



Notice of Administrative Decision

Date: 12/20/2019

To: Dan Kranenburg, daniel.kranenburg@gmail.com
Interested Parties and Parties of Record

RE: **Permit Number:** 19-04285
Project Name: Chrysalis Physical Therapy
Type of Application: Home Business

The Kitsap County Department of Community Development has **APPROVED** the land use application for 19-04285: Chrysalis Physical Therapy - Home Business, **subject to the conditions outlined in this Notice and included Staff Report.**

THE DECISION OF THE DEPARTMENT IS FINAL, UNLESS TIMELY 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/RequiredPermitQuestionnaireAppealObjectionOfAnAdministrativeDecision>.

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 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:
Richard Stabler- rvstabler@gmail.com
Robin Tyner- Talena Klumper 1396 NE Paulsen RD
Steve Tyner- 1396 NE Paulson Rd
Ted Meeker- 1388 NE Paulson RD
Kitsap County Health District, MS-30
Kitsap County Public Works Dept., MS-26
DCD Staff Planner: Kim Shadbolt
DCD File # 19-04285 Chrysalis Physical Therapy Office
12/20/2019



Administrative Staff Report

Report Date: 12/19/2019

Application Submittal Date: 9/17/2019

Application Complete Date: 10/04/2019

Project Name: Chrysalis Physical Therapy
Type of Application: Minor Home Business
Permit Number: Permit # 19-04285

Project Location

1428 Paulson Rd
Poulsbo, WA 98370
Commissioner District 2

Assessor's Account

132501-3-001-2004

Applicant/Owner of Record

Daniel & Megan Kranenburg
1428 NE Paulson Rd
Poulsbo, WA 98370

Decision Summary

Approved subject to 18 conditions listed under section 13 of this report.

VICINITY MAP



1. Background

The proposal is for a minor home business permit for physical therapy services, including consultations and evaluations. The existing single-family residence is approximately 2,580 square feet; the proposed square footage to be used for the business is 280. The business will be conducted in a single room. Appointments are made by phone, email, or website, and scheduled for approximately one-hour visits by appointment only; hours of operation are Tuesday through Thursday from 8:00 AM to 6:00 PM. The business will have two employees, the sole proprietor, Megan Kranenburg, plus one additional employee. The property is zoned Rural Residential (RR) and located at 1428 Paulson Rd in Poulsbo, WA. The property is served by onsite septic system and group B well water system.

2. Project Request

The application seeks approval for a Minor Home Business Permit for a physical therapy office.

3. SEPA (State Environmental Policy Act)

The project is SEPA-exempt per Kitsap County Code 18.04

Physical Characteristics

The 2.47-acre square parcel is developed with a single-family residence and with associated residential appurtenances. The residence was built in 1981. A single room within the residence will be used for the proposed home business. The parcel has a large parking area to accommodate client and employee parking and is mostly developed, including residential landscaping and lawn. Mature evergreen trees remain around the perimeter of the property.

Table 1 - Comprehensive Plan Designation and Zoning

Comprehensive Plan: Rural Residential Zone: Rural Residential (RR)	Standard	Proposed
Minimum Density	NA	NA. Request is not for a land division.
Maximum Density	1 dwelling unit per 5 acres	
Minimum Lot Size	5 acres	NA
Maximum Lot Size	NA	NA
Minimum Lot Width	140 feet	NA
Minimum Lot Depth	140 feet	NA
Maximum Height	35 feet	NA
Maximum Impervious Surface Coverage	NA	NA
Maximum Lot Coverage	NA	NA

Applicable footnotes: None

Table 2 - Setback for Zoning District

	Standard	Proposed
Front	50 feet	Existing
Side	20 feet	Existing
Side	20 feet	Existing
Rear	20 feet	Existing

Table 3 - Surrounding Land Use and Zoning

Surrounding Property	Land Use	Zoning
North	Single-family residence	Rural Residential (RR)
South	Single-family residence	Rural Residential (RR)

East	Single-family residence	Rural Residential (RR)
West	Single-family residence	Rural Residential (RR)

Table 4 - Public Utilities and Services

	Provider
Water	Group B well - Wendling Water system
Power	Puget Sound Energy
Sewer	On-site septic system
Police	Kitsap County Sherriff
Fire	North Kitsap Fire & Rescue
School	North Kitsap School District #400

4. Access

The existing access is off a private easement from NE Paulson Rd, a paved county road.

5. Site Design

The therapy business will be located within the existing single-family residence. The associated parking for the residence and business is adjacent to the residence and detached accessory building.

