

From: jim.mattison.me
To: [Molly McGuire](#)
Cc: [Don Cole](#)
Subject: Permit 2207-019 SUB3 comments
Date: Wednesday, June 21, 2023 4:37:42 PM
Attachments: [2207-019 SUB3 Comments.docx](#)

Hi Molly -

Attached are some additional comments pertaining to submission #3 for the subject permit.

Thanks,

Jim

June 21, 2023

Ms. Molly McGuire
Planner
Community Planning and Development (CPD)
City of Mercer Island
9611 SE 36th Street
Mercer Island, WA 98040

Re: Permit No. 2207-019 SUB3 - 6950 SE Maker St. - Additional Comments

Hello Molly -

We have reviewed the SUB3 documents, and we believe the proposed project continues to not comply with several City Codes as we have stated previously in our written comments to you. Additionally, our neighbor, Dan Grove has shared with us three letters he recently submitted to CPD that illuminate many of these non-compliances more fully:

Letter #1 - June 9, 2023 - Re: Lack of Applicant Update to Existing Grades

Letter #2 - June 12, 2023 - Re: Lack of Required Land Use Application

Letter #3 - Jun 15, 2023 - Re: Demonstration of Illegal Non-conforming Structure

Letter 1

With respect to the June 9 correspondence, we fully support this analysis and the evidence that Dan Grove has provided which locates the original native slope contours on the proposed site and justifies the original existing grades he has identified. Though the data presented in the letter is his, we provided a lot of leg work and research support gathering and interpreting existing surveys and aerial photographs and have a solid understanding of his conclusions. Therefore, we continue to reject the applicant's narrative in his March 1, 2023 Comment Response Memo that leans exclusively on surveyed spot elevations taken from May 2021 as being existing grades.

Letter 2

After reading through MICC 19.07 in its entirety and other related code sections, it appears to us that a Critical Area Review 2 application should be initiated, and the permit and construction documents revised to reflect that. We concur with the findings in this letter and are puzzled why the proposed 6950 project - a significant redevelopment - is not treated in a similar fashion as the exhibit project, a significantly smaller remodel / addition that he links to at the conclusion of this letter.

Letter 3

Again, given our knowledge developed while researching and reconstructing the topography of the native slope of the proposed site and furthering our understanding of the alterations to the topography that ensued in the 1950's, 60's, and early 80's through importing fill materials, we support the conclusion that the rockeries are illegal non-conforming structures. And as such, these will have to be brought up to current MICC, which leads to other compliance issues pertaining to front and side yard height limitations and multiple wall separation.

It is our hope that the City will ensure the proposed project complies with all applicable City Codes and permitting processes fully and transparently. Again, we appreciate making the SUB3 materials available and giving us the opportunity to provide comment.

Sincere Regards,

Jim and Susan Mattison

Cc: Don Cole, BO