



162850139000-090-107-DAVIDSON-20120426

107

(x2.)

April 24, 2012

San Juan County Community Development and Planning Dept.
135 Rhone St.
P.O. Box 947
Friday Harbor, WA 98250

S.J.C. COMMUNITY

APR 26 2012

DEVELOPMENT & PLANNING

ATTN: Colin Maycock

REFERENCE: Critical Areas Ordinance and designation of our property at 159 Marine Drive on Blakely Island (Lot 139 on the plat map) as having a Wetland.
Tax Parcel: **162850139000**
DICR management area : Blakely Island
Map: B
Shoreline Reach: 90

Members of the SJC CDPD I am writing this letter out of concern regarding you and your consultants' designation of our property (159 Marine Drive on Blakely Island – Plat lot 139 - See Map labeled Exhibit A) as a wetland. The designation of this property of being or having a wetland is incorrect and if the CAO is adopted using this map will require us to prove that it is not when in fact it never was since we owned it. This imposes a burden upon us that is unjust. The incorrect designation puts the financial burden on us to prove that it is not a wetland and requires us to prove by hiring experts that it is not a wetland. This imposes a immediate financial burden upon us to refute the designation as well as if adopted as shown would impose restrictions regarding the future use of our property and setbacks that would have both an impact upon our plans for constructing our retirement home as well as our property value and retirement plans.

This property was originally developed in 1958 and we purchased it 7 years ago along with the cabin that was originally built in 1958 on the property. It has been our year round recreation home. The front yard is our playground for our grandchildren and dogs and is the main area for recreation activities ranging from badminton, softball, to soccer, and beachside barbeques. Since long before we purchased the property the area denoted as a wetland on your map has been a lawn which requires lawn mowing year round. We recently installed a complete new septic system to replace the original one installed in 1958 and as proof of the area in question not being a wetland the septic design which was approved by the county designated the area shown on your map as a wetland is shown as our reserve drain field. If this area was a wetland the County would never have allowed it to be designated as the reserve drain field. The area has

no vegetative species that are indicative of a wetland and there is no stream, creek or waterway that either connects or runs through or near it. See Photos labeled exhibit B showing the terrain and activities that take place on this area of our property.

We have only seen standing water in this area 2 times in the last 7 years and each event was preceded by extremely high tides accompanied by high winds and waves from the North cresting over the beach front along with low barometric pressure, and record setting rain. The standing water only lasted a few hours, less than some of the puddles in our driveway. To define this as a wetland is a complete misuse of the word and definition of wetland.

We officially request a revision to your map removing our lot as showing as a wetland. I formally request that you delay any decision to enact the CAO ordinance until the public has more time to review the maps and restrictions and provide both time and a method to appeal any designation as a wetland prior to formal adoption of this ordinance. To do so any other way would be both arbitrary and capricious.

If this incorrect designation remains and we have to fight this by hiring professional consultants we would be pressing the county for reimbursement of all expenses to correct what is a mistake by both the county and Herrera.

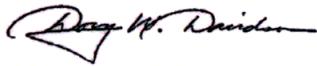
Attached please find a narrative of our property and it uses for creating a baseline of our property prior to any new regulations labeled Exhibit C.

We personally object to the restrictions the proposed CAO would impose on all island land owners and fail to understand or see where the present rules and regulations are inadequate to protect the character and environment of the San Juan Islands. In reviewing the requirements of the proposed CAO it requires setbacks of 260 from possible wetlands. This requirement seems overly burdensome and if implemented would have drastic effects on not only the lot owner but owners of several lots adjacent to the property with the indicated wetland. This requirement is overly burdensome and I hope it is not the intent of the Planning committee to put such far reaching restrictions on both the property with a wetland as well as adjacent properties. In the instance of our lot the 260' restriction would prohibit rebuilding or building on not only our lot but the 3 lots on each side of our lot for a total of 6 lots. I urge the committee to reduce the setback requirement to significantly less as supported by more modern science and studies.

