AGENDA

City of Gig Harbor Hearing Examiner
Virtual Hearing
Thursday January 21, 2021 at 1:30 PM

Due to public health concerns, this meeting will be accessible to listen by using the information below:
link to join Webinar **https://zoom.us/j/98569724142**
Call-in: (253) 215-8782 Meeting ID: **985 6972 4142**

To speak during the meeting, press the Raise Hand button near the bottom of your Zoom window or press *9 on your phone. Comments are only allowed during designated portions of the meeting. Please refrain from "raising your hand" until the Hearing Examiner has announced that he has opened the public comment portion of the meeting. Your name or the last four digits of your phone number will be called out when it is your turn to speak. When using your phone to call in you may need to press *6 to unmute yourself. All speakers will have up to three minutes to speak.

If you wish to submit written public comment, please provide your comments to the Planning Division by **Thursday, January 21, 2021 at 12:00 noon.** All written comments must be able to be read in 3 minutes or less to be included in the record and have the title: **FOR PUBLIC COMMENT** included. Send comments to: andrewsc@cityofgigharbor.net. Written comments will be read during the appropriate agenda item.

I. Open Public Meeting

II. Public Hearing

Items on this agenda will be reviewed according to the following format:

1. Open public hearing
2. Staff Report
3. Applicant's presentation
4. Public Comment
5. Close public hearing

New Business

1. **Edward Pugh, 3311 Ross Avenue, Gig Harbor, WA 98332: MS. BEA'S BED AND BREAKFAST CONDITIONAL USE PERMIT: (PL-CUP-20-0004).** The proposal includes establishing a bed and breakfast for short-term lodging in the lower level of the existing on-site residence, which contains two (2) guestrooms totaling approximately 650 square feet. The site is located at 3311 Ross Ave.

III. Adjournment

GIG HARBOR

"THE MARITIME CITY"

DEVELOPMENT SERVICES

COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
STAFF REPORT

TO: Hearing Examiner
FROM: Planning Staff
DATE: January 14, 2021

RE: PL-CUP-20-0004 | Ms. Bea's Bed and Breakfast (B&B)
Public Hearing Date: January 21, 2021

I. GENERAL INFORMATION

A. Owner/Applicant: Edward and Cynthia Pugh
3311 Ross Avenue
Gig Harbor, WA 98332

II. APPLICANT'S REQUEST

The proposal includes establishing a bed and breakfast (B&B) for short-term lodging in the lower level of the existing on-site residence, which contains two (2) guestrooms totaling approximately 650 square feet.

This request is encompassed in a conditional use permit (PL-CUP-20-0004) application. A written statement of justification for granting the conditional use permit is included with the applicant's project description as Exhibit A to this staff report.

III. SITE DESCRIPTION

A. Location: 3311 Ross Avenue, site is located on the northeast side of Ross Avenue approximately 150 feet northwest of the intersection with Rosedale Street. Sec 05, Tw 21, R 02, Qtr 33.
Assessor's Parcel Number: 7650000061

B. Site Area/Acreage: 0.2 acres

C. Existing Site Characteristics:

1. Topography: The site has a slight grade that slopes approximately 15% from the southwest down towards the northeast.

2. Vegetation: The site is developed with mature residential landscape features.

3. Wetlands and Critical Areas: There are no wetlands or critical areas on the site or in the immediate vicinity.

D. Zoning:

1. Subject parcel: R-1 – Single-Family Residential (Historic District)

2. Adjacent zoning and current use:

a. North: R-1 (Historic District) – Single-family residential
DB Downtown Business (Historic District) – Retail

b. East: R-1 (Historic District) – Single-family residential

c. South: R-1 (Historic District) – Single-family residential

d. West: R-1 (Historic District) – Single-family residential

E. Utilities / Road Access: The subject site is accessed from Ross Avenue. Sewer and water are provided by the City of Gig Harbor.

IV. APPLICABLE CODES AND POLICIES

A. Comprehensive Plan: The site is designated as "Residential Low" by the City's Comprehensive Plan. The Land Use Element, Chapter 2, of the Comprehensive Plan applies to this proposal.

B. Gig Harbor Municipal Code: The subject parcel is zoned R-1 Single-Family Residential District. The following code chapters apply to this proposal:

a. 17.04 Definitions
b. 17.16 Single-Family Residential District
c. 17.64 Conditional Uses

V. BACKGROUND INFORMATION:

The subject site is a developed residential lot with one (1) existing single-family residence, which was developed in 1988 according to records with the Pierce County Assessor-Treasurer. The applicant submitted a complete application with the City of Gig Harbor on June 29, 2020 for the subject conditional use request.

VI. ENVIRONMENTAL REVIEW:

This proposal is categorically exempt from SEPA review as the proposal modifies the existing residence without changing the character or the building in a manner which removes it from an exempt class, as exempted by WAC 197-11-800(2)(f).

VII. PUBLIC NOTICE & INPUT:

The legal notice of the proposed action and scheduled hearing (Notice of Public Hearing, "NOPH") was published in the Peninsula Gateway, posted on the site, and mailed to all property owners within 300 feet of the subject site on January 7, 2021. As of the date of this report, no written comments have been received in response to the public notice. The Declarations of Mailing, Publishing and Posting for the public hearing are attached to this staff report as Exhibit B.

A Notice of Application (NOA) was published in the Peninsula Gateway, posted on the site, and mailed to owners of property within 300 feet of the site on July 16, 2020. The Declarations of Mailing, Publishing and Posting are included with this staff report as Exhibit C.

The City received one comment in response to the NOA from the Squaxin Island Tribe of Indians, stating that the Squaxin Tribe of Indians would concur with recommendations from the Department of Archeology and Historic Preservation (DAHP), should any recommendations be provided to the City. However, no recommendations were provided from the DAHP related to this proposal. The comment from the Squaxin Island Tribe of Indians is included as Exhibit D to this staff report.

VIII. STAFF ANALYSIS AND FINDINGS:

A. Planning Staff

1. Comprehensive Plan:

The Land Use map in the Comprehensive Plan ("the Plan") identifies the site as being located within an area designated as "Residential Low."

The purpose of the Residential Low land use designation is to provide for low density single-family residential uses. Community services such as schools and parks are allowed. The Residential Low designation intends to use natural buffers or innovative site design to retain natural site character, as a mitigation technique to minimize noise impacts, and to serve as natural drainage ways.

The proposed lodging, level 1 use will occupy only 650 square feet of an existing 2,828 square foot[1] single-family residence. The site design, in its existing state, is sufficient to accommodate the small proposed conditional use to minimize any potential impacts of the use, when properly conditioned. Should the Hearing Examiner choose to approve the requested lodging, level 1 conditional use and adopt staff's recommended conditions in Section X of this staff report, the proposal can be found generally consistent with the goals of the Plan.

2. Gig Harbor Municipal Code (GHMC):

a. 17.04.444 Definition, Lodging, Level 1:

"Lodging, level 1" means a single-family residence which provides overnight lodging for guests, and may provide meals for overnight guests, not to exceed five guest rooms.

b. 17.16 Single-Family Residential (R-1) Zoning District:

The intent of the "R-1" District is to provide for low density, single-family residential development for certain community services and facilities while preserving the character of the existing single-family residential areas.

If properly conditioned, the proposed conditional use will preserve the character of the existing single-family residential area to which the subject site applies, as is appropriate in the site's R-1 zoning designation. The proposed conditional use will only occupy space in an existing single-family residence, and will not require any remodel to the subject residence to accommodate the proposed lodging, level 1 use. The applicant proposes to use only 650 square

[1] Figure acquired from combining the recorded size of the residence and the recorded size of the finished basement, as recorded with the Pierce County Assessor-Treasurer. See Exhibit E included with this staff report for a copy of this record.

feet of the existing residence, and proposes to use two (2) existing bedrooms in said residence to serve as two (2) lodging guestrooms. The limited size of the proposed conditional use, when properly conditioned, will not detract from the existing residential character of the neighborhood, and proposes to provide lodging in a manner consistent with the lodging, level 1 use defined in GHMC 17.04.444. Furthermore, per the Land Use Matrix set forth in GHMC 17.14.020, lodging, level 1 is a conditionally allowed use in the City's R-1 zoning district. Therefore, the proposal is consistent with the stated intent of the R-1 District.

c. 17.64 Conditional Uses:

Certain uses, because of their unusual size, infrequent occurrence, special requirements, possible safety hazards or detrimental effect on surrounding properties, are classified as conditional uses. These uses may be allowed in certain use districts by a conditional use permit granted by the hearing examiner, subject to the procedures established in Chapter 2.25 GHMC.

In order for a conditional use permit to be granted, it must be found consistent with all criteria set forth in GHMC Subsection 17.64.040. The following is staff's analysis of the proposed project's consistency with the criteria:

GHMC 17.64.040, Review criteria:

1. That the use which the conditional use permit is applied for is specified by this title as being conditionally permitted within, and is consistent with the description and purpose of the zone district in which the property is located;

   Staff Analysis:
   As has been previously discussed in this staff report, "lodging, level 1" is a conditionally permitted use in the R-1 zoning district, as per the City's Land Use Matrix set forth in GHMC 17.14.020. The proposed conditional use is also consistent with the description and purpose of the R-1 zoning district, as the limited size of the proposed use will preserve the character of the existing single-family residential area to which the subject site applies and will retain the single-family residential use in the vast majority of the existing residence.

2. That the granting of such conditional use permit will not be detrimental to the public health, safety, comfort, convenience

and general welfare, will not adversely affect the established character of the surrounding neighborhood, and will not be injurious to the property or improvements in such vicinity and/or zone in which the property is located;

Staff Analysis:
As has been previously discussed in this staff report, the proposed conditional use will not affect the established character of the surrounding neighborhood, nor will the proposed conditional use be injurious to the subject property or improvement in the vicinity of the subject property. Should the Hearing Examiner choose to approve the requested conditional use permit, staff has recommended conditions of approval in Section X of this staff report which, if adopted in the decision, will serve to ensure the proposed conditional use will not be detrimental to the public health, safety, comfort, convenience and general welfare of the subject property or improvements in the area.

