

## Adam Zack

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**From:** Loren Burt <loren.burt@gmail.com>  
**Sent:** Tuesday, August 17, 2021 4:13 AM  
**To:** Comp Plan Update  
**Subject:** Fwd: San Juan County Comprehensive Plan Request 19-0003 Lopez TPN 241021002000  
**Attachments:** Response to Lea family.docx

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----- Forwarded message -----

**From:** Loren Burt <[loren.burt@gmail.com](mailto:loren.burt@gmail.com)>  
**Date:** Mon, Aug 16, 2021 at 12:20 PM  
**Subject:** San Juan County Comprehensive Plan Request 19-0003 Lopez TPN 241021002000  
**To:** Adam Zack <[adamz@sanjuanco.com](mailto:adamz@sanjuanco.com)>  
**Cc:** MARIANNE KARUZA <[m.karuza@msn.com](mailto:m.karuza@msn.com)>, Lisa Burt <[LMBurt@yahoo.com](mailto:LMBurt@yahoo.com)>

Hi Adam,

Thank you for sending us pdfs of the correspondence you received regarding our request 19-0003.

We have prepared three replies and I'm sending you the docx Word files in three separate emails as the file size for each of the replies is large. Let me know if you have any issues reading these read-only files.

Let me know if you have any additional questions.

File 2 of 3

Thank you,

Loren Burt  
Lisa Burt  
Marianne Burt Karuza  
Trustees of the Robert & Vivian Burt Family Trust

August 16, 2021

SENT VIA EMAIL AND U.S. MAIL

Adam Zack

Dept of Community Development  
135 Rhone St  
PO BOX 947  
San Juan County, Washington 98250

San Juan County Council Members

San Juan County Planning Commission

RE: San Juan County Comprehensive Plan Update Request 19-0003

Dear Council Members, Mr. Zack and Planning Commission,

We would like this opportunity to respond specifically to the letter that the Lea family submitted regarding our request for re-designation of our family property of 122 years. The designation is in error according to county code. We have enjoyed having the Lea family as neighbors for generations and we hope to continue for many generations to come. Although they are neighbors, they are not part of the Skid Road neighborhood that was divided years ago into RFF (including our parcel) and RR, with lot sizes 1 du/5 acres or less in contrast to their agricultural zoning with 20 acre zoning as shown on all county maps.

1. They claim the proposed re-designation harms neighboring property owners by increasing future density and suburbanization of the neighborhood.

Response: Please look closely at the history of the Skid Road neighborhood which was separated from their agriculturally zoned property from the centerline of the ravine as per order on March 8, 1920 by San Juan County Superior Court for the estate of our great great uncle J.T. Bloor. (See [Attachment 1: Court documents, pages 4 and 5](#)). His wife, our great great aunt, Isabella Burt Bloor, inherited the land from the centerline of the ravine to the west. Regarding our neighborhood on Skid Road, which lies on the west side of the ravine, of which the Lea family is not a part of, please notice that our request aligns with the neighboring RFF and RR properties, of 1 du/5 acre density or less, including another property of ten acres that is zoned 1 du/5 acres. See attached [Skid Road zoning/density map](#) (Attachment 2) and [overhead Google photo](#) (Attachment 3), which shows how separated we are from the Lea property via deep ravine and dense tree line.

The parcel just to the west of us, on the north end of our property, is 4.5 acres. The neighbors next door to us, on the south end of our property, Sosin/McMullin, have three housing units on .91 acres with three septic tanks, a pump station, and a drain field (see [overhead view on attachment 4](#)). County records also show that, at some point, [15.13 acres of Lea property](#) (Attachment 5) were divided off the larger parcel owned by the Lea's. It is our understanding they have two housing units, a pool house, three septic tanks and 3 drain fields on what the map shows as agricultural zoned 1 du/ 20 acre (see [overhead photo attachment 6](#)).

2. "The existing location of the lot line is consistent with extending the center line of the North-South Davis Bay Roadway or parcel lines".

Response: County code states that the density zoning should follow the lot line or natural landforms and as such the natural ravine, which is also the lot line and should also be the density boundary. It appears that what happened in our case was that the density was incorrectly marked by following a section line which does not follow with SJCC 18.10.040 (C). Please note the printed map of section line of [Gov lot 3 and Government lot 4](#) (Attachment 7), which is where the density line was marked incompatible with county code).