Both my wife and I have gone through the hundreds of pages of the Shoreline Inventory and characterization report by Herrera Environmental Consultants but can find no formal procedure to correct the improper characterization of our property

We formally request that you provide us with explicit directions on how we can change this designation before any changes take affect.

Sincerely

A handwritten signature in black ink that reads "Doug W. Davidson". The signature is written in a cursive style with a large, stylized initial "D".

Doug W. & Janet Davidson
159 Marine Drive (plat lot 139)
Blakely Island, WA. 98222

Mail Address

Doug W. & Janet Davidson
7035 135th Place SE
Newcastle WA. 98059

April 24, 2012

Response to Shoreline Inventory Report / San Juan County

PROPERTY OWNERS: ___Doug & Janet Davidson_

STREET ADDRESS_____159 Marine Drive, Blakely Island WA 98222__

MAIL ADDRESS IF DIFFERENT_7035 135th Place SE, Newcastle, WA 98059

Please add our e-mail to the contact list for future shoreline proceedings
e-mail dwd54@comcast.net; ddavidson@pumptechnw.com

TAX PARCEL NUMBER(S) ___1628501390_____

ISLAND - Blakely Island

MANAGEMENT AREA_____B_____

REACH NUMBER _____90_____ (FROM MAP index 37)

Property Context – Broad Scale –Exhibit A

Property Context – Close scale – Exhibit A

Existing Development on Property – Exhibit B

Property Narrative – Exhibit C

Does the discussion of the Reach properly reflect your property location, setting and context.

Yes_____, NO_X___ (Refer to reach characteristics in the text and appendices)

If not why not. ___ There are no wetlands

Does the site and adjacent shoreline contain any of the "Nearshore Key habitats and species area (identified on pp 61-76)

NO__X___

YES_____ please specify _____ Not to our knowledge_____

IS YOUR PARCEL LISTED AS A POTENTIALLY NONCONFORMING LOT BY REASON OF A STRUCTURE

WITHIN 50 FEET OF THE SHORELINE (Map 35 A, B or C)

NO _____
YES _____

DO THE PHOTOGRAPHS ATTACHED REFLECT THE EXISTING CONDITION AT YOUR SITE?

YES _____
NO _____

DOES THE INVENTORY REPORT IDENTIFY ANY SCIENTIFIC BASIS FOR MAKING YOUR PROPERTY A NONCONFORMING USE?

NO _____ The report provides NO scientific basis for designation of a wetland, however, depicts it as a wetland incorrectly

WHAT IS THE AVERAGE LOT SIZE ON THE SHORELINE IN THE AREA OF YOUR PROPERTY?

_____ Less than one acre, one acre to less than five acres _____, five acres and over

WHAT IS THE PROPERTY'S CURRENT SHORELINE DESIGNATION?

URBAN _____, RURAL _____, CONSERVANCY _____
NATURAL _____

WHAT IS THE CURRENT GMA COMPREHENSIVE PLAN DESIGNATION AND ZONING FOR YOUR

PROPERTY? (MAPS ON FILE WITH COUNTY

COMPREHENSIVE PLAN _____ unknown _____
ZONING _____ unknown _____

DOES YOUR NEIGHBORHOOD FIT THE CRITERIA FOR A RESIDENTIAL ACTIVITY CENTER AS DEFINED IN THE 2010 COMPREHENSIVE PLAN?

YES _____
NO _____

IF YES, DOES THE SHORELINE INVENTORY REPORT ACCURATELY REFLECT THE RESIDENTIAL ACTIVITY CENTER CHARACTERISTIC AND SHORELINE RESIDENTIAL MANAGEMENT GOALS IN CHARACTERIZING YOUR REACH.

YES _____
NO _____

OTHER COMMENTS AND OBSERVATIONS ATTACHED

THE UNDERSIGNED PROPERTY OWNERS REQUEST THAT THE MATERIALS SUBMITTED HERewith BE INCORPORATED INTO THE COUNTY INVENTORY AND CHARACTERIZATION REPORTS TO MORE ACCURATELY REFLECT THE CHARACTERIZATION OF THE SHORELINE ABUTTING OUR PROPERTY.