6. 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.

Kitsap County Comprehensive Plan, adopted June 30, 2016:

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

Land Use Policy59.

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

Economic Development Goal 1

Promote a healthy and diverse economy that provides for a strong and diverse tax base, encourages business formation, retention, and expansion; creates industrial and professional business and employment opportunities to attract new business to the County.

Economic Development Policy 3

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

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 13	Water and Sewer
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

7. Documents Consulted in the Analysis

8. Applicant Submittals

Dated or date stamped

- | | |
|--------------------------------|--|
| 1. Home Business Application | September 20, 2019 |
| 2. Floor Plan | September 20, 2019 |
| 3. Parking Analysis | September 20, 2019 |
| 4. Site Plan | September 20, 2019 |
| 5. Emails from Richard Stabler | October 4, 14, 18, 23;
November 5;
December 18, 2019 |
| 6. Email from Talena | October 2, 2019 |
| 7. Email from Robin Tyner | October 4, 2019 |
| 8. Email from Steve Tyner | October 2, 2019 |
| 9. Emails from Ted Meeker | October 2, 2019 |

9. Public Outreach and Comments

This project is a Type 1 decision that did not require a Notice of Application (NOA).

Public comments are below:

Issue Ref. No.	Summary of Concern (See corresponding responses in the next table)	Comment Letter or Exhibit Reference No.
1.	Emails from Richard Stabler concerned about easement/well use. Wants county to restrict access easement use and enforce private well water restrictions	5

2	Email from Talena Klumper objecting to increased easement use and traffic, and increased use of shared well	6
3	Email from Robin Tyner objecting to increased traffic	7
4	Email from Steve Tyner objecting to increased traffic	8
5	Email from Ted Meeker concerned about increase traffic and liabilities	9

Issue Ref. No.	Issue	Staff Response
1.	Access easement/well use	DCD does not determine the legal rights of private parties, scope of private agreements, or rights of private parties governed by private agreements. Condition 16 reads: Applicant is encouraged to coordinate efforts with the adjacent property owners abutting the easement to maintain the private easement and consider well usage.

10. Analysis

a. Planning/Zoning

Minor home business is defined under Kitsap County code (KCC) 17.110.345; "Home Business" means a commercial or industrial use (excluding retail) conducted within a dwelling, which use is clearly secondary to the use of the dwelling for residential purposes. In addition, KCC 17.410.060 (B)(1)(b) Minor home business provides other standards and requirements:

b. Minor home business, as defined below, shall be permitted in RW, RP, and RR zone subject to approval by the Director. Said approval is not transferable to any other individual, future property owner or location. Criteria from 17.410.060 (B)(1)(b) are listed below, with a discussion of the individual standard immediately following:

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

Staff response: The nature and extent of expected business activity for 3 days per week, up to 10 hours per day and will serve approximately 12-15 clients per week. The business will be conducted with a private room within the existing single-family residence. Therefore, the business use is expected to be incidental and secondary to the residential use.

ii. The residential character of the building shall be maintained, and the business shall be conducted in such a manner as not to give any outside appearance of a business;

Staff Response: The business will be in a private room within the existing single-family residence. Client traffic will be relatively low and occur only around appointment times

(considering the hours of operation and expected clientele results in as many as 15 clients in as much as a 30 hour work week, or an average of one round-trip every 2 hours; however, DCD understands the traffic level may be compressed more or less depending on clientele volume and scheduling). Based on the proposed use, the business is expected to maintain the residential character and have a low appearance of a business.

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

Staff Response: The resident-owners of the property are also the proprietors of the business, Chrysalis Physical Therapy.

iv. The business shall not occupy more than thirty percent of the gross floor area of the residence.

Staff Response: The business is not occupying more than 30 percent of the gross floor area of the residence. The total square footage of the residence is 2,850 with only 280 square feet of the residence proposed to be used, as provided in the application materials.

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

Staff response: Based on the project proposal, all business activity is occurring within the existing residence and parking is on site. The use is not expected to adversely impact neighboring residents to keep them from enjoying the peaceful occupancy of their homes.

vi. No more than two employees, including proprietors (or independent contractors), are allowed:

Staff response: The homeowner that resides in the residence and one part-time employee are proposed for the business.

vii. Nonilluminated signs not exceeding four square feet as permitted, subject to a sign permit approved by the director;

Staff response: No signs are proposed. If signage is desired in the future, a sign permit is required.

viii. No outside storage is allowed.

