



**MARYSVILLE**  
PUBLIC WORKS

## ENGINEERING VARIANCE REQUEST

One variance request form shall be submitted for each section of the Marysville Municipal Code (MMC) or Engineering Design and Development Standards (EDDS) for which variances are being sought. Each variance shall be considered on a case-by-case basis, and shall not be construed as setting precedent for any subsequent applications.

| PROJECT INFORMATION:    |                  |
|-------------------------|------------------|
| Project Name:           | Stack Short Plat |
| Project Number:         |                  |
| Request Submittal Date: | 9/22/2022        |

| CONTACT INFORMATION:    |   |
|-------------------------|---|
| Engineer/Surveyor Name: | Mark Villwock                               |
| Firm Name:              | LDC, Inc.                                   |
| Mailing Address:        | 20210 142nd Ave NE<br>Woodinville, WA 98072 |
| E-Mail Address:         | mvillwock@ldccorp.com                       |
| Phone Number:           | (425)892-9590                               |

Professional Seal  
 STATE OF WASHINGTON  
 REGISTERED ENGINEER  
 40903  
 12-15-22

| VARIANCE REQUEST INFORMATION:    |   |
|----------------------------------|---|
| MMC/EDDS Section:                | 3-207(F)  |
| \$250 Application Fee Submitted: | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Deferred |

Variance Justification (attach additional pages if needed):

Marysville EDDS 3-207(F) dictates that: Pedestrian walkways shall be provided on all permanent cul-de-sacs to abutting property see Standard Plan 3-207-001.

This project features 5 lots accessing 122nd St NE via new proposed public road and cul-de-sac. Pedestrian access to the site is proposed to be provided as a 5-foot sidewalk along the west side of the street and cul-de-sac to serve the proposed lots which front that portion of the road/cul-de-sac. We are requesting relief from 3-207(F) standard for pedestrian walkways. We find that this configuration is justified by the following:

1. No future development can occur on the east side of Road A, thus no pedestrian access would be taken from that side of the cul-de-sac.
2. Due to site circumstances, this project cannot meet landscape/street tree requirements AND provide sidewalk on east side of the cul-de-sac.
3. The sidewalk on the west side of the cul-de-sac meets safe walk and pedestrian access requirements for the proposed lots.

Additional frontage improvements including curb, drainage infrastructure, and street trees will be installed in the ROW on the east side of the road and cul-de-sac.

Please see attached additional information.

[See MMC 22G.010.420 for variance decision criteria]

(360) 363-8100

Public Works  
80 Columbia Avenue  
Marysville, WA 98270



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**FINDINGS/DECISION**  
**(City Staff Use Only)**

|   |  |
|---|--|
| <b>Reviewing Staff Member:</b>          | Ken McIntyre, PE - Asst. City Engineer   |
| <b>\$250 Application Fee Submitted:</b> | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Deferred  |
| <b>Decision:</b>                        | <input checked="" type="checkbox"/> Approve<br><input type="checkbox"/> Approve with Conditions<br><input type="checkbox"/> Disapprove |

**Findings/Decision/Conditions:**

The City is in agreement with the provided justification. The project provides sidewalk along the west side of the proposed interior road, providing pedestrian connectivity to the proposed homes. The neighborhood immediately to the east was previously developed, and the rear of the adjacent homes faces the proposed street within the Stack Short Plat. A sidewalk on the east side of the proposed road would not provide pedestrian connectivity to those homes, and therefore is not needed.

Signature/Date

December 15, 2022

City of Marysville  
Attn: Shane Whitney  
80 Columbia Avenue  
Marysville, WA 98270

**RE: Stack Short Plat  
Variance Request**

Dear Mr. Whitney,

Following is additional information on the variance request for the elimination of the sidewalk along the east side of the proposed internal road for the Stack Short Plat.

Marysville EDDS 3-207(F) dictates that: Pedestrian walkways shall be provided on all permanent cul-de-sacs to abutting property see Standard Plan 3-207-001.

This project features 5 lots accessing 122nd St NE via new proposed public road and cul-de-sac. Pedestrian access to the site is proposed to be provided as a 5-foot sidewalk along the west side of the street and cul-de-sac to serve the proposed lots which front that portion of the road/cul-de-sac. We are requesting relief from 3-207(F) standard for pedestrian walkways. We find that this configuration is justified by the following:

1. No future development can occur on the east side of Road A, thus no pedestrian access would be taken from that side of the cul-de-sac.
2. Due to site circumstances, this project cannot meet landscape/street tree requirements AND provide sidewalk on east side of the cul-de-sac.
3. The sidewalk on the west side of the cul-de-sac meets safe walk and pedestrian access requirements for the proposed lots.

Additional frontage improvements including curb, drainage infrastructure, and street trees will be installed in the ROW on the east side of the road and cul-de-sac.

Following is the Variance criteria from 22G.010.420

- (1) A variance shall be granted by the city only if the applicant demonstrates all of the following:
- (a) The strict enforcement of the provisions of this title creates an unnecessary hardship to the property owner;

**Response: The requirement to put sidewalk on the east side of the proposed road on site is an unnecessary hardship in that there are no proposed uses on that side of the road that would use the sidewalk. Therefore, it is not A pedestrian path for all proposed lots is being provided for on the west side of the road.**

- (b) The variance is necessary because of the unique size, shape, topography, or location of the subject property;

**Response: Typically, a property of this size would only need to provide  $\frac{3}{4}$  road improvements along the east property line but since there is no potential for future uses a full road improvement is being requested. This is a unique situation. Also due to the shallow nature of the existing stormwater infrastructure and also the**

**shallowness of the ground water the footprint of the proposed stormwater facility is much larger than typical. Thus, requiring more are that can't be part of the lots.**

(c) The subject property is deprived, by provisions of this title, of rights and privileges enjoyed by other properties in the vicinity and under an identical zone;

**Response: As stated above typically just a ¾ road improvement would be required. Since there is no potential for the road to be used by the property to the east this development is being required to build full road improvement and it is being requested that just the requirement for the sidewalk be waved since there are no proposed users on that side of the road.**

(d) The need for the variance is not the result of deliberate actions of the applicant or property owner;

**Response: The property owner has done nothing to cause this situation.**

(e) The variance does not create health and safety hazards;

**Response: Since there are no users for the requested sidewalk to be waved there are not health or safety hazards created.**

(f) The variance does not allow establishment of a use that is not otherwise permitted in the zone in which the proposal is located;

**Response: No change in use is being requested.**

(g) The variance does not allow the creation of lots or densities that exceed the base residential density for the zone;

**Response: This variance will not allow the base density to be exceeded.**

(h) The variance is the minimum necessary to grant relief to the applicant;

**Response: The applicant is requested the minimum necessary to grant relief. One the portion of the sidewalk that doesn't serve any users is being requested to be waved.**

(i) The variance from setback or height requirements does not infringe upon or interfere with easements; and

**Response: Not applicable with this request**

(2) In granting any variance, the city may prescribe appropriate conditions and safeguards that will ensure that the purpose and intent of this title shall not be violated. Violation of such conditions and safeguards when made part of the terms under which the variance is granted is a violation of this title and punishable under MMC Title 4.

**Response: Noted. This is a fairly simple request and most likely will not require any conditions.**

Please feel free to contact me with any questions or comments.

Regards,

*LDC, Inc.*



Mark Villwock, PE  
Vice President