

CITY OF ASHLAND

Dave Kanner
City Administrator

June 26, 2013

Ms. Debra Neisewander
1159 Tolman Creek Rd.
Ashland, OR 97520

Dear Ms. Neisewander:

You raised a number of concerns when we met in my office last week. I will do my best in this letter to provide you with the information I believe you are seeking.

1. You requested an apology for and an explanation of the City's error with regard to assigning a new address to your property. I do offer my sincere apology for this and for the difficulties you experienced as a result. It's my understanding that this has been corrected in the Jackson County Assessor's records and in our utility billing system and that you have received refunds from both Jackson County and the City of Ashland for overcharges of property taxes and utilities resulting from this error. However, this error occurred nearly 17 years ago. The individual who made this mistake is long gone and there are no records we know of that document his decision. Again, I sincerely apologize for the error, but I can't explain how or why it happened. The City provided you with a letter dated May 28, 2013, acknowledging this error. This letter clearly states that 1159 is the correct address for your property and that the garage/loft has not been approved as a second dwelling unit. I have furnished a copy of this letter to First American Title and they have indicated that they will revise the title report you currently have.
2. You asked about partitioning the property. The prior owner of the property applied for and received approval to partition the property into two lots in 1996. However, since no survey was subsequently filed, the approval expired. Your property is still eligible for partition. It would require a new application. A variance may be required, given the likely proximity of your house to any flag lot driveway that might be created.
3. Moving the property line to make it contiguous with the wall between your property and the Jacobson's property will require an application from the Jacobsons. It's my understanding that the Jacobsons submitted an application but have now withdrawn it. You might want to talk to them about re-submitting it. A property line adjustment is not necessary in order for you to partition the property or to use the loft above the garage as an accessory dwelling unit.
4. As stated above, the garage can be converted to an accessory dwelling unit. Again, a property line adjustment would not be necessary. It would, however, require a conditional use permit. Our

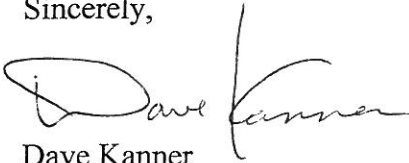


Community Development staff can provide you with an application and explain the permit application process.

5. You expressed concern about the storm drain easement and the proximity to buried electric lines. Utility easements routinely allow for the placement of multiple utilities and the proposed easement is large enough to accommodate both storm water and electric utilities. The storm water is piped and the electric is in a conduit. They are buried at different depths and there is no mixing of the two.

I hope this letter addresses your questions and concerns. Again, I apologize for the difficulties created by the 1996 addressing error.

Sincerely,

A handwritten signature in black ink that reads "Dave Kanner". The signature is fluid and cursive, with the first name "Dave" written in a larger, more prominent script than the last name "Kanner".

Dave Kanner
City Administrator

