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BEFORE THE HEARING EXAMINER  
FOR THE CITY OF SEATTLE

In the Matter of the Appeal by

NOEL POVlsen and LYNN REED,

Appellants,

From a decision by the SEATTLE  
DEPARTMENT OF CONSTRUCTION AND  
INSPECTIONS.

No. FOW-25-001

DECLARATION OF AMY GROESBECK

14 I, Amy Groesbeck, declare under penalty of perjury under the laws of Washington that the  
15 following is true and correct:

16 1. I work for the Seattle Department of Construction and Inspections (“SDCI”) as a  
17 Shoreline Code Compliance Analyst. Among other things, I enforce compliance with the City’s  
18 Shoreline Master Program, I review and process verification applications for floating homes and  
19 floating on-water residences (“FOWRs”), and I manage the City’s records regarding floating  
20 residences. I have worked at the City for almost three years.

21 2. Prior to that, I was an environmental consultant in the Seattle area for about eight  
22 years. I received a Bachelor of Science in Biology and a Master’s Degree in Resource &  
23 Environmental Management.

DECLARATION OF AMY GROESBECK - 1

**Ann Davison**  
Seattle City Attorney  
701 5th Avenue, Suite 2050  
Seattle, WA 98104-7095  
(206) 684-8200

1           3.       In April 2024, I was doing a routine survey of floating residences in the Salmon Bay  
2 area when I saw a floating structure undergoing renovation at Salmon Bay Boat Yard. The boatyard  
3 owner granted me permission to enter the dock on April 17 to view the structure. Attached as  
4 **Exhibit A** are true and correct copies of photos I took during my April 17, 2024, visit. I observed  
5 mostly interior work underway at the structure. I spoke with the person doing the work. He informed  
6 me the structure was a floating home, and he directed me to the King County Assessor's plaque  
7 bolted to the exterior of the home, which had the number 265. The home did not display a City  
8 plaque for registered floating homes. I gave my card to the person onsite and told him I would be  
9 looking into the status of the floating home.

10           4.       Subsequently, using various City and County databases, I reviewed the registration  
11 and permitting history for the floating home assigned King County Assessor number 265. I also  
12 reviewed information on the current location of the home, including the shoreline zoning, ownership,  
13 and permitting history.

14           5.       I also reviewed the City's Shoreline Code, specifically section SMC 23.60A.202  
15 regarding floating homes and floating home moorages. Among other things, floating homes must be  
16 moored at sites established as floating home moorages and must be lawfully connected to sewer  
17 service for all wastewater. That means a floating home's "black" and "grey" wastewater, also known  
18 as blackwater and greywater, must go through the public sewer system. Generally, blackwater comes  
19 from toilets, while greywater comes from everything else, including sinks, showers, and laundry.  
20 Both black and grey wastewater can contain harmful contaminants. FOWRs, governed by SMC  
21 23.60A.203, are not required to directly connect to sewer service. Blackwater from FOWRs is  
22 required to be kept out of waterways but may be kept in a holding tank on site and then pumped out  
23 as needed for disposal in the City's wastewater system (SMC 23.60A.155.A.1). When a FOWR is

1 verified with the City, its greywater is not required to be contained and pumped out, so the greywater  
2 of many FOWRs in the City is discharged into the waterway.

3 6. I determined that the floating home in question had been registered with the City and  
4 assigned floating home number 042 in December 2015. Attached as **Exhibit B** is a true and correct  
5 copy of the Floating Home Registration Form submitted by Noel Randall Povlsen and Lynn Maxine  
6 Povlsen and approved by the City. The registered address for the home was 2540 Westlake Avenue  
7 North, Dock 1, Slip 2. That is not the address for the Salmon Bay Boat Yard. Prior to April 2024,  
8 SDCI had no record of the floating home moving to a new moorage after it was registered. The  
9 Department also has no record that the City's registration of the floating home was appealed.

10 7. I also discovered that Noel Povlsen had applied for and received a shoreline  
11 substantial development permit from the City in 2012 regarding the floating home. Attached as  
12 **Exhibit C** is a true and correct copy of an April 17, 2012, letter from Noel Povlsen to the City  
13 regarding the application. Attached as **Exhibit D** is a true and correct copy of the City's November 1,  
14 2012, written decision approving the shoreline permit. The permit allowed the applicant to relocate  
15 the structure from 2540 Westlake Avenue North to a commercial moorage at 1609 Fairview Avenue  
16 East. The applicant proposed using the structure as a workshop and office for marine sales and  
17 service.

18 8. I compiled aerial images of the marinas and docks where the floating home had been  
19 located over the last couple decades. Attached as **Exhibit E** are true and correct copies of aerial  
20 images of the floating home in various locations since 2005.

21 9. Additionally, I found the 2010 Real Estate Excise Tax Affidavit documenting the  
22 transfer of the floating home with King County Assessor no. 265 to Noel Povlsen. Attached as  
23 **Exhibit F** is a true and correct copy of that tax affidavit.

1           10.     In June 2024, it came to my attention that the Povlsen floating home was listed for  
2 sale. I reviewed the relevant Redfin real estate listing. Attached as **Exhibit G** is a true and correct  
3 copy of the Redfin listing as viewed on June 26, 2024. The home was advertised as a “Seattle  
4 Floating Home” with both registration numbers 042 and 265. Salmon Bay Boat Yard was listed as the  
5 home’s moorage. This showed that the home was permanently moored at Salmon Bay Boat Yard and  
6 was not temporarily moored there for repairs.

7           11.     On June 11, after receiving permission to enter the Salmon Bay Boat Yard, I  
8 conducted a second inspection of the floating home. I confirmed the home was not connected to  
9 sewer, despite the code requirement that floating homes be connected to sewers. I also saw a “For  
10 Sale” sign on the home’s roof advertising real estate agent Linda Bagley.

11           12.     Upon returning to the office on June 11, I reached out to Ms. Bagley. She confirmed  
12 that the floating home’s City registration number is 042, that the home was mooring long-term at the  
13 Salmon Bay Boat Yard, and that the owner’s contact information with the City was current. I then  
14 reached out to and spoke with owner Lynn Reed. She confirmed the home’s current location at the  
15 Salmon Bay Boat Yard. I told her that floating homes were not allowed to be permanently moored at  
16 the boatyard and that all floating homes are required to be connected to sewer services. Ms. Reed said  
17 the home had to be moved from its prior location in Lake Union at Fairview Avenue East when the  
18 dock owner passed away and the property was sold. I reiterated that the home was moored at a  
19 prohibited location, and that they should not sell a floating home moored at an illegal location. It is  
20 my understanding that the owners do not, and have never, lived in the floating home. Ms. Reed said  
21 she would discuss the issue with her husband and call back. The owners never called me back.

22           13.     I initiated a complaint record, recorded the inspection and observed violation, then  
23 opened a violation case record for the investigation into the floating home. Attached as **Exhibit H** is



1 a true and correct copy of the Complaint Report of Findings for 006807-24CP.

2 14. On June 18, I discussed the situation with SDCI's shoreline group. There was  
3 unanimous agreement that the Salmon Bay Boat Yard is not a lawful floating home moorage.

4 15. I discussed the case with my supervisor on June 26, and we decided to issue a notice  
5 of violation ("NOV"). I prepared and sent the NOV on June 27. Attached as **Exhibit I** is a true and  
6 correct copy of the Shoreline Notice of Violation for case no. 1058701-VI.

7 16. On July 8, SDCI received a letter from attorney Shawn Griggs requesting a Director's  
8 Review of the NOV. Attached as **Exhibit J** is a true and correct copy of the letter, dated July 5, 2024.  
9 Mr. Griggs claimed that the floating structure was incorrectly identified as a floating home and that it  
10 was a FOWR per SMC 23.60A.912 and SMC 23.60A.203. SDCI formally acknowledged receipt of  
11 the request for review of the NOV on August 14.

12 17. In September 2024, SDCI received an application for FOWR verification for the  
13 floating home in question. The application, no. 3042273-AN, included exhibits and a declaration  
14 from Noel Povlsen, all of which were attached to the Povlsen's appeal to the Hearing Examiner in  
15 this matter.

16 18. I discussed the FOWR verification application with SDCI's shoreline group. There  
17 was unanimous agreement that a registered floating home could not be verified as a FOWR.

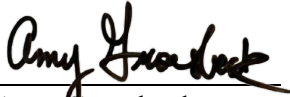
18 19. The FOWR verification application was held as we awaited the Director's Review to  
19 get to the front of the queue to be processed. While the application was on hold, I did not hear from  
20 the owners or Mr. Griggs.

21 20. On February 18, 2025, the City was served a lawsuit filed by Shawn Griggs in King  
22 County Superior Court on behalf of Noel Povlsen and Lynn Reed, case no. 25-2-05212-5 SEA.

23 ///

1  
2 21. On March 27, I issued a letter to Mr. Povlsen and Mr. Griggs denying verification of  
3 the floating home as a FOWR. Attached as **Exhibit K** is a true and correct copy of that letter.  
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5 DATED: May 19, 2025

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7 Amy Groesbeck  
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**CERTIFICATE OF SERVICE**

I certify that on May 19, 2025, I caused a true and correct copy of the foregoing document to be served on the following in the manner indicated below:

R. Shawn Griggs 130 Nickerson Street, Ste. 201 Seattle, WA 98109 <a href="mailto:shawn@griggs-law.com">shawn@griggs-law.com</a>  Attorney for Plaintiffs	(XX) Via Email ( ) U.S. Mail
---	---------------------------------

Dated this May 19, 2025.

s/ Eric Nygren  
Eric Nygren  
Legal Assistant

# **EXHIBIT A**





Haul Outs.Moorage.Storage

ZONE 2 8 HR. PARKING  
VIOLATIONS WILL BE TICKETED AND VEHICLES WILL BE TOWED AT OWNER'S RISK AND EXPENSE.  
PORT OF SEATTLE • LINCOLN TUNNEL 206-422-4400

SALMON BAY  
BOAT YARD  
SEATTLE, WA

ALL CITY  
FENCE CO.

SUBSTATION  
NO. 2

04.17.2024





04.17.2024





04.17.2024





SALMON BAY BOAT YARD

SALMON BAY  
YARD  
SEATTLE WA

SEATTLE  
MOBILE MARINE LLC  
seattlemobilemarine.com

SPEED  
LIMIT  
5

SALMON BAY  
BOAT YARD  
206-547-0678

MECHANICAL • FIBERGLASS/GEL COAT • DETAILING

WASH STATE  
B5340571

04.17.2024





04.17.2024





04.17.2024





04.17.2024





04.17.2024





04.17.2024





04.17.2024





04.17.2024





04.17.2024





04.17.2024





04.17.2024



# **EXHIBIT B**



# FLOATING HOME REGISTRATION FORM

CITY OF SEATTLE

Department of Planning and Development  
700 Fifth Ave., Suite 2000, P.O. Box 34019  
Seattle, WA 98124-4019  
Phone: (206) 684-8850  
[www.seattle.gov/dpd](http://www.seattle.gov/dpd)

42

3022402

Application Received in DPD  
(DPD Date Stamp)

Dept. of Planning & Development  
Public Resource Center

DEC 07 2015

For DPD Use Only

**RECEIVED**

DPD Registration Project No:

The intake fee for a Floating Home Registration form is \$95.00. This amount must be paid when submitting this form. This form must be submitted to DPD by December 15, 2015.

PLEASE VERIFY THE FOLLOWING INFORMATION. MAKE CORRECTIONS IF KNOWN

## OWNER #1 INFORMATION

Last Name:	First:	Middle:	Email Address:
POVLSEN NOEL RANDALL			npovlsen@gmail.com
Mailing Address:	Home Phone No. (REQUIRED):	Alternate Phone No.:	
2921 11TH AVE W SEATTLE WA 98119	(206) 306-8426	(206) 387-5253 (LAKE)	

## OWNER #2 INFORMATION (OPTIONAL)

☐ NOT THE OWNER? RELATIONSHIP TO PROPERTY:

Last Name:	First:	Middle:	Email Address:
POVLSEN	LYNN	MAXINE	lreed@hstsh.com
Mailing Address:	Home Phone No. (REQUIRED):	Alternate Phone No.:	
2921 11TH AVE WEST SEATTLE WA 98119	(206) 306-8426	(206) 850-7055	
City:	State:	ZIP Code:	
SEATTLE	WA	98119	

RELOCATION: Relocation of a floating home from one moorage to another requires a permit. The registration number will be transferred from the floating home at its previous location to the new location at the new moorage as part of the relocation permit process.

