



KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

614 DIVISION STREET MS-36, PORT ORCHARD WASHINGTON 98366-4682
(360) 337-7181 FAX (360) 337-4925 HOME PAGE - www.kitsapgov.com/dcd/

Larry Keeton, Director

REVISED NOTICE OF ADMINISTRATIVE DECISION

November 5, 2008

To: Interested Parties and Parties of Record

RE: Project Name: Olalla Valley Winery
Application: Moderate Home Business
File Number: LIS#08 52938

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 BEFORE THE CLOSE OF BUSINESS ON NOVEMBER 20, 2008. PLEASE NOTE: THE COURTHOUSE WILL BE CLOSED ON NOVEMBER 11, 2008.

Pursuant to the Kitsap County Land Use and Development Procedures, an appeal may be filed objecting to the Department's Decision. An appeal must be made in writing, and received by the Department of Community Development (DCD). At the time of filing the appeal, the appellant shall pay the sum of **five hundred dollars (\$500.00)**. This fee is non-refundable and subject to change. Make check payable to Kitsap County Department of Community Development (DCD).

The written appeal shall be made on, or attached to, an appeal form provided by DCD, and shall contain the following information.

1. The project name, project applicant, application type, and file number designated by the County;
2. The name, address, and signature of each appellant. If multiple parties file a single appeal, the appeal document shall designate, in writing, one party as the contact representative for all contact with the DCD Director and the Office of the Hearing Examiner. All contact between the County and the appellants regarding the appeal, including notices, shall be through this contact representative; and
3. A written statement of the specific aspect(s) of the Decision and/or SEPA determination being appealed, the reasons why each is in error

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Business
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as a matter of fact or law, and the evidence relied upon to prove the
error.

The complete application file will be available for review at the Department of
Community Development, Monday through Friday, except holidays, from 8:15
a.m. to 4:00 p.m.

If you have questions, please contact me at (360) 337-4487 or Dennis Oost at
(360) 337-7181.

Sincerely,



Karen Ashcraft
Clerk of the Examiner

C: Joseph & Konnie Serka, PO Box 469, Olalla, WA 98359

Interested Parties:
(None)



KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

614 DIVISION STREET MS-36, PORT ORCHARD WASHINGTON 98366-4682
(360) 876-7181 FAX (360) 895-4925 HOME PAGE - www.wa.gov/kitsap

(Revised) STAFF REPORT & ADMINISTRATIVE DECISION

Date: November 3, 2008

Project:

**OLALLA VALLEY WINERY
MODERATE HOME BUSINESS PERMIT**

Application Number: 08 52938

Request:

This land use proposal would allow the applicant to operate a domestic winery. The winery will produce wines from fruits grown on the site. Farming activity includes daily work in the vineyard of weeding, trimming or pruning. The winery operation one month a year to include picking and processing fruit. A weekend tasting room, open to the public and for the sales of wine. A 1,344 square foot building will be used for the winery and office.

Project Location:

P.O. Box 469
Olalla, WA 98359

Assessor's Account # 042202-1-007-2005

Applicant/Owner of Record

**JOSEPH & KONNIE SERKA
P.O. BOX 469
OLALLA, WA 98359**

SEPA Status:

No SEPA review is required for this project.

Physical Characteristics

The subject property is approximately 5.98 acres in size; the site is developed with a single family and detached accessory buildings. The site is heavily forested with evergreen trees and natural vegetation, providing a visual buffer from adjacent properties.

Existing Zoning and Comprehensive Plan Designation

Rural Residential (1 DU per 5 acres)

Policy RL-26

Home-based cottage type business and industries shall be allowed and encouraged in the rural areas, provided such activities are compatible with the site and surrounding area.

Surrounding Land Use and Zoning:

The surrounding area is zoned Rural Residential zoning, with similar sized parcels developed primarily with single-family residences.

Public Utilities:

Water: Private Well
Power: Puget Sound Energy
Sewer: On-site septic disposal system

Transportation:

Access is provided off of Olalla Valley Rd in South Kitsap County.

Off-Street Parking:

Two off street parking spaces are required for the residential structure as required by Section 435.030.1. of the Kitsap County Code. One space is required per employee (2-Part time) and one designated space for customer. Adequate parking is available on site to serve the proposed business.

Public Services:

Power: Puget Sound Energy
Fire: Fire Protection District No. 7

Policies and Regulations Applicable to the Subject Proposal:

Kitsap County Zoning Code Title 17
Section 310. Rural Residential Zone
Section 430. Provisions Applying to Special Uses
Section 520. Appeals
Kitsap County Land Use and Development Procedures Ordinance (May 18, 1998)

Analysis:

**Bremerton-Kitsap County
Health District**

Kitsap County Building Clearance Approved
6-02-08

Development Engineering

Division:

We have reviewed the above land use proposal and find the concept supportable in its approach to civil site development. These comments are based on a review of the Home Business Application date stamped received June 18, 2008, to Kitsap County Development Engineering.

