

Sophia Cassam

From: MARIANNE KARUZA <m.karuza@msn.com>
Sent: Wednesday, November 16, 2022 11:29 AM
To: San Juan County Council; Comp Plan Update; Christine Minney; Cindy Wolf; Jamie Stephens; Ingrid Gabriel
Cc: Loren Burt; Lisa Burt
Subject: Application 19-0003
Attachments: County_Council_11_2022.docx

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We appreciate your time and thoughtful consideration.

Thank you,

Marianne Burt Karuza
Loren Burt
Lisa Burt

November 16, 2022

San Juan County Council, council@sanjuanco.com, compplancomments@sanjuanco.com
Christine Minney, Council Member District One, christinem@sanjuanco.com
Cindy Wolf, Council Member District Two, cindyw@sanjuanco.com
Jamie Stephens, Council Member District Three, jamies@sanjuanco.com
Ingrid Gabriel, Clerk to the County Council, ingridg@sanjuanco.com

RE: Application 19-0003

County Council Members:

We respectfully request you support our redesignation application that the San Juan County Department of Community Development is also supporting. ([Attachment 1, DCD Summary](#)). This should be done to conform with county code, correct a longstanding error, and will make this parcel consistent with our entire Skid Road neighborhood.

Unfortunately, there were some misrepresentations made during the July 16, 2021 planning commission meeting that may have led to improper influence. Following this meeting we asked that if a commission member had a personal relationship with a neighbor, or a conflict of interest, they should recuse themselves. This property has been in our family since 1899. Contrary to what one of your planning commissioners said, it is not our intent to “sell two lots instead of one.” This statement is false. With the comprehensive plan being updated, we felt this was the time to request a correction. At the September 16, 2022 meeting the commission had no further discussion however one planning commission member did voice his opinion that the committee made the wrong decision but that the DCD made the correct decision to support our request. Therefore, for these reasons, we request the council follow the advice of the DCD and disregard the planning commission vote.

These are the reasons we feel this correction is appropriate;

1. Please note on the county maps our property is in **RFF, not** agricultural zoning ([Attachment 2 Skid Road zoning map](#)). The zoning has never been agricultural and we have always paid taxes according to the RFF zoning of undeveloped land. This property was divided from the agricultural portion east of the ravine per court order in 1920 ([Attachment 3 San Juan County Superior court record of March 8, 1920, pages 4,5](#)) when our great-great aunt had to divide it for her step-children to inherit in part. At that time, this property became included in what is now the Skid Road community. This is contiguous with all the other lots in our private community. This map correction will allow our parcel to be consistent with our neighborhood of 1 du/5 acres, and not, remain as a split density and thus will clarify the density. San Juan County Planner, Adam Zack, stated the county did not even know where the split density line delineation would be when he presented why the Dept of Community Development was in support of our request.

2. This correction is warranted due to an error. According to SJCC 18.010.040 (C), a mapping error was made when the density was marked along the section line between government lots 3 and 4 instead of following the lot line or natural land form of the ravine. As this parcel is part of the entire Skid Road neighborhood, which lies west of the line of the ravine, and our property is contiguous with the other parcels along Skid Road, a density of 1 du/5 acres is appropriate. With the comprehensive plan being updated, this is the right time to correct an oversight that was made many years ago.
3. This correction will not increase the maximum density of the Skid Road neighborhood. 1 du/5 acres is consistent with our neighborhood as shown on the attached documents. All properties in our neighborhood are 1 du/5 acres with most small waterfront lots.
4. This does not create an 'enclave' of property owners enjoying greater privilege because as it stands now, all our neighbors are enjoying a greater privilege than are we.
5. There will be no adverse impacts from correcting the density boundary. Following the property line along the ravine to correct the density so the entire parcel is 1 du/5 acres instead of a split density will not have an effect on any of our neighbors.

We thank you for your thoughtful consideration and hope that you will move to correct this error and redesignate this parcel 1 du/5 acres to correspond with our Skid Road Community.