3. That the proposed use is properly located in relation to the other land uses and to transportation and service facilities in the vicinity; and further, that the use can be adequately served by such public facilities and street capacities without placing an undue burden on such facilities and streets;

   Staff Analysis:
   The City's Public Works Department has reviewed the subject request and has determined that, if properly conditioned, the proposed conditional use can be adequately served by public facilities and street capacities without placing an undue burden on such facilities and streets. Additionally, the subject site is required to provide five (5) off-street parking stalls to serve the site's single-family residential and lodging, level 1 use, of which the applicant has demonstrated can be provided without placing an undue burden on street capacities; see Exhibit F for the applicant's demonstration of sufficient off-street parking. Finally, the subject site is located within close proximity to public transportation services, with the closest Pierce Transit public transit stop located approximately 450 feet from the subject site at the intersection of Harborview Drive and Rosedale Street.

4. That the site is of sufficient size to accommodate the proposed use and all yards, open spaces, walls and fences, parking, loading, landscaping and other such features as are

required by this title or as needed in the opinion of the examiner.

Staff Analysis:
The subject site is of sufficient size to accommodate the proposed use and all yards, open spaces, walls and fences, parking, loading, landscaping and other such features required by Title 17 of the Gig Harbor Municipal Code (GHMC). Of the aforementioned features, the proposed lodging, level 1 use only impacts the required off-street parking for the site. Consistent with the parking requirements set forth in GHMC 17.72.030, the lodging, level 1 use serving two (2) rooms for rent is required to provide a total of five (5) off-street parking stalls. The applicant has demonstrated that the subject site, in its existing state, provides adequate off-street parking to serve the proposed conditional use; see Exhibit F to this staff report for this demonstration. The applicant has also provided a copy of an Easement and Use Agreement for Joint-Use Driveway executed between the applicant and its northwesterly residential neighbor, 3317 Ross Avenue, owned by Terry G. Smith and Betty L. Smith. The easement was recorded on May 30, 2002, and provides for the driveway located over the parcels' shared property line to be used for access to the subject parcel. This easement is included as Exhibit G to this staff report. The site's sufficient off-street parking availability and sufficient access to these parking stalls demonstrates that the site adequately provides for all necessary features as required by Title 17, GHMC.

B. Operations and Engineering

The Public Works Department has reviewed the subject request and has found the request to be generally consistent with the applicable provisions of the Code, provided that the applicant submit payment for a Transportation Impact Fee in the amount of $5,071.00 to the City prior to issuance of land use permits allowing the requested Lodging, Level 1 use of the site.

C. Fire Marshal/Building Official

The Building Official has reviewed the subject request and has found the subject request to be generally consistent with the applicable provisions of the Code, provided that a site inspection be completed prior to the site's Lodging, Level 1 use to verify code

compliant smoke and carbon monoxide detectors have been installed.

IX. CONCLUSIONS:

Based on the submitted information, staff's site inspection, and the analysis contained above, staff concludes the proposal is generally consistent with the guidelines set forth in GHMC 17.64.040 that are required to be considered by the Hearing Examiner in reviewing such proposals. Approval of the permit will allow a lodging, level 1 use to occupy 650 square feet of an existing single-family dwelling to serve two (2) guestrooms. It is staff's conclusion that the proposed conditional use has been thoughtfully integrated with the applicant's existing single-family dwelling. If developed as proposed, and if appropriately conditioned, no adverse impact would occur to surrounding properties or the character of the neighborhood.

X. RECOMMENDATIONS:

Should the requested Conditional Use be approved, staff recommends the imposition of the following special conditions of approval:

1. The applicant shall obtain all necessary business licenses, and land use, civil, and building permits from the city prior to commencing the Lodging, Level 1 use on the site.

2. The applicant shall adhere to the findings and recommended conditions of the City's Building Official and the Engineering Division of the City of Gig Harbor, as described in Section VIII.B and Section VIII.C of this staff report.

3. The applicant shall operate the site consistent with the project description and statement of justification included jointly as Exhibit A to this staff report.

Project Planner: Kimberly Mahoney, Associate Planner

Date: January 14, 2021

cc: Planning File

The following exhibits are included for your review of the development application:

Exhibit A – Applicant's Project Description and Conditional Use Permit Justification, dated April 22, 2020
Exhibit B – Declarations of Mailing, Posting, and Publishing, Notice of Public Hearing, January 7, 2021
Exhibit C – Declarations of Mailing, Posting, and Publishing, Notice of Application, July 16, 2020
Exhibit D – NOA Comment, received from the Squaxin Island Tribe of Indians, dated July 20, 2020
Exhibit E – Pierce County Assessor-Treasurer Property Summary, 3311 Ross Avenue, Assessor's Parcel Number 7650000061
Exhibit F – Applicant's Demonstration of Sufficient Off-Street Parking
Exhibit G – Easement and Use Agreement for Joint-Use Driveway, dated May 30, 2002

Duration of Permit Approval: The permits included in this decision shall expire three (3) years from the date of approval, unless a complete application for subsequent building permit or civil permit has been submitted and remained active, pursuant to GHMC 19.02.008. Upon written request by the property owner, prior to the date of land use permit expiration, the director may grant an extension of time up to but not exceeding one (1) year pursuant to GHMC 19.02.008(F). See GHMC 19.02.008 for complete regulations on the duration of permit approvals and expiration of permits.

Administrative Appeal: There is no administrative appeal for this decision. Any appeal of this decision shall be in accordance with RCW 36.70C.

Property Tax Valuation: Affected property owners may request a change in property tax valuation notwithstanding any program of revaluation by contacting the Pierce County Assessor-Treasurer.

Permit Documents: The complete project permit file, including official decision, findings, conclusions and conditions of approval, if any, is available for review at the City of Gig Harbor Community Development Department, 3510 Grandview Street, Gig Harbor, WA 98335, during normal business hours, Monday through Friday. Additional permit information can also be found at https://ci-gigharbor-wa.smartgovcommunity.com/Parcels/ParcelHome by entering the above permit numbers. Questions regarding the above stated decision should be made to Kim Mahoney, Associate Planner at mahoneyk@cityofgigharbor.net or 253-851-6170.

Hearing Examiner, Jan. 21, 2021
Ms. Bea's Bed and Breakfast CUP

PL-CUP-20-0004

Exhibit A

OFFICE USE ONLY

SMITTED: _____

ASE NO.: _____

MASTER PLANNING PERMIT APPLICATION

Check all permits you are applying for in the boxes provided. Submit this application form, the applicable materials listed in the corresponding checklist and fee.

☐ Major Site Plan Review	☐ Preliminary Short Plat	☐ Shoreline Substantial Development Permit	☐ Land Clearing
☐ Minor Site Plan Review	☐ Final Short Plat	☐ Shoreline Variance	☐ Nonconforming Review
☐ Administrative Design Review	☐ Preliminary Plat	☐ Shoreline Conditional Use Permit	☐ Perf. Based Height Exception
☐ Alternative Design Review	☐ Preliminary Plat Revision	☐ Shoreline Exemption	☐ Temporary Trailer
☐ Alternative Landscape Plan	☐ Final Plat	☐ Shoreline Revision	☐ Administrative Interpretation
☐ Binding Site Plan	☐ Plat Alterations/Vacation	☐ Flood Hazard	☐ Rezone
☐ Variance	☐ Preliminary PRD/PUD	☐ Critical Area Variance	☐ Height Restriction Area Amendment
☒ Conditional Use Permit	☐ Final PRD/PUD	☐ Reasonable Use Exception	☐ Comp. Plan Amendment
☐ SEPA	☐ Final PRD/PUD Amendment	☐ Critical Area Review	☐ Zoning Text Amendment
	☐ Boundary Line Adjustment		

Project Name:	Ms. Bea's Bed and Breakfast - Conditional Use
Project Address:	3311 Ross Ave. Gig Harbor, WA. 98332
Tax Assessor Parcel Number(s): *Attach full legal description*	7650000061 (see Attachment #3 for legal description)

APPLICANT/AGENT ☒ **Primary Contact for Application**			
Name:	Edward Pugh	**Phone:**	253-905-7221
Street:	311 Ross Ave.	**Fax:**	
City/State/Zip:	Gig Harbor, WA. 98332	**Email:**	edwardpugh@me. com

PROPERTY OWNER(S) ☒ **Applicant** ☒ **Primary Contract for Application**			
Name:	Edward and Cynthia Pugh	**Phone:**	253-905-7221
Street:	3311 Ross Ave	**Fax:**	
City/State/Zip	Gig Harbor, WA. 98332	**Email:**	edwardpugh@me.com

Property Owner(s)

I do hereby affirm and certify, under penalty of perjury, that I am one (or more) of the owners or owner under contract of the herein described property and that the foregoing statements and answers are in all respects true and correct on my information and belief as to those matters, I believe it to be true.

Signature by Property Owner: _____ **Date**: April 22, 2020

PROJECT DESCRIPTION (PROVIDE DETAILED SUMMARY)

This application is for a "conditional use permit," required but the City of Gig Harbor. The location is currently zoned Residential Low (R-1). The space in question is in the lower part of the existing residence. The application proposes allowing the owners to use this lower level space for short-term guests; marketing the space as a Bed and Breakfast.

The location is zoned Residential Low (R-1). Per GHMC 17.14.020 Land Use Matrix. This R-1 zoning allows conditional use for Lodging Level 1; specifically, overnight lodging for guests, providing meals for overnight guests, not to exceed five guest rooms. The space in question has two (2) guest rooms. We do not plan on providing meals at this time.

…… (continued). See Attachment "Gig Harbor #3"

UTILITIES

Water Supply (name of utility provider):	**Sewage Disposal (name of utility provider):**
City of Gig Harbor	City of Gig Harbor

Access (Name of road or street from which access is or will be gained):
Ross Ave. Noting, access to (and parking for) the conditional use space (lower level) will from an access drive to lower off street parking, and the Bed and Breakfast entrance. (see Attachment #1, and "Photo Attachments "A" and "E."

CRITICAL AREA INFORMATION

Wetlands on site ☐ Yes ■ No	**Slopes exceeding 15%** ☐ Yes ■ No	**Streams** ☐ Yes ■ No

Existing Land Use: Describe (or illustrate separately) all existing use structures and all critical areas within 300 feet of property lines.
There is a single residential structure at this property address. The bed and breakfast will be in the lower level without modification to this single existing structure. The lower interior space in question is approximately 650 square feet; has two bedrooms, and one bathroom. The space is listed on "Airbnb," and is marketed to accommodate families, not to exceed 4 guests. The space is estimated to have an annual occupancy rate of 60%. There are no critical areas within the property boundaries.

Fee Deposits:
"I acknowledge that I have applied for a permit which requires a deposit for future services to be rendered, as required by section F of the City's adopted Fee Schedule. I understand that, as the applicant, I (we) shall bear all of the costs of these services and will be billed the act costs in excess of the deposit. If the actual costs are below the deposit, I will be refunded the difference." _____ (Initials)

Consolidated Permit Processing:
"As the applicant, I (we) elect to have all planning permits submitted concurrently and associated with our project processed collectively under the highest numbered permit procedure per **GHMC 19.01.002(B)**." _____ (Initials)

GIG HARBOR
"THE MARITIME CITY"

PLANNING DEPARTMENT
CHECKLIST FOR ALL PROJECTS

CHECKLIST FOR ALL PROJECTS | GHMC 19.02.002

- ☒ A completed project permit application form.
- ☒ A verified statement by the applicant that the property affected by the application is in the exclusive ownership of the applicant, or that the applicant has submitted the application with the consent of all owners of the affected property.
- ☒ A property and/or legal description of the site for all applications, as required by the applicable development regulations.
- ☒ The applicable fee.
- ☒ Evidence of adequate water supply as required by RCW 19.27.097 or a copy of an application for City of Gig Harbor water concurrency determination; and
- ☒ Evidence of sewer availability or an application for a city of Gig Harbor sewer concurrency determination.

SUBMITTAL OPTIONS:

PAPER COPY OPTION:

- ☐ 5 complete sets of submittal materials including wetland reports and traffic reports. Plan sets are to be the same size sheets collated and bound, (preferred size of 24"x36"). Please provide 2 sets of reduced size 11"x17". Please tile sheets if needed to meet required scale.

  If your project requires multiple permits, only 5 sets, plus 2 reduced sets, are required. Please combine the requirements of all permits into the bound sets.

ELECTRONIC PLAN REVIEW OPTION:

- ☒ The City of Gig Harbor is pleased to offer electronic plan review. Please read this Client Assistance Memo and email a complete Intake Request Form to: planningintake@cityofgigharbor.net

This checklist is intended as a guide for applicants and is not a substitute for the applicable code sections.

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(continued from Master Application)….

The interior house plan for this address has three bedrooms. There will is no *visible* difference between the zoned use and the proposed conditional use. The property looks "residential," and maintains it's residential character, having no effect on property or improvements in the area. No modifications to the interior of the residence were required for this use. The owners have no children living at home at this time, and will be using the two children's bedrooms for this conditional use, figuring the conditional use will result in a net 10% reduction in annual occupancy.

(Guest occupancy, 60% (annually), averaging three guests per booking = 657 nights
Two (2) children, 100% occupancy= 730 nights….. 10% redaction in annual use)

As a result, we conclude the proposed conditional use will not be detrimental to the public nor adversely affect the character of the neighborhood in any way. This R-1 property adjoins commercial property in the "downtown" area; and this use will bring walking tourists and shoppers to support our downtown businesses.

This R-1 property adjoins commercial property in the downtown area, making it suitable for the proposed conditional use. Private, on-site parking is provided for all guests.

Proposed conditional use operations can operate sufficiently within the existing boundaries; no additional space is needed nor planned for. There have been no interior or exterior modifications as a result of this proposed use. Please note, this is one of the larger lots on Ross Ave.. (3311 Ross Ave. and 3317 Ross Ave. have both had lot-line adjusts, after purchasing and splitting the lot between the two residences).

Hearing Examiner, Jan. 21, 2021
Ms. Bea's Bed and Breakfast CUP

PL-CUP-20-0004

Exhibit B

CERTIFICATION OF PUBLIC NOTICE

DECLARATION OF POSTING

I, EDWARD PUGH (printed name), declare under penalty of perjury under the laws of the State of Washington and the United States of America that the foregoing is true and correct to the best of my knowledge:

On 1/5, 2021 I caused to be posted the notice board provided by the City for the **NOTICE OF PUBLIC HEARING** on the following:

Project Name: **MS BEA'S B&B CUP**

Project Location: **3311 ROSS AV.**

Permit Number(s): **(PL-CUP-20-0004)**

the locations indicated below meeting the requirements of GHMC 19.03.001(A).

- ☒ FRONT OF HOUSE STRUCTURE, FACING ROSS AVE.
- ☒ _____

SIGNED at Gig Harbor, Washington, this 5TH day of JANUARY, 2021.

DECLARANT (signature)

CERTIFICATION OF PUBLIC NOTICE

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DECLARATION OF PUBLISHING

I, **CINDY ANDREWS** (printed name), declare under penalty of perjury under the laws of the State of Washington and the United States of America that the foregoing is true and correct to the best of my knowledge:

On **DECEMBER 23, 2020** I sent a true and correct copy of the **NOTICE OF NOPH** *f*or publication In the **January 07, 2021** edition of the Peninsula Gateway for the following:

Project Name **MS BEA'S B&B CUP**

Project Location: **3311 ROSS AVE**

Permit Number(s): **PL-CUP-20-0004**

SIGNED at Gig Harbor, Washington, this **23rd** day of **DECEMBER 2020**.

DocuSigned by:
Cindy Andrews
C83122C3F23A404...

DECLARANT (signature)

CERTIFICATION OF PUBLIC NOTICE

==========

DECLARATION OF MAILING

I, **MANDY CHAPMAN** (printed name), declare under penalty of perjury under the laws of the State of Washington and the United States of America that the foregoing is true and correct to the best of my knowledge:

On **JANUARY 7TH , 2021** I mailed, a true and correct copy of the **NOTICE OF PUBLIC HEARING** for the following:

Project Name: **MS. BEA'S BED AND BREAKFAST CONDITIONAL USE PERMIT**

Project Location: **3311 ROSS AVE**

Permit Number(s): **PL-CUP-20-0004**

to the individuals/agencies identified on the attached transmittal form by United States Postal Service, inter-office routing, or electronic mail, as specified on the attached.

SIGNED at **GIG HARBOR, WA** , this **7TH** day of **JANUARY** , 2021

Mandy Chapman

DECLARANT (signature)

GIG HARBOR®

"THE MARITIME CITY"

CITY OF GIG HARBOR
NOTICE OF PUBLIC HEARING

MS. BEA'S BED AND BREAKFAST CONDITIONAL USE PERMIT

Permit Number(s):	PL-CUP-20-0004
Date of Notice:	January 7, 2021
Applicant:	Edward Pugh, 3311 Ross Avenue, Gig Harbor, WA 98332
Agent:	Same as Applicant
Project Location:	3311 Ross Avenue, site is located on the northeast side of Ross Avenue approximately 150 feet northwest of the intersection with Rosedale Street. Sec 05, Tw 21, R 02, Qtr 33. Assessor's Parcel Number: 7650000061
Project Description:	The proposal includes establishing a bed and breakfast for short-term lodging in the lower level of the existing on-site residence, which contains two (2) guestrooms totaling approximately 650 square feet.
SEPA Threshold Determination:	Not applicable; the proposal is categorically exempt from SEPA consistent with WAC 197-11-800(2)(f).
PUBLIC HEARING DATE:	Hearing Examiner, **January 21, 2021 at 1:30 pm**, at Gig Harbor Civic Center, Council Chambers, 3510 Grandview Street, Gig Harbor. **NOTE: This public hearing may be held in an online format subject to the latest public health recommendations.**

Interested persons are invited to attend the public hearing and provide testimony on this proposal. The hearing will be conducted in the manner prescribed by Gig Harbor Municipal Code Chapter 19.05.

As of March 16, 2020, at 12 PM noon, our Civic Center will be closed to the general public until further notice. Therefore, documents pertinent to this application are available for review and inspection online only using the City of Gig Harbor Permit Portal. Please contact Kimberly Mahoney, Associate Planner, for questions regarding access to other documents pertinent to this application. A copy of the staff report on this proposal will be available at least seven days prior to the hearing. A copy of the application, all documents and evidence relied upon by the applicant, and applicable criteria are available for inspection at no cost; copies will be provided at the requestor's cost.

Interested persons may comment on the above stated application or may request a copy of the decision on this application. **Requests for notification, written comments, including any written comments addressing the findings required for a decision, must be submitted to the Planning Division no later than 12:00 noon on January 21, 2021.**

Questions regarding the above stated application should be made to Kimberly Mahoney, Associate Planner, City of Gig Harbor Community Department, 3510 Grandview Street, Gig Harbor, WA 98335, or by calling 851-6170. Additional permit information can also be found at www.cityofgigharbor.net by clicking "Permit Portal," then clicking "Applications"

and entering the above permit numbers or by reviewing the city's website at https://www.cityofgigharbor.net/calendar, selecting "Hearing Examiner Hearing" and then selecting the Hearing date and clicking on "More Details."

Parcel: 7650000090
TANGNEY CHASE M & TARA H
6903 FORD DR NW
GIG HARBOR, WA 98335-6453

Parcel: 0221053090
LOPEZ RAMON & DELFINA
3226 HARBORVIEW DR
GIG HARBOR, WA 98332-2182

Parcel: 7650000020
SHAW RICHARD H
PO BOX 490
GIG HARBOR, WA 98335-0490

Parcel: 5970000030
GIG HARBOR MARINA
3323 HARBORVIEW DR
GIG HARBOR, WA 98332-2126

Parcel: 7650000070
BURR GANET
3303 ROSS AVE
GIG HARBOR, WA 98332-1841

Parcel: 5970000572
NAMES KAPIOLANI
2801 16TH ST SE
PUYALLUP, WA 98374-1382

Parcel: 5970000551
VALLE ROBERT G
3225 N PERSHING AVE
SAN BERNARDINO, CA 92405-2...

