



Notice of Hearing Examiner Decision

4/25/2017

To: Interested Parties and Parties of Record

RE: Project Name: DAHMEN – Accessory Dwelling Unit (ADU)
 Applicant: DAHMEN NEIL J TRUSTEE
 PO BOX 190
 KINGSTON, WA 98346
 Application: CONDITIONAL USE PERMIT (CUP – ADU)
 Permit Number: 17 00682

Enclosed is the Decision issued by the Kitsap County Hearing Examiner for the aforementioned project.

The applicant is encouraged to review the Kitsap County Office of Hearing Examiner Rules of Procedure found at:

http://www.kitsapgov.com/dcd/lu_env/he/HE%20Rules%20for%20Kitsap%20County%20-%2006-23-09.pdf

The Decision of the Hearing Examiner is final, unless appealed, as provided under Washington law.

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, Monday through Thursday, 8:00 AM to 4:00 PM and Friday 9:00 AM to 1:00 PM, except holidays. If you wish to view the case file or have other questions, please contact Help@Kitsap1.com or (360) 337-5777.

CC: DAHMEN NEIL J TRUSTEE hm@gmail.com

Owner: Same

Interested Parties:

NYSTROM PEGGY C & ROGER K peggynys@gmail.com

shall provide one additional off-street parking space.

12. An accessory living quarters (ALQ) or guest house (GH) is not permitted on the same lot unless the ADU is removed and the ALQ or GH complies with all requirements imposed by the KCC.

13. A property with a primary residence and an ADU cannot be segregated to create two separate legal lots unless it complies with all subdivision, zoning and density requirements in place at the time of a complete subdivision application.

14. The ADU cannot be sold separately from the primary residence unless it has legally been segregated onto its own lot.

15. Upon approval of this application, a Land Use Binder will be recorded by DCD. Recording fees are at the Applicant's expense. This Binder will include information directing the public to the land use decision and conditions contained therein. The Binder shall not be removed or extinguished without the written approval of DCD.

16. 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 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 be, and is not to be, construed as approval for more extensive or other utilization of the subject property.

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 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. The decision set forth herein is based upon representations made and exhibits contained in the project application (17 00682). 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.

19. This CUP approval shall automatically become void if no development permit application is accepted as complete by DCD within three years of the Notice of Decision date or the resolution of any appeals.

20. Any violation of the conditions of approval shall be grounds to initiate revocation of this CUP.

Development Engineering.

21. Erosion and sedimentation control shall be designed in accordance with KCC Title 12 effective at the time the CUP application was deemed complete, February 22, 2017.

22. If the project proposal is modified from that shown on the submitted site plan dated February 22, 2017, Development Services and Engineering will require additional review and potentially new conditions.

Traffic and Roads.

23. The Applicant shall submit an Application for Concurrency Test (KCPW Form 1601) as required by KCC Section 20.04.030, Transportation Concurrency. The KCPW 1601 form reserves road capacity for the project.

THIS DECISION was entered this 24th day of April, 2017.



Kitsap County Hearing Examiner
Susan Elizabeth Drummond