

**DEPARTMENT OF LOCAL SERVICES
ROAD SERVICES DIVISION
REPORT TO THE HEARING EXAMINER**

PUBLIC HEARING: September 9, 2021 at 10:00 am or shortly thereafter

**Video/Telephonic hearing by the King County Hearing Examiner's Office
Seattle, WA 98104**

August 26, 2021

PETITION TO VACATE: A portion of the Alley in Block 2, Florentine Tracts

Transportation File: V-2732

Proposed Ordinance: 2021-0277

A. GENERAL INFORMATION

Petitioner(s): Rosly Hyde and Gene Vjarro

Location of Road: Alley in Block 2, Florentine Tracts
Thomas Brothers Page 624
Quarter Section – SW-6-23-4

Adjacent Parcels: 258680-0160; 258680-0065

B. HISTORY AND OVERVIEW

R.C.W. 36.87 establishes the right of property owners to petition a county legislative body for the vacation of road rights-of-way. K.C.C. 14.40 establishes King County policies and procedures for accomplishing same.

The petition was filed with the Clerk of the King County Council on May 21, 2020 seeking the vacation of a portion of the Alley in Block 2, Florentine Tracts in the White Center area of unincorporated King County.

King County acquired the subject right-of-way by dedication in the 1912 plat of Florentine Tracts, as recorded in Volume 20 of Plats at Page 84.

The subject portion of right-of-way is unopened and unmaintained and does not provide access to any properties and is blocked by a structure associated with parcel 258680-0160.

Exhibit no.	1
Case name	Roslyn Hyde and Gene Vjarro
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C. NOTICE

Notice of this hearing was posted at the approximate ends of the proposed vacation area on August 13, 2021, see Exhibit #18, and published in accordance with requirements of RCW 36.87.060 and copies were mailed to owners of nearby properties, located at 10808 11th Ave SW and 10809 10th Ave SW.

D. REVIEWING AGENCIES AND COMMENTS

Roads circulated the request for vacation soliciting comments from agencies within King County and utilities serving the area. The responses received are listed below. No county division or utility requested easements or identified a reason why the vacation petition should not be approved.

Roads did not receive responses from North Highline Fire District, Puget Sound Energy nor the following King County agencies: Executive Services, Division of Real Estate Services; Department of Natural Resources and Parks, Open Space, and Parks Divisions; or Department of Local Services Road Services Division Maintenance section, and Archeologist. A copy of the Notice is included as Exhibit #9.

ATTACHMENTS	AGENCY	COMMENT
1.	Seattle Public Utilities, Sewer and Drainage	Response dated 06/30/2020. Vacation will not affect drainage or wastewater facilities. Map of SPU Water services indicates no facilities in subject ROW.
2.	Comcast	Response dated 06/01/2020. Comcast does not have facilities in this area.
3.	Wave Broadband	Response dated 06/01/2020. Wave has no facilities in this location.
4.	DLS Permitting	Response dated 11/25/2020. No objections to this proposed road vacation.
5.	DNRP – Water and Land Resources Division	Response dated 10/23/2020. No objections or interests.
6.	DLS ROADS- CIP & Planning Section	Response dated 6/24/2020. We have no long range transportation planning concerns with this road vacation.
7.	DNRP -Wastewater	Response dated 11/17/2020. Approve Vacation
8.	DLS ROADS- Traffic Engineering	Response dated 6/3/2020. No objection to this proposed road vacation.
9.	Metro Transit	Response dated 10/26/2020. Proposed vacation should have no impact on our current or future operations.

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10.	DLS Roads – Survey	Response dated 06/30/2020. Approve road vacation with any easements required by utilities
11.	DLS Roads Environmental Unit	Response dated 6/22/2020. No objection from the Roads Maintenance Section Environmental Unit.
12.	DLS ROADS Drainage	Response dated 6/4/2020. No known drainage needs Recommendation – Vacate.
13.	EXEC Historical Preservation	Response dated 6/26/2020. Recommendation - Approve vacation.
14.	SW Suburban Sewer District	Response dated 8/6/2020. No utilities within nor future plans for sewer to be installed in the alley between 10 th and 11 th Ave SW south of SW 108 th St.

E. COMPENSATION

Utilizing the model prepared by King County Office of Performance, Strategy and Budget (PSB), Roads solicited from the Assessor’s Office a determination of value for the vacation area that will attach to the property owned by Petitioners. See Exhibit #10.

