

City of Lynden

Conditional Use Permit Application

General Information:

Property Owner

Name: STEVEN LOEFFLER & Denise Loeffler
Address: 8283 Double Ditch Rd
Telephone Number: 360-393-8284 Fax Number: _____
E-mail Address: bertloeffler@outlook.com

Applicant (Agent, Land Surveyor or Engineer)

Name: Same
Address: _____
Telephone Number: _____ Fax Number: _____
E-mail Address: _____

Who is the primary contact for this project? This person will receive all official correspondence for the project. Property owner Applicant

Property Information

Project Location (street address / block range): 8283 Double Ditch rd
Legal Description (attach if necessary): Lot 2 Nuefeldt short Plat as rec AF 197020/333
Assessor's Parcel Number: 400319234/233000 Zoning Designation: _____
Parcel Square Footage: _____ Property Dimensions: _____
Applicable Sub-Area: _____ Building/Structure Size: _____
Height of Structure: _____ Addition Size: _____

Please describe request in detail:

CUP Criteria must be attached

requesting permission to utilize existing Attached ADU for nighty stays through Air bnb

BY SIGNING THIS APPLICATION, I CERTIFY THAT ALL THE INFORMATION SUBMITTED IS TRUE AND CORRECT. I ALSO UNDERSTAND THAT NO FINAL APPROVAL WILL BE ISSUED UNTIL ALL FINAL REVIEW COSTS ARE PAID IN FULL.

SUBMITTED BY: Steven Loeffler DATE: _____
PROPERTY OWNER SIGNATURE: Steven Loeffler DATE: _____
PROPERTY OWNER PRINTED NAME: _____ DATE: _____

Excerpts from Chapter 19.49 of the Lynden Municipal Code

Standards and criteria for granting a CUP

- A. Certain uses may be allowed by a CUP granted by the City Council, after it receives the recommendation of the Planning Commission. The Planning Commission shall issue its recommendation after a public hearing on the CUP application. In the application and during the hearing process, it shall be clearly shown by the applicant that the proposed use is not detrimental to the surrounding area or a liability to adjacent uses. For the purpose of this ordinance, the surrounding area, or neighborhood, means those parcels that are in close proximity to the subject parcel.
- B. An application for a CUP may be made only for those uses specified under the conditional use section of the appropriate zoning district.
- C. The Planning Commission and Council shall enter findings to support any recommendation or decision on a CUP application. Conditions may be attached to CUP approvals to mitigate any adverse impacts, protect surrounding properties and to promote the general welfare of the public. A CUP will be granted only if the proposed use complies with the standards and criteria listed below. The applicant shall bear the burden of proof in all CUP proceedings:
 1. The proposed use in the proposed location will not be detrimental to surrounding uses legally existing or permitted outright within the zoning district;
 2. The proposed use, together with proposed mitigation, will not be detrimental to public health or safety and will be compatible with the surrounding area and land uses with respect to the following:
 - i) traffic and pedestrian circulation,
 - ii) noise, smoke, fumes, glare or odors generated by the proposed use,
 - iii) building and site design,
 - iv) the physical characteristics of the subject property
 3. The proposed use is supported by adequate public facilities and services unless conditions can be established to mitigate adverse impacts to those facilities or services; and
 4. The traffic generated by the proposed use will not cause the traffic circulation system in the vicinity to deteriorate below the adopted level of service.
 5. The proposed use complies with the performance standards, parking requirements, height, setback and lot coverage requirements, landscaping standards and other provisions of the Lynden Municipal Code.
 6. There are adequate buffering devices, as specified in the landscape standards, or other topographic characteristics, to protect the adjacent properties from adverse impacts of the proposed use.
 7. The proposed use will not destroy or substantially damage any natural, scenic or historic feature of major importance.
 8. The proposed use is generally consistent with the purposes and objectives of the City Comprehensive Plan and applicable Sub-Area Plan.

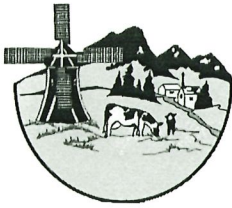


Special conditions for the approval of a bed and breakfast establishment

Bed and breakfast establishments require a CUP in all single-family zones and the RM-3 and RM-4 zones and are permitted within the RM-1, RM-2, HBD and CS-1 zones. All proposed bed and breakfast establishments, regardless of zone, shall be required to show compliance with the standards listed below. Bed and breakfast establishments proposed within an area requiring a CUP will be required to meet the standards and criteria listed in Section 19.49.020 as well as those conditions listed below.

