

WHATCOM COUNTY
HEARING EXAMINER
FOREST STREET ANNEX
1000 N. Forest St., Suite 100
Bellingham, WA 98225



MAILING ADDRESS
Hearing Examiner's Office
311 Grand Avenue
Bellingham, WA 98225-4038

MEMORANDUM

EXHIBIT
#31

TO: Department of Ecology, Shoreline Reviewer

FROM: Michael Bobbink, Hearing Examiner

DATE: Tuesday, March 16, 2010

RE: Faber Brothers Construction Revision Request
Lake Whatcom Resort Revision Request, SHR2007-00008 / CUP2008-00006

Please find the above referenced revision request and supporting documentation enclosed for your review.

Whatcom County Planning and Development Services Staff have reviewed the requested revision and have forwarded a recommendation of approval to the Hearing Examiner. The Applicant and Staff concur on the requested Conditions of Approval to be attached to the revised permit. The Hearing Examiner has reviewed the Application for Revision and Staffs' recommended Conditions of Approval and hereby approves the Revision Request.

Enclosure: Revision Application and Supporting Documentation

cc: Faber Brothers Construction
131 East Grover Street
Lynden, WA 98264

Sanja Barisic
Division of Engineering

Tyler Schroeder and Chad Yunge
Planning and Development Services



CUP Revision Application

File Number SHR 2007-0008 / CWP 2008-0006
Applicant FABER BROTHERS CONSTRUCTION
Mailing Address 131 E. GROVER ST.
Phone Number 354-3500
Site Address 990 LAKE WHATCOM BOULEVARD

PLEASE ANSWER THE FOLLOWING QUESTIONS TO THE BEST OF YOUR KNOWLEDGE:

1. What is the nature of this revision? (PLEASE SEE ATTACHED LETTER)
2. What conditions are being revised (by condition number)? CONDITION # 7
3. Will the building height and/or lot coverage increase? Yes No
If yes, by what dimensions? _____
4. Does this revision require any change in landscaping? Yes No
If so, please describe _____
5. Does this revision involve additional or different use of the property than originally approved?
 Yes No
If yes, please explain BLDG. - C CURRENT USE = RECREATION HALL
PROPOSED USE IN 1/4 OF BLDG. SPACE = OFFICE (TEMPORARY)
6. Does this revision involve any over water construction? Yes No
If yes, please explain _____
7. Will there be environmental impacts resulting from this revision? Yes No
Traffic: N/A
New employees: EXISTING EMPLOYEE CURRENTLY IN BLDG. F REC. CENTER
New health, fire or building requirements: INSULATION & HEATING REQUIREMENTS

Hearing Examiner: _____

Approved

Michael Bobbick

Date 03-16-2010

Denied

Date _____

Reason for Denial _____



MEMORANDUM

TO: Michael Bobbink
Whatcom County Hearing Examiner

FROM: Tyler Schroeder *TS*
Current Planning Supervisor

DATE: March 8, 2010

RE: Lake Whatcom Resort Revision Request (SHR2007-00008/CUP2008-00006)

RECEIVED

MAR 10 2010

WHATCOM COUNTY
HEARING EXAMINER

This memorandum is to request review of the attached revision request pursuant to WCC 20.84.225. The applicant is requesting a revision to the zoning conditional use permit and shoreline substantial permit, to allow for a temporary office in a small portion of the existing Building "C" while Building "F" is demolished, to re-phrase Condition #7 to allow for the completion of phase-1 prior to installation of the shoreline restoration and to allow for additional width on Marina Dock fingers from 24" to 36".

Staff recommends that the Hearing Examiner approve the revision request for Building "C", on the condition that;

A Tenant Improvement/Commercial building permit will be required, from the Building Services department, for the change of use. The temporary office and sales/maintenance use must be decommissioned once Building "F" has received an Occupancy Permit.

