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March 20, 2008

Mr. Rusty Dupray
El Dorado County Board of Supervisors
330 Fair Lane
Placerville, CA 95667

Re: Tentative Parcel Map P06-0017, APN 110-020-08

Dear Supervisor Dupray:

Introduction

I represent Chamy Lee, the owner of the 10 acre property referenced above that is in your district. On March 25, 2008, Mrs. Lee has before the Board a proposed tentative map creating three parcels on this ten acre parcel.

This is Mrs. Lee's third trip to the Board. On June 5, 2007, the Board denied a proposed rezone and the map, notwithstanding the recommended approval of both staff and the Planning Commission. On August 28, 2007, the Board reconsidered the matter. The Board was able to approve the rezone, but was required to send the map back to the Zoning Administrator for consideration. On February 20, 2008, the Zoning Administrator heard and approved the map. Copies of the Board's minutes of August 28, 2007, and the Zoning Administrator's of February 20, 2008, are attached as Exhibits A and B.

It was our expectation that the action before the Zoning Administrator would be the end of what should have been a very easy parcel map. Unfortunately, one of the neighbors, Jay Dennis, filed an appeal. Hence, the matter is again before you. Mr. Dennis does not oppose the map per se, a copy of which is attached as Exhibit C. Rather, he opposes the implementation of two conditions.

Condition 13

First, Mr. Dennis opposes Condition 13, which requires that the applicant widen Lakehills Court from its current 18 feet to 20 feet. I have attached as Exhibit D a photograph of Lakehills Court, which runs along the north-south boundary between the Dennis and Lee properties within a 50' public utilities easement. The view is to the east, with the Dennis' property on the left, and Mrs. Lee's on the right. The road gently slopes and is dead straight. There are broad shoulders on either side of the 18' driving surface.

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BOARD OF SUPERVISORS
EL DORADO COUNTY
2008 MAR 20 PM 2:14

While this property is within the El Dorado Hills community region, it quite obviously is more in character with a rural region than an urban center. Indeed, the surrounding parcels range from three acres to ten acres. The subject parcel and the surrounding parcels all are subject to CC&Rs that impose a three acre minimum parcel size. There presently are five parcels that use this road; there will be seven upon the filing of this map. Nevertheless, because the property is within the community region, the Department of Transportation subjected it to Standard Plan 101B, which imposed a 24' minimum road width. Recognizing the conditions, the Department of Transportation agreed that a design waiver was appropriate, and reduced the required road width to 20'.

I would suggest that the more appropriate standard to apply to this project would be Design Standard 101C, a copy of which is attached as Exhibit E. This standard is applicable to Rural Regions and Rural Centers, and is clearly the more appropriate standard for this project. Under these design criteria, the existing 18' roadway width would suffice. An 18' width would also be consistent with 19 CCR §3.05 of the Fire Code, which provides that the 20' minimum road width may be reduced if the local enforcing agency considers it appropriate in view of the local circumstances. Hence, we agree with the appellants that the existing 18' width is appropriate and that Condition 13 should be so modified.

On the other hand, I would point out that the appellants are making a lot more of the required 2' of widening than is appropriate. The 18' road is in the middle of a 50' road and utilities easement. It is quite obvious that there is ample room to widen the road. While appellants complain that "five" oak trees will be removed, in fact there is only one oak with five trunks that may be removed...and that tree is on the applicant's property. The road widening will have little impact on the aesthetics of Lake Hills Court. If it is the conclusion of the Board that Condition 13 should be imposed as presently drafted, the applicant is quite willing to accept it.

Condition 9

The second condition Mr. Dennis opposes is No. 9, which requires that Mrs. Lee include a 10 foot wide trail easement along the project frontage on Lakehills Drive and Lakehills Court. At the August 28, 2007 meeting, the Board suggested that the Zoning Administrator *consider* conditions relating to an equestrian easement. There was no directive that an equestrian easement be *imposed*. Unfortunately, staff took it as a directive to impose an easement, and over a period of weeks it became clear the map would go no where unless the trail was added. So it's on the proposed tentative map.

The applicant not only does not oppose Mr. Dennis on this issue, we agree with his position. We have reviewed the El Dorado County Hiking & Equestrian Trails Plan adopted by the Board in April, 1990. There are a series of actual and proposed trails contained in that plan. There is no trail proposed over the subject property. The proposed trail connects to nothing, and dies in a neighborhood that is steadfastly against it. All that is accomplished by

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imposing this trail is a cloud forever imposed on Chamy Lee's title. It really reeks of an arbitrary taking.

