

PUBLIC NOTICE OF OPEN RECORD HEARING



NOTICE IS HEREBY GIVEN that the City of Mercer Island Hearing Examiner will conduct an Open Record Public Hearing regarding final design review for the project described below:

- File Nos.:** CAO15-001
- Description of Request:** The applicant is proposing to locate a single family residence in a Category III wetland and its associated buffer, and in a Type 2 watercourse buffer. The subject lot is significantly encumbered by critical areas and their associated buffers. The proposed residence will result in 5,332 square feet of impervious surface, resulting in a lot coverage of approximately 14.2%. The total disturbance proposed to critical areas is 6,318 square feet.
- Applicant :** Bill Summers for MI Treehouse, LLC
- Location of Property:** 5637 East Mercer Way, Mercer Island WA 98040;
Identified by King County Assessor tax parcel number 1924059312
- SEPA Compliance:** Review of the project under the State Environmental Policy Act, file SEP15-001.
- Written Comments:** The written comment period for this proposal ended Monday, May 18, 2015 at 5:00 PM. Only those persons who submitted written comments within the comment period or those who testify at the future open record public hearing will become parties of record and receive the subsequent Notice of Decision on these actions. Only parties of record will have the right to file an appeal action.
- Time, Date and Location of Open Record Public Hearing:** Pursuant to MICC 19.15.010(E), applications for reasonable use exceptions are required to be processed as Discretionary Actions, with the Hearing Examiner as the decision authority. The public hearing is scheduled for **February 13, 2017** at the Mercer Island City Hall Council Chambers, located at 9611 SE 36th Street, beginning at **5:00 PM**.
- Applicable Development Regulations:** Pursuant to MICC 19.15.010(E), applications for reasonable use exceptions are required to be processed as Discretionary Actions, with the Hearing Examiner as the decision authority. Any alteration of a critical area or buffer shall meet the requirements of Chapter 19.07 MICC. Reasonable use exception procedures are detailed in MICC 19.07.030(B)(1). Criteria for reasonable use exceptions are detailed in MICC 19.07.030(B)(3).
- Other Associated Permits:** SEP15-001
- Studies and/or Environmental Documents Requested:** Site Plans by Healey-Jorgenson, received October 18, 2016; Critical Areas Study by Sewall Consulting, Inc.; Geotechnical Engineering Study by GeoGroup NW, Inc.; SEPA Checklist
- Appeal Rights:** *DISCLAIMER: This information is provided as a courtesy. It is the ultimate responsibility of the appellant to comply with all legal requirements for the filing of an appeal.* Parties of record have the right to appeal certain permit and land use decisions. In some cases, other affected parties also have appeal rights. Depending on the type of decision, the appeal may be heard by a City Hearing Examiner, Commission, Board, or City Council, or outside the City to the State Shoreline Hearings Board, the State Growth Management Hearings Board, or King County Superior Court. For a comprehensive list of actions and the applicable entity who will hear the appeal, see MICC 19.15.010(E).

If you desire to file an appeal of a decision that is appealable to the City, you must submit the appropriate form and file it with the City Clerk within the time stated in the Notice of Decision. Forms are available from the Development Services Group. Upon receipt of a timely complete appeal application and appeal fee, an appeal hearing will be scheduled. To reverse, modify or remand a decision, the appeal hearing body must find that there has been substantial error; the proceedings were materially affected by irregularities in procedure; the decision was unsupported by material and substantial evidence in view of the entire record; or the decision is in conflict with the City's applicable decision criteria.

**Application Process
Information:**

Date of Application: January 14, 2015
Determined to Be Complete: March 30, 2015
Bulletin Notice: May 4, 2015
Date Mailed: May 4, 2015
Date Posted on Site: May 4, 2015
Comment Period Ended: 5:00PM on May 18, 2015
Date of Open Record Public Hearing: 5:00 PM on February 13, 2017

You may review the application on file on this matter at the City of Mercer Island, Development Services Group, 9611 SE 36th Street, Mercer Island, Washington. Written comments and/or requests for additional information should be referred to:

Evan Maxim, Planning Manager
Development Services Group
City of Mercer Island
9611 SE 36th Street
Mercer Island, WA 98040
(206) 275-7732
Evan.maxim@mercergov.org