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# CITY OF MERCER ISLAND

## COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

PHONE: 206.275.7605 | [www.mercerisland.gov](http://www.mercerisland.gov)



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## PUBLIC NOTICE OF DECISION DCI22-004

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**NOTICE IS HEREBY GIVEN** that the Code Official Interpretation has been issued, as described below:

**File Nos.:** DCI22-004

**Description:** A Code Official initiated and issued development code interpretation to clarify:

Can the City grant a variance from numeric standards for a non-residential structure sited in a residential zone, when under MICC 19.06.110(B)(1), all criteria in subsection(B)(2)(a) through (B)(2)(h) must be met, and that for a variance to lot coverage standards, the criteria in subsection (B)(2)(a) through (B)(2)(i) must be met?

**Issuing Authority:** City of Mercer Island Code Official (Jeff Thomas, Interim CPD Director)

**Location of Property:** The proposed development code interpretation would apply to all residential zoned properties.

**SEPA Compliance:** This proposal is categorically exempt from SEPA pursuant to WAC 197-11-800(19).

**Applicable Development Regulations:** MICC 19.06.110(B).

**Project Documents:** Please follow this file path to access the associated documents for this project: <https://mieplan.mercergov.org/public/DCI22-004>

**Code Authority:** This development code interpretation is issued under the authority of MICC sections 19.15.030 and MICC 19.15.160.

**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.

Pursuant to MICC 19.15.160(B), a person in disagreement with an interpretation by the code official may appeal the code official's interpretation to the hearing examiner.

If you desire to file an appeal, **you must submit the appropriate form and file it with the City Clerk within the time stated in this Notice of Decision.** Forms are available from Community Planning and Development . 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.

**Process  
Information:**

Date of Code Interpretation: November 21, 2022

Bulletin Notice: November 21, 2022

Appeal Filing Deadline: 5:00 PM on December 5, 2022

**Project Contact:**

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