Parcel: 0221082059
MALKOC ESAD & OLGA ET AL
5080 DUNDAS ST
BURNABY, BC V5B 1A3

Parcel: 0221053075
LOPEZ RAMON & DELFINA
3226 HARBORVIEW DR
GIG HARBOR, WA 98332-2182

Parcel: 0221082197
LADD FAMILY LLC
PO BOX 98922
LAKEWOOD, WA 98498

Parcel: 0221053099
HUDSON KAREN J
3409 ROSEDALE ST
GIG HARBOR, WA 98335-1815

Parcel: 5970000010
SEHER STEPHEN & SUZANNE
2810 MARSHALL AV
TACOMA, WA 98421

Parcel: 5970000491
2015 HOLLAND FAMILY LLC
PO BOX 1952
GIG HARBOR, WA 98335-3952

Parcel: 4363000011
MCCRAY KENNETH A & GAYLE...
12207 58TH AVE
GIG HARBOR, WA 98332-8132

Parcel: 0221082198
LADD FAMILY LLC
PO BOX 98922
LAKEWOOD, WA 98498

Parcel: 5970000440
SWANSON WILLIAM & SHERI
PO BOX 1848
GIG HARBOR, WA 98335

Parcel: 0221053112
UNKNOWN CONVERSION PART...
UNKNOWN PARTY ADDRESS
UNKNOWN CITY, WA

Parcel: 5970000450
OLIVIER RICHARD M TTEE & O...
3316 HARBORVIEW DR
GIG HARBOR, WA 98332-2126

Parcel: 5970000060
GIG HARBOR MARINA INC
3323 HARBORVIEW DR
GIG HARBOR, WA 98332-2126

Parcel: 7650000100
WINTER RONALD F & MILLICEN...
3317 ROSEDALE ST
GIG HARBOR, WA 98335-1813

Parcel: 0221053033
PINCH CASEY M
3423 ROSEDALE ST
GIG HARBOR, WA 98335-1815

Parcel: 5970000511
LOVROVICH DAVID
3319 ROSS AVE
GIG HARBOR, WA 98332-1841

Parcel: 0221053045
ZUSY JAMES L & GRACIELA L
7420 FORD DR NW
GIG HARBOR, WA 98335-6479

Parcel: 5970000050
GIG HARBOR MARINA INC
3323 HARBORVIEW DR
GIG HARBOR, WA 98332-2126

Parcel: 0221082153
LOVROVICH PAULINE K
3406 ROSEDALE ST
GIG HARBOR, WA 98335-1816

Parcel: 5970000492
HALLDORSON-LEE JANET
3403 ROSS AVE
GIG HARBOR, WA 98332-1843

Parcel: 5970000512
LOVROVICH DAVID
3319 ROSS AVE
GIG HARBOR, WA 98332-1841

Parcel: 5970000470
SQUAREBUSH LLC
7710 110TH ST NW
GIG HARBOR, WA 98332-6822

Parcel: 5970000040
GIG HARBOR MARINA INC
3323 HARBORVIEW DR
GIG HARBOR, WA 98332-2126

Parcel: 7650000040
FRENCH QUARTER PROPERTY...
7801 RELIANCE LN UNIT A
GIG HARBOR, WA 98335-1196

Parcel: 5970000573
WAMBOLD MARK H & JILL M
8021 DOROTICH ST
GIG HARBOR, WA 98335

Parcel: 0221082222
MP4 INC
7826 31ST STREET CT NW
GIG HARBOR, WA 98335-6065

Parcel: 0221053013
SEHER STEPHEN & SUZANNE
2810 MARSHALL AVE STE B
TACOMA, WA 98421-3135

Parcel: 0221082056
PENINSULA HOTEL LLLP
PO BOX 587
GIG HARBOR, WA 98335-0587

Parcel: 0221082199
LADD FAMILY LLC
PO BOX 98922
LAKEWOOD, WA 98498

Parcel: 0221053036
ZUSY JAMES L & GRACIELA L
7420 FORD DR NW
GIG HARBOR, WA 98335-6479

Parcel: 5970000460
IRVING TRACEY & STEPHEN M ...
3400 HARBORVIEW DR
GIG HARBOR, WA 98332-2127

Parcel: 7650000080
TANGNEY CHASE M & TARA H
6903 FORD DR NW
GIG HARBOR, WA 98335-6453

Parcel: 5970000561
NASON DIANE M
3330 ROSS AV
GIG HARBOR, WA 98332

Parcel: 5970000020
GIG HARBOR MARINA INC
3323 HARBORVIEW DR
GIG HARBOR, WA 98332-2126

Parcel: 5970000430
WILTBANK SUZANNE E
3310 HARBORVIEW DR
GIG HARBOR, WA 98332-2126

Parcel: 0221053100
ROHRBAUGH KYLE P TTEE & R...
10407 50TH STREET CT NW
GIG HARBOR, WA 98335-5937

Parcel: 0221082147
MP4 INC
7826 31ST STREET CT NW
GIG HARBOR, WA 98335-6065

Parcel: 0221053021
WINTER RONALD F & MILLICEN...
3317 ROSEDALE ST
GIG HARBOR, WA 98335-1813

Parcel: 5970000571
MCGHEE JOSEPH M & MCGHE...
3402 ROSS AVE
GIG HARBOR, WA 98332-1844

Parcel: 5970000500
HALLDORSON-LEE JANET
3403 ROSS AVE
GIG HARBOR, WA 98332-1843

Parcel: 0221082092
MP4 INC
7826 31ST STREET CT NW
GIG HARBOR, WA 98335-6065

Parcel: 0221053101
BUJACICH JOHN S
3323 ROSS AVE
GIG HARBOR, WA 98332-1841

Parcel: 5970000521
SMITH TERRY G & BETTY LOU
3317 ROSS AVE
GIG HARBOR, WA 98332-1841

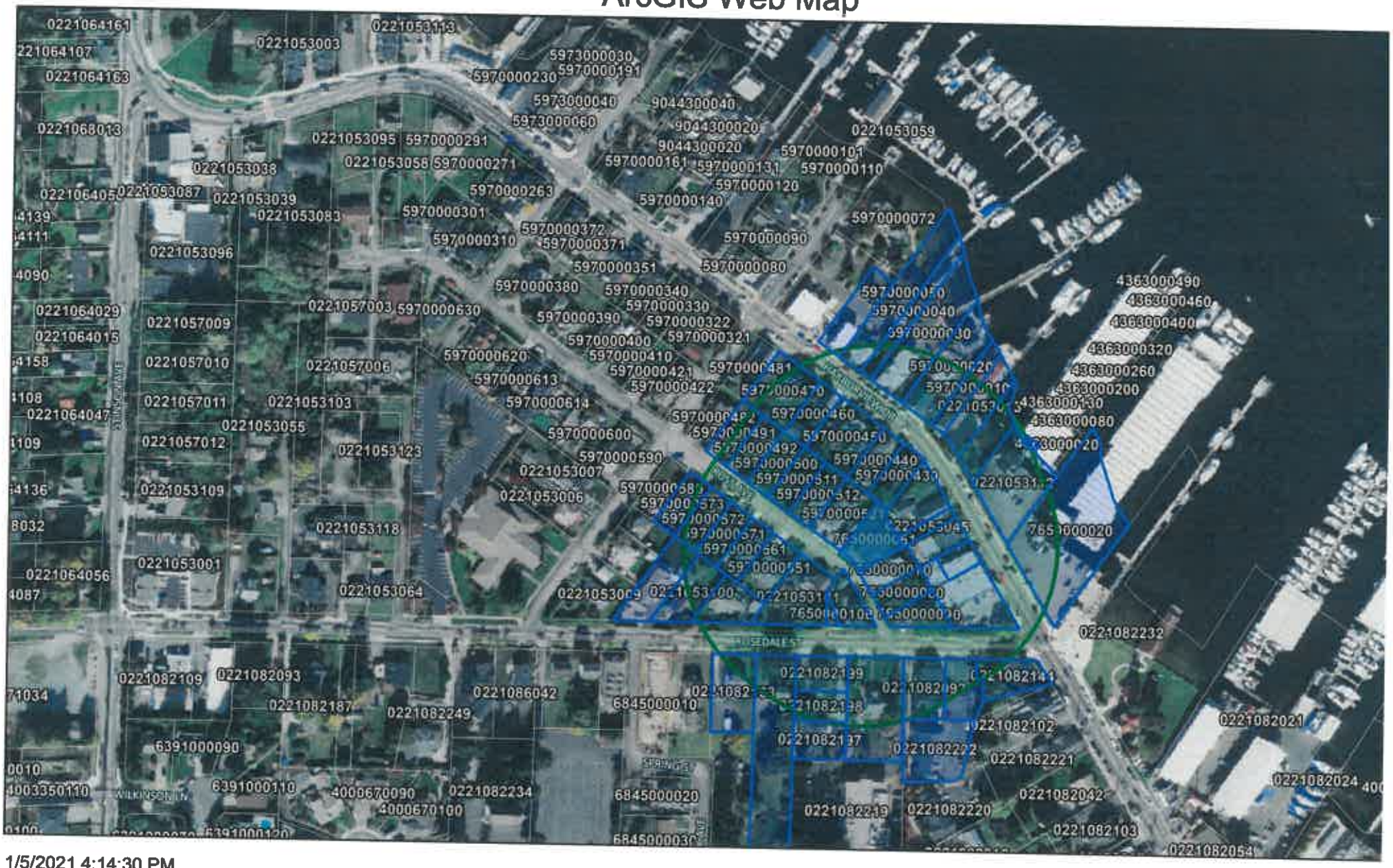
Parcel: 0221082144
SCHLICK LYNN M
PO BOX 2
WAUNA, WA 98395-0002

Parcel: 7650000061
PUGH EDWARD N JR & CYNTHI...
3311 ROSS AVE
GIG HARBOR, WA 98332-1841

Parcel: 0221053014
SEHER STEPHEN & SUZANNE
2810 MARSHALL AV
TACOMA, WA 98421

51

ArcGIS Web Map



1/5/2021 4:14:30 PM

Parcels

1:4,514

0 0.03 0.05 0.1

0 0.04 0.08 0.16

USDA FSA, GeoEye, Maxar

The map features are approximate. All data is provided "as-is" and "with all faults." The City assumes no liability for variations ascertained by a

City

Hearing Examiner, Jan. 21, 2021
Ms. Bea's Bed and Breakfast CUP

PL-CUP-20-0004

Exhibit C

CERTIFICATION OF PUBLIC NOTICE

==========

DECLARATION OF MAILING

I, Michelle Thomas (printed name), declare under penalty of perjury under the laws of the State of Washington and the United States of America that the foregoing is true and correct to the best of my knowledge:

On July 16th, 2020 I mailed a true and correct copy of the of Notice of Application for the following:

Project Name: Ms. Bea's Bed and Breakfast Conditional Use Permit

Project Location:3311 Ross Avenue

Permit Number(s):PL-CUP-20-0004

to the individuals/agencies identified on the attached transmittal form by United States Postal Service, inter-office routing, or electronic mail, as specified on the attached.

SIGNED at Gig Harbor, Washington, this 16th day of July, 2020.

