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ROBERT A. LAURIE

September 9, 2008

Mr. Alan Tolhurst
Chairman, El Dorado County
Planning Commission
2850 Fairlane Court
Placerville, CA 95667

Re: Cozzi SUP; S07-0021

Dear Chairman Tolhurst:

The above-entitled matter is set for hearing by the Planning Commission on September 11. I wish to take this opportunity to provide comments in regards to such.

The request is to allow a home occupation for the Cozzi' s landscaping business. Their office would be located in their home and would not utilize employees. However, the Cozzi' s do need to store their work vehicles on-site. This means that some of their employees would drive to the site to pick up the work vehicles, park their cars for the day on-site and pick them up again in the evening. Many of the Cozzi' s neighbors claim this would be a burden on their lifestyle. The question of lifestyle is I suppose, a subjective one, difficult to measure. However, the facts are very clear.

The complaints received from the neighbors as reiterated by staff are two-fold: traffic and visual impacts. In regards to traffic, the 10 employees referenced in the application is the maximum that had been anticipate. By company mandate, such employees would carpool to the site, arriving in no more than four vehicles. Since the time of the application however, the company foreman has been provided his own vehicle and drives directly to the job site. In addition, the maximum number of employees arriving to pick-up

equipment on a daily basis would be two. Thus, the site would require no more than two employee parking spaces. Any rational analysis would conclude that two vehicles coming and going twice a day would hardly be noticeable; at least no more so than normal activity occurring at any other home. In addition, the County confirms that Fria Springs Road should be accessible from the east even though access is currently blocked. Once this access is point is cleared, employees would enter and leave through the eastern access and the neighbors would not be impacted whatsoever.

Regarding visual impacts, the applicants will be submitting schematics of the heavy screening proposed for the site. The screening will block all view of the stored vehicles. Obviously, there is no screening in place at this point as the applicants cannot make the necessary significant investment until the SUP is approved. In addition, the applicants are willing to condition the SUP on the construction of a barn-like parking facility for the equipment. Such equipment would consist of a small tractor with attachments, an irrigation trailer, a dump trailer and a ¾ton pick-up.

In addition to the points raised by the neighbors, the Planning staff has taken the position that as a matter of office policy, contractor home occupations should be disallowed. First, office policy is not County policy; secondly, such a policy would be arbitrary. I refer you to the County law as referenced in the RE-5 zoning regulations (Chapter 17.28). Uses permitted by right in a RE-5 zone include such businesses as: a law office, an engineering office, a dentist, therapist or teacher. All would likely create more year around traffic than what is proposed in this instance. In addition, with a special use permit, allowable uses would include, mining or drilling, schools, churches cemeteries and golf courses, all again of much greater impact than that would be present in this case.

It is understood that throughout the County there are many parcels covered/littered with stored construction equipment that have become eyesores over the years. Such uses are either clearly unlawful or have grandfathered status. Thus, any new home occupation ordinance would take this into consideration when considering the allowable home occupations in a RE-5 zone. However, the rule today is as expressed in Chapter 17.28 and Chapter 17.28 clearly permits, by right, more significant uses than proposed.

It is respectfully submitted that necessary findings can be supported by the evidence as follows (see El Dorado County Ordinance Section 17.22.540):

1. The issuance of the permit is consistent with the General Plan in that the insignificance of the proposed use does not create an incompatibility with the surrounding uses and would be permitted under the RE-5 zoning regulations.

2. The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood, in that the impacts of the proposal are insignificant and aesthetics would actually be enhanced due to landscaping improvements proposed by the applicants.

3. The proposed use is specifically permitted in that such is a use similar to "accountant, attorney, architect, draftsman, engineer" (Sec 17.28.190) and in addition such use is a home occupation that may not be specifically not listed under 17.28 190, above, and thus permitted with a Special Use Permit.

Accordingly, for the reasons listed above, it is respectfully requested that the application be approved based upon the findings as presented above.

Very truly yours,



ROBERT A. LAURIE