(CHECK IF APPROPRIATE) AND THAT THE COUNTY SPECIFICALLY IDENTIFY AND DESIGNATE OUR AREA AS A RESIDENTIAL ACTIVITY CENTERS UNDER GMA AS PROVIDED IN THE COMPREHENSIVE PLAN BEFORE PROCEEDING WITH THE SHORELINE DESIGNATION PROCESS.

Owner's Signature & Date

Print

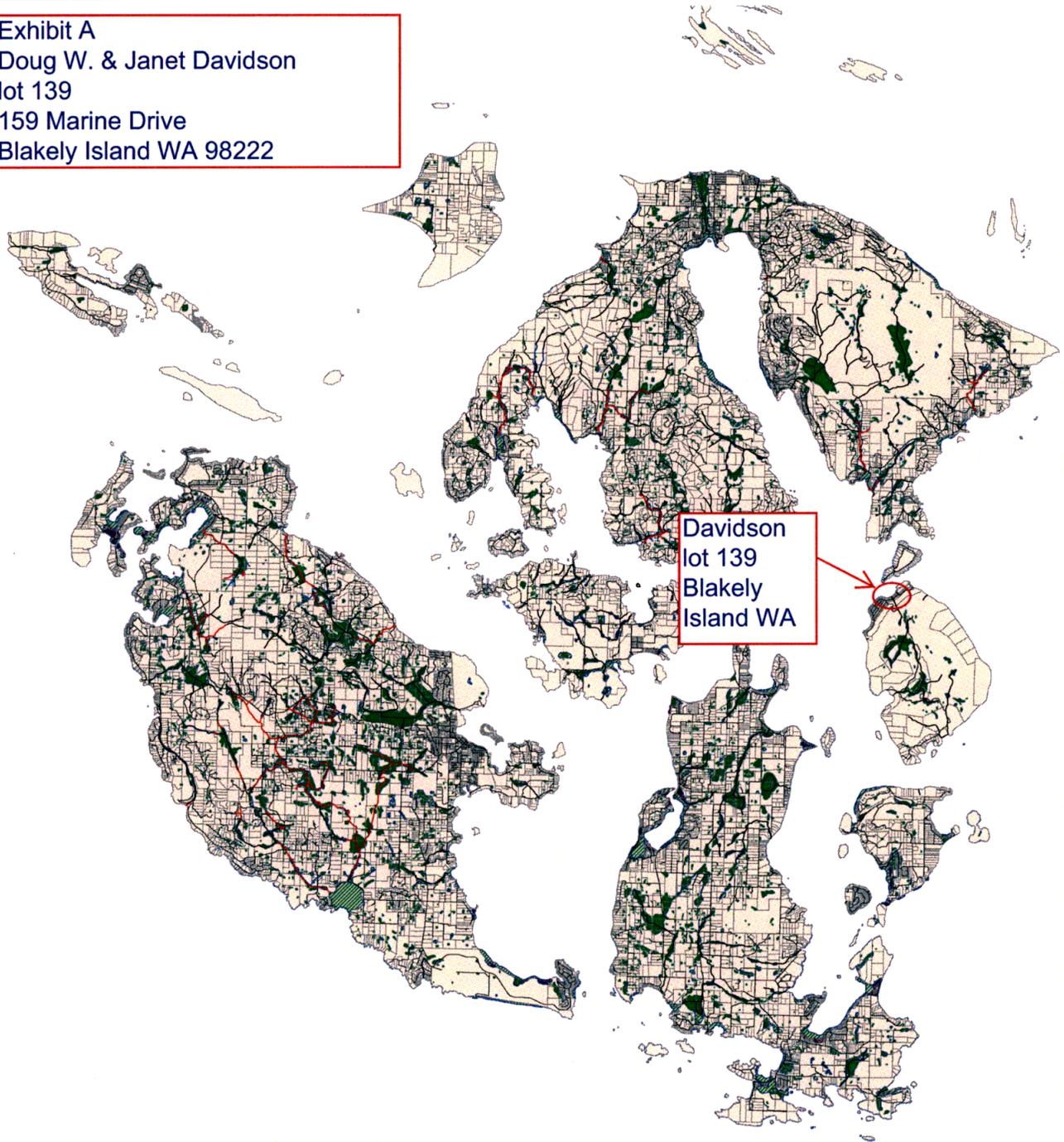


Douglas W. Davidson



Janet S. Davidson

Exhibit A
 Doug W. & Janet Davidson
 lot 139
 159 Marine Drive
 Blakely Island WA 98222



