



Lee Hansen <hansen.p.lee@gmail.com>

Lot Line Adjustment

16 messages

Lee Hansen <hansen.p.lee@gmail.com>
To: jeremiah.cromie@co.kittitas.wa.us

Mon, Jan 17, 2022 at 2:30 PM

Hello Jeremiah,

We talked a while back about the feasibility of doing a lot line adjustment on parcel 204933 and 214933. We would move the line to put the A-Frame on 204933 and the primary house onto 214933. This would be based on maintaining all setbacks required and maintain the exact SF of the current parcels. I just wanted to confirm before starting the process that it is possible to perform this adjustment with Mitchell Rd bisecting the parcels?

Thanks,

Lee Hansen

Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>

Wed, Jan 19, 2022 at 4:09 PM

To: Lee Hansen <hansen.p.lee@gmail.com>
Cc: "Kelly Bacon (CD)" <kelly.bacon.cd@co.kittitas.wa.us>

Lee,

I am not sure it is possible. I believe you may need to go to the auditor's office and verify that the Parcel in between your two parcels is right-of-way and was not vacated. If it was vacated, then you could not do the Boundary Line Adjustment. I am currently working at home right now due to COVID protocols and can't pull up documents related to this matter. I have copied Kelly, one of our other planners who is in the office this week that may be able to help.

Jeremiah Cromie

Planner I

Kittitas County

Community Development Services

411 N. Ruby Street; Suite 2

Ellensburg, WA 98926

Office: 509-962-7046

jeremiah.cromie@co.kittitas.wa.us

From: Lee Hansen <hansen.p.lee@gmail.com>
Sent: Monday, January 17, 2022 2:30 PM
To: Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>
Subject: Lot Line Adjustment

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message id: 38eb45916c6dcdbdac24bb8719d004a14

Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us> Thu, Jan 20, 2022 at 10:07 AM
To: Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>, Lee Hansen <hansen.p.lee@gmail.com>

Good afternoon,

After looking at tax siffer, I am not seeing this parcel to be ROW, but rather its own taxable lot under parcel # 204933. The property owner pays taxes on the 5.58 acres that divides tax parcels 204933 and 214933. There was a Parcel Combination application CB-09-00001 that appears to have boundary line adjusted this 5.58 acres with parcel 024933 owned by the Kamiakin Water Association.

Hopefully this information helps.

Kelly Bacon

Planner I

Kittitas County Community Development Services

411 N. Ruby Street, Ste 2

Ellensburg, WA 98926

Office: (509) 962-7539

kelly.bacon.cd@co.kittitas.wa.us

If this is a Public Records Request, please go to <https://www.co.kittitas.wa.us/request/default.aspx> and fill out a request for public records through the GovQA portal.

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Lee Hansen <hansen.p.lee@gmail.com>
To: "Kelly Bacon (CD)" <kelly.bacon.cd@co.kittitas.wa.us>

Thu, Jan 20, 2022 at 11:11 AM

Thanks for looking into this further. The parcel is Mitchell Rd. and has always been a road. From the history I received from Leroy Mitchell the county sold the road to his aunt or grandmother. I'm assuming before it was required to offer the adjacent property owners the property as defined in the current code. I searched historical commission meetings and agendas last night and couldn't find anything about the sale of the road, if the county was the previous owner, and if it was ever vacated. Assuming more needs to be researched with the auditor. The northern side of the road from my previous conversations with the surveyor was it has never been recorded for my parcel and the adjacent parcels to the west.

If it is defined as a private road, is it possible to still preform a lot line adjustment? In my research it appears this may have done previously but I didn't take record of the recorded boundary adjustment I looked at and it's been a while.

Thanks,
Lee

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Kelly Bacon (CD) <kelly.bacon.cd@co.kittitas.wa.us>
To: Lee Hansen <hansen.p.lee@gmail.com>
Cc: Jeremiah Cromie <jeremiah.cromie@co.kittitas.wa.us>

Thu, Jan 20, 2022 at 11:20 AM

Lee,

From the documentation I can find and the current Assessor's information in the Tax Roll, the property is its own separate tax parcel owned by Mr. Mitchell. A surveyor may be able to assist further with any parcel history, but with it showing as a parcel and owned by an individual who pays taxes on the land, your two tax parcels do not have a common boundary. They are divided by tax parcel 174933. BLA's can only be performed on abutting legally created parcels.

