

Theresa Rice

From: Diane Berry on behalf of PCD
Sent: Wednesday, May 02, 2012 12:53 PM
To: Kathy Cook; Libby Hudson; Ryan Ericson; Theresa Rice
Subject: FW: SMP revisions

From: Robert Hershberg [mailto:rhershberg_1@msn.com]
Sent: Wednesday, May 02, 2012 12:51 PM
To: PCD; Council
Subject: SMP revisions

RE: Item 12

Replacement or repair of any nonconforming overwater structure shall comply with this Program's requirements for materials and construction standards to the extent practicable.

The language still is not explicit in reference to the grandfathering of the existing structure. It makes no reference to the request to allow the retention of the original dimensions after repair.

It leaves open the issue of dock length. The revision states that the repair must conform with requirement for materials and construction standards. This does not say that I can repair a dock 60 feet in length where the new rules state 30 feet maximum for single use. As I stated in my letters to the City Council and the Planning Commission dated 4/8/12 and 4/13/12 pilings are set for the existing dock and float. The requirement for a shorter float might require resetting the piers to hold a new length float. Docks/piers/floats that were legal and constructed with all permits approved at the time of construction should be permitted to stay even in the event of repair.

The language should be legally explicit to allow existing overwater structures to remain. I suggest the following:

Replacement or repair of any nonconforming overwater structure shall **and need** comply only with this Program's requirements for materials and construction standards to the extent practicable.

Robert Hershberg
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