



Rafe Wysham
Director

KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

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

Notice of Administrative Decision

Date: 08/05/2025

To:

**Mercedes Wetmore & Makenna Clark, mercedeswetmore@gmail.com
Interested Parties and Parties of Record**

RE:

Permit Number: 24-04965

Project Name: WETMORE - Requesting Zoning Variance to Construct Single Family Residence

Type of Application: Administrative Zoning Variance (ZVAR-ADMIN)

The Kitsap County Department of Community Development has **APPROVED** the land use application for **24-04965 WETMORE ZVAR-ADMIN**, **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 titled: *'Appeal/Objection of an Administrative Decision'* found on DCD's website, through the Online Permit Application Portal: <https://app.oncamino.com/kitsapcounty/login>.

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 by contacting 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.

CC:

Designer: LANDMARK DESIGNS, 1202 Main St Suite 104 SUMNER, WA 98390

Surveyor: PENINSULA LAND SURVEY, KRISTY@PENINSULAPLS.COM

Kitsap County Health District, MS-30

Kitsap County Public Works Dept., MS-26

Dept of Archaeological Historic Preservation

Point No Point Treaty Council

Port Gamble S'Klallam Tribe

Puyallup Tribe

Skokomish Tribe

24-04965 WETMORE ZVAR-ADMIN
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Squaxin Island Tribe
Suquamish Tribe
WA Dept of Fish & Wildlife
WA Dept of Natural Resources
WA State Dept of Transportation
WA State Dept of Ecology-SEPA
Parks
Navy
Kitsap Transit
South Kitsap Fire District
South Kitsap School District
Puget Sound Energy
PUD 1
WA Dept of Transportation/Aviation
Puget Sound Clean Air Agency
DCD
WA Department of Health
DCD Staff Planner: Keith Hafner
Interested Parties: None



Administrative Staff Report

Report Date: 07/30/2025

Application Submittal Date: 11/08/2024

Application Complete Date: 01/10/2025

Project Name: WETMORE - Requesting Zoning Variance to Construct Single Family Residence

Type of Application: ZVAR-ADMIN

Permit Number: 24-04965

Project Location

13128 BURCHARD DR SW
Port Orchard, WA 98367
Commissioner District 2

Assessor's Account

4857-004-017-0009

Applicant/Owner of Record

Mercedes Wetmore & Makenna Clark
2805 26TH ST CT E
BONNEY LAKE, WA 98391

Decision Summary

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

VICINITY MAP



1. Background

The applicant owns a lot in Rural Residential zone created in 1957 via plat 4857, Wye Lake No 2. This is a historical lot that does not meet the current code for minimum size with an irregular front property line. This lot's rear property line is adjacent to the RW zone with a 100-foot setback requirement for development.

2. Project Request

The applicant requests a reduced building setback from 100-feet to 82-feet to accommodate the construction of a Single-family residence (SFR).

3. SEPA (State Environmental Policy Act)

Pursuant to Washington Administrative Code 197-11-800, the proposal falls below the threshold for environmental review and exempt from SEPA.

4. Physical Characteristics

The subject property is a vacant wooded, 15,246 sq. ft (.35 acre) in size and located in South Kitsap County in a plat developed in 1957. The abutting lots on 2 sides contain single-family residences. The rear property line abuts an undeveloped Rural Wooded zone. The site has a gentle elevation change rising from the street to the rear.

Table 1 - Comprehensive Plan Designation and Zoning

Comprehensive Plan: Rural Residential Zone: Rural Residential	Standard	Proposed
Minimum Density	1 Dwelling unit per 5 Acre	1 Dwelling Unit
Maximum Density	1 Dwelling unit per 5 Acre	
Minimum Lot Size	5 Acre	.35 Acre
Maximum Lot Size	NA	15.246 Sq. Ft
Minimum Lot Width	140 feet	100
Minimum Lot Depth	140 feet	166.19
Maximum Height	35 feet	1 stories, <35 feet
Maximum Impervious Surface Coverage	NA	NA
Maximum Lot Coverage	NA	NA

Applicable footnotes:

17.420.060.(A)(29)

One-hundred-foot setback required for single-family buildings abutting FRL or RW zones.

KCC 17.420.060(A)(42)(b)

Any single-family residential lot of record as defined in Chapter 17.110 that has a smaller width or lot depth than that required by this title, or is less than one acre, may use that residential zoning classification that most closely corresponds to the dimension or dimensions of the lot of record, for the purpose of establishing setbacks from the property lines.