- A. A bed and breakfast establishment shall appear as any other single-family residence within the surrounding area. One flat, unlighted sign, not exceeding 16 square feet mounted flush against the building will be permitted. In addition, a single monument sign may be permitted if it meets the requirements for monument signs within Chapter 19.33.
- B. The applicant shall comply with local fire and building codes and guidelines fixed by the city fire chief and building inspector, including, but not limited to adequate exits as required by the Uniform Building Codes. A smoke alarm and a household size fire extinguisher shall be present in each guestroom.
- C. A telephone shall be available for occupant use with emergency numbers and the address of the establishment posted.
- D. Proprietors of the bed and breakfast establishment shall follow health guidelines and regulations of the Whatcom County Department of Health and Washington State regulations.
- E. The applicant shall meet all requirements for the provision of off-street parking. Parking shall be adequately screened from the neighboring properties.
- F. An annual business license shall be required and an inspection fee, in an amount set by resolution of the Lynden City Council, shall accompany each application and renewal. The Public Works Director, Building Inspector or, Fire Chief may require inspections.
- G. Dwellings with more than two rooms available for guests shall be considered transient accommodations and will be subject to regulation by the State Board of Social and Health Services under Chapter 248-144 WAC "TRANSIENT ACCOMMODATIONS."
- H. The operator of the bed and breakfast shall reside on the premises. Owner and operator quarters and guestrooms shall be in the same building.
- I. No other business, service or commercial activity may be conducted on the premises. Breakfast only may be served and no meals may be served to the general public.

RECEIVED



City of Lynden
Planning Department

Conditional Use Permit (CUP) - Criteria Worksheet

JUL 08 2021

City of Lynden
Planning Department

A Conditional Use Permit (CUP) will be granted only if the proposed use complies with the standards and criteria listed below. The applicant shall bear the burden of proof in all CUP proceedings.

Please describe the proposed use. Relevant information may include hours of operation, parking requirements, anticipated traffic to the site, and how the site will be developed and used. Attach additional information and plans as needed.

The proposed use of the designated attached portion of our home will be available and used for overnight or extended periods by individuals reserving through Air bnb.

Respond to each of the criteria below with the specifics of the proposed use in mind. (per LMC 19.49) Identify nearby streets and the uses surrounding the site.

- 1. The proposed use in the proposed location will not be detrimental to surrounding uses legally existing or permitted outright within the zoning district.

The air bnb will not be detrimental to existing areas or neighbors. Designated parking is available and is hidden by a large laurel hedge.

- 2. The proposed use, together with proposed mitigation, will not be detrimental to public health or safety and will be compatible with the surrounding area and land uses with respect to the following:

- a. Traffic and pedestrian circulation;

We live on a dead end street which by virtue has minimal traffic. The air bnb guest will have no more impact than current family or friends who currently visit.

- b. Noise, smoke, fumes, glare or odors generated by the proposed use;

The air bnb really only tends itself to two maybe three guest, noise levels will not be a problem

- c. Building and site design; and

The structure in question is and has existed for over 20 years

d. The physical characteristics of the subject property.

See attached photos

3. The proposed use is supported by adequate public facilities and services unless conditions can be established to mitigate adverse impacts to those facilities or services.

The proposed Air bnb is fully equipped with kitchen and bath/shower.

4. The traffic generated by the proposed use will not cause the traffic circulation system in the vicinity to deteriorate below the adopted level of service.

The traffic generated by the Air bnb will hardly be noticed by current neighbors. Both neighbors have a steady flow of traffic by their family and friends.

5. The proposed use complies with the performance standards, parking requirements, height, setback and lot coverage requirements, landscaping standards and other provisions of the Lynden Municipal Code.

The proposed site has existed for over 20 years and is compliant with code.

6. There are adequate buffering devices, as specified in the landscape standards, or other topographic characteristics, to protect the adjacent properties from adverse impacts of the proposed use.

Being the site has existed for over 20 years I have to assume there is no adverse impacts.

