

# PUBLIC NOTICE OF DECISION



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

**File No.:** DEV17-005

**Description of Request:** The applicant has requested approval of a fence height deviation to increase the maximum allowed height for a gate from 42 inches to 60 inches. The gate is proposed to be located in the front yard setback, within 20 feet of an improved private street in the southwest corner of the subject property.

**Applicant :** Brad Sturman (Sturman Architects)

**Owner:** Bent Kjos and Lisa Tall

**Location of Property:** 6308 SE 22<sup>nd</sup> St., Mercer Island, WA, 98040;  
Identified by King County Assessor tax parcel number 544230-0900

**SEPA Determination:** The proposal is categorically exempt from the State Environmental Policy Act (SEPA) per MICC 19.07.120(D), 19.07.120(J)(2), and WAC 197-11-800(6)(e).

**Applicable Development Regulations:** Pursuant to MICC 19.15.010(E), an application for a deviation is required to be processed as an Administrative Action. Processing requirements for Actions are further detailed in MICC 19.15.020. The project has been reviewed for consistency with the following sections of the Mercer Island City Code: MICC 19.02 – Residential, MICC 19.15 – Administration, and MICC 19.16 – Definitions.

**Project Documents:** Please click on the link [here](#) to access the associated documents for this project.

**Other Associated Permits:** None have been requested at this time

**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 19.15.010(E).

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.

**Property Tax  
Revaluation:**

Affected property owners may request a change in valuation for property tax purposed notwithstanding any program of revaluation. For more information, please contact the King County Assessor's office at (206) 296-7300.

**Application Process  
Information:**

Date of Application: February 13, 2017  
Determined to Be Complete: March 2, 2017  
Bulletin Notice: March 13, 2017  
Date Mailed: March 13, 2017  
Date Posted on Site: March 13, 2017  
Comment Period Ended: 5:00 PM on May 27, 2017  
Date of Notice of Decision Issued: May 15, 2017  
Appeal Filing Deadline: 5:00 on May 30, 2017

The application on file on this matter are available for review at the City of Mercer Island, Development Services Group, 9611 SE 36<sup>th</sup> Street, Mercer Island, Washington. Written comments and/or requests for additional information should be referred to:

Andrew Leon, Planner  
Development Services Group  
City of Mercer Island  
9611 SE 36<sup>th</sup> Street  
Mercer Island, WA 98040  
(206) 275-7720  
[andrew.leon@mercergov.org](mailto:andrew.leon@mercergov.org)