Staff Comment: Applicant is requesting variance from the 100-foot setback from Rural Wooded zone for development.

Table 2 - Setback for Zoning District

	Standard	Proposed
Front (West)	20 feet	25'3" feet to 45'2" feet (due to the angle of the front property line)
Side (North)	5 feet	30' for proposed structure

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Side (South)	5 feet	10 feet proposed to House
Rear (East)	100 feet	82' feet

Table 3 - Surrounding Land Use and Zoning

Surrounding Property	Land Use	Zoning
North	Single-Family Home developed in 1997	Rural Residential (RR)
South	Single-family residence developed in 1982	Rural Residential (RR)
East	Undeveloped and single-family residences	Rural Residential (RR)
West	880 – Forest Land	Rural Wooded

Table 4 - Public Utilities and Services

	Provider
Water	Kitsap PUD #1
Power	Puget Sound Energy
Sewer	Kitsap County
Police	Kitsap County Sheriff
Fire	South Kitsap Fire & Rescue # 7
School	South Kitsap School District #402

5. Access

It has direct access from Burchard DR SW, a county-maintained road.

6. Site Design

The proposed rambler home design includes a south garage to increase driveway parking. The footprint is 30 foot in depth. There is a well with associated setback in the front yard and there is a septic Drainfield in the proposed rear yard. The neighbors to the north and south have similar rambler designs with houses placed either similarly on their lots or closer to the Rural Wooded zone than requested.

7. 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

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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 Goal 13

Protect Kitsap County's unique rural character.

Land use Policy 51

Permit Residential Uses in rural areas consistent with the planned rural character of the surrounding area.

Land Use Policy 53

Outside of the Type III Limited Area of More Intensive Rural Development (LAMIRD), limit development only to that which serves rural residential or resource needs and does not draw population from Urban Growth Areas. This policy is implemented through Comprehensive plan Land Use designation, zoning designation, and zoning code provisions.

Land Use Policy 54

In accordance with RCW 36.70A.070(5)(c):

- *To preserve rural character of the County, emphasize controlling rural development, assuring visual compatibility of rural development with the surrounding rural area,*
- *Reduce the inappropriate conversion of undeveloped land into sprawling, low-density development in the rural area,*
- *Protect critical areas, as provided in RCW 36.70A.060, and surface water and groundwater resources, and,*
- *Protect conflicts with the use of agricultural, forest, and mineral resource lands designated under RCW 36.70A.170. This policy is implemented through Comprehensive Plan Land Use designations, zoning designations, and zoning code provisions.*

Housing Human Serviced Goals and Policies

Housing, Human Services Policy 11

Promote fair housing to ensure that all residents of Kitsap County have an equal and fair opportunity to obtain safe and sanitary housing suitable to their needs and financial resources, regardless of race, religion, gender, sexual orientation, age, national origin, family status, income, disability, or other protected class.

Housing, Human Services Policy 12

Identify and remove regulatory barriers and limits access to or the provision of a diverse affordable housing supply.

Housing, Human Services Policy 14

Disperse Affordable Housing opportunities throughout the County.

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 12	Storm Water Drainage
Title 13	Water and Sewers
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

8. Documents Consulted in the Analysis

<u>Applicant Submittals</u>	<u>Dated or date stamped</u>
Supplemental Request Response	June 30, 2025
Building Construction Plans	November 12, 2024
Zoning Administrative Request	January 3, 2025
Survey	November 12, 2024
Site Plan	June 30, 2025
Final Health District Approval	August 17, 2017
Project Narrative	December 28, 2017

9. Public Outreach and Comments

Notice of Application was sent out January 28, 2025, no comments were received.

10. Analysis

a. Planning/Zoning

An applicant can request a variation of any numerical standard, except density, when unusual circumstances cause undue hardship in the strict application of the Code. Pursuant to KCC section 21.04.100, a variance of less than 25% requires a Type II Administrative review process (see KCC section 21.04.070). A variance shall be approved only when all the other following conditions and facts exist:

1. There are special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, that were not created by the

applicant and do not apply generally to other property in the same vicinity or zone;

Applicant comment: The chosen home style is a Rambler because the area best supports one-level living. The neighbors to the North and South have Rambler floor plans that match the character of the neighborhood. Along with the style, the neighbors to the north are positioned much closer to the west property line than the positioning of my proposed house. The house I propose is only 30 feet in depth which is very minimal when developing a house because even a 2-story design is oftentimes much deeper than 30 feet. My well is situated near the north property line so the house is best suited to have the driveway come in on the south. The lot is square in the back, but the north property line is 144ft and the south line is 166 feet creating a gentle sway at the front property line. The best location of the property is positioned as shown for parking and access while considering the utility positioning on the lot

