

## Theresa Rice

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**From:** richard.king@barclayscapital.com  
**Sent:** Tuesday, January 31, 2012 12:57 PM  
**To:** PCD  
**Cc:** gary@tripp.net  
**Subject:** SMP PROCESS ATTENTION PLANNING COMMISSION

Planning Commission—

As a waterfront owner since 1987, I continue to struggle and generally fail to understand the seeming determination of the City Council and Planning Commission to implement restrictions that exceed DOE requirements so significantly. We live on the SE edge of the Island on Beans Bight Rd to the West of Restoration Point. Private property rights, I continue to believe, are among the basic rights that have contributed mightily to the strength of this nation, and efforts to reduce these rights, particularly when the science seems unproven, at best, I deeply resent and view as wrong.

Please consider these questions carefully.

### Questions:

1. Why is the PC considering buffers that are 200% larger than those recommended by the DOE?
2. Why does the draft SMP contain provisions and restrictions **not required** by DOE?
  - a) Why does the draft prohibit rebuilding of decks, gazebos, boathouses, stairs, and sheds, and limiting rebuilding of garages and carports to one car???
  - b) Why is there a 25% limit on expansion if the expansion is landward or upward and there is no net loss of ecological function?
  - c) Why does the draft require creating a buffer if you change your landscaping?
3. Why does the draft require the Administrator's approval at every turn? The regulations should be clear and not subject to the arbitrary decisions of the Administrator (read Staff).

**Currently any deck over 3 feet off the ground is consider part of the home's footprint and can be rebuilt and enclosed as part of the home if desired, but the new proposal to declare decks as nonessential and prohibit them from being rebuilt would decrease the footprint and the living area of the home. Decks are important living areas and part of the home. Why is the city considering prohibiting rebuilding decks?**

Best regards

1884 Beans bight NE  
BI 98110-2332

Dick King, Director  
Barclays Capital / Public Finance  
701 Fifth Avenue, Suite 7101  
Seattle, WA 98104-7016  
206-344-5838  
FAX 212-520-0837  
Cell 206-794-3557