## CITY-PERMITTED FLOATING HOME LEGAL DESCRIPTION AND TAX PARCEL INFORMATION

Legal Description: APN: 408880-4310; LTS 26-30 INCL & N 1/2 OF LT 31, BLK 96, LK UNION SH LDS ADD & THT PTN LAKE BED (DNRLEASE 20-012229) IN FRONT OF ABOVE... (SEE FILE)			
Tax Parcel No.:	Address Of City-Permitted Floating Home:		Slip No.:
408880-4310	2540 WESTLAKE AVE N DOCK 1 # S2		DOCK 1 # S2
DPD Building ID No.:	DPD Development Site Parcel Number:		KCA No.:
000004412	DV0013954		KCA 265
I DECLARE AND AFFIRM THAT THE INFORMATION PROVIDED HERE IS TRUE AND CORRECT			
Applicant Printed Name		Applicant Signature	Date

## Submission options:

1. Regular mail: mail this form along with a \$95 check (made out to City of Seattle) to: City of Seattle DPD, Attn. Cashiers, P.O. Box 34234, Seattle, WA 98124.
2. In person: submit the form in person at the Public Resource Center counter on the 20<sup>th</sup> floor of the Seattle Municipal Tower at 700 5<sup>th</sup> Avenue and pay \$95 with check, cash, or credit card at that time.
3. Online: Email a scanned copy of this form to [prc@seattle.gov](mailto:prc@seattle.gov) and pay \$95.00 via phone at 206-386-9780 or online at <https://web7.seattle.gov/dpd/paypermitfees/>

# FLOATING HOME REGISTRATION CERTIFICATE

(This side to be completed by Department of Planning and Development staff)

The floating home at (address) 2540 Westlake Ave N  
meets the requirements of 23.60A.202.G and DPD has issued the following Floating Home Registration Number. This does not certify compliance with any other section of the Seattle Municipal Code.

Number:

042

Not valid unless stamped by DPD with registration number

Records of the Floating Home registration number are maintained with the building ID associated with the above address.

## DPD AUTHORIZATION

- ☐ In Person Applicant
- ☒ Mailed Application
- ☒ Fee Paid

Registration Issued  
(Date Stamp)  
City of Seattle  
Dept. of Planning and Development

DEC 08 2015

Approved Subject to Errors and Omissions

DPD Reviewer

Melinda Helberg

DPD A/P Number:

3022402

KING COUNTY ASSESSOR  
500 4TH AVE ROOM 740  
SEATTLE, WA 98104-2384

**PROPERTY VALUE NOTICE**

**THIS IS NOT A TAX BILL**

ACCOUNT NUMBER: 26902809

LEVY CODE: 6010

OMIT YEAR:

PROPERTY ADDRESS:

1609 FAIRVIEW AVE E

2015 VALUE FOR TAXES DUE IN 2016

MOBILE HOME/FLOATING HOME

TOTAL: \$95,800

**Notice:**

Please include your account number on all correspondence. If you no longer own the assessed home or it has been moved, notify the King County Assessor immediately.

MAIL DATE: 07/18/15

SEE BACK FOR APPEAL INFORMATION

MAILING ADDRESS:

POVLSEN NOEL RANNEY  
2921 11TH AVE W  
SEATTLE WA 98119

98119



# **EXHIBIT C**



PRE-APPLICATION 4-17-2012  
MATERIAL  
**RECEIVED**  
MAY 15 2012

**Liberty Dock Services**  
Noel Povlsen  
2921 11<sup>th</sup> Ave W, Seattle, WA 98119  
206-387-5253

DEPT. OF PLANNING AND DEVELOPMENT

April 17, 2012

Ben Perkowski  
Dept. of Land Use and Planning  
700 Fifth Avenue, Suite 2200  
Seattle, WA 98124

**Re: Povlsen Associates Limited (PAL) UBI No. 602 194 065**  
**d/b/a Liberty Dock Service (LDS)**  
**Application for Scheduled Pre-Submittal Conferences**  
**Department and Planning Development (DPD) Project No. 3012170**

Dear Mr. Perkowski,

I have attached an Application for Scheduled Pre-Submittal Conferences. The purpose of the requested conference is to determine the permits and licenses required to relocate and use the floating office *LITTLE BLUE* at 1609 Fairview Avenue East, Seattle, Washington 98102. There are no plans to alter or modify the floating structure, *LITTLE BLUE*, in any way at this time.

The intended moorage site is owned by Donald Peterson d/b/a Peterson Yacht Service. Mr. Peterson has been issued Commercial Moorage Permit No. 6250103. The site is located in the Urban Maritime Environment and zoned IG1 U/45-UM.

I am the president of PAL, a sole proprietorship licensed under City of Seattle Consumer No. 560467. The SIC for PAL is "7699, Repair Shops and Related Services, Not Elsewhere Classified."

PAL purchased the *LITTLE BLUE* from Kevin and Jessica Vanderzanden in October 2010. The *LITTLE BLUE* is a 524 square foot structure on a 925 square foot float, licensed KCA-265 by the King County Assessor. The *LITTLE BLUE* has been used as a marina office/live & work space continuously on Lake Union since 1921. The *LITTLE BLUE* was transferred from 2420 Dock Marina, Seattle, Washington to Commercial Marina located at 2524 Westlake Avenue N., Seattle, Washington 98109 in April 2010. Currently, *LITTLE BLUE* serves as an office for chandler and repair workshop for PAL.



DPD Project Proposal No. 2012170 was issued in March 2011. The intended uses of the *LITTLE BLUE* are as follows:

- Office for marine sales and vessel services (chandler and repair workshop);
- Marine environmental services including spill and response kit storage;
- Moorage for commercial customers and the tow / response / work boat *NEVER DULL* (See Exhibit 2 / Pacific Marine Surveyors survey report and photo);
- Reciprocal safety moorage for public entities such as Center for Wooden Boats and Puget Soundkeepers Alliance; and
- Meeting location for various art, environmental and community organizations.

I look forward to meeting with you to review this project.

Sincerely,



Noel Povlsen  
**Povlsen Associates Limited / Liberty Dock Service**

Enclosures: Exhibits 1 & 2

cc: Harold A. Thoreen, P.S., Inc.  
Radim Blazej

# **EXHIBIT D**



## City of Seattle

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### Department of Planning and Development

Diane M. Sugimura, Director

### CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

**Application Number:** 3012170  
**Applicant Name:** Radim Blazej  
**Address of Proposal:** 1609 Fairview Avenue E

#### **SUMMARY OF PROPOSED ACTION**

Shoreline Substantial Development Application to allow the relocation of 524 sq. ft. float structure (Liberty Dock Service – KCA 265) from 2540 Westlake Ave N to an existing float moorage at 1609 Fairview Ave E.

Seattle Municipal Code (SMC) requires the following approvals:

**Shoreline Substantial Development Permit:** to relocate existing float structure in an Urban Maritime (UM) Shoreline Environment.

**SEPA – Environmental Determination.** (Chapter 25.05 Seattle Municipal Code)

**SEPA DETERMINATION:** ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

#### **BACKGROUND INFORMATION**

##### **Site Location and Description**

The subject site is located at 1609 Fairview Avenue E on the east shore of Lake Union. The property is zoned General Industrial 1 – IG1 U/45' and is located in the Urban Maritime (UM) shoreline environment. Entirely submerged, the property consists of two existing commercial moorage docks and one floating structure. Existing docks have pedestrian access connection to the adjacent right-of-way, Fairview Ave E. The property located to the north and west of the

subject lot is permitted as a commercial vessel repair facility. Waterway number 8 exists directly to the south and office buildings exist to the east across Fairview Ave E.

### The Proposal

The applicant proposes to relocate an existing float structure (Liberty Dock Service – KCA 265) from 2540 Westlake Ave N to existing commercial moorage at 1609 Fairview Ave E. The existing float is 915 sq. ft. and will be moored on the northern most dock existing on site. The proposed float will be utilized as a workshop and office for the proposed marine sales and service use, minor vessel repair.

As the fair market value of the structures exceeds \$6,416.00, the development is not exempt from obtaining a shoreline substantial development permit. Due to the location of the work being over water, environmental review under Seattle's SEPA ordinance is also required.

### **PUBLIC COMMENT:**

Public notice of the applications was published on May 24, 2012 and the public comment period ended on June 22, 2012. Comments/questions from the Muckleshoot Tribe regarding the relocation of the float structure, proposed use of the structure, and any structure replacing the relocated structure at 2540 Westlake Ave N were received June 19, 2011. The applicant responded directly to the questions. No further comments or questions were provided.

### **ANALYSIS - SHORELINE SUBSTANTIAL DEVELOPMENT**

Section 23.60.030 of the Seattle Municipal Code provides criteria for review of a shoreline substantial development permit and reads:

A substantial development permit shall be issued only when the development proposed is consistent with:

- A. The policies and procedures of Chapter 90.58 RCW;
- B. The regulations of this Chapter; and
- C. The provisions of Chapter 173-27 WAC

Conditions may be attached to the approval of a permit as necessary to assure consistency of the proposed development with the Seattle Shoreline Master Program and Shoreline Management Act.

#### **A. The Policies and Procedures of Chapter 90.58 RCW**

Chapter 90.58 RCW is known as the Shoreline Management Act of 1971. It is the policy of the state to provide for the management of the shorelines of the state by planning for and fostering all reasonable and appropriate uses. This policy contemplates protecting against adverse effects to the public health, the land and its vegetation and wildlife, and the waters of the state and their

aquatic life, while protecting generally public rights of navigation and corollary incidental rights. Permitted uses in the shorelines shall be designed and conducted in a manner to minimize, insofar as practical, any resultant damage to the ecology and environment of the shoreline area and any interference with the public's use of the water.

The Shoreline Management Act provides definitions and concepts, and gives primary responsibility for initiating and administering the regulatory program of the Act to local governments. The Department of Ecology is to primarily act in a supportive and review capacity, with primary emphasis on insuring compliance with the policy and provisions of the Act. As a result of this Act, the City of Seattle adopted a shoreline master program, codified in the Seattle Municipal Code at Chapter 23.60. Development on the shorelines of the state is not to be undertaken unless it is consistent with the policies and provisions of the Act, and with the local master program. The Act sets out procedures, such as public notice and appeal requirements, and penalties for violating its provisions. As the following analysis will demonstrate, the subject proposal is consistent with the procedures outlined in RCW 90.58.

## **B. The Regulation of Chapter 23.60**

Chapter 23.60 of the Seattle Municipal Code is known as the "Seattle Shoreline Master Program." In evaluating requests for substantial development permits, the Director must determine that a proposed use meets the approval criteria set forth in SMC 23.60.030 (cited above). Development standards of the shoreline environment and underlying zone must be considered, and a determination made as to any special requirements (shoreline conditional use, shoreline variance, or shoreline special use permit) or conditioning that is necessary to protect and enhance the shorelines area (SMC 23.60.064). In order to obtain a shoreline substantial development permit, the applicant must show that the proposal is consistent with the shoreline policies established in SMC 23.60.004, and meet development standards for all shoreline environments established in SMC 23.60.152 as well as the criteria and development standards for the shoreline environment in which the site is located, any applicable special approval criteria and the development standards for specific uses.

Each of these elements is evaluated below in the order they are listed in the Shoreline Master Program. The shoreline designation for the area of work is Urban Maritime (UM at SMC).

### **SMC 23.60.004 - Shoreline Policies**

The Shoreline Goals and Policies, which are part of the Seattle Comprehensive Plan's Land Use Element, and the purpose and location criteria for each shoreline environment designation contained in SMC 23.60.220 must be considered in making all discretionary decisions in the shoreline district. The purpose of the UM environments, as stated in SMC 23.60.220.C.9, is "...to preserve areas for water-dependent and water-related uses while still providing some views of the water from adjacent streets and upland residential streets."

### **SMC 23.60.064 - Procedures for Obtaining Shoreline Substantial Development Permits**

This application has followed the procedural requirements for a Master Use Permit as specified in subsection A. SMC 23.60.064 also provides authority for conditioning of shoreline substantial development permits as necessary to carry out the spirit and purpose of and assure compliance

with the Seattle Shoreline Code, Chapter 23.60, and with RCW 90.58.020 (State policy and legislative findings).

