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# CITY OF MERCER ISLAND

## COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

PHONE: 206.275.7605 | <http://www.mercerisland.gov/>



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## SHORELINE EXEMPTION

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

**File No.:** SHL24-031

**Permit Type:** Type I

**Description of Request:** A request for a Shoreline Exemption for the remodel of an existing single-family residence and addition to the second story. The proposed work would not exceed 250 cubic yards of grading, and the residence would not exceed 35 feet in height above average grade level. The proposed work does not involve the placement of any fill in any wetland or waterward of the OHWM.

**Applicant / Owner:** Scott McMillen (Architectural Innovations, P.S.) / Omar Lee

**Location of Property:** 8448 N Mercer Way, Mercer Island WA 98040  
King County Assessor tax parcel number: 810610-0030

**Zoning Designation:** Residential (R-15)

**Shoreline Environment Designation:** Urban Residential. The proposed development is located within the shoreline environment associated with Lake Washington. Pursuant to WAC 173-20-370, Lake Washington is a shoreline of statewide significance.

**SEPA Compliance:** The proposed development is exempt from SEPA Review per WAC 197-11-800(1)(b)(i).

**Exemption:** The proposed development is exempt from the requirement of a Substantial Development Permit pursuant to the provisions of WAC 173-27-040(2)(g) - Construction on shorelands by an owner, lessee or contract purchaser of a single-family residence for their own use or for the use of their family, which residence does not exceed a height of thirty-five feet above average grade level and which meets all requirements of the state agency or local government having jurisdiction thereof, other than requirements imposed pursuant to chapter 90.58 RCW. "Single-family residence" means a detached dwelling designed for and occupied by one family including those structures and developments within a contiguous ownership which are a normal

appurtenance. An "appurtenance" is necessarily connected to the use and enjoyment of a single-family residence and is located landward of the ordinary high water mark and the perimeter of a wetland. On a statewide basis, normal appurtenances include a garage; deck; driveway; utilities; fences; installation of a septic tank and drainfield and grading which does not exceed two hundred fifty cubic yards and which does not involve placement of fill in any wetland or waterward of the ordinary high water mark. Local circumstances may dictate additional interpretations of normal appurtenances which shall be set forth and regulated within the applicable master program. Construction authorized under this exemption shall be located landward of the ordinary high water mark.

**Applicable Development Regulations:**

Applications for Shoreline Exemption permits are required to be processed as Type I land use reviews pursuant to Mercer Island City Code (MICC) 19.15.030. Processing requirements for Type I land use reviews are further detailed in MICC 19.15.030.

**Other Associated Permits:**

Building Permit 2409-068

**Project Documents:**

<https://mieplan.mercergov.org/public/SHL24-031>

**Decision:**

Approved.

**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 by the date provided below. Forms are available from the Community Planning & Development department. 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: October 23, 2024  
Determined to Be Complete: January 6, 2025  
Date Issued: January 17, 2025  
Appeal Filing Deadline: 5:00PM on February 7, 2025

**Project Contact:**

Molly McGuire, Senior Planner  
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**Signature:**

