



NOTICE OF PROPOSED SUBDIVISION AMENDMENT

Dear Property Owner,

06/25/2026

San Juan County would like to inform you of a proposed amendments within the subdivision listed below. Our records indicate that you are a property owner within this subdivision and may have vested rights or interests that could be affected by the proposed amendments.

Subdivision Name: ___Deer Haven Park Subdivision_____

Located in: __San Juan County, Utah_____

PROPOSED PROPERTIES TO BE AMENDED:

Name: _Timothy Ananiadas_Lot 15B **AND** Herrman-Tomhill Trust_Lot 04_____

A public meeting to present this request will be held as follows:

Date: July 9, 2026

Time: 6:00 p.m.

**Location: San Juan County Commission Chambers
117 South Main Street, Monticello, Utah 84535**

Please see the attached subdivision plat and amendment map showing the proposed changes.

Narrative: Timothy Ananiadas requesting approval to vacate the existing subdivision lot boundaries in order to combine the property with an adjoining parcel under the same ownership. The purpose of this request is to eliminate the subdivision lot and incorporate the property into the adjacent parcel, resulting in a reconfigured property boundary and a single, unified tract of land.

Frank Herrman is requesting approval to vacate their lot from the existing subdivision. The action would remove their parcel from the recorded subdivision.

Property Owner Response

Please indicate whether you consent to the proposed amendment as shown on the attached plat:

YES, I consent

NO, I do not consent to the proposed amendment.

If you do not consent, please provide any comments or concerns below:

The subdivision existed prior to both property owners purchasing their lots. If they did not want to abide by the subdivision CC&Rs they could have purchased land elsewhere.

Signature: Denise Klassen Perrott

Date: 29 day of June, 2026

Response Deadline: To ensure your comments are considered, please submit your response no later than **July 7, 2026**.

If you have questions, concerns, or objections regarding the proposed amendment, please contact San Juan County Planning & Zoning before July 7, 2026. The Planning Commission meeting on July 9, 2026, will not be the venue for discussion or negotiation of individual consents. Property owners are encouraged to submit their comments and concerns in writing prior to the meeting.

Responses may also be submitted by email to:

permits@sanjuancountyut.gov
ccoleman@sanjuancountyut.gov

Mail:

San Juan County Planning & Zoning
P.O. Box 9
Monticello, UT 84535

Please retain a copy of your submission and verify receipt with the County. If you have any questions regarding the proposed amendment, please contact the Planning & Zoning Department.

Thank you for your time and participation in the planning process.

Sincerely,

San Juan County Planning & Zoning Department

Further, during our annual HOA meetings we always discuss changes to the CC&Rs and have made changes according to the desires of property owners, most recently adding tiny homes and goats, among other things. So, there are other options than to vacate!

Also, we have shared wells in this subdivision. What happens when a property is vacated and has a well on it as both of the proposed properties do? What happens to the other properties on the shared well when the owners help pay for the well and pumping system on a vacated property?

Thank you for this opportunity to provide input prior to making a decision on this very important matter.

July 3, 2026

Dear Corey,

Attached please find my response to the Consent Letter I received from your office via USPS. I hand wrote some specific concerns, but wanted to add some additional thoughts and questions which include:

- **Higher HOA Fees:** Subdivisions divide the cost of filing fees, maintaining shared spaces, etc. If lots leave the remaining neighbors must pay more to cover the same expenses. Deer Haven subdivision has annual expenses which would have to be borne by fewer properties owners if properties are allowed to vacate. Thus, allowing properties to vacate adds additional financial burden to all other property owners in the subdivision through no fault of their own.
- **Lower Property Values:** The value of a home depends on the consistency of its neighborhood. Lot removal creates instability and unpredictability, which lowers overall home values. The Deer Haven CC&RS maintain neighborhood standards such as the size and construction quality of homes, preservation of the night sky, minimum lot size, etc. If properties are allowed to vacate these standards and all others outlined in the CC&RS could be called into question. If lot owners have issues with particular CC&R(s) there are processes in place to request a waiver and/or change the CC&RSs rather than to vacate.
- **Shared Utilities:** Most subdivisions share pipes, wires, and drainage systems that cross property lines. A separated lot can cut off or disrupt these shared networks. I have already mentioned concerns with our shared wells (see attachment), but our subdivision also has water pipes, underground power lines, and fiber optic lines that cut across multiple properties. How will these be impacted if lots are allowed to vacate? In our case we also have a perimeter fence around the entire subdivision to keep neighboring cattle out of our subdivision. The two properties seeking to vacate are corner subdivision lots. How will the subdivision keep cattle out? Will our current fences remain; or, if the properties are allowed to vacated will the rest of the subdivision owners have to bear the responsibility