SMC 23.60.064C. In evaluating whether a development which requires a substantial development permit, conditional use permit, variance permit or special use authorization meets the applicable criteria, the Director shall determine that:

1. The proposed use is not prohibited in the shoreline environment(s) and underlying zone(s) in which it would be located;
2. The development meets the general development standards and any applicable specific development standards set forth in Subchapter III, the development standards for the shoreline environment in which it is located, and any applicable development standards of the underlying zoning, except where a variance from a specific standard has been applied for; and
3. If the development or use requires a conditional use, variance, or special use approval, the project meets the criteria for the same established in Sections 23.60.034, 23.60.036 or 23.60.032, respectively.

**Evaluation:**

The floating structure KCA-265 “Little Blue” will be utilized as a workshop and office for marine sales and vessel services including minor vessel repair and accessory moorage for response/workboat NEVR DULL, provided by Liberty Dock Service. Marine environmental services will also be provided including spill and response kit storage. Marine sales and services, except sale and rental of small boats, boat parts and accessories are allowed outright the Urban Maritime Environment (SMC 23.60.720).

These general standards listed in SMC 23.60.152 apply to all uses in the shoreline environment. They require that design and construction of all uses be conducted in an environmentally sound manner, consistent with the Shoreline Management Program and with best management practices for the specific use or activity. These general standards of the SMP state, in part, that all shoreline development and uses shall:

- protect the quality and quantity of surface and ground water on and adjacent to the lot and shall adhere to the guidelines, policies, standards and regulations of applicable water quality management programs and regulatory agencies. Best management practices such as paving and berming of drum storage areas, fugitive dust controls and other good housekeeping measures to prevent contamination of land or water shall be required.
- not release oil, chemicals or other hazardous materials onto or into the water.
- be located, designed, constructed, and managed to avoid disturbance, minimize adverse impacts and protect fish and wildlife habitat conservation areas, including but not limited to, spawning, nesting, rearing and habitat areas, commercial and recreational shellfish areas, kelp and eel grass beds, and migratory routes. Where avoidance of adverse impacts is not practicable, project mitigation measures relating the type, quantity and extent of mitigation to the protection of species and habitat functions may be approved by the

Director in consultation with state resource management agencies and federally recognized tribes;

- be located, designed, constructed and managed to minimize interference with, or adverse impacts to, beneficial natural shoreline processes such as water circulation, littoral drift, sand movement, erosion and accretion;
- be located, designed, constructed, and managed in a manner that minimizes adverse impacts to surrounding land and water uses and is compatible with the affected area; and
- be located, constructed, and operated so as not to be a hazard to public health and safety.

The proposal involves relocating an existing structure from one Lake Union location (2540 Westlake Avenue N) to the proposed location (1609 Fairview Avenue E). There will be no increase in overwater coverage. No in-water or over-water construction or structural alterations are necessary to perform this action. The relocated floating structure will be moored at an existing dock along the north section of the site. All offsite movement of the floats will occur in designated travel lanes within the Ship Canal and Lake Union. Future use of the floats will be as workshop and office to support marine retail sales and service use, Liberty Dock Service. This implementation of the float relocation and future use of the floating structure is not expected to adversely affect water quality, water quantity, or habitat on or adjacent to the site on a short or long-term basis. The proposed project will be consistent with the general standards in SMC 23.60.152.

Specific development standards set forth in the Urban Maritime Shoreline Environment under SMC 23.60 Subchapter XIII The Urban Maritime Environment, Part 2, relate to regulating structure height, development coverage, view corridors, and public access.

SMC 23.60.752.A provides a standard height limit of 35 feet; the tallest structure on the floats is less than 11 feet in height.

SMC 23.60.754.A.1 limits coverage of the submerged portion of the lot to 65 percent when the waterfront lot has a lot depth of less than 50 feet of dry land. According to figures given on plan sheet A-1.01, 2,750 square feet of 13,556 (20 %) of submerged land would be covered after relocation of the float structure.

SMC 23.60.754.A.2 limits coverage by structures of the dry-land portion of the lot to 75 percent. The lot is entirely submerged and no dry land coverage is proposed.

SMC 23.60.756.A requires a view corridor in the UM Environment of not less than 15 percent of the width of the lot be provided and maintained on all waterfront lots occupied by a water-dependent or water-related use. According to figures provide on plan sheet A-1.01, a view corridor of 30 feet must be maintained to meet this standard. This view corridor will be maintained at the center of the parcel, which will not contain any structure on dry or submerged land.

SMC 23.60.758.B.2 stipulates that water-dependent uses other than marinas and water-related uses located on private lots are not required to provide public access. As the use of the proposed floats is considered water-dependent, provision of public access is not required.

No conditional use or variance is required for this proposal, since the use is allowed in the UM Environment and all general and specific development standards will be met.

### **C. The Provisions of Chapter 173-27 WAC**

WAC 173-27 establishes basic rules for the permit system to be adopted by local governments, pursuant to the language of RCW 90.58. It provides the framework for permits to be administered by local governments, including time requirements of permits, revisions to permits, notice of application, formats for permits, and provisions for review by the state's Department of Ecology (DOE). Since DOE has approved the Seattle Shoreline Master Program, any project consistent with the criteria and procedures of SMC Chapter 23.60 is also consistent with WAC 173-14 and RCW 90.58.

### **CONCLUSION**

Development requiring a Shoreline Substantial Development Permit can only be approved if it conforms to the policies and procedures of the WAC, RCW and with the regulations of Chapter 23.60, Seattle Shoreline Master Program. The specific standards for development in the shoreline environments will be met by the proposed development.

Pursuant to the Director's authority under Seattle's Shoreline Master Program to ensure that development proposals are consistent with the policies and procedures, and conform to specific development standards of the underlying zone, and having established that the proposed use and development are consistent with the Seattle Shoreline Program, the proposal is approved with the conditions listed below.

### **DECISION - SHORELINE SUBSTANTIAL DEVELOPMENT**

The Shoreline Substantial Development permit is **CONDITIONALLY GRANTED**. Conditions are listed at the end of this report.

### **ANALYSIS - SEPA**

Disclosure of the potential impacts from this project was made in the following documents the Environmental Checklist dated May 14, 2012. The application for Shoreline Substantial Development Permits and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, "*Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation*" subject to some limitations. Under such limitations or circumstances (SMC 25.05.665 D) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate. Short-term and long-term adverse impacts are anticipated from the proposal.



### Short-term Impacts

The proposal involves relocating an existing float structure from one location on Lake Union 2540 Westlake Avenue to proposed location at 1609 Fairview Ave E. No in-water or over-water construction or structural alterations are necessary to perform this action. The following temporary or construction-related impacts are expected: temporary increase in noise levels, increase in exhaust from the towing vessel(s), minor disturbance of shorelines and displacement of some fish wildlife species due to increased noise and wake from the movement of floats and towing vessels. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC 25.05.794). Although not significant, these impacts are adverse and, in some cases, mitigation may be warranted.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Seattle Noise Ordinance (construction noise); and State Air Quality Codes administered by the Puget Sound Clean Air Agency (air quality). In addition Federal and State regulations and permitting authority (Section 10 Permit, 404 Permit from the Army Corps and HPA permit from Washington Department of Fish and Wildlife) are effective to control short-term impacts on water quality. Compliance with these codes and/or ordinances will lessen the environmental impacts of the proposed project.

The proposed construction work will take place in and adjacent to the waters of Lake Union. As such, there exists the potential for debris and other deleterious material to enter the water during this proposed work. Best management practices (BMPs) will be required to decrease the probability of debris or other deleterious material from entering the water during the proposed work. Any accidental discharge of such material must be immediately contained on site and then disposed of at the appropriate upland facility. In-water construction activity will be restricted to appropriate work windows for fish protection set by Washington Department of Fish and Wildlife and the US Army Corps of Engineers.

Use of towing vessels poses some potential danger to water and near shore contamination. The contamination from spills could lead to both water quality and aquatic habitat damage. In order to be prepared to provide a fast and effective response to spills or other actions which cause new contaminants to be introduced into the shoreline environment, spill prevention and response procedures have been incorporated into Best Management Practices have been provided to comply the general development standards of the City's Shoreline Master Program (SMC 23.60). No further mitigation under SEPA is deemed necessary.

Construction activities include construction worker commutes and towing vessel trips. These activities themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are minor in scope and short in duration, and do not warrant mitigation under SEPA.

### Long Term Impacts

Adverse long-term or use related impacts are not anticipated from the proposal. As mentioned above, after the floats are relocated, there will be no net increase in over-water coverage from the existing condition. Use activities on the floats are related to providing marine sales and service use for minor vessel repair. No further physical alteration to the structures or the shoreline

environment itself is anticipated from this use. Since no long-term adverse impacts are expected, no additional mitigation under SEPA is required.

### **DECISION – SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 (2)(C)
- [ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030 (2)(C).

### **CONDITIONS – SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT**

#### **For the Life of the Project**

1. All activities at this facility, particularly any work related to or involving vessel repair, shall follow all applicable Best Management Practices required by Washington Department of Ecology for protection of water quality and activities near and over water.
2. Any debris or deleterious material that falls into the water at this facility shall be retrieved immediately and disposed of at an appropriate upland facility.
3. If toxic material such as any petroleum product enters the water, this material shall be reported to the Department of Ecology, and shall be immediately contained using the appropriate equipment and material.

Signature: \_\_\_\_\_ (signature on file) Date: November 1, 2012  
Lindsay King, Senior Land Use Planner  
Department of Planning and Development

