

**Jimmi Serfling**

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**From:** Don Cole  
**Sent:** Friday, February 16, 2018 1:28 PM  
**To:** Shane Miller  
**Cc:** David Henderson; Jimmi Serfling; Evan Maxim; Alison VanGorp; shanemillerus@gmail.com; Gareth Reece  
**Subject:** RE: Stop Work Order Posted - Follow-up re: 2/12 Courtesy Notice and 2/14 Onsite Meeting

Hello Mr. Miller,

I reviewed the email correspondence, photos, and spoke with Gareth and Jimmi regarding the recent scope of work conducted above your shoreline along with the associated code enforcement actions taken. My review confirmed that a permit is required for this work because work within land use critical areas is not exempt from permit (as highlighted in the code section below). Work within such as areas is not exempt in order to verify work is in compliance with the protective regulations for such critical areas.

The previously posted stop work order remains in effect (except that temporary slope stability and erosion controls measures under the direction of a licensed geotechnical engineer may be installed/maintained).

I would be happy to meet to discuss the permit process, applicable regulations and other questions you may have.



Don Cole, Building Official  
Development Services Group  
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MICC 17.14 Section 105.2 Work exempt from permit. Exemptions from permit requirements related to the construction codes shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of

the construction codes or any other laws or ordinances of this jurisdiction. **Permit exemptions shall not apply to Areas of Flood Hazard and City Land Use Critical Areas.** Permits shall not be required for the following:

Public service agencies or Work in the Public Way.

1. A permit shall not be required for the installation, alteration or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies established by right.
2. A permit shall not be required for work located primarily in a public way, public utility towers and poles (but not exempting wireless communications facilities not located in a public way) and hydraulic flood control structures.

Grading.

1. An excavation below existing finished grade for basements and footings of an existing building, retaining wall or other structure authorized by a valid building permit. This shall not exempt any excavation having an unsupported height greater than 5 feet.
2. An excavation of less than 50 cubic yards of materials which:
  - a. is less than 2 feet in depth and/or
  - b. which does not create a cut slope of a ratio steeper than two horizontal to one vertical.
3. A fill of less than 50 cubic yards of material which is less than 1 foot in depth and placed on natural terrain with a slope flatter than five horizontal to one vertical.

Building.

1. One-story detached accessory structures constructed under the provisions of the IRC used as tool and storage sheds, tree supported play structures, playhouses and similar uses, provided the floor area does not exceed 200 square feet (18.58 m<sup>2</sup>).
2. Fences not over 6 feet (1,829 mm) high.
3. Oil derricks.
4. Retaining walls and rockeries which are not over 4 feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.

**From:** Jimmi Serfling  
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