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# CITY OF MERCER ISLAND

## COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

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## PUBLIC NOTICE OF APPEAL HEARING

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**NOTICE IS HEREBY GIVEN** that the City of Mercer Island Hearing Examiner will conduct an Open Record Appeal Hearing on the following, which will convene at 10:00 AM on Wednesday, January 25, 2023:

**File No:** Appeal Number APL22-004.

**Description:** Appellants Stroum Jewish Community Center of Greater Seattle, Island Synagogue, French American School of Puget Sound, Congregational Church of Mercer Island, and Yeshiva High School (collectively, the “Community Organizations”) appeal a City of Mercer Island Code Official initiated and issued development code interpretation (DCI 22-004) to clarify:

MICC 19.06.110(B), *Variances*, imposes a hardship criterion that requires applicants requesting variances in residential zones to demonstrate that strict enforcement of Title 19 MICC will prevent the construction of a single-family dwelling on a legally created residentially zoned lot. MICC 19.06.110(B)(2)(a).

Can the City grant a variance from numeric standards for a non-residential structure sited in a residential zone, if under MICC 19.06.110(B)(1), all criteria in subsection(B)(2)(a) through (B)(2)(h) must be met, and that for a variance to lot coverage standards, the criteria in subsection (B)(2)(a) through (B)(2)(i) must be met?

**Location and map:** Not applicable. (The appealed development code interpretation relates generally to residentially zoned properties within the City of Mercer Island.)

**Appeal Documents:** Please follow this file path to access the associated documents for this appeal: <https://mieplan.mercergov.org/public/APL22-004>.

Documents will continually be added to this file as the appeal process moves forward. For more information, please contact Ryan Harriman, EMPA, AICP – Planning Manager at 206 275-7717 or at [ryan.harriman@mercerisland.gov](mailto:ryan.harriman@mercerisland.gov).

**Testimony by Public:** Individuals wishing to provide testimony will have an opportunity to do so during the appeal hearing. Written comments will also be accepted until such time when testimony by the public is closed by the Hearing Examiner. Written comments on APL22-004 may be sent to [deb.estrada@mercerisland.gov](mailto:deb.estrada@mercerisland.gov). Only those persons who testify at the appeal hearing or who submit written comments will become

parties of record; and only parties of record will receive a notice of the decision and may have a right to appeal.

**Time, Date and Location  
of Open Record**

**Appeal Hearing:** The appeal hearing is scheduled for January 25, 2023, at 10:00 a.m. The appeal hearing will be held virtually using video conferencing technology provided by Zoom. To attend the hearing, please use the following Zoom information:

**Join by Telephone:** To listen to the hearing and participate via telephone, please call 253-205-0468 and enter Meeting ID 844 2842 4790 and Passcode 206249 when prompted.

OR

**Join by Internet:** To watch the hearing and participate over the internet via your computer microphone / speakers follow these steps:

1. Click this Link-  
<https://us02web.zoom.us/j/84428424790?pwd=S0xDcHJ6MFdBT21NOGh3bzdwZ3lSZz09>.
2. If the Zoom app is not installed on your computer, you will be prompted to download it.
3. If prompted for Meeting ID, enter 844 2842 4790
4. Enter Passcode 206249

**Applicable**

**Appeal Process:** The appeal will be processed consistent with the provisions of the Mercer Island City Code ("MICC"), including, but not limited to: Ch. 19.15, MICC Chapter 3.40, the City of Mercer Island Hearing Examiner Rules of Procedure, and Hearing Examiner Emergency Rule 218 (Electronic Evidence Filing).

**Notice Process Information**

Bulletin Notice: December 19, 2022

Date Mailed: December 19, 2022

Date Posted on Site: Not Applicable

Date Posted on City Website: December 19, 2022

Date of Open Record Appeal Hearing: January 25, 2023