Davidson
 lot 139
 Blakely
 Island WA

Legend

- Fish Stream
- Seasonal Stream (No Fish)
- Perennial Stream (No Fish)
- Untyped Stream
- New Possible Non-tidal Wetlands
- New Possible Tidal Wetlands
- Old Wetland Designations
- Old Marine Marsh Designations



This map is a graphic representation derived from San Juan County's Geographic Information System. It is designed and intended for reference only, and is not guaranteed to reflect accuracy. Information represented on this map is subject to change without notice.



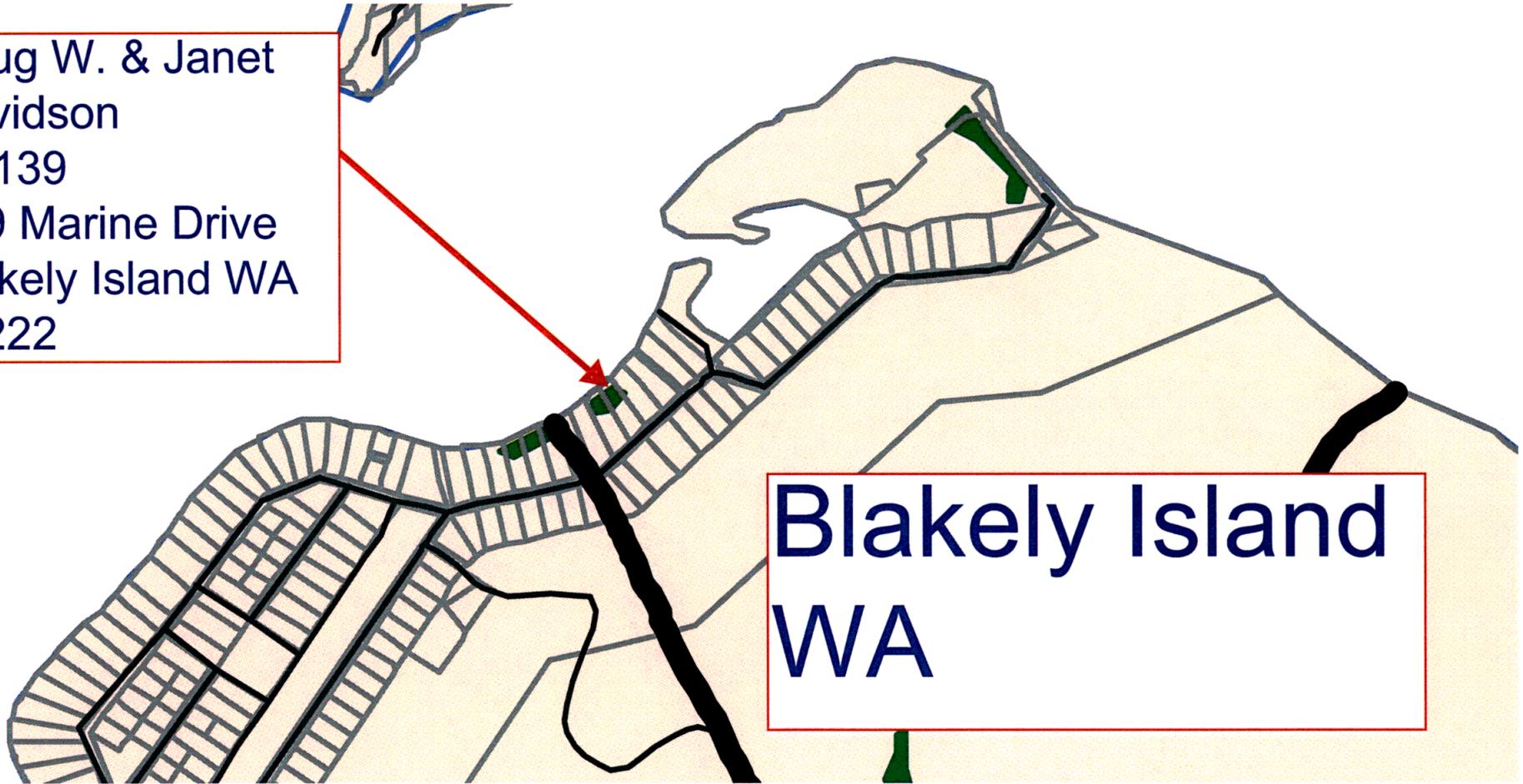
San Juan County Possible Wetlands

Drawn By
 BGM

Date
 08/11/12

Doug W. & Janet
Davidson
lot 139
159 Marine Drive
Blakely Island WA
98222

Blakely Island
