

Adam Zack

From: Loren Burt <loren.burt@gmail.com>
Sent: Tuesday, August 17, 2021 4:14 AM
To: Comp Plan Update
Subject: Fwd: San Juan County Comprehensive Plan Request 19-0003 Lopez TPN 241021002000
Attachments: San.Juan.County.response to 7.16.2021 hearing.docx

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

From: Loren Burt <loren.burt@gmail.com>
Date: Mon, Aug 16, 2021 at 12:18 PM
Subject: San Juan County Comprehensive Plan Request 19-0003 Lopez TPN 241021002000
To: Adam Zack <adamz@sanjuanco.com>
Cc: MARIANNE KARUZA <m.karuza@msn.com>, Lisa Burt <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 1 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
Department of Community Development
135 Rhone Street
PO Box 947
San Juan County, WA 98250

San Juan County Planning Commission

San Juan County Council

RE: Comprehensive Plan Update Request 19-0003

Dear Mr. Zack, Staff, Planning Commission and County Council Members,

We would like to take this opportunity to respond to misconceptions that came up during your planning commission hearing of July 16, 2021. We will also respond to letters sent in from the public, which we will address on separate documents point by point. We would appreciate all members of the Planning Commission and the County Council taking time to review the information we are providing.

First, we would like to explain the history of our property. When one of the commissioners said, "they (our family) knew when they got the property the way it was zoned", we felt you should know the history.

This land has been in our family since 1899 when our great, great aunt Isabella Burt Bloor purchased it along with her husband, JT. (approximately one hundred and fifty acres which included the Lea Property). After Isabella's husband died in 1916, the property was divided per court order from west of the ravine and east of the ravine with the east side going to her step-children. (see [San Juan County Court document dated March 8, 1920](#)) Thus, this property was totally separated from the agriculturally zoned property east of the ravine in 1920 (Rocky R Ranch-Lea). Our field was part of the separate parcel west of the ravine that Isabella Burt Bloor inherited. Our grandparents, Ray and May Burt, purchased this property west of the ravine from our Grandpa Ray Burt's aunt, Isabella, on April 27, 1929. Our grandfather died at age 55 in 1951. Our grandmother, May Burt, kept the property as long as she could but as a widow, she had to sell some as she did not have outside income. Sometime around 1958-1962 this entire parcel of land was divided into 1 du/5 acres and smaller waterfront lots. Our grandmother gave each of her children a lot, a couple of her siblings were given lots and she sold a few herself. She kept a waterfront lot and this field for herself. There were some lots cut out of the field for family, which are now owned by our neighbors,

Michelle Sosin and Lanie McMullin. She had a remaining parcel she sold to William Hughes who divided it up into multiple five acre and much smaller waterfront lots.

Our parents, Robert and Vivian Burt purchased our field from our grandmother, May Burt, on August 4, 1967. Our grandmother was alone and did not understand that there was a line up the middle of the field showing different densities. Our parents purchased the property to keep it in the family and they also were not aware of the two densities. In 2006 the field was given to us in a family trust. We cherish this land and our history on the island. Our parents are still alive at ages 89 and 90 and love this land and hope the grandchildren and great-grandchildren enjoy it for years to come. With photos and maps on computers now available, in 2019 we happened to look at the overhead photo with the density and wondered why there was a line through the middle. We discovered that it has two different densities which were mapped in error many years ago.

We further discovered that our parcel density was divided in error along the section line of [Government Lots 3 and 4 \(Attachment 2\)](#), which in reading the county code, does not adhere to standards. ([SJCC 18.10.040 \(C\)](#)): “Land use designation boundaries unless otherwise indicated by natural land forms, shall follow lot lines or the centerline of streets and alleys as shown on the official maps.” The ravine is a natural landform AND the lot line and this line should have been followed so our property was included with our neighborhood RFF density on Skid Road of 1 du/5 acres or less (many of the waterfront lots are RR zoned). Please look at the [attached map and note there is also a ten acre lot in our private Skid Road Community zoned RFF](#), as ours is, and the density is 1 du/5acres.

We heard that the county was updating the comprehensive plan, which is why we applied to redesignate it to clear any future confusion.

During the July 16 zoom meeting, one of your planning commission board members claimed that he is “really familiar with this piece of property”. We have never given him permission to be on our land and our community road, Skid Road, is private for owners or guests only. Furthermore, he claims that the only reason we requested this designation correction is “to sell two lots instead of one”. We were shocked that a county planning commissioner would allege something completely false to a government agency in a public hearing. We hope that if any member of the planning commission has a personal relationship with our neighbors that they would recuse themselves from this application discussion.

