

10/7/2021

**City of Mercer Island
Case Activity History
DSG_CST**

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Case Number CE18-0017
Case Name unpermitted retaining wall work & erosion into lake
Type RESIDENTIAL
Subtype SHORELINE
Status MONITOR
Description:

Opened 2/2/2018 JS
Closed
Last Action 3/24/2020 AMY
Follow Up 3/24/2020 AMY

Site Address	City	State	Zip	Site APN
7709 W MERCER WAY	MERCER ISLAND	WA	98040	5451300045

Owner MILLER, SHANE M	Resident
Address 7709 W MERCER WAY MERCER ISLAND WA 98040	

Action Date	Completion Date	Action Type	Action By / Action Description
3/24/2020	3/24/2020	EMAIL SENT	amyers (3/24/2020 10:20:10 AM AMY) Action Created (3/24/2020 10:20 AM AMY) Hi Shane, Your wall permit is on hold until we receive payment for outstanding fee balance of \$989.81. Please pay the current fee balance and resubmit revised plans that address Nicole's comments/questions from her last review in January. City Hall is currently closed due to the COVID-19 outbreak. Payments for permits can still be dropped off in the lobby of City Hall and they are processed each Wednesday. Sincerely, Anthony Myers
3/24/2020	3/24/2020	PERMIT APPLICATION	amyers (3/24/2020 10:18:32 AM AMY) Action Created (3/24/2020 10:20 AM AMY) Permit 1912-047 is on hold until permit fees are paid.
11/6/2019	11/6/2019	TELEPHONE CALL	amyers (11/6/2019 1:51:22 PM AMY) Action Created (11/6/2019 1:51 PM AMY) Received phone call from Shane requesting a meeting as soon as possible.
11/6/2019	11/6/2019	MEETING	amyers

Action Date Completion Date Action Type

Action By / Action Description

			(11/6/2019 1:51:50 PM AMY) Action Created
			(11/6/2019 1:57 PM AMY) Evan, Alison and I met with Shane to discuss the permitting process. Evan explained if Shane were to pursue the permitting process he will need to get a building permit and a shoreline exemption permit. Evan said he would talk to Don regarding the critical area determination to see if it could be combined with the building permit. Shane is unsure if he will proceed with his appeal or the building permit so it was agreed that daily penalties will not be accruing while he decides. He has until 11-15-19 to decide.
11/5/2019	11/5/2019	APPEAL	amyers (11/6/2019 1:58:25 PM AMY) Action Created (11/6/2019 1:58 PM AMY) Owner submitted appeal form.
11/4/2019	11/4/2019	EMAIL SENT	amyers (11/4/2019 8:26:38 AM AMY) Action Created (11/4/2019 8:27 AM AMY) Sent the following email to the owner. Shane, Yes I received that letter. We reviewed the letter and are moving forward with the enforcement on this compliance case. Sincerely, Anthony Myers
11/4/2019	11/4/2019	EMAIL RECEIVED	amyers (11/4/2019 8:25:10 AM AMY) Action Created (11/4/2019 8:26 AM AMY) Received the following email from the owner. The letter I said that I had mailed to you about 1 month ago did you receive the letter? Sent from my iPhone
11/4/2019	11/4/2019	EMAIL SENT	amyers

Action Date Completion Date Action Type

Action By / Action Description

			(11/4/2019 8:24:49 AM AMY) Action Created
			(11/4/2019 8:25 AM AMY) On Nov 4, 2019, at 7:21 AM, Anthony Myers <anthony.myers@mercergov.org> wrote:
			Hi Shane,
			I have not received any recent correspondence from you.
			Sincerely,
			Anthony Myers
10/30/2019	10/30/2019	EMAIL RECEIVED	amyers (11/4/2019 8:24:33 AM AMY) Action Created
			(11/4/2019 8:24 AM AMY) From: shane miller <shane_miller_usa@yahoo.com> Sent: Wednesday, October 30, 2019 1:26 PM To: Anthony Myers <anthony.myers@mercergov.org> Subject: Re: 7709 W Mercer Courtesy notice
			Anthony, did you receive my letter in the mail? Sent from my iPhone
10/21/2019	11/7/2019	NOTICE OF VIOLATION	amyers (10/21/2019 2:10:52 PM AMY) Action Created
			(10/21/2019 2:11 PM AMY) Notice of violation sent to property owner regarding work without permit on the retaining wall near the bulkhead. 14 day deadline.
9/26/2019	9/26/2019	EMAIL SENT	amyers (9/26/2019 10:36:28 AM AMY) Action Created
			(9/26/2019 10:39 AM AMY) Sent the owner's letter to Alison, Evan and Don to consider what course of action the City should proceed with.
			I also sent a copy of the 1983 approved plans showing a 43.8% slope on the property to them as well.
9/26/2019	9/26/2019	INFORMATION ONLY	amyers (9/26/2019 10:35:43 AM AMY) Action Created
			(9/26/2019 10:36 AM AMY) Received a response from the owner detailing his reasoning for not needing a permit for the wall. I scanned the docs into the S drive.
9/24/2019	9/24/2019	EMAIL SENT	amyers

