



# AGRICULTURAL COMMISSION

311 Fair Lane  
Placerville, CA 95667  
(530) 621-5520  
(530) 626-4756 FAX  
[eldcag@edcgov.us](mailto:eldcag@edcgov.us)

*Greg Boeger, Chair – Agricultural Processing Industry*  
*Lloyd Walker, Vice-chair – Other Agricultural Interests*  
*Chuck Bacchi – Livestock Industry*  
*Bill Draper, Forestry /Related Industries*  
*Ron Mansfield – Fruit and Nut Farming Industry*  
*John Smith – Fruit and Nut Farming Industry*  
*Tim Neilsen – Livestock Industry*

## MEMORANDUM

**DATE:** August 26, 2010  
**TO:** Pierre Rivas, Development Services/Planning  
**FROM:** Greg Boeger, Chair *GB*  
**SUBJECT:** **REQUEST NOTICE OF NON-RENEWAL (ZACH SPENCER/FRANK BOZZO)**

RECEIVED  
PLANNING DEPARTMENT  
AUG 30 AM 11:41

During the Agricultural Commission's regularly scheduled meeting held on August 11, 2010 the following discussion and motion occurred regarding a Request for Notice of Non-Renewal (Zach Spencer/Frank Bozzo): El Dorado County is initiating a notice of non-renewal for a Williamson Act Contract, located on Assessors Parcel Number 089-320-03, in the Placerville area. Based on numerous site visits and information obtained from the property owner, the parcel does not meet the minimum criteria for a high intensive agricultural operation in a Williamson Act Contract. (District IV)

Staff reported on the site visit and gave some background information of the property. The parcel consists of 28.14 acres, is zoned Exclusive Agricultural (AE), has a land use designation of Agricultural Land (AL) and is in the Gold Hill Agricultural District.

The Williamson Act Contract for APN 089-320-03 was revised in 1988. It was once a portion of a larger contract and was split into four separate contracts in 1988 by David Maxwell, the owner. At the time, the property qualified for a high intensive agricultural operation with a pear orchard. Mr. Spencer and Mr. Bozzo purchased the property in 1998, according to the El Dorado County's Assessor's office.

In 2008, it came to the Planning Department and Ag Department's attention that Mr. Spencer and Mr. Bozzo were operating a vacation rental on a parcel under a Williamson Act Contract. Mr. Spencer stated that they were operating the vacation rental under the Ranch Marketing Ordinance. A site visit was conducted by the Ag Department and it was determined that there was approximately 3 acres of olive trees on the site (verified with a Trimble gps unit capable of sub-meter accuracy) with no other agricultural activities. The pear orchard no longer existed. Mr. Spencer was told that in order to qualify for Ranch Marketing activities, a parcel, with AE zoning, must have a minimum of 5 acres of permanent agricultural crop in production and a special use permit would be required for the vacation rental (Zoning Ordinance 17.14.190).

In July of 2008, Mr. Spencer submitted a business plan to the Agriculture Department and Planning Department with a timeline showing the planting of an additional 2 acres of olive trees (to be

Pierre Rivas

Meeting Date: August 11, 2010

RE: Spencer, Z. & Bozzo, F.

Page 2

completed in March of 2009), and a plan to fence approximately 10 acres for livestock use in January of 2010.

In August of 2009, the Ag Department staff conducted another site visit to verify the acreage of the olive orchard. It was determined that there was approximately 4.79 acres of olive trees planted (not quite 5 acres), and they were not being properly cared for; some were dying from lack of water, weed competition and deer damage. It was staff's opinion that the "Agricultural operation" was secondary and subordinate to the vacation rental.

In December 2009, the Agricultural Department sent a letter to Mr. Spencer and Mr. Bozzo requesting verification that the minimum criteria for a high intensive farming operation in a Williamson Act Contract, as adopted by the El Dorado County Board of Supervisors, was being met. Mr. Spencer's reply was received by the Agricultural Department on January 5, 2010.

Projected Income from Olives:

According to the El Dorado – Alpine County 2009 Agricultural Crop & Livestock report, in 2009, local olive orchards produced an average of 0.27 tons of olives per acre at a value of \$3,620.00 per ton. According to this data, a five acre olive orchard would produce 1.35 tons of olives at a total value of \$4,887.00. In order to meet the minimum gross income of \$13,500.00, required by the Williamson Act Contract, it would take approximately 14 acres of olive trees with a production of 3.75 tons of olives.

Staff explained that Mr. Spencer had submitted his projection of being able to make the \$13,500 income by the year 2013. He has been in contract, since he has owned the parcel, and the parcel itself has been in contract for many years. But as he has not met the minimum gross income requirement since he has owned the parcel, staff is recommending that the Williamson Act Contract be non-renewed

Chair Boeger asked if Mr. Spencer had supplied an estimate for gross income received from the olives.

Staff explained that Mr. Spencer had submitted data projecting income based on olive oil prices but there was no substantial data to back-up the projections. When staff spoke to Mr. Spencer in December, 2009, he stated that he had made some oil from his olives and that it was used in a restaurant he owns in the bay area. However, there was no documentation to back-up any profit being made. Staff reiterated that based on data from the El Dorado/Alpine County 2009 Agriculture Crop and Livestock report, it would take a minimum of 14 acres of producing olive trees to make the required \$13,500 of gross income per year (this estimate is for the raw commodity).

