

File Number: ADM A25-0002 Receipt No.: 58931
Date Received: 3-3-2025 Amount: 450

APPEAL FORM

(For more information, see Section 130.52.090 of the Zoning Ordinance)

Appeals must be submitted to the Planning Department with appropriate appeal fee. Please see fee schedule or contact the Planning Department for appeal fee information.

APPELLANT John Chapman
ADDRESS 2210 Equestrian Way
DAYTIME TELEPHONE 916-932-3461

A letter from the Appellant authorizing the Agent to act in his/her behalf must be submitted with this appeal.

AGENT _____
ADDRESS _____
DAYTIME TELEPHONE _____

APPEAL BEING MADE TO: Board of Supervisors Planning Commission

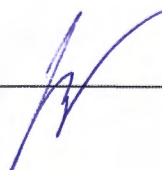
ACTION BEING APPEALED (Please specify the action being appealed, i.e., approval of an application, denial of an application, conditions of approval, etc., and specific reasons for appeal. If appealing conditions of approval, please attach copy of conditions and specify appeal.)

I am appealing Administrative Permit ADM24-0020.

As a landowner on Equestrian Way, this NOTICE OF DECISION form was only received to our mailbox on 2/27/2025, even though the letter was dated 2/14/2025. This notice was the first communication we have received regarding this matter. We are requesting that this permit be denied and the existing gate be removed as it is illegal on numerous grounds. Also, affected parties were not given proper notice by El Dorado County. See attached letter for my grounds for appeal. There is not even a record by the County of a completed application in the first place.

DATE OF ACTION BEING APPEALED 2/14/2025 NOTICE OF DECISION

Signature



Date

3/3/2025

Date: March 1, 2025

To: El Dorado County Planning and Building Department
2850 Fairlane Ct, Placerville CA 95667

CC: bldgdept@edcgov.us
planning@edcgov.us
cdacode.enforcement@edcgov.us
cerissa.deitchman@edcgov.us
Karen.L.Garner@edcgov.us

Re: Administrative Permit ADM24-0020 – NOTICE OF DECISION

This administrative permit is about Roger Leasure erecting a gate on Equestrian Way. He put up a gate on Equestrian Way without a permit and without proper notification of affected parties. Not to mention that such a gate is clearly illegal. It takes away easement access to those such as ourselves that already have this legal right. Ultimately this should be enough to not only deny the permit but to demand that the gate he built without permission be immediately removed.

The date of your letter is 2/14/2025. However, we did not actually receive this in our mailbox until 2/27/2025.

The County did not send this letter via certified mail. Additionally, you only gave 10 days to submit comments (rather than a more appropriate 30 days).

To our knowledge, we were the only one who received this letter. This letter should have been sent to all affected parties around this neighborhood. At the top of the list, other than ourselves, Steve and Karen Viani should have received this letter. I say this because they have expressed their opposition to such a gate multiple times with the County over the last several years. Attached is a letter to El Dorado County Code Enforcement dated July 26, 2021 for your review.

All of this feels like a not-so-subtle attempt by El Dorado County to circumvent appropriate public review. Worse, this appears to be improper notification to all affected parties.

If the County were to grant this permit, it would significantly reduce our property values and could be deemed to be inverse condemnation.

The permit applicant does not have the right to block Equestrian Way. It is not his driveway. It is clear in our deed that we have unrestricted easement access. His gate is an illegal restriction to our easement rights as well as all other parcel owners with easement rights.

2025 MAR -3 AM 11:08
PLANNING DEPARTMENT

Your letter indicates that the Project Materials for this permit may be viewed via the hyperlink you indicated. Looking at that, it only shows that the administrative permit application was deemed incomplete in April 25, 2024. However, his gate is closed **right now** and our access is denied. And this gate has been closed periodically over the last two months. There is no other information. There apparently is no completed application.

Your "NOTICE OF DECISION" letter appears to be an attempt to sneak in an after-the-fact permit for a gate that is illegal in the first place.

