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September 1, 2023

*Via Submittal by Seaborn*

Ryan Harriman, EMPA, AICP  
Planning Manager  
Community Planning & Development  
City of Mercer Island

**Re: File No. SHL 14-031  
Cherberg Dock at 9418 SE 33rd Street  
REVISION TO SHORELINE PERMIT**

Dear Mr. Harriman:

This letter is being submitted on behalf of the applicant James Cherberg and is being submitted by Seaborn for the above issued shoreline permit. In July, a modified plan was submitted to the City that removes the southeasterly finger pier. The Cherbergs are now applying to the City and asking the City to approve this minor modification to the project. Seaborn is submitting a very slightly revised plan set dated 7/27/23. The only change from the plan set submitted earlier is to add notes on the Mitigation Planting Plan identifying all the existing trees that are to remain.

You indicated that the City would process this request as a shoreline permit revision under WAC 173-27-100. The removal of the southeasterly finger pier qualifies for approval as a shoreline permit revision. The change maintains compliance with all requirements. The proposed project is a private residential dock and the modification retains the private residential dock in the exact same location, but removes one finger pier. The corner of the retained pier remains the same 36' – 5" separation distance from the Graue dock consistent with the 35-foot requirement of the applicable code. The modification will reduce overwater coverage compared to the project as approved. Also, removal of the southeasterly finger pier provides more room for navigation to and from the Graue dock. For these reasons, the proposed modification is consistent with the terms and conditions of the shoreline permit and applicable Shoreline Master Program.

We have been working with the Graues on this modification request and this letter will be provided to the Graues' attorney Michael Murphy. The Cherbergs have no objection to the City communicating with the Graues about this proposal.

Ryan Harriman, City of Mercer Island

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Please contact me if you require any further information to process this request.  
Thank you for your prompt attention to this matter.

Sincerely,

STEPHENS & KLINGE LLP

*Charles A. Klinge*

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cc: Bio Park, City Attorney  
Eileen Keiffer, City's Outside Counsel  
Michael Murphy, Counsel to the Graues