

Carlyon Beach Homeowners Association

2719 Island Dr. NW. Olympia, WA 98502-9712
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Email: accounting@carlyonbeachhoa.com
Website: www.thecarlyonbeachhoa.com



February 12, 2024

Kraig Chalem, Senior Planner
Community Planning & Economic Development Dept
3000 Pacific Avenue SE, Suite 100
Olympia, WA 98501-2043

RE: Steamboat Island Shellfish Operation – 9625 Steamboat Island Rd NW

To whom it may concern,

Carlyon Beach Homeowners Association is in receipt of the enclosed letter regarding a written comment period requested for the project named Steamboat Island Shellfish Operation.

The property in question located at 9625 Steamboat Island Road NW is located within the parceled boundaries of the Carlyon Beach Homeowners Association. This homeowner's association is platted with governing documents (CC&Rs) that apply to all lots located within the Association.

The CC&Rs, a copy of which is enclosed for reference, have two applicable sections that relate to running a commercial business within the Association. Section 1 for both divisions states "All lots in plat of Carlyon Beach Homeowners Association shall be used for Residential purposes only..." and Section 10 for both divisions states "No lot or lots shall be used or employed in whole or in part in the conduct of any business or commercial undertaking..."

Since violations of the governing documents would subject the lot in question to all available fines and enforcement procedures at Carlyon Beach Homeowners Association's disposal, we encourage the Department to not approve the application for this project.

Should you have any additional questions or concerns or need further information to be submitted for the written record, please contact us at accounting@carlyonbeachhoa.com.

Sincerely,

Patricia Olive
President
Carlyon Beach Homeowners Association

CARLYON BEACH HOMEOWNERS ASSOC., DIVISION I

Restrictions made by Carlyon Beach Development Co. in the plat of Carlyon Beach Homeowners Association, Division I, dated and recorded October 13, 1959 in Volume 13 of Plats, page 23.

1. All lots in plat of CARLYON BEACH HOMEOWNERS ASSOCIATION shall be used for Residential purposes only, except those designated community tracts and A, B, and C.
2. No permanent structure shall be constructed on any tract closer than 25 feet from Mean High Tideline, except that the construction of a boathouse not to exceed 10 feet in height for the sole use of the owner is permissible, below a line 25 feet above the Mean High Tideline.
3. No building or structure shall be built closer than thirty (30) feet to the front property line and no closer than five (5) feet to any side or rear property line.
4. No permanent structure or building shall be constructed on any lot, tract or parcel of this plat which does not conform to Thurston County Building regulations.
5. All building plans to be submitted to architectural committee prior to the commencing of any construction. The work of construction of all building and structures shall be prosecuted diligently and continuously from commencement of construction until exteriors of such building and structures are completed and painted or otherwise suitably finished. All buildings and structure are to be new construction.
6. All buildings or structures to be one story in height not counting basement, except when variance is granted by the architectural committee of the Carlyon Beach Homeowners Assoc., Inc.
7. Sewage systems shall be located as specified by the Thurston County Health Department. All septic tank drain fields shall have a minimum of 150 linear feet of drain tile and a septic tank minimum of 500 gallon capacity. On waterfront lots, all drain fields shall be a minimum of 50 feet from Mean High Tideline.
8. No poultry or livestock shall be kept or maintained except that riding horses for the personal use of the owner may be kept on any lot excepting waterfront lots. No hunting shall be permitted and the use of firearms is prohibited.
9. No lot, tract or portion of a lot or tract of this plat shall be divided, and sold, ownership changed or transferred, whereby the ownership of any portion of this plat shall be less than 7200 square feet nor less than 50 feet in width as measured along the waterfront, or any ownership left without bordering on a street, or leaving a property line closer than 5 feet to a building.
10. No lot or lots shall be used or employed in whole or in part in the conduct of any business or commercial undertaking except Tract A, B, C, (NOTE) Tract "A" and tidelands abutting thereon, are reserved for community welfare purposes for the use and benefit of several owners of all lots in Carlyon Beach Homeowners Assoc.
11. Subject to articles of incorporation and by-laws of the Carlyon Beach Homeowner Association, Inc. and regulations, restrictions, and reservations contained therein.
12. These covenants are covenants running with the land and shall be binding on all parties until January 1, 1980, and thereafter, unless by a vote of 65% of the owners of lots it is agreed to change the covenants in whole or in part. (NOTE) These restrictions do not apply to Tracts A, B, and C.