Staff response: No outside storage is proposed.

ix. In order to assure compatibility with the dominant residential purpose, the director may require,

- a. Patronage by appointment.
- b. Additional off-street parking.
- c. Other reasonable conditions.

Staff response: Patronage is by appointment only. The applicant has identified three parking spaces for the business which are located adjacent to the residence, in addition to two parking spaces for single-family residential use.

b. Lighting

Lighting requirements do not apply to home business projects.

c. Off-Street Parking

There are three parking spaces for the business and two parking spaces for residential parking. Kitsap County Code 17.490.030 does not have a standard for home businesses. Kitsap County Code 17.410.060.B.c. specifies the director may require additional off-street parking. However, after staff review of the application, additional parking was deemed unnecessary.

Table 5 - Parking Table

Use Identified in 17.490.030	Standard	Required Spaces	Proposed Spaces/Existing Spaces
Kitsap County Code 17.490.030	Not identified	NA	5 spaces existing
Total			5

d. Signage

No signage is proposed in this application.

e. Landscaping

No landscaping is required or warranted. The proposed use will occur entirely within the existing single-family residence.

Table 6 - Landscaping Table

	Required	Proposed
NA	NA	NA

f. Frontage Improvements

None required.

g. Design Districts/Requirements

NA; the property is not located within a design district.

h. Development Engineering/Stormwater

No engineering or stormwater concerns.

i. Environmental

No environmental concerns.

j. Access, Traffic and Roads

Access to the site is off a private easement road off Paulson Rd. Traffic is expected to be minimal or low, based on the proposed business activity, volume and scheduling. As noted earlier, under 'Analysis', traffic levels may be variable.

k. Fire Safety

The proposal was reviewed and approved by the Fire Marshal's office.

l. Solid Waste

Solid waste disposal will be handled through residential pick-up. No additional review is needed.

m. Water/Sewer

A shared water well and an onsite septic system serves the subject property.

n. Kitsap Public Health District

The proposal received a Building Clearance exemption on September 16, 2019.

11. Review Authority

The Department of Community Development Director has review authority for this Minor Home Business application under KCC, Sections 17.410.060 (B)(1)(b) and 21.04.100. The Kitsap County Commissioners have codified that this application requires review and approval of the Director. The Director may approve, approve with conditions, or deny an Home Business application.

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, through the imposed conditions outlined in this report.

3. The proposal is not significantly nor materially detrimental to existing or future uses or property in the immediate vicinity.
4. The proposal is compatible with and, to the extent DCD can impose conditions on the home business, incorporates specific features, conditions, or revisions that addresses 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 17.410.060 (B)(1)(b), the Department of Community Development approved the Minor Home Business Permit for Chrysalis Physical Therapy, subject to the following conditions:

a. Planning/Zoning

1. The Minor Home Business Permit for Chrysalis Physical Therapy is not transferable to any individual, future property owner or location.
2. The Chrysalis Physical Therapy business use shall be incidental and secondary to the dominant residential use.
3. The residential character of the building shall be maintained, and the business shall be conducted in such a manner as to moderate any outside appearance of a business.
4. The residence shall be occupied by the owner of the business, Megan Kranenburg.
5. The business shall not occupy more than thirty percent of the gross floor area of the residence.
6. The business shall not infringe upon the right of the neighboring residents to enjoy the peaceful occupancy of their homes.
7. The business is limited to no more than two (2) employees, including proprietors.
8. A single nonilluminated sign not to exceed four square feet is allowed, subject to a sign permit approved by the director.
9. No outside storage is allowed.
10. All business patronage shall be by appointment only.
11. Business hours are limited to those proposed by the applicant, Tuesday through Thursday 8:00 AM to 6:00 PM.

12. Three (3) exterior parking spaces shall be provided for the business.

13. The uses of the subject property are limited to the uses proposed by the applicant any other uses will be subject to 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 the extensive use or other utilization of the subject property.

14. The decision set forth herein is based upon representations made and exhibits contained in the project application 19-04285. Any changes or deviations in such plan, proposal, or conditions of approval imposed shall be subject to further review and approval of the County and potentially the Hearing Examiner.

15. The authorization granted herein is subject to all applicable federal, state, and local laws, regulations, and ordinances. Compliance with such laws, regulations and ordinances is a condition to the approvals granted and is continuing requirement of the development activities allowed will comply with such laws, regulations, and ordinances. If, during the term of the approval granted, the development and activities permitted do not comply with such, laws, regulations, or ordinances, the applicant agrees to promptly bring such development or activities into compliance.

