



Jon Hutchings
Director

M E M O R A N D U M

To: Whatcom County Council, as Citizen Address and Road Name Appeals Committee

From: Doug Ranney, Engineering Manager
Esther Miranda, Addressing Clerk

CC: Jon Hutchings, Public Works Director
Jim Karcher, County Engineer

Date: April 13, 2020

Re: Citizen Appeals to Address Change Requirement

In the absence of a Citizen Address and Road Name Appeals Committee, citizen appeals are forwarded directly to County Council for consideration. A recent address correction project initiated by the Addressing Clerk along N. Lake Samish Drive has resulted in the receipt of two appeals.

Pursuant to Whatcom County Code 12.60.110 - Correction of address number sequence:

“The department shall make corrections where necessary to accomplish full implementation of the address numbering system for all county addresses in accordance with the following timeline and criteria:

- A. The department shall correct addresses beginning in 1997, and shall continue until the entire county has been reviewed and corrected.
- B. Notices of address corrections shall be mailed to affected property owners and become effective six months after notification by the department.”

The addresses in question were assigned many years ago and somehow thereafter additional addresses in the area were assigned out of numerical order. Whatcom County Code Chapter 12.60.120 states, “When incorrect address numbers are found during the permit process, corrections should be made to those addresses at that time”. This is the reason addresses in this area were discovered to be incorrect and why they need to be corrected now.

WCC 12.60.010 states that “The purpose of this chapter is to provide for a logical system of road naming and address numbering, which is consistent with the desires of Whatcom County residents, with the Whatcom County comprehensive plan, and with the practical needs of county residents, emergency service providers, and visitors.”

Public Works recommends that the County Council deny the citizen appeals, uphold the determination that the subject properties be re-addressed and direct staff to proceed with the readdressing action.

Enclosures:

- 1) Affected Addresses Map
- 2) N. Lake Samish Dr. Address Correction list
- 3) Flanders Appeal Letter
- 4) Earle Appeal Letter