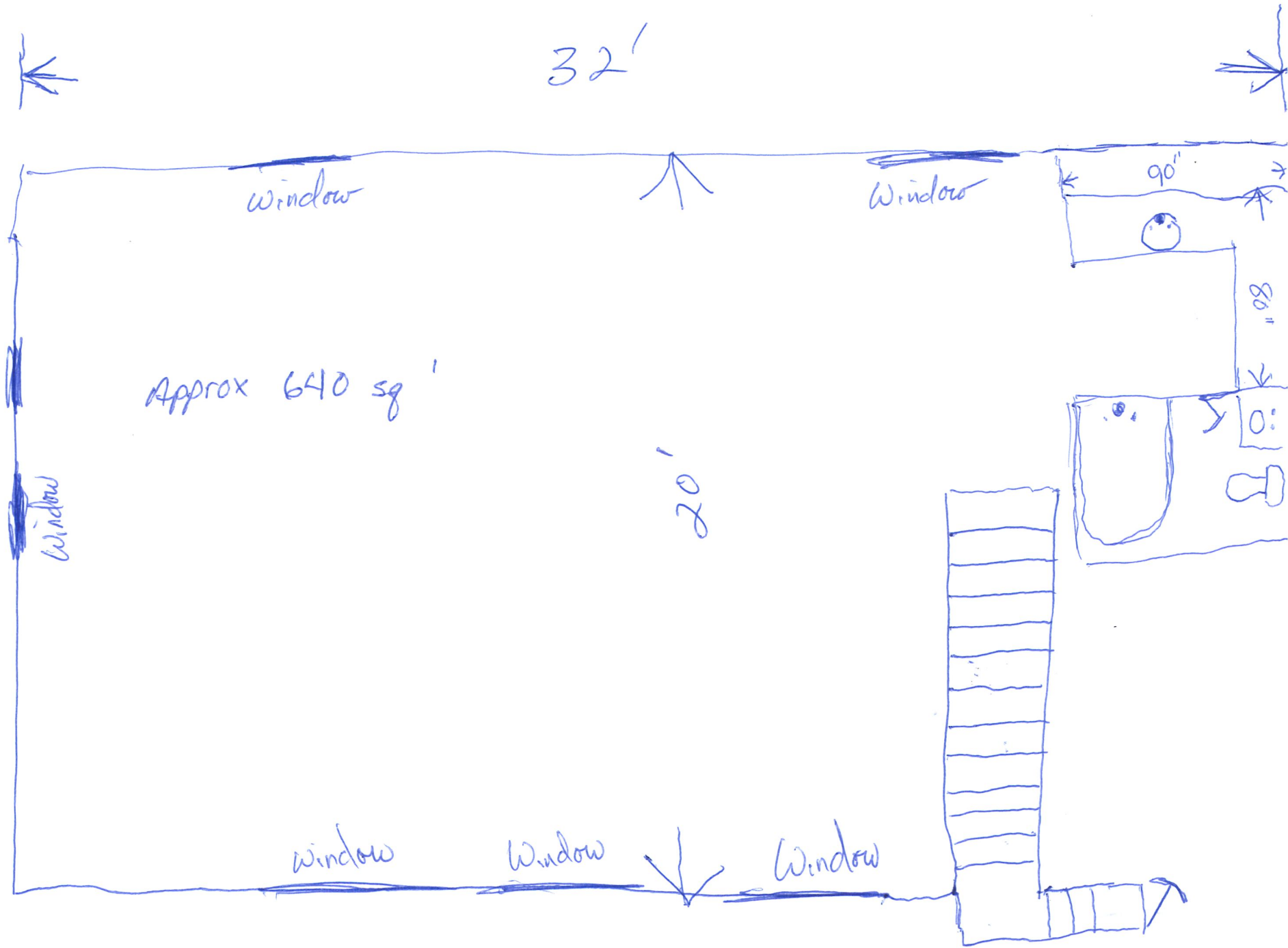
7. The proposed use will not destroy or substantially damage any natural, scenic or historic feature of major importance.

The proposed use will have no impact.

Date: 7-8-21 Project: _____

8. The proposed use is generally consistent with the purposes and objectives of the city comprehensive plan and applicable sub-area plan.

Yes.



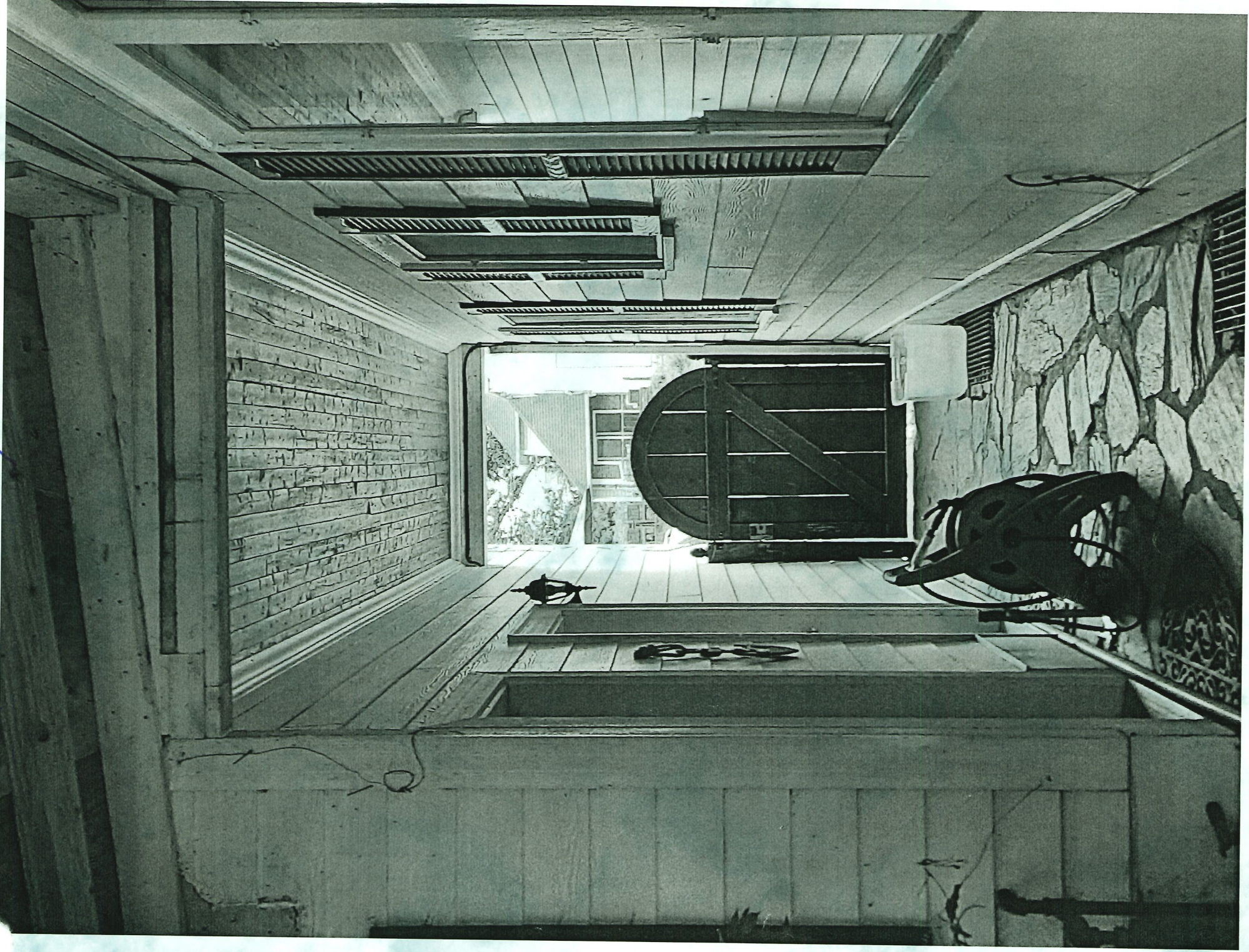


The circled area is approx 30' x 20' with approx 3" thick gravel. This area will accommodate 2 vehicles and cars are hidden by laurel hedge.



Parking area approx. 30' x 20'
laurel blocks view from the street

Breeze way



Allotted Parking



400

401

8283

8281

404

403

Wood Creek Drive

405

407

approx 32' x 20' x 20'

Facing South, from
driveway



Facing North, from
back deck.