16. As a non-binding and voluntary condition, the applicant is encouraged to communicate with other interested parties to the access easement used by the applicant and neighbors. The applicant should consider solutions to neighbor concerns about increased traffic and should consider signage for speed or careful driving and an increased share of access maintenance costs. The same consideration of proportionate costs to maintenance of the shared well should also be given.

17. A building permit is required prior to occupancy. The building permit may stipulate additional requirements, including life safety or fire safety upgrades.

18. If the County receive complaints or other information that the applicant is not complying with the terms of this approval, the County may, with notice to the applicant and at a reasonable time, enter the applicant's property to inspect for compliance. Any violation of the conditions of approval shall be grounds to initiate revocation of the Minor Home Business Permit as allowed by KCC 21.04.280.

b. Development Engineering

None

c. Environmental

None

d. Traffic and Roads

None

e. Fire Safety

None

f. Solid Waste

None

g. Kitsap Public Health District

None

Report prepared by:



for K Shadbolt

Kim Shadbolt, Staff Planner / Project Lead

December 19, 2019

Report approved by:



Scott Diener, Department Manager

December 19, 2019

Attachments:

Attachment A - Site Plan

Attachment B - Zoning Map

CC: Daniel & Megan Kranenburg - daniel.kranenburg@email.com

Interested Parties:

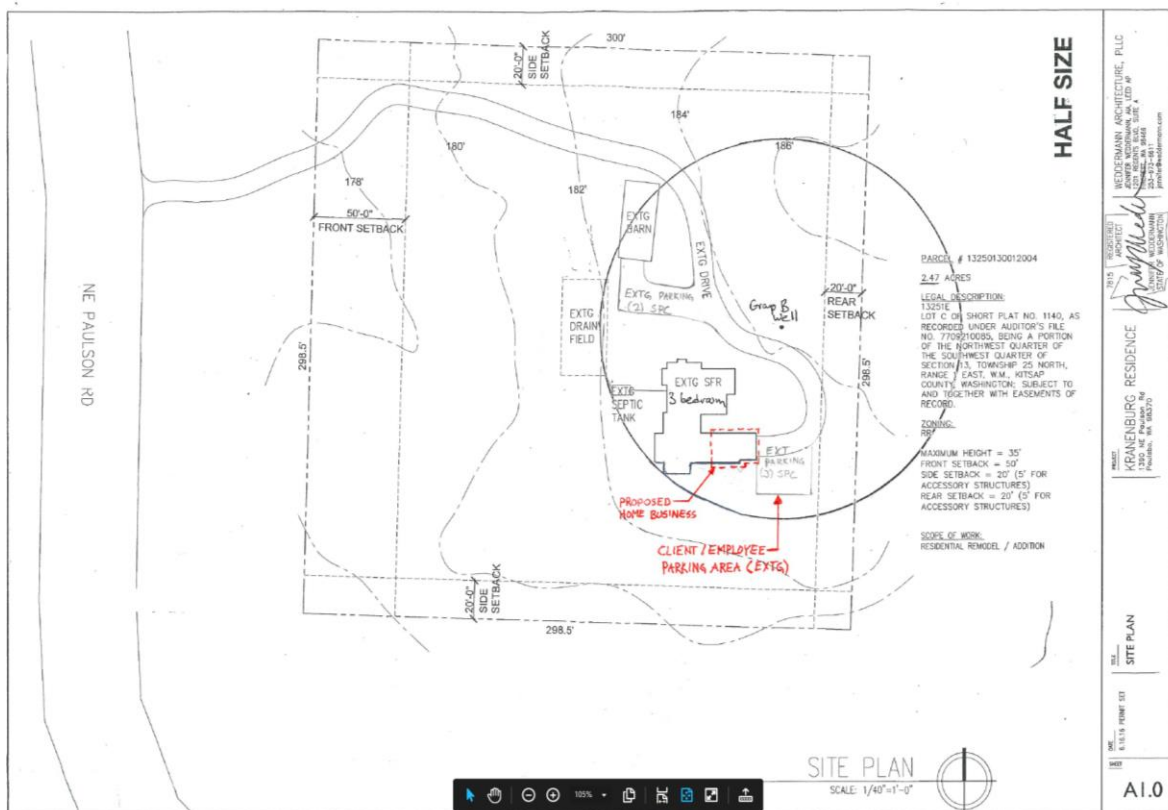
Richard Stabler - rvstabler@gmail.com

Robin Tyner - Talena Klumper 1396 NE Paulson Rd

Steve Tyner - 1396 NE Paulson Rd

Ted Meeker - 1388 NE Paulson Rd

Site Plan



Zoning Map