CARLYON BEACH HOMEOWNERS ASSOCIATION COVENANTS

DIVISION 2

Restrictions made by Carlyon Beach Development Co. in the plat of Carlyon Beach Homeowners Association, Division 2, and dated September 14, 1960 and recorded on September 26, 1960 in Volume 13 of Plats, page 58.

1. All lots in plat of CARLYON BEACH HOMEOWNERS ASSOCIATION Division number 2 shall be used for Residential purposes only.
2. No permanent structure shall be constructed on any tract closer than 25 feet from Mean High Tideline, except that the construction of a boathouse not to exceed 10 feet in height for the sole use of the owner is permissible, below a line of 25 feet above the Mean High Tideline.
3. No building or structure shall be built closer than twenty (20) feet to the front property line and no closer than five (5) feet to any side or rear property line.
4. No permanent structure of building shall be constructed on any lot, tract or parcel of this plat which does not conform to Thurston County Building regulations.
5. All building plans are to be submitted to Architectural Committee prior to the commencing of any construction. The work of construction of all building and structures shall be prosecuted diligently and continuously from the commencement of construction until exteriors of such building and structures are completed and painted or otherwise suitably finished. All buildings and structures are to be new construction.
6. All buildings or structures to be one story in height and not counting basement, except when a variance is granted by the Architectural Committee of the Carlyon Beach Homeowners Association, Inc.
7. Sewage systems shall be located as specified by the Thurston County Health Department. All septic drain fields shall have a minimum of 150 linear feet of drain tile and septic tank minimum of 500 gallon capacity. On waterfront lots, all drain fields shall be a minimum of 50 feet from Mean High Tideline.
8. No poultry or livestock shall be kept or maintained except that riding horses for the personal use of the owner may be kept on the lots except waterfront lots. No hunting shall be permitted and the use of firearms is prohibited.
9. No lot, tract or portion of a lot or tracts of the plat shall be divided, and sold, ownership changed or transferred, whereby ownership of any portion of this plat shall be less than 7200 square feet nor less than 50 feet in width as measured along the waterfront, or any ownership left without bordering a street, or leaving a property line closer than 5 feet to a building.
10. No lots shall be used or employed in whole or in part in the conduct of any business or commercial undertaking.
11. Subject to articles of incorporation and by-laws of Carlyon Beach Homeowners Association, Inc. and regulations, restrictions, and reservations contained therein.
12. The covenants are covenants running with the land and shall be binding on all parties until January 1, 1980, and thereafter, unless by a vote of 65% of the owners of lots it is agreed to change the covenants in whole or in part.

within this notice period, and consistent with RCW 36.70B, County staff will presume you have no comments and will proceed with review and may make project determinations accordingly.

Further Public Notice: If you would like to receive notice of the Environmental Determination, Notice of Public Hearing, and notice of final decision, please submit written request to Lead Planner.

Appeal: Anyone who does not agree with the final decision will have an opportunity to file an appeal of the decision. Opportunities for appeal occur within fourteen (14) days of the Hearing Examiner decision for any aggrieved party.

Documents Available: Documents related to this application are available online at www.thurstoncountywa.gov. Click the 'Permitting Document Search' link, then enter the project number noted above. They are also available for public review during normal business hours at the Building Development Center, Thurston County Courthouse, 3000 Pacific Ave, Suite 100, Olympia, Washington. For additional information, please contact Kraig Chalem, at (360) 754-4034, or by e-mail at kraig.chalem@co.thurston.wa.us

Other Information About This Project

Application Received: August 10, 2023

Application Deemed Complete: August 10, 2023

Permits Requested by the Applicant: Substantial Shoreline Development Permit

The applicant prepared the following project studies and/or environmental documents at the County's request: Master Application, Joint Aquatic Resource Protection Application, Site Plan.

Additional Information or Project Studies Requested by the County: none at this time.

Other permits that must be obtained, to the extent known by the County: Hydraulic Project Approval (HPA) from the Washington Department of Fish and Wildlife.

At this time, no determination of consistency with County development regulations has been made. At minimum, this project will be subject to the following plans and regulations: Thurston County Comprehensive Plan, Critical Areas Ordinance (TCC 24), Stormwater Drainage Design and Erosion Control Manual (TCC 15.05), Shoreline Master Program (TCC 19), State Environmental Policy Act (SEPA) Ordinance (TCC 17.09).



COUNTY COMMISSIONERS

Carolina Mejia, District One
Gary Edwards, District Two
Tye Menser, District Three
Wayne Fournier, District Four
Emily Clouse, District Five

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

Creating Solutions for Our Future

Joshua Cummings, Director

NOTICE OF LAND USE APPLICATION

Notice Mailed: **January 26, 2024**

Project Number(s): 2023103926 (SEQ#: 23-110179 XC & 23-110180 XA (SEPA))

Project Name: Steamboat Island Shellfish Operation

Project Address: 9625 Steamboat Island Road NW
Tax Parcel No: 39000000600

**Applicant/
Point Of Contact:** Steven and Heather Zimmerman
6308 Boardman Road NW
Olympia, WA 98502
Email: steve@bluesky-nw.com

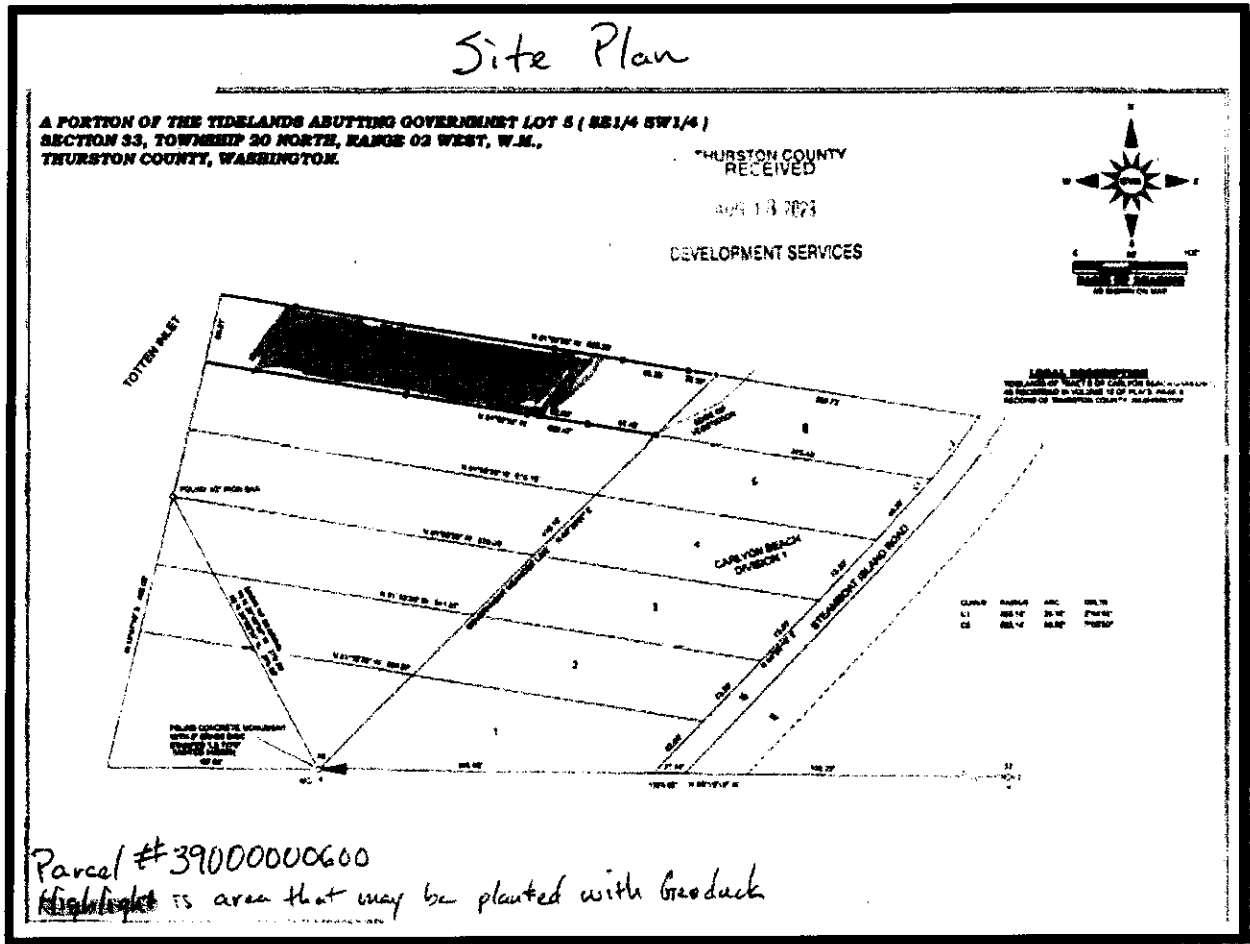
Lead Planner: Kraig Chalem, Senior Planner,
(360) 754-4034, kraig.chalem@co.thurston.wa.us