The parcel they mention, 241011-003-000, appears to be in the 20 acre density and agricultural zoning but somehow this parcel of 15.13 acres (see [attachment 5](#)) was broken off the larger parcel Richard Lea purchased. It appears the county has allowed two housing units, a pool house, three septic tanks and three drain fields, as mentioned above, on agricultural land 1 du/20 acres.

3. "Both existing densities are commonly found in other RFF zoned areas".

Response: Upon review of the map of the property that was divided with the centerline of the ravine in 1920 per court order ([Attachment 1: Court documents, pages 4 and 5](#)) regarding the estate of our great great Uncle J.T. Bloor, they will see that the properties west of the ravine are all zoned RFF or RR1 du/5 acres or less including a ten acre parcel that is part of our neighborhood. Our field should have been included in this density when this property was divided into lots in approximately 1958-1962. Our field has never been in agricultural zoning. Furthermore, 20 acre zoning is not applicable for our RFF, as part of the Skid Road neighborhood of 1 du/5 acres or less, as evidenced on the map showing our actual RFF and RR zoned neighborhood.

4. "The change would create an enclave of privileged owners because they are getting some of their RFF density increased whereas other RFF designated property owners are not.

Response: Please review the [overhead map of our Skid Road neighborhood](#) and also the satellite photo of our closest neighbors, Sosin/McMullin ([Attachment 4](#)), where there is substantial development on their property on a small lot. Their property was actually part of the field and it was cut out when our grandmother gave one to her sister and the other one was sold to another relative. They, and all our other neighbors along Skid Road, all enjoy 1 du/5 acre density or less. They are enjoying a much greater privilege than we, including another neighbor on Skid Road that has the ten acre parcel zoned 1 du/5 acres. Sosin/McMullin, our closest neighbors, also have the privilege, with their three housing units, to both live in and actively rent their other dwelling units as vacation rentals over quite a few years.

5. "The impact of approving the proposed density line adjustment will likely trigger a wave of requests....."

Response: This is highly unlikely. Our property is very unusual because a mapping error was made when the density line was drawn along the section line instead of the lot line, which is not a density marking standard per county code. A prediction that others may make a similar request, at some point in the unknown future, is entirely speculative and irrelevant to the issue.

6. Aesthetic views will be compromised by future development

Response: The Lea's would not be able to view anything that could potentially be built on our property in the future. There are roads and trees/bushes on two sides of our property and the east side is fully treed. If something were to be built there in the future, it should have no view impacts on any neighbor, unlike the impact our neighbor's multiple homes have on us.

7. "Environmental impacts from increased density must be considered as the subject parcel abuts a creek and wetlands".

Response: The county would review any permit requests in the future, if any were made. Studies would be performed, as required, and considered at that time. This is not pertinent to our request of correcting the density so that it conforms with the neighborhood of Skid Road and county code.

