

CITY OF SUMAS
Planning & Development
Variance Application

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CITY OF SUMAS

The following information or material is required with all short subdivision applications. If any of this information is missing or incomplete, processing of the application will not begin.

- Filing fee as established in Section 3.30.010 SMC (\$500.00)
- Complete application form.
- A map, drawn to a scale of 1" = 20', showing existing buildings, street(s) and property lines and showing the proposed variance. If the variance is associated with new construction, show the proposed new structure, associated parking, and also provide evaluations and square footage of the structure. If the map is larger than 11"x17", submit 3 copies.
- Self-adhesive address labels preaddressed to the latest recorded real property owners within three hundred feet (300') of the property affected by the application, as shown by the records of the Whatcom County Assessor.

Applicant(s) Name(s): Jason Heutink

Single entity and address to which the City will mail all notices and determinations:

8071 Guide Meridian, Suite 105
Lynden, WA 98264

Phone: 360.305.9135 Email: jasonheutink@windermere.com Fax: _____

Address of Affected Property: 0 Hazel Street, Sumas, WA 98295

Assessor's tax parcel number for affected property: 400403 572521 0000

Legal Description of affected property (attach separate page if necessary):

Lot A, Skillman Lot Line Adjustment, according to the plat thereof, recorded April 29,
2011, under Auditor's File No. 2110402935, records of Whatcom County, Washington.

Current use of the property: Vacant

Brief description of requested variance:

Reduce the minor access street right-of-way width as outlined in City of Sumas
Municipal Code 20.96.060(2) from sixty feet wide to thirty feet wide.

On an attached sheet, provide the following information:

- 1) Describe the *unique circumstances* pertaining to your property, differing from general Conditions of your neighborhood, that make the variance necessary. (i.e., circumstances related to size, shape, topography, location, or surroundings of your property). Explain how those circumstances *are not the result of your own prior actions*.
- 2) Describe how those unique circumstances *deny you a use or improvement that is typically allowed at other properties within your zoning district*.

- 3) Will this variance, if granted, be *detrimental to the public welfare or injurious to nearby property or improvements* in the same zone district? Explain why or why not.

- 4) Explain how the requested variance, if granted, will *not provide you with a special privilege that is unavailable to neighboring properties* in your zoning district. Also explain how your property will *remain consistent with the essential use provisions of your zoning district*.


DECLARATION:

I (we) the undersigned hereby declare under penalty of perjury that:

- a. The property affected by this application is exclusively owned by the applicant(s) or has been submitted with the consent of all owners of the affected property;

- b. The project permit application materials contain no known misrepresentation of fact or proposed action or design that, if completed would result in a structure, improvement, lot or condition in violation of the Sumas Municipal Code; and

- c. The address labels submitted with the application are complete and accurate as of the date of application.

Signature of Applicant(s): 

Date of Submittal: 9/17/24

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FOR OFFICE USE ONLY BELOW THIS LINE

Date of Notice of Completion to Applicant (mailed): _____

Date of Notice of Application to the Public (mailed, published): _____

Date of Close of Comment Period: _____

Date of Administrator's Decision: _____

Date of Notice of Decision to Public (mailed, published): _____



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SUMAS PRELIMINARY PLAT VARIANCE REQUEST

City of Sumas Municipal Code 20.96 – Design Requirements

20.96.060 – Right-of-Way Widths

(2) Collector, local or minor access streets, sixty feet.

- 1) *Describe the unique circumstances pertaining to your property, differing from general Conditions of your neighborhood, that make the variance necessary. (i.e., circumstances related to size, shape, topography, location, or surroundings of your property). Explain how those circumstances are not the result of your own prior actions.*

The property being developed is an oddly shaped lot that is approximately 2.18 acres in size and abutting the north margin of Sumas Avenue. The odd shape of the property is a result of prior single family residential development to the northwest and southwest, the excess right of way granted to the State of Washington (AFN 1042787) to the west, and the more recent construction of Sumas Avenue (AFN2110402016) to the south. The extremely flat topography and physical constraints limit the development potential of this particular piece of property as a result of the need for a stormwater pond with a shallow outfall. Although originally proposed as a private road and easement, the City of Sumas has expressed their preference for a 30' wide dedicated street. The proposed variance in right of way width and road standards for this limited access road accomplishes the City's request and recognizes the fact that new platted lots will only access the road on one side. The new interior road serves less than 10 lots and contains public utilities serving the project. Easements were added for emergency vehicle turnaround and offsite parking (enabling the parking area to be controlled by the HOA).

