

**From:** [Bart Catching](#)  
**To:** [Jeffrey Delapena](#)  
**Subject:** FW: Request Concerning BLA Procedures  
**Date:** Tuesday, June 18, 2024 4:41:15 PM  
**Attachments:** [county\\_planning\\_bla.pdf](#)  
[CountryViewEstates\\_plat.pdf](#)

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Jeff,

I have responded to Mr. Miles separately, but please add this to the comp plan comment record and if possible link it to his original 3/7 comment.

Thank you.

- Bart

-----Original Message-----

From: Ken Miles <kemiles@comcast.net>  
Sent: Tuesday, June 18, 2024 3:06 PM  
To: Bart Catching <Bart.Catching@clark.wa.gov>  
Subject: Request Concerning BLA Procedures

EXTERNAL: This email originated from outside of Clark County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Bart,

As I mentioned previously, I am now submitting a followup request to our original 3/7/2024 submission for a site-specific request to the county's Growth Management Plan update process.

As highlighted previously, our request has nothing to do with the county's endeavors to plan for future growth. We have simply been trying to patiently follow instructions we were given in the past.

Our most urgent need is to have a sane way of executing a boundary line adjustment between lots within our neighborhood. The 3/7/2024 request, if fulfilled, would accomplish two things for us including this. But if it is easier for the county to entertain a phased approach, we are open to a solution that fixes the BLA procedures only at this time.

The attached describes three possibilities for accomplishing this, two of them are little more than coming to an agreement as to how to interpret the county's codes and procedures. If we can accomplish that, then I can submit our application and stop pestering you about this :-).

Regards,

-Ken Miles

June 18, 2024

Clark County Planning,

We respectfully request that a way be established for our neighborhood to be able to apply for Boundary Line Adjustments in a manner consistent with the procedures for normal neighborhoods in the county.

We are a neighborhood of residential lots that were created originally as a part a cluster development. As a cluster, additional constraints are placed upon us when applying for BLAs that do not apply to typical residential developments. The constraint is that since we are zoned “AG-20” we are deemed “Legal Nonconforming Lots”<sup>1</sup> for which “parcels may not be decreased below the established minimum lot size”<sup>2</sup>. As there is normally a 10% allowance for variations in lot size (County Code 40.200.040 (C)(2)) our one acre lots are well below that threshold. As such, a BLA application can only be accomplished by “trading” equal amounts of land between lots so that no lot is reduced in size.

We appreciate the intent of the code as it applies to resource lands and we can understand how it serves to limit some abuses in the county as it oversees rural and agricultural areas.

However, we are neither rural nor agricultural. We are a residential neighborhood that is surrounded on all sides by the City of Camas and the Camas School District. The city is currently overseeing development of residential subdivisions of 7,000 – 12,000 sq. ft lots along two of our borders.

Furthermore, the BLA application constraint on our neighborhood makes some boundary line adjustments impossible. An example is illustrated in the attached drawing.

The access road Country View Circle defines a cul-de-sac that allows access to lots 9 and 10 and runs between lots 7 and 11. However, when the neighborhood was laid out, the road landed almost entirely within the boundaries of lot 7. There was once some brief discussion of correcting this to redraw the boundary so that it followed the actual center of the road. But this was quickly dropped. Note that it is impossible for lot 11 to “exchange” an equal number of square feet with lot 7 in order to correct this situation.

From our perspective, the county’s BLA application constraints are not just onerous, they constitute an impossible hurdle for what otherwise would be entirely reasonable requests.

We can envision several possible solutions:

1. Rezone our neighborhood to one acre residential per our request of 3/7/2024. Note that this option includes a benefit to the county as highlighted in our letter: It enables improvement in the “accuracy of numbers reported in the comprehensive plan as required by RCW 36.70A.070.”
2. Reclassify residential lots created as a part of a cluster development as “conforming”. We appreciate the sense in which the county originally classified our lots as “legal nonconforming” – it is because they did not “conform to minimum lot area, width or depth requirements of the

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1 <https://www.codepublishing.com/WA/ClarkCounty/html/ClarkCounty40/ClarkCounty40530/ClarkCounty40530010.html> (D)

2 <https://www.codepublishing.com/WA/ClarkCounty/html/ClarkCounty40/ClarkCounty40250/ClarkCounty40250110.html> (C)(2)(b)(1)(a)

zoning district in which” they were situated. (Code 40.530.010 (D))<sup>3</sup>. This section of the code clearly states its purpose: that

“Lots uses, and structures exist which were lawful when established, but whose establishment would be restricted or prohibited under current zoning regulations” (Code 40.530.010(A))

We understand that this enables “grandfathering in” uses and structures that were in place before modern zoning regulations could be established. Our view is that it is a force fit to apply such a provision to our neighborhood as we never needed “grandfathering in”. We have always been in compliance with the county’s building standards; as such, we believe that we should “be considered conforming” (Code 40.530.010(B)(1)).