Michelle Thomas

DECLARANT (signature)

City of Gig Harbor
Transmittal Form

Routing for: [NOA] SEPA NOPH NOPM NOD **Notice Date:** 07.16.2020

Project: Ms. Bea's Bed & Breakfast CUP **Planner: Kim Mahoney**

Routed to: ☐ Public Works–Operations ☐ Building and Fire Safety
City Depts. ☐ Public Works–Engineering ☐ Other_____

SEPA Agencies: ☒ Washington Department of Ecology, SEPA Register
(NOA, SEPA) ☒ Washington Department of Commerce
Electronic Mail ☒ Pierce Transit Land Use Review
☒ Washington State Department of Fish & Wildlife
☒ Washington State Department of Natural Resources
☒ Washington State DAHP
☒ Puyallup Tribe of Indians Historic Preservation
☒ Puyallup Tribe Cultural Resources
☒ PenMet Parks
☒ Gig Harbor Fire & Medic One
☒ Suquamish Tribe
☒ Peninsula School District
☒ Pierce County Planning and Land Services
☒ Washington State Department of Transportation, attn: OR-SEPA-REVIEW
☒ Squaxin Island Tribe
☒ Muckleshoot Tribe
☒ Washington Department of Corrections
☒ Puget Sound Partnership
☒ Nisqually Tribe
☒ Peninsula Light Company

Other Parties: ☒ Applicant/Owner/Agent (NOA, NOPH, NOPM, SEPA, NOD)
1st Class Mail ☒ DRB (NOA for Non-residential, Multi-family, Subdivisions, Public Projects)
☒ Parks Commission via Terri Reed (NOA)
☒ Property Owners within 300 feet of site: attached list (NOA, SEPA, NOPH, NOPM, NOD for Type II permits only)
☐ Parties of Record: attached list (NOPH, NOPM, NOD)
☐ Pierce County (NOA for Plats adjacent to City Limits)
☐ Pierce County Assessor-Treasurer (NOD)
☐ WA Transportation Secretary (NOA for Plats adj. to State ROW, or within 2 miles of Airport—approximately any plats south of Pioneer/Wollochet interchange)
☐ Other _____

GIG HARBOR

"THE MARITIME CITY"

COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION

CITY OF GIG HARBOR

NOTICE OF APPLICATION
July 16, 2020

Ms. Bea's Bed and Breakfast Conditional Use Permit
Type III Permit

Permit Number(s): PL-CUP-20-0004

Date Application was Submitted: April 28, 2020

Date of Notice of Complete Application: June 29, 2020

Name of Applicant: Edward Pugh, 3311 Ross Avenue, Gig Harbor, WA 98332

Name of Agent: same as Applicant

Project Location: 3311 Ross Avenue, site is located on the northeast side of Ross Avenue approximately 150 feet northwest of the intersection with Rosedale Street. Sec 05, Tw 21, R 02, Qtr 33.

Description of Proposed Project: The proposal includes establishing a bed and breakfast for short-term lodging in the lower level of the existing on-site residence, which contains two (2) guestrooms totaling approximately 650 square feet.

Project Permits Included with Application: Conditional Use Permit

Further Studies Being Required by Applicable Official: None at this time.

Other Required Permits Not Included in Application: External agency permits be required.

Existing Environmental Documents which Evaluate Proposed Project: Not applicable.

Tentative Public Meeting or Public Hearing Date: A hearing date has not been scheduled for this application.

As of March 16, 2020, at 12 PM noon, our Civic Center will be closed to the general public until further notice. Therefore, documents pertinent to this application are available for review and inspection online only using the City of Gig Harbor Permit Portal. Please contact Kimberly Mahoney, Associate Planner at mahoneyk@cityofgigharbor.net for questions regarding access to other documents pertinent to this application. An open record public hearing will be held on this project, at this time the hearing has not been scheduled. A copy of the staff report on this project proposal will be available seven days prior to the public hearing.

Interested persons may comment on the above stated application, or may request any notice of public hearing or a copy of the decision on this application, or participate in any public hearings. Requests for notification or written comments must be submitted to the Planning Department by no later than July 30, 2020. All public comments or requests must be received at the Planning Department by no later than 5:00pm on the last date of the comment period.

Questions regarding the above stated application should be made to Kim Mahoney, Associate Planner, City of Gig Harbor Planning Department, 3510 Grandview St., Gig Harbor, WA 98335, or by calling 851-6170. Additional permit information can also be found at www.cityofgigharbor.net by clicking "Permit Portal" and entering the above permit numbers.

5970000491
2015 HOLLAND FAMILY LLC
PO BOX 1952
GIG HARBOR, WA 98335-3952

5970000572
COOKE DAVID S TTEE &
COOKE NANCY L TTEE
3404 ROSS AVE
GIG HARBOR, WA 98332-1844

5970000492 5970000500
HALLDORSON-LEE JANET
3403 ROSS AVE
GIG HARBOR, WA 98332-1843

221082197 0221082198 0221082199
LADD FAMILY LLC
3324 ROSEDALE ST
GIG HARBOR, WA 98335

221082153
LOVROVICH PAULINE K
3406 ROSEDALE ST
GIG HARBOR, WA 98335-1816

5970000571
MCGHEE JOSEPH M & MCGHEE BRUCE
& KATHRYN A
3402 ROSS AVE
GIG HARBOR, WA 98332-1844

5970000450
OLIVIER RICHARD M & JACQUELINE F
3316 HARBORVIEW DR
GIG HARBOR, WA 98332-2126

7650000061
PUGH EDWARD N JR & CYNTHIA M
3311 ROSS AVE
GIG HARBOR, WA 98332-1841

5970000010 0221053013 0221053014
SEHER STEPHEN & SUZANNE
2810 MARSHALL AV STE B
TACOMA, WA 98421

5970000470
SQUAREBUSH LLC
7710 110TH ST NW
GIG HARBOR, WA 98332-6822

221053101
BUJACICH JOHN S
3323 ROSS AVE
GIG HARBOR, WA 98332-1841

7650000040
FRENCH QUARTER PROPERTY LLC
PO BOX 725
GIG HARBOR, WA 98335-0725

221053099
HUDSON KAREN J
3409 ROSEDALE ST
GIG HARBOR, WA 98335-1815

221053075 0221053090
LOPEZ RAMON & DELFINA
3226 HARBORVIEW DR
GIG HARBOR, WA 98332-2182

221082059
MALKOC ESAD & OLGA ET AL
5080 DUNDAS ST
BURNABY, BC V5B 1A3

221082222 0221082092 0221082147
MP4 INC
7826 31ST STREET CT NW
GIG HARBOR, WA 98335-6065

221082056
PENINSULA HOTEL LLLP
PO BOX 587
GIG HARBOR, WA 98335-0587

221053100
ROHRBAUGH KYLE P TTEE &
ROHRBAUGH LEAH A TTEE
10407 50TH STREET CT NW
GIG HARBOR, WA 98335-5937

7650000020
SHAW RICHARD H
PO BOX 490
GIG HARBOR, WA 98335-0490

5970000440
SWANSON WILLIAM & SHERI
PO BOX 1848
GIG HARBOR, WA 98335

7650000070
BURR GANET
3303 ROSS AVE
GIG HARBOR, WA 98332-1841

5970000020 5970000030 5970000040
5970000050 5970000060
GIG HARBOR MARINA
3323 HARBORVIEW DR
GIG HARBOR, WA 98332-2126

5970000460
IRVING TRACEY &
STEPHEN M REV LVNG TRUST
3400 HARBORVIEW DR
GIG HARBOR, WA 98332-2127

5970000511 5970000512
LOVROVICH DAVID
3319 ROSS AVE
GIG HARBOR, WA 98332-1841

4363000011
MCCRAY KENNETH A & GAYLENE
12207 58TH AVE
GIG HARBOR, WA 98332-8132

5970000561
NASON DIANE M
3330 ROSS AV
GIG HARBOR, WA 98332

221053033
PINCH CASEY M
3423 ROSEDALE ST
GIG HARBOR, WA 98335-1815

221082144
SCHLICK LYNN M
PO BOX 2
WAUNA, WA 98395-0002

5970000521
SMITH TERRY G & BETTY LOU
3317 ROSS AVE
GIG HARBOR, WA 98332-1841

221053112
UNKNOWN CONVERSION PARTY
UNKNOWN PARTY ADDRESS
UNKNOWN CITY, WA

5970000551
VALLE ROBERT G
3225 N PERSHING AVE
SAN BERNARDINO, CA 92405-2537

5970000573
WAMBOLD MARK H & JILL M
8021 DOROTICH ST
GIG HARBOR, WA 98335

7650000080 7650000090
WILSON HAZEL M & DANIEL W
3307 ROSEDALE ST
GIG HARBOR, WA 98335

5970000430
WILTBANK SUZANNE E
3310 HARBORVIEW DR
GIG HARBOR, WA 98332-2126

7650000100 0221053021
WINTER RONALD F & MILLICENT S
3317 ROSEDALE ST
GIG HARBOR, WA 98335-1813

221053045 0221053036
ZUSY JAMES L & GRACIELA L
7420 FORD DR NW
GIG HARBOR, WA 98335-6479

Ms. Bea's CUP NOA



7/10/2020, 11:55:07 AM

Parcels

1:2,257

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0 0.02 0.04 0.08 km

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

City of Gig Harbor
The map features are approximate. All data is provided "as-is" and "with all faults." The City assumes no liability for variations ascertained by actual survey.

CERTIFICATION OF PUBLIC NOTICE

==========

DECLARATION OF PUBLISHING

I, Michelle Thomas (printed name), declare under penalty of perjury under the laws of the State of Washington and the United States of America that the foregoing is true and correct to the best of my knowledge:

On July 10th, 2020 I sent a true and correct copy of the **NOTICE APPLICATION** for publication in the **July 16th, 2020** edition of the Peninsula Gateway for the following:

Project Name: **Ms. Bea's Bed and Breakfast Conditional Use Permit**

Project Location: **3311 Ross Avenue**

Permit Number(s): **PL-CUP-20-0004**

SIGNED at Gig Harbor, Washington, this 10th day of July, 2020.