Also, staff recommends that the Hearing Examiner approve the re-phrased Condition #7, with the following revised condition;

The removal and replacement of the existing bulkheads and the enhancement and rehabilitation measures shall be completed in accordance with the report prepared by Northwest Ecological Services (NES) dated November 2007, Revised February 2008. *Phase 1 work, shoreline restoration North of Wildwood Creek, shall be completed prior to any sale or lease of new camping sites and cabins to ensure consistency with this approval. Installation of Phase 2 work, shoreline restoration South of Wildwood Creek is required to be completed during Winter 2010/2011.*¹

¹ Edits to existing condition as noted with Italics.

It should be noted that Condition #8 has not been completed and will be required to prior to commencement of development activity. Condition #8 is as follows;

Annual monitoring and maintenance of the enhancement and rehabilitation areas shall be done in accordance with the NES report dated November 2007, Revised February 2008. **Prior to issuance of any building permits or start of other development activity, including land disturbance, a permanent protective easement of the mitigation area shall be executed and recorded. In addition, all financial assurances shall be completed and filed with the Shoreline Administrator.**

Finally, the applicant has requested a change in the width of the Marina Dock finger widths from 24" to 36". A revision to the shoreline permit is allowed by WCC 23.60.140 when the proposed changes are within the scope and intent of the original permit, and are consistent with the program and the Shoreline Management Act. According to WCC 20.60.143(a), "Within the scope and intent of the original permit" means; No additional over water construction is involved except that **pier, dock or floating construction may be increased by five hundred square feet or ten percent over that approved under the original permit.** In this case the proposal is to increase the Marina Dock fingers by a total of 435 square feet. Staff recommends approval base on the following condition;

A Building Permit is submitted and approved by Whatcom County Building Services department. Prior to issuance of subject building permit, a Hydraulic Project Approval from Washington State Fish and Wildlife, must be submitted that approves the additional over-water structure.

The applicant and I agree with the above conditions and recommendation of approval and thank you for your consideration on this request. Please let me know if you have any concerns or additional questions.

Cc: Adolfo Florindo, Faber Construction



phone: 360-354-3500
fax: 360-354-0335
131 East Grover Lynden WA 98264
www.faberconstruction.com

December 17, 2009

Whatcom County Planning & Development
Tyler Schroeder, Planning Supervisor
5280 Northwest Drive
Bellingham, WA 98226-9097

Re: Wildwood Resort CUP2008-0006 Revision Application

Recreation Hall Building "C"

The current building use is a recreation hall for Wildwood Resort. We would like to propose a temporary office in a small portion of the building that will handle sales support and/or maintenance questions in the resort. The existing office and sales/maintenance person is currently located in Building "F" – Rec. Center. Building "F" is scheduled to be demolished in the next couple of weeks. We would like to be allowed to submit for a tenant improvement to Building "C" to add the temporary office while the demolition is being done. After Building "F" rec. Center gets rebuilt in summer of 2010, the temporary office use will change to storage. The storage would be used to store tables, chairs, and kid's games.

Condition Use Permit Condition #7

Currently states the following:

7. The removal and replacement of the existing bulkheads and the enhancement and rehabilitation measures shall be completed in accordance with the report prepared by Northwest Ecological Services (NES) dated November 2007, Revised February 2008. This work shall be completed prior to any sale or lease of new camping sites and cabins to ensure consistency with this approval.

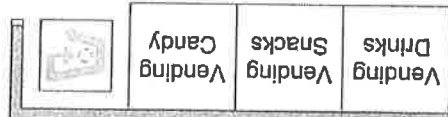
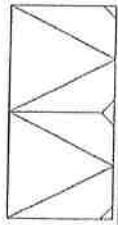
We are proposing to do the scope of work in two phases. Phase-1 would include all buildings, cabins, and R.V. pad sites north of Wildwood Creek for summer of 2010. The fire and water tanks would be included in this phase. The shoreline work is scheduled to be completed in winter of 2010. Our Nationwide JARPA permit has been extended to November 24, 2012 by the Army Core of Engineers. Phase-2 would be the rest of the structures and R.V. pad sites south of Wildwood Creek for summer of 2011. We would like to change the last sentence to allow us to sell or lease cabins or R.V. pad sites once phase-1 work is completed. This will allow us to sell or lease the new R.V. pad sites and cabins in phase-1 to help offset construction costs for the shoreline and phase-2 work. We can assure you that the shoreline work will be done. The shoreline enhancement plantings and soft-shore gravel beach areas are great amenities that add to the character of the resort. If we cannot be granted this request, as a last resort at least allow us to post an Assignment of Savings or Surety Bond that will insure that the shoreline work will be completed.