3. Approve a variance request<sup>4</sup> that permits a Boundary Line Adjustment releasing the property owners of the requirement to “trade” equal amounts of land. There are several potential BLA applications envisioned within our neighborhood that are all modest in scope. They involve an adjustment that is less than five percent of the total lot area and these one acre lots would still be approximately one acre.

While our first choice would be option [1] as it results in multiple benefits to us as highlighted in our original request, we remain flexible and are open to a “phased approach” if a solution for doing boundary line adjustments can be implemented prior to considering our rezone request.

There may be other solutions that may appeal to the county that would address our desire to execute BLA adjustments. One factor to consider is that the cluster development that once described our neighborhood no longer exists. The City of Camas annexed our remainder lot a number of years ago and is currently overseeing development of a subdivision on it.

I look forward to your response.

Best Regards,

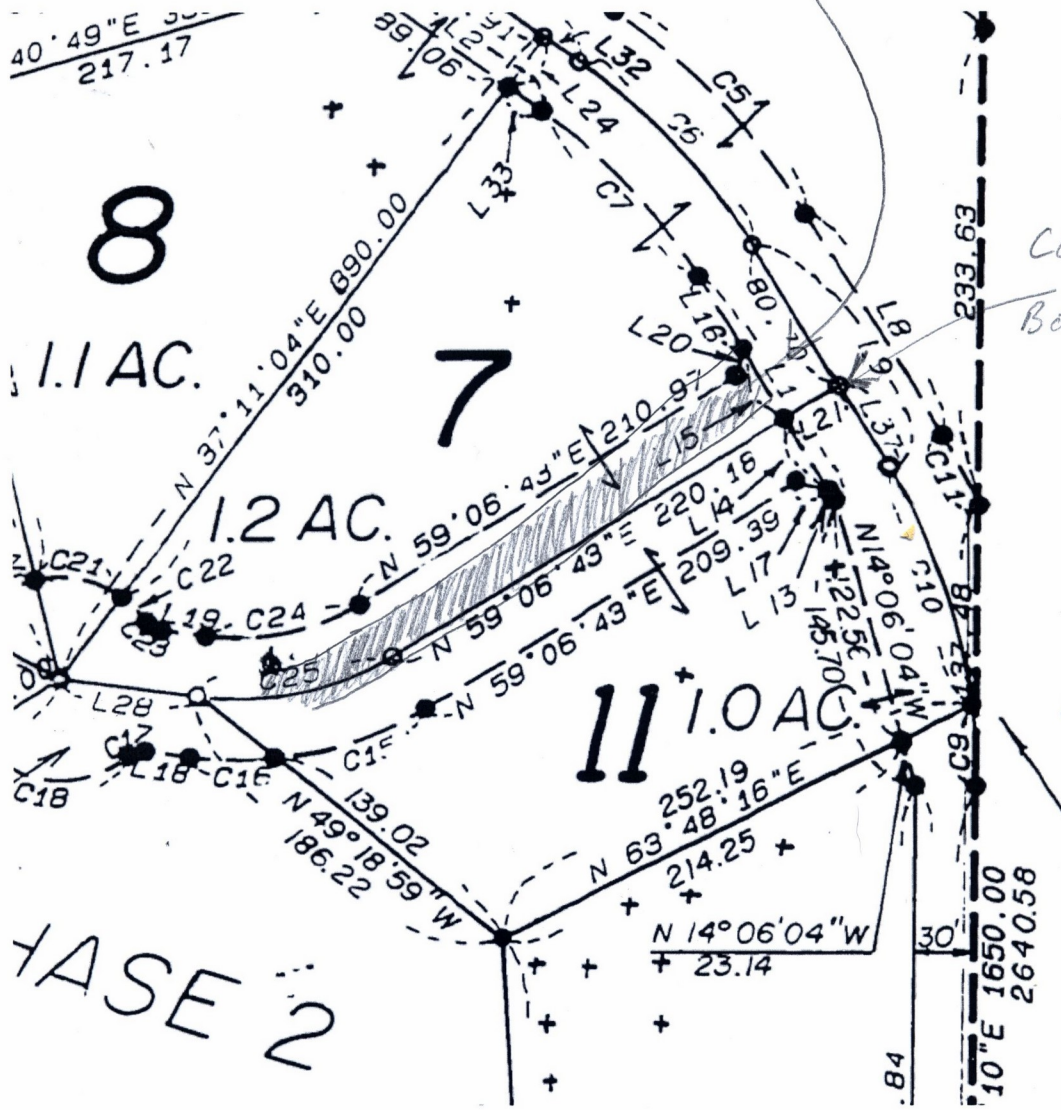
Ken Miles  
“Lot 5” in Country View Estates  
[kemiles@comcast.net](mailto:kemiles@comcast.net)  
360-216-3383  
etc.

