



BENTON COUNTY PLANNING DEPARTMENT

INFORMATION HANDOUT FOR BOUNDARY LINE ADJUSTMENT

Boundary Line Adjustments are minor adjustments to boundary lines of legal lots or building sites in order to rectify defects in legal descriptions; enlargement or merging of lots; improvement or qualification of a lot as a building site; the increasing of setbacks from property lines or sensitive areas; and, correction of situations where an established use is located across a lot line.

1. The following items must be submitted to the Planning Department for review and determination whether the plan complies with Benton County Code for boundary line adjustments.
 - a. A **complete** application (including Health Department approval if required) with all questions answered in detail. **ALL persons with an ownership interest in the property on which the land use action is proposed must sign the application other than interests exclusively limited to ownership of the parcel's mineral rights.**
 - b. A plan drawn on 11 x 17 inch paper to a standard decimal (engineer) scale is to be submitted with all applications. This plan must contain all items as required in BCC 9.06. .See Question 4 on the application form for plan criteria.
 - c. A fee of \$100.00 payable to the **Benton County Treasurer**. (This fee is non-refundable.)

Any information submitted to the Benton County Planning Department is subject to public records disclosure law for the State of Washington (RCW Chapter 42.17) and all other applicable law that may require the release of the documents to the public.

2. THE PLANNING MANAGER, or his representative, shall review the information provided on the application and determine whether the plan complies with the requirements and limitations set forth in Benton County Code prior to approving the proposed boundary line adjustment:
 - (a) All legal descriptions of the existing and proposed lots have been prepared by a land surveyor registered in the State of Washington;
 - (b) The plan may not result in the creation of any additional lots, sites, parcels, or tracts of land;
 - (c) A boundary line adjustment may not result in the creation of nonconforming lots, sites, parcels or tracts of land with respect to lot area, lot depth, setbacks or lot coverage requirements set forth in Title 11 of the Benton County Code;
 - (d) The degree of nonconformance of existing nonconforming lots, sites, parcels or tracts may not be increased with respect to lot area, lot depth, setbacks or lot coverage;
 - (e) The boundary line(s) to be adjusted must be a common boundary line between two adjacent lots, sites, parcels or tracts;
 - (f) The plan must not be inconsistent with any restrictions or conditions of approval for a recorded plat or short plat;
 - (g) The plan must not result in the violation of the applicable building code; fire code, Benton Franklin Health Department regulation or any other locally administered applicable regulation.

3. APPROVAL OF BOUNDARY LINE ADJUSTMENT.

Upon approval of the boundary line adjustment and prior to the recording of any documents to implement the boundary line adjustment, the following must be submitted to the administrator:

- (a) Completed and executed deeds and excise tax affidavit forms with the legal descriptions of the adjusted lots that have been prepared by a land surveyor registered in the State of Washington; provided, all deeds must be executed in the presence of a notary public and include a certification of the property owners that all owners have signed the document;
- (b) Any other documentation necessary to demonstrate that any conditions of approval imposed by the administrator have been met;
- (c) The signature of the Benton County Treasurer, on forms provided by the County, certifying that all property taxes due and owing for the affected property have been paid; and
- (d) The payment of any fees which may be required by any office prior to completion of the transaction.

If all requirements of BCC 9.06 have been satisfied the Planning Manager may approve in writing the boundary line adjustment request.

4. WHAT TO DO ONCE APPROVED:

Quit Claim deeds, Excise Tax forms and certification from the Treasurer that taxes have been paid need to be completed and brought to the Planning Department for approval. The Planning Department will review the deeds to ensure that they meet the requirements found in BCC 9.06; **the legal descriptions will not be reviewed for accuracy.** The deeds are then taken to the Treasurer's office to be processed and then to the Auditor's office for recording.

5. RECORDING.

The applicant shall record the boundary line adjustment documents with the Benton County Auditor and a copy of the recorded documents containing the recording certificate shall be returned to the administrator.

6. DENIAL.

If, after reviewing the application, the Planning Manager determines that the proposal does not meet the requirements for approval, the Planning Manager shall deny the request and inform the applicant in writing the reason(s) for the denial.