This planning commissioner’s claim that this has always been agriculture does not fit with the zoning of RFF, with the land use code 91 ([WAC 458-53-030](#)), undeveloped land that our family has always paid taxes on. The zoning has never been agricultural. We have never made any income from the field and have had it cut yearly to maintain it and lessen the fire danger. Please see [Attachment 4 zoning map](#), which clearly shows our property as RFF and is part of the Skid Road neighborhood which is contiguous with

our property and all have a density of 1 du/5 acres or less including a 10 acre parcel further down in our Skid Road development with a density of 1 du/5 acres.

In response to conversation regarding water caused by upland development, replicating the neighbor's assertions, the facts surrounding that single incident due to record rain and snowfall the first time in their 13 years there, without any new development upland, are addressed in a separate response point by point that we request all to review.

As you can see, our family has held this property since 1899 and it is a legacy that we are very proud to maintain.

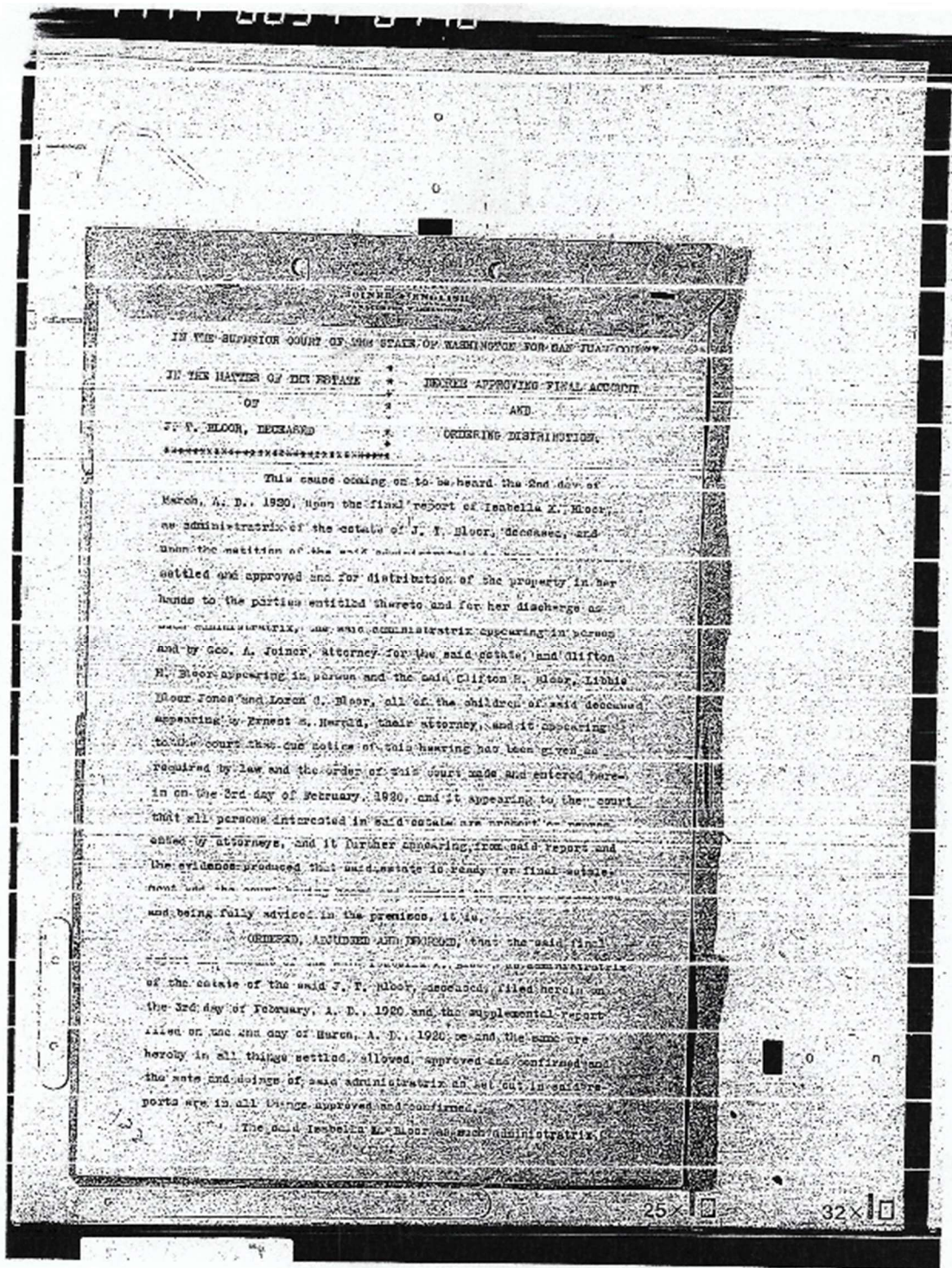
We respectfully request that the county correct this density discrepancy so in future years there is no confusion as to why an arbitrary line is marked up the middle of it and instead follows the lot line, per code, as it should have been many years ago. Our whole neighborhood of Skid Road, which was at one time all our grandparent's property, was divided into RFF 1 du/5 acres or less in the RR zone and ours was an oversight with the line marked on the section line in error and this is the chance for the county to correct it.

