



## **\*Corrected\* Notice of Administrative Decision**

**Date:** 10/18/2021

**To:** Johnathon Miller, millerj73@hotmail.com  
Gary Chapman, gcaes@bainbridge.net  
Interested Parties and Parties of Record

**RE: Permit Number:** 20-05202  
**Project Name:** Miller - Large Lot Subdivide a 17.5-acre parcel into 2 lots  
**Type of Application:** Large Lot Subdivision - Preliminary

The Kitsap County Department of Community Development has **APPROVED** the land use application for **20-05202 Miller - Large Lot Subdivide a 17.5-acre parcel into 2 lots – Large Lot Subdivision - Preliminary**, 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](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:** Interested Parties:  
None  
Kitsap County Health District, MS-30  
Kitsap County Public Works Dept., MS-26  
DCD Staff Planner: Peggy Bakalarski  
DCD File # 20-05202



## Kitsap County Department of Community Development

October 12, 2021

Johnathon Miller  
13507 79<sup>th</sup> Avenue Ct NW  
Gig Harbor, WA 98329

Millerj73@hotmail.com

RE: Large Lot Subdivision #424  
Permit No. 20-05202  
Tax Account No. 062401-3-044-1005

Dear Applicant:

This is to inform you that the above-referenced large lot subdivision has been granted preliminary approval.

This decision is in compliance with Kitsap County Code 21.04 Land Use and Development Procedures. All applicable criteria have been met for Preliminary large lot subdivision in accordance with Kitsap County Code Title 16.52 Large Lot Subdivision.

The Department has further determined that the land segregation as it is presented in the preliminary large lot subdivision, received 01/22/21 by the Department of Community Development, conforms or will conform subject to conditions set forth in this letter, to the following:

1. Kitsap County Code Title 17 Zoning;
2. Kitsap County Code Title 12 Storm Water Drainage;
3. Kitsap County Comprehensive Plan and subarea plans;
4. Kitsap County Critical Areas Ordinance;
5. And all other elements of the Kitsap County Code that pertain to this land segregation.

Approval is subject to the following conditions:

### **LAND USE**

1. Adhere to all elements and requirements set forth in Kitsap County Code 16.52.
2. The following condition shall be added to the face of the final large lot subdivision: Building permits issued on a lot in this large lot subdivision may be subject to impact fees pursuant to Kitsap County Code.
3. The names of the roads in this land segregation shall be approved by Community Development prior to final subdivision approval.

4. All required permits shall be obtained prior to commencement of land clearing, construction and/or occupancy.
5. The decision set forth herein is based upon representations made and exhibits contained in the project application (20-05202). Any change(s) or deviation(s) in such plans, proposals, or conditions of approval imposed shall be subject to further review and approval of the County and potentially the Hearing Examiner.
6. The authorization granted herein is subject to all applicable federal, state, and local laws, regulations, and ordinances. Compliance with such laws, regulations, and ordinances is a condition to the approvals granted and is a continuing requirement of such approvals. By accepting this/these approvals, the 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.
7. The existing storage container structures are not allowed as a primary use in the Rural Residential (RR) zone. Lot "1" cannot be sold separately from the Lot "2", unless the storage containers have been removed.
8. Permanent fireworks storage is not an allowed use in the Rural Residential (RR) zoning. Per RCW 70.77.420(2), temporary storing of fireworks may continue with a valid retail sales license and proper permitting through Kitsap County. If the storage containers cease to be permitted for fireworks storage, they must be removed.
9. A notice to title regarding the use of fireworks storage on newly created lot "1" shall be recorded prior to final plat approval. The notice to title shall establish the use of fireworks storage per Conditions #1 and #2 above.

### **SURVEY**

1. At the time of submittal of the final large lot subdivision a title certificate, current to within 30 days, is required. Please note or delineate on the face of the final large lot subdivision all pertinent special exception items in Schedule "B" of the title certificate.
2. A Final Short/Large Lot/Subdivision Plat shall be prepared by a licensed Land Surveyor in compliance with KCC Title 16.

### **STORMWATER**

1. Approval of the preliminary plat shall not be construed to mean approval of the total number of lots or configuration of the lots and tracts. These parameters may be required to be revised for the final design to meet all requirements of Kitsap County Code Titles 11 and 12.