N LAKE SAMISH DR ADDRESS CORRECTIONS

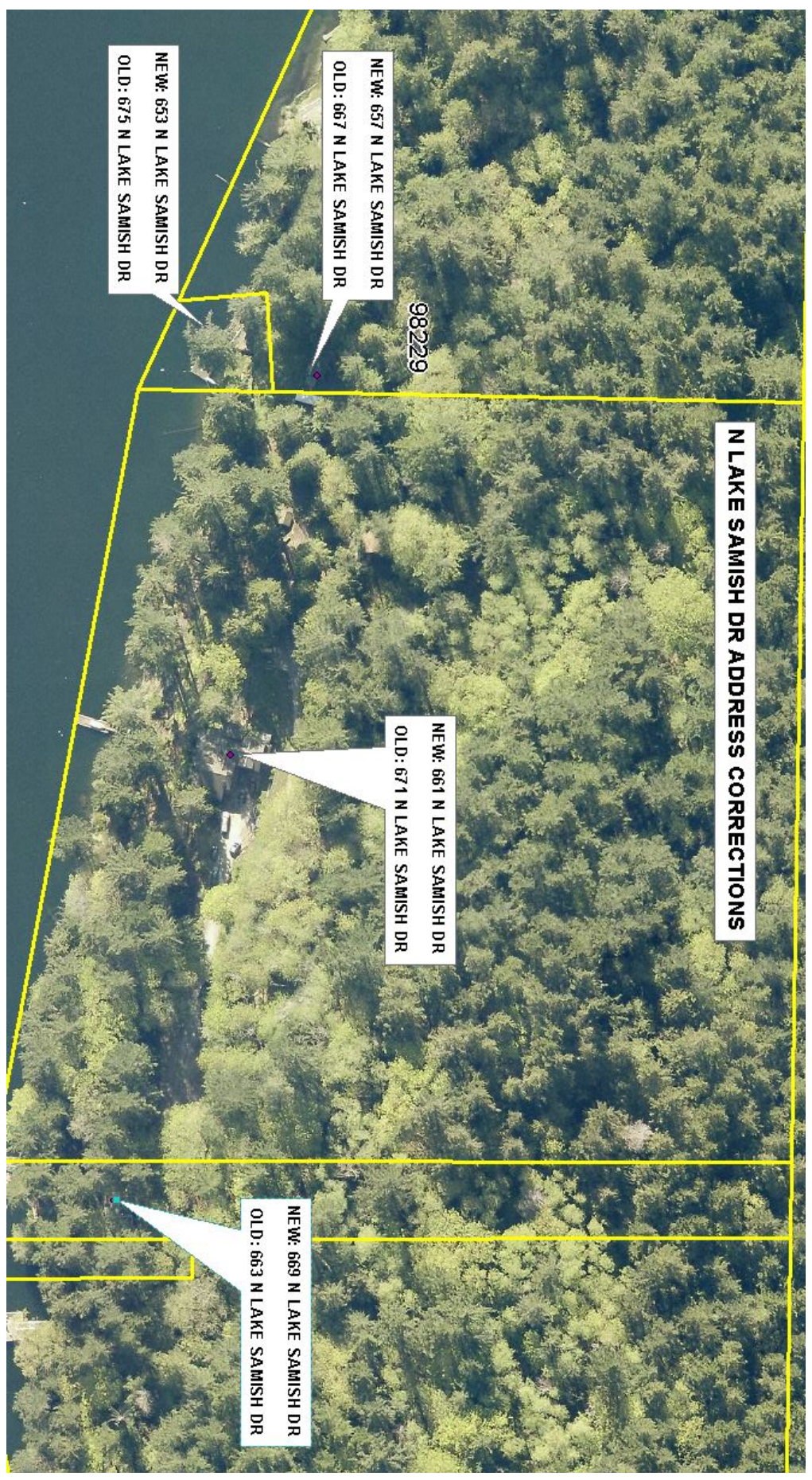
982229

NEW: 657 N LAKE SAMISH DR
OLD: 667 N LAKE SAMISH DR

NEW: 653 N LAKE SAMISH DR
OLD: 675 N LAKE SAMISH DR

NEW: 661 N LAKE SAMISH DR
OLD: 671 N LAKE SAMISH DR

NEW: 669 N LAKE SAMISH DR
OLD: 663 N LAKE SAMISH DR



N. Lake Samish Address Correction

Parcel No	Owner	Old Address	New Address
370327057494	Kirk & Linda Flanders	675 N LAKE SAMISH DR	653 N LAKE SAMISH DR
370327026521	Fred Devore	667 N LAKE SAMISH DR	657 N LAKE SAMISH DR
370327083516	Charles & Lorraine Earle	671 N LAKE SAMISH DR	661 N LAKE SAMISH DR
370327127509	Kenneth Schulze & Patricia Burns	663 N LAKE SAMISH DR	669 N LAKE SAMISH DR

March 25, 2020

Mr. John Hutchings, Director
Whatcom County Public Works
5280 Northwest Drive
Bellingham, WA 98226

cc: Andrew Hicks, Ryan Erickson

RE: Appeal of Address Change and Freedom of Information Request (FOIA)

Dear Mr. Hutchings,

This letter is to inform you we wish to appeal your decision to change the address assigned to our property, 675 N. Lake Samish for the past 50 years. The Whatcom County Auditor assigned this address in 1971, after the conclusion of a lawsuit regarding the sale of the property between our two adjacent landowners at the time, to resolve a lot line dispute.

The property has had continuous occupation of a mobile home since 1991, when water, sewer and power were installed. My wife and I purchased the property in January, 2017. Over the past year we have been working our way through the building permit process to obtain a permit for a small single family home. This has been made more difficult by the inconsistencies in the County's database including the inaccurate addresses associated with the software program Planning uses to cross reference parcel numbers with addresses. Our stormwater and critical areas consultants also found modern geo reference tools were finding it impossible to correlate the County's database with the parcel numbers. The County is clearly in need of budget support for new GIS tools and software.

Some weeks back I was alerted by Andrew, after it came to his attention, the address associated with our parcel number did not correlate to our parcel number. He referred the matter to Ester Miranda who called and told me our address was wrong. No consideration given to the original data input for your software which was in error, rather a declaration we have had the wrong address for 50 years. She gave no consideration for grandfathering in our situation and after numerous email exchanges she failed to properly address the impacts associated with our particular situation. Ester then proceeded to notify the Auditor to change our official address of public record without informing us.

Ester unilaterally changed it to 651, after informing us our real address is 677 and now we receive your letter and it has once again been changed to 653. Is there any question why we do not have faith in this process? Our designer went online to confirm our address for his site plan and found the address change. I immediately notified the Auditor of the situation, who was quite stunned by this situation and restored our address back to 675 where it remains today. This is why this letter is addressed to you. My wife and I are not anti government gadflies, she is a retired public servant from Alaska Fish and Game. I hold a Master's in Public Administration and have held management positions in both city and county governments.

