

Boundary Line Adjustment Code - Final Public Comment Matrix
Comments Received from 10/7/2025 to 3/4/2026

#	Date Submitted	Name	Comment
1	10/7/2025 1:33 PM	Mark Scott	Resultant boundary line adjustments should be reflected on the Kitsap Parcel Viewer within one year. My own lot had a boundary line adjustment recorded on 2008 -- 17 years ago -- which is not reflected on the Kitsap Parcel Viewer. In my case that added 1 review cycle for a Shoreline Exemption permit.
2	10/7/2025 2:02 PM	Kevin Biggs	<p>As to Section 16.04.xxx Section C.1 There should be no restriction on using tracts in BLA's, so long as it does not (a), create a new buildable lot from a tract, or (b), remove or alter the purpose and the tracts ability to provide that purpose. Prohibiting BLAs with vacated rights-of-way removes the ability of two parcels that are adjacent due to the vacation, from doing a BLA, this is unacceptable. It should say parcels comprised solely of vacated right of way to remove any confusion of the intent.</p> <p>E2. should read, All resulting properties comply with applicable zoning standards for total area, buildable site, and dimensions, except that the Director SHALL NOT deny a boundary line adjustment for an existing nonconforming property so long as its degree of nonconformance to applicable zoning standards is not increased and no nonconformance is create or increased on other properties. Nonconformities apply to, but are not limited to, property size, setbacks, and dimensions.</p> <p>E7 should be struck entirely, the prohibition in sequential BLAs is based on the need to prevent having a process that avoids dealing with necessary infrastructure issues, sections E3, E6, E8, and E9 at a minimum, deal with this issue. This provision removes the state law provision that explicitly allows BLAs for owner convenience. If there is a situation where multiple BLAs and Segregations allow creating lots that meet all the zoning requirements, and meet all the provisions here, but allows the owner to do it over a multi year period, then it should be allowed. Otherwise it continues the trend of regulation that makes it only cost effective for companies or rich land owners. This would only be usable in areas with existing infrastructure and access, due to restrictions E3 and others. Additionally, a BLA cannot alter a plat, and having this portion in here erroneously implies that it does. When you do a BLA that moves a lot line over to include 5 feet of the neighboring lot, it does not change the underlying lot.</p> <p>F3. Why is this provision only required for property combinations? It should be applied to BLAs as well, or not at all.</p> <p>F4. Should state, "Mergers of unplatted lots result in new permanently-established properties...". As stated before, BLAs (including combinations or "lot line eliminations") cannot alter the underlying lot. By including this, you not only imply, but specifically state that BLAs can alter plats. If a lot is to be combined with another lot, if it is in a plat, it must be a plat alteration. If it is an aliquot part description, then the property combination should be fall under this provision.</p> <p>As to section 16.62.050 Section G MUST remain, otherwise the county would throw into doubt the legal status of every lot created by BLA prior to this? This sounds like a lot of potential lawsuits.</p> <p>Section 16.10.070 and section 21.02.080 Is there a reason someone that owns 6 or more abutting lots should not have the same legal rights as someone who only owns 5 or less? You would leave no outlet for anyone to do a BLA if they did own more than 5 if you leave in the prohibition to doing a series of BLAs. There is no rational for this prohibition. State law allows the adjustment of parcel boundaries as the owner desires, for their convenience, why remove this from owners of 6 or more lots?</p>
3	10/7/2025 2:34 PM	Brett Caswell	I don't think the DCD needs any additional work, the goal is to streamline the current workload, not add additional tasks which will further slow the current work throughput. Let's not introduce additional red tape to an already over burdened system. Tell me I'm wrong and why?
4	10/7/2025 2:45 PM	Rebecca Stansbury	Will the government attempt to shrink my boundaries? Will Olalla maintain low density zone and protect that status?
5	10/7/2025 4:05 PM	Anthony Augello	The current code should remain unchanged, because this is the way the RESIDENTS want it.
6	10/8/2025 1:42 PM	Ron THOMAS	As a Kitsap housebuilder, we have filed 3 BLA plots in the past following these suggested rules. Although, not coded, the surveyors provided interpretations of the state code. However, at this time I can see no reason to enact a code that does not include Kitsap code for recently enacted state legislation allowing UNIT LOT SUBDIVISION. I recommend defer this code update.

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7	10/9/2025 9:21 AM	A Random Independent :)	<p>Kitsap County DCD doesn't even have a Licensed Surveyor on staff. How is Kitsap County going to even be able to review BLAs?</p> <p>* BLAs are not the principal cause of non-conforming or improperly sized lots. * BLAs do not subdivide anything, and are therefore not "avoiding" subdivision requirements. * BLAs could potentially create access issues, which can admittedly be problematic. This is an area where property owners need to take care not to create these situations, which are detrimental to the properties and parties involved. DCD review is not what is needed. Individual property owners involved in land disputes etc. and professional surveyors can easily prepare for these situations and remedy as needed at the time of recording or anytime after the fact. NOTE: Truly "land-locked" properties were not created by BLA. This issue is a red herring. * BLAs can impact properties crossing ROW, or other jurisdictional boundaries, so what?</p> <p>It is clear that DCD just wants more control. In this case, DCD wants control where they have no business being. Leave the BLA tool to Professional Surveyors.</p> <p>If enacted; A BLA ordinance will add additional layers of review (TIME AND EXPENSE), affecting property owners rights and ability to utilize what is currently a simple remedy. I see no real added benefit.</p> <p>While your at it; Quit flagging all properties that are non-conforming. Building Permits are getting pushed aside, while desperate property owners are forced to demonstrate that they have a right to build???? WTF??</p> <p>Per Kitsap County Code 16.62.020.C: A lot is presumed to be a legal lot of record, but may be investigated by the department upon submittal of a building or other development permit.</p> <p>YOU GUYS NEED TO FIGURE OUT HOW TO START HELPING RESIDENTS GET BUILDING PERMITS. STOP LOOKING FOR WAYS TO HOLD PEOPLE BACK FROM PROGRESS.</p>
8	10/10/2025 8:23 AM	William McCoy	<p>I support adding a clear BLA process; however, I'm concerned one part of the proposed code re: decision criteria - "The adjustment is not part of a concurrent or sequential series of multiple proposed adjustments which would circumvent the subdivision regulations in Chapter 16.40, including but not limited to having the effect of altering a recorded plat." - reads so broadly that any BLA within a recorded plat could be viewed as "having the effect of altering a recorded plat," even where no dedications, roads, or easements are changed. That outcome would be inconsistent with state law distinguishing BLAs from plat alterations and could chill routine, lawful BLAs between platted lots. I urge that this language be tightened up so it's clear that BLAs that alter platted lots are permissible. For example it could be worded as: "The adjustment shall not be part of a concurrent or sequential series of adjustments that would result in the creation of additional lots, tracts, or building sites, or otherwise circumvent the subdivision requirements of Chapter 16.40. Boundary line adjustments within a recorded plat are permissible provided they do not modify dedications, roads, easements, notes, or other features shown on the face of the plat that would require a formal plat alteration".</p>
9	10/12/2025 8:50 AM	Edward Mullaney	<p>Provide a provision for public comments of a proposed BLA that would result in removal of trails on the subject property. Include a provision for public comments for proposed BLA request other than only a ministerial review approval. As an example, when Kitsap County approved the BLA for lots 212602-1-004 and 212602-1-005 in Suquamish, the Kitsap County approval eliminated the existing public trail use on Lot 212602-1-005 resulting in no pedestrian access between NE Union Street and Angeline NE. Once this was approved by Kitsap County, the owner of the newly oriented LOT 212602-1-005 had no obligation to keep the trail open for public use. Sadly, Suquamish lost a trail by this action.</p>
10	10/17/2025 9:05 AM	Kathy Cloninger	<p>If an existing parcel is granted property from a Right of Way Vacation, the BLA would be the ideal template used to change the property legal description and ensure all the mentioned procedural approvals are met. This would need to be included as an exception in the Section #3 Adjustments Prohibited. The process would include compliance with Public Works, DCD, Treasurers, Assessors etc...</p>

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11	10/17/2025 3:11 PM	Thomas Garrett	<p>Seasonal and Fish streams make up many of the property lines between abutting properties in Kitsap County. Streams are not referenced in Boundary Line Adjustments (BLAs) rules and regulations.</p> <p>Streams may need BLAs due to erosion, mudslides, earthquakes, flooding, road washouts, man-made modifications, etc.</p> <p>Some streams are also indicated on Kitsap County charts and maps in their "wrong" location causing mistakes with buffers and storm water pollution entering downstream fish streams.</p> <p>All of these stream modifications, whether on seasonal or fish streams, need to go through a permit process except where there are no boundary or location conflicts exist.</p>
12	10/20/2025 6:08 PM	Michael Gustavson	<p>Boundary line adjustments are best left to the adjoining neighbors, but understand the problems being faced by both. This has been the practice in Kitsap county for the past 150 years and has worked well. Under State law, 7 or 10 year existing fence lines determine property lines. Judges orders trump DCD decisions. I have experienced both situations in Jefferson and Kitsap Counties. Being the only remaining County in Washington to have a different ordinance than the remaining 38 counties is no justification to follow the herd. Recall, GMA and all of the fall-out regulation originated in the US, but came from the United Nations. The results are housing prices 2 1/2 times affordability homelessness and a low birth rate. This has created a death spiral for our country.</p>
13	10/23/2025 3:16 PM	Mitchel & Michelle Morey	Comment Attached Below
14	10/24/2025 3:52 PM	John Kiess	Please see attached comment letter from the Kitsap Public Health District, thank you.
15	10/25/2025 9:45 AM	Steve Ottmar	<p>E2: Currently there are thousands of legal non-conforming lots due to zoning changes. So, unless 2 of these lots swap equal areas, the BLA between them will create an increased nonconformance in lot area for one of the lots. The vast majority of BLA's don't involve equal land swaps. Somehow property size needs to be exempt from nonconformance.</p> <p>F3: "Survey maps". I don't want that to be interpreted as requiring a survey for a property combination. Property Combinations are fairly simple documents and usually include an 8.5 by 11 Exhibit Map. Maybe changing "survey maps" to "exhibit map". I don't think a survey should be required for a Property Combination.</p> <p>H. Sounds like a BLA will have to be prepared by a licensed Land Surveyor and require a survey.</p>
16	10/26/2025 10:50 PM	Bruce MacLearnsberry	<p>Our firm has been preparing boundary line adjustments in both regulated and unregulated environments for the last 50 years. Please see my attached correspondence regarding my opposition to this proposal to enable your informed action.</p> <p>Links to cases cited are available upon request.</p> <p>Thank you for your consideration.</p>

