

**Kate Blystone - birchbay UGA**

---

**From:** Jean <jcrrealestate@yahoo.com>  
**To:** <PDS\_Planning\_Commission@co.whatcom.wa.us>  
**Date:** 8/28/2009 10:49 AM  
**Subject:** birchbay UGA  
**Attachments:** ebenal prop.pdf; comp plan grinstad.doc; short%20plat%20for%20area[1].tif; survey map.jpg; ebenal prop.pdf; comp plan grinstad.doc; short%20plat%20for%20area[1].tif; survey map.jpg

---

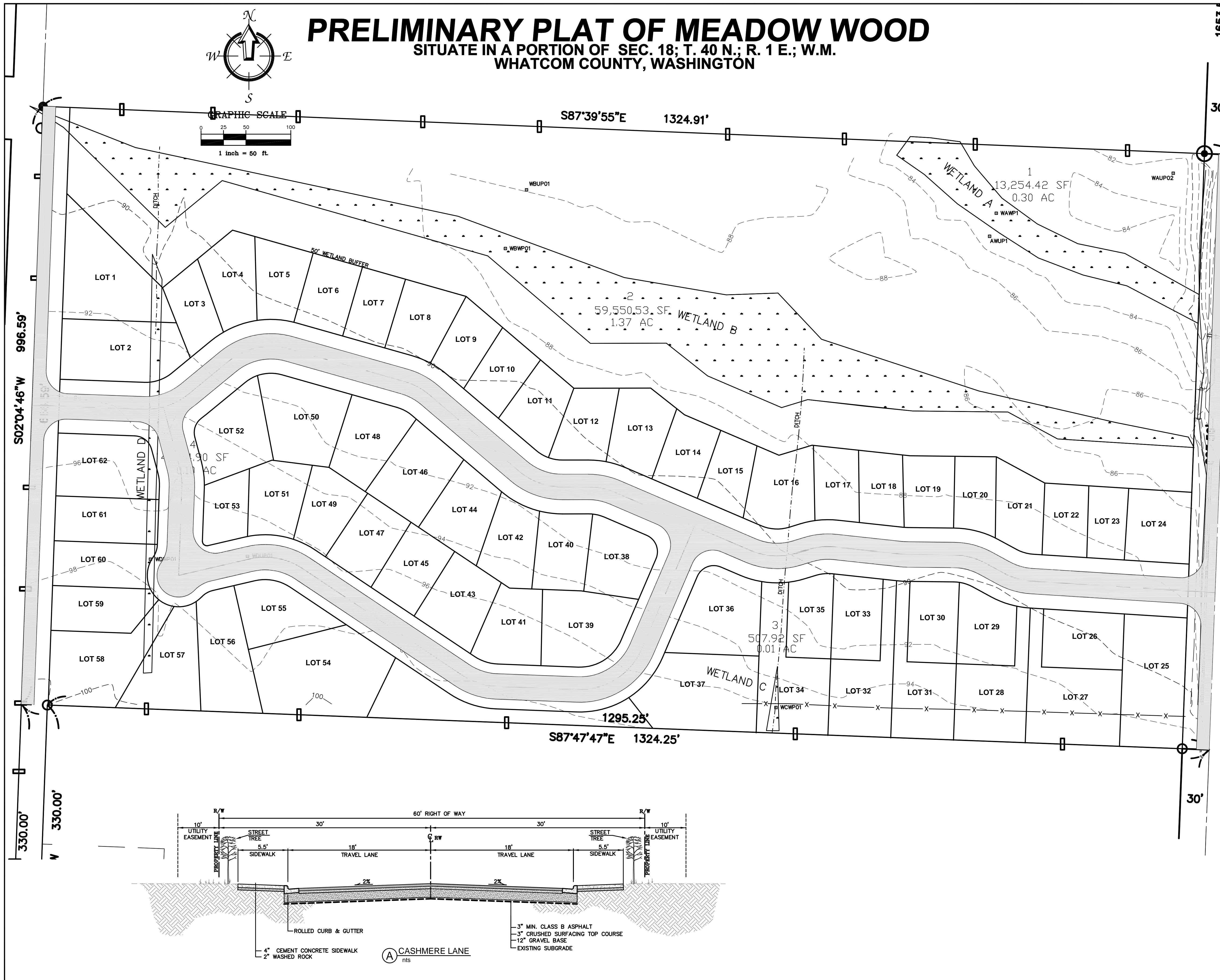
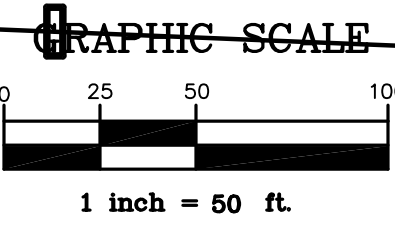
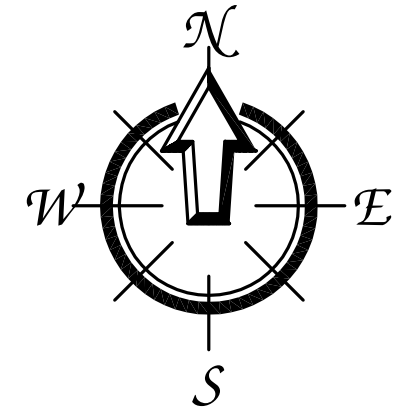
we are in maple leaf park plat...we are on the border of blaine/birchbay UGA...we are on the north side of the entire lincoln road already approved in the county's comprehensive plan,to go thru we have been crewed around with and delayed illegally for the lat 5 yrs and was asked to assemble as many as possible on the border to file for UGA switch to aid the county's non compliance and at the same time help ourselves by going into short term and into a UGA that wants what we would like to build, which will add jobs and housing and service for over 55 active living, which is very much needed in whatcom county...but we have been pushed off to the side again and devalued to the point we are force to file a lawsuit to just maintain our property rights i am asking you to reconsider allowing us to go with the properties across the street and put us into birchbay uga to save us further loss and expense on something that has been against state law as to the way we have been dealt with and our rights to build....