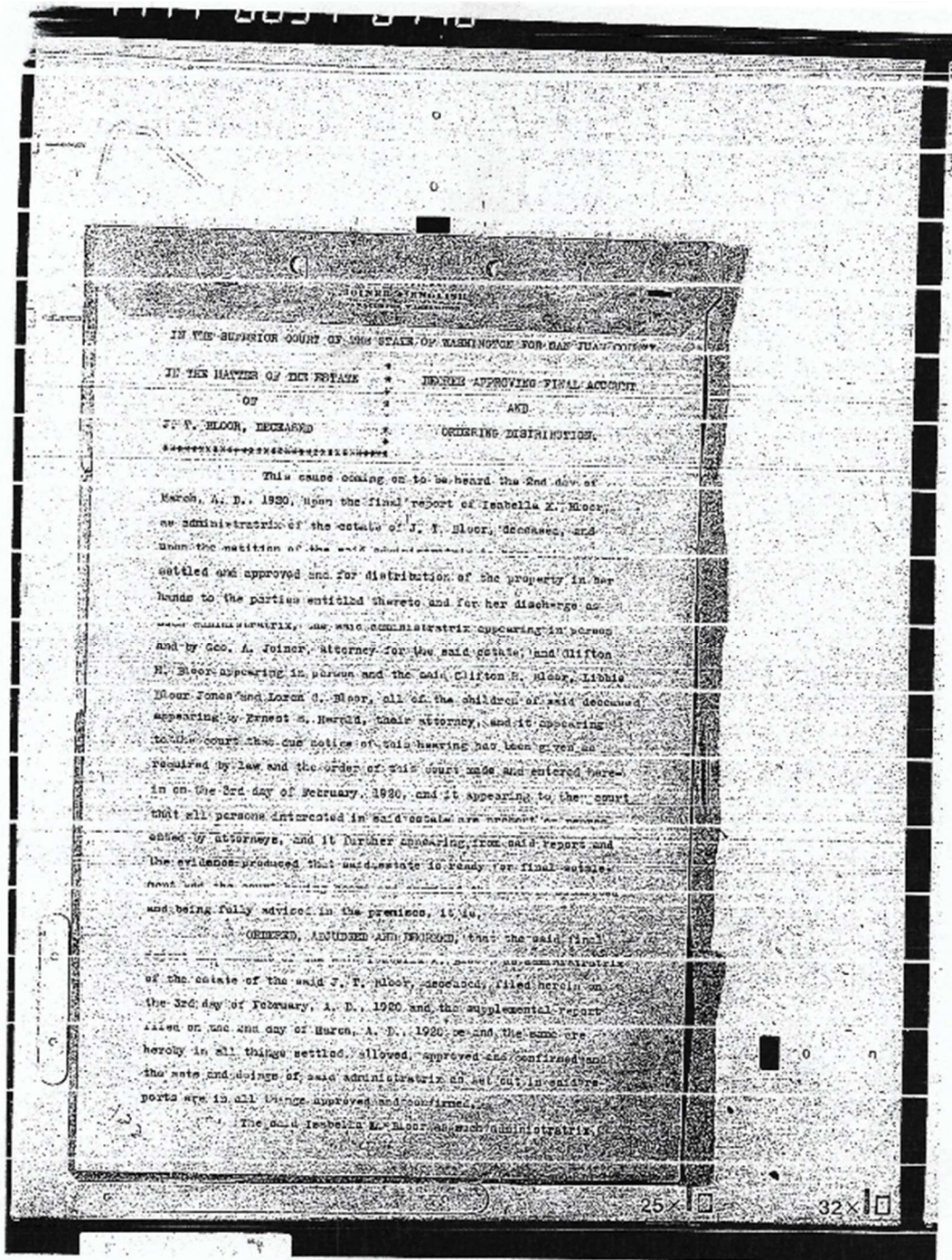
Thank you for taking the time to review our letter and documents provided.

Sincerely,

Loren Burt  
Lisa Burt  
Marianne Burt Karuza  
(Robert and Vivian Burt Family Trust)

# Attachments

## Attachment 1: San Juan County Superior court record of March 8, 1920



is hereby charged, after allowance having been made for the personal property set aside to her, of receiving the sum of ONE THOUSAND, ONE HUNDRED AND EIGHTY (\$1,182.00) DOLLARS and that she is credited in the payment of expenses incurred in the administration of said estate, as shown by said reports, together with taxes and insurance on the real and personal property and the execution of a monument in the total sum of FIVE HUNDRED AND NINETY-ONE AND 35/100 (\$591.35) DOLLARS, leaving a balance in her hands at the time of this hearing of FIVE HUNDRED AND TWENTY-SIX AND 65/100 (\$526.65) DOLLARS.

That the said Isabella K. Bloor, as administratrix of said estate, is hereby awarded as compensation for her services as such administratrix the sum of THREE HUNDRED AND FIFTY (\$350.00) DOLLARS, and that she is allowed and directed to pay her attorney, Geo. A. Jaeger, for services performed in connection with the administration of said estate the sum of THREE HUNDRED AND FIFTY (\$350.00) DOLLARS, which amounts, when paid, she shall have credited upon her accounts, this leaving in cash a deficit of ONE HUNDRED SEVENTY-NINE AND 35/100 (\$173.35) DOLLARS the same is chargeable, one-half to the said administratrix and one-half to the said Clifton H. Bloor, Elsie Bloor Jones and Loren O. Alder, which deficit has been, as announced by counsel, adjusted so as to leave the real estate heretofore referred to clear of any liens or claims arising from the expenses incurred in the administration of the said estate.

