

CDS Fire Prevention Planning

September 9, 2007

Knut Lyssand
7560 Happy Valley Road
Somerset, CA 95684

Regarding: APN 093-021-70
Permit: 176291-1

Dear Knut Lyssand:

I reviewed your property on September 9, 2007 with regards to the setback issue being adjacent to the Eldorado National Forest. As you pointed out the property line is approximately 3 feet farther from your house than originally thought. Your house is within the 200 foot setback currently required.

You have maintained the appropriate 100 foot fire safe clearance around the house. The U.S. Forest Service has recently completed a fire safe clearing project using mastication adjacent to your property. This has left a nice open stand on ponderosa pine and black oaks.

You have kept as much as possible a visual barrier between you and the U.S. Forest Service property. The government parcel is uphill and on the back side of your house. The disturbance that took place during the mastication is about the maximum you could expect from any future logging or cultural practices that the U.S. Forest Service might conduct.



Bill Draper, RPF 898
4645 Meadowlark Way
Placerville, CA 95667
(530) 644-5535
(530) 644-6754 fax



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BOARD OF SUPERVISORS
Ft. Bidwell Community

2007 SEP 11 AM 8:45

September 10, 2007

To: County of El Dorado –Variance Dept./Board of Supervisors

From: Knut and Kimberly Lyssand
7560 Happy Valley Rd.
Somerset, CA 95684
(530) 647-1649

Re: Appeal of Agricultural Commission decision regarding administrative relief

Permit App: #176291-1
APN: 09302170100

To Whom It May Concern:

On June 13, Knut attended a meeting of the Agricultural Commission to request administrative relief from agricultural setbacks. The request to reduce the agricultural setback was denied based on no "findings to grant relief". It was recommended to seek relief through the variance process, and we are doing so. We would like to clarify a few points, and hope that this process will grant us the relief we are requesting and allow us to pursue completion of the permit process.

First of all, the commission reported that "no natural or manmade barrier exists". This statement is not true, as there is a fence line separating our property from the National Forest parcel which is mainly at issue here. That fence was falling down and in disrepair when Knut bought this parcel. It had since fallen almost completely over, and was buried a bit more when the forest was brushed out. There was never any attempt or interest shown in maintaining this fence line from the forest service, in fact this small parcel is rarely used for anything other than a dumping ground for vandals.

Secondly, we have been referred to variance as the house in question has already been built. While it is referred to as the second residence, it is in fact the primary residence on the property. The second residence listing cannot be rectified until the permit is issued, but this can be readily clarified by looking at the square footage of the two residences on this property. The second home is a manufactured home under 1200 square feet; it was put here by Knut's son.

When Knut initiated the original permit process here, he understood the setback to be 100'. The building site was designed with this figure, and was at one time approved. We have had numerous engineering problems with this home, and Knut funded it with a CAL-Vet loan that had a time frame for construction. One of your inspectors, Mike Elliot, was an original engineer for this project and much of our delay was due to his action. He was aware that the house was started and continued without a proper permit issue, and gave on numerous occasions his verbal approval to continue building due to delays with his engineering, and stated that everything would be fine and would be

worked out. This occurred after he was under your employ; he was continuing our project on the side. He came to the site personally and wrote letters approving what Knut had done. We had attempted several times to get the permit prior to the house completion, but the engineering delays cost us, and we had to pursue building or lose funding.

As time went on and the process was drug out, and more engineers had to be found and paid, funding ran out and our permit process was stalled again. We were never led to believe that there were any issues with the setback until our most recent permit application – it was never brought up to us before even in prior applications. In fact, one prior set of plans has the site/setback stamped as approved. With nothing to the contrary having been said by any officials, setback did not seem to be an issue. Now that the house is built, we are doing everything in our power to rectify what has become a big mess. We have spoken with the head inspector and are not hiding the fact that the house is already here. We cannot do anything at this point about the footage discrepancy, it would be an undue hardship and unmanageable expense to try and rectify the problem physically. We can assure you that the setback discrepancy in no way upsets or harms our neighbors, nor does it disrupt or damage the neighboring forest parcel in any way. We would be more than happy to see the forest service restore their fence line. We will gladly landscape a barrier, or co-operate in any manner within our means to justify this situation. Please reconsider this decision to deny through any process available for our appeal, there is nothing else we can do but throw ourselves at your mercy. We thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Knut Lyssand Kimberly Lyssand".

Knut and Kimberly Lyssand