sincerely jean collins 360-319-5035

CONFIDENTIALITY NOTICE: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message, including attachments

# PRELIMINARY PLAT OF MEADOW WOOD

SITUATE IN A PORTION OF SEC. 18; T. 40 N.; R. 1 E.; W.M.  
WHATCOM COUNTY, WASHINGTON



## PROJECT INFORMATION

APPLICANT	TAX PARCEL NO.
DON AMENDE BIRCH BAY PROPERTIES, LLC P.O. BOX 31548 BELLINGHAM, WA 98228 (360) 738-1940	400118501072

CIVIL ENGINEER	UTILITIES
FREELAND & ASSOCIATES, INC. TONY FREELAND, PE J.P. SLAGLE, EIT 1408 NORTH GARDEN STREET BELLINGHAM, WA 98225 (360) 650-1408 (360) 650-1401 FAX	WATER SUPPLY: BIRCH BAY WATER & SEWER DISTRICT SEWAGE DISPOSAL: BIRCH BAY WATER & SEWER DISTRICT

SURVEYOR	PARCEL DATA
BAYVIEW SURVEYING, INC. RYOK HOLT, PLS 130 SHARON AVE. BURLINGTON, WA 98233 (360) 707-2580 (360) 757-3976 FAX	ZONING: URBAN RESIDENTIAL 4 DU/ACRE (UR-4) PLAT AREA: 19.97 ACRES

## LEGAL DESCRIPTION

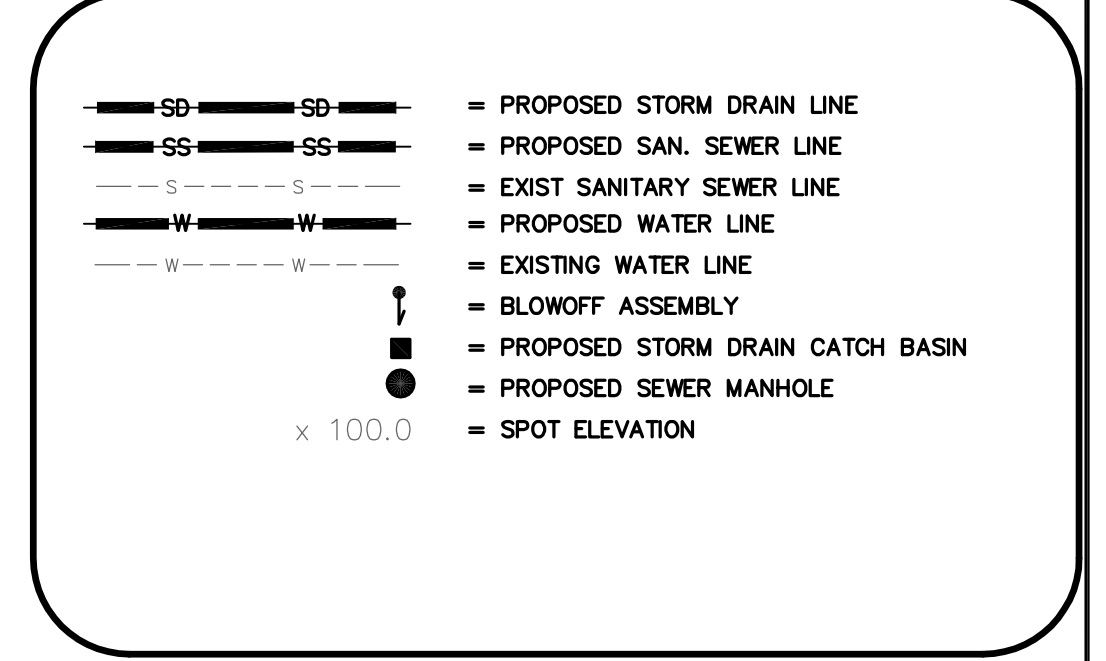
LEGAL DESCRIPTION:  
THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 40 NORTH, RANGE 1 EAST OF W.M., EXCEPT THE NORTH 330 FEET THEREOF, ALSO EXCEPT THE SOUTH 330 FEET AND LESS ROADS, ALSO THE WEST 20 FEET OF THE SOUTH 330 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18, LESS ROADS. SUBJECT TO EASEMENTS OF RECORD.