Sincerely,

A handwritten signature in black ink that reads "Adolfo M. Florindo Jr." in a cursive script.

Adolfo Florindo, Designer
Faber Brothers Construction

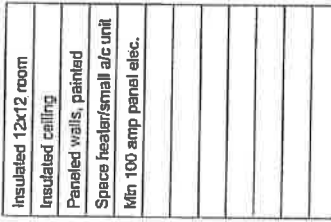
Firewood and Ice



VENDING AREA

Sales/Questions
-Sliding window-

Bulletin Board

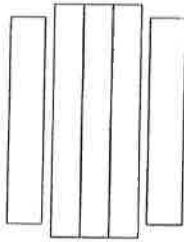
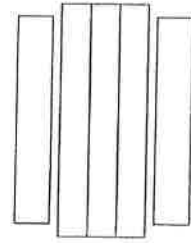
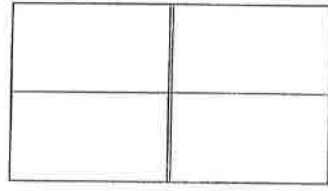


OFFICE
Room

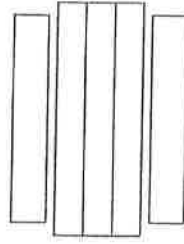
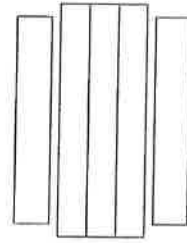
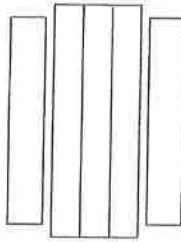
11' 6" x 11' 6"

