



MARYSVILLE
PUBLIC WORKS

FINDINGS/DECISION
(City Staff Use Only)

Reviewing Staff Member:	
\$250 Application Fee Submitted:	<input type="checkbox"/> Yes <input type="checkbox"/> Deferred
Decision:	<input type="checkbox"/> Approve <input type="checkbox"/> Approve with Conditions <input type="checkbox"/> Disapprove

Findings/Decision/Conditions:

(360) 363-8100

Public Works
80 Columbia Avenue
Marysville, WA 98270

Signature/Date

Per MMC 12.02A.120, variances may be granted for good cause by the public works director or designee, only if the applicant demonstrates all of the following in writing:

- a) Special conditions and circumstances exist which are peculiar to the land such as size, shape, topography or locations, not applicable to other lands in the same neighborhood, and that literal interpretation of the provisions of the standards would deprive the property owner of rights commonly enjoyed by other properties similarly situated in the same neighborhood.

SIDEWALK

The new private road will be oriented in such a way that it will not provide pedestrian access to lots to the north side of the street, since those lots are already developed and are oriented north to take access from 51st Dr NE. Literal interpretation of the standards would require the applicant to construct a sidewalk on the north side of the new road that would never be used, now or in the future.

INTERSECTION RADIUS

Special circumstances exist in the fact that the intersection of 126th St NE to the west is established, and the alignment of this intersection is offset only approximately 25 feet from our northern property line. To match the alignment of 126th St NE across the street, a 25-foot radius at the northeastern intersection quadrant is the largest radius that can be constructed without grading onto lots 22 & 23 of the adjacent development to the northeast. The back of the curb at its closest point will sit about 2.5 feet from that private property corner, giving us *just* enough room to construct this intersection.

- b) Special conditions and circumstances do not result from the actions of the applicant, and are not self-imposed hardships.

SIDEWALK

The intersection of 126th St NE to the west is already established and this project is required to provide an extension of this road. The only logical place to run this new road is along the northern portion of the site, and the adjacent properties to the north are already developed and take pedestrian access off of 51st Dr NE. Therefore, this project is constrained by existing conditions that were not self-imposed.

INTERSECTION RADIUS

Special circumstances exist in the fact that the intersection of 126th St NE to the west is established, and the alignment of this intersection is offset only approximately 25 feet from our northern property line. To match the alignment of 126th St NE across the street, a 25-foot radius at the northeastern intersection quadrant is the largest radius that can be constructed without grading onto lots 22 & 23 of the adjacent development to the northeast. The back of the curb at its closest point will sit about 2.5 feet from that private property corner, giving us *just* enough room to construct this intersection.

- c) Granting the variance requested will not confer a special privilege to the subject property that is denied other lands in the same neighborhood.

SIDEWALK

A variance to allow for the construction of a new sidewalk on only the south side of the new road will not confer a special privilege to our property. The circumstances are unique for our project in that there will be no current or future residences that will ever take pedestrian access from the north side of our new road. I would expect and hope that other projects in the same neighborhood have applied for a variance if constructing the Marysville standard road section would result in an unnecessary sidewalk on one side of the road that will never be used by pedestrians.

INTERSECTION RADIUS

The substandard radius at the northeastern quadrant of the new intersection is *required* to fit the new intersection within the City right of way and does not confer special privileges to the subject property that is denied other lands in the same neighborhood. It is the only option if the City wants us to match the existing alignment of 126th St NE across the street.

- d) Granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the neighborhood in which the subject property is situated.

SIDEWALK

A variance to allow for the construction of a new sidewalk on only the south side of the new road will not be materially detrimental to the public welfare, as a sidewalk on the north side of the road would never see any foot-traffic. There is also a pinch-point at the northeast corner of the 51st Ave/126th St intersection that doesn't afford the ability to provide both a curb-return and a sidewalk at this quadrant of the intersection. As mentioned by Ken McIntyre in an email dated December 20, 2023, there is no room to make an ADA ramp work at that northeastern quadrant of the intersection, so the ADA ramp will be omitted here and provisions will be provided to create a closed-crossing. Signage will be provided and shown on the construction plans indicating that 126th St NE crossing is closed at this location, and will direct pedestrians to cross 51st St NE at the intersection.

INTERSECTION RADIUS

The substandard radius at the northeastern quadrant of the new intersection will not be materially detrimental to the public welfare or injurious to the property or improvements in the neighborhood, as a 25-foot radius still provides plenty of maneuverability. The minimum turning radius for a fire lane is 20 feet, so a 25-foot radius will be more than adequate and will result in an almost unnoticeable difference.

- e) Granting of the variance requested will be in harmony with the general purpose and intent of the City standards.

SIDEWALK

The general intent of the City sidewalk standard is to provide pedestrian access where it will be utilized. A sidewalk along the northern side of the new road will never see any use, so the granting of this variance will still meet the general purpose of the City standards. A new sidewalk will be provided along the south side of the new road that will provide pedestrian access to the entire development.

INTERSECTION RADIUS

The general intent of the 35-foot standard intersection radius is to provide adequate maneuverability around the curve for all vehicles. A 25-foot radius is still more than adequate for vehicles taking a right turn out of the development, as a maximum length fire truck can make a turn with a minimum radius of 20 feet. Therefore, the granting of this variance will still meet the general purpose of the City standard by providing an adequate turning radius at the northeastern quadrant of the intersection.

- f) The purpose of the variance is not merely to permit the subject property to be utilized more profitably by the owner or to economize on the cost of improving the property.

SIDEWALK

While this variance will result in a lower construction cost by eliminating the sidewalk along the north side of the road, maximizing profit is not the main purpose of this variance. The engineering standards that are in place are applicable to most projects. If this new public road were constructed within a development that proposed residential properties on both sides of the road, there would be no need for this variance. It is our responsibility to be good stewards of the earth and not waste our limited resources and cause unnecessary pollution. Constructing 200 lineal feet of sidewalk along the north side of the new road would be a waste of resources, as it will never see foot traffic.

INTERSECTION RADIUS

The only reason that this variance for a substandard radius at the northeastern intersection quadrant is being applied for is due to site constraints. A 25-foot radius is the largest that can fit within the City right of way at this location.

- g) Granting of the variance will not be detrimental to public safety or capacity of roadway network.

SIDEWALK

A variance to allow for the construction of a new sidewalk on only the south side of the new road will not be detrimental to public safety, as a sidewalk on the north side of the road would never see any foot-traffic. The sidewalk proposed will provide the entire new development with safe pedestrian access to 51st Ave NE, meeting the intent of the Marysville standard.

INTERSECTION RADIUS

The general intent of the 35-foot standard intersection radius is to provide adequate maneuverability around the curve for all vehicles. A 25-foot radius is still more than adequate for vehicles taking a right turn out of the development, as a maximum length fire truck can make a turn with a minimum radius of 20 feet. Therefore, the granting of this variance will not be detrimental to public safety or the capacity of the roadway, as all vehicles will be able to make this right-turn onto 51st Ave NE.