



EDC COB <edc.cob@edcgov.us>

Pubic Comment for Hearing on April 24, 2018 File # 18-0586 Agenda #43, relating to an appeal of issued grading permit # 263768.

3 messages

Denae Beland <belandda@tjssl.edu>

Mon, Apr 23, 2018 at 1:56 AM

To: edc.cob@edcgov.us, bosone@edcgov.us, Aaron Mount <aaron.mount@edcgov.us>

Please see attached Pubic Comment for Hearing on April 24, 2018 File # 18-0586 Agenda #43, relating to an appeal of issued grading permit # 263768.

Please let me know if you have any questions.

Thank you,

Denae Beland
(209) 200-0118



Public Comments Submitted By the Beland's is support of upholding grading permit #263768.pdf
12227K

Aaron Mount <aaron.mount@edcgov.us>

Mon, Apr 23, 2018 at 8:19 AM

To: edc.cob@edcgov.us

Pubic Comment for Hearing on April 24, 2018 File # 18-0586 Agenda #43, relating to an appeal of issued grading permit # 263768

Aaron Mount
Associate Planner

County of El Dorado
Planning and Building Department
2850 Fairlane Court
Placerville, CA 95667
(530) 621-5355 / FAX (530) 642-0508
aaron.mount@edcgov.us

----- Forwarded message -----

From: **Aaron Mount** <aaron.mount@edcgov.us>

Date: Mon, Apr 23, 2018 at 8:07 AM

Subject: Fwd: Pubic Comment for Hearing on April 24, 2018 File # 18-0586 Agenda #43, relating to an appeal of issued grading permit # 263768.

To: Charlene Tim <charlene.tim@edcgov.us>, Jim Mitrison <jim.mitrison@edcgov.us>, "roger.trout" <roger.trout@edcgov.us>, Rommel Pabalinas <rommel.pabalinas@edcgov.us>

Pubic Comment for Hearing on April 24, 2018 File # 18-0586 Agenda #43, relating to an appeal of issued grading permit # 263768

Aaron Mount
Associate Planner

County of El Dorado
Planning and Building Department
2850 Fairlane Court
Placerville, CA 95667
(530) 621-5355 / FAX (530) 642-0508
aaron.mount@edcgov.us

4/23/2018

Edcgov.us Mail - Pubic Comment for Hearing on April 24, 2018 File # 18-0586 Agenda #43, relating to an appeal of issued grading permi...

[Quoted text hidden]

[View the original message in the conversation.](#)

 **Public Comments Submitted By the Beland's is support of upholding grading permit #263768.pdf**
12227K

EDC COB <edc.cob@edcgov.us>
To: Denae Beland <belandda@tjisl.edu>

Mon, Apr 23, 2018 at 9:14 AM

Thank you. Appropriate public comment provided for upcoming agenda items will be added to the corresponding file.

Office of the Clerk of the Board
El Dorado County
330 Fair Lane, Placerville, CA 95667
530-621-5390

[Quoted text hidden]

**The Beland's
Submitted
Public
Comment**



COMMUNITY DEVELOPMENT SERVICES

PLANNING AND BUILDING DEPARTMENT

<http://www.edcgov.us/DevServices/>

PLACERVILLE OFFICE:

2850 Fairlane Court, Placerville, CA 95667

BUILDING

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bldgdept@edcgov.us

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LAKE TAHOE OFFICE:

3368 Lake Tahoe Blvd., Suite 302

South Lake Tahoe, CA 96150

(530) 573-3330

(530) 542-9082 Fax

tahoebuild@edcgov.us

March 23, 2018

Denae Beland
2729 Capetanos Dr.
El Dorado, CA 95623

**RE: Grading Permit 263768
APN: 110-460-61**

Dear Mrs. Beland:


An appeal of grading permit number 263768 was filed on March 6, 2018. Therefore, pursuant to Zoning Ordinance Section 130.54.020, the issuance of grading permit number 263768 is stayed as of the date of this letter until the appeal is decided.

Pursuant to Resolution 199-91, you could apply for a temporary stockpile permit while the grading permit is stayed. Please contact Mike Elliott in Building Services for further information.

If you have any questions about this letter, please contact the Director, Roger Trout, at (530) 621-5369 or roger.trout@edcgov.us.