Staff Comment: The site is a 0.35-acre, irregularly shaped rectangular parcel located in an area with a Rural Residential (RR) zoning designation in Kitsap County. This renders the parcel non-conforming by parcel size required by the RR zone (1 dwelling unit per 5 acres). The proposed home abuts one parcel with a Rural Wooded (RW) zoning designation to the west (rear yard). Kitsap County Code (KCC) section 17.420.060, footnote 29, requires a one-hundred-foot setback for a single-family building that abuts parcels with a RW zoning designation. This setback restricts development on the lot matching neighboring properties. The existing topography and shape of front property line, with the need to have the septic and Drainfield located in the rear of the property limit the site's buildable area. Applicants are requesting an 18% reduction of that setback for construction of their Single-family residential unit.

2. *Such variance is necessary for the preservation and enjoyment of a substantial property right or use of the applicant possessed by owners of other properties in the same vicinity or zone.*

Applicant Comment: With my grandparents as well as my parents in mind, they will find it more difficult to navigate stairs. A Rambler provides a practical solution for my family to visit and be able to "age in place." Neighbors to the north and south are either similar to the proposed design and location their lots or closer to the RW zone

Staff Comment: The property is an area platted in 1957, prior to the current zoning designations. These are small lots near an established lake. The neighborhood consists of vacant lots as well as developed Single-family homes consistent with this proposal. This variance allows the property owner to reasonably develop the parcel with a single-family residence like other properties in the RR zoning designation.

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3. The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or zone in which property is located; and

Applicant Comment: The home design is rambler, like others in the neighborhood. The location of the home on the lot will allow access around the house to the rear property as well as provide parking for cars on site in front of the 2-car garage.

Staff Comment: The 18% reduction of setback to the RW zone will not have adverse impacts on the property or to properties in the near vicinity. Many parcels are developed with less setback to the RW zone than the applicant is proposing. The neighbor directly to the north is approximately 40 feet from the Rural Wooded Zone. Two houses to the north is 20 feet, and the neighbor to the south is approximately 95 feet. This placement is within those setbacks maintaining the character of the neighborhood. The applicant worked with the department and moved the development further from the RW zone than originally submitted, thus decreasing the requested variance.

4. *The variance is the minimum necessary to grant relief to the applicant.*

Applicant comment: the lot is irregularly shaped and slopes from north to south make this the best location for the proposed development. The 3-bedroom home is located so there is room for the well and the setbacks for the associated septic system primary and reserve areas. The home was moved forward to the road to minimize the variance request.

Staff Comment: The applicant is requesting less than 20% variance to develop their property with a reasonable Single-Family Residence within the character of their surrounding neighborhood. They worked with the department to move the footprint forward and reduce the variance request. The footprint of the home is 30 feet deep within the size of neighboring homes. The variance request to reduce the rear setback is the minimum necessary.

b. Lighting

Lighting is not analyzed in Zoning Variance proposals.

c. Off-Street Parking

Off Street parking of 2 spaces is consistent with KCC 17.490.

Table 5 - Parking Table

Use Identified in 17.490.030	Standard	Required Spaces	Proposed Spaces/Existing Spaces
Single Family Dwelling, Detached	for historical lots or lots with no standing requirement, 2 per unit. 1 garage space may count toward this requirement for multiple car garages.	2	2
Total		2	2

d. Signage

Signage is not analyzed in Zoning Variance proposals.

e. Landscaping

No Landscaping required per the plat and KCC 17.500.010, Single-family lots are exempt from landscaping requirements.

Table 6 - Landscaping Table

	Required	Proposed
Required Landscaping (Sq. Ft) 15% of Site	NA	NA
Required Buffer(s) 17.500.025	NA	NA
North	NA	NA
South	NA	NA
East	NA	NA
West	NA	NA
Street Trees	NA	NA

f. Frontage Improvements

No frontage improvements are required or proposed as part of this application.

g. Design Districts/Requirements

This parcel is not located in a Design District.

h. Development Engineering/Stormwater

Stormwater review will be completed under separate building permit.

i. Environmental

There are no mapped critical areas on or near this parcel.

j. Access, Traffic and Roads

The proposal was not reviewed for access, traffic, or roads.

k. Fire Safety

Fire Safety review will be completed under separate building permit.

l. Solid Waste

Solid Waste review will be completed under separate building permit.

m. Water/Sewer

Water/Sewer review will be completed under separate building permit.

n. Kitsap Public Health District

Kitsap Public Health District review will be completed under separate building permit

11. Review Authority

The Director has review authority for this Administrative Variance Permit application under KCC, Sections 17.105.010 and 21.04.100. The Kitsap County Commissioners have determined that this application requires the review and approval of the Director. The Director may approve, approve with conditions, or deny a Variance Permit.

