
CITY OF MERCER ISLAND

COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

PHONE: 206.275.7605 | www.mercergov.org



PUBLIC NOTICE OF DECISION

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

File No.: CAO19-016

Permit Type: Type III

Description of Request: A request for a critical area determination to change the designation of a watercourse from a Type 2 watercourse to a Piped watercourse, which would change the width of the buffer associated with the watercourse from 50 feet to 25 feet.

Applicant/ Owner: Heidi Helgeson of H2D Architecture + Design / Troy Werelius

Location of Property: 8452 North Mercer Way, Mercer Island, WA, 98040;
Identified by King County Assessor tax parcel number: 545260-0010

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 a Type III land use review pursuant to Mercer Island City Code (MICC) 19.15.030, Table A. Processing requirements for Type III land use reviews are further detailed in Chapter 19.15 MICC. Processing requirements and review criteria for Critical Area Determinations are detailed in Chapter 19.07 MICC.

Conditions of Approval:

1. The project proposal shall be in substantial conformance with the submitted site plan and all applicable development regulations contained within Mercer Island City Code (MICC) Chapter 19.07.
2. The applicant is responsible for documenting any required changes in the project proposal due to conditions imposed by any applicable local, state and federal government agencies.
3. Construction or substantial progress toward construction of a development for which a permit has been granted must be undertaken within three years after the approval of the permit or the permit shall terminate. The code official shall determine if substantial progress has been made.

Other Associated Permits: Building Permit 1907-082.

Project Documents: Please follow this file path to access the associated documents for this project:
<https://mieplan.mercergov.org/public/CAO19-016/>

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: July 26, 2019

Determined to Be Complete: August 21, 2019

Public Comment Period: August 26, 2019 through 5:00 PM on September 25, 2019

Date Notice of Decision Issued: October 21, 2019

Appeal Filing Deadline: 5:00 PM on November 4, 2019

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

Project Contact:

Andrew Leon / Planner

Community Planning & Development

City of Mercer Island

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