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17	12/15/2025 9:29 AM	Concerned Citizen	<p>I am writing my opposition to the boundary line adjustment code, updated 12/02/2025, as it clearly harms future generations and residents and property owners. It will add significant government expense and review authority with zero public benefits.</p> <p>Currently, private property owners in Kitsap County can, for their own convenience and at their own risk, adjust their boundaries per state law, such as by the following codes: WAC 458-61A-109 (2)(a)(iv) Moving a property line to adjust property size and/or shape for owner convenience; and WAC 458-61A-109 (2)(a)(v) Selling a small section of property to an adjacent property owner.</p> <p>As proposed in the proposed Kitsap BLA code update, these currently convenient property rights afforded by state law will become prohibited privileges in Kitsap County. These new privileges would be reviewed by DCD under subjective and strict standards, which is costly and harmful to the Kitsap County residents at large.</p> <p>I urge the commissioners to reject this proposed BLA code in its entirety.</p> <p>Over the past decade, Kitsap County has purchased thousands and thousands of acres of rural private land, removing thousands of potential family homesites from potentially being built responsibly in our County, putting extreme economic pressure on the balance of rural private land, contributing to the homeless crisis, and limiting opportunities for future generations. Creating new subjective barriers to what would otherwise be developable private lots seems to be a misguided priority in the department.</p>
18	2/20/2026 2:23 PM	Jamie Clough	<p>Please see the attached draft with comments from the Kitsap Building Association. The KBA cannot endorse the proposed code in its current form and stands ready to assist the Department of Community Development and the Planning Commission with further revisions.</p>
19	3/3/2026 10:44 AM	Marcus Hoffman	<p>The Public Hearing Board already has enough work which makes them backlogged with major developments. Adding minor lot line adjustments to their workload is crazy. Speaking as a full-time REALTOR/Broker in Kitsap County for twenty-four years moving lot lines is a nearly everyday event in real estate.</p> <p>There are already laws and regulations preventing inventing "new lots" using lot line adjustments. By law that cannot be done in Kitsap County. We are talking about adjusting property lines for a fence or driveway. If both properties are agreeable why is Kitsap County getting involved with formal hearings?</p> <p>Requiring a Hearings Board to review these kinds of minor actions will just add another layer of government bureaucracy, time delays, and unnecessary expense, making getting anything done in Kitsap that much more impossible.</p> <p>Please stop these unnecessary kinds of government overreach.</p> <p>Marcus Hoffman REALTOR/Broker</p>
20	12/5/2025	Gary Chapman	Comment Attached Below
21	12/10/2025	Ed Mullaney	Comment Attached Below
22	1/21/2026	Gary Letzring	Comment Attached Below
23	1/21/2026	Bob Morse	Comment Attached Below
24	1/28/2026	William Palmer/KAPO	Comment Attached Below
25	1/30/2026	Anthony Augello	Comment Attached Below
26	2/3/2026	Michael Gustavson	Comment Attached Below
27	2/17/2026	KCAA Board	Comment Attached Below
28	3/3/2026	Linda Wood	Comment Attached Below
29	3/3/2026	Michael Gustavson	Comment Attached Below

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#	Date Submitted	Name	Comment
30	3/3/2026	Clif Peterson	Comment Attached Below

Attachments

Referenced in comment form – submitted via email

MACLEARNSBERRY, Inc.

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October 24, 2025

Kitsap County Commissioners
614 Division St. MS - 4
Port Orchard, WA 98366

Re. Draft Boundary Line Adjustment Code

Dear Commissioners:

I am writing as a professional land surveyor, licenced in two states and federally certified by the Bureau of Land Management, to express my opposition to the proposed boundary line adjustment (BLA) code. Our firm has been preparing BLAs in both regulated and unregulated environments for the last 50 years. We have a longstanding reputation for being meticulous in our work and conducting it with utmost integrity.

Though many counties and municipalities have indeed assumed regulatory control of BLAs, they are doing so in flagrant disregard for our State's law regarding them. The statement on Community Development's web page notice, "State subdivision law does not apply to BLAs [RCW 58.17.040(6)], and counties regulate BLAs through their local codes" is technically correct, but it is also quite misleading.

RCW 58.17 is the core of our State's Platting and Subdivision law. Its opening Section (010) states its purpose:

The legislature finds that the process by which land is divided is a matter of state concern and should be administered in a uniform manner by cities, towns, and counties throughout the state. The purpose of this chapter is to regulate the subdivision of land and to promote the public health, safety and general welfare in accordance with standards established by the state to prevent the overcrowding of land . . .

Since its enactment in 1969, it has overwhelming had a positive impact on residential land development in our State. One of its central features was to assign the review and approval of higher density residential land subdivision to local jurisdictions.

When delegating that responsibility to the counties and municipalities, it imposed various standards and limitations to which all local jurisdictions were obligated to comply. These included both process steps such as preliminary and final plat reviews and outcome stipulations, including public road dedications, surveying of the lot boundaries, etc.

When assigning subdivision review and approval to local jurisdictions, the legislature

also specifically exempted certain boundary mechanisms. In other words, they explicitly *excluded* them from local jurisdiction purview.

Among these exemptions is RCW 58.17.040 §6, which excludes BLAs from local review. It covers the following:

A division made for the purpose of alteration by adjusting boundary lines, between platted or unplatted lots or both, which does not create any additional lot, tract, parcel, site, or division nor create any lot, tract, parcel, site, or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site;

In the first twenty years following the Platting and Subdivision Act, local jurisdictions generally complied with the exemptions. Then, in the 1990s, a trend arose in the public planning sector, not to modify the State exemption, but to defy it—to unilaterally assume control of a process never delegated to them by the State. Their disdain of the rule of law was transparent when a number of jurisdictions began issuing BLA application forms and setting up rogue processes without even first getting local codes enacted to cover them. Bainbridge Island and Jefferson County were among them. Kitsap County DCD also created its own BLA forms during that period, and the effect was to mislead the public into thinking they were obligated to undergo a public review process.

During that period, we apprised our clients of the fact that local community development agencies were merely and falsely asserting jurisdiction where they had none, and we assisted them in completing the process autonomous of the feigned constraints. However, once a jurisdiction duly updates their development code, there is little practical recourse.

Thus, we've had the last thirty years to assist our clients through BLAs both in jurisdictions regulating them and those which do not. The contrast is a disgrace.

As a private process, to say a BLA might take a week, from commencement to recording with the Auditor, is generous. Unless involving a particularly challenging case with inherent complexity or defects, BLAs can be turned around in days, depending on the surveyor's schedule. With public agencies, they take months—and not two or three months.

For example, on September 13, 2024, our firm submitted an extremely simple and straightforward BLA to the City of Bainbridge Island. The approval was issued on January 21, 2025. What is the problem with a four-month public review turnaround?

First, like many BLAs, one of the properties in this case was up for sale. While the application languished in purgatory, the interest rates climbed substantially, nearly scuttling the transaction. And, had the BLA been ready to record in December, the parties' property taxes would have been paid up. Instead, at the time of recording, the Treasurer charges the full property taxes for both parties through the current year's end, so everyone was on the hook for the full 2025 property taxes.

What was the City's fee for this protracted review to make BLA's safe for Americans? \$2,100.

Another example is a BLA we submitted to Jefferson County on May 27, 2022, again, a

very simple case. It was finally approved on March 8, 2023. Again, the new year arrived, tripping the additional property tax burden. It took so long, our elderly client died before seeing the approval. The County's fee for their application "services" was \$1,450.58.

Both of the above cases are typical, the public review period of the first being on the relatively short side and the second being on the longer side. As is also typical, neither our clients nor the public gained anything with these public reviews. We could have easily completed either of these cases competently within weeks on our own rather than months, and our fees would have been significantly lower without public agency entanglement.

The above is strictly about cases that went smoothly—aside from the significant collateral problems the sluggish public sector pace precipitated. However, another reason for terminating this ill-conceived effort to regulate BLAs is the fact that public planning agencies are also botching them. Again, I offer you two examples.

The first involves Tax Lots 4143-000-004-0006 and 4143-000-005-0005, again, on Bainbridge Island.

Because this case involved a defective and ambiguous boundary, its resolution fit the criteria of RCW 58.04.001 covering boundary *agreements*. Even those jurisdictions having assumed authority to regulate BLAs generally acknowledge boundary agreements as remaining outside their purview (though rogue Jefferson County regulates both). We therefore planned to resolve this particular case with an agreement rather than an adjustment. However, one of the property owners had an active building permit application, and City staff interpretively and inappropriately imposed their adjustment process on the parties.