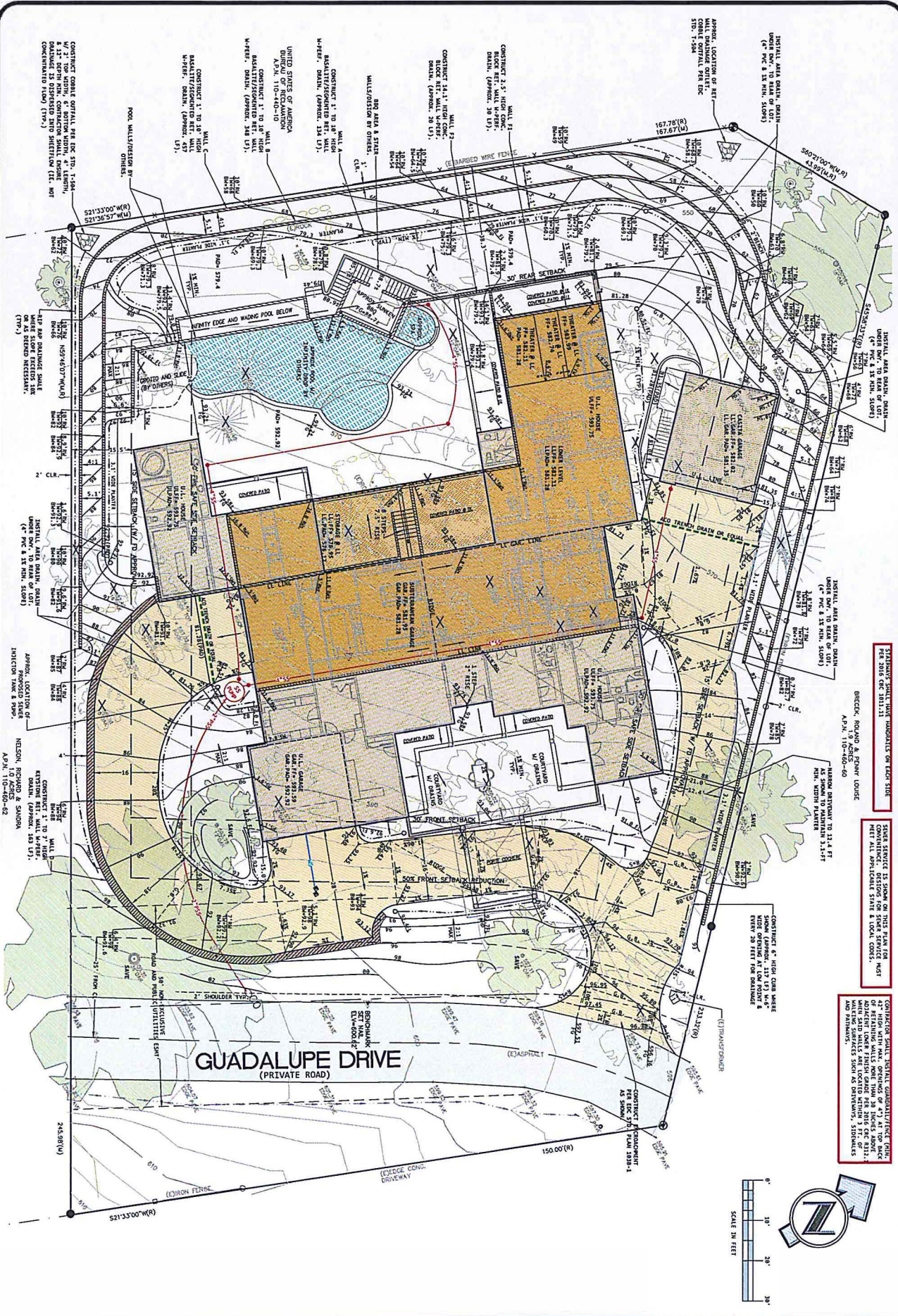
Sincerely,

ROGER P. TROUT
Planning and Building Department Director

By: 

Aaron Mount
Associate Planner, Planning Services

cc: BOS District I
Roger Trout, Planning Services Director
Rommel Pabalinas, Principal Planner
File, 263768



STAIRWAYS SHALL HAVE HANDRAILS ON LEAD SIDE PER 2008 CBC 1011.21

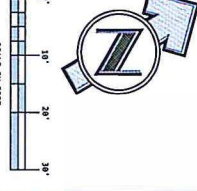
SIGNS SERVICE IS SHOWN ON THIS PLAN FOR CONFORMANCE. DISTIONS FOR SIGNS SERVICE MUST BE AT ALL APPLICABLE SITES & LOCAL CODES.

CONTRACTOR SHALL INSTALL GADDA/STAKE/PIPE (MIN. 2" HIGH WITH MAX. SPACING OF 7' AT TOP BACK OF ADJACENT LOWER FINISH GRADE PER 2016 CBC 811.2.1.2. MULTIPLE SURFACES SHALL BE DETERMINED, SITUATIONS AND MATERIALS.

BRCCM, ROLAND & PENNY LOUSE
A.P.N. 110-460-62

INSTALL AREA DRAIN, DRAIN UNDER DRIVE TO REAR OF LOT (4" PVC @ 1% MIN. SLOPE)

CONSTRUCT 6' HIGH CURB WHERE SHOWN (SPACING, 12' (1') W-4" PER 2016 CBC 811.2.1.2. MULTIPLE SURFACES SHALL BE DETERMINED, SITUATIONS AND MATERIALS.



GUADALUPE DRIVE
(PRIVATE ROAD)

