

Jimmi Serfling

From: Shane Miller <shane_miller_usa@yahoo.com>
Sent: Wednesday, February 14, 2018 2:56 PM
To: Jimmi Serfling
Cc: David Henderson; Evan Maxim; Don Cole; Alison VanGorp; shanemillerus@gmail.com
Subject: Re: Stop Work Order Posted - Follow-up re: 2/12 Courtesy Notice and 2/14 Onsite Meeting

Jimmi,

I hope you found today's onsite meeting helpful, including getting to hear in-person from experts such as the Licensed Geotechnical Engineer (Mr. Haberman) and Licensed Architect (Mr. Lee).

I'm in receipt of your Code Compliance Courtesy Notice dated February 12, 2018. However, the Notice does not appear to reflect the results of today's February 14, 2018 meeting nor the letter from Mr. Haberman, which was also provided today. For example, specifically:

- 1) The first sentence says there is wall construction taking place within the shoreline area, which is inaccurate. All work occurred well above and away from the shoreline, and the work was completed in a single day on or about February 2nd. You had received completed photos on or about February 5th, and witnessed the work in-person during today's meeting.
- 2) The first sentence also says that dirty water entered Lake Washington, which is inaccurate. I had provided photographs showing and explaining otherwise, and I believe you understood the explanations and photos shown.
- 3) The second sentence refers to lack of permits and property line issues for a driveway gate. Together we measured the gate and confirmed the height is less than 72 inches, and therefore we agreed there are no longer any code, permit or property line issues currently under Code Enforcement investigation for the driveway gate.
- 4) We both know that walls above the shoreline had existed previously. Both the Geotech Engineer and Architect wrote in their letters about the state of the preexisting wood walls. Their letters also explicitly find the work limited to "yard maintenance", which it was. I think Gareth may have also agreed the work was limited to yard maintenance. Therefore, we have 2-3 engineers and 1 architect *all* calling it yard maintenance. Therefore, I believe these issues are addressed by the letters from Mr. Lee and Mr. Haberman and the results of today's in-person, onsite review of the subject area.
- 5) The Notice goes on to repeat allegations about work in the shoreline area and dirt/mud. Again, no work occurred in the shoreline area because it was above and away from the shoreline area, and no dirt/mud entered the Lake.
- 6) The MI Shoreline Ordinance No 13C-12 Page 4 says, "uses and structures twenty five (25) feet landward from the OHWM, which were legally created may be maintained, repaired, renovated, remodeled and completely replaced to the extent that non-conformance with the standards and regulations of this Section is not increased."

It's unfortunate the neighbor is upset about 70 cypress trees and a driveway gate that were added for privacy, and that his frustration manifests itself through false reporting and fraud-based harassment. Recall the fact you had previously written an email to Mr. Kirby Christian stating this neighbor is not credible due to many other false code complaints he had previously submitted to your office. Enough is enough with his false complaints.

I don't believe there are any issues that remain outstanding following the information provided to date (Haberman and Lee letters) and the results of today's onsite meeting. I thank you for coming out today, and will look forward to working with you as appropriate.

Sincerely,

Shane

On Feb 14, 2018, at 8:17 AM, Jimmi Serfling <Jimmi.Serfling@mercergov.org> wrote:

Today I received the attached letter dated 2/9/18 from Cobalt Geosciences

Thank you,

Jimmi Serfling

City of Mercer Island Code Compliance
206-275-7709

*** Working part-time, I am in the office on Mondays, Wednesdays and Fridays.**

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From: shane miller [<mailto:shanemillerus@gmail.com>]
Sent: Wednesday, February 14, 2018 8:12 AM
To: Shane yahoo email <shane_miller_usa@yahoo.com>
Cc: Jimmi Serfling <Jimmi.Serfling@mercergov.org>; David Henderson <david.henderson@mercergov.org>; Evan Maxim <evan.maxim@mercergov.org>; Don Cole <Don.Cole@mercergov.org>; Alison VanGorp <alison.vangorp@mercergov.org>; shanemillerus@gmail.com
Subject: Re: Stop Work Order Posted - Letter from the Licensed Architect

Jimmi,

Please see attached letter from Licensed Geotechnical Engineer of Cobalt Geosciences Inc., Mr. Phil Haberman, PE, LG, LEG.

Note that Mr. Haberman finds the stone wall is more suitable than the previous wood landscaping wall. He also finds there has been no net negative effect on slope stability, erosion or the environment.

Mr. Haberman's letter calls the scope of work limited to yard maintenance.

Lastly, Mr. Haberman finds that addition of 70 large cypress trees, 60 arborvitae trees and addition of many other new trees and plants shave and will improve slope stability and erosion control.

Please confirm receipt of the letter from Mr. Haberman. I look forward to meeting with you onsite today at 10:00 a.m. I have arranged for Mr. Lee and Mr. Haberman to join us.

Sincerely,
 Shane
 (206) 910-8443

On Feb 7, 2018, at 8:21 AM, Shane Miller <shane_miller_usa@yahoo.com> wrote:

Jimmi,