The application was submitted on April 26, 2012 and, remarkably, approved a "mere" two months later, on June 29. Yet here is where the alleged wisdom of public review falls apart.

The other party to this boundary was an estate, which had retained an attorney to represent it. Unbeknownst me, the attorney had replaced me as the application agent, so when the BLA was approved, I never heard about it.

It was only when I reinvestigated the case that I found the BLA had been recorded without my knowledge, under Auditor's File No. 201303270270. I don't expect anyone reading this to be able to follow a legal description in a BLA, but if you check this BLA against the Kitsap County Assessor's parcel map online, you will find that, though it was recorded over twelve years ago, the map does not reflect it.

The reason is not an oversight on the Assessor's part, but a gross blunder on the part of City of Bainbridge Island staff and the incompetent attorney who meddled in the case. Due to collective ignorance, no deeds were exchanged.

You see, the properly-crafted cover sheet of a BLA declaration bears a line reading, "*Please Note! This Document Does Not Convey Title!*" If a party owns both parcels involved in a BLA, no deeds are necessary, but if the adjoining properties have different owners, deeds must supplement the BLA declaration to transfer title. Instead, by a most elementary omission, the supposed shepherds of this case imposed a cloud on the

titles of both properties. The estate sold its property, inadvertently saddling the purchaser with the cloud, which remains to this day.

At least one similar case occurred in 2013 in Jefferson County. This one involved Tax Lots 970200001 and 970200002 in Shine, south of Port Ludlow. A BLA declaration was recorded under Jefferson County Auditor's File No. 579447. As with the Bainbridge case, no corresponding deeds were recorded, so the involved properties remain as though the BLA had never been recorded. When the defect came to light a couple years ago, a dispute ensued involving at least five attorneys which has yet to be fully resolved.

So, at best, public agency reviews of BLAs take far, far too long and, at worst, are thoroughly botched by the public agency staff members. Why is this?

Fundamentally it's because, not only are planners lacking the necessary training and expertise to navigate BLAs, but they are not even vaguely acquainted with the fundamental mechanisms and processes. Not only can most of them not read a legal description, many can barely read a map, unable to differentiate, for example, between what is approximated versus what is precise.

The application requirements are unnecessarily laden with an abundance of impertinent requirements. This seems designed merely to lend to planners an inflated sense of involvement and purpose, when all the extra forms and documentation are largely just a superfluous distraction.

By making the application and review process unnecessarily cumbersome, planning agencies are making much more work, not only for private consultants, but for their own staff members as well. The property owners and their consultants get frustrated, take it out on planning staff, and the result on the public side is very high staff turnover. This turnover is rapid enough and the processes slow enough that one planner often won't be available to complete a given application's full review. Instead of working with seasoned, well-informed planners, we too often end up shackled to a novice who can do nothing but slavishly follow a process that wasn't properly designed in the first place—likely by some almost equally clueless zealot.

The only professional equipped to properly craft and to review a boundary line adjustment is a licensed land surveyor. If State law did not already exclude BLAs from local review, then the only public agency staff member who should be reviewing them would be a licensed land surveyor—and no one else other than the Assessor's segregation office. An agency or department having no a licensed land surveyor has no business meddling with what they don't understand.

Another issue is the overreach that inevitably occurs after a BLA ordinance takes effect.

For example, in many jurisdictions where BLAs come to be regulated, aggregations—the consolidation of adjoining parcels—come to be regulated as BLAs. Aggregations are not BLAs; they do not involve moving boundaries, but eliminating them. Assessors already have longstanding and legitimate mechanisms by which property owners can combine adjoining parcels, and no public agency review is necessary nor does it serve the public or the property owner.

Another example of overreach is confusion amongst public planners in differentiating boundary line *adjustments* from boundary *agreements*. Fundamentally, boundary line

adjustments entail moving a boundary or boundaries from one *known* location to another. Boundary *agreements* involve cases where a boundary “... cannot be identified from the existing public record, monuments, and landmarks, or is in dispute. . . .” Boundaries can be obscured by ambiguous legal descriptions, conflicting legal descriptions, longstanding improvements not matching descriptions of record, etc. Planners are hardly equipped to differentiate, yet they will sometimes impose the adjustment process inappropriately—and, when they do, the property owners have little recourse.

Yet another iteration of this has become codified in Jefferson County, where their Planning & Community Development office has, without any authorization from the State, formally assumed regulatory control over boundary *agreements* as well as *adjustments*. Even if a boundary dispute is litigated, the court somehow has lost its authority to arbitrate without the blessing of Community Development.

This is not the first time a BLA regulatory ordinance has been proposed by Kitsap County Community Development. The last attempt failed for good reason—as should this ill-conceived effort. The reason so many local jurisdictions have enacted ordinances placing BLAs under the regulatory authority of the inept is due to lack of respect for State law and for the profession that understands the process. That hardly commends replicating such folly in our county.

Have abuses with BLA exploitation occurred under the present arrangement? Undoubtedly. However, Washington remains a caveat emptor state with regard to real property purchases. The sad reality is that considerable abuse with regard to real property has been at the hand of the public sector. One of its unintended consequences is the exodus of competent private sector land use professionals—architects, engineers and land surveyors.

Please consider the applicable expertise and limited tenure of those promoting this proposal and give it the disapproval it resoundingly deserves.

Thank you.

Sincerely,



Bruce MacLearnsberry, PLS, CFS



KITSAP PUBLIC
HEALTH DISTRICT

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EMAILED TO CODEUPDATES@KITSAP.GOV

Ms. Keri Sallee

Senior Planner

Kitsap County Department of Community Development

RE: KITSAP COUNTY DRAFT BOUNDARY LINE ADJUSTMENT CODE

The Kitsap Public Health District (Health District) appreciates the opportunity to comment on the County's proposed boundary line adjustment (BLA) code. We offer the following comments based on the current draft:

- The draft code states that the director will review and approve a BLA if the application meets the listed criteria. For criteria #6, there are no standards listed to determine "adverse impacts" on water supply or septic systems. We would suggest that the standards that should be applied for that determination would be the requirements of the applicable Kitsap Public Health Board ordinance, either [Kitsap Public Health Board Ordinance 2025-01 Onsite Sewage Systems and General Sewage Sanitation Regulations](#) or [Kitsap Public Health Board Ordinance 2018-01 Drinking Water Supply Regulations](#), both as amended.
- For criteria #10 the language "proposed to be served by onsite sewage disposal systems" should be removed. The Health District should review any BLA affecting a property that is already served by an onsite sewage system, private water supply, or Group B public water system. Additionally, the Health District should review any BLA for an undeveloped property that may be served by an onsite sewage system, private water supply, or Group B public water system. Due to a lack of clear locational criteria associated with either the existing infrastructure or potential future development that would utilize this infrastructure, it would be more consistent and provide a more thorough

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review to simply require that every BLA receive Health District approval prior to director approval. This would address the concern related to criteria #6 as well.

Thank you for the opportunity to comment on the draft code, if you have any questions, I can be reached at (360) 728-2290 or john.kiess@kitsappublichealth.org.

Sincerely,

A handwritten signature in blue ink that reads "John Kiess". The signature is written in a cursive, flowing style.

John Kiess
Environmental Health Director
Kitsap Public Health District

A. Adjustments Prohibited.

1. Adjustments of tracts, easements, vacated rights-of-way, and tax title strips are not permitted. For the purposes of this section, “tax title strip” is a narrow, often unusable strip of land associated with a tax-foreclosed property, which may have been created by surveying or platting errors.

This statement isn't necessary, it's overly restrictive to regular property owners trying to clean up these strips and should be struck from the code. I understand the purpose is to prevent the one time common practice of taking these strips of land and creating new building parcels. However, K.C. Code 16.62 Legal Lot Determination already specifically prohibits the use of these strips to create new building lots. Thus, any BLA reviewed by K.C. would reject a proposal based on 16.62. The problem with adding this to the BLA code is it restricts all remedies to clean up these old strips of land. Most of the time property owners on both sides of these strips work together to either vacate or purchase these. And almost 100% of the time Kitsap County can only transfer the ownership to one property owner not both. Usually the owners want to split the land, sometimes equally, sometimes not, and absorb these into their current parcel. By prohibiting these from the BLA there is no remedy to absorb or split the strips.

2. Adjustment of a property shall not be permitted where separate properties are on either side of a road or right of way as respectively defined in KCC chapters 16.10.290 and 17.110.

I don't understand why this is in the code and what it could possibly be protecting or preventing. My only guess is the intent is to prevent the idea of roads or right of ways which split a parcel from being used to create separate parcels. It's important to understand the history here. There are hundreds of parcels which a road cut through the owner's property and from the time of statehood in 1889 to around 1990's these parcels were commonly considered split into two separate lots and were sold and built upon as separate. You can see it throughout the county's Assessor's maps. For those considered one parcel the owners simply never asked the Assessor's office for a separate parcel prior to the 1990's. Since around 1990 Kitsap County hasn't recognized a road as creating two parcels.

The issue is there are a lot of parcels which have land on both sides of a road or right of way. Sometimes these are very small strips and other times these are pretty large areas. Either way if Kitsap County recognizes these as whole parcels, they are then contiguous, and the road cutting through these shouldn't restrict the ability to prepare a boundary line adjustment. In fact there are a number of times the owner lives on one side of the road and the neighbor on the opposite side of the road wants to purchase the unused portion so they can use the

otherwise useless land. If you include this in the ordinance the owners have now solution to allow one to absorb the unused land into the others parcel. It makes no sense. If you want to prevent the idea of roads creating two parcels, define it in the legal lot determination so it is clear to everyone, but don't create a situation where people have no remedy to adjust their boundaries.

