



## Kitsap County Hearing Examiner

COUNTY COURTHOUSE, 614 DIVISION STREET MS-36  
[http://www.kitsapgov.com/dcd/lu\\_env/he/](http://www.kitsapgov.com/dcd/lu_env/he/)

PORT ORCHARD WASHINGTON 98366-4682  
(360) 337-7181 FAX (360) 337-4925  
[kashcraf@co.kitsap.wa.us](mailto:kashcraf@co.kitsap.wa.us)

### NOTICE OF ADMINISTRATIVE DECISION

December 19, 2011

To: Interested Parties and Parties of Record

RE: Project Name: Horseshoe Avenue Temporary ROW  
Application: Site Development Activity Development-Right of Way  
Use/Improvement  
File Number: LIS#11 101852

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 JANUARY 5, 2012. PLEASE NOTE: THE ADMINISTRATION BUILDING WILL BE CLOSED ON MONDAY, DECEMBER 26, 2011 AND ON JANUARY 2, 2012.**

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

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 Thursday, except holidays, from 10:00 a.m. to 4:00 p.m. by appointment only. You may make an appointment by calling me at (360) 337-4487.

If you have questions, please contact me at (360) 337-4487 or Jeff Rimack at (360) 337-5777.

Sincerely,

Karen Ashcraft  
Clerk of the Examiner

C: Craig Baldwin, PE-WestSound Engineering-217 S Wilkins DR-Port Orchard, WA 98366  
Western Timber Inc-POB 654-Port Orchard, WA 98366  
Marjorie L. Ives c/o Fred Ives-3645 SW 91<sup>st</sup> Ave-Portland OR 97225  
File

Interested Parties:  
(None)



## KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

614 DIVISION STREET MS-36, PORT ORCHARD WASHINGTON 98366-4682  
(360) 337-5777 FAX (360) 337-4925 HOME PAGE - [www.kitsapgov.com/dcd/](http://www.kitsapgov.com/dcd/)

Larry Keeton, Director

December 19, 2011

Marjorie L. Ives c/o Fred Ives  
3645 SW 91<sup>st</sup> Ave  
Portland, Oregon 97225

**RE: Horseshoe ROW, SDAP 11 101852  
PLAN ACCEPTANCE**

Dear Ms. Ives:

This SDAP does not require a land use action. Because a Site Development Activity Permit is a Type II decision, a two-week appeal period is required after SDAP approval (per KCC 21.04.070). Due to this procedural requirement, after the SDAP is approved, we will notify the interested parties. The pre-construction meeting can be scheduled after the two-week appeal period has ended.

We have reviewed and accept for construction the civil site plans for the above referenced project. This permit must be issued within [12] months from the date of approval (per KCC 12.10.055). The Site Development Activity Permit and accepted construction drawings will be issued at the pre-construction meeting. Please contact Ellen Tietz at (360) 337-5777 to schedule the pre-construction meeting.

The initial permit fee for all SDAPs applies to review and processing through permit approval. All review, inspection and processing after the date of the approval letter will be charged at the DCD hourly rate. The balance remaining at approval will be credited toward post-approval hourly fees. The additional post-approval fees will be estimated at the pre-construction meeting based on the proposed construction schedule, and up to 80% of that fee may be required by DCD as a deposit. Any unused deposit will be refunded upon project completion. All fees must be paid prior to final inspection.

**A. The following items shall be submitted to Development Engineering prior to scheduling the pre-construction meeting:**

1. Provide a Certificate of Liability Insurance remaining in force until final construction acceptance is issued by the County. Specify the liability insurance in the amount of not less than one million dollars combined single limit bodily injury and property damage, with a two million dollar aggregate. Include Kitsap County, its officers, and employees as additional insured's with respect to the terms and conditions of the policy. Reference **Horseshoe ROW, SDAP 11 101852** on the Certificate.
2. Provide a performance bond for the erosion and sedimentation control facilities for a minimum amount of **\$5,000** referencing **Horseshoe ROW, SDAP 11 101852** on the bond.

**Horseshoe ROW, SDAP 11 101852**

**December 19, 2011**

Page - 2

3. Record and provide the Kitsap County Public Works Department Right of Way Division with a video tape showing the material condition of both lanes of Horseshoe Avenue SW. The video should be taken along the intended logging truck haul route from the proposed ROW opening out to Spruce Road

**B. Development Engineering will not schedule a final inspection until all of the following conditions are completed:**

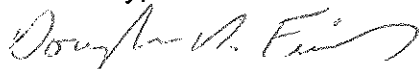
1. Permanent stabilization and restoration of the project site. Final replanting may be delayed to the appropriate season, provided that temporary soil stabilization measures are in place and financial security is provided to assure the completion of work.
2. Submittal, by the Project Engineer, of the Operation and Maintenance Manual for privately maintained and/or non-standard stormwater facilities.
3. Payment of all outstanding fees.
4. Fulfillment of all conditions of approval.
5. Submittal of any required maintenance bonds.

**C. Please be aware of the following requirements by other agencies associated with the proposed construction:**

1. Any work within the County right-of-way will require a permit to perform work in the County right-of-way and possibly a maintenance or performance bond.

If we can be of further assistance, please contact **Jeff Rimack** at (360) 337-5777.

Sincerely,



Douglas R. Frick  
Manager, Development Engineering  
Department of Community Development

Copy to: Craig Baldwin, PE  
Western Timber