



Shoreline Variance Application Requirements

Applicant Checklist		PDS Checklist
<input type="checkbox"/>	1 copy - Completed Shoreline Master Application and Shoreline Variance Supplemental Application	<input type="checkbox"/>
<input type="checkbox"/>	1 copy - Completed, signed and notarized Agent Authorization Form (if applicable)	<input type="checkbox"/>
<input type="checkbox"/>	1 copy - Completed, signed and notarized Fee Responsibility Form	<input type="checkbox"/>
<input type="checkbox"/>	1 copy - Provide a project narrative including a general description of the property as it now exists including its physical characteristics, improvements and structures as well as a general description of the proposed uses and activities necessary to accomplish the project	<input type="checkbox"/>
<input type="checkbox"/>	1 copy – Copy of the recorded deed for the property (available from Auditor's office or title company)	<input type="checkbox"/>
<input type="checkbox"/>	1 copy – Copy of any easement or lease agreement(s) (if applicable)	<input type="checkbox"/>
<input type="checkbox"/>	1 copy – Written documentation of water and sewage disposal (if applicable)	<input type="checkbox"/>
<input type="checkbox"/>	2 copies each – Site plan, drawn to a scale of one inch equals 20 feet for sites that are less than 5 acres and one inch equals 40 feet for sites of 5 acres or more, which depicts at a minimum all of the following (11x17 recommended for efficient review): <ul style="list-style-type: none"> ◆ Name and address of property owner ◆ Site address and parcel number ◆ North arrow and scale ◆ Property lines, easements, and site dimensions ◆ Location, width and length of driveways ◆ Location of any wetlands, steep slopes, and other critical areas if known ◆ Location, setbacks and dimension of all structures on site ◆ Location of septic tank/drain field, and well or utility lines ◆ Location and dimensions of all parking areas ◆ Names and locations of all public or private roads ◆ Location of the Ordinary High Water Mark (OHWM) of all water bodies on or adjacent to the subject site ◆ Distance from any structures to the OHWM of any creeks, streams, rivers, lakes, or marine water bodies ◆ Location of any wetlands, steep slopes, and other critical areas if known ◆ Depth soundings at 5 foot intervals along the length of proposed docks 	<input type="checkbox"/>
<input type="checkbox"/>	2 copies each – Critical areas and mitigation report (for projects proposing new impacts to critical areas or buffers)	<input type="checkbox"/>
<input type="checkbox"/>	1 copy – Completed and signed SEPA Checklist (if applicable)	<input type="checkbox"/>



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<input type="checkbox"/>	1 copy – Topographic drawings if the site is other than flat	<input type="checkbox"/>
<input type="checkbox"/>	1 copy – Completed and signed Preliminary Traffic & Concurrency Information form (if applicable) (available on Engineering webpage)	<input type="checkbox"/>
<input type="checkbox"/>	1 copy – Completed and signed Preliminary Stormwater Proposal form (if applicable) (available on Engineering webpage)	<input type="checkbox"/>
<input type="checkbox"/>	1 copy – List of names, mailing addresses and parcel numbers of all persons owning property within 300-feet (for Urban Growth Areas) or 1,000-feet (outside of Urban Growth Areas) of the property boundaries of the subject site in all directions (<i>must be obtained from County Assessor's records</i>)	<input type="checkbox"/>
<input type="checkbox"/>	1 copy – Self-adhesive mailing labels for each of the above property owners (see instructions, attached)	<input type="checkbox"/>

Fees: Fees will be assessed in accordance with the Whatcom County Unified Fee Schedule (UFS) in effect at the time of application submittal. Please contact a Shoreline Planner to determine project specific fees. Click [here](#) to see the 2019/2020 UFS.

Note: Per UFS 2843 all permits and applications are subject to a 3% Technology fee. The 3% fee is calculated on the permit/application fees due.

*Checks can be made payable to Whatcom County Planning and Development Services
 Debit cards are subject to a \$1 fee per transaction
 Credit cards are subject to a 2.35% fee*

NOTE: The application requires a personal guarantee for the payment of fees incurred to undertake permit review by whoever signs the permit application. Applicants and agents must recognize they will be held accountable for fees if they sign the application.