LSK: drm

H:\MUP\Shoreline\3012170 Shoreline.docx

# **EXHIBIT E**





08/26/2005



1 of 4



Aug 2005 - Oct 2005



S LANE ST

2412 WESTLAKE  
AVENUE

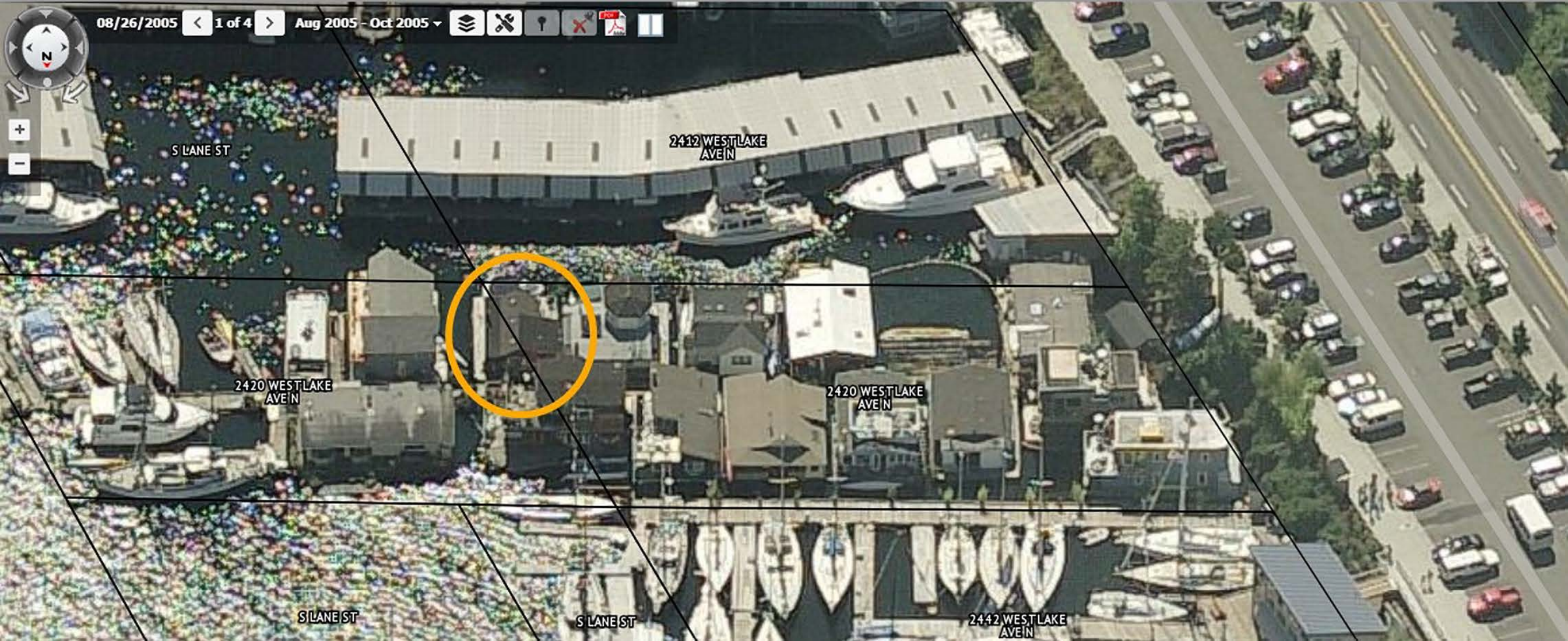
2420 WESTLAKE  
AVENUE

2420 WESTLAKE  
AVENUE

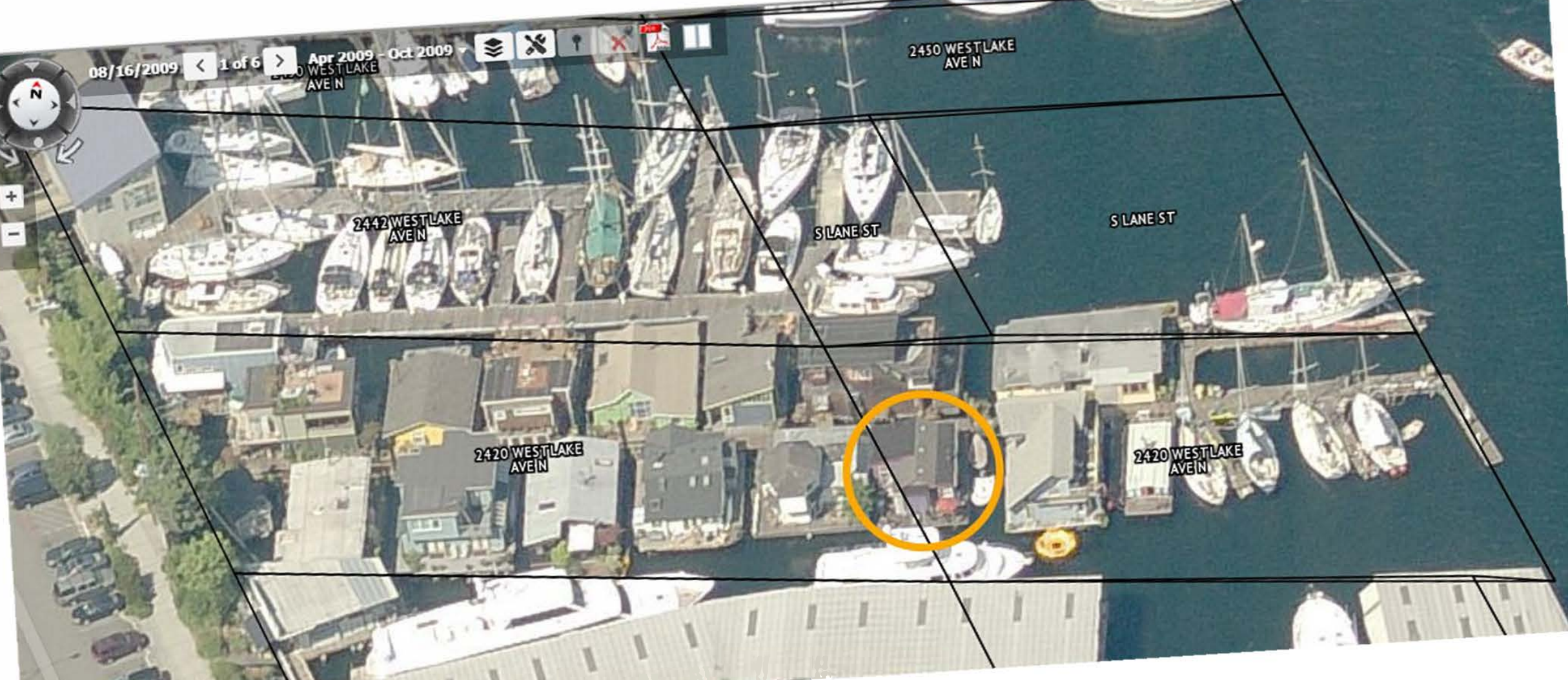
S LANE ST

S LANE ST

2442 WESTLAKE  
AVENUE







08/16/2009

1 of 6

Apr 2009 - Oct 2009

2450 WESTLAKE  
AVE N

2450 WESTLAKE  
AVE N

2442 WESTLAKE  
AVE N

S LANE ST

S LANE ST

2420 WESTLAKE  
AVE N

2420 WESTLAKE  
AVE N

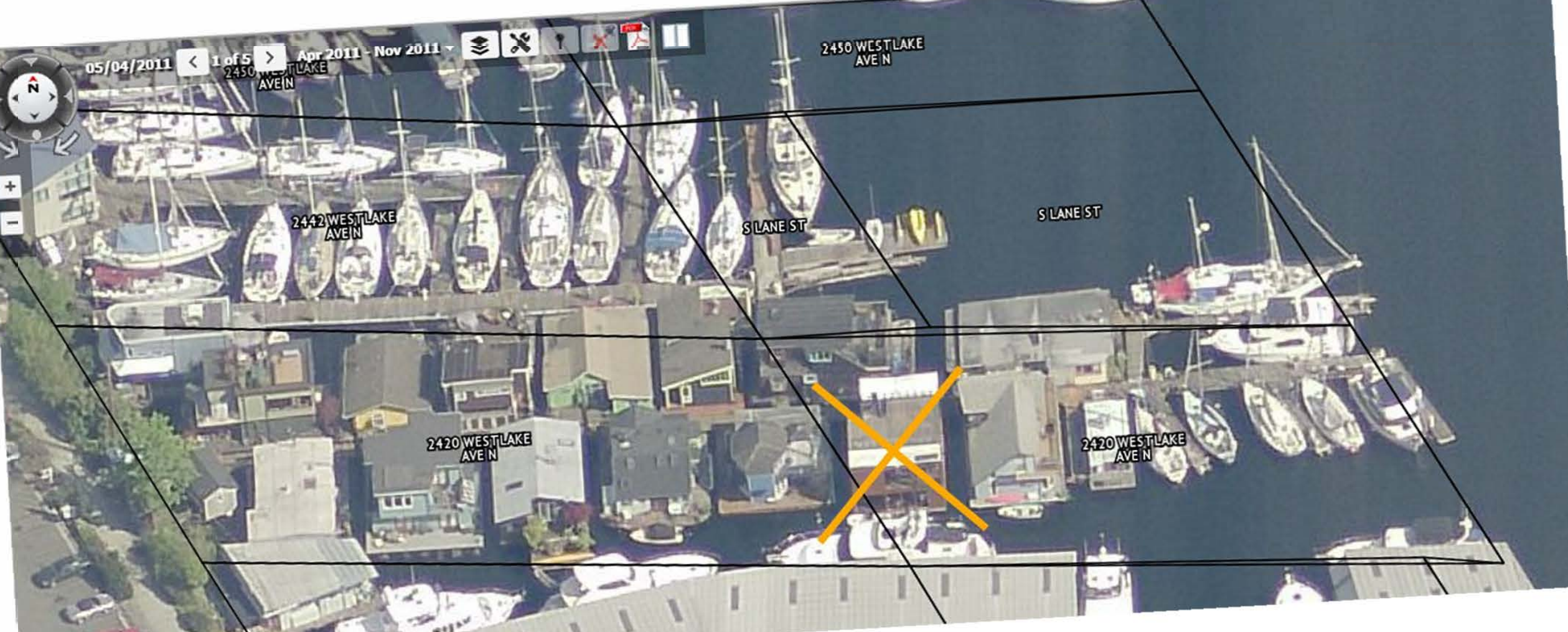


1600 FAIRVIEW AVE E

Fairview Avenue East

1609 FAIRVIEW AVE E





05/04/2011

1 of 5

Apr 2011 - Nov 2011

2450 WEST LAKE AVE N

2450 WEST LAKE AVE N

2442 WEST LAKE AVE N

S LANE ST

S LANE ST

2420 WEST LAKE AVE N

2420 WEST LAKE AVE N



07/02/2013

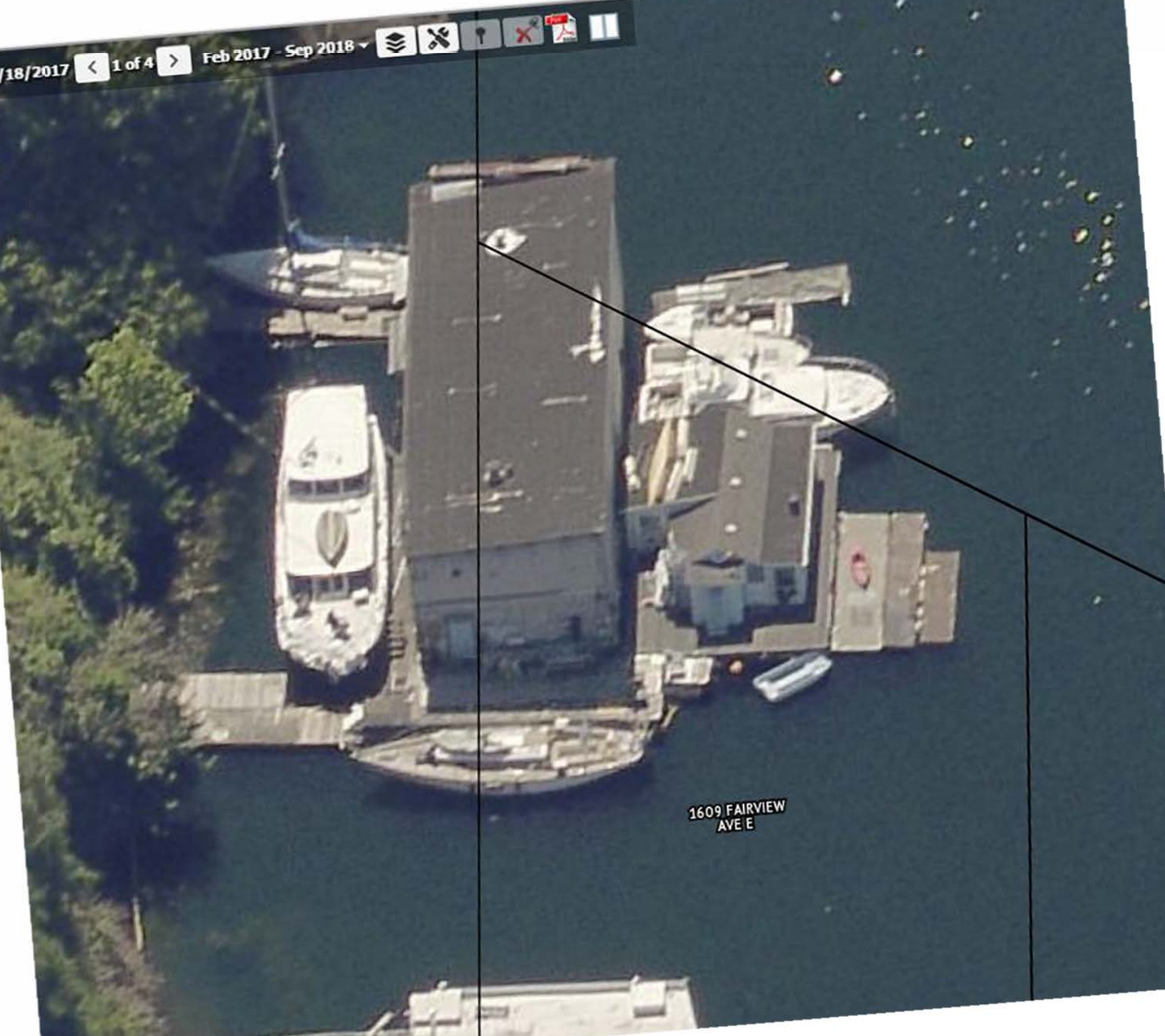
< 1 of 8 >

Jun 2013 - Aug 2013



1609 FAIRVIEW  
AVE E





1609 FAIRVIEW  
AVE E



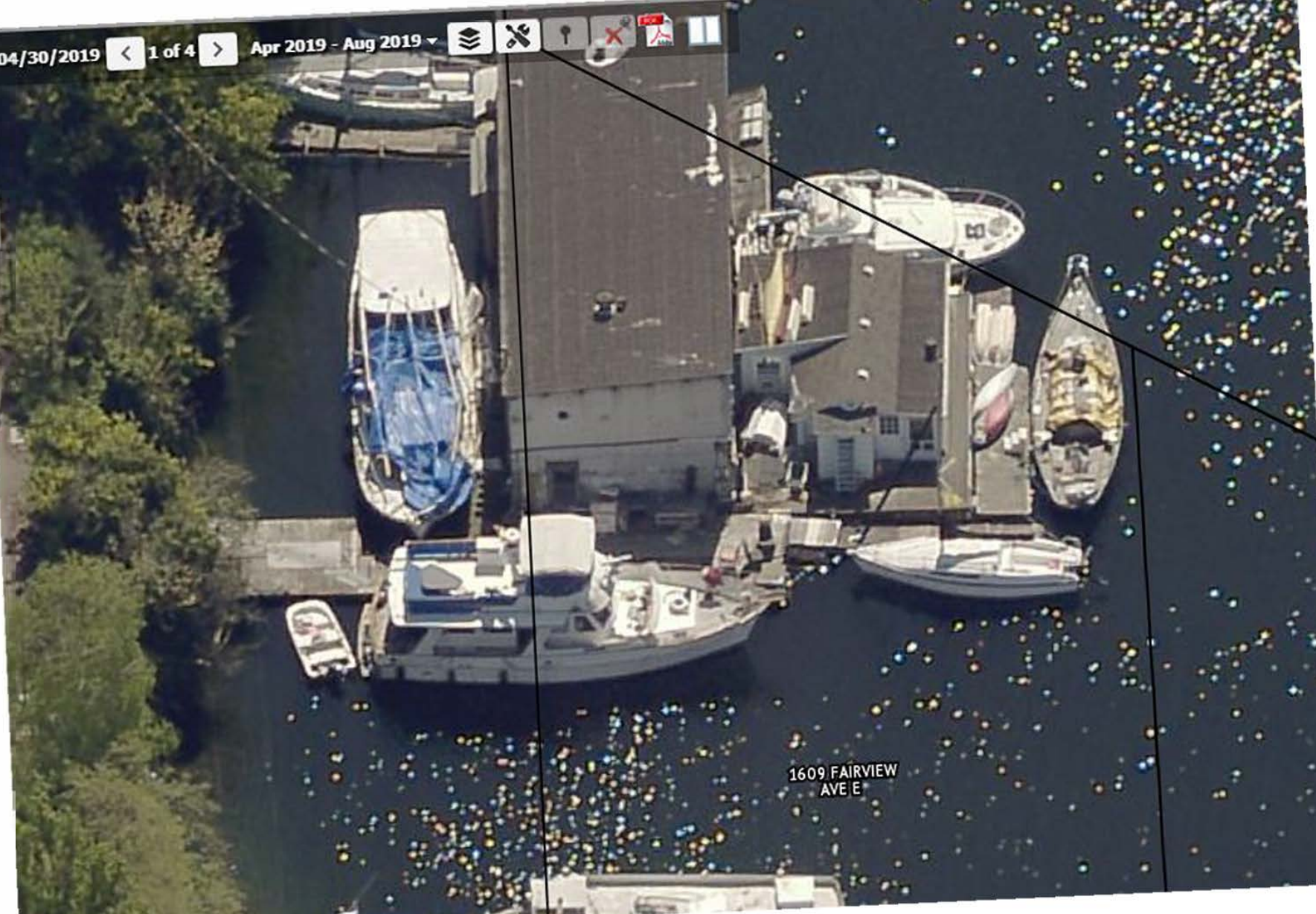
04/30/2019



1 of 4

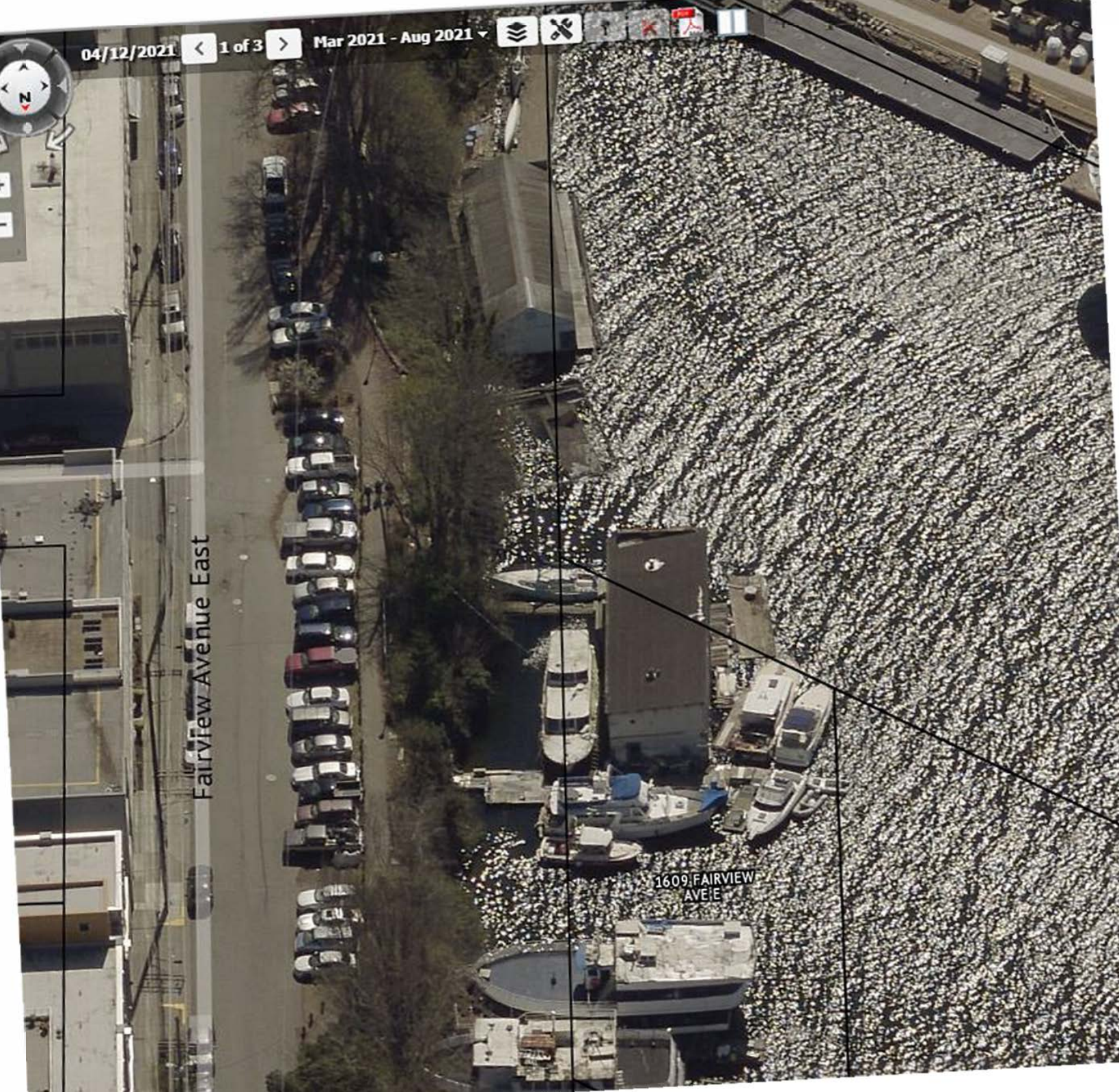


Apr 2019 - Aug 2019



1609 FAIRVIEW  
AVE E





04/12/2021

< 1 of 3 >

Mar 2021 - Aug 2021



Fairview Avenue East

1609 FAIRVIEW  
AVE E





20th Avenue West

2000 W EMERSON  
PL

2100 W COMMODORE  
WAY

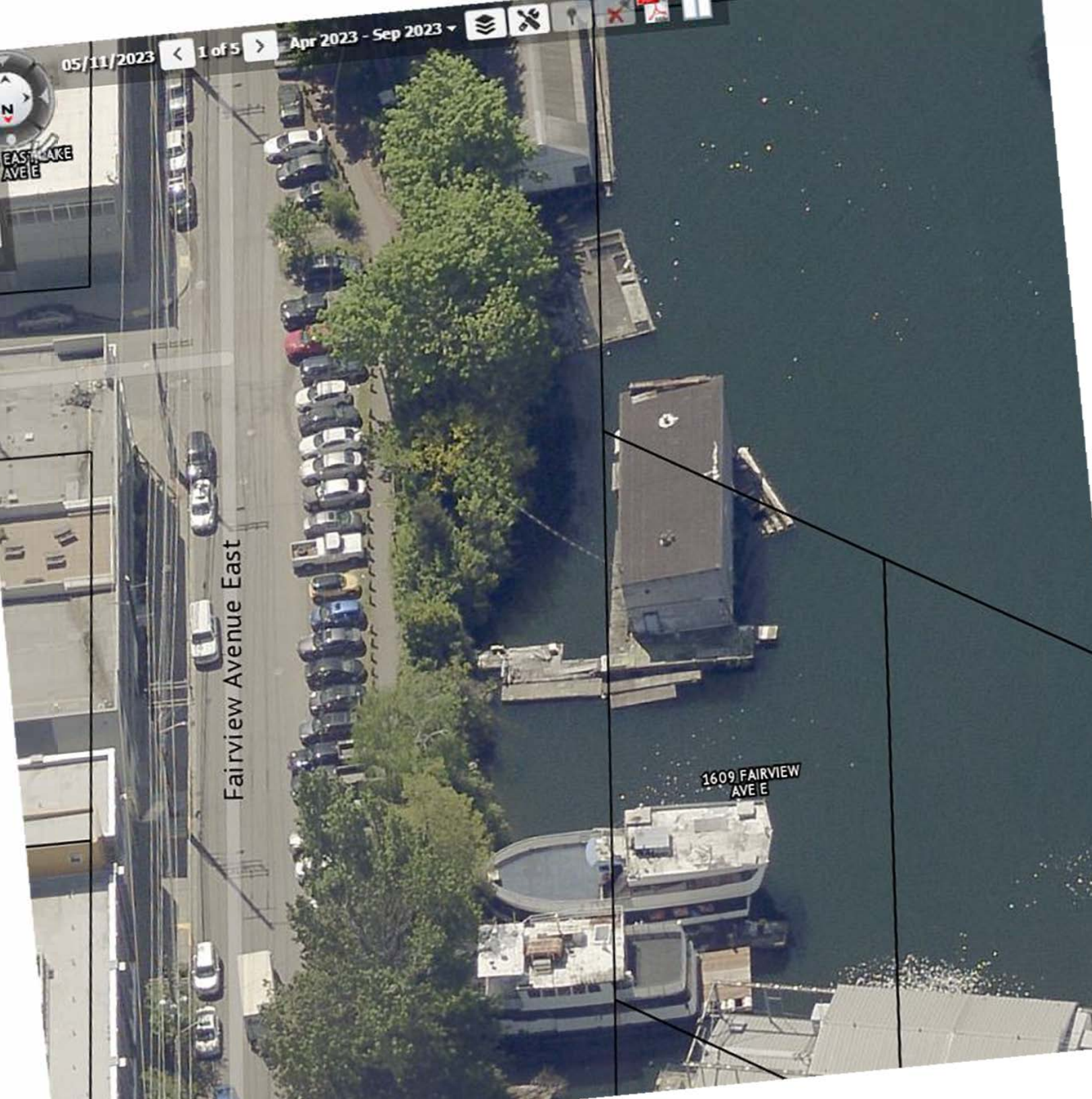


05/11/2023 < 1 of 5 > Apr 2023 - Sep 2023

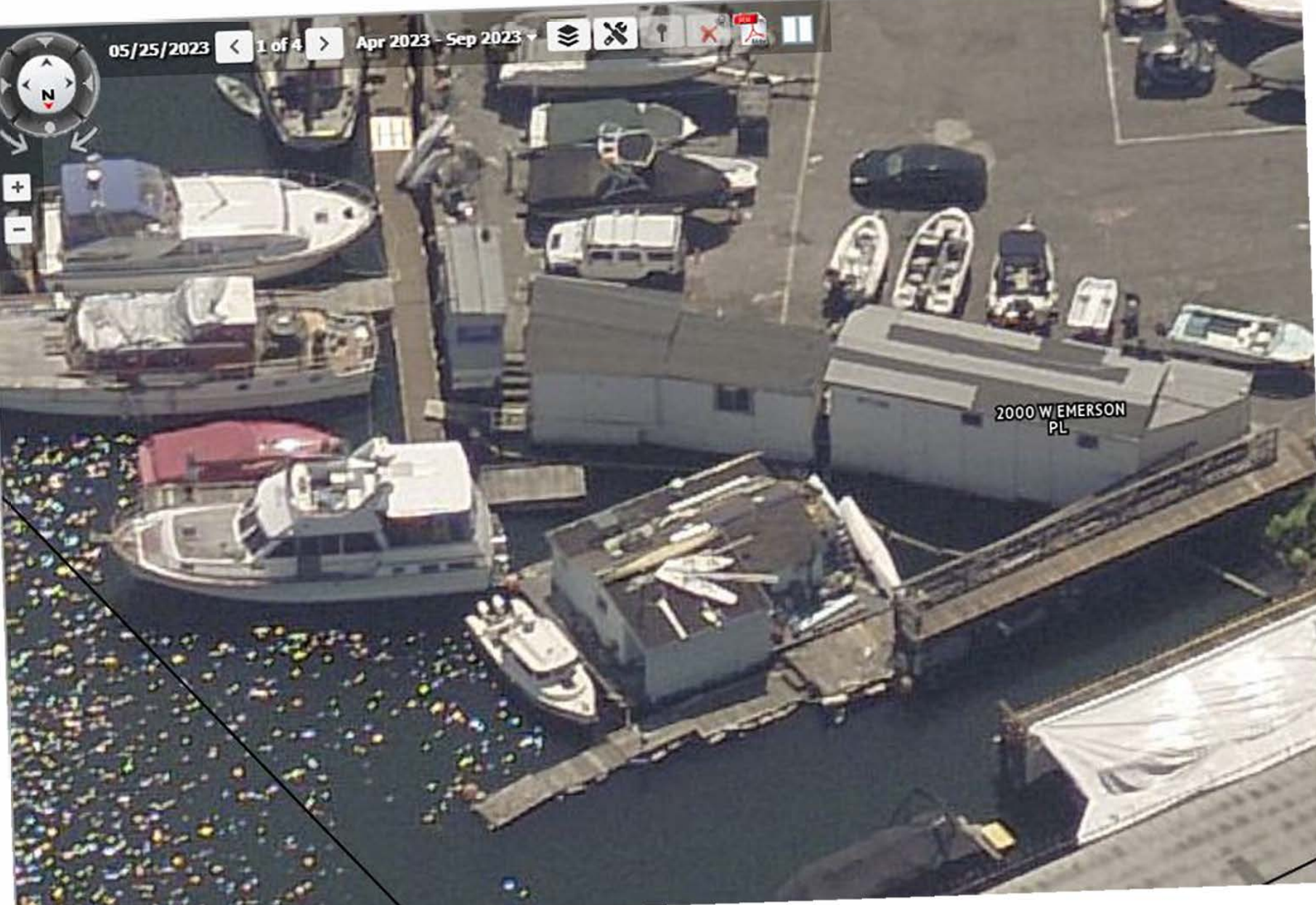
EAST LAKE  
AVE E

Fairview Avenue East

1609 FAIRVIEW  
AVE E







2000 W EMERSON  
PL

05/25/2023

< 1 of 4 >

Apr 2023 - Sep 2023



# **EXHIBIT F**





Submit to County Treasurer of the county  
in which property is located.

**FLOATING HOME**  
**REAL ESTATE EXCISE TAX AFFIDAVIT**

Chapter 82.45 RCW  
Chapter 458-61A WAC

This form is your receipt when stamped  
by cashier.

FOR USE WHEN TRANSFERRING TITLE TO MOBILE HOME ONLY

PLEASE TYPE OR PRINT  
INCOMPLETE AFFIDAVITS WILL NOT BE ACCEPTED

REGISTERED OWNER	NEW REGISTERED OWNER
Name <u>Kevin &amp; Jessica Vanderzanden</u>	Name <u>Povlsen, Noel RANDALL</u>
Street <u>2420 Westlake Ave N Unit 12</u>	Street <u>2921 11th Ave W</u>
City <u>Seattle</u> State <u>WA</u> Zip Code <u>98109</u>	City <u>Seattle</u> State <u>WA</u> Zip Code <u>98119</u>
LOCATION OF MOBILE HOME Name <u>FLOATING HOME</u>	LEGAL OWNER Name <u>SAME</u>
Street <u>2420 Westlake Ave N #12</u>	Street
City <u>SEATTLE</u> State <u>WA</u> Zip Code <u>98109</u>	City State Zip Code

PERSONAL PROPERTY  
PARCEL or ACCOUNT NO. 26902809  
LIST ASSESSED VALUE(S): \$

REAL PROPERTY  
PARCEL or ACCOUNT NO.  
LIST ASSESSED VALUE(S): \$

MAKE	YEAR	MODEL	SIZE	SERIAL NO. or I.D.	REVENUE TAX CODE NO.
<u>FLOATING HOME</u>	<u>1971</u>	<u>CEDAR LOG FLOAT</u>	<u>25x37</u>	<u>KCA 265</u>	<u>0010</u>
		<u>KCA 265</u>			

Date of Sale 5/13/2010

Taxable Sale Price.....\$ 200 (GIFT)

Excise Tax: State.....\$  
Local.....\$

Delinquent Interest: State.....\$  
Local.....\$

Delinquent Penalty.....\$

Subtotal.....\$

State Technology Fee.....\$ 5.00

Affidavit Processing Fee.....\$

Total Due.....\$

If exemption claimed, WAC number & title:  
WAC No. (Sec/Sub) 458-61A-201 B1  
WAC Title

A MINIMUM OF \$10.00 IS DUE IN FEE(S) AND/OR TAX.

**TREASURER'S CERTIFICATE**

I hereby certify that property taxes due King  
