email is in the exhibits listed in the exhibits correct Numbering The actual item I don't believe was included. So I just wanted to make sure if you needed that for consideration moving forward additional time to review it. It is basically saying that the right of way needs to comply with Kitsap County code and that there's a certain monetary figure associated with that to retain the ability to work in the right of way should not pose a big issue for the project.

Examiner Olbrechts: (11:10):

Okay. And which exhibit number was that?

Mr. Gurne: (11:13):

I believe it was 21.

Examiner Olbrechts: (11:14):

Okay. And when was it put up at the website?

Mr. Gurne: (11:16):

I believe so.

Examiner Olbrechts: (11:17):

Do you know when it was posted at this county website?

Mr. Gurne: (11:22):

It would not have been posted with the project on the website. That's the reason why we're bringing it to your attention

Examiner Olbrechts: ([11:27](#)):

Today. Okay. Alright. Any objections or over entry of that as part of exhibit 21 from anybody since they may not have had a chance to see it or anybody need to see it out there? Okay, hearing no objections or requests to see it? Well I'll just to be safe say that's admitted as part of Exhibit 21. Okay. Now Mr. Gurney, I think we can get onto the meat and potatoes here.

Mr. Gurne: ([11:50](#)):

This should be a fairly straightforward project. In terms of the hearing, I have probably about 10 minutes of discussion here. For those that are listening and waiting for the next hearing, I would say roughly 20 minutes total is probably a safe assumption. Might be a little less. Okay, that sounds good. Here we go. So again, this is the cavalry church CUP permit number 2 2 0 5 8 4 9. So the applicant is Mr. Larry Howe and that is with the Cavalry Church of sbo, I believe is actually called the Cavalry Chapel of sbo. And I'm going to offer up for the applicants to come up and speak after me if they need to correct me in any way. So we received notice or received the application in January of 2023. Notice of application went out in February, 2023 and the SEPA DNS was issued on December 21st. We did receive one comment in support of the project prior to putting together a staff report. As we noted, you had the additional letter from Larry Howe that was admitted as an exhibit here in addition to this one comment. So we have a total of two in support of the project.

Mr. Gurne: ([13:15](#)):

So the project is located in the north end of Kitsap County Commissioner District one. This the project is amending an existing conditional use permit case 9 9 1 2 1 16 0 6 8 for a place of worship that was approved in January of 2000. Modifies the existing COP to increase seating capacity, adds some fire protection systems, adding a parking field and modernizing stormwater facilities to address these expanded uses. The church expects to operate on Sundays Sunday morning, periodically on Sunday evening with smaller, smaller uses during the week and a weeknight and by amending the existing conditional use permit, it's going to add to the existing church in two phases, which we'll go over later. But the basics are that phase one will construct a new building, a worship center and foyer adding seats to about 570 people and Children's Sunday school classrooms. Phase two will be a fellowship hall connecting the existing church with the proposed phase one building and additionally the expansion of the associated parking stormwater facilities as part of phase one. We did issue a notice of application pursuant to Title 21 in Kitsap County code for which the recipients were provided project information and opportunity for comment. The SEPA comment period previously referenced with a determination that was concurrent with the notice of application issued on the 16th of February. We did not receive any comments associated with that SEPA notice. We provided a non-significant determination, did not receive any appeals at that time. So the SEPA appeal period is therefore complete and determination is final.

Mr. Gurne: ([15:31](#)):

The slide is providing our zoning map through Kitsap County GIS systems. You can see that the rural residential zoning designation in green and the rural employment center zoning designation in the brown color. This is going to be the basis for our buffers as well as building and zoning setbacks. So for rural residential, the setbacks are 50 feet on the front, 20 feet on the side except for accessory structures and 20 feet and five on the rear as well. Front to the property comes off of Stal DeMeyer based on the access point to the property. So for the buffers that I referenced, we do have in Kitsap County code 17.5 hundred, we have buffer requirements for compatible uses and zoning. So on the

northern edge and western edge you'll see in the staff report that we are requiring separation buffers, which are a partial screening element on the southern and eastern edges adjacent to the REC zone. There you'll see solid screen buffer requirements and that is something that is basically referenced in the CUP staff report but can be more finely tuned with the subsequent site development activity permit.

Mr. Gurne: ([16:57](#)):

Our aerial photo here, this provides context in terms of the adjacent developments. You can see that there is a rural residential nature on the other parcels, primarily residences accessory structures. The parcel to the east. One thing we would like to note is that that is the location of the North Kitsap road shed. So that parcel, even though it shows its tree there, has been cleared significantly and there is a large public works facility that is going in that location. So the solid screen buffer on that edge is going to be very important to screen between those two. What we consider incompatible uses the road is also a buffer break there. So that is something to take note of our critical areas mapping. We show no critical areas on the parcel. There was also an analysis performed to identify that no critical areas exist except for a couple of wetland areas north and east of those project site. But the project will not impact those locations. Here's our site plan provided by the applicant. You'll note the existing facility is to the southwest. That is the church as it is today with the parking field and the darker gray, the expansion is occurring northeast of that existing structure as well as the parking fields, the stormwater facility on the eastern edge and septic drain field areas on the Southeastern Edge.