JURISDICTIONS TO BE CONTACTED BY THE APPLICANT

Benton County Planning/Building Department
Planning Annex, 1002 Dudley Avenue, Prosser WA 99350
Prosser - 786-5612
Tri-Cities - 736-3086

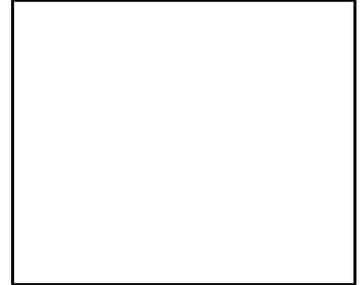
Benton County Building Department,
5600 W. Canal Drive, Kennewick WA 99336
Prosser - 786-5622
Tri-Cities - 735-3500

Benton Franklin District Health Department
Kennewick Office - 460-4205,
7102 W. Okanogan Pl., Kennewick WA 99336

Benton County Planning Department

Planning Annex, P.O. Box 910, 1002 Dudley Avenue, Prosser WA 99350, Phone: (509) 786-5612 or (509) 736-3086, Fax (509) 786-5629

BENTON COUNTY PLANNING DEPARTMENT BOUNDARY LINE ADJUSTMENT APPLICATION



1. Name and **address** of applicant:

Phone Number: Home _____
Work _____

2. Name and **address** of legal owner:

Phone Number: Home _____
Work _____

3. If you wish to receive documents by email please list your e-mail address:

4. Legal description(s) or **parcel number(s)** of total property (all parcels) to be affected. If the correct parcel numbers for the total property affected by the short plat exemption/boundary line adjustment are not listed, this application will not proceed.

5. A plan, drawn to a standard decimal (engineer) scale is to be submitted with all applications for boundary line adjustments. The plan shall contain the following items:

- (a) legal descriptions of all existing and proposed lots prepared by a land surveyor registered in the State of Washington;
- (b) unless otherwise required by law, existing property lines that will remain and proposed new property lines shall be drawn as solid black lines. Existing property lines proposed for removal shall be shown as dashed lines. All new and removed lines shall be clearly labeled;
- (c) dimensions of all property lines and total square footage of the lots less than one acre in size or total acreage for lots larger than one acre, both before and after the adjustment;
- (d) location and footprint of all existing structures on the site and the setbacks of such structures from existing and newly created property lines;
- (e) location and purposes of all existing easements on all lots within the plan;
- (f) location and purposes of any newly created or extended easements; and
- (g) location of adjacent public roads and points of access from the public roads (if a lot does not front on a public road, show how and where access is provided).

6. Purpose of proposed division(s):

7. Describe improvements existing on subject property:

8. Provisions within Benton County Code Chapter 9.04.014 authorizing exemption (check one):

- Adjustment of a boundary line.
- Parcels consisting of 20 acres or more each
- Any division made by testamentary provision or the laws of descent.
- Any division of property made by recorded survey or contract sale prior to July 1, 1974.
- Any division for the purpose of leasing land for wireless services
- Any division of land into lots of less than 3 acres for electric utility facilities.
- Any division made pursuant to court order.

NOTICE: All persons applying for a Short Plat Exemption/Boundary Line Adjustment for properties with residential improvements (residential structures, wells, septic systems, etc.) shall first provide written verification from the Benton-Franklin Health District Health (BFHD) indicating the proposed short plat exemption/boundary line adjustment will not:

- Create or result in a lot that does not meet current minimum lot size standards for lots containing or proposing on-site sewage systems;
 - Encumber, damage or destroy either the existing on-site sewage disposal system or any replacement/repair system area for any lots contained within the exemption; or
 - Cause any part of the on-site sewage system or its replacement area, to be contained on any parcel, other than the parcel on which the sewage originates.
- Upon receipt of the appropriate BFHD application and fees, the Benton-Franklin Health District will initiate an evaluation pursuant to the request, and when warranted, provide verification.

I certify that the information given above is true and complete.

Signature Block for individuals only.

Applicant's Signature	Print Name	Date
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Signature of Legal Owners	Print Name	Date
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Signature of Person with additional ownership interest	Print Name	Date
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ALL persons with an ownership interest in the property on which the land use action is proposed must sign the application other than interests exclusively limited to ownership of the parcel's mineral rights.

If the applicant or legal owner is a corporation/partnership/LLC etc. please use the following signature block. Copy this page if more than one corporation/partnership/LLC signature is required.

Applicant or Legal Owner: _____

By: _____,
(print name) (Title)

Signature: _____,
(Signature) (Title)

The above signed officer of _____ warrants and represents that all necessary legal and corporate actions have been duly undertaken to permit _____ to submit this application and that the above signed officer has been duly authorized and instructed to execute this application.

NOTE: THERE IS A \$100.00 APPLICATION FEE, MADE PAYABLE TO THE BENTON COUNTY TREASURER, AND SUBMITTED WITH THE COMPLETED APPLICATION. THIS FEE IS NON-REFUNDABLE.

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FOR OFFICIAL USE ONLY:
Critical Area Review Completed by _____ on _____.
Application approved for processing by _____ on _____.
Zoning _____ Comp Plan Designation _____