E.2.2. All resulting properties comply with applicable zoning standards for total area, buildable site, and dimensions, except that the Director may allow a boundary line adjustment for an existing nonconforming property if its degree of nonconformance to applicable zoning standards is not increased and no nonconformance is created or increased on other properties. Nonconformities apply to, but are not limited to, property size, setbacks, and dimensions.

I can't figure out what this means and I have 34 years of surveying. Since this is so confusing it is open to misinterpretation. I suggest this be more clearly defined.

E.3 No new public roads or extensions of public infrastructure would be required solely to serve the adjusted properties.

Why is this in here? Kitsap County would require the cost of extension of any road or public infrastructure to be constructed at the owner's expense. This seems extremely limiting. If our project is in an urban zone and the owners need to do a BLA to facilitate future platting and part of this would involve extending the sewer or water system to their property, this statement prohibits this. What is this protecting? Let people extend the roads or facilities if needed.

7. Resultant parcels must have a building site and suitable access. No resultant property may be created that causes the need for, during subsequent development as defined in Chapter 17.110, an exception or variance to County development codes, including but not limited to Title 17 Zoning, Title 19 Critical Areas Ordinance, or Title 22 Shoreline Master Program. For protection of future buyers, the department will require recordation of a statement to this effect.

I am very concerned about the final sentence of this. Who is going to record the statement and what is the statement expected to say? After being in this industry for over 30 years I have seen DCD consistently change their minds or new staff re-interpret the code. There is no way I will ever record a statement essentially guaranteeing property owners DCD will accept the BLA in the future. I don't know anybody who will and I would seriously advise this not to happen. If DCD is volunteering to record a guarantee for future owners on the legality of the lot after the BLA I commend them. They certainly have never stood behind their own decisions in the past. If you leave this in the code I guarantee no surveyor will prepare a BLA in Kitsap County until it is removed.

9. Boundary line adjustments within a recorded plat are permissible provided that they do not modify dedications, roads, **Access** easements, notes, or other features shown on the face of the plat, or its recorded conditions, that would require a formal plat alteration.

I suggest adding the word Access to stay consistent with plat alterations. Kitsap County allows utility easements to be created or altered without a plat alteration, but access easements require an alteration.

12. None of the properties included in an approved boundary line adjustment may be further adjusted or altered within a period of five years unless a short plat or preliminary plat application is made for such property or properties.

I absolutely hate this requirement and feel it is unnecessary. I believe the intention of this is to limit the use of BLA's to circumvent the subdivision process. However, item 8 previously stated the BLA cannot be used to circumvent the subdivision process. Adding this statement severely limits real reasons for multiple BLA's within 5 years. I recently had a client who's property was long and had two neighbors along his border. There was a fence 10 feet south of his property line which had been maintained and document for over 50 years and they wanted to adjust the line to the existing fence. When we started the process we discovered one of the neighbors who were in their 80's hadn't paid their property taxes for 3 years totally over \$15,000. They were shock realizing their mistake and as you can imagine due to their age had limited income to pay these. So the owner proceeded with a BLA with the other neighbor, the theory being he was willing to clean up the property and it's better to clean it up while they both agree then to wait and have this linger on and possibly never get resolved. The first neighbor eventually was able to pay the taxes owned and we were able to clean up that parcel with a second BLA.

There is no reason to keep this in the ordinance. If your fearful of developers using BLA's to circumvent the subdivision ordinance consider this: Item 8 already prohibits this from happening and the BLA review is going to take so much time and extensive money that it will be cheaper and faster to complete a formal subdivision than to do multiple BLA's reviewed by DCD. Simple economics will preclude this from happening.

F. The statement at the end. "Applicants are encouraged to be aware of the 'Declaration of Aggregation' program that the County Auditor provides."

What is the intention of this statement? Are you saying DCD will recognize a Declaration of Aggregation recorded in the Auditor's office?

I. Submittal Requirements Submittal requirements shall be specified in the BLA application guide and the submittal checklist and forms prepared by the Department.

This is extremely troublesome and deceptive. Why are the submittal requirements not listed? DCD is seeking to gain public input and support without revealing what the requirements for submittal will be. We don't know if there will be a \$3,000 application fee, if title reports will be required, if wetland studies, geotechnical reports or even stormwater reports will be required. Will a surveyor be required to prepare the documents? Will a full survey be required? What will be required to be shown on the survey? Will the new lines be required to be staked on the ground? Will a Boundary Line Adjustment document need to be submitted for review? How about deeds? Will mortgage companies be required to approve and record partial re-conveyances?

DCD likes to spin affordable housing and protecting the public, but this code creates the opposite for both. We typically prepare a simple BLA for around \$900. This code will easily push the cost for a simple BLA to \$4-5,000. If additional consultants and reports are required the cost will balloon to \$15-20,000 for their work and the additional survey and review times.

Also you have to consider each ordinance takes away the freedom of property owners. This ordinance is full of punishing and ridiculous restrictions which punish everyday real issues so DCD can collect revenue and control what people do with their property. DCD's real problem is they don't have a licensed land surveyor who is knowledgeable in property rights, land boundaries and property laws to review and support staff. The current staff are all young and inexperienced and don't understand anything about legal descriptions or property boundaries. Who is going to review these? I keep getting questions from DCD about our subdivision boundaries which state our work doesn't match the Assessor or our description doesn't match the Assessor. I have title guarantees of ownership and they don't understand the Assessor's work is for taxing purpose only and are not at the same level as a survey or title guarantees. Ignorance is rampant.

From: [Ed Mullaney](#)
To: [Keri Sallee](#)
Cc: [Christine Rolfes](#)
Subject: Proposed BLA code revision
Date: Wednesday, December 10, 2025 6:13:05 AM

[CAUTION: This message originated outside of the Kitsap County mail system. **DO NOT CLICK on links or open attachments** unless you were expecting this email. If the email looks suspicious, contact the Helpdesk immediately. For all other inquiries contact Kitsap1 at 360-337-5777 or email at help@kitsap1.com.]

Dear Keri

Thank you for the copy of the proposed BLA code modifications (dated 12/2/025)

Recommend that the add to Section E Review Criteria Item 9 - dealing with modifications that would alter, change or delete recorded plat conditions such as easement, roads or **other features**. be included in the adopted code revision currently under review.

Thank You for your efforts on update this code provision.

Ed Mullaney

Kitsap County Department of Community Development
619 Division St., 2nd Floor
Port Orchard, WA 98366

January 21, 2026

RE: Draft Boundary Line Adjustment Code

To: Mr. Scott Diener, Planning Manager

In review of the Draft Boundary Line Adjustment Code, I note a couple areas that should be modified to improve the requirements and language. Ultimately, these modifications would benefit the current and future citizens of Kitsap County.

First, the main reason to change your existing code is to come into compliance with court orders relating to buildable areas here in Washington State. City of Seattle v. Crispin and Hollywood Hill Neighbors v. King County are Washington lawsuits that have created legal obligations for all counties in Washington State, including Kitsap County, all to deal with adequate buildable area.

That said, there should be a second category, not identified, with the allowance for developed parcels to perform Boundary Line Adjustments. This would be where the buildable area is already occupied on both properties (supposedly by a single home or building upon each property), potentially even non-conforming parcels should be allowed to adjust their property boundary to: better fit with the topography, site access or existing structure locations. Just because their buildable area has already been filled, should not restrict those property owners from adjusting their boundaries. Notes or certifications could be added to ensure code compliance regarding existing buildable area, access or zoning, should anything ever change. But the citizens should not be restricted, strictly because the property they own is already developed.

For Boundary Line Adjustment requirements, it should be required that property corners be set. Property corners should be set at all angle points of any new boundary location created as part of a Boundary Line Adjustment. This will eliminate future questions of location by the land owners, their neighbors and future surveyors. By setting property corners, a surveyor will need to comply with RCW 58.09 & WAC 332-130, thereby leaving

publicly documented evidence of the new boundary's actual location. Not just a legal description, which does not mean anything to 95% of the population. A string line between property corners, makes it hard for anyone to argue about the boundary line location.

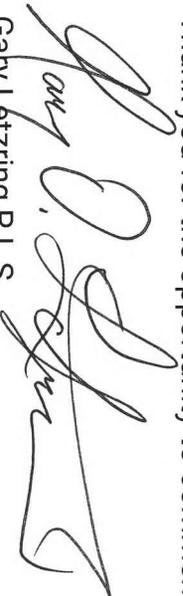
Also, it should be noted that property deeds will need to be exchanged between differing property owners. This is to place the Boundary Line Adjustment into the Title Records, which will be notice to future purchasers.

Additionally, Lot combinations should be separated entirely. Lot aggregation should be allowed on a reduced format, reduced review and fee. These should not be reviewed under the same criteria and cost of a Boundary Line Adjustment. A very simple Lot Combination is removing a separate tax parcel and buildable area. everything about them is different and not as demanding. Nor should a survey be required

Non-buildable tax title strips or tracts, and vacated right-of-way should be included as part of a parcel, where the land is able to be adjusted, just not to create a buildable property or new lot. Again, notes can be added to ensure compliance.

Zoning, urban growth area, overlays or jurisdictional boundaries, should not be a factor in performing a Boundary Line Adjustment. These lines were often created well after property settlement, and at times do not even follow property boundaries. The county should allow this somehow, and not create a strict prohibition.

Thank you for the opportunity to comment.

A handwritten signature in black ink, appearing to read "Gary O. Letzring". The signature is fluid and cursive, with a large initial "G" and "L".

Gary Letzring P.L.S.

