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SAN JUAN COUNTY  
RESPONSE TO SHORELINE INVENTORY REPORT

See: [http://sanjuanco.com/CDP/docs/SMP/SJC\\_Shoreline\\_Inventory\\_and\\_Characterization\\_Report\\_January\\_2012\\_Final.pdf](http://sanjuanco.com/CDP/docs/SMP/SJC_Shoreline_Inventory_and_Characterization_Report_January_2012_Final.pdf)

PROPERTY OWNERS: John and Jamie Casey

STREET ADDRESS 1607 Yacht Haven Road

MAIL ADDRESS IF DIFFERENT Friday Harbor, WA 98250

If checked Please add our e-mail to the contact list for future shoreline proceedings

e-mail \_\_\_\_\_

TAX PARCEL NUMBER(S) 462650024 + 462650025 J.C. COMMUNITY

ISLAND San Juan APR 30 2012

MANAGEMENT AREA Roche Harbor DEVELOPMENT & PLANNING

REACH NUMBER 227 (FROM MAP index 37)

PROPERTY CONTEXT –Broad scale **Attachment 1**  
(Google Earth or Map quest showing reach or general context 1/4-1/2 mile or so)

PROPERTY CONTEXT (Close Scale) **Attachment 2**  
(Google Earth or Map quest showing site and adjoining properties)  
(If you can scale setbacks from structures and elements of the built environment including lawns, garden patio's etc onto the photo—So much the better)

EXISTING DEVELOPMENT ON THE PROPERTY **Attachment 3**

A series of Photo's

At the shoreline showing the current condition (include physical characteristics of the shoreline and both retained native vegetation and elements of the built environment improvements to include docks, bulkheads, walkways trails etc) both high and low tide photo's

At the home or business showing the current condition (include photo's of the house setting in relationship to the shoreline, other structures, lawns, patios, places of shoreline access for people, boats other improvements For commercial uses make sure the totality of the site use is properly characterized)

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

Yes \_\_\_\_\_, NO  (Refer to reach characteristics in the text and appendices)

If not why not. See Attachment A

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

NO

YES  please specify If not contested in Attachment  
A property owner is in agreement with maps

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

IF YES, DOES THE CHARACTERIZATION IDENTIFY ANY SPECIFIC HARM THE EXISTING STRUCTURE(S) IS/ARE CAUSING ON THE EXISTING SHORELINE CONDITION OR HABITAT? **(MAKE SURE YOU CHECK THE APPENDICES)**

NO

YES  AT PAGE(S) \_\_\_\_\_

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? **(MAKE SURE YOU CHECK THE APPENDICES)**

NO

YES  AT PAGE(S) \_\_\_\_\_

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 \_\_\_\_\_

→ RR

WHAT IS THE CURRENT GMA COMPREHENSIVE PLAN DESIGNATION AND ZONING FOR YOUR PROPERTY? (MAPS ON FILE WITH COUNTY

COMPREHENSIVE PLAN Rural  
ZONING Rural Residential

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

Residential Activity Centers are residential areas that have existing development patterns more dense than one unit per five acres, some portion of which is served by non-rural levels of capital facilities or services.

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 \_\_\_\_\_

NA

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.~~

OWNERS SIGN

PRINT

  
\_\_\_\_\_

John J. Casey  
\_\_\_\_\_

## ***Attachment A***

John and Jamie Casey own two contiguous parcels (TPNs 462650024 and 462650025) on Mosquito Pass, San Juan Island. The review of the San Juan County 2012 Shoreline Inventory and Characterization identifies several environmental and geological characterizations that do not accurately define these properties. The following are items of particular concern:

1. Map 9A does not recognize the existence of a boat house on the property but only the associated marine railway and a mooring buoy. (Please see the attached photographs.)
2. Map 12A indicates the properties are located in a Zone A FEMA Flood Plain. There has been no history or evidence of these properties experiencing flooding. In fact, these properties include a medium to high rocky shoreline bank. (See attached photograph.)

It is a known fact that the FEMA FIRM maps are extremely flawed as they pertain to San Juan County and are not a reliable source to determine flood prone areas within this county.

3. Map 22A shows that the shoreline is considered an “estuarine zone.” “Estuarine” is defined as “those areas that are partially protected from marine circulation and waves and possess some amount of freshwater input.”

These properties are located along the Mosquito Pass which is far from being a “protected from marine circulation and wave action.” The wave action experienced along this shoreline can be extreme at times, especially during fall and winter storm events.

Regarding the characteristic of the marine waters “possessing freshwater”, there are no streams, springs, or wetlands on or within the vicinity of these properties that introduce freshwater into Mosquito Pass. Although upland stormwater run-off naturally flows into the marine waters, as do ALL shorelines within San Juan County, the quantity is not of a sufficient amount to classify the properties as an estuarine zone.

4. Map 35A identifies TPN 462650024 as “potentially non-conforming” but does not describe the non-conformity. (TPN 462650025 is undeveloped at this time.) “Uses” on the property (residential, residential accessory and dock use) are not considered non-conforming. It is the placement of certain structures that may make development on site considered potentially non-conforming, including the single family residence, formal landscaping located seaward of the residence and wildlife observation deck. (See attached photographs.)

Assessor’s records indicate the house was first constructed in 1954 at a time when no development standards existed for shoreline developments. The existing residence is less than 50-feet from the Top-of-Bank. There is no vegetative screening along the shoreline of this parcel.

San Juan County currently enforces setbacks from either the OHWM (which can be located scientifically) or from the Top-of Bank (which has no basis in science) depending upon the amount of native vegetation that exists along the shoreline. A 50-foot setback is allowed if vegetation provides an appropriate visual screen as viewed from the water and 100-feet if there is no vegetative screen.

