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January 11, 2010

Mr. Jack Sweeney
El Dorado County Board of Supervisors
330 Fair Lane
Placerville, CA 95667

Re: P09-0007 and Z09-0005 (APN 110-590-54-100), Owned by Greg Gularte
Our File No. 12,044

Dear Mr. Sweeney:

I represent Alan Hines, the owner of APN 110-633-13-1, which is contiguous to Mr. Gularte's parcel that is the subject of the above applications. Mr. Gularte's and Mr. Hines' parcels are both within the Southpointe subdivision and are subject to the subdivision CC&Rs. We have previously presented to you and each of the other Supervisors a notebook with documents that strongly support the conclusion of the Planning Commission to deny this project.

I will not bore you with a repetition of the details contained in the materials that we've given you, which I am sure you will digest. In addition to these materials, with the assistance of Jim Willson at Carlton Engineering we are compiling further information that details with exactitude the scope of the applicant's illegal grading on the subject parcel that violated not only the Southpointe CC&Rs, but also the grading ordinance and general plan. An additional parcel cannot be created without condoning the applicant's knowing violation of both general plan policy 7.1.2.1 and the grading ordinance when he created the building pad on the 5.6 acre parcel, and accepting further that a waiver of policy 7.1.2.1 will need to be obtained in the future to accommodate construction of a home on the parcel.

I believe that after you review the materials you've been given, and the additional information presented at the hearing, you will conclude, as did the Planning Commission, that this application should be denied because: (1) finding 2.3 that the site is suitable for the type of development proposed cannot be made as a result of excessive slopes; (2) finding 2.4 that the site is physically suitable for the proposed density of development cannot be made because of the excessive slopes; (3) finding 2.5 that the design of the proposed improvements are not likely to cause substantial environmental damage cannot be made as disturbance of slopes in excess of 30% has already occurred illegally and will need to occur in the future to accommodate construction of a residence; and (4) finding 3.1 cannot be made because the zone change is not consistent with the general plan and would be injurious to the general welfare of the neighborhood.

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I would be happy to meet with you or discuss these matters with you by phone.
Thanks for your consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read 'DRR', with a large, sweeping flourish that loops back to the left and then down to the right.

DOUGLAS R. ROECA

DRR/cnb
cc: Supervisors Knight, Nutting, Briggs and Santiago