



**Public Works Permitting**

210 Lottie Street, Bellingham, WA 98225

Phone: (360) 778-8329 - Email: [pwpermits@cob.org](mailto:pwpermits@cob.org)

Web: [www.cob.org/permits](http://www.cob.org/permits)

**Public Works Variance Request Application**

Public Works Director Waiver

Hearing Examiner Variance  
Check one

|                     |
|---------------------|
| Date received _____ |
| Case # _____        |

Project Address: \_\_\_\_\_

Tax Assessor Parcel Number(s): \_\_\_\_\_

Project Description:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Applicant/Agent  Primary contact for Application

Name \_\_\_\_\_

Phone \_\_\_\_\_

Address \_\_\_\_\_

Fax \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Email \_\_\_\_\_

Owner(s):  Primary contact for Application

Name \_\_\_\_\_

Phone \_\_\_\_\_

Address \_\_\_\_\_

Fax \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Email \_\_\_\_\_

Property Owner:

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. I certify under penalty of perjury of the laws of the State of Washington that the information on this application and all information submitted herewith is true, complete and correct.

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. If I, at any point during the review or inspection process, am no longer the Applicant for this project, it is my responsibility to update this information with the City in writing in a timely manner.

Signature by Owner/Applicant/Agent \_\_\_\_\_, Date \_\_\_\_\_



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### Hearing Examiner

Case # \_\_\_\_\_

### Application Requirements:

- A completed Public Works Variance Request Application.
- Materials relevant to the variance request, i.e. maps, correspondence, etc.
- Application fee payment.
- Mailing list and labels of anyone who might be impacted by this decision, i.e. adjacent property owners, neighbors, etc.

### Project Data

Nature of request:

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Bellingham Municipal Code Section(s) involved:

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**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 Bellingham Municipal Code is strictly enforced. The plight of the applicant must be unique and not be the result of the applicant's own action.

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2. 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. Use additional sheets if necessary.

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**Applicant Justification**

This procedure may be used for the following variance requests, and others in Title 13 and Title 15 as described in Ordinance 2002-10-69. This may also be used for appeals to departmental or Utility Hearing Board decisions as outlined in the BMC.

**13.04.110 – VARIANCES (Street Standards)**

A variance from any of the standards specified by this chapter may be granted by the Hearing Examiner. Such variance may be granted when practical difficulties arise in the design and construction of streets due to topography, geological limitations, and other problems inherent or peculiar to the area upon the recommendation from the City staff and when in the best interest of the public welfare.

**13.08.050 – VARIANCES (Street Construction)**

A variance from any of the requirements specified by this chapter may be granted by the Hearing Examiner upon the recommendation of the staff and when in the best interest of the public welfare. Such variance may be granted when practical difficulties arise in the design and construction of streets due to topographic geological limitations or other problems inherent or peculiar to the area, or where the Council finds that imposition of the required street width would be detrimental to the interest of the neighborhood.

**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. Show any physical features of consequences (creeks, wetlands, topography or grade changes, significant trees or vegetation, etc.)
3. Any plans, drawings, or photos that help illustrate the variance.

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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.

More information regarding the Hearing Examiner process can be found in the [Citizen's Guide to Hearing Examiner Services](#).

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.

## MAILING LIST INSTRUCTIONS

Using the information from the Whatcom County Assessor's Office, applicants must **submit** an accurate mailing list, which includes the name, mailing address, and parcel number of each property owner within 500 feet (100 feet for Home Occupation Applications) of the exterior boundary of the subject property, AND typed mailing labels. Errors in mailing labels may result in process delays and re-notice fees. The following information should provide you with the necessary resources.

**Obtain Property Ownership Information from the Whatcom County Assessor's Office**

- The Assessor's Office is open Monday –Friday 8:30 – 4:30 and is located on the first floor of the Whatcom County Courthouse, 311 Grand Avenue, Bellingham, 360-676-6790.
- Bring enough information to identify all of the property in the project site, such as tax parcel numbers, legal descriptions, address(es) or boundary on a plat map. Assessor's Office staff can help you find the Assessor's map(s) containing the project parcel(s).
- Utilize the Assessor's map to measure the required ownership notice distance (listed on the application) and record the parcel number for each property within or partially within the required distance of 500 feet (*100 feet for Home Occupation*) from the boundary of the project parcel. If the owner of the project property owns other property within the notice distance but not included in the project site, contact the Planning Division to determine whether the notice radius must be increased.
- Record the property owner's name and mailing address by accessing each parcel number via the computer terminals at the Assessor's Office or through the Internet by accessing the database under "Real Property Search" at [www.whatcomcounty.us/assessor/index.jsp](http://www.whatcomcounty.us/assessor/index.jsp). Click on the parcel number in the first data screen to bring up a screen with the owner's full address and zip code. The maps are also available at this site if you wish to check a parcel number.
- If the site is a condominium, include the owner of each unit.