Michelle Thomas

DECLARANT (signature)

City of Gig Harbor
Transmittal Form

Routing for: **NOA** **SEPA** **NOPH** **NOPM** **NOD** **Notice Date: 07.10.2020**

Project: Ms. Bea's Bed & Breakfast CUP **Planner: Kim Mahoney**

Routed to: ☐ Public Works–Operations ☐ Building and Fire Safety
City Depts. ☐ Public Works–Engineering ☐ Other_____

SEPA Agencies: ☐ Washington Department of Ecology, SEPA Register
(NOA, SEPA) ☐ Washington Department of Commerce, attn: Review Team
Electronic Mail ☐ Pierce Transit Land Use Review, attn: Kelly Haden, Monica Adams
☐ Washington State Department of Fish & Wildlife, attn: SEPA Desk
☐ Washington State Department of Natural Resources, attn: SEPA Center
☐ Washington State DAHP, attn: Gretchen Kaehler
☐ Puyallup Tribe of Indians Historic Preservation, attn: Judy Wright
☐ Puyallup Tribe Cultural Resources, attn: Brandon Reynon/Jeffrey Thomas
☐ PenMet Parks, attn: Elaine Sorenson
☐ Pierce County Fire District Number 5, attn: Eric Watson/Eric Waters
☐ Suquamish Tribe, attn: Dennis Lewarch
☐ Peninsula School District, attn: Vicki Smith
☐ Pierce County Planning and Land Services
☐ Washington State Department of Transportation, attn: OR-SEPA-REVIEW
☐ Squaxin Island Tribe, attn: Rhonda Foster
☐ Muckleshoot Tribe, attn: Laura Murphy
☐ Washington Department of Corrections, attn: Eric Heinitz
☐ Puget Sound Partnership, attn: Marsha Engel

Other Parties: ☐ Applicant/Owner/Agent (NOA, NOPH, NOPM, SEPA, NOD)
1st Class Mail ☐ DRB (NOA for Non-residential, Multi-family, Subdivisions, Public Projects)
☐ Parks Commission via Terri Reed (NOA)
☐ Property Owners within 300 feet of site: attached list (NOA, SEPA, NOPH, NOPM, NOD for Type II permits only)
☐ Parties of Record: attached list (NOPH, NOPM, NOD)
☐ Pierce County (NOA for Plats adjacent to City Limits)
☐ Pierce County Assessor-Treasurer (NOD)
☐ WA Transportation Secretary (NOA for Plats adj. to State ROW, or within 2 miles of Airport—approximately any plats south of Pioneer/Wollochet interchange)
☒ Other Peninsula Gateway

THE NEWS TRIBUNE
[thenewstribune.com]
The Olympian www.theolympian.com
Gateway gateline.com
The Herald puyallupherald.com
Northwest Guardian

Order Confirmation

Customer
CITY OF GIG HARBOR

Payor Customer
CITY OF GIG HARBOR

Customer Account
255175

Payor Account
255175

Customer Address
3510 GRANDVIEW ST
GIG HARBOR WA 983351214 USA

Payor Address
3510 GRANDVIEW ST
GIG HARBOR WA 983351214 USA

Customer Phone
253-851-8136

Payor Phone
253-851-8136

Customer Fax

Customer EMail

Sales Rep
sbeard@mcclatchy.com

Order Taker
sbeard@mcclatchy.com

PO Number	Payment Method	Blind Box	Tear Sheets	Proofs	Affidavits
	Invoice		0	0	2

Net Amount	Tax Amount	Total Amount	Payment Amount	Amount Due
$116.98	$0.00	$116.98	$0.00	$116.98

Ad Order Number
0004697153

Order Source

Ordered By

Special Pricing

Invoice Text

Promo Type

Package Buy

Materials

Ad Order Information

Ad Number	Ad Type	Production Method	Production Notes
0004697153-01	TAC-Legal Liner	AdBooker	

External Ad Number	Ad Attributes	Ad Released	Pick Up
		No	

Ad Size	Color
1 X 73 li	

Product	Placement	Times Run	Schedule Cost
TAC-GW-Gateway	0300 - Legals Classified	1	$116.98

Run Schedule Invoice Text	Position
CITY OF GIG HARBOR NOTICE OF APPLICATION	0301 - Legals & Public Notices

Run Dates
07/16/2020

CITY OF GIG HARBOR
NOTICE OF APPLICATION
July 16, 2020
Ms. Bea's Bed and Breakfast Conditional Use Permit
Type III Permit

Permit Number(s): PL-CUP-20-0004
Date Application was Submitted: April 28, 2020
Date of Notice of Complete Application: June 29, 2020
Name of Applicant: Edward Pugh, 3311 Ross Avenue, Gig Harbor, WA 98332
Name of Agent: same as Applicant
Project Location: 3311 Ross Avenue, site is located on the northeast side of Ross Avenue approximately 150 feet northwest of the intersection with Rosedale Street. Sec 05, Tw 21, R 02, Qtr 33.
Description of Proposed Project: The proposal includes establishing a bed and breakfast for short-term lodging in the lower level of the existing on-site residence, which contains two (2) guestrooms totaling approximately 650 square feet.
Project Permits Included with Application: Conditional Use Permit
Further Studies Being Required by Applicable Official: None at this time.
Other Required Permits Not Included in Application: External agency permits be required.
As of March 16, 2020, at 12 PM noon, our Civic Center will be closed to the general public until further notice. Therefore, documents pertinent to this application are available for review and inspection online only using the City of Gig Harbor Permit Portal. Please contact Kimberly Mahoney, Associate Planner at
mahoneyk@cityofgigharbor.net
for questions regarding access to other documents pertinent to this application. An open record public hearing will be held on this project, at this time the hearing has not been scheduled. A copy of the staff report on this project proposal will be available seven days prior to the public hearing.
Interested persons may comment on the above stated application, or may request any notice of public hearing or a copy of the decision on this application, or participate in any public hearings. Requests for notification or written comments must be submitted to the Planning Department by no later than July 30, 2020. All public comments or requests must be received at the Planning Department by no later than 5:00pm on the last date of the comment period.
Questions regarding the above stated application should be made to Kim Mahoney, Associate Planner, City of Gig Harbor Planning Department, 3510 Grandview St., Gig Harbor, WA 98335, or by calling 851-6170. Additional permit information can also be found at www.cityofgigharbor.net by clicking "Permit Portal" and entering the above permit numbers.
Evaluate Proposed Project: Not applicable.
Tentative Public Meeting or Public Hearing Date: A hearing date has not been scheduled for this application.

RECEIVED

JUL 16 2020

CITY OF GIG HARBOR

CERTIFICATION OF PUBLIC NOTICE

==========

DECLARATION OF POSTING

I, EDUARD PUGH (printed name), declare under penalty of perjury under the laws of the State of Washington and the United States of America that the foregoing is true and correct to the best of my knowledge:

On JUL 16, 2020 I caused to be posted the notice board provided by the City for the Notice of Application on the following:

Project Name: Ms. Bea's Bed and Breakfast Conditional Use Permit

Project Location: 3311 Ross Avenue

Permit Number(s): PL-CUP-20-0004

at the locations indicated below meeting the requirements of GHMC 19.03.001(A).

- ☒ FRONT OF PRIMARY STRUCTURE (3311 ROSS AVE G.H.)
- ☒ _____

SIGNED at Gig Harbor, Washington, this 16 day of JUL 2020.

DECLARANT (signature)

Hearing Examiner, Jan. 21, 2021
Ms. Bea's Bed and Breakfast CUP

PL-CUP-20-0004

Exhibit D

From: Shaun Dinubilo
To: Cindy Andrews
Subject: RE: NOTICE OF APPLICATION - MS BEA"S B&B CUP - PL-CUP-20-0004
Date: Monday, July 20, 2020 2:46:57 PM

Hi Andrew,

Thank you for contacting the Squaxin Island Tribe Cultural Resources Department regarding the above listed project for our review and comment. We have no specific cultural resource concerns for this project. However, if DAHP recommends a survey, or any other additional recommendations, we concur with DAHP's recommendations. We would prefer to receive an electronic copy by email once completed. If any archaeological or cultural resources are uncovered during implementation, please halt work in the area of discovery and contact DAHP and the Squaxin Island Tribe's Archaeologist, Shaun Dinubilo via email at sdinubilo@squaxin.us. Please do note that this department only conducts a cultural resources review of the proposed project area.

Please let me know if you have any questions,

Shaun Dinubilo
Archaeologist
Cultural Resource Department
Squaxin Island Tribe
200 S.E. Billy Frank Jr. Way
Shelton, WA 98584
Office Phone: 360-432-3998
Cell Phone: 360-870-6324
Email: sdinubilo@squaxin.us

As per 43 CFR 7.18[a][1]) of the Archaeological Resource Protection Act, Section 304 of the National Historic Preservation Act, and RCW 42.56.300 of the Washington State Archaeological Site Public Disclosure Exemption, all information concerning the location, character, and ownership of any cultural resource must be withheld from public disclosure.

From: Cindy Andrews <AndrewsC@cityofgigharbor.net>
Sent: Thursday, July 16, 2020 10:11 AM
To: Adonais Clark (aclark@co.pierce.wa.us) <aclark@co.pierce.wa.us>; Alec, Wrolson, Puyallup Tribe

<Alec.Wrolson@PuyallupTribe-nsn.gov>; Andrew Strobel, Puyallup Tribe <Andrew.Strobel@PuyallupTribe-nsn.gov>; aosullivan@suquamish.nsn.us; Brandon Reynon, Puyallup Tribe <Brandon.Reynon@PuyallupTribe-nsn.gov>; brandon.reynon@puyalluptribe.com; Carol <CarolAnn.Hawks@PuyallupTribe-nsn.gov>; Char Naylor, Puyallup Tribe <Char.Naylor@PuyallupTribe-nsn.gov>; Charles Matheson, Puyallup Tribe <Charlene.Matheson@PuyallupTribe-nsn.gov>; David Winfrey, Puyallup Tribe <David.Winfrey@PuyallupTribe-nsn.gov>; Department of Natural Resources SEPA Center (sepacenter@dnr.wa.gov) <sepacenter@dnr.wa.gov>; dwilliams@suquamish.nsn.us; efheinitz@doc1.wa.gov; eguenther@penmetparks.org; esorensen@penmetparks.org; ewatson@piercefire.org; Jennifer Keating, Puyallup Tribe <Jennifer.M.Keating@puyalluptribe-nsn.gov>; Kathleen Pierce County Planning and Land Services - Larrabee (klarrab@co.pierce.wa.us) <klarrab@co.pierce.wa.us>; Kelly Still - WDFW (sepadesk@dfw.wa.gov) <sepadesk@dfw.wa.gov>; Kristen Miller <kirsten.miller@dnr.wa.gov>; Lisa Anderson, Puyallup Tribe <Lisa.Anderson@PuyallupTribe-nsn.gov>; Lois Boome, Puyallup Tribe <Lois.Boome@PuyallupTribe-nsn.gov>; Michael Prentice <michaelp@penlight.org>; Muckleshoot Tribe - Laura Murphy (laura.murphy@muckleshoot.nsn.us) <laura.murphy@muckleshoot.nsn.us>; Nancy Games, Puyallup Tribe <nancy.games@puyalluptribe-nsn.gov>; Nisqually Tribe (mohan.maryanne@Nisqually-nsn.gov) <mohan.maryanne@Nisqually-nsn.gov>; OR-SEPA-REVIEW@wsdot.wa.gov; Puget Sound Partnership - Marsha Engel (marsha.engel@psp.wa.gov) <marsha.engel@psp.wa.gov>; Puyallup Tribe - Jeffrey Thomas, (jeffrey.thomas@puyalluptribe.com) <jeffrey.thomas@puyalluptribe.com>; reviewteam@commerce.wa.gov; Rhonda Foster <rfoster@squaxin.us>; Robert Barandon, Puyallup Tribe <Robert.B.Barandon@puyalluptribe-nsn.gov>; Russ Ladley, Puyallup Tribe <Russ.Ladley@PuyallupTribe-nsn.gov>; sepa <sepa@dahp.wa.gov>; sepaunit@ecy.wa.gov; Sharon Silver (sharons@penlight.org) <sharons@penlight.org>; Shaun Dinubilo <sdinubilo@squaxin.us>; Shital Saini <shital@penlight.org>; smithv@psd401.net; Suquamish Tribe - Dennis Lewarch (dlewarch@suquamish.nsn.us) <dlewarch@suquamish.nsn.us>; Tina Vaslet Pierce Transit (tvaslet@piercetransit.org) <tvaslet@piercetransit.org>; WA Department of Ecology <separegister@ecy.wa.gov>
Cc: Kimberly Mahoney <MahoneyK@cityofgigharbor.net>
Subject: NOTICE OF APPLICATION - MS BEA'S B&B CUP - PL-CUP-20-0004