County on the mobile home described hereon have been paid to and  
including the year 2010  
10/14/10  
Date County Treasurer or Deputy

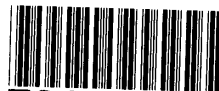
THIS SPACE - TREASURER

**AFFIDAVIT**

I certify under penalty of perjury under the laws of the State of  
Washington that the foregoing is true and correct.

Signature of  
Grantor/Agent Kevin Vanderzanden  
Name (print) Kevin Vanderzanden  
Date and Place of Signing: 5/13/10, Bellevue WA

\* Signature of  
Grantee/Agent Noel R Povlsen  
Name (print) NOEL R GOVLSSEN  
Date & Place of Signing: 5/13/2010  
SEATTLE, WA



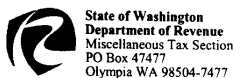
**E2462840**

10/15/2010 15:34  
KING COUNTY, WA  
TAX  
SALE

\$10.00  
\$0.00

PAGE-001 OF 001

COUNTY TREASURER



## REAL ESTATE EXCISE TAX SUPPLEMENTAL STATEMENT

(WAC 458-61A-304)

This form must be submitted with the Real Estate Excise Tax Affidavit (FORM REV 84 0001A) for claims of tax exemption as provided below. Completion of this form is required for the types of real property transfers listed in numbers 1-3 below. Only the first page of this form needs original signatures.

**AUDIT:** Information you provide on this form is subject to audit by the Department of Revenue. **In the event of an audit, it is the taxpayers' responsibility to provide documentation to support the selling price or any exemption claimed.** This documentation must be maintained for a minimum of four years from date of sale. (RCW 82.45.100) Failure to provide supporting documentation when requested may result in the assessment of tax, penalties, and interest. Any filing that is determined to be fraudulent will carry a 50% evasion penalty in addition to any other accrued penalties or interest when the tax is assessed.

**PERJURY:** Perjury is a class C felony which is punishable by imprisonment in a state correctional institution for a maximum term of not more than five years, or by a fine in an amount fixed by the court of not more than five thousand dollars (\$5,000.00), or by both imprisonment and fine (RCW 9A.20.020 (1C)).

The persons signing below do hereby declare under penalty of perjury that the following is true (check appropriate statement):

**1. ☐ DATE OF SALE:** (WAC 458-61A-306(2))

I, (print name) \_\_\_\_\_, certify that the \_\_\_\_\_  
(type of instrument), dated \_\_\_\_\_, was delivered to me in escrow by \_\_\_\_\_  
(seller's name). **NOTE:** Agent named here must sign below and indicate name of firm. The payment of the tax is considered current if it is not more than 90 days beyond the date shown on the instrument. If it is past 90 days, interest and penalties apply to the date of the instrument.

Reasons held in escrow: \_\_\_\_\_

Signature

Firm Name

**2. GIFTS:** (WAC 458-61A-201) The gift of equity is non-taxable; however, any consideration received is not a gift and is taxable. The value exchanged or paid for equity plus the amount of debt equals the taxable amount. One of the boxes below must be checked. Both Grantor (seller) and Grantee (buyer) must sign below.

Grantor (seller) gifts equity valued at \$ 9144 to grantee (buyer).