And it further appears from the testimony on this hearing that no claims against said estate of J. F. Bloor, deceased were presented to the said administratrix within the time allowed by law or at all, it is further:

ORDERED, ADJUDGED AND DECREED that the said estate of J. F. Bloor, deceased, is not subject to the payment of unpaid inheritance tax to the State of Washington or at all, if it be the

ORDERED, ADJUDGED AND DECREED that the estate and

heirs at law of the said J. T. Moor, deceased who are entitled to participate in the distribution of the real estate and their distributive portions are as follows:

Istella K. Moor, widow, residence, Port Stanley, Washington,

one-half ( $\frac{1}{2}$ ).

Clifton H. Moor, son, residence, Dominion of Canada, one-sixth ( $\frac{1}{6}$ )

Joren C. Moor, son, residence, Dominion of Canada, one-sixth ( $\frac{1}{6}$ )

Lobbie Moor Jones, daughter, residence, Northeast, Pa., one-sixth ( $\frac{1}{6}$ ).

And that each and all of said persons are over the age of twenty-one years and that said deceased left no other child or dependants of any deceased child him surviving, it is further,

ORDERED, ADVISED AND DECREED, that the real estate belonging to said estate which came into the hands of said Administratrix and which is now ready for distribution is described as follows, to-wit:

Lots numbered Two (2), Three (3) and Four (4) and the northwest quarter (N. W.  $\frac{1}{4}$ ) of the Northeast quarter (N. E.  $\frac{1}{4}$ ) of Section Ten (10), in Township Forty-four (34), North Range Two (2) West, W. M. containing one hundred fifty (150) acres more or less, situated in the County of San Juan, Washington.

Also the following described tide land situated in said San Juan County, Washington, described as follows, to-wit:

All tide and shore lands of the second class situated in front of, adjacent to or upon that portion of the government recorder line described as follows: Beginning at the recorder corner to fractional Sections Nine (9) and Ten (10), Township 34 North Range 2 West of the Willamette Meridian, and running thence South 88-3/4 degrees East 4.50 chains; South 17 degrees East 2.20 chains; North 29 degrees East 3.40 chains; North 20 degrees East 4.50 chains; North 65 degrees West 3.20 chains; North 74 degrees East 1.10 chains; North 30 degrees East 2.00 chains; North 24 degrees East 4.40 chains; South 37 degrees East 7.50 chains; South

72-3/4 degrees East 2.50 chains; South 30 degrees East 1.20 chains;  
South 75 degrees East 2.40 chains to the true point of beginning;  
thence from said true point of beginning run South 75 degrees  
East 1.74 chains; South 58 degrees East 5.30 chains; South 49  
degrees East 3.71 chains; to the terminal point of this description  
with a frontage of 10.25 linear chains measured along the boundary  
line in front of a part of lots three (3) and four (4), Section  
10, Township 34, North Range 2, West of the Willamette Meridian  
according to a certified copy of the government field note of the  
Survey thereof on file in the office of the Commissioner of Pub-  
lic Lands at Olympia, Washington.

It further appearing from the final report of the  
said administratrix that the real estate heretofore described is  
divisible in substantially equal portions by a ravine which runs  
North and South through said real estate and that the said Isa-  
bella K. Moor, widow of said deceased and administratrix of said  
estate offered in her said final report, the said real estate be-  
divided by such ravine between her and the children of said de-  
ceased and that the said children might have their choice as be-  
tween the lands lying on the East or the West side of such ravine  
and said children of such deceased have accepted such offer of the  
said Isabella K. Moor and have in open court announced their will-  
ingness and desire to accept the lands upon the east side of said  
ravine as their portion of the real estate of said deceased, it is  
therefore,

ORDERED, ADJUDGED AND DECREED, that that portion of  
the real estate heretofore described lying upon the East side  
of the thread of <sup>the ravine</sup> said ravine running North and South through said  
lands together with all and singular its appurtenances, heredita-  
ments and belongings including all buildings which were the prop-  
erty of said estate are vested in the said Clifton H. Moor, Lizzie  
Moor Jones and Loren C. Moor in undivided one-third (1/3) in-  
terests to each, free from all claims, rights or title of any

said Isabella K. Floor, and that all of said real estate herein-  
before described lying on the West side of the thread of ~~said~~ <sup>the</sup> ~~ravine~~  
ravine running North and South through said real estate be and  
the same is hereby vested absolutely free of the interest, rights  
or claims of the said Clifton M. Floor, Libbie Floor Jones and Loren  
C. Floor herein mentioned, in Isabella K. Floor.