Petitioner Roslyn Hyde – APN 258680-0160:

The property will receive approximately 480 square feet if the road vacation is approved. The Assessor’s Office determined that adding approximately 480 square feet to the property would result in a \$3,000 increase in value. The valuation as applied to the compensation model results in no charge to Petitioner should this 480 square foot area of unopened undeveloped right-of-way be vacated. Exhibit #11.

Petitioners Gene Vizarro – APN 258680-0065:

The property will receive approximately 480 square feet if the road vacation petition is approved. The Assessor’s Office determined that adding approximately 480 square feet to the property would result in a \$3,000 increase in value. The valuation as applied to the compensation model results in no charge to Petitioner should this 480 square foot area of unopened undeveloped right-of-way be vacated. Exhibit #12.

F. COUNTY ROAD ENGINEER RECOMMENDATION

The County Road Engineer has determined that the subject portion of right-of-way is useless to the county transportation system. It is the recommendation of the County Road Engineer and the Director of Road Services that, consistent with the application of the PSB compensation model as applied to this road vacation petition, the subject portion of right-of-way be vacated with the requirement of additional payment from the petitioners as set forth above. The full County Road Engineer’s Report is attached as Exhibit #14.

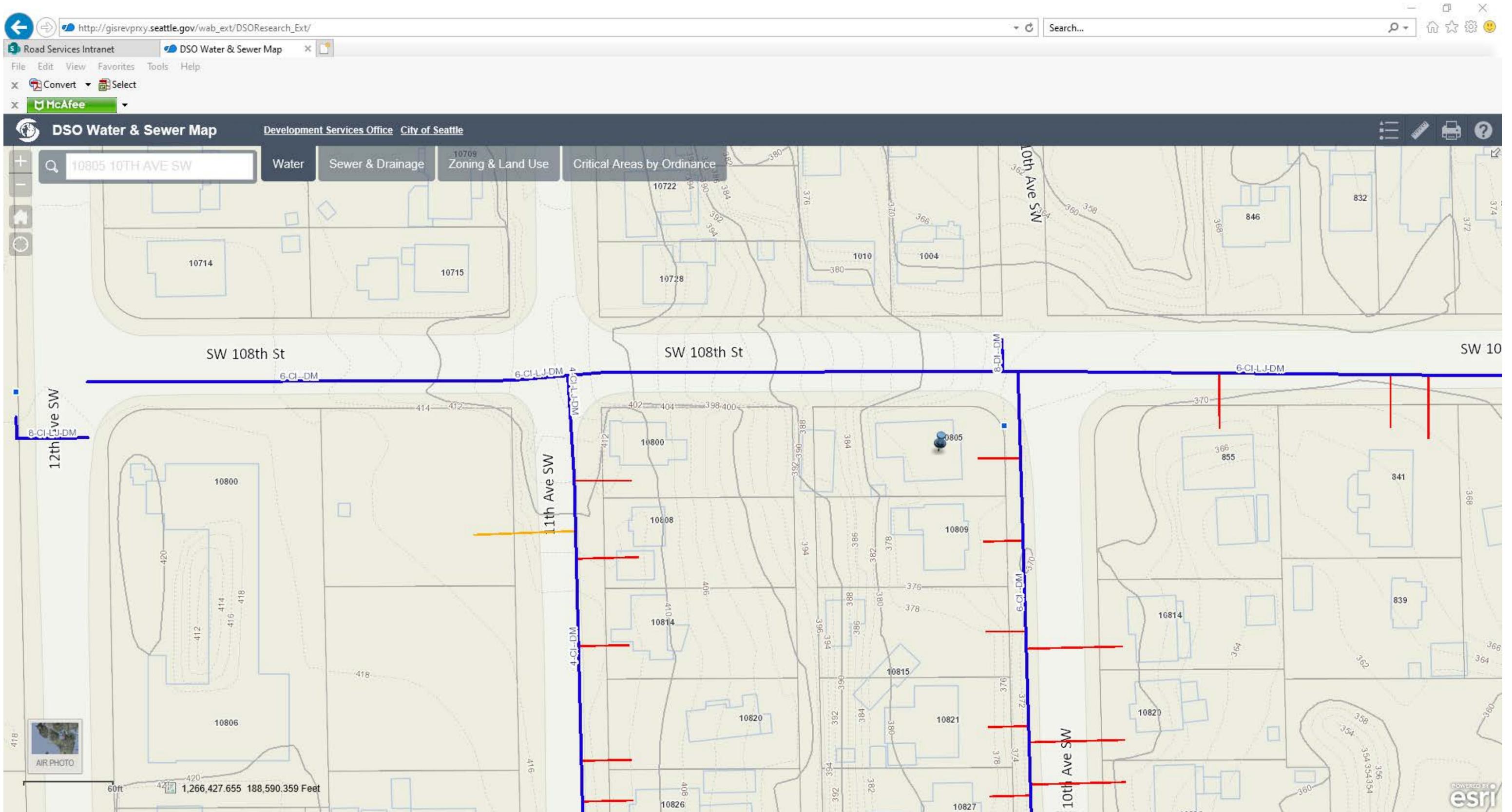
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G. EXHIBITS