Please find attached the Notice of Application for Ms. Bea's B&B Conditional Use Permit – PL-CUP-20-0004, please forward your comments to Kimberly Mahoney, Associate Planner at mahoneyk@cityofgigharbor.net, by July 30th, 2020.

Thank you
Cindy Andrews
Planning Technician
City of Gig Harbor
andrewsc@cityofgigharbor.net

The Gig Harbor Civic Center is closed to the general public until August 3rd, 2020 and will be reevaluated on or before July 31st, 2020 . *The status of the Civic Center and the Gig Harbor Municipal Court is available on our website at www.cityofgigharbor.net and will be updated as necessary. City Staff are*

working to conduct much-needed services, so please feel free to contact us by phone or email (Main City Phone Number 253-851-8136).

Pierce County Assessor-Treasurer

Property Summary

Hearing Examiner, Jan. 21, 2021
Ms. Bea's Bed and Breakfast CUP

PL-CUP-20-0004

Exhibit E

3311 ROSS AV

PUGH EDWARD N JR & CYNTHIA M
7650000061

Tax Description

Section 05 Township 21 Range 02 Quarter 33 SKANSIE ADD: SKANSIE ADD IN SE OF SW 05-21-02E PARCEL B DBLR 2002-06-03-0191 DESC AS L 13 TOG/W SELY 1/2 L 16 B 6 MILLVILLE ADD APPROX 8,500 SQ FT OUT OF 006-0 & 597000-053-0 SEG R0075BL 07-15-02BL

Property Details

Parcel Number	7650000061
Site Address	3311 ROSS AV
Account Type	Real Property
Category	Land and Improvements
Use Code	1101-SINGLE FAMILY DWELLING

Taxpayer Details

Taxpayer Name	PUGH EDWARD N JR & CYNTHIA M
Mailing Address	3311 ROSS AVE GIG HARBOR, WA 98332-1841

Appraisal Details

Land Economic Area	110102
Value Area	PI1
Appr Acct Type	Residential
Business Name	
Last Inspection	03/13/2020-Physical Inspection
Appraisal Area	11

Related Parcels

Group Account Number	n/a
Located On	n/a
Associated Parcels	n/a

Assessed Value

Value Year	2020	**Assessed Total**	871,500
Tax Year	2021	**Assessed Land**	447,600
		Assessed Improvements	423,900
Taxable Value	871,500		
Tax Code Area	075	**Current Use Land**	0
Tax Code Area Rate	0	**Personal Property**	0
Notice of Value Mailing Date	06/25/2020		

Assessment Details

2020 Values for 2021 Tax

Taxable Value	$871,500
Assessed Value	$871,500

Tax Amounts Due

Tax Year	Minimum Due	Total Due
TOTAL	**0.00**	**0.00**

Property Tax Exemptions

No exemptions

Land Details

Land Economic Area	110102
RTSQQ	02-21-05-33
Value Area	PI1
Square Footage	8,500
Acres	0.195
Front Foot	0
Electric	Power Installed
Sewer	Sewer/Septic Installed
Water	Water Installed

Building 1 Details

General Characteristics

Property Type	Residential
Condition	Average
Quality	Good
Neighborhood	110102
Occupancy	Single Family Residential
Square Feet	1,715
Net Square Feet	0
Attached Garage Square Feet	427
Detached Garage Square Feet	0
Carport Square Feet	0
Finished Attic Square Feet	0
Total Basement Square Feet	1,497
Finished Basement Square Feet	1,113
Basement Garage Door	1
Fireplaces	2

Built-As

DESCRIPTION	1 Story
YEAR BUILT	1988
ADJUSTED YEAR BUILT	n/a
SQUARE FEET	1,715
STORIES	1
BEDROOMS	3
BATHROOMS	1.75
EXTERIOR	Frame Siding
CLASS	n/a
ROOF	Composition Shingle
HVAC	Forced Air
UNITS	1

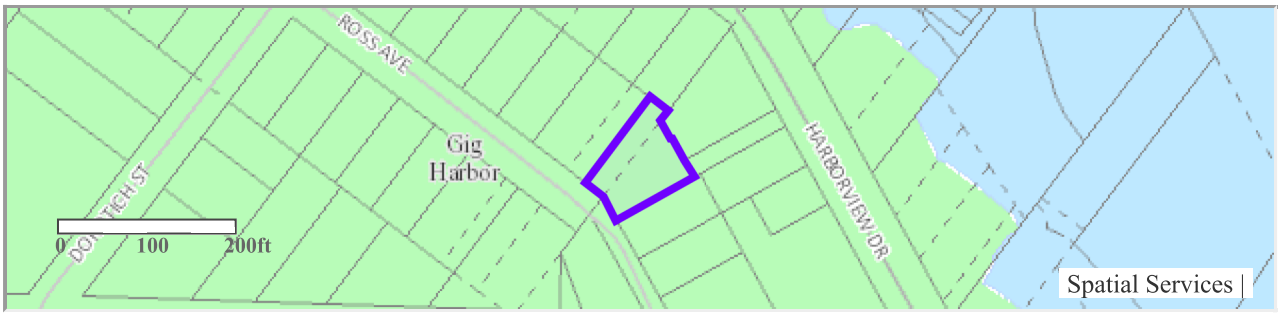
Improvement Details

Type	Description	Units
Basement	Bsmnt Conc 8 ft	1,497
Basement	Finished	1,113
Basement	Outside Entrance	1
Garage	Attached	427
Garage	Basement Single	1
Porch	Wood Deck	564

Sales History

Sorry, no sales available for display

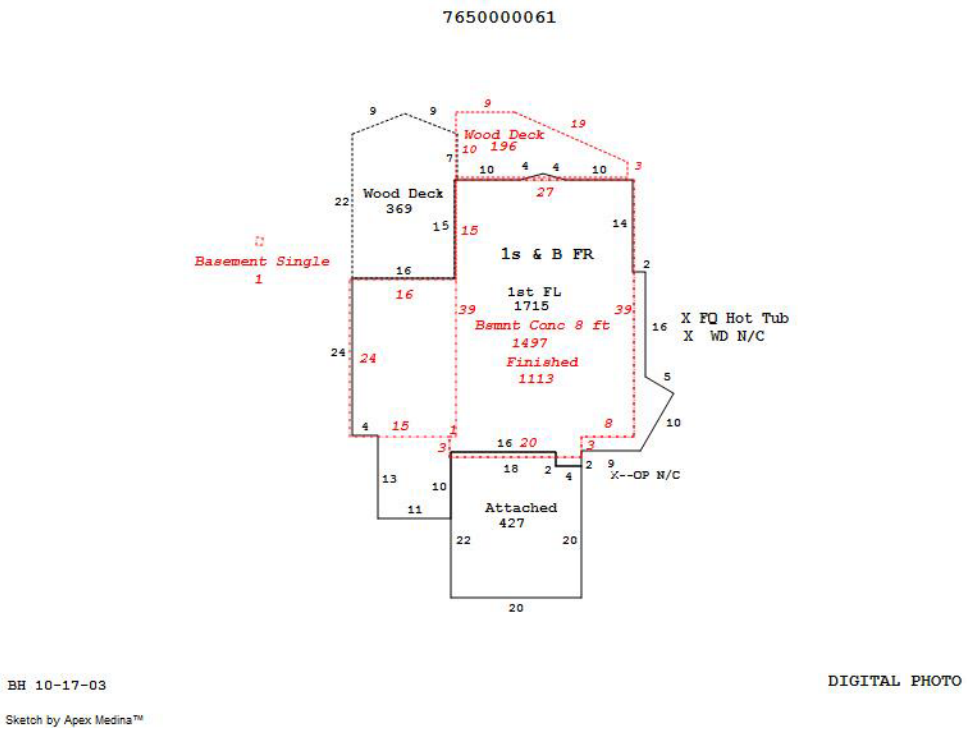
Map



Photos

Sorry, no photo available for display

Sketches



2014_IMP_1_4-10-2014_Page 1 - Apex 7650000061 Imp No - 1.JPG

RECEIVED 08 12 2020 CA

Hearing Examiner, Jan. 21, 2021
Ms. Bea's Bed and Breakfast CUP

PL-CUP-20-0004

Exhibit F

Attachment #4

Regarding the **"proof of sufficient parking,"** in accordance with GHMC 17.72.030; the property was recently surveyed and the identity and placement of the required spaces annotated. The five parking spaces are numbered and annotated (1 through 5) on the survey. (Photo Attachment "B")

1. The access drive to the lower level is a "shared" access with adjoining neighbors (Smith). The Pierce County "Easement and Use Agreement" is at Attachment #2, and is the written explanation of the terms of the joint use agreement. The Smiths are aware of this Conditional Use application, and approve of the drives use.

2. GHMC 17.72.030 requires five vehicle spaces for the residential and Lodging Level 1 (2 room) request.

3. All "off street" parking requirements are met on the same lot as the building being served. All surfaces are Portland Cement Concrete.

