



Permit Center

210 Lottie Street, Bellingham, WA 98225
Phone: (360) 778-8300 Fax: (360) 778-8301 TTY: (360) 778-8382
Email: permits@cob.org Web: www.cob.org/permits

Land Use Application

Check all permits you are applying for in the boxes provided. Submit this application form, the applicable materials listed in the corresponding permit application packet(s) and application fee payment.

Grid of permit checkboxes including: Accessory Dwelling Unit, Binding Site Plan, Clearing Permit, Conditional Use Permit, Critical Area Permit, etc.

Project Information

Project Address 195 E Bellis Fair Parkway Zip Code 98226
Tax Assessor Parcel Number (s) 3803180665090000
Project Description 50 detached microhome units with a commercial component.

Applicant / Agent

Name J.P. Slagle, Freeland & Associates, Inc.
Mailing Address 220 W. Champion Street, Suite 200
City Bellingham State WA Zip Code 98225
Phone (360) 650-1408 Email jpslagle@freelandengineering.com

Owner (s)

Name Bridgeview Asset Management
Mailing Address P.O. Box 314
City Everson State WA Zip Code 98247
Phone (360) 765-5256 Email megan@bridgeviewmgmt.com

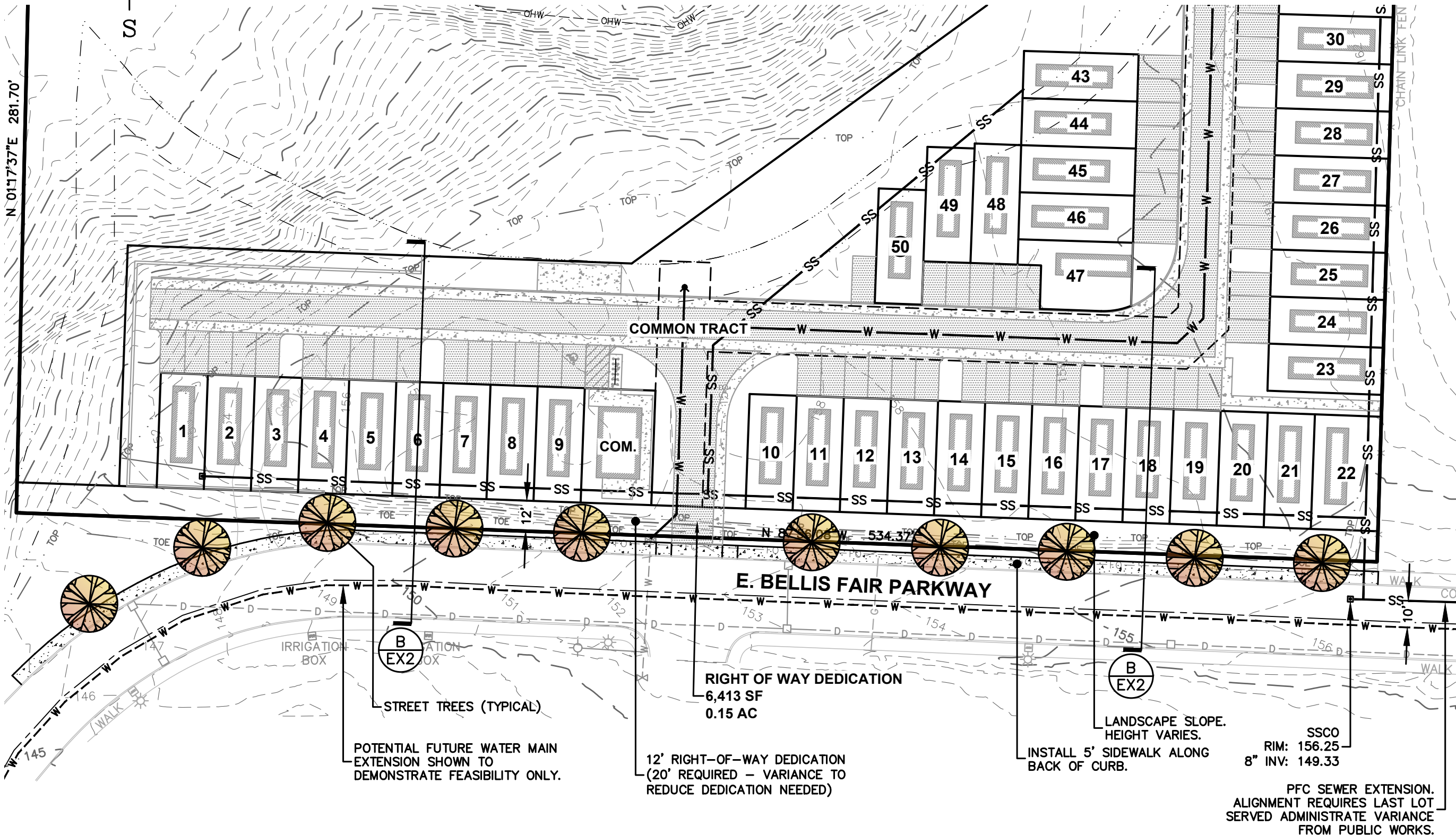
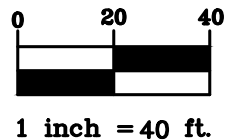
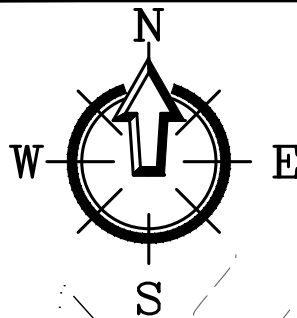
Property Owner(s)