I am guessing the Auditor notified Ester of our conversation and subsequent override of her address change which in turn prompted an email from James Karcher informing me your office will be changing my address and cited his authority under WCC code. Unfortunately for you, or fortunately for my wife and I, we can actually read your code and discovered there was a requirement for a sixth month period before the address was changed and an appeal process was available to us. Your letter of March 16, 2020 now brings you into compliance, yet no apologies for the inappropriate hassles Ester put us through. To be clear, we hold no animus towards Ester, rather the complete lack of training by her supervisors to not understand the impacts associated with her unilateral action. Those impacts described below, also describe our reasons for our appeal.

Let me begin by what could have been potentially the County's greatest liability. We understand Ester's involvement was triggered by our permit application and we further understand our situation is very different than most. But, Ester can not assume a new construction application means the lot is vacant and unoccupied. We are converting a mobile home into a single family home. An address change (we should note we do not know if Ester also notified the USPS) could interrupt the receipt of life saving prescription drugs. During this time of the coronavirus it could interrupt the delivery of essential products. All of our historical real estate contracts and mortgages commonly refer to the 675 address. Remember your parcel numbering system is antiquated and not able to be geo referenced.

Checking accounts, utility bills, voter registrations etc., all have one common thread, the address associated with the property and again, we have 50 years of history tying the legal formation of our lot to the present. The present includes over \$70,000 in site plans and consultant fees all referencing our address. All of this is to say, good public administration dictates compassion during policy implementation, especially for the impacts on elderly. Just because Ester thought she had the authority to do what she did, even though now we know she didn't, her supervisor's should instill the need to exercise some common sense and judge whether an address change overriding an existing assigned address has so many more impacts than those new subdivisions which need consistency to serve public safety and their response time. Which brings me to my next point.

My Freedom of Information Request. The underlying challenge in assigning address cohesion for emergency response is not the numbers in this case, it is the street name. Please provide me under FOIA timeline requirements of any County Council action which named our road N Lake Samish after the formation of the Lake Samish County Park in 1968. We have discovered a 1947 easement agreement which predates the Park's purchase. We can not find any official record of the County naming the road to our home, including on your Public Works website. In fact, it does not even show the road.

This is important because as you travel down from I-5 towards the park and take the Y to the right and head towards the Park this is the beginning of N Lake Samish Road. The address sequence becomes smaller until you reach the last home, the Werner's, whose son grew up

there and is now our doctor in his forties. They have been 679 N Lake Samish for a long time. The Werner home's driveway is accessed through the Park's parking lot. Our road leads out of the back of the Parks parking lot, extends 1360 ft across Park property which allows them maintenance access to docks, fire pits, trails and their stream fed water tank. It then services two constructed homes, our lot and a 4th home. The Auditor and their posted address on the tree says the Devores at the end (ownership in family since 1935) 677. Ours is next at 675, Earles are next and post 671. We are not sure what the last one says, it recently sold. The point being the numbers are sequential if you go from Werner's to the Devores and work back. Albeit a confusing situation and surely not one to help attain your goal of logical progression through addresses. Indeed, if emergency vehicles are responding and flying down N Lake Samish looking for any of us they will go by the Werner's, the Park entrance and over the bridge and be lost because they will then be on W Lake Samish.

The solution to this is accept what google maps and our Garmin GPS names our road, Lake Samish Park Road. That would be intuitive for emergency response, and how our Fedex, UPS and other vendors find us now. Postal service would still need to be maintained on N Lake Samish across from the Park entrance.

We look forward to any historical documents you may have which officially named the road per our FOIA request. If there is no such documented action, meeting minutes at least, we will cooperate and drop our appeal if you can resolve this matter by getting in line with modern GPS programs and change the name to Lake Samish County Park Road, or shorten it and drop County. If not, our appeal stands. Our reading of your WCC, compared to your Appeals Procedures, number 3, is slightly different. The Code says we have the right to be heard by the Council or a subset committee and your #3 PW will inform you of any public hearing regarding our appeal. Our presumption is the only reason they would not hear our appeal is if they are not going to enforce the address change.

