

Laurelhurst Community Club

Serving 2800 Households and Businesses in Seattle's Laurelhurst Neighborhood

November 16, 2005

Christie Santos
Seattle Department of Transportation
Seattle Municipal Tower, Ste 3900
PO Box 34996
Seattle WA 98124-4996

Dear Christie,

I wanted to let you know that the board of the Laurelhurst Community Club (LCC) is doing an intensive review of Laurelhurst's public shoreline properties – the six street ends, with two of those wrapped in state waterways, and one stand-alone state waterway. There has been a growing concern about private use of public property in our community and the LCC board of trustees has decided to delve into the specifics of each site. I'm glad you and I have been in fairly regular contact about the street ends lately, because the status of these sites is now at the forefront of attention and you may expect to hear more from me about this process in the near future.

Meanwhile, LCC is concerned about attention being focused on the property to the north of the Laurelhurst Beach Club (#128 – 51st Ave NE). It, as you know, has unassessed encroachments in both the street end and the state waterway. The trustees are uncomfortable having this property being the topic of such attention when the homeowners have not been contacted by the City and, to my knowledge, you have not yet reviewed the scope of the encroachments. There is concern that the homeowners are going to notice LCC board members checking out their property which is part of what they must do to review the overall shoreline access situation, and become agitated. I cautioned the trustees to bear in mind that this is a sensitive situation and I am sure they will, but there are a lot of board members and the homeowners are retired and, therefore, around a lot.

Will you please take a quick look at the documentation on this property right away? Specifically, I think, we need to know if there has been an easement issued to the adjacent neighbors. I don't see any street vacation ordinances on record for that property. I'm not so concerned about the waterway portion -- owners of the property have never applied for permits for their waterway encroachments which include the complete blockage of shoreline access and a dock. DNR is now aware of the situation and it will be addressed soon. I am sending a picture of the property along with this letter. Please note the street lamp in the middle of their walled yard!

The other issue that requires immediate attention is street end #131 (NE 31st Street at W Laurelhurst Drive). I took two board members around to look at the street ends last Sunday and found that the new neighbors to the north have cut many of the plants on the street end down to the ground!!! Branches were still lying all over so it had clearly just happened. I about had heart failure. Please see the included photos. It did not appear that the neighbors were home when we were there. Included in the plants cut to the ground were all the irises other plants in the shoreline itself. There was a dead turtle at the water's edge right next to the remaining corms. It seems likely that they ruined its habitat. This behavior is unacceptable on every level. We discussed it

briefly at the LCC monthly board meeting which occurred the next evening and it was likened to having a neighbor go and cut down all the street trees in an area or going to our park and ripping out all the old rhododendrons. One of the board members knew the previous owner of that home. That neighbor had told the board member that he explicitly informed the people who bought the house that the property is a street right-of-way and not private property. There is an easily visible property survey marker at the shoreline showing where their property ends and the street end begins -- it only about 10 feet from the south façade of their house.

We should consider addressing the egregious actions at this street end with the City Attorney's office after contacting the responsible abutting property owner. It is likely that the conduct is an actionable offense. These neighbors need to have it made very, very clear to them that what they did was illegal. Permits are required for street use and the LCC firmly opposes this kind of treatment of the property. I'm sure you remember several years ago when one neighbor acting on her own began doing something similar at the water's edge at that street end and LCC made it very clear that this was unacceptable and she was to cease immediately. Please contact me right away about this situation.

The (also new) neighbor to the south, John Jacobs, had his property surveyed (this marker is also visible) and has installed a very nice and appropriate fence along his property line. The selling agent had clearly described the property boundary and adjacent street right-of-way situation to him and toured it with him as well.

I would like to take this opportunity to repeat that the apparent privacy of this street end must be addressed. If the only encroachment at this location is the concrete planter currently permitted, then this street end is and always has been wide open and should be signed. WE NEED SIGNS AT ALL OF OUR STREET ENDS. Not one of them is or ever has been closed. The only one which could even be deemed questionable is street end #130 where the neighbors had at some point built a massive retaining wall eliminating access to the shoreline from street itself. The lower level of the property is accessible from the water however so a sign should be placed there too. The upper portion provides access to a beautiful viewpoint of the water as you yourself mentioned to me in September. Access to views of the water was something specifically included in the 1999 Shoreline Street Ends Ordinance. For six years, working on behalf of LCC, I have been saying that all of Laurelhurst's street ends should be signed and yet they still are not.

Sincerely,



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cc: Rich Richmire, SDOT
John Barber, Friends of Street Ends