We request that the County specifically notify each and every party affected and provide at least a minimum of 30 days notice for response, as well as similar time frames for any additional action being considered by the county on this matter in the future.

We request that the County immediately cease any review of the application as the gate clearly eliminates easement access to Equestrian Way. We also recommend that the gate that is in place right now be removed.

A few other points related to this...

In May/June 2021 a fire started on Roger Leasure's property. Because he had built a gate across the road, and because it was closed, the responding fire trucks had to cut through our fences to fight the fire. Allowing horses to run loose is unacceptably dangerous to both the horses and to County residents. To be clear: the fence had to be taken down by the fire department because of this gate that was constructed without County permit or approval.

We have legal opinions to back up our points.

Our final point: we purchased our property in 2021 **specifically because of the unrestricted access to the American River and the equestrian trails connecting to Cronin Ranch.** Any approval by the County for such a gate as this will result in a lawsuit.

Sincerely,


John Chapman

2210 Equestrian Way, Pilot Hill, CA 95664

Phone: 916-932-3461

Email: john.chapman.us@gmail.com

Viani Engineering
2014 Equestrian Way
Pilot Hill, CA 95664
Phone: 916-952-8503
Steve@vianiengineering.com

Viani Engineering

July 26, 2021

Todd Young
Code Enforcement
El Dorado County
2850 Fairlane Ct.
Placerville, CA 95667

Subject: Access to Easement of Equestrian Way by Residents
Pilot Hill, CA
APN: 104-080-077-0000

Mr. Young:

We spoke several months ago regarding the easement transferred with our property that allows us access along the entire length of Equestrian Way, and ultimately down to the American River. At that time, you indicated you could not address our issue because you believed it only affected our property and the El Dorado County ordinances require that at least 3 parcels be affected before you could begin the investigation and resolution process.

As I have been busy with my normal work, I have not had time to provide you with the information you desire. As a factual matter, I am a registered Civil Engineer who became registered when Civil Engineers were allowed to survey, hence I am legally allowed to survey and develop records of survey and prepare property descriptions.

The following maps and figures were obtained from the County GIS and from Google Earth as no one source of information provided all of the needed information.

As seen from Figure 1, a gate was placed at the property boundary between 2210 and 2370 Equestrian Way several months ago, and no one can access Equestrian Way beyond the gate, unless given an access code. As you may recall, several weeks ago, a fire began on the 2370 property and the fire trucks were unable to access beyond the gate and could only access the fire from 2210 after cutting the fence. I observed this on that fateful day.

Based on Figures 2-4, there are 20 properties beyond the gate, including 2370 and 2421. I have included 2 on Miners Valley Road because the previous owner of 2370 gave access to these properties as a fire safety measure and for a future through road for subdivision purposes. Miners Valley or Square Nail Trail would connect to Equestrian Way on the 2370 property. Figure 5 shows the general layout of these roads.



Cash Register Receipt

County of El Dorado

Receipt Number
R58931

DESCRIPTION	ACCOUNT	QTY	PAID
ProjectTRAK			\$450.00
ADM-A25-0002 Address: 2370 EQUESTRIAN WAY APN: 104080029			\$450.00
APPEALS FEES			\$450.00
ALL APPEALS	3720200 0240	0	\$450.00
TOTAL FEES PAID BY RECEIPT: R58931			\$450.00

2025 MAR -3 AM 11:08
RECEIVED
PLANNING DEPARTMENT

Date Paid: Monday, March 03, 2025
Paid By: John Chapman
Cashier: ERM
Pay Method: CHK-PLACERVILLE 649



You can check status of your Permit/Project/Case using e-TRAKiT at <https://edc-trk.aspgov.com/etrakit/> or using the above QR code.
You must create an account to see reviews and inspections.

Your local Fire District may have it's own series of inspection requirements for your permit/project. Please contact them for further information. Fire District inspections (where required) must be approved prior to calling for a frame and final inspection through the building department.

Printed: Monday, March 3, 2025 10:56 AM