Ice cream
Cooler

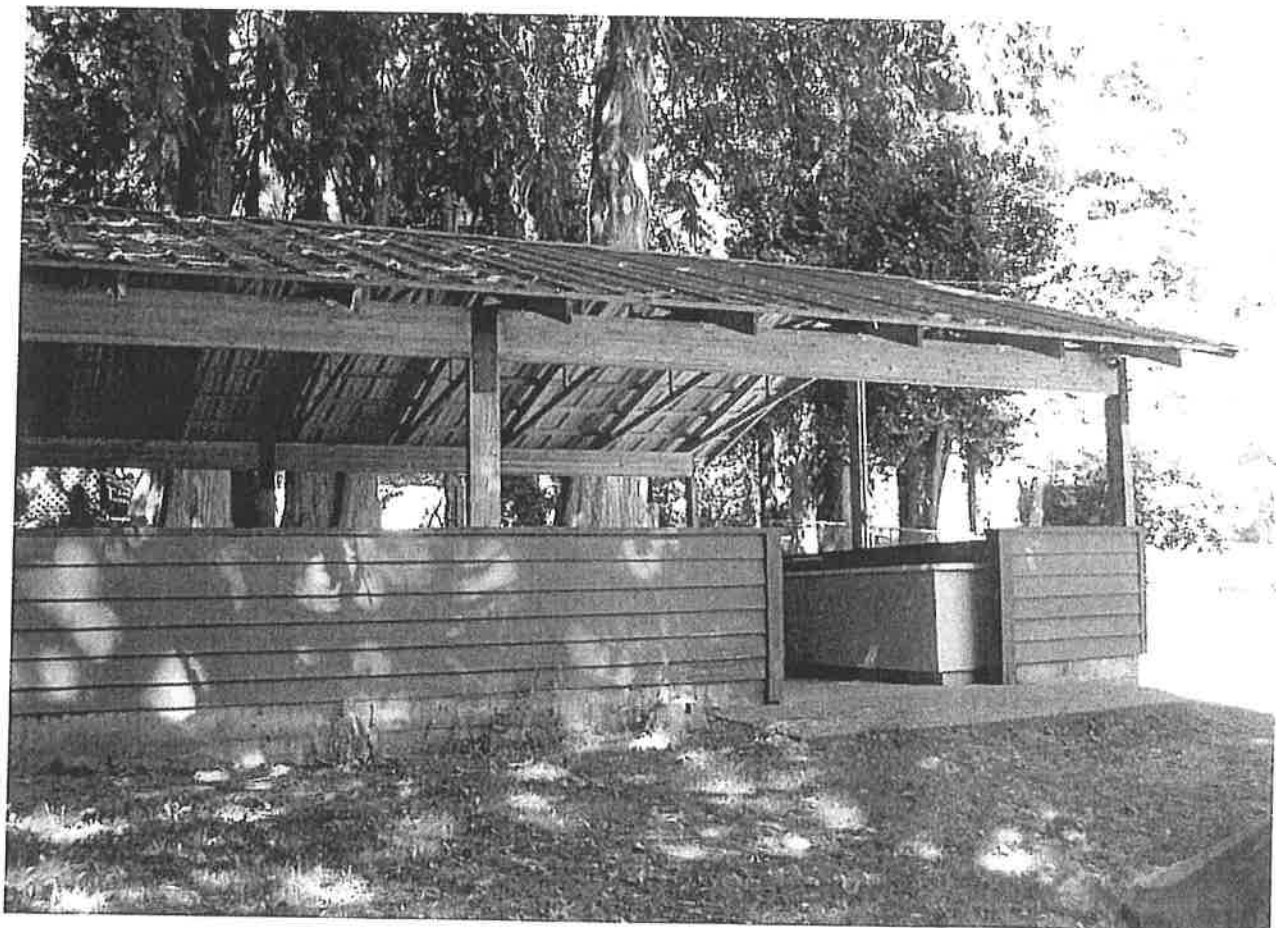