I am the owner of the property described above or am authorized by the owner to sign and submit this application. I grant permission for the City staff and agents to enter onto the subject property at any reasonable time to consider the merits of the application and post public notice.

I also acknowledge that by signing this application I am the responsible party to receive all correspondence from the City regarding this project including, but not limited to, expiration notifications.

Signature by Owner/Applicant/Agent Jean-Paul Slagle, Freeland & Associates, Inc., Date 10/29/2021

City and State where this application is signed: Bellingham Washington
City State



SHEET CONTENTS

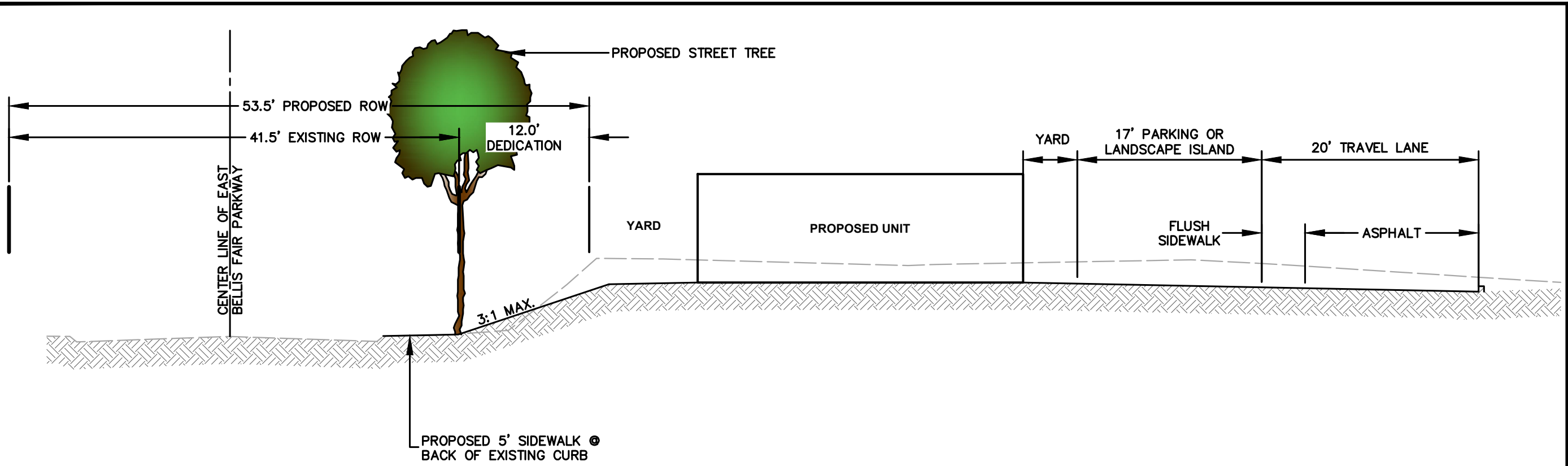
**PRELIMINARY FRONTAGE IMPROVEMENTS**

DATE	10-28-2021
JOB #	20183
DRAWING #	20183SP2.DWG
SHEET NAME	<b>EX1</b>

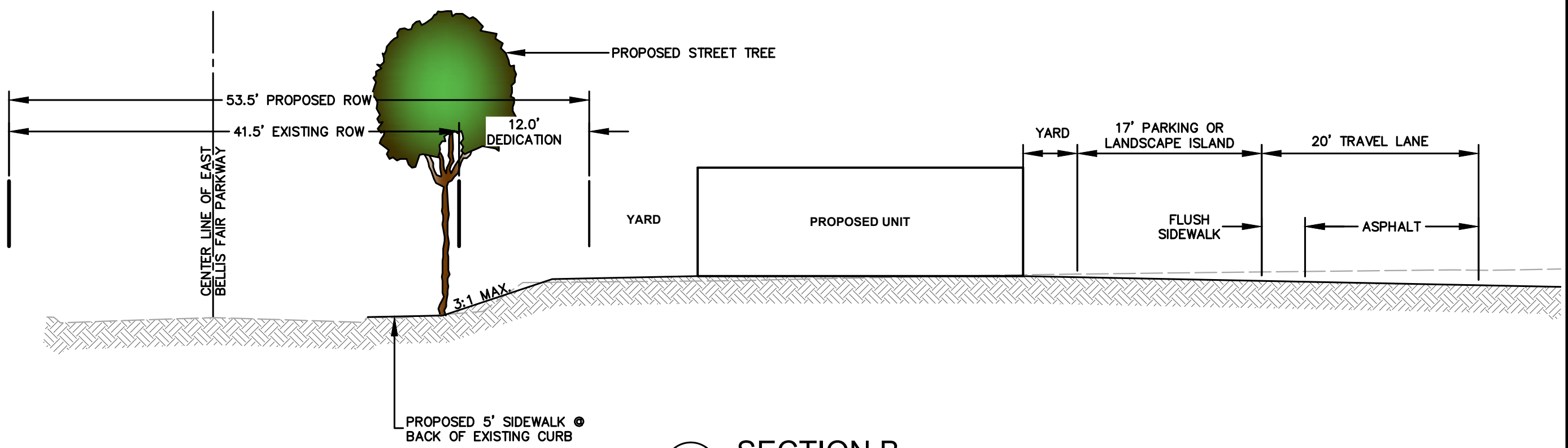
220 W. Champion Street, Suite 200  
 Bellingham, WA 98225  
 t: 360.650.1408  
 f: 360.650.1401

**FREELAND**  
 & ASSOCIATES





**A** SECTION A  
nts



**B** SECTION B  
nts


SHEET CONTENTS

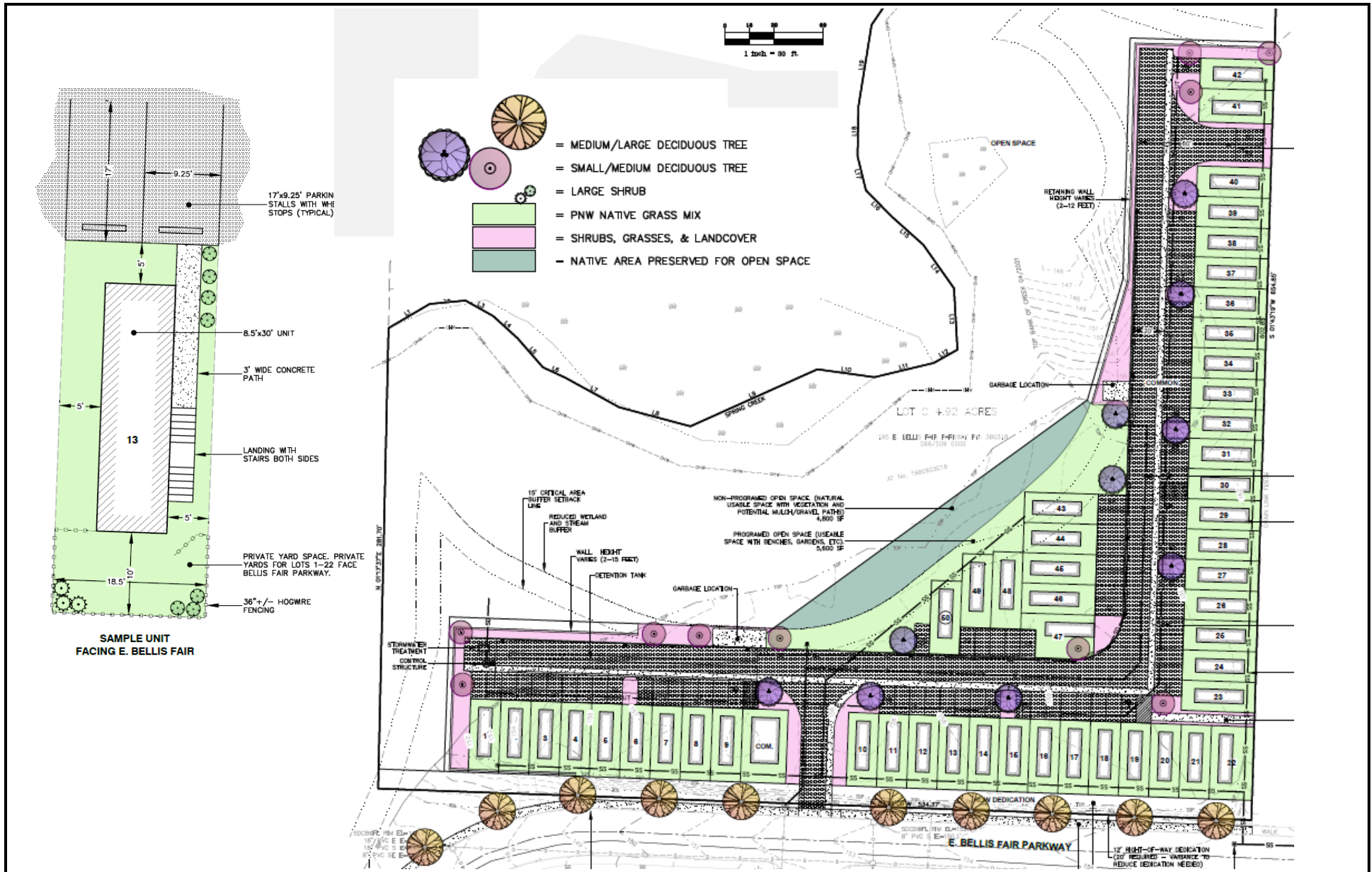
DATE	10-28-2021
JOB #	20183
DRAWING #	20183SP2.DWG
SHEET NAME	<b>EX2</b>


**PRELIMINARY SITE SECTIONS**

220 W. Champion Street, Suite 200  
Bellingham, WA 98225  
t: 360.650.1408  
f: 360.650.1401

**FREELAND**  
& ASSOCIATES





<p><b>ECOLOGICAL</b></p> <p><b>NORTHWEST</b></p> 	<p align="center"><b>Proposed Site Plan</b> (Freeland &amp; Associates, 2021)</p> <p align="center"><b>195 E Bellis Fair Parkway</b> Critical Area Assessment &amp; Mitigation Plan</p>	<p align="center"><b>Figure 10</b></p> <p align="center"><b>SEPT 2021</b></p>
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## VARIANCE PROCEDURE - ZONING

### (PROCESS TYPE III-A)

(PLEASE PRINT CLEARLY OR TYPE IN BLUE OR BLACK INK)

#### Application Requirements:

- A completed Land Use Application form
- All of the materials and information required by this form
- SEPA Checklist, if applicable
- Application fee payment
- Transportation concurrency certificate, if applicable
- Mailing list and labels for 500 foot radius

#### Project Data:

1. Nature of Request \_\_\_\_\_  
Per City of Bellingham preapplication meeting, the project must dedicate 20 feet of right-of-way to create a 60' right-of-way for E Bellis Fair Parkway. This project is proposing a reduction in right-of-way dedication to 12 feet for a total right-of-way width of 52 feet..
2. Can the subject property be reasonably used under the existing regulations of the Land Use Ordinance? Explain: \_\_\_\_\_  
No. Spring Creek and associated wetlands are located to the north and west of the site. Regulated buffers for both critical areas extend on to the site and impacts this site's ability to be reasonably developed. Due to the extends of the buffer intrusion, the site becomes too narrow to have a sufficient developmental area. Buffers have been reduced to the minimum allowed by code.
3. What impact will the proposed variance have upon the physical environment of the area?
4. Check one  High  Moderate  Minimal Explain: \_\_\_\_\_  
Very little impact is anticipated. The proposed sidewalk addition for E. Bellis Fair parkway will fit within the current 40' right-of-way. The additional 12' right-of-way dedication will provide extra space for maintenance or future extension of utilities. The only municipal utility currently in the roadway is storm conveyance. No additional utilities are anticipated. The proposed site will be served by a water extension from the southern development that runs perpendicular to the roadway. Sewer will not be able to be extended with this project due to falling grades along the roadway. All adjacent sites are currently served with water and sewer.
5. What impact will your proposed variance have upon the character and quality of the neighborhood, aesthetic considerations, views, etc?  
Check one  High  Moderate  Minimal Explain: \_\_\_\_\_  
There will be little impact to the character and quality of the neighborhood. The resulting variance will move the proposed units and associated yard space 8' closer to E. Bellis Fair Parkway. Each unit is currently proposed to be enclosed with a short hog-wire fence to provide closer to E. Bellis Fair Parkway. Each unit is currently proposed to be enclosed with a short hog-wire fence to provide sense of enclosure, but still allow visibility from the units to the street. This will create an interaction between the development and the public streetscape.

## **APPLICANT JUSTIFICATION**

### **20.18.010 - General Provisions**

- A.** A variance is a modification of the terms of this ordinance. The Hearing Examiner may grant a variance only if the applicant proves to the Hearing Examiner's satisfaction that because of the unusual shape, exceptional topographic conditions, or other extraordinary situation or condition in connection with a specific piece of property the literal enforcement of the ordinance would involve practical difficulties and cause undue hardship unnecessary to carry out the spirit and intent of this ordinance.
- B.** An application for a variance may be submitted for modification of any term or requirement of this ordinance except for the following:
- (1) To allow a use not generally permitted (either as a principal or conditional use) in the general use type in which the subject property is located, or
  - (2) To authorize a permitted use upon less site area than what is specified as the minimum site area.
  - (3) Sign code modifications, except that holders of billboard relocation permits may apply for variances to performance standards for height, setback, and spacing (as below). Variances to the Billboard Overlay Zone designations, Bellingham Municipal Code 20.08.020, Figure 15 shall not be granted. No variances to billboard face size, number of billboard faces, or number of billboard structures shall be granted. Variances from minimum spacing requirements shall not exceed 10% of the minimum spacing requirement.
  - (4) Definitions of this code.