Chair Boeger stated that the gross income from vineyards is based on grape sales and not on wine sales and should be the same for olives versus olive oil.

Bill Stephans informed the Commission that he had received a phone call earlier in the day from Mr. Spencer stating he was unable to attend this meeting and that he was requesting this item be pulled from the agenda and not heard. As the Agriculture Department has been in communication with Mr. Spencer over the past three years regarding the olive orchard and the minimum criteria for the Williamson Act Contract, and due to the late notice, Mr. Spencer was told that the item would not be

Pierre Rivas  
Meeting Date: August 11, 2010  
RE: Spencer, Z. & Bozzo, F.  
Page 3

postponed. He was told that he would have other opportunities to be heard, at the Planning Commission and/or Board of Supervisors hearings. Bill Stephans also mentioned that approximately one year ago, staff was requested by Code Enforcement, to do a site visit to the property. At that time, the gate was open so they proceeded onto the property and took a few photographs. Mr. Spencer sent a letter with a complaint about Ag Department staff entering his property without his knowledge. The recent site visit to the property and current photographs were taken from Wallace Road, although staff does have the authority to enter the property to assure compliance with the Williamson Act Contract, they respected Mr. Spencer's request.

***It was moved by Mr. Smith and seconded by Mr. Draper to recommend that as APN 089-320-03 does not meet the minimum criteria for an Agricultural Preserve as adopted by the El Dorado County Board of Supervisors for either a low intensive or high intensive farming operation, the County of El Dorado issue a notice of non-renewal regarding the Williamson Act Contract.***

***Motion passed***

**AYES:** Bacchi, Mansfield, Smith, Nielsen, Draper, Walker, Boeger

**NOES:** None

If you have any questions regarding the Agricultural Commission's actions, please contact the Agriculture Department at (530) 621-5520.

GB:na

cc: Zach Spencer  
Frank Bozzo



EL DORADO COUNTY DEPARTMENT OF AGRICULTURE  
WEIGHTS AND MEASURES

STAFF REPORT

July 28, 2010

**TO:** The Agricultural Commission

**FROM:** Chris Flores

**SUBJECT: REQUEST NOTICE OF NON-RENEWAL OF WILLIAMSON ACT  
CONTRACT ON APN 089-320-03**

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**Parcel Description:**

- Property is located off of Wallace Road in the Placerville area.
- Parcel Size: 28.14 acres
- Parcel Zoning: Exclusive Agricultural (AE)
- Parcel Land Use Designation: Agricultural Land (AL)
- Ag District: Yes – Gold Hill Ag District

**Background:**

- The Williamson Act Contract for APN 089-320-03 was revised in 1988. It was once a portion of a larger contract and was split into four separate contracts in 1988 by David Maxwell, the owner. At the time, the property qualified for a high intensive agricultural operation with a pear orchard. Mr. Spencer and Mr. Bozzo purchased the property in 1998, according to the El Dorado County's Assessor's office.
- In 2008, it came to the Planning Department and Ag Department's attention that Mr. Spencer and Mr. Bozzo were operating a vacation rental on a parcel under a Williamson Act Contract. Mr. Spencer stated that they were operating the vacation rental under the Ranch Marketing Ordinance. A site visit was conducted by the Ag Department and it was determined that there was approximately 3 acres of olive trees on the site (verified with a Trimble gps unit capable of sub-meter accuracy) with no other agricultural activities. The pear orchard no longer existed. Mr. Spencer was told that in order to qualify for Ranch Marketing activities, a parcel, with AE zoning, must have a minimum of 5 acres of permanent agricultural crop in production AND a special use permit would be required for the vacation rental (Zoning Ordinance 17.14.190).

- In July of 2008, Mr. Spencer submitted a business plan to the Planning Department with a timeline showing the planting of an additional 2 acres of olive trees (to be completed in March of 2009), and a plan to fence approximately 10 acres for livestock use in January of 2010.