non-subdivision adjoining lots. If lot 15B is allowed to vacate I would own a subdivision lot with two non-subdivision properties adjacent, which again has the potential to devalue my property through no fault of my own; and, the same applies to adjacent lot owners to the Herrman property.

- **Snowball Effect:** If properties are allowed to vacate what will keep others from doing so and further devaluing the neighborhood that has been in place and built upon since 2001? How is it fair for property owners to knowingly buy into a subdivision and then decide they want to leave and do so at potential cost/burden to longer term subdivision property owners?

I bought lot 15A in 2003 as a retirement dream. I was teaching in VA nine months a year and spent eleven summers on my lot making steady, carefully planned improvements including constructing a: well; pumping system; driveway; septic system; power source; storage shed; one car garage apartment; and, a master suite (with a laundry facility) and living room addition. Then I happily retired from teaching in VA and moved into my Old La Sal home full time in 2014. Since then a three car garage apartment and greenhouse have been added. All these property improvements were done according to San Juan County code and within the Deer Haven Subdivision CC&Rs. So, one can build one's retirement dream and follow the rules! I do not understand why people would buy into a subdivision if they do not want to live by the rules, especially when there are many other nearby properties on the market that are not located in subdivisions.

Thank you again for this opportunity to provide input. I remain grateful for all your conscientious work on behalf of our community.

Sincerely,



Denise Perritt Klassen

Owner of Lot 15A since 2003

Deer Haven Park Subdivision

25 Porcupine Lane, La Sal, UT 84530

and cost to put fences up along the new subdivision perimeter to fence out cattle? Again, a potential financial burden to each subdivision owner through no fault of his/her own, but because people who bought into the subdivision have now decided they want to leave.

- **Zoning Rules:** Subdivisions rely on strict zoning rules (like setback limits and density controls) for the whole area. A vacated lot may bypass these rules. Our subdivision currently allows one house per lot. If properties are allowed to vacate, would owners be allowed to build more than one house on their lots (one already has) thereby increasing the expected density of our subdivision, which again may have a financial impact to all subdivision property owners through potential decreased property values. Further, this may also impact quality of life as we all bought into a 5 and 10 acre lot subdivision with the expectation that there would be one house per lot.
- **Good Cause:** According to Attorney Richard Plehn with the Office of the Property Rights Ombudsman for the Utah Department of Commerce, a request to vacate must include "good cause", especially when the property contains existing shared water services which is the case with both of the properties requesting to vacate. Plehn states: "If the parcel containing the well is a subdivided lot that is part of the recorded subdivision plat, then in order to 'take it out' of the subdivision, the owner would need to petition the land use authority to partially vacate or amend the plat. The county land use authority has discretion in whether to approve the request, but must find 'good cause' for the amendment or vacation, and is instructed to protect existing easements, especially for water services. See Utah Code 17-79-711 (https://le.utah.gov/xcode/Title17/Chapter79/17-79-S711.html?v=C17-79-S711_2025110620251206) and 17-79-712 (<https://le.utah.gov/xcode/Title17/Chapter79/17-79-S712.html>).". In your Consent Letter no reason was shared for the Herrman's request to vacate. Also, how will "good cause" be defined/determined?
- **Contract Conflicts:** Homeowners sign legal contracts to buy into a subdivision. Releasing one property from these rules requires changing the entire legal plat. For example, in my case I did not buy a corner subdivision lot because I did not want two