GRADING PLANS
GRADING PLAN

Parcel 2, PM 47/25
75 Guadalupe Dr., El Dorado Hills, CA APN: 110-460-61

PREPARED FOR:
BRIAN & DENAE BELAND
2729 CAPETANIOS DRIVE
EL DORADO HILLS, CA 95762
209-200-0118
EMAIL: belandda@tjlsleu

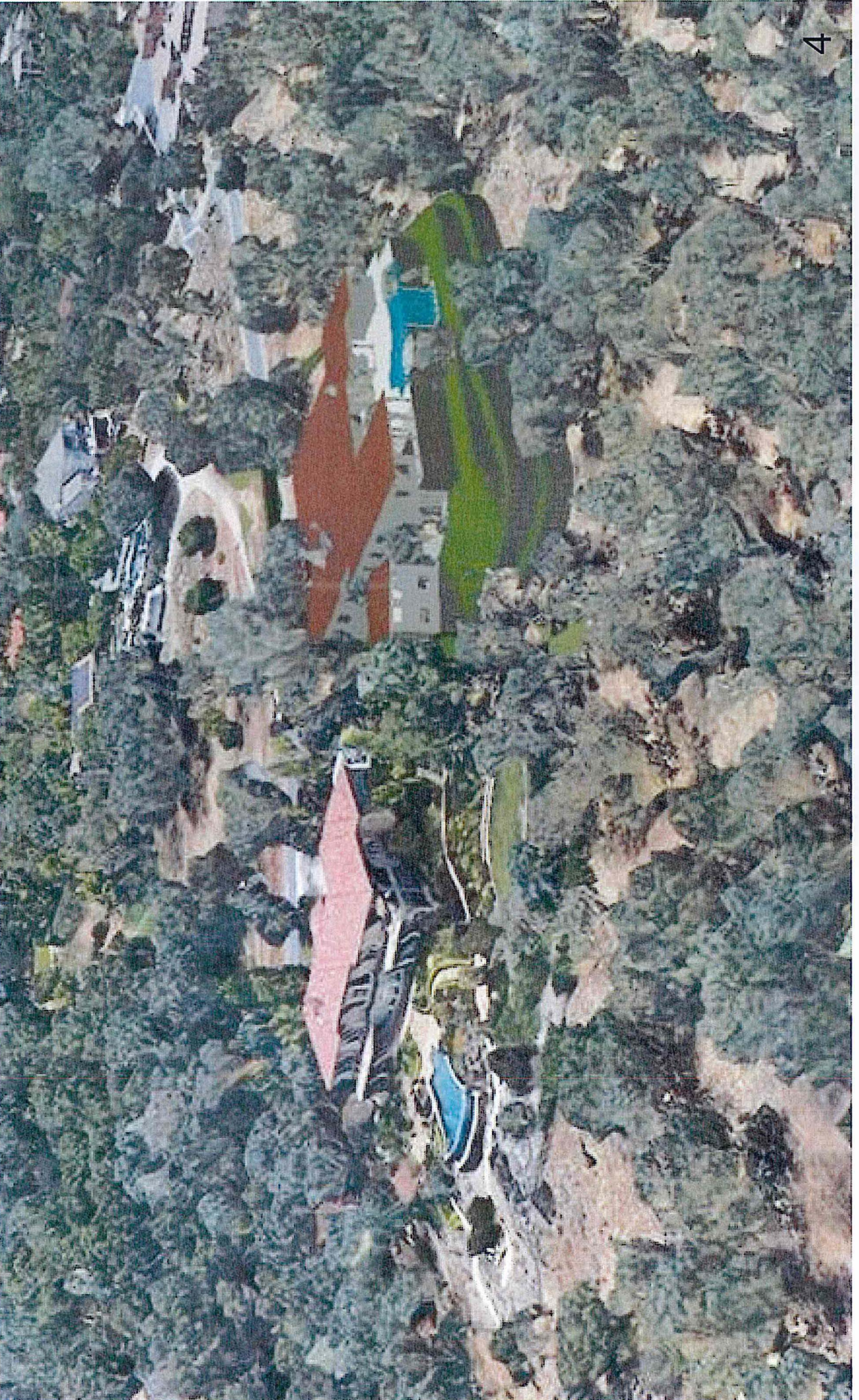


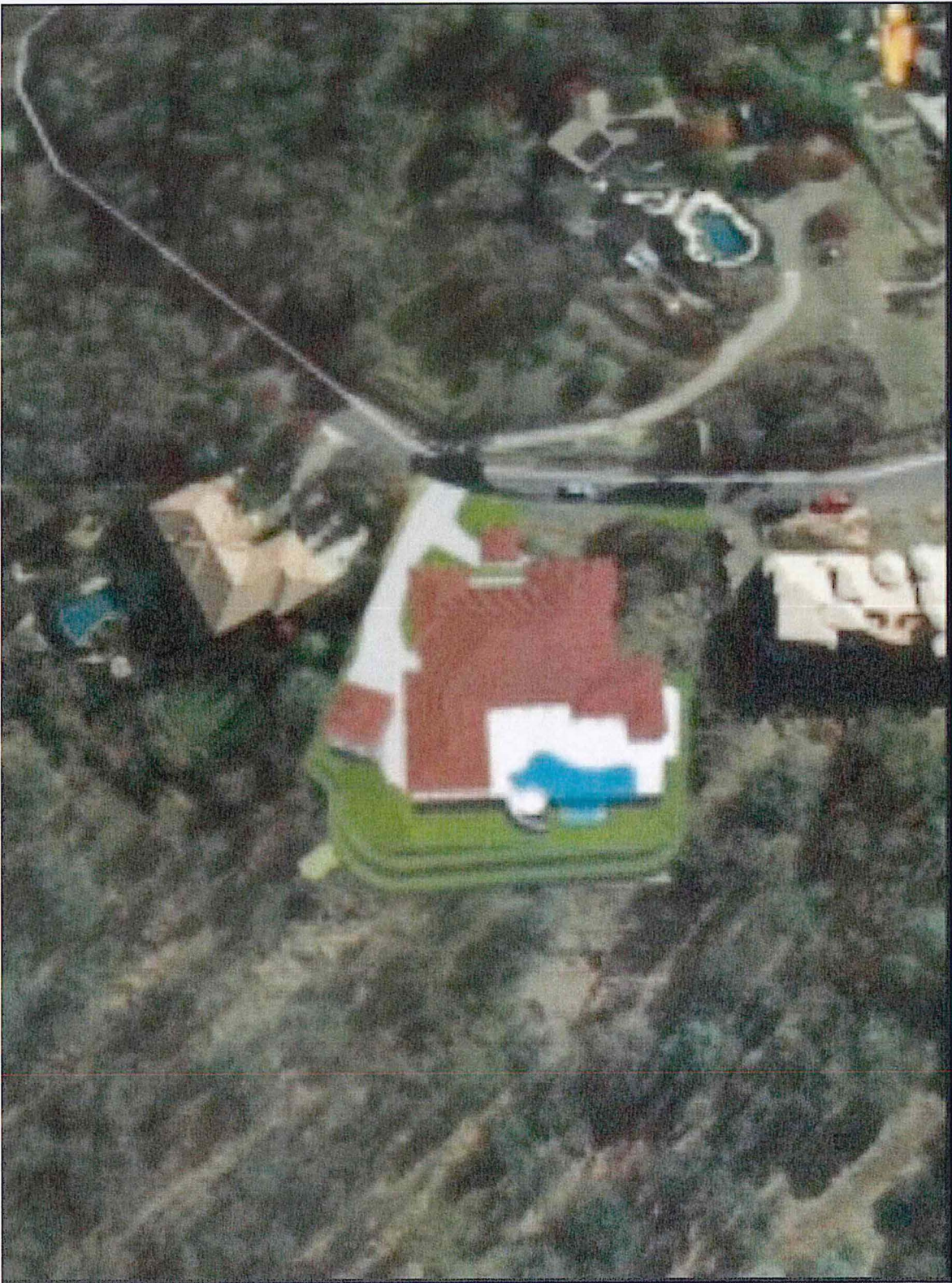
ENGINEER'S STAMP:
BARBARA A. LEBECK
REGISTERED PROFESSIONAL ENGINEER
No. 4795
STATE OF CALIFORNIA

