



Seaborn Pile Driving  
1080 W. Ewing St. Bld B.  
Seattle, WA 98119  
[permits@seabornpiledriving.com](mailto:permits@seabornpiledriving.com)

## Review Response

Date: 9/13/2022

Project Name: Rosato Pier

Response to: SHL22-014 & SEP22-012 Request for Information, 5652 E Mercer Way (Rosato)

To Liz Thompson,

This letter is in response to the corrections for SHL22-014 & SEP22-012. Below are our responses to the questions/comments from August 15<sup>th</sup>, 2022.

1. The hardscape calculation on sheet A4.0 appears to be incorrect. Replacing the existing deck with grated decking material does not decrease the hardscape for this area. The definition of hardscape found in MICC 19.16 is as follows:

The solid, hard elements or structures that are incorporated into landscaping. The hardscape includes, but is not limited to, structures other than buildings, paved areas other than driving surfaces, stairs, walkways, decks, patios, and similar constructed elements. The hardscape within landscaping is usually made up of materials that include, but are not limited to, wood, stone, concrete, gravel, artificial turf, and permeable pavements or pavers, and similar materials. Hardscape does not include solid, hard elements or structures that are covered by a minimum of two feet of soil intended for softscape (for example, a septic tank or detention tank covered with at least two feet of soil and planted shrubs is not hardscape). Hardscape areas do not include driving surfaces or buildings.

Please revise your hardscape calculations to accurately depict the amount of hardscape proposed within 0-25' from OHWM.

**Please see Sheet A4.0 of updated plan set. Hardscape calculations have been adjusted to not count the grated decking as removal of hardscape. Please also see the submitted site plans from permit #0101-276 (approved in 2001) and #SUB03-006 (approved in 2004), which show the existing overland deck & demonstrate legal non-conformity of hardscape coverage.**

2. You are applying for this permit under MICC 19.13.050(F)(3). It appears that you might be applying for the boatlift under MICC 19.13.050(F)(3) and the repair of the dock and deck under MICC 19.13.050(F)(2). Please show that you meet each of the criteria that you are applying under. If you are applying for the dock repair under the criteria found in MICC 19.13.050(F)(3), this project does not meet the criteria in section (ii) in that section. The width of the dock is too wide, and you will need to revise the width to comply with Table D.

**Please evaluate project under MICC 19.13.050(F)(2). Sheet A11 has been updated to reflect this. The relocation of the boat lift should also fit under this section, as (F)(2)iv stipulates that a structure may be relocated if it results in a net gain of**



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**ecological function & greater code conformity. The original permitted location of the lift was within 30' of the OHWM – the new location at the end of the dock improves the nearshore habitat conditions & allows the lift to be in the deepest possible water depths, as noted in the NNL report.**

3. The construction narrative submitted with this application indicates that the dock will be reconstructed with all new materials. The project drawings show that less than 50% of the dock will be new construction. Please revise the project drawings or construction narrative to accurately reflect what is proposed for the dock repair.

**Applicant info sheet has been updated to more clearly align with work described in plan set & project drawings.**

Thank you for your time,

Madison Johnson  
Permit Technician  
(206)-236-1700  
[www.seabornpiledriving.com](http://www.seabornpiledriving.com)