

BEFORE THE HEARING EXAMINER
CITY OF SEATTLE

In the matter of the appeal of

NOEL POVlsen and LYNN REED

from a decision by the Director, Seattle
Department of Construction and Inspections

Matter No. FOW 25-001

SECOND DECLARATION OF
NOEL POVlsen

I, Noel Povlsen, declare as follows:

1. I am over the age of 18, am competent to be a witness, and make the following declaration based on my personal knowledge.
2. Between 2002 and 2022, I owned and operated Povlsen Associates Limited, a Washington corporation that did business under the trade name Liberty Dock Service (the "Company"). The Company provided marine construction, demolition, and salvage services throughout Puget Sound. For use in connection with these services, the Company owned and operated a workboat named the NEVR DULL.
3. When I relocated LITTLE BLUE to the moorage 1609 Fairview Avenue East, Seattle, Washington 98102, it was for the purpose of using LITTLE BLUE as an office and workshop for the Company and providing accessory moorage for NEVR DULL.
4. During the time that LITTLE BLUE was moored at 1609 Fairview Avenue East, I used it as an office and workshop for the Company. My desk was set up in the workshop area off the main entrance (formerly the living room) of LITTLE BLUE. I stored paperwork and files there. The NEVR DULL was moored to LITTLE BLUE. I stored tools and equipment inside

1 the interior workshop areas of LITTLE BLUE. And I regularly spent time on LITTLE BLUE,
2 engaged in administrative and clerical work on site, and used the interior workshop spaces to
3 work on minor woodworking and repair projects.

4 5. But because the Company was primarily engaged in construction, demolition, and
5 salvage work, most of the actual work occurred off site, which meant that a substantial portion
6 of many working days were typically spent off-site.

7 6. As stated in my previous declaration, I allowed LITTLE BLUE to be used as a
8 residence during this same time. Victor White and Rick Klu were both long-time friends of
9 mine who lived on LITTLE BLUE because they didn't have other housing options. Both were
10 struggling artists and paid monthly rent of \$500.00, which was well below market rate for
11 comparable accommodation and only covered LITTLE BLUE's moorage cost.

12 7. Because I was friends with both Victor White and Rick Klu, I was comfortable allowing
13 them to reside on LITTLE BLUE while I continued to use it as an office and workshop.
14 LITTLE BLUE was suitable for residential use because it retained all of its amenities (*e.g.*, a
15 built-in berth, kitchen/breakroom area, and fully functional bathroom). And because most of
16 my day was spent off site, my continued use of LITTLE BLUE as an office and workshop did
17 not conflict with their residency. I also benefitted from them residing on board because it was a
18 deterrent to theft and vandalism, which is prevalent in that area of Lake Union.

19 8. Attached to this declaration as Exhibit A are photographs of the interior and exterior
20 spaces of LITTLE BLUE while moored at 1609 Fairview Avenue East. These are generally
21 representative of how the interior of LITTLE BLUE was configured and used while it served as
22 and office and workshop for the Company as well as while Victor White and Rick Klu were
23 living on board.

9. In the fall of 2015, the City of Seattle sent me a Floating Home Registration form for LITTLE BLUE. All of the typed information on the form was pre-filled out when I received it, so I provided hand-written contact information and returned it to the City with the latest King County personal property tax assessment card that I had in my possession.

10. My understanding was that the registration of LITTLE BLUE was necessary for the City to maintain an inventory of current and prior floating homes, but I did not believe or intend that the registration would modify or otherwise alter the shoreline substantial development permit (Permit No. 3012170) that was approved in March of 2014.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge.

EXECUTED this 9th day of June, 2025.

 *Noel Povlsen*

Noel Povlsen

EXHIBIT A

TO

SECOND DECLARATION OF NOEL POVLSEN

DATED JUNE 9, 2025