**Print addresses on Avery 5160 labels** (or in Avery 5160 label format) – *Example provided*

- Labels must include the address of the:
  - Owner
  - Applicant / Contact for the proposal
  - All property owners with the required 500 foot radius (100 feet for Home Occupation Applications)
  - Bellingham Herald
  - Applicable Mayor's Neighborhood Advisory Commission (MNAC) representative
  - Applicable Neighborhood Association(s) representative.

|              |               |                  |              |               |
|--------------|---------------|------------------|--------------|---------------|
| Alabama Hill | Cordata       | Irongate         | Roosevelt    | South Hill    |
| Barkley      | Cornwall Park | King Mountain    | Samish       | Sunnyland     |
| Birchwood    | Edgemoor      | Lettered Streets | Sehome       | Whatcom Falls |
| CBD          | Fairhaven     | Meridian         | Silver Beach | WWU           |
| Columbia     | Happy Valley  | Puget            | South        | York          |

- The addresses should fit on one **Avery 5160 label** - format example provided.
- Please **DO NOT**:
  - **Repeat names** on the mailing list. If someone is listed as owning more than one property, only list the owner's name and address once on the mailing list.
  - **Do not list the tax parcel number on the labels**

**Submit the notarized Address Information Verification with a copy of the parcel numbers and property owner's name and mailing address information attached.**

Contact Public Works staff at the Permit Center, Bellingham City Hall, 210 Lottie Street (360-778-8300) to determine which neighborhood representatives and associations must be added to your mailing list or to obtain addresses. This information can also be found on the city's website at

<http://www.cob.org/documents/planning/applications-forms/nbrhd-media-notification-list.pdf>



## **Adding Neighborhood Representatives and Associations**

The following addresses must be added to the mailing list for the neighborhood in which the project is located and any neighborhood within the required notice distance of 500 feet from the boundary of the project site:

1. The Mayor's Neighborhood Advisory Commission member; and
2. The neighborhood association president.

Feel free to contact Public Works staff at the Permit Center, Bellingham City Hall, 210 Lottie Street (360-778-8300) to determine which neighborhood representatives and associations must be added to your mailing list or to obtain addresses. This information can also be found on the city's website at <https://cob.org/wp-content/uploads/nbrhd-media-notification-list.pdf>

### **The following neighborhoods are within the required notice radius:**

*(check all that apply)*

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Alabama Hill  | <input type="checkbox"/> Happy Valley     | <input type="checkbox"/> Sehome        |
| <input type="checkbox"/> Barkley       | <input type="checkbox"/> Irongate         | <input type="checkbox"/> Silver Beach  |
| <input type="checkbox"/> Birchwood     | <input type="checkbox"/> King Mountain    | <input type="checkbox"/> South         |
| <input type="checkbox"/> CBD           | <input type="checkbox"/> Lettered Streets | <input type="checkbox"/> South Hill    |
| <input type="checkbox"/> Columbia      | <input type="checkbox"/> Meridian         | <input type="checkbox"/> Sunnyland     |
| <input type="checkbox"/> Cordata       | <input type="checkbox"/> Puget            | <input type="checkbox"/> Whatcom Falls |
| <input type="checkbox"/> Cornwall Park | <input type="checkbox"/> Roosevelt        | <input type="checkbox"/> WWU           |
| <input type="checkbox"/> Edgemoor      | <input type="checkbox"/> Samish           | <input type="checkbox"/> York          |
| <input type="checkbox"/> Fairhaven     |   |  |

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As you get ready to prepare your labels keep the following checklist in mind:

- The information was acquired from the Assessor's office or database
- Address for the following members have been included on the label sheet:
  - The property owner
  - The applicant
  - Every property owner within the required radius of 500 feet
  - The Mayor's Neighborhood Advisory Commission (MNAC) representative
  - The appropriate neighborhood association(s) representative
  - The Bellingham Herald (*address provided on the sample label page*)
- The mailing information has been printed on Avery 5160 labels (or another similar brand)
- All of the information **completely fits** on the label
- Mailing information has been notarized

|   |  |  |
|---|--|--|
| <p><i>Avery 5160 labels or in Avery 5160 label format</i></p>               | <p>Font – Arial, 11</p>  |  |
| <p><b>Property Owner</b><br/>Address<br/>City, State, Zip</p>               | <p><b>Applicant</b><br/>Address<br/>City, State, Zip</p>   | <p><b>MNAC Representative</b><br/>Address<br/>City, State, Zip</p> |
| <p><b>Neighborhood Association Rep</b><br/>Address<br/>City, State, Zip</p> | <p>Bellingham Herald<br/>Community News Department<br/>2211 Rimland Dr. Ste 301<br/>Bellingham, WA 98226</p> | <p><b>All Property Owners within the specified radius:</b></p>     |
| <p>First name Last name<br/>Address<br/>City, State, Zip</p>                | <p>First name Last name<br/>Address<br/>City, State, Zip</p>   | <p>First name Last name<br/>Address<br/>City, State, Zip</p>       |
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