



INFORMAL DIRECTOR'S INTERPRETATION

Date: January 31, 2018

Location: Applicable to R-SFR 18-00747 residential construction using split-level floor construction techniques (parcel 212602-1-004-2003)

Permit: Dir Interp-Informal

Subject of Interpretation

Kitsap County Code (KCC) 17.420.056 *Limited Areas of More Intensive Rural Development (LAMIRD) Density and Dimensions Table* lists a maximum height in the Suquamish Village Residential (SVR) zone of 30 feet and a "Max(imum) of 2 habitable floors". What constitutes the number of habitable floors in the proposed home using split-level floors and cathedral ceilings while staying under 30 ft height is the subject of this interpretation.

Cause for Interpretation

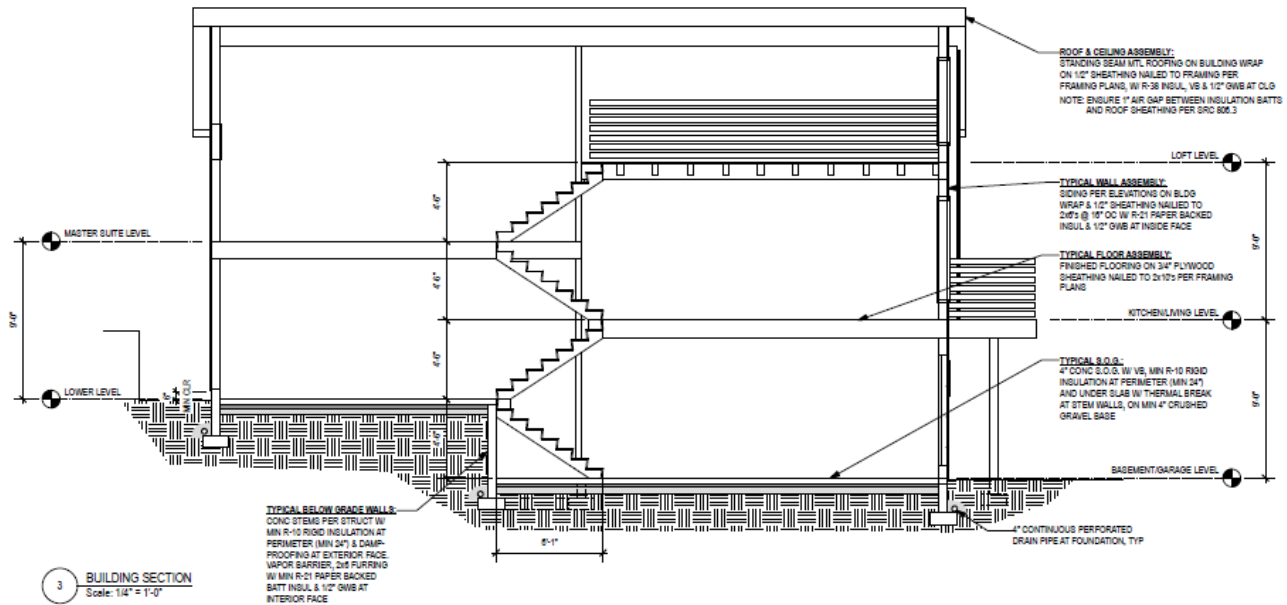
This application-specific interpretation addresses a differing method to determine consistency with intent of code for the proposed home using split-level floors.

This interpretation is solely related to SVR "maximum habitable floors" standards under 17.420.056 *Limited Areas of More Intensive Rural Development (LAMIRD) Density and Dimensions Table* and does not address the legalities under state law. Furthermore, this interpretation may not be construed as an authorization to circumvent or violate state or federal laws.

Background

This interpretation is prompted by R-SFR 18-00747 which has chosen to employ split level flooring and cathedral ceilings while, most importantly, staying under the maximum height limitation of 30 feet. The construction technique, while not typical, is by no means unusual and is entirely permissible subject to proper building codes. The building section¹ from the R-SFR permit application (see next page) shows the bottom level, a slab-on-grade which is the garage and basement storage area; which then leads by stairs to the entry-level first half-floor or lower level bedrooms; which leads by stairs to the second half-floor or kitchen/living areas; which leads by stairs to the third half-floor or master suite; which leads to a fourth quarter-floor or loft.

¹ Building section illustration authorized by Joseph Woods, Woods Design NW, 1-18-19. See Austin email to S Diener.



Interpretation

Title 17 *Zoning* guides development within Kitsap County. It discusses limitations of development, including maximum number of floors. However, zoning code can not conceive of every situation that may require adjustment, additional review or, as in this instance, a Director's Interpretation. When considering the sum of the habitable floor space is less than two whole floors when measured wall-to-wall (1.75 whole floors) and the maximum height of 30 feet is maintained, DCD believes the intent of the overall floor and height limitation is met.

For R-SFR 18-00747, DCD finds that an interpretation regarding the use of split-level floors when the maximum height is not exceeded and when the sum total of floor space would not exceed two floors as measured wall-to-wall is supportable:

1. the proposed construction would not be injurious to the intent of KCC Title 17 *Zoning*;
2. the proposed construction would not adversely impact the public health, safety and general welfare of the residents of the SVR and SVLR zones;
3. a final R-SFR under this circumstance would not create a greater intensity, density or generate more environmental impact than adjacent uses within the SVR zone; and
4. the interpretation would allow enjoyment of a substantial property right enjoyed by others in the same zone.

Conclusion

When considering total "maximum habitable floors" in the SVR zone as it applies to R-SFR 18-00747, DCD will allow split level floors whose total floor area would not exceed two floors as measured wall-to-wall. DCD will propose this issue be considered for code adjustment at the next earliest opportunity.

Pursuant to KCC 21.04.290, these interpretations are neither subject to appeal nor binding on the department.



Jan 31, 2019



Author of the Interpretation
Scott Diener
Manager, DSE

Date

Approved By
Jim Bolger
Interim Director