Action Date Completion Date Action Type

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			(9/24/2019 11:44:53 AM AMY) Action Created
			(9/24/2019 11:45 AM AMY) Sent the following email to the owner to acknowledge receipt of his email.
			Sounds good. I will look for it and respond as necessary.
			Sincerely,
			Anthony Myers
9/24/2019	9/24/2019	EMAIL RECEIVED	amyers (9/24/2019 11:41:30 AM AMY) Action Created
			(9/24/2019 11:41 AM AMY) Received the following email response.
			I mailed you a letter over the weekend. It prob went out in yesterday's mail Sent from my iPhone
9/24/2019	9/24/2019	EMAIL SENT	amyers (9/24/2019 11:36:13 AM AMY) Action Created
			(9/24/2019 11:39 AM AMY) Sent the following email to the owner.
			Hi Shane,
			I am following up on the August 23 courtesy notice that was sent to you regarding the unpermitted wall you built in February 2018. I was unable to locate a permit application for the wall. Can you provide me an update on your permit application? Thank you.
			Sincerely,
			Anthony Myers
8/23/2019	9/22/2019	COURTESY NOTICE	amyers (8/22/2019 3:48:46 PM AMY) Action Created
			(8/22/2019 3:49 PM AMY) Courtesy notice with a 30 day target deadline mailed to the property owner. Cited Don's 2-16-18 email stating the wall is not exempt because it is located in a critical area. Owner directed to submit a permit application for the wall.
8/22/2019	8/22/2019	INFORMATION ONLY	amyers (8/22/2019 4:01:38 PM AMY) Action Created
			(8/22/2019 4:02 PM AMY) All known emails between City staff and the property owner were scanned into the S drive folder.
9/12/2018	9/12/2018	CASE REVIEW	jsrfling (7/27/2018 8:06:43 AM JS) Action Created

CODE_ENFORCEMENT_ACTIVITIES

Case#: CE18-0017

Report By: avangorp

Assigned Officer: AMYERS



Action Date	Completion Date	Action Type	Action By / Action Description
2/14/2018	2/14/2018	SITE VISIT	<p>jsrfling</p> <p>(2/14/2018 12:10:49 PM JS) Action Created</p> <p>(2/14/2018 12:30 PM JS) Met on site with Shane Miller, Michael Lee, Landscape Architect, Phil Haberman, GEO Tech and Gareth Reece, City Plans examiner.</p> <p>Mr Miller showed us pictures and documents that I already had except for a landscaping receipt. He proceeded to explain in detail why he thinks the photo provided by Mr. Gartz was not accurate based on a professional photographer claiming that a warm color filter had been used and everything in the photo appears more yellow and brown. I think is was trying to say that the mud and dirt in the water was not as bad as it looks in the photo.</p> <p>Gareth asked a few questions and stated that he believed a building permit is required. Miller became aggitated and disagreed with every statement Gareth made.</p> <p>We all proceeded down to the site. Gareth made observations asked questions. Asked PH if he feels that the requirements of the Stop work order were met for erosion control and stability. He stated that they were. Gareth still believes that the wall requires a building permit and I told Miller that he will need</p> <p>(2/14/2018 12:37 PM JS) to go through the process and with the building permit will come shoreline review and most likely SEPA. I told him it does not mean he can't have it but it needs to meet code.</p> <p>Miller Gareth and I measured the gate. The posts are approximately 68.5 inches measured from the grade between the driveway and the post support concrete.</p> <p>The gate is not in violation of any City codes at this time.</p>
2/14/2018	2/14/2018	COURTESY NOTICE	<p>jsrfling</p> <p>(2/14/2018 12:42:34 PM JS) Action Created</p> <p>(2/14/2018 12:43 PM JS) Hand delivered at our meeting this morning.</p>
2/2/2018	2/2/2018	STOP WORK POSTED	<p>jsrfling</p>

Action Date **Completion Date** **Action Type**

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(2/2/2018 11:32:34 AM JS) Action Created

(2/2/2018 11:44 AM JS)

Stop work order posted at 11:18am 2/2/18. Photos taken of posted order.

owner was home. informed him of the requirements of permits and until resolved the only work he can do is WA registered GEO tech approved erosion and stability work.

He contacted and stopped the crew. He would not take me down to observe the work site.

I stopped at the neighbor but no one home. I was not able to observe the area or work taking place.