That in the event the said ravine is not traceable a-  
cross the tide lands above described, then in such event, the por-  
tion of the tide lands adjoining each of the tracts as heretofore  
awarded shall belong to the tract in front of which said tide  
land is situate, it is further,

ORDERED, ADJUDGED AND DECREED, that the said Isabella  
K. Floor, as administratrix of the <sup>said</sup> estate upon the payment of the  
attorney's fees directed to be paid and filing the receipt thereof  
together with her own receipt for the same as administratrix here-  
in allowed and the surrender of the real estate awarded to the  
children of said deceased, be discharged from any further responsi-  
bility as such administratrix and that her bond be exonerated  
from further liability herein.

Dated this 5 day of March, A. D., 1920.

*William M. Keenan*  
JUDGE

C. K. *Clifford Jones*  
Attorney for Clifton M. Floor, Libbie Floor  
Jones and Loren C. Floor.

Records in Va. 1  
Pgs. 31, 32 *Booked* Journal  
Date March 12 1920  
*W. M. Keenan*

DEPUTY CLERK'S OFFICE  
FILED  
MAR 10 1920  
*W. M. Keenan*

25x

32x

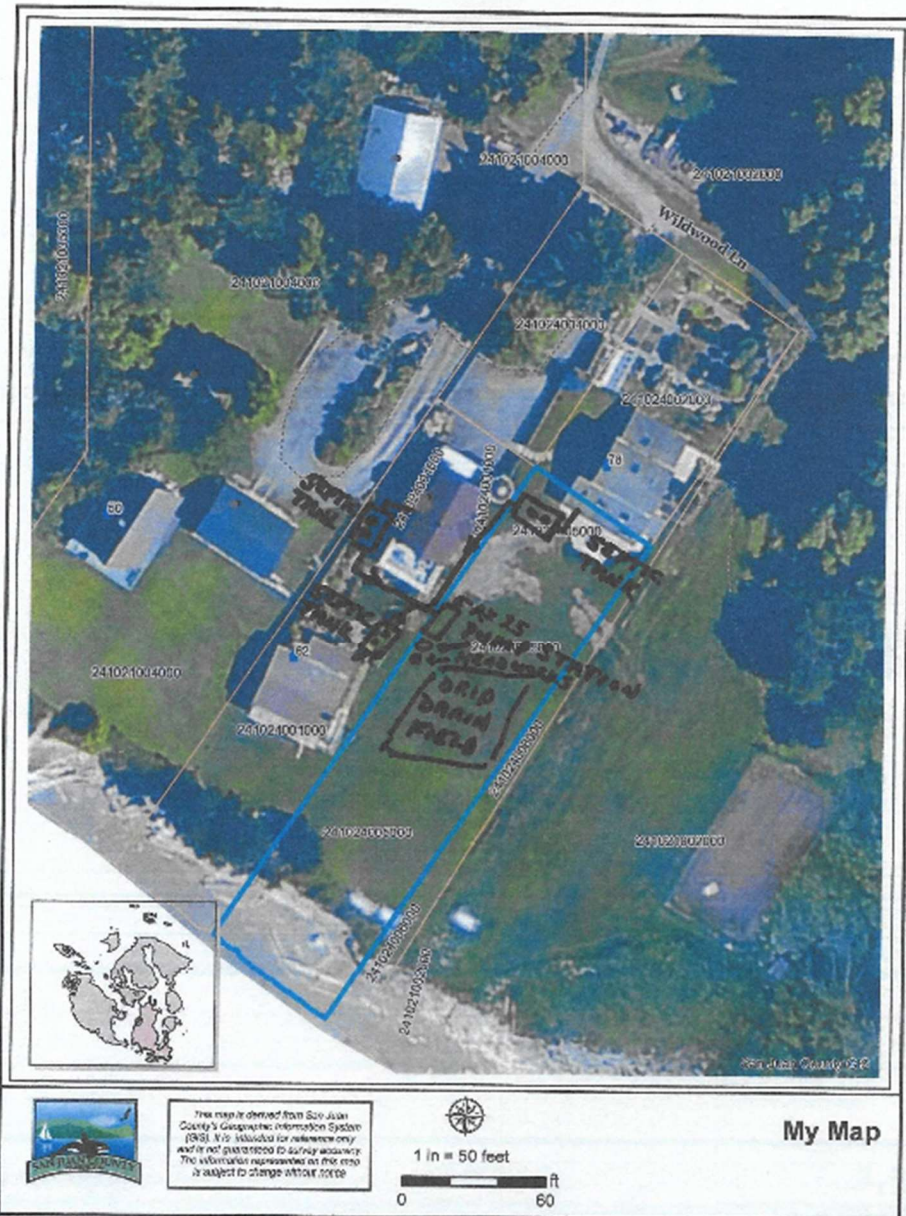
Attachment 2: Skid Road Zoning/Density Map



