

CITY OF MERCER ISLAND

COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

PHONE: 206.275.7605 | www.mercergov.org



CITY USE ONLY

PROJECT#	APPEAL#	FEE

Date Received:

APPEAL

Received By:

Name Barcelo Homes, Inc., Premium Homes of Mercer Island, and Bogdan and Nadia Maksimchuk, c/o Dianne K. Conway

Address Gordon Thomas Honeywell LLP, 1201 Pacific Ave., Suite 2100, Tacoma, WA 98402

Phone 253-620-6500 Email dconway@gth-law.com

What is the decision that you are appealing? Include any applicable project file number.

Notice of Violation & Civil Penalties re 2906 74th Ave. SE, Mercer Island, WA 98040 (the "Property")

Code Enforcement Case #CE20-0058

What are your reasons for appealing this decision?

(You must indicate specifically that there were substantial errors, the decision is unsupported by the facts presented, the decision is in conflict with the standards for review of the action or there were irregularities in the procedure. Attachments or supporting information may be included.)

The City is improperly assessing responsibility on each of the alleged violations against four different "responsible parties."

The only "responsible party" affiliated with the Property is the owner, Premium Homes of Mercer Island, LLC.

The City is improperly seeking to increase the penalties for the alleged violations based on unrelated prior violations issued to different parties.

A roofing permit was obtained.

There has been no main floor addition as alleged in the Notice of Violation, nor are there any plans to do one.

What is the outcome or changes in the decision that you are seeking?

Dismissal of the Notice of Violation and Penalties

Signature: /s/ Dianne K. Conway

Date: 02/25/2021