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3 <https://www.codepublishing.com/WA/ClarkCounty/html/ClarkCounty40/ClarkCounty40530/ClarkCounty40530010.html>.

4 <https://clark.wa.gov/sites/default/files/media/document/2023-12/variance.pdf> “The purpose of a variance is to provide relief to property owners where application of the Clark County Code may cause a hardship, due to unusual circumstances of the land.”

Actual path of  
Country View Circle  
(Approximate)



PHASE 2

# COUNTRY VIEW ESTATES II PHASE 2

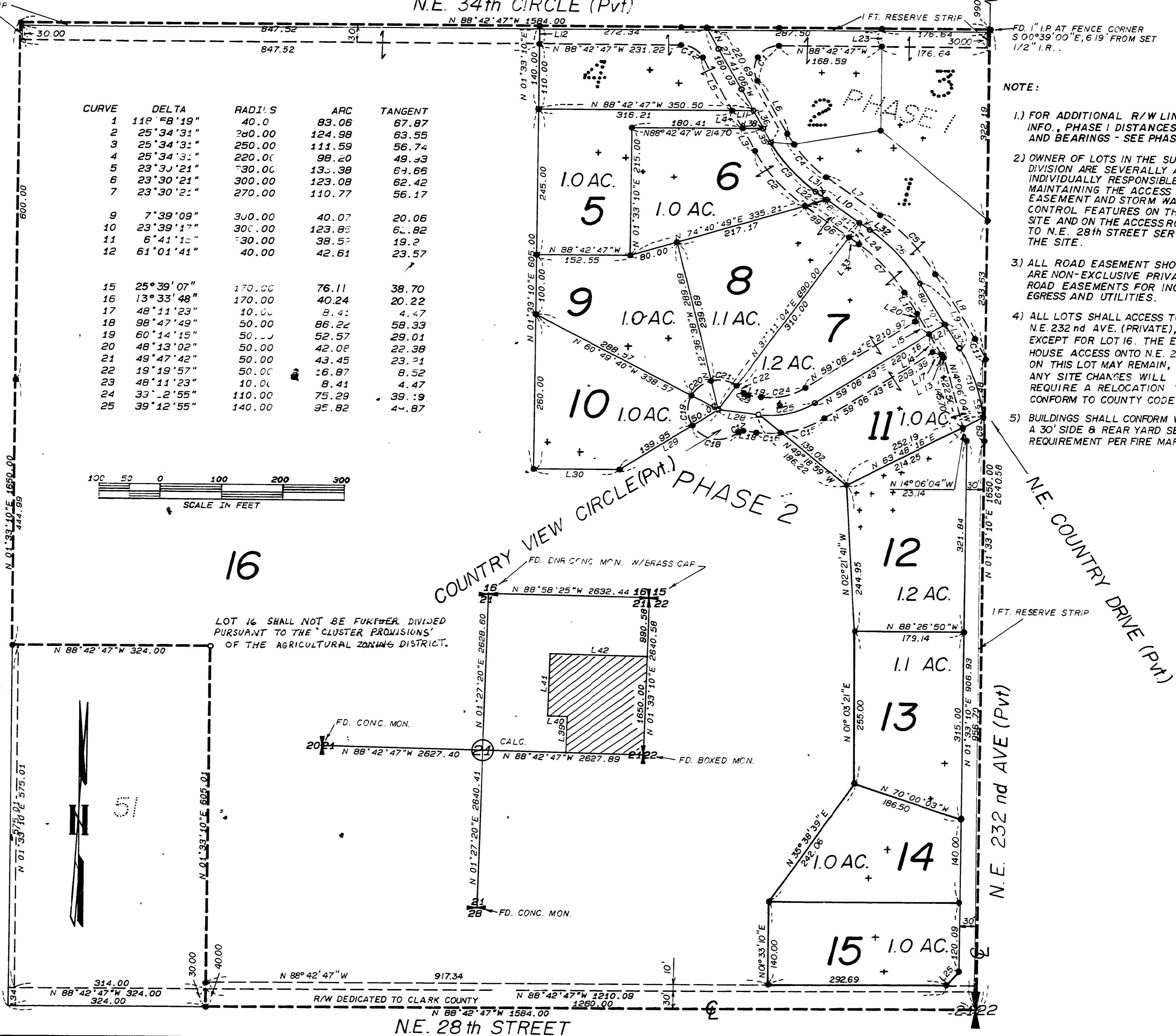
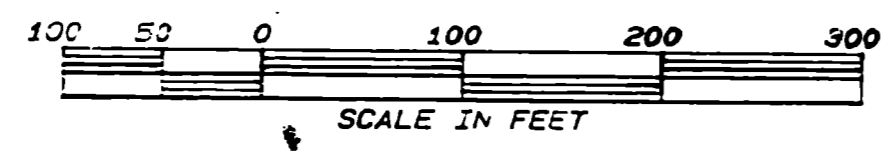
A SUBDIVISION IN A PORTION OF THE NE 1/4  
OF SEC. 21, T 2 N, R 3 E, W.M.  
JANUARY 1987