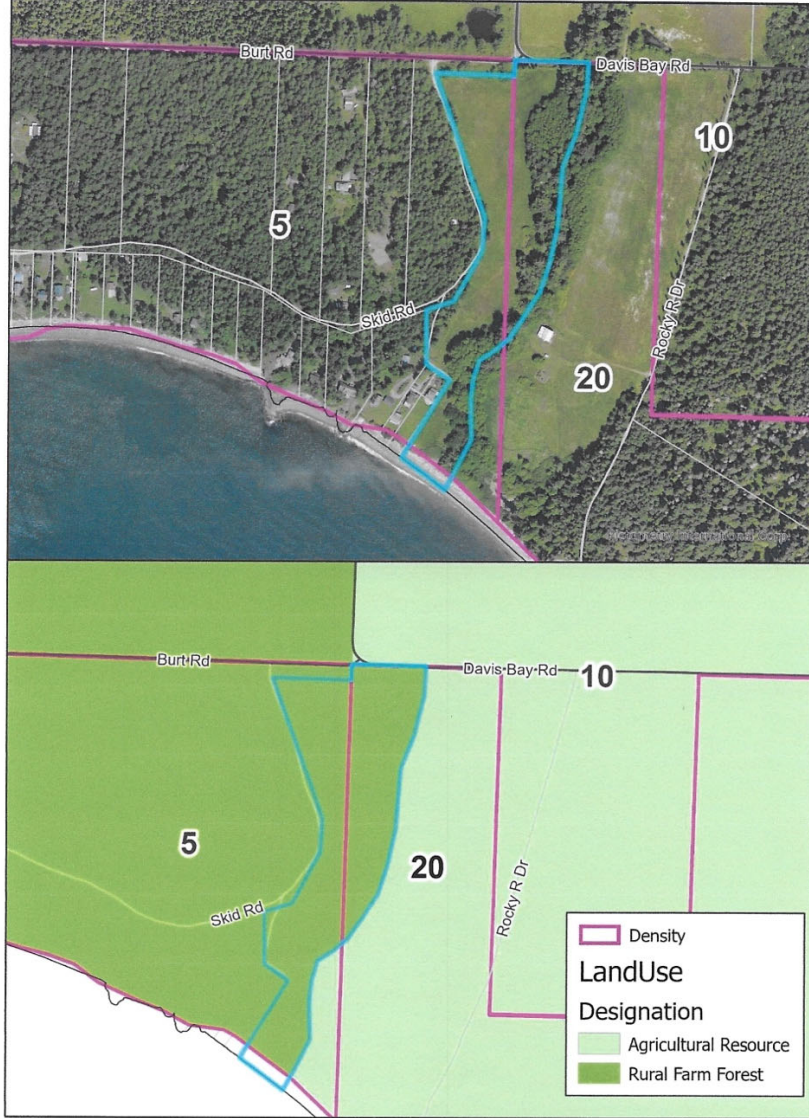
Sincerely,

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

Attachments

Attachment 1: DCD Summary

Map 18. Request 19-0003.



Attachment 1: DCD Summary (continued)

Table 18. Request 19-0003 Summary.

Request Number	Island	TPN	Address	Applicant Name
19-0003	Lopez	241021002000	N/A	Loren Burt and Marianne Karuza

Summary of Request

The density boundary now splits TPN 241021002000 between a maximum density of 5 and 20 acres per dwelling unit. Adjust density boundary line to follow the western border of the subject parcel to remove the split density. Make the whole parcel one dwelling unit per five acres.

Part of the parcel is in the shoreline with the Conservancy shoreline designation.

Surrounding land uses and designations

North: Residential, RFF and AG

South: water

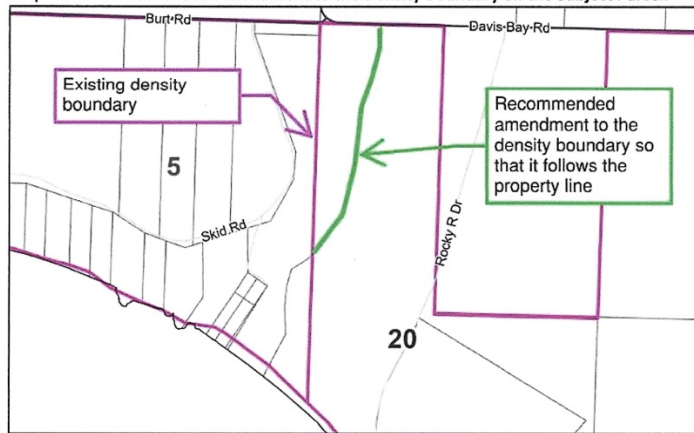
East: Undeveloped, AG

West: Residential, RFF

Link to Request: <https://www.sanjuanco.com/DocumentCenter/View/18151/>

Staff Recommendation: Amend the density boundary follow the property line but do not reduce density on the neighboring property to the east. The recommended amendment to the density boundary is shown in Map 18.A. The recommended changes would resolve the issue for the applicant without impacting density on neighboring properties.

