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# CITY OF MERCER ISLAND

## COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

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Belcher | Swanson Law Firm, PLLC  
Attn: Kristen C. Reid, Attorney at Law  
900 Dupont Street, Bellingham, WA 98225-3105

October 23, 2020

RE: 7025 North Mercer Way - Code Interpretation Request

Dear Ms. Reid,

Thank you for the Code Interpretation request to the City of Mercer Island ("City") regarding 7025 North Mercer Way (Tax Parcel No. 7355700191). The City has reviewed and considered this matter carefully and offers the following response.

Pursuant to Mercer Island City Code ("MICC") 19.15.160(A), the City has discretion as to whether to issue a Code Interpretation. ("Upon formal application, or as determined necessary, the Code Official may issue a written interpretation of the meaning or application of provisions of the development code.") The request does not appear to be a good fit for a Code Interpretation, as it would require a close examination of facts relating to your client's property (including potential review of the watercourse by an expert), rather than an interpretation of the meaning or application of provisions of the development code.

Therefore, the City respectfully declines to issue a Code Interpretation for the received request. The paperwork constituting this request will be returned to your office via United States Standard Mail. Additionally, a full refund for the application fee will be issued in the same manner.

Finally, please note MICC 19.07.090(A) provides for a Critical Area Review 1, which provides for both "[v]erification of the presence or absence of a critical area," or "[v]erification of the delineation and/or type of wetland or watercourse." This provision in the MICC may be suited to your client's goals. Should your client decide to apply for a Critical Area Review 1, the City is available to assist with questions regarding applications forms and fees as well as submittal requirements.

Best regards,



Jeff Thomas  
Interim Director  
Community Planning & Development Department

Cc: Mercer Island City Attorney's Office