Mr. Gurne: ([18:42](#)):

Key component for this proposal and a technicality for us is the original conditional use permit was permitted under a code in 1999. So technically the project could vest to those older codes and it does however the applicant designed the project basically using our current codes today. So you'll see in our staff report that it meets the past code because our codes today are more stringent, thereby it is meeting all the requirements of code. So for the conditions of approval, you'll see the current code references that we are using. Most of our conditions of approval from a land use standpoint are going to be addressing obnoxious things, specifically with compatibility of the neighbors addressing kind of any impacts such as lighting that might go off the site. We want to make sure that doesn't impact the neighboring properties. Traffic impacts. That might be one area where if you have expanded uses or times of operation, that's where the traffic impact could leak into the roadways. However, with this being a church instead of a normal business setting, we found that those traffic impacts were going to be negligible in terms of the time of peak traffic demands.

Mr. Gurne: ([20:24](#)):

So with our comprehensive plan, we must be consistent with our comp plan when we review our projects. This project, because it is a church, it is not a residential use. Usually when they're different uses we will have some compatibility issues, however churches are seen worn as a public facility or an amenity to a neighborhood and a community gathering place. This is something that is consistent with our goals and policies within land use human housing and human services goals and capital facilities. Even though the project is not something proposed by Kitsap County. I do want to note that we included capital facility goals because we are trying to provide services to all residents of Kitsap County while maintaining that rural character. This is the landscape plan provided by the applicant. This is demonstrating in all the green, this is area that is technically not going to be landscaped on every aspect, but it is demonstrating for the impervious surfaces. Let's the stormwater facilities that most of the site is vegetated on the periphery. The buffers that we mentioned before, those are something that

can be enhanced. There is already significant tree and underbrush on the edges of the parcel that would account for most of the buffers that are necessary for visual barrier.

Mr. Gurne: ([22:11](#)):

And these are the elevations for phase one. This is believe, sorry, here.

Mr. Gurne: ([22:22](#)):

Yeah, this is the phase one. So you can see there's a slight separation in between the two buildings. That is going to be phase two that connects the two buildings, which you'll see on the next slide here. So you'll see that that connection point, that's the fellowship hall Paul, the aesthetic and character of this structure is consistent with rural character. You have the gable roofs, the window treatments, each of these items as well as with the landscaping that goes in along with the project, will maintain the rural character even though this is a larger structure in the rural areas.

Mr. Gurne: ([23:07](#)):

So finally we do, as the department find the proposal is consistent with the comp plan, consent county code compatible with the surrounding areas and immediate vicinity, not materially detrimental. This is reflected within the staff report as well as the conditions of approval. Address any of the impacts to adjacent properties. I would like to note, based on the letter that was added as an exhibit in the beginning from the applicant, there was a consideration for the stormwater condition of approval. I believe it's number 23 in terms of having a wash station. I did confirm with our engineer reviewer that if cut and fill remains on site, that condition could be flexible. We could either revise the language in that condition or upon inspection we can actually go out and say, you don't need a wash station because you're maintaining all the cut and fill on the site and not exporting material, which is what the wash station is meant to address in that condition. The other condition of note is for the sign placement along Bond Road, that is a sign that is currently as to four by fours with a piece of plywood, I believe that is finished. But as part of this proposal, we are recommending that that sign come into compliance and become a monument sign through separate permitting processes. And that I believe is the presentation.

Examiner Olbrechts: ([24:51](#)):

Oh great. Okay. Thank you Mr. You have any questions? No, very well said. And I think very straightforward as well. So I think we can move on to the applicants at this point if they want to add anything. And Mr. Gurney, you said they're present actually in the meeting room, is that correct?

Mr. Gurne: ([25:03](#)):

That is correct.

Examiner Olbrechts: ([25:04](#)):

Okay. Alright. If the applicants want to add anything, you don't have to, but now's your chance. Just go up to the podium there and we'll sir, what's your name for the record?

Mr. Fure: ([25:12](#)):

Alan Furry, spelled FURE.

Examiner Olbrechts: ([25:14](#)):

Okay. Let me swear in. Do you swear or affirm to tell the truth, nothing but the truth in this proceeding, Mr. Furry?

Mr. Fure: ([25:19](#)):

I do.

Examiner Olbrechts: ([25:20](#)):

Okay, great. Go ahead.

Mr. Fure: ([25:23](#)):

I'm a part of the building committee for the church's expansion project. We've reviewed the staff report, the analysis, the findings, the conditions of approval, and we are in agreement with all of it with two minor exceptions. First, the official name of the corporation, Calvary Chapel of Paul's Bo, C-A-L-B-A-R-Y, chapel of sbo, just so that the record reflects our appropriate corporate name. And number two, and Mr. Gurney just addressed it, that we wanted some flexibility because we believe we can adjust site grades to keep material from having to be exported. And in that case, we don't have to have the significant expense of a truck wheel wash in pulling together a project like this based on donations. We want to try to minimize cost as much as possible with that, we encourage you to approve it because we believe it meets the county code.

Examiner Olbrechts: ([26:36](#)):

Okay. Thank you, sir. Appreciate your comments. Thank you very much. Alright, and is there anyone else in the meeting room that would to speak right now, Ms. Walston, if there are, could you direct 'em to the podium? Nobody else?

Speaker 5 ([26:51](#)):

No, they pass.

Examiner Olbrechts: ([26:52](#)):

Okay. Alright. Let's go on to the virtual attendees. If there's anyone out there attending virtually and you want to say something at this point, go ahead and hit the virtual hand at the bottom of your screen and we'll make sure that we can hear from you. This would be your one chance to comment on this application and it doesn't look like we have any takers in this hearing. Oh, I see one. So let's Glade and Paula Rankin. Ms. Wal, do you want to bring 'em up? Okay. Alright. And they've unmuted themselves. Okay, let me swear you two in. Do you swear Affirm to tell the truth, nothing but the truth in this proceeding?

Rankin: ([27:31](#)):

We do.

Examiner Olbrechts: ([27:32](#)):

Okay. And your last name is spelled for the transcripts A, or excuse me, R-A-N-K-I-N. Is that correct?

Rankin ([27:39](#)):

Yes sir.

Examiner Olbrechts: (27:39):

Okay, great. Go ahead.

Rankin (27:41):

I guess I just have a question. Okay. All that you listed in the beginning, all the studies that were done and everything, they are available to us. That's question.

Examiner Olbrechts: (27:56):

Yeah, you should be able to reach it through the hearing examiner webpage. And Ms. Wilson, maybe you can provide some additional information on how they can access those documents.

Ms. Walston: (28:09):

So the county standard practice, we post the staff report a week prior. We don't post the full exhibit list or the record because it hasn't been submitted yet, admitted by the hearing examiner. But those are available upon request. So if you want to see those, you can send a request and we can forward them on.

Rankin (28:26):

And then after we have observed those, then we can make a statement. Or is this our one and

Examiner Olbrechts: (28:32):

Only? Yeah, no, I think I can leave the record open in case you want to submit some written comments on those documents. So what I can do, Ms. Rankin, is Ms. Walston can send you a link to the exhibits and then I'll give you a few days to look them over and if you want to make some comments then you can email 'em back to the county and then I'll give the applicant and staff an opportunity to respond to your comments.

Rankin (28:57):

That would be wonderful. We do have a few concerns.

Examiner Olbrechts: (29:00):

Sure. Yeah. And let's see, how much time do you think you need to look that over?

Rankin (29:07):

Just a couple of days would be fine. Okay.

Examiner Olbrechts: (29:09):

Alright.

Rankin (29:10):

I just couldn't find anywhere where I could opt access anything. Yeah,

Examiner Olbrechts: (29:15):

Yeah, I understood. Yeah. So we'll give you till, let's see, January 16th, 5:00 PM then to respond. Ms. Walston, can you, I guess in the chat maybe supply your email address so they can contact you with their email address and get that link? And then applicants, how much time do you need to respond to any comments they write up? Is a couple days okay for you the 18th? Yes. Okay. So

Mr. Gurne: (29:42):

I would like to make a clarification. I want to make sure this is for the Cavalry Church hearing not, yes. Not subsequent hearing. Yes sir. Okay.

Examiner Olbrechts: (29:52):

Okay.

Mr. Gurne: (29:53):

Alright. Just wanted to make

Examiner Olbrechts: (29:53):

Sure. Alright, so, okay, so comments from the rankins are due the 16th by 5:00 PM email back to Ms. Walston and then the county staff and applicant can provide a response to the Rankin comments by 5:00 PM on the 18th. And of course that should be emailed to the Rankins as well as Ms. Walston and myself. So any questions about that at all? Alright, and

Rankin (30:17):

I don't think so. Okay. Okay.

Examiner Olbrechts: (30:19):

Okay. Thank you Ms. Rankin. Appreciate your partiSEPAtion. Is there anyone else out there who wants to say something on this application? Doesn't look like it. So I think we can go back to Mr. Gurney. Any final staff comments?

Mr. Gurne: (30:33):

No further comments at this time.

Examiner Olbrechts: (30:35):

Okay. Applicants, anything from you? Do they want to say anything? Don't have to, no. Okay. I'll go ahead and close the hearing then, except for the additional comment from the Rankins. My decision then will be due 10 business days from the 18th and then that will be distributed to whoever requested a copy from Ms. Walston. So. Alright, so we're adjourned on the conditional use permit application. Thanks Mr. Gurney for your help on that one. Let's move on to the next one. And actually let's take just a very brief break until 9 35. I just got to get my documents lined up correctly so that I can handle this efficiently. So we'll see you all at 9 35 in just in four minutes.