**Photos taken in October of 2008 of olive orchard**





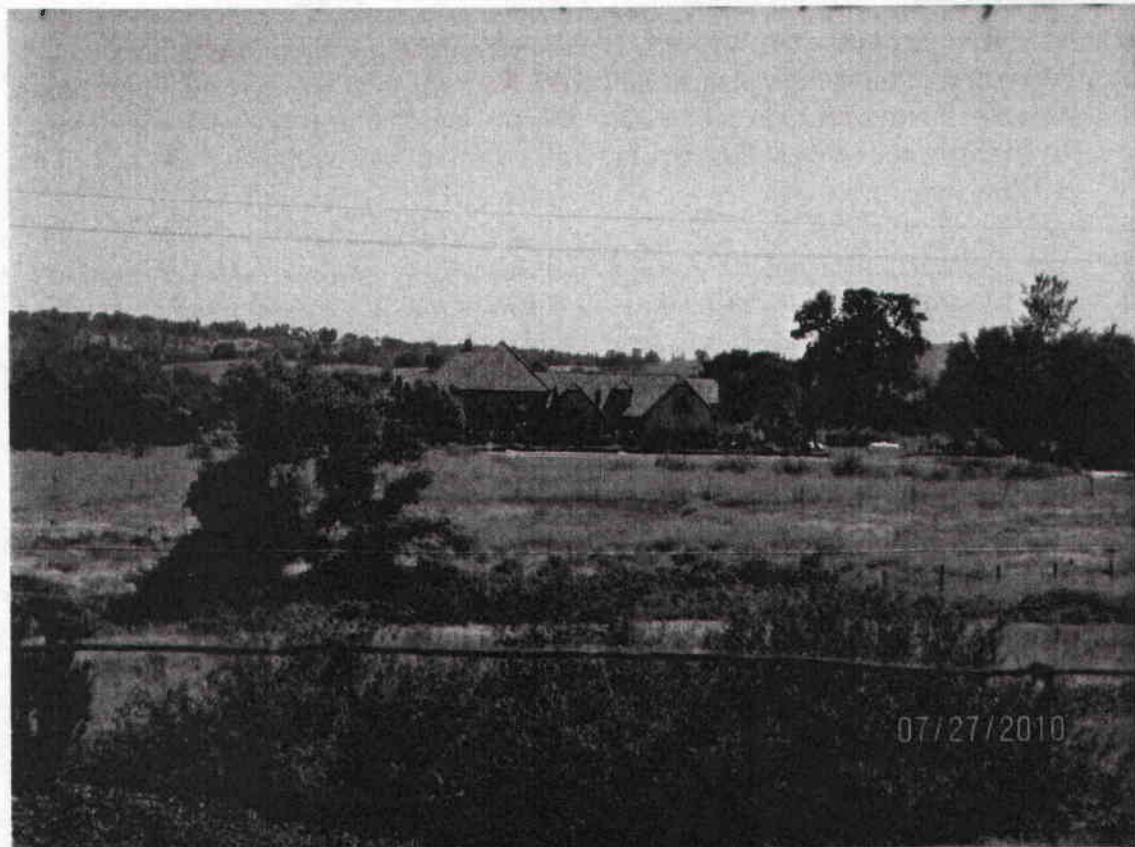
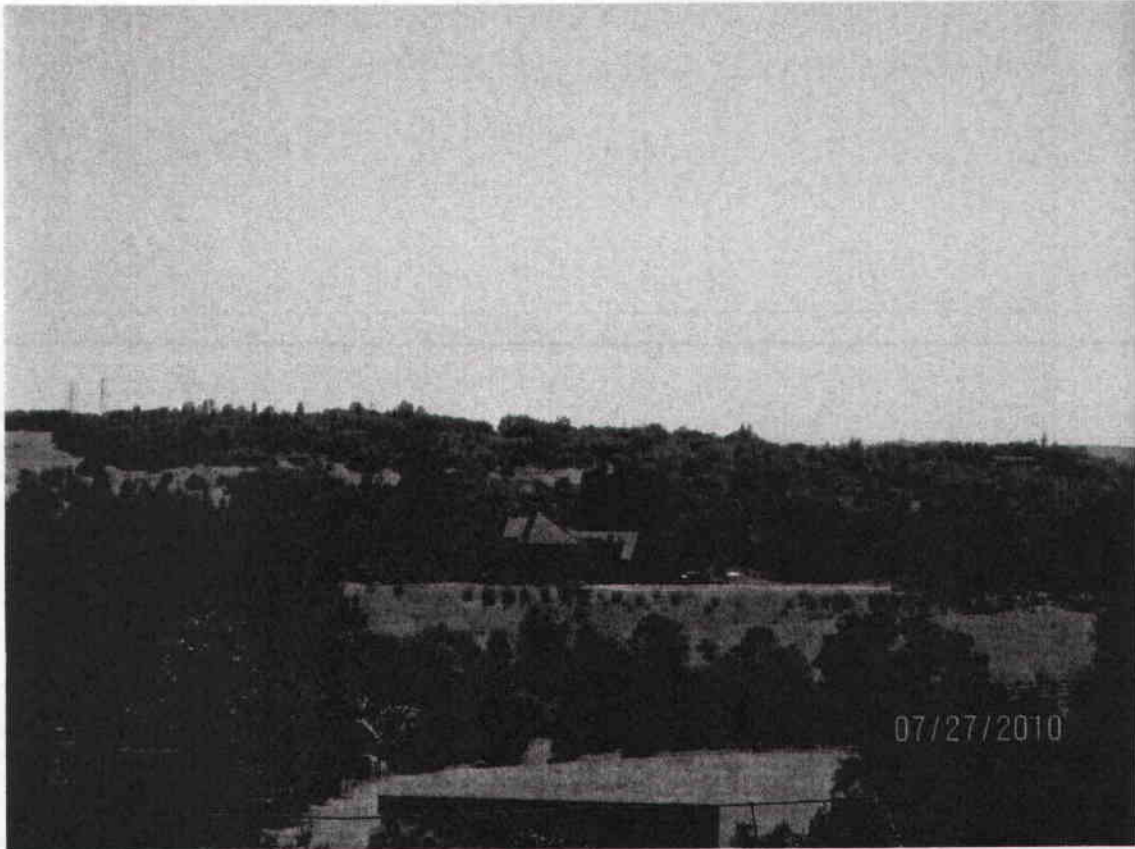


- In August of 2009, the Ag Department staff conducted another site visit to verify the acreage of the olive orchard. It was determined that there was approximately 4.79 acres of olive trees planted (not quite 5 acres), and they were not being properly cared for; some were dying from lack of water, weed competition and deer damage. It was staff's opinion that the "agricultural operation" was secondary and subordinate to the vacation rental.
- In December 2009, the Agricultural Department sent a letter to Mr. Spencer and Mr. Bozzo requesting verification that the minimum criteria for a high intensive farming operation in a Williamson Act Contract, as adopted by the El Dorado County Board of Supervisors, was being met. Mr. Spencer's reply was received by the Ag Department on January 5, 2010, and is attached.