Urban Member of the Washington State Survey Advisory Board

Bob Morse, PLS

morsebobb360@gmail.com

360-739-8189

January 21, 2026

Scott Diener

Planning Manager

Kitsap County

SDiener@kitsap.gov

Scott,

Up until recently I have been the Professional Land Surveyor for the City of Bellingham and am a current member of the DNR Survey Advisory Board. It has been drawn to my attention of the Kitsap County draft of their Boundary Line Adjustment Code dated 12/02/2025, currently open for public comments.

Upon reviewing the draft Boundary Line Adjustment Code, I have the following comments.

J. Recording and Signature Requirements

May I suggest, even though this is not a unified recognized requirement, that not only the survey exhibit be prepared by a licensed surveyor but also the newly prepared legal descriptions. The professional surveyor is by far the most qualified person to create legal descriptions. Not only would this ensure the legal descriptions correlate with the survey exhibit, but their expert knowledge would minimize any in-depth review by County staff, who might not have the necessary background to fully interpret the various terms and protocols used in legal descriptions.

As far as the one-year period is concerned to record all final documents with the County Auditor, I would recommend the time limit be greatly reduced. Too many negative factors could occur in the meantime. For example, change of ownership or addition of encumbrances. These examples would create a title defect, place a cloud on the title, and could result in costly legal action or document amendments.

Finally, not mentioned in your code is any requirement to have boundary corners set for the newly created adjusted line(s). Many jurisdictions, including the City of Bellingham, require this. This puts not only the owners, but the public on notice of the location of the new boundary(s). Upon a licensed surveyor setting the corners a required public record would be created with the Auditor's Office in the form of a Record of Survey.

Please take my comments into consideration as you finalize your code and protect the public.

Thank you,

Bob Morse

Bob Morse, PLS



January 29, 2026

KITSAP COUNTY PLANNING COMMISSION
619 Division Street MS – 38
Port Orchard, Washington 98366

SUBJECT: Opposition To The Proposed Ordinance To Regulate Boundary
Line Adjustments

Honorable Commissioners:

Three times now in the last 35-38- years the Department of Community Development has proposed an ordinance to regulate Boundary Line Adjustments (BLAs). Those prior attempts (two) and now this one here in 2026 were and are now met with opposition. The primary reason being, the ordinance is unnecessary and just as important promulgates an application process having an associated cost with indefinite time frames for DCD staff to perform their application review. Aside from these two issues, there are several other problems with the proposed BLA ordinance (December 2nd, 2025 draft) that are discussed herein.

Specifically, KITSAP ALLIANCE OF PROPERTY OWNERS (KAPO) objects to the effort of Kitsap County to impose local regulations on Boundary Line Adjustments (BLAs). Our reasons are summarized as follows with more commentary following:

1. State law regulations are adequate to stipulate when and how a BLA can be created. These same regulations have been used in Kitsap County for more than 45-years.
2. The proposed ordinance fails to distinguish the alteration of a boundary to fix a problem such as a building discovered to cross a neighbor's property line and other related problems from the alteration of a boundary that might make better provisions for buildable lot area.
3. Time frames for how long it might take for DCD (or other involved departments) to process a BLA application are not specified in the proposed ordinance, in Kitsap County Code (KCC) Chapter 21.04.250.A or elsewhere in the Procedures Ordinance. Also, of concern is the lack of staff qualified to review BLAs.

"The small landholders are the most precious part of the State." – Thomas Jefferson

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www.kitsapalliance.wordpress.com

4. Kitsap County assumes no responsibility for its role in the Zoning process which, failed to recognize or account for the thousands of prior divisions of land that have parcel sizes less than the minimum area requirement of the zone established. Consequently, with this proposed BLA ordinance the County is taking a dictatorial position that abridges the rights of land owners.
5. Kitsap County has failed to recognize that the objective of any proposed regulation is “to protect and maintain individual rights.” Such mandate is derived from the Washington State’s Constitution at Article I, Section I. Further, DCD staff has provided no evidence that land owners and citizens of the County played any role in the evaluation of the need for a BLA ordinance or in its construction.
6. Proliferation of regulatory measures has an adverse impact on land owners and the citizens of the County. The cost of housing affordable to all and possibly even posing barriers to population growth accommodation are concerns with new and expanded regulations.
7. Neither DCD or other Kitsap County officials have prepared any analysis of whether or not the County can afford to implement this new BLA ordinance regulation. There is most certainly a cost involved redounding to Kitsap County, but also there is a cost to the general public as well. Without a cost/benefit analysis, there are too many unknowns, not the least of which is the time delay required to approve a BLA application, which should be enough to void this proposed ordinance.
8. Lack of any evidence that DCD staff consulted with the Kitsap Association of Realtors, surveyors (several of which have long opposed a County ordinance providing for application review) and local attorney’s who deal with boundary disputes and related issues in and outside of Superior Court.

The balance of this letter details the reasons why the KITSAP ALLIANCE OF PROPERTY OWNERS opposes adoption of a County Ordinance regulating BLAs is found in the following discussion of each of the eight points:

1. Washington State Revised Code of Washington (RCW) has provisions in 53.17.040(6) regulating BLAs. This section of law pertains to exemptions from platting requirements and reads as follows: “(6) A *division made for the purpose of alteration by adjusting boundary lines, between platted or unplatted lots or both, which does not create any additional lot, tract, parcel, site, or division nor create any lot, tract, parcel, site, or division which contains insufficient area and dimension to meet minimum requirements for width and area for a building site,*”

Thus, pertinent to any assertions that BLAs create lots, that is simply not true.

2. There are many instances when a BLA is necessary to fix a problem created in a time when a property may not have been surveyed. For example, a house or garage may have encroached beyond a property line, this may be also problem affecting the location of a fence or even an access road. The simple way to resolve these situations is to adjust the common boundary. If the issue surfaces in a real estate sale transaction, the issue can be resolved within a week to two weeks with the aide of a licensed land surveyor. If there were to be an adopted BLA ordinance the on-two- week time frame would escalate into 6-9 – months or to over a year as is the case with such reviews in Pierce County. Clearly, either such wait times would kill a real estate transaction.
3. DCD staff has testified that BLA reviews would be processed as a Type I application. Type I applications require only DCD staff review and approval. According to the County's Procedures Ordinance KCC 21.04 and Subsection 250.A, any permit application whether Type I, Type II or Type III is to be processed within 120-days. Experience with DCD permit processing since May of 1998, shows that only building permit approvals (a Type I permit) have been issued in within this time frame. Keep in mind there is a whole division of DCD with qualified staff to review building permits. There are no qualified people in the balance of DCD to review BLAs. The person or persons with the required qualifications would be those with either a surveyor's licensed certification or perhaps someone who has worked for a surveyor's firm performing their duties but working under the license of the chief surveyor.
4. What Kitsap County cannot seem to reconcile with their claims that BLA's have been recorded that may have made nonconforming or unbuildable lots or parcels is that it is the County that adopted zoning lot sizes that completely ignore previous lot creation (under far less restrictive regulations). For example, there are literally thousands of lots in Rural – 5 Acre, Rural Protection 10-Acre and Rural Wooded Zoned areas that cannot meet the minimum lot size requirements of the zone applied by the County. Couple that fact with environmental regulations, which in some instances seem to make existing parcels so encumbered such that there are limited or no area for home sites. Thus, in many instances there is a need to adjust property lines to provide for buildable areas on the lots or parcels they own. The point is, property owners use BLAs as a way to mitigate the adverse effects of ill-conceived County zoning practices.

5. According to the Washington State Constitution Article I, Section 1 POLITICAL POWER. *All political power is inherent in the people and governments derive their just powers from the consent of the governed and are established to protect and maintain individual rights.* Unfortunately, Kitsap County has adopted the position that “government knows best” and the opinions of people and even critical critique of planned government activities get only a few lines in a public comment matrix. The fact is DCD staff is sole author of this proposed ordinance ordinance and not the people of Kitsap County, which goes along with the concept “government knows best,” and the people are only consulted for comment. Sadly, there is abundant evidence the citizen commentary, especially those with opposition opinions, is/are ignored.

What evidence has DCD staff brought forward showing that citizens from all parts of Kitsap County were part of a process to address this perceived need for new regulations for BLAs? The fact is there was no such group of citizens and there was no prior discussion (prior to the Planning Commission’s Work Study) with the citizens of Kitsap County on the proposed ordinance. So, how is it that this ordinance and/or the ordinance development process “protects and maintains individual rights?”

Perhaps DCD staff might argue that the proposed ordinance has been posted on the Department of Community Development’s portion of the County’s website for several months last year (2025). As a result, citizens could have commented on its provisions there and all such comments received would be therefore summarized in a comment matrix. That response, if proffered, is witness to the fact that citizens only get to comment on proposed plans or legislation they do not get to have an involved role whereby the product is “derived from the consent of the governed.

6. Proliferation of regulations has an adverse impact on what citizens can do with their property. The proliferation of regulatory measures seldom bears any relationship with what works to build community or enable the people of Kitsap County to pursue their desired future land use structure. Since the advent of the Growth Management Act, the whole objective coming down from the State of Washington is the enforcement of “controls” to prevent property owners and the citizens of Kitsap County from creating the community they want.

What that has meant is a vast expansion of regulations, which enforce controls on what people can do, not just in the planning for the future, but how the citizens can use their property. While there are many examples that could be cited, the fact is that prior to 1998, Kitsap County's regulatory ordinances could have been printed in a one volume with about 300 – 400 pages (in total). That would account for 78-pages of zoning regulations, 120- pages of storm water regulations, a similar sized subdivision and short plat ordinance and 100-pages +/- of Shoreline Master Program. Between the early 1980s and 1998 with just these much less restrictive ordinances Kitsap County accommodated about 100,000 new people.