BASIS OF BEARINGS AND SECTION SUBDIVISION:  
DERIVED FROM RECORD OF SURVEY NO. 279, RECORDED UNDER A.F. #1240876, RECORDS OF WHATCOM COUNTY, WASHINGTON.

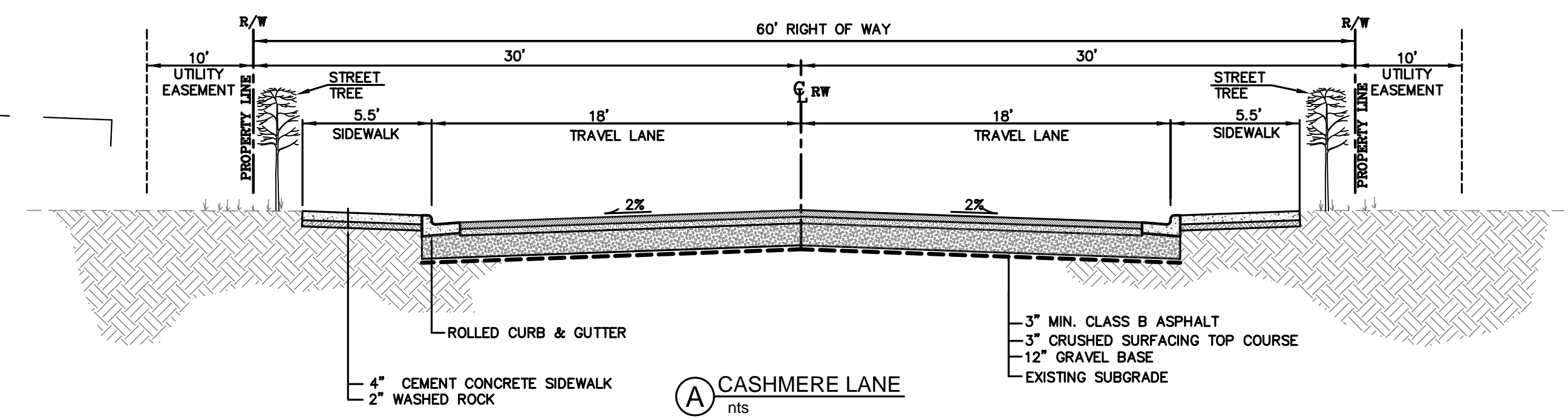
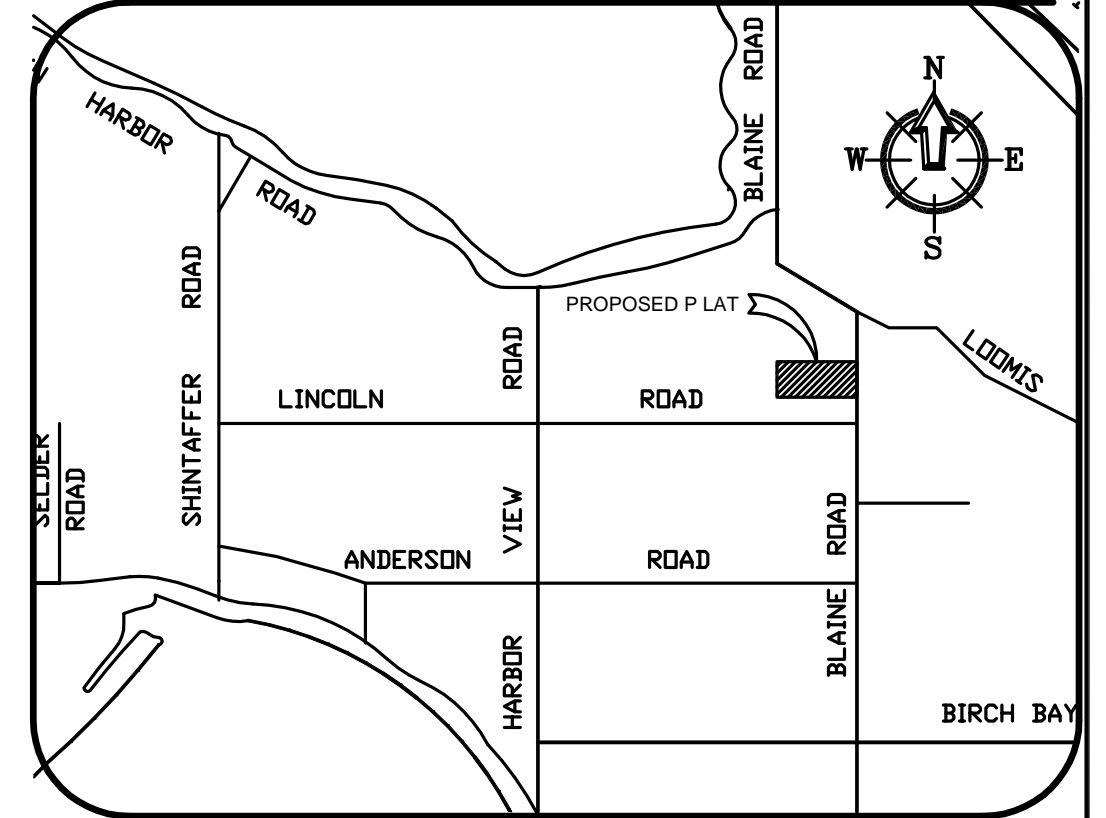
SURVEY METHOD:  
FIELD TRAVERSE WITH LIETZ SET 4 TOTAL STATION, ACCURACY EXCEEDS 1:5000.