**Projected Income from Olives:**

- According to the El Dorado – Alpine County 2009 Agricultural Crop & Livestock report, in 2009, local olive orchards produced an average of 0.27 tons of olives per acre at a value of \$3,620.00 per ton. According to this data, a five acre olive orchard would produce 1.35 tons of olives at a total value of \$4,887.00. In order to meet the minimum gross income of \$13,500.00, required by the Williamson Act Contract, it would take approximately 14 acres of olive trees with a production of 3.75 tons of olives.

Current Photos:





## DEPARTMENT OF AGRICULTURE WEIGHTS AND MEASURES

**William J. Stephans**  
Agricultural Commissioner  
(530) 621-5520

311 Fair Lane  
Placerville, CA 95667

(530) 626-4756 FAX  
eldcag@co.el-dorado.ca.us

Sealer of Weights and Measures

December 1, 2009

Zach Spencer  
Frank Bozzo  
1120 Wallace Rd.  
Placerville, Ca 95667

VIA CERTIFIED MAIL

Re: WAC # 251

Dear Mr. Spencer and Mr. Bozzo,

During our recent visit to your property located at 1120 Wallace Road, Placerville (APN 089-320-03), it came to our attention that your property may not meet the minimum criteria for a high intensive agricultural operation as stated in the El Dorado County Board of Supervisors adopted Williamson Act Contracts requirements. It is our understanding that this property is currently under Williamson Act Contract 251.

In an effort to verify compliance, please complete the enclosed survey and criteria checklist, including the attachment of all supporting documentation required to verify the reported information.

We are requesting this information pursuant to Government Code Section 51247. Specifically, the criteria required for a high intensive farming operation such as an olive orchard includes a minimum capital outlay (i.e. fencing costs, irrigation costs, cost of plants, etc.) of \$45,000.00, and a minimum yearly agricultural gross income from crop production of \$13,500.00.

We request that you respond by December 31, 2009. If we do not hear from you, we will assume that you do not meet the minimum requirements of the contract. Please feel free to contact us, if you have any questions regarding the information being requested.

Respectfully,

CHRISANDRA J. FLORES  
Agricultural Biologist/Standards Inspector II

CC: William J. Stephans  
Roger Trout  
Jim Wassner



December 22, 2009

Chrisandra J. Flores  
311 Fairlane Court  
Placerville, CA 95667

EL DORADO COUNTY  
AGRICULTURE  
WEIGHTS & MEASURES

2010 JAN -5 A 11:07

RECEIVED

Dear Ms. Flores,

Per your request I have completed the enclosed survey as well as attached supporting documentation for items listed on the survey sheet. I can assure you that we are in compliance with the standards of the Williamson Act and have been so since 1997 when the ranch was first purchased. I would like to know directly from your office what areas of compliance that are in question. You state in your letter

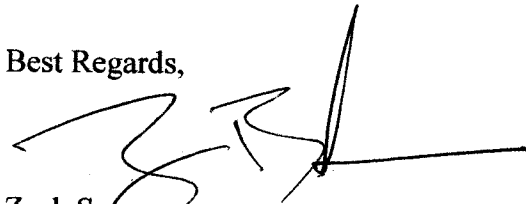
*"during your recent visit to your property it came to our attention that your property may not meet the minimum criteria for a high intensive agricultural operation as stated in the El Dorado County Board of Supervisors adopted Williamson Act Contracts requirements"*

I would like you to know that I was not aware of your visit and nor was I present. I would respectfully ask that any future visits be made by appointment only and with my presence.

I would also like to inform you that I have sent documentation to the county before (enclosed) addressing questions of compliance and each time these concerns have all been resolved at the site visit or were found to be compliant upon inspection. I am curious to know why these issues continue to surface when each item of compliance has been previously addressed.

If you have any questions regarding this letter please feel free to contact me at your convenience. I can best be reached at 916-293-2136. I look forward to speaking with you soon and a quick resolution to these matters.

Best Regards,



Zach Spencer  
Spencer Farms

1st  
Exhibit A of 11-0715.A.9 e

**Yields.**

As noted in the above section, olives begin bearing an economic crop in the fourth year after planting and maximum yield is reached in the sixth/seventh year. In our research we found that, olives yield 19% oil per fresh weight and the oil weighs 7.61 pounds per gallon. With a 90% extraction rate about 45 gallons of oil per ton of olives is produced. A case of olive oil consists of twelve 500 milliliter bottles. Typical annual yields for olives are measured in tons per acre. Tonnage, oil, and case yields are shown in the below table.

