
CITY OF MERCER ISLAND

COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040
PHONE: 206.275.7605 | <http://www.mercerisland.gov/>



SHORELINE EXEMPTION

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

File No.: SHL24-033

Permit Type: Type I

Description of Request: A request for an Exemption from the Shoreline Substantial Development Permit requirement for the demolition of an existing single-family residence and construction of a new single-family residence on a lot within shoreline jurisdiction of Lake Washington.

Applicant / Owner: Kati Eitzman (Sturman Architects) / Jason Brothers, Inc.

Location of Property: 4006 E Mercer Way, Mercer Island WA 98040
King County Assessor tax parcel number: 413190-0005

Zoning Designation: Residential (R-9.6)

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: Following review of the submitted State Environmental Policy Act (SEPA) checklist, an initial evaluation of the proposed project for probably significant adverse environmental impacts has been conducted. The City expects to issue a SEPA Determination of Non-Significance (DNS) for this project identified by City of Mercer Island project number SEP24-019. The optional DNS process, as specified in Washington Administrative Code (WAC) 197-11-355, is being used. The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an Environmental Impact Statement (EIS) is prepared. A copy of the subsequent threshold determination for this specific project may be obtained upon request.

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 No. 2411-062; SEPA Threshold Determination No. SEP24-019; Critical Area Review 2 No. CAO24-033

Project Documents:

https://mieplan.mercergov.org/public/SHL24-033_SEP24-019

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:	November 12, 2024
Determined to Be Complete:	January 16, 2025
Date Issued:	April 22, 2025
Appeal Filing Deadline:	5:00PM on May 13, 2025

Project Contact:

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Signature:

