



## Kitsap County Department of Community Development

### **Notice of Administrative Decision**

October 28, 2016

TO: Interested Parties and Parties of Record  
RE: Project Name: Studio Z Salon  
Application: Minor Home Business  
Permit Number: 16 03631

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 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: <http://www.kitsapgov.com/dcd/forms/DocumentLibrary/applications/Appeals.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 at the Department of Community Development; if you wish to view the case file or have other questions, please contact [help@kitsap1.com](mailto:help@kitsap1.com) or (360) 337-5777. Please note DCD is open Monday to Thursday from 8:00am to 4:00pm and on Friday from 9:00am to 1:00pm except holidays.

CC: Wendy Hawkins Thomas – [wendyht24@yahoo.com](mailto:wendyht24@yahoo.com)  
Interested Parties: None  
Kitsap County Health District, MS-30  
Kitsap County Public Works Dept., MS-26  
DCD Staff Planner: Holly Roberts  
DCD File 16 03631





## Staff Report and Administrative Decision

Report Date: October 28, 2016

Application Submittal Date: August 11, 2016

Application Complete Date: August 16, 2016

**Permit Number:** 16 03631

**Project Name:** Studio Z Salon

**Type of Application:** Minor Home Business

**Decision Summary:** Request approved, subject to conditions

**Proposal Summary:**

The applicant has requested approval for a Minor Home Business Permit to establish an in home salon business. The 2.04-acre parcel is located at 642 NW Rinacke Court in Bremerton, WA. The property is zoned Rural Residential (RR). The business occupies approximately 346 square feet of the 2,756 square foot single-family residence. The proprietor/homeowner will be the only employee. Hours of operation will be alternating Saturdays, Monday and Thursday 9:00 AM to 5:00 PM, and Tuesday and Friday 9:00 AM to 3:00 PM. On-site services will include eyelash extensions, facial waxing, gel nails, haircuts, hair color and permanent waves. The salon will also offer hair and beauty products for sale to customers who are there for services.

**Project Request:**

Minor Home Business application to permit a hair salon contained within a single-family residence.

**Project Location:**

642 NW Rinacke CT  
Bremerton, WA 98311  
Central Kitsap County  
Commissioner District #1

**Assessor's Account #:**

152501-4-014-2005

**Applicant/Owner of Record:**

Wendy Hawkins-Thomas  
642 NW Rinacke CT  
Bremerton, WA 98311

**SEPA (State Environmental Policy Act):**

Pursuant to Washington Administrative Code (WAC) 197-11-800(2), this proposal is SEPA exempt.

**Physical Characteristics:**

The entire parcel is 2.04-acres consisting of a large square shaped piece and a smaller detached rectangle piece. The larger portion is relatively level and is developed with a single-family residence and detached garage. The detached smaller piece is undeveloped.

**Comprehensive Plan Designation and Zoning:**

Rural Residential (RR)

Base/Maximum Density: 1 dwelling unit per 5-acres

Minimum Lot Size: 5-acres

Minimum Lot Width: 140 feet

Minimum Lot Depth: 140 feet

Maximum Height: 35 feet

Standard Zoning Code Setbacks

Front: 50 feet

Side: 20 feet; 5 feet for accessory structures

Rear: 20 feet; 5 feet for accessory structures

**Surrounding Land Use and Zoning:**

There is a mix of Rural Residential (RR), Urban Low Residential (UL), Urban Medium (UM) and Rural Protection (RP) in the immediate area. The subject property is located at the end of a col-de-sac, NW Rinacke Court, which connects to Nels Nelson Road NW. Properties to the north are zoned Rural Residential (RR). To the west properties are zoned Urban Medium (UM), to the east properties are zoned Urban Cluster Residential (UCR), and properties to the south are zoned Rural Protection (RP).

**Public Utilities and Services:**

Water: Individual Well

Power: Puget Sound Energy

Sewer: On-site septic system

Police: Kitsap County Sheriff

Fire: Central Kitsap Fire & Rescue

Schools: Central Kitsap School District #401

**Access:**

Access to the subject property is from NW Rinacke Court, a county maintained road.

**Policies and Regulations Applicable to the Subject Proposal:**

The Growth Management Act (GMA) of the State of Washington, Revised Code 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:

Economic Development Element  
Policy ED-3

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

Land Use Element  
Policy LU-53

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.