**Annual Yield for Establishment and Production Years 4 thru 7**

Year	Ton Fresh Weight	Gallons Oil	Cases	Revenue per acre	Five total acres
4	0.5	22.5	14.2	\$1,704.00	\$8,520.00
5	1	44.9	28.4	\$3,408.00	\$17,040.00
6	2	89.9	56.7	\$6,804.00	\$34,020.00
7+	2.5	112.4	70.9	\$8,508.00	\$42,540.00

- by 2013 or 2014

**Return.**

The yields and prices used in this cost study are an estimate based on past and current olive oil markets. We conservatively estimate an average price of \$120 per case of olive oil beginning at year 4.

**SPENCER FARMS OLIVE ORCHARD TIMELINE**  
Updated as of 12/01/2009

Owner: Zach Spencer

**Business Plan Timeline**

<b>Steps</b>	<b>Target Date</b>	<b>Status</b>
Step 1. Mark & Prepare land for an additional 2 acres to the existing 3 acres of Olive Orchard.	November 2008	Completed
Step 2. Once land has been prepared the irrigation system for the 2 acre addition will be planned/designed & installed.	January 2009	Completed
Step 3. Order Olive Trees 275 total- not to be delivered until early winter. (Santa Cruz Olive Tree and Oil Co. Watsonville, CA)	January 2009	Completed (plus additional 25 trees added)
Step 4. Plant the 275 additional Olive Trees	March 2009	Completed
Step 5. 10 acres to be fenced West to East on Wallace road for future livestock use	January 2010	Project plan revised to add row crop in late 2010.

**For expected/estimated crop yields see below information:**

Trees will be planted 18 X 18 and which equals 109 trees per acre. In four years it will be expected to have 3 tons per acre yield from mature trees or 80 pounds per tree.

trees per acre	109
Pounds of olive per tree	80 lbs – per mature tree
Tons per acre - mature trees	2-5 tons per acre with mature trees
Average sales price per ton of olives	\$500
Gallons of oil per ton	30
Retail price of oil - 500 ml premium	\$10-\$15



DEPARTMENT OF AGRICULTURE
WEIGHTS AND MEASURES

William J. Stephans
Agricultural Commissioner
Sealer of Weights and Measures

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WILLIAMSON ACT CONTRACT
CRITERIA CHECKLIST

OWNER NAME(S): Zach Spenser Trust + Frank Bozzo

SITE ADDRESS: 1120 Wallace Rd, Placerville, Ca. 95667

APN#: 089-320-03 PARCEL SIZE: 28.75 ZONING: LAND USE DESIG.:

DATE: CONTRACT # (IF APPLICABLE):

LOCATED WITHIN AN AG DISTRICT? YES NO If yes, which one?

TYPE OF AGRICULTURAL OPERATION: LOW INTENSITY (LI) HIGH INTENSITY (HI)

DESCRIBE: Olive Orchard

REQUIRED CRITERIA:

1. YES NO Capital outlay of \$10,000 (LI) or \$45,000 (HI) (Amount expended: \$ over \$45,000)

2. YES NO Minimum acreage of 50 acres (LI) or 20 acres\*\* (HI) (Parcel size: 28.75)
LI: adequately fenced? (yes) No gate HI: acreage of crops: 5-

3. YES NO Gross income of \$2,000/year (LI) or \$13,500/year (HI) (Income Amount: \$1,490)
Please see next page

\*\*ADDITIONAL CRITERIA FOR PARCELS BETWEEN 10 AND 20 ACRES: 28.75

A. YES NO Property has potential to contribute to County's ag welfare; Explain: YES see next page

B. YES NO Property scores 60 or higher on County Procedure for Evaluating the Suitability of Land for Agricultural Use; Score:

C. YES NO Property is currently engaged in ag use; Describe:

D. YES NO The use of surrounding properties is primarily ag in nature; Describe:

E. YES NO Parcel sizes of properties immediately adjacent to subject parcel are at least 10 acres and are included within the General Plan designation requiring at least 10-acre minimum parcel size; Describe:

F. YES NO Parcel was created prior to adoption of resolution; Parcel creation date:

(FOR AG DEPARTMENT COMPLETION)
STAFF RECOMMENDATION: APPROVE CONDITIONALLY APPROVE DISAPPROVE

NO RECOMMENDATION; EXPLAIN:

COMMENTS:





# DEPARTMENT OF AGRICULTURE WEIGHTS AND MEASURES

**WILLIAM J. STEPHANS**  
Agricultural Commissioner  
Sealer of Weights and Measures

311 Fair Lane  
Placerville, CA 95667  
(530) 621-5520  
(530) 626-4756 FAX  
eldcag@atasteofdorado.com

## WILLIAMSON ACT & FARMLAND SECURITY ZONE CONTRACTS

### AGRICULTURAL DATA SURVEY FOR CALENDAR YEAR 2009

Our records indicate that you are currently in an active Williamson Act or a Farmland Security Zone Contract with the County of El Dorado. Your assistance in the completion and submittal of this requested information is necessary to ensure that Williamson Act Contract properties are continuing to be dedicated to agricultural pursuits. Please complete the following questionnaire to the best of your ability and return it to our office in the enclosed postage paid envelope by (date). Also, please be aware that all surveys that are not completed and returned to our office may require site inspection evaluations by an inspector. If you have any questions regarding this survey, you may contact our office:

311 Fair Lane  
Placerville, CA 95667  
(530) 621-5520 Fax (530) 626-4756

**CONTRACT NUMBER** \_\_\_\_\_

Please list all Assessor Parcel Numbers that you have under this Williamson Act or Farmland Security Act contract and include them in this report:

089-320-03 \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**TOTAL ACRES UNDER CONTRACT:** \_\_\_\_\_

#### ACREAGE BREAKDOWN:

Home Site: yes Irrigated Pasture: \_\_\_\_\_  
Grazing Land: yes Orchard: 5 ACRES OLIVE (for oil)  
Dry Farm: \_\_\_\_\_ Vineyard: \_\_\_\_\_  
Conservation Reserve: \_\_\_\_\_ Other (specify): \_\_\_\_\_  
Irrigated Row Crop: planned in 2010  
2 to 3 ACRES

#### RENTAL INFORMATION (IF ANY):

Grazing Land: \$ per animal unit 0 or \$ per acre \_\_\_\_\_  
Irrigated Row Crop: \$ per acre \_\_\_\_\_ Type of Crop: \_\_\_\_\_  
Irrigated Pasture: \$ per acre \_\_\_\_\_

**GRAZING LAND:** Name of Lessee: \_\_\_\_\_

Date of Contract: \_\_\_\_\_ Length of Lease: \_\_\_\_\_

Payment Terms: \_\_\_\_\_

**VINEYARD/ORCHARD:** Name of Lessee: \_\_\_\_\_

Date of Contract: \_\_\_\_\_ Length of Lease: \_\_\_\_\_

Payment Terms: \_\_\_\_\_

**TOTAL ANNUAL LEASE OR RENT PAYMENT:** \_\_\_\_\_



**LAND PRODUCTION INFORMATION (NOT RENTED OR LEASED):**

Grazing land: Overall carrying capacity is \_\_\_\_\_ animal units on \_\_\_\_\_ acres or Acres/AU = \_\_\_\_\_  
Dry Farm: Crop Grown \_\_\_\_\_ Yield \_\_\_\_\_ Price per Ton \$ \_\_\_\_\_

**VINEYARD PRODUCTION**

Top 5 Varieties Planted	Acres Planted	Year Planted	5 Year Average Yield Tons/Acre	5 Year Average Gross Price/Ton
EXAMPLE: Cabernet	3.5	1990	2.5	\$1,200

Total Vineyard Acreage Planted: \_\_\_\_\_  
Please note any problems affecting production or price: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ORCHARD PRODUCTION**

Species	Variety	Acres	5 Year Average Yield per Acre	Unit? (tons, lbs or boxes)	5 Year Average Gross Price/Unit
EXAMPLE: Apple	Gala	5	4	Ton	\$600
Olive	Bosana F Leccino	5 Total		2008 300 hb 2009 550 lb	\$1200 \$1400
			we should be at 2 ton		
			by 2014 see yields page		

Please note any problems affecting production or price: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

How many residences are on this Williamson Act Contract? 2  
Do you have agricultural worker housing on this Williamson Act Contract?  YES  NO  
If your answer to the above question is "yes", how many units are on the contracted land? 1

**PLEASE SIGN AND DATE:**

Zach Spencer  
Print Name and Title (Owner/Operator)

[Signature]  
Signature

12/22/09  
Date

(916) 293-2136  
Telephone Number

# DEVELOPMENT SERVICES DEPARTMENT

COUNTY OF EL DORADO

<http://www.co.el-dorado.ca.us/devservices>



**PLACERVILLE OFFICE:**

2850 FAIRLANE COURT PLACERVILLE, CA 95667  
BUILDING (530) 621-5315 / (530) 622-1708 FAX  
[blgddept@co.el-dorado.ca.us](mailto:blgddept@co.el-dorado.ca.us)  
PLANNING (530) 621-5355 / (530) 642-0508 FAX  
[planning@co.el-dorado.ca.us](mailto:planning@co.el-dorado.ca.us)  
Counter Hours: 8:00 AM to 4:00 PM

**LAKE TAHOE OFFICE:**

3368 LAKE TAHOE BLVD. SUITE 302  
SOUTH LAKE TAHOE, CA 96150  
(530) 573-3330  
(530) 542-9082 FAX  
[tahoebuild@co.el-dorado.ca.us](mailto:tahoebuild@co.el-dorado.ca.us)  
Counter Hours: 8:00 AM to 4:00 PM

April 27, 2010

Mr. Zach Spenser & Mr. Frank Bozzo  
1120 Wallace Road  
Placerville, CA 95667

Re: **NOTICE OF ZONING CODE VIOLATIONS (C-185179)**  
1100 Pear Ridge Road, Placerville  
Williamson Act Contract-Agricultural Preserve No. 251  
Assessor's Parcel Number 089-320-03

Dear Messrs: Spenser & Bozzo:

This office has investigated the activities at referenced property and has concluded that following violations with the El Dorado County Code:

- (1) Operation of a vacation rental facility, known as Villa Tregua, in a Exclusive Agricultural Zone District (AE) without a special use permit pursuant to Code Section 17.14.180.B.3.d.

The Department of Agriculture conducted a site inspection in November of 2009 to determine if your property has the minimum five acres of crop in production that is properly maintained and cared for to produce a commercial crop. This is necessary to qualify for ranch marketing and thus qualify to apply for a special use permit for lodging facilities, including vacation rentals. The Department of Agriculture determined that you do not currently have five acres of a commercial crop that is properly maintained.