Conclusion

Mrs. Lee is willing to accept the conditions as drafted, if that is the determination of the Board. However, she agrees with appellants that the existing road is quite adequate to provide safe and appropriate access to the parcels. She also agrees with appellants that the horse trail is an arbitrary exaction and is inappropriate and unwelcome.

Thanks for your consideration of this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Douglas R. Roeca', written over a light gray rectangular background.

DOUGLAS R. ROECA

DRR/mjh

cc: clients

Jack Sweeny

Helen Bauman

Ron Briggs

Norma Santiago

47. 07-1293 Hearing to reconsider Zone Change Z06-0017/Tentative Parcel Map P06-0017 submitted by Chamy Lee to rezone property from Estate Residential Ten-acre (RE-10) to Single-family Three-acre Residential (R3A), and tentative parcel map proposing to create three parcels ranging in size from three to four acres identified by APN 110-020-08, consisting of 10.4 acres, located on the east side of Lake Hills Drive, southeast of the intersection with Lake Hills Court, in the El Dorado Hills area. (Refer 8/14/07, Items 57 and 75)

Attachments: [Ordinance Code Section \(Reconsideration\).pdf](#)
[Attachment 1 file 07-865 8-8-07.doc](#)
[Attachment 2 file 07-865 8-8-07.doc](#)
[Attachment 3 file 07-865 8-8-07.doc](#)
[Attachment 4 file 07-865 8-8-07.pdf](#)
[Attachment 5 file 07-865 8-8-07.pdf](#)
[emails rcvd 8-14-07.pdf](#)
[email from Dave and Lori Reimers rcvd 8-14-07.pdf](#)
[emails rcvd 8-20-07 \(Hoffman -Inouye\).pdf](#)
[email from Douglas Roeca rcvd 8-23-07.pdf](#)
[Letter from Jay and Linda Dennis 8-23-07.pdf](#)
[emails rcvd 8-24-07.pdf](#)
[message from Linda Green 8-24-07.pdf](#)
[emails rcvd 8-27-2007.pdf](#)
[email rcvd from Gary and Nancy Fletcher 8-28-07.pdf](#)

After hearing public testimony, a motion was made by Supervisor Dupray, seconded by Supervisor Sweeney to accept staff's original recommendation to adopt the negative declaration as prepared; adopt Ordinance 4744 to rezone said parcel based on the findings of the Planning Commission; and further directed that the fees be waived by Planning Services with regard to the hearing of Tentative Parcel Map P06-0017 by the Zoning Administrator, noting in addition to consideration of those conditions recommended by the Planning Commission on April 26, 2007, the Board asked that the Zoning Administrator consider conditions relating to a road maintenance agreement and the maintenance of the equestrian easement.

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

CAO REPORTS

ITEMS TO/FROM SUPERVISORS

ADJOURNMENT

1. CALL TO ORDER

2. ADOPTION OF AGENDA

3. PUBLIC FORUM/PUBLIC COMMENT

4. PARCEL MAP (Public Hearing)

- a. P06-0017 submitted by Chamy Lee to create three parcels, ranging in size from 3 to 4 acres. The property, identified by Assessor's Parcel Number 110-020-08, consisting of 10.4 acres, is located on the east side of Lake Hills Drive, southeast of the intersection with Lake Hills Court, in the El Dorado Hills area. Continued from February 6, 2008. (Categorically exempt pursuant to Section 15162(a) of the CEQA Guidelines)*

STAFF: Jonathan Fong RECOMMENDATION: Conditional Approval
ACTION: Approved

5. CERTIFICATE OF COMPLIANCE (Public Hearing)

- a. COC07-0069 submitted by Royce and Shannon Starr for Assessor's Parcel Number 070-062-01 created by Grant Deed on July 9, 1975 and transferred to Royce and Shannon Starr by Grant Deed recorded on May 23, 2007. A design waiver has been requested to allow a lot with less than the minimum parcel width of 100 feet. The property, consisting of 1.03 acres, is located 1,000 feet southwest of the intersection of Paloran and Meder Roads at the west end of Paloran Court, in the Rescue area, Supervisorial District IV. (Negative Declaration prepared)**

STAFF: Tom Dougherty RECOMMENDATION: Conditional Approval
ACTION: Approved

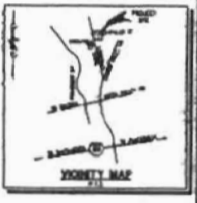
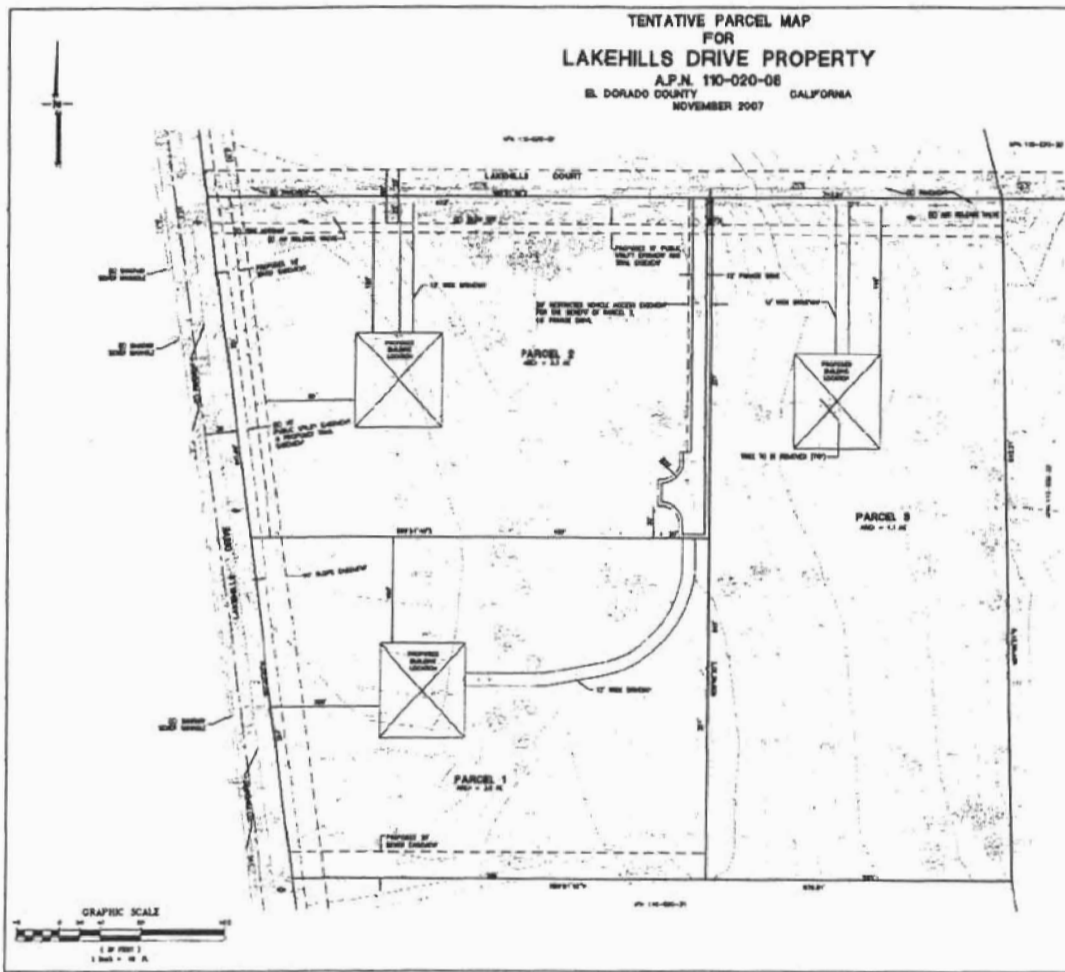
6. ADJOURNMENT

Respectfully submitted,

Roger P. Trout, Zoning Administrator

All persons interested are invited to attend and be heard or to write their comments to the Zoning Administrator. If you challenge the application in court, you may be limited to raising only those items you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Zoning Administrator, or prior to, the public hearing. Any written correspondence should be directed to the Zoning Administrator, Planning Services, 2850 Fairlane Court, Placerville, CA 95667.