2. The information provided demonstrates this proposal falls below thresholds for stormwater management per **Kitsap County Code Title 12**, and as such no Site Development Activity permit is required from Development Services and Engineering prior to final large lot subdivision. Any future development or redevelopment will be required to follow Kitsap County Code Title 12. The fees and submittal requirements shall be in accordance with Kitsap County Ordinances in effect at the time of permit application.
3. If the project proposal is modified from that shown on the submitted site plan dated January 21, 2021, Development Services and Engineering will require additional review and potentially new conditions.
4. Indicate impervious area allowed per lot on the face of the final plat.
5. The following conditions shall be added to the face of the final large lot) Plat: At the time of Building Permit Application and/or any additional road construction or site work, the property owner shall comply with Kitsap County Code Title 12 effective at the time the Preliminary Large Lot Subdivision Application was deemed complete, 1.22.21. Fees and submittal requirements shall be in accordance with Kitsap County Code in effect at the time of Building Permit Application.
6. The following condition shall be added to the face of the Final Large Lot Subdivision: If any proposed impervious area exceeds the allowable square footage as designated per the table, then an engineered Site Development Activity Permit (SDAP) will be required for that lot.
7. The following condition shall be added to the face of the Final Plat: At the time of submittal of a building permit for any lot within this plat, soil amendment is required for all disturbed areas not covered by hard surface.

### **TRAFFIC**

1. Submit an Application for Concurrency Test (KCPW Form 1601) as required by Chapter 20.04.030, Transportation Concurrency, of the Kitsap County Code. The KCPW 1601 form reserves road capacity for the project.
2. All lots shall access from interior roads only. This note shall appear on the face of the final plat map.
3. All traffic control devices on public and private roads shall comply with the Manual on Uniform Traffic Control Devices as amended by the Washington Administrative Code. This is in accordance with 23 Code of Federal Regulations (CFR), Part 655.

### **ENVIRONMENTAL**

1. Native vegetation buffers shall be retained along the perimeter of all streams and wetlands as depicted on the approved site plan. In addition, a building or impervious surface setback line of 15 feet is required from the edge of the buffer. This Preliminary Large Lot is approved with the assumption that future development activity will not require a buffer reduction or critical area variance.

2. Permit approval subject to chapter 19.150.170 of Kitsap County Code, which states that critical area ordinance (CAO) buffers shall remain undisturbed natural vegetation areas except where the buffer can be enhanced to improve its functional attributes.
3. If future development occurs it may require upgrades to the existing stream crossing as well as Department of Fish and Wildlife approval per the Stream Crossing Design Guidelines and KCC 19.300.315(D)(1).

### **FIRE MARSHAL**

1. A 20-foot unobstructed access road is required for dwellings here and after constructed on lots created by this land division. IFC 503 Amended by Kitsap County Code.
2. Fire apparatus access roads are required and must be maintained in accordance with IFC 503 Amended by Kitsap County Code. Any proposed revision to these roads must be submitted to, reviewed and approved by the Kitsap County Fire Marshal's Office. Access roads shall comply with the following: Unobstructed width of 20 feet and height of 13 feet 6 inches. Shall be designed and maintained to support a 60,000-pound fire apparatus and be provided with an all-weather driving surface. Dead end access roads exceeding 150 feet in length shall be provided with an approved turnaround. Inside turning radius shall be a minimum of 25 feet. Access roads shall extend to within 150 feet of all portions of the exterior walls of the first story of the structure as measured by an approved route around the exterior of the structure or facility. Road shall not be more than 12% grade.
3. If fire flow is not available, please add the following note to the face of the plat: "Automatic fire sprinklers, as approved by the Kitsap County Fire Marshal, shall be installed throughout homes here and after constructed on lots created by this land division".
4. The minimum fire flow requirements for one and two family dwellings in subdivisions shall be 500 gallons per minute for thirty (30) minutes.

### **HEALTH DISTRICT**

1. A Building Site Application will be required prior to Building permit issuance.

Preliminary approval of this large lot subdivision will automatically expire five (5) years from the date of this letter. However, upon written request to the Department of Community Development by the original applicant and the current owner(s) of the subject property, at least thirty (30) days prior to expiration, a six (6) month extension may be granted.

Preparation of the final large lot subdivision shall be done in accordance with Kitsap County Code 16.52. All applicable conditions of preliminary approval must be addressed with the submittal of final large lot subdivision application. Submittals that do not address all conditions will be considered incomplete and returned without review.

20-05202 Miller Preliminary Large Lot Approval  
October 12, 2021

All of the above relevant conditions and any/all building setbacks and buffers established as conditions of approval must appear on the final large lot subdivision.

If you have any questions or comments regarding this letter, please feel free to contact **Peggy Bakalarski** for Survey matters; **Jenifer Lawrence** for Stormwater and Traffic matters; **Colin Poff** for Land Use/Environmental matters; **Greg Gentile** for Fire Marshal matters; all of whom can be reached at (360) 337-5777. Please contact **Kerrie Yanda** for Health District matters at (360) 337-5285.

Sincerely,



10/12/2021

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Peggy Bakalarski, Project Lead



10/12/2021

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Samantha Long, Development Services and Engineering  
Supervisor

Cc: Surveyor: [gcaes@bainbridge.net](mailto:gcaes@bainbridge.net)