



Hearing Examiner Staff Report and Recommendation

Report Date: 8/6/2026
Hearing Date: 8/13/2026

Application Submittal Date: 11/21/2025
Application Complete Date: 03/31/2026

Project Name: RODOLF - Hearing Examiner Zoning Variance for 20ft Encroachment into Current 50ft Front Yard Setback to Replace Existing Manufactured Home with a Newer Model
Type of Application: ZVAR-HE
Permit Number: 25-04510

Project Location

20588 WESTERN AVE NE
Indianola, WA 98342
Commissioner District #1

Assessor's Account

152602-2-025-2004

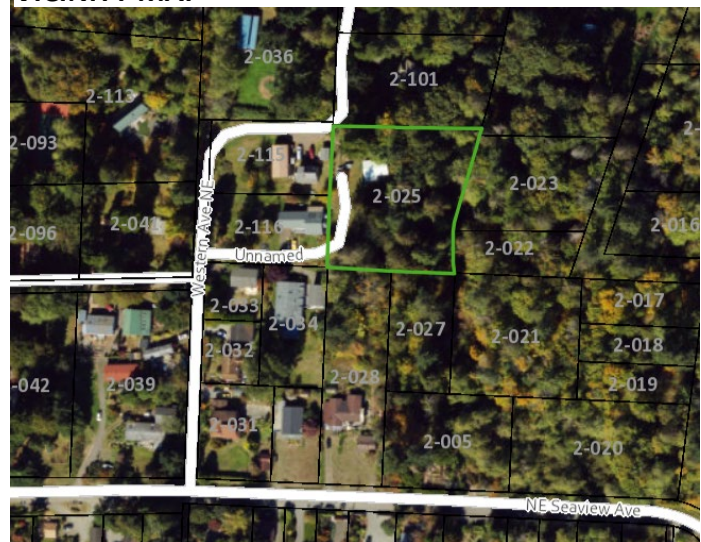
Applicant/Owner of Record

Ivy Olivia Rodolf
20588 WESTERN AVE NE
INDIANOLA, WA 98342

Recommendation Summary

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

VICINITY MAP



impact review of any action that might have a significant, adverse impact on the environment. The review includes the completion of an Environmental Checklist by the applicant and a review of that checklist by the County. If it is determined that there will be environmental impacts, conditions are imposed upon the applicant to mitigate those impacts below the threshold of “major” environmental impacts. If the impacts cannot be mitigated, an environmental impact statement (EIS) must be prepared. The decision following environmental review, which may result in a Determination of Nonsignificance (DNS), Mitigated DNS, or the necessity for an EIS is called a threshold determination. A separate notice of the threshold determination is given by the County. If it is not appealed, it becomes part of the hearing record as it was issued, since it cannot be changed by the Hearing Examiner.

The project is SEPA Exempt under KCC 18.04 State Environmental Policy Act.

4. Physical Characteristics

The 1.08 acre partially wooded lot slopes from west to east with a ravine and stream on the eastern side.

Table 1 - Comprehensive Plan Designation and Zoning

Comprehensive Plan: Rural Residential (RR) Zone: Rural Residential (RR)	Standard	Proposed
Minimum Density	1 Dwelling Unit per 5 Acres	1 Dwelling Unit per 1.08 Acres
Maximum Density	1 Dwelling Unit per 5 Acres	
Minimum Lot Size	5 Acres	1.08 Acres
Maximum Lot Size	NA	NA
Minimum Lot Width	140 ft	235.29 ft
Minimum Lot Depth	140 ft	224.23 ft
Maximum Height	35 ft	1 story, <35 ft
Maximum Impervious Surface Coverage	NA	NA
Maximum Lot Coverage	NA	NA

Applicable footnotes:

None

Table 2 - Setback for Zoning District

	Standard	Proposed
Front (West)	50 ft	30 ft
Side (North)	20 ft	20 ft
Side (South)	20 ft	20 ft
Rear (East)	20 ft	20 ft

Table 3 - Surrounding Land Use and Zoning

Surrounding Property	Land Use	Zoning
North	Single-family residence	Rural Residential (RR)
South	Single-family residence	Rural Residential (RR)
East	Single-family residence	Rural Residential (RR)
West	Single-family residence	Rural Residential (RR)

Table 4 - Public Utilities and Services

	Provider
Water	Kitsap PUD #1
Power	Puget Sound Energy
Sewer	Kitsap County
Police	Kitsap County Sheriff
Fire	North Kitsap Fire & Rescue
School	North Kitsap School District #400

5. Access

Western Ave NE provides direct access to the parcel, which is a mixture of a maintained county road and private easement across adjoining parcel 152602-2-111-2009.

