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# CITY OF MERCER ISLAND

## COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

PHONE: 206.275.7605 | [www.mercergov.org](http://www.mercergov.org)



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## PUBLIC NOTICE OF DECISION

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

**File No.:** CAO19-004

**Permit Type:** Type III

**Description of Request:** A request for a Critical Area Determination to average the buffer of a Type 2 watercourse in order to build a new single-family residence. 478 square feet of the watercourse buffer is proposed to be disturbed, with 500 square feet being added to the buffer elsewhere on the property.

**Applicant/ Owner:** Michael McFadden (Stuart Silk Architects) / Alexandra Boyle and Charles Lee

**Location of Property:** 4150 Boulevard Place, Mercer Island, WA, 98040;  
Identified by King County Assessor tax parcel number: 362350-0387

**SEPA Compliance:** This proposal is categorically exempt from SEPA pursuant to WAC 197-11-800(1)(b)(i).

**Applicable Development Regulations:** Pursuant to Mercer Island City Code (MICC) 19.15.030, Table A, applications for Critical Area Determinations are required to be processed as Type III reviews. Processing requirements for Type III Actions are further detailed in MICC 19.15.030. Processing requirements and review criteria for Critical Area Determinations are detailed in Chapter 19.07 MICC.

**Other Associated Permits:** Building Permit 1902-087.

**Project Documents:** Please follow this file path to access the associated documents for this project:  
<https://mieplan.mercergov.org/public/CAO19-004/>

**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 19.15.030, Tables A and B.

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: March 15, 2019

Determined to Be Complete: April 7, 2019

Public Comment Period: April 15, 2019 through 5:00 PM on May 15, 2019

Date Notice of Decision Issued: August 26, 2019

Appeal Filing Deadline: 5:00 PM on September 9, 2019

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

Project Contact:

Andrew Leon / Planner

Community Planning & Development

City of Mercer Island

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