EXHIBIT-B



PROJECT INFORMATION

OWNER
CLAYTON DORRIS INC.
11000 WILSON BLVD
LAKEHILLS, CA 95760-1001

DEVELOPER
CLAYTON DORRIS INC.
11000 WILSON BLVD
LAKEHILLS, CA 95760-1001

PLANNING COMMUNITY PLAN
CLAYTON DORRIS INC.
11000 WILSON BLVD
LAKEHILLS, CA 95760-1001

PROJECT PURPOSE
RESIDENTIAL

PROPERTY DESCRIPTION
100' x 110'

EXISTING ZONING
RESIDENTIAL

PROPOSED ZONING
RESIDENTIAL

PERMITTED USE **PROPOSED USE**
RESIDENTIAL RESIDENTIAL

UTILITIES
WATER: PUBLIC
SEWER: PUBLIC
GAS: PUBLIC
ELECTRIC: PUBLIC
TELEPHONE: PUBLIC

SCHOOL DISTRICT
LAKEHILLS UNIFIED SCHOOL DISTRICT

ADDITIONS
NONE

ACCESS
EXISTING

PROJECT BENCHMARK
ELEVATION: 3000'

DATE PREPARED: 11/01/07
BY: [Signature]

PROJECT NO.	LAKEHILLS DRIVE PROPERTY
OWNER	CLAYTON DORRIS INC.
DEVELOPER	CLAYTON DORRIS INC.
DATE	NOVEMBER 2007
SCALE	AS SHOWN
PROJECT LOCATION	LAKEHILLS DRIVE PROPERTY EL DORADO HILLS EL DORADO COUNTY, CALIFORNIA