6. Site Design

The submitted site plan shows a replacement Manufactured home positioned to minimize intrusion into the critical areas to the east, the septic and reserve that is existing to the south and requiring placement within the front yard setback. See attached site plan.

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

opportunity to help shape the Comprehensive Plan which is then used to prepare development regulations.

Kitsap County Comprehensive Plan, adopted in December 2024, with an effective date of April 1, 2025.

The following Comprehensive Plan goals and policies are most relevant to this application:

Land Use Policy 17.1. Permit residential uses in rural areas in a variety of rural lot sizes consistent with the rural character of the surrounding area.

Environment Policy 1.1. Manage development to protect habitats and ecological processes.

Environment Policy 6.2. Employ Best Management Practices to protect the long-term integrity of the natural environment, adjacent land uses, and the productivity of resource lands.

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 19	Critical Areas Ordinance
Chapter 21.04	Land Use and Development Procedures

8. Documents Consulted in the Analysis

A complete index of exhibits is located in the project file. To date, the index to the record consists of the following exhibits:

Exhibit #	Document	Dated	Date Received
1	Staff Report	8/6/2026	
2	Building Elevations	10/18/2018	3/31/2026
3	Floor Plan		3/31/2026
4	Geologic Report	11/19/2025	3/31/2026
5	Project Narrative		3/31/2026
6	Permit Submission	11/26/2025	3/31/2026
7	Notice of Application	4/3/2026	

8	Public Comment: Malcom – Suquamish Tribe	4/10/2026	
9	Public Comment: Cleveland	4/13/2026	
10	Public Comment: J. Dassel	4/15/2026	
11	Public Comment: P. Dassel	4/15/2026	
12	Public Comment: Proctor	4/16/2026	
13	Public Comment: Smoot	4/16/2026	
14	Public Comment: Burkman & Sherman	4/17/2026	
15	Public Comment: P. Dassel	4/17/2026	
16	Easement Recording	10/29/2021	5/19/2026
17	Health District Approval	11/12/2025	5/19/2026
18	Site Plan	5/16/2025	5/19/2026
19	Stream and Wetland Report	2/22/2026	5/19/2026
20	Notice of Public Hearing	7/29/2026	
21	Certification of Public Notice	8/4/2026	
22	Staff Presentation	8/13/2026	
23	Hearing Sign In	8/13/2026	

9. Public Outreach and Comments

Notice of Application was sent on April 3, 2026

Issue Ref. No.	Summary of Concern (See corresponding responses in the next table)
1	Concern about native vegetation removed to place silt fence
2	Fence built on property line
3	Tree Removal and fires during demolition
4	Access Easement

Issue Ref. No.	Issue	Staff Response
1	<i>Native Vegetation</i>	<i>Project includes all clearing limits and mitigation addresses those areas.</i>
2	<i>Fence built on Property Line</i>	<i>Project conditioned to require all building permits for proposed and existing development on site prior to home final inspection.</i>
3	<i>Tree Removal and Fire during Demo</i>	<i>Project conditioned to include all clearing limits to be included on building permit and to follow all demolition conditions including burning and disposal.</i>
4	<i>Access Easement</i>	<i>Applicants provided updated easement to parcel. Historical use not reviewed under this permit.</i>

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 greater than 25% requires a Type III Hearing Examiner review process (see KCC section 21.04.080). A variance shall be approved only when all the 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 subject parcel is uniquely constrained by multiple physical and environmental features that eliminate any other feasible building locations:

- *Mapped fish-bearing stream and buffer located within approximately 300 ft of the proposed development area.*
- *Wetlands and associated buffers, confirmed through on-site review with a qualified wetland biologist.*
 - *Severe topography, including a ravine and steep slopes limiting development to the eastern portion of the parcel.*
- *Existing development pattern, including the historic placement of the original manufactured home prior to adoption of current setback requirements.*

These conditions were not created by myself and substantially restrict buildable area. Due to these constraints, shifting the structure further east would encroach into regulated wetland or stream buffers, which would result in greater environmental impact and is contrary to Kitsap County's critical areas protection goals.

Staff Comment: Applicant is replacing existing 2 bedroom Manufactured home damaged in a storm with a new 2-bedroom manufactured home. The site is constrained by ravine, fish bearing stream and buffers. Placing the home closer to the front yard setback keeps buffer intrusion to a minimum while still maintaining the approved use of the property as Single Family residence.

