

**COMMISSIONERS' MINUTES
KITITAS COUNTY, WASHINGTON
HERITAGE CENTER, KVEC
SPECIAL MEETING**

TUESDAY

1:30 P.M.

OCTOBER 25, 2005

Board members present: Chairman Perry D. Huston, Vice-Chairman David Bowen, Commissioner Alan Crankovich.

Others Present: Debbie Myers, Interim Clerk of the Board; Darryl Piercy, Director of Community Development Services, Stan Blazynski, appellant; Jeff Slothower, Attorney representing the appellant.

PUBLIC HEARING

BLAZYNSKI APPEAL

CDS

At 1:30 p.m., at the Heritage Center, Kittitas County Fairgrounds, in Ellensburg, WA, **CHAIRMAN HUSTON** opened the special meeting for a public hearing to consider an administrative appeal from Mr. Stan Blazynski of the Community Development Service's classification of property lines. Those testifying were placed under oath.

CHAIRMAN HUSTON stated there was no ex-parte contact with Mr. Blazynski. No objections were made by any party of record for him to sit in on the hearing. **COMMISSIONER BOWEN** disclosed that he has driven past the Blazynski property and reviewed documents provided; however, no ex-parte contact has occurred. No objections stated for the record. **COMMISSIONER CRANKOVICH** disclosed that he has driven past the Blazynski property and reviewed documents provided; however, no ex-parte contact has occurred. No objections stated for the record.

CHAIRMAN HUSTON listed all materials and notifications provided for review before commencement of the appeal hearing and said all documents were on file.

MR. SLOTHOWER stated his objection to a letter that Mr. Cheyne's (the neighboring property owner) legal representative, Mr. James Carmody, submitted. It was found that the letter raised issues that were unrelated to this appeal. Mr. Carmody was not present to clarify his letter. **CHAIRMAN HUSTON** allowed the letter to be entered into the record, but noted there was no objection.

CHAIRMAN HUSTON permitted a ten-minute recess at the request of **MR. SLOTHOWER**.

RESPONSIBLE OFFICIAL'S TESTIMONY

ORIGINAL

COMPLETED

MR. PIERCY, under oath, explained his understanding of the August 21, 2005 letter and drawing (received by CDS on August 22, 2005), titled "Record of Survey", submitted by Mr. Blazynski requesting clarification of specific lot lines pertaining to his property. He said a letter, dated August 29, 2005, was sent in reply to Mr. Blazynski clarifying the accompanied drawing identified lot lines A through G as follows:

- Line A/B as Side yard
- Line B/C as Rear yard
- Line C/D as Rear yard
- Line D/E as Side yard
- Line E/F as Front yard
- Line F/G as Front yard
- Line G/A as Front yard

Mr. Piercy said that Mr. Blazynski questioned the analysis and interpretation of the lot lines and an attempt was made by CDS to clarify the analyses, which lead to this appeal which is specific to the identification of Line C/D. He said Mr. Blazynski said he believes Line C/D should be specified as the Side yard rather than the Rear yard as specified on the drawing.

MR. PIERCY provided a clarification of the definition of "Rear Lot Line", per Kittitas County Code 17.08.380 and is stated as "any boundary lot line opposite and most distant from the front lot line, and not intersecting the front lot line". He said the Law of Geometry states "distance is the measurement between two objects at their closest point." He said this justifies CDS's analysis that point "C", connecting points of lines B/C and C/D, on the drawing should be the center point of the rear yard, as it is opposite lines E/F, F/G, and G/A which are listed as the front yard.

CHAIRMAN HUSTON asked if there were any street classifications on Pfenning or Third Street restricting residents from fronting on either of those streets. **MR. PIERCY** replied that access permits have been issued by Department of Public Works with an access off of Third Ave, but there are no restrictions and no other information for submission regarding street classifications.

MR. SLOTHOWER asked if Mr. Piercy had talked to Mr. Blazynski prior to these proceedings. **MR. PIERCY** replied he had talked with Mr. Blazynski on several occasions, including a brief conversation after he had submitted the request currently under consideration. **MR. PIERCY** denied saying line C/D was considered a side yard, stating he was working from the documents provided by Mr. Blazynski.

APPELLANT'S TESTIMONY

Jeff Slothower, attorney representing Mr. Blazynski, referenced a letter from James Carmody saying it contends that Mr. Blazynski doesn't own the property in question. **Mr. Blazynski** said he has the

deed for the property. He said he intended to build a residence on the property which is on the corner of Third AVE and Pfenning RD. He wants C/D line as the side yard as Pfenning RD is the louder of the two roads and cars drive fast on that road. He said the wind comes from the Northwest, and that increases the need for building design so the residence stays warmer. He also cited quality of life issues. He said his request to access from Pfenning RD has been denied three times by Department of Public Works.

THE PUBLIC TESTIMONY WAS CLOSED.

There was discussion by the Board on the meaning of the codes.

Chairman Huston moved to remand the issue back to the parties to determine which is the front property line, Pfenning RD or Third AVE and to continue the public hearing to November 1, 2005 at 2:00 p.m. in the Heritage Center, KCEV, Ellensburg, WA. **Commissioner Bowen** seconded the motion. Motion carried, 3-0.

Meeting adjourned at 3:45 p.m.

CLERK OF THE BOARD



Julie A. Kjorsvik

KITTITAS COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON

Perry D. Huston, Chairman

COMPLETED