EXHIBIT-C

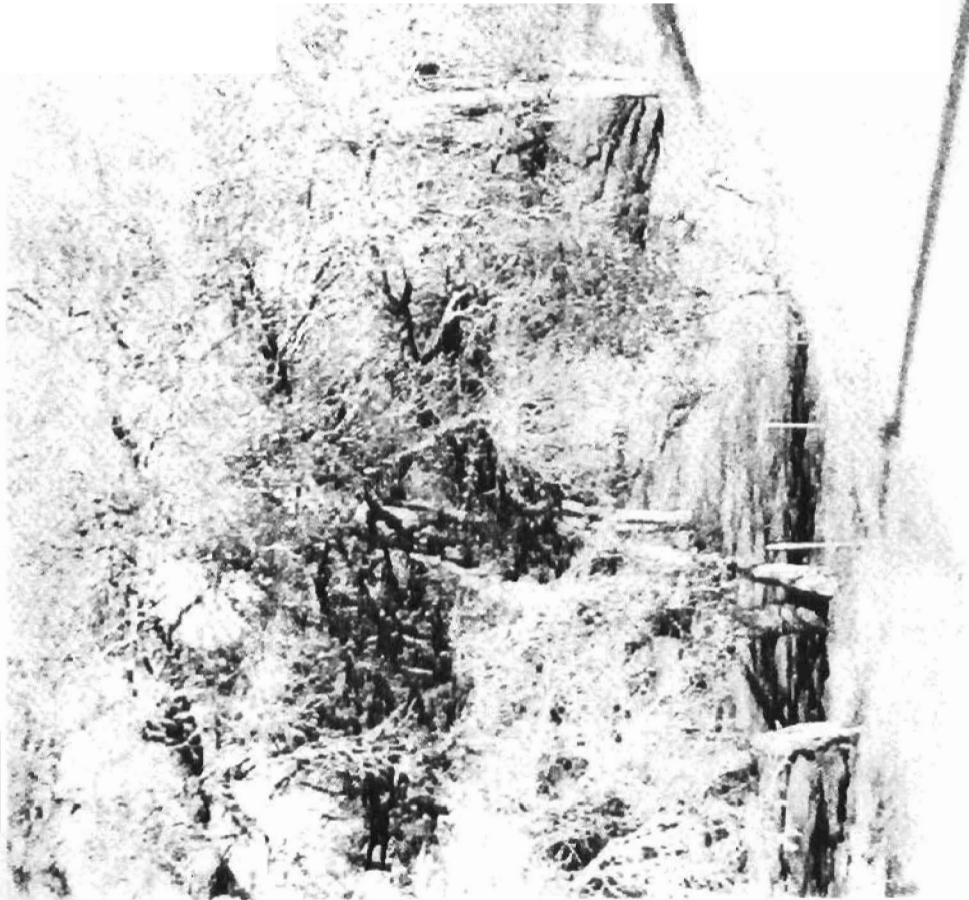
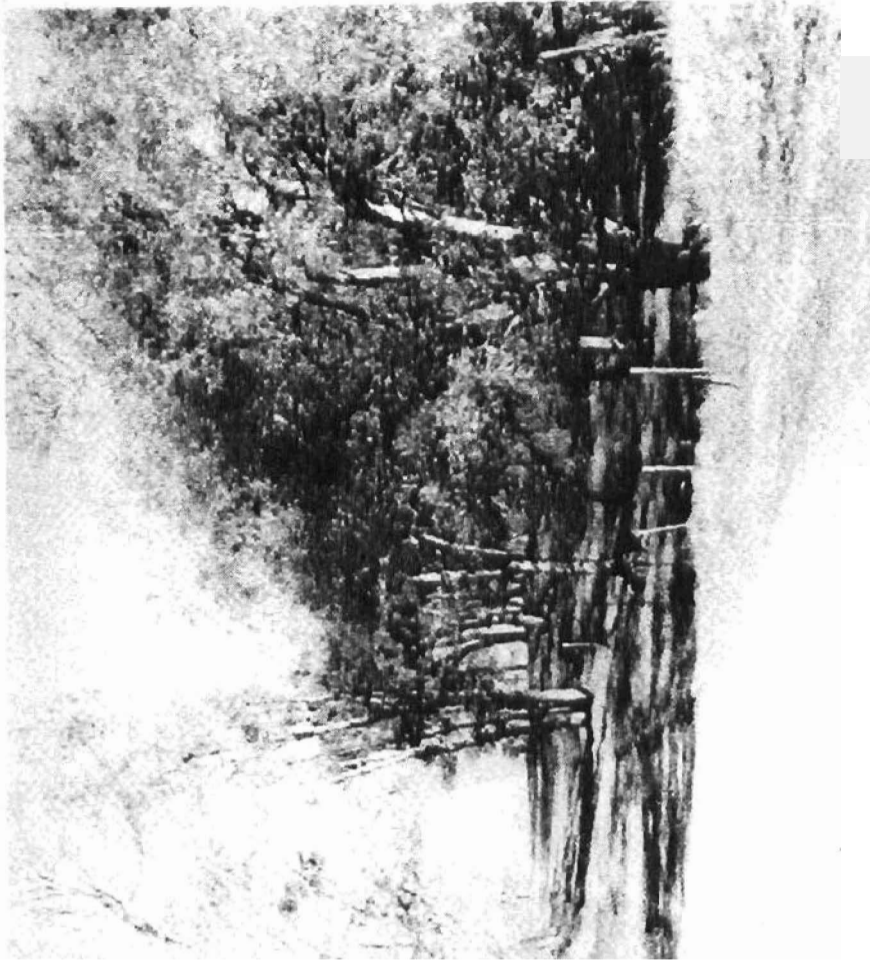
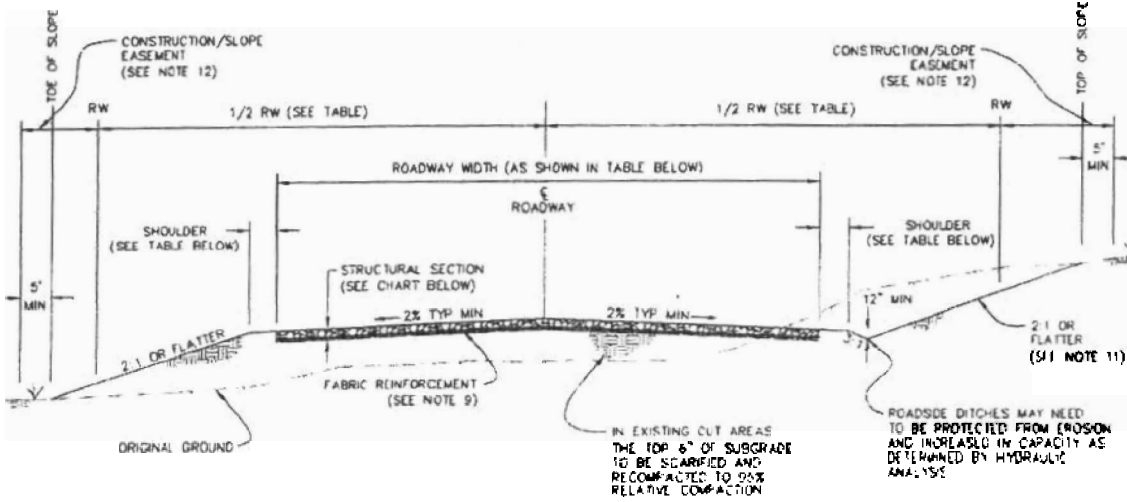