NOTE:  
THIS SURVEY DOES NOT PURPORT TO SHOW EASEMENTS OF RECORD.

## LEGEND



## VICINITY MAP



**WHATCOM COUNTY  
PLANNING AND DEVELOPMENT SERVICES DEPARTMENT**

**APPLICATION FOR COMPREHENSIVE PLAN AND RELATED ZONING AMENDMENTS**

Date Received: \_\_\_\_\_

File #: \_\_\_\_\_

**I. CHECK THE APPROPRIATE BOXES**

COMP PLAN MAP

COMP PLAN TEXT

ZONING MAP

ZONING TEXT

**II. GENERAL INFORMATION**

A. APPLICANT'S NAME: JULIE CARNEY ,MICHAEL REID, EDWIN KOHN, JACK AND PENNY S. RUTH, BELLINGHAM LANDS HOLDINGS LLC AND JOHN DOES 1-10

MAILING ADDRESS: P.O. BOX 337

BELLINGHAM WA 98225

E-MAIL ADDRESS: [jcrrealestate@yahoo.com](mailto:jcrrealestate@yahoo.com)

BUSINESS PHONE: 360-319-5035 HOME PHONE: 360-815-3432

B. AGENT'S NAME: Jean Collins

MAILING ADDRESS: P.O. BOX 337

Bellingham WA 98225

E-MAIL ADDRESS: [jcrrealestate@yahoo.com](mailto:jcrrealestate@yahoo.com)

BUSINESS PHONE: 360-319-5035

C. TOPIC OF PROPOSED AMENDMENT: Change the Comprehensive Plan designation for the affected property from Long Term Blaine Urban Growth Area to Long Term Birch Bay Urban Growth Area.

**III. FOR MAP AMENDMENTS**

A. TAX PARCEL NUMBER(s): see attached

ACREAGE: 85 acres

SITE ADDRESS: maple leaf park plat and Lincoln frontage and Blaine rd frontage

TOWNSHIP: 40 N RANGE: 1 E SECTION: 18 1/4 SECTION: SW ¼

OWNER(s): Julie Carney, Michael Reid, Edwin Kohn Family, Jack and Penny Ruth ,Bellingham  
Lands Holdings LLC

ADDRESS: P.O. BOX 337

CITY/STATE/ZIP: Bellingham WA 98225

PHONE: 350-319-5035

(Additional sheets may be attached if more than one parcel is involved.)

- B. EXISTING COMPREHENSIVE PLAN DESIGNATION: Long Term Blaine Urban Growth Area
  
- C. EXISTING ZONING DESIGNATION: UR4
  
- D. PROPOSED COMPREHENSIVE PLAN DESIGNATION: Long Term Birch Bay Urban Growth Area
  
- E. PROPOSED ZONING DESIGNATION: URM 18 Urban Residential Medium Density 18 dwelling units per acre. This will allow proposed development of property for anticipated adult living complex.
  
- F. THE PRESENT USE OF THE PROPERTY IS: Rural Residential and pasture land
  
- G. THE INTENDED FUTURE USE OF THE PROPERTY IS: For the property known as Maple Leaf Park Addition to Blaine, the anticipated use will be an adult residential community. The plan is for 55+ active-adult living community, the size of which is still unresolved. It is hoped to include some sort of medical facility, as there is no Medicare facility in this corner of the county.
  
- H. SURROUNDING LAND USE:  
North – pastureland open space. Further north is Sunday Harbor, a development of 111 residential lots  
South – Lincoln Street PUD a 45 lot development  
East – Rural residential, lightly populated farmland  
West – An undeveloped 45 lot PUD and Drayton Heights a 63 lot development in process
  
- I. SERVICES

Please provide the following information regarding the availability of services.

The site is currently served by sewer \_\_\_\_\_; septic  X . (check one)  
Sewer purveyor (name): \_\_\_\_\_

The site is currently served by a public water system  X ; well \_\_\_\_\_. (check one)  
Water purveyor (name): BIRCHBAY WATER AND SEWER

The site is located on a public road  X ; private road \_\_\_\_\_. (check one)

Name of road:  LINCOLN ROAD

Fire District #:  #21  Name:  NORTH WHATCOM FIRE AND RESCUE

School District #:  503  Name:  Blaine

J. TRANSFER OF DEVELOPMENT RIGHTS (TDRs)

Are TDRs required under sections 20.10.081, 20.89.050, and/or 20.90.064 of the Official Whatcom County Zoning Ordinance? If so, please explain how your proposal complies with the TDR requirements and/or how you qualify for modifications/exceptions from the TDR requirements.

TDRs are not required for this amendment.

IV. FOR TEXT AMENDMENTS

Identify the sections of the Comprehensive Plan and Zoning Ordinance that you are proposing to change and provide the proposed wording (attach additional pages if necessary): see legal and parcel numbers. No text amendments are proposed.