FD. DNR CONC. MON.  
W/ BRASS CAP.

LINE	BEARING	DISTANCE
1	N 29°45'17"W	126.63
2	N 53°15'37"W	109.29
3	N 27°41'06"W	42.99
4	N 27°41'06"W	34.29
5	N 27°41'06"W	102.16
6	N 27°41'06"W	101.92
7	N 53°15'37"W	109.29
8	N 29°45'17"W	126.63
9	N 29°45'17"W	126.63
10	N 53°15'37"W	109.29
11	N 88°42'47"W	34.29
12	N 01°33'10"E	30.00
13	N 29°45'17"W	5.14
14	N 29°45'17"W	40.21
15	N 29°45'17"W	39.81
16	N 29°45'17"W	41.48
17	N 75°19'17"W	14.28
18	N 81°40'22"W	21.91
19	N 81°40'22"W	21.91
20	N 14°40'43"E	14.00
21	N 59°06'43"E	30.01
22	N 74°40'49"E	38.04
23	N 01°33'10"E	30.00
24	N 37°11'05"E	30.00
25	N 46°25'11"E	28.22
26	N 01°33'10"E	140.00
27	N 57°14'57"W	199.91
28	N 81°40'22"W	66.63
29	N 58°56'04"E	189.95
30	N 88°42'47"W	140.00
31	N 53°15'37"W	23.39
32	N 53°15'37"W	20.00
33	N 53°15'37"W	20.23
34	N 01°33'10"E	30.00
35	N 27°41'06"W	26.38
36	N 27°41'06"W	34.29
37	N 29°45'17"W	45.94
38	N 88°42'47"W	34.29
39	N 01°33'10"E	605.01
40	N 88°42'47"W	324.00
41	N 01°33'10"E	1044.99
42	N 88°42'47"W	1584.00

CURVE	DELTA	RADIUS	ARC	TANGENT
1	118°58'19"	40.0	83.06	67.87
2	25°34'31"	240.00	124.98	63.55
3	25°34'31"	250.00	111.59	56.74
4	25°34'31"	220.00	98.20	49.33
5	23°30'21"	300.00	133.38	63.66
6	23°30'21"	300.00	123.08	62.42
7	23°30'21"	270.00	110.77	56.17
9	7°39'09"	300.00	40.07	20.06
10	23°39'17"	300.00	123.85	62.82
11	6°41'15"	300.00	38.52	19.2
12	61°01'41"	40.00	42.61	23.57
15	25°39'07"	170.00	76.11	38.70
16	13°33'48"	170.00	40.24	20.22
17	48°11'23"	10.00	8.41	4.47
18	98°47'49"	50.00	86.22	58.33
19	60°14'15"	50.00	52.57	29.01
20	48°13'02"	50.00	42.02	22.38
21	49°47'42"	50.00	43.45	23.21
22	19°19'57"	50.00	16.87	8.52
23	48°11'23"	10.00	8.41	4.47
24	33°12'55"	110.00	75.29	39.19
25	39°12'55"	140.00	95.82	47.87



LOT 16 SHALL NOT BE FURTHER DIVIDED  
PURSUANT TO THE 'CLUSTER PROVISIONS'  
OF THE AGRICULTURAL ZONING DISTRICT.