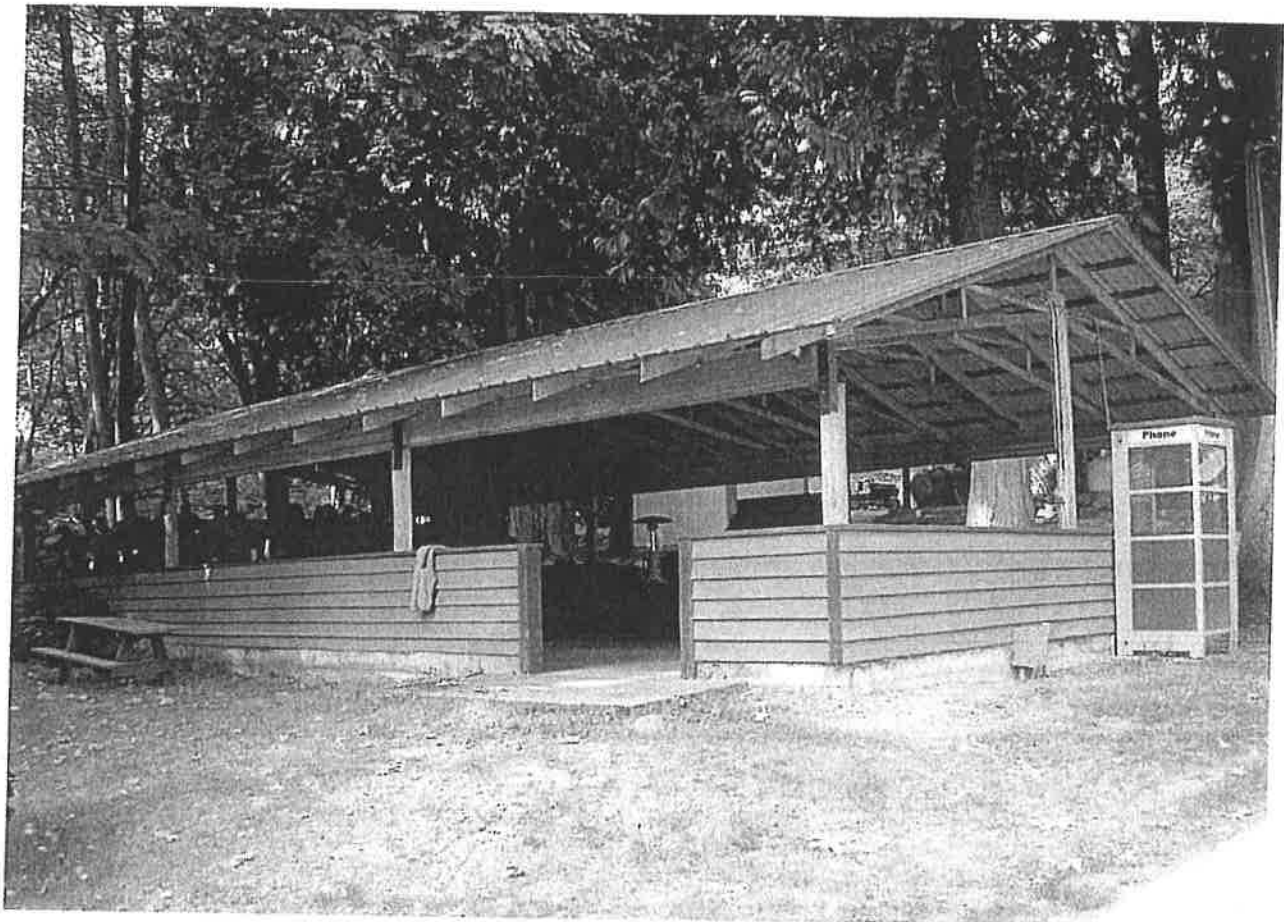
Slushi - Coffee - other