Exhibit #	DESCRIPTION
1.	DLS Roads Report to the Hearing Examiner August 26, 2021 with 14 Attachments and 21 Exhibits.
2.	Petition transmittal letter dated May 21, 2020 to the County Road Engineer from the Clerk of Council.
3.	Petition for Vacation of a County Road. Received May 21, 2020
4.	Letter to Petitioners dated May 28, 2020 acknowledging receipt of Petition.
5.	Exhibit map depicting vacation area
6.	Plat Florentine Tracts
7.	King County Assessor's information for Petitioner Hyde property, APN 258680-0160
8.	King County Assessor's information for Petitioner Vijarro property, APN 258680-0065
9.	Copy of final notice sent to stakeholders on October 23, 2020 with site map showing vacation area
10.	Email exchange with Assessor's Office regarding valuation of vacation area.
11.	Compensation calculation model spreadsheet for Petitioner Hyde property, APN 258680-0160
12.	Compensation calculation model spreadsheet for Petitioner Vijarro property, APN 258680-0065
13.	Cover letter to Petitioners dated December 29, 2020 with a copy of the County Road Engineer's Report
14.	County Road Engineer's Report
15.	Ordinance transmittal letter dated July 13, 2021 from King County Executive to Councilmember Claudia Balducci
16.	Proposed Ordinance
17.	Fiscal Note.
18.	Declaration of Posting
19.	Affidavit of Publication for date of hearing – to be supplied by Clerk of the Council.
20.	Letter with copy of CRE Report and Notice of Hearing to property at 10808 11 th Ave SW
21.	Letter with copy of CRE Report and Notice of Hearing to property at 10809 10 th Ave SW.

H. ISSUES:

Exhibit #19, Affidavit of Publication, is typically received either on the day of the hearing or shortly thereafter. The Clerk of Council will forward a copy of the affidavit to both the Examiner's Office and Road Services Division when they receive it.



PROPOSED RIGHT-OF-WAY VACATION V-2732



This map has been compiled by King County GIS and is subject to change without notice. King County makes no representations or warranties, express or implied, as to accuracy, completeness, timeliness, or rights to use of such information. This document is not intended for use as a survey product. King County shall not be liable for any general, special, indirect, incidental, or consequential damages including, but not limited to, lost revenues or lost profits resulting from the use or misuse of the information contained on this map. Any sale of this map or information on this map is prohibited except by written permission of King County.

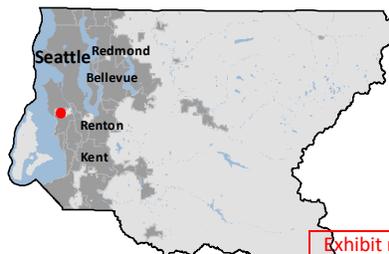
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12/14/2020

IMAGE_Ortho2019KCNAT

Vacation File: V-2732

Unnamed Alleyway
SW 06-23-04

ROW Area (Approximate):
Total: 960 FT2 or 0.02 Acres



-  Pending Road Vacation
-  Petitioner Parcel
-  Parcels
-  Roadlog - Unincorporated, Maintained Streets
-  King County Right of Way

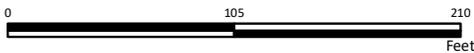


Exhibit no.	5
Case name	Roslyn Hyde and Gene Vijarro 
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