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

Applicant Comment: Strict application of the 50-foot front yard setback would prevent reasonable replacement of the existing residence or force relocation into

environmentally sensitive areas. Without the variance, the property would be deprived of its established reasonable residential use.

Staff Response: Applicant is proposing to replace existing model mobile home placed in 1973 with a new standard double-wide manufactured home staying within the existing footprint and expanding away from the steep slope and Type F stream to minimize impacts. New manufactured homes do not meet the same footprint of the prior home.

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: A site visit conducted with a wetland biologist confirmed that, from an environmental perspective, the proposed footprint expansion is feasible and appropriate. Locating the structure as proposed avoids impacts to wetlands, stream buffers, and steep slope areas.

The proposed structure will remain consistent with surrounding residential development and does not introduce increased density or intensity of use. Visual and neighborhood impacts will be minimal if at all.

Staff Response: The existing and proposed use of the property is single family residential and approving this development maintains the existing use of the property. This will be consistent with surrounding development and will not be materially detrimental as conditioned.

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

Applicant Comment: The proposed encroachment represents the minimum variance necessary to accommodate a functional replacement home. I have intentionally limited the expansion to avoid environmental buffers and reduce site disturbance

Staff Comment: Applicant is proposing a standard double-wide replacement manufactured home with 2 bedrooms on this constrained lot. Mitigation of over 870 sq ft will compensate for the 534 sq ft of proposed impact.

b. Lighting

Lighting is not analyzed in Zoning Variance proposals.

c. Off-Street Parking

Table 5 - Parking Table

Use Identified in 17.490.030	Standard	Required Spaces	Proposed Spaces/Existing Spaces
Single Family Dwelling, Detached	2 spaces per dwelling unit	2 spaces per dwelling unit	2 spaces per dwelling unit
Total	2	2	2

d. Signage

Signage is not analyzed in Zoning Variance proposals.

e. Landscaping

Per 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		
North	NA	NA
South	NA	NA
East	NA	NA
West	NA	NA
Street Trees		

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 building permit 25-03512.

i. Environmental

Parcel is mapped with High Erosion and Moderate landslide with a Type F stream on the eastern portion of the parcel.

The applicant provided a geological assessment by Envirotech Engineering dated November 11, 2025, determined that the proposed development is outside of the 200-ft buffer for any erosion area and will not encourage a landslide hazard.

In addition, a stream determination report was submitted from Key Environmental Solutions February 22, 2026 and revised May 4, 2026 establishing the Ordinary High-Water mark of the existing stream and the 200-ft buffer and building setback. There is 534 sq-ft of impacted buffer proposed, and 870 sq-ft of proposed mitigation is meeting the required code standards of mitigation. A final landscape plan is conditioned with the subsequent building plan.

j. Access, Traffic and Roads

Not reviewed under this permit.

k. Fire Safety

Not reviewed under this permit.

l. Solid Waste

Not reviewed under this permit.

m. Water/Sewer

See Kitsap Public Health.

n. Kitsap Public Health District

Approved - No conditions required.

11. Review Authority

The Hearing Examiner has review authority for this Conditional Use Permit application under KCC, Sections 17.550.020 and 21.04.100. The Kitsap County Commissioners have determined that this application requires review and approval of the Hearing Examiner. The Hearing Examiner may approve, approve with conditions, or deny a Conditional Use Permit. The Hearing Examiner may also continue the hearing to allow for additional information necessary to make the proper decision. The powers of the Hearing Examiner are at KCC, Chapter 2.10.

12. Findings

1. The proposal is consistent with the Comprehensive Plan.

2. The proposal complies or will comply with 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.
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. Recommendation

Based upon the analysis above and the decision criteria found in KCC 17.550.030.A, the Department of Community Development recommends that the Zoning Variance request for RODOLF - Hearing Examiner Zoning Variance be **approved**, subject to the following 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.
3. The decision set forth herein is based upon representations made and exhibits contained in the project application (25-04510). 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.
4. 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.
5. Replacement home permits shall be reviewed for all clearing limits associated with the development. All developments requiring permits, including fences, shall be completed prior to occupancy of replacement home.

b. Development Engineering

None

c. Environmental

6. Subject to the conditions of the Stream Determination and Habitat Management Plan prepared by Key Environmental Solutions, LLC, dated February 22, 2026 (Revised May 4, 2026), associated with this permit and on file at the Department of Community Development.
7. Subject to the conditions of the Geologic Report prepared by Envirotech Engineering, PLLC, dated November 19, 2025, associated with this permit and on file at the Department of Community Development.