EXISTING USE



EXISTING BUILDING - C
RECREATION HALL



From: "Adolfo Florindo" <Adolfo@faberconstruction.com>
To: "Tyler Schroeder" <tschroed@co.whatcom.wa.us>
Date: 3/8/2010 11:19 AM
Subject: Wildwood Docks 3 & 4 Proposed Modifications
Attachments: G5.0 Dock - 3 Site Plan & Enlarged Plan.pdf; G6.0 Dock - 4 Site Plan & Enlarged Plan.pdf; S1.0 Dock 3 & 4 Plan Layout & Finger Details.pdf

Tyler,

Please find the attached docks 3 & 4 proposed modifications. The original square footage of the (15) 24"wide x 20'-0" long slip fingers is 600 sq. ft total. The new proposed (15) 36" wide x 20'-0" long slip fingers is 1,035 sq. ft. The new slip fingers need to have angled bracing in the corners for stability. We could not leave the corners uncovered for safety reasons.

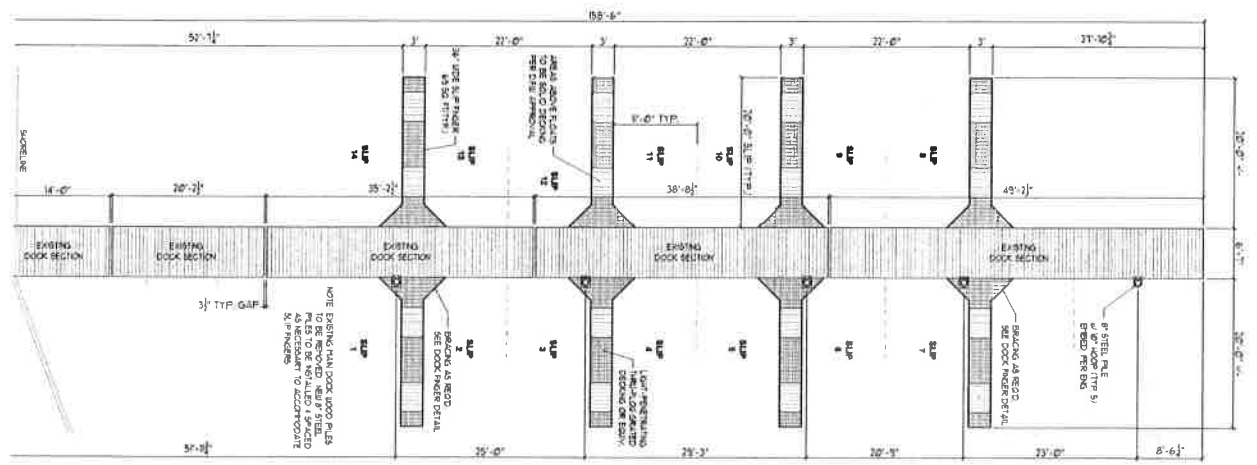
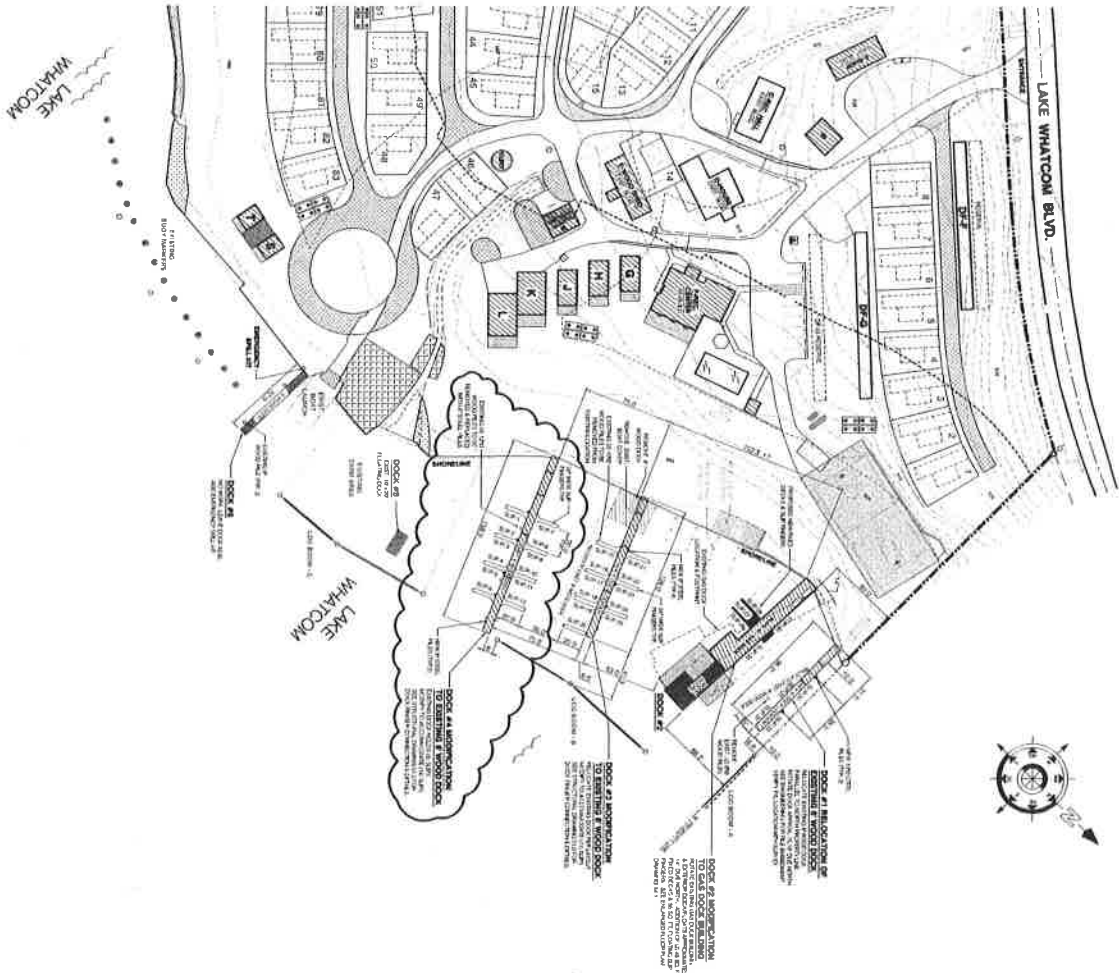
Adolfo Florindo Jr.