WA



San Juan County - Polaris Property Search

Map Scale: 1"=50'

Map Contents

Search

Find Address
Find Road
Find Parcel
Find Island

Search Results (Right click to zoom)

162850139000 (1)

- Tax Parcels (1)
 - 162850139000
 - OBJECTID 18236
 - Tax Parcel Number 162850139000
 - Island Blakely
 - Waterfront Length (ft.) 85
 - Acres 0.67
 - Tax Purpose
 - Tideland Length (ft.) 1.27
 - Owner {Owner}

Overview Map





To see all the details that are visible on the screen, use the "Print" link next to the map.



Lot 139

Exhibit B
Doug W. & Janet Davidson
Lot 139
159 Blakely Island, WA 98222



COA Map shows
this area as a
wetland.



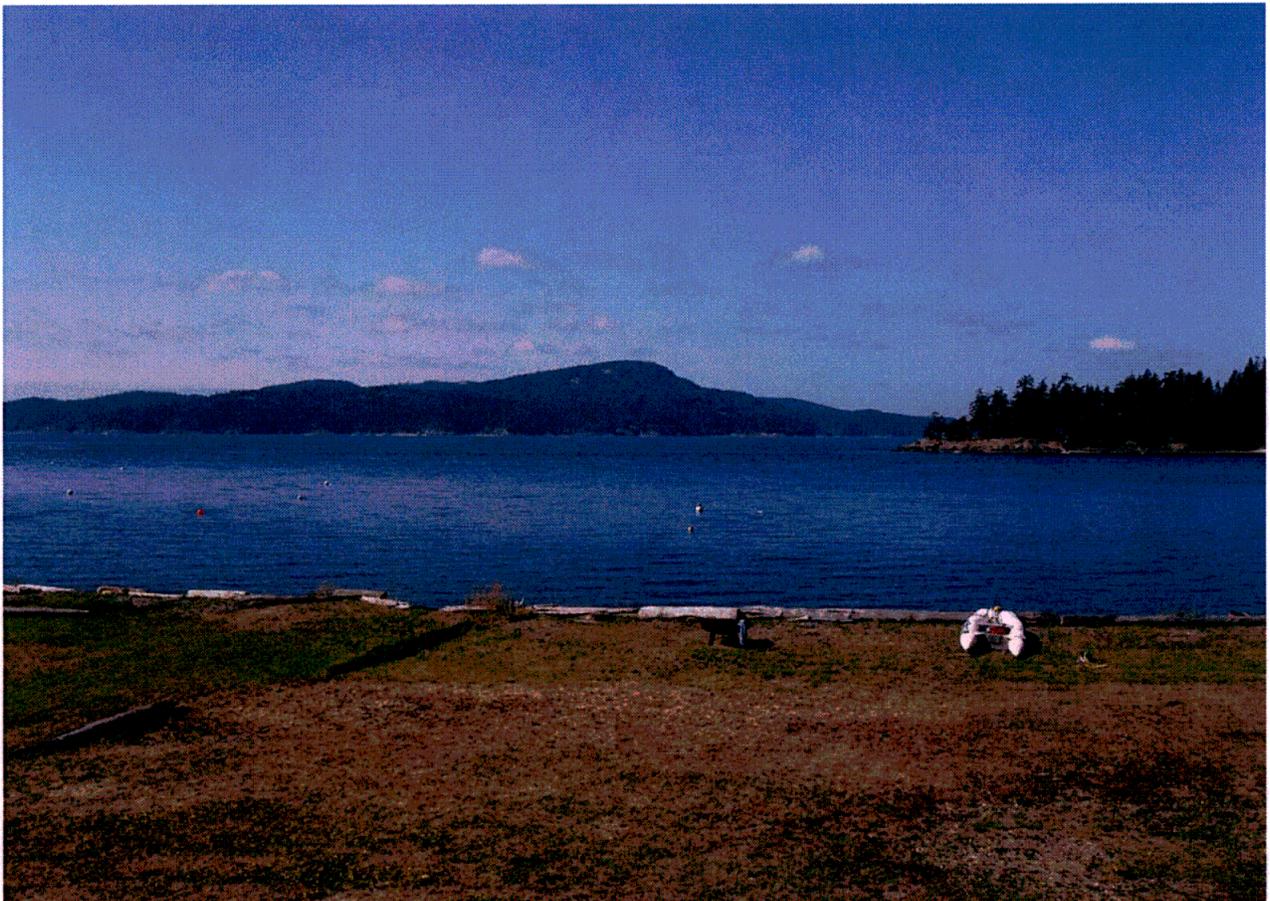
COA Map shows
this area as a
wetland.