Hope this information helps.

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Lee Hansen <hansen.p.lee@gmail.com>
To: dan.carlson@co.kittitas.wa.us

Tue, Jul 5, 2022 at 5:21 PM

Hello Mr. Carlson,

I have been working with your staff on the feasibility of performing a boundary line adjustment on my two parcels that would allow both residences, which currently reside on a single ~1 acre parcel, to be adjusted to locate our ADU on the single acre parcel and the primary residence to be on our five acre parcel. This would increase conformity to the current zoning policies for ADU's outside the UGA, it would also be inline with existing neighboring land uses since it is the only property with an ADU of all the surrounding parcels.

I am writing to you before I invest the time and money into surveying and permitting to ensure it has a high probability to be accepted based on the following background and attached supporting documents. I have had very positive discussions with your staff and have had some mixed messages in terms of feasibility.

The issue I am running into is that Mitchell Rd, which has been shown on the county map and roads list as a private road, bisects the two parcels. During my original conversation I had before this email string it appeared the road bisecting the parcels would still allow me to perform the BLA but as a follow up before starting this effort I double checked and it came back that it was not acceptable due to Mitchell Rd being considered a parcel. I have reviewed numerous documents and Mitchell Rd has been referred to as a private road since before 1990. It has also been referenced in litigation and has defined terms of use for access along with recorded easements to all parcels abutting it.

I have researched other BLAs that were not technically abutting but authorized, one example is two parcels were bisected by the county ditch off of Smithson Rd. BL-21-0010 No 9 Ranch.

Thank you,


P. Lee Hansen
509.607.1710

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4 attachments

 **BL-21-00009 No. 9 Ranch Existing Parcel Map.pdf**
128K

 **Survey 2002 Mitchell Rd.pdf**
3994K

 **PropertyReport Parcel_204933 491_351 Mitchell Rd.pdf**
112K

 **Hansen Compas_report_214933.pdf**
108K

Jeremy Johnston <jeremy.johnston@co.kittitas.wa.us>

Fri, Jul 8, 2022 at 9:48 AM

To: "hansen.p.lee@gmail.com" <hansen.p.lee@gmail.com>

Cc: Dan Carlson <dan.carlson@co.kittitas.wa.us>

Mr. Hansen,

My name is Jeremy Johnston and I am the Planning Official for Kittitas County. Dan Carlson, our Director, has asked me to look into this for you. As a general rule, a road separating two parcels does not prevent a boundary line adjustment between them as long as the road is the only obstacle breaking continuity of the parcels. In this case the roadway is contained within a separately owned tax parcel, which bisects your parcels and breaks the continuity. This is an unusual circumstance and may account for the mixed messages you have received. In a nut shell, a boundary line adjustment would not be allowed between these two parcels as long as they are separated by privately owned land. Let me know if you have any additional questions.

Jeremy Johnston

Kittitas County Planning Official

jeremy.johnston@co.kittitas.wa.us

(509) 962-7065

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Lee Hansen <hansen.p.lee@gmail.com>
To: Jeremy Johnston <jeremy.johnston@co.kittitas.wa.us>
Cc: Dan Carlson <dan.carlson@co.kittitas.wa.us>

Thu, Jul 14, 2022 at 9:56 AM

Hello Jeremy,

I understand the practice of allowing BLAs across the road but the example I sent you was for separation by KRD property road, ditch and, any additional land included within the property/ROW, which per their definition:

"KRD Facilities" means real and personal property owned by the KRD or real or personal property owned by the United States Bureau of Reclamation but under the KRD control and for which the KRD has the right and authority to grant third parties the right to use said real or personal property by virtue of an amendatory contract between the United States of America and the Kittitas Reclamation District, dated January 20, 1949, and recorded in Book 82 of Deeds, Page 69, under Kittitas County Auditor's File No. 208267, as thereafter amended.

and also per 12.02.020 Definitions:

AL. ROAD OR STREET - A general term denoting a public or private way for purposes of vehicular travel and utilities, including the entire area within the right-of-way (includes alleyways).