1 INCH = 100 FEET  
BASIS OF BEARINGS  
EAST LINE OF THE  
NE 1/4 OF SEC. 21

- LEGEND**
- FOUND MONUMENT
  - SET 1/2 INCH IRON ROD
  - + LOCATION OF PERC HOLE

- NOTE:**
- FOR ADDITIONAL R/W LINE INFO., PHASE I DISTANCES AND BEARINGS - SEE PHASE I.
  - OWNER OF LOTS IN THE SUB-DIVISION ARE SEVERALLY AND INDIVIDUALLY RESPONSIBLE FOR MAINTAINING THE ACCESS EASEMENT AND STORM WATER CONTROL FEATURES ON THE SITE AND ON THE ACCESSROAD TO N.E. 28th STREET SERVING THE SITE.
  - ALL ROAD EASEMENT SHOWN ARE NON-EXCLUSIVE PRIVATE ROAD EASEMENTS FOR INGRESS, EGRESS AND UTILITIES.
  - ALL LOTS SHALL ACCESS TO N.E. 232nd AVE. (PRIVATE), EXCEPT FOR LOT 16. THE EXISTING HOUSE ACCESS ONTO N.E. 28th ST. ON THIS LOT MAY REMAIN, BUT ANY SITE CHANGES WILL REQUIRE A RELOCATION TO CONFORM TO COUNTY CODE.
  - BUILDINGS SHALL CONFORM WITH A 30' SIDE & REAR YARD SETBACK REQUIREMENT PER FIRE MARSHALL.

**COUNTY PLANNING DIRECTOR**  
Approved: *[Signature]* 4/30/87  
COUNTY PLANNING DIRECTOR DATE

**COUNTY COMMISSIONERS**  
Approved and accepted by the Board of County Commissioners, County of Clark, State of Washington this 1st day of May, 1987  
*[Signature]*  
CHAIRMAN, BOARD OF CO. COMMISSIONERS

Attested by *[Signature]*  
CLERK TO THE BOARD

**SOUTHWEST WASHINGTON HEALTH DISTRICT**  
This subdivision is approved in general only.  
 Approved public water supply is required.  
 Approved public sewer system is required.  
 Individual, on site sewage disposal.  
Individual approvals to be based on regulations and evaluation at time of permit application.  
Lots 10, 11, 12, 13, 14, 15 are sub named septic systems. *[Signature]*  
DISTRICT HEALTH OFFICER 4/22/87

**COUNTY ENGINEER**  
Approved: *[Signature]* 4/28/87  
COUNTY ENGINEER DATE

**ASSESSOR**  
This plat meets the requirements of R.C.W. 59.18.010 Laws of Washington, 1981, to be known as COUNTRY-VIEW ESTATES II Plat No. H-345 in the County of Clark, State of Washington.  
*[Signature]* 5/1/87  
COUNTY ASSESSOR

**AUDITOR**  
Attested by *[Signature]*  
COUNTY AUDITOR  
8705010148

**SURVEYOR'S CERTIFICATE**  
This map is a true and correct representation of lands actually surveyed by me or under my direction in conformance with the provisions of R.C.W. 59.17 Laws of Wash.  
*[Signature]*  
JOHN G. LAWSON PLS-11989

**LAWSON LAND SURVEYING**  
YEAROUT BUSINESS PARK, SUITE 280  
11800 N.E. 95th STREET  
VANCOUVER, WA. 98662  
PHONE (206) 258-8008

**MAINTENANCE OF PRIVATE ROADS**  
The owners and developers of this SUBDIVISION shall be responsible for maintenance of all PRIVATE ROADS within this SUBDIVISION for a period of two (2) years from the date of recording of the SUBDIVISION; thereafter, each lot owner having access to a private road shall participate on an equal basis. NO PRIVATE ROAD will be maintained by the COUNTY until improved to COUNTY STANDARDS and accepted.