12. Findings

1. The proposal is consistent with the Comprehensive Plan.
2. The proposal complies with or will comply with the 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 and design guidelines, through the imposed conditions outlined in this report.
3. The proposal is not materially detrimental to existing or future uses or property in the immediate vicinity.

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4. 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.

13. Decision

Based upon the analysis above and the decision criteria found in KCC 17.560, the Department of Community Development recommends that the (Administrative Type-II) request for Wetmore – Zoning Variance be **approved**, subject to the following 5 conditions:

a. Planning/Zoning

1. All required permits shall be obtained prior to commencement of land clearing, construction and/or occupancy
2. This Variance approval shall automatically become void if no building permit application is accepted as complete by the Department of Community Development within four years of the Notice of Decision Date or the resolution of any appeals. The decision set forth herein is based upon representations made and exhibits contained in the project application 24-04965. Any changes(s) or deviation(s) in such plans, proposals, or conditions of approval imposed shall be subject to further review and approval of the County.
3. 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 these approvals, the applicant represents that the development and activities allowed will comply with such laws, regulations, and ordinances. If, during the term of 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.
4. The applicant shall adhere to all applicable requirements of the Kitsap Public Health District
5. The applicant shall adhere to all applicable requirements of Development Services and Engineering.

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:

Keith Hafner

Name, Staff Planner / Project Lead

07/11/2025

Date

Report approved by:



Name, Department Manager / Supervisor

7/28/2025

Date

Attachments:

Attachment A – Site Plan

Attachment B – Critical Area Map

Attachment C – Zoning Map (Required)

CC:

Applicant/Owner: Mercedes Wetmore & Makenna Clark, Mercedeswetmore@gmail.com

Designer: Landmark Designs, 1202 Main St Suite 104 SUMNER, WA 98390

Surveyor: Peninsula Land Survey, KRISTY@PENINSULAPLS.COM

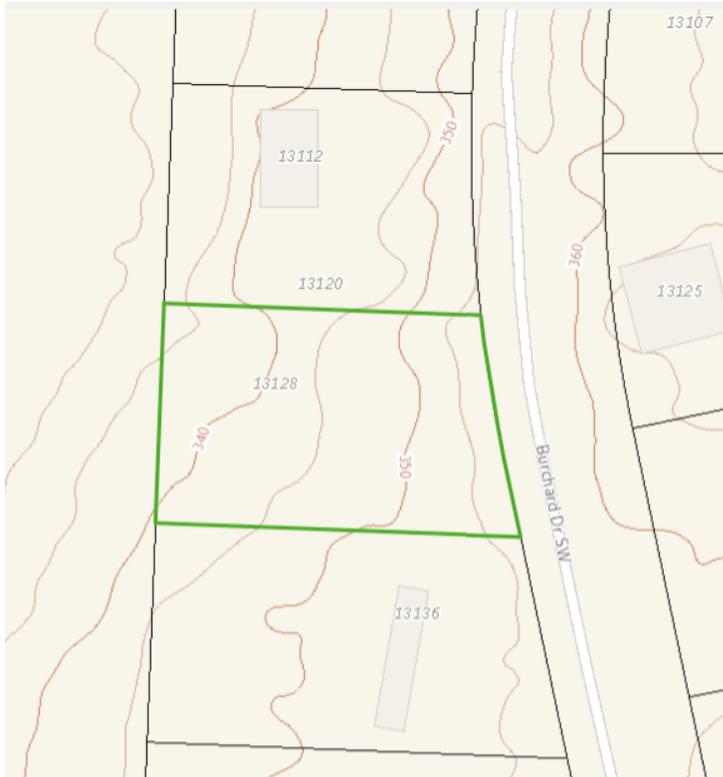
Interested Parties: None

Kitsap County Health District, MS-30

Kitsap County Public Works Dept., MS-26

DCD Staff Planner: Keith Hafner

Attachment B – Critical Area Map



Attachment C – Zoning Map