Since 1998, Kitsap's regulations have expanded to 1,500 – 2,000 pages (and counting) in those same four ordinances plus the Critical Areas Ordinance. Note, just the storm water regulations now fill two volumes with over 800-pages of control measures. * Correspondingly, the population increase over the last 28-years has added a little over half that 100,000 (about 59,000 new people). One could rightly question the fact that too many regulations thwart Kitsap County's Growth Management Act requirement to accept and provide for its share of the State's population increase.

Along with all of these new (and arguably unnecessary) regulations has come many adverse impacts on the landowner and potential home owners, among them is very high housing costs. Prices beyond what the median income household can afford. Part of the cost of a new home is the price paid for the land and that component of the home's value has increased 20x what building sites sold for in the 1980-1998 time period. Also, land development and building costs have risen substantially since 1998 and most, if not all of the price increases are attributable to regulation compliance.

- *There were no significant storm water design problems with the ordinance in effect prior to 2010. But the State Department of Ecology and Kitsap County decided that there was a need for triple the amount of design regulations and with that came a like cost increase for the end facility and the extension of the rules to be applicable to rural areas, where no significant problems existed.*

So, here we are with this proposed BLA ordinance seemingly adding only three-pages of new regulations. Noticeably, absent in these proposed relations is any discussion regarding the impact on property owners, the general citizenry, the future of Kitsap County's community or even the added cost to the price of a new home.

Also significant is the lack of a proportionality analysis. What is meant by that is an assessment of the instances over a 40-50 - year period wherein BLAs that were prepared and recorded in that time frame that proved to be noncompliant with State law. DCD staff has presented no such analysis. The point of such analysis is to show that while there may be some BLAs prepared and recorded outside the requirements of State Law (58.17.040(6)) the instances of such are statically insignificant (the expected conclusion(s)).

7. DCD has not provided any information regarding the cost of ordinance implementation. In Point 3 above, the issue of time of application approval was address as being indeterminate despite the provisions of KCC 21.04.250.A. Also mentioned in that discussion is the lack of qualified staff to review and approve proposed BLAs. Not addressed is the question of whether Kitsap County could afford to "staff up" or "gear up" to implement BLA reviews in the Department.

What is needed is a cost/benefit analysis to analyze whether or not Kitap County could afford to implement this ordinance. Reportedly, the County has indicated there is a short fall in revenues, one result of which is a hiring freeze that affects the Department of Community Development as well as other County departments. Aside from the direct costs Kitsap County might incur, there is the cost to the land owner, not just in application fees that would have to be paid, but the land owner's time involved is a cost to be reconciled and all such costs have to include the surveyor firm expenses preparing the application material. All of the cost data has to be weighed against any benefits there might be from this proposed ordinance.

As is true for so many of the regulations Kitsap County has adopted or might be contemplating now or in the future, the County has no clue about what impact new regulations will have on the County's ability to implement a new ordinance. Until and unless Kitsap County is willing to take the time to address the fiscal impacts of ordinance implementation, it has no business adopting any new regulations.

8. Lack of involvement of the Real Estate Community, attorneys who represent clients in boundary disputes and surveyors who prepare the BLA documentation which is recorded for record in the Auditor's Office. While it may be true that DCD staff consulted with a surveyor in the draft of the proposed ordinance, there are several firms, in Kitsap County who have long opposed a County review process for BLAs for many of the reasons cited in this letter of opposition.

Point No. 2 addressed above indicates that a Realtor's purchase and sale agreement could be voided by a protracted BLA application and review approval process. Where is the evidence the Kitsap Association of Realtors were contacted or involved in the construction of the proposed ordinance? Since attorneys undertake boundary conflict resolution cases, some of which are adjudicated in court, where is there documentation of the issues they face or what is concluded by a judge's decision?

For the foregoing reasons, KITSAP ALLIANCE OF PROPERTY OWNERS objects to any attempt of the County to adopt regulatory measures affecting how Boundary Line Adjustments are now prepared and recorded in the County Auditor's Office.

Respectfully submitted.



William M. Palmer, President
KITSAP ALLIANCE OF PROPERTY OWNERS

Encl: Proposed BLA Ordinance – December 2, 2025 Draft

PLANNING COMMISSION DRAFT

Boundary Line Adjustment Code

KCC Chapter 16.04.xxx

Revised: 12/02/2025

A. Purpose.

The purpose of this section is to provide an administrative process for reviewing and approving adjustments to property lines between abutting properties. Boundary line adjustments are intended to be used in accordance with the provisions of [WAC 458-061A.109](#).

B. Applicability and Exemptions.

This chapter applies to boundary line adjustments between existing properties, including those involving mergers or aggregations. For the purposes of this section, “property” is a generic term that applies to all original or resulting lots, tracts, parcels, sites, or divisions; when a more specific term is used, the definition of that term in Chapter 16.10 shall apply. Boundary line agreements used solely to resolve boundary disputes consistent with [RCW 58.04.007](#) are exempt from the provisions of this chapter.

C. Adjustments Prohibited.

1. Adjustments of tracts, easements, vacated rights-of-way, and tax title strips are not permitted. For the purposes of this section, “tax title strip” is a narrow, often unusable strip of land associated with a tax-foreclosed property, which may have been created by surveying or platting errors.
2. Adjustment of a property shall not be permitted where separate properties are on either side of a road or right of way as respectively defined in KCC chapters [16.10.290](#) and [17.110](#).
3. No boundary line adjustment shall result in a property that crosses a zoning district boundary, urban growth area boundary, overlay district, tidelands, or jurisdictional boundary.

D. Permit Type and Review Authority.

Applications for boundary line adjustments shall be processed as a ministerial Type I application under [Chapter 21.04](#). The department director is authorized to review and approve, approve with conditions, or deny the application based on compliance with this chapter and other applicable county codes.

E. Review Criteria.

The Director shall approve a boundary line adjustment only if the following criteria are met:

1. No additional property, tract, parcel, or division results from the adjustment.
2. All resulting properties comply with applicable zoning standards for total area, buildable site, and dimensions, except that the Director may allow a boundary line adjustment for an existing nonconforming property if its degree of nonconformance to applicable zoning standards is not increased and no nonconformance is created or increased on other properties. Nonconformities apply to, but are not limited to, property size, setbacks, and dimensions.
3. No new public roads or extensions of public infrastructure would be required solely to serve the adjusted properties.
4. No conflicts with existing plat or permit conditions are created, and no existing plat or permit conditions are diminished, reduced, or eliminated.
5. All easements, access, and utilities are maintained or properly modified.
6. No adverse impacts on drainage, critical areas, water supply, septic systems, access, or utilities will result.
7. Resultant parcels must have a building site and suitable access. No resultant property may be created that causes the need for, during subsequent development as defined in [Chapter 17.110](#), an exception or variance to County development codes, including but not limited to Title 17 Zoning, Title 19 Critical Areas Ordinance, or Title 22 Shoreline Master Program. For protection of future buyers, the department will require recordation of a statement to this effect.
8. The adjustment is not part of a concurrent or sequential series of ~~multiple proposed adjustments which would result in the creation of additional lots, tracts, or building sites, or otherwise circumvent the subdivision regulations in [Chapter 16.40](#), including but not limited to having the effect of altering a recorded plat.~~
9. Boundary line adjustments within a recorded plat are permissible provided that they do not modify dedications, roads, easements, notes, or other features shown on the face of the plat, or its recorded conditions, that would require a formal plat alteration.
10. The adjustment will not create a building site from or on tracts or easements.
11. Properties ~~proposed to be served by onsite sewage disposal systems~~ must be reviewed and approved by the Kitsap ~~County~~ Public Health District prior to director approval. Applicants must demonstrate compliance with applicable health and sanitation standards, including minimum separation distances between structures and wells, or between structures and septic primary or reserve areas, located both on the subject properties and nearby properties.
12. None of the properties included in an approved boundary line adjustment may be further adjusted or altered within a period of five years unless a short plat or preliminary plat application is made for such property or properties.

F. Property Combinations (Mergers).

Boundary line adjustments may be used to permanently merge or aggregate abutting properties under the following conditions:

1. Properties, before or after adjustments, may not be separated by a dedicated right-of-way.
2. Properties that do not individually meet current development standards may be combined to create a conforming lot.
3. ~~Following approval, revised legal descriptions and survey maps, prepared in accordance with state law, must be recorded with the County Auditor.~~
4. Mergers result in new permanently-established properties, which may only be subdivided in the future according to the requirements of Title 16.

Applicants are encouraged to be aware of the 'Declaration of Aggregation' program that the County Auditor provides.

G. Legal Lot Determination.

When a boundary line adjustment is proposed under this chapter, requirements for legal lot determination may be deemed satisfied if the lots to be adjusted were previously determined legal under Chapter 16.62, or if the adjustment resolves discrepancies discovered in the determination process.

H. Pre-Application Conference

Prior to submittal of an application for a boundary line adjustment, applicants are encouraged, but are not required, to schedule an hourly-rate meeting as provided in Section 21.04.120.

I. Submittal Requirements

Submittal requirements shall be specified in the BLA application guide and the submittal checklist and forms prepared by the Department.

J. Recording and Signature Requirements.

Within one year of approval of the application for a boundary line adjustment or a property combination (merger), the applicant is required to record all final documents with the County Auditor, including the survey map signed and stamped by the Surveyor, revised legal descriptions, and any deeds conveying property. Recording shall be at the expense of the applicant. The applicant shall obtain all required signatures prior to recording, including those of the County Auditor, County Treasurer, and Department director.

