

**PROJECT & CRITERIA COMPLIANCE NARRATIVES –  
SHORELINE EXEMPTION & CRITICAL AREAS  
MODIFICATION**

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12 December 2024

Project: Glasser Residence  
Location: 6211 77<sup>th</sup> Ave SE

Permit #:

Regarding: **SHORELINE EXEMPTION & CRITICAL AREAS MODIFICATION**

To Whom It May Concern:

We are proposing two small additions to an existing single family residence located at 6211 77<sup>th</sup> Ave SE. All work proposed will occur within and under existing structures. No changes to the structure footprint, critical areas, buffers, setbacks, building height, lot coverage, hardscape, or landscape is proposed under this permit. We believe the project qualifies for a Critical Areas Review 1 and a shoreline exemption per the following code requirements:

Per WAC 173-27-040-2:

Developments exempt from substantial development permit requirement.

(2) The following developments shall not require substantial development permits:

*(a) Any development of which the total cost or fair market value, whichever is higher, does not exceed five thousand dollars, if such development does not materially interfere with the normal public use of the water or shorelines of the state – n/a*

*(b) Normal maintenance or repair of existing structures or developments – n/a*

*(c) Construction of the normal protective bulkhead common to single-family residences - n/a*

*(d) Emergency construction necessary to protect property from damage by the elements - n/a*

*(e) Construction and practices normal or necessary for farming, irrigation, and ranching activities – n/a*

*(f) Construction or modification of navigational aids such as channel markers and anchor buoys; - n/a*

*(g) Construction on shorelands by an owner, lessee or contract purchaser of a single-family residence for their own use or for the use of their family, which residence does not exceed a height of thirty-five feet above average grade level and which meets all requirements of the state agency or local government having jurisdiction thereof, other than requirements imposed pursuant to chapter 90.58 RCW. "Single-family residence" means a detached dwelling designed for and occupied by one family including those structures and developments within a contiguous ownership which are a normal appurtenance. An "appurtenance" is necessarily connected to the use and enjoyment of a single-family residence and is located landward of the ordinary high water mark and the perimeter of a wetland. On a statewide basis, normal appurtenances include a garage; deck; driveway; utilities; fences; installation of a septic tank and drainfield and grading which does not exceed two hundred fifty cubic yards and which does not involve placement of fill in any wetland or waterward of the ordinary high water mark. Local circumstances may dictate additional interpretations of normal appurtenances which shall be set forth and regulated within the applicable master program. Construction authorized under this exemption shall be located landward of the ordinary high water mark;*

This project proposes two small additions to the existing single family residence, for continued use of the homeowners. The work will occur within the existing structure footprint, under existing structures, and

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landward of the OHWM. A 203sf addition is proposed at the basement level, under the existing main floor deck. A second, 69 sf addition is proposed at the front of the home, under an existing roof. Neither addition proposes to increase the residence's height, nor the home's existing shoreline setback.

Since the project proposes additions that will occur completely within the footprint of and under existing structures, the project proposal also does not change or impact the structure footprint, critical areas, buffers, setbacks, lot coverage, hardscape, or landscape.

*(h) Construction of a dock, including a community dock, designed for pleasure craft only, for the private noncommercial use of the owner, lessee, or contract purchaser of single-family and multiple-family residences – n/a*

*(i) Operation, maintenance, or construction of canals, waterways, drains, reservoirs, or other facilities that now exist or are hereafter created or developed as a part of an irrigation system for the primary purpose of making use of system waters, including return flow and artificially stored groundwater from the irrigation of lands - n/a*

*(j) The marking of property lines or corners on state-owned lands, when such marking does not significantly interfere with normal public use of the surface of the water – n/a*

*(k) Operation and maintenance of any system of dikes, ditches, drains, or other facilities existing on September 8, 1975, which were created, developed or utilized primarily as a part of an agricultural drainage or diking system – n/a*

*(l) Any project with a certification from the governor pursuant to chapter 80.50 RCW – n/a*

*(m) Site exploration and investigation activities that are prerequisite to preparation of an application for development authorization under this chapter – n/a*

*(n) The process of removing or controlling aquatic noxious weeds – n/a*

*(o) Watershed restoration projects as defined herein - n/a*

*(p) A public or private project that is designed to improve fish or wildlife habitat or fish passage - n/a*

*(q) The external or internal retrofitting of an existing structure with the exclusive purpose of compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.) or to otherwise provide physical access to the structure by individuals with disabilities – n/a*

Per MICC 19.07.130, several activities may be allowed with an approved Critical Area Review 1. We believe our project falls under 19.07.130.A:

*A. Addition to or reconstruction of an existing legally established structure or building within a critical area and/or buffer constructed on or before January 1, 2005, provided the following criteria are met:*

*1. The seasonal limitations on land clearing, grading, filling, and foundation work described in section 19.07.160(F)(2) shall apply.*

*2. Additions shall be allowed if all of the following criteria are met:*

*a. The structure is enlarged not more than a cumulative total of 200 square feet larger than its footprint as of January 1, 2005;*

*b. If the existing, legally established structure is located over or within a wetland or watercourse, no further expansion within the wetland or watercourse is allowed;*

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*c. If the existing legally established structure is located within a wetland or watercourse buffer, the addition may be no closer to the wetland or watercourse than a distance equal to 75 percent of the applicable standard buffer and must also be no closer to the watercourse or wetland than the existing structure*  
*;d. A critical area study approved by the city demonstrates that impacts have been avoided or minimized and mitigated consistent with section 19.07.100, mitigation sequencing;*  
*e. If the modification or addition is proposed within a geologically hazardous area or associated buffer, a qualified professional provides a statement of risk consistent with section 19.07.160(B)(3).*

The project proposes to remain within the building's existing footprint so the structure footprint will not be increased. This also means the project will not decrease the existing separations from the shoreline setback, nor increase any footprint located in geologically hazardous areas. The construction sequencing will follow the seasonal limitations.

Thank you for your time and effort on this, and please let me know if I can be of further assistance.



**Michelle Linden**, Principal, Atelier Drome PLLC