- 2) *Describe how those unique circumstances deny you a use or improvement that is typically allowed at other properties within your zoning district.*

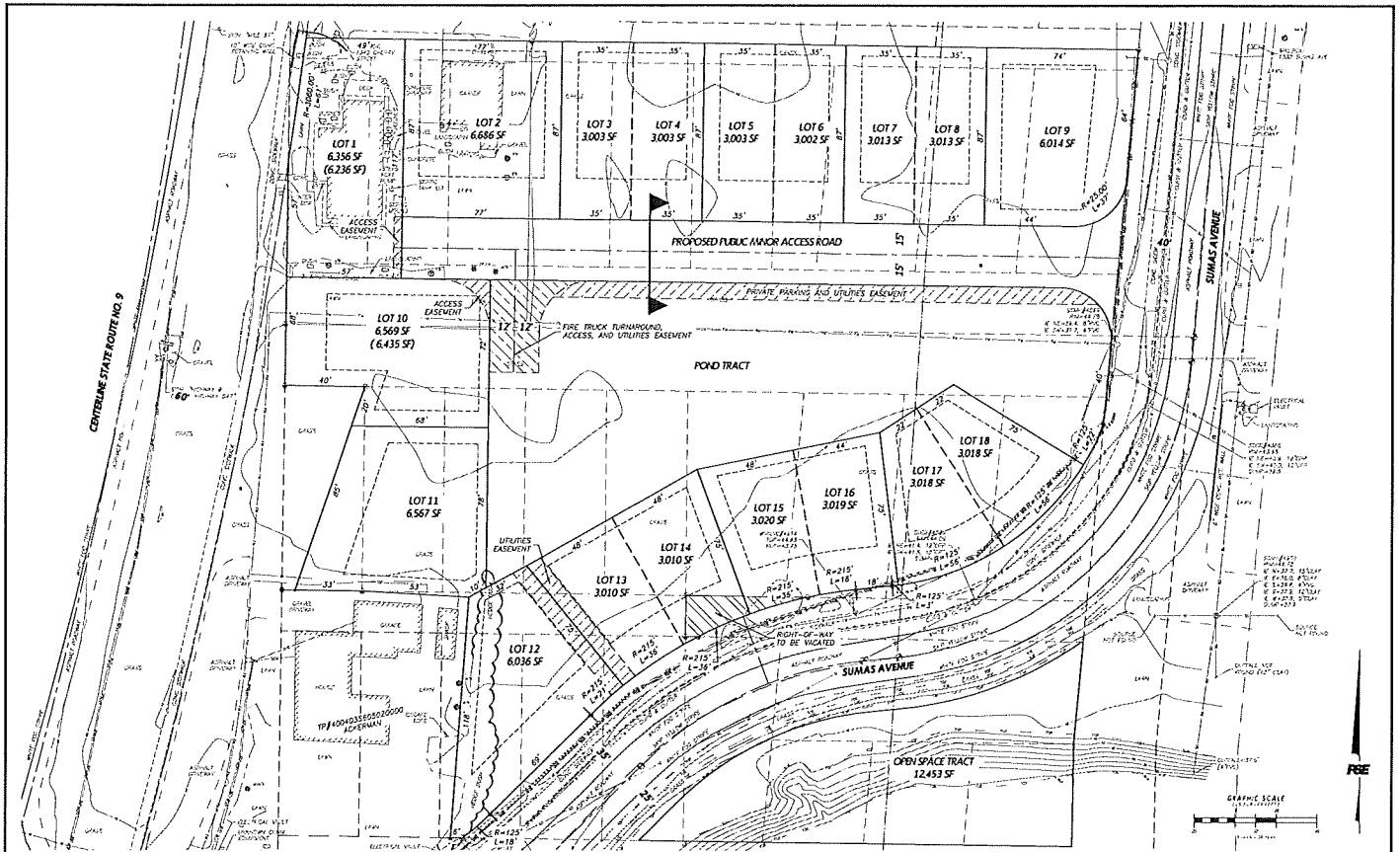
The limitations posed by a strict application of the City's design requirements in this case would create an impractical, and undesirable lot configuration. Due to the flat topography of the property, the available stormwater outfall for this property is shallow resulting in greater surface area needed within the property to meet stormwater regulations. The proposal includes a dead end road, 352 feet in length, with a 30 foot right of way providing two lanes of travel; sidewalk, curb, and gutter will be constructed on the north side abutting the proposed lots and a fire truck turnaround will be constructed to the west. To the south, the public road will abut an 8 foot wide private parking easement containing an extruded curb with cutouts to allow stormwater to drain into the adjacent retention pond (see site plan). Constructing the road to its full standard with a standard right of way width of 60' would enlarge the proposed pond and move it significantly to the south, eliminating roughly seven lots from the proposed development. This impact would make the plat infeasible due to anticipated costs of construction and development. Further, the sidewalk constructed on the south side of the new road would be superfluous, as there are no lots proposed on that side of the street and it would add significantly more impervious surface area than is warranted and would provide the same level of service that is currently being proposed. A strict adherence to the standards in this case would reduce density in an area slated for higher density in the City of Sumas. The proponent and design team believe that the requested variances would result in better lot design and a more reasonable balance between public benefit and private development, while promoting density in accordance with the City Comprehensive Plan and meeting the expected level of service for the plat.

