

PUBLIC NOTICE OF APPLICATION AND PUBLIC NOTICE OF APPLICATION FOR REVISED PROJECT



NOTICE IS HEREBY GIVEN that the City of Mercer Island has received a zoning variance application and a revised design for a reasonable use exception and associated SEPA determination, described below:

File Nos.: CAO15-001, SEP15-001, VAR18-002

Description of Request: The Applicant has revised the reasonable use exception (CAO15-001) and has applied for a zoning variance (VAR18-002), to construct a proposed house and associated improvements at 5637 East Mercer Way. The proposed house and improvements will be located within regulated wetland, and wetland and watercourse buffer areas, which is the basis for the reasonable use exception application. The proposed house is located within a required setback from an easement to reduce impacts to critical areas, which is the basis for the proposed zoning variance.

Applicant: Bill Summers

Owner: 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: Following review of an earlier design of the proposed reasonable use exception, the City issued a Determination of Significance on July 17, 2017. The applicant has revised the proposed reasonable use exception design, and applied for a zoning variance, to address concerns identified in the SEPA Determination of Significance. Following review of the proposed application, the City may take further action on the SEPA determination.

Project Documents: Please follow this file path to access the associated documents for this project: [https://mieplan.mercergov.org/public/CAO15-001 SEP15-001 VAR18-002/](https://mieplan.mercergov.org/public/CAO15-001%20SEP15-001%20VAR18-002/)

Written Comments: **This may be the only opportunity to comment on the environmental impacts of the proposal.** Written comments on this proposal may be submitted to the City of Mercer Island either by email, in person, or by mail to the City of Mercer Island, 9611 SE 36th Street, Mercer Island, WA

98040-3732. Anyone may comment on the application, receive notice, and request a copy of the decision once made.

Only those persons who submit written comments or participate at the public hearing (if a hearing is required) will be parties of record; and only parties of record will have the right to appeal.

**Public Hearing
and Public
Meeting:**

A public hearing for review and a decision on the proposed zoning variance and reasonable use exception will be scheduled following review of the applications by the City. A notice of public hearing will be issued 30-days prior to the public hearing, pursuant to MICC 19.15.

**Applicable
Development
Regulations:**

Applications for Reasonable Use Exceptions and Zoning Variances are required to be processed as Discretionary Actions pursuant to Mercer Island City Code (MICC) 19.15.010(E). The review criteria for these proposals is in MICC 19.07.030 and MICC 19.15.020(G).

**Other Associated
Permits:**

A SEPA determination (SEP15-001). A future building permit for a single family residence and private access is anticipated.

**Environmental
Documents:**

A copy of all studies and / or environmental documents is available through the above project documents link.

**Application
Process
Information:**

Date of Reasonable Use Application: January 15, 2015
Date of Zoning Variance Application: May 8, 2018
Date of Reasonable Use Exception Complete Application: March 30, 2015
Date of Reasonable Use Exception Complete Application: May 21, 2018
Bulletin Notice: June 4, 2018
Date Mailed: June 4, 2018
Date Posted on Site: June 4, 2018
Comment Period Ends: 5:00PM on July 5, 2018

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

Project Contact:

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

FREQUENTLY ASKED QUESTIONS

1. WHY DID I RECEIVE THIS NOTICE?

Washington State law requires the City to send a notice for this project (Revised Code of Washington (RCW) 36.70B.110). Notice is sent to all property owners within 300-feet of the proposal, or to anyone who has requested to be a “party of record” for the application, as per Mercer Island City Code (MICC) 19.15.020(E)(4)(a). The City sends the notices as neighbors may want to know about certain zoning applications that occur in the vicinity or may be aware of issues that affect the approval of an application.

2. IF I OBJECT TO THE APPLICATION, WILL IT BE DENIED?

There are criteria in the MICC for which the application is reviewed. If the proposal meets the criteria required by City Code, the City must approve the permit. Approval by the neighbors is not one of the criteria in the City Code. If you provide comment within the specified comment period, you will be a party of record and will have the ability to appeal the decision. Written comments should specifically address how the application does not meet one or more of the criteria listed in the Applicable Development Regulations. Most concerns can be addressed prior to issuance of the permit. It is the City’s goal to work with applicants and neighbors to resolve potential concerns.

3. WHAT ARE THE CRITERIA FOR APPROVAL OF A PERMIT?

The criteria for review of a permit are found within the Mercer Island City Code and are listed in the Applicable Development Regulations section of the bulletin. Here is a link to the City Code <http://www.codepublishing.com/WA/MercerIsland/>. Please feel free to call or email the staff contact listed on the front of the notice, and we will be happy to discuss the review process in more detail.

4. WILL THERE BE A PUBLIC HEARING ON THIS APPLICATION?

Public Hearings are only required for Discretionary Actions. For a list of Discretionary Actions, please refer to MICC 19.15.010(E). The public bulletin for each project will state under the Public Hearing section if a hearing is required.

5. I WANT TO ACCESS AND REVIEW SPECIFIC PROJECT DOCUMENTS.

Please click on the associated link under “Project Documents” on each Public Notice to access the folder with the project documents associated with the application. The project documents available through this link contain most, but may not contain all of the publicly available information for each project. For example, when a project is updated with a different project design, older designs may be removed from the public folder to avoid confusion. Each folder will be updated when there is a project revision.

6. I WANT TO LEARN MORE ABOUT SEPA.

What is SEPA?

SEPA is an acronym for the State Environmental Policy Act and is a review that is intended to act as a “safety net” in protecting the environment. Following SEPA review, the City must issue a determination of Significance, Non Significance, or a Mitigated Determination of Non Significance. Applicants for a SEPA review must complete a SEPA [checklist](#), and may need to prepare additional mitigation to avoid a “probable significant impact” to the environment.

When is a project SEPA exempt?

The state Department of Ecology establishes categorical exemptions to SEPA review, which are generally described here: [WAC 197-11-800](#). For example, a shoreline dock may be SEPA exempt if the dock was legally established and normal maintenance and repair is proposed. However, SEPA is required if the dock will expand or if a new dock is being built.

Where can I find more information?

Please check out the Washington State Department of Ecology SEPA [website](#) and the SEPA [handbook](#). Another useful page is the SEPA form templates found at <http://www.ecy.wa.gov/programs/sea/sepa/forms.htm>.

7. WHO CAN I CONTACT TO GET MORE INFORMATION?

The contact information for the planner assigned to each specific project is listed on the bottom of the first page of each notice. You can call or email the planner assigned to the project using the provided contact information. You can also call the "Planner helpline" for zoning related questions at 206-275-7729. Additional resources available on-line include:

<http://www.mercergov.org/>: Staff directory, city regulations, and additional information about permits

<http://www.mybuildingpermit.com>: Follow the status of a specific permit by address or permit number

[Mercer Island Map Portal](#): A tool to search for site-specific information

8. I APPRECIATE RECEIVING THESE NOTICES. HOW DO I AUTOMATICALLY GET A COPY OF ALL PUBLIC NOTICE OF APPLICATIONS AND DECISIONS?

Simply send us an e-mail a request and we will email a link to any future notice of applications and decisions that are published in the city's Weekly Permit Bulletin. Currently, the request can be sent to lauren.anderson@mercergov.org.



CITY OF MERCER ISLAND, WASHINGTON
9611 SE 36th Street • Mercer Island, WA 98040-3732

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MERCER ISLAND WA 98040

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