
CITY OF MERCER ISLAND

COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

PHONE: 206.275.7605 | www.mercerisland.gov



PUBLIC NOTICE OF DECISION

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

File No.: CAO19-013

Permit Type: Type III

Description of Request: A request for a Critical Areas Determination (MICC 19.07.070(B)). The proposal is to average the buffer of a Type 3 watercourse and category IV (4) wetland to replace and expand an existing patio with a new covered patio and stairs. The applicant is proposing to conduct development activity within 60 square feet of the watercourse's buffer, while adding 60 square feet to the buffer elsewhere on the property. In addition, the proposal also includes substantial 2,800sf buffer enhancement on the steep slope.

Applicant/ Owner: Josh Brincko (Josh PS) / Jonathan Lai

Location of Property: 7505 92nd Ave SE, Mercer Island, WA 98040; Identified by King County Assessor tax parcel number 257950-0188.

SEPA Compliance: The proposal is categorically exempt from SEPA pursuant to WAC 197-11-800(2)(f).

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 land use reviews. Processing requirements for Type III land use reviews are further detailed in MICC 19.15.030 Table B.

Other Associated Permits: Building Permit 1906-045

Project Documents: Please follow this file path to access the associated documents for this project: <https://mieplan.mercergov.org/public/CAO19-013/>

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 Table 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: June 25, 2019

Determined to Be Complete: July 1, 2020

Public Comment Period: July 15, 2019 through 5:00 PM on August 14, 2019

Date Notice of Decision Issued: August 10, 2020

Appeal Filing Deadline: 5:00 PM on August 24, 2020

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

Project Contact:

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