A 200 – foot native vegetation buffer shall be retained along the perimeter of the stream as depicted on the approved site plan. In addition, a building or impervious surface setback line of 15 ft is required from the edge of the buffer. Buffers or setbacks shall remain undisturbed natural vegetation areas except where the buffer can be enhanced to improve its functional attributes. Refuse shall not be placed in buffers.

Prior to final inspection and occupancy, the common boundary between the stream buffer and the adjacent land shall be permanently identified with critical area buffer signs. A total of 5 Critical Area Ordinance (CAO) signs shall be placed along the designated boundary spaced approximately 50 feet apart, visual from sign to sign. Signs must be attached to existing trees with diameter breast height greater than 4 inches. Alternative methods include 4x4 posts, metal posts or split rail fencing. Signs may be requested with any inspection prior to final, but not at final inspection. The consulting habitat biologist shall place the signs.

Danger Trees- Minor pruning, removal, or elimination of danger trees in the buffer may be allowed, subject to approval by the Department. (360)337-5777

Bald Eagles- This permit is conditioned for compliance with the Federal Bald and Golden Eagle Protection Act and the National Bald Eagle Management Guidelines. The applicant is responsible for following all federal setbacks, construction windows and obtaining any federal permits as necessary through the US Fish and Wildlife Service.
8. 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. Refuse shall not be placed in buffers.
9. Monitoring and maintenance of the planted area shall be conducted for five years, and extended if necessary, after DCD staff approves planting. Monitoring includes live and dead vegetation counts and records of all maintenance activities. Maintenance activities can be defined as, but are not limited to, removal practices on invasive or nuisance vegetation and watering schedules.

Monitoring information shall be summarized in a letter with photographs depicting conditions of the vegetation and overall site. Monitoring reports are due to Kitsap County Department of Community Development Services and Engineering Division annually. If more than 20 percent of the plantings do not survive within any of the monitoring years, the problem areas shall be replanted, and provided with better maintenance practices to ensure higher plant survival. The construction of the permitted project is subject to inspections by the Kitsap County Department of Community Development. Extensions of the monitoring period may be required if original conditions are not met. All maintenance and construction must be done in full compliance with Kitsap County Code, including the Kitsap County Critical Area Ordinance (Title 19 KCC) and Shoreline Master Program (Title 22 KCC). Any corrections, changes or alterations required by a Kitsap County Development Engineer Inspector shall be made prior to additional inspections. Any assignment of savings, financial surety or other like security for maintenance of the buffer mitigation plan shall only be released if monitoring requirements are satisfied in the final year of the monitoring term.

10. Vegetation planting shall occur as specified in the approved planting plan produced in support of this permit and will consist of:

- Native tree planting
- Native shrub installation
- Native groundcover enhancement
- Invasive species removal.

Planting of native vegetation shall occur within the first dormant season once the permitted project has been constructed and approved. When planting is complete, the applicant must contact Development Service and Engineering Staff at (360)337-5777 for a site inspection and as-built approval. Monitoring and maintenance of the planted area shall be conducted for three years after DCD staff approves planting. Monitoring includes live and dead vegetation counts and records of all maintenance activities. Maintenance activities can be defined as, but are not limited to, removal practices on invasive or nuisance vegetation and watering schedules. Monitoring information shall be summarized in a letter with photographs depicting conditions of the vegetation and overall site. Monitoring reports are due to Kitsap County Department of Community Development Services and Engineering Division by December 31 of each monitoring year. If more than 20 percent of the plantings do not survive within any of the monitoring years, the problem areas shall be replanted, and provided with better maintenance practices to ensure higher plant survival.

11. Applicant must upload a detailed planting plan with the building permit. Planting shall be installed prior to occupancy.
12. Must adhere to all conditions associated with demolition of existing manufactured home including providing affidavits of disposal. No on-site burning of demolition materials permitted.

13. Subject to all conditions of approval from the Hearing Examiner's decision.

d. Traffic and Roads

None

e. Fire Safety

None

f. Solid Waste

None

g. Kitsap Public Health District

None.