Development Engineering accepts the concepts contained in this preliminary submittal and requires the following conditions as an element of the land use approval:

TRAFFIC AND ROADS

1. Submit an Application for Concurrency Test (KCPW Form 1601) as required by Chapter 20.04, Transportation Concurrency, of the Kitsap County Code. The KCPW 1601 form is how you reserve road capacity for your project.
2. Submit a Road Approach Permit Application and plan for construction of asphalt concrete accesses between the edge of existing pavement and the right-of-way line at all intersections with county rights-of-way. Approaches shall be designed in accordance with Chapter 11.22, Kitsap County Road Standards, of the Kitsap County Code. Existing approaches may need to be improved to meet current standards.
3. Any work within the County right-of-way will require a permit to perform work on County right-of-way and possibly a maintenance or performance bond. This application must be submitted as part of the SDAP process (or building permit if no SDAP is required). The need for and scope of bonding will be determined at that time.

SOLID WASTE

4. Contact the solid waste service provider Waste Management @ (360) 674-3166 For information on implementing the solid waste/recycling storage requirements influenced by the service provider (e.g. dumpster size and location) for the project. Pay particular attention to the access requirements of collection trucks (min turning radius is – 35 ft).

4. Provide at least 150 square feet of exterior recyclable materials storage space for the project.

Should the proposal be modified from that shown on the June 18, 2008 submitted site plan, please forward to Development Engineering for review.

If you have questions or concerns regarding these requirements please contact Development Engineering Division at (360) 337-7181

CONCLUSIONS:

Conditions are necessary for the granting approval of the Home Business Permit to ensure that the use is not or will not become incompatible with surrounding uses.

The request to operate a Home Business for “**Olalla Valley Winery**” must stay within the following requirements for a “Moderate Home Business”.

Moderate Home Business as defined below permitted in all rural residential zones subject to approval by the Director. Said approval is not transferable to any individual, future property owner or location.

1. Business use shall be incidental and secondary to the dominant residential use;
2. 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.
3. The residence shall be occupied by the owner of the business.
4. The business shall not infringe upon the right of the neighboring residents to enjoy the peaceful occupancy of their homes.
5. No more than five (5) employees (or independent contractors) are allowed;
6. Non-illuminated signs not exceeding four square feet are permitted, subject to a sign permit approved by the director;
7. 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

Section 410. Minor Site Plan Review

The proposed development/use is one permitted within the subject zoning designations and complies with all of the applicable provisions of this Ordinance and all other applicable regulations, including prescribed development/performance standards and all applicable standards and design guidelines. This proposed development would be harmonious and compatible with existing and future developments within the land use designation and general area.

The subject site is physically suitable for the type, density and intensity of the use being proposed.

Appropriate provisions have been made for the public health, safety and general welfare for open spaces, drainage ways, streets or roads, alleys and other public right-of-ways, transit stops, potable water supply, sanitary waste, parks and recreation, playgrounds, schools, and all other relevant facts, including: sidewalks or other planning features that insure safe walking conditions for students who walk to and from school.

The location, size, design and operating characteristics of the proposed development/use would not be detrimental to the public interest, health, safety, or welfare of the County.

DECISION:

Based upon the above findings, the request for **“Olalla Valley Winery Home Business Permit is approved, subject to the following conditions:**

1. 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.
2. The residence shall be occupied by the owner of the business.
3. Non-illuminated signs not exceeding four square feet are permitted, subject to a sign permit approval.
4. Off-street parking shall be provided for patrons.
5. A Building Permit shall be required pursuant to current codes.
6. There shall be no activity conducted on the property which would create hazards of fire, explosion or other danger which might adversely affect the use of adjacent properties.
7. The Home Business Permit applies only to the applicant and current property owner, and is not transferable to any other individuals or to any future owners of the property.

8. Sign design and location shall be subject to review under a separate permit.
9. The requirements of the Bremerton-Kitsap County Health District shall be met. (Refer to memo dated 10-25-05).
10. The requirements of the Development Engineering Division shall be met. (Refer to memo dated).
11. No more than five (5) employees are permitted.
12. Any expansion or increase of intensity shall require additional review and approval consistent with the Kitsap County Zoning Ordinance rules and regulations in place at that time.
13. Unless in direct conflict with conditions state above, all proposals of the applicant shall be considered conditions of approval. Application is not to be construed as implied approval of more extensive use of the site or commercial development in the vicinity.
14. Approval shall be limited to the proposal as depicted and described in the application. Application is no to be construed as implied approval of more extensive utilization of the site or commercial development in the vicinity.

Approval of a Home Business Permit in no way mandates approval of any future expansions. If expansion is requested, the use shall be required to locate in a zone, which is compatible with the specific use. a site inspection at the time of the business.

A Home Business Permit may be revoked by the Department of Community Development if at any time the conditions of approval are not met.

The Administrative Decision issued on November 5, 2008. The Decision of the Director of the Kitsap County Department of Community Development may be appealed to the Kitsap County Hearing Examiner pursuant to Section 120. of the Kitsap County Land Use and Development Procedures Ordinance (May 18, 1998). Appeals must be filed with the Department of Community Development by the close of business on November 20, 2008.