AK. RIGHT-OF-WAY - Land, property, or property interest, usually in a strip, acquired for or devoted to transportation purposes.

The private property should be viewed as right-of-way since in the case of the KRD it includes features that are not roadway and in the case of county roads the county owns the traveled roadway and all property within the right-of-way which has been deeded to the respective organization. Therefore, if I have easement to the entire mitchell road property bounded within my two parcels does that not make it a road and the property wholly acquired or devoted to transportation purposes as defined by KCC 12.02.020 ?

Thank you for your time in considering this matter,

P. Lee Hansen

509.607.1710

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 **PropertyReport_Mitchell Rd Parcel_174933.pdf**
123K

Lee Hansen <hansen.p.lee@gmail.com>
To: Jeremy Johnston <jeremy.johnston@co.kittitas.wa.us>
Cc: Dan Carlson <dan.carlson@co.kittitas.wa.us>

Tue, Jul 19, 2022 at 1:16 PM

Hello Jeremy,

Just checking in to see if you received my last email. Waiting patiently for your response.

Lee

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Jeremy Johnston <jeremy.johnston@co.kittitas.wa.us>
To: Lee Hansen <hansen.p.lee@gmail.com>
Cc: Dan Carlson <dan.carlson@co.kittitas.wa.us>

Tue, Jul 19, 2022 at 1:42 PM

Hi Lee,

Yes I did receive your last email. I had to solicit some other County agencies to understand the legal nature of parcel 17493. I am awaiting response and will respond to you as soon as I have more clarity.

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Lee Hansen <hansen.p.lee@gmail.com>
To: Jeremy Johnston <jeremy.johnston@co.kittitas.wa.us>
Cc: Dan Carlson <dan.carlson@co.kittitas.wa.us>

Tue, Jul 19, 2022 at 2:00 PM

Appreciate it, thanks for the effort.

Lee
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Lee Hansen <hansen.p.lee@gmail.com>
To: Jeremy Johnston <jeremy.johnston@co.kittitas.wa.us>

Mon, Jul 25, 2022 at 7:01 AM

Hey Jeremy,

Any update on this? This is a critical item to some decisions we are making.

Thank you,
Lee
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Jeremy Johnston <jeremy.johnston@co.kittitas.wa.us>
To: Lee Hansen <hansen.p.lee@gmail.com>

Mon, Jul 25, 2022 at 8:53 AM

Good Morning Lee,

After a review of the easement language associated with parcel 174933, the easement established a 20 foot ROW nested within a legal tax parcel and specifically excludes any sections of the parcel outside of this 20 foot ROW. It describes Mitchel Road as a "portion of the parcel." From the perspective of the County this is considered a private tax parcel which contains an easement but is not entirely made up of said easement. The private property included in this tax parcel that rests outside of the 20 foot easement creates a separation of continuity between your parcels and removes eligibility for a boundary line adjustment between them.

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Lee Hansen <hansen.p.lee@gmail.com>
To: Jeremy Johnston <jeremy.johnston@co.kittitas.wa.us>

Mon, Jul 25, 2022 at 9:09 AM

If I have full easement would that change that decision?

Lee
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Jeremy Johnston <jeremy.johnston@co.kittitas.wa.us>
To: Lee Hansen <hansen.p.lee@gmail.com>

Mon, Jul 25, 2022 at 9:15 AM

To ensure regulatory consistency, I would need to see that the entire property (parcel 174933) is legally dedicated as an easement or you have ownership of the property. I am not sure if that addresses your question, but those would be the options as I understand them.

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Lee Hansen <hansen.p.lee@gmail.com>
To: Jeremy Johnston <jeremy.johnston@co.kittitas.wa.us>

Mon, Jul 25, 2022 at 9:17 AM

Perfect. That's good information to have. I appreciate all the effort on this.

Lee

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