



ECCO

August 11, 2022

Re: Permit # SHL24-028
Project Name Rontos Pier, Lifts, & Stairs
Project Address 4713 Forest Ave SE (parcel # 404500-0045)
Reviewer Molly McGuire, Planner
Department Planning & Development

Contact Evan Wehr
Contact Phone (509) 969-1994
Contact Email evan@eccodesigninc.com

Molly,

Below are our responses to the corrections in your letter dated December 6, 2024. Your original comments are in **bold italics** followed by our response in plain text.

Corrections

1. *Please review and prepare responses to the public comment received from the WA Department of Ecology (attached).*

In response to DOE's comments, the dock is not being expanded. The existing swim platform is being removed and it is being reduced in size. The existing dock configuration is 540 square feet and the proposed configuration is 420 square feet. The proposed platform lift is 66 square feet. Even with the platform lift the total area will be less than the existing dock (486 square feet).

Secondly the existing dock is to be repaired, it will not be a new dock. The dock is legally non-conforming as it existing prior to the shoreline management act and can be maintained per MCC 19.13.020 (A).

19.13.050 F. 1. iii. Requires 25% native vegetation within 20' of the ordinary high water mark. There will be 67% native vegetation coverage within 20' of the ordinary high water mark. Vegetation coverage calcs have been added to sheet 13 of the revised plans.

2. *Provide a diagram showing the calculations of both existing and proposed lot coverage and hardscape within the two shoreline areas (0-25' and 25-50' landward from the OHWM).*

Lot coverage calculations have been added to sheet 15 of the revised plans.

3. *Show the waterward 30' offset from the OHWM on the site plans.*

The offset has been added to sheets 2 and 3 of the revised plans.



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4. Provide a Criteria Compliance Narrative demonstrating how the proposed development meets all of the applicable standards in MICC 19.13.050.

A code compliance narrative has been included at the end of this letter.

5. Moorage facility is defined as: “Any device or structure used to secure a boat or a vessel, including piers, docks, piles, lift stations or buoys”. The platform lift would be considered as part of the moorage facility and must meet all dimensional standards including width. It appears that the addition of the platform lift does not comply with the maximum allowed width in MICC 19.13.050(D) Table D.

The proposed platform lift has been revised to be 6' wide as required by the code.

Please feel free to contact me if you have any questions or if you require any additional information.

Regards,

Evan Wehr

Routos Pier, Lifts, & Stairs

Project Code Narrative

MICC 19.13.050(D) Table D.

Setbacks for Docks, Covered Moorages, and Floating Platforms

The proposed platform lift will be greater than 10' from the lateral line.

Length or Maximum Distance Waterward from the OHWM for Docks, Covered Moorage, Boatlifts and Floating Platforms

The proposed platform lift will not be greater than 100' from the OHWM.

Width of Moorage Facilities More Than 30 Feet Waterward from the OHWM

The platform lift will be 6' wide.

MICC 19.13.050(F)

3.Alternative development standards. The code official shall approve moorage facilities not in compliance with the development standards in subsection (F)(1) or (F)(2) of this section subject to both U.S. Army Corps of Engineers and Washington Department of Fish and Wildlife approval to an alternate project design. The following requirements and all other applicable provisions in this chapter shall be met:

i.The dock must be no larger than authorized through state and federal approval;

The state and federal approvals will be submitted with the building permit to show that the size has been authorized by them. The proposed dock and platform lift will be 486 square feet.

ii.The maximum width must comply with the width of moorage facilities standards specified in standards specified in subsection D of this section (Table D);

The proposed platform lift will be 6' wide in compliance with this section.

iii.The minimum water depth must be no shallower than authorized through state and federal approval;

Not applicable to the project.

iv.The applicant must demonstrate to the code official's satisfaction that the proposed project will not create a net loss in ecological function of the shorelands; and

A no net loss report demonstrating this has been previously submitted.

v. The applicant must provide the city with documentation of approval of the moorage facilities by both the U.S. Army Corps of Engineers and the Washington Department of Fish and Wildlife.

The state and federal approvals will be submitted with the building permit.

MICC 19.13.020 (A)

Legal nonconforming uses and structures may continue. Overwater uses and structures, and uses and structures 25 feet landward from the OHWM, which were legally created may be maintained, repaired, renovated, remodeled and completely replaced to the extent that nonconformance with the standards and regulations of this chapter is not increased.

The existing pier was built prior to the shoreline management act and it is legally non-conforming. Below is an aerial photo from Mercer Island's GIS dated 1963 that shows the pier in the same configuration as present day.