- 3) *Will this variance, if granted, be detrimental to the public welfare or injurious to nearby property or improvements in the same zone district? Explain why or why not.*

The proposed variance in design provides the same level of service with regard to access and emergency services as would be provided should a full standard public road be mandated. In addition, the proposed design incorporates pedestrian infrastructure, resulting in increased pedestrian accessibility to surrounding public streets. The variance would not be detrimental to the public welfare as the design provides the same level of service within a smaller footprint. Further, it would not prove injurious to nearby property in the same zone district, as the proposed local access road only serves the plat. The project proposes a looped water system, which should prove beneficial to future development in this zone.

- 4) *Explain how the requested variance, if granted, will not provide you with a special privilege that is unavailable to neighboring properties in your zoning district. Also explain how your property will remain consistent with the essential use provisions of your zoning district.*

Allowing a variance in the Design Requirement, our property will remain consistent with the high-density designation of the R-6 zone; the infill of residential densities in single-family neighborhoods contributes to the reduction of sprawl, the reuse of existing public infrastructure, the reduction of pollution and other results that benefit the public welfare. Just south of the property, Hovel Estates Division 4 contains a 30' wide minor access street with dead end, serving 6 lots; the proposed lot design will result in better lot design consistent with the surrounding neighborhood developments. In fact, like Hovel Estates Division 4, the proposed variance provides more opportunity for additional housing in an established neighborhood and a reduced impact on dedicated public infrastructure to serve a handful of developed lots. Undeveloped neighboring properties in this district are not constricted by Sumas Avenue in the same fashion as the subject property and should follow more standard development patterns.



NO.	DATE	DESCRIPTION	BY	DATE	DESCRIPTION

JASON HEUTINK
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 CITY OF SUMAS, WASHINGTON

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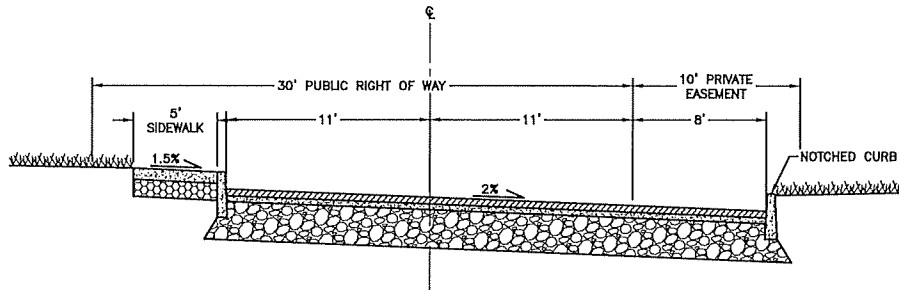
DATE	BY	REVISION	FIELD BOOK

GRAPHIC SCALE

 1" = 100'

9837 1 OF 1

ROAD CROSS SECTION EXHIBIT



TYPICAL ROAD SECTION
NTS



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