

Richard Burke
5846 Main Street NE
Bainbridge Is., WA 98110
11 August 2012

RRR 7011 0110 0002 2255 7055

COBI City Council and Planning Commission
COBI Department of Planning and Community Development
280 Madison Ave. No.
Bainbridge Island, WA 98110

C.O.B.I.

AUG 14 2012

RECEIVED PCD

Subj: 2012 Proposed Shoreline Master Program, Misplaced 'Designation' boundary

Dear COBI Council Members and DPCD:

Following are comments to be considered in the review of the proposed 2012 SMMP;

On 23 April 2012 I stopped in city hall to have a look at the cities proposed / draft shoreline designation map. When I asked to see the 'map' the counterperson summoned Ryan Erickson who went to a back room to get the map, (draft of 11/17/11), and came out with Planner Mr. Joshua Machen.

To my surprise 'ninety one feet' (the east 91' of 127') of Burke Shoreline was now depicted as having been designated 'Natural' prior to this current SMP proposal. I advised Mr. Erickson this map was in error, that I had written a letter depicting this misplaced designation boundary and that the boundary as depicted is misplaced. (Burke ltr of 6 July 95). Mr. Erickson's initial response was surprise as he commented the subject property was not natural, not within the entrance to nor in the cove proper. Mr. Erickson turned to Mr. Machen and stated, 'He says he wrote a letter'. No further comment or facial expression from either Mr. Erickson or Mr. Machen.

I assumed I would hear something further on this matter but having heard nothing this letter will document the historical data and my current concerns.

Chronology - Please note this is my best recollection of the matter from memory and documents in the Burke files. Seventeen years is a long time so bear with me.

- 6 July 95 Burke wrote a letter to the City Council for a Council meeting scheduled for that evening. A copy of the letter is attached and expresses Burke's concern that the environmental designation line bisects the Burke property. Attached to the letter was an environmental designation drawing. ¹ (encl 1 - 4 pgs)

- The draft COBI SMMP of August 24, 1995 Shoreline Designation Environmental Map clearly depicts the Burke 'Shoreline' in its entirety designated '**Semi Rural**'. (encl 2)

- In my files is a COBI SMMP dated Nov. 26, 1996, Corrected 1/98, which includes another Shoreline Designation Environmental Map. This map was not stapled to the plan rather folded and placed between the pages. This map and the 1995 map are very similar but not quite identical i.e. The Burke environmental boundary is properly placed as in the 95 map but there is some variation, there is also an arrow pointing up with notation 'NO SCALE' on the 1995 map.

This second map also clearly depicts the Burke 'Shoreline' in its entirety designated 'Semi Rural'. (encl 3)

Please correct the 2011 Recommended Shoreline Designation aerial photo titled 'Potential Priority Aquatic (Draft 11/17/11)'² (encl 4) to depict the Burke 'Shoreline' in its entirety as 'Semi Rural'. That line would be the 'dark yellow' line to be moved to the right, or East, approx 91', or to the 'right angle jog' along the shoreline. This right angle is the NE corner of the upland portion of the Burke property defined by an extension of the corner of the Burke concrete bulkhead behind the rock bulkhead. This will place the boundary line consistent with the maps referenced of 1995 and 1998.

Contact me immediately should there be a problem. These variations or differences with lines when comparing several documents causes me great concern, a very uneasy feeling. I would be interested to know how such a thing could occur.

Please advise !

Sincerely,



Richard Burke

- Encl: (1) copy Burke ltr to COBI Council dtd 6 July 95, designation drawing and Council meeting agenda for 6 July 95¹
- (2) blowup portion SMP 8-95 Shoreline Designation Map
 - (3) blowup portion SMP 11-96 corrected 1-98 Shoreline Designation Map
 - (4) copy of portion of 'Potential Priority Aquatic draft 11/17/11 depicting current and 'proposed' designations.'²

¹ Should a copy of the Burke letter of 6 July 95 not be on file in the COBI system enclosures (2) and (3) should suffice to validate the location of the environmental boundary designation.

² There are numerous colors without a 'legend'. The partial legend was added by R. Burke but must be verified and confirmed by COBI DPCD as correct or 'corrected'.



