

1 **PARTICIPANTS:**

2 Jerry Smith, Associate Planner

3 Nancy Stelow, Windermere Realty, 1220 Water St., Port Townsend, WA  
4 representing the current owner, David Smith

5 Gary Greene, purchaser, 7962 Grand Ave, Bainbridge Island, WA 98110

6 Present but not testifying:

7 Betty Greene, 7962 Grand Ave, Bainbridge Island, WA 98110

8 Linda Tilley, Coldwell Banker Forrest Aldrich Inc., 2365 Sims Way

9 No other parties were present to testify.

10 **The Hearing Examiner closed the public hearing at 1:50 p.m.**

11 **TABLE OF EXHIBITS:**

EXHIBITS/LOG ITEMS	DOCUMENT	DATE
1	Staff Report together with 72 Log Items	8/23/2002
The following items were mailed to the Examiner before the hearing:		
72	Staff Report Revised Copy	8/29/2002
73	Fax Comment from Daniel Callahan	8/28/2002
74	Fax transmittal of above to Gary Greene	8/28/2002
75	Fax transmittal of above to Nancy Stelow	8/28/2002
76	Email from Gary Greene - reply to fax	8/29/2002
The following items were presented at the open record hearing:		
77	Affidavit of Public Notice	
78	Fax Comment from William Fulton	9/4/2002
79	Fax transmittal of above to Gary Greene	9/4/2002
80	Fax transmittal of above to Nancy Stelow	9/4/2002

22 **FINDINGS OF FACT**

23 1. The Applicants are Daniel Smith (current owner) and Gary Greene  
24 (purchaser). Since Gary Greene is pursuing the variance, including  
25 making the Site Plan changes; "Applicant" will refer to Gary Greene.

26 2. The request is for variances from the Jefferson County Unified  
27 Development Code [UDC] to vary the requirements of Section 3.64  
28 Environmentally Sensitive Areas District, specifically §§ 3.6.8 (Fish  
29