THE 30-DAY PUBLIC COMMENT PERIOD ENDS AT 4:00 PM ON FEBRUARY 26, 2024

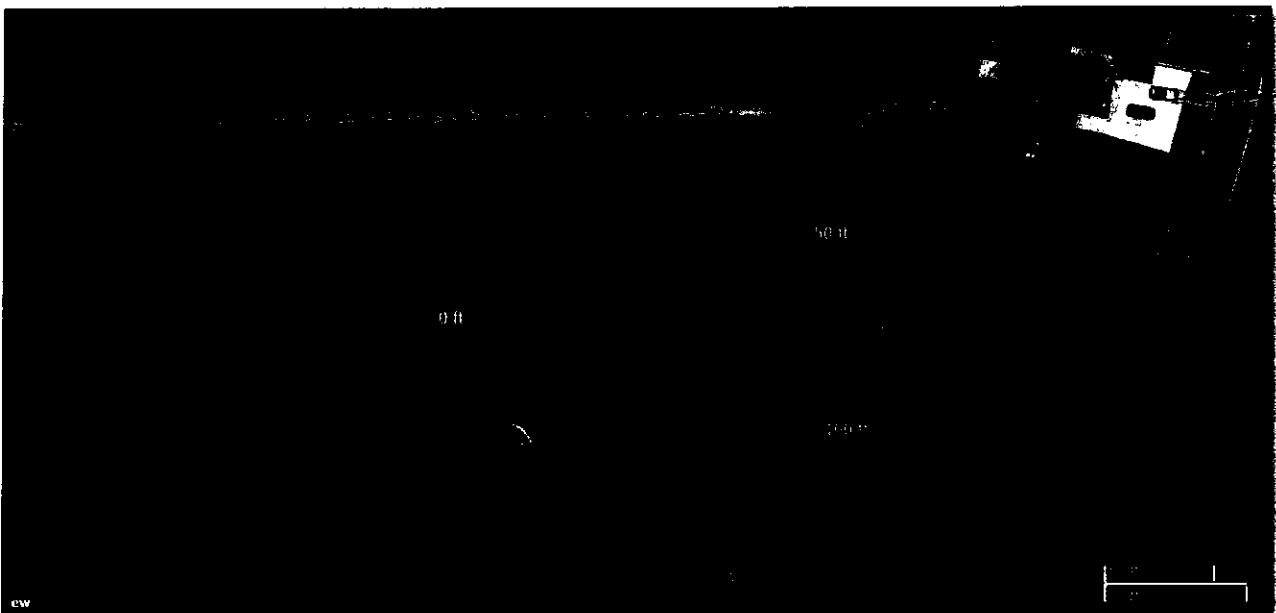
Project Description: The Applicant seeks approval of a Joint Aquatic Resource Application (JARPA) to commercially cultivate geoduck clams on private tidelands between -3.5 ft. to +0.5 ft. Mean Lower Low Water tidal elevations. The proposed project area is approximately .42 acres with about the same area as fallow. Access to the project area occurs by foot or by boat. No nursery structures exist on the project site and all geoduck seed is planted by hand.

Written Comment Period: This application is under review by the Community Planning & Economic Development Department and the outcome has not yet been determined. This Notice of Application is to allow appropriate local and state agencies, tribes, and property owners within 500 feet of the project site to provide comment. All comments related to the project should be submitted in writing to the Lead Planner at the email above, to become part of the written record. The first comment period ends at: **4:00 pm, February 26, 2024**. There will be other opportunities to comment throughout the life of the project, such as the State Environmental Protection Act (SEPA) determination and a public hearing with the Thurston County Hearing Examiner. Please be aware that if you do not submit comments

SITE PLAN



2022 AERIAL PHOTO



VICINITY MAP, ZONING & SHORELINE MASTER PROGRAM