Eagledale Moorings

RICHARD BURKE
South Shore - Eagle Harbor
5842 Main St. N.E.
Bainbridge Island, WA 98110
(206) 842-7751

6 July 1995

City Council, City of B. I.

RE: Shorelines Plan Public Hearing 6 July 95
To: City Council
SUBJ: Page 54, Environment Boundaries, SMMP draft 6-13-95

I refer to the 'cove', designated 'NATURAL', on the South side of Eagle Harbor at the foot of Taylor Ave. and Eagle Harbor Drive comonly known as Taylor Creek Cove or Doces Cove.

The boundary of this 'Natural' designated area as depicted on the Shoreline Environment map does not parallel the creek/cove as delineated on the attached aerial photograph nor County Assessors map. The boundary appears to parrallel my property line and bisects my property in half. i.e. the boundary runs down the center of my lot.

This results in half of my lot/property in a 'natural' designated area and is in contradiction to to the definition of 'Natural' on p 60 1 (F). Natural applies to areas possessing unique 'Natural' or 'Cultural' features which the city would like to preserve for public benefit.

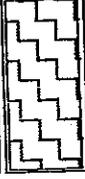
The 1/2 of my property in this proposed natural area has a garage, shop, well pump house, 6 residential and marina parking spaces and a 2 bedroom home. These uses have been in continued existance since the turn of the century and does not meet any of the criteria listed on p 61, item 1-4.

I would suggest the boundary of this 'Natural' area be that line as suggested in paragrapf 2, p 54. The boundaries as indicated as approximately following lot or other lines shall be construed as following such lines.

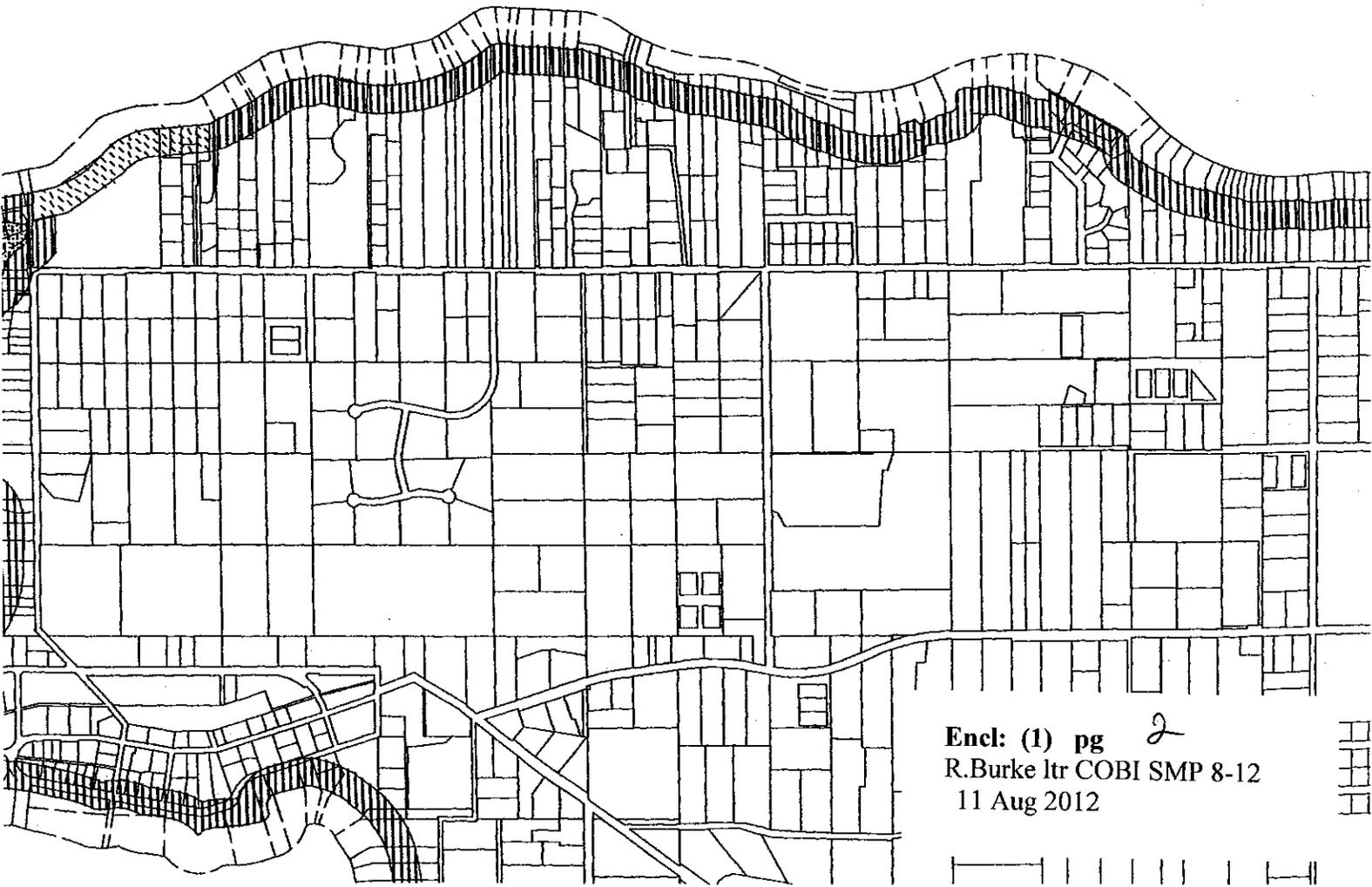
I would ask the City Council to change the 'Natural' area boundary to that of the common property line between lots 001-01 and 003-00. It just does not seem practicable to have one tax parcel split in half with 2 environmental designations with the 1/2 in the natural area the more heavily developed and utilized area.