COA Map shows this area as a wetland.



COA Map shows this area as a wetland.



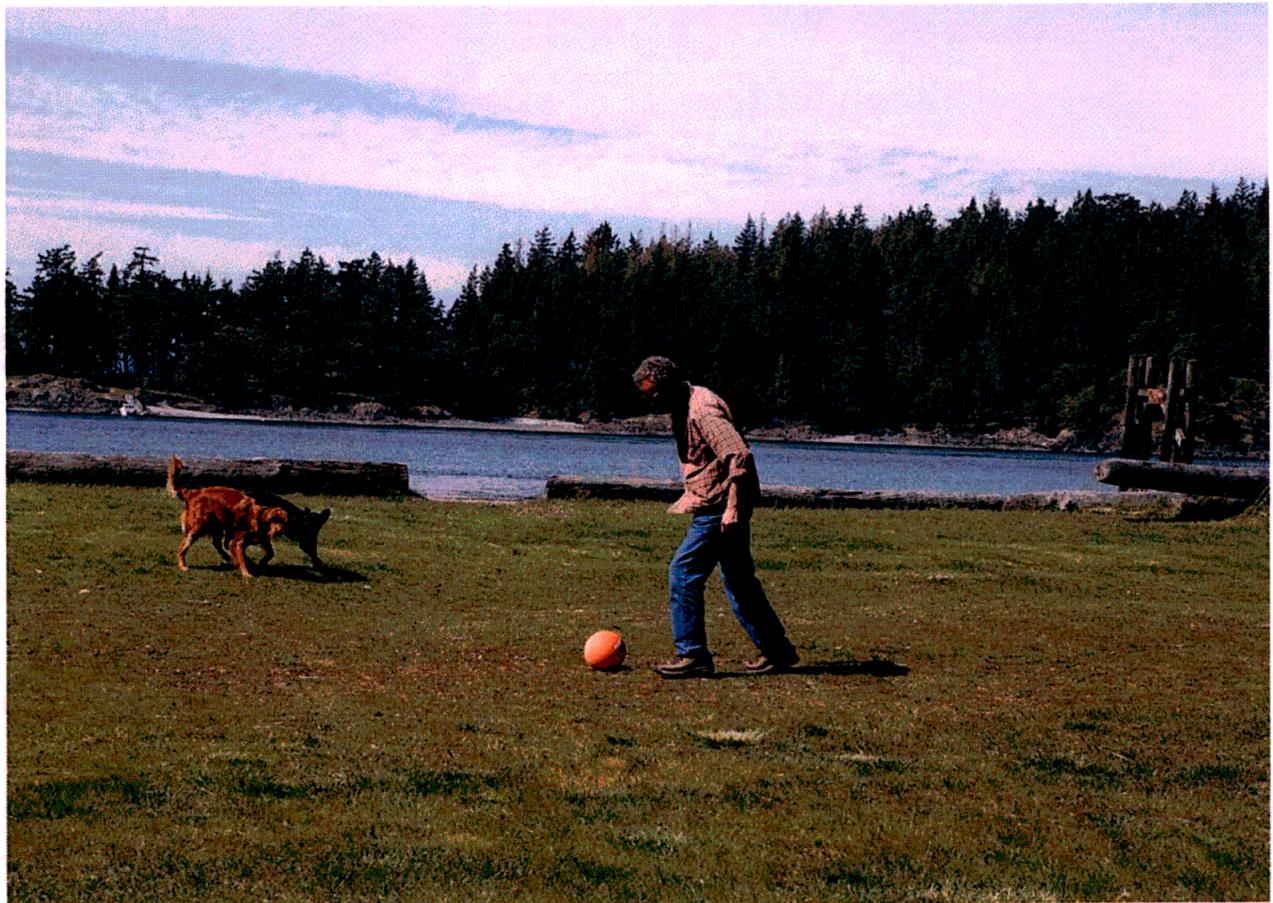
Notice that there are no wetland indicative species or growth, no steams or creeks or swamp



