

Nelson, Ryan J.

From: David Wilson <mr.d.wilsoni@gmail.com>
Sent: Sunday, August 13, 2023 2:47 PM
To: Nelson, Ryan J.
Subject: CAP 2023-0021

You don't often get email from mr.d.wilsoni@gmail.com. [Learn why this is important](#)

Dear Mr. Nelson,

We received a notice of Hybrid Public Hearing for property at 4205 Padden Hills Court. The CAP asks for movement of the wetland buffet 25 feet toward the wetland. It states that the applicant will mitigate with 2800 square feet of buffer enhancement on-site, but does not state where that enhancement area is or what that enhancement will entail. It also states that the enhancement area will be protected by fencing, but does not indicate where that fencing will be placed or what type of fencing it will be. Without this critical information, interested parties cannot make an informed decision whether to support or oppose this CAP.

This buffer area is critical to area wildlife including deer, coyotes, bobcats, rabbits, owls, hawks and other species that are commonly seen in this important wildlife corridor. This is an extremely active corridor for safe transit of area wildlife. Additional disruption of this corridor is not in Bellingham's best interest.

Neighbors realize infill is necessary to the growing population, but we desire this infill to recognize laws and rules associated with housing development and to preserve the character of the neighborhood. Please make the requested information available to neighbors and other interested parties so we may make informed decisions whether to support or oppose this CAP application.

Sincerely,

David Wilson

4004 Parkhurst Drive, Bellingham

mr.d.wilsoni@gmail.com

Alice F and Charles R Gustafson
4201 Padden Hills Court
Bellingham, WA 98229
(360-933-1933)

July 18, 2023

Ryan Nelson, Planner
COB Planning and Community Development Dept
210 Lottie Street
Bellingham, WA 98225
[Submitted by email to rnelson@cob.org]

RE: 4205 Padden Hills Ct; VAR2023-0009/CAP2023-0021

Dear Mr. Nelson:

We are writing to comment on the permits and variance requested by Jane Dieveney-Hinkle for new construction at 4205 Padden Hills Court. We will defer to the comments of other neighbors who are impacted by the requested variance.

One of our primary concerns is water run-off from the site onto our lot, which is next door to and downhill from the construction site. As we learned when we bought our home at 4201, there is a tremendous amount of water running downhill through our property. The person who sold to us had set up a basin system which was inadequate to the task. We worked with a contractor to improve that drainage and funnel the water out to the City storm drain system. Now that we have finally gotten that under control, we don't want to overburden our drainage with increased water flow from the construction and/or the new home. We would request that the project under review be required to adequately address this issue in advance.

A second concern that we would like the City to address in advance is the adequacy of the existing storm drainage system to handle additional water flow from the new home to be constructed

at 4205. When we were improving the drainage system for our lot, we contacted the City and a crew came out and discovered that its system was compromised by root intrusion and piping issues. We fixed the pipes on our property, but understand that the City did only a temporary fix and could face future clogging issues. Unfortunately, the whole City storm water system for our development is from the 1990's and standards have likely changed from that time. Before any construction begins, the City needs to determine if its system needs to be beefed up to accommodate an additional home near the high point of the development.

Thank you for the opportunity to comment. We would like to be advised of the action taken by the City and the Hearing Examiner.

Sincerely,

Alice and Chuck Gustafson

Cc: Jane Dieveney-Hinkle [via email]

Nelson, Ryan J.

From: Richard Grube <mypipeorgan@gmail.com>
Sent: Monday, July 17, 2023 8:30 PM
To: Nelson, Ryan J.
Subject: Re. VAR2023-0009/CAP2023-0021

You don't often get email from mypipeorgan@gmail.com. [Learn why this is important](#)

Re. VAR2023-0009/CAP2023-0021

Front Yard Setback Critical Area Permit and Variance for 4209 Padden Hills Ct, Bellingham, WA 98229

As 27-year residents of the Padden Lake Hills subdivision, we are officially objecting to the subject Critical Area Permit and Variance for the following reasons:

- Each property has specific limitations that determine what can be constructed on that site. These limitations need to be taken into full consideration when the owner is in the early stages of building design. These limitations determine the allowable width, depth and often the height of the proposed construction. After reviewing the proposed site plan, it is obvious the intended residential design did not take into account that the “buildable area” of the property does not lend itself to the proposed square-shaped house footprint. The site map shows there is ample “buildable area” for several optional house footprints without the need for a front yard setback variance. It is up to the property owner to justify the need for a variance, and based on the site map, there is no obvious justification for this variance request.

Variance VAR2023-0009/CAP2023-0021 should not be approved, because there are other house footprint options available that would fit this “buildable area” and that would resolve the entire issue without the need for a setback variance.

- Note: The proposed house footprint and architectural design are not final until reviewed and approved by the Padden Lake Hills HOA board, making this variance request premature. The property at 4205 Padden Hills Court has been a part of the Padden Lake Hills HOA since its inception in 1994. Improvements on this property are not only subject to the governmental limitations of this variance, but they are also secondarily subject to the architectural control and approval as stipulated in the **Declaration of Covenants, Considerations, Reservations, and Restrictions of the Plat of Padden Lake Hills** filed at the Whatcom County office of the auditor on October 19, 1994, vol:415, page: 448, and file no.: 941019025. Each property owner by virtue of ownership has consented to and agreed to keep, observe, and comply with and perform all obligations of this **Declaration**. At the time of writing this variance objection, no house plans for this property have been submitted to or approved by the Padden Lake Hills HOA board as required by the Association covenant, Sections II and X, as stated, *“To preserve the architectural and aesthetic appearance of the development, no new construction or improvements of any nature whatsoever shall be placed on any lot until detailed plans have been reviewed and approved by the Architectural Reviewer...”*.

Variance VAR2023-0009/CAP2023-0021 should not be prematurely approved, because house plans associated with the proposed house foot print have not been reviewed and approved by the Padden Lake Hills HOA board.

- The proposed setback of only 10 feet for the entire front façade of this proposed three-story house structure is an extreme deviation from the continuity and very consistent design of the Padden Lake Hills

subdivision. The project location is situated such that the reduced house setback will be immediately obvious for the full length of Padden Hills Court as one drives into the entrance of the subdivision. A towering three-story structure barely setback from the street will be an obvious and unwelcomed aberration. The original developer of this subdivision went to admirable lengths to ensure this subdivision would have tasteful and befitting continuity to preserve its desirableness for many future decades. This was a key selling point for our purchasing a lot and constructing a residence in this subdivision.

Please give serious consideration to these objections as basis for denying the proposed setback variance.

Respectfully,

Richard and Valerie Grube
4019 Padden Hills Ct
Bellingham, WA 98229

John and Terry Maxwell
4208 Parkhurst Dr
Bellingham WA 98229
(949) 412-1707

July 18, 2023

City of Bellingham
Planning and Community Development
Ryan Nelson, Planner

We have reviewed the notice of application & Public Hearing for 4205 Padden Hills Ct.

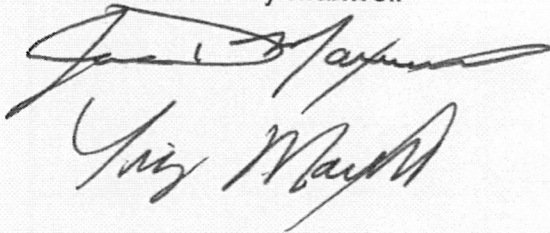
We have driven to the property and think the requested setback reduction and 3 story height will negatively impact the neighborhood.

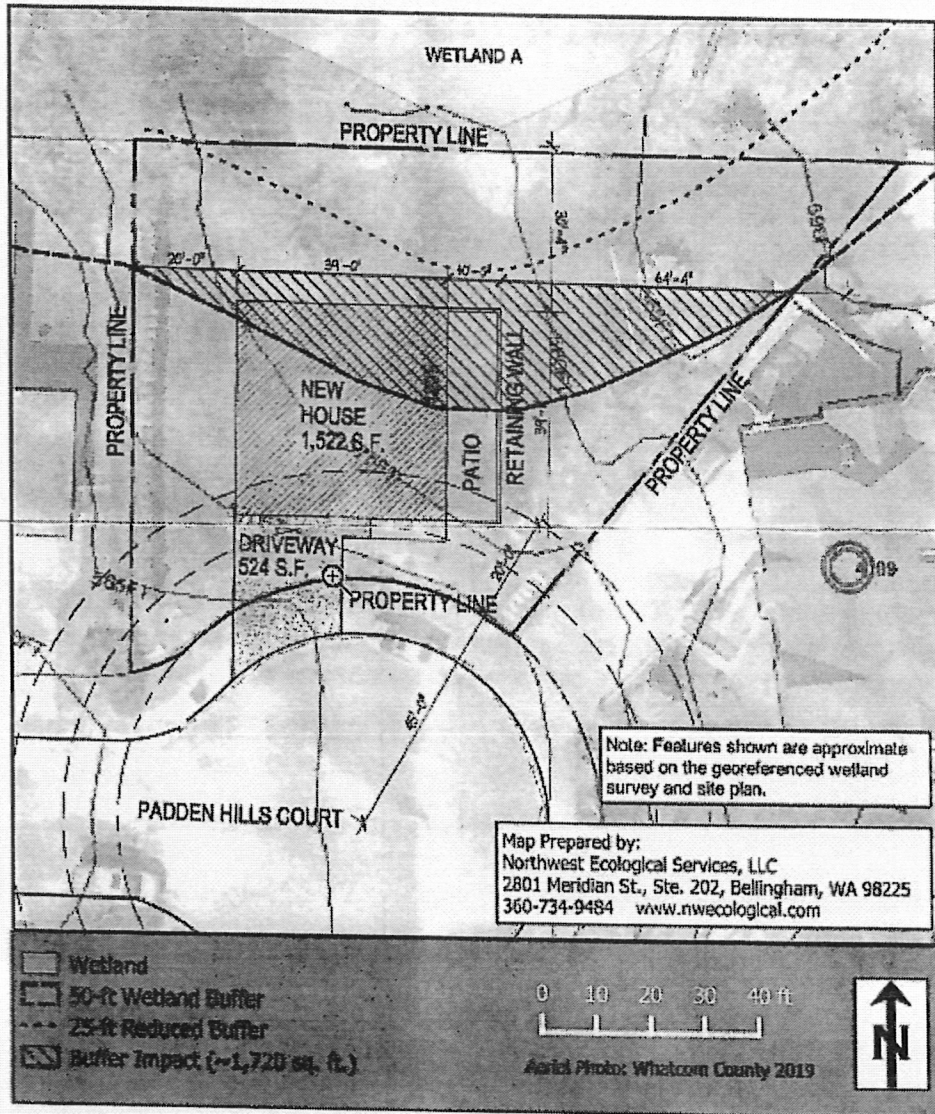
We are also opposed to the reduction of the wetland buffer zone and any removal of vegetation or trees from said zone.

Thank you for the opportunity to share our views.

Please let us know what action is taken.

John and Terry Maxwell

The image shows two handwritten signatures in black ink. The top signature is for John Maxwell and the bottom signature is for Terry Maxwell. Both signatures are written in a cursive, flowing style.



4205 Padden Hills Ct.
VAR2023-0009/CAP2023-0021

The Hearing Examiner will issue a decision within 10 days of the close of the record. If you want to receive notification of the action, please complete and return this section to the Planning and Community Development Department, City Hall, 210 Lottie Street, Bellingham, WA 98225.

Attn: Ryan Nelson, Planner **Yes, I would like to know the action taken.**

Name

John & Terry Maxwell

Address

(including City, Zip)

4208 Parkhurst Dr., Bellingham, WA
98229

Nelson, Ryan J.

From: Liza Gossett <veronicamorton48@gmail.com>
Sent: Tuesday, July 18, 2023 11:07 PM
To: Nelson, Ryan J.
Subject: TYPE IIIA NOTICE OF APPLICATION & PUBIC HEARING VAR2023-0009/CAP2023-0021

[You don't often get email from veronicamorton48@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Regarding: Project Location: 4205 Padden Hills Court-Bellingham WA 98229. Applicant: Jane Dieveney-Hinkle, 4209 Padden Hills Court, Bellingham, WA 98229

Hello Ryan,

I am Elizabeth (Liza) Gossett and I live at 4202 Padden Hills Court-Bellingham, WA 98229. I am responding to your notice regarding Jane Dieveney-Hinkle's request for a variance reducing the required 20 feet front yard setback to 10 feet from the property line. Here is what I think about this request: I think it would interfere with the curb appeal we neighbors on our street have enjoyed for 30 years if this variance to build the home 10 feet from the sidewalk is granted. As well, if the property has multiple levels, this would impact the feeling of encroachment even more.

Please keep me informed of the final decision.

Thank you,

Elizabeth Gossett
4202 Padden Hills Court
Bellingham, WA 99229
veronicamorton48@gmail.com

Nelson, Ryan J.

From: jamie thayer <jamie99@comcast.net>
Sent: Tuesday, July 18, 2023 1:41 PM
To: Nelson, Ryan J.
Subject: Variance to front yard setback

You don't often get email from jamie99@comcast.net. [Learn why this is important](#)

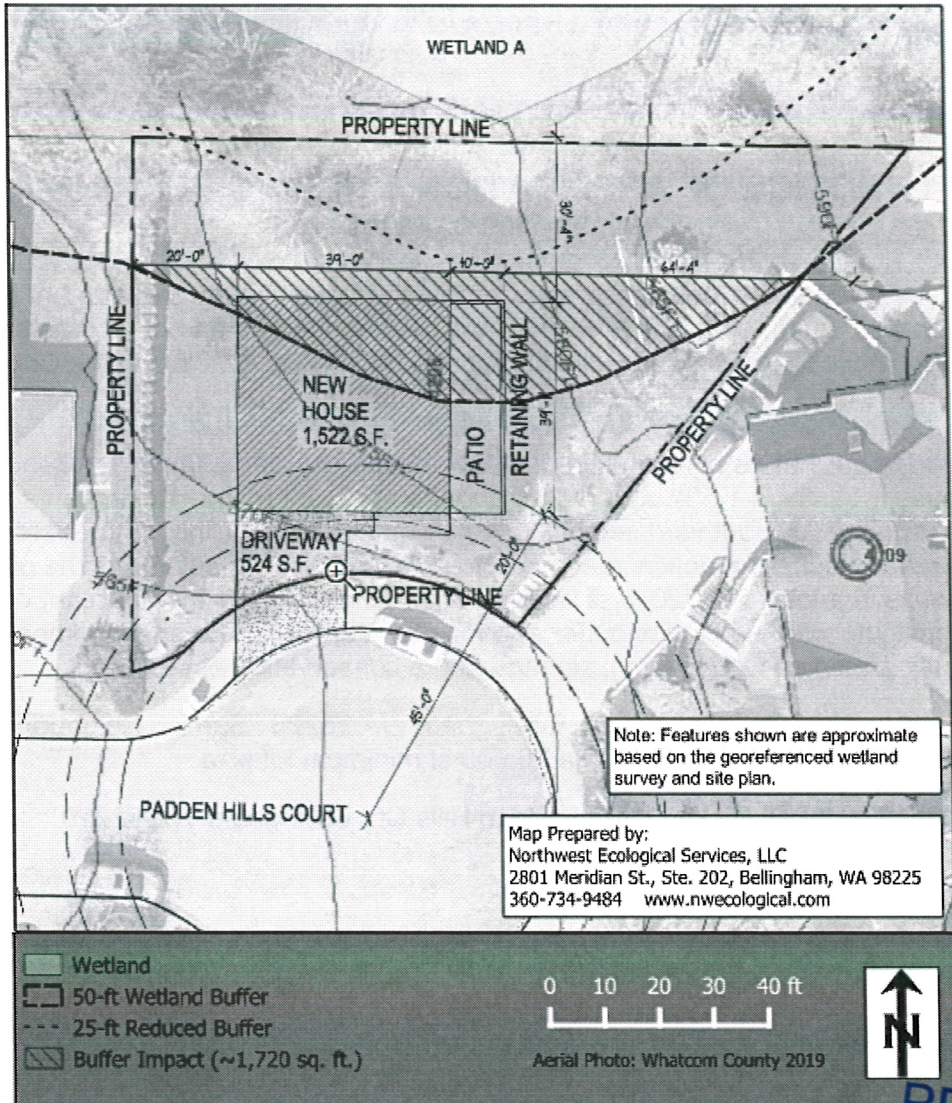
Hello Mr. Nelson/Planning & Community Development,

These comments are in reference to the proposed residence at 4205 Padden Hills Court, Bellingham WA 98229 Samish Neighborhood Area 5

We understand that our neighbor, Jane Dieveney-Hinkle has requested a variance which would result in a 10 foot reduction in her front yard setback. The 20' current requirement would be ignored/replaced. Our concern is that building the home just 10 ft from the sidewalk edge will disrupt the current curb appeal and protrude too far forward.

This neighborhood is one of the most beautiful streets in Bellingham. It is the compliance with the 20' setback that is responsible for this street's aesthetically pleasing appearance. 10 feet is inconsistent to the rest of the Padden Hills Court homes. Reducing a new home's front setback to 10 feet would disrupt the current continuity we have enjoyed for 30 years. If approved, we question whether a multi-level home (3 levels) so close to the street might decrease the value of all surrounding homes. It is not desirable to live next to, or across from, the home considered an outlier.

Thank you for your time in hearing our voices,
Jeff Thayer



RECEIVED

4205 Padden Hills Ct.
VAR2023-0009/CAP2023-0021

JUL 19 2023

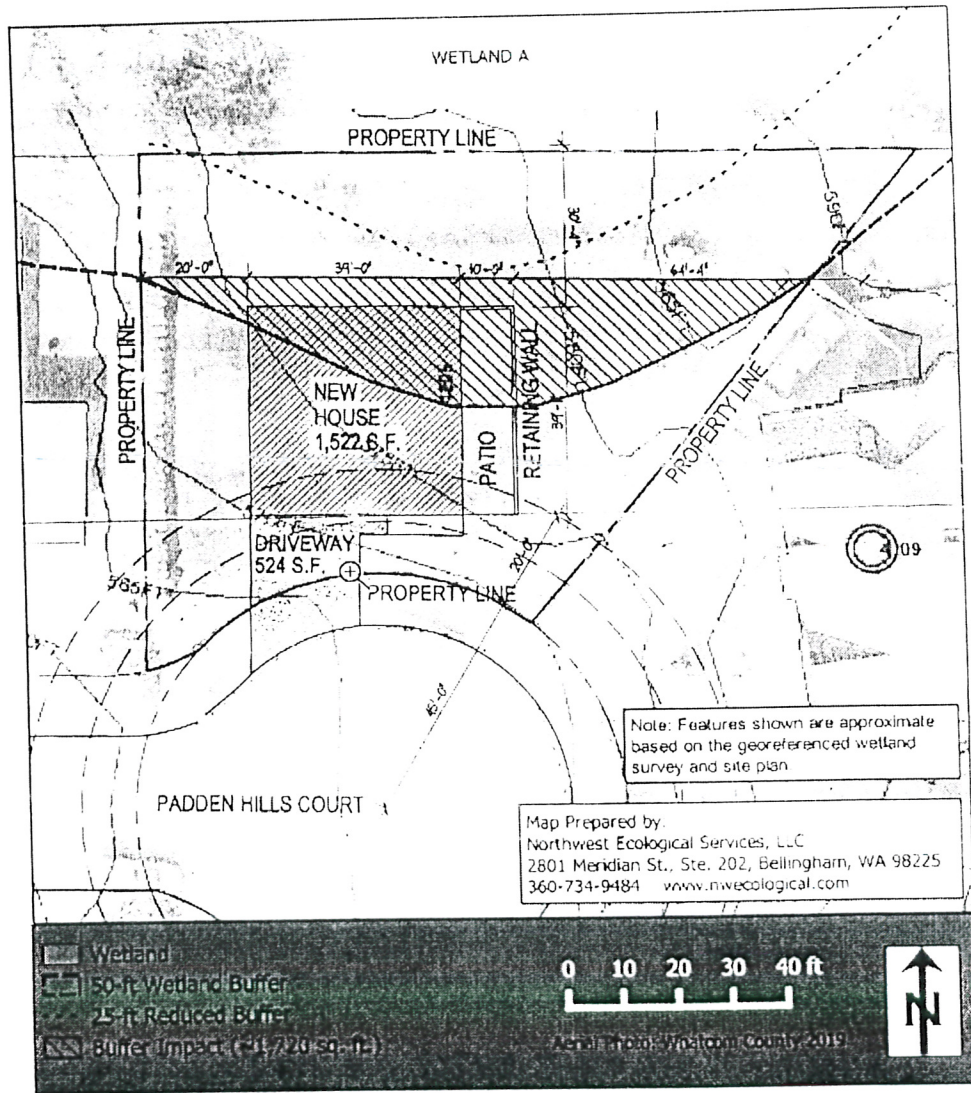
City of Bellingham
Planning & Community Development

The Hearing Examiner will issue a decision within 10 days of the close of the record. If you want to receive notification of the action, please complete and return this section to the Planning and Community Development Department, City Hall, 210 Lottie Street, Bellingham, WA 98225.

Attn: Ryan Nelson, Planner Yes, I would like to know the action taken.

Name David & Karen Hannah

Address 4200 Parkhurst Dr. Bellingham, WA 98229
(including City, Zip)



RECEIVED

4205 Padden Hills Ct.
 VAR2023-0009/CAP2023-0021

JUL 24 2023

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City of Bellingham
 Planning & Community Development

Attn: Ryan Nelson, Planner Yes, I would like to know the action taken.

Name ELIZABETH GOSSETT

Address 4202 PADDEN HILLS COURT Bellingham, WA 98229
 (including City, Zip)