The “Top-of Bank” has been described in the past by San Juan County as the area along a sloping shoreline where “you would no longer drive your Mercedes.” It is clear that the residence does meet a 100-foot setback from the Top-of-Bank as is required to day causing the residence to be considered non-conforming.

Two other non-conforming structures that exist on site are the wildlife observation deck which is constructed at the Top-of Bank and a detached garage located north of the residence. (See attached photographs.) This deck and garage is considered an accessory structure which would not be allowed to be constructed on the property in these locations today. They would have to be either physically connected to the residence outside the 100-foot shoreline setback or placed landward of the most landward point of the residence. The location of these structures makes them non-conforming.

Finally, under the current SMP, no native vegetation removal is allowed seaward of the shoreline setback. The attached photographs clearly show a well maintained formally landscaped yard located between the residence and the Top-of-Bank. This formally landscaped yard is considered non-conforming.



1:1200

### Casey San Juan Island Property

This data has been compiled for San Juan County. Various official and unofficial sources were used to gather this information. Every effort was made to ensure the accuracy of this data, however, no guarantee is given or implied as to the accuracy of said data.





1:12000

### Casey San Juan Island Property

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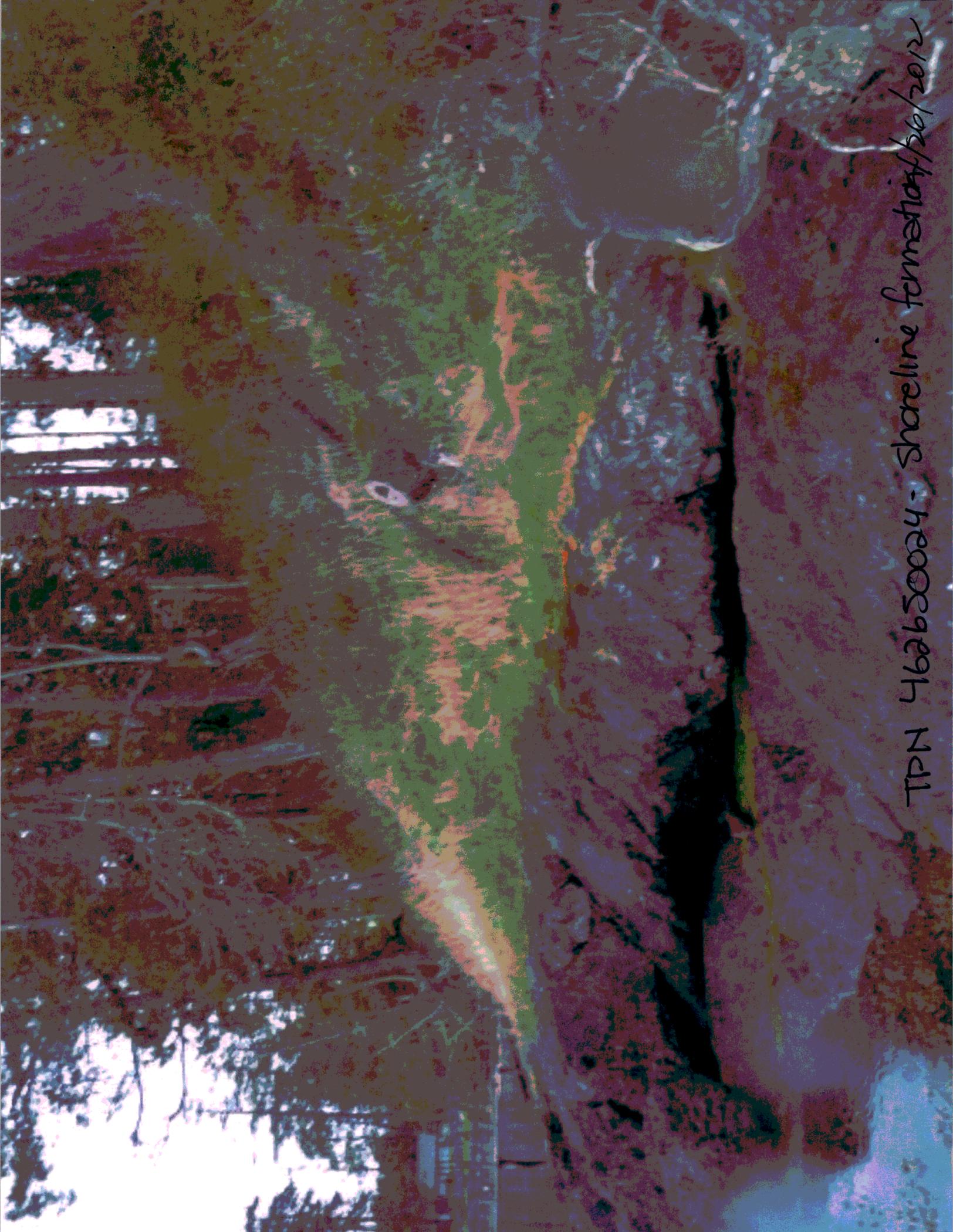
TPN 462650024  
dated 4-25-12

EXISTING Boat House +  
Marine Railway System



25.04.2012





TPN 462650024 - Shoreline formation/26/2012



*Hobson*  
25.04.2012

TPN 462650024 - landward side of residence

TPN 46950024 - Seaward side of residence 4-26-12



Abraham

25.04.2012

4-25-12

wildlife observation deck

TPN 462650034





Alyshon

TPN 450250004 - formally landscaped side yard line setback



Detached  
Garage /  
Storage building

11/26/2012  
25.04.2012