V. FOR ALL AMENDMENTS

- A. Why is the amendment needed and being proposed? Presently, the property is in a “peninsula” of Long Term UGA, surrounded on three sides by short term. Making the subject area a Long Term UGA allows development between two more densely populated centers (Blaine and Birch Bay). With the jurisdiction moved to the Birch Bay UGA, the county will have more input in the design and ultimate direction of the development.
- B. How does the proposed amendment conform to the requirements of the Growth Management Act? This amendment creates space for long-term development. The strategic location encourages development where it is most logical. This area will be able to accommodate a portion of the potential growth coming to Birch Bay and environs.
- C. How is the proposed amendment consistent with the CountyWide Planning Policies for Whatcom County? This places growth where it makes the most sense. Making it long term in the Birch Bay UGA directs the growth where the County plans for it to occur.
- D. How is the proposed amendment consistent with the Whatcom County Comprehensive Plan? This land has been designated to accept the urban growth from Blaine and Birch Bay. This is simply

changing the designation from long term Blaine area to the Birch Bay area. It is consistent with the comprehensive plan and good planning principles.

- E. If within an Urban Growth Area, how is the proposed amendment consistent with interlocal agreements between the County and the City? The only change in the interlocal agreements will be to change the designation from long term Blaine to Birch Bay subarea. Otherwise, the agreements remain the same.
- F. What changed conditions or further studies indicate a need for the amendment? Discussions with county staff indicated that the faster route of approval might be to amend the comprehensive plan to make the properties Long Term in the Birch Bay Urban Growth Area.
- G. How will the public interest be served by the amendment? In determining whether the public interest will be served, factors including but not limited to the following will be considered:
- The anticipated effect upon the rate or distribution of population growth, employment growth, development, and conversion of land as envisioned in the Comprehensive Plan. It is anticipated that the development of the properties may occur at a faster rate with the change. The County will have a great amount of control over the direction, design, timetable and delivery of additional dwelling units and the support services required.
  - The anticipated effect upon the ability of the County and/or other service providers, such as cities, schools, water and/or sewer purveyors, fire districts, and others as applicable, to provide adequate services and public facilities including transportation facilities. The County already has approved and funded (?) the construction of Lincoln Street connector between the Blaine Road and Harbor View Drive. Police is available from the Whatcom County Sheriff's department. Fire District #12 provides fire service. Power will be brought in by the purveyor. Refuse service is available to the properties.
  - The suitability of the site to provide on-site wells and/or on-site sewage disposal, if applicable. The Birch Bay Water and Sewer District will provide the water. On site sewage will be provided as a last resort.
  - Anticipated impact upon critical areas. The properties are in the boundaries of the wetland and critical recharge areas. In the development plans, attention will be paid to mitigate the impacts as best as possible.
  - Anticipated impact upon designated agricultural, forest and mineral resource lands. There will be no impact on any forest or mineral resource lands. The property is barely agricultural presently. The majority "crop" is pastureland. Little or no impact will be felt in the agricultural area.
- H. Does the amendment include or facilitate illegal spot zoning? Please explain. NO

**VI. SUPPORTING INFORMATION (ATTACH THE FOLLOWING):**

- A. A vicinity map showing property lines, roads, existing and proposed Comprehensive Plan and Zoning designations. (This information is required for map amendments only).
- B. Mailing labels with names and mailing addresses of the owners of all property included within the area proposed for re-designation and:
- For a map amendment within an existing urban growth area, mailing labels with the typed address of each property owner within 300 feet of the external boundaries of the subject property as shown by the records of the county assessor.

- For a map amendment outside existing urban growth areas, mailing labels with the typed address of each property owner within 1,000 feet of the external boundaries of the subject property as shown by the records of the county assessor.
- For map amendments that involve rezoning property to an Airport Operations District, mailing labels with the typed address of each property owner within 1,500 feet of the external boundaries of the subject property as shown by the records of the county assessor.

C. State Environmental Policy Act (SEPA) Checklist

**VII. FEES**

A. The Whatcom County Code states that:

. . . applicants shall pay fees as specified in the Unified Fee Schedule within 15 days after the county council signs the resolution initiating the amendment or the application shall become null and void. The county council may take official action to waive the fee at the time it approves the initiating resolution if it finds that the proposed amendment will clearly benefit the community as a whole and will not be for private financial gain. WE BELIEVE IT WILL AND IT IS ALSO HELPING COUNTY COMPLY WITH NEED TO COMPLY AND WILL HELP COUNTY WITH ITS OWN COMPREHENSIVE GROWTH PLAN AND BIRCHBAY WATER AND SEWER WITH ITS GROWTH PLANS.

B. Are you requesting that the County Council waive the fees for this application? YES AS WE ARE ALSO DOING THIS TO HELP COUNTY COMPLY WITH GROWTH ACT AND HELP BIRCHBAY WHO WANTS US.

C. If so, please describe how the proposed amendment clearly benefits the community as a whole and will not be for private financial gain.