- (2) Maintaining a second residential unit with a square footage in excess of 1,200 square feet in violation of Code Section 17.15.020.B.2.

On March 11, 2002, you received building permit to build a new single-family residence (Permit No. 135589) of approximately 3,981 square feet and a building permit to reduce the size of an existing residential unit (Permit No. 135588) from 1,550 square feet to 1,200

EL DORADO COUNTY  
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2010 APR 30 A 11:04  
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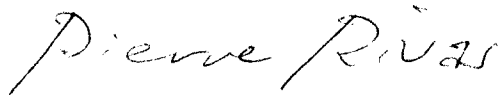
square feet in order to comply with the second residential unit maximum size limitation of 1,200 square feet. You then requested that this permit files be closed 11 months after the permit on the new residence was finalized. You now have two residences exceeding 1,200 square feet which is now in violation of the zoning ordinance.

- (3) The agricultural activities on site are not in compliance with the Williamson Act Contract and Agricultural Preserve criteria established by El Dorado County. The minimum annual gross income of \$13,500 is not being maintained, as required for high intensive farming operations, through the existing olive orchard. In addition, the second residential unit appears to have been constructed to further the property being used as a vacation rental facility. Section 3, *Land Use*, of the Williamson Act Contract states: *The use of the property is limited during the term of this Contract to agricultural and compatible uses. Structures may be erected on the property (and existing structures enlarged) if they are directly related to and compatible with permitted uses.*

The Department of Agriculture conducted a site inspection in November of 2009 to determine if your property met the minimum criteria for a high intensive agricultural operation. The inspection resulted in a determination that you do not meet the criteria to qualify as a high intensity agricultural operation as required by your William Act Contract. As such, you will be subject to a notice of non-renewal initiated by the County.

Please note that if you fail to voluntarily abate the violations, you may be subject to the issuance of an administrative and/or criminal citation with associated fees and/or fines. If you have any questions regarding your obligations to resolve these code violations, please contact Jim Wassner, Senior Code Enforcement Officer, at 530-621-6539.