**NOTE:** Examples of different transfer types are provided on the back. This is to assist you with correctly completing this form and paying your tax.

"Consideration" means money or anything of value, either tangible (boats, motor homes, etc) or intangible, paid or delivered, or contracted to be paid or delivered, including performance of services, in return for the transfer of real property. The term includes the amount of any lien, mortgage, contract indebtedness, or other encumbrance, given to secure the purchase price, or any part thereof, or remaining unpaid on the property at the time of sale. "Consideration" includes the assumption of an underlying debt on the property by the buyer at the time of transfer.

**A: Gifts with consideration**

1. ☐ Grantor (seller) has made and will continue to make all payments after this transfer on the total debt of \$ 0 gift and has received from the grantee (buyer) \$ \_\_\_\_\_ (include in this figure the value of any items received in exchange for property). Any consideration received by grantor is taxable.
2. ☐ Grantee (buyer) will make payments on \_\_\_\_\_ % of total debt of \$ \_\_\_\_\_ for which grantor (seller) is liable and pay grantor (seller) \$ \_\_\_\_\_ (include in this figure the value of any items received in exchange for property). Any consideration received by grantor is taxable.

**B: Gifts without consideration**

1. ☒ There is no debt on the property; Grantor (seller) has not received any consideration towards equity. No tax is due.
2. ☐ Grantor (seller) has made and will continue to make 100% of the payments on total debt of \$ \_\_\_\_\_ and has not received any consideration towards equity. No tax is due.
3. ☐ Grantee (buyer) has made and will continue to make 100% of the payments on total debt of \$ \_\_\_\_\_ and has not paid grantor (seller) any consideration towards equity. No tax is due.
4. ☐ Grantor (seller) and grantee (buyer) have made and will continue to make payments from joint account on total debt before and after the transfer. Grantee (buyer) has not paid grantor (seller) any consideration towards equity. No tax is due.

Has there been or will there be a refinance of the debt? ☐ YES ☐ NO

If grantor (seller) was on title as co-signor only, please see WAC 458-61A-215 for exemption requirements.

**The undersigned acknowledges this transaction may be subject to audit and have read the above information regarding record-keeping requirements and evasion penalties.**

\* [Signature]  
Grantor's Signature

[Signature]  
Grantee's Signature

**3. ☐ IRS "TAX DEFERRED" EXCHANGE** (WAC 458-61A-213)

I, (print name) \_\_\_\_\_, certify that I am acting as an Exchange Facilitator in transferring real property to \_\_\_\_\_ pursuant to IRC Section 1031, and in accordance with WAC 458-61A-213.

**NOTE:** Exchange Facilitator must sign below.

Exchange Facilitator's Signature

For tax assistance, contact your local County Treasurer/Recorder or visit <http://dor.wa.gov> or call (360) 570-3265. To inquire about the availability of this document in an alternate format for the visually impaired, please call (360) 705-6715. Teletype (TTY) users please call 1-800-451-7985.

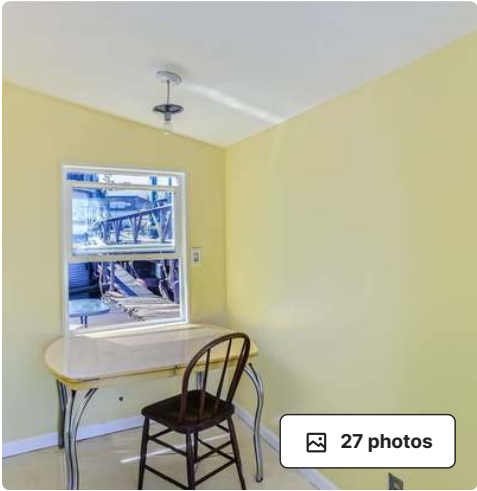
REV 84 0002 (12/27/06)


# **EXHIBIT G**



 Street View

Listed by Linda Bagley • Special Agents Realty.