Best Regards,


Kirk and Linda Flanders
8616 Semiahmoo, Dr
Blaine, WA 98230



Date 3/30/2020

To: Esther Miranda, Whatcom County Public Works Engineering Department

From: Charles & Lorraine Earle

RE: APPEAL OF OUR ADDRESS CHANGE FROM 671 TO 661 N. LAKE SAMISH DR

Thank you for sending the information on the proposed changes along our access road.

As background we have lived at this address for approximately 28 years. We were the original developer/builder of this property and were assigned the current address by Whatcom County on August 30, 1990 prior to building (see attached copy of original document from Whatcom County Public Works sent to you on 3/23/20).

We access our property from a long private gravel road that extends through Samish Park that serves (4) parcels. Our parcel is approximately 9.7 acres and there is one smaller parcel between ours and the park and two beyond our property to the west. Zoning is (1) home per 10 acres on this side of the lake so no more development can occur. Besides an existing recreational cabin at the end of the road built in the 1930s by the Devore family we were the first to develop, bring in utilities and build our residence in 1992 & the first to be assigned an address (in 1990). I have included a diagram for clarity.

It is mentioned in the letter from Whatcom County dated 3/16/2020 "while reviewing a neighboring address of yours I noticed that the address to your property is out of sequential order" (and thus is the reason for the address change).

I believe the reason they are out of order is not that ours was incorrectly assigned but in approximately 1992 the second house assigned (663) was given an out of sequence number by Whatcom County.

When we bought our property in 1990, the last address on the southern end of North Lake Samish Drive was the Samish Park caretaker residence which is numbered 677. The numbers get smaller as you approach the end of North Lake Samish Drive and should get smaller as they extend westerly down the gravel access road (an extension of North Lake Samish addresses) to the parcels through the park. 671 (our address) is a smaller number and was in sequence when assigned in 1990. In approximately 1993 a cabin was built between our parcel and the park and assigned the number 663. Since 663 is out of sequence that is where I believe the error was made and where the address should be changed.

Since the incorrect assignment in around 1992 (property between us and the park) the parcel has changes hands 3 or 4 times. The owner/builder's names at the time were Ken & Linda French (if you would like to check the historical sequence of events).

To be in sequence and to follow the pattern of easterly to westerly to the end of the road I propose 663 could be changed to 673. I know you mentioned the Park cabana is assigned 673. As the cabana is on the same property as the caretaker residence, is not a residence and doesn't receive mail or have a house number it could easily be assigned 677B and would not be a problem with mail mix up delivery. This would also be consistent with a property that has separate structures that needs to be identified.

As I mentioned this has been our residence for 28 years. It would be a huge hardship to have to change our address after the amount of history we have here. It would take years to get everything changed over to a new address. It is also unfair to penalize us when our address was sequential when originally assigned.

I respectfully ask that you reverse your decision to change our address & correct the error where it occurred. It would also make the addresses sequential easterly to westerly and make logical sense in an emergency situation. The other numbers you have proposed to assign to Flanders & Devore (the properties to the west of ours) would work and be in sequence but I mentioned in an e-mail sent 3/23/20 that the Flanders and Devores numbers should be swapped as Flanders proposed residence would be east of the Devore cabin.

Also you mentioned in the letter dated 3/16/2020 "Whatcom County Fire code requires that your address numbers are clearly visible from the road or an address placard is placed at the end of your driveway". Please find attached a picture showing our address sign at the end of our driveway where it joins the access road.

