

January 23, 2012

City of Poulsbo Washington
200 NE Moe Street
Poulsbo, WA 98370

RECEIVED

JAN 23 2012

PLANNING

From: Liberty Bay Estates Home Owners Association

Re: City of Poulsbo letter of January 11, 2012 - Shoreline Master Program

Dear Mr. Berezowsky,

Thank you for your prompt response to our letter and for addressing our concerns. We continue to have concerns and believe that the proposed ordinance will not allow us to rebuild two of our buildings in the event they are damaged or destroyed. Our specific concerns are addressed below.

1. In your response you indicate that the FEMA 2010 flood hazard map shows that all of the buildings are outside the flood hazard zone (FE). This appears to be the case from the map you provided. However:
 - a. In October 2005 Liberty Bay Estates HOA obtained an Elevation Certificate, FEMA form 81-31, from AES Consultants, Inc. We submitted this certificate to FEMA, after the flood map had been revised in 2010, and requested a Letter of Map Amendment to remove our buildings from the Special Flood Hazard Area (SFHA).
 - b. FEMA responded with a Letter of Map Amendment on March 31, 2011. This amendment removed three of our buildings from the SFHA but noted that "Portions of this property, but not subject to the Determination/Comment, may remain in the Special Flood Hazard Area. Therefore, any future construction or substantial improvement on the property remains subject to Federal, State/Commonwealth, and local regulations for floodplain management." FEMA used the map dated 11/4/2010 to make this determination.
 - c. The buildings removed from the SFHA are located at 19733 (building A), and 19811 (building B), and 19833 (clubhouse), 3rd Ave. NW.
 - d. The buildings that remain in the SFHA are 19764 (building D), and 19802 (building C), 3rd Ave. NW.
2. Regarding the potential height of any reconstruction, we agree the current building codes do not create a problem. Under current codes we will need to raise the level of the first floor to at least 1 foot above the base flood level during any reconstruction or rebuilding. Given this requirement and the expected structural changes to meet current codes we expect that our roof peak will approach 30 feet. We are concerned that future zoning changes may lower the limits for waterfront buildings and prohibit us from rebuilding a damaged or destroyed building.

In light of the determination by FEMA that two of our buildings are in a SFHA the proposed change to 16.08.460.E.4.c which reads "If a structure located in a flood hazard area or a landslide hazard area is destroyed, it may be rebuilt only if the rebuilt structure is located outside of the flood hazard area or the landslide hazard area" we will not be allowed to rebuild.

We continue to request that the language of the ordinance be changed to specifically allow us to rebuild, or redevelop or restore, our buildings in their current configuration and location without requiring further mitigation, or conditional use permits, or variances. We believe this must be specifically indicated in this chapter (16.08) to override the requirement for the "more stringent regulation" to apply.

Therefore we request that the City Council add language to the SMP to specifically allow us to rebuild our home(s) in the event it is destroyed or damaged.

Thank You,



Jim Fiedler – President Liberty Bay Estates HOA

Personal Address:

19764 3rd Ave NW
Apartment 56
Poulsbo, WA 98370

Cell Phone 425-870-1880

HOA Address

Liberty Bay Estates HOA
% Reid Property Management
9564 Silverdale Way NW #200
Silverdale, WA 98383-8304

cc: Mayor – Becky Erickson
Council Member -Connie Lord
Council Member -Jim Henry
Council Member - Linda Berry-Maraist
Council Member - Gary Nystul
Council Member - Jeff McGinty
Council Member - Ed Stern
Council Member - David Musgrove

Planning Department – Keri Weaver



Federal Emergency Management Agency

Washington, D.C. 20472

March 31, 2011

MR. GARY CHAPMAN
AES CONSULTANTS, INC.
P.O. BOX 930
SILVERDALE, WA 98383

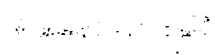
CASE NO.: 11-10-0789A
COMMUNITY: CITY OF POULSBO, KITSAP COUNTY,
WASHINGTON
COMMUNITY NO.: 530241

DEAR MR. CHAPMAN:

This is in reference to a request that the Federal Emergency Management Agency (FEMA) determine if the property described in the enclosed document is located within an identified Special Flood Hazard Area, the area that would be inundated by the flood having a 1-percent chance of being equaled or exceeded in any given year (base flood), on the effective National Flood Insurance Program (NFIP) map. Using the information submitted and the effective NFIP map, our determination is shown on the attached Letter of Map Amendment (LOMA) Determination Document. This determination document provides additional information regarding the effective NFIP map, the legal description of the property and our determination.

Additional documents are enclosed which provide information regarding the subject property and LOMAs. Please see the List of Enclosures below to determine which documents are enclosed. Other attachments specific to this request may be included as referenced in the Determination/Comment document. If you have any questions about this letter or any of the enclosures, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 6730 Santa Barbara Court, Elkridge, MD 21075.

Sincerely,


Luis Rodriguez, P.E., Chief
Engineering Management Branch
Federal Insurance and Mitigation Administration

LIST OF ENCLOSURES:

LOMA DETERMINATION DOCUMENT (REMOVAL)

cc: State/Commonwealth NFIP Coordinator
Community Map Repository
Region



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP AMENDMENT DETERMINATION DOCUMENT (REMOVAL)

ATTACHMENT 1 (ADDITIONAL CONSIDERATIONS)

DETERMINATION TABLE (CONTINUED)

LOT	BLOCK/ SECTION	SUBDIVISION	STREET	OUTCOME WHAT IS REMOVED FROM THE SFHA	FLOOD ZONE	1% ANNUAL CHANCE FLOOD ELEVATION (NAVD 88)	LOWEST ADJACENT GRADE ELEVATION. (NAVD 88)	LOWEST LOT ELEVATION (NAVD 88)
--	--	Liberty Bay Estates Condominium	19811 3rd Avenue Northwest	Structure (Complex B)	X (unshaded)	13.3 feet	18.9 feet	--
--	--	Liberty Bay Estates Condominium	19833 3rd Avenue Northwest	Structure (Club House)	X (unshaded)	13.3 feet	31.5 feet	--

PORTIONS OF THE PROPERTY REMAIN IN THE SFHA (This Additional Consideration applies to the preceding 3 Properties.)

Portions of this property, but not the subject of the Determination/Comment document, may remain in the Special Flood Hazard Area. Therefore, any future construction or substantial improvement on the property remains subject to Federal, State/Commonwealth, and local regulations for floodplain management.

This attachment provides additional information regarding this request. If you have any questions about this attachment, please contact the FEMA Map Assistance Center toll free at (877) 336-2627 (877-FEMA MAP) or by letter addressed to the Federal Emergency Management Agency, LOMC Clearinghouse, 6730 Santa Barbara Court, Elkridge, MD 21075.

Luis Rodríguez, P.E., Chief
Engineering Management Branch
Federal Insurance and Mitigation Administration