PREPARED BY:
LEBECK • YOUNG
ENGINEERING, INC.
5430 ROBIN LANE, BLDG. #2
CAMERON PARK, CA 95682
Ph. (530) 877-1000 Fax. (530) 877-4006



PROJECT # 21-287
DATE: APRIL 2017
SCALE: 1" = 20'
DESIGNED BY: B. LEBECK
DRAWN BY: E. ALLIANCE
CHECKED BY: E. ALLIANCE





DECLARATION OF ROBERT DYKES

I, ROBERT DYKES, declare:

1. I am an employee of Grade Tek, the grading contractor hired to deliver dirt to 75 Guadalupe Dr. El Dorado Hills, CA 95762 (subject property). I respectfully submit this declaration in support of Brian and Denaé Beland, the owners of said subject property. I have personal knowledge of the facts set forth in this declaration and, if called as a witness, I could and would testify competently thereto.
2. On April 19, 2018 I was working on the subject property when the Neighbors to the North, The Brecek’s, came out from their home and began yelling at me. Penny Brecek stated that I was not allowed to work on subject property because there was a stay on the permit. I explained to her that there was an approved STOCKPILE permit issued, separate from the grading permit, and that I did have a right to be working on subject property.
3. Penny Brecek began videoing me working and yelling at me that I was not allowed to have a tractor on the property. I explained that I was not grading with the tractor, I was simply pushing the piles of dirt over to make room for the next load of dirt. I explained that at this time all we are doing is collecting a stockpile of dirt like we are legally allowed to do.
4. On this same day the Brecek’s continued to harass me and the other contractors on the property.
5. On April 20, 2018 the Brecek’s came over with documents trying to stop me from working again. I again explained that I knew with certainty that I was allowed to be there working.
6. The Brecek’s then began yelling at me again and stated things like:
7. “I will hold them [the Beland’s] up in legal battles until the cows come home!”
8. “I will make them wish they never tried building on this property!”
9. “I will force them to get attorneys to defend legal actions for so long that they run out of money and can’t afford to build!”
10. “I will never give up on keeping them from building!”

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11. At around 7:45 A.M. on April 20, 2018 the Brecek's called the Sheriff. The Sheriff and Denae Beland arrived. I witnessed Denae Beland hand the Sheriff her issued stockpile permit. The Sheriff held our trucks from delivering dirt while he researched this situation.

12. After speaking with the county the Sheriff released our trucks and allowed them to proceed dumping dirt.

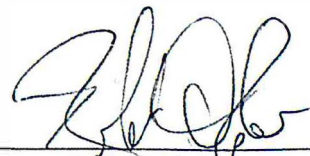
13. The Sheriff stated that he had informed Penny Brecek that the permit was issued and good and it was legal for the work to be done and that she needed to stop harassing the contractors on the property.

14. At around 10:00 A.M. an employee from El Dorado Irrigation District, Rick Fox, arrived to inspect the site of the water meter. Penny Brecek again came over and began to harass and yell at this gentleman. I witnessed and heard her tell him that there was no permit on this property and it was illegal for him to be there. This was after the Sheriff had informed her of the fact that a permit was issued and that she needed to stop harassing people on the property.

15. I feel uncomfortable doing my job when there is a neighbor harassing me and yelling at me and videoing me constantly. I should not have to waste my time defending my right to be doing work on the subject property.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on this 20th day of April, 2018 in El Dorado Hills, California.



Robert Dykes

DENAE A. BELAND ATTORNEY AT LAW

(209) 200-0118

Belandda@tjisl.edu

CA Bar #: 289821

March 26, 2018

Dear Roland and Penny Brecek,

You are hereby put on notice that your decision to pursue an appeal of my grading permit #263768 is costing me more than \$100,000 in damages. I also have several thousand dollars in attorney's fees that you have cost me. This appeal is malicious, and unlawful.

I understand that you have lived on your property for over 15 years with no neighbor directly adjacent to your South (the property we now own). I also understand that my husband and I outbid you at the Court auction of this property in question which you wanted to purchase for privacy. It must not be fun knowing someone will soon be building next to you and will disrupt your comfort during construction. This does not give you the right to lie to us to drag out our permit process, and then further delay our construction once a permit had been issued.

My husband and I were misinformed of the retaining wall requirements, therefore we mistakenly believed that we needed neighbor approval to have retaining walls over 7' in height. Because we needed retaining walls that could reach 10' in height we attempted to gain your approval. You requested a meeting with us and our architect in which you required us to weed whack our one acre parcel and then spray paint where our retaining walls would be constructed. We did the above at your request and proceeded to have an in person meeting with you and our architect for over 3 hours. We answered all your questions, provided you a copy of our plans, and felt we were being very accommodating.

After this meeting we had a few phone conversations where we explained that we are legally allowed to build these retaining walls that you take issue with, the question was simply can we build a stack of 10' walls or do we need to add an extra wall in the rear West side of our property because the walls could only be 7'. We did not feel that having an extra wall would be a positive thing for either one of us. This was when we were still misinformed about the County codes, but again as it turns out the Code does not forbid our 10' tall retaining walls and does not require neighbor approval for them.

On June 26, 2017 you send me an e mail which stated that you requested we lower our retaining walls adjacent to your property to 7' maximum height. In this e-mail you stated that you would agree to our plans if we made this modification for you. You then responded on August 12, 2017 that you had changed your mind and would not be approving our plans. Therefore you are also hereby put on notice that you cost us around \$3,000 in engineering fees and about 3 months of lost time in redesigning our plans to your requests for ultimately no reason but to delay our construction.

In this same August 12, 2017 e-mail you stated: "It is our goal to be good neighbors with you, and we simply want any construction to be within county codes, without any variances and/or relief signed by us." I would like to point out that we were issued grading permit #263768 "without any variances and/or relief signed by [you]." This permit was issued by the county following all applicable laws and codes, because our plans followed all codes we did not need neighbor permission. Yet you have still decided to hire an attorney and now appeal the county decision. By doing so you have gone back on your words from your August 12, 2017 e-mail causing us damages. We relied to our detriment on your promises.

If you do not cease and desist from this malicious action against us and our permit and ultimate construction you will be held accountable. You must also cease and desist from spreading libel and slander about us and our plans to the neighborhood. The things you are telling people are simply untrue. Any professional engineer that can read a set of plans and see elevations can tell you that we are building a single story home (with a subterranean garage) with our front door about 8' below street level. Our foundation is slab on grade, meaning concrete is being poured on native ground, not on fill dirt for our foundation. You have either been misinformed about our plans by someone, or you are purposely passing lies around. I believe it is the later because this is not the first time I have explained the above facts to you, and at that time you called me "a good sales person." I believe you are purposely lying about us and our plans knowing the truth. You did admit your son in law was a civil engineer; therefore it would seem obvious to me that you do actually know the truth.

Finally, when we submitted our final plans to the county for our grading permit, we could have reverted back to the set of plans that had retaining walls on your adjacent property over 7' tall because as I explained the county does not forbid retaining walls over 7' tall, but we decided at more expense to us, to leave the walls on your adjacent property at the lower height with a maximum of 7' tall thinking you would appreciate that. It seems you do not appreciate anything we have done to accommodate you. You do not appreciate our single story home, the fact that our home is angled 90 degrees away from you, that our front foundation is about 8' below street level, or that our home is being built slab on natural grade. You have delayed our construction for about a year now, and we have had enough! We will build on our property like we have every right to do! We will not be bullied by you into leaving the neighborhood!

For the forgoing reasons you are hereby put on notice of all the damages you are costing us. You are put on notice of the facts of our plans of which you are lying about to others. I ask that you withdraw your malicious appeal of our grading permit #263768 before further damages are caused.



Denae A. Beland

**Documents
Regarding the
Unnecessary and
Withdrawn
Administrative
Review
Application**

Dear Members of the Board of Supervisors:

I want to take this opportunity to explain some facts relating to the Nelson's, the neighbors to the South and directly adjacent to us.

On June 15, 2017 my husband, Brian Beland, and I met with Richard and Sandra Nelson along with our Architect and their builder to review our plans and have them sign and notarize a letter approving retaining walls adjacent to their property that could reach 10' maximum. We explained these retaining walls within the required setback would be below the foundation of their home. This is fact. *See models and elevations.*

On or about January 7, 2018 the Nelson's were approached by Roland and Penny Brecek upset that they had signed a letter approving our retaining walls. The Brecek's lied to the Nelson's saying that our foundation would be built 40 feet in the air because of their approval of our retaining walls. *See Nelson Letter ¶7 top of page 2.* At that time the Nelson's felt betrayed and lied to by us. The Nelson's did not consult with a professional to review our plans to verify what the Breceks were saying was accurate. The Nelson's also did not consult with us about this accusation. The Nelson's went off of what the Brecek's told them and submitted a letter dated January 7, 2018 based on what the Brecek's told them about our foundation being 40' in the air. The Nelson's now wish that I had verified more facts before writing that letter.

The truth is the Nelson's are going through a lot, and the stress of this situation has been negatively affecting their health. They would really like to not be involved in this situation any longer.

Some Facts:

Our foundation is being poured "slab on grade" which we have explained to the Nelson's means that our foundation is actually being poured on the natural grade of the land. The professionals can verify that this is true. It would follow that what the Nelson's were told about our foundation being 40' in the air would simply be untrue.

Because our house is poured slab on grade, our house exists independently of these retaining walls. The retaining walls provide driveway access to our home, and the back retaining walls provide us with a backyard, and that is it.


Our front door will be about 8' below street level and we are building a single story home with a subterranean garage. Again it is obvious that we are not building 40' in the air. We are actually building below street level!

It was mentioned in the Nelson letter that they did not get a chance to review any revisions to our grading plans that they had approved. I want to point out the facts about this statement. The only revisions to the grading plans consisted of lowering retaining walls on the Brecek adjacent property to make sure they were all 7' and under. There were no changes to the South (Nelson adjacent property) nor any changes to the West retaining walls, therefore there was no need to get approval again from the South and West neighbors for plans that only lowered walls on the North side of the property.

I would also like to point out that the Brecek's have been lying to many neighbors as evidenced in the letters they submitted in January 2018. The Brecek's have been gaining support for their vengeful attack on us by telling the neighborhood that our foundation will be 40' in the air. *Please see letter from Don Kelsey: "We do not want to live near a home that towers 40 plus feet over the natural grade of land"; Nelson letter: "Now to hear that these multiple retaining walls will allow the foundation of their home to be elevated as high as 40 feet in the air, where there are currently tree tops..."* It is disturbing that one neighbor can go around spreading lies, and that no one would verify these facts before writing letters to the County and supporting the Brecek lies.

I ask that you discredit the letters submitted by the Neighbors as they were obviously written based on lies they were told, and not based on facts.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Denae Beland', with a stylized, cursive-like script.

Denae Beland

April 23, 2018



COMMUNITY DEVELOPMENT AGENCY

DEVELOPMENT SERVICES DIVISION

<http://www.edcgov.us/DevServices/>

PLACERVILLE OFFICE:

2850 Fairlane Court, Placerville, CA 95667

BUILDING

(530) 621-5315 / (530) 622-1708 Fax

biddept@edcgov.us

PLANNING

(530) 621-5355 / (530) 642-0508 Fax

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LAKE TAHOE OFFICE:

3368 Lake Tahoe Blvd., Suite 302

South Lake Tahoe, CA 96150

(530) 573-3330

(530) 542-9082 Fax

tahoebuild@edcgov.us

November 14, 2017

Mikol Maitland
4045 Sunset Lane, Suite D
Shingle Springs, CA 95682

RE: Request for Administrative Review
Administrative Permit Application ADM17-0077/Beland Retaining Walls
Assessor's Parcel Number 110-460-61

Dear Mr. Maitland,

Pursuant to the requirements of Zoning Ordinance Sections 130.30.050.C.1 and 130.30.050.C.2 for retaining walls within side and rear yards, an Administrative Permit review has been completed.