 27 photos



● FOR SALE - ACTIVE

4266 20th Ave W, Seattle, WA 98199

\$333,000

Est. \$2,046/mo [Get pre-approved](#)

1

Bed

1

Bath

547

Sq Ft



Seattle is a hot market

35% of homes accept an offer within a week. [Tour it before it's gone!](#)

About this home

SALMON BAY BOAT YARD MARINA

FISHERMAN'S TERMINAL

ORIGINAL FLOATING HOMES

BIKE TRAILS

This is a unique opportunity to own a part of Seattle's historical Original Floating Homes, built two years before Seattle City Code KC#042 (grandfathered Floating Home #265) Year built 1921 Such an incredible price. This Seattle Floating Home is located at the quiet Salmon Bay Boat Yard marina next to the iconic Fisherman's Terminal, a minute's walk, near numerous bike trails. Park a larger boat the size of the 25'X37' float to easily get back and forth from the lake or through the locks to Puget Sound for fishing and crabbing. Bring all your toys with plenty of room on the decks. A recent inspection of floatation, 50 AMP electrical. New roof 2023. Annual renewal leased slip \$1,000/mo (all utilities included) +\$200/mo for addl boat.

Show less ^

🕒 32 days on Redfin

🏠 \$609 per sq ft

🏠 Residential, 24 - Floating Home/On-Water Res

🚗 1 parking space

🏠 Built in 1921

👤 2.5% buyer's agent fee

🏠 937 sq ft lot

🏠 Magnolia

Listed by Linda Bagley • Special Agents Realty • 206-419-0065 (agent) • [Linda@SpecialAgentsRealty.com](mailto:Linda@SpecialAgentsRealty.com) (agent)  
Redfin checked: 3 minutes ago (June 26, 2024 at 11:56am) • Source: NWMLS as Distributed by MLS Grid #2237647

Thinking of buying?

WEDNESDAY  
26  
JUN

THURSDAY  
27  
JUN

FRIDAY  
28  
JUN

🏠 Tour in person

📺 Tour via video chat

Request showing

It's free, cancel anytime

OR

Ask a question

You'll hear from a local agent in about 15 minutes

Start an offer



Ask Redfin Partner agent Adam Morrow and Hilary Kelly a question



Adam Morrow and Hilary Kelly

Team of 2 agents

Seattle Redfin Partner Agent  
Sound Counsel Realty  
Responds in about 15 minutes

Write a message...

- I'd like more home details.
- I'm interested in buying.
- Is this home still available?

Ask a question

Payment calculator

\$2,046 per month ⓘ Reset

Get pre-approved

Principal and interest	\$1,849
Property taxes	\$105
Homeowners insurance	\$92

Down payment  
20% (\$66,600) ✎  
Home price  
\$333,000 ✎

Loan details  
30-yr fixed, 7.42% ✎

...

Down payment

Cash ⓘ

\$66,600

20%

Have a home to sell?

Add my home equity

Cash\$66,600

Home Equity\$0

Total Down: \$66,600 (20%)

Additional resources

- \$

Down payment assistance

View down payment assistance programs for this home.

>
- ⚡

Electricity and solar

View estimated energy costs and solar savings for this home
- 📶

Internet

View Internet plans and providers available for this home

Provided by Down Payment Resource, Wattbuy, and AllConnect ⓘ

Additional services

- Cable

Explore Internet & TV plans nearby

Advertisement


- Find a VA Loan

0% Down VA Home Loans: Get Quote

Advertisement



Open houses

📅 No upcoming open houses

Tour on your schedule  
See it with a Redfin Partner agent

Property details for 4266 20th Ave W

Parking

- Parking Information
- Parking Features: Off Street

Interior



Bedroom Information

- # of Bedrooms: 1
- # of Bedrooms Main: 1
- Bedrooms Possible: 1

Bathroom Information

- # of Full Baths (Total): 1
- # of Main Level Bathrooms (Total): 1
- # of Full Baths (Main): 1
- # of Bathtubs: 1

Room 1 Information

- Room Type: Entry Hall
- Room Level: Main

Room 2 Information

- Room Type: Kitchen With Eating Space
- Room Level: Main

Room 3 Information

- Room Type: Living Room
- Room Level: Main

Room 4 Information

- Room Type: Bathroom Full
- Room Level: Main

Room 5 Information

- Room Type: Bedroom
- Room Level: Main

Basement Information

- Basement Features: None

Heating & Cooling

- Has Heating
- Heating Information: Baseboard
- Cooling Information: None

Interior Features

- Interior Features: Wall to Wall Carpet, Water Heater
- Appliances: See Remarks
- Flooring: Vinyl, Carpet
- Appliances Included: Refrigerator(s),See Remarks,Stove(s)/Range(s)

Exterior

Building Information

- Building Information: Detached
- Roof: Composition, Torch Down

Exterior Features

- Exterior Features: Wood

Waterfront Information

- On Waterfront
- Waterfront Features: Canal Access, Lake
- Waterfront Footage: 37'

Property Information

- Energy Source: Electric,See Remarks
- Sq. Ft. Finished: 547

- Style Code: 24 - Floating Home/On-Water Res
- Property Type: Residential
- Property Sub Type: Residential
- Property Condition: Good
- Has View

Lot Information

- MLS Lot Size Source: float dimensions 25' X 37'
- Site Features: Deck,Dock,Fenced-Partially,Gated Entry,Moorage,Propane
- Zoning Jurisdiction: City
- Lot Size Units: Square Feet
- Lot Size Acres: 0.0215
- Lot Size Dimensions: 25' X 37'
- Elevation Units: Feet

Financial

Tax Information

- Tax Annual Amount: \$1,265.80
- Tax Year: 2023

Financial Information

- Listing Terms: Cash Out

Utilities

Utility Information

- Water Source: Public
- Water Company: Dock connection included in lease
- Power Company: 50 AMP included in moorage lease
- Sewer: None
- Sewer Company: 50 gal black water tank (pump service)
- Water Heater Location: kitchen
- Water Heater Type: 50 gal, electric
- Cable Connected: Buyer to verify
- Internet Connected: Buyer to verify

Location

School Information

Location Information

- Elementary School: Buyer To Verify
  - Middle Or Junior High School: Buyer To Verify
  - High School: Buyer To Verify
  - High School District: Seattle
- Directions: Located in the Salmon Bay Ship Yard, the dock is directly behind the office down the ramp on the left. Park across from the marina entry gate.Marina / Yard open hours Tuesday thru Friday 8 to 4:30 PM.

Community Information

- Senior Exemption: false
- Community Features: Gated

Other

Listing Information

- Cumulative Days On Market: 33
- Selling Agency Compensation: 2.5
- MLS Status: Active

Listing Date Information

- On Market Date: Friday, May 24, 2024

Green Information

- Direction Faces: South
- Power Production Type: Electric, See Remarks

Home Information

- Living Area: 547
- Living Area Units: Square Feet
- Calculated Square Footage: 547
- MLS Square Footage Source: Seller
- Building Area Total: 547
- Building Area Units: Square Feet
- Foundation Details: See Remarks
- Structure Type: Floating House
- Levels: One
- Entry Location: Main

Details provided by NWMLS as Distributed by MLS Grid and may not match the public record. [Learn more.](#)

Sale and tax history for 4266 20th Ave W


Sale History	Tax History	
<div><div></div><div>Today</div><div></div></div>	May 24, 2024	Listed (Active)
	Date	NWMLS as Distributed by MLS Grid #2237647
		\$333,000
		Price

Public facts and zoning for 4266 20th Ave W

Beds	—	Lot Size	—
Baths	—	Style	Other
Finished Sq. Ft.	—	Year Built	—
Unfinished Sq. Ft.	—	Year Renovated	—
Total Sq. Ft.	—	County	King County
Stories	—	APN	4200269028

Home facts updated by county records on May 24, 2024.

Additional resources



Zoning

IG1-U/45 | Permitted: Single-Family, Commercial, Industrial

>

Schools


8/10	<div><div>Lawton Elementary School</div><div>Public, K-5 • Assigned • 0.4mi</div></div>	>
6/10	<div><div>McClure Middle School</div><div>Public, 6-8 • Assigned • 1.9mi</div></div>	>
9/10	<div><div>Ballard High School</div><div>Public, 9-12 • Assigned • 1.3mi</div></div>	>

Provided by GreatSchools

Around this home

Redfin > Washington > Seattle > Interbay


Transportation near 4266 20th Ave W



62/100

Somewhat walkable


Walk Score®



54/100

Good transit


Transit Score®



90/100

Biker's paradise


Bike Score®



Places

4 groceries, 37 restaurants, 2 parks

>



Transit

15, 17, 18, 24, 29, 31, 32, 33, 40, 44, 994, D Line

>

Climate risks

About climate risks

Most homes have some risk of natural disasters, and may be impacted by climate change due to rising temperatures and sea levels.

https://www.redfin.com/WA/Seattle/4266-20th-Ave-W-98199/home/190922958

7/10





**Flood Factor**

We're working on getting current and accurate flood risk information for this home.



**Fire Factor**

We're working on getting current and accurate fire risk information for this home.



**Heat Factor**

We're working on getting current and accurate heat risk information for this home.



**Wind Factor**

We're working on getting current and accurate wind risk information for this home.



**Air Factor**

We're working on getting current and accurate air risk information for this home.

**Redfin Estimate for 4266 20th Ave W**

There isn't enough information to generate an accurate estimate at this time. [Learn More](#)

**Recommended for you**

Based on homes you've looked at.

OPEN SAT, 12PM TO 2PM

3D & VIDEO TOUR

**\$1,990,000**

4 beds 3.5 baths 3,300 sq ft  
3804 S Hanford St, Seattle, WA 98144

Listing provided by NWMLS as Distributed by MLS Grid

**\$899,950**

3 beds 2 baths 2,730 sq ft  
531 26th Ave, Seattle, WA 98122

Listing provided by NWMLS as Distributed by MLS Grid

**\$1,215,000**

3 beds 3 baths 2,160 sq ft  
1304 15th Ave S, Seattle, WA 98144

Listing provided by NWMLS as Distributed by MLS Grid

NEW CONSTRUCTION

OPEN THU, 11AM TO 1PM

3D & VIDEO TOUR

6/26/24, 11:59 AM

4266 20th Ave W, Seattle, WA 98199 | MLS# 2237647 | Redfin

\$980,000

5 beds 3 baths 2,150 sq ft

2347 23rd Ave S, Seattle, WA 98144

Listing provided by NWMLS as Distributed by MLS Grid

\$1,698,000

3 beds 2.5 baths 2,720 sq ft

1132 31st Ave S, Seattle, WA 98144

Listing provided by NWMLS as Distributed by MLS Grid

\$3,950,000

3 beds 3.5 baths 5,050 sq ft

412 34th Ave, Seattle, WA 98122

Listing provided by NWMLS as Distributed by MLS Grid

View 10 more homes in your Feed

### Nearby similar homes

Homes similar to 4266 20th Ave W are listed between \$235K to \$1M at an average of \$805 per square foot.

3D & VIDEO TOUR

\$1,100,000

1 bed 1 bath 880 sq ft

2235 Fairview Ave E #6, Seattle, WA 98102

Matt Goyer • Urban Living

\$335,000

1 bed 1 bath 432 sq ft

1080 W Ewing Pl Unit E8, Seattle, WA 98119

Mary Durkan • Windermere Real Estate Co.

3D WALKTHROUGH

\$275,000

2 beds 1 bath 681 sq ft

1080 W Ewing Pl Unit A-3, Seattle, WA 98119

Edward Krigsman • Windermere Real Estate Co.

