



KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

To enable the development of quality, affordable, structurally safe and environmentally sound communities.

Larry Keeton
DIRECTOR

Jeffrey L Rowe
DEPUTY DIRECTOR



NOTICE OF ADMINISTRATIVE DECISION

October 3, 2014

To: Interested Parties and Parties of Record
RE: Project Name: Adara Salon
Application: Minor Home Business
File Number: 14 01789

Enclosed is the Administrative Decision issued by the Kitsap County Department of Community Development (DCD) for the above referenced application.

THE DECISION OF THE DEPARTMENT IS FINAL, UNLESS APPEALED TO THE KITSAP COUNTY HEARING EXAMINER BEFORE THE CLOSE OF BUSINESS ON OCTOBER 17, 2014. PLEASE NOTE: THE DEPARTMENT OF COMMUNITY DEVELOPMENT IS OPEN MONDAY TO THURSDAY FROM 9:00 A.M. TO 4:00 P.M. AND ON FRIDAY FROM 9:00 A.M. TO 1:00 P.M. EXCEPT HOLIDAYS.

Pursuant to the Kitsap County Land Use and Development Procedures, an appeal may be filed objecting to the Department's Decision. An appeal must be made in writing, and received by the Department of Community Development (DCD). At the time of filing the appeal, the appellant shall pay the sum of **five hundred dollars (\$500.00)**. This fee is non-refundable and subject to change. Make check payable to Kitsap County Department of Community Development (DCD).

The written appeal shall be made on, or attached to, an appeal form provided by DCD, and shall contain the following information.

The project name, project applicant, application type, and file number designated by the County;

1. The name, address, and signature of each appellant. If multiple parties file a single appeal, the appeal document shall designate, in writing, one party as the contact representative for all contact with the DCD Director and the Office of the Hearing Examiner. All contact between the County and the appellants regarding the appeal, including notices, shall be through this contact representative; and

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2. A written statement of the specific aspect(s) of the Decision and/or SEPA determination being appealed, the reasons why each is in error as a matter of fact or law, and show the evidence relied upon to prove the error.

The complete application file will be available for review at the Department of Community Development, Monday through Thursday from 9:00 A.M. to 4:00 P.M. and Fridays from 9:00 A.M. to 1:00 P.M, except holidays... You may make an appointment by calling Karen Ashcraft at (360) 337-4487.

If you have questions, please contact Karen Ashcraft at (360) 337-4487 or Kim Shadbolt at (360) 337-5777.

Sincerely,



Karen Ashcraft
Clerk of the Hearing Examiner

C: Dylan J & Tiffany H DeMers, 7314 Creek Wood PL NE, Bremerton, WA
98311 da.demers@yahoo.com

Interested Parties:
(None)



KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

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LARRY KEETON, DIRECTOR

STAFF REPORT and ADMINISTRATIVE DECISION

Decision Date: October 3, 2014

Application Complete Date: May 22, 2014

Project: Adara Salon – Minor Home Business

Project Summary:

The applicant requested approval for a Minor Home Business Permit to operate a full service salon as a sole proprietor. Services include haircuts, hair color, styling & waxing.

The business will operate Monday through Friday. Business hours 9:00am to 7:00 pm. The .46 -acre parcel is zone Urban Low (UL) and is located 7314 Creekwood Place NE, Bremerton, WA 98311. The property is served by an approved public sewer and public water.

Decision Summary: Request approved, subject to conditions.

Application Number: 14 01789

Type of Application: Minor Home Business

Project Location: 7314 Creek wood PI NE, Bremerton, WA 98311

Assessor's Account #:
5218-000-043-0006

Applicant/Owner of Record:
Dylan J & Tiffany H DeMers

SEPA Status:
Pursuant to WAC 197-11-800(2), this proposal is SEPA exempt.

Physical Characteristics:
Single family residence located on an existing platted lot.

Comprehensive Plan Designation and Zoning:
The Comprehensive Plan designation is Urban and the Zoning designation is Urban Low.

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Minimum Density	5 dwelling units per acre
Base/Maximum Density	9 dwelling units per acre
Minimum Lot Size	2,400 square feet
Lot Width	40 feet
Lot Depth	60 feet
Maximum Height	35 feet
Maximum Impervious Surface Coverage	Not applicable

Setbacks for Urban Low

Front	10'habitable space – 20' feet garage
Side	5 feet
Rear	5 feet

Surrounding Land Use and Zoning:

Adjacent properties are zoned Urban Low, existing platted development with single family residences.

Public Utilities and Services:

Water:	Kitsap County Public Works
Power:	Puget Sound Energy
Sewer:	Public Sewer
Police:	Kitsap County Sheriff
Fire:	Fire Protection District No.
Schools:	Bremerton School District #401

Policies and Regulations Applicable to the Subject Proposal:

Kitsap County Comprehensive Plan

Adopted May 7, 1998 (Amended December 11, 2006)

Kitsap County Code (KCC)

- Title 14 Buildings and Construction
- Title 17 Zoning
- Chapter 430 Provisions Applying to Special Uses
- Chapter 330 Urban Low Zoning
- Chapter 382 Density, Dimensions and Design
- Chapter 435 Off-Street parking and Loading
- Chapter 520 Appeals
- Chapter 525 Revocations of Permits or Variances
- Chapter 20.0 Transportation Facilities Concurrency Ordinance
- Chapter 21.04 Land Use and Development Procedures

Land Use and Zoning

The project proposal is for a Minor Home Business Permit to operate a hair salon. All business activities will be by appointment only. The business will be operated by a sole proprietor, Tiffany DeMers. Currently, there are no plans for an employee or independent contractor. The business will occupy approximately 230 square feet of a 2100 square foot residence. The business will operate Monday through Friday, from 9:00 AM to 7:00 PM.

A 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 17.381.060(B) (1) (b) further defines a Minor Home Business and provides other standards and requirements:

- b. Minor home business, as defined below, shall be permitted in all residential zones subject to approval by the director. Said approval is not transferable to any individual, future property owner or location.
 - (1) Business uses shall be incidental and secondary to the dominant residential use;
 - (2) The residential character of the building shall be maintained and the business shall be conducted in such a manner as not to give an outside appearance of a business;
 - (3) The residence shall be occupied by the owner of the business;
 - (4) The business shall occupy no more than thirty percent of the gross floor area of the residence;
 - (5) The business shall not infringe upon the right of the neighboring residents to enjoy the peaceful occupancy of their homes;
 - (6) No more than two employees, including proprietors (or independent contractors), are allowed;
 - (7) Non-illuminated signs not exceeding four square feet are permitted, subject to a sign permit approved by the director;
 - (8) No outside storage shall be allowed; and
 - (9) In order to assure compatibility with the dominant residential purpose, the director may require:
 - i. Patronage by appointment.
 - ii. Additional off-street parking.
 - iii. Other reasonable conditions.

An employee is defined under KCC 17.110.260; "Employees" means all persons, including proprietors, working on the premises. This home business is limited to two employees (or independent contractors) including proprietors.

Storm water

We have reviewed the proposal and find the concept supportable in its approach to civil site development. These comments are based on a review of the application site plan and materials stamped received May 22, 2014 to Kitsap County Development Engineering.

Should the proposal be modified from that shown on the May 22, 2014 submitted site plan, please forward to Development Engineering for review.

If you have questions or concerns regarding these requirements please contact the Development Engineering division at (360) 337-5777.

Kitsap County Fire Marshal

Storage, handling or use of Acetone (Class IB flammable liquid) is limited to less than 5 gallons. More than 5 gallons would require a separate Fire Code Permit.

Access, Roads and Traffic

Access is via Creekwood Pace NE

Off-Street Parking

Two off-street parking spaces are required for the single-family residence per KCC 17.435.030. Garage area is not calculated towards this requirement, but a carport may count towards this requirement. The site has limited parking; however the applicant has agreed to accommodate one additional space within the designated front yard of the residence. Parking for customers may not be located on the street right-of-way.

Based on the proposed operation, appointments are scheduled so there is not an overlap of customers, generally there will only be one customer at a time to the subject property.

Signage

Signage is limited to one sign not to exceed four square feet. The sign shall not be illuminated. A separate permit is required.

Kitsap County Health District comments are as follows:

The property is served by an approved public water supply.

The property is served by an approved public sewer.

Findings:

1. The Director has review authority for this Home Business Permit application under the KCC 21.04.030.
2. The proposal is consistent with the Comprehensive Plan and Minor Home Business requirements, subject to conditions.
3. The proposal complies with or will comply with requirements of KCC Title 17 and complies with or will comply with all of the other applicable provisions of the KCC and all other applicable regulations, including all applicable development standards and design guidelines, through the imposed conditions outlined in this report.
4. The proposal will not be materially detrimental to existing or future uses or property in the immediate vicinity.

Decision:

Based upon the above findings, the Minor Home Business Permit request for Adara Salon is approved, subject to the following conditions:

1. The Minor Home Business Permit for the Adara Salon is not transferable to any individual, future property owner or location.

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2. The Salon uses shall be incidental and secondary to the dominant residential use.
3. The residential character of the building shall be maintained and the business shall be conducted in such a manner as to moderate any outside appearance of a business.
4. The residence shall be occupied by the owner of the business.
5. The business shall occupy no 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. No more than two employees (including proprietors and/or independent contractors) are allowed.
8. Signage is limited to one non-illuminated sign not to exceed four square feet subject to a sign permit approved by the director.
9. No outside business storage shall be allowed.
10. All business patronage shall be by appointment only.
11. Hours of operation are limited to those proposed by the applicant, Monday through Friday from 9:00 AM to 7:00 PM.
12. A building permit for conversion to salon is required prior to occupancy.
13. A minimum of three parking spaces shall be provided for the site and business.
14. A Notice of Land Use Binder shall be filed 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 and agreement to abide by the terms and conditions of the Minor Home Business Permit and as a notice to prospective purchasers of the existence of the permit and its non-transferability. The Department of Community Development (DCD) will prepare the Notice of Land Use Binder for the applicant to record at the applicant's expense. The applicant shall provide a copy of the recorded binder to DCD immediately after recording.
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*. Unless in conflict with the conditions stated above 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 use other utilization of the subject property.

16. This Minor Home Business Permit approval shall become void if no building permit application is accepted as complete by the Department of Community Development within one year of the date of this decision.
17. The decision set forth herein is based upon representations made and exhibits contained in the file. Any substantial change(s) or deviation(s) in such plans, proposals, or conditions of approval imposed shall be subject to further review and approval of the County.
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 precedent to the approvals granted and is a continuing requirement of such approvals. By accepting this/these approvals, the applicant represents that the development and activities allowed will comply with such laws, regulations, and ordinances. If, during the term of the approval granted, the development and activities permitted do not comply with such laws, regulations, or ordinances, the applicant agrees to promptly bring such development or activities into compliance.
19. Any violation of the conditions of approval shall be grounds to initiate revocation of this Minor Home Business Permit.

This Administrative Decision is issued on October 3, 2014. This Decision of the Director of the Kitsap County Department of Community Development may be appealed to the Kitsap County Hearing Examiner pursuant to KCC 21.04.120. Appeals must be filed with the Department of Community Development by the close of business on OCTOBER 17, 2014.