

FILE UNDER AB: 2013
DATE RECEIVED: 5-21-13
SUBMITTED BY: DON HICKEY

Dear council member Barbara Brenner

COUNCIL MEETING
 COMMITTEE

Hi Barbara my name is Don Hickey (5th generation Whatcom County resident). My wife Janet Newman Hickey and I are contacting you on behalf of my mother in law Marge Newman. Marge is a 74 year old widow who lives at 1883 Yew street Road. Her and her husband Ron bought 2 pieces of property in 1968 by the way in 2 different zones but connected, It was a 5 acre parcel (UR3) and an .8 acre parcel (RR2). Ron passed away in 1997. Her property is the acreage that borders the South of the South hills development.

In 2011 Marge had planned some major Neck Surgery. She had said to us it would be nice if we could buy an acre or the .8 and build behind her. It would give here some much needed income and also give her some comfort knowing she was not alone any longer. She only has Social Security as income. It is getting harder to cover the taxes on the property and the upkeep.

My wife and I went down to the planning and development to start the permit process. We were told we could not build there. Her 2 pieces of property had been Lot Consolidated and It is zoned R10, We did not even now what that meant at the time. We went back to Marge and told her only 1 house per 10 acres. She was shocked and asked us when that happened. We feel it was not fair for Marge not to be notified on decisions that had effected her property.

- a. Was not Notified about zoning change
- b. Was not Notified about Lot Consolidation
- c. Was not Notified about "Uga Reserve"

It upsets us that she was not notified about these big effects but the city ran sewer by her house when they built South Hills and sent her 2 (1 for each piece of property) nice Certified invitations to hook up.

We feel Marge has been wronged by the County and it is sad that a family can't move over to an elderly mothers house to take care of her and her property. She has paid taxes for 45 years and now the county has devalued her property. She does not want to make a development. She just wants her daughter, son in law and 2 young (3&6) granddaughters to be close by to help maintain her home. She had many chances to sell to a developer but enjoys the privacy but I guess South Hills got the royal treatment and she gets stuck all alone. So I guess what we are asking is

- a. Can the county please notify her the next time it effects her property value by zoning changes?
- b. Are there any future county meetings or planning commissions on South Yew Street Road?
- c. How can we go about asking for a zone change like how about 1 house per 2 acres Don't you think going from 3 houses per acre to 1 per 10 acres is a little extreme? Like I said we don't want to be a big development just a family trying to look out for one another.

PLEASE DO NOT JUST FORWARD THIS TO SAM AT THE PLANNING DEVELOPMENT. Jack Louws office did when we called. She was not very helpful. She said we should go for a ADU but that does not help Marge financially. And we don't own any land.

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Marge Newman
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Bellingham Wa 98229
(360) 733-2668

By Mail
Marge Newman
P.O. Box 30653
Bellingham Wa 98228

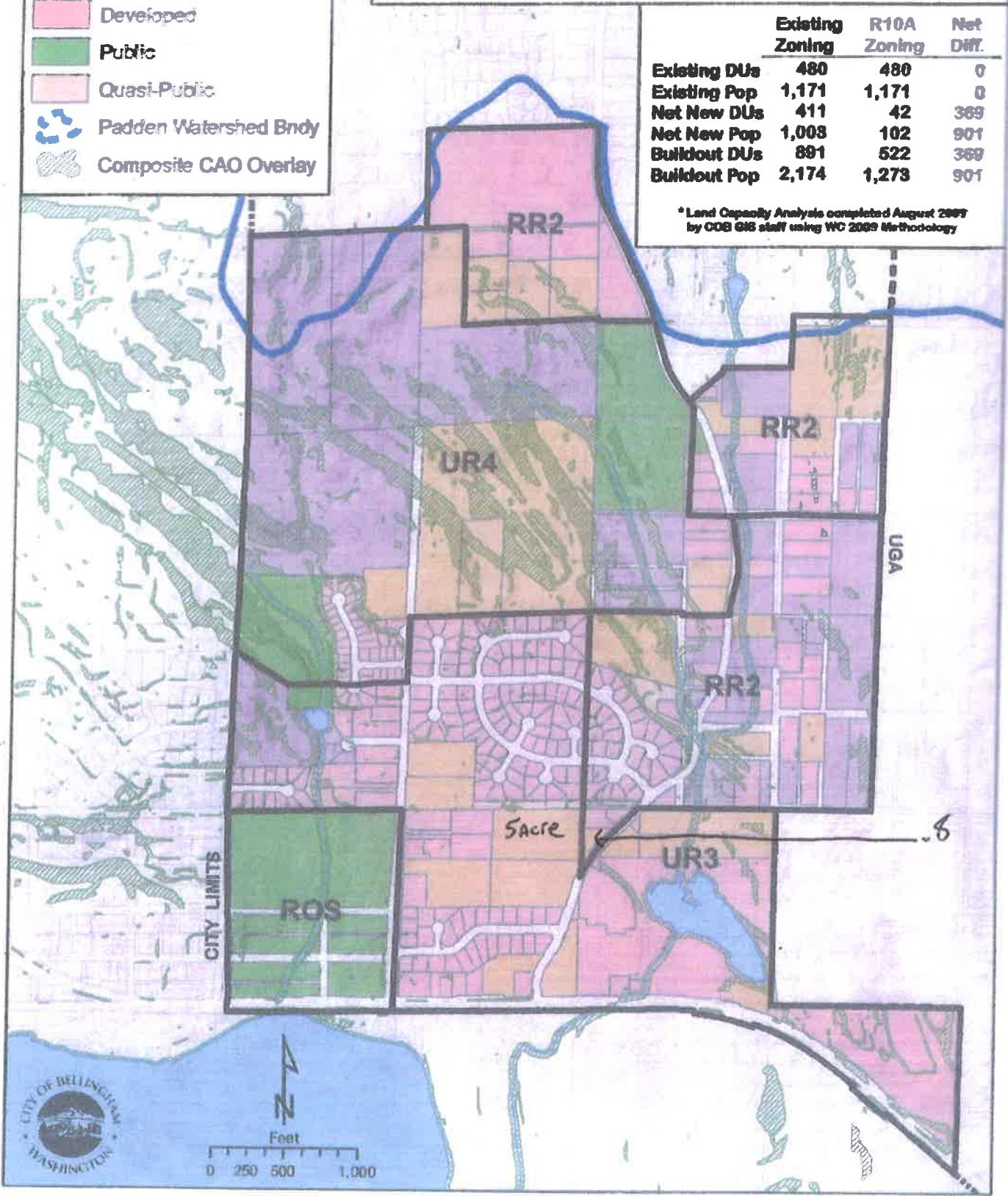
Lake Padden Watershed Yew Street UGA - 2009 LCA*