\$234,500

1 bed 1 bath 300 sq ft

1900 Westlake Ave N Unit B19, Seattle, WA 98109

Susan Robinet • Coldwell Banker Danforth

View more homes

### Nearby recently sold homes

Sorry, we don't have any nearby similar homes to display. See all recently sold homes in [Interbay](#)

### More real estate resources





# **EXHIBIT H**



**Department of Construction & Inspections  
Code Compliance Division**

700 Fifth Ave  
Suite 1900  
PO Box 34019  
Seattle, WA 98124-4019

**Phone:** (206) 615-0808

**TTY:** (206) 233-7156

**Website:** <https://seattle.gov/sdci>

**Office Location:** 700 Fifth Avenue,  
19th Floor of Seattle Municipal Tower

**Complaint Location:**

4266 20TH AVE W  
SEATTLE, WA 98119

**Record Number:** 006807-24CP

**Complaint Type:** Shoreline

**Complaint Outcome:** Violation Confirmed

**Resolution Date:** Jun 26, 2024

**Alleged Complaint Description:** Floating home moored in prohibited moorage and not connected to required sewer service. Moored at Salmon Bay Boat Yard. Home is listed for sale at prohibited location.

**Inspections:**

Type	Date	Result	Result Comments	Inspected By
HZW Investigation (Housing, Zoning, Weeds)	6/11/2024	Completed	6/11/24 Found FH 042 located at Salmon Bay Boat Yard, and listed for sale at this location, no longer located there as a temporary location. Floating homes are prohibited at this location. This location is not a floating home moorage, and the floating home is lacking required sewer system connection. Violation Confirmed.	Amy Groesbeck

**Your complaint investigation has been completed. Further action is being pursued under the following record(s):**

Record Type	Record Number	Open Date	Status
Notice of Violation	1058701-VI	6/26/2024	Initiated

# **EXHIBIT I**





# City of Seattle

Seattle Department of Construction and Inspections  
Code Compliance Program

June 27, 2024

## SHORELINE NOTICE OF VIOLATION CASE NO. 1058701-VI

RESIDENCE OWNERS: **NOEL POVlsen AND LYNN REED**  
RESIDENCE KNOWN AS: **FLOATING HOME 042**, MOORED AT SALMON BAY  
BOAT YARD, 4266 20<sup>TH</sup> AVE W  
PROPERTY OWNER: **PORT OF SEATTLE**  
PROPERTY KNOWN AS: **4266 20TH AVE W, SEATTLE, WA 98119** AND ADJACENT  
SUBMERGED LAND DESCRIBED AS FOLLOWS:  
APN: 766620-0105  
SEATTLE TIDE LDS POR OF RES A IN GILMANS ADD IN NE  
1/4 SEC 14-25-3 TGW POR VAC 20TH AVE W ADJ LY N OF W  
EMERSON ST LESS POR FOR W EMERSON PL & LY S OF LN  
BEG ON E LN OF BLK 5 SEATTLE TIDE LDS 661.251 FT NWLY  
OF SE COR SD BLK 5 & RNNG S 60-30-38 W TO NXN WITH E  
MGN 21ST AVE W & TERM SD LN TGW POR SD BLK 5 ALSO  
LY SELY OF ABOVE DESC LN TGW VAC ELMORE ST ALSO  
PORS BLK 4 SEATTLE TIDE LDS & POR BLK 97 GILMANS ADD  
LY NELY OF W EMERSON PL ALSO POR BLK 3 SEATTLE  
TIDE LDS & POR UNPLTTED RES A LY W OF 15TH NW &  
NWLY OF NP RY R/W LESS C/M RGTS TGW POR VAC ST  
ADJ, AS RECORDED IN RECORDS OF KING COUNTY,  
WASHINGTON

NOEL POVlsen & LYNN REED  
2921 11<sup>TH</sup> AVE W  
SEATTLE, WA 98177

As a result of an inspection by the Shoreline Inspector Amy Groesbeck, notice is hereby given that the subject property and/or person(s) responsible for that property are in violation of the Seattle Land Use Code and the Shoreline Code, Chapter 23 of the Seattle Municipal Code **SMC 23.40.002, 23.60A.012, 23.60A.016, 23.60A.202, and 23.90.002.**

**THE VIOLATION(S) MUST BE CORRECTED BY JULY 27, 2024.**

The specific violation(s) and correction(s) are as follows:

### VIOLATION:

1. Prohibited moorage of Floating Home 042 at location which is not an established floating home moorage site (SMC 23.60A.202A, SMC 23.60A.202B).

2. Floating home 042 is not lawfully connected to sewer service for all wastewater including black and grey water discharge (SMC 23.60A.202D).

**CORRECTION:**

1. Obtain required authorizations and Relocate Floating Home 042 to an established floating home moorage site, obtaining all required authorizations.
2. Obtain required authorizations and Connect Floating Home 042 to sewer service for all wastewater including black and grey water discharge.

**PENALTIES/FINES**

You may be charged a daily civil penalty (fine) for a continued violation.

- The penalty is up to **\$500 per day** beginning the day after the deadline above.
- Penalties continue to add up until the date the corrections are completed and the SDCI Inspector has confirmed that the property is in compliance.
- Certain violations are subject to additional penalties.

If you do not correct the violations by the deadline listed above, the City may file a lawsuit against you to collect the penalty. If this case goes to court, the City would have to prove that the code violation exists/existed in order to collect any penalties.

**RECORDING**

We may file a copy of this Notice of Violation with the King County Recorder's Office.

**INSPECTION CHARGES**

In addition to these penalties, an inspection charge of \$257 is charged for each inspection beyond the first two inspections in this case.

- The third inspection and each subsequent inspection will be charged.
- This charge is in addition to any per-day or other penalty or fine and you will be billed for this charge.

**REQUEST FOR EXTENSION**

You can ask the inspector for more time to complete correction of the violations. The request must be in writing and must explain why you need more time. Extensions will be granted only if substantial progress toward compliance has already been made.

**DIRECTOR'S REVIEW**

If you disagree with this Notice of Violation, you may request a review of this Notice by a Department Review Officer. The Review Officer will review the facts of the case and determine whether the Notice of Violation was properly issued. The Review Officer can extend the compliance date for a short period of time even if the violation is upheld. But, the Review Officer cannot allow a violation to continue or grant a variance.



The Review may be requested by writing to the Director of Code Compliance, in care of  
Inspector Amy Groesbeck,

Seattle Department of Construction and Inspections  
700 5th Avenue, Suite 2000,  
PO Box 34019, Seattle, WA, 98124-4019.

If you request a review by the Director, the request

- must be in writing,
- must be received by the Director no later than ten (10) days following service of this Notice, and
- must contain the signature, mailing address and telephone number of the person requesting the review.

The request should also include a brief statement including

- specific objections to the Notice of Violation
- how the requestor is significantly affected by, or interested in, the Review by the Director.

If more than one person is cited in the Notice, the request for Review by the Director should specify the person to be contacted about the Review.

#### OBTAINING PERMITS

If you are constructing, repairing, adding an addition to, or demolishing a building, or if you are changing or establishing a use, you must obtain the proper permits. **You may need more than one permit.** Information on permits may be obtained at the SDCI Applicant Services Center by visiting <https://www.seattle.gov/sdci/about-us/who-we-are/applicant-services-center>.

Even if a permit allows a longer time frame for completion of work, the compliance date in this Notice of Violation takes precedence over the completion dates specified in any permit.

Actions in the Shoreline zone **may require additional permits** from other City departments, or State and Federal agencies including the Army Corps of Engineers, NOAA Fisheries, Ecology, Fish and Wildlife, and the State Department of Natural Resources.

If needed, the inspector will meet with you or someone representing you on the site to discuss how you will bring the property into compliance with the Land Use Code. Once you have corrected the violation, the inspector must inspect to verify compliance. If you need more information or would like a meeting, please contact the inspector. Thank you for your attention to this matter.

  
Amy Groesbeck  
Shoreline Code Compliance  
Cell: 206-755-2315 | Office: 206.256-5410  
[amy.groesbeck@seattle.gov](mailto:amy.groesbeck@seattle.gov)

City of Seattle, Department of Construction and  
Inspections  
700 Fifth Avenue, Suite 1800  
P.O. Box 34019  
Seattle, WA 98124-4019  
[www.seattle.gov/sdci](http://www.seattle.gov/sdci)

CASE NO. **1058701-VI**  
DOCUMENT NO. **1058701-VI-N001**

Page 4 of 4

CC: TERMINAL OFFICE  
FISHERMAN'S TERMINAL  
PORT OF SEATTLE  
3919 18<sup>TH</sup> AVE W  
SEATTLE, WA 98119

SALMON BAY BOAT YARD  
4266 20TH AVE W  
SEATTLE, WA 98119



# **EXHIBIT J**

**R. SHAWN GRIGGS**  
ATTORNEY AT LAW  
130 NICKERSON STREET, SUITE 201  
SEATTLE, WASHINGTON 98109

July 5, 2024

Seattle Department of Construction and Inspections  
c/o Amy Groesbeck, Shoreline Compliance Analyst  
700 Fifth Avenue, Suite 2000  
P.O. Box 34019  
Seattle, Washington 98124-4019

VIA EMAIL AND U.S. MAIL

Re: Shoreline Notice of Violation 1058701-VI; Request for Director's Review

Dear Sir/Madam:

I represent Noel Povlsen and Lynn Reed, owners of the floating structure incorrectly identified as floating home 042 and situated at 4266 20<sup>th</sup> Avenue West, Seattle Washington 98119. My clients are the recipients of Notice of Violation No. 1058701-VI, which pertains to their floating structure. Because my clients are named as a party in the NOV and own the structure in question, they are significantly affected by and interested in review by the Director and therefore have standing to submit this request per SMC 23.90.014.A.

Noel Povlsen and Lynn Reed request Director's Review of the Notice of Violation. The basis for review is that the structure in question has been misidentified as a floating home and is actually a floating on-water residence per SMC 23.60A.912 and SMC 23.60A.203.

We are preparing an application for verification of the structure as a FOWR and intend to submit that to SDCI within thirty days. In the interest of administrative economy then, and per SMC 23.90.014.A, we request that the record remain open for thirty (30) days so that we may supplement this response with the verification materials and other information obtained through our investigation.

My clients have instructed Special Agents Realty to remove the structure from the MLS and take no further action to market it until this matter is resolved.

Thank you for your consideration of these materials, and please do not hesitate to contact me if you have any questions or concerns regarding this submission.

Regards,



R. Shawn Griggs

RSG



# **EXHIBIT K**



**Code Compliance Program**

700 Fifth Avenue, Suite 2200  
P.O. Box 34019  
Seattle, Washington 98124-4019  
(206) 615-0808/(206) 233-7156 (TTY)  
[www.seattle.gov/sdci](http://www.seattle.gov/sdci)

MARCH 27, 2025

NOEL POVLSEN & LYNN REED  
2921 11<sup>TH</sup> AVE W  
SEATTLE, WA 98177

RE: Application # 3042273-AN  
Floating Home 042, KCA 265, Currently Moored at Salmon Bay Boatyard, 4266 20<sup>th</sup> Ave W

Dear Lynn and Noel,

The City of Seattle received your application, #3042273-AN, to verify your floating home as a "floating on-water residence" (FOWR) located Salmon Bay Boatyard, 4266 20<sup>th</sup> Ave W.

We are unable to approve your application. The City approved your application (3022402-AN) to verify the floating residence as a floating home on December 7, 2015, and your floating home was assigned registration #042. A FOWR cannot also be a floating home. See SMC 23.60A.912. And the Shoreline Master Program (SMP) does have a process for re-registering floating homes as FOWRs.

Nor would such a process make sense given the SMP's purpose. The SMP "shall be liberally construed to give full effect to the objectives and purposes of RCW 90.58, the State Shoreline Management Act." See SMC 23.60A.014.A. The primary purpose of the SMA is to protect fragile shoreline areas. Thus, the "most restrictive" standard in the SMP applies to a proposal. Floating home regulations are more restrictive and protective of the shoreline than FOWR regulations. Therefore the floating home regulations (SMC 23.60A.202) apply to your floating home.

If you would like to dispute the Director's denial of this application for verification as a floating on-water residence, you may appeal the Director's determination to the hearing examiner, in conformance with the hearing examiner rules, within 30 days of date of this letter.

If you have further questions, please contact the City of Seattle shoreline compliance. I am available to answer questions regarding Seattle's Shoreline Master Program at [amy.groesbeck@seattle.gov](mailto:amy.groesbeck@seattle.gov) or (206) 256-5410.

Sincerely,

A handwritten signature in black ink that reads "Amy Groesbeck". The signature is stylized with a large, looped "A" and a cursive "G".

Amy Groesbeck  
Shoreline Code Compliance Analyst



City of Seattle, Department of Construction and Inspections  
700 Fifth Avenue, Suite 1800  
P.O. Box 34019, Seattle, WA 98124-4019

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