Zoning Ordinance Section 130.30.050.C.2 states, "Director review of the notarized statement(s) to determine if it adequately represents the adjacent affected property. If such determination is made by the Director, the proposed fence or wall shall be approved through the Administrative Permit process." It has been determined by the Director of the Planning and Building Department that the requirements to allow retaining walls more than seven feet above the natural grade within the south side and rear yards has been met. Specifically signed and notarized statements from adjacent property owners to the west and south where retaining walls will exceed seven feet have been received. Therefore, the request is consistent with Zoning Ordinance Sections 130.30.050.C.1 and 130.30.050.C.2 for retaining walls within side and rear yards

Adjacent is defined in the Zoning Ordinance as follows, "Physically touching or bordering upon; sharing a common property line. (General Plan Glossary)".

This completed review is a ministerial action related to approval of grading permit number 263768 and is not appealable.

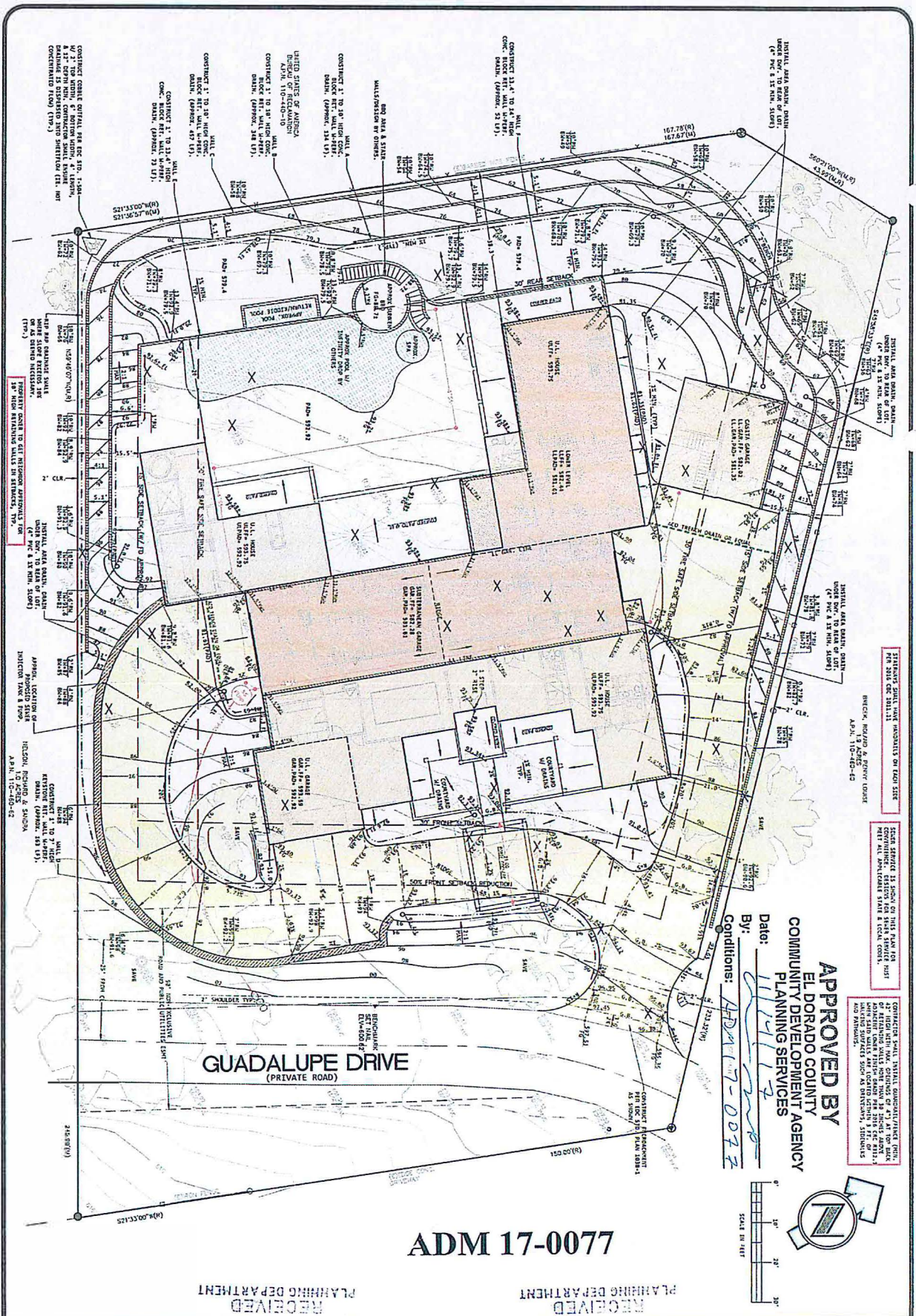
If you have any questions regarding this letter or would like to meet, please contact me at 530/621-5345 or aaron.mount@edcgov.us.

Sincerely,

Aaron D. Mount, Associate Planner
Planning and Building Department

cc: File, ADM17-0077
Brian and Denae Beland, 75 Guadalupe Dr., El Dorado Hills, CA 95762

Enclosures (1): ADM17-0077 Site Plan



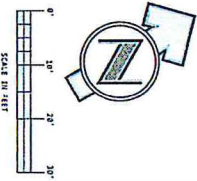
STANDARD SHALL HAVE MATERIALS ON EACH SIDE
 PER 2008 CDR 201.11.1

SEWER SERVICE IS SHOWN ON THIS PLAN FOR
 INFORMATION ONLY. CONTRACTOR SHALL VERIFY
 LOCATION AND DEPTH OF EXISTING SEWER
 MAINS AND SERVICE LINES IN FIELD.

CONTRACTOR SHALL INSTALL GUARANTEEABLE
 15 YEAR WARRANTY FOR ALL CONCRETE
 WORK. CONTRACTOR SHALL VERIFY LOCATION
 AND DEPTH OF EXISTING SEWER MAINS
 AND SERVICE LINES AS SHOWN ON THIS
 PLAN.

