



OFFICE OF THE HEARING EXAMINER  
**Sharon Rice, Hearing Examiner**  
City Hall, 210 Lottie Street  
Bellingham, WA 98225  
Telephone (360) 778-8399  
Fax (360) 778-8302  
Email hearing@cob.org

***HEARING EXAMINER AGENDA***  
***Hybrid – In-person and Zoom Webinar***  
**6:00 p.m., Wednesday, November 29, 2023**

The City of Bellingham Hearing Examiner will hold an in-person and virtual Zoom public hearing to take testimony on the following proposals:

1. **USE2023-0017**: Proposed construction of an approximately 6,280 square foot single-family residence (SFR) with attached two-car garage and new driveway. The proposed three-bedroom SFR is configured with a main floor, upper floor, and lower floor. As required by the single-family residential development standards (BMC 20.30), the building is less than 20' tall (approximately 16.5' tall) as measured by Height Definition No. 2 (BMC 20.08.020) and the height definition in the Shorelines Master Program Chapter (BMC 22.10.010(A)(61)).

Access to the new residence is proposed via a driveway off Briar Road. Due to the creation of more than 5,000 square feet of new impervious surface on-site, a fully engineered stormwater management system is required.

A Conditional Use Permit (CUP) is required pursuant to BMC 20.16.020(M)(4) because the proposed residence contains more than 5,500 square feet of total floor area. In accordance with this title, CUPs are decided upon by the Hearing Examiner following a public meeting and review of the proposal's compliance with the CUP approval criteria enumerated in BMC 20.16.010.

A Shoreline Exemption Permit has been conditionally approved under SHR2023-0022. The proposed development is exempt pursuant to BMC 22.05.020(B)(1)(g). The applicant shall be required to apply for a critical areas permit at the time of building permit submittal to address geological hazard areas on-site. The applicant shall demonstrate compliance with BMC 16.55.450 and BMC 16.55.460(A)(2-3) and (6). Additionally, the applicant shall adhere to all conditions established in the associated conditional use permit USE2023-0017.

The proposal is categorically exempt from SEPA review pursuant to BMC 16.20 and WAC 197-11-800.

The property is located at 830 Briar Road, and legally described as Lot 1 Madrona Pointe North Short Plat as Rec AF 2050200731 – subj to conservation esmt Rec AF 20502000732. Residential Single, Detached, 20,000 sq. ft. min. detached lot size, or one lot per 20,000 sq. ft. average overall density zoning designation. Brad Ingram, Synthesis Design, applicant; Steve and Heather Peck, Peck Family Rev Trust, owners. Edgemoor Neighborhood, Area 7.

2. **SUB2023-0011**: Development of a 2.51-acre parcel into 11 single-family cluster lots with three of those lots developed as Small Lots pursuant to BMC 20.28.070, known as the Wellington Preliminary Plat. Retention of the existing residence is proposed. Vehicular access for all units is proposed from a new public street off Yew Street. Public and private infrastructure necessary to serve the lots is proposed compliant with code. Type I administrative decisions for design review and critical areas are required for the proposal and anticipated to be issued by City staff prior to the public hearing.

The property is located at 1204 Yew Street, and legally described as Lot 2 Alvarado Short Plat LLA as Rec Book 22 Short Plats pg 89. Residential Single, Detached, Cluster Detached, 10,000 sq. ft.

**min. detached lot size cluster density zoning designation. Darcy Jones, Jones Engineers Inc., applicant; Bradley and Kristina Widman, owners. Whatcom Falls Neighborhood, Area 7.**

## **HOW TO PARTICIPATE**

In writing:

All interested persons are invited to comment on the above applications. Written comments by mail and email are accepted and strongly encouraged. Send written to the Planning & Community Development, 210 Lottie Street, Bellingham, WA 98225 or email, [planning@cob.org](mailto:planning@cob.org). Written comments received prior to 5:00 p.m., Monday, November 20, 2023, will be included in the online published packet. Comments received after that will be distributed to the Hearing Examiner for consideration but may not be included in the online published packet. All written comments should be submitted before the close of the comment period but will be accepted if received by 5:00 p.m. on the hearing date. You may also request a copy of the Hearing Examiner's decision and your appeal rights.

Attend in-person at 6:00 p.m., City Council Chambers, 2<sup>nd</sup> Floor, City Hall, 210 Lottie Street, Bellingham, Washington.

At the live webinar by computer:

**Anyone wishing to testify live during the public hearing can do so by registering at the following link: <https://www.cob.org/he112923>**

This link can be used before the meeting to pre-register or during the meeting to register and immediately join the meeting. Pre-registration is strongly encouraged. Once you are registered, you will receive an email with a link to the meeting.

At the live webinar by phone (audio only):

Those who would like to participate by phone can do so using any of the following phone numbers:

- (253) 215-8782
- (346) 248-7799
- (669) 900-6833
- (301) 715-8592
- (312) 626-6799
- (929) 205-6099

Meeting ID: 875-5403-0845

Password: 9

Testimony during the public comment period will be limited to 3 minutes per person. The record will be held open for two business days to accept post-hearing written public comment from anyone who had technology issues that prevented them from testifying at the hearing.

The application materials and staff reports will be available on-line at

<https://www.cob.org/gov/dept/hearing/pages/hearing-examiner-materials.aspx> approximately one week before the virtual public hearing.

A Citizen's Guide to Remote Hearing's is available on-line at: [www.cob.org/zoomguide](http://www.cob.org/zoomguide)

The City of Bellingham will provide a variety of accommodations and services for access and communications. Individuals with disabilities who wish to participate in City programs, services or activities and need an accommodation can submit a request for accommodation to the City by completing the online Request for Accommodation form (available at [www.cob.org/ADA](http://www.cob.org/ADA)). As always, elevator access to the 2<sup>nd</sup> floor is available at City Hall's west entrance.

***Note: This hearing will be video and audio recorded.***