

Molly McGuire

From: Ben Sharpe <ben.sharpe@gmail.com>
Sent: Sunday, March 22, 2026 9:26 AM
To: Molly McGuire
Cc: Mercer Island Permitting; Adam Zack; Alison Van Gorp
Subject: Re: Public Comment / Party of Record Request: File #2601-016 (3246 72nd PL SE)

Apologies for the duplicate email, but wanted to fix the type in Alison's email.
Ben Sharpe

On Sun, Mar 22, 2026 at 9:23 AM Ben Sharpe <ben.sharpe@gmail.com> wrote:

Dear Senior Planner McGuire,

I am writing as a follow-up to my February 25, 2026 letter regarding File #2601–016 (3246 72nd PI SE), in which I established my status as a Party of Record. I have since obtained and reviewed the full 34-page permit set (Sturman Architects, dated 1/13/2026) and the associated site plan, tree schedule, and arborist documentation. Based on this detailed review, I am submitting the following specific objections and requests.

1. Exceptional Tree Removal — Request for Redesign Evidence Under MICC 19.10

The Tree Schedule identifies the following trees slated for removal along or near the southern property boundary — the boundary shared with my property at 3256 72nd PI SE:

Tree #	Species	DSH	Classification	Replacements
5066	Black Hawthorn	48" Exceptional 6 5067 Western Red Cedar 38"	Exceptional	6
5068	Western Red Cedar	16" Regulated 2 5069 Bitter Cherry 18"	Regulated	2
5071	Apple	24"	Regulated	2

Trees #5066 and #5067 are classified as Exceptional under MICC 19.10. A 48-inch Black Hawthorn is an extraordinary specimen — likely decades old — and the 38-inch Western Red Cedar is similarly irreplaceable in the near term.

Under MICC 19.10.070, the tree retention hierarchy requires that Exceptional Trees be prioritized for retention, and the applicant must demonstrate that the development has been designed to minimize tree removal. Specifically, I request:

- **Evidence that the applicant explored alternative site plans** that would retain Trees #5066 and #5067. Has any redesign analysis been submitted? If so, I request copies.
- **The complete Arborist Report** prepared by Seattle Tree Consulting (John Wells / Douglas Smith), which I requested in my February 25 letter but have not yet received.
- **Confirmation from staff** that the retention hierarchy was applied and that removal of these Exceptional Trees was determined to be unavoidable — not merely inconvenient to the proposed design.

If no redesign analysis exists, I respectfully submit that the application is incomplete with respect to MICC 19.10 requirements and should not be approved until the applicant demonstrates compliance.

2. Replacement Trees Are Wholly Inadequate for Privacy Screening

The plans specify 18 replacement trees meeting minimum MICC 19.10.070 standards: coniferous trees at least 6 feet tall, and deciduous trees at least 1.5 inches in caliper. I strongly object to this as insufficient mitigation for the following reasons:

- The trees being removed — particularly the 48" Hawthorn, 38" Cedar, and 24" Apple — currently provide **essential privacy screening** between the subject property and my home. They represent decades of mature growth with substantial canopy coverage.
- The proposed replacement saplings will require **10 to 20 years** to provide comparable screening. During that period, my family's privacy will be severely compromised.
- The new structure is **30 to 35 feet tall** (2 stories over a full basement), with **nine or more south-facing windows** across three floors — including 8-foot-tall fixed windows on the upper floor serving the primary bedroom and primary bath. These windows will have direct sightlines into my backyard and home from an elevated vantage point.

I request that the City condition any approval to require:

- **Immediate installation of mature screening trees** (minimum 15–20 feet in height) along the southern property boundary, of species appropriate for year-round screening (e.g., Western Red Cedar, Emerald Green Arborvitae, or similar evergreens).
- **All 18 replacement trees must be planted along the southern property boundary** — not distributed elsewhere on the lot. The trees being removed currently serve as the primary privacy screen between our properties. Scattering replacements across the applicant's lot would provide no mitigation whatsoever for the privacy loss I will suffer. The replacement obligation exists because of the trees removed from this boundary; the replacements must go back where the screening is needed.

3. Side Setback and Visual Impact

The plans indicate a side yard setback of approximately 7.5 feet on the southern (my) side. While this may meet the technical minimum under MICC 19.02, the combination of:

- Minimum side setback (7.5 feet),
- Maximum building height (30–35 feet),
- Removal of all mature screening vegetation, and
- Extensive south-facing glazing

...creates an unreasonable impact on my property that warrants mitigation beyond code minimums. I request that staff evaluate whether the proposed design complies with any applicable daylight plane or bulk standards, and whether conditions can be imposed to reduce the visual impact (such as requiring frosted or obscured glazing on south-facing upper-story windows).