EXHIBIT D

GREATER THAN 2,000 ADT USE STANDARD PLAN 101A OR 101B



NOT TO SCALE

ADT	RW	ROADWAY WIDTH	SHOULDER WIDTH	DESIGN SPEED	MAX GRADE	STRUCTURAL SECTION
1-150	50'	18'	1' (EACH SIDE)	20 MPH	15% PAVED 12% UNPAVED *	6" CLASS 2 AB (SEE NOTE 10)
151-600	50'	18'	2' (EACH SIDE)	25 MPH	1.3% *	4" AC ON 7" AB 4" AC ON 8" AB
601-1500	60'	20'	5' (EACH SIDE)	40 MPH		
1501-2000	60'	22'	6' (EACH SIDE)	40 MPH		

* 15% WITH COUNTY ENGINEER'S APPROVAL (NOT TO EXCEED 600 L.F.)

NOTES:

- STANDARD PLAN 101A OR 101B SHALL BE USED FOR ALL COUNTY MAINTAINED ROADS AND ALL NON-COUNTY MAINTAINED ROADS WITHIN COMMUNITY REGIONS
- ADT DATA SHOWN IN THE TABLE ARE THE FORECASTED FOR 20-YEAR OUT DAILY VOLUMES
- ROADS ABOVE 3,000 FT ELEVATION SHALL BE AC PAVED. THE MINIMUM STRUCTURAL SECTION SHALL BE 2.5" AC ON 6" AB FOR ROADS WITH ADTS LESS THAN 601.
- ROADS WITH ADT LESS THAN 601 MAY EXCEED THE 1.3% MAXIMUM GRADE, UP TO A MAXIMUM OF 15% FOR MORE THAN 600 L.F. IF THEY ARE PAVED WITH A MINIMUM OF 2.5" AC ON 6" AB
- WIDENING OF EXISTING ON-SITE ROADS SHALL COMPLY WITH MINIMUM STRUCTURAL SECTION REQUIRED AND HAVE AS GOOD OR BETTER SURFACING THAN EXISTING ROAD
- ANY MODIFICATION TO STRUCTURAL SECTION SHOWN SHALL BE BASED ON "R" VALUE AND "L" DESIGN TO BE SUBMITTED TO DOT FOR REVIEW AND APPROVAL
- AC SHALL BE TYPE B
- THE TOP 6" OF SUBGRADE AND ALL CLASS 2 AB SHALL BE COMPACTED TO 95% RELATIVE COMPACTION.
- FABRIC REINFORCEMENT IS REQUIRED ON ALL YIELDING SUBGRADES UNLESS AN ALTERNATIVE DESIGN IS PREPARED BY THE ENGINEER AND APPROVED BY THE COUNTY
- DOUBLE-CHIP SEAL MAY BE SUBSTITUTED FOR 2" OF AB FOR ROADS WITH ADT BELOW 601
- CUT AND FILL SLOPES SHALL BE NO STEEPER THAN TWO HORIZONTAL TO ONE VERTICAL, UNLESS A CIVIL ENGINEER DETERMINES THAT A STEEPER SLOPE WILL BE SAFE FOR THE INTENDED USE AND WILL NOT BE SUSCEPTIBLE TO EROSION. SLOPES OVER 10 (TEN) HORIZONTAL TO 1 (ONE) VERTICAL ARE TO BE KEYED WHEN PLACING EMBANKMENT FILL.
- CONSTRUCTION/SLOPE EASEMENTS SHALL EXTEND 5' BEYOND HINGE POINTS, SLOPE TOES, AND DRAINAGE STRUCTURES



APPROVED BY: Charles W. Shepard DATE: 8/17/07
 CHARLES W. SHEPARD, P.E. NO. 35439
 DIRECTOR, EL DORADO COUNTY DEPARTMENT OF TRANSPORTATION
 BOARD OF SUPERVISORS'S RESOLUTION NO. 2006-11

EL DORADO COUNTY
 DEPARTMENT OF TRANSPORTATION
 DESIGN STANDARDS



LOCAL ROADWAYS:
 RURAL REGIONS &
 RURAL CENTERS
 STD. PLAN
 101C

EXHIBIT-E