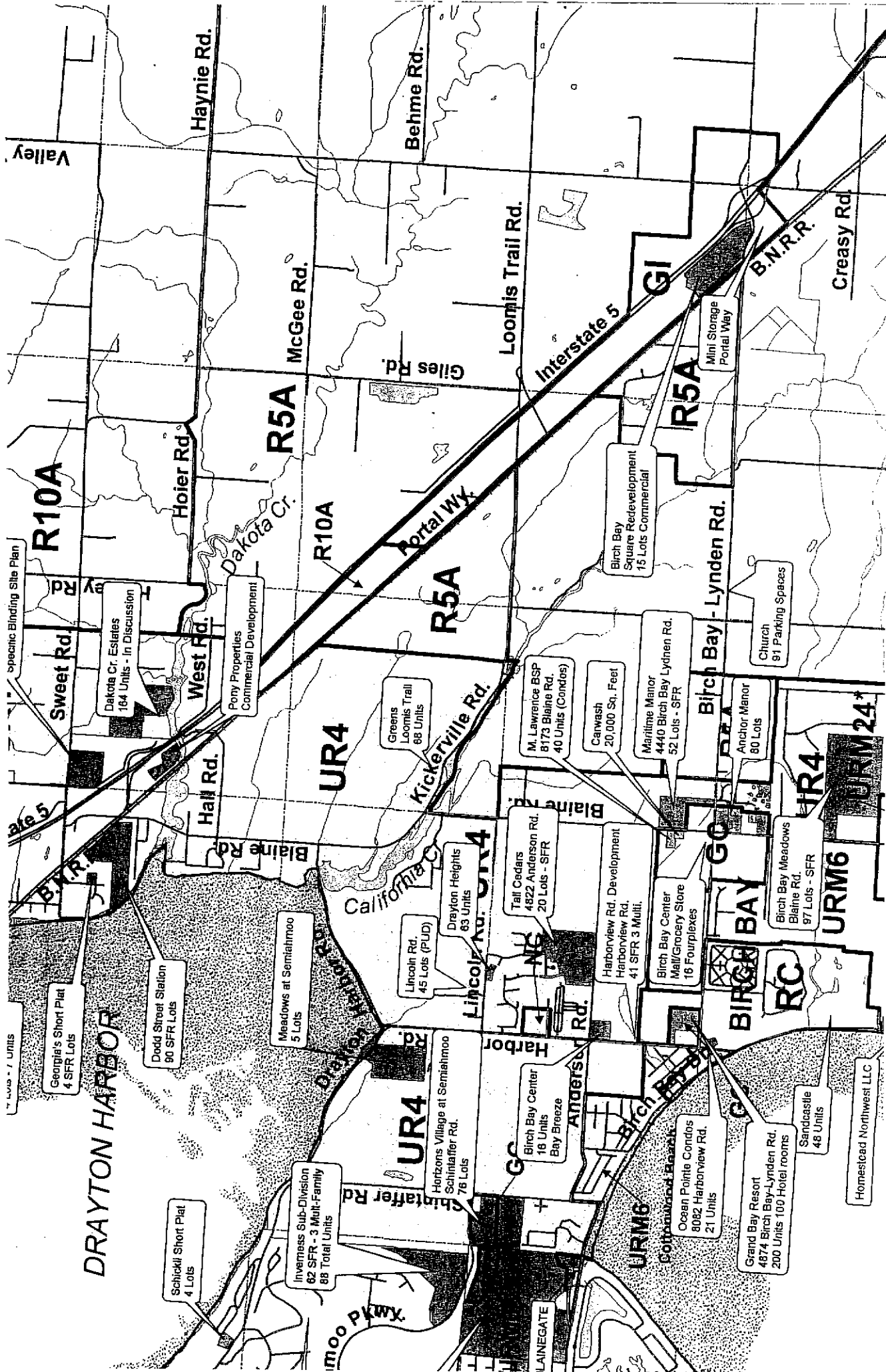
Changing the UGA designation will allow the anticipated development to proceed at a controlled pace and with proper oversight. HAVING SERVICES FOR SENIORS AVAILABLE IN THE AREA AND HAVING TRANSITIONAL LIVING WHICH IS THE GOAL ON SWITCHING UGA ...HAVING A VARIETY OF HOUSING AND LIGHT COMMERCIAL FOR MEDICAL AND SUPPORT RETAIL SERVICES IS VERY MUCH DESIRED BY THE COMMUNITY...ALL THIS WILL BRING GROWTH AND EMPLOYMENT AND ENABLE HOUSES ALREADY UNDERWAY TO BE SOLD.....GREAT ECONOMIC POTENTIAL BY SERVICING THE NEEDS OF THE AGING, AS OVER 3 MILLION PEOPLE TURN 60 EVERY YEAR AND NOT EVERYONE WANTS TO GO INTO ASSISSTED LIVING...AGAIN I SAY GO ACROSS TO WHITE ROCK B.C. AND SEE WHAT A TRANSFORMATION FOR GROWTH AND INCOME TO AID THE ECONOMY BY BUILDING FOR THE OVER 55 GROUP HAS CAUSED. THERE IS NO MEDICARE DOCTOR OR SUPPORT SERVCES ANYWHERE IN OUR AREA. BOTH BIRCHBAY AND BLAINE HAVE EXPRESSED A NEED FOR SUCH.