From: Anthony and Rebecca Augello <chlpaugel77@gmail.com>

Sent: Friday, January 30, 2026 9:58 PM

To: Clara Jewell <CJewell@kitsap.gov>

Subject: Boundary Line Adjustment (BLA) Code Comments

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To Whom It May Concern,

Regarding the upcoming meeting for the Boundary Line Adjustment Code, this email is for anyone in the decision making process to consider that all applicants for any BLA should have to pay nonrefundable fees. This would encourage any applicant to ensure due diligence is being performed in the research of any proposed boundary line adjustment and also because this is standard practice in Washington. Also, any neighbors adjacent to any proposed BLA (no matter how "small") should be notified so they have sufficient time to provide input regarding any such proposal. This is just common sense.

Sincerely,
Anthony C Augello
Port Orchard, WA

Comments on Kitap County Proposed
Boundary Line Adjustment Ordinance

I object to Kitsap Conty drafting a boundary line adjustment ordinance.

Which RCW takes precedence, when a survey does not coincide with existing fence lines and the contiguous existing parcels are already less than 5 acres in a rural area?

- RCW 7.28 RCW Fence lines existing 7 or 10 years define parcel lines or,
- RCW 36.70a Requirement to not make a parcel “more non-conforming.”

Note: the average rural parcel in Kitsap County is 2 acres, while minimum rural parcel zoning is 5, 10 or 20 acres. Effectively, the average rural parcel is already “non-conforming.”

I was faced with above issue in Jefferson County, WA, which had adopted an ordinance similar to the proposed Kitsap ordinance. I inherited a developed parcel in which the property line dissected the inherited house. Fence lines had been in existence for many years. Jefferson County prohibited my recording sale of the house with a mutually agreed boundary line adjustment between myself and the adjacent property owner using fence lines on the basis that changing the legal descriptions would make one of the contiguous non-conforming parcels more non-conforming. Resolution required my hiring an attorney so the Jefferson County Superior Court Judge could overrule Jefferson County’s DCD.

Parcel lines are now commonly defined using GPS, which is based on magnetic north. The location of magnetic north is constantly changing Thus, all parcel lines are technically in a state of constant relocation, presenting opportunity for bureaucratic meddling.

I suggest the existing practice in Kitsap County offers no significant problem to be solved. Merely drafting an ordinance similar to other counties is not only of no perceived benefit, but it creates problems where none currently exist.

Adding just one more rule accomplishes nothing except to delay agreeing property owners, while showing no proven harm. No new parcels are created

Singerely,

Michael Gustavson

(360) 271-8726

P.O. Box 1

Southworth, WA 98386

3379 Olympiad DR SE, Port Orchard. WA 98366

Dear Commissioners,

We would like to submit the following statement about the proposed permitting process for Boundary Line Adjustments currently under consideration by the DCD. We understand that the Public Comment period has closed, but due to our meeting schedule we were only just able to approve the statement.

KCAA Public Comment Opposing BLA Permitting:

Kitsap Community Development's proposal to require permits for Boundary Line Adjustments would disproportionately impact agricultural landowners. BLAs are currently a simple administrative tool that often provides the only practical way for farms to comply with setback requirements that were designed for residential development, not agriculture.

Requiring permits would add cost, delay, and uncertainty for routine agricultural improvements and conservation practices. This burden is compounded by the fact that Kitsap County does not designate Agricultural Resource Lands, leaving farms subject to residential standards that do not reflect agricultural realities.

BLAs help resolve these conflicts efficiently. Making them a permitted activity would undermine their purpose and impose unnecessary regulatory barriers and delays on an already highly regulated agricultural community. For these reasons, the KCAA opposes the proposed BLA permitting requirement.

In the future, the KCAA recommends that questions about permitting which impact agricultural practices in the county be brought before the **Agriculture Advisory Council**.

Sincerely,

The KCAA Board

kitsapag.org
info@kitsapag.org
360-355-9413

March 2, 2026

KITSAP COUNTY PLANNING COMMISSION
619 Division Street MS - 38
Port Orchard, Washington 98366

SUBJECT: Opposition To: The Proposed Ordinance to Regulate Boundary Line
Adjustments

Commissioners:

Thank you for the opportunity to voice my opposition to the proposed BLA ordinance and in doing so I respectfully ask that you pause before adopting the proposed Boundary Line Adjustment Ordinance.

Boundary Line Adjustments are not a mechanism for creating new lots or increasing density. They are practical tools used to correct survey errors, resolve encroachments, address access concerns, and fix unintended zoning conflicts. State law already provides the framework for this process, and Kitsap County has administered BLAs successfully for many years without evidence of widespread misuse.

In more than 30 years as a REALTOR® in Kitsap County, having sold hundreds and hundreds of properties, I have encountered only two transactions that required a Boundary Line Adjustment. That perspective matters. BLAs are not common occurrences, and when they do arise, they are typically straightforward corrections — not systemic issues requiring additional regulation.

At this time, there has been no demonstrated pattern of recurring or widespread issues that would warrant justify adding another layer of regulations.

The proposed ordinance would introduce additional administrative review without a clearly defined fiscal analysis, without confirmation of staffing capacity, and without measurable evidence of public benefit. Even if categorized as a Type I permit, adding a formal review step increases the potential for delay and uncertainty. In real estate transactions, predictability matters. Delays can affect contracts, financing timelines, and ultimately property owners' rights.

We also have to acknowledge the broader context. Regulatory expansion, even when well-intentioned, carries costs. Each additional requirement, whether in application fees, professional services, or processing time, adds to the overall cost of land and housing.

Before implementing new regulations, I believe the County needs to clearly demonstrate four things:

- First, that a documented and recurring problem exists.

- Second, that stakeholders who work directly with BLAs—REALTORS®, Builders, surveyors, land use attorneys, and title professionals—have been meaningfully engaged in shaping the solution.
- Third, that the fiscal impacts have been analyzed and are sustainable, and
- Fourth, that the public benefit clearly outweighs the added burden on property owners.

Until those questions are thoroughly addressed, the County should not adopt additional regulatory layers on a process that has functioned effectively for decades.

Thank you for your consideration.

Linda Wood | ABR®, AHWD®, MRP®, SRES®, WCR®, REALTOR®
Managing Broker | Paramount Real Estate Group
2535 Mitchell Road SE
Port Orchard, WA 98366

Comments for the Record on Kitsap County's Proposed Boundary Line Adjustment Ordinance

I rise opposed to Kitsap County's proposed Boundary Line Adjustment Ordinance.

To my knowledge, members of the Department of Community Development, the Planning Commission and Board of County Commissioners are neither licensed attorneys specializing in land use issues nor licensed land surveyors in the State of Washington. Yet, these same individuals and officials have assigned themselves authority to draft an ordinance for which they are abysmally unqualified. With such an ordinance in place, naïve citizens would become subject to arbitrary restrictive decisions in situations where existing Washington State laws are in in tension and private property rights and values are at issue.

Once qualified, licensed experts are employed by property owners, a question immediately rises: Which Revised Code of Washinton law has precedence:

- RCW 7.28 defines parcel lines by fence lines in existence for 7 or 10 years.
- RCW 36.70a (Growth Management Act (GMA)) Requirement that parcel boundaries may not be adjusted to make a parcel "more non-conforming" by further reducing it's land area.

Note: The average rural parcel size in Kitsap County is 2 acres, having been created prior to the 1996 enforcement of GMA's minimum 5-, 10-or 20-acre parcel sizes. Hence, most rural parcels are "existing, non-conforming." They continue to enjoy only the restrictions in effect at the time of purchase.

Parcel lines have for centuries been defined by fence lines. Should adjacent parcel owners mutually agree to modify a parcel, they merely need to establish a new fence line and allow it to lie fallow for a decade to it to become a legally recordable action.

Parcel lines have historically been defined using magnetic north as a basic reference. We now are aware the location of magnetic north is constantly changing. This can be observed when comparing data with Global Positioning System satellite data. Thus, all parcel lines are technically in a state of constant relocation, presenting opportunity of bureaucratic meddling.

Points of origin, or "section corners" were established in Kitsap County beginning near the time of the U.S. Civil War, using measurement instruments we might find less than perfect by today's standards. This has led to numerous inconsistencies, where parcel boundaries differ by many feet, depending on which section corner is used as the "point

of beginning” when a survey is initiated In my Southworth neighborhood, numerous parcels lines differ dramatically from those understood and used by the current owners.

I faced this issue in Jefferson County, WA, which had adopted an ordinance similar to the proposed Kitsap ordinance. I inherited a developed rural parcel in Jefferson County in which the recorded property line dissected the inherited house. Fence lines had been in existence for many decades, and I had assumed the fence lines defined the parcel. I created a mutually agreed adjustment of the parcel lines to reflect the existing fence line and sold the property. Jefferson County Department of Community Development (DCD) refused to acknowledge the sale. I hired a land use attorney and presented the situation in Superior Court. The judge overruled DCD and the sale was hence recorded.

I have been told since 1990 there have been at least four prior attempts by Kitsap County to draft a Boundary Line Adjustment ordinance so we might match other counties. Each effort has been declined.

I suggest the existing practice in Kitsap County offers no significant problem to be solved. Merely drafting an ordinance like other counties is not only of no perceived benefit; it creates problems where none currently exist.

Adding one more rule accomplishes nothing except to further delay agreeing property owners, while showing no proven harm. No new parcels would be created by this proposed ordinance.

If adjoining parcel owners disagree on a parcel boundary, experts licensed by the State of Washington can be brought to testify and, Superior Court judges are available to offer relief.

Boundary Line Adjustments are outside the expertise of DCD employees. Injecting non-professional opinions as a constraint only confounds and confuses the public, offering no benefit. DCD opinions are easily overturned by qualified experts and the judiciary.

The issue of boundary line adjustments (BLA) are outside the wheelhouse of DCD and the Board of County Commissioners. BLAs are legal issues and are best adjudicated using the legal system

Sincerely,



Micheal Gustavson
(360) 271-8726

P. O. Box 1

Southworth, WA 98386

3379 Olympiad DER SE, Port Orchard, WA 98366

Clif Peterson – Public Comment March 3rd, 2026
South Kitsap Resident for 41 years

Chair Hall and members of the Planning Commission, thank you for your service to the good people of Kitsap County.

I was not planning on addressing the BLA topic however something struck me while listening to the staff presentation. I want to address a fundamental mischaracterization being made by DCD and planning staff. The presentation repeatedly refers to Boundary Line Adjustments as “illegal,” yet the record shows that Kitsap County has simply never adopted a formal BLA review ordinance. Historically, BLAs have been lawfully recorded through the Auditor’s Office without County review. The absence of a County permitting process does not make these actions illegal. In fact, it protects individual property rights. Labeling them as illegal is misleading and creates a false narrative used to justify expanded regulatory authority over private property. What is being proposed here is not the correction of unlawful conduct, but the creation of a new layer of discretionary regulatory control over lawful property adjustments.

In regard to the equestrian code / commercial equestrian facilities / year of the rural / or whatever we call it next. 🙄

I first want to acknowledge and appreciate the recent effort to clarify the term “stakeholder.” That clarification matters and holds weight. Because when we talk about equestrian facilities, the people who carry the financial risk, legal liability, property investment, and operational burden are the facility owners themselves. They are the ones who invested their land, their capital, and often their life savings into these operations. In every sense of the word, they are the only true stakeholders.

Let us look at the County’s own data.

When the recent survey asked: **“If you operate or work at a facility, what types of regulations would be most challenging?”** the responses were overwhelmingly consistent. The dominant themes were government overreach, expensive permitting, unrealistic setbacks, operating hour restrictions, and duplicative regulation.

When you actually read through the comments, a careful analysis of the responses revealed approximately 85% percent of the responses expressed a clear position indicating opposition to any new regulations or say the existing regulations are already adequate. The responses also make clear that many residents believe existing state and county regulations — including nuisance law, environmental protections, and Washington’s Right to Farm Act — already provide appropriate safeguards without creating new layers of regulation that could unintentionally eliminate long-standing rural businesses.

That is not ambiguous. That is a clear mandate from the community.

Many respondents said exactly that: “new rules are not necessary” — “the rules that already exist are sufficient.” Others warned that additional permits, setbacks, and restrictions would force small facilities out of business.

And let’s be direct about the economics here. Horse boarding is not some massive profit center. National data shows most facilities either break even or lose money. These operations survive because of philanthropy, passion, community, and a commitment to rural life.

I also want to address the Commercial Equestrian Facility Assessment workshop last Wednesday. For many people in the equestrian community, that workshop felt like an insult to the public process. Several of the questions appeared framed in a way that steered responses toward supporting regulation, and the fact that the County was collecting handwritten comments in 2026 was frankly embarrassing for a process that claims to be gathering meaningful data. That frustration is not isolated. It’s widely shared across the equestrian working group and across the community. A quick glance through the comment on the Facebook group “Save our Stables” will provide mounting evidence.

We ask this Commission to reject the planning staff’s effort to add additional regulatory burdens on private citizens and protect this critical community service.

The mandate from this community is clear and simple:

1. Respect the feedback coming from your own surveys, working group and public comments.
2. Respect the property rights of rural landowners.
3. And resist the urge to overregulate an entire industry because of a handful of complaints.

These are in alignment with option A that that **the planning commission offered tonight**. No new regulations, continue with the status quo.

Kitsap County's equestrian community is part of our rural heritage, mental health, youth development, and local economy.

And we will stand firm in defending the rights of private property owners. Protected under the right to farm act and the supreme law of the land our constitution.

Thank you. Please enter these comments into the public record.

“Thoughts on Boundary Line Adjustment Ordinance for Kitsap County”

To: Kitsap County

From: Mitchel D & Michelle R Morey (Mitch Morey representing wife Michelle with this letter on the Boundary Line Adjustment Ordinance.)

2766 Mountain View Rd E

Port Orchard, Wa 98366

Phone: 360-710-5465

Permit Number 25-02445 and Regarding Tax Parcel # 202402-2-075-2008

With Regards to Kitsap County’s Boundary Line Adjustment Ordinance (BLA) along with all Kitsap County Building Codes, we (Public Citizens of Kitsap County) have thoughts that Kitsap County is in charge of this issue to protect its citizens from harm, but it seems to me that Kitsap County has not done that with their current BLA ordinance policies.

As a person of Kitsap County who has lived & worked here all my life, I assumed, which I am pretty sure most folks do assume that all departments with “Kitsap County” in front of their name, that are the “powers that be”, make our rules & regulations are all under ONE roof and they have a checks and balance system in place to make sure that we citizens DO NOT get harmed or damaged in any way. I am talking about the Kitsap County Recording office, Kitsap County Department of Community Development (DCD), Kitsap County Assessors office, Kitsap County Treasurers office & Kitsap County Public Health Districts (KPHD).

As the general public, we would think that these different departments of Kitsap County all work together for the common goal for their citizens. It seems as though the right hand doesn’t have a Clue as to what the left hand is doing. There doesn’t seem to be any communication between the Kitsap County Recording department, Kitsap County Department of Community Development (DCD), Kitsap County Auditors office, Kitsap County Public Health Department. There seems to be a HUGE Gap and a problem with Kitsap County Protecting its Citizens.

Can you tell me how a Kitsap County Citizen can even record a Boundary Line Adjustment that is supposedly called an ILLEGAL LOT?? How does this happen?? ...

How does Kitsap County Public Health Department allow the approval of a Gravity Flow 4 Bedroom Septic System to be installed on a "So Called" Illegal Lot??? That we, the Public Citizens have paid between \$5000 to \$6000 to get designed & approved through Kitsap Public Health District (KPHD)...??

Also how does Kitsap Public Health Department approve a 4 bedroom Gravity Flow Septic System design to be installed on an Illegal Lot that Kitsap County Department of Community Development (DCD) says needs a Geo Tech Letter or Report, due to this Lot being in a Moderate Seismic area?? How is this protecting Kitsap County Citizens?? No Checks & Balances, NO Communications between Kitsap County Departments equals No Protection for Citizens!

How does the Kitsap County Assessors Office Assess an "Illegal Lot" (for the past 5 years), to have an Assessed value of \$111,000.00??? This \$111K assessment would be for a Full Blown "Legal Lot".....How does this happen, for the previous 5 years? No Check & Balances, No Communication between KITSAP County Departments.

How does the Kitsap County Treasurers Office Charge FULL BLOWN Legal Lot Taxes on this "So Called" Illegal Lot for the last 5 years?

As Stated in Kitsap County's goals with creating a clear, consistent BLA code, that ensures fairness, predictability. Is this what you are calling "Protection of Public Interest?" Or protection of our Kitsap County Citizens??

How does this "Illegal Lot" get appraised by a Licensed Washington State Appraiser at \$95,000, Five Years ago... there doesn't seem to be any indication by any of the "Kitsap County Departments" of this being an Illegal Lot..., on any county web site or anywhere within this day & age of computers & internet.

The other talking point that needs to be discussed, is the fact about Kitsap County Title Insurance Companies that cover Title Insurance Claims and provide Title Reports for Properties being sold. This "Illegal Lot" issue for any Boundary Line Adjustment WOULD NOT even be noted on a Title Report by the Title Insurance Company and listed as an Exception to a purchasers title

insurance coverage. If being an “Illegal Lot” was ever noted as an “Exception” on a Title Report, the Title Company would be depending, once again, on KITSAP COUNTY to have something record about it being an “Illegal Lot”. Pretty crazy, Right?? But true, Kitsap County is letting the Public Down by NOT doing what is expected of them in protecting the citizens of Kitsap County.

With everything stated above, it seems that Kitsap County is pretty much holding the bag of Damages to their Public Citizens & I am pretty sure there is an attorney out there that would agree and take up this matter if need be.

However, there is actually a reasonable way to address these problems and I would be glad to explain that fix to you and your different department heads. It all starts at Recording and counts on communication between the different departments.

Permit Number 25-02445 (Tax ID # 202402-2-075-2008)

This is Mitch Morey writing this review & BLA Ordinance representing my wife Michelle R Morey. I have been a Washington State Licensed Real Estate Broker in Port Orchard for the past 35 years and this Boundary Line Adjustment Ordinance is something that can be fixed.

There definitely is need for the Innocent Purchasers ability to have a legal lot because that is exactly what happened to my wife on this 2.5 acres she purchased from the adjoining estate. I would have never allowed her to purchase an Illegal Lot for \$95,000. And if Kitsap County would have mentioned something about it being an illegal lot & WHY, it would have been easily fixed while the Personal Representative of that Estate still had control of the whole property (Before Selling the original land & house). If anyone at Kitsap County would have said anything about it needing to be a 5 acre parcel, it would have been easy to BLA a 5 acre parcel off of the Original Parcel instead of just the 2.5 acre parcel. If only Kitsap County had protected its Citizens!!

Kitsap County needs to make this right and approve my wife, Michelle R Morey as being that Innocent Purchaser because that is exactly what she is. All Kitsap County Departments have some Citizen Damage to explain over the past 5 years if our lot is not changed to a fully Legal Building Lot. There are 2.5 acre parcels all around this area. Thank You for your consideration.