



## Planning and Community Development Department

210 Lottie Street, Bellingham, WA 98225

Phone: (360) 778-8300 Fax: (360) 778-8301 TTY: 711 (WA Relay)

### REQUEST FOR INFORMATION

SUB2023-0012/VAR2023-0005

**Date of Notice:** March 21, 2023

**Date of Notice of Complete Application:** 3/21/2023

**Project Location:** 530 38<sup>th</sup> St., Bellingham WA 98229 Samish Neighborhood Area 4  
Residential Single zoning with a 12,000 sf density

**Applicant/Owner:** Trent Slusher, 512 40<sup>th</sup> St., Bellingham WA 98229

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The Planning and Community Development Department (PCDD) has reviewed the application(s) referenced above. It has been determined that these application(s) do not supply sufficient information to prepare a recommendation to the Hearing Examiner compliant with applicable regulations of the Bellingham Municipal Code (BMC) and Comprehensive Plan.

#### **Required Actions:**

To continue review of the above application(s), please submit the following information electronically to the permit center ([permits@cob.org](mailto:permits@cob.org)) and the staff planner listed below.

1. Pursuant to BMC 23.08.060.C, the proposal is considered by staff as the development of newly created lots abutting an alley and therefore is required to provide required parking from the alley and a pedestrian pathway to the fronting street, with vehicular access from the street restricted unless a variance is approved by the Hearing Examiner. The division of land includes demolition of the existing residence and associated parking and therefore is not eligible for the administrative departure allowed by the director in accordance with the criteria under BMC 23.08.060.C.3.a-c.
2. Note: The proposal is required to provide street trees for every 50' of street frontage. Preserved existing trees near the public street can be used to meet the street tree requirement.
3. Note: The applicant will be required to provide three native replacement trees for the proposed removal of the 30" fir tree within the 50' geologically hazardous area buffer.
4. Note: The applicant will be required to obtain a Critical Area Permit for the development of the single family residence located at 526 38<sup>th</sup> St..
5. The applicant is required to provide a response to the variance criteria under BMC 23.48.040.A below. The variance request is to a standard under BMC 23 not BMC 20 and therefore required to justify compliance with the applicable variance criteria to the specific requirement.
  1. a. Because of unusual shape, the location of preexisting improvements, other extraordinary situation or condition, or physical limitation including, but not limited to, exceptional topographic conditions, geological problems, or environmental constraints, in connection with a specific piece of property, the literal enforcement of

this title would involve difficulties, result in an undesirable land division or preclude a proposal from achieving zoned density; or

- b. The granting of the variance will establish a better lot design resulting in a development pattern found to be consistent with the neighborhood character including, but not limited to, development orientation to the street, setbacks, lot orientation, or other contextual element associated with the proposed development; and
2. The granting of any 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.
6. Provide a proposed impervious surface calculation for the project. If the proposed new and/or replaced impervious surface calculation is over 5,000 sf then provide a preliminary stormwater report prepared by a civil engineer for the Public Works Department to review for compliance with BMC 15.42. If the proposed new and/or replaced impervious surface calculation is less than 5,000 sf then a stormwater note on the face of plat as identified in Attachment 1 can be used to document compliance with BMC 15.42 at this stage of the project.

Review of these application(s) cannot continue until this information is received and determined to be sufficient. Within 14 days of submitting the above information, the City will either determine that the information is sufficient or specify in writing what additional information is required. If the information is sufficient, processing of the application(s) will resume in accordance with BMC 21.10. This request for additional information is accordance with BMC 21.10.190 B. (4).

Pursuant to BMC 21.10.190 (C), the application(s) will expire and become null and void if all of the requested information is not submitted within 120 days from the date of this notice for request for information. At the applicant's request, the PCDD director may extend this 120-day period in accordance with BMC [21.10.080\(A\)](#). No further notice will be sent concerning this 120-day expiration timeline.

Please contact the staff member below if you have any questions regarding this notice:

Name: Ryan Nelson, Planner      E-mail / Phone: [rnelson@cob.org](mailto:rnelson@cob.org) or 360-778-8368