Map 18.A. Recommended Amendment to the Density Boundary on the Subject Parcel.



Attachment 1: DCD Summary (continued)

SJCC 18.90.030 Amendments to Comprehensive Plan Official Maps.

Table 18.A summarizes how the proposal meets the criteria of approval for amendments to the *Plan* Official Maps established in SJCC 18.90.030(F).

Table 18.A. Analysis of SJCC 18.90.030(F).

Section	Analysis
SJCC 18.90.030(F)(1)(a)	The proposed re-designation benefits the public by clarifying what residential density is allowed on the subject property.
SJCC 18.90.030(F)(1)(b)	The proposed change is warranted because it corrects an error on the Official Maps. Though the density boundary is not required to follow property lines, the density boundary that bisects the subject property is not clearly defined. Without a clear and explicit explanation of where the density boundary sits on the property, the density boundary in this instance is unclear. Clarifying that the boundary follows the property boundary resolves this lack of clarity on the Official Maps.
SJCC 18.90.030(F)(1)(c)	<p>The subject parcel is designated RFF. The <i>Plan</i> policies for RFF do not specify a required residential density in the land use designation. RFF designation criteria Policy 2.3.C.10.b.1.ii states:</p> <p style="text-align: center;">ii. Parcels are general five or more acres in size</p> <p>Because the change in density would not increase maximum density on the subject parcel beyond one dwelling unit per five acres, the proposed change is consistent with this <i>Plan</i> policy.</p>
SJCC 18.90.030(F)(1)(d)	The area proposed for changes would not create an enclave of property owners enjoying greater privileges than surrounding property owners. The subject parcel is contiguous with an area designated for one dwelling per five acres. The majority of the subject parcel is already designated for one dwelling per five acres.
SJCC 18.90.030(F)(1)(e)	No adverse impacts are expected from adjusting the density boundary as proposed. Most of the subject parcel is already designated for one dwelling unit per five acres.

Attachment 2: Skid Road Zoning Map



Attachment 3: San Juan County Superior court record of March 8, 1920

72-3/4 degrees East 4.50 chains; South 40 degrees East 1.20 chains; South 73 degrees East 2.46 chains to the true point of beginning; thence from said true point of beginning run South 73 degrees East 1.74 chains; South 58 degrees East 5.80 chains; South 49 degrees East 8.71 chains; to the terminal point of this description with a frontage of 16.25 lineal chains measured along the meander 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 Public 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 Isabella K. Floor, widow of said deceased and administratrix of said estate offered in her said final report ^{that} the said real estate be divided by such ravine between her and the children of said deceased and that the said children might have their choice as between 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. Floor and have in open court announced their willingness 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 hereinbefore described lying upon the East side of the thread of ^{the stream} said ravine running North and South through said lands together with all and singular its appurtenances, hereditaments and belongings including all buildings which were the property of said estate are vested in the said Clifton H. Floor, Libbie Floor Jones and Loren C. Floor in undivided one-third (1/3) interests to each, free from all claims, rights or title of the

said Isabella K. Bloor, and that all of said real estate herein-
before described lying on the West side of the thread of said ^{old} ~~new~~
ravine running North and South through said real estate be and
the name is hereby vested absolutely free of the interest, rights
or claims of the said Clifton H. Bloor, Libbie Bloor Jones and Loren
C. Bloor herein mentioned, in Isabella K. Bloor.

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. Bloor, 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 fees of 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 8 day of March, A. D., 1920.

William H. Henderson
JUDGE

O. K. *Clifton H. Bloor*
Attorney for Clifton H. Bloor, Libbie Bloor
Jones and Loren C. Bloor.

Recorded in Vol. 7
Page 311 of Patrol Journal
Date March 10 1920
Blair

COUNTY CLERK'S OFFICE
FILED
MAR 10 1920
Blair

18

25 x 10

32 x 10