

---

---

# CITY OF MERCER ISLAND

COMMUNITY PLANNING & DEVELOPMENT  
9611 SE 36TH STREET | MERCER ISLAND, WA 98040  
PHONE: 206.275.7605 | [www.mercergov.org](http://www.mercergov.org)



---

---

## Notice of Violation

**Pursuant to MICC 6.10.050, this Notice of Violation and Order to Correct is issued as follows:**

**Date of Notice Issuance: February 19, 2026**

**King County Tax Parcel # 302405TR-A**

**City of Mercer Island Compliance Case #: CE25-0078**

**Notification is being given to the following responsible person or persons:**

**1. Christine & Dwight Schaeffer**

6958 96<sup>th</sup> Ave SE

Mercer Island, WA 98040

**One or more of the responsible persons named above are believed to be responsible for the following violations that have occurred or are occurring at the location(s) identified above:**

- 1) Violation of MICC 19.07.090(B)(2)(c).** When development and/or activity is proposed on a site containing geologically hazardous areas and one or more of the critical area types listed in subsection (B)(2)(a) of this section or the associated buffer of one of those critical areas, a critical area review 2 reviewing all critical areas is required to be reviewed and approved prior to construction authorization, using the procedures required for a Type 3 land use review.
- 2) Violation of MICC 17.14.010(105.1)- 105.1 Required.** Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by the construction codes and the Construction Administrative Code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

**Facts Supporting Violation(s):**

- On August 14, 2025, the City received a complaint alleging that a new structure and metal gate were built on the subject property.

- On October 3, 2025 City staff conducted a field inspection at the subject property and confirmed the alleged was correct.
- Multiple critical areas are mapped on the subject property, including geologically hazardous areas (seismic, potential slide, and erosion) as well as a piped watercourse and associated setback.
- On October 17, 2025, a Code Compliance Courtesy Notice was issued. This letter outlined the following corrective actions that were required to be completed within 60 days of issuance:
  - Apply for all necessary permits that are required for the project and pay any applicable fees. No unauthorized work may be done until the necessary permit(s) have been approved. The responsible person(s) will have ninety (90) days to obtain all required permits once submittal of both a complete land use application and complete building permit application have been accepted for review.
- On February 2, 2026, Code Compliance Planner Grace Manahan confirmed the outlined corrective actions were not completed.
  - **The new structure and fence are violation(s) of city code as follows:**
    - **MICC 17.14.010(105.1) – The structure and gate require a building permit.**
    - **MICC 19.07.090(B)(2)(c) – The new garbage enclosure structure and gate are located in geologically hazardous areas and at least 1 other critical area (piped watercourse and associated setback) which requires a Critical Area Review 2 application.**

**The Responsible Person(s) are Ordered to Complete the Corrective Actions as Follows:**

- 1) The responsible person(s) shall Apply for all necessary permits that are required for the project and pay any applicable fees. No unauthorized work may be done until the necessary permit(s) have been approved. The responsible person(s) will have ninety (90) days to obtain all required permits once submittal of both a complete land use application and complete building permit application have been accepted for review, or;
- 2) The responsible person(s) shall apply for all necessary permits that are required to demolish the existing garbage enclosure structure and gate, bringing the tract back to its original configuration. No unauthorized work may be done until the necessary permit(s) have been approved. The responsible person(s) will have ninety (90) days to obtain all required permits once submittal of both a complete land use application and complete building permit application have been accepted for review.

The compliance date for completion of the Corrective Actions above is April 20, 2026.

If the violation is not corrected on or before April 20, 2026, and this notice is not appealed, the determination of violation is final, and daily penalties shall begin to accrue.

**Pursuant to MICC 6.10.050, penalties for noncompliance with this Notice shall be as**

**follows:**

- Civil penalty in the amount of One Hundred dollars (\$100) per day for each violation listed herein is hereby imposed and shall begin to accrue if Corrective Actions are not completed and the violations are not abated by the compliance date established above.
- Thirty days after the compliance date, civil penalty will increase to a rate of Two Hundred Fifty dollars (\$250) per day for each unabated violation.
- Sixty days after the compliance date, civil penalty will increase to a rate of Five Hundred dollars (\$500) per day for each unabated violation, up to a maximum total penalty of \$50,000 for each violation.
- Hold on Future Permits. The director may place a hold on the issuance of future permits on a property if:
  - A notice of violation or stop work order has been issued; and
  - The appeal period has passed, or an appeal was brought but it was dismissed; and
  - The violation has not been corrected and/or penalties or fines have not been paid; and
  - The permits relate to the violation.
- A hold on future permits will prevent the issuance of any land use or building permit for the subject property, and for the person responsible on any other property within the City, until the violation is resolved, corrective actions are taken, and penalties are paid. The director may use their discretion to issue exceptions to this subsection for emergencies or hazardous situations, or other situation they deem reasonable.

**Appeal Procedure:**

- Pursuant to [MICC 6.10.050\(B\)\(5\)](#), any person identified in a notice of violation (or supplemental notice of violation) as a person responsible for a violation may appeal the same within 14 days of service, according to the procedures described in MICC [6.10.090](#). Failure to appeal the notice within 14 days shall render the notice a final determination that the conditions described therein existed and constitutes a code violation, that assessed and accrued civil penalties are due, and that the named party is liable as a person responsible. An Appeal form can be found at: <https://www.mercerisland.gov/cpd/page/appeals>

If you would like to discuss the resolution of this code case or schedule a compliance inspection, please contact me by email at [grace.manahan@mercerisland.gov](mailto:grace.manahan@mercerisland.gov). Thank you for your cooperation.

Sincerely,  
Grace Manahan  
Code Compliance Planner  
City of Mercer Island, Community Planning and Development