Report prepared by:

Keith Hafner

July 9, 2026

Keith Hafner, Planner

Date

Report approved by:

Darren Gurnee

7/13/2026

Darren Gurnee, Current Planning Supervisor

Date

Attachments:

Attachment A – Site Plan

Attachment B – Zoning Map

Attachment C – Critical Area Map

CC:

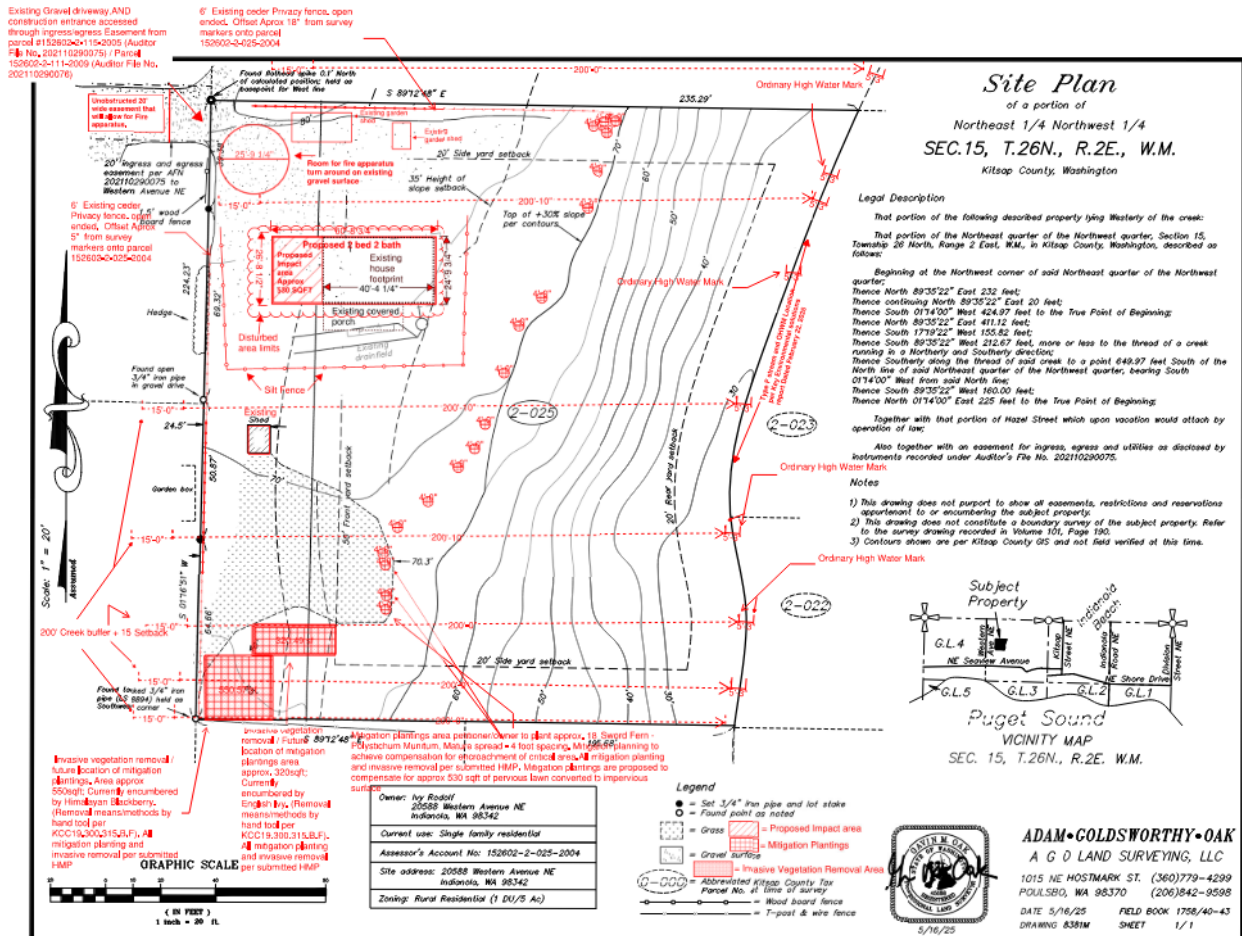
Applicant/Owner: Ivy Oliva Rodolf, trident.ivy@gmail.com

Engineer: Envirotech Engineering PLLC, envirotech@geotechnicalinfo.com

Surveyor: AGO Land Surveying, LLC, 1015 NE Hostmark St Poulsbo, WA 98370

Interested Parties: Roger Sherman, rogersherman360@hotmail.com; Rod Malcom – Suquamish Tribe, rmalcom@suquamish.nsn.us; Celeste Cleveland, celestecleveland@live.com; James Dassel, jamesdassel87@gmail.com; Pamela Dassel, pamdassel@hotmail.com; Mark Smoot,

Site Plan



Zoning Map



Critical Area Map