COA Map shows this area as a wetland.









April 24, 2012

Property Narrative

Doug and Janet Davidson
159 Marine View Drive
Blakely Island, WA 98222

Tax Parcel: **162850139000**
DICR management area: Blakely Island
Map: B
Shoreline Reach: 90

This property was originally developed in 1958 when a small 750 square foot cabin and 350 square foot garage were built on it. The property has flat low bank northwesterly facing waterfront with a slight berm at the shoreline. The beach is primarily beach rock and sand. The area from the beach back to the cabin and garage (approximately 120') is relatively flat and level and has been a playground and front yard for all that have owned the property since it was originally developed and built on.

We purchased the property it 7 years ago along with the original cabin and garage that was built in 1958. It has been our year round recreation home. The front yard is our playground for our grandchildren and dogs and is the main area for recreation activities ranging from badminton, softball, to soccer and beachside barbeques. Since long before we purchased the property the front yard (which is denoted as a wetland on your map) has been a lawn which requires lawn mowing year round.

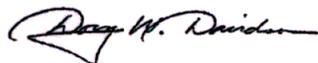
The balance of the property to the east of the cabin consists of a circular graveled driveway that comes off of Marine view drive and winds down about 10' of elevation from the road where it levels out. Approximately 50' east of the original cabin is a recently built garage with bunkhouse. Surrounding this area to the north, east and south are mixed fir, cedar and hemlock trees of various sizes. With the construction of the garage and bunkhouse a new septic system was installed just to the east of the garage/bunkhouse. This replaced the original septic system that had a limited drain field just east of the original cabin.

The county approved septic design designated the area west of the original cabin (the front yard area between the original cabin and the shoreline) as the reserve drain field. This area is presently depicted on the counties CAO map as a wetland. If this area was a wetland the county would never have allowed it to be designated as the reserve drain field area and the soils would not have passed any perk testing. The area has no vegetative species that are indicative of a wetland and there is no stream, creek or waterway that either connects or runs through or near it. This area is the primary recreation area for

all activities such as volleyball, Badminton, softball, football, Frisbee, Ball
throwing for the dogs, barbecuing, beach fires and sunbathing.

We formally request that this narrative be entered into the county records
as an accurate description of our property for posterity prior to any new
regulations being imposed.

Sincerely

A handwritten signature in cursive script that reads "Doug W. Davidson".

Doug W. & Janet Davidson
159 Marine Drive (plat lot 139)
Blakely Island, WA. 98222

Mail Address

Doug W. & Janet Davidson
7035 135th Place SE
Newcastle WA. 98059