COMMUNITY PLANNING & DEVELOPMENT
9611 SE 36TH STREET | MERCER ISLAND, WA 98040
206.275.7605 | www.mercerisland.gov/cpd

PUBLIC NOTICE OF DECISION

NOTICE IS HEREBY GIVEN that approval has been granted for the application described below:

File No.:	CAO25-002
Permit Type:	Type III
Description of Request:	A request for a Critical Area Review 2 for the conversion of an existing carport to an attached garage on a site containing geologically hazardous areas.
Applicant/ Owner:	David Edwards (Argyle Street Partners) / Lynne & Ben Rotholtz
Location of Property:	9825 SE 40th St, Mercer Island, WA 98040 King County Assessor tax parcel number: 1824059067
SEPA Compliance:	Exempt from SEPA Review pursuant to WAC 197-11-800(1)(b)(i).
Applicable Development Regulations:	Pursuant to Mercer Island City Code (MICC) 19.15.030 Table A, applications for Critical Area Review 2 are required to be processed as Type III land use reviews. Processing requirements for Type III land use reviews are further detailed in MICC 19.15.030 Table B.
Other Associated Permits:	2504-166
Project Documents:	https://mieplan.mercergov.org/public/CAO25-002
Decision:	Approved subject to conditions.

Appeal Rights: *DISCLAIMER: This information is provided as a courtesy. It is the ultimate responsibility of the appellant to comply with all legal requirements for the filing of an appeal.*

Parties of record have the right to appeal certain permit and land use decisions. In some cases, other affected parties also have appeal rights. Depending on the type of decision, the appeal may be heard by a City Hearing Examiner, Commission, Board, or City Council, or outside the City to the State Shoreline Hearings Board, the State Growth Management Hearings Board, or King County Superior Court. For a comprehensive list of actions and the applicable entity who will hear the appeal, see MICC 19.15.030 Table B.

If you desire to file an appeal of a decision that is appealable to the City, you must submit the appropriate form and file it with the City Clerk **within the time stated in the Notice of Decision.** Forms are available from Community Development and Planning. Upon receipt of a timely complete appeal application and appeal fee, an appeal hearing will be scheduled.

To reverse, modify or remand a decision, the appeal hearing body must find that there has been substantial error; the proceedings were materially affected by irregularities in procedure; the decision was unsupported by material and substantial evidence in view of the entire record; or the decision is in conflict with the City's applicable decision criteria.

Application Process Information:	Date of Application:	February 28, 2025
	Determined to Be Complete:	April 23, 2025
	Public Comment Period:	May 5, 2025 through 5:00 PM on June 4, 2025
	Date Notice of Decision Issued:	December 8, 2025
	Appeal Filing Deadline:	5:00 PM on December 22, 2025
Project Contact:	Grace Manahan, Code Compliance Planner grace.manahan@mercerisland.gov | (206) 275-7764	