Encl: (1) pg ①
R.Burke ltr COBI SMP 8-12
11 Aug 2012

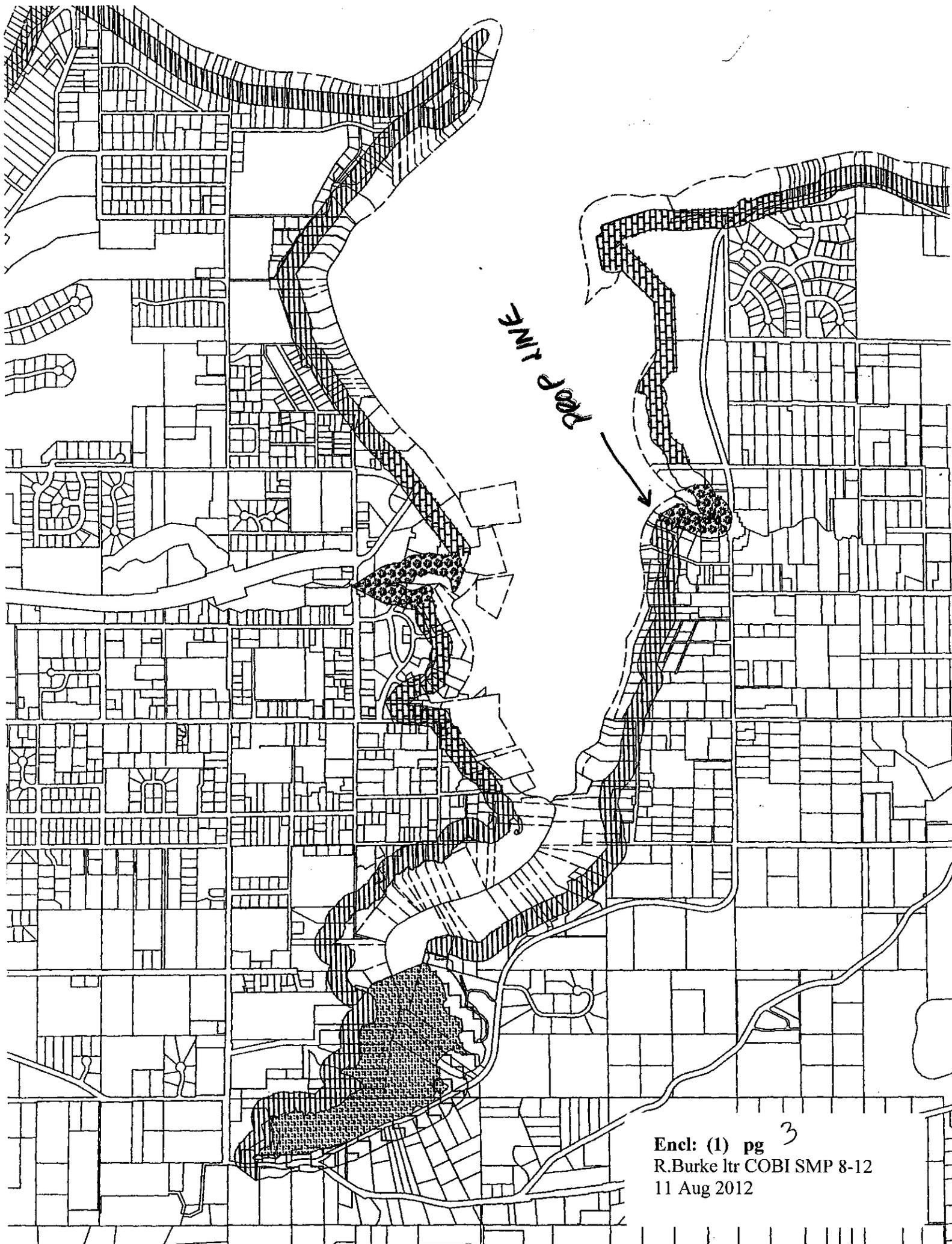
SHORELINE ENVIRONMENTS

| | |
|---|----------------------------|
|  | AQUATIC CONSERVANCY |
|  | NATURAL |
|  | CONSERVANCY |
|  | RURAL |
|  | SEMI-RURAL |
|  | URBAN |

AQUATIC: All marine areas seaward of the ordinary high water mark including estuarine channels, sloughs, and associated marshes, bogs and