

# PUBLIC NOTICE OF DECISION



**NOTICE IS HEREBY GIVEN** that approval has been granted for the application described below:

- File No.:** CAO17-012
- Description:** A request for a critical area determination to average the buffer of a watercourse for the construction of an expanded driveway. The watercourse is piped in the area of work and an open channel Type 2 stream on another portion of the property. 271 square feet of impervious surface is proposed to be added in the piped watercourse buffer and 542 square feet of buffer is proposed to be added to the buffer at the open channel portion of the stream.
- Applicant / Owner:** Randy Koehler (RKK Construction, Inc.)
- Location of Property:** 4525 West Mercer Way, Mercer Island, WA, 98040;  
Identified by King County Assessor tax parcel number 770100-0110
- SEPA Determination:** The proposal is categorically exempt from SEPA review per WAC 197-11-800(6)(e).
- Applicable Development Regulations:** Pursuant to MICC 19.15.010(E), an application for a critical area determination is required to be processed as an Administrative Action. Processing requirements for Administrative Actions are further detailed in MICC 19.15.020. the project will be reviewed for consistency with the following sections of the Mercer Island City Code: MICC 19.07 – Environment, MICC 19.15 – Administration, and MICC 19.16 – Definitions.
- Project Documents:** Please follow this file path to access the associated documents for this project:  
<https://mieplan.mercergov.org/public/CAO17-012/>
- Other Associated Permits:** Building Permits 1709-044 and 1710-108.
- Decision:** Approved subject to conditions.
- 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.

**Property Tax  
Revaluation:**

Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation. For more information, please contact the King County Assessor's office at (206) 296-7300.

**Application  
Process  
Information:**

Date of Application: August 24, 2017  
Date Determined to Be Complete: September 21, 2017  
Public Comment Period: October 2, 2017 through 5:00 PM on November 1, 2017  
Date Notice of Decision Issued: December 4, 2017  
Appeal Filing Deadline: 5:00 PM on Monday December 18, 2017

The project is available for review at the City of Mercer Island, Development Services Group, 9611 SE 36<sup>th</sup> Street, Mercer Island, Washington.

Project Contact:

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Development Services Group  
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