The County’s development regulations are contained within the Kitsap County Code (KCC). The following development regulations are most relevant to this application:

Kitsap County Code (KCC)  
Title 14 Buildings and Construction  
Title 17 Zoning  
Chapter 21.04 Land Use and Development Procedures

**Documents Consulted in the Analysis:**

**Applicant submittals:**

<u>Document</u>	<u>Dated or date stamped</u>
Health District Concurrent Review	April 21, 2016
Home Business Application	April 21, 2016
Site Plan	April 21, 2016
Final Health District Approval	October 24, 2016

**Staff communication:**

<u>Document</u>	<u>Dated or date stamped</u>
Fire Marshall	April 28, 2016

**Public comments:**

No comments received to date

**Analysis:**

**Land Use and Zoning**

The project proposal is for a Minor Home Business permit to allow an in home salon. The salon occupies approximately 346 square feet of the 2,756 square foot single-family

residence. Hours of operation will be alternating Saturdays, Monday and Thursday 9:00 AM to 5:00 PM, and Tuesday and Friday 9:00 AM to 3:00 PM. On-site services will include eyelash extensions, facial waxing, gel nails, haircuts, hair color and permanent waves. The salon will also offer hair and beauty products for sale to customers already on-site.

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, Kitsap County Code (KCC) 17.410.060(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.
  - i. Business uses shall be incidental and secondary to the dominant 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 an outside appearance of a business;
  - iii. The residence shall be occupied by the owner of the business;
  - iv. The business shall occupy no more than thirty percent of the gross floor area of the residence;
  - v. The business shall not infringe upon the right of the neighboring residents to enjoy the peaceful occupancy of their homes;
  - vi. No more than two employees, including proprietors (or independent contractors), are allowed;
  - vii. Non-illuminated signs not exceeding four square feet are permitted, subject to a sign permit approved by the director;
  - viii. No outside storage shall be allowed; and
  - 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.

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.

### **Setbacks**

The property conforms to the required setbacks established in Kitsap County Code (KCC) Chapter 17.420.

### **Access, Roads and Traffic**

Access is via NW Rinacke Court, a county maintained paved road. The anticipated traffic impact from this business will be minimal. Public Works Traffic Division has reviewed this application and have provided no conditions.

### **Off-Street Parking**

Two off-street parking spaces are required for the single-family residence and one additional space per 200 square feet of gross floor area of the salon ( $346/200= 1.73$  rounded up) per Kitsap County Code (KCC) 17.490.030. Garage area is not calculated towards this

requirement, but the driveway may count towards this requirement. The application shows a total of five parking spaces in the driveway for the residence and customers, exceeding the required 4 off-street spaces. Parking for customers may not be located on the street right-of-way.

### **Signage**

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

### **Kitsap County Health District**

The Kitsap County Health District approved the building clearance for the home business on October 24, 2016 with no conditions.

### **Findings:**

1. The Director has review authority for this home business permit application under Kitsap County Code (KCC) Chapter 21.04.100.
2. The proposal is consistent with the Kitsap County Comprehensive Plan.
3. The proposal complies with or will comply with requirements of Title 17 and complies with or will comply with all of the other applicable provisions of the Kitsap County Code (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.
5. The proposal is compatible with and incorporates specific features, conditions, or revisions that ensure it responds appropriately to the existing character, appearance, quality or development, and physical characteristics of the subject property and the immediate vicinity.

### **Decision:**

Based upon the above findings, the minor home business permit request for Studio Z Salon is **approved**, subject to the following conditions:

1. The minor home business permit for the Studio Z Salon is not transferable to any individual, future property owner or location.
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; alternating Saturdays, Monday and Thursday 9:00 AM to 5:00 PM, Tuesday and Friday 9:00 AM to 3:00 PM.
12. A building permit for conversion to salon is required prior to occupancy.
13. A minimum of two parking spaces shall be provided for the residence and two additional parking spaces (4 total off-street parking spaces) for salon customers.
14. 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 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 or other utilization of the subject property.
15. This minor home business permit approval shall become void if no building permit application is accepted as complete by the Department of Community Development (DCD) within three years of the date of this decision.
16. 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.
17. 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.
18. Any violation of the conditions of approval shall be grounds to initiate revocation of this minor home business permit.

  
Holly Roberts, Staff Planner

10/28/16  
Date



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Scott Diener, Development Services and Engineering Manager

10.28.16  
Date

CC: Wendy Hawkins Thomas – [wendyht24@yahoo.com](mailto:wendyht24@yahoo.com)  
Interested Parties: Not Applicable  
Kitsap County Health District, MS-30  
Kitsap County Public Works Dept., MS-26  
DCD Staff Planner: Holly Roberts  
DCD File 16 03631

APPROVED  
FOR SEWAGE AND WATER ONLY

THIS IS NOT  
A SURVEY



REVISED

RECEIVED  
PLANNING & ZONING  
DEPARTMENT  
JAN 11 2005

TAX #  
152501-014-2005  
619 DIVISION ST  
PORT ORCHARD, WA

1" = 30'

