

18902

File Number: 511-0008-A

Receipt No.: 27580

Date Received: December 21, 2011

Amount: 200.00

APPEAL FORM

(For more information, see Section 17.22.220 of the Zoning Ordinance)

Appeals must be submitted to the Planning Department with appropriate appeal fee. Please see fee schedule or contact the Planning Department for appeal fee information.

APPELLANT William L. & Arleta R. Casalegno

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A letter from the Appellant authorizing the Agent to act in his/her behalf must be submitted with this appeal.

AGENT _____

ADDRESS _____

DAYTIME TELEPHONE _____

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PLANNING DEPARTMENT
11 DEC 21 PM 2:50

APPEAL BEING MADE TO: Board of Supervisors Planning Commission

ACTION BEING APPEALED (Please specify the action being appealed, i.e., approval of an application, denial of an application, conditions of approval, etc., and specific reasons for appeal. If appealing conditions of approval, please attach copy of conditions and specify appeal.)

We are appealing the approval of the Special Use Permit to memorialize the continued operation of an industrial facility on APN 092-060-70 (item 8A on the planning commission agenda of 12/8/11). The reasons for this appeal are attached.

DATE OF ACTION BEING APPEALED Dec. 8, 2011

William L Casalegno
Signature

Dec. 21, 2011
Date

Reasons for our appeal:

1. It does not address appropriate limits on the level of industrial activity for this site in MDR zoning. On December 8th we spoke to the planning commission and said that the level of activity of “2 shifts, 57 employees, and UPS trucks coming in and out of there all the time” (cf. exhibits F1 – F5 of the planning commission staff report) was not appropriate for our community. As passed, memorializing the continued operation of the industrial facility limits activity to the current facilities but would allow similar industrial activity of 2 or more shifts and 60 or more employees.
2. For the past 5 to 10 years there has been limited activity at the facility. The grandfathering of rights to continue commercial and industrial use is dependent upon compliance with Section 12.20.110 and Section 17.22.260 both stating that if use has ceased for a period of one year then the use is effectively terminated (page 4 of the staff report). We request that documentation be submitted to show that commercial / industrial use was continuous and that the request to memorialize is indeed valid. It is possible that there was a lapse for more than one year toward the end of the Video Marquee business or when subsequent businesses were sought to operate in the facility.