### **20.18.020 - Variance Criteria**

- A.** Variances can be granted by the Hearing Examiner if the applicant proves to the Hearing Examiner that the following criteria are satisfied:
- (1) Because of special circumstances, not the result of the owner's action, applicable to the subject property, (including size, shape, topography, location, or surroundings) the strict application of the provisions of this ordinance is found to deprive the property of rights and privileges enjoyed by other property in the area and under the identical land use classification; and
  - (2) That the granting of the variance will not be unduly detrimental to the public welfare nor injurious to the property or improvements in the vicinity and subarea in which the subject property is located.
  - (3) That the subject property cannot be reasonably used under the regulations as written.

## **THE BURDEN OF PROOF FOR THE VARIANCE SHALL BE THE SOLE RESPONSIBILITY OF THE APPLICANT.**

State the facts relating to the subject property in a clear and precise manner.

1. Explain what exceptional or extraordinary circumstances or conditions exist in connection with the subject property (including size, shape, topography, location, or surroundings) which would cause undue hardship or involve practical difficulties if the Land Use Ordinance is strictly enforced. The plight of the applicant must be unique and not be the result of the applicant's own action.  
*The adjacent wetlands and stream buffers encroach into the developable area resulting in a reduced building footprint. Even when reducing the adjacent buffers to the minimum allowed by code, only approximately two of the 4.92 acres of land are developable. A portion of the developable area has steep topography and walls will have to be used to expand the footprint. In addition, the required right-of-way dedication further narrows the site. By reducing the right-of-way dedication from 20' to 12', the minimum required lot area, parking, and driveline can be provided for the units along E. Bellis Fair Parkway, while still ensuring code compliant wetland buffers.*

2. Explain why the strict application of the Land Use Ordinance would deprive you of privileges possessed by owners of other property in the same land use designation and vicinity.  
 The variance requested is the minimum required to provide a reasonable level of development for the subject property. The developable portion of the site along E. Bellis Fair Parkway is squeezed between critical area buffers to the north, steep topography to the west, and right-of-way to the south. If full 20' dedication is required, unit size or number of units would have to be reduced to fit within the narrow band of developable land. The proposed units are currently 300 square feet.
3. Explain why the granting of said variance will not be materially detrimental to the public welfare or injurious to the property or improvements of the vicinity or land use designation in which the subject property is located.  
 The only visual cue of a granted variance will be units that are situated approximately 8' closer to E. Bellis Fair Parkway. E. Bellis Fair will be constructed to the full required street standards and the resulting 52 foot right-of-way is of sufficient width for access and maintenance to the roadway and all utility extensions. All adjacent properties are developed and served by municipal utilities.