Legend

- Vacant
- Under Developed
- Developed
- Public
- Quasi-Public
- Padden Watershed Bndy
- Composite CAO Overlay

	Existing Zoning	R10A Zoning	Net Diff.
Existing DUs	480	480	0
Existing Pop	1,171	1,171	0
Net New DUs	411	42	369
Net New Pop	1,008	102	901
Bulldout DUs	891	522	369
Bulldout Pop	2,174	1,273	901

* Land Capacity Analysis completed August 2009
by COB GIS staff using WC 2009 Methodology





DEPARTMENT OF PUBLIC WORKS, 210 Lottie St., Bellingham, Washington 98225
Telephone (360) 676-6961 FAX (360) 676-6894

CERTIFIED

July 31, 2001

Marjory Newman
PO Box 30653
Bellingham, WA 98228

Washington State law allows municipalities to enter into latecomer contracts with owners of real property who elect to construct sewer improvements as a required condition for property development. The intent of the sewer latecomer contract is to provide a means for the initial developer of the sewer improvement to recover a share of the costs from other owners of property who benefit from the public sewer improvement. These property owners would have been required to make the same utility improvement before developing their own properties or receiving sanitary sewer service.

The procedures for latecomers include delineation of a geographical boundary or benefit area, method of assessment, public notification and a public hearing, if requested by any property owner in the boundary. The document is then recorded in the County Auditor's office. The major difference between a local improvement district and this latecomer's procedure, however, is that under the latecomers' procedure, no payment is made until your property is actually developed or you make application for sanitary sewer service.

The latecomer documentation is being formulated for this location. We have determined the appropriate assessment at \$42.82 per front foot of property abutting Yew Street Road within the boundary per the attached map. Your property has been included within the boundary due to the potential for development or connection to the sewer utility. This amount would only be collected if and when your property makes application for development or application for utility sewer service.

Bellingham Municipal Code 14.02 defines the eligible costs associated with the latecomer contract. Under current authority, property owners who construct public improvements now have the ability to collect interest on each assessment. The interest rate shall be fixed at the federal reserve rate of one-year treasury bills in the secondary market. Pursuant to Washington State law, each latecomer contract shall be valid for a period not to exceed fifteen (15) years. If any property owner requests a hearing in writing within twenty days of the mailing of the preliminary determination, a hearing shall be held before the Bellingham City Council, notice of which shall be given to all affected property owners. The City Council's ruling is determinative and final.

The Public Works Department is sending out this notice to properties within the City's Urban Growth Area (UGA). The City of Bellingham services properties outside the City Limits on a contractual basis. In order for you to receive utility service from the City of Bellingham, the utility service extension process is followed as outlined in the Bellingham Municipal Code section 15.36. This notification and the eventual latecomer contract does not constitute any authority or authorization for utility service by the Public Works Department nor does it relinquish the legislative approval process by the Bellingham City Council as required under BMC 15.36. Copies of BMC 15.36 and BMC 14.02 can be found at the City's web page, www.cob.org or if you have any additional questions please contact the Utilities Section, Engineering Department at (360) 676-6961.

Sincerely,

Jim Bergner
Utility Technician

Attachment