APPROVED BY
EL DORADO COUNTY
COMMUNITY DEVELOPMENT AGENCY
PLANNING SERVICES

Date: 11/11/17
 By: [Signature]
 Conditions: ADM 17-0077



ADM 17-0077

RECEIVED PLANNING DEPARTMENT
 RECEIVED PLANNING DEPARTMENT

	PREPARED FOR: BRIAN & DENAE BELAND 2729 CAPETANIOS DRIVE EL DORADO HILLS, CA 95762 209-600-0118 EMAIL: belandbdc@tst.edu	RECEIVED OCT 12 PM 1:32 2017	RECEIVED OCT 12 PM 1:32 2017	ENGINEER'S SEAL 	PREPARED BY: LEBECK - YOUNG ENGINEERING, INC. 3410 ROSEY LANE, BLDG. #2 CAMERON PARK, CA 95682 PH. (530) 677-4083 FAX. (530) 677-4256
	GRADING PLAN Parcel 2, PM 47/25 75 Guadalupe Dr., El Dorado Hills, CA APN: 110-460-61				

Applicable Codes

130.30.050 Fences, Walls, and Retaining Walls

C. **Side and Rear Yards.** In all zones, **fences, walls, cut retaining walls, or fences and walls** that are erected within five feet of a **retaining wall** shall be allowed within required side and rear yard setbacks to a maximum cumulative height of seven feet. Fences, walls, or fences and walls that are erected within five feet of a retaining wall such that the cumulative height exceeds seven feet, but **does not exceed ten feet in cumulative height, may be allowed subject to the following:**

1. Where the height of the fence or fence and wall is more than seven feet above the natural or finished grade of the adjacent property, **a signed and notarized statement from the adjacent property owners** that the proposed fence or wall, as described or shown in an attached exhibit, will not impact their view nor will it restrict light or movement of air and, therefore, they have no objection to the construction of the fence or wall;
2. **Director review of the notarized statement(s) to determine if it adequately represents the adjacent affected property.** If such determination is made by the Director, the proposed fence or wall shall be approved through the **Administrative Permit process (Section 130.52.010, Administrative Permit, Relief, or Waiver).** The Director may require additional notarized statements from neighboring properties if, in his/her opinion, they may be impacted by the fence or wall; and
3. Issuance of a building permit where required by the applicable Building Code (Title 110 – Building and Construction, of the County Code of Ordinances).

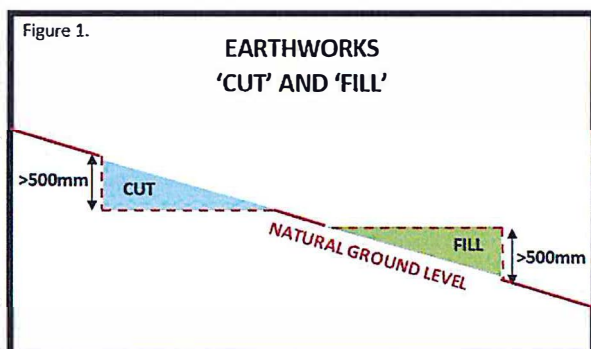
Definitions:

Adjacent: Adjacent is defined in the Zoning Ordinance as follows: **“Physically touching or boarding upon; sharing a common property line.”** (General Plan Glossary)”

Wall: “a high thick masonry structure forming a long rampart or an enclosure chiefly for defense, often used in plural; a masonry fence around a garden, park, or estate.” Webster Dictionary.

Cut Retaining wall: Excavation required to cut and retain earth back, verses a fill retaining wall. See figure 1 courtesy of:

https://www.northam.wa.gov.au/profiles/northam/assets/clientdata/cut_fill_and_retaining_walls_faq_s.pdf



130.52.010 Administrative Permit, Relief, or Waiver

An Administrative Permit is required in cases where **limited review** of a proposed structure or use through the site plan review process is necessary to verify compliance with established standards adopted to ensure compatibility with adjacent uses and availability of public services and infrastructure. The Administrative Permit shall also be used for the processing of administrative relief or waiver requests in compliance with Subsection B or to establish the legal nonconforming status of a use or structure in compliance with Chapter 130.61.

The issuance of an Administrative Permit shall be a ministerial project pursuant to CEQA.

A. Administrative Permit

1. Review Authority and Procedure. The Director shall be the review authority of original jurisdiction for Administrative Permits. The procedure shall be staff-level **without public notice**, except where Specific Use Regulations in Article 4 provide for public notice.

2. Standards for Approval. An Administrative Permit shall comply with the following standards:

a. The structure(s) or use(s) are in compliance with the applicable zone provisions, standards or requirements of this Title, any applicable specific plans, or any other regulations adopted by the county through ordinance or resolution; and

b. The structure(s) and use(s) are in compliance with requirements and conditions of previously approved entitlements, such as Minor and Conditional Use Permits, or variances, if applicable.

130.52.090 Appeals.

Any decision by the review authority of original jurisdiction may be appealed by the applicant or any other **affected party**, as follows:

A. An appeal must be filed within **10 working days** from the decision by the review authority by completing the appeal form and submitting said form together with the applicable fee, as established by resolution of the Board, to the Department. The appellant shall **clearly identify on the appeal form the specific reasons for the appeal and the relief requested.**

B. The hearing body for the appeal shall consider all issues raised by the appellant and may consider other relevant issues related to the project being appealed. The hearing body for the appeal shall be as follows:

1. All decisions of the Director are appealable to the Commission and then to the Board.
2. All decisions of the Zoning Administrator and the Commission are appealable to the Board.
3. All decisions of the Board are final.

C. The hearing on an appeal shall be set no more than 30 days from receipt of a completed appeal form and fee. If the Board meeting is canceled for any reason on the date on which the appeal would normally be heard, the appeal shall be heard on the first available regularly-scheduled meeting following the canceled meeting date. The 30-day time limitation may be extended by mutual consent of the appellant(s), the applicant, if different from the appellant, and the appeals body. Once the date and time for the hearing is established the hearing may be continued only by such mutual consent.

D. In any appeal action brought in compliance with this Section, the appellant(s) may withdraw the appeal, with prejudice, at any time prior to the commencement of the public hearing. For the purposes of this Section, the public hearing shall be deemed commenced upon the taking of any evidence, including reports from staff.