swamps. All swamps, marshes, and bogs adjoining the above which are not designated as natural.



Encl: (1) pg 2
 R.Burke ltr COBI SMP 8-12
 11 Aug 2012



Encl: (1) pg ³
R.Burke ltr COBI SMP 8-12
11 Aug 2012

**CITY OF BAINBRIDGE ISLAND REGULAR COUNCIL MEETING
DATE: JULY 6, 1995**

MAYOR: JANET WEST

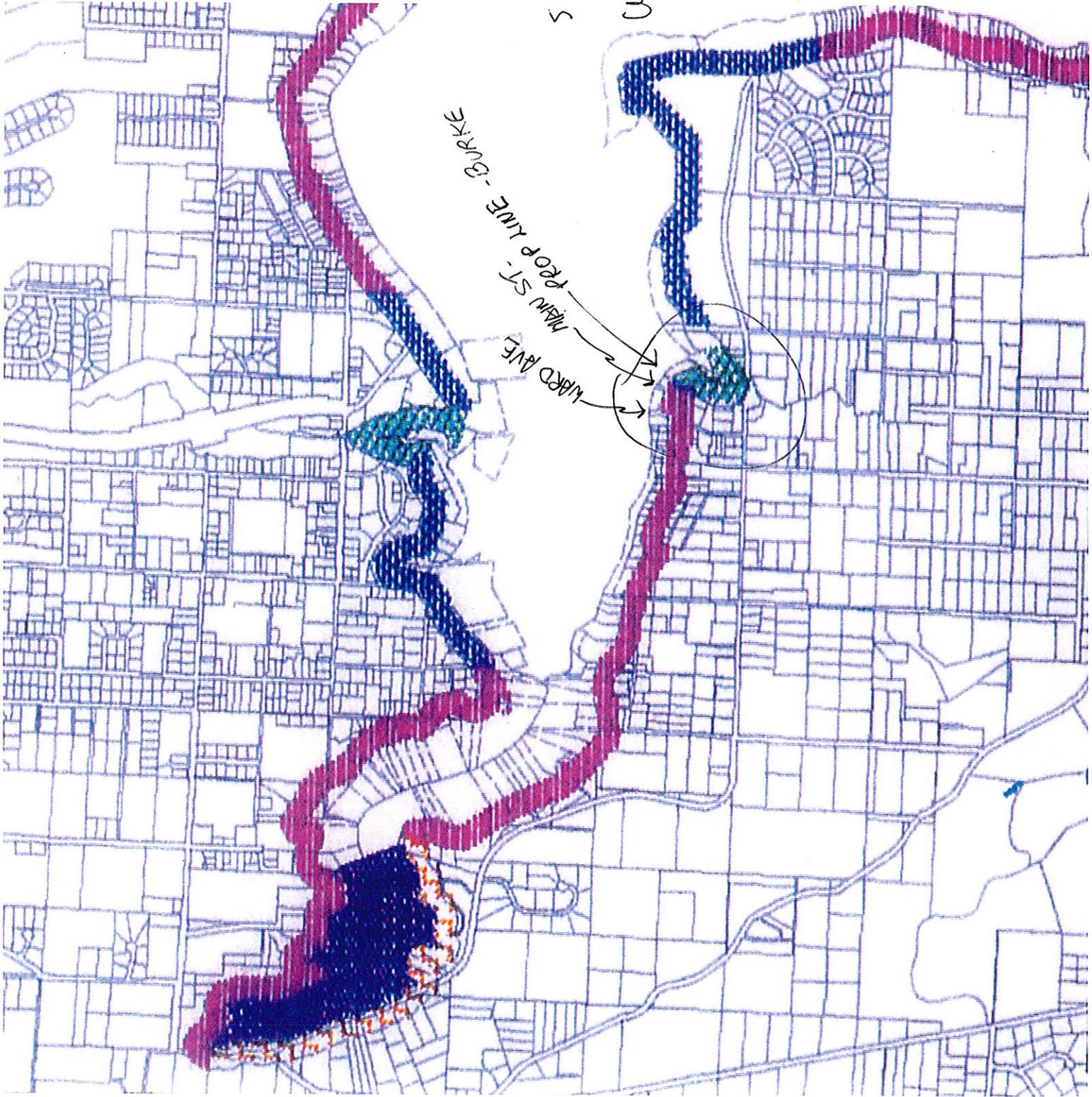
**LOCATION: BAINBRIDGE ISLAND COMMONS
402 BJUNE DRIVE SE**

BAINBRIDGE ISLAND, WASHINGTON

AGENDA

| | | |
|---|---|---|
| <p>1. CALL TO ORDER: 7:00 PM</p> <p>2. ROLL CALL: COUNCIL: Andy Maron, Council Chair Charles Averill Shirley Keith James Docter Annette Lancy Ben Dysart Dwight Sutton</p> | | |
| <p>3. ADDITIONS OR DELETIONS TO THE AGENDA:</p> | | |
| <p>4. ORDINANCES: <i>Next Number 95-30</i></p> <p>A. Ordinance No. 95-03, Local Improvement District No. 13, Final Assessment Roll, AB 2038</p> <p>B. Ordinance No. 95-20, Employee Parking Program, AB 4022 (Res. No. 95-28 & Employee Agreement)</p> <p>C. Ordinance No. 95-22, School Impact Fee (Sub-division of Agricultural Land) AB 2004</p> <p>D. Ordinance No. 95-23, Metropolitan Park District Proposal, AB 4024</p> <p>E. Ordinance No. 95-25, Shoreline Master Management Program, AB 4026</p> <p>F. Ordinance No. 95-26, Eagle Harbor Waterfront Park (Amending BIMC 12.24.120), AB 4038</p> <p>G. Ordinance No. 95-28, Rockaway Beach Water Rates, AB 4028</p> <p>H. Ordinance No. 95-29, 1995 Budget Amendments, AB 4029</p> | <p>1st Reading Finance</p> <p>3rd Reading Pub. Works</p> <p>2nd Reading Finance</p> <p>2nd Reading Oper./Coord.</p> <p>2nd Reading Planning</p> <p>1st Reading Oper./Coord.</p> <p>1st Reading Finance</p> <p>Waive 3 Approve</p> | <p>1</p> <p>2</p> <p>14</p> <p>19</p> <p>30</p> <p>34</p> <p>36</p> <p>42</p> |

Comm 1-96-1
SMP 1-96-96



Encl: (3)
R.Burke ltr COBI SMP 8-12
11 Aug 2012

2011 Recommended Shoreline Designations

- Shoreline Residential Conservancy - Light Blue
- Shore Residential - Light Yellow
- Urban - Grey

Current Shoreline Designations

- Semi Rural - dark yellow
- Natural - brown

Misplaced Semi Rural boundary
To be relocated per current SMP
To right (east) to property line corner

Encl : (4)
R.Burke ltr COBI SMP 8-12
11 Aug 2012