4. The spaces are eight feet in width and18 feet in length, all exclusive of access drives, yards, and ramps. The size is annotated and to scale in the survey mentioned above (Photo Attachment "B"). In addition, the parking space (#5) under the balcony is well in excess of 7 feet (see Photo Attachment "F").

5. Access to the two lower parking spaces (#4 and #5) is considered "access" only, and only for those two vehicles; no other to/from traffic.

6. To further clarify, here are photos of the parking spots and their locations:

Photo Attachment "C"	Owner Parking, spaces #1 and #2
Photo Attachment "D"	Upper street-side, space #3
Photo Attachment "E"	Lower Parking, spaces #4 and #5
Photo Attachment "F"	Lower access; concrete, height of space #5


Photo Attachment “A”
Photo Attachment “A”
Property Access Along this red line
Ross Ave. (Frontage)

Photo Attachment “B”

PARKING & SITE PLAN

PIERCE COUNTY, WASHINGTON

20 0 20 60

Scale 1” = 20 ft

FOUND SURFACE BRASS MONUMENT
ROSS AVE & DOROTICH ST
MARCH 2020

S 54°10'50" E
425.23'

25'

25'

Ross Avenue

GATE

N 35°49'10" E
120.00'

S 54°10'57" E
25.00'

S 30°07'50" E
23.22'

S 30°07'50" E
2.60'

N 59°52'10" E

S 30°07'50" E
50.00'

#4

#5

#3

#2

#1

BALCONY

DECK

RESIDENCE
3311 ROSS AVENUE

PARCEL NO.
765000 006 1

STAIRS

DECK

N 54°10'50" W
25.00'

N 35°49'10" E
25.00'

N 30°07'50" W
30.13'

99.16'
S 59°52'10" W

FOUND SURFACE BRASS MONUMENT
ROSS AVE
MARCH 2020

GARAGE

N

- PARKING SPACES
(8' x 18')

DANIEL B. JOHNSON
STATE OF WASHINGTON
28408
REGISTERED
PROFESSIONAL LAND SURVEYOR
3-20-2020

DANIEL B. JOHNSON
CERTIFICATE NO. 28408

LEGEND

- FOUND MONUMENT
- WOOD FENCE
- IRON FENCE
- KEYSTONE WALL
- ROCKWALL
- ASPHALT PAVEMENT
- GRAVEL
- CONCRETE

Aspen
Land Surveying
LLC
at *The Landing* in Key Center
P.O. Box 124, Vaughn, WA 98394-0124
15510 - 92nd Street NW, Gig Harbor, WA 98329
(253) 303-0270 FAX (253) 303-0273

For Mr. Edward Pugh
3311 Ross Avenue
Gig Harbor, WA 98335

DRAWING NO. 6637A
DRAWN BY: PWT DATE: 3-20-2020


Attachment “C”
Spaces
1 & 2
(Owner Vehicles; usually garaged)


Attachment “D”
Space # 3


Attachment “E”
4
5
Off Street Parking
access is provided down this drive from Ross Ave above


Attachment “F”
Lower lot access:
* Portlnd cement concrete
* Under balcony height

2)

200206030192 5 pg
6-3-2002 10:44am $13.00
PIERCE COUNTY, WASHINGTON

Return Address:

Edward Pugh
3311 Ross Ave
Gig Harbor WA 98332

Hearing Examiner, Jan. 21, 2021
Ms. Bea's Bed and Breakfast CUP

PL-CUP-20-0004

Exhibit G

Document Title:
Easement and Use Agreement

02W3180
RTC

Grantor(s): Terry G. Smith
Betty L. Smith

__Additional Names on Page ____ of Document.

Grantee(s):
Edward N. Pugh
Cynthia M. Pugh

__Additional Names on Page ____ of Document.

Legal Description (abbreviated: i.e. lot, block, plat or section, township range)
SE 1/4 SW 1/4 S 5 T21N R2E

__Legal Description is on Page 2 of Document.

Reference Number(s) of Documents Assigned or Released:

__Additional Reference Numbers on Page ____ of Document.

Assessor's Property Tax Parcel/Account Number:
597000-052-0 & 597000-053-0
7650000060

The Auditor/Recorder will rely on the information provided on this cover sheet. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

EXCISE TAX EXEMPT DATE 5-31-2002
Pierce County

By _____ Auth. Sig

12

Easement and Use Agreement for Joint-Use Driveway

(Pursuant to Boundary Line Adjustment)

Parcels effected:

Lot 15, and the northwesterly half of Lot 16, Block 6 Millville, according to the official plat thereof, on file in Volume 2 of Plats, Page 23, Records of Pierce County, Washington. (Tax Parcel Nos. 597000-052-0 and 597000-053-0)

Lot 13, Skansie Addition, according to the official plat thereof, on file in Volume 13 of Plats, page 42, records of Pierce County, Washington, together with the southeasterly half of Lot 16, Block 6, Millville, according to the official plat thereof, on file in Volume 2 of Plats, Page 23, records of Pierce County, Washington. (Tax Parcel Nos. 765000-006-0 and 597000-053-0)

The Grantors, Terry G. Smith and Betty L. Smith (Husband and Wife) of Gig Harbor, County of Pierce Washington for ONE DOLLAR ($1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, hereby CONVEY and WARRANT to Edward N. Pugh and Cynthia M. Pugh (Husband and Wife) of Gig Harbor, County of Pierce, Washington, GRANTEES an easement of the following described parcel of land:

The southeasterly seven (7) feet of "Lot 15 and the northwesterly half of Lot 16, Block 6 Millville, according to the official plat thereof, on file in Volume 2 of Plats, Page 23, Records of Pierce County, Washington" for the expressed purpose of a joint use driveway with the adjoining southeasterly parcel.

The Grantors, Edward N. Pugh and Cynthia M. Pugh (Husband and Wife) of Gig Harbor, County of Pierce, Washington for ONE DOLLAR ($1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, hereby CONVEY and WARRANT to, Terry G. Smith and Betty L. Smith (Husband and Wife) of Gig Harbor, County of Pierce, Washington GRANTEES an easement of the following described parcel of land:

The northwesterly 7 feet of *"Lot 13, Skansie Addition, according to the official plat thereof, on file in Volume 13 of Plats, Page 42, Records of Pierce County, Washington, together with the southeasterly half of Lot 16, Block 6, Millville, according to the official plat thereof, on file in Volume 2 of Plats, Page 23, Records of Pierce County, Washington."* for the expressed purpose of a joint use driveway with the adjoining northwesterly parcel.

COURTESY RECORDING ONLY.
NO LIABILITY FOR VALIDITY
AND/OR ACCURACY ASSUMED BY
RAINIER TITLE COMPANY

And...

Whereas: The parties hereto are the owners of certain parcels of Real Estate located in the City of Gig Harbor, Pierce County, Washington, and

#12

Whereas: Access to each of said parcels of property is across and along a common driveway,

Whereas: Each party hereto in behalf of himself and his successors, heirs and assigns wishes to contract for the perpetual maintenance of said driveway

Now Therefore: In consideration of mutual covenants contained herein and for other good and valuable consideration, receipt of which is hereby acknowledged, the parties hereto agree as follows;

I

DESCRIPTION OF EXISITING DRIVEWAY

The following is the description of the driveway which is the real property subject to the Road Maintenance Agreement; commencing at the southwest boundary of the described parcels above, and continuing northeast along the entire property boundary, 120 feet in length, 14 feet in width; or as paved.

II

COST OF CONSTRUCTION

The cost of constructing and maintaining the driveway described herein in the manner set forth in paragraph III below shall be borne equally among the owners of the real property affected by this agreement, so that each owner pays an equal proportionate share.

III

MAINTENANCE OF DRIVEWAY

The parties hereby agree that the driveway described above shall be maintained in perpetuity within its present boundary or such boundaries as may be agreed to by all parties hereto. The surface of the roadway shall be maintained so as to allow free and reasonable passage of such vehicular traffic as may be reasonable and necessary in order that all parties may enjoy full and free use of the parcels of real property affected hereby.

IV

COST OF MAINTENANCE OF DRIVEWAY

The cost of maintaining the driveway described herein in the manner set forth in Paragraph III above shall be borne in equal shares by the ownership of each parcel of real property affected hereby.

V

ORDER OF WORK – PROCEDURE

In the event that ownership of a parcel of real property affected hereby shall desire to have maintenance work done on the driveway at common expense he shall circulate a written notice by certified mail explaining the nature of the work desired and the expected cost thereof among the ownership of the affected parcels. If, after the expiration of the (10) days from the date of the of receipt of said notice by all property owners affected, no objection to such work has been received in writing by the initiator of the notice, such work may be ordered and payment therefore shall be made in accordance with paragraph IV above.

VI

EXTRAORDINARY USE – COSTS

In the event that the ownership of properties affected hereby should by their use of the driveway cause it to be subjected to other than reasonable wear and tear and should such driveway be damaged by such use, the individuals subjecting the driveway to such extraordinary use shall have the obligation to repair such damage upon demand by any property owner affected hereby and to restore said driveway to the condition existent prior to such use and all expenses therefor shall be borne by such individuals

VII

BENEFIT OF COVENANT

The right and obligations set forth herein shall insure to and be binding upon the heirs, successors or assigns of the parties hereto and shall constitute a covenant running with the parcels of real estate affected hereby.

Date this 23rd day of May. 2002

Terry G. Smith

Betty L. Smith

Edward N. Pugh, Jr.

Cynthia M. Pugh

Acknowledgement

STATE OF WASHINGTON
COUNTY OF PIERCE

I, Pamala K Peterson, Notary Public in and for the State of Washington, do certify that on this 30th day of May, 2002, personally appeared before me Terry G. Smith and Betty L. Smith (Husband and Wife) personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to within the instrument, and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument executed the instrument.

WITNESS my hand and official seal.

Signature Pamala K. Peterson

PAMALA K. PETERSON
Notary Public
STATE OF WASHINGTON
My Commission Expires 6/19/04

Dated this 30th day of May, 2002

Acknowledgement

STATE OF WASHINGTON
COUNTY OF PIERCE

I, Pamala K. Peterson, Notary Public in and for the State of Washington, do certify that on this 23rd day of May, 2002, personally appeared before me Edward N. Pugh and Cynthia M. Pugh (Husband and Wife) personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to within the instrument, and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument executed the instrument.

WITNESS my hand and official seal.

Signature Pamala K. Peterson

PAMALA K. PETERSON
Notary Public
STATE OF WASHINGTON
My Commission Expires 6/19/04

Dated this 23rd day of May, 2002