4. Permit Status and Timing

I note that the permit status is currently “WCI” (Waiting for Corrections/Information) as of the MyBuildingPermit portal. I request:

- Notification when the applicant submits corrected plans, so that I may review any changes to the tree retention plan or site layout.
- Confirmation that my Party of Record status entitles me to receive the Notice of Decision and exercise appeal rights under MICC 19.15.

Summary of Requests

1. Provide the Arborist Report (previously requested 2/25/2026, not yet received)
2. Provide evidence that the applicant explored redesigning to retain Exceptional Trees #5066 and #5067
3. Condition any approval to require mature screening trees (15–20 ft) along the southern boundary
4. Require all 18 replacement trees be planted along the southern property boundary to restore the destroyed privacy screen
5. Evaluate south-facing glazing for privacy mitigation
6. Notify me of any resubmissions and the eventual Notice of Decision

Thank you for your attention to these concerns. I am committed to working constructively with the City and the applicant to find a reasonable solution, but I cannot accept the wholesale removal of my privacy screening without meaningful mitigation.

Sincerely,

Benjamin Sharpe
3256 72nd Place SE
Mercer Island, WA 98040

On Thu, Feb 26, 2026 at 8:08 AM Molly McGuire <molly.mcguire@mercerisland.gov> wrote:

Hi Ben,

Thank you for providing public comment on the Deigo Kobe Trust demo/rebuild project located at 3246 72nd Pl SE, Mercer Island, WA 98040. Your comment has been included in the project file and will be sent to the applicant for review and response during their resubmittal.

You have been added as a party of record and will be notified when a decision has been made.

Sincerely,

Molly McGuire

Senior Planner
City of Mercer Island – Community Planning & Development
206-275-7712 | www.mercerisland.gov

Notice: Emails and attachments may be subject to disclosure pursuant to the Public Records Act (chapter 42.56 RCW).

The City of Mercer Island utilizes a hybrid working environment. Please see the City's [Facility and Program Information](#) page for City service hours of operation.

From: Ben Sharpe <ben.sharpe@gmail.com>
Sent: Wednesday, February 25, 2026 4:27 PM
To: Molly McGuire <molly.mcguire@mercerisland.gov>; Mercer Island Permitting <epermit.tech@mercerisland.gov>
Subject: Public Comment / Party of Record Request: File #2601-016 (3246 72nd PL SE)

Dear Senior Planner McGuire,

My name is Benjamin Sharpe and I reside at 3256 72nd Place SE, which is the property immediately south of the proposed development at 3246 72nd PL SE.

I am writing to formally request to be made a Party of Record for this application (File #2601-016). Please ensure I am notified of any decisions, hearings, or appeals regarding this project.

I have reviewed the Notice of Application to demolish the existing residence and build a new 6,193 sq. ft. residence. Based on the notice and the proximity to my property, I am submitting the following preliminary objections and requests for review:

1. Tree Retention and Privacy Screening (MICC 19.10)

My property currently relies on the existing mature vegetation on the subject property for privacy and wind buffering. I am concerned that the proposed footprint will necessitate the removal of significant trees that provide essential screening between our lots.

- Request: I request that the City strictly enforce the tree retention hierarchy in MICC 19.10, prioritizing the retention of trees located in the setback areas that buffer neighboring properties.

- Request: Please forward a copy of the applicant's Arborist Report and Tree Retention Plan so I can verify which specific trees are slated for removal.

2. Setbacks and Building Massing

Given the substantial size of the proposed structure (nearly 6,200 sq. ft.), I am concerned about the bulk and scale of the home looming over my property and the potential loss of light and privacy.

- Request: Please confirm that the proposed side yard setbacks strictly adhere to the aggregate requirements of the Mercer Island City Code and that no variances are being requested to reduce these setbacks.

- Request: I request verification that the building design complies with daylight plane requirements to minimize the visual impact on my property.

I look forward to reviewing the detailed site plans and the Arborist Report. Please confirm receipt of this email and that my status as a Party of Record has been noted.

Sincerely,

Benjamin Sharpe

If the contents of this email should be published online please redact my email address. Thank you.