

**CITY OF GIG HARBOR
RESOLUTION NO. 422**

**A RESOLUTION UPHOLDING THE HEARING EXAMINER'S DECISION TO ALLOW
A BED & BREAKFAST AT 8212 DOROTICH STREET**

WHEREAS, Mrs. Mary Jackson has requested a conditional use permit allowing a bed & breakfast at 8212 Dorotich Street (CUP 94-01); and

WHEREAS, the planning staff recommended that the Hearing Examiner approve the conditional use permit based upon findings that the request was consistent with the conditional use criteria as defined by section 17.64.040 of the Gig Harbor Zoning Code and as stated in the Staff Report to the Hearing Examiner dated May 25, 1994; and

WHEREAS, a public hearing was held on May 25, 1994 at which time public input stated support for the proposed bed & breakfast; and

WHEREAS, Messrs. Mike Thornhill and Bob Ellsworth submitted public input after the public hearing was closed in a letter to the Hearing Examiner which identified health /safety issues relating primarily to the building; and

WHEREAS, the Hearing Examiner considered all public and staff input and approved the conditional use permit subject to the conditions recommended in the staff report to the Hearing Examiner; and

WHEREAS, the Gig Harbor City Council has adopted Ordinance #489 which establishes guidelines for the reviewing of appeals of decisions of the Hearing Examiner; and

WHEREAS, Mike Thornhill and Bob Ellsworth have filed a timely appeal in a letter to the City Council dated June 15, 1994; and

WHEREAS, at its special meeting of July 18, 1994, the appellants Ellsworth and Thornhill failed to appear before the Council; and

WHEREAS, the Gig Harbor City Council has reviewed the record of the staff recommendation, the record of the Hearing Examiner's decision, the appeal filed by the applicant and the applicant's and appellants presentation at its regular session of July 11, 1994; and

WHEREAS, the City Council has determined that the issues addressed by the appellants have either been addressed by the condition of approval as required by Hearing Examiner or are items typically address through building code compliance; and

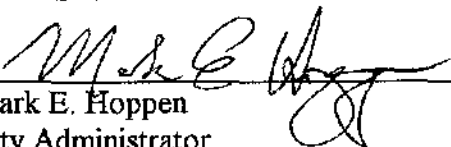
WHEREAS, the City Council agrees with the determinations and findings of the city's staff and Hearing Examiner;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Gig Harbor, Washington, that the appeal filed by Messrs. Ellsworth and Thornhill is denied and the decision of the Hearing Examiner to approve the conditional use permit for a bed & breakfast is upheld, subject to the conditions of approval stated in the June 8, 1994 Hearing Examiner report, and subject to additional conditions that the building shall be inspected by the City's building official/Fire Marshall prior to opening of the bed & breakfast, that the building shall comply with all applicable Uniform Building Code requirements for converting the house to a bed & breakfast and that the greywater line which currently discharges directly into Gig Harbor Bay shall be connected to the City sewer line in accordance with City standards prior to the issuance of an occupancy permit for the bed and breakfast facility..

PASSED this 18th day of July, 1994.


GRETCHEN A. WILBERT, MAYOR

ATTEST:


Mark E. Hoppen
City Administrator