Thank You,

Chuck Earle
Jocelyn Earle

TOWNSHIP

37

H. DEVORE 1/2
C. DEVORE TR 1/4
A. DEVORE TR 1/4

RANGE

3E

SECTION

27

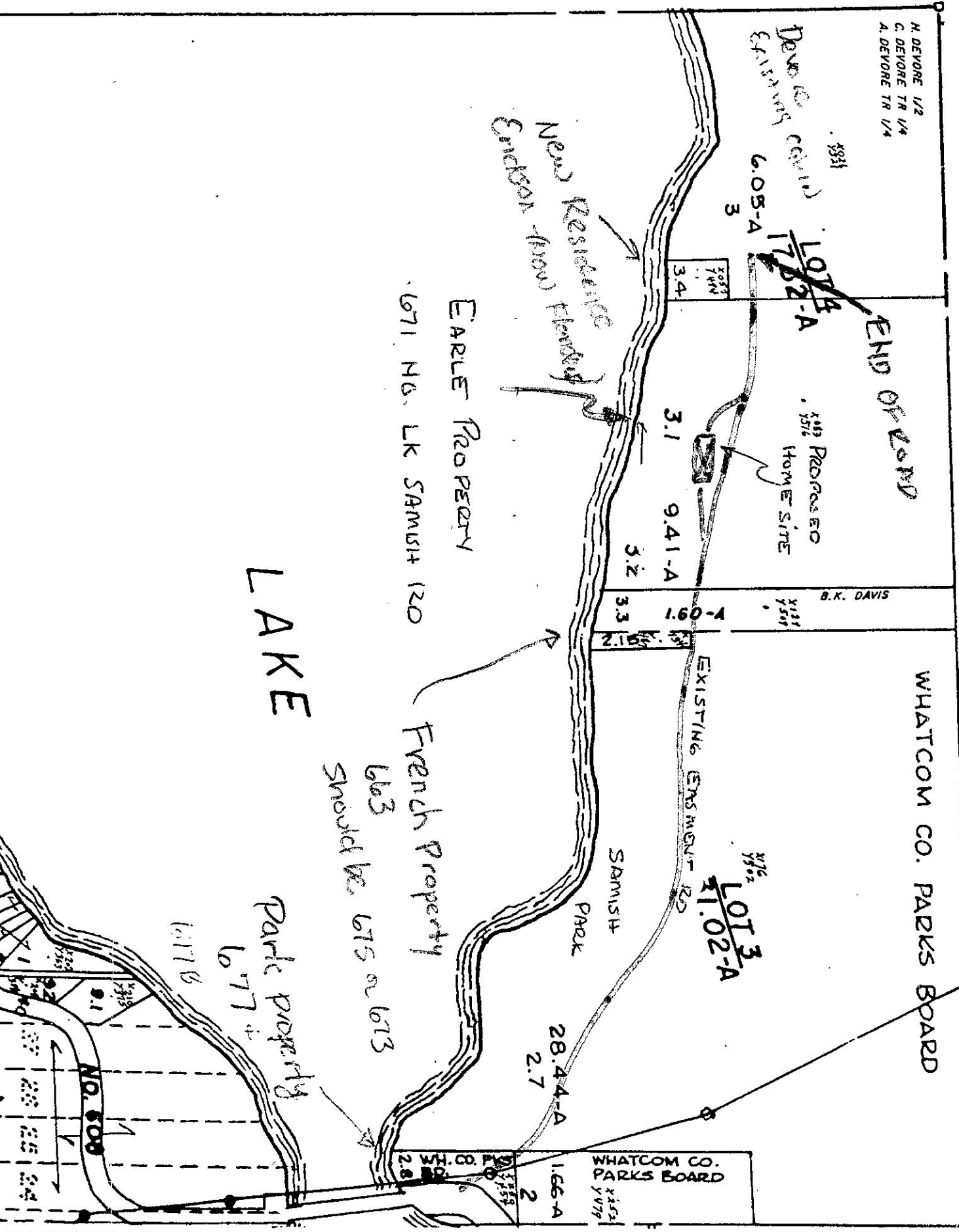
MAP NO.

03

SCALE

1"=200'

DATE



END OF ROAD

Devore ~~Lot 1782-A~~
6.05-A
3

PROPOSED HOME SITE

3.4

3.1

9.41-A

3.2

3.3

1.60-4

B.K. DAVIS

LOT 3
1.02-A

SAMSISH PARK

28.44-A
2.7

1.66-A
2

EARLE PROPERTY
671 N.S. LK SAMSISH RD

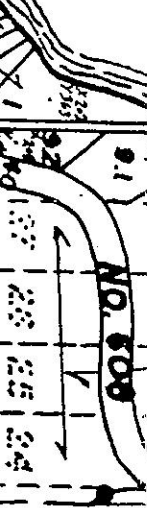
FRENCH PROPERTY
663
should be 675 or 673

LAKE

Park property
677 &
677B

677B

NO. 608



A wooden post with a blue sign is set against a background of moss-covered trees. The sign is rectangular with a white border and contains the text '671 N. LAKE SAMISH DR.' in white, bold, sans-serif font. The post is made of light-colored wood and has a horizontal log-like piece attached to it. The background consists of several tree trunks covered in green moss, with dense green foliage behind them.

**671
N. LAKE
SAMISH DR.**