**PLEASE SUBMIT TWO COPIES OF ALL APPLICATION MATERIALS.**

Signature of Applicant or Agent:

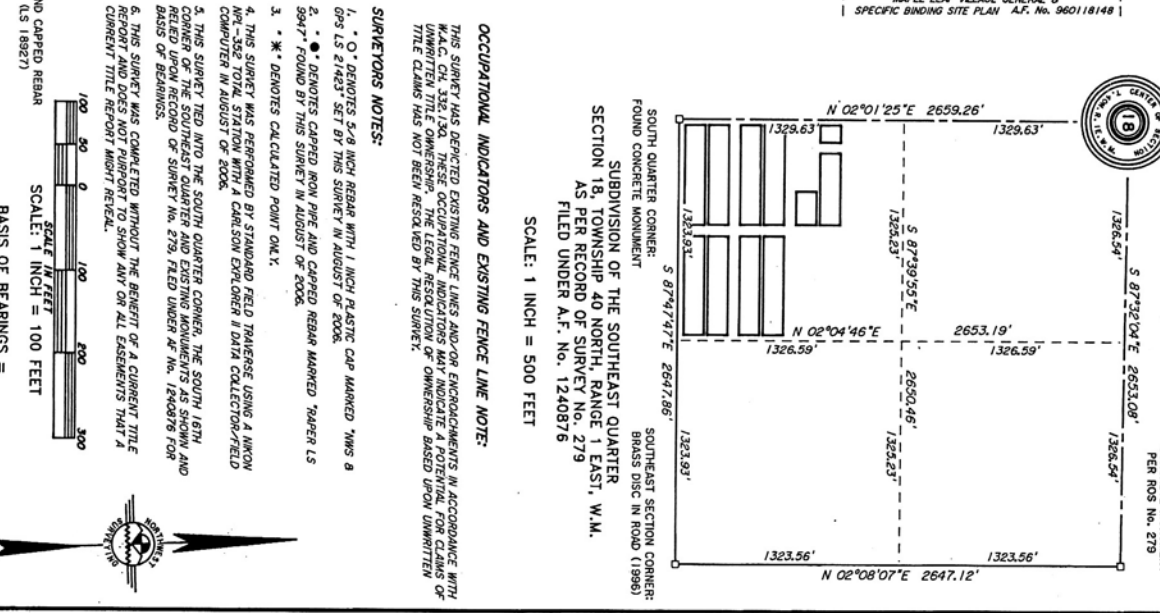
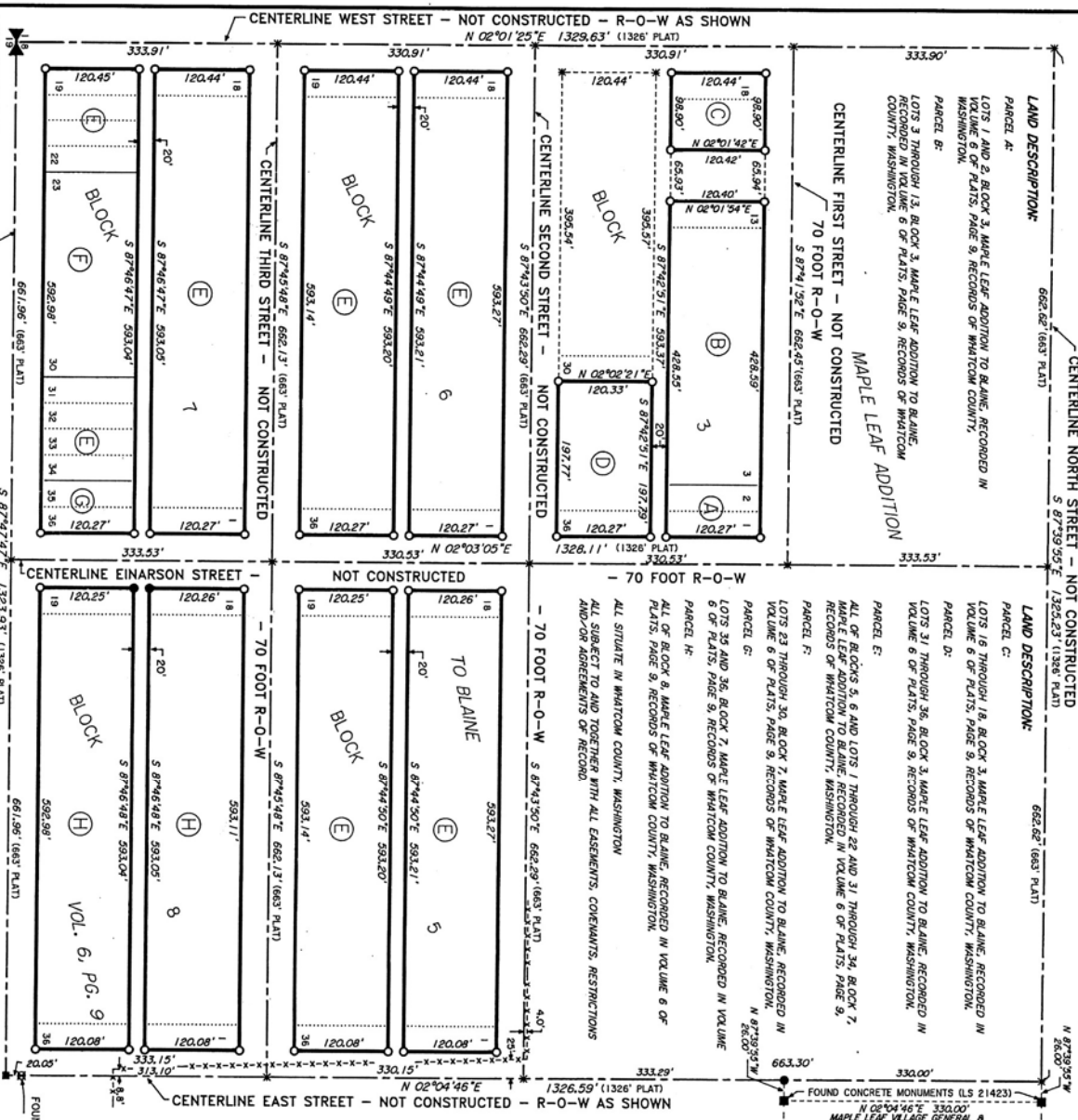
\_\_\_\_\_

