

Approval History

Version	Date	Approver	Action
1	04/08/2008	Pete Feild	Approved
1	04/08/2008	Matt Smeltzer	Approved
1	04/08/2008	Richard Shepard	Approved
1	04/09/2008	Agenda Coordinator	Delegate
1	04/09/2008	Laura Schwartz	Approved
Notes Public Hearing - Department matters			
1	04/11/2008	Laura Gill	Approved

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 08-0483

Transportation Department recommending the Chairman of the Board: 1) Conduct a public hearing to receive testimony on the proposed general vacation (Sleepy Hollow); and if, at the conclusion of the public hearing, the Board of Supervisors elects to vacate the roadway, as described in Exhibit A and depicted in Exhibits B, C and D; 2) Adopt the resolution and authorize the Chairman to execute the Resolution of Vacation.

RECOMMENDED ACTION: Approve

FUNDING:

BUDGET SUMMARY:

Total Estimated Cost \$0

Funding

Budgeted \$

New Funding \$

Savings \$

Other \$

Total Funding Available \$

Change To Net County Cost \$0

Fiscal Impact/Change to Net County Cost: None. / There is no net County cost.

Background:

On March 25, 2008, your Board approved the Resolution of Intent to Vacate under Resolution number 08-0085, with the stipulation that the intent is for staff and the homeowners to work on acceptable language regarding gates prior to the hearing scheduled for April 29, 2008. The Public Notice that was published on April 7, 2008, and again on April 14, 2008, included a notation that the Board of Supervisors would take public testimony on the issue of a prohibition of gates, and that action may be taken on that issue.

Pursuant to the direction from the Board of Supervisors, Staff has provided the Homeowner's Association and their legal counsel with information and recent requirements for security gates as proscribed by the Diamond Springs-El Dorado Fire Protection District. Proposals by Staff for acceptable language regarding gates will be presented at the Public Hearing.

Reason for Recommendation:

The Sleepy Hollow subdivision, located north of US Highway 50, south of Green Valley Road, and east of North Shingle Road, in Shingle Springs, was created by five separate subdivision maps, which recorded in the County of El Dorado Recorder's office between 1972 and 1978. Said maps were recorded as follows:

- Unit No. 1 March, 1972 Book E at Page 114
- Unit No. 2 October, 1974 Book F at Page 36
- Unit No. 3 November, 1972 Book F at Page 8
- Unit No. 4 July, 1976 Book F at Page 64
- Unit No. 5 July, 1978 Book F at Page 83

The subdivision roadways, specifically, Mossy Glen Court, Quail Run Road, Oakvale Drive, Sleepy Hollow Drive, Skyline Drive, Starlight Court, Quail Cove Drive, Deerwood Drive, and Golden Fawn Trail were offered to the County of El Dorado and were accepted by the Board of Supervisors for public uses, except Deerwood Drive, which was rejected on the Sleepy Hollow Unit No. 5 final map. Said offer remains in effect and runs with the land, despite said rejection. The County has not maintained nor accepted liability for any of the roadways offered for dedication. Maintenance for said roadways has been performed solely by the Sleepy Hollow Homeowner's Association. It should be noted that Unit No. 3 is a re-subdivision of lots in Unit No. 1, and because the roadway was not changed, reference to Unit No. 3 is not included in the legal description of the roadways to be vacated.

Sleepy Hollow Homeowner's Association Board members presented an application for the General Vacation of roadways to the Department of Transportation in May of 2005, and the Public Hearing for the Finding of Consistency to the General Plan occurred October 13, 2005. Said Finding recommendation was Denial, but would be found consistent provided an emergency access is provided to Buckeye Rancheros; a Public access easement would be provided for the Fire District; and there be no gates allowed on the roads, now or in the future.

The Department of Transportation has reviewed the request for abandonment and has

no objection provided the conditions as stipulated by the Planning Commission are implemented and adhered to by the Sleepy Hollow Homeowner's Association, as may be modified by the Board of Supervisors, and requests that the Board conduct a General Vacation Public Hearing on April 29, 2008 at 9:00 AM.

Action to be taken following Board approval:

- 1) If the Resolution of Vacation is adopted, said Resolution will be recorded.

- 2) Copies of the recorded Resolution of Vacation will be mailed to the Sleepy Hollow Homeowner's Association for distribution to the individual property owners.

District/Supervisor: District IV / Supervisor: Ron Briggs

Contact: Richard W. Shepard, P.E.
Director

Concurrences: