

July 13, 2021

Mr. James Finn, County Enforcement Officer via email and USPS
Ms. Christine Minney, councilwoman of San Juan County via email and USPS
Ms. Erika Shook, Director, Community Development San Juan County via email and USPS

Dear people in charge of the quality of our life,

Even though we have not heard back from previous letters, it is time to once again beseech you to fulfill your duties as code enforcer for the home occupation problem on Navigator Lane. If the code enforcement should not be the recipient, we would appreciate knowing who does enforce the San Juan regulations. We have never had any reply to our numerous written letters or voice mails we have left.

Ms. Lisa Moretti is our neighbor across our narrow, rural lane. She is a nice person who loves animals and runs Lisa's Pet Care out of her home. However, she is willfully disregarding the home occupational regulations which state that a home occupation business is limited to 5 round trips per day. Her business is probably generating 20 or more round trips per day and is ruining our peaceful enjoyment of our property.

On July 9, I saw 8 cars (in addition to her own) in the driveway at 9 am. When they left, 2 more arrived and all of them returned for pick up in the late afternoon. We don't want you to act on hearsay, but we are convinced that a traffic counter would verify my count. We don't think that Mr. Finn stopping by once, or various times, is data driven. We will help pay for a traffic counter, if the County doesn't have the funds to deploy it. Or we can spend money on suing her and the county for failure to enforce/follow the regulations.


We understand that the code enforcement may be overwhelmed by short term rental issues. And that perhaps friends or colleagues of the code enforcement officer really like Ms Moretti and appreciate her business services. This problem is much worse than an illegal short term rental ("VRBO"), in that it impacts us every day. We would gladly trade for a short term rental. And it has been going on for several years, despite our communication (and our neighbor's communication) with you.

We thought about going over to Lisa's and asking her to limit her customers. We put ourselves in her shoes and how would we feel if the neighbors wanted us to cut our income in half (or more). But enforcing good regulations for the common good is what local government is for, and neighbors shouldn't have to beg for enforcement of reasonable regulations. So we are dependent upon you to enforce these regulations.

We look forward to hearing from you on solving this problem. Enclosed is another Code Enforcement Request. *& copy of previous letter.*

Sincerely,

Elizabeth A Nicholson
James E. Nicholson
65 Navigator Lane
Friday Harbor





SAN JUAN COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

135 Rhone Street, PO Box 947, Friday Harbor, WA 98250
 (360) 378-2354 | (360) 378-2116
 dcd@sanjuanco.com | www.sanjuanco.com

REQUEST FOR CODE ENFORCEMENT

It is the policy of the Department of Community Development (DCD) not to accept anonymous complaints of alleged violations of San Juan County code (SJCC). (To request a written copy of this policy, please contact DCD.) To assist the Department of Community Development in its code enforcement efforts, please fill out this form. Be as specific and detailed as possible. When completed, return to the address above, attention Code Enforcement.

Reporting Party:

Name:	James E. and Elizabeth A. Nicholson
Mailing Address:	65 Navigator Lane Friday Harbor, WA 98250
Phone:	360-378-3628
e-mail:	Bethnicholsonsji@gmail.com

Location of code violation(s) (address/TPN):	96 Navigator Ln
Island:	San Juan Island
Person/Party believed to be in violation (if known):	Lisa Moretti
Property/Business Owner's Name:	Lisa Moretti
Address:	96 Navigator Ln
Phone:	Not known

Description of violation (attach separate pages if necessary):

1. **More than 5 round trips by customers and deliveries per day are being observed**
2. All aspects of the activity are not conducted entirely within the residents' dwelling: animals are discharged from autos, sometimes run around and into neighbor's yards and sometimes not, and then brought into the residents' dwelling.
3. Outdoor activity has been observed: dogs need to be outside and when they are and when an auto drives up (more than 5 times per day), the dogs bark.
4. Indications that a business is being conducted by the resident is obvious due to the barking of dogs and the amount of traffic that is generated (2 round trips for each animal per day).

Section(s) of San Juan County Code believed to be violated (if known):

1. **Home Occupation Code: 18.60.180, #F**
2. Home Occupation Code: 18.60.180, #A
3. Home Occupation Code: 18.60.180 #B
4. Home Occupation Coe: 18.60.180 #D

Signature of Complainant

Elyse A. ...
Mrs. Kelle...

Date

7/13/21

June 24, 2019

copy

65 Navigator Lane
Friday Harbor, WA

TO: San Juan County Community Development and Planning
135 Rhone Street
Friday Harbor, WA 98250

Attn: Code Enforcement

Attached is the Request for Code Enforcement. I believe this is at least the 2nd time we have filed this with your department, but we have never heard of any disposition of this infraction and we believe it is time for the County to do its job in enforcing the rights of the quality of life for neighbors. We believe that is what the San Juan County Code 18.60.180 is about: the balance between a resident's right to pursue an occupation, and the neighbor's right to a quiet enjoyment of property. For ten years, the three closest neighbors to Lisa Moretti have not been able to enjoy their property due to the traffic and barking of dogs.

There is some variance in traffic and we suggest that the County should have empirical data, not just anecdotal data of one morning or afternoon spent watching the site. We suggest a traffic counter could be coordinated with a neighbor's time-stamped motion activated pictures. Using that method, the County could receive the time stamped pictures knowing that they were correct and use a full 30 days to determine if Ms. Moretti is violating the code. Because we respect the county code's determination that 5 round trips per day are permissible, and we believe that the data will show significantly more than that is occurring regularly.

It is past time for the County to enforce its own rules: SJCC 18.60.180. They are reasonable rules, designed to please both the resident with a home occupation and the neighbors. But in this neighborhood, they have been ignored. For TEN YEARS. Please, please help us.

Sincerely,

James E. Nicholson

Elizabeth A. Nicholson