Designer / I.T. Support
Faber Brothers Construction Corp.

Email: adolfo@faberconstruction.com
<<mailto:adolfo@faberconstruction.com>>

Web: www.faberconstruction.com <<http://www.faberconstruction.com>>

Phone: 360.354.3500 Ext. 232
Fax: 360.354.0335



<p>FABER ARCHITECTURAL 111 EAST SPANISH LYNDEN, WA 98284 PHONE: 360-338-0282 FAX: 360-338-0283 WWW.FABERARCHITECT.COM</p>		<p>WILDWOOD RESORT DOCK - 4 990 LAKE WHATCOM BLVD. SEDRO WOOLLEY, WA 98284 DOCK - 4 SITE PLAN & ENLARGED PLAN LAYOUT</p>	<p>REVISIONS</p> <table border="1"> <tr><th>NO.</th><th>DATE</th><th>DESCRIPTION</th></tr> <tr><td>1</td><td></td><td></td></tr> <tr><td>2</td><td></td><td></td></tr> <tr><td>3</td><td></td><td></td></tr> <tr><td>4</td><td></td><td></td></tr> <tr><td>5</td><td></td><td></td></tr> <tr><td>6</td><td></td><td></td></tr> <tr><td>7</td><td></td><td></td></tr> <tr><td>8</td><td></td><td></td></tr> <tr><td>9</td><td></td><td></td></tr> <tr><td>10</td><td></td><td></td></tr> <tr><td>11</td><td></td><td></td></tr> <tr><td>12</td><td></td><td></td></tr> <tr><td>13</td><td></td><td></td></tr> <tr><td>14</td><td></td><td></td></tr> <tr><td>15</td><td></td><td></td></tr> <tr><td>16</td><td></td><td></td></tr> <tr><td>17</td><td></td><td></td></tr> <tr><td>18</td><td></td><td></td></tr> <tr><td>19</td><td></td><td></td></tr> <tr><td>20</td><td></td><td></td></tr> </table>	NO.	DATE	DESCRIPTION	1			2			3			4			5			6			7			8			9			10			11			12			13			14			15			16			17			18			19			20		
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<p>DATE: JANUARY 12, 2009 DRAWN BY: [REDACTED] CHECKED BY: [REDACTED] PROJECT NUMBER: 1111111111</p>	<p>CLIENT: WILDWOOD RESORT PROJECT: DOCK 4 DRAWING: DOCK 4 SITE PLAN & ENLARGED PLAN LAYOUT</p>	<p>SCALE: AS SHOWN SHEET: 1 OF 1</p>	<p>NOTES: 1. SEE ALL NOTES ON SHEETS DOCK 4 SITE PLAN & ENLARGED PLAN LAYOUT. 2. ALL DIMENSIONS ARE IN FEET AND INCHES. 3. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE. 4. ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE. 5. ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE. 6. ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE. 7. ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE. 8. ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE. 9. ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE. 10. ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE. 11. ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE. 12. ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE. 13. ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE. 14. ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE. 15. ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE. 16. ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE. 17. ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE. 18. ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE. 19. ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE. 20. ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE.</p>																																																															