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Proposed Subdivision Amendment—Lot 12 in Turkey Trot Estates

Steve Burr [REDACTED] >

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Cc: Steve Burr [REDACTED] >

July 7, 2026

To Whom It May Concern:

Regarding the Proposed Subdivision Amendment put forth by Koi D. Cook to subdivide the existing parcel—Lot 12 in Turkey Trot Estates—Phase II into two separate lots—Lot 12A and Lot 12B, as owner of adjacent Lot 11, I do consent to the proposed amendment.

However, I need to point out I believe there is an existing Protective Covenant of Turkey Trot Estates. I am assuming this covenant is still in effect as it was signed by Richard and Charles McElhane of M&M Manufactured Homes LLC, recorded on 2-14-2006, and according to Part D—General Provisions (p. 4), “These covenants are to run with the land and shall be binding on all parties and all persons claiming under them, for a period of twenty years from the date these covenants are recorded, after which time, said covenants shall be automatically extended for successive periods of ten years...” Therefore, the initial twenty-year period has passed and the covenant is now automatically extended for another ten years.

Under the Protective Covenant, Part B, #4 Lot Area, it states, “No lot shall be less than one acre.” However, it also states an instrument signed by a 3/4 majority of the then owners can agree to change said covenant in whole or part.” Hence the Property Owner Response requested for this Proposed Subdivision Amendment.

My main concern is with Building Location set back lines. It is important to me as owner of adjacent Lot 11 that such set back lines be identified and enforced with the construction of a new residence on the proposed Lot 12B; especially critical to me is the protection of the view shed looking north across the very narrow northeast corner of the proposed Lot 12B.

With regards to the overall Protective Covenant, I note there are currently some violators with respect to Pets/Livestock limits, Garbage and Refuse Disposal, vehicles that are unlicensed/not in running condition, parked vehicles on the street for storage purposes, and travel trailers and motor homes being permanently lived in. “Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant to restrain violation or to recover damages.” I am unaware of any enforcement efforts regarding existing violations nor how such efforts shall proceed.

Regarding Part C—Architectural Control Committee (pp. 3-4), I am unaware of the current existence of such a committee, since all lots have long been sold in the subdivision. According to the Protective Covenant, this committee has the power to administer use provisions and issue interpretation of the Protective Covenant, but apparently does not exist.

In summary, I do consent to the proposed amendment, but in review of the Narrative, I do have some concerns and questions regarding Building Location set back lines and other issues regarding current identified violations of the Protective Covenant. I would appreciate some type of response from San Juan County Planning and Zoning Department to address these concerns and questions.

Thank you for your attention to this matter.

Steven W. Burr

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