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# CITY OF MERCER ISLAND

## DEVELOPMENT SERVICES GROUP

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

PHONE: 206.275.7605 | [www.mercergov.org](http://www.mercergov.org)

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## Code Compliance Courtesy Notice

February 12, 2018

**Property Owner(s): Shane Miller**

**Subject Property: 7709 West Mercer Way, Mercer Island, WA 98040**

**Code Compliance Case: CE18-0017                      APN:5451300045**

Dear Shane Miller,

This department received a reported concern regarding unapproved retaining wall construction taking place within the shoreline area which also caused dirty water in Lake Washington at the subject property. Additional concerns regarding a lack of permits and property line issues for a recently installed gate across your driveway.

I came to your property on Friday February 02, 2018 and posted a Stop Work Order for the work taking place on the shoreline. I was not provided access to the work area. You were granted permission to secure the site and contain any further erosion and dirt from entering Lake Washington. The photo you provide on Monday 02/05/18 appears to show a completed project.

If a wall existed as you have stated and based on photos (aerials, shoreline, and submitted) there are indications that the scope of work is beyond "yard maintenance" as you stated.

It appears that a retaining wall was altered and reconstructed within a shoreline area and geologic hazard area and dirt/mud washed into Lake Washington during construction and clean up.

At minimum you are required to submit application for a Shoreline Exemption Permit and all required supporting documents. The review process may determine further requirements from the City and State Agencies. Mercer Island City Code Chapter 19.07 ENVIRONMENT, may provide you with further information.

Regarding the new gate at the driveway entrance.

The gate is a manual gate and does not require any City permits to install. It is a private property civil issue as to whether it is located on your property or encroaching onto your neighbor's property. However, the gate does need to meet Land Use codes.

The gate is located along your side yard, this is allowed. The allowed maximum height within the required side yard is 72 inches. The height of a gate is measured from the top of the gate, including posts, to the existing grade or finished grade, whichever is lower, directly below the section of the gate being measured. Mercer Island City Code Chapter 19.02.050 (C) (1) and 19.02.050 (E) (1) (a) may provide you with further information.

I have not measured the gate and would like to meet with you to make the measurements together.

Thank you for your prompt attention to resolving these matters,

A handwritten signature in black ink that reads "Jimmi Serfling". The signature is written in a cursive, flowing style.

Jimmi Serfling, Code Compliance Officer  
[Jimmi.serfling@mercergov.org](mailto:Jimmi.serfling@mercergov.org) ~ 206-275-7709