Shoreline Variance Master Land Use Application

FOR OFFICE USE ONLY	Date Stamp
Received By: _____	
Date Paid: _____	
Total Fees: _____	
Receipt #: _____	
Case #(s): _____	
Required Reviews:	
<input type="checkbox"/> Archaeology	<input type="checkbox"/> Fire
<input type="checkbox"/> Building	<input type="checkbox"/> Engineering
<input type="checkbox"/> Flood	<input type="checkbox"/> Geo Hazards
<input type="checkbox"/> Health	<input type="checkbox"/> Watershed
<input type="checkbox"/> Wetland/HCA/Mitigation	<input type="checkbox"/> Zoning

Property Owner's Name _____

Mailing Address _____ City _____

State _____ Zip _____ Phone (____) _____

Fax (____) _____ Email _____

Applicant's Name _____

Mailing Address _____ City _____

State _____ Zip _____ Phone (____) _____

Fax (____) _____ Email _____

Agent/Representative Name _____

Mailing Address _____ City _____

State _____ Zip _____ Phone (____) _____

Fax (____) _____ Email _____

Assessor's Parcel Number _____

Site address or location description _____

Parcel size (acres or square feet) _____



1. **Project Proposal** - Include detailed information, such as scope of work, method of construction, timing/schedule, and any other details pertinent to the project (please use separate page if necessary):

2. **Existing Development** – Describe the existing site conditions and include details on any site improvements:

3. Total development cost or **fair market value***: _____

***Fair market value** of a development means the open market bid price for conducting the work, using the equipment and facilities, and purchase of the goods, services and materials necessary to accomplish the development. This would normally equate to the cost of hiring a contractor to undertake the development from start to finish, including the cost of labor, materials, equipment and facility usage, transportation and contractor overhead and profit. The fair market value of the development shall include the fair market value of any donated, contributed or found labor, equipment or materials.



4. **Land Disturbance Information** – Please provide information on the existing and proposed building footprint area, and any grading associated with the project:

Building Footprint Area (sq. ft.):	Grading (cu. yds.):
Existing: _____	Excavation proposed: _____
Proposed: _____	Fill proposed: _____
Total sq. ft.: _____	Destination: _____

5. **Preliminary Stormwater Information** - Complete all blank spaces in the following table for all property subject to the proposed development:

A		B	C	D
		Area, square feet (NOTE: 43,560 square feet = 1 acre)		
Surface Type		Total Existing	Once the proposed project is complete, the total will be	Net Change (+ or -); Subtract Column B from Column C
Native Vegetation ⁽¹⁾				
Pasture				
Landscaping				
Roofs ⁽²⁾	Conventional			
	Green			
Sidewalks, trails, paths				
Porches, decks				
Roads, driveways, parking lots	Impervious			
	Pervious			
Grand Total		(3)	(3)	(4)
			⁽³⁾ The two "Grand Total" values above should be the same, unless you are constructing a roof, porch, or deck over an existing hard surface or over native vegetation, pasture, or landscaping.	
			⁽⁴⁾ Unless the "Grand Total" values in Columns B and C are different, the Grand Total value above will be 0.	

Table Notes:

- (1) "Native Vegetation" means plant species typically found on an undeveloped marine shoreline that are indigenous to the Northern Puget Sound Lowland eco-region and suitable to the specific site conditions.
- (2) New untreated metal roofs qualify as pollution generating impervious surface areas. If that area is equal to or greater than 5,000 square feet, it will require stormwater treatment.



6. **Legal Substantiation** (*For repair, replacement, or expansion proposals only*) – The applicant must demonstrate that an existing nonconforming development is legal. A development is considered nonconforming if it was lawfully constructed or established prior to the effective date of this program (August 27, 1976), but no longer conforms to present regulations. Therefore, the applicant must show that the development was either constructed prior to August 27, 1976, or show that the development was constructed with an approved permit from Whatcom County.

Constructed prior to August 27, 1976. **Date:** _____
Sufficient documentation (i.e. aerial photos, dated newspaper clippings, etc.) shall be enclosed with the application to lawfully establish the nonconformity of the existing development or use.

Permitted. **Permit #:** _____ **Date:** _____



Shoreline Variance Supplemental Application

1. **Variance Requested** – This application is a request to vary the regulations regarding:

- | | | |
|---|--------------------------------------|--|
| <input type="checkbox"/> Shoreline Setback/Buffer | <input type="checkbox"/> Dock Length | <input type="checkbox"/> Open Space Requirements |
| <input type="checkbox"/> Side Yard Setback | <input type="checkbox"/> Sign Area | <input type="checkbox"/> Impervious Surface Coverage |
| <input type="checkbox"/> Height Restrictions | <input type="checkbox"/> Other _____ | |

2. **Reasonable Use** – Please demonstrate how the strict application of the bulk or dimensional criteria in the Shoreline Management Program (SMP) precludes or significantly interferes with reasonable permitted use of this property:

3. **Unusual Conditions** – Please demonstrate that variance request is due to unusual conditions such as irregular lot shape/size or natural features, and not, for example, from deed restrictions or the applicant's/proponent's own actions:

4. **Adverse Effects** – Please demonstrate that the project will be compatible with other permitted activities in the area and will not cause adverse effects on adjacent properties or the shoreline environment:



5. **Minimum Necessary** – Please demonstrate that the proposed variance does not constitute a grant of special privilege not enjoyed by other properties in the area, and will be the minimum necessary to afford relief:

6. **Public Interest** – Please demonstrate that the public interest will suffer no substantial detrimental effect as a result of this request:

7. **Rights of Navigation and Use** – Please demonstrate that the public rights of navigation and use of the shorelines will not be materially interfered with by the granting of this variance:



8. **Mitigation** – Please show mitigation to offset any unavoidable adverse impacts caused by the proposed development or use:

9. **Strict Application** – For variance requests waterward of the Ordinary High Water Mark (OHWM), please demonstrate how the strict application of the bulk, dimensional or performance standards set forth in this program precludes all reasonable use of this property:

10. **Cumulative Environmental Impact** – Please demonstrate that in the granting of this proposal, if other similar proposals were granted for other developments in the area where similar circumstances exist, the sum of the permitted actions would remain consistent with the policies of [RCW 90.58.020](#) and should not produce significant adverse effects to the shoreline ecological functions and processes or other users:



Guidelines For Finding Property Owners Necessary For Hearing Notices

It is the responsibility of the applicant to obtain a complete list of the property owners within 300 feet if within the UGA or 1,000 feet if outside of the UGA of the boundaries of the parcel, which is the subject of the application. This guide is intended to help applicants compile that list and assure proper notice as required by the ordinances. Failure to provide a complete list may result in a delay in the processing of the application or a continuance of a scheduled hearing.

The Whatcom County Assessor's Office is the source of the necessary information. The Assessor is located on the main floor of the County Courthouse.

The following procedure is recommended, as the most effective for finding the information you will need. The personnel in the Assessor's Office will help you find the maps and measure the proper distance.

1. Locate the parcel that is the subject of the application on the appropriate map.
2. Carefully measure 300' or 1,000' from each corner and line of that parcel and record the complete 12-digit Assessor's parcel number for each parcel within the proper distance specified above. It is best to make a separate list for these parcel numbers.
3. Using the assessment roll, find the owner of each parcel.
 - a. If the owner that is listed is a bank, savings and loan or other financial institution, also record the title owner's name and the loan number from the listing. If the loan number is provided, and there is no name other than the financial institution, or if an address for the title owner is unavailable, write down the address of the financial institution as they may be able to forward the hearing notice if they are given the loan number.
 - b. The printed assessment roll is updated approximately every six months. There is a computer master file that is always up-to-date. Use the computer to locate any names you may have questions about on the printout, such as for property that you suspect may have been recently sold.
4. Using the name and address master file, find the address of the parcel owners. Those not in the name index can be found through the telephone book, city directory, or other sources. This address is vitally important and must be complete and legible.

This list of property owners, the addresses, and parcel numbers must be submitted with your application. County ordinances and due process requirements make the provision of proper notices to nearby property owners mandatory. No permit can be granted if the notice is defective. The Hearing Examiner will require strict compliance with the notice provisions of the ordinances.

NOTE: The applicant shall submit typed self-adhering labels with the name and address of each property owner within the specified distance from the subject site. Properties located within the UGA shall notify property owners within 300-feet of the subject site. Properties located outside of the UGA shall notify property owners within 1,000-feet of the subject site.



Fee Responsibility

Venue and Jurisdiction: The parties hereto recognize and agree that the venue of any action involving their rights or obligations related to this application shall be in Whatcom County, and the parties' rights and obligations hereunder shall be determined, in accordance with the laws of the State of Washington.

Fee Guaranty: Notwithstanding that this application has been submitted in the name of a company, I personally guarantee payment of fees accrued according to the terms listed in the Whatcom County Unified Fee Schedule and that my personal guarantee is part of the consideration for review of the application.

I/we _____ hereby certify that the above statements and the information contained in any papers or plans submitted herewith are true and accurate to the best of my knowledge, and that the list of surrounding property owners is complete and current.

Signature of Applicant

Signature of Owner

I certify that I know or have satisfactory evidence that _____ is/are the person(s) who appeared before me, and said person(s) acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in this instrument.

Dated _____

Notary Public Signature

Notary Public Printed Name
Notary Public in and for the State of Washington

Residing at _____

My appointment expires: ____/____/____



Agent Authorization

If you are authorizing an agent to apply for permits on your behalf you must complete this form and have it notarized, which will provide authorization for a designated agent to apply for permits on your behalf.

I/we, _____, the owner(s) of the subject property, understand by completing this form I/we hereby authorize _____

to act as agent. I/we understand said agent will be authorized to submit applications on my behalf, and any fees associated with submitted applications are due to me and not to the said agent. I/we also understand once an application has been submitted all future correspondence will be directed to the agent.

Property Owner Printed Name

Property Owner Printed Name

Property Owner Signature

Property Owner Signature

Date

Date

I certify that I know or have satisfactory evidence that _____ is/are the person(s) who appeared before me, and said person(s) acknowledged it to be his/her free and voluntary act for the uses and purposes mentioned in this instrument.

Dated _____

Notary Public Signature

Notary Public Printed Name

Notary Public in and for the State of Washington

Residing at _____

My appointment expires: ____/____/____