Sincerely,

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

Attachments

Attachment 1: San Juan County Court document dated 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 8.00 chains; South 40 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 55 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 banner
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 ^{the ravine} 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 R. Moor, Little
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~~ ^{the} ~~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 ^{said} 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.

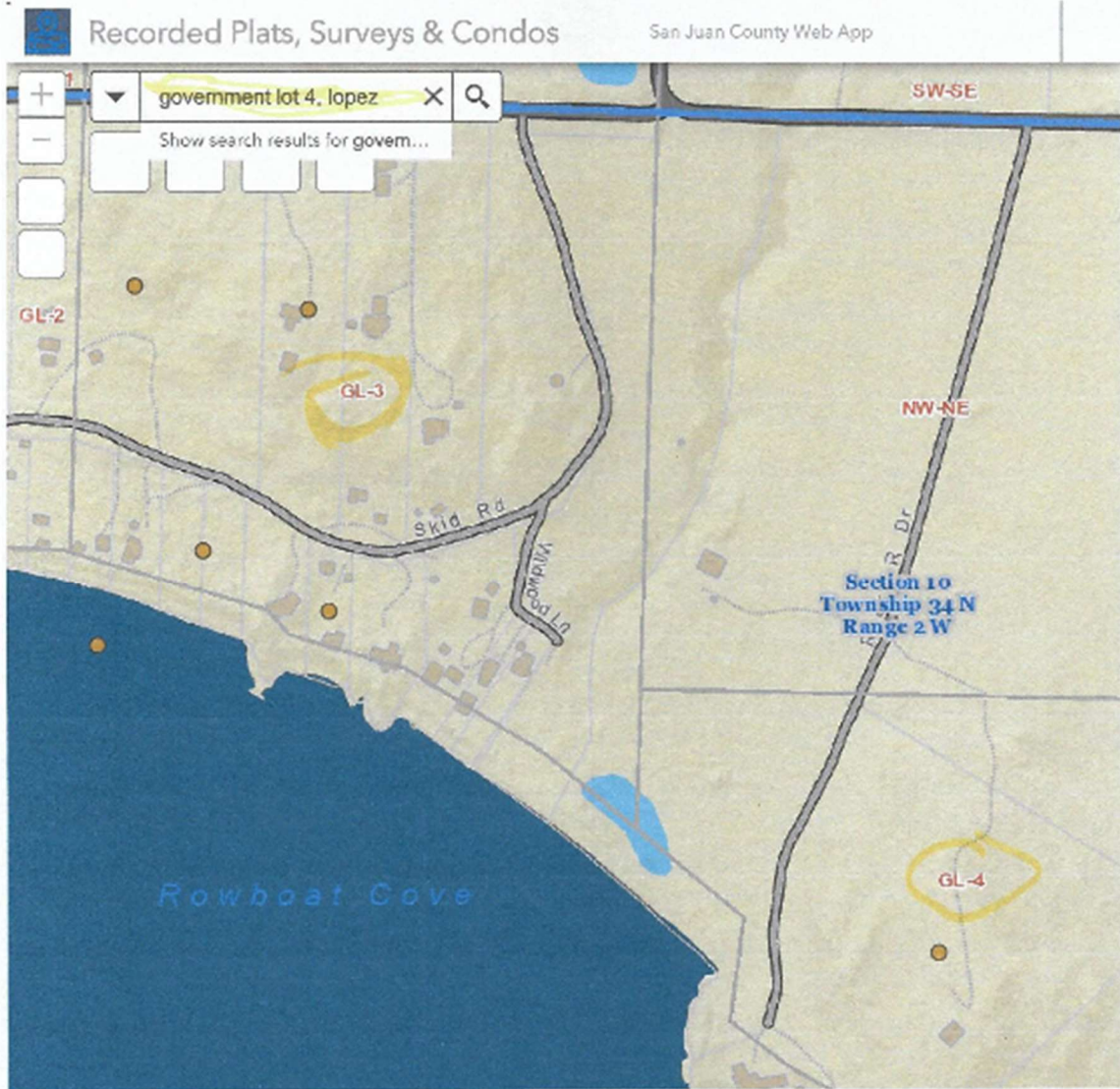
Records in Va. 1
Pgs. 31, 32 *Part of* Journal
Date March 12 1920
William M. Keenan

COUNTY CLERK'S OFFICE
FILED
MAR 10 1920
William M. Keenan

25x

32x

Attachment 2: Government Lots 3 and 4



400ft
1,134,332.755 540,474.438 Feet

Attachment 4: Skid Road Zoning Map

