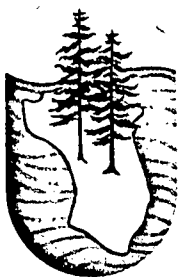


*Bacon*



# CITY OF MERCER ISLAND, WASHINGTON

July 19, 1979

Richard U. Chapin  
Attorney at Law  
P.O. Box 4185  
Bellevue, Washington 98009

Re: Herzl-Ner-Tamid Synagogue Appeal to City Council  
on Application for Conditional Use Permit

Dear Mr. Chapin:

The City of Mercer Island acknowledges receipt of your letter dated June 29, 1979.

As you know, the public hearing before the Mercer Island City Council is scheduled to be heard at the regular Council meeting on July 23, 1979.

In your letter of appeal you have stated that the position of the Synagogue is that with the possible exception of the building of the barbecue the remainder of the uses being requested under the conditional use permit are accessory buildings and uses incidental to that of the main building.

In July, 1975, the City Council passed Ordinance No. 385 which required conditional use permits for churches and church related uses as well as for non-commercial recreation areas. I am sure that you would agree that the proposal by the Synagogue would involve a modification of their use, which is required to have a conditional use permit by the express provisions of the Zoning Code. Prior to 1975 there was no requirement for churches or their related uses to have a conditional use permit and non-commercial recreational areas were not under the requirement of a conditional use permit either. Since that time, however, the city has consistently required conditional use permits for modifications of uses similar to that requested by the Synagogue in this case.

Jerry Bacon advised me that he has discussed the conditional use requirements of the Zoning Code with you and has explained several other instances in the recent past where conditional

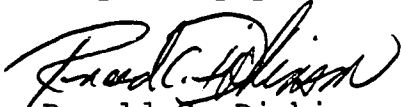
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use permits were required including cases involving the Boys Club, the Jewish Community Center, and the Bnai Torah.

I see no alternative but to require the conditional use permit for the types of uses sought by the Synagogue in this case. Each of the uses fit very nicely within the definition of a non-commercial recreation area and clearly such uses are those associated closely with a church-type use.

If you have any questions, please contact me.

Very truly yours,

  
Ronald C. Dickinson  
City Attorney

RCD/rh  
cc: Dir. Community Development

1. Gregory semi-private rec. deck setbacks

2. Walcott — Apple Blossom Lane  
soil report

3. Juddi S.P. 282-2240 Bob Anderson

4. Julius Skolnik 773-3670  
Chapin Questions

→ other single family/rec. area interface?

Beech club  
Pub. beach  
street ends  
schools  
St. Monica

boat launch under I-90

5. A.D. Miller line revision