Attachment 3: Overhead Google Photo showing separation of Burt and Lea property by deep ravine and band of trees

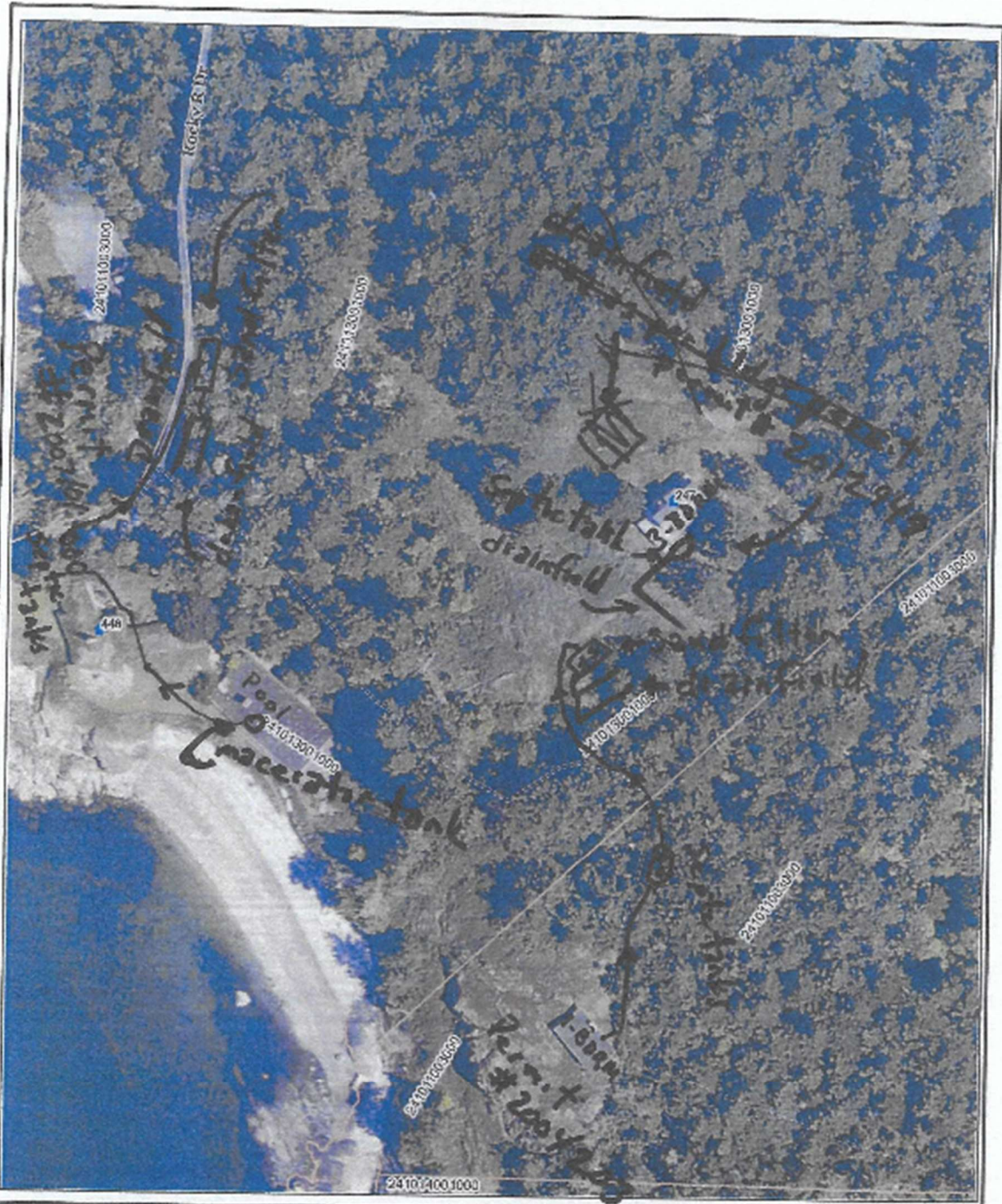


Attachment 4: Overhead photo of Sosin/McMullin Property





Attachment 6: Overhead photo of Lea property



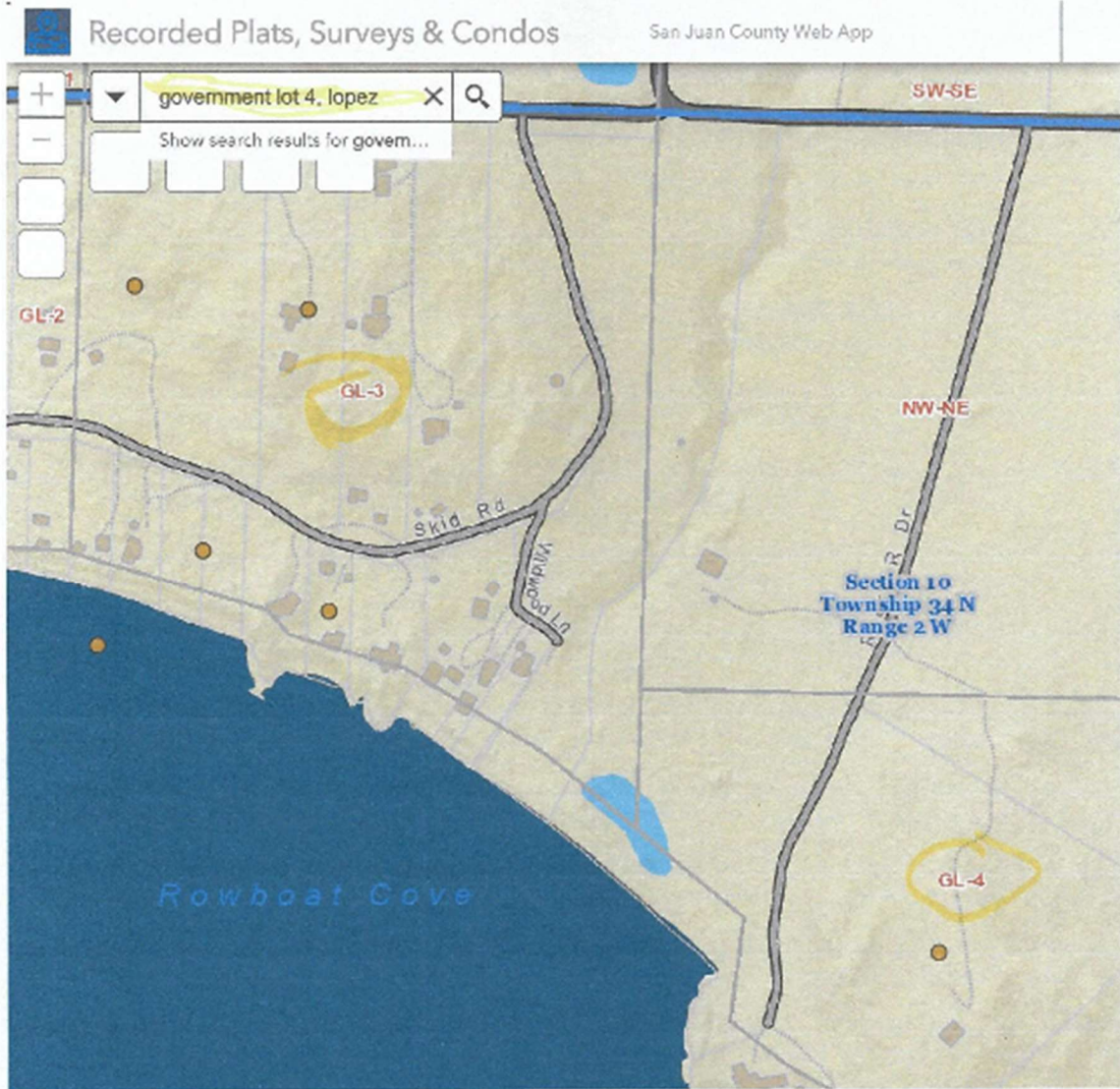
This map is derived from San Juan County's Geographic Information System (GIS). It is provided for reference only and is not guaranteed to accurately show the information represented on this map. It is subject to change without notice.

1 in = 100 feet



My Map

Attachment 7: Map of Government lot 3 and 4



400ft  
1,134,332.755 540,474.438 Feet

0