E. Upon the filing of an appeal, the Commission or the Board shall render its decision on the appeal within 60 days.

F. No person shall seek judicial review of a county decision on a planning permit or other matter in compliance with this Title until all appeals to the Commission and Board have been first exhausted in compliance with this Section.



United States Department of the Interior

BUREAU OF RECLAMATION
Mid-Pacific Region
Central California Area Office
7794 Folsom Dam Road
Folsom, CA 95630-1799

IN REPLY REFER TO:

CC-644
LND-6.00

SEP 25 2017

Ms. Denae Beland
2729 Capetanos Drive
El Dorado Hills, California 95762

Subject: Retaining Wall Height Increase Approval Request, 75 Guadalupe Drive, El Dorado Hills, Central Valley Project, California

Dear Ms. Beland:

The Bureau of Reclamation is in receipt of application dated August 24, 2017, and the \$100 administrative fee, requesting approval to build a 10 foot retaining wall near Federal land on Folsom Lake, in El Dorado Hills, California, on APN 110-440-10.

Reclamation has conducted a review of your proposed project for compliance and suitability with Reclamation's mission and has made the determination that the activities detailed in your application are not incompatible with Reclamation's mission.

We have reviewed the proposed grading plans from LeBeck Young Engineering dated April 2017 and Retaining Wall design engineering provided by Youngdahl Consulting dated August 2017 for the above referenced project.

The owner is requesting relief from building a series of 7'-0" tall retaining walls at the rear and lower sides of the property to allow three (3) 10'-0" high maximum retaining walls (EDC Title 130 – Article 3 (050.C)). Reclamation has no objections to the construction of the proposed retaining walls.

If you have any questions, please contact Mr. Aaron Brown, Realty Specialist, at 916-537-7234, or e-mail wbrown@usbr.gov.

Sincerely,


Drew F. Lessard
Area Manager

June 15, 2017

Planning Department
c/o El Dorado County Community Planning Agency
2850 Fairlane Court, Building "C"
Placerville, CA 95667

Re: Administrative Review for:
Beland Residence
75 Guadalupe Drive
El Dorado Hills, CA 95762
APN: 110-460-61

To whom it may concern,

We own the adjacent property located at 61 Guadalupe Dr. El Dorado Hills, California 95762.

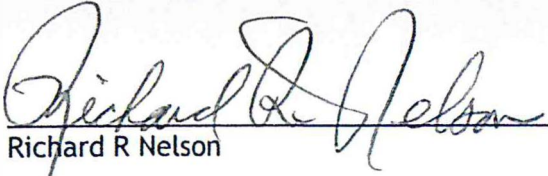
We have reviewed the proposed grading plans from LeBeck and Young Engineering dated April 2017 and architectural site plan and massing models for the above referenced project.

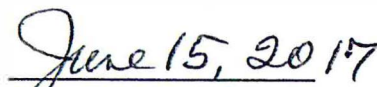
The owner is requesting relief from building a series of five (5) 7'-0" tall retaining walls at the rear and lower sides of the property to allow three (3) 10'-0" high retaining walls (EDC Title 130 - Article 3 (050.C)).

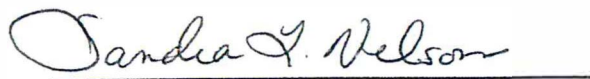
The proposed retaining walls will not impact our views, nor will they restrict light or movement of air and, therefore, we have no objections to the construction of the proposed retaining walls.

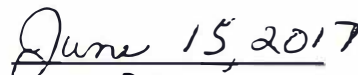
We hereby approve the relief requested to allow (3) 10'-0" high retaining walls.

Sincerely,


Richard R Nelson


Date


Sandra L Nelson


Date

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of El Dorado

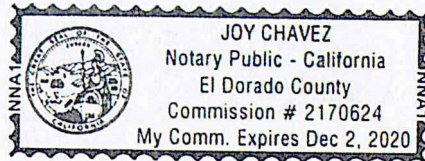
On 06/15/2017 before me, Joy Chavez, Notary Public
(insert name and title of the officer)

personally appeared Richard R Nelson and Sandra L Nelson,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Joy Chavez (Seal)



June 26, 2017

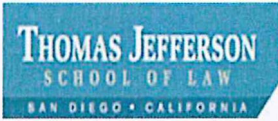
Dear Denae & Brian,

I am following up on yesterday's telephone conversation concerning your building plans. As I stated on the phone, we are not interested in signing a variance on the County's wall height threshold for anything that is within our vision, from our property (It is my understanding from you that maximum wall height allowable is 7 foot). For retaining walls, not within our vision, we are willing to sign a variance, on three conditions:

- 1) It meets with the approval of your two other neighbors;
- 2) Your proposed home and pool continue to face in the exact same direction as depicted in the plans you previously shared with us;
- 3) Your proposed home and pool are not situated any lower on the property as depicted in the plans you previously shared with us.

Sincerely,

Roland Brecek



Denae Beland <belandda@tjssl.edu>

New Grading plans and letter :)

Denae Beland <belandda@tjssl.edu>

Wed, Aug 9, 2017 at 7:19 PM

To: Roland Brecek <rbrecek@aol.com>

Hi Roland and Penny,

I hope this e mail finds you well. Hopefully you had a fun and enjoyable summer so far.

We finally received the updated grading plans with the revisions you requested. Please see attached.

You can see that all the walls adjacent to your parcel are now 7' tall max or shorter which now is in compliance with El Dorado County Building codes and regulations. I hope this solves any issues and you feel you are able to sign the letter we need to get our permits. Please let us know if you have any questions.


I am also attaching the letter that we need signed with the notary acknowledgment and a cover letter explaining the need for the letter. If you feel you are able to sign this letter please let us know when and we can send a notary to you to get it taken care of.


Thank you for your time with this matter,


Sincerely,


The Beland's

4 attachments

 **grading plan 2017-07-27 GP - Beland - G2-GP.pdf**
742K

 **Beland Cover Letter Brececk-1.docx**
15K

 **Administrative review letter Brecek.docx**
15K

 **Notary acknowledgment.pdf**
241K