



Project Narrative

February 22, 2023

Loeser Bulkhead Repair

7250 E. Mercer Way
Mercer Island, WA 98040

King County APN: 257950-0070

The property has approximately 110' of waterfront that is protected by a concrete bulkhead. The bulkhead is capped with a course of brick and mortar which has started to fail during periods of high wave action. The homeowner would like to repair the cap before it deteriorates further.



Photo of existing failing masonry bulkhead cap

It is our understanding that current code prohibits one from using bricks for this purpose. Instead, it must be replaced with a bolted/glued down concrete cap. As such, we are seeking approval for a Shoreline Exemption Permit for the repair and maintenance of the existing concrete bulkhead. We believe this work qualifies for a Shoreline Exemption Permit as outlined in MICC 19.13.050(B)(1) which states:

B. Bulkheads and shoreline stabilization structures.

1. An existing shoreline stabilization structure may be replaced with a similar structure if there is a demonstrated need to protect principal uses or structures from erosion caused by currents or waves, and the following conditions shall apply:
 - I. The replacement structure should be designed, located, sized, and constructed to assure no net loss of ecological functions.
 - II. Replacement walls or bulkheads shall not encroach waterward of the ordinary high water mark or existing structure unless the primary structure was occupied prior to January 1, 1992, and there are overriding safety or environmental concerns. In such cases, the replacement structure shall abut the existing shoreline stabilization structure. Soft shoreline stabilization measures that provide restoration of shoreline ecological functions may be permitted waterward of the ordinary high water mark.
 - III. For purposes of this section standards on shoreline stabilization measures, "replacement" means the construction of a new structure to perform a shoreline stabilization function of an existing structure which can no longer adequately serve its purpose. Additions to or increases in size of existing shoreline stabilization measures shall be considered new structures.
 - IV. Construction and maintenance of normal protective bulkhead common to single-family dwellings requires only a shoreline exemption permit, unless a report is required by the code official to ensure compliance with the above conditions; however, if the construction of the bulkhead is undertaken wholly or in part on lands covered by water, such construction shall comply with SEPA mitigation.

In this case, we don't need to replace the structure – merely the cap which will have far less impact. Ecological functions will not change as there will be no modification to the actual bulkhead, its extent or its location.

We are seeking an exemption from the substantial development requirement as outlined in WAC 173-27-040(2)(b) which states:

- (2) The following developments shall not require substantial development permits:
- (b) Normal maintenance or repair of existing structures or developments, including damage by accident, fire or elements. "Normal maintenance" includes those usual acts to prevent a decline, lapse, or cessation from a lawfully established condition. "Normal repair" means to restore a development to a state comparable to its original condition, including but not limited to its size, shape, configuration, location and external appearance, within a reasonable period after decay or partial destruction, except where repair causes substantial adverse effects to shoreline resource or environment. Replacement of a structure or development may be authorized as repair where such replacement is the common method of repair for the type of structure or development and the replacement structure or development is comparable to the original structure or development including but not limited to its size, shape, configuration, location and external appearance and the replacement does not cause substantial adverse effects to shoreline resources or environment;

The proposed work falls under the definition of "normal repair" as we would be restoring it to a state comparable to its original condition. There would be no substantial adverse effects to shoreline resource or environment

Attached, please find the following documents in support of our application for a Shoreline Exemption Permit:

- Development Application Sheet
- Site Plan

Thank you for your consideration. Let me know if I can answer any questions.



Steven Taylor

Dyna Builders