**PLANS REQUIRED**

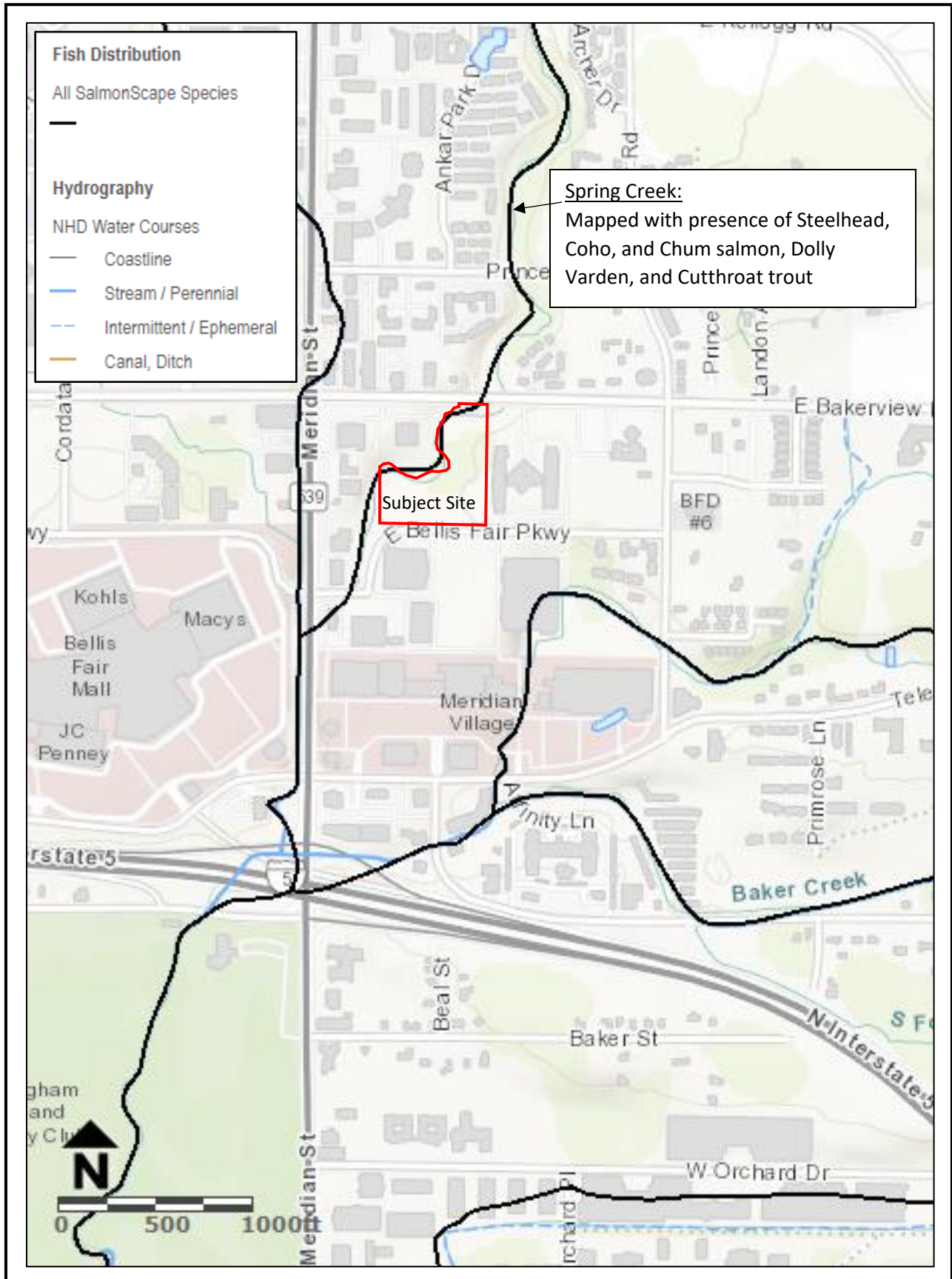
Submit three (3) sets of scaled plans and one 8 1/2 x 11 reduction illustrating the following:


1. A standard scaled site plan showing:
  - a. Subject site property lines.
  - b. All existing and proposed buildings.
  - c. Adjoining streets.
  - d. Parking facilities and access: Label proposed and existing, show surfacing, drainage and parking stall dimensions.
  - e. Show any physical features of consequences (creeks, wetlands, topography or grade changes, significant trees or vegetation, etc.)
2. Scaled building plans, if applicable to request, showing:
  - a. A side view(s) (elevation) of the building.
  - b. Floor plans.
3. Any plans, drawings, or photos that help illustrate the variance.

Depending on the nature of the project, additional plans may be required.

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 NOTE:

1. Staff will schedule applications on the Hearing Examiner's agenda, allowing sufficient time for staff review and legal notifications. This time will vary, but the minimum amount of time required is four (4) weeks prior to the hearing/meeting date.
2. Under no circumstances should the applicant discuss the application with the Hearing Examiner prior to the public hearing.
3. The applicant or an authorized representative must be present at the public hearing.



<p><b>ECOLOGICAL</b></p> <p><b>NORTHWEST</b></p> 	<p align="center"><b>SalmonScape Map</b> (WDFW, 2021)</p> <p align="center"><b>195 E Bellis Fair Parkway</b> <b>Critical Area Assessment &amp; Mitigation Plan</b></p>	<p align="center"><b>Figure 8</b></p> <p align="center"><b>SEPT 2021</b></p>
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