Sincerely,

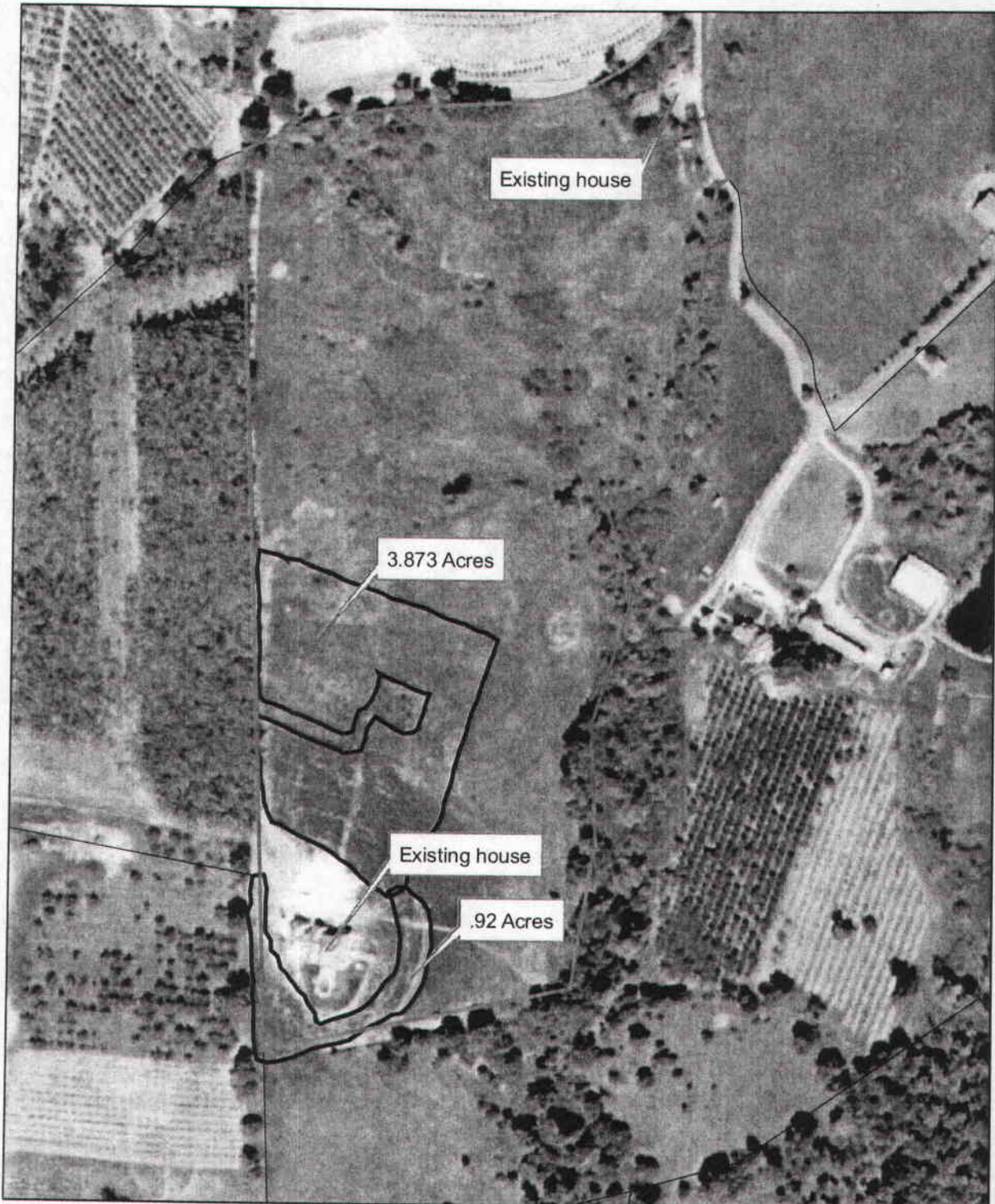


Pierre Rivas, Principal Planner  
Planning Services

Cc: Supervisor Ron Briggs, District IV  
Roger Trout, Director, Development Services Department  
Jim Wassner, Code Enforcement  
Bill Stephans, Agricultural Commissioner



# APN 089-320-03/Spencer



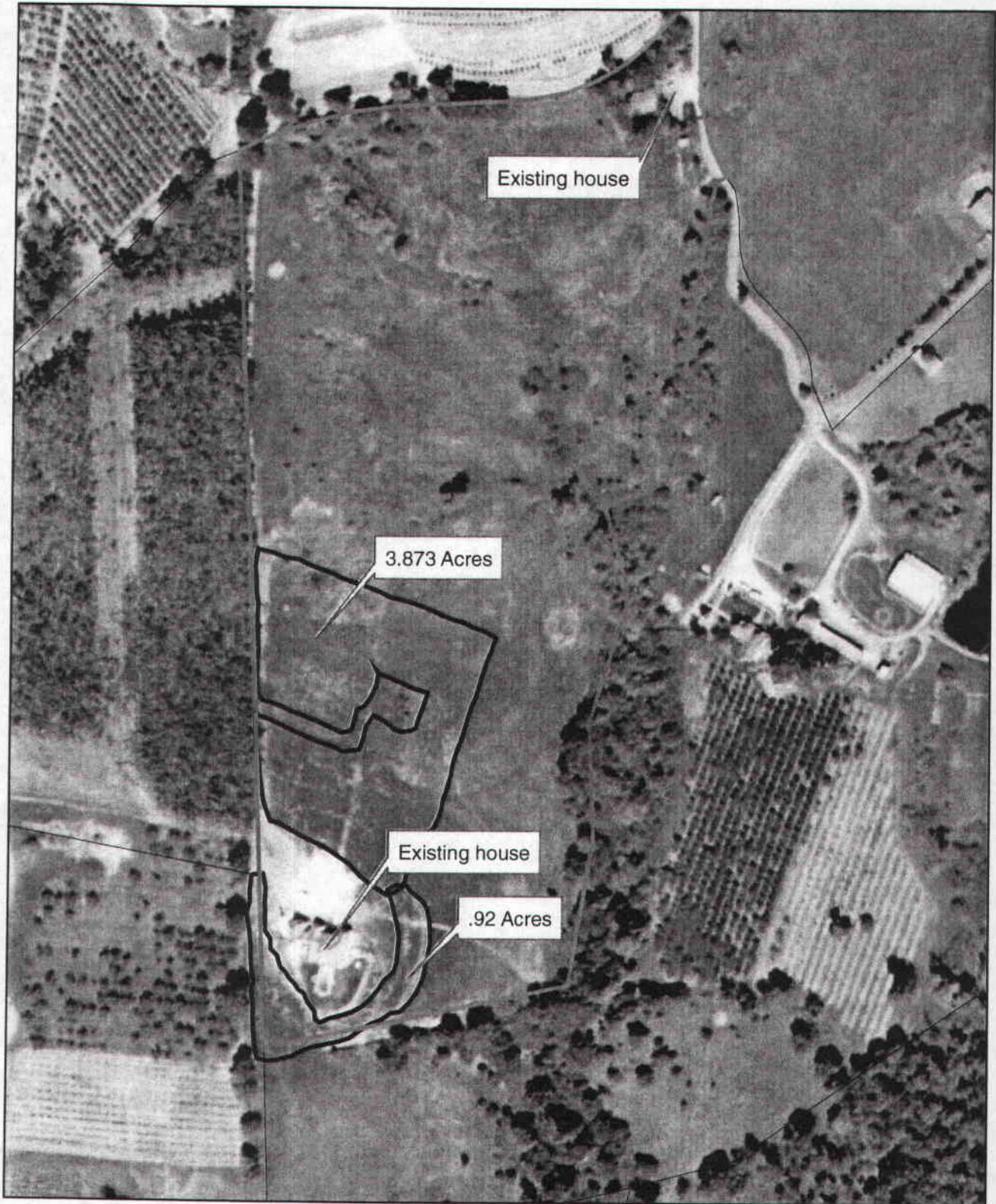
Copyright 2004 AirPhoto USA, LLC, All Rights Reserved.

Total acres of olives planted = \*4.79  
\* gps'd on 8/17/09





# APN 089-320-03/Spencer



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Total acres of olives planted = \*4.79  
\* gps'd on 8/17/09