Date: \_\_\_\_\_



2010100807

# SURVEY IN SECTION 18, TOWNSHIP 40 NORTH, RANGE 1 EAST, W.M.

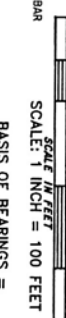


SCALE: 1 INCH = 500 FEET

SOUTH-EAST SECTION CORNER  
BRASS DISC IN ROAD (1986)  
SUBDIVISION OF THE SOUTHEAST QUARTER  
SECTION 18, TOWNSHIP 40 NORTH, RANGE 1 EAST, W.M.  
AS PER RECORD OF SURVEY NO. 279  
FILED UNDER A.F. NO. 1240876

**OCCUPATIONAL INDICATORS AND EXISTING FENCE LINE NOTE:**  
THIS SURVEY HAS DEPICTED EXISTING FENCE LINES AND/OR ENCROACHMENTS IN ACCORDANCE WITH W.A.C. CH. 332.130. THESE OCCUPATIONAL INDICATORS MAY INDICATE A POTENTIAL FOR CLAIMS OF UNWRITTEN TITLE OWNERSHIP. THE LEGAL RESOLUTION OF OWNERSHIP BASED UPON UNWRITTEN TITLE CLAIMS HAS NOT BEEN RESOLVED BY THIS SURVEY.

**SURVEYOR'S NOTES:**  
1. "O" DENOTES 5/8 INCH REBAR WITH 1 INCH PLASTIC CAP MARKED "MWS 8 095 LS 21423" SET BY THIS SURVEY IN AUGUST OF 2006.  
2. "●" DENOTES CAPPED IRON PIPE AND CAPPED REBAR MARKED "MWS 8 0941" FOUND BY THIS SURVEY IN AUGUST OF 2006.  
3. "\*" DENOTES CALCULATED POINT ONLY.  
4. THIS SURVEY WAS PERFORMED BY STANDARD FIELD TRAVERSE USING A NIKON 491-352 TOTAL STATION WITH A GARMIN EXPLORER II DATA COLLECTOR-FIELD COMPUTER IN AUGUST OF 2006.  
5. THIS SURVEY TIED INTO THE SOUTH QUARTER CORNER, THE SOUTH 15TH CORNER OF THE SOUTHEAST QUARTER AND EXISTING MONUMENTS AS SHOWN AND RECORDED UPON RECORD OF SURVEY NO. 279, FILED UNDER A.F. NO. 1240876 FOR BASIS OF BEARINGS.  
6. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT AND DOES NOT PURPORT TO SHOW ANY OF ALL EASEMENTS THAT A CURRENT TITLE REPORT MIGHT REVEAL.



FOUND CAPPED REBAR (LS 18927)

FOUND CONCRETE MONUMENTS (LS 21423)  
MAPLE LEAF VILLAGE GENERAL & SPECIFIC BUILDING SITE PLAN A.F. No. 960118148

**AUDITOR'S CERTIFICATE**  
FILED FOR RECORD THIS 23rd DAY OF October, 2006 AT 9:16 A.M., IN BOOK 12 OF SURVEYS AT THE NORTHEAST SURVEYING & GPS, INC. COUNTY AUDITOR DEPUTY AUDITOR

**SURVEYOR'S CERTIFICATE**  
THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT, AT THE REQUEST OF DENNIS M. DeKeyser, SEAN COLLINS IN THE YEAR 2006.



**PORTION OF THE SW 1/4, SE 1/4, SECTION 18, TOWNSHIP 40 NORTH, RANGE 1 EAST OF W.M., WHATCOM COUNTY, WASHINGTON**

**NORTHWEST SURVEYING & GPS, INC.**  
Dennis M. DeKeyser, L.S. No. 21423  
407 5TH STREET, LINDEN WASHINGTON, 99264  
PH. (360) 354-1950 FAX (360) 354-7644

**RECORD OF SURVEY**  
FOR  
**JULIE CARNEY & MICHAEL REID**

DATE: 10/04/06  
JOB NO.: 06-224  
SHEET: 1 OF 1

REVIEWED BY: JEROMY  
DATE: 10/04/06



DIR: 40-01184001  
CDD: 184001.080

RECORDED UNDER A.F. NO. 1240876

RECORDED UNDER A.F. NO. 1240876

